

**ERIE COUNTY LEGISLATURE**  
**MEETING NO. 15**  
**JULY 11, 2019**

The Legislature was called to order by Chair Baskin.

All members present.

An Invocation was held, led by Mr. Hardwick, who requested a moment of silence.

The Pledge of Allegiance was led by Mr. Meyers.

Item 1 – No tabled items.

Item 2 – No items for reconsideration from previous meeting.

Item 3 – MR. BRUSO moved for the approval of the minutes for Meeting Number 14 from 2019. MR. RATH seconded.

CARRIED UNANIMOUSLY.

Item 4 – No Public Hearings.

**MISCELLANEOUS RESOLUTIONS**

Item 5 – CHAIR BASKIN presented a proclamation Congratulating Award-Winning Artist Muhammad Zaman on His Mural at the People's Park.

Item 6 – CHAIR BASKIN & MR. JOHNSON presented a proclamation In Remembrance of Dr. Rhonda A. Ricks... A "Community Pioneer," Remarkable and Respected Businesswoman, Educator and Developer.

Item 7 – MR. MEYERS presented a proclamation Congratulating and Honoring William Lauber, Celebrating 50 Years of Service with the Doyle No. 2 Fire Company.

Item 8 – MR. BRUSO presented a proclamation Congratulating and Honoring Longtime Lancaster Choral Director and Musical Master Gary Lee.

Item 9 – MR. MEYERS presented a proclamation Honoring Jamie Lee Parker as Citizen of the Month for July 2019.

MR. BRUSO moved for consideration of the above five items. MR. RATH seconded.

CARRIED UNANIMOUSLY.

MR. BRUSO moved to amend the above five items by including Et Al Sponsorship and by adding one for MR. RATH. MR. RATH seconded.

CARRIED UNANIMOUSLY.

MR. BRUSO moved for approval of the above six items as amended. MR. MEYERS seconded.

CARRIED UNANIMOUSLY.

CHAIR BASKIN directed that the agenda be taken out of order and the next item for consideration shall be COMM. 15E-47.

GRANTED.

Item 10 – MR. BRUSO presented the following communication and moved for immediate consideration. MR. JOHNSON seconded.

CARRIED UNANIMOUSLY.

RE: Appointment to Fill Vacancy in the 3rd Legislative District  
(COMM. 15E-47)

July 9, 2019

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

Re: Appointment to Fill Vacancy in the 3rd Legislative District

Dear Mr. Graber:

Please be advised that the Democratic Caucus of the Erie County Legislature will take the necessary measures at the July 11, 2019 legislative session to make an appointment to fill the vacancy resulting from former Legislator Peter Savage's resignation as Third District Legislator.

Thank you for your attention to this matter.

Sincerely,

April N.M. Baskin  
Chair of the Legislature

MR. BRUSO moved to amend the item. MR. JOHNSON seconded.

CARRIED UNANIMOUSLY.

Insert the following:

July 9, 2019

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

Re: Appointment of Lisa Chimera to Fill Vacancy in the Third Legislative District

Dear Mr. Graber:

Pursuant to Section 2605 of the Erie County Charter, we the undersigned, representing a majority of the members of the Erie County Legislature representing the Democratic Party, do hereby appoint Lisa M. Chimera of 12 Deerhurst Park Boulevard, Kenmore, NY 14217, a duly-qualified elector of the Third Legislative District having the same political affiliation as the person last elected to such office, to fill the vacancy in the office of the Third Legislative District County Legislator. Said appointment shall take effect on July 11, 2019.

Sincerely,

\_\_\_\_\_  
Howard J. Johnson  
Legislator, District 1

\_\_\_\_\_  
April N.M. Baskin  
Legislator, District 2

\_\_\_\_\_  
John Bruso  
Legislator, District 8

\_\_\_\_\_  
Thomas A. Loughran  
Legislator, District 5

\_\_\_\_\_  
Timothy J. Meyers  
Legislator, District 7

CHAIR BASKIN directed that a roll-call vote be taken, among members of the County Legislature of the party with which the person last elected, on the appointment.

AYES: CHAIR BASKIN, MR. BRUSO, MR. JOHNSON, MR. LOUGHRAN, and MR. MEYERS. NOES: None. (AYES: 5; NOES: 0)

CARRIED UNANIMOUSLY.

MR. BRUSO moved to receive, file and print the communication. MR. JOHNSON seconded.

CARRIED UNANIMOUSLY.

CHAIR BASKIN directed that the agenda return to Local Laws.

GRANTED.

### **LOCAL LAWS**

Item 11 – CHAIR BASKIN directed that Local Law No. 20 (Print #1) 2017 remain on the table and in the ECONOMIC DEVELOPMENT COMMITTEE.

GRANTED.

Item 12 – CHAIR BASKIN directed that Local Law No. 3 (Print #1) 2018 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 13 – CHAIR BASKIN directed that Local Law No. 3 (Print #1) 2019 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 14 – CHAIR BASKIN directed that Local Law No. 4 (Print #1) 2019 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 15 – CHAIR BASKIN directed that Local Law No. 5 (Print #1) 2019 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 16 – CHAIR BASKIN directed that Local Law No. 8 (Print #1) 2019 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

### **COMMITTEE REPORTS**

Item 17 – MR. JOHNSON presented the following report and moved for immediate consideration and approval. MR. BRUSO seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 146

June 27, 2019	PUBLIC SAFETY COMMITTEE REPORT NO. 12
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ALL MEMBERS PRESENT, EXCEPT LEGISLATOR LOUGHRAN.

1. RESOLVED, the following items are hereby received and filed:
  - a. COMM. 11M-4 (2019)  
EC BAR ASSOCIATION: "Testimony Regarding EC Corrections Specialist Advisory Board"  
(Chair's Ruling)
  - b. COMM. 13E-1 (2019)  
JOHNSON: "Letter to Sheriff - Invitation to Discuss Corrections Specialist Advisory Board Local Law in Next Public Safety Committee Meeting"  
(Chair's Ruling)
  - c. COMM. 13E-6 (2019)  
SHERIFF: "Letter to Chair of Legislature Requesting Opportunity to Address Public Safety Committee"  
(Chair's Ruling)
2. COMM. 14E-5 (2019)  
SHERIFF  
WHEREAS, the Erie County Sheriff's Office (ECSO) recently trained and certified new narcotics detection K9s for the Jail Management Division (JMD); and

WHEREAS, the ECSO needed to acquire the new K9s due to the dogs' health and their ability to perform sweeps and searches; and

WHEREAS, now that the new K9s are deployed in the Erie County Holding Center and the Correctional Facility, the previous JMD K9s can be retired and ownership transferred to the current handlers; and

WHEREAS, since the handler/canine relationship is special and unique, it is appropriate to transfer ownership to the handler; and

WHEREAS, the Sheriff's Office, the County, and the Legislature have granted K9 transfers in the past which allows the dog to remain with the family it has lived with for many years.

NOW, THEREFORE, BE IT

RESOLVED, the Legislature hereby authorizes the Erie County Executive and the Erie County Sheriff's Office to enter into an agreement with Deputy Brian Thompson for the consideration of one (1) U.S. Dollar for the transfer of ownership of Bili; and be it further

RESOLVED, the Legislature hereby authorizes the Erie County Executive and the Erie County Sheriff's Office to enter into an agreement with Deputy Gerald Keicher for the consideration of one (1) U.S. Dollar for the transfer of ownership of Roki; and be it further

RESOLVED, the Legislature hereby authorizes the Erie County Executive and the Erie County Sheriff's Office to enter into an agreement with Corrections Officer Randy Ratajczak for the consideration of one (1) U.S. Dollar for the transfer of ownership of Cer; and be it further

RESOLVED, the Legislature hereby authorizes the Erie County Executive and the Erie County Sheriff's Office to enter into an agreement with Corrections Officer Andrew Addesa for the consideration of one (1) U.S. Dollar for the transfer of ownership of Lord; and be it further

RESOLVED, Deputies Thompson and Keicher, and Corrections Officers Ratajczak and Addesa shall assume full responsibility for the respective canine under such agreement and shall further hold the County of Erie and the Erie County Sheriff's Office harmless against any and all liability; be it further

RESOLVED, Certified copies of this resolution shall be forwarded to the County Executive, County Attorney, Division of Budget and Management, Erie County Comptroller, and the Sheriff's Administration Division for implementation.

(4-0)

3. COMM. 14E-18 (2019)  
COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Mental Health is responsible for the delivery of a comprehensive range of mental and behavioral health services for the residents of Erie County; and

WHEREAS, the Erie County Department of Mental Health has been awarded \$400,000 annually for a 5-year period beginning 5/31/19 by SAMHSA in order to expand the capacity and access to evidence-based treatment in the Buffalo Opioid Intervention Court; and

WHEREAS, the Department of Mental Health thus requires legislative approval to accept the Federal funds and to establish a grant budget in Fund 281; and

WHEREAS, no County funds will be necessary for Erie County to accept this federal aid to serve these high-risk individuals residing in Erie County.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize the County Executive to accept SAMHSA grant funds and to have the Department of Mental Health oversee the provision of related services by contracting with Research Foundation of SUNY and Save the Michaels of the World and thus authorizes the Division of Budget and Management to establish a grant as follows:

Erie County Department of Mental Health  
Grant Fund 281, Fund Center 12410

May 31, 2019 - May 30, 2024  
124SAMHSAOIC1924

Revenue	Increase
Account 414000 – Federal Revenue	\$2,000,000
Appropriation	Increase
Account 517764 – Research Foundation of SUNY OMH	\$1,490,000
Account 517780 – Save the Michaels of the World ASA	400,000
Account 912400 – ID Mental Health Services	<u>110,000</u>
Total Appropriation	\$2,000,000

and be it further

RESOLVED, that this Honorable Body has previously approved of the County's entering into contracts with the aforementioned existing providers; and be it further

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

RESOLVED, that certified copies of this resolution be furnished to the: Office of the County Executive, Department of Mental Health, Office of the Comptroller, Department of Law and the Division of Budget and Management.

(4-0)

4. COMM. 14E-19 (2019)  
COUNTY CLERK

WHEREAS, pursuant to New York State Vehicle and Traffic Law §205, the County Clerk shall act as an agent of the Commissioner of the Department of Motor Vehicles and in such capacity the Erie County Clerk operates the Erie County Auto Bureau; and

WHEREAS, pursuant to New York State Vehicle and Traffic Law §205, the County of Erie retains approximately 12.7% of all fees generated at Erie County Auto Bureau locations; and

WHEREAS, on October 1, 2020, the federal government will require that driver's licenses, learner's permits or identification cards be REAL ID compliant to board a domestic flight, enter military bases and certain federal facilities; and

WHEREAS, more than 200,000 Erie County driver's licenses will expire before the deadline; and

WHEREAS, the Erie County Clerk has commenced an awareness campaign and reaching as many Erie County residents as possible is vital to the success of the campaign; and

WHEREAS, the estimated that the value of the donation of two (2) monthly billboard bulletins through the end of 2019 would be \$53,400.00.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Clerk is hereby authorized to accept the donation of two (2) monthly billboard bulletins through the end of 2019; and be it further

RESOLVED, that the Clerk shall retain the right of final approval over advertising content; and be it further

RESOLVED, that the Clerk of the Legislature shall forward certified copies of this Resolution to the County Executive; the County Attorney and the Erie County Clerk.  
(4-0)

**HOWARD J. JOHNSON, JR.  
CHAIR**

Item 18 – MR. JOHNSON presented the following report and moved for immediate consideration and approval. MR. BRUSO seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 147

June 27, 2019	ECONOMIC DEVELOPMENT COMMITTEE REPORT NO. 12
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ALL MEMBERS PRESENT.

CHAIR BASKIN PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following item is hereby received and filed:

a. COMM. 14M-2 (2019)  
NFTA: “NFTA Board Minutes for Annual Meeting”  
(Chair’s Ruling)

2. COMM. 14E-15 (2019)  
COUNTY EXECUTIVE

WHEREAS, there is a need for large culvert and pedestrian bridge condition inspections to be performed by an engineering firm specializing in such services; and

WHEREAS, the Department of Public Works, Division of Highways, determined that Popli Design Group has the appropriate expertise and experience in large culvert and pedestrian bridge condition inspections through an RFP process; and

WHEREAS, Legislative approval is required for the County Executive to enter into a contract with Popli Design Group for large culvert and pedestrian bridge condition inspections.



NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter into a contract with Popli Design Group for the 2019-2020 Large Culvert/Small Bridge and Pedestrian Bridge Condition Inspection Services project for an amount of \$420,000; and be it further

RESOLVED, that funds, in the total amount of \$420,000, be made available for the Project from the following Projects in Fund 420, Funds Center123:

B.14013, 2014 Small Bridge Inspections in the amount of \$145,554.75;

B.15010, 2015 Small Bridge Inspections in the amount of \$274,445.25;

and be it further

RESOLVED, that five (5) certified copies of this resolution be sent to the Department of Public Works, Commissioner's Office, and one copy each to the Office of the County Executive, the Division of Budget and Management and the Office of the Comptroller and the Division of Purchase.

(6-0)

3. COMM. 14E-16 (2019)  
COUNTY EXECUTIVE

WHEREAS, the Department of Public Works, Division of Highways, and the New York State Department of Transportation (NYSDOT) perform annual and bi-annual inspections of County-owned bridges and culverts; and

WHEREAS, as a result of these inspections, and maintenance staff and taxpayer notifications, Erie County desires to respond to conditions which may restrict access to the traveling public with a plan of action as soon as practicable; and

WHEREAS, engineering and design services are necessary for the annual bridge inspection and maintenance program; and

WHEREAS, the Department of Public Works, Division of Highways, determined that CHA Consultants, Inc. has the appropriate expertise and experience in emergency bridge design, technical/engineering services, construction management and inspection, and bridge maintenance design through an RFP process; and

WHEREAS, in order for the Department of Public Works, Division of Highways, to respond to these cited County bridge and culvert deficiencies with appropriate action, Legislative approval is required to authorize the County Executive to award a contract to CHA Consultants, Inc.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter into a contract with CHA Consultants, Inc. for the 2019-2021 On-Call/Emergency Bridge and Culvert Engineering Services project in an amount of \$298,500 for the first year of this contract; and be it further

RESOLVED, that funds, in the total amount of \$298,500, be made available for the Project from the following Projects in Fund 420, Funds Center 123:

B.16009, Federal Aid Projects – Bridge Preservation Design in the amount of \$150,000, and

B.17022, Preservation of Bridges & Culverts – Emergency as Directed Engineering Services in the amount of \$148,500

and be it further

RESOLVED, the necessary funds for the second year will be appropriated at that time when needed; and be it further

RESOLVED, that five (5) certified copies of this resolution be sent to the Department of Public Works, Commissioner's Office, and one copy each to the Office of the County Executive, the Division of Budget and Management and the Office of the Comptroller and the Division of Purchase.

(6-0)

4. COMM. 14E-17 (2019)  
COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Environment and Planning (DEP) has played a crucial role in pollution prevention and sustainability issues throughout the region for decades and has more recently played an important role in the formation of the Western New York Sustainable Business Roundtable (WNYSBR); and

WHEREAS, Erie County has previously contracted with the United States Protection Agency (USEPA) to support the WNYSBR, including a contract in 2016 (SAP Grant #162WNYSBR1618) authorized by COMM. 20E-7 (2016), amended by COMM. 23E-15 (2018); and

WHEREAS, DEP is committed to support and expand the WNYSBR and its mission to support sustainability and cost savings for businesses in the region; and

WHEREAS, USEPA has awarded a Source Reduction Assistance grant to Erie County to receive \$100,000 in funding to assist businesses in reducing their environmental impact through the Western New York Sustainable Business Roundtable; and

WHEREAS, the USEPA has designated the WNYSBR as a sub-awardee on the grant for the entire funding amount (\$100,000); and

WHEREAS, no Erie County staff positions will be created by the project, and all USEPA funding for staffing will be provided to the WNYSBR; and

WHEREAS, to proceed with the project it is necessary for Erie County to execute an agreement with the USEPA, adopt a project budget; and execute an agreement with the WNYSBR.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive or the Deputy County Executive is hereby authorized to execute the necessary agreements to accept a grant of \$100,000 from the USEPA for the purpose of establishing a “WNY Sustainable Business Roundtable Clean Production Project”; and be it further

RESOLVED, that the grant budget and project period for the “WNY Sustainable Business Roundtable Clean Production Project” is hereby created in the Department of Environment and Planning, Business Area 162, as follows:

WNY Sustainable Business Roundtable Clean Production Project  
(April 1, 2019 – March 31, 2022), in SAP Grant  
#162WNYSBR1922

REVENUE:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
414000	Federal Aid Revenue	\$100,000
TOTAL REVENUE		\$100,000

APPROPRIATIONS:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
516020	Professional Contract Services	\$100,000
TOTAL APPROPRIATIONS:		\$100,000

and be it further

RESOLVED, that the County Executive or the Deputy County Executive is hereby authorized to execute the necessary agreements to contract with the WNYSBR in an amount not to exceed \$100,000; and be it further

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

RESOLVED, that certified copies of this resolution shall be forwarded to the County Executive; the Director of the Division of Budget and Management; the County Attorney; the County Comptroller; Thomas R. Hersey, Jr., Commissioner of Environment and Planning; Bonnie

Lawrence, Deputy Commissioner of Environment and Planning; and P. Josh Wilson, Coordinator - Pollution Prevention Program.  
(6-0)

**HOWARD J. JOHNSON, JR.**  
**CHAIR**

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 148

June 27, 2019	ENERGY & ENVIRONMENT COMMITTEE REPORT NO. 8
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ALL MEMBERS PRESENT.  
CHAIR BASKIN PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
  - a. COMM. 8E-2 (2019)  
MILLS: “Letter to Chair of Legislature Concerning Appointment to NYS Fish & Wildlife Management Board”  
(Chair’s Ruling)
  - b. COMM. 11M-2 (2019)  
NIAGARA PRODUCE: “Impacts of EC “Opting In” to Bag Waste Reduction Fee”  
(Chair’s Ruling)
  - c. COMM. 14E-9 (2019)  
COUNTY EXECUTIVE: “ECSD No. 3 – Engineer Term Contract Agreement”  
(Chair’s Ruling)
2. COMM. 14E-7 (2019)  
COUNTY EXECUTIVE  
WHEREAS, the Erie County Legislature resolved to become a Climate Smart Community (Comm. 12E-5 (2014)); and

WHEREAS, the Erie County Legislature authorized a New York State Department of Environmental Conservation (NYSDEC) grant to conduct Climate Smart Community certification activities (COMM 7E-38 (2018)); and

WHEREAS, in 2019 the Erie County Legislature formally adopted Erie County’s Climate Action and Sustainability Plan for Internal Operations (COMM 3E-4); and

WHEREAS, the New York State Department of Conservation has issued a Request for Applications for Climate Smart Communities projects; and

WHEREAS, the Climate Smart Communities funding would support implementation of projects identified in Erie County's Climate Action and Sustainability Plan for Internal Operations; and

WHEREAS, New York State Department of Conservation requires a fifty percent (50%) local match in the event of a grant award; and

WHEREAS, Erie County can provide for the required match for the grant through in-kind services.

NOW, THEREFORE, BE IT

RESOLVED, that Erie County is authorized to apply for grant funding to conduct additional Climate Smart Communities certification activities; and be it further

RESOLVED, that Erie County is also authorized to apply for grant funding to implement Climate Smart Communities projects; and be it further

RESOLVED, that in the event of a grant award, Erie County can make resources available to the project to meet the required fifty percent (50%) match through in-kind services; and be it further

RESOLVED, that certified copies of this resolution shall be provided for the County Executive; the County Attorney; Thomas R. Hersey, Jr., Commissioner of Environment and Planning; and Bonnie Lawrence, Deputy Commissioner of Environment and Planning.  
(6-0)

3. COMM. 14E-10 (2019)  
COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Environment and Planning (DEP) provides technical assistance to municipalities to assist them in complying with environmental regulations; and

WHEREAS, the State of New York, through its Department of Environmental Conservation (DEC), provides financial aid for stormwater compliance assistance projects; and

WHEREAS, the DEC granted Erie County \$417,228 to commence the WNY Stormwater Coalition (WNYSC Newly Designated Urban Area Project; and

WHEREAS, Erie County and the DEC entered into a contract (SAP Grant #162WNYSCNUAP1518) authorized by COMM. 6E-13 (2015); and

WHEREAS, the DEC has agreed to extend the term of this contract to March 31, 2020 and make budget adjustments that will allow for successful completion of the grant work; and

WHEREAS, it is necessary for the County of Erie to enter into an agreement with the Research Foundation of SUNY at Buffalo State College for student interns to assist with the WNYSC: Newly Designated Urban Area Project.

NOW, THEREFORE, BE IT

RESOLVED, that County Executive or the Deputy County Executive is authorized to execute the necessary agreements with the DEC to extend the project until March 31, 2020; and be it further

RESOLVED, that the County Executive or the Deputy County Executive is hereby authorized to execute an agreement with the Research Foundation of SUNY at Buffalo State College for student interns in an amount not to exceed \$5,500 in grant resources; and be it further

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

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

(6-0)

4. COMM. 14E-12 (2019)  
COUNTY EXECUTIVE

WHEREAS, pursuant to Legislative Comm. 7E-9 (2017), Contract BVPS #3-A was awarded to Nichols, Long & Moore Construction Corp. to construct the Boston Valley Pump Station Improvements in Erie County Sewer District No. 3; and

WHEREAS, the Erie County Division of Sewerage Management has advised that all scheduled improvements are now completed; and

WHEREAS, the Erie County Department of Environment and Planning has recommended the acceptance of Contract BVPS #3-A, in the final contract amount of \$2,488,849 which includes Change Order No. 1 (final), a decrease of (\$178,151) and recommends approval for final payment.

NOW, THEREFORE, BE IT

RESOLVED, that Contract BVPS #3-A between the County of Erie and Nichols, Long & Moore Construction Corp. (770 Riverview Blvd., Tonawanda, New York 14150) is accepted in the final contract amount of \$2,488,849 which includes Change Order No. 1 (final), a decrease of (\$178,151) and is allocated in Erie County Sewer District No. 3 Capital Project C.00062; and be it further

RESOLVED, that the Erie County Comptroller be directed to make final payment for Contract BVPS #3-A, to Nichols, Long & Moore Construction Corp. for a total contract amount of \$2,488,849; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send one (1) certified copy each to the County Executive, the Erie County Comptroller, the Director of Budget and Management and Kristen Walder, Assistant County Attorney; and two (2) certified copies of this resolution to Joseph L. Fiegl, P.E., Department of Environment and Planning.  
(6-0)

5. COMM. 14E-13 (2019)  
COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Environment and Planning Division of Sewerage Management has initiated plans to replace sanitary sewer infrastructure including sewer pipe and manholes located in Oakwood Avenue in the Village of East Aurora (hereinafter referred to as the "Sewer Replacement Project"); and

WHEREAS, the Village of East Aurora intends to undertake road and utility reconstruction of a portion of Oakwood Avenue in the Village of East Aurora (hereinafter referred to as the "Road Reconstruction Project") which encompasses the area of the Sewer Replacement Project; and

WHEREAS, the Division of Sewerage Management and Village of East Aurora desire to enter into a cooperative agreement to coordinate and facilitate the Road Reconstruction Project and the Sewer Replacement Project on portions of Oakwood Avenue in order to achieve cost containment, efficiency, and minimize impact to the residents; and

WHEREAS, the Division of Sewerage Management has determined the sewer replacement project is a Type II action in accordance with 6NYCRR Section 617.5(c) and therefore is not subject to State Environmental Quality Review Act review under New York State Environmental Conservation Law.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be, and hereby is, authorized to execute an Intermunicipal Agreement with the Village of East Aurora to facilitate the Sewer Replacement Project, subject to approval as to form by the County Attorney's office and approval as to content by the Commissioner of Environment and Planning; and be it further

RESOLVED, that the Intermunicipal Agreement with the Village of East Aurora require the Sewer Replacement Project to be included as a bid alternate in the Road Reconstruction Project; and be it further

RESOLVED, that the Erie County Division of Sewerage Management be authorized to review the pricing submitted for the Sewer Replacement Project bid alternate and if acceptable, advise the Village of East Aurora regarding proceeding with award; and be it further

RESOLVED, that authorization is hereby provided for the partial closing of a sum not to exceed \$200,000 from Erie County Sewer District No. 8 Capital Reserve Project C.11801 for reimbursement to the Village of East Aurora for sewer replacement project work and a share of engineering costs as detailed under the terms of the Intermunicipal Agreement; and be it further

RESOLVED, that authorization is hereby provided for the Division of Budget and Management to process a residual equity transfer of up to \$200,000 from Erie County Sewer District No. 8 Capital Reserve Project C.11801 to Erie County Sewer District No. 8 Capital Project C.00071; and be it further

RESOLVED, that the revenue and appropriation budgets for Erie County Sewer District No. 8 Capital Project C.00071 be increased by \$200,000; and be it further

RESOLVED, that the Division of Budget and Management is hereby authorized to implement any budget adjustments necessary to facilitate these transfers; and be it further

RESOLVED, that any unused funds be returned to the capital reserve project and that the budget be adjusted accordingly; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send one (1) certified copy each of this resolution to the County Executive, the Director of Budget and Management, the County Comptroller, and Kristen Walder, Assistant County Attorney; and two (2) certified copies to Joseph L. Fiegl, P.E., Department of Environment and Planning, Rath Building, 10<sup>th</sup> Floor.  
(6-0)

6. COMM. 14E-14 (2019)  
COUNTY EXECUTIVE

WHEREAS, the County is seeking to formalize a 1.5 acre area within Como Lake Park as a Bark Park; and

WHEREAS, the Lancaster community has steadily requested a Bark Park in the area, including submitting a petition with over 200 signatures; and

WHEREAS, Lancaster Unleashed, Inc. has already raised \$18,000 to open the Bark Park; and

WHEREAS, the County would like to formally open the Bark Park as soon as possible, while promoting it as such; and

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be authorized and is hereby directed to execute an agreement with Lancaster Unleashed, Inc. for the purpose of maintaining and operating the Bark Park within the County's Como Lake Park in the Town of Lancaster; and be it further

RESOLVED, that unless agreed upon separately, costs associated with the license agreement will be the responsibility of Lancaster Unleashed, Inc.; and be it further



RESOLVED, that certified copies of this resolution shall be forwarded to the Office of the County Executive; the Commissioner of the Department of Environment and Planning; the Commissioner of Parks, Recreation and Forestry; the Director of the Division of Budget and Management; the Comptroller's Office and the County Attorney.

(6-0)

**TIMOTHY MEYERS  
CHAIR**

**LEGISLATOR RESOLUTIONS**

Item 20 – MR. BRUSO presented the following resolution and moved for immediate consideration. MR. LORIGO seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 149

RE: Supporting the Waiving of Fees for Veterans Organizations & Asking the Governor to Sign Assembly Bill A.8362 Into Law (INTRO. 15-1)

**A RESOLUTION TO BE SUBMITTED BY  
LEGISLATORS MEYERS, HARDWICK, JOHNSON, BRUSO & BASKIN**

WHEREAS, the New York State Assembly and Senate have adopted Assembly Bill A.8362 and Senate Bill S.6593, which amend the County Law and authorize Erie County to waive certain fees for veterans' organizations associated with the construction and improvement of veteran organizations' posts/meeting halls; and

WHEREAS, the sponsors, Assemblyman Patrick Burke and Senator Patrick Gallivan, have noted that veterans' organizations play an important role in ensuring that veterans can experience a sense of community and camaraderie, but that many of the buildings where veterans' groups are located have infrastructure and rehabilitation needs that are hard-met due to the cost; and

WHEREAS, their legislation would permit the Erie County Legislature to waive certain fees associated with such projects in order to avoid adversely impacting veterans who have served their country; and

WHEREAS, the state legislation states: "The county law is amended by adding a new section 226-c to read as follows: §226-c. Waiver of fees for veterans' organizations. The Erie county legislature is hereby authorized to waive fees, including but not limited to building permit review fees and fees associated with capital improvements to any post or hall owned by a not-for-profit congressionally chartered veterans' organization located in such county."

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature respectfully requests that Governor Andrew M. Cuomo approve and sign into law Assembly Bill A.8362; and be it further

RESOLVED, that this Honorable Body requests that town, city and village governments in Erie County, where appropriate, waive fees such as building permits and others, to allow veterans organizations to conduct capital construction or rehabilitation of their meeting halls/posts; and be it further

RESOLVED, that certified copies of this resolution be transmitted to the Governor, the local delegation of the New York State Legislature, to the Erie County Association of Governments, and to the Erie County posts of the Veterans of Foreign Wars, American Legion, Vietnam Veterans of America, and Disabled American Veterans.

MR. BRUSO moved to amend the resolution by including Et Al Sponsorship. MR. MEYERS seconded.

CARRIED UNANIMOUSLY.

MR. BRUSO moved to approve the resolution as amended. MR. LORIGO seconded.

CARRIED UNANIMOUSLY.

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

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

AYES: MS. DIXON, MR. LORIGO, MR. MILLS, MR. RATH, MR. BRUSO, MR. HARDWICK, MR. LOUGHRAN, and MR. MEYERS. NOES: CHAIR BASKIN, MS. CHIMERA, and MR. JOHNSON. (AYES: 8; NOES: 3)

CARRIED.

RESOLUTION NO. 150

RE: Issuance of RFP to Design an  
App. for Residents to Track  
County Pot Holes  
(INTRO. 15-2)

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

WHEREAS, Erie County has over 1,200 center lane miles of road, many of which are in dire need of repair; and

WHEREAS, drivers in Erie County are forced to deal with some of the worst driving conditions in recent memory with potholes on nearly every street and an ever-increasing number of roads in need of major reconstruction; and

WHEREAS, the current mechanism to report a pothole is to call the County's tip hotline to make the report with no follow-up or accountability on the part of the county; and

WHEREAS, the City of Buffalo has created the Buffalo 311 app, which provides users with the ability to report potholes to the City of Buffalo and to see progress of roadwork to correct the issue; and

WHEREAS, Erie County residents would benefit from the creation of a similar app merging Erie County's current Geographic Information System (GIS) offerings with real-time updates on road conditions and infrastructure updates.

NOW, THEREFORE, BE IT

RESOLVED, that this honorable body hereby requests the Department of Public Works issue a Request for Proposals for the provision of a mobile app to work in conjunction with the Erie County GIS system to provide real-time reporting of county potholes, faulty streetlights, and other non-emergency Public Works related issues; and be it further

RESOLVED, proximity of the designer's headquarters to Erie County shall be one scoring criteria for respondents to the RFP; and be it further

RESOLVED, that said RFP shall be issued within 30 days of the passage of this resolution; and be it further

RESOLVED, that certified copies of this resolution be sent to the Erie County Executive Mark C. Poloncarz, the Director of the Department of Public Works and any other party deemed necessary and proper.

#### **COMMUNICATIONS DISCHARGED FROM COMMITTEE**

Item 22 – No Communications Discharged from Committee.

#### **SUSPENSION OF THE RULES**

Item 23 – MR. BRUSO moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 15E-50 from COUNTY EXECUTIVE Re: PILOT Agreement - GDZ Homes Project, Buffalo

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 24 – MR. BRUSO moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 15E-51 from COUNTY EXECUTIVE Re: PILOT Agreement - Jill Joseph Apartments Project, Buffalo

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 25 – MR. BRUSO moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 15E-52 from SHERIFF Re: Letter to Chair Baskin Regarding Body Camera Project

Received and referred to the PUBLIC SAFETY COMMITTEE.

Item 26 – MR. BRUSO moved for a Suspension of the Rules to include an item not on the agenda.

MR. JOHNSON objected to immediate consideration.

INTRO. 15-3 from LORIGO, MILLS, DIXON & RATH Re: A Resolution Providing Funding for Body Cameras in the Sheriff's Department

Received and referred to the PUBLIC SAFETY COMMITTEE.

Item 27 – MR. BRUSO moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 15E-53 from BASKIN Re: Letter to Sheriff Howard Re: Body Camera System - Response to 7/8/19 Letter from the Sheriff

Received and referred to the PUBLIC SAFETY COMMITTEE.

Item 28 – MR. BRUSO moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 15D-6 from DEPARTMENT OF LAW Re: Opinion Concerning Transfer of Funds  
Prior to Opening Responses to RFP

Received and referred to the PUBLIC SAFETY COMMITTEE.

**COMMUNICATIONS FROM ELECTED OFFICIALS**

**FROM CHAIR BASKIN**

Item 29 – (COMM. 15E-1) Letter to County Executive Concerning 2019 Mid-Year Budget Hearings

Received, filed and printed.

June 26, 2019

Hon. Mark C. Poloncarz  
Erie County Executive  
95 Franklin Street, 16<sup>th</sup> Floor  
Buffalo, New York 14202

Re: 2019 Mid-Year Budget Hearings

Dear County Executive Poloncarz:

I am formally requesting the participation of the Administration and each of your Department Heads in mid-year budget hearings to be held by the Legislature beginning on July 16, 2019.

These hearings are designed to be used with other available monitoring tools such as the Budget Monitoring Report (BMR) to ensure that fiscal concerns are identified and addressed in a timely and fiscally responsible manner. The Legislature will review the BMRs and other reports and examine each department's budget with a focus on specific cost centers which may be problematic and to consider recommended courses of action to correct any specific problems identified during the course of these hearings.

To facilitate the conduct of these hearings, we are requesting, as is standard, that your Division of Budget and Management provide updated budgetary data from SAP prior to the start of these hearings. Please provide the requested information by the end of business on July 8, 2019. Among the information requested includes:

- Vacancy reports as of July 8, 2019 for all funds, all cost centers and all positions (full time, part time, regular part time and seasonal).
- Personnel runs showing the total number of positions authorized in each department.
- The savings attributed to these vacancies by department along with a year-to-date statement of vacancy savings.

- A current SAP run reflecting the current state of each department's spending and expenses for 2019 as of June 30, 2019. We request that any account that is spent down by more than 50% be highlighted and that the departmental representatives provide an explanation of whether spending will exceed the budgeted amount in 2019.
- A current SAP run reflecting each revenue account. We request that any account that has not achieved 33% of annual budgeted revenue be highlighted and that the departmental representatives provide an explanation concerning the status.

In addition, please find attached the schedule of the mid-year budget hearings to be held on July 16-17, 2019. We have already coordinated the schedules with your department heads and the independent elected officials to ensure attendance and participation.

Thank you in advance for your cooperation in this extremely important process. If you have any questions, please do not hesitate to contact me.

Sincerely,

April N.M. Baskin  
Chair, Erie County Legislature

2019 Mid-Year Informational Erie County Budget Hearings  
Finance and Management Committee

The following is the schedule of Mid-Year Informational Budget Hearings to be held in the Chambers of the Erie County Legislature, 92 Franklin St., Fourth Floor, Buffalo, NY

Tuesday, July 16, 2019

Administration/Budget and Management – Overview	9:30-10:00 am
County Attorney	10:00-10:15 am
Public Works	10:15-11:15 am
Parks	11:15-11:45 am
Central Police Services	1:00-1:30 pm
Personnel and Labor Relations	1:30-2:00 pm
Environment and Planning	2:00-2:30 pm
Information and Support Services	2:30-2:45 pm
Homeland Security and Emergency Services	2:45-3:00 pm
Social Services/Youth	3:00-4:00 pm

Wednesday, July 17, 2019

District Attorney	9:30-10:00 am
Sheriff	10:00-10:45 am
County Clerk	10:45-11:15 am
Comptroller	11:15-11:45 am
Board of Elections	1:00-1:15 pm
Buffalo and Erie County Library	1:15-1:45 pm

Probation	1:45-2:15 pm
Senior Services	2:15-2:45 pm
Mental Health	2:45-3:15 pm
Health	3:15-3:45 pm

Thursday is also available for any necessary callbacks after regular Legislature Committee meetings are held on this day.

Item 30 – (COMM. 15E-2) Letter to County Executive & Sheriff Regarding Status Update on the Sheriff Body Camera Project

Received and referred to the PUBLIC SAFETY COMMITTEE.

Item 31 – (COMM. 15E-3) Letter to County Executive Concerning Appointment to the NYS Fish & Wildlife Management Board for Region 9

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

**FROM LEGISLATOR MILLS**

Item 32 – (COMM. 15E-4) Letter to Health Commissioner Concerning EC Health Department Septic Inspections

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

**FROM THE COMPTROLLER**

Item 33 – (COMM. 15E-5) Report Detailing Apportionment & Distribution of Net Collections from Sales & Compensating Use Tax (4.75%) for Months of March, April & May 2019

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

**FROM THE SHERIFF**

Item 34 – (COMM. 15E-6) Accept SRO Grant Funds

Item 35 – (COMM. 15E-7) Weapons & Ordinance Unit - Transfer Seized Asset Funds

Item 36 – (COMM. 15E-8) Amendment to Complex Coordinated Terrorist Attack Grant for FY19

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

**FROM THE COUNTY EXECUTIVE**

Item 37 – (COMM. 15E-9) Notification on the Appointment of Commissioner of Parks, Recreation & Forestry

Item 38 – (COMM. 15E-10) Commissioner of Parks & Recreation - Variable Minimum

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

Item 39 – (COMM. 15E-11) Acceptance of Unmet Need - 2019-2020 Grant Funding

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

Item 40 – (COMM. 15E-12) Coordination of New X-Road Crossing - Donna St. Extension, Bethlehem Steel Redevelopment - Lackawanna

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 41 – (COMM. 15E-13) Position Upgrade - Department of Personnel

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 42 – (COMM. 15E-14) Construction Bid for 5th Floor, Public Safety Campus, DNA Lab HVAC Piping Improvements

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 43 – (COMM. 15E-15) Levy of the 2019-2020 School Tax Budgets

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 44 – (COMM. 15E-16) Dept. of Social Services - Transfer of Funds - Out of Area Travel

Item 45 – (COMM. 15E-17) Social Services, Family Wellness Division - Enter into Contract with Community Connections of NY

The above two items were received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

Item 46 – (COMM. 15E-18) Authorization to Amend Design Contract - East & West Rd. - West Seneca

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 47 – (COMM. 15E-19) Social Services, Family Independence Division - Enter into Contract for Interactive Voice Recognition System

Item 48 – (COMM. 15E-20) Social Services, Family Independence Division - Enter into Contract - SNAP Employment & Training Grant



The above two items were received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

Item 49 – (COMM. 15E-21) Authorization to Amend Design Contract - Village of Angola

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 50 – (COMM. 15E-22) ECSD No. 3 - Construction Inspection Term Contract Agreement

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 51 – (COMM. 15E-23) Rath Building Elevator Modernization Project

Item 52 – (COMM. 15E-24) On-Call Electrical Engineering Consultant

Item 53 – (COMM. 15E-25) Authorization to Retain Consultant to Perform Engineering Assessment for Convention Center

Item 54 – (COMM. 15E-26) EC Holding Center - Construction Bid for Kitchen Floor Replacement & Kitchen/Laundry Domestic Hot Water Upgrades - Re-Bid

Item 55 – (COMM. 15E-27) Acceptance of Funds - FBI Reimbursement for EC Range

Item 56 – (COMM. 15E-28) EC Health Lab - Construction Bid for 2018 Building & Roof Top Unit Replacements - Re-Bid

Item 57 – (COMM. 15E-29) Authorization of Donation of Proceeds from Turf Auction to Special Olympics NY, Inc.

Item 58 – (COMM. 15E-30) Authorization of Short Term Detour for NYS DoT - Maple Rd. - Amherst

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

Item 59 – (COMM. 15E-31) EC Climate Change Adaptation Planning Project, 8/1/19 - 3/14/23

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 60 – (COMM. 15E-32) SUNY Erie - Requesting Approval Contract Change Order for Space Verification Audit

Item 61 – (COMM. 15E-33) Approval of a Standard Agreement with Buffalo Motor Car, LLC & Mike's Parking for SUNY Erie

Item 62 – (COMM. 15E-34) Buffalo & EC Public Library - Various Capital Projects Term Agreement

Item 63 – (COMM. 15E-35) SUNY Erie North Campus - Authorization for Second Amendment to Existing Cell Tower Lease Agreement

The above four items were received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

Item 64 – (COMM. 15E-36) EC Home - Construction Bid for Fuel Tank Removals

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 65 – (COMM. 15E-37) BENLIC - Pre-Emptive Bid Powers & Subsequent Repayment Agreement with EC

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 66 – MR. BRUSO presented the following resolution and moved for immediate consideration and approval. MR. MEYERS seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 151

RE: Authorization to Submit a Grant Application to the NYS DoS – Brownfield Opportunity Area Program (COMM. 15E-38)

WHEREAS, the joint efforts of the Erie County Department of Environment and Planning and the Erie County Industrial Development Agency, which together are herein called the “Applicant”, after thorough consideration, have hereby determined that landscaping and public art planning efforts are needed at the Bethlehem Section of the Shoreline Trail in the City of Lackawanna, herein called the “Project”, is desirable; and

WHEREAS, §970-r of the General Municipal Law authorizes State assistance to eligible parties for Brownfield Opportunity Areas Program grants by means of a State Assistance Contract and the Applicant deems it to be in the public interest and benefit under this law to enter into a contract therewith; and

WHEREAS, New York State Department of State has issued a Request for Applications for Brownfield Opportunity Areas Program projects; and

WHEREAS, New York State Department of State requires a ten percent (10%) local match in the event of a grant award; and

WHEREAS, Erie County can provide for the required match for the grant through in-kind services.

NOW, THEREFORE, BE IT

RESOLVED, that the Applicant is authorized to apply for grant funding to produce a landscaping public art plan at the Bethlehem Section of the Shoreline Trail; and be it further

RESOLVED, that the Applicant agrees to complete the project if awarded the reference grant; and be it further

RESOLVED, that the County Executive be authorized to act on behalf of the Applicant in all matters related to the contract under 970 –r of the General Municipal Law for the Project; and be it further

RESOLVED, that in the event of a grant award, Erie County and the Erie County IDA can make resources available to the project to meet the required ten percent (10%) match; and be it further

RESOLVED, that certified copies of this resolution shall be provided for the County Executive; the County Attorney; and Commissioner of the Department of Environment and Planning.

Item 67 – (COMM. 15E-39) Authorization to Contract - Welfare Fraud Investigation & Collection Tracking System

Item 68 – (COMM. 15E-40) Adult Protective Services & Children Services - Enter into Contract for Tablet Expansion

Item 69 – (COMM. 15E-41) Pre-Exposure Prophylaxis Grant Award Increase

The above three items were received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

Item 70 – (COMM. 15E-42) SUNY Erie - Construction Bid for Exterior Restoration of City Campus Old Post Office 2019 Transformer Vault - Re-Bid

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

Item 71 – (COMM. 15E-43) Transfer of Shoreline Trail Property at Bethlehem Steel Site from Buffalo & EC Industrial Land Development Corp. to EC

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 72 – (COMM. 15E-44) Transfer of Funds - Department of Social Services

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

**FROM THE SHERIFF**

Item 73 – (COMM. 15E-45) K9 Safety Kennels - Transfer Seized Asset & Telephone Funds

Item 74 – (COMM. 15E-46) Acceptance of the 2018 Bomb Squad Grant for FY19

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

**FROM CHAIR BASKIN**

Item 75 – (COMM. 15E-48) Letter to Clerk of Legislature Calling for a Public Hearing for LL Intro. 8-1 (2019)

Received, filed and printed.

July 9, 2019

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

Re: Public Notice Concerning Consumer Protection Act Local Law

Dear Clerk Graber:

Pursuant to Article 2, Section 203 of the Erie County Charter, please take the necessary steps to provide proper public notice to members of the Legislature, the news media and the public announcing a public hearing concerning Local Law Intro. 8-1 (2019), the Erie County Consumer Protection Act of 2019.

The hearing will be held on Monday, July 22, 2019 at 6:00 pm in the Chambers of the Legislature.

Thank you in advance for your assistance.

Sincerely yours,

April N.M. Baskin  
Chair  
Erie County Legislature

**FROM THE COUNTY CLERK**

Item 76 – (COMM. 15E-49) Correspondence Concerning Kearns v. Cuomo, et al. - Green Light Law Litigation

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

**COMMUNICATIONS FROM THE DEPARTMENTS**

**FROM THE DEPARTMENT OF LAW**

Item 77– (COMM. 15D-1) Transmittal of New Claims Against Erie County

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

**FROM THE DIRECTOR OF BUDGET & MANAGEMENT**

Item 78 – (COMM. 15D-2) Budget Monitoring Report for Period Ending May 2019

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

**FROM THE DEMOCRATIC COMMISSIONER, EC BOARD OF ELECTIONS**

Item 79 – (COMM. 15D-3) Letter to Chair Baskin Concerning Mid-Year Budget Hearing for BOE

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

**FROM THE CLERK OF THE LEGISLATURE**

Item 80 – (COMM. 15D-4) Notice of Public Hearing Regarding LL Intro. 8-1 (2019)

Received, filed and printed.

Notice of Public Hearing

PLEASE TAKE NOTICE that a meeting of the County Legislature of the County of Erie, New York, shall be held in the Chambers of the Legislature at Old Erie County Hall, 92 Franklin Street, 4th Floor, Buffalo, New York, in said County, on the 22<sup>nd</sup> day of July 2019 at 6:00 P.M., for the purpose of conducting a public hearing to hear public comment on Local Law Intro. 8-1 (2019), the Erie County Consumer Protection Act of 2019.

A copy of the local law is available for public inspection at the Office of the Clerk of the Legislature at Old County Hall, 92 Franklin Street, 4th Floor, Buffalo, New York or at [http://www2.erie.gov/legislature/sites/www2.erie.gov.legislature/files/uploads/Session\\_Folders/2019/14/19LLIntro.8-1%282019%29.pdf](http://www2.erie.gov/legislature/sites/www2.erie.gov.legislature/files/uploads/Session_Folders/2019/14/19LLIntro.8-1%282019%29.pdf)

Buffalo, New York  
July 9, 2019

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

Robert M. Graber, Clerk  
Erie County Legislature

**FROM THE DIRECTOR OF BUDGET & MANAGEMENT**

Item 81 – (COMM. 15D-5) Mid-Year Budget Hearing Data

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

**COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES**

**FROM LOCAL ENVIRONMENTAL ORGANIZATIONS**

Item 82 – (COMM. 15M-1) Letter to Chair Baskin Urging EC to Opt-In on NY's 5-cent Fee on Carryout Paper Bags

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

**FROM THE NFTA**

Item 83 – (COMM. 15M-2) 2018-19 NFTA-Metro Annual Performance Report

Item 84 – (COMM. 15M-3) Board Minutes from Meeting Held 5/23/19

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

**FROM THE ASSOC. FOR A BUFFALO PRESIDENTIAL CENTER**

Item 85 – (COMM. 15M-4) Requesting Opportunity for Presentation to the Community Enrichment Committee

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

**FROM THE NYSDEC**

Item 86 – (COMM. 15M-5) Invitation for Public Comment on Draft Investigation Work Plan - 19 Doat St. & 9 Landsdale Pl., Buffalo

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

**ANNOUNCEMENTS**

Item 87 – Chair Baskin announced that the schedule for committee meetings to be held on Thursday, July 18, 2019, has been distributed.

**MEMORIAL RESOLUTIONS**

Item 88 – Legislator Dixon requested that when the Legislature adjourns, it do so in memory of John Kashino, F. Peter Casey, and Matthew Benedict.

Item 89 – Legislator Hardwick requested that when the Legislature adjourns, it do so in memory of Marian Shipman, and JoAnn Mierzwa.

Item 90 – Legislator Rath requested that when the Legislature adjourns, it do so in memory of Robert P. Freedman, and Mary Patricia Sellers Paxon.

Item 91 – Legislator Loughran requested that when the Legislature adjourns, it do so in memory of Molly (Burnham) Terhaar.

**ADJOURNMENT**

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

MR. LORIGO moved that the Legislature adjourn until Thursday, July 25, 2019 at 2:00 p.m. Eastern Standard Time. MR. RATH seconded.

CARRIED UNANIMOUSLY.

CHAIR BASKIN declared the Legislature adjourned until Thursday, July 25, 2019 at 2:00 p.m. Eastern Standard Time.

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