

May 1, 2012

GOVERNMENT AFFAIRS COMMITTEE
REPORT NO. 5

ALL MEMBERS PRESENT.

CHAIR GRANT PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 8E-18 (2011)
COUNTY EXECUTIVE: "Authorization to Hold a Public Auction for Sale of County Owned Real Estate"
(6-0)
 - b. INTRO 16-1 (2011)
DIXON: "Transfer of Surplus Property to the Boys & Girls Club of Lakeshore"
(6-0)
 - c. COMM. 3M-39 (2012)
JEREMY A. COLBY: "Letter to Chair of the Legislature Concerning Salary Structure of the EC Attorney's Office"
(6-0)
 - d. COMM. 5E-1 (2012)
DIXON: "Letter to County Clerk Concerning Reported Service Backlog in the County Clerk's Office"
(6-0)
 - e. COMM. 5E-3 (2012)
COUNTY EXECUTIVE: "Letter to Mayor of Buffalo Concerning Land Bank Proposal"
(6-0)
 - f. COMM. 5E-5 (2012)
COUNTY CLERK: "Letter to County Executive Concerning Creation of an EC Land Bank"
(6-0)
 - g. COMM. 5M-4 (2012)
ASSOCIATION OF EC GOVERNMENTS: "Copy of Resolution Concerning Land Banking"
(6-0)
 - h. COMM. 5M-14 (2012)
MAYOR OF BUFFALO: "Letter to County Executive Concerning Regional Land Banking"
(6-0)
 - i. COMM. 6E-2 (2012)
COUNTY EXECUTIVE: "Issuance of Executive Order No. 10"
(6-0)
 - j. COMM. 6D-2 (2012)
DEPARTMENT OF ENVIRONMENT & PLANNING: "Intermunicipal Agreement for the Creation of the Buffalo Erie Niagara Land Improvement Corporation"
(6-0)
 - k. COMM. 6D-3 (2012)
DEPARTMENT OF ENVIRONMENT & PLANNING: "By-Laws of Buffalo Erie Niagara Land Improvement Corporation"
(6-0)
 - l. COMM. 6M-1 (2012)
HAMILTON COUNTY BOARD OF SUPERVISORS: "Copy of Resolution Calling on All Counties to Unite to Bring About Real & Meaningful Mandate Relief in NYS"
(6-0)
 - m. COMM. 6M-4 (2012)
VILLAGE OF SPRINGVILLE: "Copy of Resolution In Support for an EC Land Bank"
(6-0)
 - n. COMM. 6M-5 (2012)
AMHERST TOWN BOARD: "Copy of Resolution In Support for an EC Land Bank"
(6-0)
 - o. COMM. 6M-6 (2012)
CHEEKTOWAGA TOWN BOARD: "Copy of Resolution In Support for an EC Land Bank"
(6-0)
 - p. COMM. 6M-7 (2012)
VILLAGE OF HAMBURG: "Copy of Resolution In Support for an EC Land Bank"
(6-0)

- q. COMM. 6M-10 (2012)
ORCHARD PARK TOWN BOARD: “Copy of Resolution In Support for an EC Land Bank”
(6-0)
- r. COMM. 6M-13 (2012)
LACKAWANNA COMMON COUNCIL: “Copy of Resolution In Support for an EC Land Bank”
(6-0)
- s. COMM. 6M-15 (2012)
SCHOHARIE COUNTY BOARD OF SUPERVISORS: “Copy of Resolution Calling on All Counties to Unite to Bring About Real & Meaningful Mandate Relief in NYS”
(6-0)
- t. COMM. 6M-22 (2012)
EDEN TOWN BOARD: “Copy of Resolution In Support for an EC Land Bank”
(6-0)
- u. COMM. 7M-6 (2012)
SENATOR GRISANTI: “Letter to Legislature Concerning Senate Bill 6286, in Relation to Reinstatement of the STAR Rebate Program for Seniors”
(6-0)
- v. COMM. 8D-2 (2012)
COUNTY ATTORNEY: “Transmittal of New Claims Against EC”
(6-0)
- w. COMM. 8D-3 (2012)
COUNTY ATTORNEY: “Notice of Claim”
(6-0)
- x. COMM. 8D-4 (2012)
DEPARTMENT OF ENVIRONMENT & PLANNING: “Application for Buffalo Erie Niagara Land Improvement Corporation”
(6-0)
- y. COMM. 8D-5 (2012)
COUNTY ATTORNEY: “Transmittal of New Claims Against EC”
(6-0)

- z. COMM. 8M-4 (2012)
FULTON COUNTY BOARD OF SUPERVISORS: “Copy of Resolution Urging the United States Congress to Repeal a Portion of the Universal Service Fund Surcharge that Provides Free Cellular Telephone Service to "Income Eligible" Individuals”
(6-0)
- 2. COMM. 6E-13 (2012)
COUNTY EXECUTIVE
WHEREAS, the Erie County Department of Public Works is responsible for administering the Utility Fund, a \$37.7 million energy aggregate purchasing electricity and natural gas on behalf of approximately 42 municipal governments/entities in Western New York; and

WHEREAS, the Department of Public Works needs to provide critical accounting and fiscal monitoring for the Fund; and

WHEREAS, the Department of Public Works requests creation of a part time accountant position to assist in this need with no new County share expense;

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the creation of one part-time position of Accountant, job group 9, in the Department of Public Works’ Utility Fund, B-100 # 6827; and be it further

RESOLVED, that the Division of Budget and Management is hereby authorized to adjust the Adopted 2012 Utility Budget to add \$15,000 to Account 500010 (part time salary) \$1,200 to Account 502000 (Fringe Benefits) in Fund 140, Fund Center 12110 and to accordingly decrease Account 515000 (Utility Charges) by the total amount of \$16,200; and be it further

RESOLVED, that certified copies of this resolution will be forwarded to the County Executive, the Office of the Comptroller, the Department of Personnel, the Division of Budget and Management, and the Department of Public Works.
(6-0)
- 3. COMM. 6E-15 (2012)
COUNTY EXECUTIVE
WHEREAS, the County administration desires to reactive the County’s long-standing membership in the New York State Association of Counties (“NYSAC”); and

WHEREAS, NYSAC has submitted the annual membership dues invoice totaling \$58,686; and

WHEREAS, funding to pay the dues is available within the 2012 Budget;

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the payment of the NYSAC dues and the Division of Budget and Management is hereby authorized to adjust the Adopted 2012 Budget as follows:

Fund Center 14010

Revenue	Increase
Account 400040, Other Payments in Lieu of Taxes	\$58,686
Appropriation	Increase
Account 520000, Municipal Association Fees	\$58,686

and be it further

RESOLVED, that certified copies of this resolution will be forwarded to the County Executive, the Office of the Comptroller, the Department of Law, and the Division of Budget and Management.
(6-0)

4. COMM. 8E-8 (2012)

COUNTY CLERK

WHEREAS, the Erie County Auto Bureau's Cheektowaga branch has occupied space at the Urbandale Shopping Center, 2122 George Urban Blvd., Cheektowaga, New York, since 1997; and

WHEREAS, the current lease expires September 30, 2012; and

WHEREAS, the County Clerk's Office has examined several options for Cheektowaga Auto Bureau space as the lease expiration date has approached; and

WHEREAS, this review has led to the recommendation that the best alternative for continued service to Auto Bureau customers during the next five years is that the office remain at its current location in the Urbandale Shopping Center.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize the County Executive to enter into an agreement between the County of Erie and Urbandale Development Company for the lease of approximately 9,158 square feet of space at the Urbandale Shopping Center on George Urban Boulevard in Cheektowaga; and be it further

RESOLVED, that the County Auto Bureau's tenancy of the premises provided in this lease shall be at the rate of \$123,633 per year payable in equal monthly installments for a five-year term beginning October 1, 2012 through September 30, 2017, with an option for one additional five-year term; 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 Attorney and the County Comptroller.
(6-0)

5. COMM. 8E-13 (2012)

COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Law serves as general counsel and litigation counsel for Erie County government; and

WHEREAS, in 2010, the prior administration deleted several filled assistant county attorney positions from the County's 2011 Budget and subsequently outsourced legal work to outside law firms; and

WHEREAS, the Department of Law has a critical need to have the services of another assistant county attorney to perform important legal work and to reduce the County's dependence on expensive outside counsel; and

WHEREAS, the Department of Mental Health also has the need of an assistant county attorney assigned half-time to work on its myriad of legal tasks; and

WHEREAS, available 2012 funding is available in the professional service accounts of both departments for this position;

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the creation of one position of Assistant County Attorney, job group 14, step 5 (\$67,758 annualized salary), in the Department of Law B-100 # 6881; and be it further

RESOLVED, that the Erie County Legislature hereby authorizes the following Budget adjustments in order to implement this request.

Fund 110 - 2012 Budget	
Department of Law - Fund Center 160	
Expense	Increase/(Decrease)
500000 - Full time Salaries	47,996
502000 - Fringe Benefits	26,390
516020 - Professional Services	(37,193)
916000 - Interdept Billing - Law	<u>(37,193)</u>
Total	0
Department of Forensic Mental Health – Fund Center 12420	
516020 - Professional Services	(37,193)
916000 - Interdept Billing - Law	<u>37,193</u>
Total	0

RESOLVED, that the Division of Budget and Management is hereby authorized to adjust the Adopted 2012 Budgets of the Department of Law and Department of Mental Health for this position, with the position covered by available balances in Account 516020, Professional Services Contracts and Fees; and be it further

RESOLVED, that certified copies of this resolution will be forwarded to the County Executive, the Office of the Comptroller, the Department of Personnel, the Division of Budget and Management, the Department of Mental Health and the Department of Law.
(6-0)

6. COMM. 8E-23 (2012)
COUNTY CLERK

WHEREAS, Joseph C. Vispi was a prominent real estate lawyer in Erie County for over sixty years, until he died at the age of 91 years; and

WHEREAS, Mr. Vispi worked out of Old County Hall’s “Closing Room” every day and was known to everyone who practiced in the field of real estate law, by every recording clerk, cashier, title searcher and attorney; and

WHEREAS, Mr. Vispi was elected president of his law school class, was a Director of the Bar Association of Erie County, President of the Lawyers Club of Buffalo, and the Justinian Legal Society; and

WHEREAS, Mr. Vispi was so loved and respected and considerate of his fellow lawyers, that the Bar Association of Erie County awarded him one of its highest honors in 2009 with the Civility Award; and

WHEREAS, Joe Vispi was a preeminent attorney in his field, always willing to share his knowledge with other lawyers, title searchers, and filing clerks and he also mentored many young lawyers.

NOW, THEREFORE, BE IT

RESOLVED, that the “Closing Room”, in the Clerk’s Office, located in Old County Hall be dedicated in Mr. Vispi’s memory and renamed in his honor as the “Joseph C. Vispi Closing Room”; and be it further

RESOLVED, that copies of this resolution be forwarded to the Erie County Clerk, the County Attorney, Justice Paula Feroletto, Administrative Judge, 8th Judicial District, Mr. Scott Schwartz of Lipsitz, Green, Scime, Cambria and to the Vispi Family.
(6-0)

**THOMAS J. MAZUR
CHAIR**