

May 6, 2004

PUBLIC SAFETY
COMMITTEE
REPORT NO. 6

ALL MEMBERS PRESENT EXCEPT LEGISLATOR DUSZA.

1. RESOLVED, that the following items are hereby received and filed.
 - a. Item Page -2003 (Comm. 16E-3)
CHASE: Consolidation of Public Safety Committee Items Re: City-County Police Merger.
(4-0) Legislator Dusza absent.
 - b. Item Page -2003 (Comm. 18E-34)
CHASE: Copy of Letter to Sheriff Re: Intro 17-6.
(4-0) Legislator Dusza absent.
 - c. Item Page -2004 (Comm. 8M-15)
CITY OF BUFFALO COMMON COUNCIL: Adoption of Resolutions Related to Various Public Safety Issues.
(5-0) Legislator Dusza absent. Chairman Holt present as Ex-Officio Member.
 - d. Item Page -2004 (Comm. 9E-28)
HOLT: Copy of Letter to Sheriff Requesting Copy of 2002 Study of Cooperation Between EC Sheriff & Buffalo Police.
(5-0) Legislator Dusza absent. Chairman Holt present as Ex-Officio Member.
 - e. Item Page -2004 (Comm. 9E-30)
HOLT: Copy of Letter to Sheriff Re: Overcrowding at EC Holding Center.
(5-0) Legislator Dusza absent. Chairman Holt present as Ex-Officio Member.
 - f. Item Page -2004 (Comm. 9M-1)
BRIGHTON FIRE DISTRICT NO. 5: Letter Opposing 800 Mhz Radio System as Proposed.
(4-0) Legislator Dusza absent.

AS AMENDED

2. Item Page -2004 (Intro. 8-25)
CHASE, KUWIK, WROBLEWSKI, SWANICK, MARINELLI & DEBENEDETTI
WHEREAS, now more than ever, the training of firefighters and emergency response personnel is paramount to ensuring the safety of our communities, and

WHEREAS, The New York State Office of Fire Prevention & Control (OFPC) delivers the backbone of training to the state's fire service, with two training facilities, the Academy of Fire Science and Camp Smith Residential Programs, as well as, many training outreach programs, and

WHEREAS, OFPC has encountered a substantial increase in demand for fire and first responder training since 9/11, and

WHEREAS, under the direction of State Fire Administrator James Burns, the OFPC has risen to the challenge of providing necessary courses to increase the knowledge and capabilities required by our firefighters and first responders, and

WHEREAS, the difficult fiscal times currently being experienced by New York State, usually mean that lawmakers must consider cutting or at minimum maintaining current budget levels for state offices, and

WHEREAS, any consideration of cutting or even just maintaining OPFC's current budget will hinder their ability to deliver training, which in turn will adversely affect recruitment and retention of firefighters and first responders, thereby compromising the safety of our communities,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature is committed to protecting the safety of our communities by providing the necessary knowledge and skills that our firefighters and first responders need, and be it further

RESOLVED, that this Honorable Body asks the New York State Governor and the Senate and Assembly to increase the OPFCs budget for 2004-05, and be it further

RESOLVED, that certified copies of this resolution be forwarded to New York State Governor George E. Pataki, New York State Senate Majority Leader Joseph L. Bruno, New York State Assembly Speaker Sheldon Silver, the Western New York Delegation to the New York State Assembly and Senate, State Fire Administrator James Burns, Erie County Fire Coordinator James McCullough, Erie County Emergency Services Commissioner Michael Walters and Eden Volunteer Fire Department Chief Paul Laing Jr.

(4-0) Legislator Dusza absent.

3. Item Page -2004 (Comm. 9E-34)

COUNTY EXECUTIVE

WHEREAS, funds for the Drug Treatment Diversion Program (DTDP) Grant are available from the New York State Division of Criminal Justice Services in the amount of \$70,000, and

WHEREAS, the District Attorney's Office will utilize the funds to designate an Assistant District Attorney and a Senior Paralegal to assist in heading up a program to help rehabilitate drug addicted non-violent offenders in order to discourage them from committing any more felony crimes,

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into a contract with the New York State Division of Criminal Justice Services for the purpose of reducing the chances that drug addicted offenders will slip back into a criminal behavior pattern, and be it further

RESOLVED, that authorization is hereby provided to create the position of Assistant District Attorney IV, Job Grade 15, and Senior Paralegal, Job Grade 7, in the District Attorney's Drug Treatment Diversion Program (DTDP) Grant, for which the B-100 is attached, and be it further

RESOLVED, that authorization is hereby provided to establish the District Attorney's Drug Treatment Diversion Program (DTDP) Grant as follows:

DISTRICT ATTORNEY'S OFFICE
DRUG TREATMENT DIVERSION PROGRAM (DTDP) GRANT
JANUARY 1, 2004 TO DECEMBER 31, 2004

| <u>Revenue:</u> | <u>Increase</u> |
|-------------------------------|-------------------|
| Acct. 627 State Aid | \$ 70,000 |
| Acct. 686 1400 Interfund – DA | <u>67,993</u> |
| Total Revenue | <u>\$ 137,993</u> |

| <u>Appropriation:</u> | |
|--|-------------------|
| Acct. 800 Personal Services | \$ 96,394 |
| Acct. 805 Fringe Benefits | 24,099 |
| Acct. 825 Out of Area Travel | 1,500 |
| Acct. 826 Other Expenses | 14,000 |
| Acct. 933 Laboratory & Technical Equipment | <u>2,000</u> |
| Total Appropriations | <u>\$ 137,993</u> |

and be it further

RESOLVED, that authorization is hereby provided to reallocate funds within the 2004 District Attorney's General Fund as follows:

GENERAL FUND - #110
2004

| <u>Appropriation</u> | |
|--------------------------------------|-----------------|
| Acct. 821 Dues & Fees | \$(67,993) |
| Acct. 886 1409 Interfund – DA Grants | <u>67,993</u> |
| | <u>\$ - 0 -</u> |

And be it further,

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

(5-0) Legislator Dusza absent. Chairman Holt present as Ex-Officio Member.

4. Item Page -2004 (Comm. 9E-47)

COUNTY EXECUTIVE

WHEREAS, the Department of Probation and Youth Detention Services is responsible for providing services to address the need of juveniles in the juvenile justice system and improve the quality of life in our community, and

WHEREAS, Grant funds from the New York State Division of Criminal Justice Services will allow for enhancement of services to youth in the juvenile justice system.

NOW, THEREFORE, BE IT

RESOLVED, that authorization is hereby provided for the County Executive to enter into contract with New York State Division of Criminal Justice Services in the amount of \$110,000 for the time period of July 1, 2004 to June 30, 2005, and be it further

RESOLVED, that the Probation Department is hereby authorized to create one (1) Probation Officer, JG 11 and a regular part-time Probation Aide, JG 6 for 25 hours a week within the grant fund, and be it further

RESOLVED, that authorization is hereby provided to budget those funds in the grant fund as follows:

ERIE COUNTY DEPARTMENT OF PROBATION AND YOUTH DETENTION
DEPT. 650: CHALLENGE GRANT
July 1, 2004 to June 30, 2004

| <u>Revenue</u> | Federal Aid | <u>Amount</u> |
|---------------------------|----------------------|-------------------------------|
| <u>Acct.</u> | Total Revenue | <u>\$110,000</u> \$110,000 |
| <u>Appropriations</u> | | |
| Acct. 800 | Personnel Services | \$ 74,876 |
| Acct. 805 | Fringe Benefits | 17,008 |
| Acct. 810 | Office Supplies | 9,500 |
| Acct. 820 | Dues and Fees | 1,500 |
| Acct. 824 | Travel & Mileage | 1,750 |
| Acct. 825 | Travel Out of Area | 1,000 |
| Acct. 933 | Lab & Tech Equipment | <u>4,366</u> |
| | Total Appropriation | \$110,000 |

RESOLVED, that certified copies of the resolution be sent to the County Executive, the Department of Probation and Youth Detention Services, the Erie County Division of Purchase, the County Comptroller and the Division of Budget, Management and Finance.
(5-0) Legislator Dusza absent. Chairman Holt present as Ex-Officio Member.

5. Item Page -2004 (Comm. 9E-48)

COUNTY EXECUTIVE

WHEREAS, the District Attorney's Office's Multi-Jurisdictional Program Grant ceased as of March 31, 2004, and whose 2004 Erie County Grant Budget for the period April 1, 2004 to March 31, 2005, was submitted prior to the grant being awarded or knowledge of the grant being restructured by the grantor, and

WHEREAS, in order to replace and improve the current Multi-Jurisdictional Program, New York State has created Operation Impact, a comprehensive strategy to reduce violent street crime through improved coordination among federal, state and local law enforcement, and

WHEREAS, funds for Operation Impact are available to the District Attorney's Office from the New York State Division of Criminal Justice Services in the amount of \$458,946, and from New York State Legislative Appropriations in the amount of \$152,982, and

WHEREAS, the District Attorney's Office, in conjunction with the Buffalo Police Department, will utilize the funds to designate staff to develop and evaluate a street crime enforcement strategy within Erie County,

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into a contract with the New York State Division of Criminal Justice Services for the purpose of developing and evaluating a street crime enforcement strategy within Erie County, and be it further

RESOLVED, that the positions currently budgeted under the 2004 Multi-Jurisdictional Grant budget hereby be transferred to the Operation Impact Grant program, and be it further

RESOLVED, that within the District Attorney's Operation Impact Grant, authorization is hereby provided to upgrade one of the Assistant District Attorney II positions, Job grade 13, to an Assistant District Attorney III, Job Grade 14, and to create the position of a Assistant Crime Analyst, Job grade 11, for which the B-100s are attached, and be it further

RESOLVED, that within the District Attorney's General Fund, authorization is hereby provided to upgrade a position of Assistant District Attorney IV, Job Grade 15, to Assistant District Attorney V, Job Grade 16, and be it further

RESOLVED, that authorization is hereby provided to reallocate funds within the 2004 District Attorney's Multi-Jurisdictional Grant, as follows:

MULTI-JURISDICTIONAL PROGRAM GRANT – Project #282 101
April 1, 2004– March 31, 2005

| <u>Revenue</u> | <u>ORIGINAL</u> | <u>CHANGE</u> | <u>FINAL</u> |
|--|-------------------|--------------------|-----------------|
| Acct. 627 State Aid | \$ 256,000 | \$(256,000) | \$ - 0 - |
| Acct. 686 1400 Interfund DA | 72,090 | (72,090) | - 0 - |
| Acct. 698 0105 Appropriated Fund Balance | <u>24,030</u> | <u>(24,030)</u> | <u>- 0 -</u> |
| Total Revenue | <u>\$ 352,120</u> | <u>\$(352,120)</u> | <u>\$ - 0 -</u> |
| | | | |
| <u>Appropriation</u> | <u>ORIGINAL</u> | <u>CHANGE</u> | <u>FINAL</u> |
| Acct. 800 Personal Services | \$ 256,877 | \$ (256,877) | \$ - 0 - |
| Acct. 805 Fringe Benefits | 77,243 | (77,243) | - 0 - |
| Acct. 810 Office Supplies | 3,000 | (3,000) | - 0 - |
| Acct. 821 Dues & Fees | 10,000 | (10,000) | - 0 - |
| Acct. 826 Other Expenses | <u>5,000</u> | <u>(5,000)</u> | <u>- 0 -</u> |

| | | | |
|----------------------|-------------------|------------------|-----------------|
| Total Appropriations | <u>\$ 352,120</u> | <u>(352,120)</u> | <u>\$ - 0 -</u> |
|----------------------|-------------------|------------------|-----------------|

And be it further

RESOLVED, that authorization is hereby provided to reallocate funds within the 2004 District Attorney's General Fund as follows:

GENERAL FUND - #110
2004

| | |
|--------------------------------------|-----------------|
| <u>Appropriation</u> | |
| Acct. 821 Dues & Fees | \$ 72,090 |
| Acct. 886 1409 Interfund – DA Grants | <u>(72,090)</u> |
| | <u>\$ - 0 -</u> |

And be it further

RESOLVED, that authorization is hereby provided to establish the District Attorney's Operation Impact Grant as follows:

DISTRICT ATTORNEY'S OFFICE
OPERATION IMPACT GRANT
APRIL 1, 2004 TO MARCH 31, 2005

| <u>Revenue</u> | <u>Increase</u> |
|---|-------------------|
| Acct. 627 State Aid | <u>\$ 611,928</u> |
| Total Revenue | <u>\$ 611,928</u> |
| <u>Appropriation</u> | |
| Acct. 800 Personal Service | \$ 302,566 |
| Acct. 805 Fringe Benefits | 85,209 |
| Acct. 825 Out of Area Travel | 22,147 |
| Acct. 830 xxxx Contractual- Buffalo Police Department | 181,110 |
| Acct. 880 1400 Interfund Expense – DA | 10,396 |
| Acct. 933 Laboratory & Technical Equipment | <u>10,500</u> |
| Total Appropriations | <u>\$ 611,928</u> |

And be it further,

RESOLVED, that authorization is hereby provided to reallocate funds within the 2004 District Attorney's General Fund as follows:

GENERAL FUND - #110
2004

| | |
|--------------------------------------|------------------|
| <u>Revenue</u> | |
| Acct. 685 1409 Interfund - DA Grants | <u>\$ 10,396</u> |
| Total Revenue | <u>\$ 10,396</u> |
| <u>Appropriation</u> | |
| Acct. 800 Personal Service | \$ 8,112 |
| Acct. 805 Fringe Benefits | <u>2,284</u> |
| | <u>\$10,396</u> |

And be it further,

RESOLVED, that the County Executive is hereby authorized to enter into a contract with the Buffalo Police Department in an amount not to exceed \$181,110, and be it further

RESOLVED, that the contract with the Buffalo Police Department are for special services which must be provided immediately and therefore, the Request For Proposal (RFP) procedure required under Section 19.08 of the Erie County Administrative Code is hereby waived, and be it further

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

(5-0) Legislator Dusza absent. Chairman Holt present as Ex-Officio Member.

6. Item Page -2004 (Comm. 9E-51)

COUNTY EXECUTIVE

WHEREAS, the Erie County Central Police Services Lab provides important analysis of blood and body fluid samples taken as evidence in drunken driving crashes, and

WHEREAS, the results from testing blood and body fluids are critical to the successful prosecution of suspected drunken drivers, and

WHEREAS, the capacity to supply test results in a timely fashion is equally important to successful prosecution, and

WHEREAS, the compelling nature of the evidence produced by a body fluid testing instrument will increase the likelihood of successful prosecution, and

WHEREAS, the Erie County STOP-DWI Office has concluded that successful prosecution and punishment of drunken drivers has a deterrent effect that will reduce the incidence of drunken driving, and

WHEREAS, the instrument now used by the Erie County Forensic Lab to perform testing has been in service for fifteen years and will be rendered obsolete by the manufacturer's decision to discontinue maintenance and supply services, and

WHEREAS, the purchase of a new, fully automated Minlyser analyzer for ELISA assays will allow the Erie County Forensic Lab to reduce personnel costs while continuing to provide this critical evidentiary service, and

WHEREAS, funds for the purchase of a new blood and body fluid testing instrument are available in the STOP-DWI Reserve Account,

NOW, THEREFORE, BE IT

RESOLVED, that the following transactions are hereby authorized in order that STOP-DWI Office reflect an increase in its equipment account to purchase a new blood and body fluid testing instrument:

2004 STOP-DWI GRANT
PROJECT #181
1/1/04 - 12/31/04

REVENUES

| | |
|----------------------|------------------|
| ACCT 369 DWI PROGRAM | \$ 56,000 |
| TOTAL | \$ <u>56,000</u> |

APPROPRIATIONS

| | |
|---------------------------|------------------|
| ACCT 826 OTHER EXPENSES | \$ 5,000 |
| ACCT 933 LAB & TECH EQUIP | <u>51,000</u> |
| TOTAL | \$ <u>56,000</u> |

and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Division of Budget, Management and Finance, the County Executive's Office, the Comptroller's Office, and the Erie County STOP-DWI Office.

(5-0) Legislator Dusza absent. Chairman Holt present as Ex-Officio Member.

7. Item Page -2004 (Comm. 9E-56)

COUNTY EXECUTIVE

WHEREAS, the District Attorney through the NYS Crime Victims Board's Victim/Witness Assistance Grant provides needed services to the residents of Erie County, and

WHEREAS, the Victim/Witness Assistance and Child Victim Advocacy Programs have been two separate components under this one individual grant, and

WHEREAS, the District Attorney, in collaboration with the grantor, has programmatically restructured this grant and the budgeted positions therein, and

WHEREAS, due to these programmatic changes, the District Attorney's Office is requesting the replacement of three current positions under these grants with three more appropriate positions, and

WHEREAS, the Erie County Legislature has already approved the District Attorney's Grant Budgets and positions in Book B for 2003, and

WHEREAS, the amended contract received from the NYS Crime Victims Board authorizes funding levels different from the adopted budget,

NOW, THEREFORE, BE IT

RESOLVED, that under the Child Victim Advocacy Program, the Erie County Legislature does hereby provide authorization to eliminate the position of Child Advocacy Specialist, Job Grade 10, which is currently vacant, and close out the grant on the Erie County's general ledger, and be it further

RESOLVED, that under the Victim/Witness Assistance Program, the Erie County Legislature does hereby provide authorization to create the position of Victim/Witness Case Manager, Job Grade 8, and be it further

RESOLVED, that under the Victim/Witness Assistance Program, the Erie County Legislature does hereby provide authorization to upgrade two Victim/Witness Case Aide positions, Job Grade 4, to Senior Victim/Witness Case Aide positions, Job Grade 6, and be it further

RESOLVED, that the Erie County Legislature does hereby provide authorization to reallocate funds within the Victim/Witness Assistance and Child Victim Advocacy Programs to match state authorized funding levels, to be adjusted as follows:

VICTIM/WITNESS ASSISTANCE GRANT – Project #794
October 1, 2003 – September 30, 2004

| <u>Revenue</u> | <u>ORIGINAL</u> | <u>CHANGE</u> | <u>FINAL</u> |
|---------------------------------|-------------------|---------------------|-------------------|
| Acct. 627 State Aid | \$ 259,690 | \$ (19,358) | \$ 240,332 |
| Acct. 686 Interfund DA | <u>69,907</u> | <u>(3,633)</u> | <u>66,274</u> |
| Total Revenue | <u>\$ 329,597</u> | <u>\$ (22,991)</u> | <u>\$ 306,606</u> |
| | | | |
| <u>Appropriation</u> | <u>ORIGINAL</u> | <u>CHANGE</u> | <u>FINAL</u> |
| Acct. 800 Personal Services | \$ 258,631 | \$ (17,902) | \$ 240,729 |
| Acct. 801 Overtime | 2,510 | (510) | 2,000 |
| Acct. 805 Fringe Benefits | 70,456 | (4,579) | 65,877 |
| Acct. 824 Travel & Mileage | 4,500 | 1,268 | 5,768 |
| Acct. 826 Other Expenses | 500 | (200) | 300 |
| Acct. 883 Interfund-County Exec | (10,000) | - 0 - | (10,000) |
| Acct. 933 Lab & Tech Equip | <u>3,000</u> | <u>(1,068)</u> | <u>1,932</u> |
| Total Appropriations | <u>\$ 329,597</u> | <u>\$ (22,991)</u> | <u>\$ 306,606</u> |

CHILD ADVOCACY GRANT – Project #793
October 1, 2003 – September 30, 2004

| <u>Revenue</u> | <u>ORIGINAL</u> | <u>CHANGE</u> | <u>FINAL</u> |
|-----------------------------|------------------|--------------------|------------------|
| Acct. 627 State Aid | \$ 65,310 | \$ (50,441) | \$ 14,869 |
| Acct. 686 Interfund DA | <u>- 0 -</u> | <u>3,633</u> | <u>3,633</u> |
| Total Revenue | <u>\$ 65,310</u> | <u>\$ (46,808)</u> | <u>\$ 18,502</u> |
| | | | |
| <u>Appropriations</u> | | | |
| Acct. 800 Personal Services | \$ 51,433 | \$ (37,782) | \$ 13,651 |
| Acct. 805 Fringe Benefits | <u>13,877</u> | <u>(9,026)</u> | <u>4,851</u> |
| Total Appropriations | <u>\$ 65,310</u> | <u>\$ (46,808)</u> | <u>\$ 18,502</u> |

and be it further

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

(5-0) Legislator Dusza absent. Chairman Holt present as Ex-Officio Member.

8. Item Page -2004 (Comm. 9E-57)

COUNTY EXECUTIVE

WHEREAS, funds for the Federal Family Violence Prevention Services Act (FFVPSA) Grant are available from the New York State Office of Children and Family Services in the amount of \$40,400, and

WHEREAS, the District Attorney's Office will utilize the funds to designate a Victim Advocate to assist victims of domestic violence throughout the criminal justice process.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into a contract with the New York State Office of Children and Family Services for the purpose of assisting victims of domestic violence throughout the criminal justice process, which will ultimately result in the successful prosecution of these types of cases and the long-term safety of the victim, and be it further

RESOLVED, that authorization is hereby provided to create the position of Victim Advocate, Job Group 6, in the District Attorney's Federal Family Violence Prevention Services Act (FFVPSA) Grant, for which the B-100 is attached, and be it further

RESOLVED, that authorization is hereby provided to establish the District Attorney's Federal Family Violence Prevention Services Act (FFVPSA) Grant as follows:

DISTRICT ATTORNEY'S OFFICE
 FEDERAL FAMILY VIOLENCE PREVENTION
 SERVICES ACT (FFVPSA) GRANT
 MARCH 31, 2004 TO MARCH 30, 2005

| <u>Revenue:</u> | <u>Increase</u> |
|---------------------|------------------|
| Acct. 627 State Aid | <u>\$ 40,400</u> |
| Total Revenue | <u>\$ 40,400</u> |

| <u>Appropriation:</u> | |
|------------------------------|------------------|
| Acct. 800 Personal Services | \$ 28,754 |
| Acct. 805 Fringe Benefits | 8,646 |
| Acct. 825 Out of Area Travel | 1,500 |
| Acct. 826 Other Expenses | <u>1,500</u> |
| Total Appropriations | <u>\$ 40,400</u> |

and be it further

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

(5-0) Legislator Dusza absent. Chairman Holt present as Ex-Officio Member.

9. Item Page -2004 (Comm. 9E-73)

COUNTY EXECUTIVE

WHEREAS, Erie County has been awarded a grant from the New York State Governor's Traffic Safety Committee, and

WHEREAS, the grant will fully fund the purchase of Breath Alcohol Testing Instruments, and

WHEREAS, the instruments will be placed at the Erie County Central Police Services Training Academy for use in police DWI training, and

WHEREAS, the County budget must be amended to include the approved State grant award,

NOW, THEREFORE, BE IT

RESOLVED, that the following transactions are hereby authorized in order that a Governor's Traffic Safety Committee Breath Alcohol Testing grant be established for the period October 1, 2003 through September 30, 2004:

BREATH ALCOHOL TESTING GRANT
PROJECT #
10/1/03-9/30/04

REVENUES

| | |
|--|----------------------|
| ACCT 592-STATE AID DEPT OF TRANSPORTATION | <u>21,100</u> |
| TOTAL REVENUES | <u><u>21,100</u></u> |

APPROPRIATIONS

| | |
|-------------------------------------|----------------------|
| ACCT 816-MAINTENANCE SUPPLIES | 477 |
| ACCT 826-OTHER EXPENSES | 3,100 |
| ACCT 933- LAB & TECHNICAL EQUIPMENT | <u>17,523</u> |
| TOTAL APPROPRIATIONS | <u><u>21,100</u></u> |

and be it further

RESOLVED, that the County Executive is hereby authorized to enter into contract with GTSC for the purpose of receiving the grant, and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Division of Budget, Management and Finance, County Executive’s Office, Office of the Comptroller, and the Erie County STOP-DWI Office.

(5-0) Legislator Dusza absent. Chairman Holt present as Ex-Officio Member.

10. Item Page -2004 (Comm. 9E-74)

COUNTY EXECUTIVE

WHEREAS, funds have been received from the New York State Emergency Management Office through the Federal Government to continue the Citizens Corps Council for Erie County, and

WHEREAS, these funds will assist in convening meetings and organizing volunteers for the Citizen Corps Council throughout Erie County.

NOW THEREFORE BE IT

RESOLVED, that the County Executive, on behalf of the Department of Emergency Services, is hereby authorized to receive funding from the New York State Emergency Management Office through the Federal Government to assist in the continuation of the Erie County Citizens Corps Council, and be it further

RESOLVED, that funds be utilized to fund meetings and other functions of the Citizens Corps Council, and be it further

RESOLVED, that the following budgetary accounts be created in order to complete the above tasks:

Department of Emergency Services
Citizens Corps Council Grant #2

Revenue

| | |
|------------------------------|------------------|
| SFG684 - Federal Aid – Other | \$ <u>10,000</u> |
| TOTAL | \$ 10,000 |

(4-0) Legislator Weinstein absent

Appropriations

| | |
|--|--------------|
| SFG810 – Office Equipment and Supplies | \$ 500 |
| SFG825 – Long Distance Travel | 2,000 |
| SFG830 – Contractual | <u>7,500</u> |
| TOTAL | \$ 10,000 |

and be it further

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

(5-0) Legislator Dusza absent. Chairman Holt present as Ex-Officio Member.

AS AMENDED

11. Item Page -2004 (Intro. 9-7)
SWANICK, CHASE, KUWIK, WROBLEWSKI, MARINELLI & DEBENEDETTI
WHEREAS, the safety and security of individuals being medically transported by an ambulance service should be of the utmost importance, and

WHEREAS, the employees involved in this important service should be of the highest caliber and their actions should be above reproach, and

WHEREAS, there was an instance in New York State where an ambulette driver with two previous misdemeanor charges of public lewdness allegedly sexually assaulted a mentally disabled woman while he was driving her to an appointment, and

WHEREAS, while the Department of Transportation registers ambulette companies and requires that drivers hold special drivers licenses, it does not require fingerprinting and/or criminal background checks, and

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature lends its support to state legislation requiring employers of ambulette drivers to conduct fingerprinting and criminal background checks on any employee, and be it further

RESOLVED, that this Honorable Body is encouraged by the New York State Senate's passage of S.5479-A, and be it further

RESOLVED, that this Honorable Body urges the New York State Assembly to pass A.O9138, companion legislation on this subject, and New York State Governor George Pataki sign these bills into law upon passage in both houses, and be it further

RESOLVED, that certified copies of this resolution be sent to New York State Senate Majority Leader Joseph Bruno, Assembly Speaker Sheldon Silver, the Western New York delegation of the New York State Legislature, and New York State Governor George Pataki.
(4-0) Legislator Dusza absent.

EDWARD J. KUWIK
CHAIRMAN