

ERIE COUNTY LEGISLATURE
MEETING NO. 10
MAY 24, 2018

The Legislature was called to order by Chair Savage.

All members present.

An Invocation was held, led by Mr. Brusco, who offered a short prayer.

The Pledge of Allegiance was led by Chair Savage.

Item 1 – No tabled items.

Item 2 – No items for reconsideration from previous meeting.

Item 3 – MS. BASKIN moved for the approval of the minutes for Meeting Number 9 from 2018. MR. BURKE seconded.

CARRIED UNANIMOUSLY.

Item 4 – No Public Hearings.

MISCELLANEOUS RESOLUTIONS

Item 5 – MR. MILLS presented a proclamation Honoring the Town of Eden on Being Ranked America's Twenty-Third Safest Town and New York State's Fifth Safest Town.

Item 6 – CHAIR SAVAGE, MS. BASKIN, MR. LORIGO, MR. BRUSO, MR. BURKE, MS. DIXON, MR. HARDWICK, MR. LOUGHRAN, MS. MILLER-WILLIAMS, MR. MILLS & MR. RATH presented a proclamation Proclaiming the Week of May 20 - 26, 2018 as "Emergency Medical Services Week" in Erie County.

Item 7 – MR. RATH presented a proclamation Acknowledging Ryan Fitzpatrick for Attaining the Rank of Eagle Scout.

Item 8 – MR. RATH presented a proclamation Acknowledging Dylan Sass for Attaining the Rank of Eagle Scout.

Item 9 – MR. RATH presented a proclamation Acknowledging Parker Swiatek for Attaining the Rank of Eagle Scout.

Item 10 – MR. RATH presented a proclamation Recognizing the Swormville Fire Company for Their Selfless Commitment to the Citizens of Amherst Upon its 100th Anniversary.

Item 11 – MR. LOUGHRAN presented a proclamation Recognizing Carolyn Schlifke as the Erie County Legislature's Citizen of the Month for May, 2018.

Item 12 – MR. LORIGO, MR. RATH, MR. HARDWICK, MR. MILLS, MS. DIXON presented a proclamation Honoring Our Current and Former Members of the U.S. Armed Forces and Proclaiming May, 2018 as National Military Appreciation Month in Erie County.

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

CARRIED UNANIMOUSLY.

MS. BASKIN moved to amend the above six items by adding one for the entire Legislature, and to include Et Al Sponsorship. MR. LORIGO seconded.

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

LOCAL LAWS

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

GRANTED.

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

GRANTED.

Item 15 – CHAIR SAVAGE directed that Local Law No. 8 (Print #1) 2017 remain on the table and in the ENERGY & ENVIRONMENT COMMITTEE.

GRANTED.

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. 14 (Print #1) 2017 remain on the table and in the ECONOMIC DEVELOPMENT COMMITTEE.

GRANTED.

Item 18 – CHAIR SAVAGE directed that Local Law No. 15 (Print #1) 2017 remain on the table and in the ENERGY & ENVIRONMENT COMMITTEE.

GRANTED.

Item 19 – CHAIR SAVAGE directed that Local Law No. 16 (Print #1) 2017 remain on the table and in the HEALTH & HUMAN SERVICES COMMITTEE.

GRANTED.

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

GRANTED.

Item 21 – CHAIR SAVAGE directed that Local Law No. 20 (Print #1) 2017 remain on the table and in the ECONOMIC DEVELOPMENT COMMITTEE.

Item 22 – CHAIR SAVAGE directed that Local Law No. 23 (Print #1) 2017 remain on the table and in the HEALTH & HUMAN SERVICES COMMITTEE.

GRANTED.

Item 23 – CHAIR SAVAGE directed that Local Law No. 2 (Print #1) 2018 remain on the table and in the HEALTH & HUMAN SERVICES COMMITTEE.

GRANTED.

Item 24 – CHAIR SAVAGE directed that Local Law No. 3 (Print #1) 2018 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

COMMITTEE REPORTS

Item 25 – MR. BURKE presented the following report and moved for immediate consideration and approval. MR. RATH seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 114

May 17, 2018	ECONOMIC DEVELOPMENT COMMITTEE
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REPORT NO. 7

ALL MEMBERS PRESENT.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 10E-24 (2017)
COUNTY EXECUTIVE: “Open Item – 2017 Road, Bridge, & Infrastructure Project Appropriations”
(Chair’s ruling)
 - b. LL INTRO. 20-1 (2017)
MORTON: “A LL Requiring that All County Contracts Include Provisions that Ensure Goods and Materials Purchased or Used Shall be Manufactured in New York”
(Chair’s ruling)
 - c. INTRO. 6-3 (2018)
MILLS, LORIGO, DIXON, HARDWICK & RATH: “Transfer of Fund Balance to Department of Public Works for 2018 Road Repair Projects”
(Chair’s ruling)
 - d. COMM. 7M-15 (2018)
MITCHELL MACIUBA, AMERICAN PAVING & EXCAVATING:
“Written Comments Concerning Local Law Intro. 4-1 (2018)”
(Chair’s ruling)
 - e. COMM. 7M-16 (2018)
KELSEY WAGNER, AMERICAN PAVING & EXCAVATING
“Written Comments Concerning Local Law Intro. 4-1 (2018)”
(Chair’s ruling)
 - f. COMM. 7M-17 (2018)
DANIEL FETES, PRESIDENT, MJ MECHANICAL SERVICES, INC.:
“Written Comments Concerning Local Law Intro. 4-1 (2018)”
(Chair’s ruling)
 - g. COMM. 7M-18 (2018)
MICHAEL J. HIGGINS, PRESIDENT, TOM GREENAUER DEVELOPMENT, INC.:
“Written Comments Concerning Local Law Intro. 4-1 (2018)”
(Chair’s ruling)
 - h. COMM. 7M-19 (2018)
DOTTIE GALLAHER-COHEN, PRESIDENT & CEO, BUFFALO NIAGARA PARTNERSHIP: “Written Comments Concerning Local Law Intro. 4-1 (2018)”
(Chair’s ruling)
 - i. COMM. 7M-20 (2018)

- DIANE F. BURGER, VICE-PRESIDENT, CTS CONTRACTING, INC.:
“Written Comments Concerning Local Law Intro. 4-1 (2018)”
(Chair’s ruling)
- j. COMM. 7M-21 (2018)
FRED BOEHEIM, GYPSUM SYSTEMS, INC.:
“Written Comments Concerning Local Law Intro. 4-1 (2018)”
(Chair’s ruling)
- k. COMM. 7M-22 (2018)
MICHAEL S. WAHL, PRESIDENT, JM&R ELECTRICAL:
“Written Comments Concerning Local Law Intro. 4-1 (2018)”
(Chair’s ruling)
- l. COMM. 7M-23 (2018)
SCOTT ROETZER, LEDGE CREEK DEVELOPMENT, INC.:
“Written Comments Concerning Local Law Intro. 4-1 (2018)”
(Chair’s ruling)
- m. COMM. 7M-24 (2018)
BILL PHILLIPS, SALES REPRESENTATIVE, GERNATT ASPHALT PROD.:
“Written Comments Concerning Local Law Intro. 4-1 (2018)”
(Chair’s ruling)
- n. COMM. 7M-25 (2018)
BRIAN SAMPSON, PRESIDENT, ASSOCIATED BUILDERS & CONTRACTORS, INC.:
“Written Comments Concerning Local Law Intro. 4-1 (2018)”
(Chair’s ruling)
- o. COMM. 7M-27 (2018)
WILLIAM BANFIELD, NYS REGIONAL MANAGER, NORTHEAST REGIONAL
COUNCIL OF CARPENTERS: “Written Comments Concerning Local Law Intro. 4-1
(2018)”
(Chair’s ruling)
- p. COMM. 7M-28 (2018)
RICHARD LIPSITZ, PRESIDENT, WNY AREA LABOR FEDERATION, AFL-CIO:
“Written Comments Concerning Local Law Intro. 4-1 (2018)”
(Chair’s ruling)
- q. COMM. 7M-29 (2018)
RICK WILLIAMSON, SECRETARY/TREASURER, BRICKLAYERS & ALLIED
CRAFTWORKERS LOCAL 3, NY: “Written Comments Concerning Local Law Intro. 4-1
(2018)”
(Chair’s ruling)
- r. COMM. 7M-30 (2018)

JOHN TOMASELLO, BUSINESS AGENT, APPRENTICE COORDINATOR, CEMENT MASONS LOCAL #111: “Written Comments Concerning Local Law Intro. 4-1 (2018)”
(Chair’s ruling)

- s. COMM. 7M-31 (2018)
JOHN HELAK, BUSINESS MANAGER & PAUL CRIST, BUSINESS REPRESENTATIVE, SMART, LOCAL UNION NO. 71: “Written Comments Concerning Local Law Intro. 4-1 (2018)”
(Chair’s ruling)
- t. COMM. 7M-32 (2018)
BRIAN SCRUTON, COUNCIL REPRESENTATIVE, EASTERN MILLWRIGHT REGIONAL COUNCIL, LOCAL 1163: “Written Comments Concerning Local Law Intro. 4-1 (2018)”
(Chair’s ruling)
- u. COMM. 7M-33 (2018)
DAVID CRONKHITE, BUSINESS AGENT, PLUMBERS & STEAMFITTERS LOCAL 22: “Written Comments Concerning Local Law Intro. 4-1 (2018)”
(Chair’s ruling)
- v. COMM. 7M-34 (2018)
MARK C. WEISENBURG, DIRECTOR, FINISHING TRADES INSTITUTE OF WESTERN & CENTRAL NY: “Written Comments Concerning Local Law Intro. 4-1 (2018)”
(Chair’s ruling)
- w. COMM. 7M-35 (2018)
RONALD J. WHEELER, BUSINESS REPRESENTATIVE/FINANCIAL SECRETARY, I.U.E.C. LOCAL 14: “Written Comments Concerning Local Law Intro. 4-1 (2018)”
(Chair’s ruling)
- x. COMM. 7M-36 (2018)
KEVIN STRANAHAN, BUSINESS AGENT, PLUMBERS & STEAMFITTERS LOCAL 22: “Written Comments Concerning Local Law Intro. 4-1 (2018)”
(Chair’s ruling)
- y. COMM. 7M-37 (2018)
MARK SCOVILLE, APPRENTICESHIP COORDINATOR, HEAT & FRONT INSULATORS & ALLIED WORKERS LOCAL NO. 4: “Written Comments Concerning Local Law Intro. 4-1 (2018)”
(Chair’s ruling)
- z. COMM. 7M-38 (2018)
ART FADELEY, BUSINESS MANAGER, HEAT & FRONT INSULATORS & ALLIED WORKERS LOCAL NO. 4: “Written Comments Concerning Local Law Intro. 4-1 (2018)”
(Chair’s ruling)

- aa. COMM. 7M-39 (2018)
RICHARD EVANS, BUSINESS AGENT, PLUMBERS & STEAMFITTERS LOCAL 22:
“Written Comments Concerning Local Law Intro. 4-1 (2018)”
(Chair’s ruling)
- bb. COMM. 7M-40 (2018)
SEAN REDDEN, BUSINESS MANAGER, PLUMBERS & STEAMFITTERS LOCAL 22:
“Written Comments Concerning Local Law Intro. 4-1 (2018)”
(Chair’s ruling)
- cc. COMM. 7M-41 (2018)
BRIAN REFF, BUSINESS MANAGER, LABORERS' LOCAL 210: “Written Comments
Concerning Local Law Intro. 4-1 (2018)”
(Chair’s ruling)
- dd. COMM. 7M-42 (2018)
PETER CAPITANO, BUSINESS AGENT/APPRENTICESHIP COORDINATOR,
LABORERS' LOCAL 210: “Written Comments Concerning Local Law Intro. 4-1 (2018)”
(Chair’s ruling)
- ee. COMM. 7M-43 (2018)
GARY SWAIN, BUSINESS MANAGER, I.U.O.E. LOCAL 17: “Written Comments
Concerning Local Law Intro. 4-1 (2018)”
(Chair’s ruling)
- ff. COMM. 7M-44 (2018)
THOMAS HALLIGAN, BUSINESS MANAGER, IRONWORKERS LOCAL #6:
“Written Comments Concerning Local Law Intro. 4-1 (2018)”
(Chair’s ruling)
- gg. COMM. 7M-45 (2018)
JIM WILLIS, BUSINESS AGENT/FINANCIAL SECRETARY, IRONWORKERS LOCAL
#6: “Written Comments Concerning Local Law Intro. 4-1 (2018)”
(Chair’s ruling)
- hh. COMM. 7M-46 (2018)
PAUL BROWN, BUSINESS AGENT, PLASTERERS & CEMENT MASONS UNION:
“Written Comments Concerning Local Law Intro. 4-1 (2018)”
(Chair’s ruling)
- ii. COMM. 7M-47 (2018)
PAUL BROWN, BUFFALO BUILDING & CONSTRUCTION TRADES COUNCIL:
“Written Comments Concerning Local Law Intro. 4-1 (2018)”
(Chair’s ruling)
- jj. COMM. 8E-12 (2018)

LORIGO: “Minority Caucus - Proposed Amendment to Local Law Intro. 5-1 (2018)”
(Chair’s ruling)

kk. COMM. 8E-13 (2018)
LORIGO: “Minority Caucus - Proposed Amendment to Local Law Intro. 4-2 (2018)”
(Chair’s ruling)

ll. COMM. 8M-2 (2018)
GEORGE E. HARRIGAN, PRESIDENT, WNY TEAMSTERS JOINT COUNCIL NO. 46.:
“Written Comments Concerning Local Law Intro. 4-1 (2018)”
(Chair’s ruling)

mm. COMM. 8M-3 (2018)
BRIAN W. DUNN, BUSINESS MANAGER, ROAD SPRINKLER FITTERS LOCAL
UNION NO. 669: “Written Comments Concerning Local Law Intro. 4-1 (2018)”
(Chair’s ruling)

nn. COMM. 8M-4 (2018)
CAMILLE HOPKINS: “Written Comments Concerning Local Law Intro. 5-1 (2018)”
(Chair’s ruling)

oo. COMM. 8M-5 (2018)
JAMES L. COLLINS, JR., MILHERST CONSTRUCTION, INC.: “Written Comments
Concerning Local Law Intro. 4-1 (2018)”
(Chair’s ruling)

pp. COMM. 9M-1 (2018)
ECIDA: “Annual Audited Financial Statements for 2017”
(Chair’s ruling)

qq. COMM. 9M-3 (2018)
NFTA: “Cash Flow Statements”
(Chair’s ruling)

2. COMM. 7E-48 (2018)
COUNTY EXECUTIVE AS AMENDED
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 2018 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 \$2,200,000 from the available balance in the Road Repair Reserve Fund to conduct important road work in 2018; 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 May 15, 2018.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the following 2018 budget amendments:

Fund 210 – Road Repair Reserve Fund Center 12330

Revenue	Current Budget	Adjustment	Adjusted Budget
402190 Appropriated Fund Balance		\$2,200,000	\$2,200,000
402600 Transfer Tax	<u>\$12,600,000</u>		<u>\$12,600,000</u>
Total Revenue	\$12,600,000	\$2,200,000	\$14,800,000
Expense			
912300 ID Highway Services	<u>\$12,600,000</u>	<u>\$2,200,000</u>	<u>\$14,800,000</u>
Total Expense	\$12,600,000	\$2,200,000	\$14,800,000
Net Change Road Repair Reserve		\$0	

Fund 210 - Highways Fund Center 123

Expense	Current Budget	Adjustment	Adjusted Budget
570000 Interfund Trans-Subs	\$7,855,200	\$2,200,000	\$10,055,200
912300 ID Highway Services	<u>(\$12,672,300)</u>	<u>(\$2,200,000)</u>	<u>(\$14,872,300)</u>
Total Expense	(\$4,817,100)	\$0	(\$4,817,100)
Net Change Fund 210		\$0	

Fund 420 - Capital Project B.18050

Revenue	Current Budget	Adjustment	Adjusted Budget
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486000 Interfund Revenue	\$7,500,000	\$2,200,000	\$9,700,000
Expense			
Capital Projects	\$7,500,000	\$2,200,000	\$9,700,000
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 May 15, 2018; and be it further

RESOLVED, that authorization is provided to appropriate \$2,200,000 of available prior-year Transfer Tax to conduct 2018 road projects; 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.

(5-0)

3. COMM. 9E-16 (2018)
COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Environment and Planning administers the federal Community Development Block Grant (CDBG) Program on behalf of thirty-four municipalities comprising the Erie County Community Development Consortium; and

WHEREAS, said Consortium receives approximately \$2,733,034 annually from the United States Department of Housing and Urban Development; and

WHEREAS, said funds must primarily benefit low and moderate-income households within the Consortium; and

WHEREAS, the Consortium municipalities are desirous of having access to a professional planning firm having skill in architectural design services which are required to successfully carry out the requirements of the CDBG Commercial Center Improvement Program.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into an agreement with Clinton Brown Company Architecture PC in an amount not to exceed \$50,000 for the purpose of providing architectural design services to Erie County for the implementation of the Commercial Center Improvement Program; and be it further

RESOLVED, that the source of said funds shall be Project Number J.00517 (2017-2018 CDBG Program) for the Erie County Community Development Block Grant Program; and be it further

RESOLVED, that certified copies of the resolution shall be forwarded to the County Executive's Office; the County Comptroller's Office; the Director of the Division of Budget and Management; the County Attorney; Commissioner of the Department of Environment and Planning, Rath Building, 10th floor.

(4-0) Legislator Loughran not present for vote.

4. COMM. 9E-17 (2018)
COUNTY EXECUTIVE

WHEREAS, the Unified Court System Eight Judicial District ("UCS") has requested that the Erie County Department of Public Works make various improvements to the Erie County Court Building, Old County Hall, and the Erie County Family Court Building; and

WHEREAS, this project will greatly improve the aesthetics in the Erie County Court Building, Old County Hall and the Erie County Family Court Building, and the cost of the project is 100% reimbursable to the county from the UCS as a tenant-request line item within the Chapter 686 cleaning and minor maintenance contract with the County for the New York State fiscal year beginning April 1, 2018; and

WHEREAS, a new SAP capital project will be created in Funds Center 122, Fund 410, in the amount of the anticipated reimbursement of \$ 300,000 from the UCS.

NOW, THEREFORE, BE IT

RESOLVED, that in order to comply with the Unified Court System Eighth Judicial District request to make improvements to the Erie County Court Building, Old Count Hall and the Erie County Family Court Building, a new SAP project (A.18XXX) will be created in the amount of \$ 300,000 for said improvements; and be it further

RESOLVED, that the new SAP project will be created in Funds Center 122, Fund 410, under the supervision of the Department of Public Works – Buildings and Grounds; and be it further

RESOLVED, that the County Executive is authorized to accept reimbursement in an amount not to exceed \$ 300,000 from the UCS after said improvements are made; and be it further

RESOLVED, that the Division of Budget and Management is authorized to make all necessary budgetary and accounting entries to facilitate the acceptance of revenue and outlay of expenditures; and be it further

RESOLVED, that certified copies of this resolution be sent to the Department of Public Works, Office of the Commissioner, Office of the County Executive, the Division of Budget and Management, the Office of the Comptroller and the Unified Court System Eighth Judicial District c/o Andrew Isenberg.

(5-0)

5. COMM. 9E-21 (2018)
COUNTY EXECUTIVE

WHEREAS, the Replacement of Warner Hill Culvert (CIN 390-01A) Project PIN 5762.22, the "Project", is eligible for New York State funding under the Bridge NY Grant Program; and

WHEREAS, the County of Erie previously advanced the Project by making a commitment of 100% of the State share of the costs of the Design via Legislative Communication 8E-12 dated May 11, 2017; and

WHEREAS, the County of Erie desires to advance the Construction phase of the Project; and

WHEREAS, in order to advance the Construction phase of the Project, in a timely manner, it will be necessary for the County Executive to execute Agreements with the lowest responsible bidder, CHA Companies, Inc. as Project Designer for Engineering and Inspection services, and establish a contingency in an amount not to exceed \$472,034.

NOW, THEREFORE, BE IT

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

RESOLVED, that the necessary Project funds are available in the amount of \$375,000 from Fund 420, Funds Center 123, Project B.17076 (2017 5762.22 Warner Hill Road Culvert Replacement Project), and in the amount of \$97,034 from Fund 420, Funds Center 123, Project B.15011 (2015 Preservation of Bridge, Construction); and be it further

RESOLVED, the County Executive is hereby authorized to execute the construction contract with the lowest responsible bidder, enter into a construction phase engineering services agreement with CHA Companies, Inc., and establish a contingency in an amount not to exceed \$472,034; 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 New York State Funds on behalf of the County of Erie, (subject to the County of Erie Attorney's approval as to form and content), with the New York State Department of Transportation in connection with the advancement or approval of the Project identified in the State/Local Agreement; and be it further

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

(5-0)

6. COMM. 9E-22 (2018)
COUNTY EXECUTIVE

WHEREAS, the Erie County Health Lab utilizes instrumentation and equipment which

exceeds the air conditioning system cooling capacity, and the roof top units that serve the laboratory areas are beyond their useful lives, requiring high maintenance and costly repairs; and

WHEREAS, replacement of the various roof top units is required to reduce maintenance costs and allow the laboratory instrumentation and equipment to operate normally while providing optimal occupant comfort year-round; and

WHEREAS, the Erie County Department of Public Works received professional Architectural/Engineering design services proposals for the Erie County Health Lab – 2018 Building 17-AA & BB Roof Top Unit Replacements project (herein called the “Project”) on November 6, 2017; and

WHEREAS, LiRo Engineering, Inc. has the necessary expertise and manpower to provide professional design and construction services for the Project; and

WHEREAS, the County Executive is requesting authorization to issue an Agreement to LiRo Engineers, Inc. for providing professional design and construction services for the Project.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be authorized to enter into Agreement with LiRo Engineers, Inc. for providing Professional Architectural/Engineering Services for the Project for an amount not to exceed \$70,000, including reimbursables and a design contingency; and be it further

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

A.16026 – Improvements to Building 17	\$ 49,232.88
A.13015 – ECMCC Building 17 AA-DD Improvements	\$ 20,767.12
For a Total Amount Not to Exceed:	\$ 70,000.00

and be it further

RESOLVED, that two 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, and the Office of the Comptroller.

(5-0)

PATRICK B. BURKE
CHAIR

Item 26 – MR. BRUSO presented the following report, moved to separate item Number 2, and approve the balance of the resport. MR. BURKE seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 115

May 17, 2018	ENERGY & ENVIRONMENT COMMITTEE REPORT NO. 8
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ALL MEMBERS PRESENT.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 8E-8 (2018)
COUNTY EXECUTIVE "ECSD No. 3 - Contract Agreement"
(Chair's ruling)
 - b. COMM. 9E-7 (2018)
COUNTY EXECUTIVE "ECSD No. 5 - Increase & Improvement of Facilities - Sewer Agency Report"
(Chair's ruling)
 - c. COMM. 9M-2 (2018)
EMPIRE STATE DEVELOPMENT "Negative Declaration - Buffalo Blueway Capital Initiative"
(Chair's ruling)
2. COMM. 9E-4 (2018)
COUNTY EXECUTIVE

EXTRACT OF MINUTES

Meeting of the County Legislature of
the County of Erie, New York.

May __, 2018

A regular meeting of the County Legislature of the County of Erie, New York, was held at the Chambers of the Erie County Legislature, in the Erie County Hall, Buffalo, New York, in said County, on May __, 2018, at 2 o'clock P.M. (Prevailing Time).

The following Legislators were present:

There were absent:

Also present: Robert M. Graber, Clerk of the Legislature
* * *

Legislator _____ offered the following resolution and moved its adoption:

RESOLUTION NO. _____

RESOLUTION DATED May __, 2018.

A RESOLUTION CALLING A PUBLIC HEARING FOR THE PURPOSE OF CONSIDERING A PROPOSED INCREASE AND IMPROVEMENT OF THE FACILITIES OF ERIE COUNTY SEWER DISTRICT NO. 5 IN THE COUNTY OF ERIE, NEW YORK.

(Introduced) _____, 2018.

(Adopted) _____, 2018.

WHEREAS, pursuant to proceedings heretofore had and taken in accordance with the provisions of Article 5-A of the County Law, including approving orders of the State Comptroller, County Sewer District No. 5 of the County of Erie, New York, has heretofore been established; and

WHEREAS, such County Legislature has heretofore duly directed that there be prepared a report and estimate of cost by the County Engineers (Erie County Department of Environment and Planning) relating to a proposed increase and improvement of the facilities of said District No. 5 which report and estimate of cost have been approved by the Board of Managers of said District on April 9, 2018 and filed with the County Legislature pursuant to Section 268 of the County Law; and

WHEREAS, said report and estimate of cost describe a proposed increase and improvement of the facilities of said District No. 5 in said County, consisting of improvements to the sanitary sewers, manholes, and other collection system assets, improvements to the Transit Valley and Bryant and Stratton Pumping Stations, and preparation of a capacity analysis to evaluate current flows and future service requirements, all as more fully described in the report and estimate of cost hereinbefore referred to; and

WHEREAS, the total maximum estimated cost of the aforesaid increase and improvement of the facilities of said Sewer District No. 5 is \$1,000,000 and will be apportioned in accordance with applicable flat charges, hook-up charges and charges based on units, assessed value and footage specified in the District's Benefit and User Charge formulas, as such formulas currently exist and as amended from time to time; and

WHEREAS, pursuant to applicable provisions of Section 268 of the County Law, as amended by Chapter 397 of the Laws of 1995, the consent of the State Comptroller is not required prior to the expenditure of funds for said increase and improvement because the \$10.87 cost thereof to the Typical Property (as defined in the County Law) does not exceed the applicable threshold for Average Estimated Cost for County Districts on similar types of expenditures, which was computed by the State Comptroller to be \$11.00 for calendar year 2018; and

WHEREAS, it is now desired to call a public hearing to consider said increase and improvement in accordance with the provisions of Section 254 of the County Law; NOW, THEREFORE, BE IT

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

Section 1. A meeting of the County Legislature of the County of Erie, New York, shall be held at Erie County Hall, 92 Franklin Street, 4th Floor, Buffalo, New York, in said County, on the 12th day of June, 2018, at 6:00 o'clock P.M., Prevailing Time, for the purpose of conducting a public hearing upon the aforesaid proposed increase and improvement of facilities of Erie County Sewer District No. 5 in said County, and for such other action on the part of said County Legislature in relation thereto as may be required by law or proper in the premises.

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

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that a meeting of the County Legislature of the County of Erie, New York, shall be held at Erie County Hall, 92 Franklin Street, 4th Floor, Buffalo, New York, in said County, on the 12th day of June, 2018, at 6:00 o'clock P.M., Prevailing Time, for the purpose of conducting a public hearing upon a proposed increase and improvement of facilities of Erie County Sewer District No. 5 in said County.

The increase and improvement of such facilities consisting of improvements to the sanitary sewers, manholes, and other collection system assets, improvements to the Transit Valley and Bryant and Stratton Pumping Stations, and preparation of a capacity analysis to evaluate current flows and future service requirements; all as more fully described in the report and estimate of cost prepared by the County Engineers (Erie County Department of Environment and Planning) which has been filed with the County Legislature and which has been approved by the Board of Managers of said District on April 9, 2018 (the "Report").

The maximum estimated cost of such increase and improvement of facilities is \$1,000,000, will be apportioned in accordance with applicable flat charges, hook-up charges and charges based on units, assessed value and footage specified in the District's Benefit and User Charge formulas, as such formulas currently exist and as amended from time to time.

The expenditures for such increase and improvement of facilities will not cause additional costs for property owners in the District for hook-up fees, and the annual cost of such expenditures to the Typical Property (as defined in the County Law) is \$10.87 for the District. The County Legislature has heretofore caused to be prepared and filed for public inspection with the Clerk of the Erie County Legislature, a detailed explanation of how such costs were computed, as incorporated in the Report.

Dated: Buffalo, New York,
_____, 2018.

BY ORDER OF THE COUNTY
LEGISLATURE OF THE COUNTY OF
ERIE, NEW YORK

By _____
Clerk, County Legislature

Section 3. The Clerk of said County Legislature is hereby authorized and directed to cause a copy of the Notice of Public Hearing as set forth in Section 2 hereof to be published once in the *“Amherst Bee”* and in the *“Challenger”*, the official newspapers of said County, and in the *“Clarence Bee”*, not less than ten nor more than twenty days before the date set herein for said public hearing. The Clerk is hereby further authorized and directed to file a certified copy of the Notice of Public Hearing with the Comptroller of the State of New York on or about the date of the publication of the Notice of Public Hearing.

Section 4. This resolution shall take effect immediately.

* * * * *

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

AYES:

NOES:

The resolution was thereupon declared duly adopted.

Dated: Buffalo, New York, _____, 2018.

STATE OF NEW YORK)
) ss.:
COUNTY OF ERIE)

I, the undersigned Clerk of the Erie County Legislature, DO HEREBY CERTIFY that I have compared the foregoing extract of the minutes of the meeting of the County Legislature of said County, including the resolution contained therein, held on the _____ day of _____, 2018, with the original minutes thereof as originally recorded in the Minute Book of said Erie County Legislature and the same is a true and correct copy of said original minutes and of the whole of said original so far as the same relates to the subject matters referred to in said extract.

I FURTHER CERTIFY that all members of said Legislature had due notice of said meeting.

I FURTHER CERTIFY that, pursuant to Section 103 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public.

I FURTHER CERTIFY that, PRIOR to the time of said meeting, I duly caused a public notice of the time and place of said meeting to be given to the following newspapers and/or other news media as follows:

Newspaper and/or other news media Date given

I FURTHER CERTIFY that, PRIOR to the time of said meeting, I duly caused public notice of the time and place of said meeting to be conspicuously posted in the following designated public locations(s) on the following dates:

Designated Locations(s)

of posted notice _____ Date of Posting

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County Legislature this _____ day of _____, 2018.

Clerk, Erie County Legislature

(5-0)

3. COMM. 9E-5 (2018)
COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Environment and Planning (DEP) has played a crucial role in water quality issues throughout the region for decades and continues to administer many initiatives that protect and preserve our natural water resources; and

WHEREAS, DEP is committed to coordinate, oversee, and support work towards the de-listing of the Buffalo River as a Great Lakes Area of Concern; and

WHEREAS, the United States Environmental Protection Agency (USEPA) Great Lakes Restoration Initiative provides grant assistance to municipalities to implement projects to improve the quality of the Great Lakes; and

WHEREAS, DEP provides technical assistance regarding the management of the Erie County Natural Habitat Parks; and

WHEREAS, the United States Environmental Protection Agency (USEPA) awarded Erie County a Great Lakes Restoration Initiative grant in the amount of \$ 831,000 to complete a “Buffalo River AOC Habitat Restoration – Erie County-NFTA 61 Smith Street Project”; and

WHEREAS, on December 21, 2017 the Erie County Legislature approved a resolution for a no-cost extension to continue this work through December 2018; and

WHEREAS, it is necessary to revise the existing budget and create three seasonal employee positions in accordance with the current work plan and contractual requirements of the granting agency.

NOW, THEREFORE, BE IT

RESOLVED, that the grant budget for the Buffalo River AOC Habitat Restoration – Erie County-NFTA 61 Smith Street Project is hereby revised in DEP Business Area 162, Fund 281 as follows:

Buffalo River AOC Habitat Restoration – Erie County-NFTA 61 Smith Street Project
SAP Grant # 162BRRPMPH21516

APPROPRIATIONS:

Revised

<u>Account</u>	<u>Description</u>	<u>Budget</u>	<u>Revision</u>	<u>Budget</u>
500000	Full Time – Salaries	\$ 45,080	(45,080)	\$ 0
500030	Seasonal Empl. Wages	\$ 0	30,003	\$ 30,003
502000	Fringe Benefits	\$ 29,920	(22,412)	\$ 7,508
506200	Maintenance & Repair	\$ 3,000	0	\$ 3,000
516020	Pro Ser Cnt and Fees	\$753,000	37,489	\$790,489
TOTAL APPROPRIATIONS		\$831,000		\$831,000

and be it further

RESOLVED, that the following three (3) seasonal positions be created in the above grant:

Three (3) Seasonal Interns (JG-01)
B-100 No. 10201
Budgeted Annual Salary: \$ 30,003

and be it further

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

RESOLVED, that certified copies of this resolution shall be forwarded to the County Executive; the Director of the Division of Budget and Management; the County Attorney; the County Comptroller; Thomas R. Hersey, Jr., Commissioner of the Department of Environment and Planning; and Bonnie Lawrence, Deputy Commissioner of the Division of Environmental Compliance Services.
(5-0)

4. COMM. 9E-6 (2018)
COUNTY EXECUTIVE

EXTRACT OF MINUTES

Meeting of the County Legislature of
the County of Erie, New York.

_____, 2018

* * *

A regular meeting of the County Legislature of the County of Erie, New York, was held at the Chambers of the Erie County Legislature, in the Erie County Hall, Buffalo, New York, in said County, on _____, 2018, at 2 o'clock P.M. (Prevailing Time).

The following Legislators were present:

There were absent:

Also present: Robert M. Graber, Clerk of the Legislature

* * *

_____ offered the following resolution and moved its adoption:

RESOLUTION NO. ____

RESOLUTION DATED _____, 2018

A RESOLUTION APPROVING A MODIFICATION OF PLANS FOR THE INCREASE AND IMPROVEMENT OF SEWER DISTRICT NO. 8 IN THE COUNTY OF ERIE, NEW YORK

(Introduced) _____, 2018.

(Adopted) _____, 2018.

WHEREAS, pursuant to proceedings heretofore had and taken in accordance with the provisions of Article 5-A of the County Law, including approving orders of the State Comptroller, County Sewer District No. 8 of the County of Erie, New York (the "District"), has heretofore been established and a plan for improvement of facilities for the District has been authorized by the County Legislature of the County of Erie, New York on January 24, 2008; and

WHEREAS, such County Legislature has heretofore received a report and estimate of cost by the County Engineers (Erie County Department of Environment and Planning) relating to a proposed modification of plans for a portion of the increase and improvement of the facilities for the District; and

WHEREAS, such report and estimate of cost have been approved by the Board of Managers of the District on December 5, 2017 and filed with the County Legislature; and

WHEREAS, said report and estimate of cost describe a proposed modification of plans for a portion of such increase and improvement of the facilities of the District, consisting of upgrades to the filters, reactor tanks, piping, the physical plant, and energy improvements at the water resource recovery facility, collection system upgrades, and related engineering and administration costs, all as more fully described in the report and estimate of cost herein referred to; and

WHEREAS, the maximum estimated cost of the aforesaid portion of the increase and improvement of the facilities of said District, as modified, is \$674,636; and

WHEREAS, said County Legislature duly adopted Resolution No. 50-2018 on the 15th day of February, 2018, calling a meeting of the County Legislature for the purpose of holding a public hearing to consider said modification of plans for such increase and improvement of facilities in accordance with the provisions of Section 253-b of the County Law; and

WHEREAS, said public hearing was duly held at Erie County Hall, 92 Franklin Street, 4th Floor,, Buffalo, New York, in said County, on the 6th day of March, 2018, at 6 o'clock P.M., Prevailing Time; and

WHEREAS, notice of said public hearing was duly published in substantially the manner provided by law and proof thereof was submitted to said County Legislature; and

WHEREAS, said County Legislature had duly considered the evidence given at such public hearing;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY LEGISLATURE OF THE COUNTY OF ERIE, NEW YORK, AS FOLLOWS:

Section 1. Upon the evidence given at the aforesaid public hearing, it is hereby found and determined that it is in the public interest to modify the plans for a portion of the increase and improvement of facilities for Erie County Sewer District No. 8 in the County of Erie, New York, all as more fully described in the recitals hereof, and such modification of plans for a portion of the increase and improvement of facilities is hereby authorized at a maximum estimated cost of \$674,636.

Section 2. This resolution shall take effect immediately.

* * *

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

AYES:

NOES:

The resolution was thereupon declared duly adopted.

Dated: Buffalo, New York,
_____, 2018.

STATE OF NEW YORK

:SS.

COUNTY OF ERIE)

I, the undersigned Clerk of the Erie County Legislature, DO HEREBY CERTIFY that I have compared the foregoing extract of the minutes of the meeting of the County Legislature of said County, including the resolution contained therein, held on the _____ day of _____, 2018, with the original minutes thereof as originally recorded in the Minute Book of said Erie County Legislature and the same is a true and correct copy of said original minutes and of the whole of said original so far as the same relates to the subject matters referred to in said extract.

I FURTHER CERTIFY that all members of said Legislature had due notice of said meeting.

I FURTHER CERTIFY that, pursuant to Section 103 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public.

I FURTHER CERTIFY that, PRIOR to the time of said meeting, I duly caused a public notice of the time and place of said meeting to be given to the following newspapers and/or other news media as follows:

<u>Newspaper and/or other news media</u>	<u>Date given</u>
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I FURTHER CERTIFY that, PRIOR to the time of said meeting, I duly caused public notice of the time and place of said meeting to be conspicuously posted in the following designated public locations(s) on the following dates:

Designated Locations(s)

<u>of posted notice</u>	<u>Date of Posting</u>
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IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County Legislature this _____ day of _____, 2018.

Clerk, Erie County Legislature

(5-0)

5. COMM. 9E-26 (2018)
COUNTY EXECUTIVE

WHEREAS, the existing waterline serving the Clarence Highway Facility is planned to be replaced; and

WHEREAS, your Honorable Body previously authorized the County Executive to enter into a contract with Ledge Creek Development, Inc. for the Erie County Clarence Highway Facility – Waterline Replacement project on April 26, 2018, Comm. 7E-18; and

WHEREAS, under their jurisdiction, the Erie County Water Authority (ECWA) is the utility company responsible to provide a new private fire protection/domestic water service connection to the site; and

WHEREAS, the Erie County Department of Public Works received a Private Fire Protection/Domestic Service Agreement from the ECWA estimating the amount of the service to be \$16,900; and

WHEREAS, under this agreement, the Erie County Department of Public Works would have to pay the actual cost of the service if the difference is above or below the estimated cost; and

WHEREAS, the County Executive is requesting authorization to enter into an Agreement with the ECWA for providing utility company services for the Project.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be authorized to enter into an Agreement with the ECWA for providing utility company services for the Project for the estimated amount of \$16,900; and be it further

RESOLVED, that the sum of \$3,100 be allocated to a Construction Contingency Fund with authorization for the County Executive to approve change orders in an amount not to exceed the amount of the Contingency Fund; and be it further

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

RESOLVED, that the Comptroller's Office be authorized to make payment for the above from SAP Project A.17009 – 2017 Preservation of County Highway Facilities (Countywide) for a total amount not to exceed \$20,000; and be it further

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

(5-0)

JOHN BRUSO
CHAIR

MR. BRUSO moved to amend item Number 2. MR. BURKE seconded.

CARRIED UNANIMOUSLY.

Delete Section 1 in the Resolved Clause and Replace with the following:

Section 1. A meeting of the County Legislature of the County of Erie, New York, shall be held at Erie County Hall, 92 Franklin Street, 4th Floor, Buffalo, New York, in said County, on the 26th day of June, 2018, at 6:00 o'clock P.M., Prevailing Time, for the purpose of conducting a public hearing upon the aforesaid proposed increase and improvement of facilities of Erie County Sewer District No. 5 in said County, and for such other action on the part of said County Legislature in relation thereto as may be required by law or proper in the premises.

Delete the First Paragraph in Section 2 (Notice of Public Hearing) in the Resolved Clause and Replace with the following:

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

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that a meeting of the County Legislature of the County of Erie, New York, shall be held at Erie County Hall, 92 Franklin Street, 4th Floor, Buffalo, New York, in said County, on the 26th day of June, 2018, at 6:00 o'clock P.M., Prevailing Time, for the purpose of conducting a public hearing upon a proposed increase and improvement of facilities of Erie County Sewer District No. 5 in said County.

MR. BRUSO moved to approve item Number 2 as amended. MR. BURKE seconded.

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 116

May 17, 2018	HEALTH & HUMAN SERVICES COMMITTEE REPORT NO. 8
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ALL MEMBERS PRESENT.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 7E-7 (2018)
MILLER WILLIAMS: “Letter to County Executive – Status of Dialogue with CSEA Local 815 on CPS”
(Chair’s ruling)
 - b. COMM. 7D-7 (2018)
COMMISSIONER OF SOCIAL SERVICES: “Letter to Legislator Brusco Concerning Employee Survey”
(Chair’s ruling)
 - c. COMM. 8M-1 (2018)
PRESIDENT, EC BOARD OF HEALTH: “Agenda Items for Meeting to be Held on 5/1/18”
(Chair’s ruling)
 - d. COMM. 9D-5 (2018)

SPECIAL ASSISTANT, COMMISSIONER OF SOCIAL SERVICES: “CPS Statistical Report for April 2018”
(Chair’s ruling)

2. COMM. 8E-9 (2018)
COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Health manages multiple New York State Department of Health programs designed to reduce the spread of communicable diseases; and

WHEREAS, treating and preventing the spread of sexual transmitted diseases is a core public health function under Article 6 of New York State Public Health Law; and

WHEREAS, these personnel changes align with the New York State Department of Health’s vision for how STDs and HIV should be addressed in New York State and allow Erie County to better implement proven strategies for decreasing the number of cases of STDs and HIV in our community; and

WHEREAS, this resolution is follow-up to COMM. 23E-19 (2017), which included an initial set of adjustments to, effectively, combine the Partner Notification (PNAP) and STDDI grants; and

WHEREAS, the grant manager, the New York State Department of Health has recommended and authorized this staff transfer and new position to align with its goals in addressing STDs and HIV; and

WHEREAS, there are sufficient funds available in the grants to accommodate this staff transfer and addition.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Executive hereby authorizes the transfer of the Projects Coordinator – Health, JG-11, (B100 #10231) from the STDDI grant to the PrEP grant, retroactive to January 1, 2018 to align with the current grant year; and be it further

RESOLVED, that the Erie County Executive hereby authorizes the creation of new position of Disease Intervention Specialist, JG-6, (B100#10232) in the STDDI grant; and be it further

RESOLVED, that funding is available through Fund 281 grants 127HIVPREP1718 & 127HIVPREP1819 and 127STDDI2018 grants; and be it further

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

(5-0)

3. COMM. 9E-25 (2018)
COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Health has successfully won multiple new Federal grants to launch programs to address specific public health challenges created by the opioid epidemic; and

WHEREAS, Federal grants often include a requirement for an outside entity to provide professional evaluation of grant performance; and

WHEREAS, The Research Foundation for the State University of New York (RF) is the largest comprehensive university-connected research foundation in the country and is a private non-profit education corporation that is tax-exempt under Intern Revenue Code (IRC) Section 501 (c) (3); and

WHEREAS, the goal of this contract is to evaluate the activities and outcomes for the Screening, Brief Intervention and Referral to Treatment (SBIRT) and the Comprehensive Addiction and Recovery Act (CARA) grants to better improve services; and

WHEREAS, the purpose of this resolution is to authorize the County Executive to enter into a contract with The Research Foundation for the State University of New York beginning September 30, 2017.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to enter into contract and amendments to that contract with The Research Foundation for State University of New York retroactive to September 30th 2017; and be it further

RESOLVED, that funds necessary to cover the costs of this contract are available through two grants, 127CARA1718 & 127SBIRT1718; and be it further

RESOLVED, that the Clerk of the Legislature shall forward certified copies of this Resolution to the County Executive, the Office of the Comptroller, the Division of Budget and Management, the Department of Law and to Dr. Gale R. Burstein, Commissioner in the Erie County Health Department, 9th Floor, Rath Building.
(5-0)

4. COMM. 9E-27 (2018)
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, a gradual decrease in State funding over the past few years has required additional county funding to operate this valuable program; and

WHEREAS, this proposed resolution authorizes the Department to amend the 2018 Adopted Budget and to increase funding for the current year contract with the International Institute to assure the continuation of the program.

NOW, THEREFORE, BE IT

RESOLVED, that the Commissioner of Social Services and/or the County Executive are hereby authorized to amend the 2018 contract with the International Institute of Buffalo in order to provide an additional \$80,000 in county funding to assure the provision of services for the Safe Harbor for Exploited Children program to year end; and be it further

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

Department of Social Services, Fund 110, Department 120

ACCOUNT	DESCRIPTION	Increase/(Decrease)
525000	Medicaid	(\$80,000)
517172	International Institute	<u>\$80,000</u>
	Total Expenditures	0

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.
(5-0)

JOHN BRUSO
CHAIR

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 117

May 17, 2018	COMMUNITY ENRICHMENT COMMITTEE REPORT NO. 5
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ALL MEMBERS PRESENT.

1. COMM. 9E-15 (2018)
COUNTY EXECUTIVE

WHEREAS, the Department of Social Services is seeking approval to execute contracts with community providers for the 2018 summer Primetime program; and

WHEREAS, the availability of local share funding provided in the 2018 adopted budget enable this program implementation; and

WHEREAS, Operation Primetime provides for an adult supervised environment for the ten-week school summer recess period, and program activities consist of structured recreation that prevent delinquency, increase socialization and foster respect for authority; and

WHEREAS, a Request for Proposal was distributed for this program and Youth Board panel recommendations were utilized to determine contract award amounts; and

WHEREAS, there is no additional local share necessary for these awards and there is no fiscal impact based on this resolution.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive and the Commissioner of Social Services is hereby authorized to execute contracts with the following providers for Operation Primetime from available 2018 funds in fund center 12530, account 517749 (Operation Primetime) in the Youth Bureau:

Agency	Amount
Access WNY	\$10,000
Ahowi Focus Group	\$5,000
Buffalo Center for Arts and Technology	\$7,500
Be a Friend Inc. Big Brothers Big Sisters	\$7,500
Buffalo Engineering Awareness for Minorities	\$5,000
BestSelf Behavioral Health	\$10,000
Blossom Gardens School	\$5,000
Boys and Girls Club of Buffalo	\$7,500
Boys and Girls Club of East Aurora	\$10,000
Boys and Girls Club of Eden	\$7,500
Boys and Girls Club of EMW	\$5,000
Boys and Girls Club of Holland	\$7,500
Boys and Girls Club of Northtowns	\$7,500

Boys and Girls Club of Orchard Park	\$10,000
Buffalo City Swim Racers	\$5,000
Buffalo Urban League	\$10,000
Community Action Organization	\$7,500
Compeer of Greater Buffalo	\$7,500
Computers for Children	\$7,500
Cornell Cooperative Extension	\$10,000
Cradle Beach	\$7,500
Enlightenment Literary Art Center	\$7,500
ERHDC/ The Belle Center	\$10,000
First Shiloh Youth Foundation Inc.	\$7,500
Girl Scouts Of WNY	\$7,500
Greater Niagara Frontier Council/Boy Scouts	\$7,500
JCC Camp Centerland	\$7,500
Jericho Road	\$7,500
King Urban Life Center Inc.	\$7,500
Lackawanna Sports&Ed	\$7,500
Lackawanna Youth Empowerment	\$7,500
Massachusetts Avenue Project	\$10,000
Metro CDC	\$7,500
Mt. Olive MBC	\$10,000
Native American Community Services	\$7,500
North Buffalo CDC	\$10,000
NorthWest Buffalo Community Center	\$10,000
Old First Ward Community Association	\$7,500
Parker Academy	\$7,500
PCCB Inc @ Matt Urban	\$10,000
Peace of the City Ministries	\$10,000
Plymouth Crossroads	\$7,500
Police Athletic League	\$7,500
Research Foundation UB Center for Urban Studies	\$7,500
Resource Council of WNY	\$10,000
Seneca Babcock Community Association	\$7,500
Seneca Street CDC	\$10,000
The Maverick Agency	\$5,000
Town of Hamburg	\$10,000
Town of Tonawanda	\$7,500
Tru Way CDC	\$7,500
True Community Development Corp	\$10,000
University District CDCA Inc./ Gloria J Parks	\$10,000

Valley Community Association	\$10,000
Village of Hamburg	\$2,500
WAVE Buffalo	\$2,500
WEDI	\$10,000
Westside Community Center Summer Youth Employment	\$10,000
Westside Community Center K-6	\$10,000
Wille Hutch Jones Education & Sports Program	\$10,000
Young Audiences	\$7,500
YWCA	\$10,000
Total	\$500,000

and be it further

RESOLVED, that after contracts are executed and filed, the Department of Social Services, Division of Budget and Management and Office of the Comptroller are authorized to effectuate future 2018 payments for these agencies for providing Operation Primetime services; and be it further

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

(5-0)

**THOMAS A. LOUGHRAN
CHAIR**

Item 29 – MS. BASKIN presented the following report and moved for immediate consideration and approval. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 118

May 17, 2018	PUBLIC SAFETY COMMITTEE REPORT NO. 6
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ALL MEMBERS PRESENT.

1. RESOLVED, the following item is hereby received and filed:
 - a. COMM. 9D-2 (2018)
DEPUTY COMPTROLLER, AUDIT: “Letter To EC Youth Bureau Concerning Preparedness for ‘Raise the Age’ Legislation”
(Chair’s ruling)

2. COMM. 9E-12 (2018)
SHERIFF

WHEREAS, Sheriff's deputies Christopher J. Lysy, Kristin M. Leuer (Rozycki), Marc J. Bristow, Daniel E. Walczak, Thomas Van Wie and Donald Hoelscher each took an oath to protect and serve the public throughout Erie County; and

WHEREAS, in recognition of the potential risk associated with the responsibilities vested with these dedicated officers it is, therefore, incumbent upon us to provide them the statutory authority to avail themselves of the established twenty-year pension plan, which, previously has been made available to other law enforcement officers within the department; and

WHEREAS, Assembly Bill No. A.9540A and Senate Bill No. S.6939A, now pending before the New York State Legislature, would authorize the county of Erie to make participation in the optional twenty-year retirement plan, established pursuant to sections 552 and 553 of the retirement and social security law, available to the above mentioned deputies.

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

TO THE LEGISLATURE:

Pursuant to Article IX of the Constitution, the county of Erie requests the enactment of Assembly Bill No. A.9540A entitled "AN ACT to authorize the county of Erie to offer an optional twenty-year retirement plan to certain deputy sheriffs employed by such county."

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

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

Such request is made by the Erie County Executive with the concurrence of the local legislative body of such local government, a majority of the total membership thereof having voted in favor of such request.

AND BE IT FURTHER

RESOLVED, that the Clerk of the Legislature be directed to forward copies of this Home Rule Request, certified by the Clerk of the Erie County Legislature, as follows: two copies to the New York State Assembly.

(5-0)

3. COMM. 9E-13 (2018)
SHERIFF

WHEREAS, Sheriff's deputies Christopher J. Lysy, Kristin M. Leuer (Rozycki), Marc J. Bristow, Daniel E. Walczak, Thomas Van Wie and Donald Hoelscher each took an oath to protect and serve the public throughout Erie County; and

WHEREAS, in recognition of the potential risk associated with the responsibilities vested with these dedicated officers it is, therefore, incumbent upon us to provide them the statutory authority to avail themselves of the established twenty-year pension plan, which, previously has been made available to other law enforcement officers within the department; and

WHEREAS, Assembly Bill No. A.9540A and Senate Bill No. S.6939A, now pending before the New York State Legislature, would authorize the county of Erie to make participation in the optional twenty-year retirement plan, established pursuant to sections 552 and 553 of the retirement and social security law, available to the above mentioned deputies.

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

TO THE LEGISLATURE:

Pursuant to Article IX of the Constitution, the county of Erie requests the enactment of Senate Bill No. S.6939A entitled "AN ACT to authorize the county of Erie to offer an optional twenty-year retirement plan to certain deputy sheriffs employed by such county."

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

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

Such request is made by the Erie County Executive with the concurrence of the local legislative body of such local government, a majority of the total membership thereof having voted in favor of such request.

AND BE IT FURTHER

RESOLVED, that the Clerk of the Legislature be directed to forward copies of this Home Rule Request, certified by the Clerk of the Erie County Legislature, as follows: two copies to the New York State Senate.

(5-0)

4. COMM. 9E-23 (2018)
COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Homeland Security & Emergency Services is responsible for providing public safety through comprehensive emergency management planning, preparedness, training, response and coordination of emergency services resources in Erie County during actual or potential disaster events; and

WHEREAS, the NYS Department of Homeland Security and Emergency Services has agreed to provide funding in the amount of \$1,072,420 in State assistance to continue the implementation of a program to enhance the ability of Erie County to manage emergency and disaster situations; and

WHEREAS, the Department of Homeland Security & Emergency Services requires legislative approval to accept the State funds and to establish a grant budget in Fund 281; and

WHEREAS, no County funds will be necessary for Erie County to accept these State funds to serve individuals residing in Erie County.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize the County Executive to accept New York State grant funds for the upgrade of radio consoles in the 911 Dispatch Center, and enter into contract with the Motorola Solutions, Inc., and authorizes the Division of Budget and Management to establish a grant as follows:

Erie County Department of Homeland Security & Emergency Services
Grant Fund 281, Fund Center 1670030
January 1, 2018 – December 31, 2019
HS167SICG1819

Revenue	Increase
Account 414000 - State Aid Revenue	\$1,072,420
Appropriation	Increase
Account 516030 – Maintenance Contracts	\$66,655
Account 561410 – Lab & Technical Equipment	\$1,005,765

and be it further

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

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

APRIL N.M. BASKIN
CHAIR

Item 30 – MS. MILLER-WILLIAMS presented the following report and moved for immediate consideration and approval. MR. LORIGO seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 119

May 17, 2018	FINANCE & MANAGEMENT COMMITTEE REPORT NO. 9
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ALL MEMBERS PRESENT.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 9E-3 (2018)
COMPTROLLER “Letter to Legislator Rath Regarding EC Imprest Fund”
(Chair’s ruling)
 - b. COMM. 9E-10 (2018)
LORIGO “Letter to Chair Savage Regarding 2017 Year-End Budget Balancing Amendments & Designations”
(Chair’s ruling)
 - c. COMM. 9E-11 (2018)
COMPTROLLER “Report - Advertising Costs for Erie County”
(Chair’s ruling)
 - d. COMM. 9D-1 (2018)
DEPUTY BUDGET DIRECTOR “Letter to Legislature Regarding Senior Executive Assistant - County Executive Position”
(Chair’s ruling)
 - e. COMM. 9D-4 (2018)
DIRECTOR OF BUDGET & MANAGEMENT “Budget Monitoring Report for Period Ending March 2018”
(Chair’s ruling)
2. COMM. 9E-24 (2018)
COUNTY EXECUTIVE
WHEREAS, the Department of Public Works intends to purchase a large format color street sign printer, an engraving machine, and various equipment for sign manufacturing and installation;
and

WHEREAS, in order to effectuate these purchases, it is necessary to transfer funds to the appropriate budget lines; and

WHEREAS, funding for the needed transfers is available in Funds Center 1232060, Fund 210, Account 506400, Highway Supplies, in the 2018 operating budget.

NOW, THEREFORE, BE IT

RESOLVED, that the following budget transfers are authorized in the 2018 Sign Shop Operating Budget – in Fund 210, Funds Center 1232060:

ACCOUNT	DESCRIPTION	CURRENT BUDGET	INCREASE/ DECREASE	REVISED BUDGET
506400	Highway Supplies	\$ 541,496.80	(\$ 170,100.00)	\$ 371,396.80
506200	Maintenance & Repair	\$ 0.00	\$ 100.00	\$ 100.00
561410	Lab & Tech Equipment - Assets	\$ 0.00	\$ 125,000.00	\$ 125,000.00
561430	Highway Equipment - Assets	\$ 0.00	\$ 45,000.00	\$ 45,000.00
TOTAL EXPENSES		\$ 541,496.80	\$ 0.00	\$ 541,496.80

and be it further

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

BARBARA MILLER-WILLIAMS
CHAIR

LEGISLATOR RESOLUTIONS

Item 31 – MS. BASKIN presented the following resolution and moved for immediate consideration. MR. BURKE seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 120

RE: Special Investigative Counsel
(INTRO. 10-1)

A RESOLUTION TO BE SUBMITTED BY
LEGISLATORS SAVAGE, BASKIN, LORIGO, BRUSO & DIXON

MS. BASKIN moved to amend the resolution for content and to include Et Al Sponsorship. MR. BURKE seconded.

CARRIED UNANIMOUSLY.

Insert the following:

WHEREAS, a temporary oversight committee was established by this Honorable Body in Intro. 6-10 to conduct a request for proposals (RFP) process and to recommend the retention of a special investigative counsel concerning the alleged actions of the former Erie County Commissioner of Social Services; and

WHEREAS, after reviewing a total of eight proposals received by the Legislature through the RFP, the committee interviewed four law firms; and

WHEREAS, following a thorough review of the written RFP responses and the interviews, the committee unanimously agreed to select the Lemire Law Firm of New York, New York to conduct the investigation.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Legislature to enter into contract with the Lemire Law Firm for the purposes of conducting an investigation into the allegations surrounding the alleged actions of the former Commissioner of Social Services, Albert Dirschberger; and, be it further

RESOLVED, that Legislative staff will work with representatives from the Lemire Law Firm on an engagement letter to be signed and executed by the Chair of the Legislature; and be it further

RESOLVED, that funding for this matter shall be appropriated through the Department of Law's Risk Retention Fund, pursuant to Intro 6-2 (2018); and, be it further

RESOLVED, that certified copies of this resolution shall be sent to the Erie County Executive's Office, the Office of the Erie County Comptroller, the Erie County Attorney's Office, the Division of Budget and Management, and any party deemed necessary and proper.

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

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

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

CARRIED UNANIMOUSLY.

Item 32 – MR. LORIGO presented the following resolution and moved for immediate consideration and approval. MR. RATH seconded.

MR. BURKE moved to send the resolution to committee for further consideration. MR. BRUSO seconded.

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

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

CARRIED.

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

GRANTED.

INTRO. 10-2 from LORIGO, DIXON, RATH, HARDWICK & MILLS. Support for Constitutional Amendment to Prevent the Creation of New Unfunded Mandates.

COMMUNICATIONS DISCHARGED FROM COMMITTEE

Item 33 – MS. BASKIN moved to discharge the HEALTH & HUMAN SERVICES COMMITTEE of further consideration of COMM. 7E-12 (2018). MR. BURKE seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 121

RE: Social Services - Division of Family
Wellness - Personnel Adjustments
(COMM. 7E-12, 2018)

WHEREAS, the Department of Social Services, in consultation with the Departments of Personnel and Labor Relations, hereby requests approval to merge and upgrade certain positions within the County of Erie; and

WHEREAS, the Department of Social Services risks losing existing employees, and not being able to attract and retain new employees, if the salary of certain positions is not adjusted; and

WHEREAS, due to the inability of Erie County and CSEA to negotiate a successor collective bargaining agreement for seven years, the salaries of certain titles in the Department of Social Services have fallen below the salaries of similar workers in comparable counties; and

WHEREAS, the below market wages have resulted in significant turnover and inability to attract quality applicants for non-clerical entry-level positions the Division of Family Wellness; and

WHEREAS, in a comparison of other large-sized counties, it was found that most counties besides Erie used an identical job title for its Child Protective Service employees and its Children Services employees; and

WHEREAS, the Department of Social Services wishes to merge the titles used in the Division of Family Wellness, including, but not limited to Child Protective Service, Children Service and Adult Protective Services, to allow for greater administrative flexibility in assigning employees between the units within the division.

NOW, THEREFORE, BE IT

RESOLVED, that the Personnel Officer is authorized to merge and certify the civil service lists of Child Protective Worker, Caseworker and Social Caseworker I into Social Caseworker I; and be it further

RESOLVED, that the Personnel Officer is authorized to merge and certify the civil service lists of Senior Child Protective Worker, Senior Caseworker and Social Caseworker II into Social Caseworker II; and be it further

RESOLVED, that all Child Protective Worker and Caseworker positions be retitled to be a Social Caseworker I, and all current incumbents maintain their permanency; and be it further

RESOLVED, that all Senior Child Protective Worker and Senior Caseworker positions be retitled to be a Social Caseworker II, and all current incumbents maintain their permanency; and be it further

RESOLVED, that the Social Caseworker I job title be reallocated from a Job Group 8 to a Job Group 9; and be it further

RESOLVED, that all personnel adjustments outlined above shall apply to the comparable job titles of Caseworker (Spanish Speaking), Senior Caseworker (Spanish Speaking), Child Protective Worker (Spanish Speaking), Child Protective Worker (PT), and Senior Caseworker (Domestic Violence); and be it further

RESOLVED, that subsequent salary increases for employees in these positions follow the salary scale schedules and other relevant provisions contained in the appropriate Collective Bargaining Agreement; and be it further

RESOLVED, all incumbents moved into a higher job group as a result of this resolution maintain their current step and anniversary date; and be it further

RESOLVED, that the following budget adjustments are hereby authorized in the 2018 Budget of the Department of Social Services in order to fund the Division of Family Wellness personnel adjustments;

2018 Budget
Department of Social Services

Revenue	Increase/(Decrease)
407540 State Aid Social Serv. Adm.	322,838
411540 Federal Aid Social Serv. Admin.	<u>125,549</u>

	Total Revenue	448,387
Expense		
500000	Full Time Salaries	696,886
500010	Part Time Salaries	6,095
501000	Overtime	68,239
502000	Fringe Benefits	107,971
525000	Medicaid	<u>(430,804)</u>
	Total Expense	448,387
	Net	0

and be it further

RESOLVED, that the Director of Budget and Management is hereby authorized to make interdepartmental billing budget adjustments to properly budget for the implementation of this resolution; and be it further

RESOLVED, that the Commissioner of Labor Relations shall engage the CSEA in “impact negotiations” , with respect to any contractual issues that may arise as a result of these changes: and be it future

RESOLVED, that all payroll and personnel adjustments provided for in this resolution shall take effect as soon as practicable; and be it further

RESOLVED, that the Director of Budget and Management is hereby authorized to make any and all required budgetary adjustments in the 2018 Budget to properly fund the increased costs associated with the job group increases, including accepting state and/or federal reimbursement; and be it further

RESOLVED, that the Commissioner of Personnel is authorized to make any necessary personnel adjustments to implement the increases; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Erie County Executive, Erie County Comptroller, Department of Social Services, Department of Budget and Management, Department of Labor Relations and Department of Personnel.

MS. BASKIN moved to amend the resolution. MR. LORIGO seconded.

CARRIED UNANIMOUSLY.

Delete the Resolution in its Entirety and Replace with the following:

WHEREAS, the Department of Social Services, in consultation with the Departments of Personnel and Labor Relations, hereby requests approval to merge and upgrade certain positions within the County of Erie; and

WHEREAS, the Department of Social Services risks losing existing employees, and not being able to attract and retain new employees, if the salary of certain positions is not adjusted; and

WHEREAS, due to the inability of Erie County and CSEA to negotiate a successor collective bargaining agreement for seven years, the salaries of certain titles in the Department of Social Services have fallen below the salaries of similar workers in comparable counties; and

WHEREAS, the below market wages have resulted in significant turnover and inability to attract quality applicants for non-clerical entry-level positions the Division of Family Wellness; and

WHEREAS, in a comparison of other large-sized counties, it was found that most counties besides Erie used an identical job title for its Child Protective Service employees and its Children Services employees; and

WHEREAS, the Department of Social Services wishes to merge the titles used in the Division of Family Wellness, including, but not limited to Child Protective Service, Children Service and Adult Protective Services, to allow for greater administrative flexibility in assigning employees between the units within the division.

NOW, THEREFORE, BE IT

RESOLVED, that the Personnel Officer is authorized to merge and certify the civil service lists of Child Protective Worker, Caseworker and Social Caseworker I into Caseworker; and be it further

RESOLVED, that the Personnel Officer is authorized to merge and certify the civil service lists of Senior Child Protective Worker, Senior Caseworker and Social Caseworker II into Senior Caseworker; and be it further

RESOLVED, that all Child Protective Worker and Social Caseworker I positions be retitled to be Caseworker positions, and all current incumbents maintain their permanency; and be it further

RESOLVED, that all Senior Child Protective Worker and Social Caseworker II positions be retitled to be Senior Caseworker positions, and all current incumbents maintain their permanency; and be it further

RESOLVED, that the Caseworker job title be reallocated from a Job Group 7 to a Job Group 9; and be it further

RESOLVED, that the Senior Caseworker job title be reallocated from a Job Group 9 to a Job Group 10; and be it further

RESOLVED, that all personnel adjustments outlined above shall apply to the comparable job titles of Caseworker (Spanish Speaking), Senior Caseworker (Spanish Speaking), Child Protective Worker (Spanish Speaking), Child Protective Worker (PT), and Senior Caseworker (Domestic Violence); and be it further

RESOLVED, that subsequent salary increases for employees in these positions follow the salary scale schedules and other relevant provisions contained in the appropriate Collective Bargaining Agreement; and be it further

RESOLVED, all incumbents moved into a higher job group as a result of this resolution maintain their current step and anniversary date; and be it further

RESOLVED, all civil service employees that are a job group 10 or higher that directly provide child protective services pursuant to Title 6 of the social services law, or supervise child protective services workers, and have three-years or more experience in child protective services, shall be provided a \$1.75 per hour stipend for hours worked in child protective services; and be it further

RESOLVED, that the following budget adjustments are hereby authorized in the 2018 Budget of the Department of Social Services in order to fund the personnel adjustments;

2018 Budget
Department of Social Services

Revenue		Increase/(Decrease)
407540	State Aid Social Serv. Adm.	412,302
411540	Federal Aid Social Serv. Admin.	<u>160,340</u>
	Total Revenue	572,642
Expense		
500000	Full Time Salaries	696,886
500350	Other Employee Payment	248,510
500010	Part Time Salaries	6,095
501000	Overtime	68,239
502000	Fringe Benefits	107,971
525000	Medicaid	<u>(555,059)</u>
	Total Expense	572,642
	Net	0

and be it further

RESOLVED, that the Director of Budget and Management is hereby authorized to make interdepartmental billing budget adjustments to properly budget for the implementation of this resolution; and be it further

RESOLVED, that the Commissioner of Labor Relations shall engage the CSEA in “impact negotiations”, with respect to any contractual issues that may arise as a result of these changes: and be it future

RESOLVED, that all payroll and personnel adjustments provided for in this resolution shall take effect as soon as practicable; and be it further

RESOLVED, that the Director of Budget and Management is hereby authorized to make any and all required budgetary adjustments in the 2018 Budget to properly fund the increased costs associated with the job group increases, including accepting state and/or federal reimbursement; and be it further

RESOLVED, that the Commissioner of Personnel is authorized to make any necessary personnel adjustments to implement the increases; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Erie County Executive, Erie County Comptroller, Department of Social Services, Department of Budget and Management, Department of Labor Relations and Department of Personnel.

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

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

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

CARRIED UNANIMOUSLY.

SUSPENSION OF THE RULES

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

GRANTED.

INTRO. 10-3 from CHAIR SAVAGE Re: Establishing a Standard Work Day for Elected Officials.

RESOLUTION NO. 122

A RESOLUTION TO BE SUBMITTED BY CHAIR SAVAGE

WHEREAS, the New York State and Local Employees' Retirement System requires that a standard work day be established for retirement credit purposes; and

WHEREAS, in order to be in full compliance with Regulation 315.4, legislative action is warranted.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby establishes the following as standard work days for elected officials and will report the following Standard Work Day to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the Clerk of the Legislature:

<u>Title</u>	<u>Name</u>	<u>Standard Work Day</u>	<u>Term Begins/Ends</u>	<u>Participates in Employer's Time Keeping System</u>	<u>Days/ Month - Based on Record of Activities</u>
County Clerk	Michael P. Kearns	7	12/05/2017 - 12/31/2018	N	28.33
County Comptroller	Stefan I. Mychajliw	7	01/01/2018 - 12/31/2021	N	31.11
Legislator	April N.M. Baskin	6	01/01/2018 - 12/31/2019	N	24.14
Legislator	Peter J. Savage, III	6	01/01/2018 - 12/31/2019	N	29.82
Legislator	Kevin R. Hardwick	6	01/01/2018 - 12/31/2019	N	23.25
Legislator	Thomas A. Loughran	6	01/01/2018 - 12/31/2019	N	21.73
Legislator	Edward A. Rath, III	6	01/01/2018 - 12/31/2019	N	23.08
Legislator	Patrick B. Burke	6	01/01/2018 - 12/31/2019	N	23.72
Legislator	John Bruso	6	01/01/2018 - 12/31/2019	N	29.67
Legislator	Lynn M. Dixon	6	01/01/2018 - 12/31/2019	N	23.32
Legislator	Joseph C. Lorigo	6	01/01/2018 - 12/31/2019	N	24.14
Legislator	John J. Mills	6	01/01/2018 - 12/31/2019	N	27.88

and be it further

RESOLVED, that a certified copy of this resolution be posted on the Legislature's website pursuant to rules promulgated by the New York State Comptroller, and a copy shall be transmitted by the Clerk of the Legislature to the New York State Comptroller, Erie County Commissioner of Personnel and to Laurie Haug, Senior Payroll and Roster Clerk – Erie County Department of Personnel.

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

CARRIED UNANIMOUSLY.

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

GRANTED.

INTRO. 10-4 from LEGISLATOR BRUSO Re: Studying the Potential Use of the Buffalo Psychiatric Center for Drug Addiction Treatment and Counseling.

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

Item 36 - MS. BASKIN moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 10E-38 from the COUNTY EXECUTIVE Re: Federal-Aid Highway Local Project Supplemental Agreement with NYSDOT/Contracts for Construction and Inspection Services - Colvin Blvd. & Brighton Rd. Intersection, Town of Tonawanda

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

COMMUNICATIONS FROM ELECTED OFFICIALS

FROM THE COMPTROLLER

Item 37 – (COMM. 10E-1) Interim Financial Report for EC - Period Ending March 31, 2018

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM LEGISLATOR BASKIN

Item 38 – (COMM. 10E-2) Letter of Absence from Legislative Session

Received, filed and printed.

May 10, 2018

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

Dear Clerk Graber:

I will not be able to attend the Legislative Session on May 10, 2018 as I will be out of town at a legislative leadership event in Washington, DC.

Thank you in advance for your assistance and courtesies.

Sincerely yours,

April N.M. Baskin
Erie County Legislator

FROM LEGISLATOR LORIGO

Item 39 – (COMM. 10E-3) Letter to Commissioner of Environment and Planning Regarding FOIL Request

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM LEGISLATOR MILLER-WILLIAMS

Item 40 – MS. BASKIN presented the following resolution and moved for immediate consideration and approval. MR. BURKE seconded. MS. MILLER-WILLIAMS abstained.

CARRIED. (10-0-1)

RESOLUTION NO. 123

RE: Lease Agreement for Legislative
Office Space
(COMM. 10E-4)

RESOLVED, the Erie County Executive is hereby authorized to sign a Two-Year Lease Agreement with Towne Gardens LLC for Legislative office space for Barbara Miller-Williams, located at 427 William Street, #427, Buffalo, NY 14202, for a monthly rate of \$899.

FROM LEGISLATOR DIXON

Item 41 – (COMM. 10E-5) Submission Pursuant to EC Code of Ethics (Local Law #2 - 2018), Disclosure of Family Members Employed by Any Government Organization

Received, filed and printed.

May 15, 2018

Clerk Robert Graber
Erie County Legislature
92 Franklin Street
Buffalo, NY 14202

Dear Mr. Graber,

I am writing today to remain in compliance with the Erie County Ethics law. I have many relatives with whom I have lost contact with; however, to the best of my knowledge I have no family in a position of employment with any government entity either here in Erie County or elsewhere.

I appreciate your attention to this matter.

Sincerely,

Lynne M. Dixon
Erie County Legislator
District #9

FROM LEGISLATOR RATH

Item 42 – (COMM. 10E-6) Submission Pursuant to EC Code of Ethics (Local Law #2 - 2018), Disclosure of Family Members Employed by Any Government Organization

Received, filed and printed.

May 15, 2018

Erie County Legislature
Attn: Robert Graber, Clerk of the Legislature
92 Franklin Street – 4th Floor
Buffalo, NY 14202

Dear Clerk Graber:

Pursuant to the Erie County code of ethics, I am notifying you of my family members who work in government. My sister, Melinda Sanderson, works for the NYS Mentoring Program, Upstate Director.

If there are any questions, please feel free to reach out to my office.

Sincerely,

Edward A. Rath III
Legislator, 6th District

FROM LEGISLATOR HARDWICK

Item 43 – (COMM. 10E-7) Submission Pursuant to EC Code of Ethics (Local Law #2 - 2018), Disclosure of Family Members Employed by Any Government Organization

Received, filed and printed.

May 14, 2018

Mr. Robert M. Graber, Clerk
Erie County Legislature
92 Franklin Street

Buffalo, NY 14202

Dear Mr. Graber:

The purpose of this letter is to comply with our new ethics law regarding relatives who hold government positions. The only relatives who are employed by governments in Erie County of whom I am aware are:

- My wife, Deborah L. Hardwick, an elementary teacher for the Buffalo Public Schools; and
- My daughter, Aubrey Hill, who is also an elementary teacher for the Buffalo Public Schools; and possibly
- My son, Brian Hardwick, who works for UB Campus and Dining which he tells me is a private company that provides service to the UB campus.

In addition, I am aware of the following relatives who live outside of Erie County and are employed by government entities:

- My Sister, Peggy Holmes, who is employed by Broome Community College;
- My Niece, Alicia Woodard, a police officer in Norwich, NY;
- My Nephew, Ricky Green, a state trooper in the State of Connecticut; and
- possibly my nephew, Jason Woodard, who may be entering the police academy in Pennsylvania.

I also have numerous other cousins who I have lost contact with over the years. To my knowledge, though, none reside in Western New York and I am unaware of any who are employed by government.

Sincerely,

Kevin R. Hardwick
4th District Legislator

FROM LEGISLATOR LORIGO

Item 44 – (COMM. 10E-8) Submission Pursuant to EC Code of Ethics (Local Law #2 - 2018), Disclosure of Family Members Employed by Any Government Organization

Received, filed and printed.

May 15, 2018

Erie County Legislature
Attn: Robert Graber, Clerk of the Legislature

92 Franklin Street – 4th Floor
Buffalo, NY 14202

Dear Clerk Graber:

Pursuant to the Erie County code of ethics, I am notifying you of my family members who work in government. My brother-in-law, Shane Good, works for the Erie County Water Authority. My cousin, Garrett Grieser, works for New York State Supreme Court Justice Daniel Furlong.

If there are any questions, please feel free to reach out to Chief of Staff Steven Whipple.

Sincerely,

Joseph C. Lorigo
Erie County Legislature Minority Leader

FROM THE COMPTROLLER

Item 45 – (COMM. 10E-9) Submission Pursuant to EC Code of Ethics (Local Law #2 - 2018), Disclosure of Family Members Employed by Any Government Organization

Received, filed and printed.

May 14, 2018

Hon. Robert M. Graber
Clerk of the Legislature
92 Franklin Street
Buffalo, New York 14202

RE: Required Disclosure / Family Members Employed by (any) Government

Dear Clerk Graber:

Pursuant to the Erie County Code of Ethics, Local Law 2 (2018), Section 5c, I am providing a list of my family members employed by any government organization in any capacity. They include:

NAME	RELATION	EMPLOYER
Charlene Morales	Sister	US Postal Service
Christine Kowalyk	Mother In Law	Erie Community College *Part time employee *Retired from Erie County, started in 1970
Adam Kowalyk	Brother In Law *Wife's Brother	Erie County *Hired in 2001

Sean McMahon	Brother In Law *Sister's Husband	New York State National Guard *Civilian Employee
Anne Mychajliw	First Cousin	Buffalo Public Schools

If you have any questions about this letter, please feel free to contact me at (716) 858-8404, or e-mail me at Comptroller@erie.gov.

Sincerely,

STEFAN I. MYCHAJLIW
Erie County Comptroller

FROM THE COUNTY CLERK

Item 46 – (COMM. 10E-10) Submission Pursuant to EC Code of Ethics (Local Law #2 - 2018), Disclosure of Family Members Employed by Any Government Organization

Received, filed and printed.

May 14, 2018

Honorable Robert M. Graber
Clerk of the legislature
92 Franklin St
Buffalo, NY 14202

RE: Required Disclosure/Family Members Employed by (any) Government

Dear Clerk Graber:

Pursuant to the Erie County Code of Ethics, Local Law 2 (2018), Section 5C, I am providing a list of my family members employed by any governmental organization in any capacity. They Include:

NAME	RELATION	EMPLOYER
Joanne Kearns	Sister	City of Buffalo Clerk
Patrick Kearns	Cousin	City of Buffalo Teacher
Eileen Ryan	Cousin	Erie County RN
Susan Altman	Cousin	West Seneca Schools Aide
Dr. Kevin Kearns	Cousin	SUNY Fredonia VP of

		Economic Development
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If you have any questions please feel free to contact me at (716) 858-6985 or email me at Michael.Kearns@erie.gov.

Sincerely,

Michael P. Kearns
Erie County Clerk

FROM THE COUNTY EXECUTIVE

Item 47 – (COMM. 10E-11) Submission Pursuant to EC Code of Ethics (Local Law #2 - 2018), Disclosure of Family Members Employed by Any Government Organization

Received, filed and printed.

May 15, 2018

Robert Graber, Clerk
Erie County Legislature
92 Franklin Street, 4th Floor
Buffalo, NY 14202

RE: Filing Pursuant to Erie County Ethics Law Section 5(c)

Dear Honorable Members:

Pursuant to Section 5(c) of the recently enacted Code of Ethics, the undersigned hereby submits to you a list of all family members as defined in the law presently employed by any government organization in any capacity:

Name of Relative	Relation to Self	Employer
Robb Poloncarz	Brother	Erie County
Lynn Poloncarz	Sister-in-law	Orchard Park Central School District
James Jurek	First Cousin	Erie County

To my knowledge there are no other members of my family as defined by Section 5(c) of the Code of Ethics presently employed by any government. If you have any questions on this filing please contact the undersigned at your earliest convenience.

Sincerely yours,

Mark C. Poloncarz, Esq.
Erie County Executive

FROM CHAIR SAVAGE

Item 48 – (COMM. 10E-12) Submission Pursuant to EC Code of Ethics (Local Law #2 - 2018), Disclosure of Family Members Employed by Any Government Organization

Received, filed and printed.

May 15, 2018

Subject: Disclosure of Family Members in Government

Mr. Graber:

I am writing to disclose the following family members currently working in government:

Leila Savage (wife) NYS Office of Court Administration;
Mary Jane Savage (mother) Buffalo Public Schools;
Christopher Savage (brother) NYS Senate;
Patrick Sole, Jr. (Uncle) City of Buffalo;
Denice Sole (Aunt) City of Buffalo;
Andrew Rabb (cousin) City of Buffalo;
David Acosta (step-cousin) Buffalo Municipal Housing Authority.

Respectfully submitted,

Peter J. Savage, III
Chair, Erie County Legislature

FROM THE DISTRICT ATTORNEY

Item 49 – (COMM. 10E-13) Submission Pursuant to EC Code of Ethics (Local Law #2 - 2018), Disclosure of Family Members Employed by Any Government Organization

Received, filed and printed.

May 15, 2018

Honorable Robert Graber
Clerk of the Legislature
92 Franklin Street
Buffalo, NY 14202

RE: Disclosure/Family Members Employed by (any) Government

Dear Clerk Graber:

Pursuant to the Local Law 2 (2018), Section 5c, I am providing a list of family members employed by any governmental organization:

My wife Debra Flynn is a Teacher's Aide in the Ken-Ton School District.

My son Konner Flynn works as a part-time seasonal aide in the Town of Tonawanda Clerk's office.

Please contact me if you have further questions.

Sincerely,

John J. Flynn

FROM LEGISLATOR BASKIN

Item 50 – (COMM. 10E-14) Submission Pursuant to EC Code of Ethics (Local Law #2 - 2018), Disclosure of Family Members Employed by Any Government Organization

Received, filed and printed.

May 15, 2018

Hon. Robert M. Graber
Clerk of the Legislature
92 Franklin Street
Buffalo, New York 14202

RE: Required Disclosure / Family Members Employed by (any) Government

Dear Clerk Graber:

Pursuant to the Erie County Code of Ethics, Local Law 2 (2018), Section 5c, I am providing a list of my family members employed by any government organization in any capacity as of May 15th 2018. All parties listed were hired within their entity prior to the year 2017. They include:

Relative	Relation	Entity
Lisa Jacobs-Watson	Mother	Buffalo City Court
Brian D. Watson	Step-Father	Albion Correctional Facility
Maxwell V. McCants Jr.	Brother	U.S. Marine Corps
Seana L. McCants	Sister	U.S. Air Force

Respectfully,

April N. McCants-Baskin
Majority Leader, Erie County Legislature

FROM LEGISLATOR BURKE

Item 51 – (COMM. 10E-15) Submission Pursuant to EC Code of Ethics (Local Law #2 - 2018), Disclosure of Family Members Employed by Any Government Organization

Received, filed and printed.

May 15, 2018

Subject: Disclosure of family

Mr. Graber,

I am writing to disclose family members currently employed in a government position.

Shannon Burke (wife) NYS Courts/Secretary

Brian Burke (Brother) BMHA/Housing Aid

Ann Fitzgerald (Aunt) Buffalo Public Schools/Administrator

Thank you,

Pat Burke

May 15, 2018

Subject: Disclosure of family

Mr. Graber,

In my original letter, I left off some extended family.

Timothy Fitzgerald, (cousin) Clarence Public Schools

Christopher Gersitz, (cousin) Depew Public Schools

Penny Kenefick, (aunt) Buffalo Public Schools

James McGrath, (cousin) United States Border Patrol

Meghan Sullivan, (cousin) City of Columbus, Ohio

Ryan Homsher, (cousin) Ohio State University

Rene Beland, (aunt) Veteran's Affairs

George Kinnicutt, (brother in law) Bolivar/Richburg School district

- Pat Burke

FROM LEGISLATOR MILLER-WILLIAMS

Item 52 – (COMM. 10E-16) Submission Pursuant to EC Code of Ethics (Local Law #2 - 2018), Disclosure of Family Members Employed by Any Government Organization

Received, filed and printed.

May 15, 2018

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

Dear Mr. Graber:

Pursuant to the Erie County Code of Ethics, Local Law 2, (2018), Section 5c, I am providing a list of my family members employed by any governmental organization in any capacity as follows:

LeeQuisha Volious	Daughter	Assistant Principal	Buffalo Public Schools
Deborah Miller	Sister In Law	Teacher Aide	Buffalo Public Schools

Should you require further information regarding the aforementioned matter, please feel free to contact me at (716) 842-0490 or email me at BMW@erie.gov

Sincerely,

Barbara Miller-Williams
Erie County Legislator
District 1

FROM LEGISLATOR BRUSO

Item 53 – (COMM. 10E-17) Submission Pursuant to EC Code of Ethics (Local Law #2 - 2018), Disclosure of Family Members Employed by Any Government Organization

Received, filed and printed.

May 16, 2018

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

Re: Erie County Code of Ethics, Section 5(c) Reporting Requirement

Dear Clerk Graber:

Pursuant to the Erie County Code of Ethics, Local Law 2 (2018), Section 5 (c), and to the best of my knowledge, I am providing a list of my family members employed by any government organization in any capacity. They include:

John Robert Brusio
Father
Retired New York State Trooper

Eric Huestis
Brother-in-Law
Key West Florida Police Department

Maureen Brusio Black
Sister
Perkins School District, Newark, New York

James Brusio
Uncle
Retired US Navy

Thank you in advance for your courtesies.

Sincerely,

John Brusio
Erie County Legislator

FROM THE SHERIFF

Item 54 – (COMM. 10E-18) Submission Pursuant to EC Code of Ethics (Local Law #2 - 2018), Disclosure of Family Members Employed by Any Government Organization

Received, filed and printed.

May 15, 2018

Mr. Robert Graber
Clerk of the Erie County Legislature
92 Franklin Street
Buffalo, New York 14202

Dear Mr. Graber:

In accordance with the Disclosure of Interest in County Business, Section 5-c, please see the list below of family members employed by any government organization in any capacity:

Susan C. Howard (Spouse)	Erie County Sheriff's Mounted Reserve Unit P/T
Lori Locker (Daughter)	Rockland School District
Daniel Howard (Son)	Trooper, NYS Police
David Howard (Son)	Sergeant, NYS Police
Joe Cino (Son In law)	Sergeant, NYS Police
Brian Howard (Nephew)	Investigator, NYS Police
Seth Howard (Nephew)	Court Office, NYS Office of Court Administration

Respectfully submitted,

TIMOTHY B. HOWARD
SHERIFF OF ERIE COUNTY

FROM LEGISLATOR LOUGHRAN

Item 55 – (COMM. 10E-19) Submission Pursuant to EC Code of Ethics (Local Law #2 - 2018), Disclosure of Family Members Employed by Any Government Organization

Received, filed and printed.

May 16, 2018

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

Dear Mr. Graber

Pursuant to the Erie County Code of Ethics, please find below disclosure of my family members employed by any government, as required by Local Law No. 2 of 2018 (Section 5c):

Angela Calabrese	Buffalo Public Schools
Patricia Dean	Erie County

Thank you for your attention to this matter.

Yours truly,

Thomas A. Loughran
Erie County Legislator
5th District

FROM LEGISLATOR MILLS

Item 56 – (COMM. 10E-20) Submission Pursuant to EC Code of Ethics (Local Law #2 - 2018), Disclosure of Family Members Employed by Any Government Organization

Received, filed and printed.

May 17, 2018

Dear Mr. Graber,

I am writing today to remain in compliance with the Erie County Ethics law. I have many relatives with whom I have lost contact with; however, to the best of my knowledge I have no family in a position of employment with any government entity either here in Erie County or elsewhere. I appreciate your attention in this matter.

Sincerely,

John J. Mills
Erie County Legislator – 11th District

FROM THE SHERIFF

Item 57 – (COMM. 10E-21) Authorization to Accept Protective K9 Vests from a Not-For-Profit

Item 58 – (COMM. 10E-22) Operation Stonegarden for FY17

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

FROM THE COUNTY EXECUTIVE

Item 59 – (COMM. 10E-23) EC Holding Center and Correctional Facility - ADA Improvements

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 60 – (COMM. 10E-24) Engineering Agreement Close-out - ECSD No. 3

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 61 – (COMM. 10E-25) Inter-Municipal Agreement with Village of Springville for Shared Services with EC

Item 62 – (COMM. 10E-26) Contract with the Erie Canal Harbor Development Corporation for Construction of Explore and More Children's Museum

Item 63 – (COMM. 10E-27) Federal Aid Local Project Agreement with NYSDOT for Maple Rd. - Resurfacing Hopkins Rd. to Transit Rd.

Item 64 – (COMM. 10E-28) Award of Construction Contract for Akron Falls Park - Retaining Wall Rehabilitation

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

Item 65 – (COMM. 10E-29) Bond Description Revision to Include Benefit for 50% State Aid Reimbursement

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 66 – (COMM. 10E-30) Division of Sewerage Management - Creation of Coordinator of Grants and Program Administration Position

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 67 – (COMM. 10E-31) Authorization to Contract - Buffalo Municipal Housing Authority for the Creation of a Congregate Dining Site

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 68 – (COMM. 10E-32) Youth Bureau Runaway and Homeless Youth - Reallocation of Funds

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 69 – (COMM. 10E-33) Authorization to Contract - Department of Central Police Services with Globalquest Solutions Inc.

Received and referred to the PUBLIC SAFETY COMMITTEE.

Item 70 – (COMM. 10E-34) Ellicott Creek Park - Proposal for Engineering Services - Pedestrian Bridge

Item 71 – (COMM. 10E-35) Engineering Agreement - ECSD No. 2

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

FROM THE DISTRICT ATTORNEY

Item 72 – (COMM. 10E-36) Asset Forfeiture Appropriations

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM THE COUNTY CLERK

Item 73 – MS. BASKIN presented the following resolution and moved for immediate consideration and approval. MR. LORIGO seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 124

RE: Replenishment of E-Z Pass Tags
(COMM. 10E-37)

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

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

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

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

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

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

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

NOW, THEREFORE, BE IT

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

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

Increase

Revenue

415185 E-Z Pass Tag Sales \$7350.00

Expense

507000 E-Z Pass Supplies \$7350.00

and be it further

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

COMMUNICATIONS FROM THE DEPARTMENTS

FROM THE DEPUTY COMPTROLLER, AUDIT

Item 74– (COMM. 10D-1) Letter to Commissioner of Social Services Regarding Audit of Grant Procedures with Respect to Independent Living Organizations

Item 76 – (COMM. 10D-2) Letter to Commissioner of Health Regarding Audit of Procedures with Respect to the Purchasing and Disbursement of Gift Cards

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

FROM THE COMMISSIONER OF SOCIAL SERVICES

Item 76 – (COMM. 10D-3) Letter to Legislator Lorigo Regarding Department's Use of LifeLock Protection

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE DEPARTMENT OF LAW

Item 77 – (COMM. 10D-4) Transmittal of New Claims Against EC

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE OFFICE OF THE COUNTY EXECUTIVE

Item 78 – (COMM. 10D-5) Initiatives for a Smart Economy 2.0- 2018 Bi-annual Report #1

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM THE DEPUTY COMPTROLLER, AUDIT

Item 79 – (COMM. 10D-6) Letter to Commissioner of Social Services Regarding Audit of Department's Compliance with RFP Process for STSJP Program Services

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE DEPARTMENT OF LAW

Item 80 – (COMM. 10D-7) Filing Documents - Local Law 3 (2018)

Received and filed.

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES

FROM THE BUFFALO & EC PUBLIC LIBRARY

Item 81 – (COMM. 10M-1) Agenda Items - Meeting Held 5/17/18

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM NYS AGRICULTURE AND MARKETS

Item 82 – (COMM. 10M-2) Letter Regarding Modification of Agricultural Districts

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE NFTA

Item 83 – (COMM. 10M-3) Board Minutes - Meeting Held 3/22/18

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM KARL J. SIMMETH JR.

Item 84 – (COMM. 10M-4) Letter Regarding Resignation as Commissioner of the Erie County Water Authority

Received, filed and printed.

May 17, 2018

Clerk of the Erie County Legislature
92 Franklin Street – 4th Floor
Buffalo, New York 14202

Dear Mr. Graber,

It is with regret that I tender my resignation from the Erie County Water Authority as Commissioner, effective at the end of business day May 17, 2018.

This resignation is due to the policy set forth by the NYS and Local Retirement System.

I am grateful for having had the opportunity to serve on the board of this fine organization for the past year, and wish it continued success.

Sincerely,

Karl J. Simmeth Jr.
ECWA Commissioner

FROM THE M/WBE UTILIZATION ADVISORY BOARD

Item 85 – (COMM. 10M-5) Board Minutes - Meeting Held 3/26/18

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

ANNOUNCEMENTS

Item 86 – Clerk of Legislature announced that the schedule for committee meetings to be held on Thursday, May 31, 2018, has been distributed.

MEMORIAL RESOLUTIONS

Item 87 – Legislator Brusco requested that when the Legislature adjourns, it do so in memory of Eric D. Przykuta and Joan Rybak.

Item 88 – Legislator Burke requested that when the Legislature adjourns, it do so in memory of Ryan M. O'Neill, Robert Carter, James F. Casey Jr., Richard Lipsitz Sr., Eric D. Przykuta, and Daniel K. Fitzgibbons.

Item 89 – Legislator Lorigo requested that when the Legislature adjourns, it do so in memory of Jane Caruana.

Item 90 – Legislator Rath requested that when the Legislature adjourns, it do so in memory of Myron “Mike” Siegel and J. Frederick Painton Jr., MD.

Item 91 – Chair Savage requested that when the Legislature adjourns, it do so in memory of Richard Lipsitz Sr., Georga Marie Montante, the family of Daniel K. Fitzgibbons and his colleagues in the Department of Public Works.

ADJOURNMENT

Item 92 - At this time, there being no further business to transact, CHAIR SAVAGE announced that the Chair would entertain a Motion to Adjourn.

MR. BURKE moved that the Legislature adjourn until Thursday, June 7, 2018 at 2:00 p.m. Eastern Standard Time. MR. RATH seconded.

CARRIED UNANIMOUSLY.

CHAIR SAVAGE declared the Legislature adjourned until Thursday, June 7, 2018 at 2:00 p.m. Eastern Standard Time.

ROBERT M. GRABER
CLERK OF THE LEGISLATURE