

**ERIE COUNTY LEGISLATURE
MEETING NO. 20
OCTOBER 10, 2019**

The Legislature was called to order by Chair Baskin.

All members present.

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

The Pledge of Allegiance was led by Mr. Mills.

Item 1 – No tabled items.

Item 2 – No items for reconsideration from previous meeting.

Item 3 – MR. BRUSIO moved for the approval of the minutes for Meeting Number 19 from 2019. MR. RATH seconded.

CARRIED UNANIMOUSLY.

Item 4 – No Public Hearings.

MISCELLANEOUS RESOLUTIONS

Item 5 – MR. JOHNSON & MS. BASKIN presented a proclamation Congratulating Women's Pavilion Pan Am 2001 as the Recipient of the Uncrowned Queens Institute's Culture Keeper Award.

Item 6 – CHAIR BASKIN, MR. BRUSIO, MR. JOHNSON, MS. CHIMERA, MR. HARDWICK, MR. LOUGHRAN & MR. MEYERS presented a proclamation Honoring October 2 and 3, 2019 as "Western New York Construction Career Days".

Item 7 – MR. JOHNSON & CHAIR BASKIN presented a proclamation Congratulating the Niagara Falls Chapter, The Links on Being Awarded and Recognized as a 2019 Culture Keeper.

Item 8 – MR. JOHNSON & CHAIR BASKIN presented a proclamation Congratulating Sheila Brown on Her Astonishing Career and for Being Named a 2019 Recipient of the Uncrowned Queens Institute's Culture Keeper Award.

Item 9 – MS. DIXON presented a proclamation Recognizing and Celebrating the 50th Anniversary of Robert Schmitt's Service to the Hy-View Fire Company.

Item 10 – MR. JOHNSON & CHAIR BASKIN presented a proclamation Celebrating and Honoring National Hispanic Heritage Month.

Item 11 – MR. MILLS presented a memorial resolution Honoring and Remembering Peter J. Loretto for His Selfless Determination to Serve His Community.

Item 12 – MR. JOHNSON & CHAIR BASKIN presented a proclamation Congratulating Juneteenth of Buffalo Inc. on Being Awarded and Recognized as a 2019 Culture Keeper.

Item 13 – MR. JOHNSON & CHAIR BASKIN presented a proclamation Recognizing and Congratulating Jesse Clipper American Legion Post 430 for Their Contributions to Our Country and on Their 100th Year Anniversary.

Item 14 – MR. JOHNSON presented a memorial resolution Remembering Fern Elizabeth Jackson Beavers and Recognizing Her Praiseworthy Life, Love of Family and Friends, and Her Contributions to Our Community.

Item 15 – MR. JOHNSON & CHAIR BASKIN presented a proclamation Congratulating Eva M. Doyle on an Astonishing Career, on Her Contributions in Our Community, and Honoring Her for Being the Recipient of the 2019 Culture Keeper Award from the Uncrowned Queens Institute.

Item 16 – MR. HARDWICK presented a proclamation Recognizing and Acknowledging the Outstanding Achievement of O'Connell & Company and Welcoming Them to the Town of Tonawanda.

MR. BRUSO moved for consideration of the above twelve items. MR. MILLS seconded.

CARRIED UNANIMOUSLY.

MR. BRUSO moved to amend the above twelve items by adding one for the Minority Caucus, one for MS. CHIMERA, and by including Et Al Sponsorship. MR. LORIGO seconded.

CARRIED UNANIMOUSLY.

MR. BRUSO moved for approval of the above fourteen items as amended. MR. RATH seconded.

CARRIED UNANIMOUSLY.

LOCAL LAWS

Item 17 – CHAIR BASKIN directed that Local Law No. 20 (Print #1) 2017 remain on the table and in the ECONOMIC DEVELOPMENT COMMITTEE.

GRANTED.

Item 18 – CHAIR BASKIN directed that Local Law No. 3 (Print #1) 2018 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 19 – CHAIR BASKIN directed that Local Law No. 3 (Print #1) 2019 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 20 – CHAIR BASKIN directed that Local Law No. 4 (Print #1) 2019 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 21 – CHAIR BASKIN directed that Local Law No. 5 (Print #1) 2019 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 22 – CHAIR BASKIN directed that Local Law No. 9 (Print #1) 2019 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

COMMITTEE REPORTS

Item 23 – MR. BRUSO presented the following report and moved for immediate consideration and approval. MR. JOHNSON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 193

October 3, 2019	HEALTH & HUMAN SERVICES COMMITTEE REPORT NO. 14
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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. 19D-1 (2019)
DEPARTMENT OF SOCIAL SERVICES: “CPS Statistical Report – August 2019”
(Chair’s Ruling)
2. INTRO. 17-3 (2018)
BASKIN AS AMENDED
WHEREAS, because lead is a powerful neurotoxin that can irreversibly damage nearly every organ and system in the human body, there is no safe level of lead in blood; and

WHEREAS, a Reuters investigation found at least four city zip codes in Buffalo where 40 percent of children tested from 2006 to 2014 had high lead levels, making Erie County among the most dangerous lead hotspots in America, with the rate of high lead tests in these areas eight times greater than that found among children across Flint, Michigan, during that city's recent water crisis; and

WHEREAS, in 2019, via the State's 2019-2020 Budget process, New York State lowered the definition of Elevated Blood Lead Level in Subdivision 6 of section 1370 of the Public Health Law to 5 micrograms per deciliter; and

WHEREAS, New York State has failed to change the definition of "elevated venous blood lead level" to 5 micrograms per deciliter consistent with the Public Health Law in its regulations at 10 N.Y.C.R.R. §69-4.3(g)(2)(iii) implementing Part C of the Individuals with Disabilities Education Act; and

WHEREAS, New York State has also failed to make an "elevated venous blood lead level" a criterion through which children are automatically eligible for State Early Intervention; and

WHEREAS, the State's failure to provide educational services and support to children exposed to lead leaves these children at greater risk of poor school readiness, increases the cost of developmental support services during their school years, lowers their projected income, increases their risk of teen pregnancy, and increases their risk of entering the criminal justice system; and

WHEREAS, Part C of the Individuals with Disabilities Education Act provides that states determine which conditions qualify young children to receive state-funded early intervention services ("State Early Intervention"); and

WHEREAS, 19 states provide that children with elevated blood lead levels are automatically eligible to receive State Early Intervention, with Illinois and Ohio providing State Early Intervention for children with blood lead levels of 5 micrograms per deciliter of blood or higher; and

WHEREAS, New York state considers a blood lead level of 15 micrograms per deciliter of blood a factor that may entitle a child to Early Intervention Services; and

WHEREAS, it is imperative that the State and counties work together to provide State Early Intervention automatically to children with elevated blood lead levels at 5 micrograms per deciliter or greater and for the State to provide funding for these mandated services for children; and

WHEREAS, Erie County has taken care of its residents in a way that demonstrates to New York State how its residents should be treated, including addressing bail reform, microplastics, and other issues before the state has taken action; and

WHEREAS, faced with the worst lead poisoning problem in New York State and inadequate state action to protect and support children affected by lead exposure, Erie County should act to address this lead problem and provide Lead Early Developmental Services and Intervention to children exposed to lead; and

WHEREAS, lead poisoning causes permanent damage including loss of I.Q., developmental delays, learning disabilities, memory loss, hearing loss, attention deficits, hyperactivity, and behavioral disorders; and

WHEREAS, addressing lead poisoning is a matter of environmental and racial justice because exposure to lead is disproportionately greater (in amount and frequency) among children in communities of color and low-income communities, with children from neighborhoods of color and poverty being twelve times as likely as children from more affluent neighborhoods to be diagnosed with elevated blood lead levels; and

WHEREAS, providing high-quality, culturally-appropriate early childhood education and care programs for children exposed to lead, including supportive early childhood learning experiences and skill development, primary prevention education for families, and developmental delay monitoring (“Lead Early Developmental Services and Intervention”) can lead to better outcomes for children than those receiving no support services, and can save future expenses related to school-provided developmental support, teen pregnancy, and criminal justice; and

WHEREAS, Erie County-based expert non-profit LEAD716 estimates that providing focused Lead Early Developmental Services and Intervention costs approximately \$2,500 per child per year.

NOW, THEREFORE, BE IT

RESOLVED, that this Honorable Body calls on New York State Department of Health to update its regulation at 10 N.Y.C.R.R. §69.4-3(f) to reflect that an elevated blood lead level equal to or greater than 5 micrograms per deciliter is a “physical... condition that has a high probability of resulting in a developmental delay” triggering a referral for comprehensive developmental assessment and Early Prevention services; and be it further

RESOLVED, that in the absence of such action by the State Department of Health, this Honorable Body calls on the New York State Legislature to recognize that elevated blood lead levels are a “physical... condition that has a high probability of resulting in a developmental delay,” and make legislative changes necessary to make comprehensive developmental assessment and Early Prevention services automatically available to children with elevated blood lead levels of 5 micrograms per deciliter or greater and for the State to provide funding for this change; and be it further

RESOLVED, that in the absence of such State action, this Honorable Body requests that Erie County fund a pilot program, developed in conjunction with the Erie County Department of Health and local stakeholders including LEAD716, to provide Lead Early Developmental Services and Intervention at a cost not to exceed \$250,000, for no more than 100 children with blood lead level of 5 micrograms per deciliter or greater who do not qualify for State Early Intervention in order to demonstrate to New York State the effectiveness of such program and the need for state-level funding to support it; and be it further

RESOLVED, that certified copies of this resolution shall be transmitted to the Governor, Western New York Delegation of the New York State Legislature, New York State Health Commissioner, Erie County Executive, Erie County Commissioner of Health, the Community

Foundation for Greater Buffalo, the Health Foundation for Western and Central New York, the Peter and Elizabeth C. Tower Foundation, the Ralph C. Wilson, Jr. Foundation, The John R. Oishei Foundation, the United Way of Buffalo and Erie County, the Learning Disabilities Association of Western New York, LEAD716, the Western New York Coalition to Prevent Lead Poisoning, the Erie County Department of Health, the City of Buffalo, Kaleida Health, the Partnership for Public Good, and the Buffalo and Erie County Lead Safe Task Force.

(6-0)

3. COMM. 19E-16 (2019)
COUNTY EXECUTIVE

WHEREAS, the department of Social Services Youth Services division has previously contracted with F-Bites to provide their Vocational Training in Excellence Culinary program; and

WHEREAS, these classes foster listening, cooperation and engagement of youth in a learning process designed to enhance social/emotional skills; and

WHEREAS, the Youth Services division wishes to continue providing this program to the residents at youth detention for the remainder of 2019; and

WHEREAS, the Youth Services division has available balances within their current budget to contract with the F-Bites to provide Vocational Training in Excellence program to the residents of the Secure Youth Detention facility.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to amend and continue the current contract in 2019 for an additional \$5,000 for F-Bites to provide their comprehensive Vocational Training in Excellence programs to the residents of the secure detention facility, funding being available in account 516041, youth facility programming, of the Youth Services division; 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, the Department of Social Services, and the Division of Youth Services.

(5-0) Chair Baskin not present for vote.

4. COMM. 19E-19 (2019)
COUNTY EXECUTIVE

WHEREAS, the Department of Senior Services desires to gain knowledge and improve skills to provide the best possible service to older adults in Erie County; and

WHEREAS, SF-TIC is a proven, innovative, and comprehensive approach to enhancing service delivery, developing positive staff working relationships and helping staff approach challenging situations with new tools; and

WHEREAS, University at Buffalo School of Social Work Clinical Professors are foremost experts in SF-TIC training and methodology and have successfully trained three other County Departments, improving operations and service delivery; and

WHEREAS, budgetary appropriations to cover the \$2,530 contract cost for each instructor are available in the Department's 163CSE1920 grant's Professional Services Contracts & Fees account #516020.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be and is hereby authorized to contracts with consultants Denise Krause, Clinical Professor and Susan Green, Clinical Associate Professor at University at Buffalo School of Social Work to conduct Solution Focused Trauma Informed Care Training at a cost of \$2,530 each; and be it further

RESOLVED, that the Erie County Legislature hereby waives the procedures outlined in Section 19.08 of the Erie County Administrative Code regarding professional services contracts because the contractors Susan Green and/or Denise Krause are sole providers and developers of this training; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the: County Executive's Office, Division of Budget and Management, Comptroller's Office, and the Department of Senior Services.

(6-0)

**JOHN BRUSO
CHAIR**

Item 24 – MR. BRUSO presented the following report and moved for immediate consideration and approval. MR. MEYERS seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 194

October 3, 2019	FINANCE & MANAGEMENT COMMITTEE REPORT NO. 12
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ALL MEMBERS PRESENT.

CHAIR BASKIN PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the follow items are hereby received and filed:
 - a. COMM. 18E-40 (2019)
COUNTY CLERK: "City of Buffalo In Rem Tax Foreclosure"
(Chair's Ruling)
 - b. COMM. 19D-2 (2019)
DIRECTOR OF BUDGET & MANAGEMENT: "Budget Monitoring Report for Period
Ending 07/2019"

(Chair's Ruling)

2. INTRO.19-4 (2019)

LORIGO, MILLS, RATH, DIXON, BASKIN, BRUSO,
CHIMERA, HARDWICK, JOHNSON, LOUGHRAN & MEYERS AS AMENDED

WHEREAS, Enhanced STAR is a New York State supplemental property tax relief for senior citizens aged 65 and older with qualifying incomes. The program lowers the property owner's responsibility for their district's school tax each year; and

WHEREAS, 629,000 New York State residents receive the Enhanced STAR benefit with thousands of senior citizens in Erie County alone. These people often rely on the annual savings from the STAR program to help lower their cost of living here in New York; and

WHEREAS, as of 2019 NYS has changed the way STAR rebates are awarded, making it more difficult for seniors to apply for, and qualify for, the state tax rebate with added steps and new dates for application; and

WHEREAS, recent changes include requiring additional steps to provide income verification for new recipients of the Enhanced STAR program; forcing senior citizens who already qualify for the Partial Tax Exemption for Real Property of Senior Citizens also apply for the Enhanced STAR program, something that in past years was done automatically; and those who receive the Partial Tax Exemption will need to reapply for that program every year they receive Enhanced STAR benefits; and

WHEREAS, it is a finding of this body that the changes in the Enhanced STAR program have made an already confusing program more complex, which we do not support.

NOW, THEREFORE, BE IT

RESOLVED, that this Honorable Body hereby urges New York State's elected officials to simplify the Enhanced STAR program for the benefit of senior citizens in New York; and be it further

RESOLVED, that certified copies of this Resolution be sent to Governor Andrew M. Cuomo, the Western New York delegation to the New York State Legislature, and any other party deemed necessary and proper.

(6-0)

3. COMM. 19E-8 (2019)

COMPTROLLER AS AMENDED

WHEREAS, the County has utilized the services of a Financial Advisor since 2005; and

WHEREAS, the services of a Financial Advisor has proved to save the County far more than it costs; and

WHEREAS, the current contract for Financial Advisory services expired this year; and

WHEREAS, the Comptroller’s Office issued a request for proposals (RFP) on August 23, 2019 for a Financial Advisor contract for a three-year period and an option of an additional two years; and

WHEREAS, the Comptroller’s Office Received three responses to the RFP and had them evaluated by a committee; and

WHEREAS, the RFP Committee selected Hilltop Securities to perform the service for a contract period of three years with the option to extend the contract for an additional two years.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into contract with Hilltop Securities for a three-year period, with the option to extend the contract for an additional two years, to provide Financial Advisory services beginning in 2019 at a cost of \$35,000 New Money Bond Sales; \$40,000 Refunding Bond Sales; and \$20,000 Note Sales plus; and be it further

RESOLVED, that certified copies of this resolution are to be forwarded to the County Executive, County Comptroller, County Attorney, and Director of Budget and Management. (5-0) Chair Baskin not present for vote.

**JOHN BRUSO
CHAIR**

Item 25 – MR. MEYERS presented the following report and moved for immediate consideration and approval. MR. JOHNSON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 195

October 3, 2019	ENERGY & ENVIRONMENT COMMITTEE REPORT NO. 11
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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. 11D-1 (2019)
DEPARTMENT OF ENVIRONMENT & PLANNING: “SEQR – Negative Declaration of EC Parks Master Plan Update Adoption”
(Chair’s Ruling)
 - b. COMM. 19E-14 (2019)
COUNTY EXECUTIVE: “ECSD Nos. 1, 4 & 5 – Construction Inspection Term Contract Agreement”

(Chair's Ruling)

- c. COMM. 19M-3 (2019)
NYSDEC: "Invitation for Public Comment – Draft Investigation/Interim Cleanup Plan for a Site at 130 Main St., Buffalo"

(Chair's Ruling)

2. COMM. 19E-18 (2019)
COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Environment and Planning (DEP) has played a crucial role in water quality issues throughout the region for decades and continues to lead and manage many initiatives that protect and preserve our natural water resources; and

WHEREAS, DEP is committed to coordinate, oversee, and support work towards the delisting of the Buffalo River as a Great Lakes Area of Concern (AOC); and

WHEREAS, the U.S. Environmental Protection Agency (USEPA) awarded Erie County a Great Lakes Restoration Initiative Grant of \$2,529,500 to complete a five-year Erie County Buffalo River RAP Project; and

WHEREAS, this Erie County Buffalo River RAP Project necessitates the execution of contracts with the USEPA and Buffalo Niagara Waterkeeper and creation of a grant budget, as well as continuation of a Senior Environmental Compliance Specialist (JG-12) position and a Park Maintenance Worker II - Group 5 position in Grant # 162BUFRIVERRAP1924.

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 \$2,529,500 from the USEPA; 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 Buffalo Niagara Waterkeeper for a sub-award not to exceed \$750,000 for the purpose of managing the Buffalo River RAP, coordinating the Remedial Action Committee and Area of Concern (AOC) delisting documents; and be it further

RESOLVED, that the grant budget and project period for the Erie County Buffalo River RAP Project is hereby created in the Department of Environment and Planning, Business Area 162, as follows:

Erie County Buffalo River RAP Project
Grant #162 BUFRIVERRAP1924
October 1, 2019 – September 30, 2024

REVENUE

<u>Account</u>	<u>Description</u>	<u>Amount</u>
414000	Federal Aid Revenue	<u>\$2,529,500</u>
TOTAL REVENUE		<u>\$2,529,500</u>

APPROPRIATIONS

<u>Account</u>	<u>Description</u>	<u>Amount</u>
500000	Full Time Salaries	\$ 378,000
502000	Fringe Benefits	\$ 283,500
510100	Out of Area Travel	11,000
505000	Supplies	\$ 31,060
510200	Meetings & Trainings	\$ 8,440
516020	Professional Services	\$1,477,500
916400	ID Parks Services	<u>\$ 340,000</u>
TOTAL APPROPRIATIONS		\$2,529,500

and be it further

RESOLVED, that the following position, which is 100% grant funded, will be funded within the Erie County Buffalo River RAP Project Grant # 162 BUFRRIVERRAP1924, Funds Center 16200, Fund 281:

Senior Environmental Compliance Specialist (JG-12)
Budgeted Annual Salary: \$70,346

and be it further

RESOLVED, that the following General Fund (Fund 110) position, will be 100% reimbursed via ID billing from Grant 162BUFRRIVERRAP1924, to the Department of Parks, Recreation and Forestry, Funds Center 16400, Fund 110 for the duration of the grant commitment:

Park Maintenance Worker II - Group 5
Budgeted Annual Salary: \$38,601

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 Environment and Planning; Troy Schinzel, Commissioner of Parks and Recreation; and Bonnie Lawrence, Deputy Commissioner of Environment and Planning.

(6-0)

TIMOTHY MEYERS
CHAIR

Item 26 – MR. JOHNSON presented the following report and moved for immediate consideration and approval. MR. MEYERS seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 196

October 3, 2019	ECONOMIC DEVELOPMENT COMMITTEE REPORT NO. 15
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ALL MEMBERS PRESENT.

CHAIR BASKIN PRESENT AS EX-OFFICIO MEMBER.

1. COMM. 19E-11 (2019)
COUNTY EXECUTIVE

WHEREAS, the Erie County Holding Center laundry equipment operates at an inadequate water supply temperature, and the existing kitchen floor finish is in disrepair; and

WHEREAS, the Sheriff's Office must purchase replacement linens and utilize third-party laundry services at an expensive cost to insure sanitary linens are provided; and

WHEREAS, boosting the water supply temperature will insure that facility linens are properly decontaminated, and re-sloping and replacement of the kitchen floor covering will correct the safety issue; and

WHEREAS, the County of Erie received bids for the ECHC – Kitchen Floor Replacement & Kitchen/Laundry Domestic Hot Water Upgrades Re-bid project on September 5, 2019; and

WHEREAS, the Erie County Department of Public Works, along with its consultant LiRo Engineers, Inc., are recommending award of a contract to the lowest responsible bidder, Integrated Construction Services and Solutions, Inc.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter into a contract with Integrated Construction Services and Solutions, Inc. for the ECHC – Kitchen Floor Replacement & Kitchen/Laundry Domestic Hot Water Upgrades Re-bid project for an amount not to exceed as follows:

General Construction Work

<u>Integrated Construction Services and Solutions, Inc.</u>	Base Bid:	\$ 342,000.00
Total Award of General Construction Contract:		\$ 342,000.00
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Total Award of all Construction Contracts:		\$ 342,000.00

and be it further

RESOLVED, that the sum of \$58,000.00 be allocated to a Construction Contingency Fund with authorization for the County Executive to approve change orders in an amount not to exceed the Contingency Fund; and be it further

RESOLVED, that deduct change orders will result in these funds being returned to the construction contingency fund; and be it further

RESOLVED, that the Comptroller's Office be authorized to make payment for all the above from the approved, as amended 2015, 2017, and 2018 Capital Budgets, Fund 410, Funds Center 122 as follows:

A.15028	2015 Sheriff Various Improvements to Holding Center and Correctional Facility	\$ 635.75
A.17026	2017 Improvements to Holding Center and Correctional Facility	\$ 203,061.92
A.18026	2018 Erie County Sheriff's Department – Misc. Renovations	\$ 196,302.33
Total Payment not to Exceed:		\$ 400,000.00

and be it further

RESOLVED, that two 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.
(6-0)

2. COMM. 19E-12 (2019)
COUNTY EXECUTIVE

WHEREAS, to improve the efficiency within the Department of Social Services, the County of Erie desires to renovate office space on the third floor of the Erie County Rath Building; and

WHEREAS, The Erie County Department of Public Works received professional engineering services proposals for the Rath building – 2019 – Social Services Third Floor Renovations on May 22, 2019; and

WHEREAS, Buffalo Engineering, P.C. has the necessary expertise and manpower to provide professional electrical and plumbing technical assistance for the project; and

WHEREAS, the County Executive is requesting authorization to issue an Agreement Amendment or contract to Buffalo Engineering, PC for providing electrical and plumbing technical assistance for the Rath Building third floor, Social Service renovations.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to issue an Agreement Amendment or contract to Buffalo Engineering, PC for providing electrical and plumbing technical assistance for the Rath Building, third floor Social Services renovation, for an amount not to exceed \$30,000 with up to a 50% Federal/State reimbursement; and be it further

RESOLVED, that the Comptroller's Office be authorized to make payment for all the above from Capital Project A.17030 – Renovation of Office Space - Social Services, Fund 410, Funds Center 122, for an amount not to exceed \$30,000; and be it further

RESOLVED, that two 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, Department of Social Services and the Office of the Comptroller.

(6-0)

3. COMM. 19E-17 (2019)
COUNTY EXECUTIVE

WHEREAS, the Erie County Sheriff's Office has requested replacement of the library ceiling and addition of a new egress door to the delta medical exam room; and

WHEREAS, these renovations are required due to life safety concerns; and

WHEREAS, Kideney Architects are currently the Architectural/Engineering(A/E) firm for the design and construction of the Erie County Holding Center and Erie County Correctional Facility Americans with Disabilities Act (ADA) Improvements; and

WHEREAS, the Department of Public Works received an A/E professional proposal from Kideney Architects for the additional work; and

WHEREAS, the County Executive requests authorization to enter into an amendment agreement or contract with the firm of Kideney Architects for providing professional design services.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter into an amendment agreement or contract with the firm of Kideney Architects for providing professional architectural and engineering services for the project for an amount not to exceed \$9,980; and be it further

RESOLVED, that the Comptroller's Office be authorized to make payment for all the above from Capital Project A.18026 – Erie County Sheriff's Misc. Renovations, Funds Center 122, Fund 410 for an amount not to exceed \$9,980; and be it further

RESOLVED, that two 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.

(6-0)

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

Item 27 – MR. JOHNSON presented the following report and moved for immediate consideration and approval. MR. LORIGO seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 197

October 3, 2019	PUBLIC SAFETY COMMITTEE REPORT NO. 15
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ALL MEMBERS PRESENT.

CHAIR BASKIN PRESENT AS EX-OFFICIO MEMBER.

1. a. RESOLVED, the Public Safety Committee does hereby enter into Executive Session at 3:29 PM by majority vote.
(6-0)
- b. RESOLVED, the Public Safety Committee does hereby exit Executive Session at 4:26 PM by majority vote.
(4-0) Chair Baskin and Legislator Loughran not present for vote.

2. COMM. 19E-9 (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 Department of Mental Health has committed to help establish, along with various partners, an Erie County Re-entry Resource Center within the offices of its Forensic Mental Health Services Division at 120 W. Eagle Street; and

WHEREAS, the Division of Budget and Management has provided initial funding in the amount of \$28,690 to Buildings and Grounds to provide materials and labor for this project via Comm. 8E-13 (2019); and

WHEREAS, both the Community Foundation of Greater Buffalo and the Erie County Sheriff's Office have agreed to match this amount as contributing partners for this project; and

WHEREAS, legislative approval is required to utilize these funds (and any other outside funds subsequently obtained) to have Buildings and Grounds, Mental Health, Sheriff and any other involved county department, work on this project.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize the County Executive to accept such contributory funds for the Erie County Re-entry Resource Center and to authorize the Department of Mental Health and Buildings & Grounds perform the necessary work to in order to establish an Erie County Re-entry Resource Center and authorizes the Division of Budget and Management to make budgetary entries as follows:

Erie County Department of Public Works

Division of Buildings & Grounds
Fund 110, Funds Center 12220

Revenue	Increase
Account 479100 – Other Contributions	\$28,690
Account 415622 – Jail Phone Revenue	<u>28,690</u>
Total Revenue	\$57,380
Appropriation	Increase
Account 501000 – Overtime	\$28,690
Account 561420 – Office Furn and Fixt	<u>28,690</u>
Total Appropriation	\$57,380

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 afore-mentioned project, provided there are no changes to county share amounts; and be it further

RESOLVED, that the Erie County Legislature hereby approves that any additional contributory funds subsequently obtained for this Re-entry Resource Center is hereby authorized to be used for this project; 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, Office of the Sheriff, Department of Public Works and the Division of Budget and Management.

(4-2) Legislators Dixon & Rath voted in the negative.

3. COMM. 19E-21 (2019)
SHERIFF

WHEREAS, the Erie County Sheriff's Office (ECSO) has been awarded an explosives detection canine grant from the New York State Department of Homeland Security and Emergency Services in the amount of \$50,000.00; and

WHEREAS, the grant is awarded specifically to agencies with established Explosive Detection Canine units; and

WHEREAS, these funds will be used to purchase equipment that will enhance the Sheriff's Office ability to respond to terrorist attacks and minimize the danger to the officers assigned to the Explosive Detection Canine unit; and

WHEREAS, this funding will not have an impact on the 2019 County Budget.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize the County Executive and the Erie County Sheriff's Office to enter into an agreement with the New York State Department

of Homeland Security and Emergency Services to accept \$50,000.00 in grant funding for explosive detection canine training and equipment; and be it further

RESOLVED, the Erie County Legislature authorizes the Erie County Sheriff's Office and Division of Budget and Management adjust accounts:

**ERIE COUNTY SHERIFF'S OFFICE
FY2018 Explosive Detection Canine Grant T191289**

<u>REVENUE</u>		<u>INCREASE</u>
41400	Federal Revenue	<u>\$50,000.00</u>
<u>APPROPRIATION</u>		<u>INCREASE</u>
510200	Training & Education	\$20,000.00
530000	Other Expenses	\$12,000.00
561410	Lab & Tech	\$18,000.00
	Total Revenue	<u>\$50,000.00</u>

and be it further

RESOLVED, the Division of Budget and Management is authorized to make any technical adjustments necessary to effectuate this transfer should there be any unforeseen issues; and be it further

RESOLVED, the Erie County Comptroller's Office is hereby authorized to release the designated funds and make payments as necessary; and be it further

RESOLVED, Certified copies of this resolution shall be forwarded to the County Executive, County Attorney, County Comptroller, Division of Budget and Finance, the Purchasing Department, the Erie County Comptroller, Erie County Emergency Services, and the Sheriff's Office for implementation.

(6-0)

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

LEGISLATOR RESOLUTIONS

Item 28 – MR. BRUSO presented the following resolution and moved for immediate consideration and approval. MR. LORIGO seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 198

RE: Standard Work Day Resolution
for Elected Official
(INTRO. 20-1)

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

WHEREAS, the New York State and Local Employees' Retirement System requires that a standard work day be established for retirement credit purposes; and

WHEREAS, in order to be in full compliance with Regulation 315.4, legislative action is warranted.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby establishes the following as standard work days for elected officials and will report the following Standard Work Day to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the Clerk of the Legislature:

Title	Name	Standard Work Day	Term Begins/Ends	Participates in Employer's Time Keeping System	Days/ Month (Based on Record of Activities)
Legislator	Howard J. Johnson, Jr.	6	04/25/2019 - 12/31/2019	N	27.72

and be it further

RESOLVED, that a certified copy of this resolution be posted on the Legislature's website pursuant to rules promulgated by the New York State Comptroller, and a copy shall be transmitted by the Clerk of the Legislature to the New York State Comptroller, Erie County Commissioner of Personnel and to Laurie Haug, Senior Payroll and Roster Clerk – Erie County Department of Personnel.

Item 29 – MR. BRUSO presented the following resolution and moved for immediate consideration. MR. RATH seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 199

RE: Support for State Laws Providing Tax Credit to Landowners who Provide Access to their Land for Use as Snowmobile Trails (INTRO. 20-2)

**A RESOLUTION TO BE SUBMITTED BY
LEGISLATOR RATH & MILLS**

WHEREAS, according to the New York State Snowmobile Association's 2011 economic impact study of the snowmobile industry in NYS, Erie County residents represented one of the largest groups of active snowmobilers in the State; and

WHEREAS, with over 10,000 miles of public snowmobile trails across NYS, snowmobiling creates a significant economic benefit for both the state and the local economy. In 2011, direct spending by snowmobilers accounted for \$434 million and indirect spending, like lodging and transportation, accounted for \$868 million; and

WHEREAS, snowmobile enthusiasts and visitors know that Erie County is an open and welcoming environment for this activity; and

WHEREAS, much of the trail work conducted on snowmobile trails in Erie County, such as trail grooming and maintenance, is conducted by our local snowmobile clubs and most of the land used for trails is privately owned; and

WHEREAS, the New York State Senate and Assembly have been presented with legislation to amend the tax law to provide a maximum credit of \$750 per year, based on feet of trail, to land owners that allow snowmobile trails to cross onto their property.

NOW, THEREFORE, BE IT

RESOLVED, this honorable body hereby expresses its support for Senate Bill 6017 and its companion bill in the Assembly A1632, which seeks to provide a tax credit to property owners who allow state-funded snowmobile trail access on their lands, at \$0.10 per linear foot up to a maximum of \$750 in credit per year; and be it further

RESOLVED, that certified copies of this resolution be sent to the Western New York Delegation to the New York State Legislature, Governor Andrew Cuomo, and any other party deemed necessary and proper.

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

COMMUNICATIONS DISCHARGED FROM COMMITTEE

Item 30 – MR. BRUSO moved to discharge the PUBLIC SAFETY COMMITTEE of further consideration of COMM. 19E-6 (2019). MR. MEYERS seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 200

RE: Reallocation from Division of
Correctional Health 2019 Budget to
Purchase Medical & Office Equipment
(COMM. 19E-6, 2019)

WHEREAS, and the Division of Correctional Health (DoCH) has identified needs within medical units to provide inmate health; and

WHEREAS, the DoCH will purchase ultrasound machines, and bladder scanner machine, and additional AEDs for both facilities; and

WHEREAS, the division will also purchase new dental chairs for the facilities; and

WHEREAS, correctional health needs to upgrade and replace computers, and record and reference storage units within the medical units of the holding center and the correctional facility; and

WHEREAS, Division of Correctional Health is also seeking to transfer funds to perform general maintenance and repair to the units; and

WHEREAS, DoCH will utilize the Purchasing Department and the state bidding list to acquire the new items; and

WHEREAS, the medical units are operational 24-hours a day and experience high traffic throughout the hallways and exam rooms. With the extensive traffic, the walls, entryways, and floors wear quickly and sustain damage; and

WHEREAS, these are funds that have been approved in the 2019 Budget and will have no fiscal impact to the County.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the reallocation of funds from Account #516020 to the designated accounts; and be it further

RESOLVED, that Budget and Management Division is hereby authorized to transfer an amount not to exceed \$163,299.97 between the following accounts:

ERIE COUNTY SHERIFF'S OFFICE
DIVISION OF CORRECTIONAL HEALTH

<u>ACCOUNT #</u>		<u>DECREASE</u>
516020	Professional Services	<u>\$163,299.97</u>
	TOTAL	\$163,299.97
<u>ACCOUNT #</u>		<u>INCREASE</u>
561410	Lab and Tech	\$80,299.97
506200	Maintenance and Repair	\$5,000.00

561420	Furniture		<u>\$78,000.00</u>
		TOTAL	\$163,299.97

and be it further

RESOLVED, the Division of Budget and Management is authorized to make any technical adjustments necessary to effectuate this transfer should there be any unforeseen issues; and be it further

RESOLVED, the Erie County Comptroller's Office is hereby authorized to release the designated funds and make payments as necessary; and be it further

RESOLVED, certified copies of the approved resolution shall be forwarded to the County Executive, Division of Budget and Management, Purchasing Department, the Erie County Comptroller's Office, the Chief of Administration of the Sheriff Office, and the Sheriff's Office Division of Correctional Health for implementation.

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

CARRIED UNANIMOUSLY.

Delete the Communication in its Entirety and Replace with the Following:

WHEREAS, and the Division of Correctional Health (DoCH) has identified needs within medical units to provide inmate health; and

WHEREAS, the DoCH will purchase ultrasound machines, and bladder scanner machine, and additional AEDs for both facilities; and

WHEREAS, the transferred funds will be utilized to expand annual medical training and competencies using simulated patient training scenarios; and

WHEREAS, the division will also purchase new dental chairs for the facilities; and

WHEREAS, correctional health needs to upgrade and replace computers, and record and reference storage units within the medical units of the holding center and the correctional facility; and

WHEREAS, Division of Correctional Health is also seeking to transfer funds to perform general maintenance and repair to the units; and

WHEREAS, DoCH will utilize the Purchasing Department and the state bidding list to acquire the new items; and

WHEREAS, the medical units are operational 24-hours a day and experience high traffic throughout the hallways and exam rooms. With the extensive traffic, the walls, entryways, and floors wear quickly and sustain damage; and

WHEREAS, these are funds that have been approved in the 2019 Budget and will have no fiscal impact to the County.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the reallocation of funds from Account #516020 to the designated accounts; and be it further

RESOLVED, that Budget and Management Division is hereby authorized to transfer an amount not to exceed \$283,299.97 between the following accounts:

ERIE COUNTY SHERIFF'S OFFICE
DIVISION OF CORRECTIONAL HEALTH

<u>ACCOUNT #</u>		<u>DECREASE</u>
516020	Professional Services	<u>\$283,299.97</u>
	TOTAL	\$283,299.97

<u>ACCOUNT #</u>		<u>INCREASE</u>
561410	Lab and Tech	\$200,299.97
506200	Maintenance and Repair	\$5,000.00
561420	Furniture	<u>\$78,000.00</u>
	TOTAL	\$283,299.97

and be it further

RESOLVED, the Division of Budget and Management is authorized to make any technical adjustments necessary to effectuate this transfer should there be any unforeseen issues; and be it further

RESOLVED, the Erie County Comptroller's Office is hereby authorized to release the designated funds and make payments as necessary; and be it further

RESOLVED, certified copies of the approved resolution shall be forwarded to the County Executive, Division of Budget and Management, Purchasing Department, the Erie County Comptroller's Office, the Chief of Administration of the Sheriff Office, and the Sheriff's Office Division of Correctional Health for implementation.

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

CARRIED UNANIMOUSLY.

Item 31 – MR. BRUSO moved to discharge the FINANCE & MANAGEMENT COMMITTEE of further consideration of COMM. 19E-7 (2019). MR. LORIGO seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 201

RE: 2019 Revenue Anticipation Note
Resolution
(COMM. 19E-7, 2019)

RESOLUTION DELEGATING TO THE COUNTY COMPTROLLER THE POWERS TO AUTHORIZE THE ISSUANCE OF \$50,000,000 REVENUE ANTICIPATION NOTES OF THE COUNTY OF ERIE, NEW YORK, OR SO MUCH THEREOF AS MAY BE NECESSARY, IN ANTICIPATION OF THE RECEIPT OF CERTAIN REVENUES FOR THE FISCAL YEAR ENDING DECEMBER 31, 2019, AND TO PRESCRIBE THE TERMS, FORM AND CONTENTS, AND PROVIDE FOR THE SALE AND CREDIT ENHANCEMENT OF SUCH NOTES.

RESOLVED BY THE LEGISLATURE OF THE COUNTY OF ERIE, NEW YORK, AS FOLLOWS:

Section 1. Pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"), the power to authorize the issuance of Revenue Anticipation Notes (herein called "Notes") of the County of Erie, in the State of New York (the "County" and "State", respectively), in the aggregate principal amount of not to exceed \$50,000,000, and any notes in renewal thereof, is hereby delegated to the County Comptroller, as chief fiscal officer of the County.

Section 2. The Notes shall be issued in anticipation of the collection or receipt of revenues due to the County in the 2019 fiscal year from (i) State Social Services aid, (ii) Social Services aid from the United States government; and (iii) the collection or receipt of revenues due and payable the County in the 2019 fiscal year from sales and compensating use taxes; the proceeds of such Notes shall be used only for the purposes of paying the current expenses of the County for said fiscal year payable from the revenues in anticipation of which they are issued.

Section 3. The Notes shall contain the recital of validity prescribed by Section 52.00 of the Law and shall be general obligations of the County, and the faith and credit of the County shall be pledged to the punctual payment of the principal of and interest on the Notes and, unless the Notes are otherwise paid or payment provided for, an amount sufficient for such payment shall be inserted in the budget of the County and a tax sufficient to provide for the payment thereof shall be levied and collected.

Section 4. Subject to the provisions of this resolution and the Law, and pursuant to Sections 50.00, 56.00, 60.00, and 168.00 of the Law, inclusive, the powers to prescribe the terms, form and contents, and all other powers or duties pertaining or incidental to the sale and issuance of the Notes authorized pursuant hereto, or any renewals thereof, including the power to determine the respective amounts of Notes to be issued in anticipation of said respective revenues specified in Section 2 hereof, and the power to enter into agreements for credit enhancement for the Notes, are hereby delegated to the Comptroller, as chief fiscal officer of the County.

Section 5. This resolution shall take effect immediately.

MR. BRUSO moved to approve the item. MR. LORIGO seconded.

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

AYES: MS. DIXON, MR. LORIGO, MR. MILLS, MR. RATH, CHAIR BASKIN, MR. BRUSO, MS. CHIMERA, MR. HARDWICK, MR. JOHNSON, MR. LOUGHRAN, and MR. MEYERS. (AYES: 11; NOES: 0)

CARRIED UNANIMOUSLY.

SUSPENSION OF THE RULES

Item 32 - MR. BRUSO moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 20E-22 from SHERIFF Re: Recommendation to the EC Corrections Specialist Advisory Board

Received and referred to the PUBLIC SAFETY COMMITTEE.

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

GRANTED.

COMM. 20E-23 from COUNTY EXECUTIVE Re: Assignment of Easements to Bethlehem Steel Redevelopment - Dona St., Lackawanna

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

COMMUNICATIONS FROM ELECTED OFFICIALS

FROM LEGISLATOR HARDWICK

Item 34 – (COMM. 20E-1) Request for Information from Western Regional Off-Track Betting Corporation

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE COMPTROLLER

Item 35 – (COMM. 20E-2) Report of Apportionment & Distribution of Net Collections from Sales Tax - 06/2019 - 08/2019

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE COUNTY EXECUTIVE

Item 36 – (COMM. 20E-3) 2020 Tentative EC Budget

Received and referred to the FINANCE & MANAGEMENT/BUDGET COMMITTEE.

FROM THE SHERIFF

Item 37 – (COMM. 20E-4) Requesting Authorization to Accept FY2018 Tactical Team Grant

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM THE COUNTY CLERK

Item 38 – (COMM. 20E-5) Letter to Legislature Regarding EC Clerk's 2020 Budget Requests

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE COUNTY EXECUTIVE

Item 39 – MR. BRUSO presented the following resolution and moved for immediate consideration and approval. MR. RATH seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 202

RE: Pedestrian & Bicycle Safety
Improvement Project - Casey Rd.,
Amherst
(COMM. 20E-6)

WHEREAS, The Town of Amherst (“Town”) has a Federal Aid construction project for pedestrian and bicycle safety improvements on a County-owned roadway, Casey Road (CR 295); and

WHEREAS, The Town and the County of Erie have a Federal Aid inter-municipal agreement authorized by the legislature in COMM18E-7(2018); and

WHEREAS, the pedestrian facilities, bicycle lanes and safety improvements are being constructed by this Town-sponsored Federal Aid project; and

WHEREAS, the rehabilitation of the travel lanes on this County Road are not a part of this Town-sponsored project and need remediation; and

WHEREAS, the Department of Public Works requests authorization for the County Executive to enter into a separate inter-municipal supplying the funds for remediating the travel lanes to the Town as a component of their Federal Aid project.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be authorized to execute a separate inter-municipal agreement between the County of Erie and the Town of Amherst, distributing the necessary funds to the Town, to remediate the travel lanes on Casey Road; and be it further

RESOLVED, the travel lanes of Casey Road be remediated from Casey Middle School to Paradise Road as a part of the Town's Federal Aid Project PIN 5762.35-Casey Rd Pedestrian & Bicycle Safety Improvement Project; and be it further

RESOLVED, that the funds equaling \$135,000, available in 2018 Capital Overlay, SAP Project B.18050 be disbursed to the Town of Amherst for said work; and be it further

RESOLVED, that this agreement is contingent on the Town of Amherst's Board meeting also approving the change order and the inter-municipal agreement; and be it further

RESOLVED, the Clerk of the Legislature is directed to send five (5) certified copies of this resolution to the Department of Public Works; Commissioner's Office and sends one certified copy of the resolution to the County Executive and the County Attorney.

Item 40 – (COMM. 20E-7) Appointments to the Buffalo & EC Public Library Board of Directors

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

Item 41 – (COMM. 20E-8) Legislative Acceptance of the EC Parks Master Plan Update

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 42 – (COMM. 20E-9) Unified Court System - 2019-2020 Tenant Work Improvements

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 43 – (COMM. 20E-10) DoHS & Emergency Services Fire Safety Division - Transfer of Funds

Item 44 – (COMM. 20E-11) Transfer of Homeland Security Vehicles

Item 45 – (COMM. 20E-12) Authorization to Accept Grant Funding for the FY18 Technical Rescue & Urban Search & Rescue Grant

Item 46 – (COMM. 20E-13) Authorization to Accept Grant Funding for the FY17 Hazmat Grant

Item 47 – (COMM. 20E-14) Authorization to Accept Grant Funding for the FY18 Critical Infrastructure Grant

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

Item 48 – (COMM. 20E-15) Authorization to Sign First Amendment of Intermunicipal Agreement for Establishment of the Lake Erie Watershed Protection Alliance

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 49 – (COMM. 20E-16) Authorization to Extend Lease Agreement with ECIDA

Item 50 – (COMM. 20E-17) EC Court Building - Exterior Repair & Waterproofing

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

Item 51 – (COMM. 20E-18) SUNY Erie Campus-Wide 2019 Solar Power Purchase Agreement

Item 52 – (COMM. 20E-19) SUNY Erie 2019 Replacement of Emergency Generators - Agreement Amendment

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

Item 53 – (COMM. 20E-20) ECSD No. 3 - Southtowns Solids Handling Area Repairs - Bid Opening

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 54 – MR. BRUSO presented the following resolution and moved for immediate consideration and approval. MR. JOHNSON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 203

RE: Authorization to Enter into Contract -
Specialized Raise the Age Training for
Probation Officers
(COMM. 20E-21)

WHEREAS, Erie County Probation Department has previously implemented the cognitive behavioral intervention (CBI) “Forward Thinking Interactive Journaling” in its juvenile division as part of “Raise the Age (RTA)” legislation which established new regulations pertaining to the supervision of all juvenile and adolescent offenders; and

WHEREAS, Probation Officers will need to obtain additional specialized training to comply with new Raise the Age programming including the “Forward Thinking Interactive Journaling” CBI for juvenile and Adolescent Offenders; and

WHEREAS, the Erie County Probation Department has on-going facilitator training needs for its juvenile Probation Officers to insure continuity of service delivery and fidelity to the “Forward Thinking Interactive Journaling” CBI; and

WHEREAS, The Train for Change, Inc. is the sole provider of the CBI “Forward Thinking Interactive Journaling Training”; and

WHEREAS, Training a team of Probation Officers to serve as Facilitator Trainers is more cost effective than procuring training services from the sole provider moving forward.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Executive is hereby authorized to enter into a \$2,900 contract with Train for Change, Inc., (a division of The Change Companies), 5221 Sigstrom Drive, Carson City, Nevada 89706; and be it further

RESOLVED, that the Erie County Legislature hereby waives the procedures outlined in Section 19.08 of the Erie County Administrative Code regarding professional services contracts because the contractor is a sole source provider; and be it further

RESOLVED, and if necessary the County Executive is hereby authorized to execute amendments to this contract to effectuate adjusted funding levels; and be it further

RESOLVED, that certified copies of this resolution be sent to the: County Executive's Office, Division of Budget and Management, County Comptroller, County Attorney, and the Probation Department.

COMMUNICATIONS FROM THE DEPARTMENTS

FROM THE COMPTROLLER'S OFFICE

Item 55– (COMM. 20D-1) Letter to EC Dept. of Mental Health Regarding Audit of Dept. - 07/18 - 12/2018

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

FROM THE COMMISSIONERS, BOARD OF ELECTIONS

Item 56 – MR. BRUSO presented the following resolution and moved for immediate consideration and approval. MR. JOHNSON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 204

RE: Request to Accept Network Intrusion System
(COMM. 20D-2)

WHEREAS, the New York State Board of Elections is the beneficiary of a grant, the purpose of which is to implement security systems within elections across the State of New York; and

WHEREAS, an arrangement has been undertaken by the New York State Board of Elections with the Center for Internet Security (CIS) to offer to five counties network monitoring services through a solution developed by the NSA referred to as “Albert”; and

WHEREAS, through this arrangement the Erie County Board of Elections has the opportunity to receive and install the Albert intrusion detection system on its data points with no financial obligation or cost to the County of Erie; and

WHEREAS, the version of Albert proposed to be installed would provide security alerts for both traditional and advanced network threats; and

WHEREAS, this intrusion detection system would be fully managed with the expertise of the CIS full-time Security Operations Center (SOC) to provide enhanced monitoring capabilities and notifications of malicious activity; and

WHEREAS, the Division of Information and Support Services for the County of Erie has reviewed the proposed implementation of the Albert intrusion detection system for the Board of Elections and has determined that the installation of this system can be accomplished without adversely affecting its network.

NOW, THEREFORE, BE IT

RESOLVED that the Erie County Legislature hereby accepts the intrusion detection system referred to as “Albert” as offered through an arrangement with the New York State Board of Elections for the purpose of protecting local election data points and services at the Erie County Board of Elections; and be it further

RESOLVED that the Commissioners of the Erie County Board of Elections are hereby authorized to execute any memorandum of understanding necessary for the implementation of the Albert system; and be it further

RESOLVED that certified copies of this resolution shall be transmitted to the Commissioners of the Erie County Board of Elections, the Director of the Division of Information and Support Services and the New York State Board of Elections.

FROM THE DEPARTMENT OF LAW

Item 57 – (COMM. 20D-3) Transmittal of New Claims Against EC

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE DEPARTMENT OF ENVIRONMENT & PLANNING

Item 58 – (COMM. 20D-4) 2019 Annual Report - EC Commits to Paris

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE DEPARTMENT OF PROBATION

Item 59 – (COMM. 20D-5) EC Conditional Release Program

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM THE COMMISSIONERS, BOARD OF ELECTIONS

Item 60 – MR. BRUSO presented the following resolution and moved for immediate consideration and approval. MR. JOHNSON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 205

RE: EC BoE 2019 Budget Revisions
(COMM. 20D-6)

WHEREAS, on January 24, 2019, NYS Senate (S. 01102) and Assembly (A.780) bills which relate to early voting in New York State were signed into law; and

WHEREAS, the law requires that beginning the tenth day prior to any election and ending on and including the second day prior to election all persons duly qualified and registered to vote shall be permitted to vote; and

WHEREAS, to carry out the nine days of Early Voting in New York State beginning on October 26, 2019 and running through November 3, 2019 voting systems are needed for Erie County's early voting sites; and

WHEREAS, New York State has provided eligible reimbursement funding to Erie County up to the amount of \$872,999.60 through the Early Voting Aid to Localities Grant; and

WHEREAS, the Erie County Board of Elections (ECBOE) in order to successfully conduct early voting, must enter into a contract with the New York State Board of Elections for the purpose of purchasing and securing additional voting systems, electronic poll books systems, early voting locations' leases, staffing and training; and

WHEREAS, the purchase of such equipment and services are eligible for one-hundred percent (100%) reimbursement from the State of New York up to the amount of \$872,999.60.

NOW, THEREFORE, BE IT

RESOLVED, that authorization is granted for the Board of Elections to enter into an agreement with the NYS Board of Elections in an amount not to exceed \$872,999.60; and be it further

RESOLVED, that the ECBOE will submit necessary support for State reimbursement for 100% of the purchase price of eligible equipment and services; and be it further

RESOLVED, that the Erie County legislature approves that the ECBOE execute all necessary contracts with approved vendors of election equipment and services necessary to conduct Early Voting in Erie County; and be it further

RESOLVED, that authorization is hereby granted to the Division of Budget and Management to create a new grant and budget and make the following adjustments to the 2019 Budget of the ECBOE:

Erie County Board of Elections
Fund 281, Funds Center 1500020
150EARLYVOTING1920
4/12/2019 – 12/31/2020

REVENUE	Budget
Account 409000 State Aid Revenues	\$872,999.60
TOTAL REVENUE	\$872,999.60
APPROPRIATIONS	Budget
Account 561410 Lab & Technical Equipment	\$550,000.60
Account 516020 Professional Service Contracts	\$252,999.00
Account 545000 Rental Charges	\$ 70,000.00
TOTAL APPROPRIATIONS	\$872,999.60

and be it further

RESOLVED, that the Director of Budget and Management is hereby authorized to adjust budget lines as required to comply with the conditions and purpose outlined in the Early Voting Aid to Localities Grant Project contract; and be it further

RESOLVED, that two (2) certified copies of this resolution be forwarded to the ECBOE, one (1) certified copy be forwarded to Division of Budget and Management, the Office of the Comptroller, the County Attorney Office and the Division of Purchase.

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES

FROM THE NYSDEC

Item 61 – (COMM. 20M-1) Invitation for Public Comment - Brownfield Cleanup Program at 65 Lake Avenue LLC, Lancaster

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE MINORITY & WOMEN BUSINESS ENTERPRISES UTILIZATION ADVISORY BOARD

Item 62 – (COMM. 20M-2) Meeting Minutes for Meeting Held on 7/29/2019

Received and referred to the MINORITY & WOMEN BUSINESS ENTERPRISE COMMITTEE.

FROM EMILY A. BENFER

Item 63 – (COMM. 20M-3) Additional Information Regarding Health & Human Services Committee Meeting - 10/3/19

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

FROM MELINDA S. CAMERON, MD & DENNIS Z. KUO, MD

Item 64 – (COMM. 20M-4) Additional Information Regarding Health & Human Services Committee Meeting - 10/3/19

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

FROM THE NFTA

Item 65 – (COMM. 20M-5) NFTA Board Minutes for Meeting Held on 7/25/2019

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM ROBERT M. CIESIELSKI

Item 66 – (COMM. 20M-6) Letter to Legislature Concerning Projects in EC Involving Wind, Solar & Hydro Energy

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM RUPP BAASE PFALZGRAF CUNNINGHAM LLC.

Item 67 – (COMM. 20M-7) Copy of Letter to US DOJ Regarding United States v. Tonawanda Coke Corp.

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

ANNOUNCEMENTS

Item 68 – Chair Baskin announced that the schedule for committee meetings to be held on Thursday, October 17, 2019, has been distributed.

MEMORIAL RESOLUTIONS

Item 69 – Legislator Dixon requested that when the Legislature adjourns, it do so in memory of James R. DeSantis and Gary Johnson.

Item 70 – Legislator Loughran requested that when the Legislature adjourns, it do so in memory of Carolyn Jean Reynolds.

Item 71 – Legislator Rath requested that when the Legislature adjourns, it do so in memory of Carol Grieco.

Item 72 – Legislator Hardwick requested that when the Legislature adjourns, it do so in memory of J. Joseph McNeill and Joseph Calabrese, Sr.

ADJOURNMENT

Item 73 - 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, October 24, 2019 at 2:00 p.m. Eastern Standard Time. MR. RATH seconded.

CARRIED UNANIMOUSLY.

CHAIR BASKIN declared the Legislature adjourned until Thursday, October 24, 2019 at 2:00 p.m. Eastern Standard Time.

ROBERT M. GRABER
CLERK OF THE LEGISLATURE