

ERIE COUNTY LEGISLATURE
MEETING NO. 17
SEPTEMBER 17, 2015

The Legislature was called to order by Chair Mills.

All members present.

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

The Pledge of Allegiance was led by Mr. Hardwick.

Item 1 – No tabled items.

Item 2 – No items for reconsideration from previous meeting.

Item 3 – MR. LORIGO moved for the approval of the minutes for Meeting Number 16. MR. RATH seconded.

CARRIED UNANIMOUSLY.

Item 4 – No public hearings.

MISCELLANEOUS RESOLUTIONS

Item 5 – MS. DIXON presented a resolution Recognizing "Prostate Cancer Awareness Month" - Buffalo Bills Alumni Foundation's Campaign "Cure the Blue!".

Item 6 – MS. DIXON presented a resolution Acknowledging and Thanking the Volunteers and Sponsors Involved in the 30th Annual Great Lakes Beach Sweep on Saturday, September 19, 2015 Along Lake Erie Shoreline.

Item 7 – MS. GRANT & MS. MILLER-WILLIAMS presented a resolution Honoring the Life of Rev. Dr. Kenneth Roland Wilkerson and Congratulating the Congregation of The First Timothy Missionary Baptist Church Celebrating the Historic Milestone of the Burning of the Church Mortgage.

Item 8 – MS. GRANT & MS. MILLER-WILLIAMS presented a resolution Honoring Clifford Bell for 60 Years of Service to the Buffalo Community and The Lutheran Church of Our Savior.

Item 9 – MR. MILLS, MR. LORIGO, MS. GRANT, MS. DIXON, MR. HARDWICK, MR. MORTON, MR. RATH, MR. BURKE, MR. LOUGHRAN, MS. MILLER-WILLIAMS & MR. SAVAGE presented a resolution Recognizing September 14-20, 2015 as "Sheriff's Week in Erie County".

Item 10 – MR. RATH presented a resolution Honoring Herbert & Jane Darling for their Lifetime Support of Buffalo’s Distinctive Ecological Treasure and All Things Natural, Ecological and Environmental.

MR. LORIGO moved for consideration of the above six items. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

MR. LORIGO moved to amend the above six items by adding one miscellaneous resolution for MR. HARDWICK, one miscellaneous resolution for MR. MILLS, MR. LORIGO, MS. DIXON, MR. HARDWICK, MR. MORTON & MR. RATH, and one miscellaneous resolution for MS. MILLER-WILLIAMS, and one miscellaneous resolution for MR. RATH, and to include Et Al sponsorship. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

MR. LORIGO moved for approval of the above ten items as amended. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

LOCAL LAWS

Item 11 – CHAIR MILLS directed that Local Law No. 8 (Print #1) 2014 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 12 – CHAIR MILLS directed that Local Law No. 1 (Print #3) 2015 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 13 – CHAIR MILLS directed that Local Law No. 2 (Print #2) 2015 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 14 – CHAIR MILLS directed that Local Law No. 3 (Print #1) 2015 remain on the table and in the PUBLIC SAFETY COMMITTEE.

GRANTED.

Item 15 – CHAIR MILLS directed that Local Law No. 4 (Print #1) 2015 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 16 – CHAIR MILLS directed that Local Law No. 5 (Print #1) 2015 remain on the table and in the ENERGY & ENVIRONMENT COMMITTEE.

GRANTED.

Item 17 – CHAIR MILLS directed that Local Law No. 6 (Print #1) 2015 remain on the table and in the ECONOMIC DEVELOPMENT COMMITTEE.

GRANTED.

Item 18 – CHAIR MILLS directed that Local Law No. 7 (Print #1) 2015 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

COMMITTEE REPORTS

Item 19 – MS. DIXON presented the following report and moved for immediate consideration and approval. MR. LORIGO seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 212

September 8, 2015	HEALTH & HUMAN SERVICES COMMITTEE REPORT NO. 12
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ALL MEMBERS PRESENT.

CHAIR MILLS PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 15E-7 (2015)
COUNTY EXECUTIVE: “Department of Mental Health - Contract Request”
(6-0)
 - b. COMM. 16M-10 (2015)
BOARD OF HEALTH: “Agenda for Sep 15, 2015 Meeting and Minutes of Apr 21, 2015 Meeting”
(6-0)
2. COMM. 16E-6 (2015)
COUNTY EXECUTIVE

RESOLVED, the Erie County Legislature hereby confirms the appointment of the following individual, as recommended by the Erie County Executive, to serve on the Erie County Community Coordinating Council on Children and Families for a term ending July 1, 2017:

Heidi A. Milch, LMSW
Community Connections of New York
567 Exchange Street, Suite 201
Buffalo, NY 14210

(6-0)

3. COMM. 16E-16 (2015)
COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Health (“ECDOH”) has received a grant award in the amount of \$127,274 from the New York State Department of Health (“NYSDOH”) through an allocation from the Centers for Disease Control and Prevention; and

WHEREAS, the mission of the ECDOH is to prevent, prepare for and respond to potential and actual communicable diseases including Category A Biologic Agents; and provide the appropriate supplies, equipment and training to appropriately protect staff, volunteers and the public.

WHEREAS, it is necessary to complete the programmatic deliverables required by NYSDOH to participate in county and regional Ebola exercises; equip and train staff for use of personal protective equipment; plan for and sustain local monitoring activities; respond if necessary including: management and coordination of operations, wrap-around isolation and quarantine operations, environmental clean-up; and delivery of EVD risk communication messages.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter into a contract with the NYSDOH which is budgeted as follows:

EBOLA VIRUS DISEASE SUPPLEMENTAL
04/01/2015 – 09/30/2016

SAP	REVENUE	BUDGET
414000	Federal Aid	\$127,274
	TOTAL	<u>\$127,274</u>
	EXPENSES	
501000	Overtime	\$10,000
502000	Fringe Benefits	\$2,580
505000	Office Supplies	\$10,000
505200	Clothing Supplies	\$18,331
505400	Food & Kitchen Supplies	\$5,000
505800	Medical & Health Supplies	\$26,413
506200	Maintenance & Repair	\$5,000
510000	Local Mileage Reimbursement	\$3,000
510100	Out of Area Travel	\$5,000
510200	Training And Education	\$3,000
516020	Professional Svcs Contracts & Fees	

	\$13,400
561410 Lab & Tech Equipment	\$25,550
TOTAL	<u>\$127,274</u>

and be it further

RESOLVED, that certified copies of this resolution be forwarded to the County Executive, the Office of the Comptroller, the Division of Budget, Management and Finance, the Department of Law and Dr. Gale R. Burstein, Commissioner, in the Department of Health, 9th Floor, Rath Building. (6-0)

4. COMM. 16E-17 (2015)
COUNTY EXECUTIVE

WHEREAS, decreasing the teen pregnancy rate in Erie County is an important public health objective; and

WHEREAS, Children born to adolescents are more likely to have poorer educational, behavioral, and health outcomes throughout their lives; and

WHEREAS, teen childbearing costs taxpayers between \$9.4 and \$28 billion a year through public assistance payments, lost tax revenue, and greater expenditures for public health care, foster care, and criminal justice services; and

WHEREAS, evidence based strategies exist which have a demonstrable impact on reducing the teen pregnancy rate; and

WHEREAS, the Erie County Health Department in collaboration with the Erie County Teen Pregnancy Prevention Project has been award a grant from the U.S. Department of Health and Human Services via Ciacatelli and Associates to implement a teen pregnancy reduction program; and

WHEREAS, this grant in the amount of \$86,000 requires no local funding.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Department of Health is authorized to receive a grant award from Ciacatelli and Associates in the amount of \$86,000 to be budgeted as follows:

“Erie County Teen Pregnancy Prevention”
127TPP1516
10/1/15 -9/30/16

SAP	REVENUE	BUDGET
479100 Other Contributions		<u>\$86,000</u>
	TOTAL	<u>\$86,000</u>

EXPENSES

500000 Full Time Salaries	\$47,499.00
502000 Fringe Benefits	\$23,075.00
505000 Office Supplies	\$1,000.00
510000 Local Mileage	\$345.00
510100 Out of Area Travel	\$2,000.00
510200 Training and Education	\$11,081.00
980000 ID DISS Services	\$1,000.00
	TOTAL
	<u>\$86,000.00</u>

and be it further

RESOLVED, that the authorization is hereby granted to create one position of Project Coordinator- Teen Wellness, JG11, Step 1, annual salary \$43,564 B100# 8411 in the CSEA bargaining unit; and be it further

RESOLVED, that certified copies of this resolution will be forwarded to the Erie County Executive, the Office of the Comptroller, the Division of Budget and Management, the Department of Personnel, the Department of Law and to Dr. Gale R. Burstein, Commissioner, in the Erie County Department of Health, 9th Floor, Rath Building.
(6-0)

5. COMM. 16E-19 (2015)

COUNTY EXECUTIVE

WHEREAS, Erie County has experienced an increase in the number of clients accessing the New York State-mandated Safety Net Assistance program over the last several years; and

WHEREAS, the county share of Safety Net Assistance funding is 71 percent, making this growth costly for County taxpayers; and

WHEREAS, the Department of Social Services has the opportunity to obtain the services of a doctoral student from the University at Buffalo School of Social Work to study the needs of recipients of Safety Net Assistance within Erie County; and

WHEREAS, the doctoral student receives a modest stipend for their work for the University at Buffalo School of Social Work; and

WHEREAS, there is no fiscal impact to the 2015 Adopted Budget based on this resolution and no additional County local share funds are necessary because the existing appropriation in 516020, Professional Services Contracts and Fees, is sufficient to cover this expense.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive and the Commissioner of Social Services are hereby authorized to enter into contract in the amount of \$16,000 with the University of Buffalo School of Social Work to obtain the services of a qualified doctoral candidate who will be paid an annual stipend by the University in the amount of \$16,000 for the work provided to the Department of Social Services, and be it further

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

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

(6-0)

LYNNE M. DIXON
CHAIR

Item 20 – MR. HARDWICK presented the following report and moved for immediate consideration and approval MR. RATH seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 213

September 8, 2015	GOVERNMENT AFFAIRS COMMITTEE REPORT NO. 9
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ALL MEMBERS PRESENT.

CHAIR MILLS PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 14D-9 (2015)
COUNTY ATTORNEY: “Transmittal of New Claims Against Erie County”
(5-0) Legislator Loughran not present for vote.
 - b. COMM. 15D-5 (2015)
COUNTY ATTORNEY: “Transmittal of New Claims Against Erie County”
(5-0) Legislator Loughran not present for vote.
 - c. COMM. 16D-8 (2015)
COUNTY ATTORNEY: “Letter Regarding Appointment to ECC Board of Trustees”
(5-0) Legislator Loughran not present for vote.
 - d. COMM. 16D-9 (2015)
COUNTY ATTORNEY: “Transmittal of New Claims Against Erie County”
(5-0) Legislator Loughran not present for vote.
2. COMM. 15E-13 (2015)
COUNTY CLERK

WHEREAS, the Erie County Clerk's Office, as part of its duties and responsibilities, is charged with the operation of six local Auto Bureaus and the Registrars Division; and

WHEREAS, the general public frequently avails itself of the services offered at both of these locations; and

WHEREAS, in an effort to better educate the public on services offered by the County Clerk's Office, while at the same time improving the customer experience while in the Clerk's Office, proposals were sought to provide audio-visual public service information and/or pre-approved advertising within these locations; and

WHEREAS, the selection process has determined that TWC News & Local Programming LLC ("TWCN") is the most appropriate firm to reach the general public with the airing of public service announcements detailing County Clerk services, and that the airing of Time Warner Cable television programming during business hours will substantially improve the customer experience within the Clerk's Office; and

WHEREAS, the request for proposal provision of Section 19.08 of the Erie County Administrative Code was complied with; and

WHEREAS, the terms of this agreement are favorable to the County.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize the County Executive to enter into an agreement between the County of Erie and TWC News & Local Programming LLC to air regularly scheduled programming TWCN during regular business hours at the Auto Bureaus and Land Records Division of the Clerk's Office; and be it further

RESOLVED, that the terms of this agreement shall include the production and airing of public service announcements related to the Clerk's Office at no cost to the County; and be it further

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

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

3. COMM. 16E-15 (2015)

COUNTY CLERK

AS AMENDED

WHEREAS, the Erie County Clerk's Office, as part of its duties and responsibilities, is charged with the operation of local Auto Bureaus as an agent for the State of New York; and

WHEREAS, the Erie County Clerk has operated a satellite auto bureau at a north towns location since 2010, which location has been sold; and

WHEREAS, it is advantageous for the County to continue operation of a full service auto bureau in the northern part of Erie County; and

WHEREAS, the County Clerk has identified a new location in the north towns that meets the needs of the auto bureau and has negotiated favorable terms with the property owner Sheridan Plaza, LLC; and

WHEREAS, once a lease is approved, in advance of occupying the space, it is necessary to issue a purchase order to begin building of the cashier work stations for installation, and

WHEREAS, funding is available to purchase such work stations, and

WHEREAS, in order to facilitate the purchase of the work stations, a transfer of funds within the Clerk's 2015 Budget is necessary.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize the County Executive to execute a lease with Sheridan Plaza, LLC for use of approximately 5,872 square feet of space at the Sheridan Plaza, 2309 Eggert Road, Tonawanda, New York; and be it further

RESOLVED, that the term of the lease shall be for a five year period commencing January 2016 or as soon thereafter with a Rent Commencement Date determined when leased premises are delivered to the County for use, and shall include one five-year renewal option; and

RESOLVED, that funding for 2016 is included in the County Clerk's 2016 Budget request and all future year funding will be included in appropriate budget submissions; and be it further

RESOLVED, that in order to facilitate the purchase of cashier work stations for the new location the Erie County Legislature does hereby authorize the following budgetary adjustments to the 2015 Budget:

FUND 110 – 2015 Budget	
11320 County Clerk/Auto Bureau Division	
<u>Expense Account</u>	<u>Increase/ (Decrease)</u>
561420 Office Furniture & Fixtures	\$58,916
545000 Rental	(\$44,703)
561410 Lab & Technical Equipment	(\$14,213)

; and be it further

RESOLVED, that certified copies of this resolution be sent to the County Clerk, the Director of Budget and Management, the County Attorney and the County Comptroller.
(6-0)

KEVIN R. HARDWICK
CHAIR

Item 21 – MR. LORIGO presented the following report and moved for immediate consideration and approval. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 214

September 8, 2015	FINANCE & MANAGEMENT COMMITTEE REPORT NO. 11
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ALL MEMBERS PRESENT.
CHAIR MILLS PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 15M-3 (2015)
NYS DEPARTMENT OF TAXATION AND FINANCE: “2015 State Class Rates - Various Cities and Towns”
(6-0)
 - b. COMM. 15M-4 (2015)
NYS DEPARTMENT OF TAXATION AND FINANCE: “2015 State Equalization Rates - Various Cities and Towns”
(6-0)
 - c. COMM. 16D-7 (2015)
DEPARTMENT OF BUDGET & MANAGEMENT: “Budget Monitoring Report for Period Ending June 30, 2015”
(6-0)
 - d. COMM. 16D-10 (2015)
DEPARTMENT OF BUDGET & MANAGEMENT: “Budget Monitoring Report for Period Ending July 31, 2015”
(6-0)
2. COMM. 16E-10 (2015)
COUNTY EXECUTIVE

WHEREAS, the Director of Real Property Tax Services has recommended the transfer of surplus county owned landlocked parcel described as SBL# 73.00-5-32; and

WHEREAS, the landlocked parcel has been owned by the County since 1949 and measures 66 feet on the east line, 577 feet on the south line, 220 feet on the west line, and 374 feet on the north line. The east line being the east line of Farm lot 2, section 7, township 12, and range 5 in the town of Newstead. The west line being the southerly line of the New York State Thruway. Being approximately .71 of an acre; and

WHEREAS, the parcels were reviewed and deemed surplus by the County Advisory Review Committee.

NOW, THEREFORE BE IT

RESOLVED that SBL# 73.00-5-32 in the Town of Newstead, be sold to Steven and Grace Richardson, (Life Estate to Philip and Arlene Richardson) for Three Hundred Dollars (\$300.00); and be it further;

RESOLVED, that the Erie County Executive is hereby authorized and directed to execute a quit claim deed conveying any and all interest of the County of Erie in the above described property to the aforesaid purchasers; and be it further;

RESOLVED, that certified copies of this resolution be forwarded to the County Executive, the Office of the County Comptroller, the County Attorney, Department of Environment and Planning, and the Department of Real Property Tax Services.

(6-0)

3. COMM. 16E-11 (2015)

COUNTY EXECUTIVE

WHEREAS, it is the mission of the Buffalo Erie Niagara Land Improvement Corporation to confront and alleviate the problems distressed properties cause to communities by supporting municipal and regional revitalization efforts and strategically acquiring, improving, assembling, and selling distressed, vacant, abandoned, and/or tax-delinquent properties; and

WHEREAS, section 1616(i) of the New York Not-for-Profit Corporation Law provides that New York Land banks, including the Buffalo Erie Niagara Land Improvement Corporation, may tender a preemptive bid at tax sales in an amount equal to the total amount of all municipal claims and liens which were the basis for the judgment and in the event of such tender by a land bank, the property shall be deemed sold to the land bank regardless of any bids by any other third parties; and

WHEREAS, the bid of the land bank shall be paid as to its form, substance, and timing according to such agreement as is mutually acceptable to the plaintiff and the land bank wherein the obligation of the land bank to perform in accordance with such agreement shall be deemed to be in full satisfaction of the municipal claim which was the basis for the judgment.

WHEREAS, it is anticipated that the Buffalo Erie Niagara Land Improvement Corporation will exercise its preemptive bid powers at the upcoming City of Lackawanna tax foreclosure sale; and

WHEREAS, agreements between the City of Lackawanna and the Buffalo Erie Niagara Land Improvement Corporation are necessary to outline the obligations of the land bank and the expected repayment, if any, of the City and County taxes which were the basis for the judgment; and

NOW, THEREFORE, BE IT

RESOLVED, that the County, through its Director of Real Property Tax Services, is hereby authorized to enter into agreements with the Buffalo Erie Niagara Land Improvement Corporation (BENLIC) which outline the obligations of the Land bank and the expected repayment, if any, of the County taxes which were the basis for the judgment consistent with the Property Tax and Maintenance/Foreclosure Cost Recapture Policy for the City of Lackawanna tax sale; and be it further

RESOLVED, that to the extent that such agreement results in the repayment of county taxes in the amount less than the amount of County taxes which were the basis for the judgment, pursuant to Section 12-1.0 of the Erie County Tax Act the Director of Real Property Tax Services is hereby authorized to cancel such past due real property taxes; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the County Executive, Erie County Comptroller, County Attorney, City of Lackawanna, Director of Real Property Tax Services and the Buffalo Erie Niagara Land Improvement Corporation.
(6-0)

4. COMM. 16E-12 (2015)
COUNTY EXECUTIVE

WHEREAS, due to outdated technology and computing systems, there is a pressing need to deploy new computers in the Departments of Real Property Tax Services, Public Advocacy, Labor Relations and the Office for the Disabled, and

WHEREAS, funding is available to purchase such computer equipment, and

WHEREAS, in order to facilitate the replacement of the computers, a transfer of funds is necessary.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature authorizes the transfer of funds to the Division of Information and Support Services' lab and technical equipment account in order to replace the computers in the Departments of Real Property Tax Services, Public Advocacy, Labor Relations and the Office for the Disabled; and be it further

RESOLVED, that the following budgetary adjustments to the 2015 Budget are hereby authorized:

Fund 110 - 2015 Budget	
105 – Division of Information and Support Services	
<u>Expense Accounts</u>	<u>Increase/ (Decrease)</u>
561410 Lab & Technical Equipment	\$12,000
Total	\$12,000

Fund 110 - 2015 Budget	
120- Social Services	
<u>Expense Account</u>	<u>Increase/ (Decrease)</u>
525000 MMIS Medicaid Local Share	(\$12,000)
Total	(\$12,000)

and be it further

RESOLVED, that the Division of Budget and Management is authorized to make the necessary budgetary transfers or interdepartmental billings to provide funding for the replacement of the computers in the Departments of Real Property Tax Services, Public Advocacy, Labor Relations and the Office for the Disabled; and be it further

RESOLVED, that certified copies of this resolution will be forwarded to the County Executive, the Office of the Comptroller, the Division of Budget and Management, the Division of Information and Support Services, and the Departments of Real Property Tax Services, Public Advocacy, Labor Relations and the Office for the Disabled.

(6-0)

JOSEPH C. LORIGO
CHAIR

Item 22 – MR. MORTON presented the following report, moved to separate item Number 3, and moved to approve the balance. MR. LORIGO seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 215

September 8, 2015	ENERGY & ENVIRONMENT COMMITTEE REPORT NO. 14
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ALL MEMBERS PRESENT.

CHAIR MILLS PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 15D-4 (2015)
CLERK OF THE LEGISLATURE: “NYS DEC Documents Received”
(6-0)
 - b. COMM. 16E-9 (2015)
COUNTY EXECUTIVE: “EC Sewer District No. 6 - Engineer Term Contract Agreement - CRA Infrastructure & Engineering Inc”
(6-0)
 - c. COMM. 16D-6 (2015)
CLERK OF THE LEGISLATURE: “NYS DEC Documents Received”
(6-0)
 - d. COMM. 16M-9 (2015)
NYS AGRICULTURE AND MARKETS: “Agricultural Districts Nos. 2, 4 & 9 - Notice to Conduct Eight-Year Review”
(6-0)

2. COMM. 16E-7 (2015)
COUNTY EXECUTIVE

WHEREAS, The New York Power Authority (“Authority”) which owns and operates the Niagara Power Project (“NPP”) in Lewiston, New York, received a new License to operate the NPP from the Federal Energy Regulatory Commission on March 15, 2007 that became effective on September 1, 2007; and

WHEREAS, in conjunction with the License for the NPP, the “Erie County/City of Buffalo Relicensing Settlement Agreement” (“RSA”) was executed; and

WHEREAS, the RSA provides for Authority funding of the Erie County Greenway Fund (“Greenway Fund”) to support construction and/or rehabilitation of parks, recreation, and related facilities promoting tourism, enhancing the environment, and advancing the economic revitalization of the Niagara River Greenway within Erie County as set forth in the Niagara River Greenway Act of 2005; and

WHEREAS, the Committee, which is comprised of one member from Erie County, the City of Buffalo, Buffalo Olmsted Parks Conservancy and the Authority, has adopted protocols and requirements for the funding of projects entitled “Buffalo and Erie County Greenway Fund Standing Committee Grant Guidelines and Application”; and

WHEREAS, on August 24, 2015 the Erie County Executive appointed Thomas J. Dearing, Commissioner of the Department of Environment and Planning as the Erie County representative on the Committee; and

WHEREAS, the RSA requires that the Committee select a Trustee of the Greenway Fund which shall have the power and lawful authority to receive and disburse funds with respect to the Greenway Fund; and

WHEREAS, the Committee desires to appoint the Manufacturers and Traders Trust Company (M&T Bank) as Trustee and Escrow Agent under this Agreement for the purpose of accepting and disbursing payments to the Greenway Fund, and investing and holding such funds in trust for the benefit of the Committee in accordance with the terms of this Agreement.

NOW, THEREFORE, BE IT

RESOLVED, that Erie County (“Client”) hereby authorizes Thomas J. Dearing, Commissioner of the Erie County Department of Environment and Planning, on behalf of the Client, to complete, execute, and deliver to Manufacturers and Traders Trust Company (M&T Bank) agreements in a form acceptable to such Authorized Individual for the provision of custody, escrow, trust, funds transfer, investment management and investment advisory services, including any amendments and agreements or other documents related thereto, as such Authorized Individual deems necessary or appropriate from time to time; and be it further

RESOLVED, that certified copies of this resolution be sent to the County Executive’s Office; the Comptroller’s Office; the Director of the Division of Budget and Management; the County Attorney; and Thomas J. Dearing, the Commissioner of the Department of Environment and Planning, Rath Building, 10th Floor.

(6-0)

3. COMM. 16E-8 (2015)

COUNTY EXECUTIVE

A RESOLUTION APPROVING A MODIFICATION OF PLANS FOR THE INCREASE AND IMPROVEMENT OF FACILITIES FOR ERIE COUNTY SEWER DISTRICT NO. 6 IN THE COUNTY OF ERIE, NEW YORK

(Introduced) SEPTEMBER 3, 2015.

(Adopted) SEPTEMBER 17, 2015.

WHEREAS, in 2005 the County Legislature of the County of Erie, New York (the "County Legislature") adopted an Increase and Improvements of Facilities Plan (the "2005 Plan") for Sewer District No. 6 (the "District") which provided for the expenditure of \$4,000,000 to finance the reconstruction of storm and sanitary sewer lines, the construction of improvements to pumping stations and the preparation of surveys, preliminary and detailed plans, specifications and estimates necessary to develop the plan to discharge to the Buffalo Sewer Authority, all as more fully described in the report and estimate of cost approved by the Board of Managers of said District on January 18, 2005 and filed with the County Legislature (the "Project"); and

WHEREAS, several of the components of the Project have been completed; and

WHEREAS, at the direction of the County Legislature, the Erie County Sewer Agency and the Erie County Department of Environment and Planning caused a report entitled *Erie County Sewer Agency Report - Erie County Sewer District No. 6 For A Modifications of Plans (2015)* (the "Report") to be prepared, which Report recommends the modification of the 2005 Plan and the approval of certain additional improvements within the District, including but not limited to improvements to the Wilmuth/Well Pumping Station, including engineering costs associated with those improvements, and the replacement of, and improvements to, existing sewers and pumping stations (the "Modification of Plans"); and

WHEREAS, on May 13, 2015 the Board of Managers of the District (the "Board of Managers") accepted and adopted the Report and recommended that the Report be submitted to the County Legislature for consideration and action; and

WHEREAS, the Report and the recommendation of the Board of Managers was filed with the County Legislature on May 18, 2015; and

WHEREAS, the Modification of Plans will not result in an increase in the amount of the estimates or the original bond authorization set forth in the 2005 Report, of which there is currently \$1,534,000 in unused authorization; and

WHEREAS, said County Legislature duly adopted Resolution 13E-11 on the 16th day of July, 2015, calling a meeting of the County Legislature for the purpose of holding a public hearing to consider the Modification of Plans in accordance with the provisions of Section 253-b of the County Law; 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 public hearing was duly held at 92 Franklin Street, 4th Floor, in Buffalo, New York, in said County, on the 29th day of July, 2015, at 1:30 o'clock P.M., Prevailing Time; 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 such increase and improvement for the facilities of Erie County Sewer District No. 6 in the County of Erie, New York, all as more fully described in the preambles hereof and in the Report, and such Modification of Plans for the increase and improvement of facilities is hereby authorized.

Section 2. This resolution shall take effect immediately.
(6-0)

TED B. MORTON
CHAIR

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

CHAIR MILLS directed that a roll call vote be taken.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 216

RE: EC Sewer District No. 6 -Modification
of Plans (2015)

Item 23 – MR. RATH presented the following report and moved for immediate consideration and approval. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 217

September 8 , 2015	PUBLIC SAFETY COMMITTEE REPORT NO. 11
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ALL MEMBERS PRESENT, EXCEPT LEGISLATOR MORTON.

1. COMM. 16E-21 (2015)
COUNTY EXECUTIVE

WHEREAS, in order to provide required nursing coverage and services in the Erie County Holding Center and Correctional Facility, the Department of Health's Division of Correctional Health needs to transfer funds to pay for fee-for-service agency nursing services; and

WHEREAS, the Division of Budget and Management has analyzed its objects of expense and has determined that in that in Fund Center 12760 Account 516020 Professional Services Contracts and Fees expenditures will exceed appropriations by \$910,000; and

WHEREAS, a transfer of funds must be made in order to fulfill our commitments to provide a minimum standard of care at the Erie County Holding Center and Erie County Correctional Facility under the Stipulated Order with the U.S. Department of Justice; and

WHEREAS, as a result of state credits in the Medicaid-MMIS account, sufficient funds are available in Account 525000 MMIS Medicaid Local Share in the Department of Social Services to cover the new expense in Correctional Health.

NOW, THEREFORE, BE IT

RESOLVED, that the following budgetary adjustments to the 2015 Budget are hereby authorized:

Fund 110 – 2015 Budget
12760 – Correctional Health

Expense Account	Increase/(Decrease)
516020 Professional Svcs Contracts and Fees	\$910,000
Total	910,000

Fund 110 – 2015 Budget
120 – Social Services

Expense Account	Increase/(Decrease)
525000 MMIS Medicaid Local Share	(\$910,000)
Total	(910,000)

and be it further

RESOLVED, that the Division of Budget and Management and Department of Health are authorized to make the necessary budgetary transfers and adjustments to facilitate this resolution and the payments to the contracted vendor; and be it further

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

(4-0)

2. COMM. 16E-22 (2015)
COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Health's Division of Correctional Health requires an electronic health record for the prisoners and inmates under the custody of the Erie County Sheriff; and

WHEREAS, wireless network access is a critical requirement of the electronic health record; and

WHEREAS, Erie County's already purchased electronic health record cannot be rolled out with the deployment of a wireless network at the Erie County Holding Center and the Erie County Correctional Facility; and

WHEREAS, nfrastucutre Technologies, Inc. is an approved New York State vendor, waiving the requirement for an RFP process.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into a contract with nfrastucture Technologies Inc. for the purposes of designing and installing a wireless network at the Erie County Holding Center and Erie County Correctional Facility; and be it further

RESOLVED, that the term of this contract shall commence on September 21, 2015 through December 31, 2015; and be it further

RESOLVED, funding for this contract is hereby authorized and appropriated from SAP account A.00334 – 2008 Upgrade to Health Records Module in an initial amount totaling no more than \$105,780; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the County Executive, the Office of the Comptroller, the Division of Budget and Management, the Department of Law, the Department of Information Support Services and to Dr. Gale R. Burstein, Commissioner of Health.

(4-0)

EDWARD A. RATH, III
CHAIR

LEGISLATOR RESOLUTIONS

Item 24 – CHAIR MILLS directed that the following item be referred to the ECONOMIC DEVELOPMENT COMMITTEE.

GRANTED.

INTRO. 17-1 from LEGISLATOR MORTON. Calling on the County Executive to Complete the Widening of William Street.

Item 25 – MR. LORIGO presented the following resolution and moved for consideration. MR. SAVAGE seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 218

RE: Supporting the Emergency Allergy Treatment Act, Currently Before the New York State Legislature (INTRO. 17-2)

MR. LORIGO moved to amend the item, and to include Et Al sponsorship. MR. SAVAGE seconded.

CARRIED UNANIMOUSLY.

Insert the following:

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

WHEREAS, the American College of Allergy Asthma and Immunology (ACAAI) estimates that there are between 500 to 1,000 deaths per year in the United States due to anaphylaxis, which the Mayo Clinic defines as "a severe, potentially life-threatening allergic reaction, and anaphylaxis can occur within seconds or minutes of exposure to something you're allergic to;" and

WHEREAS, with the number of people who have food allergies increasing at a significant rate, this potentially fatal condition is a growing public health issue; indeed, there are statistics that show the importance of immediate administration of epinephrine when symptoms of anaphylaxis occur after eating certain foods:

- Food allergies affect up to 15 million Americans, including 1 in 13 children;
- Nearly 40 percent of these children have already experienced a severe or life-threatening reaction;
- According to the Centers for Disease Control and Prevention, the number of children with food allergies in the U.S. increased 50 percent between 1997 and 2011;
- Every three minutes, a food allergy reaction sends someone to the emergency room;
- Caring for children with food allergies costs families nearly \$25 billion per year; and

WHEREAS, the Allergy Advocacy Association states that 8% of school-age children in the United States - *potentially as many as two in every classroom* - may suffer from a food allergy; and

WHEREAS, the Emergency Allergy Treatment Act, under consideration in the NYS Legislature and sponsored by Senator Ranzenhofer in the Senate and Assembly Member Abinanti in the Assembly, would authorize the certification of persons to administer lifesaving treatment to individuals who have severe allergic reactions when a physician is not available; allows, but does

not require, an authorized entity to acquire and stock a supply of epinephrine auto-injectors with a prescription; and

WHEREAS, such authorized entities includes restaurants, recreation camps, youth sports leagues, theme parks and resorts, entertainment venues and sports arenas; and

WHEREAS, this Legislature went on record in 2014 supporting legislation authorizing a change in the Education Law in relation to health services in schools that now enables students to carry and use medical treatments and devices in school - or at a school function - in the event of an emergency need for such treatments; the State Legislature passed the legislation last spring, and Governor Cuomo signed the bills into law in October; and

WHEREAS, with the implementation of the Emergency Allergy Treatment Act, this new proactive law will further aid in saving lives and bring awareness to this important public health matter.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby goes on record in support of Assembly Bill A07349 and Senate Bill S4935-2015, the Emergency Allergy Treatment Act, currently before the New York State Legislature; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the Governor of the State of New York, the Honorable Andrew M. Cuomo; the Coalition Co-Majority Leaders of the New York State Senate, the Honorable John Flanagan and the Honorable Jeff Klein; the Speaker of the New York State Assembly, the Honorable Carl E. Beastie; the Erie County Executive, the Honorable Mark C. Poloncarz; and to each of the members of the Western New York delegation to the New York State Legislature.

MR. LORIGO moved for approval of the item as amended. MR. SAVAGE seconded.

CARRIED UNANIMOUSLY.

Item 26 – MR. LORIGO presented the following resolution and moved for immediate consideration and approval. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 219

RE: Urging the NYSDEC and Tecumseh
Redevelopment Inc to Increase the
Transparency of the Remediation
Occurring at Bethlehem Steel
(INTRO. 17-3)

A RESOLUTION TO BE SUBMITTED
BY LEGISLATOR DIXON

WHEREAS, since Lackawanna began steel manufacturing in 1902 there have been concerns about the impacts of the production process on the environment, the workers, and city residents; and

WHEREAS, in the nearly 100 years of operation in Lackawanna beginning with Lackawanna Steel through to the plant's operations under Bethlehem Steel there has been a tremendous amount on environmental pollution and contamination; and

WHEREAS, decades after the closure of Bethlehem Steel and the Lackawanna plant we have finally begun the process of cleaning up the contaminants left behind by the plant's operation; and

WHEREAS, a key part of the remediation process is input from an educated public regarding the plans put in place by current owners, Tecumseh Redevelopment Inc. and its parent ArcelorMittal, and the New York State Department of Environmental Conservation; and

WHEREAS, it is the belief of this body that it is the people who live in and around Lackawanna who have the most at stake when it comes to the treatment and remediation of their land; and

WHEREAS, both the owners of the Bethlehem Steel Plant and the DEC have failed to provide sufficient public notice of their intentions to remediate the contaminated property; and

WHEREAS, with the majority of work still needing to be finished this body encourages more public participation, transparency, and cooperation amongst all parties in the remediation process.

NOW, THEREFORE, BE IT

RESOLVED, that this honorable body hereby requests more accountability and transparency in the remediation process and a greater inclusion of public input going forward; and, be it further

RESOLVED, that certified copies of this resolution be sent to the Director of the NYS DEC, the CEO of Tecumseh, Tecumseh's parent company ArcelorMittal, the Western New York Delegation to the New York State Senate and Assembly, and any other party deemed necessary and proper.

Item 27 – CHAIR MILLS directed that the following item be referred to the FINANCE & MANAGEMENT COMMITTEE.

GRANTED.

INTRO. 17-4 from LEGISLATOR LORIGO. Opposition to Increase in Minimum Wage.

COMMUNICATIONS DISCHARGED FROM COMMITTEE

Item 28 – MR. LORIGO moved to discharge the HEALTH & HUMAN SERVICES COMMITTEE of further consideration of COMM. 16E-18. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 220

RE: Acceptance of TANF Domestic
Violence Funds and Adjustment to Non-
Residential Domestic Violence
Contracts

WHEREAS, the Department has been awarded an amount of \$143,883 in 100% Federal share Temporary Assistance to Needy Families (TANF) funds to enhance non-residential services to victims of domestic violence; and

WHEREAS, the additional federal TANF funding is awarded for contract expansion for vendors with existing State approval to deliver non-residential services to victims of domestic violence; and

WHEREAS, the provisions of the award specifically prohibit the supplantation of existing funding agreements and also prohibit the use of funds for County government operations; and

WHEREAS, only new contractual services or expansion of existing contractual services are eligible for this funding, and the vendors used must be among those named in the Department's Consolidated Services Plan (CSP) approved by the State; and

WHEREAS, the Department wishes to also reallocate unexpended funding in its 2015 budget to address the problem of domestic violence within our community.

NOW, THEREFORE, BE IT

RESOLVED, that the Commissioner of Social Services and/or the County Executive are hereby authorized to enter into or amend contracts with Child and Family Services, Crisis Services, Hispanics United and the Family Justice Center for expanded non-residential services to victims of domestic violence and, be it further

RESOLVED, that the following budget amendments are hereby authorized in the 2015 Adopted Budget:

ACCOUNT	Department of Social Services, Fund 110, Department 120 DESCRIPTION	INCREASE/ (DECREASE)
516410	Child and Family Services	\$37,592
516410	Crisis Services	\$66,029
516410	Family Justice Center	\$18,708
516410	Hispanics United of Buffalo	\$5,803
911400	ID District Attorney Services	<u>\$15,751</u>
	Total Expenditures	<u>\$143,883</u>
414000	Federal Aid	<u>\$143,883</u>
	Total Revenue	<u>\$143,883</u>

RESOLVED, that authorization is hereby provided to add one position of Victim Advocate Part Time, job group 6, in the budget of the District Attorney, B-100 #8354; and be it further

RESOLVED, that a interdepartmental agreement be established between the District Attorney and Social Services for non-residential services to victims of domestic violence; and be it further

RESOLVED, that the Director of Budget and Management is hereby authorized to increase the personnel, fringe benefit and interdepartmental budget of the District Attorney's Office to establish proper funding for the additional position; and be it further

RESOLVED, that because only State-approved providers of non-residential services to victims of domestic violence are eligible to receive these funds and because these special services are needed immediately, the County Administrative Code requirement in Section 19.08 for a Request for Proposals (RFP) is hereby waived 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, the Director of the Division of Budget and Management and the District Attorney.

MR. LORIGO moved to approve the item. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

SUSPENSION OF THE RULES

Item 29 – MR. LORIGO moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 17E-19 from the COUNTY EXECUTIVE. Re: B Continued Imposition of Additional 1% and Additional 0.75% Sales and Compensating Use Tax for Period Ending November 30, 2017

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

COMMUNICATIONS FROM ELECTED OFFICIALS

FROM THE COUNTY EXECUTIVE

Item 30 – MR. LORIGO presented the following resolution and moved for immediate consideration and approval. MR. RATH seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 221

RE: Modification of Department of Social Services Lease Extension and Modification Agreement - 43 Court Street
(COMM. 17E-1)

WHEREAS, the Department of Social Services ("DSS") is requesting authorization to modify/amend a recently approved Lease Extension and Modification Agreement pertaining to 43 Court Street with 43 Court Street Realty Company for the purpose of housing DSS programs at that site; and

WHEREAS, the Lease Extension and Modification Agreement that this Honorable body recently approved was for the period of July 13, 2015 through July 12, 2020 and was for 20,750 square feet of space at 43 Court Street at a rental amount of \$13.70 per square foot, for an annual base rental amount of \$284,274.96; and

WHEREAS, the landlord also agreed to provide, at no cost to tenant, all of the improvement and maintenance items reflected on attachment "A" to the Lease Extension and Modification Agreement during the extension period; and

WHEREAS, a modification/amendment to the previously approved Lease Extension and Modification Agreement is needed to correct the stated amount of square footage of rental space and the correct the rental amount due, due to the fact that the landlord mistakenly communicated the incorrect square footage which was then set forth in the previously approved Lease Extension and Modification Agreement and resulted in the incorrect rental amount being stated.

WHEREAS, this modification/amendment is needed to correct same and set forth the accurate square footage and rental amount for the rental space.

WHEREAS, DSS is therefore requesting authorization to modify/amend the previously approved Lease Renewal and Modification Agreement to reflect the correct square footage of 21,034 square feet instead of the previously stated 20,750 square feet, resulting in a rental amount of \$288,165.80 per year or \$24,013.82 per month, effective retroactively to July 13, 2015 to the expiration of the extension period (July 12, 2020). All other terms or conditions of the previously approved Lease Extension and Modification Agreement will remain in effect.

WHEREAS, funds for this lease were anticipated and are included in the 2015 Adopted Budget; therefore, there is no 2015 fiscal impact.

NOW, THEREFORE, BE IT

RESOLVED, the County Executive is authorized to execute the Lease Modification Agreement attached hereto which modifies/amends the previously approved Lease Extension and Modification Agreement for 43 Court Street at the rental terms herein presented; and be it further

RESOLVED, section 19.08 of the County Code requirement for a Request for Proposals is waived as the cost of moving is prohibitive due to the extensive cabling and systems installations in place at the current location; 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.

FROM THE COMPTROLLER

Item 31 – MR. LORIGO presented the following resolution and moved for immediate consideration and approval. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 222

RE: Quality Assurance Review
(COMM. 17E-2)

WHEREAS, the Erie County Charter requires that the Comptroller conduct audits of county operations in accordance with standards published by the Comptroller General of the United States, and

WHEREAS, the Comptroller General of the United States requires that all municipalities conducting audits under GAO standards have an external quality review at least once every three years, and

WHEREAS, the Comptroller prepared and published a request for proposals to local Certified Public Accounting Firms, and

WHEREAS, the Comptroller received one reply from The Bonadio Group, and

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter into a contract with the firm The Bonadio Group for a quality assurance/control review of the Comptroller's Division of Audit and Control at a cost of \$8500.00, and be it further

RESOLVED, that the Comptroller is authorized to appropriate funds for this contract from the Comptroller's account #516020 for Professional Services, Contracts and Fees, and be it further

RESOLVED, that certified copies of this resolution be forwarded to the County Executive, County Comptroller and County Attorney.

FROM THE SHERIFF

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 223

RE: Award Professional Services to Acquire

and Train Canines and Deputies
(COMM. 17E-3)

WHEREAS, the Erie County Sheriff's Office is committed to provide the highest level of law enforcement service to the residents of Erie County; and

WHEREAS, the Sheriff's Office seeks to expand its K9 unit to provide greater police work dog patrols in the districts, add a narcotic detection canine to the Narcotics Unit and increase the detail assigned to the Erie County Holding Center; and

WHEREAS, the Sheriff's Office sent requests for proposals to police work dog acquisition and training companies in the Western New York area, New York State and throughout the country; and

WHEREAS, the RFP review committee met and evaluated all submitted proposals and determined, through a numeric scoring system, that Shallow Creek Kennels, Inc. was the best qualified police work dog service company.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Sheriff's Office has been authorized to award RFP #1532VF to Shallow Creek Kennels, Inc. for acquisition and training canines and Deputies for designated units of the Erie County Sheriff's Office; and be it further

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

FROM THE COUNTY EXECUTIVE

Item 33 – (COMM. 17E-4) ECC- 2015 - North Campus Heating & Cooling Evaluation and Implementation Project

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

Item 34 – (COMM. 17E-5) EC Solar Power Purchase Agreement

Item 35 – (COMM. 17E-6) EC Sewer District No. 6 Modification of Plans (2015)

Item 36 – (COMM. 17E-7) EC Sewer District No. 5 - Engineer Term Agreement - DiDonato Associates

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

Item 37 – (COMM. 17E-8) Agreement with NYSDOT and Award of Construction - Bridge Painting Project, Bullis Road over Buffalo Creek, Town of Elma

Item 38 – (COMM. 17E-9) Agreement with NYSDOT and Award of Construction - Bridge Vertical Down, Bearings, Railings and Joints Project, Various Towns

Item 39 – (COMM. 17E-10) Agreement with NYSDOT and Award of Construction - Bridge Washing and Deck Sealing, Various Towns

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

Item 40 – MR. LORIGO presented the following resolution and moved for immediate consideration and approval. MS. GRANT seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 224

RE: Highway Traffic Safety Engineer
Position - Variable Minimum
(COMM. 17E-11)

WHEREAS, the Division of Highways has a vacant Traffic Safety Engineering position which has resulted in a backlog of traffic safety projects, and

WHEREAS, the current vacant engineering position results in fewer highway projects being completed in a timely manner, and

WHEREAS, the availability of qualified traffic safety engineers locally is very competitive and as a result, a competitive salary commensurate with the responsibilities of the position and in line with community norms is necessary to recruit and hire.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the establishment of a variable minimum, Job Group 14, Step 3 hiring level for the position of Traffic Safety Engineer for the Department of Public Works, Division of Highways; and be it further

RESOLVED, that the Division of Budget and Management is hereby authorized to adjust the Adopted 2015 Budget of the Division of Highways as necessary; and be it further

RESOLVED, that certified copies of this resolution will be forwarded to the County Executive, the Office of the Comptroller, the Department of Personnel, the Division of Budget and Management, and the Department of Public Works.

FROM THE COMPTROLLER

Item 41 – (COMM. 17E-12) July 2015 Sales Tax Update

Item 42 – (COMM. 17E-13) 2015 Bond Borrowing

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

FROM THE COUNTY EXECUTIVE

Item 43 – (COMM. 17E-14) Appointment of Members to the Erie County Welfare Advisory Board

Item 44 – (COMM. 17E-15) Award of (Professional) Services Contract for Employee Training

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

FROM THE DISTRICT ATTORNEY

Item 45 – (COMM. 17E-16) Follow-Up Letter Regarding Acceptance of TANF Domestic Violence funds and Adjustment to Non-Residential Domestic Violence Contracts

Received and filed.

FROM THE COUNTY EXECUTIVE

Item 46 – (COMM. 17E-17) Stepping Up Initiative to Reduce the Number of People with Mental Illness in Jails

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

Item 47 – (COMM. 17E-18) EC Correctional Facility - 2015 - Parking Lot and Access Road Reconstruction

Received and referred to the PUBLIC SAFETY COMMITTEE.

COMMUNICATIONS FROM THE DEPARTMENTS

FROM THE COMMISSIONER, DEPARTMENT OF SOCIAL SERVICES

Item 48 – (COMM. 17D-1) Comm.12E-34 Compliance Report - August - CPS Caseloads

Received and filed.

FROM THE CLERK OF THE LEGISLATURE

Item 49 – (COMM. 17D-2) Organizations Funded by Erie County - Reports

Received and filed.

FROM THE COMPTROLLER'S OFFICE

Item 50 – (COMM. 17D-3) Notice of Review of the Agreement Between Department of Social Services and Trinity Services

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM EC REAL PROPERTY TAX SERVICES

Item 51 – (COMM. 17D-4) School Tax Warrants

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES

FROM ERIE COMMUNITY COLLEGE

Item 52 – (COMM. 17M-1) ECC Excels - A Strategic Initiative for the Future of ECC

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM THE BUFFALO & EC PUBLIC LIBRARY

Item 53 – (COMM. 17M-2) September 17, 2015 Board of Trustees Agenda

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM THE MUSEUM OF DISABILITY HISTORY

Item 54 – (COMM. 17M-3) Summer-Fall 2015 Newsletter

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM THE EC BAR ASSOCIATION

Item 55 – (COMM. 17M-4) Assigned Counsel Program - Financial Report, Attorneys on Panel, Board of Directors Meeting Minutes

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE NFTA

Item 56 – (COMM. 17M-5) Audited Financial Statement for Fiscal Year Ended March 31, 2015

Item 57 – (COMM. 17M-6) Annual 17A Report

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

ANNOUNCEMENTS

Item 58 – CHAIR MILLS announced the committee schedule for September 24, 2015 has been distributed.

Item 59 – CHAIR MILLS announced the next regularly scheduled legislative session is October 1, 2015.

MEMORIAL RESOLUTIONS

Item 60 – Legislator Dixon requested that when the Legislature adjourns, it do so in memory of James P. Donohoe Sr., Marie J. Hannon, Norman P. Herzog, Steven J. Holmes, and Roger L. Palczewski.

Item 61 – Legislator Lorigo requested that when the Legislature adjourns, it do so in memory of Donald J. Pagliaccio.

Item 62 – Legislator Mills requested that when the Legislature adjourns, it do so in memory of Richard B. Wipperman.

Item 63 – Legislator Morton requested that when the Legislature adjourns, it do so in memory of Carol Ann Dion and James A. Cohick.

Item 64 – Legislator Rath requested that when the Legislature adjourns, it do so in memory of Kathleen DiPirro and Shawn Joseph McMullen.

Item 65 – Legislator Savage requested that when the Legislature adjourns, it do so in memory of Christian M. Lockwood.

ADJOURNMENT

Item 66 - At this time, there being no further business to transact, CHAIR MILLS announced that the Chair would entertain a Motion to Adjourn.

MR. LORIGO moved that the Legislature adjourn until Thursday, October 1, 2015 at 2:00 p.m. Eastern Standard Time. MR. RATH seconded.

CARRIED UNANIMOUSLY.

CHAIR MILLS declared the Legislature adjourned until Thursday, October 1, 2015 at 2:00 p.m. Eastern Standard Time.

KAREN M. McCARTHY
CLERK OF THE LEGISLATURE