



# THE ERIE COUNTY LEGISLATURE

Session No. 5  
March 15, 2012

Betty Jean Grant  
*Chair*

Thomas J. Mazur  
*Majority Leader*

John J. Mills  
*Minority Leader*

Robert M. Graber  
*Clerk of the Legislature*

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## ROLL CALL

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INVOCATION – Mr. Loughran

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PLEDGE OF ALLEGIANCE – Ms. Dixon

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## TABLED ITEMS

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## ITEMS FOR RECONSIDERATION FROM PREVIOUS MEETING

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## MINUTES OF PREVIOUS MEETING

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## PUBLIC HEARING

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## MISCELLANEOUS RESOLUTIONS:

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MAZUR	Recognizing Rev. Marian Gardocki on Receiving the Legion of Honor During the Four Chaplains Memorial Service at VA WNY Healthcare System in Buffalo
MAZUR	Recognizing Mary Danakas on Receiving the Legion of Honor During the Four Chaplains Memorial Service at VA WNY Healthcare System in Buffalo
MAZUR	Recognizing Sharon Shelton on Receiving the Legion of Honor During the Four Chaplains Memorial Service at VA WNY Healthcare System in Buffalo
GRANT	Recognizing March as National Kidney Month
MILLS & DIXON	Honoring Patrick Plunkett on Being Elected the United Irish American Association's Honorary Grand Marshal for the 2012 Saint Patrick's Day Parade
MARINELLI	Recognizing the Week of March 12-16, 2012 as National Young Audiences Week in EC
MARINELLI	Congratulating Donald & Rita Chrems on Their 50th Wedding Anniversary
LOUGHRAN	Honoring Dolores Sapienza on the Occasion of the Amherst Museum's Women's Interclub Council Celebration of Women's History Month
GRANT & HOGUES	Recognizing the Kidney Center of Women & Children's Hospital of Buffalo During National Kidney Disease Awareness Month in March
MAZUR	In Remembrance of John H. "Jack" Roberts Sr.

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McCRACKEN	Recognizing the Listing of the John P. Sommers House in Lancaster on the National Register of Historic Places
HARDWICK	Congratulating Tim Winder, Boy Scout Troop No. 510, on Obtaining the Rank of Eagle Scout
HARDWICK	Honoring Mississippi Mudds on Their 25th Anniversary
MARINELLI	Remembering the Life of Catherine M. Mallaber
MARINELLI	Congratulating Housing Opportunities Made Equal (HOME) on Its 49th Anniversary
HOGUES	Congratulating Murray Holman, Community Activist, Upon Being Named the March 2012 Recipient of the EC Legislature's Citizen of the Month Award
MILLS	Congratulating Florence Kirkner for Her 65 Years of Service on the National Ski Patrol
MILLS	Congratulating Joseph Karb, Springville Griffith Institute, on Receiving the Outstanding Social Studies Middle School Teacher Award for 2012 by the New York State Council for the Social Studies
LORIGO	Honoring John and Victoria Frontera for Being Married 72 years and Being Named the New York State Winners of the Longest Married Couple Project
MILLS, HARDWICK, RATH, DIXON & LORIGO	Recognizing Poison Prevention Week in Erie County
MILLS, HARDWICK, RATH, DIXON & LORIGO	Honoring Jordan Levy for His Work with the Erie Canal Harbor Development Corporation

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**LOCAL LAWS:**

**REFERENCE:**

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LL INT. 8-1 10/18/2011	KOZUB, MILLER- WILLIAMS, BOVE & WHALEN	A LL Entitled "Prohibiting the Use of Hydraulic Fracturing as a Method for Extraction of Natural Gas or Oil in EC" in Relation to Preventing the Use of Hydraulic Fracturing (Commonly Known as Hydro-Fracking within EC)	Energy & Environment
LL INT. 11-1 12/29/2011	KOZUB	A LL to Create Exclusion Zones & Prohibition of Certain Employment-Related Activities by Sex Offenders in EC	Public Safety

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**COMMITTEE REPORTS:**

REPORT NO. 3 COMMUNITY ENRICHMENT COMMITTEE

REPORT NO. 3 GOVERNMENT AFFAIRS COMMITTEE

REPORT NO. 3 ECONOMIC DEVELOPMENT COMMITTEE

REPORT NO. 1 MINORITY & WOMEN BUSINESS ENTERPRISE COMMITTEE

REPORT NO. 3 PUBLIC SAFETY COMMITTEE

REPORT NO. 3 FINANCE & MANAGEMENT COMMITTEE

REPORT NO. 3 ENERGY & ENVIRONMENT COMMITTEE

REPORT NO. 3 HEALTH & HUMAN SERVICES COMMITTEE

**LEGISLATOR RESOLUTIONS:**

**REFERENCE:**

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INTRO 5-1	MILLS, MAZUR & MARINELLI	Supporting the Secure Travel & Counterterrorism Partnership Program Act of 2011
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INTRO 5-2	MILLS, RATH, DIXON, HARDWICK & LORIGO	Supporting NYS Assumption of the Local Share of Medicaid
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INTRO 5-3	MILLS, RATH, DIXON, HARDWICK & LORIGO	Supporting Reinstatement of STAR Rebate for Senior Citizens
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INTRO 5-4	LORIGO	Encouraging Federal Legislation Regarding Carbon Monoxide Safety
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INTRO 5-5	McCRACKEN, GRANT, MAZUR, MILLS, HOGUES, MARINELLI, HARDWICK, LOUGHRAN, RATH, DIXON & LORIGO	Reforming the Federal Tax Code by Implementing a 20% Federal Income Tax Credit for Companies that Bring Jobs Back to the United States
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INTRO 5-6	MARINELLI, GRANT, MAZUR, MILLS, HOGUES, HARDWICK, LOUGHRAN, RATH, McCRACKEN, DIXON & LORIGO	Returning 911 Dispatch Operations Now Housed in the Department of Central Police Services to the EC Sheriff's Office
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INTRO 5-7	McCRACKEN, GRANT, MAZUR, MILLS, HOGUES, MARINELLI, HARDWICK, LOUGHRAN, RATH, DIXON & LORIGO	Calling for the Inclusion of Political Intellegence Acquired by Lobbyists in the Recently Approved STOCK Act Banning Insider Trading by Members of Congress During the House/Senate Bill Reconciliation Process
INTRO 5-8	HOGUES, GRANT, MAZUR, MARINELLI & LOUGHRAN	Supporting the Expansion of the DNA Databank in NYS

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**COMMUNICATIONS DISCHARGED FROM COMMITTEE:**

**SUSPENSION OF THE RULES:**

**COMMUNICATIONS FROM ELECTED OFFICIALS:**

**REFERENCE:**

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COMM. 5E-1	DIXON	Letter to County Clerk Concerning Reported Service Backlog in the County Clerk's Office	Government Affairs
COMM. 5E-2	MARINELLI	Letter to Deputy County Executive Concerning the ECC Task Force & for Participating at the Community Enrichment Committee Meeting	Community Enrichment
COMM. 5E-3	COUNTY EXECUTIVE	Letter to Mayor of Buffalo Concerning Land Bank Proposal	Government Affairs
COMM. 5E-4	COUNTY EXECUTIVE	Issuance of Executive Order Nos. 7-9	Government Affairs
COMM. 5E-5	COUNTY CLERK	Letter to County Executive Concerning Creation of an EC Land Bank	Government Affairs
COMM. 5E-6	COUNTY EXECUTIVE	Letter to Legislature Concerning Local Law Intro No. 10-2011 - Cyberbullying Law	Public Safety

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COMM. 5E-7	GRANT	Letter to Legislator McCracken Concerning Appointment of Commissioner to the EC Water Authority	Energy & Environment
COMM. 5E-8	GRANT	Letter to Clerk of Legislature Concerning Appointment of Commissioner to the EC Water Authority	Energy & Environment
COMM. 5E-9	COMPTROLLER	2012 Consolidated Bond Resolution	Finance & Management
COMM. 5E-10	SHERIFF	Operation Stonegarden Grant	
COMM. 5E-11	SHERIFF	K9 Retirement	Public Safety
COMM. 5E-12	COUNTY EXECUTIVE	Personnel Adjustment - DPW Architect	Economic Development
COMM. 5E-13	COUNTY EXECUTIVE	Payment of Civil Penalty - US Environmental Protection Agency	Finance & Management
COMM. 5E-14	COUNTY EXECUTIVE	Approval to Transfer Three Department of Senior Service's Positions Affected by the Elimination of WRAP-SOFA Grant Funding as of 4/1/2012	Health & Human Services
COMM. 5E-15	COUNTY EXECUTIVE	EC Correctional Facility - Video System Upgrade	Public Safety
COMM. 5E-16	COUNTY EXECUTIVE	Right-of-Way Acquisition - Harris Hill Road Intersections at Wehrle Drive & Pleasant View - Towns of Clarence & Lancaster	Economic Development
COMM. 5E-17	COUNTY EXECUTIVE	Obtaining Easements for Access to the Black Rock Canal Park	Economic Development
COMM. 5E-18	COUNTY EXECUTIVE	Approval for the Retired Senior Volunteer Program (RSVP) Grant to Accept \$2,200 Award to Conduct Diabetes Awareness Classes	Health & Human Services
COMM. 5E-19	COUNTY EXECUTIVE	Community Development Block Grant (CDBG) & HOME Investment Partnership Program - Grant Management Services Agreement	Economic Development
COMM. 5E-20	COUNTY EXECUTIVE	ECSD No. 4 - Contract No. EC-7D - Change Order No. 1	Energy & Environment
COMM. 5E-21	COUNTY EXECUTIVE	ECSD No. 6 - Contract No. 44SA - Change Order No. 1	Energy & Environment
COMM. 5E-22	COUNTY EXECUTIVE	Reappointment of EC Historian	Community Enrichment

COMM. 5E-23	COUNTY EXECUTIVE	Appointments/Reappointments to the Youth Services Board	Health & Human Services
COMM. 5E-24	COUNTY EXECUTIVE	Appointments/Reappointments to the Fire Advisory Board	Public Safety
COMM. 5E-25	COUNTY EXECUTIVE	Appointments to the Local Early Intervention Coordinating Council	Health & Human Services

**COMMUNICATIONS FROM THE DEPARTMENTS:**

**REFERENCE:**

COMM. 5D-1	COUNTY ATTORNEY	Notice of Public Hearing: Local Law Intro. No. 10-2011	R&F
COMM. 5D-2	COUNTY ATTORNEY	Transmittal of New Claims Against EC	Government Affairs
COMM. 5D-3	HEALTH DEPARTMENT	Copy of Proposed Agenda for Board of Health Meeting to be Held 3/27/2012	Health & Human Services
COMM. 5D-4	COUNTY ATTORNEY	Notice of Filing: Local Law No. 1-2012	R&F
COMM. 5D-5	CLERK, COMMUNITY ENRICHMENT COMMITTEE	2012 Cultural Organization Data Response Sheet Submissions	Community Enrichment
COMM. 5D-6	CLERK OF LEGISLATURE	Copy of Letter to Majority & Minority Leaders of the Legislature Concerning Appointment to EC Water Authority	RFP
COMM. 5D-7	DEPARTMENT OF ENVIRONMENT & PLANNING	Aurora North Pump Station Elimination Project - SEQR Notification	Energy & Environment

**COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES:**

**REFERENCE:**

COMM. 5M-1	NYS DOT	Copy of Letter to Sardinia Town Clerk Concerning Repairs to Route 219 Bridge over Cattaraugus Creek	Economic Development
COMM. 5M-2	WNY ENVIRONMENTAL ALLIANCE	Disc Golf Course at Chestnut Ridge Park	Energy & Environment
COMM. 5M-3	NFTA	Minutes of Meeting Held 1/23/2012	Economic Development
COMM. 5M-4	ASSOCIATION OF EC GOVERNMENTS	Copy of Resolution Concerning Land Banking	Government Affairs
COMM. 5M-5	ASSOCIATION OF EC GOVERNMENTS	Copy of Resolution Concerning NYS Vehicle & Traffic Law Section 1104	Public Safety

COMM. 5M-6	NYSDEC	Fact Sheet: Cleanup Action Completed at Brownfield Site - Site Known as 330 Maple Road - Final Engineering Report Under Review	Energy & Environment
COMM. 5M-7	THE OUTSOURCE CENTER, LLC	Letter to Chair of Legislature Regarding the Minority & Women Business Enterprise Committee Meeting Held 2/29/2012	Minority & Women Business Enterprise
COMM. 5M-8	LATISHA M. BAKER	Letter to Legislature Concerning the EC Holding Center	Public Safety
COMM. 5M-9	ECC	Fiscal Year 2011-12 Revenues & Expenditures - Key Item Report - 1/31/2012	Community Enrichment
COMM. 5M-10	CHAIR, EC WATER AUTHORITY	Letter to Chair of Legislature Concerning Reappointment to the Board of Commissioners of the EC Water Authority	Energy & Environment
COMM. 5M-11	SUPERVISOR, TOWN OF AMHERST	Letter with Attached Resolution Entitled "Raising the Threshold for Property Tax Exemption for Persons with Disabilities & Limited Incomes"	Finance & Management
COMM. 5M-12	TOWN OF SARDINIA, TOWN BOARD	Copy of Resolution in Support of Emergency Responders in Recent Decision of Kabir v. County of Monroe	Public Safety
COMM. 5M-13	ESSEX COUNTY BOARD OF SUPERVISORS	Copy of Resolution Calling on All Counties to Unite to Bring About Real & Meaningful Mandate Relief in NYS	Government Affairs
COMM. 5M-14	MAYOR OF BUFFALO	Letter to County Executive Concerning Regional Land Banking	Government Affairs
COMM. 5M-15	BUFFALO & EC PUBLIC LIBRARY	Copy of Proposed Agenda for Meeting to be Held 3/15/2012	Community Enrichment

**ANNOUNCEMENTS:**

**MEMORIAL RESOLUTIONS:**

**ADJOURNMENT:**