

March 27, 2014

GOVERNMENT AFFAIRS COMMITTEE
REPORT NO. 4

ALL MEMBERS PRESENT.

CHAIR MILLS PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 5E-36 (2014)
GRANT: “Studies on Educational Programs for Inmates in Correctional Institutions”
(6-0)
 - b. COMM. 5D-6 (2014)
COUNTY ATTORNEY: “Transmittal of New Claims Against Erie County”
(6-0)
 - c. COMM. 5M-12 (2014)
EC BAR ASSOCIATION: “Assigned Counsel Program - Resolution 233 of May 6, 1975”
(6-0)
 - d. COMM. 5M-13 (2014)
EC BAR ASSOCIATION: “Assigned Counsel Program - Erie County Legislature Resolution of March 4, 2004, Comm. 5E-24 (2004)”
(6-0)
2. INTRO. 5-6 (2014)
GRANT

WHEREAS, the controversial proposal to provide a taxpayer-paid college education to New York State prison inmates has created an understandable pushback from residents wary of the expenditure of scarce public dollars during tight fiscal times, that if implemented, would help those in society who by the crimes they have committed are viewed as undeserving of such a benefit; and

WHEREAS, the proposal by Gov. Cuomo certainly offers a noble endpoint, that is providing prison inmates with a higher level of education in order to leave prison with the education and skill set necessary for today’s economy, and thereby never returning to a life of crime with an all too often return to prison – which at a tremendous cost to law-abiding taxpayers in terms of victimization and suffering, theft and property damage, and the public tax dollars spent on repeated incarcerations, begs for some type of ‘out-of-the-box’ thinking; and

WHEREAS, the debate no doubt represents a paradox, in that studies comparing education to recidivism point to higher education keeping people out of prison, yet a taxpayer-funded program to grant such an education does not enjoy significant public support; and

WHEREAS, opposition is understandable in light of New York families struggling to put their children through college without public tax dollars – students who did not break the law, and who nonetheless find that not only is college becoming ever more costly, they also find that government-funded programs to help pay for college are being slashed, and eligibility for need-based government assistance is also being tightened; and

WHEREAS, indeed, with NYSUNY 2020 leading to higher tuition costs for a lot of students, SUNY funding cuts resulting in reductions in programming, funding reductions to the Tuition Assistance Program and smaller TAP allowances, Albany policymakers must explore alternatives to the Cuomo proposal, such as placing the burden of payment for a college education on the people receiving the college education – the inmates themselves; and

WHEREAS, exploring the concept of a student loan program has merit in that such an approach would achieve the goal set forth by Gov. Cuomo, to offer college-level coursework, and the hope that by doing so that a different and more favorable outcome could ensue; and that such an inmate student loan program would also shift the financial burden away from everyday taxpayers who should not have to bear such a cost.

NOW, THEREFORE, BE IT

RESOLVED, that consideration of alternative ways to fund a proposal by Gov. Cuomo to restore college education in the State’s prison system be sought by Albany policymakers, in the hope that by providing the inmate population with the tools necessary in today’s society to secure meaningful employment and become productive, law-abiding members of our community, that better outcome can be achieved, a higher quality of life can be realized by former inmates, and that the recidivism rate can be reduced; and be it further

RESOLVED, that while seeking alternatives in funding, that the Erie County Legislature believes policy makers should consider a college loan program – not a gift of public tax dollars and not unlike college loans outside prison – whereby once an inmate completes his or her sentence and secures gainful employment, that the student loan can then begin to be repaid; and be it further

RESOLVED, that the Clerk of the Legislature shall forward certified copies of this resolution to the Governor of the State of New York, the Honorable Andrew M. Cuomo; the Coalition Co-Majority Leaders of the New York State Senate, the Honorable Dean G. Skelos and the Honorable Jeff Klein; the Speaker of the New York State Assembly, the Honorable Sheldon Silver; the Democratic Conference Leader of the New York State Senate, the Honorable Andrea Stewart-Cousins; the Erie County Executive, the Honorable Mark C. Poloncarz; the President of the Buffalo Common Council, the Honorable Darius G. Pridgen; the Honorable Members of the WNY Delegation to the New York State Legislature; Mr. Jeffrey M. Conrad, Chair of the Erie County & Buffalo Safe Neighborhoods Initiative; and to the Erie County Community Corrections Advisory Board.

(6-0)

3. COMM. 5E-23 (2014)

COUNTY CLERK

WHEREAS, the Erie County Clerk is responsible for processing all pistol permits in Erie County and the maintenance of related records; and

WHEREAS, the County Clerk purchased Gunkeeper, a proprietary software created by Vivax Corporation, several years ago for the tracking and issuing of permits; and

WHEREAS, the Clerk's office has identified several modifications that would allow for a more efficient pistol permit process; and

WHEREAS, Vivax Corporation has agreed to make these modifications; and

WHEREAS, the proprietary nature of the software necessitates that only Vivax can make the requested modifications and requires the waiving of the RFP procedure as outlined in Section 19.08 of the Erie County Administrative Code; and

WHEREAS, the Clerk's Office/Registrar Division has funding available in its 2014 Budget.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize the following budgetary adjustment:

2014 BUDGET – County Clerk, Business Area 113
Fund Center 11310 – Registrar Division

	<u>Decrease</u>
516020 Prof Svcs Contracts Fees	\$4,000
	<u>Increase</u>
516030 Maintenance Contracts	\$4,000

and be it further

RESOLVED, that the provisions of Section 19.08 of the Erie County Administrative Code are hereby waived as it relates to the completion of the modifications to Gunkeeper software by Vivax Corporation, and be it further

RESOLVED, that certified copies of this resolution be sent to the Erie County Clerk, the Director of Budget and Management, the County Attorney and the County Comptroller.

(6-0)

4. COMM. 5E-24 (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

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 funding for this project was previously approved in Comm. 2E-18 (2014); and

WHEREAS the request for proposal provision of Section 19.08 of the Erie County Administrative Code was complied with and the rating committee has selected New Vision Systems Corporation as the most qualified respondent.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize the County Executive to enter into an agreement with New Vision Systems Corporation to perform document verification services within the Clerk's Registrar Division; and be it further

RESOLVED, that funds are available within the Clerk's 2014 Budget, Business Area 113, Fund 110, GL 516020 Professional Services Contracts & Fees.; and be it further

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

5. COMM. 6E-22 (2014)

COUNTY EXECUTIVE

RESOLVED, the Erie County Legislature hereby confirms the appointment of David A. Palmer (14000 Hemskee Road, Alden, NY 14004) to serve as the EC Commissioner of Personnel for a term expiring 04/03/2020.

(6-0)

**KEVIN R. HARDWICK
CHAIR**