

January 30, 2014

GOVERNMENT AFFAIRS COMMITTEE
REPORT NO. 2

ALL MEMBERS PRESENT.
CHAIR MILLS PRESENT AS EX-OFFICIO MEMBER.

1. INTRO. 9-6 (2013)

HARDWICK & RATH

WHEREAS, unlike some states, New York State does not allow the opportunity for recall elections when a substantial number of voters feel that their representative is unable to perform his or her duties; and

WHEREAS, permitting recall elections would serve as an incentive to elected officials to be more receptive and responsive to their constituents; and

WHEREAS, permitting recall elections would serve as a disincentive to elected officials to behave unethically or illegally; and

WHEREAS, New York State Assembly Bill 5392 and Senate Bill 2214 seek to create the opportunity to recall an elected official upon presenting a petition signed by a number of constituents equal to twenty percent of the total votes cast in that official's election; and

WHEREAS, before becoming law, the New York State Constitution must be amended to permit a recall; and

WHEREAS, as such, the New York State Senate and Assembly must approve resolutions supporting the Constitutional amendment at two consecutive sessions, followed by the amendment being voted on as a public referendum; and

WHEREAS, passing New York State Assembly Bill 5392 and Senate Bill 2214 are the first steps in the process.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature supports New York State Assembly Bill 5392 and Senate Bill 2214, the first step in creating a Constitutional vehicle to permit a recall election; and be it further

RESOLVED, that a certified copy of this resolution be forwarded to Governor Andrew Cuomo, Assembly Speaker Sheldon Silver, Senate Majority Leaders Dean Skelos and Jeffrey Klein and the local delegation to the New York State Legislature.
(5-1) Legislator Miller-Williams voted in the negative.

2. COMM 2E-17 (2014)

COUNTY CLERK

WHEREAS, in order for the Erie County Clerk to continue his practice of hiring the most qualified individual to fill positions within the office; and

WHEREAS, a vacancy will exist in the position of Special Assistant to the County Clerk and due to the significant and growing workload and range of responsibilities this position requires a highly skilled individual, and

WHEREAS, it is necessary to recruit for the position of Special Assistant to the County Clerk at Job Group 10, Step 3; and

WHEREAS, all requests for authority to recruit at a higher increment level must be approved by both the Legislature and the County Executive; and

WHEREAS, funds are available in the personal services appropriations of the County Clerk's 2014 Adopted Budget and will have no additional costs to the County.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize a variable minimum, Step 3, for the position of Special Assistant to the County Clerk (position #9985) in Fund Center 11310; and be it further resolved

RESOLVED, that the Budget Director and Commissioner of Personnel make any changes necessary to effectuate the implementation of this resolution; and be it further

RESOLVED, that certified copies of this resolution be sent to the County Clerk, the Director of Budget and Management, the County Comptroller and the Commissioner of Personnel.
(6-0)

3. COMM 2E-18 (2014)

COUNTY CLERK

WHEREAS, the Erie County Clerk's Registrar Division is responsible for the recording, filing, indexing and maintaining of all records affecting title to real property; and

WHEREAS, once the original land records are recorded, the information entered into the Clerk's official records must be verified for complete accuracy; and

WHEREAS, a backlog in verifying the accuracy of the indexing information currently exists and necessary resources to eliminate this backlog are not available within the Clerk's 2014 adopted budget; and

WHEREAS, the Clerk's Office and CSEA have entered into a Memorandum of Understanding that would allow for the one-time outsourcing of this work to a qualified vendor; and

WHEREAS, the Clerk's Office/Registrar Division has identified a funding source to pay for this one-time project from unanticipated revenues recorded in the 2013 revenue lines of the Clerk's Office and designated for reappropriation into 2014.

NOW, THEREFORE, BE IT

RESOLVED, that upon approval of this resolution the Erie County Clerk will issue an RFP to identify the most qualified vendor to perform document verification services and will seek appropriate legislative approval before entering into any contract; and be it further

RESOLVED, that the Erie County Legislature does hereby authorize the allocation of the following funds from unanticipated revenues to adjust the Clerk's 2013 Budget as follows:

2013 Budget - County Clerk, Business Area 113
Fund Center 11310-Registrar Division

	<u>Increase</u>
415150 Recording Fees	\$130,000
516020 Professional Services, Contracts & Fees	\$130,000

; and be it further

RESOLVED, that the Erie County Legislature does hereby authorize the carry forward of this appropriation to the Clerk's 2014 Budget; and be it further

RESOLVED, that the Budget Director and Comptroller may make any changes necessary to effectuate the implementation of this resolution; and be it further

RESOLVED, that certified copies of this resolution be sent to the County Clerk, the Director of Budget and Management, and the County Comptroller.
(6-0)

4. COMM 2E-19 (2014)
COUNTY EXECUTIVE
WHEREAS, the New York State Office of Indigent Legal Services will provide a three year grant totaling \$592,541 to the County for the provision of indigent defense services at first appearance, and

WHEREAS, Erie County will contract with the Erie County Bar Association's Aid to Indigent Prisoners Society to deliver the services required through the grant,

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into contract with the State of New York Office of Indigent Legal Services, in the amount of \$592,541 over three years to provide from June 1, 2013 to May 31, 2016 to provide enhanced representation to indigent defendants at first appearance; and be it further

RESOLVED, that the County Executive is hereby authorized to enter into a three year subcontract with the Erie County Bar Association Aid to Indigent Prisoners Society to deliver said services from June 1, 2013 to May 31, 2016; and be it further

RESOLVED, that authorization is provided to establish grant funding in the County Attorney's Office as follows:

Erie County Attorney's Office
Grant Fund 281
June 1, 2013 to May 31, 2016

Revenue Increase	
Account 409000 - State Aid Revenue	\$592,541
Appropriation	Increase
Account 516602 - EC Bar Association	\$592,541

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 authorized personnel levels and county share amounts: and be it further

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

(6-0)

Kevin R. Hardwick
CHAIR