

February 11, 2010

PUBLIC SAFETY COMMITTEE
REPORT NO. 2

ALL MEMBERS PRESENT.

CHAIR MILLER-WILLIAMS PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items is hereby received and filed:
 - a. COMM. 2M-3 (2010)
US CUSTOMS & BORDER PROTECTION: “Letter to Legislature Expressing Interest in Meeting EC Representatives”
(4-0) Chair Miller-Williams & Legislator Kozub not present for vote.
 - b. COMM. 3M-35 (2010)
EC PRISONERS' RIGHTS COALITION: “Request to Address the Public Safety Committee Concerning EC Holding Center & Correctional Facility”
(4-0) Chair Miller-Williams & Legislator Kozub not present for vote.
2. INTRO 3-2 (2010)
MARINELLI, WHYTE, KOZUB, GRANT, AS AMENDED
MAZUR, LOUGHRAN, MILLER-WILLIAMS,
MILLS, KOZUB, KENNEDY, WALTER, BOVE,
DIXON & RATH

WHEREAS, secondhand dealers engage in the purchase and/or sale of secondhand articles of various types. Pawnbrokers loan money on deposit or pledge of personal property other than securities or printed evidences of indebtedness on the condition of selling it back at a stipulated price; and

WHEREAS, the Erie County Legislature finds that secondhand dealers and pawnbrokers provide a valuable service to the residents of Erie County. The Legislature also finds that the businesses of pawnbrokers and secondhand dealers should operate in a uniform manner responsible to the public; and

WHEREAS, the Erie County Legislature finds that the City of Buffalo has had an effective law for several years, which assists law enforcement, yet there is no law for suburban areas, although some are interested in creating municipal requirements. The Legislature also recognizes that proper regulation of secondhand dealers and pawnbrokers requiring recordkeeping and other safeguards is of great assistance to law enforcement and the public at large; and

WHEREAS, local law enforcement has expressed a desire to enact countywide legislation providing for licensing and regulation of pawnbrokers and second hand dealers; and

WHEREAS, the residents of Erie County; secondhand dealers and pawnbrokers and law enforcement would benefit from such countywide regulation.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature shall draft legislation providing for the licensing and regulation of secondhand dealers and pawnbrokers which will apply throughout the County of Erie; and be it further

RESOLVED, that the Public Safety Committee of the Erie County Legislature should review and discuss this matter with affected individuals, businesses and local law enforcement officials; and be it further

RESOLVED, that certified copies of this resolution be sent to the Erie County Sheriff, the County Executive, the Commissioner of Emergency Services, local police chiefs, and the Office of the Comptroller.
(6-0)

3. COMM. 3E-14 (2010)
COUNTY EXECUTIVE

RESOLVED, the Erie County Legislature hereby confirms the appointment of Rev. John Gaglione to the Erie County Emergency Services Steering Committee.
(4-0) Chair Miller-Williams & Legislator Kozub not present for vote.

4. COMM. 3E-19 (2010)
SHERIFF

WHEREAS, Sheriff Howard due to recent retirements has reassigned duties within the ranks of his management staff; and

WHEREAS, the Sheriff wishes to upgrade the Chief of Technology & Technical Criminal Services and to downgrade the position of Chief Deputy – Civil to reflect these changes in responsibility; and

WHEREAS, the State Commission of Corrections requires a Superintendent to act as the chief officer in the Erie County Sheriff’s Jail Management Division; and

WHEREAS, the Sheriff wishes to delete an existing First Deputy Superintendent position and create the position of Superintendent; and

WHEREAS, funding for these upgrades will be offset by the positions deleted and downgraded and savings from positions that have remained vacant in 2010, therefore requiring no additional county funds.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Sheriff's Office be authorized to upgrade the Chief of Technology & Criminal Services from Job Group XIV to XV; and be it further

RESOLVED, that the Erie County Sheriff's Office be authorized to downgrade the Chief Deputy – Civil from Job Group XV to XIV; and be it further

RESOLVED, that the Erie County Sheriff's Office be authorized to create the position of Superintendent, Job Group XVI; and be it further

RESOLVED, that the Erie County Sheriff's Office be authorized to delete the position of First Deputy Superintendent, Job Group XIV; and be it further

RESOLVED, that these pay adjustments be effective 01/02/10; and be it further

RESOLVED, that certified copies be forwarded to the Division of Budget and Management, Department of Personnel and the Office of the Sheriff.
(4-0) Chair Miller-Williams & Legislator Kozub not present for vote.

5. COMM. 3E-20 (2010)

SHERIFF

WHEREAS, procedures have been established by Resolution #Int. 23-3 adopted on December 1, 1994; and

WHEREAS, there are adequate funds available for distribution to the Sheriff's Office in the Asset Forfeiture Trust Account; and

WHEREAS, the Clarence Center Fire Department has two (2) specially equipped 2007 Ford Expeditions available for purchase below NADA value; and

WHEREAS, the Erie County Legislature has the authority, under Article III Section 07.b of the Erie County Administrative Code to waive bidding procedures when deemed impractical by a 2/3 vote of the Legislature; and

WHEREAS, there will be no impact on county tax dollars.

NOW, THEREFORE, BE IT

RESOLVED, that \$37,500 in available balances in the Asset Forfeiture Trust Fund is hereby transferred to the Erie County Sheriff's Office Asset Forfeiture Funded Program SAFS; and be it further

RESOLVED, that the following budgetary transactions are hereby authorized:

ERIE COUNTY SHERIFF'S OFFICE ASSET FORFEITURE FUNDED PROGRAM SAFS

<u>REVENUE</u>		<u>Increase</u>
421550	Forfeiture Crime Proceeds	<u>37,500</u>
	Total Revenue	<u>37,500</u>
<u>APPROPRIATION</u>		<u>Increase</u>
510100	Out of Area Travel	<u>10,000</u>
561440	Motor Vehicles	<u>27,500</u>
	Total Appropriations	<u>37,500</u>

and be it further

RESOLVED, that these expenditures meet the criteria established by the U.S. Department of Justice for the use of equitable shared funds; and be it further

RESOLVED, that the Sheriff and Erie County Purchasing are authorized to purchase used vehicles from the Clarence Center Fire Department without competitive bidding; and be it further

RESOLVED, that certified copies be forwarded to the Division of Budget and Management, the Erie County Comptroller, the Bureau of Purchase and the Office of the Sheriff for implementation.
(4-0) Chair Miller-Williams & Legislator Kozub not present for vote.

CHRISTINA W. BOVE
CHAIR