

**ERIE COUNTY LEGISLATURE
MEETING NO. 1
JANUARY 4, 2018**

The Legislature was called to order by Erie County Clerk Michael P. Kearns.

The Roll being duly called by Mr. Kearns, the following Legislators answered, to wit:

1 st District Barbara Miller-Williams	2 nd District April N.M. Baskin
3 rd District Peter J. Savage, III	4 th District Kevin R. Hardwick
5 th District Thomas A. Loughran	6 th District Edward A. Rath, III
7 th District Patrick B. Burke	8 th District John Brusio
9 th District Lynne M. Dixon	10 th District Joseph C. Lorigo
11 th District John J. Mills	

An Invocation was held, led by Ms. Baskin, who offered a prayer.

The Pledge of Allegiance was led by Mr. Hardwick.

Erie County Family Court Judge Lisa Bloch Rodwin administered the Oath of Office to members of the Legislature.

Item 1 – MR. KEARNS called for nominations and the election of Chair of the Legislature for 2018.

MR. BURKE placed in nomination for Chair of the Legislature for 2018 PETER J. SAVAGE, III. MR. BRUSO seconded.

MR. KEARNS asked if there were any other nominations for the Office of Chair of the Erie County Legislature for 2018.

MR. BURKE moved to close nominations. MR. BRUSO seconded.

CARRIED UNANIMOUSLY.

MR. KEARNS moved the question of the election of Peter J. Savage, III as Chair of the Erie County Legislature for 2018, and directed that a roll-call vote be taken.

AYES: MS. DIXON, MR. HARDWICK, MR. LORIGO, MR. MILLS, MR. RATH, MS. BASKIN, MR. BURKE, MR. BRUSO, MS. MILLER-WILLIAMS and MR. SAVAGE. NOES: MR. LOUGHRAN. (AYES: 10; NOES: 1)

CARRIED.

MR. SAVAGE, having received the required number of votes cast was declared duly elected CHAIR OF THE ERIE COUNTY LEGISLATURE for 2018.

Item 2 – CHAIR SAVAGE called for nominations and the election of Clerk of the Erie County Legislature for 2018.

MS. BASKIN placed in nomination for Clerk of the Legislature for 2018 ROBERT M. GRABER. MR. BURKE seconded.

MS. BASKIN moved to close nominations. MR. BURKE seconded.

CARRIED UNANIMOUSLY.

CHAIR SAVAGE moved the question, and directed that a roll-call vote be taken.

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

CARRIED UNANIMOUSLY.

MR. GRABER, having received the required number of votes cast was declared duly elected CLERK OF THE ERIE COUNTY LEGISLATURE for 2018.

Item 3 – CHAIR SAVAGE called for the designation of Majority Leader of the Erie County Legislature for 2018.

MR. BURKE presented a petition designating APRIL N.M. BASKIN as Majority Leader of the Erie County Legislature for 2018.

CHAIR SAVAGE directed that the petition be Received, Filed and Printed.

GRANTED.

We, the undersigned, representing a majority of the members of the Democratic Caucus in the Erie County Legislature for the term beginning January 1, 2018, do hereby designate April N.M. Baskin as Majority Leader of the Erie County Legislature for 2018.

April N.M. Baskin – 2nd District

Peter J. Savage, III – 3rd District

Patrick B. Burke – 7th District

John Brusco – 8th District

Item 4 – CHAIR SAVAGE called for the designation of Minority Leader of the Erie County Legislature for 2018.

MR. LORIGO presented a petition designating JOSEPH C. LORIGO as Minority Leader of the Erie County Legislature for 2018.

CHAIR SAVAGE directed that the petition be Received, Filed and Printed.

GRANTED.

We, the undersigned, representing a majority of the members of the Minority Caucus of the Erie County Legislature do hereby nominate Joseph C. Lorigo as the Minority Leader of the Erie Legislature for 2018.

Kevin R. Hardwick – 4th District

Edward A. Rath III – 6th District

Lynne M. Dixon – 9th District

Joseph C. Lorigo – 10th District

John J. Mills – 11th District

Item 5 – CHAIR SAVAGE directed that the Rules of the Legislature for 2018 be tabled.

GRANTED.

Item 6 – CHAIR SAVAGE directed that the Designation of Newspapers be Received, Filed and Printed.

GRANTED.

We, the undersigned, a Majority Caucus of the Erie County Legislature, do hereby designate the Buffalo Challenger Newspaper, published in Buffalo, New York, having general circulation in the County of Erie, as the official newspaper for the publication of local laws, notices and other matters required by law to be published for the County of Erie, effective January 1, 2018.

Barbara Miller-Williams – 1st District

April N.M. Baskin – 2nd District

Peter J. Savage, III – 3rd District

Patrick B. Burke – 7th District

John Brusco – 8th District

We, the undersigned, a Majority Caucus of the Erie County Legislature, do hereby designate the North Buffalo Rocket Newspaper, published in Buffalo, New York, having general circulation in the County of Erie, for the publication of all Concurrent Resolutions of the New York State Legislature, required by law to be published for the year 2018.

Barbara Miller-Williams – 1st District

April N.M. Baskin – 2nd District

Peter J. Savage, III – 3rd District

Patrick B. Burke – 7th District

John Brusco – 8th District

We, the undersigned, representing a majority of the Minority Caucus of the Erie County Legislature do hereby designate the East Aurora Advertiser, published in East Aurora, having general circulation in the County of Erie, as the official newspaper for the publication of all Concurrent Resolutions of the New York State Legislature, required by law to be published for the County of Erie effective January, 1, 2018.

Kevin R. Hardwick – 4th District

Edward A. Rath III – 6th District

Lynne M. Dixon – 9th District

Joseph C. Lorigo – 10th District

John J. Mills – 11th District

We, the undersigned, representing a majority of the Minority Caucus of the Erie County Legislature do hereby designate the Amherst Bee, published in Amherst, New York, having general circulation in the County of Erie, as the official newspaper for the publication of local laws, notices, and other matters required by law to be published for the County of Erie effective January, 1, 2018.

Kevin R. Hardwick – 4th District

Edward A. Rath III – 6th District

Lynne M. Dixon – 9th District

Joseph C. Lorigo – 10th District

John J. Mills – 11th District

Item 7 – No tabled items.

Item 8 – No items for reconsideration from previous meeting.

Item 9 – MS. BASKIN moved for the approval of minutes for Meeting Number 24 of 2017. MR. LORIGO seconded.

CARRIED UNANIMOUSLY.

Item 10 – No Public Hearings.

MISCELLANEOUS RESOLUTIONS

Item 11 – MS. MILLER-WILLIAMS presented a memorial resolution In Remembrance of Community Servant Wilbert B. Holder.

Item 12 – MS. MILLER-WILLIAMS presented Memorial Resolution in Remembrance of Ulrica A. Mesiah.

Item 13 – MS. MILLER-WILLIAMS presented a Memorial Resolution Honoring the Life of Beatrice Williams.

Item 14 – CHAIR SAVAGE, MS. BASKIN, MR. BRUSO, MR. BURKE, MR. LOUGHRAN, MS. MILLER-WILLIAMS, MS. DIXON, MR. HARDWICK, MR. LORIGO, MR. MILLS, and MR. RATH presented a memorial resolution Honoring the Life of Michael J. LoCurto.

MS. BASKIN moved to consider the above four items. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

MS. BASKIN moved to amend the above four items by including Et Al Sponsorship. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

MS. BASKIN moved to approve the above four items as amended. MR. RATH seconded.

CARRIED UNANIMOUSLY.

LOCAL LAWS

Item 15 – CHAIR SAVAGE directed that Local Law No. 1 (Print #2) 2017 remain on the table and in the ENERGY & ENVIRONMENT COMMITTEE.

GRANTED.

Item 16 – CHAIR SAVAGE directed that Local Law No. 4 (Print #1) 2017 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 17 – CHAIR SAVAGE directed that Local Law No. 5 (Print #2) 2017 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 18 – CHAIR SAVAGE directed that Local Law No. 6 (Print #1) 2017 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 19 – CHAIR SAVAGE directed that Local Law No. 8 (Print #1) 2017 remain on the table and in the ENERGY & ENVIRONMENT COMMITTEE.

GRANTED.

Item 20 – CHAIR SAVAGE directed that Local Law No. 12 (Print #1) 2017 remain on the table and in the HEALTH & HUMAN SERVICES COMMITTEE.

GRANTED.

Item 21 – CHAIR SAVAGE directed that Local Law No. 14 (Print #1) 2017 remain on the table and in the ECONOMIC DEVELOPMENT COMMITTEE.

GRANTED.

Item 22 – CHAIR SAVAGE directed that Local Law No. 15 (Print #1) 2017 remain on the table and in the ENERGY & ENVIRONMENT COMMITTEE.

GRANTED.

Item 23 – CHAIR SAVAGE directed that Local Law No. 16 (Print #1) 2017 remain on the table and in the HEALTH & HUMAN SERVICES COMMITTEE.

GRANTED.

Item 24 – CHAIR SAVAGE directed that Local Law No. 17 (Print #1) 2017 remain on the table and in the FINANCE & MANAGEMENT COMMITTEE.

GRANTED.

Item 25 – CHAIR SAVAGE directed that Local Law No. 20 (Print #1) 2017 remain on the table and in the ECONOMIC DEVELOPMENT COMMITTEE.

GRANTED.

Item 26 – CHAIR SAVAGE directed that Local Law No. 21 (Print #1) 2017 remain on the table and in the ECONOMIC DEVELOPMENT COMMITTEE.

GRANTED.

Item 27 – CHAIR SAVAGE directed that Local Law No. 22 (Print #1) 2017 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 28 – CHAIR SAVAGE directed that Local Law No. 23 (Print #1) 2017 remain on the table and in the HEALTH & HUMAN SERVICES COMMITTEE.

GRANTED.

COMMITTEE REPORTS

				Lombardo	
50.02-1-16.1	10.05	2809 Love Rd	Grand Island	Joseph Cinelli	Amherst 17
37.01-3-1	5.18	2462 Stony Point Rd	Grand Island	Arna Frittita	Amherst 17
23.08-1-22	0.8292	2524 Long Rd	Grand Island	Lee Rosetti	Amherst 17
23.00-3-29	3.8	0 Lang Blvd	Grand Island	Kevin Colisimo	Amherst 17
24.19-4-4	2.2	2494 Stony Point Rd	Grand Island	Rachel & Shelly Sheehan	Amherst 17
24.19-4-5	4.4	0 Stony Point Rd	Grand Island	Rachel & Shelly Sheehan	Amherst 17

; and

WHEREAS, the Erie County Agricultural and Farmland Protection Board voted to recommend that the County Legislature reject the inclusion of twelve parcels listed below in an existing agricultural district:

PARCEL(S)	ACRES (approx.)	ADDRESS	TOWN	APPLICANT	DISTRICT
137.02-5-32	1.4	611 Chairfactory	Elma	Mark Saab	Elma 13
67.63-2-9	0.199	608 Niagara Falls Blvd	Tonawanda	Ruth Luzak	Amherst 17
116.00-2-44	10.1	3803 Bowen Rd	Lancaster	George Konstantakis	Lancaster-Alden 16
11.20-1-66	1.74	230 Pin Oak Circle	Grand Island	Paul Thauer	Amherst 17
50.00-1-4.2	14.43	3012 Staley Rd	Grand Island	James R. Montanari	Amherst 17
24.07-2-23	2.43	3134 Stony Point Rd	Grand Island	Edward Kopra	Amherst 17
50.18-1-21.11	0.96	1301 W. River	Grand Island	Ed & Bonnie Weiser	Amherst 17
51.18-3-34	0.24	974 Stony Point Rd	Grand Island	James Olmstead	Amherst 17
36.01-3-7.1	1.43	2341 Falls Link	Grand Island	Josephine Celano	Amherst 17
36.01-3-11	1.02	0 First St	Grand Island	Josephine Celano	Amherst 17
36.01-3-12	0.99	0 First St	Grand Island	Josephine Celano	Amherst 17
63.11-1-8.1	0.855	945 W. River	Grand Island	James L. Sniadecki	Amherst 17

; and

WHEREAS, the Erie County Agricultural and Farmland Protection Board acknowledges that the following parcel is already included into the Erie County Agricultural District program and that no action is required on the application:

PARCEL(S)	ACRES (approx.)	ADDRESS	TOWN	APPLICANT	DISTRICT
74.00-2-29.1	3.73	13118 Steiner Rd	Newstead	Raymond D. Woodward	Alden-Newstead 1

; and

WHEREAS, pursuant to Agriculture and Markets Law Sections 303-b(2)(b) and 303-b(3) the Erie County Legislature gave the required public notice and set a public hearing for November 16, 2017; and

WHEREAS, pursuant to Agriculture and Markets Law Section 303-b(3)(b) the Erie County Legislature published a public hearing notice in a newspaper having general circulation within the County and notified in writing those municipalities whose territory encompasses the lands which are proposed to be included in an agricultural district; and

WHEREAS, a public hearing was held at 6:00 p.m. on November 16, 2017 at the Dard Hunter Hall, 21 S. Grove Street in East Aurora, New York to consider the 2017 open enrollment period requests and recommendations of the Erie County Agricultural and Farmland Protection Board; and

WHEREAS, the Erie County Legislature reviewed the requests pursuant to the NYS Environmental Quality Review Act.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature adopts the inclusion of the following eleven parcels into an adjacent existing agricultural district:

PARCEL(S)	ACRES (approx.)	ADDRESS	TOWN	APPLICANT	DISTRICT
198.00-2-52.2	28.14	6140 Benning Rd	Orchard Park	Michael Derrick	Elma 13
221.00-5-13.12	4.3	1288 Church Rd	Evans	Tyler J. Hill	Consolidated Southwest 8
137.02-5-13	12.9	7200 Clinton St	Elma	Mark Saab	Elma 13
37.03-3-15	3.05	2076 Stony Point Rd	Grand Island	Kim Leys	Amherst 17
35.20-1-21.1	11.91	3387 Staley Rd	Grand Island	Brett & Lynn Lombardo	Amherst 17
50.02-1-16.1	10.05	2809 Love Rd	Grand Island	Joseph Cinelli	Amherst 17
37.01-3-1	5.18	2462 Stony Point Rd	Grand Island	Arna Frittita	Amherst 17
23.08-1-22	0.8292	2524 Long Rd	Grand Island	Lee Rosetti	Amherst 17
23.00-3-29	3.8	0 Lang Blvd	Grand Island	Kevin Colisimo	Amherst 17
24.19-4-4	2.2	2494 Stony Point Rd	Grand Island	Rachel & Shelly Sheehan	Amherst 17
24.19-4-5	4.4	0 Stony Point Rd	Grand Island	Rachel & Shelly Sheehan	Amherst 17

; and be it further

RESOLVED, that the Erie County Legislature rejects the inclusion of the following twelve parcels into an existing agricultural district:

PARCEL(S)	ACRES (approx.)	ADDRESS	TOWN	APPLICANT	DISTRICT
137.02-5-32	1.4	611 Chairfactory	Elma	Mark Saab	Elma 13
67.63-2-9	0.199	608 Niagara Falls Blvd	Tonawanda	Ruth Luzak	Amherst 17
116.00-2-44	10.1	3803 Bowen Rd	Lancaster	George Konstantakis	Lancaster-Alden 16

11.20-1-66	1.74	230 Pin Oak Circle	Grand Island	Paul Thauer	Amherst 17
50.00-1-4.2	14.43	3012 Staley Rd	Grand Island	James R. Montanari	Amherst 17
24.07-2-23	2.43	3134 Stony Point Rd	Grand Island	Edward Kopra	Amherst 17
50.18-1-21.11	0.96	1301 W. River	Grand Island	Ed & Bonnie Weiser	Amherst 17
51.18-3-34	0.24	974 Stony Point Rd	Grand Island	James Olmstead	Amherst 17
36.01-3-7.1	1.43	2341 Falls Link	Grand Island	Josephine Celano	Amherst 17
36.01-3-11	1.02	0 First St	Grand Island	Josephine Celano	Amherst 17
36.01-3-12	0.99	0 First St	Grand Island	Josephine Celano	Amherst 17
63.11-1-8.1	0.855	945 W. River	Grand Island	James L. Sniadecki	Amherst 17

; and be it further

RESOLVED, that the Erie County Legislature acknowledges that the following parcel is already included into the Erie County Agricultural District program and no action is required on the application:

PARCEL(S)	ACRES (approx.)	ADDRESS	TOWN	APPLICANT	DISTRICT
74.00-2-29.1	3.73	13118 Steiner Rd	Newstead	Raymond D. Woodward	Alden-Newstead 1

; and be it further

RESOLVED, that the Erie County Legislature has complied with the requirements of the New York State Environmental Quality Review Act and hereby determines that the requested parcel additions to the Agricultural Districts noted above will not have a significant adverse environmental impact and therefore an environmental impact statement will not be required; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the County Executive, the Commissioner of Environment and Planning, the Director of Real Property Tax Services, the Chair of the Erie County Agricultural and Farmland Protection Board, and the Supervisors of the Towns of Orchard Park, Evans, Elma, Tonawanda, Lancaster, Newstead, and Grand Island; and be it further

RESOLVED, that the Commissioner of Environment and Planning send a certified copy of this resolution along with the Erie County Agricultural and Farmland Protection Board report and maps for each parcel of land to be included in an existing agricultural district to the Commissioner of New York State Department of Agriculture and Markets for certification and immediate inclusion into existing agricultural districts.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 2

RE: Reorganization of Erie County Legislative Staff
(INTRO 1-2)

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

WHEREAS, the Erie County Legislature believes that it is appropriate to restructure the 2018 Budget for the Erie County Legislature in order to provide services in an effective and efficient manner to the residents of Erie County.

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

CHAIR SAVAGE entered the Legislature into recess at 2:25 p.m.

GRANTED.

CHAIR SAVAGE reconvened the Legislature at 2:30 p.m.

All members present.

CHAIR SAVAGE moved the previous question and directed that a roll-call vote be taken.

AYES: MS. DIXON, MR. HARDWICK, MR. LORIGO, MR. MILLS, MR. RATH, MS. BASKIN, MR. BURKE, MR. BRUSO, MS. MILLER-WILLIAMS and MR. SAVAGE. NOES: MR. LOUGHRAN. (AYES: 10; NOES: 1)

CARRIED.

Delete the placeholder in its entirety and replace with the following:

RE: Reorganization of Erie County
Legislative Staff and Budget
(INTRO 1-2)

WHEREAS, the Erie County Legislature believes that it is appropriate to restructure the 2018 Budget for the Erie County Legislature in order to provide services in an effective and efficient manner to the residents of Erie County.

NOW, THEREFORE, BE IT

RESOLVED, that the following existing 2018 positions in the County Legislature, Fund Center 100, Cost Center 1003030 are hereby deleted:

Chief of Staff-Legislature, job group 15, step 5
Special Project Coordinator, job group 14, step 5
Administrative Liaison Assistant, job group 13, step 5
Special Assistant to the Chairperson, job group 11, step 5

Senior Admin Clerk (Legislature), job group 10, step 5
Junior Administrative Assistant Leg, job group 7, step 1

and be it further

RESOLVED, that the following personal services and budgetary adjustments to the 2018 Budget of the Erie County Legislature are hereby authorized in Fund Center 100, Cost Center 1003030, Majority:

Clerk of the Legislature is authorized to be filled at variable minimum step 5
Chief of Staff-Legislature is authorized to be created and filled at job group 16, variable minimum step 5
Senior Administrative Assistant Leg is authorized to be created at job group 11
Two positions of First Administrative Assistant are authorized to be created and filled at job group 9, step 5
First Administrative Assistant Leg is authorized to be created at job group 9
Junior Administrative Assistant Leg is authorized to be created at job group 8
Administrative Clerk (Legislature) is authorized to be created at job group 8
Administrative Clerk (Leg) RPT is authorized to be created at job group 7 with a total annual salary allotment of \$25,000

and be it further

RESOLVED, that all existing 2018 positions in the County Legislature, Fund Center 100, Cost Center 1004040 are hereby deleted; and be it further

RESOLVED, that the following personal services and budgetary adjustments to the 2018 Budget of the Erie County Legislature are hereby authorized in Fund Center 100, Cost Center 1004040, Minority:

Chief of Staff-Minority is authorized to be created at job group 13
Executive Assistant (Legislature) is authorized to be created at job group 12
Two positions of Senior Admin Clerk (Legislature) are authorized to be created and filled at job group 10, variable minimum step 5
One position of Senior Admin Clerk (Legislature) is authorized to be created at job group 10
Administrative Clerk Legislature RPT is authorized to be created at job group 7 with a total annual salary allotment of \$25,000
Counsel (Legislature) PT is authorized to be created with a total annual salary allotment of \$30,000

and be it further

RESOLVED, that \$11,500 is hereby transferred from Fund Center 100, Account 530000 Other Expenses to Fund Center 100, Account 545000 Rental Charges; and be it further

RESOLVED, that authorization is granted for the Department of Personnel and Division of Budget and Management to make any necessary budgetary or personnel adjustments and personnel transactions necessary to effectuate this resolution; and be it further

RESOLVED, that certified copies of this resolution be transmitted to the Commissioner of Personnel, the County Comptroller and the Director of Budget and Management.

children at risk of losing health care by the end of the month, and possibly 3 million by the end of February; and

WHEREAS, the Federal government's CHIP initiatives to provide health insurance to all Americans are essential in promoting the means by which one is able to fully develop in society, and understanding the negative consequences of not taking action quickly and effectively, this Honorable Body deem it within its duties to voice its concerns and call for Congress to fund CHIP and protect vulnerable families and children who require our help and assistance.

NOW, THEREFORE, BE IT

RESOLVED, that this Honorable Body hereby goes on record to urge both Chambers of Congress to work together to fund the Children's Health Insurance Program (CHIP), and in doing so upholding their civic commitment to protect and safeguard our nation's children; and be it further

RESOLVED, that certified copies of this resolution be sent to President Donald Trump, Senate Majority Leader Mitch McConnell, Speaker of the House Paul Ryan, Senate Minority Leader Chuck Schumer, the Western New York Delegation of the U.S. Congress, and any other party deemed necessary and proper.

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

COMMUNICATIONS DISCHARGED FROM COMMITTEE

None.

SUSPENSION OF THE RULES

Item 32 – MS. BASKIN moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 1M-3 from KIM LEYS Re: E-Mail Concerning Inclusion in Agricultural District.

Received and Printed.

Item 33 – MR. BURKE moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 1E-12 from LEGISLATOR BASKIN Re: Lease Agreement for Legislative Office Space.

RESOLUTION NO. 3

RESOLVED, the Erie County Executive is hereby authorized to sign a Two (2) Year Lease Agreement with Nemat Kazemi for Legislative office space for April N.M. Baskin, located at 2637 Main St., Left Front Store, New York for a monthly rate of \$870.

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

CARRIED. (10-0-1)

COMMUNICATIONS FROM ELECTED OFFICIALS

FROM THE COUNTY EXECUTIVE

Item 34 – MS. BASKIN presented the following resolution and moved for immediate consideration and approval. MR. BURKE seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 4

RE: Department of Social Services,
Division of Family Independence
- Implementation of Regulations
- Emergency Measures for the
Homeless During Inclement
Winter Weather
(COMM. 1E-1)

WHEREAS, Erie County Department of Social Services is required by §304.1 to 18 NYCRR (Emergency Measures for the Homeless During Inclement Winter Weather) to provide emergency shelter to individuals when temperatures are 32 degrees or below; and

WHEREAS, the Department of Social Services anticipates being fully reimbursed by New York State for activities which bring it in compliance with this regulation; and

WHEREAS, the Department of Social Services has conducted an RFP to award emergency shelter during incremental winter weather contract to three agencies; and

WHEREAS, although the Legislature approved two of the agencies in the 2018 Erie County Budget (Budget Resolution 53), the Department is required to have the program in operation by December 15, 2017; and

WHEREAS, the third agency was not included within the 2018 Budget because the RFP process was ongoing at time of transmission; and

WHEREAS, the 2018 budget contains total estimated funding in the amount of \$340,000 for emergency shelter during incremental winter weather expenses; and

NOW, THEREFORE, BE IT

RESOLVED, the Erie County Executive is hereby authorized to enter into contract with the State of New York in order to accept reimbursement for the implementation of programs designed to comply with §304.1 to 18 NYCRR (Emergency Measures for the Homeless During Inclement Winter Weather) for the period between December 15, 2017 and January 1, 2018; and be it further

RESOLVED, the Erie County Executive is hereby authorized to enter into a contract with the Lt. Col. Matt Urban Human Services Center of WNY to house homeless individuals at night when temperatures are between 16 and 32 degrees for the period between December 15, 2017 and June 1, 2018; and be it further

RESOLVED, the Erie County Executive is hereby authorized to enter into a contract with Restoration Society Inc. (Harbor House) to house homeless individuals at night when temperatures are between 16 and 32 degrees for the period between December 15, 2017 and June 1, 2018; and be it further

RESOLVED, the Erie County Executive is hereby authorized to enter into a contract with Rural Outreach Center to house homeless individuals when temperatures are below 32 degrees for the period between December 15, 2017 and June 1, 2018; and be it further

RESOLVED, that the Director of Budget and Management is hereby authorized to make budget revisions, appropriate additional unanticipated revenues, and transfer funds necessary to cover the costs of the aforementioned contracts with Restoration Society Inc., Rural Outreach Center and the Lt. Col. Matt Urban Human Services Center of W.N. Y.; and be it further

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

FROM LEGISLATOR BRUSO

Item 35 – MS. BASKIN presented the following resolution and moved for immediate consideration and approval. MR. BURKE seconded. MR. BRUSO abstained.

CARRIED. (10-0-1)

RESOLUTION NO. 5

RE: Lease Agreement for
Legislative Office Space
(COMM. 1E-2)

RESOLVED, the Erie County Executive is hereby authorized to sign a Six (6) Month Lease Agreement with Anthony J. Batog for Legislative office space for John M. Brusco, located at 5135 Transit Rd., Depew, New York for a monthly rate of \$875.

FROM LEGISLATOR BURKE

Item 36 – MS. BASKIN presented the following resolution and moved for immediate consideration and approval. MR. LOUGHRAN seconded. MR. BURKE abstained.

CARRIED. (10-0-1)

RESOLUTION NO. 6

RE: Lease Agreement for
Legislative Office Space
(COMM. 1E-3)

RESOLVED, the Erie County Executive is hereby authorized to sign a Twelve (12) Month Lease Agreement with PVHS Real Estate Inc. for Legislative office space for Patrick Burke, located at 2189 Seneca St., Buffalo, New York for a monthly rate of \$750.

FROM LEGISLATOR SAVAGE

Item 37 – MS. BASKIN presented the following resolution and moved for immediate consideration and approval. MR. BURKE seconded. MR. SAVAGE abstained.

CARRIED. (10-0-1)

RESOLUTION NO. 7

RE: Lease Agreement for
Legislative Office Space
(COMM. 1E-4)

RESOLVED, the Erie County Executive is hereby authorized to sign a Two (2) Year Lease Agreement with 1701 Hertel Ave LLC (Rosanne Frandia & Jim Van Oss) for Legislative office space for Peter J. Savage III, located at 1701 Hertel Ave., First Floor, Buffalo, New York for a monthly rate of \$675.

FROM THE COUNTY EXECUTIVE

Item 38 – (COMM. 1E-5) Appointment of Acting Commissioner of the Department of Social Services

Received, Filed and Printed.

December 28, 2017

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

Re: Acting Commissioner of Social Services

Dear Honorable Members:

Under my power under Article III of the Erie County Charter (“Charter”), I hereby designate First Deputy Commissioner Marie Cannon, MSW, as the Acting Commissioner of the Department of Social Services. This appointment will continue until such time as a permanent Commissioner is appointed and confirmed by the Erie County Legislature.

Should your Honorable Body require further information, I encourage you to contact my Chief of Staff, Jennifer Hibit.

Sincerely yours,

Marl C. Poloncarz, Esq.
Erie County Executive

Item 39 – (COMM. 1E-6) Appointment & Reappointment to the Buffalo & EC Public Library Board of Directors

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

Item 40 – (COMM. 1E-7) Appointment to the EC Arts and Cultural Advisory Board

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

Item 41 – (COMM. 1E-8) 2017 Capital "Overlay A" - Various Towns

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 42 – (COMM. 1E-9) Garrison Road Rehabilitation & Turnover to Village of Williamsville

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 43 – (COMM. 1E-10) BENLIC Pre-Emptive Bid Powers and Subsequent Repayment Agreement for City of Lackawanna Foreclosure Sale

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 44 – (COMM. 1E-11) Department of Social Services, Division of Family Wellness - Child Protective Service Adjustments - Contract with Tapestry Charter School

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

COMMUNICATIONS FROM THE DEPARTMENTS

FROM THE DEPARTMENT OF LAW

Item 45 – (COMM. 1D-1) Transmittal of New Claims Against Erie County

Received and Filed.

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES

FROM THE NFTA

Item 46 – (COMM. 1M-1) Nov. 16, 2017 Board Minutes

Received and Filed.

FROM THE NYS DEPARTMENT OF
ENVIRONMENTAL CONSERVATION

Item 47 – (COMM. 1M-2) Documents Received

Received and Filed.

ANNOUNCEMENTS

Item 48 – CHAIR SAVAGE announced that the Legislature will continue to conduct committee meetings on Thursdays following regular sessions, and that the schedule for January 11, 2018 committee meetings and committee assignments will be announced on January 8, 2018.

Item 49 – LEGISLATOR BASKIN announced a thank you to her colleagues for selecting her as Majority Leader of the Erie County Legislature for 2018.

MEMORIAL RESOLUTIONS

Item 50 – Legislator Burke requested that when the Legislature adjourns, it do so in memory of former City of Buffalo Delaware District Councilmember and Erie County Department of Environment & Planning Deputy Commissioner Michael J. LoCurto.

Item 51 – Legislator Dixon requested that when the Legislature adjourns, it do so in memory of John M. Griffin, Sr.; Richard F. Dimplf, Sr.; and Anthony F. Palumbo.

Item 52 – Legislator Hardwick requested that when the Legislature adjourns, it do so in memory of Frances C. Bowen.

ADJOURNMENT

Item 53 – At this time, there being no further business to transact, CHAIR SAVAGE announced that the Chair would entertain a Motion to Adjourn.

MR. BURKE moved that the Legislature adjourn until Thursday, January 18, 2018 at 2:00 p.m. Eastern Standard Time. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

CHAIR SAVAGE declared the Legislature adjourned until Thursday, January 18, 2018 at 2:00 p.m. Eastern Standard Time.

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