

**ERIE COUNTY LEGISLATURE
MEETING NO. 1
JANUARY 7, 2021**

The Legislature was called to order by the Clerk of the Erie County Legislature.

The Roll being duly called by Mr. Robert M. Graber, Clerk of the Legislature, the following Legislators answered, to wit:

1 st District Howard J. Johnson, Jr.	2 nd District April N.M. Baskin
3 rd District Lisa M. Chimera	4 th District Kevin R. Hardwick
5 th District Jeanne M. Vinal	7 th District Timothy J. Meyers
8 th District Frank J. Todaro	9 th District John J. Gilmour
10 th District Joseph C. Lorigo	11 th District John J. Mills

An Invocation was held, led by Ms. Baskin, who offered a prayer.

The Pledge of Allegiance was led by Mr. Lorigo.

Item 1 – MR. GRABER directed that the agenda be taken out of order and the next item for consideration shall be COMM. 1E-22.

GRANTED.

MR. LORIGO presented the following communication and moved for immediate consideration. MR. TODARO seconded.

CARRIED UNANIMOUSLY.

RE: Appointment of Christopher D. Greene
to Fill Vacancy in the 6th Legislative
District
(COMM. 1E-22)

Dear Mr. Graber,

Pursuant to the process set forth in section 2605 of the Erie County Charter, the Minority Caucus will be moving forward with filling the vacancy in the 6th Legislative District at our session scheduled for January 7, 2021. The attached petition seeks to appoint Mr. Christopher D. Greene, a Republican from Clarence, to fill the seat. My caucus will move it for approval at session.

Sincerely,

Joseph C. Lorigo
Minority Leader
Erie County Legislature

MR. LORIGO moved to amend the communication. MR. TODARO seconded.

CARRIED UNANIMOUSLY.

Insert the following:

Pursuant to Section 2605 of the Erie County Charter, we the undersigned, representing a majority of the members of the Erie County Legislature representing the Minority Caucus, do hereby appoint Christopher D. Greene of 9330 Hunting Valley Road North, Clarence, New York, 14031 a duly qualified elector of the Sixth Legislative District having the same political affiliation as the person last elected to such office, to fill the vacancy in the office of the Sixth Legislative District County Legislator. Said appointment shall take effect on January 7, 2021.

Joseph C. Lorigo
Erie County Legislature

Frank Todaro
Erie County Legislature

John J. Mills
Erie County Legislature

MR. GRABER directed that a roll-call vote be taken, among members of the County Legislature of the Minority Caucus, on the appointment.

AYES: MR. LORIGO, MR. MILLS & MR. TODARO. NOES: None. (AYES: 3; NOES: 0)

CARRIED UNANIMOUSLY.

MR. LORIGO moved to receive, file and print the communication as amended. MR. MILLS seconded.

CARRIED UNANIMOUSLY.

Item 2 – MR. GRABER called for nominations and the election of Chair of the Legislature for 2021.

MR. MEYERS placed in nomination for Chair of the Legislature for 2021 APRIL N.M. BASKIN. MR. JOHNSON seconded.

We, the undersigned, representing a majority of the members of the Erie County Legislature do hereby nominate April N.M. Baskin as Chair of the Erie County Legislature for 2021.

Howard J. Johnson, Jr. – 1 st District	April N.M. Baskin – 2 nd District
Lisa M. Chimera – 3 rd District	Kevin R. Hardwick – 4 th District
Jeanne M. Vinal – 5 th District	Timothy J. Meyers – 7 th District
John J. Gilmour – 9 th District	

MR. GRABER asked if there were any other nominations for the Office of Chair of the Erie County Legislature for 2021. MR. GRABER further asked if there were any other nominations for the Office of Chair of the Erie County Legislature for 2021. Following a third time asked if there were any other nominations for the Office of Chair of the Erie County Legislature for 2021, MR. GRABER declared nominations closed.

MR. GRABER moved the question of the election of April N.M. Baskin as Chair of the Erie County Legislature for 2021 and directed that a roll-call vote be taken.

AYES: MS. BASKIN, MS. CHIMERA, MR. GILMOUR, MR. HARDWICK, MR. JOHNSON, MR. MEYERS and MS. VINAL. NOES: MR. GREENE, MR. LORIGO, MR. MILLS and MR. TODARO. (AYES: 7; NOES: 4)

CARRIED.

MS. BASKIN, having received the required number of votes cast was declared duly elected CHAIR OF THE ERIE COUNTY LEGISLATURE for 2021.

Item 3 – CHAIR BASKIN called for nominations and the election of Clerk of the Erie County Legislature for 2021.

MS. CHIMERA placed in nomination for Clerk of the Legislature for 2021 ROBERT M. GRABER. MR. JOHNSON seconded.

We, the undersigned, representing a majority of the members of the Erie County Legislature, do hereby nominate Robert M. Graber as Clerk of the Erie County Legislature for 2021.

Howard J. Johnson, Jr. – 1st District

April N.M. Baskin – 2nd District

Lisa M. Chimera – 3rd District

Kevin R. Hardwick – 4th District

Jeanne M. Vinal – 5th District

Timothy J. Meyers – 7th District

John J. Gilmour – 9th District

CHAIR BASKIN asked if there were any other nominations for the Office of Clerk of the Legislature for 2021.

MS. VINAL moved to close nominations. MR. MEYERS seconded.

CARRIED UNANIMOUSLY.

CHAIR BASKIN moved the question of the election of ROBERT M. GRABER a Clerk of the Erie County Legislature for 2021.

CARRIED UNANIMOUSLY.

MR. GRABER, having received the required number of votes cast was declared duly elected CLERK OF THE ERIE COUNTY LEGISLATURE for 2021.

Item 4 – CHAIR BASKIN called for the designation of Majority Leader of the Erie County Legislature for 2021.

MR. JOHNSON presented a petition designating TIMOTHY J. MEYERS as MAJORITY LEADER OF THE ERIE COUNTY LEGISLATURE for 2021.

CHAIR BASKIN directed that the petition be received, filed and printed.

GRANTED.

We, the undersigned, representing a majority of the members of the Majority Caucus in the Erie County Legislature do hereby designate Timothy J. Meyers as Majority Leader of the Erie County Legislature for 2021.

Howard J. Johnson, Jr. – 1st District

April N.M. Baskin – 2nd District

Lisa M. Chimera – 3rd District

Kevin R. Hardwick – 4th District

Jeanne M. Vinal – 5th District

Timothy J. Meyers – 7th District

John J. Gilmour – 9th District

Item 5 – CHAIR Baskin called for the designation of Minority Leader of the Erie County Legislature for 2021.

MR. LORIGO presented a petition designating JOSEPH C. LORIGO as MINORITY LEADER OF THE ERIE COUNTY LEGISLATURE for 2021.

CHAIR BASKIN directed that the petition be received, filed and printed.

GRANTED.

We, the undersigned, representing a majority of the members of the Minority Caucus of the Erie County Legislature do hereby nominate Joseph C. Lorigo as the Minority Leader of the Erie County Legislature for 2021.

Christopher D. Greene – 6th District

Frank J. Todaro – 8th District

Joseph C. Lorigo – 10th District

John J. Mills – 11th District

Item 6 – MR. MEYERS moved for approval of the Rules of the Legislature for 2021. MR. JOHNSON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 1

**2021
RULES OF ORDER
ERIE COUNTY LEGISLATURE**

SECTION 1.00: ORGANIZATION

1.01 CHAIR

Annually, the members of the Erie County Legislature shall meet to organize no later than the 8th day of January in each calendar year. At such meeting, or at a recessed meeting, the Legislature shall select a member of the Legislature as the Chair by an affirmative vote of at least a majority of the entire membership of the Legislature. Upon his or her election, the Chair shall immediately assume all of the duties and responsibilities of the office.

The Chair shall possess the following powers and perform the following duties:

1. To preside over all meetings of the full Legislature; call the Legislature to order, direct a call of the roll, and, except in the absence of a quorum, proceed to business in a manner prescribed by these rules;

2. To preserve order and decorum;
3. To execute on behalf of the Legislature contracts and/or contract amendments and other documents authorized by the County Legislature and to execute all contracts necessary for the day-to-day operation and administration of the County Legislature without additional Legislative authorization;
4. To decide all questions of order, subject to appeal of the Legislature as hereinafter provided;
5. To recess meetings;
6. If the Legislature is ready to go into Committee of the Whole, to name a Chair to preside over such committee;
7. To name an open meetings advisor from among the legislators or legislative staff to advise the body on compliance with New York State Open Meetings and Freedom of Information laws and to name a Freedom of Information Law officer and a Freedom of Information Law Appeals Officer;
8. To order that a public hearing be held. Public Hearings shall be conducted a minimum of five (5) days before a related item can be considered by the Legislature unless otherwise prescribed by law. Said hearings shall be held no earlier than 6:00 pm on weekdays. However, ministerial Public Hearings involving departments of county government, such as those conducted for Sewerage Management and Public Works items, may be held during regular business hours. The Chair shall further ensure that notice of the time and date of each public hearing be posted on the Legislature's website not more than twenty-four (24) hours from the filing of the public notice.
9. To be a voting member ex-officio of all committees and to receive notice of all meetings thereof;
10. To serve as the Department Head of the Legislature, and to appoint and designate or terminate, within the budgetary appropriations, all officers and employees of the Legislature not required to be selected by other means under these Rules, or other State or County law;
11. To establish guidelines and criteria and approve the expenditure of funds in the budget of the Legislature for the printing and/or mailing of literature by members of the Legislature to their constituents within the appropriations therefore; provided, however, that no such literature shall be mailed at or delivered to any postal facility by such members during the period of forty five (45) days immediately prior to a date of a primary or general election in which such member is included or involved as a

candidate, whether such election is a special, primary, or runoff election, and as provided for in section 5.06 of these rules;

12. To establish independent committees, boards, and commissions to report to the Chair and/or Legislature, and appoint or remove the members thereof;
13. To cancel Public Hearings for which the underlying item has been withdrawn;
14. Such other powers as may be set forth in more detail in these Rules or in state, federal, or local legislation.

1.02 MAJORITY AND MINORITY LEADERS:

Annually, the enrolled members of the two caucuses which shall have the greatest number of members seated in the Legislature shall elect a leader of their respective parties. A caucus shall be defined as a group of members or adherents of the same political party. The leader of the caucus whose membership of the Legislature constitutes a majority of the Legislature shall be known as the Majority Leader. The leader of the other caucus shall be known as Minority Leader. The Minority Leader shall have the responsibility to appoint and designate or terminate, within budgetary appropriations, which shall be allocated approximately proportionally, based on the number of members in the Minority Caucus, all officers and employees of the Legislature Minority.

For the purpose of complying with the provisions of Section 200, subdivision 1 of the County Law, in the event that neither the members of one caucus nor the other constitute a majority of the members of the County Legislature, the Chair of the Legislature shall designate one caucus leader as the Majority Leader and the other as the Minority Leader for the purpose of budgetary appropriation and other matters.

1.03 ACTING CHAIR:

In the absence of the Chair from any meeting of the Legislature, the designated Majority Leader shall become acting Chair with all the powers and duties of Chair for so long as the Chair is absent.

In the event of this occurrence, the Majority Leader shall not act in both capacities. The Majority Caucus shall designate an acting Majority Leader for so long as the Majority Leader is acting Chair.

SECTION 2.00: MEETINGS

2.01 REGULAR SESSION:

Regular sessions of the Legislature shall be held at least twice monthly, except in August, as designated by the Chair. The schedule of regular sessions shall be determined by the Chair who

shall notify members of the Legislature concerning the same no later than January 1, of each year.

All regular sessions and all adjourned sessions shall be open for consideration of any matter, which in accordance with these rules, may be properly brought to the attention of the Legislature.

2.02 SPECIAL MEETINGS:

Special meetings shall be held at the call of the Clerk of the Legislature upon direction of the Chair or upon filing with the Clerk of the Legislature of a written request signed by a majority of the members of the Legislature. Notice in writing, stating the time, place and purpose of the special meeting shall be served personally, by facsimile transmission, by e-mail, by mail or by affixing to the door of the premises of the residential address upon each member by the Clerk of the Legislature at least forty-eight (48) hours before the date and time fixed for holding the meeting, or a member may waive the service of the notice for such meeting in writing. Only business specified in the notice thereof may be transacted at a special meeting.

Service by facsimile transmission, or e-mail of the Notice of Special Meeting, pursuant to this section, is authorized and constitutes service upon each member at a facsimile telephone number or County assigned e-mail address provided to the Clerk by the member of the Legislature for that purpose. A confirmation record produced by the Clerk's facsimile machine or computer and an affidavit of service by the Clerk of the Legislature, shall be *prima facie* evidence that the Notice of Special Meeting and transmitted documents were served consistent with the date, time and place appearing on the confirmation record. Facsimile transmission or e-mail of the Notice of Special Meeting may be transmitted at any time of the day or night, Monday through Friday, to the appropriate facsimile telephone number and will be deemed served upon receipt of the facsimile transmission, except that Notices of Special Meeting sent on a Friday shall be deemed duly served if the Clerk's confirmation record and affidavit demonstrate that facsimile transmissions or e-mails for all members of the Legislature were completed by 5 p.m. on that Friday. Nothing in this rule shall prohibit personal service of a Notice of Special Meeting on Friday after 5 p.m., or on a Saturday or a Sunday.

2.03 QUORUM:

A majority of the duly constituted membership of the Legislature shall constitute a quorum for the transaction of business, but a lesser number may adjourn.

During the State of Emergency involving COVID-19, a legislator or legislators affected by COVID-19 who cannot physically be present in the Legislative Chambers for a legislative session or legislative committee may, through advance written notice filed with the Clerk of the Legislature, participate in a legislative session or legislative committee via video or audio conferencing.

During the State of Emergency involving COVID-19, and pursuant to a written letter submitted by the Chair of the Legislature directing so, the Legislature may convene and meet in legislative sessions or committees via video or audio conferencing, so long as the public may watch/listen to such sessions or committees.

2.04 CHAIR TO SECURE A QUORUM:

In the absence of a quorum during the sessions of the Legislature, the Chair may take such measures as provided by law and as the Chair may deem necessary to secure the presence of a quorum.

2.05 ROLL CALL, MINUTES, ABSENCES:

At any and every meeting of the Legislature, upon the members being called to order by the Chair, the roll of members shall be called by the Clerk, and the names of those absent shall be inserted in the Minutes. The Majority and Minority Leaders should note the absence of any of their members because of county business, established illness, death and/or bereavement in the family or of a close associate and such absence shall be carried in the Minutes as an excused absence. The Minutes of the preceding meeting, when available, shall then be presented for approval to the end that any corrections, alterations, or additions may be made. In all cases when an order, resolution or a motion shall be entered in the Minutes of the Legislature, the name of the member presenting or moving the same and seconding shall be entered.

2.06 ORDER OF BUSINESS:

The Order of Business of each session shall be:

1. Calling the roll of members by the Clerk;
2. Consideration of the Minutes of the preceding meeting(s);
3. Consideration and presentation of miscellaneous resolutions. Each legislator shall be entitled to four (4) annual presentations including "Citizen of the Month", with no regular session having more than two (2) presentations. Selection of presentations shall be determined by the order in which requests are filed with the Clerk of the Legislature;
4. The consideration of Communications, Local Laws and Resolutions on the Table of the Legislature;
5. Reports of Standing Committees;
6. Reports of Special Committees;
7. Presentation of Resolutions;

8. Presentation of Resolutions and Communications to be Discharged from a Standing Committee or Special Committee;
9. Presentation of Resolutions and Communications which require a Suspension of the Rules for the purpose of considering the item or sending it to committee;
10. Presentation of Communications from Elected County Officials, County Departments, and the People and Other Agencies;
11. Unfinished Business;
12. Announcements from the Chair;
13. Announcement of Committee Meetings;
14. Presentation of Memorial Resolutions; and
15. Adjournment.

The Chair in his or her discretion may change the Order of Business at any session except as otherwise provided in Section 4.04.

2.07 ORDER DURING SESSION:

The Chair shall take the chair at the hour specified for the convening of the Legislature and shall preserve order and decorum. In debate, all remarks must be addressed to the Chair and confined to the question before the Legislature. The Chair shall prevent personal reflections and confine members to the question under discussion.

The Chair shall decide all questions of order, which decisions shall be final, unless an appeal is taken to the Legislature and sustained.

2.08 APPEAL FROM THE CHAIR'S RULING:

On every appeal, the Chair shall have the right to assign his/her reasons for such decision. If the question on which the appeal is taken was not debatable, the Legislature shall decide the case without debate. If debatable, no member shall speak more than once.

The Chair shall put the question: "Shall the Ruling of the Chair be overturned?"

A motion to overrule a decision or ruling of the Chair shall require approval by a majority vote of the Legislature.

2.09 PRIVILEGE OF THE FLOOR:

No person shall be entitled to the privilege of the floor during the session of the Legislature, unless unanimous consent be given therefore.

2.10 REFERRALS TO COMMITTEE:

The Chair, at his or her discretion, may refer to the proper committee or shall table any petition, resolution, local law, amendment or other matter when presented, and may similarly refer to the County Attorney for attention any legal proceeding brought against the county. The Chair's decision to refer any item to committee or to the County Attorney or to table an item is not amendable or debatable, and can only be challenged in accordance with Section 2.08 herein. Once the appeal from the Chair's ruling has been decided however, and if the same has been a determination in favor of the Chair's referral or other action, the petition, resolution, local law, amendment or other matter cannot be discharged from such committee for reconsideration or other action at the same legislative session without the unanimous vote of the Legislature.

2.11 MEMBER NOT TO SPEAK OR LEAVE HIS OR HER PLACE:

While the Chair is putting a question, or while the roll is being called, no member shall speak or leave his or her place. The Chair shall allow opportunity for debate before the roll is called.

2.12 TIE VOTE:

When the Legislature shall be equally divided on any question, including the Chair's vote, the question shall be deemed to have been lost.

2.13 PRIORITY OF BUSINESS:

All questions relative to priority of business shall be decided by the Chair without debate, except as otherwise provided in Section 4.03, and the Chair's decision shall be final.

2.14 LIMITATION ON TIME OF SPEECH:

No member shall speak more than five minutes at any one time, nor more than twice on the same question without permission by majority vote of the Legislature.

However, all members shall be given an opportunity to explain their vote during a recording of ayes and noes pursuant to Rule 2.18 of this section.

During any debate occurring on the floor of the Legislature the lead sponsor, or his or her designee, in debate may be directly addressed with questions specifically relating to the item in front of the Legislature. Direct questions shall count as one of the two opportunities to speak and the member asking questions will be afforded the entirety of their time. All questions must be confined to the limitations otherwise imposed in this Rule.

The response from the lead sponsor, or his or her designee, must be related to the question asked and may be reasonably limited at the discretion of the Chair of the Legislature. For the purposes of this Rule the lead sponsor shall be the member whose name is listed first on the item at debate. The lead sponsor's responses shall not count against his or her time allowances afforded under this section.

This rule does not apply to the vote explanation allowed pursuant to 2.18, no questions are allowed during that time.

2.15 MAJORITY VOTE:

A majority of the total vote of the entire membership of the Legislature shall be necessary to carry any question, proposition, resolution, motion, amendment or any other matter, except where it is otherwise provided herein or by statute that a two thirds vote or a unanimous vote is required. Local laws, resolutions or amendments introduced by any member(s) of the Legislature and communications from elected officials requiring approval shall be approved or disapproved by a majority vote of the full Legislature, except in such instances when items are removed from the agenda pursuant to Section 5.04.

2.16 RECEIVE AND FILE/RECEIVE, FILE AND PRINT:

The Chair, at his or her discretion, may receive and file or receive, file and print any question, proposition, resolution, motion, amendment or any other matter. The Chair's decision to receive and file or receive, file and print any question, proposition, resolution, motion, amendment or any other matter is not amendable or debatable, and can only be challenged in accordance with Section 2.08 herein.

2.17 RECORDING OF VOTE:

Any member shall have the right to have his or her vote recorded and entered upon the minutes upon request, without explanation, and without requiring the ayes and noes to be called.

2.18 RECORDING AYES AND NOES:

On a roll call, the ayes and noes shall be taken without explanation on any question wherever so required by law, or by any member, and whenever so taken shall be entered in the proceedings of the Legislature, and the Clerk shall record the names of the members and the way each shall have respectively voted. The roll is called of the minority members first, in alphabetical order, followed immediately by the majority members, in alphabetical order. Each member, as his or her name is called, shall respond in the affirmative or in the negative, as the case may be. Every member is entitled one (1) minute to explain their vote during the roll call or voice vote. Each member, however, shall be allowed to pass on the first call of the roll. To verify the vote and to correct possible errors, and to allow such members as passed on the first call of the roll; the Clerk shall repeat the call of the roll once, and only once. The only exception to this procedure is if the member abstains from voting in accordance with Section 2.21 herein.

2.19 BORROWING MONEY:

The ayes and noes shall be taken on all resolutions or other proceedings involving the granting of authority to borrow money and such other resolutions and proceedings, as the statute requires.

2.20 VOTE ON DISTINCT PROPOSITION:

If the question in debate contains several distinct propositions, the same shall be divided by the Chair at the request of any member, to the end that a vote may be taken on each proposition, but a motion to strike out and insert shall be deemed indivisible.

2.21 ABSTENTIONS:

Every member who shall be physically present in the Legislative Chambers when a question is stated by the Chair must cast his or her vote on the same. The only exception to this procedure is when a member abstains from voting in accordance with Section 5b of Erie County Local Law No. 2- 2018, constituting the Erie County Code of Ethics. If a member wrongfully attempts to avoid casting his or her vote, abstain, or otherwise refuses to vote, the Chair shall direct the Clerk to record such member's vote in the affirmative on the question being voted upon.

2.22 SPEAK WHEN RECOGNIZED BY CHAIR:

No member wishing to speak shall proceed without standing and without having addressed the Chair from his or her place and until obtaining recognition by the Chair.

2.23 SUSPENSION OF THE RULES BY UNANIMOUS CONSENT:

These rules may at any time during the session be suspended by unanimous consent of all members of the Legislature present; however, the member making the application for such suspension must state the purpose for which the same is asked.

These rules may be suspended by a majority vote of the Legislature for the purpose of referring any item to committee provided that said item may not be discharged for action at the same meeting at which the suspension is granted. The unanimous consent of all members of the Legislature present shall be required, however, to suspend the rules to permit action on an item at the same meeting at which such suspension is requested.

A member shall submit to the Chair of the Legislature, a written copy of the item which he or she proposes to suspend the rules for referring said item to committee or for permitting action on said item at least three (3) hours prior to the session at which the request for such suspension is considered, and the member making said application for such suspension shall state the purpose for which the same is asked.

2.24 PRESENTATION OF MOTION:

When a question shall be under consideration, no motion shall be received except as herein specified, which motion, termed subsidiary motions, shall have precedence in the order named, to wit:

1. For an adjournment of the Legislature;
2. A call of the Legislature;
3. To move the previous question;
4. To lay on the table;
5. To postpone indefinitely;
6. To postpone to a certain day;
7. To go immediately into a Committee of the Whole on the pending subject;
8. To recess;
9. To commit to a Standing Committee;
10. To commit to a Special Committee; and
11. To amend.

2.25 WITHDRAWAL OF RESOLUTION OR MOTION:

Any resolution or motion offered by a member may be withdrawn by the member presenting it at any time before an announcement by the Chair of the vote thereon or before an amendment to such resolution or motion has been adopted.

2.26 MOTIONS NOT AMENDABLE OR DEBATABLE:

All motions for an adjournment, for a recess, to move the previous question, or to lay on the table shall be neither amended nor debated. After the roll call on any question has begun, no member shall speak on the question nor shall any motion be made until after the result is declared. While the Chair is putting any question, or while the roll is being called, no debate or discussion shall be in order.

2.27 PREVIOUS QUESTIONS AND AMENDMENTS:

The "Previous Question" shall be as follows:

1. "I move the previous question" applies only to the specific pending question being debated whether it be an amendment or any other issue. If an amendment is being debated, the "previous question" is called, and a vote taken on the amendment, then the next amendment, if there is one, or the resolution should be debated.

2. If a motion is approved for the "previous question" and is qualified as being called to end debate on the resolution and all amendments, then no further debate can be permitted. Such a motion can be qualified in any manner, i.e., to end debate only on amendment, or on all pending questions.

2.28 MOTIONS FOR RECONSIDERATION AND CHANGING ONE'S VOTE:

A motion for reconsideration or a motion to change one's vote shall not be in order unless made on the same day, or at the next Legislative Session.

A motion to reconsider must be made by a member who voted with the prevailing side on the action proposed to be reconsidered. A member has the right to change his or her vote up to the time the result is announced; after that a change of vote can be made only by permission of the Legislature, which can be given by general consent, or by adoption of a motion to change one's vote.

When a motion to reconsider or a motion to change one's vote has been defeated, it shall not again be submitted to the Legislature without unanimous consent.

2.29 MOTION TO RESCIND:

A motion to rescind can only be entertained when moved by a member who voted with the majority in the action which it is proposed to rescind, and requires the affirmative vote of a majority of the total members of the Legislature.

2.30 COMMITTEE OF THE WHOLE:

The Legislature may, at any time when in session, resolve itself into a Committee of the Whole on any subject before it, and in such case, the Chair may name a member to preside.

2.31 COMMITTEE OF THE WHOLE- NO QUORUM; ADJOURNMENT:

If at any time within a Committee of the Whole it be ascertained that there is no quorum, the Chair of the Legislature or the Chair of the Committee of the Whole, if so named, shall immediately report the fact to the Chair of the Legislature and the adjournment of the Committee of the Whole shall be in order.

2.32 PRESENTATIONS TO BE IN WRITING:

All petitions, resolutions, committee reports, amendments, and items discharged from a committee thereof, shall be in writing. Legislators requesting a discharge from a committee must present a paper copy of the item on the floor for the discharge.

2.33 TIME FOR PRESENTATION TO CLERK:

Except as provided in Section 2.02, all petitions, resolutions, offers, or communication of whatever nature shall be submitted to the Clerk of the Legislature before 10:00 a.m., two (2) business days prior to a regular meeting date, for presentation by the Clerk of the Legislature at the next meeting. For the purpose of this rule, business day shall be defined in reference to Section 206 of the New York State County Law.

In the event that two business days before session is a recognized holiday or a recognized holiday occurs within two business days before a regular meeting date, the appropriate clock-in day will be the first business day of the week in which the regular meeting date is held.

An agenda of all matters before the Legislature shall be prepared by the Clerk of the Legislature, who shall determine the particular order of agenda items in keeping with Section 2.06.

2.34 SAMPLE RESOLUTION AND ACCOMPANYING MEMORANDA:

The Clerk of the Legislature shall not place any request for legislative action, which is filed by a county elected official, other than a county legislator, or by a nonelected county official, on the agenda for a regular or special legislative session, unless such request includes a sample resolution and an accompanying memorandum, which presents and includes:

- A SUMMARY OF RECOMMENDED ACTION
- FISCAL IMPLICATIONS OF PROPOSAL
 - If the proposal is creating new, or extending existing, county personnel, include the:
 - Annualized salary required of the position(s)
 - Pro-rated salary required for the remainder of the current fiscal year
 - Funding source(s) to be utilized to cover the costs. If the proposed funding source is a grant, include:
 - Grant source (federal, state, charitable, etc.)
 - Grant duration
 - Grant funding remaining after creation of the new position(s)
 - A contingency plan should the existing grant be discontinued
- REASONS FOR RECOMMENDATION
- BACKGROUND OF PROPOSAL
 - If the proposal creates a new position, or extends an existing position, include an:
 - Affirmation as to whether the duties required of the position are required by law or contract

- Affirmation as to whether the position is managerial confidential or Competitive Civil Service
- CONSEQUENCES OF NEGATIVE ACTION
- STEPS FOLLOWING APPROVAL OF MEASURE

2.35 SOLICITATIONS:

No solicitation of funds for any purpose shall be permitted during any session of the Legislature.

2.36 ALL POINTS OF ORDER NOT COVERED BY THESE RULES:

On all points of order not governed by the rules of this Legislature, the most recent edition of Robert's Rules of Order shall prevail. In the event that a point of order shall arise which shall not be covered by either the Rules of Order for the Legislature or by the most recent edition of Robert's Rules of Order, the Rules of the New York State Assembly shall be followed.

SECTION 3.00: COMMITTEES

3.01 RULES SHALL APPLY TO COMMITTEE MEETINGS:

The Rules of the Legislature, except Section 2.09, shall apply to all committee meetings.

3.02 STANDING AND SPECIAL COMMITTEES:

There shall be the following standing committees which shall consist of five members each (including a Chair, Vice-Chair and three members), except the Finance and Management/Budget Committee which shall consist of seven members (including a Chair, Vice-Chair and five members) for the purpose of considering and acting upon the County Executive's Annual Budget, and all matters relating thereto.

The members of each committee shall be appointed by the Chair of the Legislature within twenty (20) days, or as soon as possible, after his or her election or appointment and the list of the committees shall be filed with the Clerk of the Legislature and printed in the minutes of the Legislature.

STANDING COMMITTEES

Community Enrichment
Economic Development
Energy and Environment
Finance and Management
Government Affairs
Health and Human Services
Minority and Women Business Enterprise

Public Safety
Small Business

SPECIAL COMMITTEES

The Chair of the Legislature in his or her discretion may appoint such Special Committees, the number of members of which shall be as the Chair may determine.

3.03 CHAIR EX-OFFICIO MEMBER OF ALL COMMITTEES:

The Chair shall be a member Ex-officio of all committees with a vote thereon.

The Chair's presence at a meeting shall be counted in determining whether a quorum is present. Any vacancies occurring during the year on any Standing or Special Committee shall be filled by the Chair at his or her discretion.

3.04 RECORDING PRESENCE OR ABSENCE OF COMMITTEE MEMBERS:

The Chair of every Standing and Special Committee shall record and certify on a form provided by the Clerk of the Legislature the names of all members present and absent from all regularly called committee meetings. Said certificate shall be filed with the Clerk and shall be the official record of committee attendance.

3.05(1) CONDUCT OF COMMITTEES:

All committees appointed by the Chair shall act promptly on all matters referred to them. It shall be the duty of the members of said committees to familiarize themselves with the departments of county government and the work entrusted to each of such committees.

3.05(2) MATTERS REFERRED TO DEPARTMENT HEADS:

Any matter referred by a committee to a department head for report or study shall be laid on the committee table for one week unless a longer period is specified by the committee.

3.05(3) REPORT ON ANY FINAL ACTION OF COMMITTEE:

Any final action taken by a majority of the members of the committee shall be included in the committee's report of its meeting and the committee's action shall be subject to approval of the Legislature by a majority vote of its total membership.

3.05(4) COMMITTEE AGENDA:

An agenda of all matters before a committee shall be prepared by the Clerk of the Legislature.

3.05(5) OPEN ITEMS IN COMMITTEE:

At the discretion of the Committee Chair, an item or items may be allowed to remain on the agenda indefinitely in that particular Committee to allow for consideration of that item and to serve as a vehicle for the committee to amend and send to the full Legislature, within the committee report, for consideration, subject to conditions provided in Section 5.04.

3.06 COMMITTEE REPORT MADE BY MAJORITY OF COMMITTEE:

No report shall be made by any committee on any subject referred to it except by a majority vote of the total membership of the committee unless the Legislature otherwise directs. All reports of committees shall be in writing and presented to the full Legislature for consideration at the next succeeding regular session of the Legislature, except the report of the Finance and Management/Budget Committee on the County Executive's Tentative Annual Budget, as provided in Section 4.01.

3.07 COMMITTEE REPORT BY STANDING AND SPECIAL COMMITTEES:

All reports of Standing and Special Committees, all motions except subsidiary motions under Sections 2.08, 2.27, 2.28, 2.29 and 2.30 and all resolutions shall lie upon the table one day before action thereon or adoption by the Legislature (unless immediate consideration is given by a majority vote of the Legislature). This rule shall not apply to reports of Standing and Special Committees on the last regular session before summer adjournment nor on the last regularly adjourned session at the close of the year.

SECTION 4.00: BUDGET

4.01 TENTATIVE BUDGET:

The County Executive shall, on or before the date set forth in the Charter or established by Local Law revising same, submit twenty (20) copies of the tentative budget to the Legislature. The Finance and Management/Budget Committee is hereby designated to receive and study the tentative budget and to report thereon. The Chair of the Finance and Management/Budget Committee shall present such tentative budget to the Finance and Management/Budget Committee for its consideration. The Finance and Management/Budget Committee shall hold such meetings thereon as it may determine, and may require any officer or employee of the county or the head of any county department, bureau, office, board or commission, or of any organization receiving financial aid from the county, to appear before the committee for the purpose of furnishing any information required by the committee in its consideration of the tentative budget. After such consideration, the Finance and Management/Budget Committee shall submit the tentative budget, with such amendments or changes therein as the committee may determine, together with its report thereon, to the Legislature not later than the sixth of December in each year. The report of the Finance and Management/Budget Committee shall be submitted to the Legislature and lay on the table forty-eight (48) hours prior to the Annual Meeting established by Section 2508 of the Charter.

Budget amendments proposed less than forty-eight (48) hours prior to the Annual Meeting shall be considered and voted on as described in Section 4.04. Such amendments less than forty-eight (48) hours prior to the Annual Meeting shall be limited to special or essential items for which information was not available in time to meet the forty-eight (48) hour requirement.

4.02 ANNUAL MEETING FOR THE ADOPTION OF BUDGET:

The Annual Meeting for the adoption of the Budget and for the levying of taxes for all county and town purposes prescribed by law shall be held pursuant to Section 2508 of the Charter.

4.03 LEVY OF SCHOOL TAXES:

The annual levy of school taxes pursuant to the Erie County Tax Act, as amended, shall be made at the regular meeting held on the first Thursday of September in each year.

4.04 ADOPTION OF BUDGET:

On or before the sixth of December, following the submission of the tentative budget, the budget shall be the first order of business following consideration of the Minutes. Upon conclusion of the consideration of the budget, as provided in the Charter and Code, the motion to adopt the budget, either with amendments thereto, if any, to make the necessary appropriations therefore shall be the next order of business.

Any amendments to the Finance and Management/Budget Committee Report, which are proposed less than forty-eight (48) hours prior to the annual meeting prescribed by the County Charter, Section 2508, for adoption of a budget, shall be considered, justified and voted on in accordance with the Erie County Charter and Code.

SECTION 5.00: MISCELLANEOUS

5.01 APPOINTMENTS AND CONFIRMATIONS:

All appointments by this Legislature shall lay on the table one day except for appointments made for the purpose of organizing the Legislature and the reappointment of incumbents, which may be acted on immediately. All appointments requiring the confirmation of the Legislature may be acted on immediately.

Candidates, including incumbents seeking reappointment, for the position of Commissioner of the Erie County Water Authority, shall formally submit, in writing, to the Chair of the Legislature, notice of their candidacy for that position. The Chair of the Legislature shall notify the Chair of the Erie County Legislature's Energy and Environment Committee of such applicant(s) for the office of Commissioner of the Erie County Water Authority. Upon said notification, the Chair of the Energy and Environment Committee shall schedule a public meeting, with a minimum of five (5) business days notice to members of the Legislature and the

general public, within fifteen (15) days of receipt of notification from the Chair of the Legislature, for the purpose of interviewing the candidate(s).

5.02 PURCHASE OVER \$10,000.00:

Pursuant to Section 3.07 of the Administrative Code, the sum of \$10,000.00, is hereby fixed as the limit above which any purchases for contract for supplies may not be made without public advertisement. On purchases under \$10,000.00, as far as practicable, every purchase made by the Purchasing Director shall be made on bids first obtained from at least three (3) sources, except where a vendor will extend GSA contract pricing to the county, the Purchasing Director may purchase from that vendor without competitive bidding. A notation of the GSA contract number shall appear on the purchase order. Purchase requisitions and/or inquiry bid files for items under \$10,000.00 shall include a notation in writing indicating the names of at least three (3) vendors who were contacted, the name of the individuals quoting for the firm, the date contacted, and the prices quoted by the vendors. A contract awarded therefore shall be to the lowest responsible bidder.

5.03 OFFER TO PURCHASE COUNTY-OWNED PROPERTY:

The Erie County Legislature shall not adopt any resolution, which changes the status of county-owned land until such time as the proposal has been reviewed and recommended by the Department of Environment and Planning's County-Owned Lands Policy Advisory Board. The Clerk of the Legislature shall be responsible for referring all offers to purchase county-owned property to the Commissioner of Environment and Planning.

5.04 REDUCTION OF AGENDA:

Any item on a committee agenda, including but not limited to Local Laws, Resolutions, communications from the departments, and communications from other officials will be removed from the agenda one (1) calendar year from the date of their introduction.

The Chair of the Committee may, on his or her motion or request, keep an expired item on the table for an additional calendar year. The motion or request to leave an item on the table is not amendable or debatable, and can only be challenged in accordance with Section 2.08 herein.

5.05 DUTIES OF ADMINISTRATIVE ASSISTANTS:

The Administrative Assistants and other such staff as designated by the Clerk shall, in addition to the duties ordinarily performed by such officials, perform such other duties as shall be assigned to each by the Clerk during sessions and committee meetings of the Legislature.

5.06 ERIE COUNTY LEGISLATURE MAIL POLICY:

1. References to political parties and/or party affiliations are prohibited on all legislative mailings.

2. The Chair, at his/her discretion, may authorize Committee Chairs and their Clerks to send informational mailings that are germane to pending committee agenda items.
3. Members are entitled to use their annual discretionary district office expense account for targeted informational mailings (notifications, announcements, etc.) to constituents in their districts. Postage expenses, like other district office expenses, are itemized. District Offices are required to maintain copies of all targeted informational mailings, and to file a true and complete copy of same with the Clerk of the Legislature, commensurate with the mailing of same. Any such mailings must be postmarked and mailed no later than forty-five (45) days prior to the date of the Erie County Legislature Primary and/or General Election.
4. The above policy shall be reviewed periodically and wherever possible, electronic notification and communication shall be used. All mailings should contain the Legislature's and/or the legislator's county web page address.

5.07 PROHIBITION OF USE OF AUDIBLE, PORTABLE COMMUNICATION DEVICES:

During sessions and committee meetings of the Legislature, the use of audible, portable communication devices, including, but not limited to cellular telephones and pagers, shall be prohibited, except for non-audible receipt activation. Such prohibition shall be in effect for members and staff of the Legislature, as well as for invited witnesses, visitors, and members of the general public attending such sessions or meetings. Such prohibition shall not include the use of microphones, electronic recording devices, video recording equipment or portable computers used for the purposes of recording the proceedings of legislative sessions or committee meetings if done in a nondisruptive manner.

5.08(1) DECORUM IN LEGISLATURE CHAMBER:

In accordance with Article 7 of the N.Y. Public Officers Law, the Erie County Legislature hereby finds that it is essential to the maintenance of a democratic society that the business of Erie County be performed in an open and public manner. The citizens of Erie County and other governmental officials should be able to attend and observe their legislators during public deliberations subject to certain rules to allow this Honorable Body to properly consider the issues before it.

5.08(2) VISITORS TO THE ERIE COUNTY LEGISLATURE:

All visitors and spectators to the Erie County Legislature must be respectful and obey the rules of order promulgated by this Honorable Body.

5.08(3) FLOOR MOVEMENT:

In order to preserve the order, decorum and security of this Honorable Body, the floor of the Legislature Chamber will be restricted during sessions and public hearings to Legislators, Legislature Staff, County-wide Elected Officials, Administration Representatives, Department Heads and others granted permission by the Chair of the Erie County Legislature.

5.08(4) BANNERS, SIGNS AND PLACARDS:

Any display of banners, signs, or placards in the Legislature Chamber or Committee Rooms that is disruptive to the deliberative process of the Erie County Legislature and not previously authorized by the Clerk of the Erie County Legislature is strictly prohibited.

5.08(5) DISTRIBUTION OF LITERATURE OR MATERIALS:

Any distribution of literature or materials in the Legislature Chamber or Committee Rooms not previously authorized by the Clerk of the Erie County Legislature is strictly prohibited.

5.08(6) AUDIO RECORDING:

Audio recording of the public proceedings of the Erie County Legislature's sessions, committee meetings and public hearings shall be permitted under the following conditions:

- a) any unobtrusive audio recorder may be used provided that such recording is restricted to the open and public areas of the Legislature Chamber and Committee Rooms; and
- b) only credentialed members of the news media will be allowed access to the audio/visual equipment of the Erie County Legislature.

5.08(7) VIDEO RECORDING:

Video recording of the public proceedings of the Erie County Legislature's sessions, committee meetings and public hearings shall be permitted under the following conditions:

- a) any unobtrusive video recorder may be used provided that such recording is restricted to the open and public areas of the Legislature Chamber and Committee Rooms; and
- b) only credentialed members of the news media will be allowed access to the audio/visual equipment of the Erie County Legislature; and
- c) no light, visible signal or audible sound shall be used on any video equipment to indicate that the equipment is operating.

5.08(8) DRESS DECORUM:

Denim of any form is prohibited from attire of any member of the Legislature or staff in the Legislative Chambers during any event involving formal business of the county including, but not limited to, sessions, committee meetings, public hearings, and informational hearings.

5.08(9) ELECTRONIC DEVICES

All electronic devices shall be maintained on silent or vibrate mode and any disruption caused by a personal electronic device shall be grounds for removal under section 5.08(11).

5.08(10) OATH OR AFFIRMATION:

The Chair of the Legislature, or committee, has the power to request anyone speaking in front of the Legislature take an oath affirming the truthfulness of the information being presented on the floor. This applies to any situation where the Legislature will be using the facts presented in making a decision. The discretion to use this power is within the control of the Chair of the Legislature or committee, depending on the body being presented with the information.

The Chair in charge of the meeting will ask the speaker, "Do you swear that what you are about to present is, to the best of your knowledge, both true and correct?"

Speaker must answer in the affirmative or leave the floor until such a time as they are able to make the oath in the affirmative. If the speaker is unable to answer in the affirmative, a vote of the majority of the committee or the Legislature as a whole shall be taken as to whether to allow him or her access to the floor.

5.08(11) VIOLATIONS:

Any violation of the order or decorum of the Legislature subjects an offending party to removal from the Erie County Legislature's sessions, committee meetings and public hearings and possible forfeiture of their right to attend future sessions, committee meetings and public hearings of this Honorable Body.

5.09 AMENDMENT OF RULES:

These rules shall not be rescinded, altered, or amended, nor shall any additional rule be added, except by a majority vote of the total members of the Legislature, and only after at least one day's notice in writing, filed with the Clerk of the Legislature. Any additions to the Rules of Order shall be underlined and deletions shall be bracketed [] or marked-up using the Track Changes function in Microsoft Word.

SECTION 6.00: EFFECTIVE DATE

6.01 EFFECTIVE DATE:

These rules shall be effective immediately upon adoption by a majority vote of the total membership of the Legislature.

Item 7 – CHAIR BASKIN directed that the Designation of Newspapers be received, filed and printed.

GRANTED.

We, the undersigned, a Majority Caucus of the Erie County Legislature do hereby designate the Buffalo Challenger Newspaper, published in Buffalo, New York, having general circulation in the County of Erie, as the official newspaper for the publication of local laws, notices and other matters required by law to be published for the County of Erie, effective January 1, 2021.

Howard J. Johnson, Jr. – 1st District

April N.M. Baskin – 2nd District

Lisa M. Chimera – 3rd District

Kevin R. Hardwick – 4th District

Jeanne M. Vinal – 5th District

Timothy J. Meyers – 7th District

John J. Gilmour – 9th District

We, the undersigned, a Majority Caucus of the Erie County Legislature, do hereby designate the Grand Island Dispatch Newspaper, published in Buffalo, New York, having general circulation in the County of Erie, for the publication of all Concurrent Resolutions of the New York State Legislature, required by law to be published for the year 2021.

Howard J. Johnson, Jr. – 1st District

April N.M. Baskin – 2nd District

Lisa M. Chimera – 3rd District

Kevin R. Hardwick – 4th District

Jeanne M. Vinal – 5th District

Timothy J. Meyers – 7th District

John J. Gilmour – 9th District

We, the undersigned, a Minority Caucus of the Erie County Legislature do hereby designate the Orchard Park Bee, published in Orchard Park, New York, having general circulation in the County of Erie, as the official newspaper for the publication of local laws, notices, and other matters required by law to be published for the County of Erie effective January 1, 2021.

Christopher D. Greene – 6th District

Frank J. Todaro – 8th District

Joseph C. Lorigo – 10th District

John J. Mills – 11th District

We, the undersigned, representing a majority of the Minority Caucus of the Erie County Legislature do hereby designate the East Aurora Advertiser, published in East Aurora, New York, having general circulation in the County of Erie, as the official newspaper for the publication of all Concurrent Resolutions of the New York State Legislature, required by law to be published for the County of Erie effective January 1, 2021.

Christopher D. Greene – 6th District

Frank J. Todaro – 8th District

Joseph C. Lorigo – 10th District

John J. Mills – 11th District

Item 8 – MR. MEYERS moved to take COMM. 23E-3 (2020) from the table. MR. JOHNSON seconded.

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

AYES: CHAIR BASKIN, MS. CHIMERA, MR. GILMOUR, MR. HARDWICK, MR. JOHNSON, MR. MEYERS and MS. VINAL. NOES: MR. GREENE, MR. LORIGO, MR. MILLS and MR. TODARO. (AYES: 7; NOES: 4)

CARRIED.

RESOLUTION NO. 2

RE: Contract to Assist SUNY Erie
in Presidential Search
(COMM. 23E-3)

WHEREAS, the SUNY Erie Community College Board of Trustees, in conjunction with the administration of SUNY Erie Community College, requested and advertised a Request for Proposal (RFP) for professional services in connection with a Presidential Search; and

WHEREAS, based upon a detailed review and evaluation by an ad hoc Presidential Search firm committee of the seven responses received, utilizing three sets of criteria – mandatory elements, technical qualifications and competence, and price and interviews of the top three firms; and

WHEREAS, the firm of AGB Search has exhibited and demonstrated the qualifications that will allow SUNY Erie Community College to actively seek and hire a new President; and

WHEREAS, SUNY Erie Community College has adequate funding available in its 2020-2021 budget to fund these expenses; and

WHEREAS, the SUNY Erie Community College Board of Trustees can approve consultants/professional services agreements for up to \$50,000; and

WHEREAS, as the recommended firms price proposal of \$70,000 to \$83,000 inclusive of all direct and in-direct costs (final pricing proposal is currently being negotiated) exceeds the SUNY Erie Community College Board of Trustees authority, it is recommended that the Erie County Legislature act to approve such recommended firm.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby approves awarding a contract to AGB Search to assist the SUNY Erie Community College Board of Trustees in its search for the next President of SUNY Erie Community College; and be it further

RESOLVED, that the SUNY Erie Community College Interim President is authorized to enter a contract, subject to legal review, with AGB Search for the above-mentioned services.

MR. MEYERS moved for approval of the item. MR. JOHNSON seconded.

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

AYES: CHAIR BASKIN, MS. CHIMERA, MR. GILMOUR, MR. HARDWICK, MR. JOHNSON, MR. MEYERS and MS. VINAL. NOES: MR. GREENE, MR. LORIGO, MR. MILLS and MR. TODARO. (AYES: 7; NOES: 4)

CARRIED.

Item 9 – No items for reconsideration from the previous meeting.

Item 10 – MR. MEYERS moved for approval of the minutes for Meeting Number 24 from 2020. MR. JOHNSON seconded.

CARRIED UNANIMOUSLY.

Item 11 – No Public Hearings.

MISCELLANEOUS RESOLUTIONS

Item 12 – CHAIR BASKIN presented a proclamation Congratulating and Honoring Brigid Molloy as Recipient of the 2020 Class A Player of the Year in Girls Soccer.

Item 13 – CHAIR BASKIN presented a proclamation Acknowledging and Recognizing Feed Buffalo and Its Founder Drea D'Nur for Their Above and Beyond Efforts During the COVID Pandemic.

Item 14 – MR. JOHNSON presented a proclamation Acknowledging and Recognizing FeedMore WNY for Their Above and Beyond Efforts and Immediate Impact on Our Community.

Item 15 – MR. JOHNSON presented a proclamation Congratulating and Recognizing The Flaming Fish Restaurant on Their Grand Opening.

Item 16 – MS. VINAL presented a Memorial Resolution Remembering Frederic K. Houston.

Item 17 – MR. JOHNSON & CHAIR BASKIN presented a Memorial Resolution Remembering George K. Arthur, Sr., an Incomparable and Dynamic Leader in Government, Politics and the Community.

Item 18 – MR. JOHNSON presented a Memorial Resolution Remembering Herman Warren Wooten II.

Item 19 – MS. VINAL presented a proclamation Congratulating and Recognizing Jake Wilson Upon the Completion of His Eagle Scout Project.

Item 20 – MS. VINAL presented a Memorial Resolution Remembering Kevin B. McNamara.

Item 21 – MS. CHIMERA presented a proclamation Congratulating and Recognizing Mark Thomas Westner on Attaining the Rank of Eagle Scout.

Item 22 – MS. VINAL presented a proclamation Honoring and Recognizing Mary Willis Chapin for Her Efforts and Dedication to Serve Local Homeless Shelters.

Item 23 – MS. VINAL presented a proclamation Honoring and Congratulating Williamsville Native Nick Haas on His Signing to Play Division 1 Hockey at Colgate University.

Item 24 – MS. VINAL presented a Memorial Resolution Remembering Patricia Addelman.

Item 25 – MR. MEYERS presented a Memorial Resolution Remembering Philip G. Wiechec.

Item 26 – MS. CHIMERA presented a proclamation Congratulating and Recognizing the Coaching Career of Todd Marquardt.

Item 27 – MR. TODARO presented a proclamation Honoring Jennifer Mazgajewski for Her Heroic Actions and Integral Role in the Delivery of Baby Alexandra.

Item 28 – MR. TODARO presented a proclamation Proclaiming January 2021 as Soup-Fest Month in Erie County.

Item 29 – MR. LORIGO presented a proclamation Congratulating Firemen's Memorial Exhibit Center of WNY for Being Named the West Seneca Chamber of Commerce's 2021 Service Organization of the Year.

Item 30 – MR. TODARO presented a proclamation Recognizing and Honoring Father Lawrence Damian for His Ministry Accomplishments and Pastoral Care.

Item 31 – MR. TODARO presented a Memorial Resolution Honoring and Remembering Paul C. Anthon.

Item 32 – MR. MILLS presented a proclamation Honoring Orchard Heights for Its Commitment, Dedication, Perseverance and Consistency of Care for Its Residents.

Item 33 – MR. MILLS presented a proclamation Honoring Fox Run for Its Commitment, Dedication, Perseverance and Consistency of Care for Its Residents.

Item 34 – MR. LORIGO presented a proclamation Congratulating Yost Neon Displays Inc. for Being Named the West Seneca Chamber of Commerce's 2021 Business of the Year.

Item 35 – MR. LORIGO & MR. TODARO presented a proclamation Congratulating Chakra for Being Named the West Seneca Chamber of Commerce's 2021 Member of the Year.

Item 36 – MR. LORIGO presented a proclamation Congratulating Thomas McDonnell for Being Named the West Seneca Chamber of Commerce's 2021 Citizen of the Year.

Item 37 – MR. LORIGO presented a proclamation Congratulating Roxann Gaghigh for Being Named the West Seneca Chamber of Commerce's 2021 Citizen of the Year.

Item 38 – MR. LORIGO presented a proclamation Congratulating Renee Day for Being Named the West Seneca Chamber of Commerce's 2021 Educator of the Year.

Item 39 – MR. LORIGO presented a proclamation Acknowledging and Thanking Anna Welker for Her Voluntary Efforts to Organize Letters and Gifts to Children at Duck Duck Go Childcare Center.

Item 40 – MR. LORIGO & MR. MILLS presented a proclamation Acknowledging and Thanking Cody Atwater for His Quick and Heroic Action Saving a Man's Life at the Colden Country Inn.

Item 41 – MR. JOHNSON presented a Memorial Resolution In Remembrance of Emma Rebekah Pickett.

Item 42 – MR. HARDWICK presented a proclamation Recognizing and Honoring Timothy Stuart Upon the Occasion of His Retirement from the City of Tonawanda Police Department.

Item 43 – CHAIR BASKIN presented a proclamation Congratulating and Recognizing Tyler Michael Sparks on Attaining the Rank of Eagle Scout.

Item 44 – MS. CHIMERA presented a proclamation Congratulating and Recognizing Mark Thomas Westner on Attaining the Rank of Eagle Scout.

MR. MEYERS moved for consideration of the above thirty-three items. MR. JOHNSON seconded.

CARRIED UNANIMOUSLY.

MR. MEYERS moved to amend the above thirty-three items by adding two for MR. GREENE, one for the Minority Caucus, and by including Et Al Sponsorship. MR. JOHNSON seconded.

CARRIED UNANIMOUSLY.

MR. MEYERS moved for approval of the above thirty-six items as amended. MR. JOHNSON seconded.

CARRIED UNANIMOUSLY.

LOCAL LAWS

Item 45 – CHAIR BASKIN directed that Local Law No. 1 (Print #1) 2020 remain on the table and in the PUBLIC SAFETY COMMITTEE.

GRANTED.

Item 46 – CHAIR BASKIN directed that Local Law No. 2 (Print #1) 2020 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 47 – CHAIR BASKIN directed that Local Law No. 3 (Print #1) 2020 remain on the table and in the SMALL BUSINESS COMMITTEE.

GRANTED.

Item 48 – CHAIR BASKIN directed that Local Law No. 5 (Print #1) 2020 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 49 – CHAIR BASKIN directed that Local Law No. 7 (Print #1) 2020 remain on the table and in the ECONOMIC DEVELOPMENT COMMITTEE.

GRANTED.

Item 50 – CHAIR BASKIN directed that Local Law No. 8 (Print #1) 2020 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

COMMITTEE REPORTS

None.

LEGISLATOR RESOLUTIONS

Item 51 – CHAIR BASKIN directed that the following resolution be referred to the SMALL BUSINESS COMMITTEE.

GRANTED.

INTRO. 1-1 from LORIGO. Calling on State Liquor Authority to Waive Liquor License Renewal Fees.

COMMUNICATIONS DISCHARGED FROM COMMITTEE

None.

SUSPENSION OF THE RULES

Item 52 - MR. MEYERS moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 1E-23 from BASKIN Re: 2021 Committee Assignments

Received, filed and printed.

SUSPENSION

ERIE COUNTY LEGISLATURE



92 Franklin Street
Buffalo, New York 14202

2021 Committee Assignments

Finance and Management

Chair: Timothy Meyers
Chair of Legislature: April Baskin
Vice Chair: Howard Johnson
Members: Kevin Hardwick
Joseph Lorigo
John Mills
Clerk: John Davis

Energy and Environment

Chair: Timothy Meyers
Chair of Legislature: April Baskin
Vice Chair: Jeanne Vinal
Members: Kevin Hardwick
John Mills
Frank Todaro
Clerk: Sean Mulligan

Health and Human Services

Chair: Lisa Chimera
Chair of Legislature: April Baskin
Vice Chair: John Gilmour
Members: Jeanne Vinal
Joseph Lorigo
Frank Todaro
Clerk: Rebecca Brooks

Public Safety

Chair: Howard Johnson
Chair of Legislature: April Baskin
Vice Chair: John Gilmour
Members: Timothy Meyers
Frank Todaro
Christopher Greene
Clerk: Louis Eve

Government Affairs

Chair: John Gilmour
Chair of Legislature: April Baskin
Vice Chair: Lisa Chimera
Members: Kevin Hardwick
Joseph Lorigo
Frank Todaro
Clerk: Sean Mulligan

Community Enrichment

Chair: Kevin Hardwick
Chair of Legislature: April Baskin
Vice Chair: Howard Johnson
Members: Jeanne Vinal
John Mills
Christopher Greene
Clerk: Jacob Wagner

Economic Development

Chair: Howard Johnson
Chair of Legislature: April Baskin
Vice Chair: Timothy Meyers
Members: John Gilmour
Joseph Lorigo
John Mills
Clerk: Brendan O'Connor

Minority and Women Business Enterprise

Chair: Lisa Chimera
Chair of Legislature: April Baskin
Vice Chair: Jeanne Vinal
Members: Kevin Hardwick
John Mills
Christopher Greene
Clerk: Jessica Schuster

SUSPENSION

Small Business Committee

Chair: Jeanne Vinal
Chair of Legislature: April Baskin
Vice Chair: John Gilmour
Members: Howard Johnson
John Mills
Frank Todaro
Clerk: Jacob Wagner

COMMUNICATIONS FROM ELECTED OFFICIALS

FROM CHAIR BASKIN

Item 53 – (COMM. 1E-1) Letter to Legislature Clerk Regarding Transition of Meetings on 1/7/2021

Received, filed and printed.

December 30, 2020

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

Re: January 7th Work Session and Legislative Session will be Held Virtually due to the Coronavirus Pandemic and the Legislative Session Time Will Be Changed

Dear Mr. Graber:

Due to the Coronavirus COVID-19 pandemic, and in order to help protect the members and staff of the Erie County Legislature and the public from potential exposure to the virus, I am writing to advise you that pursuant to Section 2.03 of the Erie County Legislature's Rules of Order, I am shifting the Legislature's scheduled January 7, 2021 session from being held in the Chambers of the Legislature to a virtual hearing via Zoom. In addition, the legislative session will be held at 11:30 am instead of 2:00 pm.

Please notify all legislators, staff, the media, and the public of this change and the call-in details. Thank you in advance for your assistance.

Sincerely,

April N.M. Baskin
Chair of the Legislature

FROM THE COUNTY EXECUTIVE

Item 54 – MR. MEYERS presented the following resolution and moved for immediate consideration and approval. MR. JOHNSON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 3

RE: Notification on the Appointment of the
Commissioner of Probation

(COMM. 1E-2)

RESOLVED, that the Erie County Legislature does hereby confirm the appointment of Michelle A. Olswoy to the position of Commissioner of Probation.

FROM LEGISLATOR LORIGO

Item 55 – (COMM. 1E-3) Minority Caucus 2021 Committee Assignments

Received and filed.

FROM THE COUNTY EXECUTIVE

Item 56 – (COMM. 1E-4) Report on Back to Business Grant Program

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE SHERIFF

Item 57 – (COMM. 1E-5) Letter to Governor Concerning COVID Vaccine Prioritization in Jails

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM LEGISLATOR RATH

Item 58 – (COMM. 1E-6) Abstention on LL Intro. 6-1 (2020) & Intro. 24-1 (2020)

Received, filed and printed.

December 17, 2020

Robert M. Graber, Clerk
Erie County Legislature
92 Franklin St., 4th Floor
Buffalo, NY 14202

RE: Abstention on Local Law Intro 6-1 (2020) and Intro 24-1 (2020)

Dear Mr. Graber:

Pursuant to Rule 2.21 of the 2020 Rules of Order of the Erie County Legislature and in accordance with Section 5b of the Erie County Local Law No. 2 – 2018, I abstain from voting on the above referenced items. The reason for my abstention based on potential conflicts from my private sector work in the energy industry.

Sincerely,

Edward A. Rath III
Erie County Legislator

FROM LEGISLATOR LORIGO

Item 59 – (COMM. 1E-7) Abstention on Comm. 24E-14 (2020)

Received, filed and printed.

December 15, 2020

Robert M. Graber, Clerk
Erie County Legislature
92 Franklin St., 4th Floor
Buffalo, NY 14202

RE: Abstention on Intro. 24E-14 (2020)

Dear Mr. Graber:

Pursuant to Rule 2.21 of the 2020 Rules of Order of the Erie County Legislature and in accordance with Section 5b of the Erie County Local Law No. 2 – 2018, I abstain from voting on the above referenced items. The reason for my abstention is based on potential conflicts created by my private sector employment.

Sincerely,

Joseph C. Lorigo
Erie County Legislator

FROM THE COMPTROLLER

Item 60 – (COMM. 1E-8) Letter to Legislature Concerning Back to Business Award

Item 61 – (COMM. 1E-9) Letter to 43North Regarding Award of CARES Act Funds to Local Businesses

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

FROM LEGISLATOR RATH

Item 62 – (COMM. 1E-10) Resignation from the EC Legislature

Received, filed and printed.

December 31, 2020

Robert M. Graber, Clerk
Erie County Legislature
92 Franklin St., 4th Floor
Buffalo, N.Y. 14202

RE: Resignation

Dear Clerk Graber:

I hereby resign my position as Erie County Legislator – 6th District effective as of December 31, 2020.

It has been an honor and privilege serving the residents of my district as an Erie County Legislator. It has also been a privilege to work with my colleagues and staff in the Erie County Legislature.

I will continue to be an advocate for Erie County and all of Western New York in the New York State Senate, and I look forward to partnering with the legislature in addressing the needs of the region.

Sincerely

Edward A. Rath III

FROM THE SHERIFF

Item 63 – (COMM. 1E-11) Submission Pursuant to EC Code of Ethics (Local Law #2 - 2018), Disclosure of Family Members Employed by Any Government Organization

Received, filed and printed.

January 1, 2021

Mr. Robert Graber
Clerk of the Erie County Legislature
92 Franklin Street
Buffalo, New York 14202

Dear Mr. Graber:

In accordance with the Disclosure of Interest in County Business, Section 5-c, please see the list below of family members employed by any government organization in any capacity:

Susan C. Howard (Spouse)	Erie County Sheriff's Mounted Reserve Unit P/T Deputy Sheriff Security Reserve Seasonal
Lori Locker (Daughter)	Rochester School District
Daniel Howard (Son)	Senior Investigator, NYS Police
Michelle Howard (Daughter-in-Law)	Investigator, NYS Police
David Howard (Son)	Sergeant, NYS Police
Joe Cino (Son-in-Law)	Sergeant, NYS Police
Brian Howard (Nephew)	Investigator, NYS Police
Seth Howard (Nephew)	Court Officer, NYS Office of Court Administration
Bill Brennan (Son-in-Law)	Attorney, NYS Liquor Authority
Sean Connelly (Nephew)	Counsel, City of Dunkirk
Kevin Bentley (Nephew)	Trooper, NYS Police

To my knowledge, there are no other family members as defined by Section 5-c presently employed by any government organization.

Respectfully submitted,

**TIMOTHY B. HOWARD
SHERIFF OF ERIE COUNTY**

FROM THE COUNTY EXECUTIVE

Item 64 – (COMM. 1E-12) ECSD Nos. 1 & 4 - Flow Monitoring & I/I Quantification Reports

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 65 – MR. MEYERS presented the following resolution and moved for immediate consideration and approval. MR. JOHNSON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 4

RE: Acceptance of National Forensic
Science Improvement Grant
(COMM. 1E-13)

WHEREAS, the Erie County Medical Examiner's Office is responsible for investigating suspicious and unattended deaths in Erie County; and

WHEREAS, the Erie County Medical Examiner’s Office operates a toxicology office to provide forensic lab services; and

WHEREAS, annually the New York State Department of Criminal Justice Services provides financial support for forensic laboratories across New York State; and

WHEREAS, services performed by the Medical Examiner’s office will be supported by these grant funds; and

WHEREAS, the Medical Examiner’s office will be able to use funds to offset personnel costs, and to provide consulting and accreditation services.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Department of Health is authorized to receive a grant award from the New York State Department of Health in the amount of \$51,490 per year to be budgeted as follows:

127NAFR2021		
10/1/2020 -09/20/2021		
SAP	REVENUE	BUDGET
414000	State Aid	\$51,490
EXPENSES		
501000	Overtime	\$12,000
502000	Fringe	\$3,000
516020	Prof. Services	\$18,536
505800	Medical Supplies	\$17,954
TOTAL		\$51,490

and be it further

RESOLVED, that the Clerk of the Legislature shall forward certified copies of this Resolution to the County Executive, the Office of the Comptroller, the Division of Budget and Management, the Department of Law and to Dr. Gale R. Burstein, Commissioner in the Erie County Health Department, 9th Floor, Rath Building.

Item 66 – (COMM. 1E-14) Agreement w/NYS DOT & Award of Construction Contracts - Laydecker Road Bridge, West Seneca

Item 67 – (COMM. 1E-15) 2020 Miscellaneous Culvert Group Construction - Hamburg & Concord

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

Item 68 – (COMM. 1E-16) ECSD No. 8 - Engineering Term Contract Agreement

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 69 – (COMM. 1E-17) PILOT Agreement for Washington Apartments Project, Buffalo

Item 70 – (COMM. 1E-18) PILOT Agreement for La Plaza De Virginia Project, Buffalo

Item 71 – (COMM. 1E-19) Contract w/ECIDA for Agribusiness Park Master Plan

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

Item 72 – (COMM. 1E-20) ECSD No. 6 - Lackawanna WRRF & ORF Disinfection Systems Improvement Project

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE COMPTROLLER

Item 73 – (COMM. 1E-21) Report of Apportionment & Distribution of Net Collections from Sales Tax - 09/2020 - 11/2020

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

COMMUNICATIONS FROM THE DEPARTMENTS

FROM THE COMPTROLLER'S OFFICE

Item 74 – (COMM. 1D-1) Audit of DISS' Operating Budget Expenditures - 1/1/2020 - 5/31/2020

Item 75 – (COMM. 1D-2) Audit of EC Soil & Water Conservation District Cash Receipts & Disbursements - 1/1/2019 - 12/31/19

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

FROM THE CLERK OF LEGISLATURE

Item 76 – (COMM. 1D-3) Letter to Legislature Concerning Transition of Meetings on 1/7/2021

Received, filed and printed.

December 30, 2020

TO: ALL MEMBERS OF THE ERIE COUNTY LEGISLATURE

FROM: ROBERT M. GRABER, CLERK

SUBJECT: JANUARY 7, 2021 WORK SESSION AND LEGISLATIVE SESSION WILL BE HELD VIRTUALLY DUE TO THE CORONAVIRUS PANDEMIC AND THE LEGISLATIVE SESSION TIME WILL BE CHANGED

PLEASE TAKE NOTICE that pursuant to Erie County Legislature Chair April N.M. Baskin's letter concerning COVID-19, the Erie County Legislature's scheduled January 7, 2021 legislative session and work session will be shifted from being held in the Chambers of the Legislature to a virtual hearing, to be held via Zoom. In addition, the legislative session will be held at 11:30 am, instead of 2:00 pm.

The Chairwoman's letter directing the changes is attached.

The Zoom details are as follows:

Topic: Erie County Legislature Work Session at 10:00 am and Legislative Session #1 (2021) at 11:30 am, January 7, 2021

<https://us02web.zoom.us/j/86871000750?pwd=WHFxa1pOWUNoMnlBblZMdTJmakpMZz09>

Meeting ID: 868 7100 0750

Passcode: 079627

Or call 646-876-9923

Thank you.

FROM THE DIRECTOR OF REAL PROPERTY TAX

Item 77 – (COMM. 1D-4) 2021 County Property Tax Review

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE COMPTROLLER'S OFFICE

Item 78 – (COMM. 1D-5) Audit of Sheriff's Office Operating Budget Revenues - 7/1/2019 - 12/31/2019

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE DEPARTMENT OF LAW

Item 79– (COMM. 1D-6) Notice of County Executive's Public Hearing - LL Intro. 6-1-2020

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE COMMISSIONER OF HEALTH

Item 80 – (COMM. 1D-7) Updated Nursing Home Outbreak Information - 12/19/2020

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

FROM THE DEPARTMENT OF LAW

Item 81 – (COMM. 1D-8) Local Emergency Order Extensions

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

FROM THE COMMISSIONER OF HEALTH

Item 82 – (COMM. 1D-9) Updated Nursing Home Outbreak Information - 12/26/2020

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

FROM THE DIRECTOR OF BUDGET & MANAGEMENT

Item 83 – (COMM. 1D-10) Budget Monitoring Report for Period Ending 11/2020

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES

FROM THE NYS DEPT. OF STATE

Item 84 – (COMM. 1M-1) Receipt of Filing for LL No. 1 (2020)

Received, filed and printed.

December 22, 2020

Gregory P Kammer
Assistant County Attorney
95 Franklin Street, Room 1634
Buffalo NY 14202

RE: County of Erie, Local Law 1 2020, filed on December 18, 2020

Dear Sir/Madam:

The above referenced material was filed by this office as indicated. Additional local law filing forms can be obtained from our website, www.dos.ny.gov.

Sincerely,
State Records and Law Bureau
(518) 473-2492

FROM THE NYSDEC

Item 85 – (COMM. 1M-2) Fact Sheet - Completion of Brownfield Cleanup Program at 140 Chandler St., Buffalo

Item 86 – (COMM. 1M-3) Fact Sheet - Completion of Brownfield Cleanup Program at 6 Dona St., Lackawanna

Item 87 – (COMM. 1M-4) Fact Sheet - Completion of Brownfield Cleanup Program at 201 Ellicott St., Buffalo

The above three items were received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE NYS COMMISSION OF CORRECTION

Item 88 – (COMM. 1M-5) Letter to EC Sheriff Regarding COVID-19 Protocols in ECHC & Correctional Facility

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM THE NYS DEPT. OF STATE

Item 89 – (COMM. 1M-6) Local Law Filing Form for LL No. 1 (2020)

Received, filed and printed.

The Erie County Administrative Code Update Act of 2020 - [Please follow link.](#)

FROM THE NFTA

Item 90 – (COMM. 1M-7) 17A Report and Capital Expenditure Reports for Second Quarter of FY Ending 3/31/2021

Item 91 – (COMM. 1M-8) NFTA Operating & Capital Budgets for FY 2021/2022

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

FROM THE NYSDEC

Item 92 – (COMM. 1M-9) Fact Sheet - Certification of Cleanup Requirements Achieved at Brownfield Site - 201 Ellicott St., Buffalo

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM DOUGLAS PEARCE

Item 93 – (COMM. 1M-10) Letter to Legislature Regarding Inquiries and Concerns over CARES Act Funding

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

**FROM THE ERIE COUNTY
ENVIRONMENTAL MANAGEMENT COUNCIL**

Item 94 – (COMM. 1M-11) EMC Annual Recommendations Report

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

ANNOUNCEMENTS

Item 95 – Chair Baskin announced that the schedule for committee meetings to be held on Thursday, January 14, 2021, will be distributed and posted on the website.

MEMORIAL RESOLUTIONS

Item 96 – Chair Baskin requested that when the Legislature adjourns, it do so in memory of George K. Arthur.

Item 97 – Legislator Hardwick requested that when the Legislature adjourns, it do so in memory of Jeffery Keefe.

Item 98 – Legislator Todaro requested that when the Legislature adjourns, it do so in memory of Paul C. Anthon, Stacey Friend, Beckie Eleczko, Jody Kotowski and Paul Murphy.

Item 99 – Legislator Greene requested that when the Legislature adjourns, it do so in memory of Donald E. Adams.

ADJOURNMENT

Item 100 - At this time, there being no further business to transact, CHAIR BASKIN announced that the Chair would entertain a Motion to Adjourn.

MR. JOHNSON moved that the Legislature adjourn until Thursday, January 21, 2021 at 2:00 p.m. Eastern Standard Time. MR. MEYERS seconded.

CARRIED UNANIMOUSLY.

CHAIR BASKIN declared the Legislature adjourned until Thursday, January 21, 2021 at 2:00 p.m. Eastern Standard Time.

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