

JANUARY 23, 2007

PERSONNEL COMMITTEE  
REPORT NO. 1

ALL MEMBERS PRESENT.

1. INTRO 2-8 (2007)

**KONST, WHYTE, MARINELLI, LOUGHRAN, REYNOLDS, KOZUB, HOLT, MAZUR, KENNEDY, LOCKLEAR & IANNELLO**

WHEREAS, the Erie County Legislature passed its first comprehensive ethics guidelines entitled "Erie County Code of Ethics" by Local Law in 1989 and amended the Code of Ethics in 1994; and

WHEREAS, there has been a voter backlash against Congressional corruption which led to dozens of members of the House of Representatives and the United States Senate being voted out of office; and

WHEREAS, the Erie County Board of Ethics currently has three voting members out of six total members, whose appointments have not yet expired; and

WHEREAS, the Erie County Board of Ethics has not convened in recent years; and

WHEREAS, the County Executive has not made a recommendation to the Legislature for this board since 2004; the Erie County Code of Ethics has not been reviewed by the Legislature since 1994; and

WHEREAS, if the recent elections told us anything, the residents expect full openness, transparency and accountability for the actions of elected officials and government employees; and

WHEREAS, there have been several instances in the past where the Legislature has been asked to create more a substantive Code of Ethics with specific guidelines and actions; and

WHEREAS, the Erie County Legislature is committed to ensuring the highest ethical standards in governance and should develop a best practices ethical guidelines for elected officials and its employees.

WHEREAS, the Erie County Legislature should investigate and analyze the different types of ethical rules in place in other governing bodies;

WHEREAS, both houses of Congress have responded by introducing legislation to govern the behavior of members of Congress, its appointees and its employees; and

WHEREAS, Governor Eliot Spitzer made ethics and accountability a platform in his successful

election campaign; and

WHEREAS, on his first day in office, Governor Spitzer issued two Executive Orders entitled "Ethical Conduct Guidelines" and "Eliminating Politics from Government Decision Making" that strengthen the ethical code for the Governor, Public Employees and appointees to Public Authorities.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature requests the County Executive make his recommendations for the two vacant positions to the Board of Ethics and forward his recommendations to the Erie County Legislature for approval as soon as possible; and be it further

RESOLVED, that the Erie County Legislature is committed to ensuring the highest ethical standards in governance and this be a first step towards enacting more substantive ethical guidelines for Erie County Government; and be it further

RESOLVED, that the Erie County Legislature shall identify the best practices in ethical governance and apply those practices to Erie County; and be it further

RESOLVED, the Personnel Ad Hoc Committee shall invite representatives from Governor Eliot Spitzer's Office to testify concerning the Governor's Executive Orders regarding ethics; and be it further

RESOLVED, the Personnel Ad Hoc Committee shall invite representatives from Attorney General Andrew Cuomo's office to testify concerning enforcement of ethical guidelines; and be it further

RESOLVED, that the Erie County Legislature requests the Board of Ethics attend the next meeting of the Personnel Ad Hoc Committee, which is charged with the review of Erie County's current Code of Ethics, to make recommendations that will strengthen and expand it in order to enact a more comprehensive and responsible set of guidelines and actions, and

RESOLVED, that certified copies of this resolution be forwarded to Governor Eliot Spitzer, Attorney General Andrew Cuomo, the Erie County Executive, the County Attorney, and the current members of the Board of Ethics; Joseph P. DiVincenzo Esq, Michael Eberle, David C. Mineo, and Anne S. Simet.  
(5-0)

2. COMM. 2E-17 (2007)

**COUNTY EXECUTIVE**

WHEREAS, the Erie County Legislature has already appropriated funds for the Heating and Energy Assistance Program (HEAP) for the period January 1, 2007 to December 31, 2007, and

WHEREAS, the Department wishes to restructure HEAP program operations to increase efficiency and respond effectively to the intent of the Blueprint for Change by deleting a Coordinator of HEAP (job group 13) position and Energy Crisis Worker III (job group 8) position, and creating a full time Energy Crisis Worker IV (job group 9) position, effective February 3, 2007, and

WHEREAS, the Department wishes to increase the seasonal Energy Crisis Worker I budgeted hours by 280 hours to allow for the potential later end of current season's program or for an early start of the following season, and

WHEREAS, these position adjustments are reflected in the SAP system on B-100 position authorization form, Control number 2702, and

WHEREAS, the HEAP grant has sufficient funds in the Personal Services line for the above-mentioned personnel adjustments, and will save the program \$66,509 during 2007.

NOW, THEREFORE, BE IT

RESOLVED, that the Coordinator of HEAP (job group 13) and Energy Crisis Worker III (job group 8) positions be deleted in the HEAP grant effective February 3, 2007, and be it further

RESOLVED, that the Energy Crisis Worker IV (job group 9) be created in the HEAP grant, effective February 3, 2007, and be it further

RESOLVED, that the seasonal Energy Crisis Worker I budgeted hours be increased an aggregate of 280 hours, and be it further

RESOLVED, that the Senior HEAP budget, cost center 1632040, be revised as follows:

		CURRENT	CHANGES	AMENDED
		BUDGET		BUDGET
APPROPRIATIONS				
Account	Description			
500000	Full Time Salaries	\$257,365	-\$69,631	\$187,734
500030	Seasonal Employee Wages	109,260	\$3,122	112,382
916300	ID Senior Services Services	-645,866	66,509	-579,357
TOTAL CHANGE			<u>\$0</u>	

and be it further

RESOLVED, that the related ID Services expenditure account for the Social Services HEAP budget be reduced by \$66,509, and be it further

RESOLVED, that certified copies of this resolution be forwarded to the County Executive's Office, the Division of Budget, Management and Finance, the Comptroller's Office, the Departments of Personnel, Social Services and Senior Services.  
(5-0)

3. COMM. 2E-18 (2007)

**COUNTY EXECUTIVE**

WHEREAS, the Erie County Central Police Services Forensic Lab has been awarded a New York State Grant to be administered by the Division of Criminal Justice Services, and

WHEREAS, said funds will enable the Central Police Services Forensic Laboratory to achieve a better turnaround time for analyzed evidence in criminal investigations,

NOW, THEREFORE BE IT

RESOLVED, that authorization is hereby provided for the County Executive to enter into a contract and accept funding in the amount of \$43,701.00 with New York State Division of Criminal Justice Services, and be it further,

RESOLVED, that authorization is hereby provided to establish the grant in the budget of the Department of Central Police Services as follows:

**Grant Fund – SAP #165NFSIA0607  
Central Police Services  
10/01/2006 to 09/30/2007**

<u>Revenue</u>	<u>Increase</u>
Acct. 409000 State Aid	<u>\$43,701</u>
Total Revenue	\$43,701
<u>Appropriation</u>	<u>Increase</u>
Acct. 500000 Personnel	\$39,728
Acct. 502000 Fringe Benefits	<u>\$ 3,973</u>

Total Appropriation

\$43,701

And be it further,

RESOLVED, that this funding will be used to create the positions of two (2) part-time Forensic Chemists (Grade 12-B100# 2698) and one part time Evidence Clerk (Grade 6 – B100# 2700) in the Department of Central Police Services, and be it further

RESOLVED, that the Director of Budget, Management and Finance is hereby authorized to establish and adjust budgets as required to comply with State approved funding levels, and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Erie County Executive, the Division of Budget, Management and Finance, Office of the Comptroller and the Department of Central Police Services.

(5-0)

**KATHY KONST  
CHAIRMAN**