

OCTOBER 4, 2007

GOVERNMENT AFFAIRS COMMITTEE  
REPORT NO. 12

ALL MEMBERS PRESENT.

1.       RESOLVED, the following item is hereby received and referred to the PERSONNEL COMMITTEE:
- a.       INTRO 1-4 (2007)  
**IANNELLO:** Resolution Regarding Wireless Phones  
(5-0)

2.       RESOLVED, the following item is hereby received and referred to the ENERGY & ENVIRONMENT COMMITTEE:

a.       COMM. 14M-5 (2007)  
**BUFFALO OLMSTED PARKS CONSERVANCY:** Park Permit and Related Fees  
(5-0)

3.       RESOLVED, the following items are received and filed:

a.       INTRO 1-1 (2007)  
**KONST, IANNELLO, LOCKLEAR, REYNOLDS & LOUGHRAN:** Twenty-Four Hour County Vehicles  
(5-0)

b.       COMM. 6M-6 (2007)  
**ERIE COUNTY DIRECTOR - WESTERN REGION OTB:** Request to Present Western Region OTB Update to Legislature  
(5-0)

c.       COMM. 7M-10 (2007)  
**NYSAC:** Comptroller Opinion on Election Chargebacks  
(5-0)

d.       COMM. 8M-1 (2007)  
**SHARON S. TOWNSEND, ADMINISTRATIVE JUDGE - EIGHTH JUDICIAL DISTRICT:** Family Court Building  
(5-0)
- e.       COMM. 9M-8 (2007)  
**BUFFALO URBAN DEVELOPMENT CORPORATION:** 2006 Annual Report  
(5-0)

f.       COMM. 9M-12 (2007)  
**NYSAC:** NYS Commission on Local Government Efficiency & Competitiveness  
(5-0)

g.       INTRO 10-6 (2007)  
**WHYTE:** Establishment of Neighborhood Empowerment Teams  
(5-0)

h.       INTRO 11-3 (2007)  
**REYNOLDS, MARINELLI, WHYTE & KENNEDY:** In Support of the Employee Free Choice Act  
(5-0)

i.       COMM. 11D-9 (2007)  
**INFORMATION & SUPPORT SERVICES:** Twenty-Four Hour Vehicle Assignments  
(5-0)

j.       COMM. 12E-60 (2007)  
**WHYTE:** Black Rock Canal Project  
(5-0)

k.       COMM. 12M-13 (2007)  
**BUFFALO COMMON COUNCIL:** Resolution Re: Niagara River Boardwalk  
(5-0)

l.       COMM. 13D-2 (2007)  
**COUNTY ATTORNEY:** Codification Services Proposal - Legislation of Erie County  
(5-0)

m.       COMM. 13D-9 (2007)  
**COUNTY ATTORNEY:** Transmittal of New Claims Against Erie County  
(5-0)

n.       COMM. 14D-1 (2007)  
**COUNTY ATTORNEY:** Transmittal of New Claims Against Erie County  
(5-0)

- o. COMM. 16D-1 (2007)  
**COUNTY ATTORNEY:** Codification of the Legislation of Erie County (5-0)
  
- p. COMM. 17M-10 (2007)  
**NYS COMMISSION ON LOCAL GOVERNMENT EFFICIENCY AND COMPETITIVENESS:** Local Initiatives by County (5-0)
  
- 4. INTRO 14-2 (2007) **AS AMENDED**  
**IANNELLO, LOUGHRAN, REYNOLDS, WHYTE, MARINELLI, KENNEDY, KOZUB, LOCKLEAR & MILLS**  
WHEREAS, Erie County has a wireless policy providing wireless phones to department heads, elected officials and to County personnel to insure employee safety and to conduct communications while doing County business; and  
  
WHEREAS, in December 2005, according to records, the County maintained and paid for 691 wireless devices, 90 of which are Blackberries; and  
  
WHEREAS, vendor contracts provided for unlimited use within the network, with roaming charges appearing as additional costs and other additional features not needed to conduct County business; and  
  
WHEREAS, these unnecessary, additional features are deemed to be non-cost effective in light of Erie County's fiscal constraints with a Fiscal Stability Authority in place at the time; and  
  
WHEREAS, insufficient coverage was observed in specific geographic areas of Erie County, causing lost calls and at certain times leaving employees out of touch; and  
  
WHEREAS, the Department of Information and Support Services (DISS) is responsible for telecommunications within Erie County Government; and  
  
WHEREAS, a 2005 audit found inconsistencies in wireless assignments and inaccuracies in billing statements; and  
  
WHEREAS, said audit also indicates numerous instances whereby County employees appeared to possess two, and in some cases more, wireless devices; and

WHEREAS, all departments are consistently obligated to reduce spending as an obligation to the residents of Erie County and for the integrity of our purposes as legislators; and

WHEREAS, the above factors resulted in changing wireless networks for cost effectiveness, improved services and more efficient network coverage; and

WHEREAS, after a proper bidding process it was determined to enter into a contract with Verizon Wireless Services in August of 2006; and

WHEREAS, this contractual change resulted in the purchase of new cellular devices creating a surplus of previously used wireless devices functional only with the previous supplier; and

WHEREAS, the Division of Purchase is in charge of all Erie County surplus and has stated that at the current time there exists approximately 50+ cell phones which can no longer be used with our current service; and

WHEREAS, it is the intent of this body to be concerned with the quality of life of our constituents by supporting the human service agencies of Erie County in any way possible; and

WHEREAS, one of those agencies, the Family Justice of Erie County, Inc. brings professionals and services together under one roof to help victims of family violence with an efficient and user-friendly system that improves the delivery of services to victims, and increases victim safety as well as offender accountability; and

WHEREAS, the Family Justice of Erie County offers onsite services in partnership with approximately thirty other human service agencies including Erie County Social Services and the Erie County Sheriffs Department; and

WHEREAS, cell phones by law still have the ability to dial 911 emergency calls.

NOW, THEREFORE, BE IT

RESOLVED, that it would be in the public interest to provide these unused, but functional, cell phones (without cost to the service provider or the County of Erie) to individuals who are victims or fear they are targeted to become victims of domestic violence but do not have the resources to afford a cell phone; and be it further

RESOLVED, that the Erie County Legislature hereby approves the donation of these 50+ cellular devices from the Division of Purchase to the Family Justice of Erie County organization to be distributed

to those victims or potential victims of Domestic Violence as they or their partnering agencies deem necessary and appropriate.  
(5-0)

5. INTRO 14-8 (2007)  
**WHYTE, MARINELLI, LOCKLEAR, KENNEDY, KOZUB, LOUGHRAN and MILLS**  
WHEREAS, the Niagara River is one of our region's greatest assets, one which residents throughout Erie County value and utilize; and

WHEREAS, people living in waterfront neighborhoods, from Southern to Northern Erie County desire increased access to the waterfront for recreational activities such as fishing, boating, and swimming, and

WHEREAS, several points of entrance to the Niagara River exist within the City of Buffalo, including those along Niagara Street, Porter Avenue, and the Outer Harbor; and

WHEREAS, multiple projects are currently being pursued at each entrance, designed to bring increased accessibility to the waterfront for residents and visitors alike; and

WHEREAS, a Niagara River boardwalk would likely increase traffic at all waterfront destinations and satisfy many recreational activities including fishing, bird watching, running, and biking, as well as create opportunities for historical and educational displays, and

WHEREAS, plans for a Niagara River boardwalk are already underway and have received support from numerous community leaders and elected officials; and

WHEREAS, funding for this and other waterfront projects will require local, state, federal, and private investment; and

WHEREAS, the Common Council of the City of Buffalo has reviewed plans for a Niagara River boardwalk and have similarly called for state and federal support of a boardwalk.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature joins the Common Council of the City of Buffalo in requesting the consideration of the WNY State Delegation, Congresswoman Louise Slaughter, Congressman Brian Higgins, and New York State Senators Hillary Clinton and Charles Schumer.  
(5-0)

6. COMM. 14E-25 (2007)

**COUNTY EXECUTIVE**

WHEREAS, Erie County requires the provision of services to support the installed applications of its Enterprise Resource System (SAP-ERP) and to provide developmental service where applicable; and

WHEREAS, the Erie County Division of Information and Support Services needs to retain a Professional Services Company to provide described support for the production operation of the County Enterprise Resource System, SAP; and

WHEREAS, support has been previously provided by IBM Corporation under contract that expired June 30, 2007; and

WHEREAS, this support is critical to the day to day functioning of the SAP applications until such time Erie County provides funding for appropriate training to support the applications internally with County staff; and

WHEREAS, the Division of Information and Support has submitted a request for an efficiency grant to the Erie County Fiscal Stability Authority to fund the training as described above and said grant request was rejected; and

WHEREAS, detailed specifications were developed by Division of Information and Support (DISS) management and solicited as RFP#07063VF; and

WHEREAS, the proposal requests were mailed to known vendors, advertised for in the Buffalo News, and posted on the Erie County web site; and

WHEREAS, a selection committee was established and a professional services selection process was completed in accordance with Section 19.08 of the Erie County Administrative Code; and

WHEREAS, representatives from the Office of the Comptroller, Office of Budget and Management, Office of Erie County Personnel and the Division of Information and Support Services have recommended that the County of Erie enter into a contract for the provision of services with the firm of GlobalQuest Solutions Inc., 435 Lawrence Bell Drive, Suite 7, Williamsville, New York 14221, a local, WMBE.

NOW, THEREFORE, BE IT

RESOLVED, that the Information Technology firm of GlobalQuest Inc. be retained for the provision of services required to operate the SAP system, and be it further

RESOLVED, that the County Executive be and is hereby is, authorized to execute an agreement with the firm of GlobalQuest Solutions Inc., Lawrence Bell Drive, Suite 7, Williamsville, New York 14221, to provide the required services to support the operation of the County Enterprise Application Systems, SAP subject to the approval as to form by the County Attorney’s Office and approval as to content by the Director of Information and Support Services; and be it further

RESOLVED, that funding for said contract is currently available in fund A.00238 to fund the balance of year 2007, and be it further

RESOLVED, that funding for years 2008 and beyond is to be requested as part of the annual operating budget for the Division of Information and Support (DISS) and is not to exceed \$830,000 per year plus a contingency amount of no greater than 10% of the annual contract price, and be it further

RESOLVED, that DISS budget for and implement an ongoing training plan that supports self sufficiency as described in the grant submission to the Erie County Fiscal Stability Authority and allows the County of Erie to reduce and/or eliminate the requirement for external support over the next three (3) year period, and be it further

RESOLVED, that the Clerk of the Legislature be directed to send two (2) certified copies of the resolution to the Director, Division of Information and Support Services, and one (1) certified copy each to the County Executive, Erie County Comptroller; Erie County Attorney; and to the Director of Budget, Management and Finance.  
(5-0)

7. COMM. 14E-31 (2007)  
**COUNTY EXECUTIVE**  
WHEREAS, for the past four years, the Counties of Erie and Niagara have been engaged in the creation and implementation of a regional planning initiative known as the Framework for Regional Growth (the “Framework”); and

WHEREAS, in order to insure smooth and efficient implementation of the policies and strategies set forth in the Framework, it is essential that geographic information systems (GIS) mapping data be developed and provided to municipalities involved in land use determinations throughout the bi-county region covered by the Framework; and

WHEREAS, in order to further insure prompt and effective implementation of the broad policies set forth in the Framework, it is essential that a specific policy manual be established for use by County officials involved in land use determinations throughout the bi-county region; and

WHEREAS, Erie County submitted a joint application with Niagara County to the New York State Department of State, under the Quality Communities Grant Program for the purpose of further refining Framework policies and improving GIS mapping elements; and

WHEREAS, New York State approved the application on December 29, 2006 and requires execution of New York State/Erie County grant agreements.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Executive is authorized to sign any and all agreements with the New York State Department of State for an amount not to exceed \$65,000 of which \$13,000 will be provided as In Kind Services under the provisions of the Quality Communities Grant Program Intermunicipal Growth Program in order to implement the policies and strategies set forth in the Framework for Regional Growth; and be it further

RESOLVED, that authorization is hereby provided to establish a grant for the period of 10/1/07 to 09/30/08 as follows:

<u>Revenue</u>		
409000	State Aid Revenue	\$52,000
	Total Revenue	\$52,000
<u>Appropriations</u>		
516020	Professional Services –	
	Contractual: Fees	<u>52,000</u>
	Total Appropriations	\$52,000

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 State approved funding requirements; and be it further

RESOLVED, that a certified copy of this resolution be forwarded to the County Executive; the Director of the Division of Budget and Management; the Commissioner of the Department of Environment and Planning; the County Comptroller; and the County Attorney.  
(5-0)

8. COMM. 17E-1 (2007)  
**COUNTY EXECUTIVE**  
WHEREAS, in 2002 a resolution, 8E-47, was approved at a session of the Erie County Legislature to honor Lieutenant Colonel Matt Urban, and

WHEREAS, that resolution instructed the County to recognize Lt. Col. Matt Urban by placing an honorary statue outside the entrance to the Edward A. Rath County Office Building, and

WHEREAS, due to funding and design constraints the memorial statue was never completed, and

WHEREAS, the total cost of the memorial is \$14,000 with funding from the Matt Urban Memorial Foundation accounting for \$4,000 and the remainder coming from the County of Erie, and

WHEREAS, it is the will of the County to finally complete the memorial honoring the most decorated combat soldier in United States history.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into the necessary agreements with La Cross Monuments, Inc. for the purpose of completing the memorial statue to Lt. Col. Matt Urban, and be it further

RESOLVED, that this Honorable Body approve La Cross Monuments, Inc. of Buffalo, NY to be the designer of the Lt. Col Matt Urban memorial, and be it further

RESOLVED, that the following budget adjustment be made to acknowledge the collection of unanticipated revenue in the Exemption Removal account and to utilize said funds for payment to the vendor

<b>Revenue:</b>		
<b>Fund Center 14010 – Countywide Monitored by Budget</b>		
	<u><b>Account</b></u>	<u><b>Increase</b></u>
	400010- Exemption Removal	\$10,000
<b>Appropriation:</b>		
<b>Fund Center 12210 – DPW Commissioner’s Office</b>		
	<u><b>Account</b></u>	<u><b>Increase</b></u>
	516020 – Pro Ser Cnt and Fees	\$10,000

and be it further

RESOLVED, that certified copies of this resolution be sent to the County Executive; County Comptroller; Director of the Division of Budget & Management; Legislator Dan Kozub; and Norm Skulski, President of the Matt Urban Memorial Foundation.  
(5-0)

**MARIA R. WHYTE**  
**CHAIRPERSON**