



THE ERIE COUNTY LEGISLATURE

Session No. 6
March 21, 2013

Betty Jean Grant
Chair

Thomas J. Mazur
Majority Leader

John J. Mills
Minority Leader

Robert M. Graber
Clerk of the Legislature

ROLL CALL

INVOCATION – Mr. Rath

PLEDGE OF ALLEGIANCE – Mr. Lorigo

TABLED ITEMS

ITEMS FOR RECONSIDERATION FROM PREVIOUS MEETING

MINUTES OF PREVIOUS MEETING

PUBLIC HEARING

MISCELLANEOUS RESOLUTIONS:

HARDWICK

[Honoring Austin Scott Oetinger on Achieving the Rank of Eagle Scout](#)

GRANT

Congratulating Legendary Dr. Thomas Rosenthal, Chair of the SUNY at Buffalo Department of Family Medicine for 20 Years, on His Retirement

MARINELLI, GRANT & HOGUES

Congratulating the McKinley High School Basketball Team on the Exciting News of Their Class A State Championship Overtime Victory - the First State Championship in School History for the "Macks"

MAZUR

Memorial Resolution Honoring Lovejoy Community Leader Donald A. Petrucci

RATH

[Recognizing & Acknowledging Brian Perry & Perry's Ice Cream Receiving the International Dairy Foods Association's Soaring Eagle Award for 2013](#)

MARINELLI

Congratulating Ruth & David Lampe - Citizens of the Month for March 2013

MARINELLI

Congratulating Artsphere on Its 10th Anniversary in Historic Black Rock

GRANT & HOGUES

Congratulating Deja Triplette on Receiving a 2013 Community Leader Youth Award from the National Federation of Just Communities of WNY

GRANT & HOGUES

Recognizing Barbara Breckenridge of the National Kidney Foundation Serving WNY During National Kidney Disease Awareness Month in March

MARINELLI & GRANT

Recognizing April 9, 2013 as National Equal Pay Day in EC

HARDWICK	Honoring Alexander M. Gradle on Achieving the Rank of Eagle Scout
HOGUES	A Proclamation Congratulating Houghton Academy Students Aaron Gallon, Jacob Peake, Javon Whittington, John Whittington III & Jared Peake, Winners of the 1st Annual Youth Entrepreneurship Showcase (YES) Competition
HARDWICK	Honoring Ryan Joseph Pietrzyk on Achieving the Rank of Eagle Scout
HARDWICK	Honoring Willard Henry Crosby on Achieving the Rank of Eagle Scout
HARDWICK	Honoring Chess Thomas Lee on Achieving the Rank of Eagle Scout
HARDWICK	Honoring Sean K. Steward on Achieving the Rank of Eagle Scout
HARDWICK	Honoring Stephen J. Valeri on Achieving the Rank of Eagle Scout
HARDWICK	Honoring Robert James Mol on Achieving the Rank of Eagle Scout
HOGUES	Certificates Congratulating Houghton Academy Students for Finishing 2nd Place in the 1st Annual Youth Entrepreneurship Showcase (YES) Competition
HOGUES	A Proclamation Recognizing W. Charles Brandy, Kevin Buchholtz, Tracy Cooley, Dr. Patricia Hutton & Akin Wilson for Preparing Houghton Academy Students for the 1st Annual Youth Entrepreneurship Showcase (YES) Competition
MILLS	Congratulating Emerling Ford of Springville in Its Celebration of More than 25 Years in Business

LOCAL LAWS:

REFERENCE:

LL INT. 1-1 3/27/2012	McCRACKEN, GRANT, MAZUR, HOGUES, MARINELLI & LOUGHRAN	A LL to Establish "An Animal Abuse Registry in EC"	Energy & Environment
LL INT. 3-1 10/9/2012	HARDWICK, MARINELLI & HOGUES	A LL to Provide Predictable Funding for the Buffalo & EC Library	Community Enrichment
LL INT. 1-1 2/8/2013	McCRACKEN, GRANT, MAZUR, MARINELLI, LOUGHRAN & HOGUES	A LL to Establish "An Animal Abuse Registry in EC"	Energy & Environment
LL INT. 2-1 3/19/2013	LORIGO	A LL Establishing a Residency Requirement for Employees of EC	

COMMITTEE REPORTS:

[REPORT NO. 4](#) HEALTH & HUMAN SERVICES COMMITTEE

[REPORT NO. 5](#) COMMUNITY ENRICHMENT COMMITTEE

[REPORT NO. 4](#) ENERGY & ENVIRONMENT COMMITTEE

[REPORT NO. 4](#) PUBLIC SAFETY COMMITTEE

[REPORT NO. 4](#) FINANCE & MANAGEMENT COMMITTEE

[REPORT NO. 5](#) ECONOMIC DEVELOPMENT COMMITTEE

LEGISLATOR RESOLUTIONS:

REFERENCE:

INTRO 6-1	McCRACKEN	Inclusion of Viable Agricultural Lands into Agricultural Districts - 2012
INTRO 6-2	McCRACKEN	Requesting Commissioner of Agriculture & Markets to Extend Review Dates of Agricultural District No. 15
INTRO 6-3	HOGUES	Expressing Support for a Park & Ride Facility in the Former DL&W Terminal Adjacent to Canalside to Alleviate the Shortage of Parking at the Buffalo Niagara Medical Campus
INTRO 6-4	McCRACKEN	Urging Greater Investment in the State's CHIPS (Consolidated Highway Improvement) & Marchiselli Programs
INTRO 6-5	MAZUR & HOGUES	Urging the Governor & the NYS Legislature to Continue to Reform the Financing of the Early Intervention Program in NYS
INTRO 6-6	GRANT, MAZUR & HOGUES	Supporting the Multi-Year Restoration of Adequate State Funding for Child Protection, Foster Care & Youth Detention Services
INTRO 6-7	GRANT & MAZUR	Supporting the Bipartisan Efforts Underway in the U.S. Senate to Achieve Zero Tolerance in the Armed Forces Regarding Military Sexual Assault

INTRO 6-8	LORIGO, RATH & HARDWICK	Supporting Necessary Reforms to NY Labor Law S.240 & S.241
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COMMUNICATIONS DISCHARGED FROM COMMITTEE:

SUSPENSION OF THE RULES:

COMMUNICATIONS FROM ELECTED OFFICIALS:

REFERENCE:

COMM. 6E-1	COMPTROLLER	Compilation & Analysis Concerning Number of Employees Costing Taxpayers Over \$100,000 in Salary & Benefits in 2012	Government Affairs
COMM. 6E-2	COUNTY EXECUTIVE	Copy of Letter Concerning Recent Audit Regarding FEMA as it Relates to Reimbursements from the "October Surprise Storm" in 2006	Finance & Management
COMM. 6E-3	RATH	Letter & Attached Spreadsheet to Chair of Economic Development Committee Concerning Buffalo Bills Lease	Economic Development
COMM. 6E-4	DISTRICT ATTORNEY	Asset Forfeiture Appropriations	
COMM. 6E-5	SHERIFF	Waiver of Bidding Procedures	
COMM. 6E-6	COUNTY EXECUTIVE	Appointments to the Buffalo & EC Public Library Board of Directors	Community Enrichment

COMM. 6E-7	COUNTY EXECUTIVE	Appointment to the Citizens' Budget Review Commission	RFP
COMM. 6E-8	COUNTY EXECUTIVE	Foreclosure Pursuant to the In Rem Provisions of the EC Tax Act, In Rem Action No. 161	
COMM. 6E-9	COUNTY EXECUTIVE	OPEN ITEM/PLACEHOLDER - Energy & Environment Committee - Re-Occurring Bond Authorization	Energy & Environment
COMM. 6E-10	COUNTY EXECUTIVE	Personal Services Adjustment - Management Consultant (CE)	Government Affairs
COMM. 6E-11	COUNTY EXECUTIVE	EC Medical Examiner Variable Minimum	Health & Human Services
COMM. 6E-12	COUNTY EXECUTIVE	Right-of-Way (ROW) Acquisition - Hopkins Road Reconstruction - Town of Amherst	Economic Development
COMM. 6E-13	COUNTY EXECUTIVE	Acceptance of Round 2 Statewide Interoperable Communications Grant	Public Safety
COMM. 6E-14	COMPTROLLER	State Authorization for the Private Sale of Bonds by Negotiated Agreement	Finance & Management
COMM. 6E-15	COUNTY EXECUTIVE	Central Police Services Forensic Laboratory - Byrne/JAG 2013 Firearms Grant	Public Safety
COMM. 6E-16	COUNTY EXECUTIVE	Community Development Block Grant & HOME Investment Partnership Program - Affordable Housing Project Assessment & Related Services Agreement	Economic Development
COMM. 6E-17	COUNTY EXECUTIVE	2012 EC Dam Safety, Inspection & Design Engineering Services - Award of Consultant Services	Energy & Environment
COMM. 6E-18	COUNTY EXECUTIVE	Buffalo Niagara Convention Center - Ballroom Carpet Replacement & Miscellaneous Improvements	
COMM. 6E-19	COUNTY EXECUTIVE	EC Toxicology Laboratory - HVAC Upgrades - Phase I	Economic Development
COMM. 6E-20	COUNTY EXECUTIVE	EC Day Care Center - Plumbing Upgrades	Economic Development
COMM. 6E-21	COUNTY EXECUTIVE	ECSD No. 6 - Contract Close-Out	Energy & Environment
COMM. 6E-22	COUNTY EXECUTIVE	ECSD No. 2 - Change Order No. 2	Energy & Environment
COMM. 6E-23	COUNTY EXECUTIVE	ECSD No. 4 - Contract Close-Out	Energy & Environment

COMM. 6E-24	COUNTY EXECUTIVE	Jail Management Telephone Revenue	Public Safety
COMM. 6E-25	COUNTY CLERK	Acceptance of Donated Pens	Government Affairs
COMM. 6E-26	COUNTY CLERK	MOU for ECC South Satellite Auto Bureau	Government Affairs

COMMUNICATIONS FROM THE DEPARTMENTS:

REFERENCE:

COMM. 6D-1	DEPARTMENT OF SOCIAL SERVICES	Copy of Legislative District Breakdowns of Poverty Levels & SCR Reports	Health & Human Services
COMM. 6D-2	DIRECTOR OF BUDGET & MANAGEMENT	Letter to Legislature Concerning Comptroller's Review on County Employees "Costing Over \$100,000"	Government Affairs
COMM. 6D-3	DIRECTOR OF BUDGET & MANAGEMENT	Letter to Comptroller Concerning Request for Audit of Sheriff Division & Jail Management Division Overtime	Public Safety
COMM. 6D-4	EC BOARD OF ELECTIONS	Letter to Legislature Concerning Grant Contracts: HHS Voting Access for Individuals with Disabilities NYS HAVA Operations Expenses by Board of Elections	
COMM. 6D-5	COMPTROLLER'S OFFICE	Reply to Request for Audit of Sheriff Division & Jail Management Overtime	Public Safety
COMM. 6D-6	COUNTY ATTORNEY	Transmittal of New Claims Against EC	Government Affairs

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES:

REFERENCE:

COMM. 6M-1	NFTA	Minutes from Meeting Held 1/24/2013	Economic Development
COMM. 6M-2	BUFFALO COMMON COUNCIL	Resolution Titled "Give Buffalo & WNY a Level Playing Field with NY Television & Film Production Tax Credit"	Economic Development
COMM. 6M-3	ELMA TOWN BOARD	Minutes from Meeting Held 2/27/2013	Government Affairs
COMM. 6M-4	GRAND ISLAND TOWN BOARD	Resolutions Concerning NYS SAFE Act, West River Parkway & Foreclosures/Vacant Properties	Government Affairs
COMM. 6M-5	ASSIGNED COUNSEL PROGRAM	Quarterly Report for the 4th Quarter of 2012	Government Affairs

COMM. 6M-6	ASSIGNED COUNSEL PROGRAM	Financial Report for the Period of 7/1/2012 - 12/31/2012	Government Affairs
COMM. 6M-7	EC SPCA	Letter to Legislature Concerning EC Animal Abuse Registry	Energy & Environment
COMM. 6M-8	BUFFALO & EC PUBLIC LIBRARY	Proposed Agenda for Meeting to be Held 3/21/2013	Community Enrichment
COMM. 6M-9	NAN L. HAYNES	Letter to Chair of Legislature Concerning EC Holding Center	Public Safety

ANNOUNCEMENTS:

MEMORIAL RESOLUTIONS:

ADJOURNMENT: