

**ERIE COUNTY LEGISLATURE  
MEETING NO. 21  
OCTOBER 24, 2019**

The Legislature was called to order by Chair Baskin.

All members present.

An Invocation was held, led by Ms. Dixon, who requested a moment of silence.

The Pledge of Allegiance was led by Mr. Johnson.

Item 1 – No tabled items.

Item 2 – No items for reconsideration from previous meeting.

Item 3 – MR. BRUSO moved for the approval of the minutes for Meeting Number 20 from 2019. MR. JOHNSON seconded.

CARRIED UNANIMOUSLY.

Item 4 – No Public Hearings.

**MISCELLANEOUS RESOLUTIONS**

Item 5 – MR. BRUSO presented a proclamation Congratulating and Recognizing Domenic Francesco Folsom on Attaining the Rank of Eagle Scout.

Item 6 – MR. HARDWICK presented a proclamation Recognizing and Honoring Joseph Hogenkamp Upon His Retirement as Treasurer of the City of Tonawanda.

Item 7 – MR. BRUSO presented a memorial resolution Honoring and Remembering James N. Offhaus, The "Big O".

Item 8 – CHAIR BASKIN, MR. BRUSO, MR. LORIGO, MR. JOHNSON, MS. CHIMERA, MR. HARDWICK, MR. LOUGHRAN, MR. RATH, MR. MEYERS, MS. DIXON & MR. MILLS presented a memorial resolution Remembering Joseph S. Cutrona, Town of Tonawanda Democratic Committeeman and Civic Advocate.

Item 9 – CHAIR BASKIN presented a proclamation Honoring and Recognizing Valentino Dixon for His Exceptional Artwork and for His Perseverance, Resilience, and Inspiration to His Community.

Item 10 – MR. LORIGO & MR. MILLS presented a proclamation Proclaiming October 28th through November 1st as "Zombie Property Awareness Week" in Erie County.

Item 11 – MS. DIXON, MR. LORIGO, MR. MILLS & MR. RATH presented a proclamation Proclaiming October 28th as "First Responders" Day in Erie County.

Item 12 – MR. RATH & MR. LOUGHRAN presented a proclamation Recognizing Donna DeCarolis as the Amherst Chamber of Commerce's 2019 Woman of Distinction.

Item 13 – MR. RATH & MR. LOUGHRAN presented a proclamation Recognizing the Albright-Knox Art Gallery for Receiving the Amherst Chamber of Commerce's 2019 Community Revitalization Award.

Item 14 – MR. RATH & MR. LOUGHRAN presented a proclamation Recognizing Henry Gorino and Chuck Mauro for Receiving the Amherst Chamber of Commerce's 2019 Hospitality Award.

Item 15 – MR. RATH & MR. LOUGHRAN presented a proclamation Recognizing Buffalo Councilman Joel Feroletto for Receiving the Amherst Chamber of Commerce's 2019 Community Revitalization Award.

Item 16 – MR. RATH & MR. LOUGHRAN presented a proclamation Recognizing West Herr Automotive Group for Receiving the Amherst Chamber of Commerce's 2019 Stewardship Award.

Item 17 – MR. RATH & MR. LOUGHRAN presented a proclamation Recognizing Frey Electric Construction Company as the Amherst Chamber of Commerce's 2019 Business of the Year.

Item 18 – MR. RATH & MR. LOUGHRAN presented a proclamation Recognizing ECMC for Receiving the Amherst Chamber of Commerce's 2019 Commitment to Excellence Award.

MR. BRUSO moved for consideration of the above fourteen items. MR. LORIGO seconded.

CARRIED UNANIMOUSLY.

MR. BRUSO moved to amend the above fourteen items by adding one for MS. DIXON and by including Et Al Sponsorship. MR. MEYERS seconded.

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

### **LOCAL LAWS**

Item 19 – CHAIR BASKIN directed that Local Law No. 20 (Print #1) 2017 remain on the table and in the ECONOMIC DEVELOPMENT COMMITTEE.

GRANTED.

Item 20 – CHAIR BASKIN directed that Local Law No. 3 (Print #1) 2018 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 21 – CHAIR BASKIN directed that Local Law No. 3 (Print #1) 2019 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 22 – CHAIR BASKIN directed that Local Law No. 4 (Print #1) 2019 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 23 – CHAIR BASKIN directed that Local Law No. 5 (Print #1) 2019 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 24 – 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 25 – MR. JOHNSON presented the following report and moved for immediate consideration and approval. MR. BRUSO seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 206

October 17, 2019	PUBLIC SAFETY COMMITTEE REPORT NO. 16
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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. INTRO. 18-12 (2019)

BRUSO: “Majority Leader Recommendation for Appointment to the Corrections Specialist Advisory Board”  
(Chair’s Ruling)

- b. COMM. 18E-11 (2019)  
JOHNSON & MEYERS: “Request for Info. Concerning Recent Deaths in EC Holding Center”  
(Chair’s Ruling)
- c. COMM. 19E-5 (2019)  
BASKIN: “Letter to Sheriff Regarding Death of Prisoner in Erie County Correctional Facility”  
(Chair’s Ruling)
- d. COMM. 20D-5 (2019)  
DEPARTMENT OF PROBATION: “EC Conditional Release Program”  
(Chair’s Ruling)

2. COMM. 20E-4 (2019)  
SHERIFF  
WHEREAS, New York State Division of Homeland Security and Emergency Services (NYS DHSES) has awarded \$100,000.00 to the Erie County Sheriff’s Office in funding which is specifically allocated to agencies with SWAT Teams; and

WHEREAS, the Erie County Sheriff’s SWAT Team has achieved the highest FEMA ratings and is often called by area law enforcement agencies to assist in active shooter events, cold weather tactical and technical rescue requests, and respond to highly volatile situations. These funds will allow the Sheriff’s Office to maintain a professionally trained and equipped SWAT Team that can support the Sheriff’s efforts in counter-terrorism missions. Furthermore, the proposed training and equipment will aid in maintaining New York State Division of Criminal Justice Service SWAT Team Standards; and

WHEREAS, at the time of the grant application, the Erie County Sheriff’s Office must submit a specific list of training modules and the NYSDHSES approved consultants; and

WHEREAS, the NYSDHSES must approve the training vendors prior to the awarding of the grant; and

WHEREAS, the NYSDHSES approved training and vendors for this grant are as followed:

D-CO.US

and

WHEREAS, authorization is required from the Erie County Legislature for the County Executive to enter into contract and accept \$100,000.00 in federal resources to provide funds for equipment to protect the residents of Erie County and the State of New York from active shooter and

other events requiring special weapons and tactics as well as develop tactical capabilities that support counter-terrorism missions and cold weather tactical and technical rescues; and

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

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does authorize the County Executive and the Erie County Sheriff's Office to enter into a contract with the New York State Division of Homeland Security and Emergency Services to receive \$100,000.00 in grant funding for the Erie County Sheriff's Office; and be it further

RESOLVED, that authorization is provided to the Division of Budget and Management to establish funding in the Grant Fund 281, as follows:

Erie County Sheriff's Office  
FY201 Tactical Team Grant

<u>ACCOUNT #</u>	<u>INCREASE</u>
414000 – Federal Revenue	<u>\$100,000.00</u>
TOTAL	\$100,000.00

<u>ACCOUNT #</u>	<u>INCREASE</u>
561410 – Lab & Technical Equipment	\$ 50,000.00
510200 – Training & Education	<u>\$ 50,000.00</u>
TOTAL	\$100,000.00

and be it further

RESOLVED, that the Erie County Sheriff's Office is authorized to enter into agreements with the NYSDHSES approved vendor, D-CO.US, 26 Pinecrest Plaza, Southern Pines, North Carolina, for the described training not to exceed the \$50,000.00 provided by the grant; and be it further

RESOLVED, that the Director of Budget and Management is authorized to adjust grant appropriations and revenues in accordance with the final grantor funding levels or grantor authorized changes to award amounts, provided there are no changes to authorized personnel levels and county share amounts; 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 Erie County Executive, Division of Budget and Management, Purchasing Department, the County Attorney's Office, Erie County Comptroller's Office, and the Chief of Administration of the Sheriff's Office for implementation.

(5-0) Legislator Loughran not present for vote.

3. COMM. 20E-10 (2019)  
COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Homeland Security & Emergency Services operates and maintains three (3) training facilities in the Town of Cheektowaga, the Town of Orchard Park and the Town of Amherst; and

WHEREAS, a recent inspection of the Burn Towers located at these facilities has found that the walls are not structurally sound and require immediate repair to protect the health and safety of the fire fighters using the towers for training exercises; and

WHEREAS, the National Fire Protection Association (NFPA) has established new standards for the care and maintenance of structural fire protective clothing requiring the purchase of new washing and drying equipment; and

WHEREAS, the Erie County Department of Homeland Security & Emergency Services has worked the Division of Budget and Management to identify the funds to cover the cost of the expenses.

NOW, THEREFORE, BE IT

RESOLVED, that authorization is hereby provided to transfer funds as follows:

Fund Center 14010 – Countywide Budget Accounts

<u>Appropriation</u>	<u>Decrease</u>
Account 511000 – Control Board Expenses	\$130,000

Fund Center 16700 – Homeland Security & Emergency Services

<u>Appropriation</u>	<u>Decrease</u>
Account 561440 – Motor Vehicles	\$ 40,000

<u>Appropriation</u>	<u>Increase</u>
Account 506200 – Repair & Maintenance	\$150,000
Account 561410 – Lab & Tech Equipment	\$ 20,000
	<hr/>
	\$170,000

and be it further

RESOLVED, that certified copies of this resolution are sent to the County Executive's Office, the Division of Budget and Management, the Department of Homeland Security & Emergency Services c/o Melissa Calhoun, and the Office of the Comptroller.  
(6-0)

4. COMM. 20E-11 (2019)  
COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Homeland Security & Emergency Services has two surplus vehicles, a 2015 Chevrolet Tahoe, and a 2014 Ford F350 Pickup; and

WHEREAS, the Town of Amherst, Emergency Management Office and the Orchard Park Fire District – Hillcrest Fire Company have expressed a need for these two vehicles which will continue the original mission of the homeland security grants; and

WHEREAS, the Town of Amherst and the Orchard Park Fire District will accept all financial responsibilities related to these vehicles including registration, insurance, maintenance, and liability and when necessary surplus the vehicles consistent with the Code of Federal Regulations, Title 44; and

WHEREAS, in accordance with the County Charter, Section 3.06, c (6) & (7) the Purchasing Director has approved this transfer.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature authorize the transfer of a 2015 Chevrolet, Tahoe, VIN 1GNSK3EC1FR511557 to the Town of Amherst - Emergency Management Office; and be it further

RESOLVED, that the Erie County Legislature authorize the transfer of a 2014 Ford F350 Pickup, VIN 1FT8W3D60EEB27455 to the Orchard Park Fire District – Hillcrest Fire Company; and be it further

RESOLVED, that certified copies of this resolution are sent to the County Executive's Office, the Division of Budget and Management, the Director of Purchasing, the Department of Homeland Security & Emergency Services c/o Melissa Calhoun, the County Comptroller, and the County Attorney.  
(6-0)

5. COMM. 20E-12 (2019)  
COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Homeland Security & Emergency Services is responsible for providing public safety through comprehensive emergency management planning, preparedness, training, response and coordination of emergency services resources in Erie County during actual or potential disaster events; and

WHEREAS, the US Department of Homeland Security, Federal Emergency Management Agency with administration of the funds through New York State Office of Department of

Homeland Security & Emergency Services has agreed to provide funding in the amount of \$150,000.00 in federal assistance to continue the implementation of a program to enhance the ability of Erie County to manage emergency and disaster situations; and

WHEREAS, the Department of Homeland Security & Emergency Services requires legislative approval to accept the funds and to establish a grant budget in Fund 281; and

WHEREAS, no County funds will be necessary for Erie County to accept these funds to serve individuals residing in Erie County; and

WHEREAS, this is a regional grant and Erie County will purchase the necessary equipment and training for the seven (8) local Fire Departments (Gowanda Fire Company, Orchard Park Fire Company, Hillcrest Fire Company, West Falls Fire Company, East Aurora Fire Department, Eden Fire Department, West Seneca Fire District and City of Buffalo Fire Department), the Erie County Sheriff's Office, the Niagara Frontier Search & Rescue Team, the Western New York ALERT Swift Water Rescue Team, and Cattaraugus Emergency Management; and

WHEREAS, authorization is required from the Erie County Legislature for the County Executive to enter into contact and accept \$150,000.00 in federal resources to provide funding the purchase of necessary equipment to enhance the ability of Erie County to manage emergency and disaster situations.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize the County Executive to accept US Department of Homeland Security, Federal Emergency Management Agency with administration of the funds through New York State Office of Department of Homeland Security & Emergency Services to receive \$150,000.00 in grant funding for the Department of Homeland Security & Emergency Services; and be it further

RESOLVED, that this grant, under the Department of Homeland Security & Emergency Services, will meet the goals and objectives; and be it further

RESOLVED, these funds will be utilized to enhance the ability of Erie County to manage emergency and disaster situations; and be it further

RESOLVED, that the authorization is hereby provided to the Division of Budget and Management to establish funding in the Grant Fund 281, as follows:

Erie County Department of Homeland Security & Emergency Services  
Grant Fund 281, Fund Center 1670030  
October 1, 2019 – August 31, 2021  
HS167TECHRESCUE1821

Revenue	Increase
Account 414000 - Federal Revenue	\$150,000.00



Appropriation	Increase
Account 505200 – Clothing Supplies	\$35,000.00
Account 510100 – Out of Area Travel	\$12,000.00
Account 510200 – Training and Education	\$5,000.00
Account 516010 – Contract Payments	\$14,000.00
Account 561410 – Equipment (Lab & Tech)	\$84,000.00

and be it further

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

RESOLVED, that certified copies of this resolution be sent to the County Executive's Office, the Division of Budget and Management, the Department of Personnel, the Department of Homeland Security & Emergency Services c/o Melissa Calhoun, the County Comptroller, and the County Attorney.

(6-0)

6. COMM. 20E-13 (2019)  
COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Homeland Security & Emergency Services is responsible for providing public safety through comprehensive emergency management planning, preparedness, training, response and coordination of emergency services resources in Erie County during actual or potential disaster events; and

WHEREAS, the US Department of Homeland Security, Federal Emergency Management Agency with administration of the funds through New York State Office of Department of Homeland Security & Emergency Services has agreed to provide funding in the amount of \$172,000.00 in federal assistance to continue the implementation of a program to enhance the ability of Erie County to manage emergency and disaster situations; and

WHEREAS, the Department of Homeland Security & Emergency Services requires legislative approval to accept the funds and to establish a grant budget in Fund 281; and

WHEREAS, no County funds will be necessary for Erie County to accept these funds to serve individuals residing in Erie County; and

WHEREAS, this is a regional grant and Erie County is required to assist the Erie County Hazmat team, Niagara County Hazmat team and the Buffalo Fire Hazmat team; and

WHEREAS, authorization is required from the Erie County Legislature for the County Executive to enter into contact and accept \$172,000.00 in federal resources to provide funding for the purchase of necessary equipment to enhance the ability of Erie County to manage emergency and disaster situations.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize the County Executive to accept US Department of Homeland Security, Federal Emergency Management Agency with administration of the funds through New York State Office of Department of Homeland Security & Emergency Services to receive \$172,000.00 in grant funding for the Department of Homeland Security & Emergency Services; and be it further

RESOLVED, that this grant, under the Department of Homeland Security & Emergency Services, will meet the goals and objectives; and be it further

RESOLVED, these funds will be utilized to enhance the ability of Erie County to manage emergency and disaster situations; and be it further

RESOLVED, these funds will be utilized to assist the Erie County Hazmat Team, Niagara County Hazmat Team and the Buffalo Fire Hazmat Team; and be it further

RESOLVED, that the authorization is hereby provided to the Division of Budget and Management to establish funding in the Grant Fund 281, as follows:

Erie County Department of Homeland Security & Emergency Services  
Grant Fund 281, Fund Center 1670030  
October 1, 2019 – August 31, 2021  
HS167HAZMAT1821

Revenue Increase	
Account 414000 - Federal Revenue	\$172,000.00
Appropriation	Increase
Account 561410 – Lab & Tech Equipment	\$69,000.00
Account 501000 – Overtime	15,000.00
Account 510100 – Out of Area Travel	10,000.00
Account 510200 – Training & Education	2,000.00
Account 516030 – Maintenance Contracts	26,000.00
Account 505200 – Clothing Supplies	50,000.00

and be it further

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

RESOLVED, that certified copies of this resolution be sent to the County Executive's Office, the Division of Budget and Management, the Department of Personnel, the Department of Homeland Security & Emergency Services c/o Melissa Calhoun, the County Comptroller, and the County Attorney.

(6-0)

7. COMM. 20E-14 (2019)  
COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Homeland Security & Emergency Services is responsible for providing public safety through comprehensive emergency management planning, preparedness, training, response and coordination of emergency services resources in Erie County during actual or potential disaster events; and

WHEREAS, the US Department of Homeland Security, Federal Emergency Management Agency with administration of the funds through New York State Office of Department of Homeland Security & Emergency Services has agreed to provide funding in the amount of \$50,000.00 in federal assistance to continue the implementation of a program to enhance the ability of Erie County to manage emergency and disaster situations; and

WHEREAS, the Department of Homeland Security & Emergency Services requires legislative approval to accept the funds and to establish a grant budget in Fund 281; and

WHEREAS, no County funds will be necessary for Erie County to accept these funds to serve individuals residing in Erie County; and

WHEREAS, authorization is required from the Erie County Legislature for the County Executive to enter into contact and accept \$50,000.00 in federal resources to provide funding for the purchase of necessary equipment to harden a government owned, mass gathering critical infrastructure location.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize the County Executive to accept US Department of Homeland Security, Federal Emergency Management Agency with administration of the funds through New York State Office of Department of Homeland Security & Emergency Services to receive \$50,000.00 in grant funding for the Department of Homeland Security & Emergency Services; and be it further

RESOLVED, that this grant, under the Department of Homeland Security & Emergency Services, will meet the goals and objectives; and be it further

RESOLVED, these funds will be utilized to enhance the ability of Erie County to manage emergency and disaster situations; and be it further

RESOLVED, that the authorization is hereby provided to the Division of Budget and Management to establish funding in the Grant Fund 281, as follows:

Erie County Department of Homeland Security & Emergency Services  
Grant Fund 281, Fund Center 1670030  
October 1, 2019 – August 31, 2021  
HS167CIGP1821

Revenue Increase

Account 414000 - Federal Revenue \$50,000.00

Appropriation Increase

Account 561410 – Equipment (Lab & Tech) \$50,000.00

and be it further

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

RESOLVED, that certified copies of this resolution be sent to the County Executive's Office, the Division of Budget and Management, the Department of Personnel, the Department of Homeland Security & Emergency Services c/o Melissa Calhoun, the County Comptroller, and the County Attorney.

(6-0)

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

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 207

October 17, 2019	COMMUNITY ENRICHMENT COMMITTEE REPORT NO. 6
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ALL MEMBERS PRESENT.

CHAIR BASKIN PRESENT AS EX-OFFICIO MEMBER.

1. COMM. 20E-7 (2019)  
COUNTY EXECUTIVE

RESOLVED, that the Erie County Legislature hereby confirms the appointment of Mr. Sheldon Berlow to the Buffalo and Erie County Public Library Board of Directors for a term that will expire on December 31, 2023, and the appointment of Mrs. Elaine Panty to the Buffalo and Erie County Public Library Board of Directors for terms that will expire on December 31, 2022.

(6-0)

2. COMM. 20E-18 (2019)  
COUNTY EXECUTIVE

WHEREAS, SUNY Erie Community College advertised for and received responses to a request for proposals from firms to provide solar photovoltaic (PV) systems for power purchase by SUNY Erie Community College; and

WHEREAS, a review committee consisting of representatives from SUNY Erie Community College and Department of Public Works ranked the responses using a consistent scoring matrix and Montante Solar, LLC (“Montante Solar”) proposed the second lowest Power Purchase Agreement rate and positive Net Present Value of the ten firms submitting proposals; and

WHEREAS, the proposal review committee recommends retaining Montante Solar for these services; and

WHEREAS, the SUNY Erie Community College Board of Trustees approved the selection of Montante Solar for the SUNY Erie Community College Campus-wide 2019 Solar Power Purchase Agreement; and

WHEREAS, the nominal net benefit for the PV systems proposed is conservatively estimated to be between \$400,000 – \$1,200,000 in savings over a 20-year term; and

WHEREAS, Montante Solar is being contracted to develop a ground mounted array on SUNY Erie’s South Campus.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter into an Agreement with Montante Solar, LLC for the SUNY Erie Community College Campus-wide 2019 Solar Power Purchase Agreement; and be it further

RESOLVED, prior to any construction work associated with the Power Purchase Agreement, passage of a Local Law allowing for the lease of County land for a term longer than five (5) years shall be required; 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, Erie Community College, Director of Finance, and the Office of the Comptroller.

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

3. COMM. 20E-19 (2019)  
COUNTY EXECUTIVE

WHEREAS, the County of Erie previously entered into an Agreement Labella Associates PC to provide professional architecture and engineering services for the SUNY Erie Community College Campus-wide 2019 Replacement of Emergency Generators project (COMM. 5E-12 on March 21, 2019); and

WHEREAS, additional hazardous materials survey, testing, and design allowance in the amount of \$20,000 for the overall expanded scope and additional A/E design contingency in the amount of \$25,000 is required for the assessment of ECCN Dry Memorial Library’s existing building power system, as the building currently does not have a generator; and

WHEREAS, the additional scope of work is incorporate necessary improvements identified in the Existing Condition Assessment performed by JMZ Architects that was issued after the contract agreement with LaBella Associates; and

WHEREAS, any allowance and A/E design contingency funds that remain unspent will be returned to the capital budget; and

WHEREAS, the County Executive is requesting authorization to enter in an Agreement Amendment with LaBella Associates PC to increase their hazardous material survey, testing, and design allowance and additional A/E design contingency for the SUNY Erie Community College Campus-wide 2019 Replacement of Emergency Generators project.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to issue an Agreement Amendment with LaBella Associates PC to increase their hazardous material survey, testing, and design allowance in the amount of \$20,000 and additional A/E design contingency in the amount of \$25,000 for a total of \$45,000 for the SUNY Erie Community College Campus-wide 2019 Replacement of Emergency Generators project; and be it further

RESOLVED, that the Comptroller's Office be authorized to make payment for the above from the previously approved, as adopted capital project in Fund 480, Funds Center 122 as follows:

E.18007 – 2018 Preservation of Buildings and Facilities	
(Collegewide) – Erie Community College	\$45,000
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Total Payment Not to Exceed:	\$45,000

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, and the Office of the Comptroller, and one copy to Erie Community College of the Chief Administrative and Financial Officer.

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

**THOMAS A. LOUGHRAN  
CHAIR**

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 208

October 17, 2019	ENERGY & ENVIRONMENT COMMITTEE REPORT NO. 12
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ALL MEMBERS PRESENT.

1. RESOLVED, the following item is hereby received and filed:
  - a. COMM. 20M-1 (2019)  
NYSDEC: “Invitation for Public Comment – Brownfield Cleanup Program at 65 Lake Avenue LLC, Lancaster”  
(Chair’s Ruling)

2. COMM. 20E-15 (2019)  
COUNTY EXECUTIVE

WHEREAS, Lake Erie and its watershed provide a fresh water resource to New York State residents and visitors for drinking water, energy production, agriculture, industry, recreation and other uses that greatly affect the New York State economy and health of users; and

WHEREAS, this resource is threatened by point and non-point source pollutants within the Lake Erie watershed and along the shoreline within New York State; and

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 administer many initiatives that protect and preserve our natural water resources; and

WHEREAS, the Lake Erie Watershed Protection Alliance (LEWPA) formed as an alliance of municipal officials and concerned stakeholders in Erie, Cattaraugus, and Chautauqua Counties wishing to alleviate the impacts of these point and non-point source pollutants in recognition of the fact that the watershed crosses multiple municipal boundaries; and

WHEREAS, these participants recognize the regional benefits of working collaboratively to save time, money, and energy in order to achieve the common goal of improved water quality and flood control; and

WHEREAS, Erie County entered into an agreement with Chautauqua and Cattaraugus Counties titled the “Intermunicipal Agreement for the Establishment of the Lake Erie Watershed Protection Alliance” (the Agreement), as authorized in 2014 by COMM. 26E-1; and

WHEREAS, the Agreement ends December 31, 2019, necessitating an extension of the agreement between the member counties that will allow the continuance of an enduring organization for collaboration on common watershed goals.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized amend the Agreement with Cattaraugus and Chautauqua Counties to extend the end date to December 31, 2024; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the County Executive; the County Attorney; Thomas R. Hersey, Jr., Commissioner of Environment and Planning; Bonnie Lawrence, Deputy Commissioner of Environment and Planning.

(5-0)

**TIMOTHY MEYERS  
CHAIR**

Item 28 – MR. JOHNSON presented the following report and moved for immediate consideration and approval. MR. RATH seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 209

October 17, 2019	ECONOMIC DEVELOPMENT COMMITTEE REPORT NO. 16
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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. 20M-5 (2019)  
NFTA: “NFTA Board Minutes for Meeting Held on 7/25/2019”  
(Chair’s Ruling)

2. COMM. 20E-9 (2019)  
COUNTY EXECUTIVE

WHEREAS, the Unified Court System Eight Judicial District (“UCS”) has requested that the Erie County Department of Public Works make improvements to the Erie County Family Court Building, Old County Hall, and/or Erie County Court Building to make the spaces more aesthetically appealing; and

WHEREAS, the total for cost of the improvements is not to exceed \$405,000 and is 100% reimbursable to the County by the UCS as a tenant request line item within the Chapter 686 cleaning and minor maintenance contract with the County for the New York State fiscal year beginning April 1, 2019; and

WHEREAS, a new capital project A.19XXX – UCS 2019-2020 Tenant Work Improvements will be created in Funds Center 122, Fund 410, in the amount of \$405,000.

NOW, THEREFORE, BE IT



RESOLVED, that in order to comply with the Unified Court System Eighth Judicial District request to make improvements to the Family Court Building, Old County Hall, and/or Erie County Court Building, a new capital project A.19XXX – UCS 2019-2020 Tenant Work Improvements will be created in Fund 410, Funds Center 122 in the amount of \$405,000 for said improvements; and be it further

RESOLVED, that the County Executive is hereby authorized to accept reimbursements in an amount not to exceed \$405,000 from UCS after said improvements are completed; and be it further

RESOLVED, that the Division of Budget and Management is authorized to make all necessary budgetary and accounting entries to facilitate the acceptance of revenue and outlay of expenditures; and be it further

RESOLVED, that certified copies of this resolution be sent to the Department of Public Works, Office of the Commissioner, Office of the County Executive, the Division of Budget and Management, the Office of the Comptroller and the Unified Court System Eighth Judicial District c/o Andrew Isenberg.

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

3. COMM. 20E-16 (2019)  
COUNTY EXECUTIVE

WHEREAS, the County of Erie holds an ownership interest in a railroad right-of-way located in the Town of Cheektowaga and the Villages of Depew and Lancaster through a tax forgiveness agreement with the Erie-Lackawanna Railroad, with said right-of-way being designated Line 1242; and

WHEREAS, the County of Erie holds an ownership interest in a railroad right-of-way located between the City of Buffalo and the Village of Gowanda through a tax forgiveness agreement with the Erie-Lackawanna Railroad, with said right-of-way being designated Line 1246; and

WHEREAS, the County has leased the aforementioned rail lines to the Erie County Industrial Development Agency (ECIDA) under a management agreement since 1985; and

WHEREAS, said management agreement has been renewed on a five-year basis and is due for renewal; and

WHEREAS, the County and the ECIDA desire to continue the operating relationship for Rail Lines 1242 and 1246 for an additional five-year term.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter into any necessary agreements and other documents with the Erie County Industrial Land Development Agency for purposes of extending the lease agreement and operation of Rail Lines 1242 and 1246; and be it further

RESOLVED, that the Clerk of the Legislature forward one certified copy of this Resolution to the Department of Environment and Planning, Office of the Commissioner, and also one copy each to the Office of the County Executive, Office of the County Attorney, the Division of Budget and Management and the Office of the Comptroller.

(6-0)

4. COMM. 20E-17 (2019)  
COUNTY EXECUTIVE

WHEREAS, years of weathering have caused exterior elements to crack, spall, and deteriorate at the Erie County Court Building; and

WHEREAS, falling debris poses a risk to the public; and

WHEREAS, repairs and protective measures of the building envelope must be implemented;  
and

WHEREAS, Trautman Associates has the necessary expertise and manpower to provide professional design services for the project; and

WHEREAS, authorization is required for the County Executive to issue an Agreement Amendment to Trautman Associates for providing professional design and construction administration services for an exterior repair and waterproofing project located at the Erie County Court Building.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into an Agreement Amendment with Trautman Associates for providing professional design and construction administration services for the Exterior Repair and Waterproofing of the Erie County Court Building for an amount not to exceed \$250,000, including design contingency; and be further

RESOLVED, that the Comptroller's Office be authorized to make payment from the following capital project in Funds Center 122, Fund 410:

A.20918 – 2009-Countywide Roof	\$ 250,000
Total Amount Not to Exceed	\$ 250,000

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, and the Office of the Comptroller.

(6-0)

5. COMM. 20E-23 (2019)  
COUNTY EXECUTIVE

WHEREAS, the County of Erie is interested in fostering business growth and job creation within Erie County; and

WHEREAS, Erie County desires to encourage the sound reuse of urban brownfields for productive use, be it industrial, commercial, or recreational; and

WHEREAS, the former Bethlehem Steel site in the City of Lackawanna is now owned in part by the Buffalo and Erie County Industrial Land Development Corporation (ILDC), Tecumseh Redevelopment Inc. (Tecumseh) and Welded Tube USA Realty, LLC (Welded Tube); and

WHEREAS, a phased approach to redevelopment of the site included building a new waterline; removal and relocation of railroad tracks, and construction of a new road known as the Dona Street Extension; and

WHEREAS, the first two phases have been completed and construction of the Dona Street Extension is near completion; and

WHEREAS, the ILDC, Tecumseh, and Welded Tube each granted permanent easements to the County in order to construct the Dona Street Extension; and

WHEREAS, the City of Lackawanna has agreed to take over the ownership and maintenance responsibilities for the Dona Street Extension; and

WHEREAS, the County and the City of Lackawanna desire to enter into an Intermunicipal Agreement whereby the County will transfer and assign the easements for the Dona Street Extension project to the City of Lackawanna.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that upon completion of the highway improvements by the County for the Dona Street Extension project, the County shall transfer the road easements to the City of Lackawanna and said transfer shall be governed by the provisions of New York State Highway Law, §§ 115-b and 115-c; and be it further

**RESOLVED**, that the County Executive be authorized to execute all necessary agreements or assignments on behalf of the County of Erie in connection with the Dona Street Extension project; and be it further

**RESOLVED**, that the Clerk of the Legislature forward three (3) certified copies of this Resolution to the Department of Public Works, Office of the Commissioner, and also one copy each to the Department of Environment and Planning, Office of the County Executive, Office of the County Attorney, the Division of Budget and Management and the Office of the Comptroller.  
(6-0)

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

Item 29 – MR. HARDWICK presented the following report and moved for immediate consideration and approval. MR. JOHNSON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 210

October 17, 2019	GOVERNMENT AFFAIRS COMMITTEE REPORT NO. 8
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ALL MEMBERS PRESENT.

CHAIR BASKIN PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
  - a. COMM. 19M-1 (2019)  
FULTON COUNTY BOARD OF SUPERVISORS: “Certified Copy of Resolution Opposing Governor Cuomo’s Proposed Regulations Requiring New License Plates & Fees”  
(Chair’s Ruling)
  - b. COMM. 20D-3 (2019)  
DEPARTMENT OF LAW: “Transmittal of New Claims Against EC”  
(Chair’s Ruling)

**KEVIN R. HARDWICK**  
**CHAIR**

**LEGISLATOR RESOLUTIONS**

Item 30 – CHAIR BASKIN directed that the following resolution be referred to the PUBLIC SAFETY COMMITTEE.

MR. LORIGO challenged the ruling of the chair. MR. RATH seconded.

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

AYES: MS. DIXON, MR. LORIGO, MR. MILLS, and MR. RATH. NOES: CHAIR BASKIN, MR. BRUSO, MS. CHIMERA, MR. HARDWICK, MR. JOHNSON, MR. LOUGHRAN, and MR. MEYERS. (AYES: 4; NOES: 7)

FAILED.

INTRO. 21-1 from LORIGO. Minority Leader Recommendation to the EC Corrections Specialist Advisory Board.

**COMMUNICATIONS DISCHARGED FROM COMMITTEE**

None.

**SUSPENSION OF THE RULES**

Item 31 - MR. BRUSO moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 21E-28 from RATH Re: Letter Regarding Roof Repair at SUNY Erie North

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

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

GRANTED.

COMM. 21D-2 from SUPERINTENDENT OF HOLDING CENTER Re: Letter Concerning Attendance at Public Safety Committee Meeting - October 31, 2019

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. 21E-29 from LORIGO Re: Appointment of Additional Member to Finance & Management/Budget Committee

Received, filed and printed.

October 24, 2019  
Robert Graber, Clerk  
Erie County Legislature  
92 Franklin Street, Fourth Floor

Dear Clerk Graber,

Pursuant to Section 3.02 of the Erie County Legislature's Rules of Order and Chair Baskins letter to you dated October 14, please accept Legislator Lynne Dixon as the Minority Caucus' appointment to the Finance Management and Budget Committee in order to review Erie County's 2020 Budget.

I appreciate your attention in this matter.

Sincerely,  
Joseph C. Lorigo  
Erie County Legislature, Minority Leader

Item 34 - MR. BRUSO moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

INTRO. 21-2 from LORIGO, DIXON, MILLS & RATH Re: Support for Fully Funding EC's Towns & Villages as Proposed in 2019 NYS Budget

RESOLUTION NO. 211

**A RESOLUTION TO BE SUBMITTED BY  
LEGISLATORS LORIGO, DIXON, MILLS & RATH**

WHEREAS, 2019 Aid and Incentives for Municipalities (AIM) funding has been eliminated from almost every town and village in New York State pursuant to the 2019 budget; and

WHEREAS, this honorable body opposed the AIM cuts prior to their inclusion in the finalized and approved version of New York State's 2019 Budget; and

WHEREAS, Governor Cuomo, after passing the 2019 Budget, approved additional legislation that would reimburse towns and villages by directing the Office of the State Comptroller (OSC) to withhold certain sales taxes levied by counties and redirect them to the towns and villages who lost out on AIM funding. This effectively transferred the burden of funding the AIM cuts from New York State to the counties; and

WHEREAS, despite the intent to protect all towns and villages from the AIM cuts certain counties, like Erie and Nassau, cannot have their taxes, interest and penalties diverted; and

WHEREAS, both Erie and Nassau have fiscal stability boards which dictate where some taxes, interests, and penalties collected by the counties can be spent. In this case, the taxes and fees that could be siphoned off by OSC may only be directed to the Erie County Fiscal Stability Board, which must then distribute them back to the county for certain predesignated sharing obligations; and

WHEREAS, this process leaves no money to be distributed by OSC and should be addressed to the benefit of Erie County's towns and villages.

NOW, THEREFORE, BE IT

RESOLVED, that this honorable body hereby calls on the New York State Division of Budget, Governor Andrew Cuomo, and New York State Comptroller Thomas P. DiNapoli to address this situation prior to the December 15<sup>th</sup> deadline to make Erie County's towns and villages whole; and be it further

RESOLVED, that this honorable body implores Governor Cuomo and the New York State Legislature to restore AIM funding to previous levels going forward and to not place the burden of providing AIM funding on counties; and be it further

RESOLVED, that in the event the Comptroller and the New York State Division of Budget cannot come to a timely agreement to address this problem, this honorable body urges Executive Poloncarz to work to fully fund all towns and villages that are not receiving their county share funding utilizing 2019 surplus, which as of October 15, 2019, is anticipated to be in excess of \$7 million; and be it further

RESOLVED, that certified copies of this resolution be sent to Governor Andrew Cuomo, New York State Comptroller Thomas DiNapoli, the Western New York Delegation to the New York State Senate and Assembly, and any other part deemed proper and necessary.

MR. LORIGO moved for approval. MR. RATH seconded.

CARRIED UNANIMOUSLY.

**COMMUNICATIONS FROM ELECTED OFFICIALS**

**FROM CHAIR BASKIN**

Item 35 – (COMM. 21E-1) 2019 Budget Documents for 2020 Budget Process

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

**FROM CHAIR BASKIN & LEGISLATOR JOHNSON**

Item 36 – (COMM. 21E-2) Letter to Sheriff Requesting Attendance at Public Safety Committee Meeting Scheduled on October 31, 2019

Item 37 – (COMM. 21E-3) Letter to Commissioner of Mental Health Requesting Attendance at Public Safety Committee Meeting Scheduled on October 31, 2019

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

**FROM THE COMPTROLLER**

Item 38 – (COMM. 21E-4) Review of 2020 Revenue Projections

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

**FROM CHAIR BASKIN**

Item 39 – (COMM. 21E-5) Appointment of Additional Member to Finance & Management/Budget Committee

Received, filed and printed.

October 14, 2019

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

Re: 2020 Budget – Additional Member of Finance and Management/Budget Committee

Dear Mr. Graber:

Pursuant to Section 3.02 the Rules of Order of the Erie County Legislature, I hereby appoint Legislator Kevin Hardwick to serve as a member of the Legislature's Finance and Management/Budget Committee for the purposes of reviewing and acting upon the county executive's proposed 2020 Budget.

The Minority Caucus also has the option to designate an additional member of their Caucus to the Committee during the budget process and you may expect a similar letter from their Caucus to be forthcoming.

Thank you in advance for your assistance.

Sincerely,

April N.M. Baskin  
Chair, Erie County Legislature

**FROM THE COMPTROLLER**

Item 40 – (COMM. 21E-6) Letter to County Executive Regarding Disposal of County Envelopes

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

Item 41 – (COMM. 21E-7) Audit Results for EC Division of Purchase Internal Controls for Auctions

Item 42 – (COMM. 21E-8) Law Department Spending for 8/2019 - 9/2019



The above two items were received and referred to the FINANCE & MANAGEMENT COMMITTEE.

**FROM THE SHERIFF**

Item 43 – (COMM. 21E-9) Awarding of RFP & Contract Authorization with Body Camera Vendor

Item 44 – (COMM. 21E-10) SRO Agreement for Alden Central School Districts

Item 45 – (COMM. 21E-11) SRO Agreement for Holland Central School Districts

Item 46 – (COMM. 21E-12) SRO Agreement for Springville-Griffith Institute Central School Districts

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

**FROM THE COUNTY EXECUTIVE**

Item 47 – (COMM. 21E-13) Authorization to Accept Grant Funding for FY 19 State Homeland Security Grant

Received and referred to the PUBLIC SAFETY COMMITTEE.

**FROM THE COUNTY EXECUTIVE & THE SHERIFF**

Item 48 – MR. BRUSO presented the following resolution and moved for immediate consideration and approval. MR. MEYERS seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 212

RE: Authorization to Accept USDOJ Grant Improving Re-Entry Services for Adults with Co-Occurring Substance Abuse & Mental Illness (COMM. 21E-14)

WHEREAS, since 2016, the Erie County Reentry Coalition has engaged in a strategic planning process to strengthen reentry services in the county. The coalition, composed of over 80 stakeholders including government agencies, service providers, educational institutions, foundations, and individuals with lived experience -- identified as its top priority establishing a one-stop reentry center to expand and better coordinate reentry services particularly for those incarcerated in the county's two jails; and

WHEREAS, the Community Foundation Greater Buffalo's Racial Equity Roundtable initiated the re-entry planning process. The Roundtable, whose membership includes prominent government, business, faith and foundation leaders, is committed to ensuring that all communities in

Erie County benefit from the growth of the region. Erie County Department of Mental Health (ECDMH) Commissioner Michael Ranney and ECSO Superintendent Thomas Diina co-chair the coalition's steering committee; and

WHEREAS, the Re-entry Coalition was a vital part of finding and applying for the grant; and

WHEREAS, will implement universal screenings for criminogenic risk, mental illness, and substance use disorders to the over 12,000 individuals booked into the jails annually. In each of three years of program implementation and following 12-months of planning, fifty individuals assessed at the highest risk to recidivate and with the most significant Cutaneous Sarcoidosis Activity and Morphology Instrument (CSAMI) will be identified at booking and will begin receiving pre-release collaborative comprehensive case management services, participate in evidenced-based treatment programs, and receive coordinated discharge planning with licensed community-based providers; and

WHEREAS, individuals with CSAMI are consistently over-represented in the criminal justice system. Research estimates that roughly 68% of adults in US jails experience chemical dependency or diagnosed with substance abuse disorders (SUD). Of these, 72% of inmates also had a serious co-occurring mental disorder; and

WHEREAS, in May 2019, ECDMH reported similar rates for the jail population -- 56.7% were diagnosed with mental health conditions, and of these, an estimated 77% were diagnosed with co-occurring SUD; and

WHEREAS, many of those with CSAMI were frequent users of the jail and public health resources; and

WHEREAS, in 2014, the one-year recidivism rate among offenders with mental illness was over 50%, with multiple individuals having more than 18 arrests. These individuals also faced other challenges, including, homelessness, unemployment, re-hospitalization, increased prevalence of psychotic symptoms, depression suicidality, high rates of chronic illnesses such as hepatitis C, violence, and a lack of community-based care management that can facilitate community transition; and

WHEREAS, in the jail and post-release, the initiative utilizes MISSION-CJ (Maintaining Independence and Sobriety through Systems Integration, Outreach, and Networking - Criminal Justice), a Substance Abuse and Mental Health Service Administration (SAMSHA) developed an evidence-based practice for the treatment of individuals with co-occurring disorders at every intercept point along the continuum from arrest to community supervision. It is currently used by the county's Adult Treatment Court and in Buffalo Police Department crisis intervention diversionary programs; and

WHEREAS, MISSION-CJ aims to assist individuals who have a reduced ability to remain stable and avoid further justice involvement and includes a framework for exploring and acknowledging criminogenic factors, addressing co-occurring mental health and substance use treatments, and linking clients to community-based supports to sustain recovery and reduce recidivism; and

WHEREAS, the initiative leverages a new re-entry center located in Buffalo adjacent to the jail which, will be opened in December 2019. Tentatively called Service Link Stop (SLS), the center is supported by a network of reentry providers, and program participants will receive services and attend programs after their release from jail; and

WHEREAS, the U.S. DOJ Bureau of Justice Assistance's Federal Second Chance Act approved the vendors for this grant and are as followed: BestSelf Behavioral Treatment Services, the University at Buffalo Primary Care Institute, and Texas Christian University; and

WHEREAS, authorization is required from the Erie County Legislature for the County Executive to enter into a contract with the U.S. Department of Justice, Office of Justice Programs Bureau of Justice Assistance Second Chance Act in the amount of \$1,000,000.00 and to enter into two separate four-year agreements with BestSelf and the University of Buffalo; and

WHEREAS, the grant will reimburse the County for personnel, fringe benefits, travel to training seminars, and supplies; and

WHEREAS, the Sheriff's Office is not creating a new position, instead a current Sergeant level position will be assigned to the program and will spend 100% of the position's time overseeing the project during the first year planning period and the following three year implementation period; this individual is already assigned to reentry programs to help facilitate the program; and

WHEREAS, the ECSO will assign an appropriate staffer member who will participate in the screening and providing referrals to the program. The position will spend 5% of its time during the first budget planning year which will rise to 12% in each of the following three implementation years; and

WHEREAS, an ECSO Correctional Classification Specialist, will assist in administering assessments and screenings, referrals, and determining eligibility of inmates for the program. The position will spend 9% of its time in the planning year, and in the three implementation years the percentage will rise to 11%, 10%, and 15% respectively; and

WHEREAS, a Department of Mental Health (DMH) Forensic specialist position #1, will assist with program referrals, participate in interdisciplinary case management meetings, and assist with discharge planning activities. During the first year planning period, 5% of the position's time will be allocated to the program. In the three implementation years, this will rise to 10% in each of the years; and

WHEREAS, a DMH Forensic specialist position #2, is a clinical supervisor to Forensic Specialist 1 and will also carry out similar responsibilities. The position will spend 5% of its time during the first year planning period, and 10% of its time in each of the three implementation periods. Cost of living increases are included in salaries in succeeding years at the rate of 2% increase; and

WHEREAS, the Program Director and a member of the treatment team will attend mandatory grant-award orientation in the first year, as well as mandatory peer-to-peer learning events in Washington D.C. in each of the three implementation years; and

WHEREAS, these individuals will attend for three days and two nights and will have airfare, lodging, and meal expenses paid through the grant funds; and

WHEREAS, the Program Director and a member of the treatment team will attend one professional conference each year of the grant and provide a workshop on the program. The conferences chosen will include those of the American Correctional Association and American Jail Association. These individuals will attend for three days and two nights and will have airfare, lodging, and meal expenses; and

WHEREAS, all Non-Federal contributions for 2019 and 2020 will be absorbed into existing budgets, and the following years will be included in the department or agency's budget; therefore, there will be no impact on the 2019 and 2020 County budgets.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does authorize the County Executive to enter into a contract with the U.S. Department of Justice, Office of Justice Programs Bureau of Justice Assistance Second Chance Act in the amount of \$1,000,000.00; and be it further

RESOLVED, authorization is granted to the County Executive and the Sheriff's Office to enter into a four-year agreement with BestSelf Behavioral Treatment Services not to exceed \$501,000.00; and be it further

RESOLVED, authorization is granted to the County Executive and the Sheriff's Office to enter into a four-year agreement with the University at Buffalo Primary Care Institute not to exceed \$151,000.00; and be it further

RESOLVED, that authorization is provided to the Division of Budget and Management to establish funding in the Grant Fund 281, as follows:

Erie County Sheriff's Office  
Co-Occurring Substance Abuse  
and Mental Illness Grant

<u>ACCOUNT #</u>	<u>INCREASE</u>
414000 – Federal Revenue	<u>\$1,000,000.00</u>
TOTAL	\$1,000,000.00

<u>ACCOUNT #</u>	<u>INCREASE</u>
500000 – Personnel	\$201,960.00
502000 – Fringe Benefits	\$115,317.00
510100 – Travel	\$20,320.00
516010 – Contractual Payment	\$625,000.00

530000 – Other Expenses	\$19,543.00
505000 – Office Supplies	\$8,900.00
510200 – Training & Education	<u>\$8,960.00</u>
TOTAL	\$1,000,000.00

and be it further

RESOLVED, that the Director of Budget and Management is authorized to adjust grant appropriations and revenues in accordance with the final grantor funding levels or grantor authorized changes to award amounts, provided there are no changes to authorized personnel levels and county share amounts; 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 Erie County Executive, Division of Budget and Management, the County Attorney's Office, Erie County Comptroller's Office, Department of Mental Health, the Purchasing Department, the Chief of Administration Sheriff's Office, and Superintendent of the Jail Management Division of the Sheriff's Office for implementation.

FROM THE COUNTY EXECUTIVE

Item 49 – (COMM. 21E-15) Appointment to the Commission on the Status of Women

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE DISTRICT ATTORNEY

Item 50 – MR. BRUSO presented the following resolution and moved for immediate consideration and approval. MR. JOHNSON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 213

RE: Authorization to Adjust DA Office's  
2019 Budget for Criminal Legislation  
Reform Needs  
(COMM. 21E-16)

WHEREAS, New York State recently passed a number of legislative criminal reform measures that significantly impact the obligations and duties of the Office of the District Attorney effective January 1, 2020; and

WHEREAS, the District Attorney has identified non-personnel costs required to ensure the success of these additional mandates and increased staffing levels that have resulted; and

WHEREAS, the District Attorney will purchase furniture, equipment, technology upgrades, and carpeting as necessary to accommodate the additional staffing levels. The office will utilize state contracts and the Purchasing Department to purchase items; and

WHEREAS, the Office of the District Attorney needs to coordinate with Erie County Central Police Services to upgrade the CHARMS system which is utilized by law enforcement agencies throughout Erie County; and

WHEREAS Central Police Services issued RFP 1907VF for Professional IT Software Services, and Stuart Allen Software Development of Amherst, NY was selected to supply specific programming services needed to comply with CPL Article 245 under the RFP; and

WHEREAS, the District Attorney's Office has utilized New York Prosecutors Training Institute's (NYPTI) Prosecutors Case Management System (PCMS) since 2001 through which all case information is entered and tracked; and

WHEREAS, the most recent upgrade to PCMS 5 includes a Digital Evidence Management System (DEMS) that allows the District Attorney to efficiently meet CPL Article 245 Discovery obligations; and

WHEREAS, the District Attorney would like to enter into an MOU with NYPTI which outlines the services provided and costs associated to pilot the PCMS 5 - DEMS database as it relates to cloud storage of discoverable materials and database management; and

WHEREAS, the funds necessary for the above purchases have been approved in the District Attorney's 2019 budget.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby provide authorization to reallocate the following appropriations to the District Attorney's 2019 budget as follows:

502000 Fringe Benefits	(\$125,552)
516020 Professional Fees	10,000
561410 Lab & Tech Equipment	75,552
561420 Office Furniture & Fixtures	40,000

and be it further

RESOLVED, that authorization is hereby provided to issue a purchase order to Stuart Allen Software Development a local WBE/New York State contract vendor, in the amount of \$10,000 to provide the professional technical staff for this project; and be it further

RESOLVED, authorization is hereby provided for the District Attorney to enter into an MOU and issue a purchase order for \$45,000 to NYPTI for the use of PCMS 5 / DEMS for cloud storage and database management. The services provided by NYPTI as they relate to their software are special sole source services and therefore, the Request for Proposal procedure under Section 19.08 of the Erie County Administrative Code is hereby waived; 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, that certified copies of this resolution be forwarded to the Erie County District Attorney, the Erie County Executive, Erie County Central Police Services, Erie County Comptroller, Purchasing Department and the Director of Budget and Management.

**FROM THE COUNTY EXECUTIVE**

Item 51 – (COMM. 21E-17) EC Aurora Highway Maintenance Facility Precast Wall Panel Repair

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 52 – (COMM. 21E-18) Purchase of 2019 Tax Lien Certificates

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 53 – (COMM. 21E-19) ECSD Nos. 1-6 & 8 - RFP - Construction Inspection Services Term Agreement (2020-22)

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 54 – (COMM. 21E-20) Authorization to Enter into Contract to Accept Indigent Legal Services Grant Funding - Distribution 8

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 55 – (COMM. 21E-21) Department of Probation Equipment Purchase & Utilization of Asset Forfeiture Funds

Received and referred to the PUBLIC SAFETY COMMITTEE.

Item 56 – (COMM. 21E-22) Change Order Regarding Additional Construction Inspection Services - Dona St. Extension, City of Lackawanna

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 57 – (COMM. 21E-23) ECSD No. 4 - Contract Close Out

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 58 – (COMM. 21E-24) PILOT Agreement for 201 Ellicott St. Project - City of Buffalo

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 59 – (COMM. 21E-25) Authorization to Enter into Contract to Accept Indigent Legal Services Grant Funding - Distribution 9

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 60 – (COMM. 21E-26) Household Hazardous Waste Implementation Project

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 61 – MR. BRUSO presented the following resolution and moved for immediate consideration and approval. MR. JOHNSON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 214

RE: Senior SNAP Enrollment Contract  
(COMM. 21E-27)

WHEREAS, the National Council on Aging's (NCOA) Senior SNAP Enrollment Initiative is a national program that supports efforts by community-based organizations and agencies to assist older adults (i.e. age 60 and over) in applying for and enrolling in the Supplemental Nutrition Assistance Program (SNAP); and

WHEREAS, NCOA had previously awarded the Department of Senior Services \$50,000 of Senior SNAP Enrollment Initiative grant funds for the period July 15, 2018 to April 30, 2020; and

WHEREAS, the Erie County Legislature in resolution Comm. 15E-15 (2018) authorized the County to accept the grant funding, and contract, at a cost of \$5,000 each, with eight agencies to increase current SNAP outreach and enrollment assistance to people ages 60 and older with focus in rural and refugee communities in Western New York; and

WHEREAS, one of the eight original contract agencies, Heart and Hands, Faith in Action, has voluntarily terminated their agreement with the Department of Senior Services as they are no longer able to provide the service; and

WHEREAS, the Network of Religious Communities Inc. and its Food for All program, has the ability and willingness to provide the service in a condensed time frame for the same \$5,000; and

WHEREAS, funds are available in the 163SRSNAP1820 grant's Professional Services Contracts and Fees to cover the \$5,000 cost; and



WHEREAS, the procedures, in Section 19.08 of the Erie County Administrative Code for purposes of securing the Network of Religious Communities Inc. services are impractical due to circumstance and the time periods involved.

NOW, THEREFORE, BE IT

RESOLVED, the Erie County Legislature hereby waives the procedures, as impractical, provided for in Section 19.08 of the Erie County Administrative Code for purposes of securing the Network of Religious Communities Inc. to provide services for the Senior SNAP Enrollment Initiative; and be it further

RESOLVED, the County Executive be and is hereby authorized to contract with the Network of Religious Communities Inc. at a cost not to exceed \$5,000; and be it further

RESOLVED, the County Executive be and is hereby authorized to enter contract amendments with the Network of Religious Communities Inc. to effectuate adjusted funding levels; and be it further

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

**COMMUNICATIONS FROM THE DEPARTMENTS**

**FROM THE DIRECTOR OF BUDGET & MANAGEMENT**

Item 62 – (COMM. 21D-1) Budget Monitoring Report for Period Ending 08/2019

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

**COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES**

**FROM THE NYSDEC**

Item 63 – (COMM. 21M-1) Invitation for Public Comment - Proposal for No Further Action at Brownfield Site on Chandler St., Buffalo

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

**FROM THE ASSIGNED COUNSEL PROGRAM**

Item 64 – (COMM. 21M-2) Quarterly Report for 3rd Quarter of 2019

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

**FROM THE NYSDOT**

Item 65 – (COMM. 21M-3) Notice of Public Hearing Regarding Establishment of a Public At-Grade Rail Crossing - Dona St., City of Lackawanna

Item 66 – (COMM. 21M-4) Notice of Public Hearing Concerning Bridge Replacement Project Over Big Sister Creek - Village of North Collins

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

**FROM THE NYSDEC**

Item 67 – (COMM. 21M-5) Invitation for Public Comment - Proposal for No Further Action at Brownfield Site on Main St., Buffalo

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

**ANNOUNCEMENTS**

Item 68 – Chair Baskin announced that the schedule for committee meetings to be held on Thursday, October 31, 2019, has been distributed.

**MEMORIAL RESOLUTIONS**

Item 69 – Legislator Dixon requested that when the Legislature adjourns, it do so in memory of Alfreda Bigaj, Freda Wrobel, and Molly McMahan.

Item 70 – Legislator Rath requested that when the Legislature adjourns, it do so in memory of Elisabeth Leinweber.

Item 71 – Legislator Hardwick requested that when the Legislature adjourns, it do so in memory of James Jaeger.

Item 72 – Legislator Loughran requested that when the Legislature adjourns, it do so in memory of Brian Parkot.

**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, November 7, 2019 at 2:00 p.m. Eastern Standard Time. MR. RATH seconded.

CARRIED UNANIMOUSLY.

CHAIR BASKIN declared the Legislature adjourned until Thursday, November 7, 2019 at 2:00 p.m. Eastern Standard Time.

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