

**Erie County Fiscal Stability Authority  
Minutes of the February 7, 2008 Directors' Meeting**

Present: Anthony J. Baynes, Chairman, Robert M. Glaser, Vice Chairman, Stanley Keysa, Secretary, Director John Johnson, Director Kenneth Kruly, Director Joseph Goodell, Executive Director Kenneth Vetter

Chairman Baynes: "Good afternoon. I would like to call this meeting of the Erie County Fiscal Stability Authority to order. I welcome my fellow board members, public official, interested members of the public, press and the media in attendance today. Thank you for attending."

"Today's agenda includes a number of items including the County's efficiency grant request and an update on the impact of NYS Proposed Budget on Erie County. Before I get started I just want to say something. Our Vice Chairman Robert Glaser wasn't here last month at our last meeting when I returned. I was out, as most of you know, for six months or so. I publically owe Mr. Glaser a debt of gratitude in taking care of everything and making us look like we knew what we were doing when I was gone, not that we know when I am her,e but he truly filled in and I can't thank him enough."

Vice Chair Glaser: "Thank you Anthony."

Chairman Baynes: "On to our first order of business. We need to approve the minutes of January 4, 2008. They have been submitted by Secretary Keysa and were circulated to the members in their breifing book prior to this meeting. Could I get a motion to approve?"

Director Kruly moved to approved, Vice Chair Glaser seconded, and the Directors voted unanimously to approve the following resolution:

**Resolution No. 08-15**

**APPROVING MINUTES AND RESOLUTIONS FROM  
JANUARY 4, 2008 MEETING**

BE IT RESOLVED that the Erie County Fiscal Stability Authority approves the minutes of its January 4, 2008 meeting and ratifies and affirms fourteen resolutions numbered 08-01,08-02, 08-03, 08-04, 08-05, 08-06, 08-07, 08-08, 08-09, 08-10, 08-11, 08-12, 08-13 and 08-14 that were approved on January 4, 2008.

This resolution shall take effect immediately.

Chairman Baynes: "The Governor came out with his budget a couple of weeks ago and I understand that Erie and other counties have been looking at the impact on their own budgets. I believe the County Budget Director Beth Kornbrekke is here to tell us a little bit about those potential impacts. Ms. Kornbrekke."

Beth Kornbrekke: “Good afternoon and thank you for inviting me. I have brought with me Mr. Rich Stevenson from the Department of Social Services who is more familiar with most of this than I am, but I will go over the brief overview.”

Chairman Baynes: “Thank you and we understand that you have been on the job for a short period of time. We appreciate you taking the time to come and speak to us.”

Beth Kornbrekke: “Thank you.”

“We have reviewed the proposed budget and we find there to be mostly a negative impact for Erie County. We have done analysis with all of our Commissioners and with NYSAC and believe that the total impact to us is going to be about \$4.6 million in 2008 and will increase to \$6 million in 2009. There are two major areas that make this happen. One is in Youth Detention. Currently we receive about \$4.4 million a year in funding for this. That is going to go to zero. It is a huge impact and there is nothing we can do about that at his point if that passes. Also family assistance; in the Safety Net program there is a 2% decrease in the State funding. We believe this year that this will be \$1.2 million decrease in funding and in 2009 it will be a \$1.6 million hit. That is because the budget will take effect not until April, so we have prorated it over the year.”

“There are a few other things that may be some pickups. There is the Early Intervention Provider COLA that has been eliminated. That would possibly be \$300,000 in our favor, but we have been told that the providers have a pretty strong lobby and are lobbying to get that reversed, in which case the COLA cap would be 3%. There is also a capping of the cost of Pre-K special education; right now we feel that those costs are pretty much under control and we will have minimal saving from anything in there. Everything else is fairly minimal and may have no impact on the County but may have more impact to the community. At the Community College, they are going to reduce \$50 for each full-time student. That has no impact on the County but will have a large impact on the community. There is a proposal for increasing the mortgage recording fee. That is something that will have to be approved by the Legislature and we feel that that is just another fee to impose on Erie County taxpayers. There is an increase in the amount of money that they would provide to us for the enhanced driver’s licenses, we feel that that will just compensate for increased support for more people. Other things out there: the increase in the judicial salaries is a cost increase to the district attorney’s fees. Currently, that would be retroactive for two years with an impact of about \$56,000 and then \$28,000 per year going forward and of course there is a 2.5% increase built into that effective April 1<sup>st</sup> also. They said there maybe some grant money coming to help relieve that impact.”

“Other small things include the CHIPS program is going to be reduced. We don’t feel there is going to be any impact to us because we anticipated it and didn’t build any increase into our budget. There is about \$60 million available to the State proposed for bridges and repairs and maintenance to local bridges. We are not sure how that will impact everything or how that money will be decided to be distributed to anyone. The casino revenue currently would go 100% to the City. Senator Volker is proposing a bill that would give the County some share

of that revenue. I think that is pretty much all we found now but the all the commissioners have put together some ideas and are still working on it for us.”

Chairman Baynes: “Ms. Kornbrekke, I spoke to some of the delegation today and yesterday and they are going to be lobbying on the County’s behalf. Are the County officials speaking to them?”

Beth Kornbrekke: “I know that Chris Collins has sent letters to Albany and he is working there and working through NYSAC, which is lobbying on our behalf on certain things.”

Chairman Baynes: “Does anyone have any further questions?”

Director Kruly: “Could you provide us with a copy of the item you are reading from so that we could have that for a reference?”

Beth Kornbrekke: “I will update it and send it over to you shortly.”

Director Kruly: “You could e-mail it to Executive Director Vetter.”

Director Keysa: “Could you go over that youth detention item; what is the theory there?”

Rick Stevenson: “There are two components that go into the revenue for youth detention. One is 50% State share on all placements for out-of-county placements. Those placements are funded at 100% to Erie County from other county operations. So we would stand to lose the 50% share on any County placements both secure and not-secure detention. We are hopeful that that will be reversed but there is certainly no guarantee of that. The problem with that is that these funds are not budgeted in the 2008 Erie County adopted budget but these revenue hits are real if this passes in the current State budget. We can fund these liabilities next year but at his point there is no opportunity to fund these revenue losses for either year end 2007 or current year sources.”

Director Keysa: “Was there an explanation of why this is the case in the Governor’s proposal?”

Rick Stevenson: “Well I think it is the State’s recognition that the State looks to be at this point in deficit circumstances of \$4.4 billion. So I think this is one way that the State would make a small dent in that deficit.”

Chairman Baynes: “Any further questions? Mr. Johnson.”

Director Johnson: “I am curious to know a better rationale for the youth detentions service impact due to the fact that those are mandated services upon counties that operate youth detentions whether secure or unsecure and by virtue of the fact that it is a 50% regulation reimbursement back to counties. The only thing that you are being presented with is the impact of the budget deficit of \$4.4 billion. You would have to close youth detention operations if that kind of impact came down. Looking at out-of-county placements, those have always been a fairly decent revenue stream, but who can guarantee how much that is going to be on a year-to-year-basis? My sense is, and hopefully my colleagues here is, what the rationale over and above it is just a part of the \$4.4 billion deficit that we have in the state budget? With youth detention services, my caveat here is that youth

detention services a mandated service upon counties and the State is required since 1945 to reimburse counties 50% for those services on in-county kids and as well as 100% for those kids who are out-of-the-county.”

Rick Stevenson: “We sure appreciate your lobbying efforts on that behalf, Mr. Johnson.”

Director Johnson: “Well I don’t know that I am permitted to lobby but I certainly would in this case.”

Beth Kornbrekke: “We can try and gather additional information on that and get back to you with some more information.”

Chairman Baynes: “Thank you very much and if you could provide us with that information that would be great. Thank you for your time and your informative presentation.”

Chairman Baynes: “On January 23<sup>rd</sup>, the Authority’s Finance Committee met to discuss the two efficiency grant proposals from the County, one for six-sigma implementation and the other for space utilization. I would ask Mr. Goodell to report on the findings and recommendations of his committee.”

Director Goodell: “Thank you, chairman. The committee reviewed these two requests for funding and we approved both on certain conditions. The conditions were that we receive benchmarks from the County Executive’s office in terms of what they expected to achieve at the end of say each quarter regarding activities behind the requests. The requests were to hire two individuals, one in each category and there was some software connected with one of the requests. We discussed the benchmarks and reviewed the submissions from the County on possible benchmarks and the discussions have been going on all week in this area. We found that it is very difficult to come up with benchmarks for the space study utilization because the individual there isn’t even on board and though she has a pretty good idea of what needs to be done and the directions she needs to go. So the benchmark that we have set for the space study is that at the end of 90 days, and that 90 days begins March 1<sup>st</sup> that we would meet with the County officials involved and come up with a really good solid plan for the remaining nine months of the efficiency grant. However we did identify three areas where there were possibilities of moving certain offices within the County. Ms. Mazzone is also aware of the space study and the asbestos abatement issues. They plan to sink their teeth into those areas early on and at the end of 90 days we will have a pretty clear idea of what savings can be accrued during the first year.”

“On hiring the six-sigma coordinator that was approved, again, conditional on some bench marks. Those benchmarks are available. We have reviewed with Mr. Vetter and have attached them to the resolution. They deal with basically getting the program going in the first quarter; identifying projects, identifying individuals and beginning training. We agreed in that case, that 60 days which would be at the end of March, that we would meet and try to establish a more definitive benchmarks in that area because again they are just starting up. I think it is important for us to state how the committee felt about the philosophy behind these two efficiency grants. We are delighted to see them both. The six-sigma applies to our plea for reengineering. The request don’t entirely fit with the criteria we established as the finance committee before and at this stage some of

them do not have the promises of cost reduction that are in the law but we expect those saving to appear so we are willing to give the county a long leash, a lot of room to maneuver early on and we hope that we can work together with them. It would be nice to work with the administration for a change to move these along so that we can all have a better understanding of what is down the road with these. I would also like to mention, Mr. Chairman, and I would also like to reiterate that these are one-year efficiency grant approvals. They are not ongoing. There is probably going to be the need for additional funding for such things as training. We have cautioned the County officials that we are not going to spend our efficiency grant money piecemeal. It's not going to be dribs and drabs that we expect to meet with the County at some time, certainly not within the next few days but relatively soon to see what plan they have for efficiency grants over a several year period before things get tied up with the labor agreement contracts and things like that. Mr. Collins and I have discussed this in a meeting. I think it is very important to make this clear that we look for a plan; it will be rough, but we think that we should all have a road map that we are all on as we go forward on this. So I would like to move that these two efficiency grants be approved with the conditions that I have already outlined.”

Chairman Baynes: “Could we vote on these one at a time?”

Director Goodell moved to approved, Director Johnson seconded, and the Directors voted unanimously to approve the following resolution:

**Resolution No. 08-16**

**APPROVING AN EFFICIENCY GRANT FOR  
SIX-SIGMA IMPLEMENTATION STAFFING**

WHEREAS, Chapter 182 of the New York Laws of 2005 created the Erie County Fiscal Stability Authority (“ECFSA”), to serve as a corporate governmental agency and instrumentality of the State of New York, and as a public benefit corporation to “oversee [Erie] County’s budget, financial and capital plans; to issue bonds, notes or other obligations to achieve budgetary savings and to finance short-term cash flow or capital needs; and, if necessary, to develop financial plans on behalf of the County if the County is unwilling or unable to take the required steps toward fiscal stability;” and

WHEREAS, section 3957-a of the New York Public Authorities Law (“Public Authorities Law”) provides that, subject to appropriations during New York State fiscal years 2006-07 through 2010-11, the ECFSA shall provide grants to the County of Erie (the “County”) to support activities that achieve savings through innovations and reengineering; and

WHEREAS, the County Executive has applied for an efficiency incentive grant (“efficiency grant”) to fund implementation of “Six-Sigma” methodologies in County government; and

WHEREAS, in connection with this application, the County has identified Alfred Hammonds to serve as its Director of Six-Sigma implementation (the “Six-Sigma Director”); and

WHEREAS, the ECFSA Finance Committee (the “Finance Committee”) met on January 23, 2008, to discuss the County’s application for an efficiency grant to fund Six-Sigma’s implementation; and

WHEREAS, on January 23, the Finance Committee directed County officials to provide benchmarks for the realization of savings pursuant to Six-Sigma’s implementation; and

WHEREAS, the ECFSA received the requested benchmarks on February 1, 2008;

WHEREAS, on January 23, 2008, the Finance Committee voted unanimously to recommend to the ECFSA Board of Directors that \$200,000 in efficiency-grant funding be made available to the County to subsidize the Six-Sigma Director’s salary and the purchase of Six-Sigma computer software;

NOW, THEREFORE, BE IT RESOLVED that, pursuant to the recommendation of the Finance Committee, the ECFSA hereby allocates \$200,000 in efficiency-grant funding for the County to subsidize the Six-Sigma Director’s salary and the purchase of Six-Sigma computer software; and

BE IT FURTHER RESOLVED that, pursuant to this efficiency grant, the ECFSA expects the County to achieve the following benchmarks:

- On or before March 31, 2008:
  1. The highest ten percent (10%) of County employees, including management-level employees such as Commissioners, Deputy Commissioners, Managers, Budget Analysts, Supervisors, and Leads, will receive four hours of Six-Sigma Overview Training from the Director.
  2. The County will establish an Executive Six-Sigma Steering Committee, to consist of the County Executive, the Deputy County Executive, the County Budget Director, various Commissioners, leaders from unions that represent County employees, and one or more County Legislators. This Committee will meet monthly, beginning in March 2008.
  3. The County will establish an External Six-Sigma Advisory Committee, to include consultants, academics, and representatives from industry. This Committee will first meet in March 2008, and will meet every six to eight weeks thereafter.
  4. The Executive Six-Sigma Steering Committee will identify and select nine “Six-Sigma Green Belts,” who will begin the requisite training in March 2008.
  5. The County will submit an application for an additional efficiency grant to fund training for the nine Six-Sigma Green Belts, and any other necessary consulting support.
- On or before June 30, 2008,
  1. The Six-Sigma Director will identify and begin two Lean Six-Sigma projects within County departments.
  2. The County will update the ECFSA on the progress of projects commenced by the nine Six-Sigma Green Belts, by providing statistical analysis based on the “Define,” “Measure,” and “Analyze” phases of implementation.

3. The nine Six-Sigma Green Belts will complete their first wave of training.
4. The County will establish a Six-Sigma website and communication system.
5. The County Executive, County budget analysts, select Commissioners, leaders from unions representing County employees, and a County Legislator will travel to Fort Wayne, Indiana, and/or Fairfax County, Virginia, to evaluate implementation of Six-Sigma methodologies in a government setting.

6. All County Commissioners and Department Heads will complete Six-Sigma Champion Training.

- On or before September 30, 2008,

1. The County will produce outcomes and results derived from the two Lean Six-Sigma projects previously identified on or before June 30, 2008. The County is projected to realize \$150,000 in savings from the completion of these projects.

2. The County will produce outcomes and results derived from the projects previously begun by the nine Six-Sigma Green Belts. The County is projected to realize \$175,000 in savings from the completion of these projects.

3. The Six-Sigma Director will identify and commence five new Lean Six-Sigma projects within County departments.

4. The Executive Six-Sigma Steering Committee will identify and select a second wave of nine "Six-Sigma Green Belts," who will begin the requisite training.

- On or before December 31, 2008,

1. The County will produce outcomes and results derived from the five new Lean Six-Sigma projects previously identified on or before September 30, 2008. The County is projected to realize \$1,175,000 in savings from the completion of these projects.

2. The County will update the ECFSA on the progress of projects commenced by the second wave of nine Six-Sigma Green Belts, by providing statistical analysis based on the "Define," "Measure," and "Analyze" phases of implementation.

BE IT FURTHER RESOLVED that the ECFSA Executive Director shall send copies of this resolution, via first-class mail, to the County Executive; the County Comptroller; the Chair, the Majority Leader, the Minority Leader, and the Clerk of the County Legislature; and the Governor, the Comptroller, the Senate Majority Leader, and the Speaker of the Assembly of the State of New York.

This resolution shall take effect immediately.

Director Goodell moved to approved, Chairman Baynes seconded, and the Directors voted unanimously to approve the following resolution:

**Resolution No. 08-17**

**APPROVING AN EFFICIENCY GRANT FOR ERIE COUNTY SPACE UTILIZATION**

WHEREAS, Chapter 182 of the New York Laws of 2005 created the Erie County Fiscal Stability Authority (“ECFSA”), to serve as a corporate governmental agency and instrumentality of the State of New York, and as a public benefit corporation to “oversee [Erie] County’s budget, financial and capital plans; to issue bonds, notes or other obligations to achieve budgetary savings and to finance short-term cash flow or capital needs; and, if necessary, to develop financial plans on behalf of the County if the County is unwilling or unable to take the required steps toward fiscal stability;” and

WHEREAS, section 3957-a of the New York Public Authorities Law (“Public Authorities Law”) provides that, subject to appropriations during New York State fiscal years 2006-07 through 2010-11, the ECFSA shall provide grants to the County of Erie (the “County”) to support activities that achieve savings through innovations and reengineering; and

WHEREAS, the County Executive has applied for an efficiency incentive grant (“efficiency grant”) to fund the position of Space Utilization Coordinator, to organize the relocation of County employees from leased space to excess space in County-owned buildings; and

WHEREAS, in connection with this application, the County has selected Michelle Mazzone to serve as its Space Utilization Coordinator; and

WHEREAS, the ECFSA Finance Committee met on January 23, 2008, to discuss the County’s application for an efficiency grant to fund the position of Space Utilization Coordinator; and

WHEREAS, on January 23, the Finance Committee directed County officials to provide benchmarks for the realization of savings from the work of the Space Utilization Coordinator; and

WHEREAS, the ECFSA received the requested benchmarks on February 1, 2008;

WHEREAS, on January 23, 2008, the Finance Committee voted unanimously to recommend to the ECFSA Board of Directors that \$160,000 in efficiency-grant funding be made available to the County to fund the position of Space Utilization Coordinator;

NOW, THEREFORE, BE IT RESOLVED that, pursuant to the recommendation of the Finance Committee, the ECFSA hereby allocates \$200,000 in efficiency-grant funding for the County to fund the position of Space Utilization Coordinator; and

BE IT FURTHER RESOLVED that, pursuant to this efficiency grant, the ECFSA expects the County’s Space Utilization Coordinator (the “Coordinator”) to achieve the following benchmarks:

1. In March 2008, the Coordinator will meet with representatives from Kideney Architects, and with other advisors, to discuss and review the Report on the Erie County Master Plan for Space Consolidation and Relocation (“ECMPSCR Report”), prepared in November 2007.
2. Between March 1, 2008, and April 15, 2008, the Coordinator will tour all buildings and office space that the County owns or leases.

3. Between March 1, 2008, and April 15, 2008, the Coordinator will meet with County Commissioners and department heads, and request them to provide on their own conclusions and recommendations, based on information in the ECMPSR Report.
4. Between March 1, 2008, and January 31, 2009, the Coordinator will work with architectural staff to create detailed drawings for the entire Rath Building.
5. Between March 1, 2008, and April 30, 2008, the Coordinator will meet with officials from the County Department of Motor Vehicles (“DMV”) to discuss the feasibility of moving its operations to County-owned space, and the ECMPSR Report’s recommendation that the DMV establish offices on the first floor of the Rath Building.
6. Between April 1, 2008, and May 31, 2008, the Coordinator will prepare an action plan for moving DMV operations to the first floor of the Rath Building (the “DMV Action Plan”).
7. Provided that the DMV agrees to establish operations on the first floor of the Rath Building, the Coordinator will work to implement DMV Action Plan by December 30, 2008.
8. Between May 1, 2008, and June 30, 2008, the Coordinator will meet with senior-level officials in the County’s Department of Law (the “Law Department”), to discuss the feasibility of moving its operations to County-owned space, and ECMPSR Report’s recommendation that the Law Department establish offices in the TICOR Building.
9. Between June 1, 2008, and July 30, 2008, the Coordinator will prepare an action plan for moving the Law Department to the TICOR Building (the “Law Department Action Plan”).
10. Between March 1, 2008, and June 15, 2008, the Coordinator will prepare an initial report containing findings and related recommendations identifying leasable spaces in the Rath Building and their possible uses.
11. Between June 1, 2008, and December 30, 2008, the Coordinator will develop action plans for achieving efficient utilization of space in the Rath Building.
12. After March 1, 2008, the Coordinator will revise, and hereafter annually update, a schedule of County’s real property leases. For each lease, such schedule will catalogue the purpose, the cost of rent and associated expenses, and the amount of space rented (in square feet). The Coordinator also will analyze and evaluate the schedule, in order to seek opportunities for efficiencies.
13. After March 1, 2008, the Coordinator will work with the Law Department to renegotiate lease terms, and hereafter to oversee the County’s future purchase and rental of real property.
14. After March 1, 2008, the Coordinator will periodically meet with County department heads to evaluate their needs for space. Each year, the Coordinator will prepare department-specific action plans to achieve efficiencies in space utilization.

BE IT FURTHER RESOLVED that the ECFSA Executive Director send, via first-class mail, copies of this resolution to the County Executive; the County Comptroller; the Chair, the Majority Leader, the Minority Leader, and the Clerk of the County Legislature; and the Governor, the Comptroller, the Senate Majority Leader, and the Speaker of the Assembly of the State of New York.

This resolution shall take effect immediately.

Chairman Baynes: “Director Goodell thank you very much for your hard work and dedication. The motion is passed.”

Chairman Baynes: “Erie County has forwarded a number of contracts for approval. I would ask Mr. Vetter to cover those proposed agreements.”

Executive Director Vetter: Thank you Mr. Chairman. There are two contracts from ECC; items 1-1 and 1-2. The request on 1-1 is regarding a copier lease. I believe that Mr. Schott is here. It is a question on bidding in terms of renewing the contract. Also there is a proposed five-year agreement with Jack Quinn, the pending new President of ECC. I believe the Chairman of ECC, Ray Gallagher, is here and I’m not sure if he would like to come up as well in case we have some questions on that particular item. Mr. Schott?

Chairman Baynes: “I have one question already on the five-year agreement. That \$925,000 is for a four year period, it’s not per year?”

Executive Director Vetter: “Yes, I am sorry, that is for the entire period of the grant.”

Director Goodell: “Is that for four years or five years?”

Executive Director Vetter: “It should be five years, I’m sorry that is a typo.”

Director Keysa: “That should be noted”.

Rick Schott: “Good Afternoon. my name is Rick Schott. I am the CIO for Erie Community College and I will be answering your questions about the high volume lease. In the year 2000, the County entered into a bid process and Xerox Corporation was awarded the bid. That bid ended in 2006, we had filed for an extension and that was approved. Xerox agreed to the extension that was approved until 2009. ECC piggy-backed on that original bid, and this is just a renewal. We are just requesting to piggy-back on that renewal. In 2009 this will go out to bid again. We have done this in the past with our convenience copies for example, county-wide, to leverage the best pricing and query the County departments and investigate the number of pieces of equipment that will be utilized and then leverage the best price.”

Chairman Baynes: “There is a question here from the Vice Chair.”

Vice Chair Glaser: “This contract is due to expire August 31?”

Rick Schott: “You should have a copy of the renewal. The County asked Xerox Corporation to extend the bid until April 30, 2009 and this was approved by all parties.”

Vice Chair Glaser: “It was approved by who?”

Rick Schott: “The County of Erie and Xerox Corporation.”

Vice Chair Glaser: “Did it have any kind of a clause in there to end it on a 30-day notice?”

Rick Schott: “Yes, on all of these leases, anyone can pull out without penalty.”

Vice Chair Glaser: “I guess we are looking at this now and I am aware that the County has been, well with the new direction of the County, that they have been looking at a lot of these types of leases. I think the Board, over the last six months, has been trying to approve those things that needed to be approved but also take a look at things that could be extended a little bit so that the Administration has time to look at it. One of the things I know the new Administration is doing is trying to coordinate contracts in such a way that they could say, bunch certain contracts together to get a better pricing, whether they be between departments and/or other areas in the County. Have you had discussions or would you have discussions with the County on this specific contract and see if there isn’t something that makes more sense? I am not saying that this one doesn’t, but there is some coordination with this one that could be beneficial to ECC as well as the County.”

Rick Schott: “Yes, our business manager Paul Danieu is in constant communications with the County and when this bid spec was formulated, they queried ECC and we gave them our intentions for high volume equipment, so we have those ongoing discussions even though we do our own purchasing. Whenever we can leverage as we do with state contracts the best pricing, we try to pool our resources together and try to leverage it for the best pricing.”

Vice Chair Glaser: “So, Mr. Vetter I am a little confused. Are we approving this?”

Executive Director Vetter: “This is a request received that has not been approved that we need to consider for approval from the Authority.”

Chairman Baynes: “Just to be clear and follow up on Vice Chair Glaser’s question, the contract expired last year?”

Rick Schott: “Yes, the original contract expired in 2006.”

Chairman Baynes: “And it was originally bid on in 2001?”

Rick Schott: “In 2000.”

Chairman Baynes: “And it was a five-year agreement?”

Rick Schott: “Yes.”

Chairman Baynes: “Approved under Mr. Giambra’s administration?”

Rick Schott: “Yes it was.”

Chairman Baynes: “He extended it again without a bid?”

Rick Schott: “Yes, with all the due process followed. There were several responses to this bid and Xerox was the lowest price.”

Vice Chair Glaser: "I guess that I would like to hear from somebody at the County in terms of that before I would feel comfortable approving this. It is a rather large bid and I just want to make sure that we have all i's dotted and t's crossed."

Director Goodell: "Were there other bids?"

Rick Schott: "Yes"

Director Kruly: "But the bids were in 2000?"

Rick Schott: "Correct"

Chairman Baynes: "Mr. Schott, has the new County Executive looked at this yet?"

Rick Schott: "We are in agreement until 2009."

Chairman Baynes: "Alright, why don't we table this until the new County Executive gets a chance to look at it and agrees with it before we expend \$1.4 million?"

Director Johnson: "Mr. Chairman, in addition to that, I would be interested in knowing, what was the original contract amount for this, seeing that it is for \$1.4 million? What was the original one that was approved? Have we acquired any additional costs to the County that were not a part of the original contract or is this the same dollar amount?"

Rick Schott: "I can't speak on that. I would have to have a representative from the County"

Chairman Baynes: "Mr. Collins, the question is that we need your assurance that you are comfortable with this contract. If not, we will table it until you have had a chance to look at it?"

County Executive Collins: "I would say that in the last week we have surfaced as one of the highest priorities of our current administration is to look at all of the copying needs within Erie County and our first pass on it is that we think there are actual savings, as we are finding fragmented contracts here there and everywhere and we think there are substantial savings to be had and personally I would not move forward on any new copy contracts until we have had an opportunity to take a look at what is in the best interest of the County. I was not familiar with this until 30 seconds ago but I do think there is opportunity to pull the County and the College together and perhaps have some savings. I don't know there to be any problem or sense of urgency in putting this off for a short while."

Chairman Baynes: "Mr. Schott, the equipment is still going to be there and you are still going to be able to use it until Mr. Collins approves it?"

Rick Schott: "Yes, we have the equipment in place."

Chairman Baynes: "Okay, so why don't we table this? Do I have a motion to table?"

Director Johnson moved to table, Director Kruly seconded, and the Directors voted unanimously to table the contract.

Executive Director Vetter: “Mr. Chairman, Item 1-2 regarding the contract with Jack Quinn, the incoming President of ECC. That has been reviewed by staff and the Board and would recommend that there would be a motion for approval.”

Director Goodell moved to approved, Director Kruly seconded, and the Directors voted unanimously to approve the following resolution:

**Resolution No. 08-18**

**APPROVING CERTAIN CONTRACT SUBMITTED BY ERIE COMMUNITY COLLEGE**

WHEREAS, Chapter 182 of the New York Laws of 2005 created the Erie County Fiscal Stability Authority (“ECFSA”) to serve as a corporate governmental agency and instrumentality of the State of New York, and as a public benefit corporation to “oversee [Erie] County’s budget, financial and capital plans; to issue bonds, notes or other obligations to achieve budgetary savings and to finance short-term cash flow or capital needs; and, if necessary, to develop financial plans on behalf of the County if the County is unwilling or unable to take the required steps toward fiscal stability;” and

WHEREAS, the ECFSA first imposed a control period upon the County of Erie (the “County”) by adopting Resolution 06-49 on November 3, 2006; and

WHEREAS, incident to and in furtherance of the imposition of the control period, the ECFSA adopted Resolution 06-51, which authorized a process for approving contracts, settlements, or other obligations binding or purporting to bind the County (“contract approval process”), on November 3, 2006; and

WHEREAS, in adopting Resolution 07-04 on January 11, 2007, the ECFSA renewed and continued the contract approval process authorized by Resolution 06-51; and

WHEREAS, the ECFSA has adopted Resolution 07-10, which replaces and supersedes the contract approval process authorized by Resolution 06-51; and

WHEREAS, the ECFSA must review and approve any contract, settlement, or other obligation, valued at greater than \$50,000, that binds or purports to bind the County or a covered organization, before it takes effect; and

WHEREAS, the County Executive or a “Responsible Official,” as defined in Resolution 07-10, has duly submitted a request for review of the contract listed on the attached document; and

WHEREAS, the ECFSA Executive Director, after consultation with the ECFSA Staff, has recommended approval of said contract via written correspondence to each ECFSA Director;

NOW, THEREFORE, BE IT RESOLVED that the ECFSA approves the contract submitted by Erie Community College as listed on the attached document.

Item	Description	Amount
Erie Community College – Employment Contract – Jack Quinn	5 year agreement with College President	\$925,000 base + for the 5 year period – all college funds

This resolution shall take effect immediately.

Executive Director Vetter: “Mr. Chairman, just to go through this, items 1-3 and 1-4 are purchase for the Erie County Libraries for which there were no questions. Staff would suggest a motion to approve both these items.”

Director Johnson moved to approved, Director Goodell seconded, and the Directors voted unanimously to approve the following resolution:

**Resolution No. 08-19**

**APPROVING CERTAIN CONTRACT SUBMITTED BY THE BUFFALO & ERIE COUNTY PUBLIC LIBRARY**

WHEREAS, Chapter 182 of the New York Laws of 2005 created the Erie County Fiscal Stability Authority (“ECFSA”) to serve as a corporate governmental agency and instrumentality of the State of New York, and as a public benefit corporation to “oversee [Erie] County’s budget, financial and capital plans; to issue bonds, notes or other obligations to achieve budgetary savings and to finance short-term cash flow or capital needs; and, if necessary, to develop financial plans on behalf of the County if the County is unwilling or unable to take the required steps toward fiscal stability;” and

WHEREAS, the ECFSA first imposed a control period upon the County of Erie (the “County”) by adopting Resolution 06-49 on November 3, 2006; and

WHEREAS, incident to and in furtherance of the imposition of the control period, the ECFSA adopted Resolution 06-51, which authorized a process for approving contracts, settlements, or other obligations binding or purporting to bind the County (“contract approval process”), on November 3, 2006; and

WHEREAS, in adopting Resolution 07-04 on January 11, 2007, the ECFSA renewed and continued the contract approval process authorized by Resolution 06-51; and

WHEREAS, the ECFSA has adopted Resolution 07-10, which replaces and supersedes the contract approval process authorized by Resolution 06-51; and

WHEREAS, the ECFSA must review and approve any contract, settlement, or other obligation, valued at greater than \$50,000, that binds or purports to bind the County or a covered organization, before it takes effect; and

WHEREAS, the County Executive or a “Responsible Official,” as defined in Resolution 07-10, has duly submitted a request for review of the contracts, settlements, and other obligations listed on the attached document; and

WHEREAS, the ECFSA Executive Director, after consultation with the ECFSA Staff, has recommended approval of each contract, settlement, or other obligation via written correspondence to each ECFSA Director;

NOW, THEREFORE, BE IT RESOLVED that the ECFSA approves the contract submitted by the Buffalo & Erie County Public Library as listed on the attached document.

Department	Description	Amount
------------	-------------	--------

Erie County Libraries – Purchase Contract – Approved Vendors	Multi-vendor tiered bid award for the purchase of library materials	\$2.6 million – all library funds
Erie County Libraries – Service Contract – Broadview Networks	E-rate program for local voice telecommunications services to designated library locations	Not to exceed \$87,000 - \$36,540 local share

\*EC- Erie County

This resolution shall take effect immediately.

Executive Director Vetter: “Mr. Chairman items 1-5 and 1-6 are for the Erie County Division of Support Services. There was a question on item 1-6 regarding a service contract for SAP public services. The submission indicated a bid continuation from September 2002 and there was a question regarding potential for a new bid. I believe Mr. Joseph Gervase is here from Information and Support Services.”

Joseph Gervase: “Good afternoon, my name is Joe Gervase, Director of Information and Support Services. This request is for our annual maintenance for the SAP Enterprise software. It is part of the original contract upon acquisition of the SAP software, part of the original contract. The annual maintenance expenses were not defined in that contract. That contract was for a six-year period and this will be the last of a six-year contract. It is not a biddable item and there are no contract extension; however, the fact is that, when it surfaces again, it will need to be negotiated with contractor.”

Chairman Baynes: “When will the contract surface again?”

Joseph Gervase: “One year, this is the last year in a six-year agreement.”

Vice Chair Glaser: “So is this an annual renewal or is this something that was approved five years ago and is just another payment?”

Joseph Gervase: “It is a five-year contract and this is the annual purchase order to cover the annual fee for this service. It is licensing, it is all your support; everything to support the software.”

Vice Chair Glaser: “Is there any advantage with the SAP system since you are in the last year of the contract to actually not necessarily make this payment but to begin to negotiate now with them for an extension of that contract?”

Joseph Gervase: “There may be an opportunity to do that however any upgrades and patches we would not be entitled to if we don’t pay our fee for the year.”

Vice Chair Glaser: “That is, before you negotiate.”

Joseph Gervase: “Well, it depends on how they handle it, but we will have to negotiate at some time and we will probably open up negotiations sometime prior to the end of the year.”

Vice Chair Glaser: “Could we ask you another question, Mr. Collins?”

“By the way, just as an aside, I have gotten about 20 phone calls from the non-profit community asking us to stay a hard control board for a long period of time.

In all sincerity you ought to be commended for what you and your Deputy Executive have done and are going to do for the non-profits.”

County Executive Collins: “We actually look forward to it. Mark Davis’s wife Nancy actually said that this is the fun part.”

Vice Chair Glaser: “Well you should be commended for that and hopefully we can help you get the County back to fiscal stability which is a great segue into this question.”

“I know that you are looking at the computer operations of the County right now and my question would be, with this particular maintenance contract, are you comfortable in just extending this for one year while you get your hands around everything, or is there any advantage before it is paid and negotiating something with them now relative to what your plans are?”

County Executive Collins: “Our plans are to use SAP for a very long time. It is the Mercedes Benz system. It is paid for. We certainly confirmed our transition teams and other work. It is the right system for Erie County. It is not being utilized to its fullest extent which is part of our challenge, to make sure that we do utilize it to its fullest extent but there is no question in my mind that this is the system that Erie County is going to be with for a very long period of time. We are looking to bringing in-house over the next couple of years all of the talent needed to maintain it on an on going basis and not have to use outside consultant to help run our helpdesk and otherwise. I think that is doable in about a two year time frame. I think relative to SAP itself and the need for which all software is updated on a periodic basis it is the ugly side of buying software. You always have to pay license fees and for updates. My assumption is that this is a fairly standard cost item and I would also say we are not in the driver’s seat to negotiate this that much. At some point you have to trust your vendors. Once you have SAP, you can’t go to someone else for patches and updates; they kind of have you where they have you and that is true of every software company. I am comfortable in most cases that they understand that they cannot stick it to one person and then expect to sell the system to someone else. Their reputation would go down the drain. It is usually a percentage of what we paid and the good news from what I have confirmed is that what we paid for SAP was the bargain of the century. So, what we in Erie County are paying for our SAP is far less costly than it is currently selling for or that other counties or business are paying. Rich Products runs, for instance, on SAP. So, believe it or not, we did get a very, very good deal on the SAP piece. That doesn’t mean we did as good as we should have in the training part because the biggest part of us implementing SAP was actually the training, not the purchase of the particular number of seats in the software. What Joe Gervase is saying is that we are paying a percentage of that original purchase price which was the bargain of the century. I guess I am comfortable with that going forward.”

Joe Gervase: “I can tell you that there is probably more opportunity going forward in negotiations because there are more products they have to offer and we may want to take advantage of some of those products that they have to offer in the future. To negotiate just some kind of pricing on those products if we decided to use them so that is what we hope to do.”

Vice Chair Glaser: “Good, thank you. I have no further questions.”

Chairman Baynes: “Are there any other questions for Mr. Joe Gervase? If there are not further questions I would entertain a motion to approve items 1-5 and 1-6?”

Vice Chair Glaser moved to approved, Director Goodell seconded, and the Directors voted unanimously to approve the following resolution:

**Resolution No. 08-20**

**APPROVING CERTAIN CONTRACT SUBMITTED BY THE  
ERIE COUNTY DIVISION OF INFORMATION & SUPPORT SERVICES**

WHEREAS, Chapter 182 of the New York Laws of 2005 created the Erie County Fiscal Stability Authority (“ECFSA”) to serve as a corporate governmental agency and instrumentality of the State of New York, and as a public benefit corporation to “oversee [Erie] County’s budget, financial and capital plans; to issue bonds, notes or other obligations to achieve budgetary savings and to finance short-term cash flow or capital needs; and, if necessary, to develop financial plans on behalf of the County if the County is unwilling or unable to take the required steps toward fiscal stability;” and

WHEREAS, the ECFSA first imposed a control period upon the County of Erie (the “County”) by adopting Resolution 06-49 on November 3, 2006; and

WHEREAS, incident to and in furtherance of the imposition of the control period, the ECFSA adopted Resolution 06-51, which authorized a process for approving contracts, settlements, or other obligations binding or purporting to bind the County (“contract approval process”), on November 3, 2006; and

WHEREAS, in adopting Resolution 07-04 on January 11, 2007, the ECFSA renewed and continued the contract approval process authorized by Resolution 06-51; and

WHEREAS, the ECFSA has adopted Resolution 07-10, which replaces and supersedes the contract approval process authorized by Resolution 06-51; and

WHEREAS, the ECFSA must review and approve any contract, settlement, or other obligation, valued at greater than \$50,000, that binds or purports to bind the County or a covered organization, before it takes effect; and

WHEREAS, the County Executive or a “Responsible Official,” as defined in Resolution 07-10, has duly submitted a request for review of the contract listed on the attached document; and

WHEREAS, the ECFSA Executive Director, after consultation with the ECFSA Staff, has recommended approval of said contract via written correspondence to each ECFSA Director;

NOW, THEREFORE, BE IT RESOLVED that the ECFSA approves the contract submitted by the Erie County Division of Information & Support Services as listed on the attached document.

Department	Description	Amount
Erie County Division of Information and Support Services – Service Contract - T.F. Kurk & NOCO Fuel	Gasoline and diesel fuel for county vehicles	\$900,000 – all local share
Erie County Division of Information and Support Services – Service Contract - SAP Public Services	Annual support maintenance agreement for Erie County Enterprise Resource Planning System (ERP) Part of initial contract award from September 2002.	\$243,088.37 – all local share

\*EC- Erie County

This resolution shall take effect immediately.

Executive Director Vetter: “Mr. Chairman, if I could continue, the next series of contracts, 2-1 through 4-4, relate to Erie County Environment and Planning, primarily to the sewer agency. Really, the questions surrounding a number of those is that there are significant number of consultants for a three-year period within that matrix and the question is one why the significant number of consultants and significant dollars, and two, is a three-year period an appropriate period of time? I believe Mr. Quinn is here to respond to those items.”

Mike Quinn: “Good afternoon, my name is Mike Quinn, I am the Deputy Commissioner for the Division of Water Quality Management. I will address both of those comments and questions. With regard to the number of consultants, there are actually two different types of term contracts that you are looking at there. There is one for the standard engineering services and there are five consultants recommended there. There is another term contract for inspection services and there are two consultants in that arena. I will take the inspection services first. Typically we try to inspect our own inspection projects in-house but, with manpower and other things that we have going on, it’s time we need to employ a consultant to do inspection services. The two firms were RFP’d; we sent out an RFP and got a total response of 6 in that category. They were the two firms that we chose as the most qualified to provide the services. The reason that you go with two versus one is that their staffing requirements leaves us the ability to select a second firm if the first firm is busy for one reason or another. With regard to the engineering consultant services, what we try to do there with the RFP process is try to identify certain firms with unique types of experiences depending on the wide variety of project we have, whether it is IT related projects, a sewer design or a treatment plant upgrade and those kinds of things. We feel that it is necessary to have those kinds of varied experience bases kind of in our back pocket especially if we need them moving forward. In terms of the contracts, what we try to do there is try to balance the RFP process versus the length of contract as well as how long that we feel a consultant can reasonable plan their rate schedules and their costs. Typically we have found over the years that the three year contract has worked well. Consultants are comfortable with those. We feel we get a good rate for those projects. So a three-year term contract over the years, this I believe is our is third or fourth go around with those three-year contracts and the three-year contract has worked well for us along the line.”

Chairman Baynes: “So Mr. Quinn, when you a have a three-year contract, that is on a per-job basis?”

Mike Quinn: “That is correct, we issue work orders on it.”

Chairman Baynes: “Does anyone have any questions?”

Director Keysa: “These are funded out of the sewer districts?”

Mike Quinn: “That is correct.”

Director Keysa: “Typically out of capital funds?”

Mike Quinn: “We do it out of capital, some we do out of operational funds for smaller plant type projects; we will actually use from the operations side.”

Director Keysa: “And \$300,000 is the limit for the three year period?”

Mike Quinn: “That is correct.”

Chairman Baynes: “Excuse me again, Mr. Collins are you comfortable with these?”  
“Does anybody have any further questions for Mr. Quinn? Thank you Mr. Quinn.”

May I have a motion to approve items 2-1 through 4-4?

Vice Chair Glaser moved to approved, Director Kruly seconded, and the Directors voted unanimously to approve the following resolution:

**Resolution No. 08-21**

**APPROVING CERTAIN CONTRACTS SUBMITTED BY THE  
ERIE COUNTY DEPARTMENT OF ENVIRONMENT AND PLANNING**

WHEREAS, Chapter 182 of the New York Laws of 2005 created the Erie County Fiscal Stability Authority (“ECFSA”) to serve as a corporate governmental agency and instrumentality of the State of New York, and as a public benefit corporation to “oversee [Erie] County’s budget, financial and capital plans; to issue bonds, notes or other obligations to achieve budgetary savings and to finance short-term cash flow or capital needs; and, if necessary, to develop financial plans on behalf of the County if the County is unwilling or unable to take the required steps toward fiscal stability;” and

WHEREAS, the ECFSA first imposed a control period upon the County of Erie (the “County”) by adopting Resolution 06-49 on November 3, 2006; and

WHEREAS, incident to and in furtherance of the imposition of the control period, the ECFSA adopted Resolution 06-51, which authorized a process for approving contracts, settlements, or other obligations binding or purporting to bind the County (“contract approval process”), on November 3, 2006; and

WHEREAS, in adopting Resolution 07-04 on January 11, 2007, the ECFSA renewed and continued the contract approval process authorized by Resolution 06-51; and

WHEREAS, the ECFSA has adopted Resolution 07-10, which replaces and supersedes the contract approval process authorized by Resolution 06-51; and

WHEREAS, the ECFSA must review and approve any contract, settlement, or other obligation, valued at greater than \$50,000, that binds or purports to bind the County or a covered organization, before it takes effect; and

WHEREAS, the County Executive or a “Responsible Official,” as defined in Resolution 07-10, has duly submitted a request for review of the contracts listed on the attached document; and

WHEREAS, the ECFSA Executive Director, after consultation with the ECFSA Staff, has recommended approval of said contracts via written correspondence to each ECFSA Director;

NOW, THEREFORE, BE IT RESOLVED that the ECFSA approves the contracts submitted by the Erie County Department of Environment and Planning as listed on the attached document.

Department	Description	Amount
EC Environment & Planning, Sewerage Agency – Purchase Contract - Armor Electric Motor & Crane	Electrical repairs	\$70,000 – all sewer district funds
EC Environment & Planning, Sewerage Agency – Intermunicipal Agreement - NYSDOT	Joint construction project with NYSDOT to rebuild Main St. sanitary sewers in the Village of E. Aurora	\$2.2 million – all sewer district funds
EC Environment & Planning, Sewerage Agency – Purchase Contract – Jones Chemical	Liquid sodium hypochlorite	\$220,000 – all sewer district funds
EC Environment & Planning, Sewerage Agency – Service Contract – Malcolm Pirnie	Engineering services for Erie County Sewer Districts	\$300,000 – all sewer district funds
EC Environment & Planning, Sewerage Agency – Purchase Contract - America Pipe Services	Emergency dragline of sewers for 2008 – for sewer line cleaning	\$95,000 – all sewer district funds
EC Environment & Planning, Sewerage Agency – Service Contract – Liro Engineers	Sewerage Management intends to retain Liro to perform general engineering and inspection during construction of sewerage facilities	Not to exceed \$200,000 – all sewer district funds
EC Environment & Planning, Sewerage Agency –Service Contract – Greenman-Pederson	Sewerage Management intends to retain Greenman Pederson to perform general engineering and inspection during construction of sewerage facilities	Not to exceed \$200,000 – all sewer district funds
EC Environment & Planning, Sewerage Agency – DiDonato Associates	Sewerage Management intends to retain DiDonato Associates to perform engineering services for Erie County Sewer Districts	Not to exceed \$300,000 – all sewer district funds
EC Environment & Planning, Sewerage Agency – URS Corporation	Sewerage Management intends to retain URS Corporation to perform engineering services for Erie County Sewer Districts	Not to exceed \$300,000 – all sewer district funds
EC Environment & Planning, Sewerage Agency – Wendel Duchscherer	Sewerage Management intends to retain Wendel Duchscherer to perform engineering services for Erie County Sewer Districts	Not to exceed \$300,000 – all sewer district funds
EC Environment & Planning, Sewerage Agency – Clough-Harbour & Associates	Sewerage Management intends to retain Clough-Harbour & Associates to perform engineering services for Erie County Sewer Districts	Not to exceed \$300,000 – all sewer district funds
EC Environment & Planning, Sewerage Agency – NYS & various vendors	Establish Sewer District #8 at a maximum cost of \$4 million	Not to exceed \$4 million – all sewer district funds
EC Environment & Planning, Sewerage Agency – Transfer/Lease Agreement - Town of Hamburg Sewer Dist.	Proposed transfer/lease agreement of remaining Hamburg Sewer Districts – Sanitary Sewer Assets	Balance sheet value not-yet-determined/to exceed \$50,000
EC Environment & Planning – Federal Grant Sub-recipient – People Community Housing Development Corporation	Loan for \$179,973 in 2007 federal HOME Investment Partnership funds to assist in construction of 30 unit senior housing project for low-income households in the Village of Angola	\$179,973 – no local share

\*EC- Erie County

This resolution shall take effect immediately.

Executive Director Vetter: “I am sorry, Mr. Chair, I was going ahead of myself. Items 5-1 through 6-2 are with regard to the Erie County Department of Health. There are a number of items but really the questions revolved around grant periods listed in the submittals that are for periods that have already started or periods that have already ended. I had received a call just before the meeting saying that there is one item that Dr. Anthony Billitier might be asking to table at this point. If Dr. Billitier is on the audience, could he come to the stand?”

Dr. Anthony Billitier: “Good afternoon, I am Anthony Billitier, Commissioner of Health Care in Erie County. You have questions about the dates?”

Chairman Baynes: “Which question do you have, Mr. Vetter?”

Executive Director Vetter: “Yes, on each one of the items, if you look at the matrix, because I believe Ms. Czechowski, who has been the internal coordinator, distributed this throughout the County that, for instance, on the receipt of grant funds for Environmental Health and Water, replied for \$250,000 the grant period is 04/01/07 through 3/31/08 and really the question is of looking for approval at this point in February 2008, at least in theory, for a grant that has been in effect since 04/01/2007. Maybe you can comment?”

Anthony Billitier: “I understand your concern here and let me just make the point that an explanation of the issues that we have run into and I think we will continue to run into. Most of these contract which will be problematic in this way will be renewals of grants that we have. The way that the State grants work is that the first time that we did a grant, we had to go through the entire acceptance process including the Erie County Legislature and now this body. We would not be doing any business in that period until we have approvals from everybody. Then at that point, we start to expend funds, hire people, issue contracts, etc., whatever the grant called for. The problem comes in with renewals. What we do in our annual budget, if we have a grant that is expected to continue into the next calendar and budget year for the County, we will include an estimation of that in our grant budget. So we then wait for the State to issue us a notice of award to go through the negotiation process of those contracts. Very often, we wait until it goes into the next grant period to the State to finalize a contract. It is only after we have a final contract that we can come to this body for your approval. So many of these fall into that category; in fact, some of them outside of that category; there are some that are already expired. Now I don't want to mislead you, there are a few in-house issues in getting these things to you quickly and so we are attempting to rectify that. In fact we put together a tracking sheet that I can leave with you, a copy. We are going to start tracking dates on 20 steps that we have to go through to get these things to you and that includes through the Budget office, the County Legislature, the County Executive and then to you. I must admit this is a very inefficient process and we certainly bear part of the responsibility for this with this system. I am not sure we can address much of the system, especially since it is in the State's hands.”

Chairman Baynes: “Doctor, I assure you we will do nothing to slow the process down. “

Anthony Billitier: “Thank you.”

Chairman Baynes: “Does anybody have any questions for the Doctor, please?”

Anthony Billitier: “Do you want me to address that specific dates at all or should I quit while I am ahead?”

Chairman Baynes: “Mr. Vetter, was there a specific date that you wanted to discuss?”

Executive Director Vetter: “On all of the contracts that are here, either the grant period is over or has already begun, which in theory means that money is being spent before contracts are being signed or in some cases, the grant period has already ended. When you are looking at a contract, generally the contract process, the contract is signed first and then expenses are incurred.”

Chairman Baynes: “The one particular question, Dr. Billitier, is on #5-4 where the grant period expired December 31, 2006.”

Anthony Billitier: “What grant is that, I don’t have them by those numbers?”

Executive Director Vetter: “It is the grant regarding funding to reduce asthma for the County. The submission indicated that it was for a grant period 1/1/2006 through 12/31/2006?”

Secretary Keysa: “This was the grant from the New York State Department of Health providing funding to reduce asthma-related morbidity and mortality in Western New York.”

Chairman Baynes: “I might as well give you the other two while we are at it. They are 6-1 and 6-2, which also expired in 9/30/2007 and the other was 03/2007.”

Dr. Anthony Billitier: “Let’s start with the asthma one. I think the grant year was from 1/1/2006 to 12/31/2006, which in part was in place before the rule was established and I asked the County Attorney for a ruling in what needed to take place and whether or not we needed to come to this body and felt that we should for full disclosure, whether we needed to or not. We did not receive the final contract from the State until 08/27/2007 despite the grant ending 12/31/2006. So there was no way that we could come here with the final contract.”

Chairman Baynes: “On August 27, 2007 you received this?”

Dr. Anthony Billitier: “On 08/27/2007”

Chairman Baynes: “What precluded you from coming here?”

Dr. Anthony Billitier: “Again, part of this was internal issues. My point is that at that point the grant was already over and I think part of the delay on this one was waiting for the County Attorney to figure out if we needed to come here. Again I am admitting we had have some housekeeping issues, but my point on this was that they didn’t even send us a finalized contract until after we were done. I should also mention that once we are in a renewal period we can’t stop work in the sense that we can’t lay people off once they are in the grant without legislative approval even though we do not have, well we often may have an award intent but not a finalized

contract and we can't stop work, so we are put in a very difficult situation which is hard to deal with."

Vice Chair Glaser: "Let me pose this another way. We are not going to be able to do much about how the State operates and gives you grants. From our perspective, can you relay to us what problems and if any of the problems ever come up is a result of it. For example are we spending a lot of money of what we thought we were going to get and then all of a sudden they don't approve the grant or are there really no risks in this? What is the biggest problem you have other than paperwork?"

Dr. Anthony Billitier: "That is a very good question. I can't remember a time where we were ever stiffed. They are a pretty good source; a pretty reputable source. I am looking at my staff and you can nod yes if we have been stiffed. Okay, so I think there is very low risk here and I understand why you want to see these things up front. I'd love to see them up front as well but on the other had we don't want to stop taking care of the publics health because we haven't finished all the paperwork."

Chairman Baynes: "Going forward, Dr. Billitier, we will be most likely meeting with you prior to these meetings so that we can move things along and again not slow the process down and I appreciate your time."

Dr. Anthony Billitier: "You're welcome, thank you."

Chairman Baynes: "Does anyone have any further questions for Dr. Anthony Billitier?"

Secretary Keysa moved to approved, Director Johnson seconded, and the Directors voted unanimously to approve the following resolution:

### **Resolution No. 08-22**

#### **APPROVING CERTAIN CONTRACTS SUBMITTED BY THE ERIE COUNTY DEPARTMENT OF HEALTH**

WHEREAS, Chapter 182 of the New York Laws of 2005 created the Erie County Fiscal Stability Authority ("ECFSA") to serve as a corporate governmental agency and instrumentality of the State of New York, and as a public benefit corporation to "oversee [Erie] County's budget, financial and capital plans; to issue bonds, notes or other obligations to achieve budgetary savings and to finance short-term cash flow or capital needs; and, if necessary, to develop financial plans on behalf of the County if the County is unwilling or unable to take the required steps toward fiscal stability;" and

WHEREAS, the ECFSA first imposed a control period upon the County of Erie (the "County") by adopting Resolution 06-49 on November 3, 2006; and

WHEREAS, incident to and in furtherance of the imposition of the control period, the ECFSA adopted Resolution 06-51, which authorized a process for approving contracts, settlements, or

other obligations binding or purporting to bind the County (“contract approval process”), on November 3, 2006; and

WHEREAS, in adopting Resolution 07-04 on January 11, 2007, the ECFSA renewed and continued the contract approval process authorized by Resolution 06-51; and

WHEREAS, the ECFSA has adopted Resolution 07-10, which replaces and supersedes the contract approval process authorized by Resolution 06-51; and

WHEREAS, the ECFSA must review and approve any contract, settlement, or other obligation, valued at greater than \$50,000, that binds or purports to bind the County or a covered organization, before it takes effect; and

WHEREAS, the County Executive or a “Responsible Official,” as defined in Resolution 07-10, has duly submitted a request for review of the contracts listed on the attached document; and

WHEREAS, the ECFSA Executive Director, after consultation with the ECFSA Staff, has recommended approval of said contracts via written correspondence to each ECFSA Director;

NOW, THEREFORE, BE IT RESOLVED that the ECFSA approves the contracts submitted by the Erie County Department of Health listed on the attached document.

Department	Description	Amount
EC Department of Health – Receipt of Grant Funds - NYSDOH	Grant provides funding to increase the county’s environmental health water supply staff and improve capabilities to the county’s health laboratory	\$250,000 – no local share
EC Department of Health – Receipt of Grant Funds - NYSDOH	Grant purpose is to assist families with uninsured adults and/or children to obtain health insurance	\$247,600 - \$51,088 local share
EC Department of Health – Receipt of Program Revenue - NYSDOH	Participating in HIV Seroprevalence study thru submission of demographic forms and laboratory specimens	\$67,200 – no local share
EC Department of Health – Receipt of Grant Funds - NYSDOH	Grant provides funding to reduce asthma related morbidity and mortality in Western New York	\$184,773 – no local share
EC Department of Health – Intergovernmental Agreement – Health Research Inc.	Continuation of an existing grant to support breast and cervical cancer screening providers for low-income, asymptomatic underinsured women, age 50 and over	\$71,952 – no local share
EC Department of Health – Receipt of Grant Funds - NYSDOH	Grant provides funding to increase the county’s environmental health water supply staff and improve capabilities to the county’s health laboratory	\$250,000 – no local share
EC Department of Health – Receipt of Grant Funds - NYSDOH	Grant purpose is to assist families with uninsured adults and/or children to obtain health insurance	\$247,600 - \$51,088 local share
EC Department of Health – Receipt of Program Revenue - NYSDOH	Participating in HIV Seroprevalence study thru submission of demographic forms and laboratory specimens	\$67,200 – no local share
EC Department of Health – Receipt of Grant Funds - NYSDOH	Grant provides funding to reduce asthma related morbidity and mortality in Western New York	\$184,773 – no local share

EC Department of Health – Intergovernmental Agreement – Health Research Inc.	Continuation of an existing grant to support breast and cervical cancer screening providers for low-income, asymptomatic underinsured women, age 50 and over	\$71,952 – no local share
EC Department of Health – Receipt of Grant Funds - NYSDOH	Reduce occurrence of undiagnosed diabetes among priority populations in Western New York	\$114,567 – no local share
EC Department of Health – Receipt of Grant Funds - NYSDOH	Identify children under age 6 with excessive lead exposure, ensure medical follow-up and eliminate the source of lead	\$954,953 - \$265,848 local share

\*EC- Erie County

This resolution shall take effect immediately.

Executive Director Vetter: “Yes, Mr. Chairman, just a few extra pages and we can get through these fairly quickly. Items 6-3 through 7-2 are all Public Works agreements for which there are no issues. They have been reviewed by the staff and the Board and staff would recommend that those be voted on as a slate.”

Chairman Baynes: “Does anybody have any concerns about these? If not could I have a motion to pass 6-3 through 7-2?”

Vice Chair Glaser moved to approved, Director Goodell seconded, and the Directors voted unanimously to approve the following resolution:

**Resolution No. 08-23**

**APPROVING CERTAIN CONTRACT SUBMITTED BY THE  
ERIE COUNTY DEPARTMENT OF PUBLIC WORKS**

WHEREAS, Chapter 182 of the New York Laws of 2005 created the Erie County Fiscal Stability Authority (“ECFSA”) to serve as a corporate governmental agency and instrumentality of the State of New York, and as a public benefit corporation to “oversee [Erie] County’s budget, financial and capital plans; to issue bonds, notes or other obligations to achieve budgetary savings and to finance short-term cash flow or capital needs; and, if necessary, to develop financial plans on behalf of the County if the County is unwilling or unable to take the required steps toward fiscal stability;” and

WHEREAS, the ECFSA first imposed a control period upon the County of Erie (the “County”) by adopting Resolution 06-49 on November 3, 2006; and

WHEREAS, incident to and in furtherance of the imposition of the control period, the ECFSA adopted Resolution 06-51, which authorized a process for approving contracts, settlements, or other obligations binding or purporting to bind the County (“contract approval process”), on November 3, 2006; and

WHEREAS, in adopting Resolution 07-04 on January 11, 2007, the ECFSA renewed and continued the contract approval process authorized by Resolution 06-51; and

WHEREAS, the ECFSA has adopted Resolution 07-10, which replaces and supersedes the contract approval process authorized by Resolution 06-51; and

WHEREAS, the ECFSA must review and approve any contract, settlement, or other obligation, valued at greater than \$50,000, that binds or purports to bind the County or a covered organization, before it takes effect; and

WHEREAS, the County Executive or a “Responsible Official,” as defined in Resolution 07-10, has duly submitted a request for review of the contract listed on the attached document; and

WHEREAS, the ECFSA Executive Director, after consultation with the ECFSA Staff, has recommended approval of said contract via written correspondence to each ECFSA Director;

NOW, THEREFORE, BE IT RESOLVED that the ECFSA approves the contracts submitted by the Erie County Department of Public Works as listed on the attached document.

Department	Description	Amount
EC Public Works – Service Contract – Boldt Landscaping	Stump removal program to removal an identified hazardous condition throughout Erie County	\$530,000 – no local share
EC Public Works – Purchase Contract – Approved Vendors	Materials for county-wide snow and ice removal	\$1 million – all local share
EC Public Works – Purchase Contract & Receipt of Grant Funds – Homeland Security – Approved vendors	Furnish & install video surveillance for the Rath Building and 608 William St.	\$138,440 – no local share
EC Public Works – Purchase & Service Contract – Grove Roofing	Pay for roofing repairs on an emergency basis for county owned buildings	\$85,000 – all local share
EC Public Works – Service Contract – U&S Services	Integrated security management system infrastructure	\$408,500 – all local share

\*EC- Erie County

This resolution shall take effect immediately.

Executive Director Vetter: “Mr. Chairman the Senior Services contracts, they are items 7-3 through 9-3. There were a couple of questions regarding grant periods. I believe there is someone here from Senior Services.”

Dave Pfaff: “My name is Dave Pfaff I am the project administrator for Senior Services. I have the same problems in Senior Services that Dr. Billitier has in Health Services. There are continuing grants that the State does not give us monies on until some time in October or September and some of the 2007 grants you will see that we are suffering the same problem. We actually have on this agenda the 2008 contracts with those very same continuing grants and they will modified next fall when we get notification from the State. The State also is working under the fact that the federal government does not notify them until the end of the year what money they are getting and a lot of our money comes from the Federal government as well. I can address individual questions about the contracts at hand.”

Chairman Baynes: “Does anyone have any question for Mr. Pfaff? Mr. Vetter?”

Executive Director Vetter: “Yes Mr. Chairman, just two questions. One on item 8-4, the original submission indicated that it needed Legislative approval for \$30,000. That item Mr. Pfaff, I believe in the interim the Legislature did give approval?”

David Pfaff: “They did give the approval and you have that here; it was attached.”

Executive Director Vetter: “That is no longer an issue?”

David Pfaff: “Yes, that is no longer an issue.”

Executive Director Vetter: “Okay that is no longer an issue to be considered by this Board. The other was 8-1 regarding Supportive Service; a grant to place low income people 55 and older into employment. This submission indicated that these services had not been rebid for thirty years. They have been with the same industry for the past 30 years. I guess the question here with a focus on bidding with this board is will there be contemplation of bidding this regardless of your 30-year relationship especially if there is the potential of a relationship for a firm out there that can do a better job?”

David Pfaff: “Supportive Service has a unique position in this. They are recognized nationally as well as with NYS as probably the premier group that places 55 year old people in jobs. The focus of Supportive Services is no longer; we are just going to put people in jobs and pay their salaries as aids or senior employment. The goal now is to transfer them within 18 months to full time employment in the location where they are. Obviously we are not going to get everybody to do that but the supportive services corporation routinely hits the market and it hits the market high. The reason there is additional money is that the federal government recognizes the job that they have done and when they decided at the end of the contract that they have additional money and they say “who can we give it to” and they end up giving it to us for supportive services. I am sure that County Executive and others will take a look at this and if they want to rebid or examine this, we would be more than happy to. One of the things that makes supportive services unique is the fact that they do have a place in the Workforce Investment Board that is the employment center over on Goodell Street. If somebody comes in who is 65 years old they end up coming to supportive services; they will be directed over there. It is a very well known program like I said they are recognized nationally.”

Chairman Baynes: “Mr. Pfaff, on 8-1, the item that we are speaking about with the 30-year contract for the same company. When does bidding process have to be done?”

David Pfaff: “One of the things that, well that contract runs from July 1 through June 30<sup>th</sup>. So the next contract will be coming up some time later this year.”

Chairman Baynes: “How much time do you need for an RFP?”

David Pfaff: “I don’t know, but I can find out? I know did speak with the Deputy County Executive about these contracts. I brought this to him...”

Chairman Baynes: “And he was comfortable with this?”

David Pfaff: "I told him that we have a chance to look at this again and said that we would. We are always looking to save money."

Chairman Baynes: "One other question, on 9-3?"

David Pfaff: "Frankly that is an oversight that we submitted the original item before the control board. The money for this item is for the people who prepare the food for Meals on Wheels and for our dining sites."

Chairman Baynes: "The grant is for \$298,000 and the County share is 10%; \$29,000?"

David Pfaff: "Right."

Chairman Baynes: "And the grant expired?"

David Pfaff: "No, what happened is that in the 2007 budget, there are two pools of money we take the money from. One is the County program and the other is from cash-in-lieu. It is federal government money that comes in and basically we always get that money after the fact. It should have been included in the May submission to you. The one for 2008 is actually approved it but that money, when we prepared the document, we only put the funds that came in. That was an oversight on my part and I think that may be because I was two months on the job."

Chairman Baynes: "No problem."

David Pfaff: "In that figure there is also \$43,000 which is for Sodexo who has the right to come back with a contract later in the year and consult consultation with our nutrition director to make sure that, food prices rise, they have a right to be compensated for that to a certain degree."

Chairman Baynes: "Is that from 9-2 or 9-3?"

David Pfaff: "That is in 9-3. In 9-2 they will have that opportunity again at the end of next year. There will always be an opportunity for them to come back under the contract to basically offset increasing food prices because they make a bargain with us and if milk goes up \$0.75, well what do we do? Not feed the seniors, not give them milk? Again, a lot of our programs are like Dr. Anthony Billitier's, how do you stop from providing a service? I am sure that we can do a better job internally and we will take a look at that."

Chairman Baynes: "Terrific. Does anybody have any questions for Mr. Pfaff?"

"May I have a motion to move 7-3 through 9-3?"

Director Johnson moved to approved, Secretary Keysa seconded, and the Directors voted unanimously to approve the following resolution:

**Resolution No. 08-24**

**APPROVING CERTAIN CONTRACTS SUBMITTED BY THE ERIE COUNTY  
DEPARTMENT OF SENIOR SERVICES**

WHEREAS, Chapter 182 of the New York Laws of 2005 created the Erie County Fiscal Stability Authority (“ECFSA”) to serve as a corporate governmental agency and instrumentality of the State of New York, and as a public benefit corporation to “oversee [Erie] County’s budget, financial and capital plans; to issue bonds, notes or other obligations to achieve budgetary savings and to finance short-term cash flow or capital needs; and, if necessary, to develop financial plans on behalf of the County if the County is unwilling or unable to take the required steps toward fiscal stability;” and

WHEREAS, the ECFSA first imposed a control period upon the County of Erie (the “County”) by adopting Resolution 06-49 on November 3, 2006; and

WHEREAS, incident to and in furtherance of the imposition of the control period, the ECFSA adopted Resolution 06-51, which authorized a process for approving contracts, settlements, or other obligations binding or purporting to bind the County (“contract approval process”), on November 3, 2006; and

WHEREAS, in adopting Resolution 07-04 on January 11, 2007, the ECFSA renewed and continued the contract approval process authorized by Resolution 06-51; and

WHEREAS, the ECFSA has adopted Resolution 07-10, which replaces and supersedes the contract approval process authorized by Resolution 06-51; and

WHEREAS, the ECFSA must review and approve any contract, settlement, or other obligation, valued at greater than \$50,000, that binds or purports to bind the County or a covered organization, before it takes effect; and

WHEREAS, the County Executive or a “Responsible Official,” as defined in Resolution 07-10, has duly submitted a request for review of the contracts, settlements, and other obligations listed on the attached document; and

WHEREAS, the ECFSA Executive Director, after consultation with the ECFSA Staff, has recommended approval of each contract, settlement, or other obligation via written correspondence to each ECFSA Director;

NOW, THEREFORE, BE IT RESOLVED that the ECFSA approves the contracts submitted by the Erie County Department of Senior Services as listed on the attached document.

Department	Description	Amount
EC Department of Senior Services – Service Contract – Approved Daycare Providers	Eight adult daycare providers to deliver services to high-risk elderly residents (Title III-E)	\$312,500 - \$78,125 local share
EC Department of Senior Services – Purchase Contract – Medical Answering Systems	Personal Emergency Response System (PERS) for homebound elderly in Erie County	\$45,000 – 11,250 local share
EC Department of Senior Services – Receipt of Grant Funds – Supportive Services Corp.	Place low-income persons age 55 or older into unsubsidized employment	\$38,323 - \$3,823 local share

EC Department of Senior Services – Service Contract – Approved daycare providers	Eight adult daycare providers to deliver services to high-risk elderly residents (III-B)	\$104,000 - \$26,000 local share
EC Department of Senior Services – Service Contract – Meals on Wheels	The department received additional NYS dollars for nutrition to offset higher fuel and food prices	\$270,144 – no local share
EC Department of Senior Services – Service Contract – Approved agencies	Additional funding for Homecare providers to provide services to high-risk elderly residents	\$302,645 - \$75,661 – local share
EC Department of Senior Services – Service Contract – Approved agencies	Additional funding for Homecare providers to provide services to high-risk elderly residents – III E & EISEP	\$312,500 - \$78,125 – local share
EC Department of Senior Services – Service contract – Meals on Wheels	The department contracts with meals on wheels of WNY to provide meals to high-risk elderly to help maintain their independence	\$1,973,823 – no local share
EC Department of Senior Services – Purchase Contract – Sodexho Inc.	Second year of a three year agreement to produce meals for the Stay Fit congregate dining program (Title IIIC-1) - 2008	\$1,435,856 - \$143,585 local share
EC Department of Senior Services – Purchase Contract – Sodexho Inc.	Second year of a three year agreement to produce meals for the Stay Fit congregate dining program (Title IIIC-1) - 2007	\$298,784 - \$29,878 local share

\*EC- Erie County

This resolution shall take effect immediately.

Executive Director Vetter: “Mr. Chairman, just two more sets, 9-4 through 9-15, these are all Sherriff’s contracts and the only item that was in question was with regards to the purchase of two Ford Explorer’s. I believe that Chief Brian Doyle, the Undersheriff is here to speak to the question with regard to the need for the vehicles and whether they are new in service or are they replacing other vehicles?”

Chief Brian Doyle: “Good afternoon. If that is the only item, the two vehicles are being purchased for the two primary people that fly the helicopter. They are both pilots, they usually work together. One is the observer and the other is the pilot. This purchase is being done with funds received by the County because of the sale of surplus army and other military parts that we gained probably 15 -20 years ago. So there is actually no County money whatsoever involved. We got those parts for free, it is military surplus. We got permission from the government to sell them last year. We did and that money has all gone into a trust account where we have to go through the Legislative process to spend which we have done and now we are here. The reason why we are asking for SUV is because the helicopter is currently housed in the Southtowns and obviously with our winters it is better to have 4 wheel drive vehicle. Both of the pilots are crossed-trained and carry a lot of equipment, they are both on SWAT team, they are both on the Underwater Recovery Team. They have down-link equipment that they carry in the trucks where they drop the down-link equipment at the command post, get up in the helicopter and whoever is on the ground can see what they are seeing from the air and just because of the amount of equipment, the weather in this area; the storms that we have we are asking for SUV’s as opposed to regular vehicles.”

Chairman Baynes: “Undersheriff, these two deputies are on call 24 hours a day?”

Chief Brian Doyle: “They are on call 24 hours a day. The vehicles can only be used for government purposes, they are not allowed to be used for personal use at all. Both of the officers are driving vehicles with mileage in excess of 100,000, so it is time to set them with something. We do try to limit the number of SUV’s that we have, realizing that they use, generally speaking, more gasoline than cars, but we do need some. In our opinion that in this particular occasion that this is necessary. We are mindful of the County Executives stance on take-home vehicles. We try to be as responsible as possible but we are a 24/7 operation emergency response and there are occasions when vehicles are needed to be taken home. They are pilots, they jump in the car, they get to the helicopter and fly the helicopter.”

Secretary Keysa: “Is Kevin still one of those pilots?”

Chief Brian Doyle: “Captain Caffery is one of those pilots. I just talked to him a couple of seconds ago.”

Secretary Keysa: “I have known of him for years and he is an extraordinary member of the Sheriff’s department. He has been nationally honored with some of the very daring rescues that he has performed. Some of the people would be dead if it had not been for the fact that we have that facility there. In other cases they have found that the equipment that they put together on those helicopters has been very useful in finding lost people, finding criminals who are running and hiding.”

Chief Brian Doyle: “It is a regional asset, we are used throughout the State, internationally, Canada on occasion across the lake. He has been on Oprah.”

Chairman Baynes: “If he was on Oprah, we can approve it.”

Chief Brian Doyle: “If this board ever gets the opportunity and I will try and set it up myself, you should see the tape of them rescuing the guy from the brink of the falls. He was standing no further than I am from the end of the stage to the brink of the falls. It is one of the most amazing rescues I have ever seen and it was done by some of our employees Kevin Caffery and his partner Art Litzinger.”

Chairman Baynes: “Well since one of the cars is for Kevin Caffery and he is one of my idols, I will have to abstain from this vote.”

“Do I have a motion to approve?”

Secretary Keysa moved to approved, Vice Chair Glaser seconded, Chairman Baynes abstained and the Directors duly voted to approve the following resolution:

**Resolution No. 08-25**

**APPROVING CERTAIN CONTRACTS SUBMITTED BY THE ERIE COUNTY  
SHERIFF’S DEPARTMENT**

WHEREAS, Chapter 182 of the New York Laws of 2005 created the Erie County Fiscal Stability Authority (“ECFSA”) to serve as a corporate governmental agency and instrumentality of the State of New York, and as a public benefit corporation to “oversee [Erie] County’s budget,

financial and capital plans; to issue bonds, notes or other obligations to achieve budgetary savings and to finance short-term cash flow or capital needs; and, if necessary, to develop financial plans on behalf of the County if the County is unwilling or unable to take the required steps toward fiscal stability;” and

WHEREAS, the ECFSA first imposed a control period upon the County of Erie (the “County”) by adopting Resolution 06-49 on November 3, 2006; and

WHEREAS, incident to and in furtherance of the imposition of the control period, the ECFSA adopted Resolution 06-51, which authorized a process for approving contracts, settlements, or other obligations binding or purporting to bind the County (“contract approval process”), on November 3, 2006; and

WHEREAS, in adopting Resolution 07-04 on January 11, 2007, the ECFSA renewed and continued the contract approval process authorized by Resolution 06-51; and

WHEREAS, the ECFSA has adopted Resolution 07-10, which replaces and supersedes the contract approval process authorized by Resolution 06-51; and

WHEREAS, the ECFSA must review and approve any contract, settlement, or other obligation, valued at greater than \$50,000, that binds or purports to bind the County or a covered organization, before it takes effect; and

WHEREAS, the County Executive or a “Responsible Official,” as defined in Resolution 07-10, has duly submitted a request for review of the contracts, settlements, and other obligations listed on the attached document; and

WHEREAS, the ECFSA Executive Director, after consultation with the ECFSA Staff, has recommended approval of each contract, settlement, or other obligation via written correspondence to each ECFSA Director;

NOW, THEREFORE, BE IT RESOLVED that the ECFSA approves the contracts for the Erie County Sheriff’s Department as listed on the attached document.

Department	Description	Amount
EC Sheriff – Purchase Contract – Metcare RX/ECMCC Pharmacy Services	Extension of current agreement while RFP process is concluded	\$300,000 – all local share
EC Sheriff – Purchase Contract – Upstate Farms	Milk for Holding Center and Corrections Facility	\$275,000 – all local share
EC Sheriff – Purchase Contract – Tenney Coin Laundry	Laundry Services for Holding Center and Corrections Facility	\$105,000 – all local share
EC Sheriff – Purchase Contract – Stroehmann Bakery	Fresh Bread and Rolls for the Holding Center and Corrections Facility	\$275,000 – all local share
EC Sheriff – Purchase Contract – Corr Distributors	Paper Products for the Holding Center and Corrections Facility	\$70,000 – all local share
EC Sheriff – Purchase Contract – Boulevard Produce	Fresh Produce for the Holding Center and Corrections Facility	\$175,000 – all local share

EC Sheriff – Purchase Contract – Will Poultry/Maplevale Farms/J.H. Wattles	Poultry for the Holding Center and Corrections Facility	\$125,000 – all local share
EC Sheriff – Purchase Contract – Will Poultry/Maplevale Farms/J.H. Wattles/Maple Leaf/Sysco/Somerset	Groceries for the Holding Center and Corrections Facility	\$220,000 – all local share
EC Sheriff – Purchase Contract – Sysco Foods	Food for the Holding Center and Corrections Facility	\$825,000 – all local share
EC Sheriff – Purchase Contract - Emerling	Purchase of two Ford Explorers for the Aviation Division of the Sheriff's Office	\$61,590 – all Aviation Reserve Fund

\*EC- Erie County

This resolution shall take effect immediately.

Executive Director Vetter: “Mr. Chairman, on contracts 10-1 through 10-4, three of these are Social Services contracts and the other Emergency Services that no one had questions on. Staff recommends that you consider these as a slate.”

Chairman Baynes: “Does anyone have any questions on 10-1 through 10-4? There being no question could I have a motion to move 10-1 through 10-4?”

Director Kruly moved to approve, Director Goodell seconded, and the Directors voted unanimously to approve the following resolution:

**Resolution No. 08-26**

**APPROVING CERTAIN CONTRACTS, SETTLEMENTS, AND OTHER OBLIGATIONS BINDING THE COUNTY OF ERIE**

WHEREAS, Chapter 182 of the New York Laws of 2005 created the Erie County Fiscal Stability Authority (“ECFSA”) to serve as a corporate governmental agency and instrumentality of the State of New York, and as a public benefit corporation to “oversee [Erie] County’s budget, financial and capital plans; to issue bonds, notes or other obligations to achieve budgetary savings and to finance short-term cash flow or capital needs; and, if necessary, to develop financial plans on behalf of the County if the County is unwilling or unable to take the required steps toward fiscal stability;” and

WHEREAS, the ECFSA first imposed a control period upon the County of Erie (the “County”) by adopting Resolution 06-49 on November 3, 2006; and

WHEREAS, incident to and in furtherance of the imposition of the control period, the ECFSA adopted Resolution 06-51, which authorized a process for approving contracts, settlements, or other obligations binding or purporting to bind the County (“contract approval process”), on November 3, 2006; and

WHEREAS, in adopting Resolution 07-04 on January 11, 2007, the ECFSA renewed and continued the contract approval process authorized by Resolution 06-51; and

WHEREAS, the ECFSA has adopted Resolution 07-10, which replaces and supersedes the contract approval process authorized by Resolution 06-51; and

WHEREAS, the ECFSA must review and approve any contract, settlement, or other obligation, valued at greater than \$50,000, that binds or purports to bind the County or a covered organization, before it takes effect; and

WHEREAS, the County Executive or a “Responsible Official,” as defined in Resolution 07-10, has duly submitted a request for review of the contracts, settlements, and other obligations listed on the attached document; and

WHEREAS, the ECFSA Executive Director, after consultation with the ECFSA Staff, has recommended approval of each contract, settlement, or other obligation via written correspondence to each ECFSA Director;

NOW, THEREFORE, BE IT RESOLVED that the ECFSA approves the contracts, settlements, and other obligations listed on the attached document.

Department	Description	Amount
EC Social Services – Service Contract – Family Justice Center	Non-residential domestic violence services including telephone hotline information & referral, advocacy, counseling and community education	\$24,693 – no local share
EC Social Services & Health Department – Purchase Contract – Beach-Tuyn	Provide morgue services for Erie County	\$220,670 - \$141,229 local share
EC Social Services – Service Contract – (approved vendors)	Emergency Services contract provides food and prescription vouchers as well as furniture and clothing for applicants and clients	\$384,150 - \$144,450 local share
EC Emergency Services – Purchase Contract – United Radio Inc. (Motorola dealer)	Radio equipment for the EC Sheriff’s Office	\$298,698.25 – no local share

\*EC- Erie County

This resolution shall take effect immediately.

Chairman Baynes: “Before we close, we will most likely need to have a meeting around March 10<sup>th</sup> – 13<sup>th</sup>; some time around then. So if everybody is in town let get our schedules together. There being on further business may I have a motion to adjourn.”

Vice Chair Glaser moved to adjourn, Director Goodell seconded, and the Directors voted unanimously to adjourn the meeting.

Respectfully submitted,

Stanley J. Keysa, Secretary

February 7, 2008