



# THE ERIE COUNTY LEGISLATURE

Session No. 9

May 10, 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 – Ms. Dixon

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PLEDGE OF ALLEGIANCE – Ms. Marinelli

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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:

McCRACKEN	Congratulating the Lancaster Amateur Radio Club on Its 25th Anniversary
MAZUR	Congratulating the Mental Health Association of EC on Its 50th Anniversary
MAZUR	Honoring the Memory of Leora R. Allaire
LORIGO	Proclamation Honoring the Life and Service of William A. Delmont
MILLS	Congratulating Joseph R. Wales on Being Named “Orchard Park Republican Committee Republican of the Year”
LORIGO	Proclamation Recognizing Arbor Day, April 27, 2012
DIXON	Honoring Tony Scaccia for Being Awarded the Longevity Award by the Greater South Buffalo Chamber of Commerce
DIXON	Honoring Fran Desiderio for Being Awarded Chamber Ambassador by the Greater South Buffalo Chamber of Commerce
DIXON	Honoring Mercy Hospital for Being Awarded Business of the Year by the Greater South Buffalo Chamber of Commerce
DIXON	Honoring William “Bill” Conroy for Being Awarded Community Service Award by the Greater South Buffalo Chamber of Commerce
DIXON	Honoring the South Buffalo News/Front Page Group on Being Awarded Business of the Year Award (Small Business) by the Greater South Buffalo Chamber of Commerce

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DIXON	Honoring Theresa Schuta for Educator of the Year Award by the Greater South Buffalo Chamber of Commerce
DIXON	Honoring Mark J.F. Schroeder for the Founders' Award by the Greater South Buffalo Chamber of Commerce
LORIGO	Honoring Tri-R Mechanical Services for Receiving the 2012 "Commitment to Education Award"
HARDWICK	Honoring Christopher Dlugokinski for Receiving the Newton-Azrak Award for Heroism
HARDWICK	Honoring Jeffrey Gramlich on Receiving the Medaille College's Founders' Day Award
HARDWICK	Honoring Cheryl Celotto During National Military Appreciation Month for Her Dedication and Unselfish Service
HARDWICK	Honoring Cannon Design on Being Awarded the Commitment to Education Award
HARDWICK	Honoring Heather Holden on Receiving the Award for Excellence in Music Education
MAZUR	In Remembrance of the Life of Margaret A. Hanzlian
MILLS	Congratulating Phillip Muck on Receiving the EC 2012 Senior of the Year Award
MILLS	Congratulating Reid Smith for 50 Years of Outstanding Service in Law Enforcement
MARINELLI	Congratulating the Buffalo Bisons on Their 25th Year of Play at Coca-Cola Field
DIXON	Congratulating Evan Taylor on His Outstanding Accomplishment in Completing All Requirements to Attain the Prestigious Rank of Eagle Scout
DIXON	Honoring Daniel Chiacchia for Receiving the 2012 Commitment to Education Award for His Dedication & Outstanding Service
DIXON	Honoring Deputy Elizabeth Fildes for Her Tireless Commitment to Combat Human Trafficking
LOUGHRAN	Congratulating James Loughran on His Retirement from the Amherst Town Court
GRANT, MAZUR, MILLS, HOGUES, MARINELLI, HARDWICK, LOUGHRAN, RATH, McCRACKEN, DIXON & LORIGO	Commending Lancaster Citizen Benny Kirkland for Bravery in Apprehending a Suspect Immediately Following the Hit-and-Run Crash He Witnessed
GRANT, MILLS, HOGUES, MARINELLI, McCRACKEN & LORIGO	Honoring Jane M. Vosseler, Owner of Ace Flag Company, an Outstanding WBE

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INTRO 9-3	GRANT	Legislature Appointment to the Buffalo Olmsted Parks Conservancy Board of Trustees
INTRO 9-4	GRANT & HOGUES	Appointment/Reappointments to the EC Community Corrections Advisory Board
INTRO 9-5	GRANT & LOUGHRAN	Fifth District Legislative Office Personnel Adjustments
INTRO 9-6	MARINELLI	EC Surplus Authorization, Buffalo & EC Historical Society
INTRO 9-7	MAZUR, GRANT, MILLS, HOGUES, MARINELLI, HARDWICK, LOUGHRAN, McCRACKEN & LORIGO	Conveying Support for the Federal JOLT Act (Jobs Originated Through Launching Travel) & Poland's Eligibility for the Visa Waiver Program
INTRO 9-8	MAZUR, GRANT, HOGUES, MARINELLI, HARDWICK, LOUGHRAN, McCRACKEN & LORIGO	Expressing Support for A.9488/S.6508 - Jay J.'s Law - to Increase the Criminal Penalty for Repeat Child Abusers
INTRO 9-9	MAZUR, HOGUES, LOUGHRAN, McCRACKEN & LORIGO	Establishing a Smoke-Free Policy for EC-Owned Parks, Playgrounds, Beaches, Golf Courses & Recreational Areas
INTRO 9-10	LORIGO, MILLS, RATH & HARDWICK	Supporting Making Certain Permissions Regarding Crossbows Permanent
INTRO 9-11	HARDWICK & MILLS	Supporting an Animal Abuse Registry in NYS

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**COMMUNICATIONS DISCHARGED FROM COMMITTEE:**

**SUSPENSION OF THE RULES:**

<b><u>COMMUNICATIONS FROM ELECTED OFFICIALS:</u></b>			<b><u>REFERENCE:</u></b>
COMM. 9E-1	COUNTY EXECUTIVE	Copy of Letter to Legislator Lorigo Concerning Bee News Column on Approved 2012-2015 Four-Year Financial Plan	Finance & Management
COMM. 9E-2	COUNTY EXECUTIVE	Copy of Letter to President of ECC Concerning New Building for ECC North Campus	Community Enrichment
COMM. 9E-3	COUNTY EXECUTIVE	Copy of Letter to Buffalo Common Council Concerning Proposed Construction of New Academic Building at ECC	Community Enrichment
COMM. 9E-4	GRANT	EC Legislature Policies & Procedures	RFP
COMM. 9E-5	GRANT	Letter to Chair of Legislature Concerning Formal Complaint Regarding the EC Holding Center	Public Safety
COMM. 9E-6	MILLS	Appointment to the EC Bar Association's Aid to Indigent Prisoners Society, Assigned Counsel Program Board of Directors	Public Safety
COMM. 9E-7	GRANT	Letter to Executive Director of Cornell Cooperative Extension Regarding Legislative Appointment to the Cornell Cooperative Extension's Board	RFP
COMM. 9E-8	MARINELLI	Copy of Letter to President of ECC Concerning Planning & Specific Actions to be Taken to Enhance Student Enrollment & Retention	Community Enrichment
COMM. 9E-9	GRANT	Copy of E-Mail Transmission Concerning Latest News at Botanical Gardens	Community Enrichment
COMM. 9E-10	COMPTROLLER	Copy of Audited Financial Statements & Management Letter for ECC for the Fiscal Year Ended 8/31/2011	Community Enrichment
COMM. 9E-11	MARINELLI	Constituent Letter to Legislator Marinelli Concerning Medicine Abuse	Health & Human Services
COMM. 9E-12	SHERIFF	FY2010 Bomb Squad Grant	
COMM. 9E-13	COUNTY EXECUTIVE	CPS - Justice Assistance 2012 Grant	
COMM. 9E-14	COUNTY EXECUTIVE	Buffalo Niagara Convention Center - Health & Safety Improvements	
COMM. 9E-15	COUNTY EXECUTIVE	Acceptance of Donated Vehicle	

COMM. 9E-16	COUNTY EXECUTIVE	DPW - Buffalo & EC Central Library 2nd Floor West - Asbestos Abatement Project	Economic Development
COMM. 9E-17	COUNTY EXECUTIVE	DPW - ECC - 45 Oak Street - Roof Replacement	Economic Development
COMM. 9E-18	COUNTY EXECUTIVE	2012 Culvert Group 1 Construction Award - Construction Engineering & Construction Inspection Services - Towns of Orchard Park, Concord & Sardinia	Economic Development
COMM. 9E-19	COUNTY EXECUTIVE	Eden-Evans Center Road/Beach Road - Design/Rehabilitation	Economic Development
COMM. 9E-20	COUNTY EXECUTIVE	Personnel Adjustment - Commissioner of Senior Services	Health & Human Services
COMM. 9E-21	COUNTY EXECUTIVE	Department of Senior Services - Revise AAATRAN1112 Grant Budget	Health & Human Services
COMM. 9E-22	COUNTY EXECUTIVE	Revise AAATRAN1213 Grant & FREEDOM1013 Grant Budgets	Health & Human Services
COMM. 9E-23	COUNTY EXECUTIVE	Acceptance of FY11 State Homeland Security Program Funds	Public Safety
COMM. 9E-24	COUNTY EXECUTIVE	ECSD/WNY Council on Occupational Safety & Health Proposed Agreement	Energy & Environment
COMM. 9E-25	COUNTY EXECUTIVE	ECSD No. 4 - Professional Services Agreement with CRA - Infrastructure & Engineering, Inc. - Vanderbilt Pumping Station, Depew Pumping Station & Overflow Retention Facility Upgrades	Energy & Environment
COMM. 9E-26	COUNTY EXECUTIVE	ECSD No. 3 - Charlotte, Sherburn & McKinley Pumping Station Elimination Project	Energy & Environment
COMM. 9E-27	COUNTY EXECUTIVE	ECSD No. 4 - Aurora North Pumping Station Elimination Project	Energy & Environment
COMM. 9E-28	COUNTY EXECUTIVE	EC Youth Bureau - 2012 Summer Primetime Funding	Health & Human Services
COMM. 9E-29	COUNTY EXECUTIVE	Right of Entry Agreement - Time Warner Cable to ECC South Auto Bureau Office	Government Affairs
COMM. 9E-30	COUNTY EXECUTIVE	Appointments to the Youth Services Board	Health & Human Services
COMM. 9E-31	COUNTY EXECUTIVE	Appointments to the EC Environmental Management Council	Energy & Environment

COMM. 9E-32	COUNTY CLERK	Lease for Eastern Hills Satellite Auto Bureau	Government Affairs
COMM. 9E-33	COMPTROLLER	Update Comptroller's Recommended Policy for Managing Fund Balance Components Resulting from Implementation of GASB No. 54	Finance & Management
COMM. 9E-34	RATH & DIXON	Letter to County Attorney Concerning Opinion Request Regarding COMM. 19D-5 (2011)	Public Safety
COMM. 9E-35	COMPTROLLER	Copy of Financial Report for Period Ended 3/31/2012	Finance & Management

**COMMUNICATIONS FROM THE DEPARTMENTS:**

**REFERENCE:**

COMM. 9D-1	DIRECTOR OF EEO	Letter to Chair of Legislature Concerning MBE/WBE Utilization - Ralph Wilson Stadium, 2011 Phase 2 - Miscellaneous Improvements	Minority & Women Business Enterprise Committee
COMM. 9D-2	CLERK OF MINORITY & WOMEN BUSINESS ENTERPRISE COMMITTEE	Copy of E-Mail Transmission from County Executive's Liaison to Chair of Legislature Concerning MBE Coordinator & EEO Investigator Positions in the Adopted 2012 Budget	Minority & Women Business Enterprise Committee
COMM. 9D-3	DIRECTOR OF BUDGET & MANAGEMENT	Copy of Budget Monitoring Report for Period Ending March 2012	Finance & Management
COMM. 9D-4	DEPARTMENT OF ENVIRONMENT & PLANNING	Copy of SEQR Application for Site Known as USCG Property Along the Buffalo River - 1 Fuhrman Boulevard, Buffalo, NY	Energy & Environment
COMM. 9D-5	DEPARTMENT OF ENVIRONMENT & PLANNING	Geneva Road Sanitary Sewer Extension - SEQR Notification	Energy & Environment
COMM. 9D-6	COUNTY ATTORNEY	Transmittal of New Claims Against EC	Government Affairs
COMM. 9D-7	DIRECTOR OF EC REAL PROPERTY TAX SERVICES	Letter to Clerk of Legislature Concerning Persons with Disabilities & Limited Income	Finance & Management
COMM. 9D-8	DEPARTMENT OF ENVIRONMENT & PLANNING	Aurora Street Pump Station Elimination Project - SEQR Notification	Energy & Environment
COMM. 9D-9	BOARD OF ELECTIONS	Grant Contracts: HHS Voting Access for Individuals with Disabilities - NYS HAVA Operations Expenses by Board of Elections	

COMM. 9D-10	CLERK OF ECONOMIC DEVELOPMENT	Copy of Buffalo News Article Entitled "\$200 Million Ought to Buy Peace of Mind"	Economic Development
<b><u>COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES:</u></b>			<b><u>REFERENCE:</u></b>
COMM. 9M-1	PRESIDENT OF AMERICAN LEGION RIDERS	Letter of Thanks to the Legislature for Recognition Bestowed on the American Legion Riders, Post No. 567 for Working with Local Veterans	R&F
COMM. 9M-2	BUFFALO & EC PUBLIC LIBRARY	Proposed Agenda for Meeting Held 4/19/2012	Community Enrichment
COMM. 9M-3	NYSDEC	Fact Sheet: Draft Investigation Work Plan for Brownfield Site Known as 4630 River Road - Tonawanda, NY	Energy & Environment
COMM. 9M-4	HOMELESS ALLIANCE OF WNY	2011 Annual Report on the State of Homelessness in EC	Health & Human Services
COMM. 9M-5	NYS DEPARTMENT OF AGRICULTURE & MARKETS	Letter to Clerk of Legislature Concerning EC Agricultural District No. 14	Energy & Environment
COMM. 9M-6	ASSIGNED COUNSEL PROGRAM	Copy of Quarterly Report for the 1st Quarter of 2012	Government Affairs
COMM. 9M-7	NFTA	Copy of Actual Cash Flow for Period 4/1/11-3/31/12 & Projected Cash Flow for Period 4/1/12-3/31/13	Economic Development
COMM. 9M-8	NYSDEC	Fact Sheet: Cleanup Action Completed at State Superfund Site Known as Polymer Applications - Tonawanda, NY	Energy & Environment
COMM. 9M-9	ECMCC	Proposed Agenda & Materials for Meeting Held 4/24/2012	Health & Human Services
COMM. 9M-10	NFTA	Minutes of Meeting Held 3/26/2012	Economic Development
COMM. 9M-11	NFTA	Notice of Proposed Rulemaking	Economic Development
COMM. 9M-12	ECIDA	Copy of 2011 Annual Audited Financial Statements	Economic Development
COMM. 9M-13	ECIDA	Copy of 2011 Audited Financial Statements & 2011 Public Authorities Report	Economic Development
COMM. 9M-14	ECIDA	Letter to Chair of Legislature Concerning PILOT Redistribution Agreement	Economic Development

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COMM. 9M-15	NYSDEC	Fact Sheet: Draft Investigation Work Plan for Brownfield Site Known as 129 Holden Street Development, Buffalo, NY	Energy & Environment
COMM. 9M-16	ECFSA	Copy of Analysis of the EC 2012-2015 Financial Plan	Finance & Management
COMM. 9M-17	SPRINGVILLE CENTER FOR THE ARTS	Copy of 2012-2017 Strategic Plan	Community Enrichment
COMM. 9M-18	EC BAR ASSOCIATION	Letter to Legislature Concerning Closing Room Dedicated in Memory of Joseph C. Vispi	Government Affairs

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**ANNOUNCEMENTS:**

**MEMORIAL RESOLUTIONS:**

**ADJOURNMENT:**