

**ERIE COUNTY LEGISLATURE
MEETING NO. 2
JANUARY 21, 2016**

The Legislature was called to order by Chair Mills.

All members present.

An Invocation was held, led by Ms. Miller-Williams, who offered a prayer.

The Pledge of Allegiance was led by Mr. Lorigo.

TABLED ITEMS

Item 1 – CHAIR MILLS directed that the Designation of Newspapers – Minority Caucus be received, filed and printed.

GRANTED.

We, the undersigned, a Minority Caucus of the Erie County Legislature, do hereby designate the Buffalo Challenger Newspaper, published in Buffalo, New York, having general circulation in the County of Erie, as the official newspaper for the publication of local laws, notices and other matters required by law to be published for the County of Erie, effective January 1, 2016.

BARBARA MILLER-WILLIAMS
Barbara Miller-Williams – 1st District

BETTY JEAN GRANT
Betty Jean Grant – 2nd District

PETER J. SAVAGE III
Peter J. Savage III – 3rd District

THOMAS A. LOUGHRAN
Thomas A. Loughran – 5th District

PATRICK B. BURKE
Patrick B. Burke – 7th District

We, the undersigned, a Minority Caucus of the Erie County Legislature, do hereby designate the North Buffalo Rocket Newspaper, published in Buffalo, New York, having general circulation in the County of Erie, for the publication of all Concurrent Resolutions of the New York State Legislature, required by law to be published for the year 2016.

BARBARA MILLER-WILLIAMS
Barbara Miller-Williams – 1st District

BETTY JEAN GRANT
Betty Jean Grant – 2nd District

PETER J. SAVAGE III
Peter J. Savage III – 3rd District

THOMAS A. LOUGHRAN
Thomas A. Loughran – 5th District

PATRICK B. BURKE
Patrick B. Burke – 7th District

Item 2 – No items for reconsideration from previous meeting.

Item 3 – MR. LORIGO moved for the approval of the minutes for Meeting Number 1 from 2016. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

Item 4 – No public hearings.

MISCELLANEOUS RESOLUTIONS

Item 5 – MS. DIXON presented a resolution Honoring Judith MacDonald for Her Dedication to Catholic Education and Declaring January 29, 2016 as "Judith MacDonald Day" in Erie County.

Item 6 – MS. MILLER-WILLIAMS presented a resolution Honoring Rev. James A. Lewis III as the Erie County Legislature's Citizen of the Month for January 2016.

Item 7 – MR. MILLS, MR. LORIGO, MR. LOUGHRAN, MS. DIXON, MR. HARDWICK, MR. MORTON, MR. RATH, MS. GRANT, MS. MILLER-WILLIAMS & MR. SAVAGE presented a resolution Recognize January 24-30, 2016 as "School Choice Week" in Erie County.

MR. LORIGO moved for consideration of the above three items. MR. RATH seconded.

CARRIED UNANIMOUSLY.

MR. LORIGO moved to amend the above three items to include Et Al sponsorship. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

MR. LORIGO moved for approval of the above sthree items as amended. MR. RATH seconded.

CARRIED UNANIMOUSLY.

LOCAL LAWS

Item 8 – CHAIR MILLS directed that Local Law No. 2 (Print #2) 2015 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 9 – CHAIR MILLS directed that Local Law No. 3 (Print #1) 2015 remain on the table and in the PUBLIC SAFETY COMMITTEE.

GRANTED.

Item 10 – CHAIR MILLS directed that Local Law No. 5 (Print #1) 2015 remain on the table and in the ENERGY & ENVIRONMENT COMMITTEE.

GRANTED.

Item 11 – CHAIR MILLS directed that Local Law No. 6 (Print #1) 2015 remain on the table and in the ECONOMIC DEVELOPMENT COMMITTEE.

GRANTED.

Item 12 – CHAIR MILLS directed that Local Law No. 7 (Print #1) 2015 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 13 – CHAIR MILLS directed that Local Law No. 1 (Print #1) 2016 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

COMMITTEE REPORTS

Item 14 – MS. DIXON presented the following report and moved for immediate consideration and approval. MR. RATH seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 4

January 14, 2016	HEALTH & HUMAN SERVICES COMMITTEE REPORT NO. 1
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ALL MEMBERS PRESENT.

1. RESOLVED, the following item is hereby received and filed:
 - a. COMM. 1M-8 (2016)
BOARD OF HEALTH: “Agenda for Jan. 19, 2016 Meeting and Minutes from Previous Meeting”
(5-0)
 2. COMM. 1E-11 (2016)
COUNTY EXECUTIVE
WHEREAS, the Department has been awarded \$109,000 in 100% State share funds to continue and enhance a program entitled Safe Harbor for Exploited Children; and

WHEREAS, a key provision of the Act is to move sexually exploited youth from the criminal and juvenile justice systems to the family court where children and their families can receive support and services from the child welfare system; and

WHEREAS, services are to be provided to victims of sex trafficking and core elements of the service include case management, emergency temporary housing, health care, mental health counseling, language interpretation and translation services, job training and placement and services to assist in establishing permanent residence; and

WHEREAS, as this is the fourth year of a newly established program, this proposed resolution seeks Legislative authority to waive section 19.08 of the County Administrative Code which otherwise requires that a Request for Proposals (RFP) be conducted; and

WHEREAS, this proposed resolution authorizes the Department to amend the 2016 Adopted Budget and to renew a contract with the International Institute as the lead agency for this program funding; and

WHEREAS, International Institute of Buffalo is the only local agency with the expertise and existing resources to carry out the program; and

WHEREAS, there is no local share fiscal impact to this resolution.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into contract with the State of New York to accept funding for the Safe Harbor for Exploited Children program; and be it further

RESOLVED, that the Commissioner of Social Services and/or the County Executive are hereby authorized to enter into a subcontract with the International Institute in order to implement the Safe Harbor for Exploited Children program; and be it further

RESOLVED, that the following budget amendments are hereby authorized in the 2016 Adopted Budget:

Department of Social Services, Fund 110, Department 120

ACCOUNT	DESCRIPTION	INCREASE
517172	International Institute	<u>\$109,000</u>
	Total Expenditures	<u>\$109,000</u>
409000	State Aid	<u>\$109,000</u>
	Total Revenues	<u>\$109,000</u>

RESOLVED, the County Administrative Code requirement in Section 19.08 for a Request for Proposals (RFP) is hereby waived; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the Erie County Executive, the Commissioner of Social Services, the Erie County Comptroller, and the Director of the Division of Budget and Management.

(5-0)

3. COMM. 1E-12 (2016)

COUNTY EXECUTIVE

WHEREAS, the physicians and other advanced emergency medical provider members of Specialized Medical Assistance response Team (S.M.A.R.T.) have responded to actual and potential disaster situations including medical emergencies throughout Erie County; and

WHEREAS, S.M.A.R.T. operates under the authority of the Erie County Department of Health and is coordinated by the Department of Emergency Medicine and the Erie County Medical Center; and

WHEREAS, New York State Health Department certified Basic and Advanced Emergency Medical Technicians compose an integral part of S.M.A.R.T.; and

WHEREAS, in order to fulfill its mission and maintain the scope of practice of its New York State Health Department certified Basic and Advanced Emergency Medical Technicians, it is necessary for S.M.A.R.T. to function as a New York State Advanced Life Support Fire Response Service; and

WHEREAS, potential and sudden marketplace changes and/or other events in the sometimes tenuous local and national ambulance industry could result in a public health emergency such that Erie County might have the need to emergently develop ambulance transport capability or, more likely, contract for such services from commercial vendors to service the citizens of Erie County.

NOW, THEREFORE BE IT

RESOLVED, that Erie County shall apply for a Municipal Certificate of Need for an ALS-FR service covering all of Erie County as prescribed in New York State Public Health Law Article 30, section 3008; and be it further

RESOLVED, that Erie County may apply for a Municipal Certificate of Need for an ambulance service covering all of Erie County as prescribed in New York State Public Health Law Article 30, section 3008, in the event that sudden marketplace changes and/or other events result in inadequate ambulance service necessary to protect the health and well-being of the citizens of Erie County thus jeopardizing the public's health; and be it further

RESOLVED, that the Erie County Legislature shall establish Erie County Department of Health EMS Division as a New York State Certified Advanced Life Support First Response unit; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the County Executive's Office, the Department of Emergency Services, the Erie County Medical Center Emergency Department, the Office of the Comptroller, the Division of Budget and Management, the Department

of Law, the New York State Department of Health, the New York State Emergency Medical Services Council, and to Dr. Gale Burstein Commissioner, in the Department of Health.

(5-0)

4. COMM. 1E-13 (2016)

COUNTY EXECUTIVE

AS AMENDED

WHEREAS, the Erie County Department of Health Cancer Services Program provides breast, cervical and colorectal cancer screening to under and uninsured residents of Erie County; and

WHEREAS, the Cancer Services Program is a 100% grant funded program from the New York State Department of Health; and

WHEREAS, the New York State Department of Health provides a 2.0% annual Direct Care Cost of Living Adjustment to cover annual increases in expense; and

WHEREAS, in order to receive said funding, the State requires that the governing board of the county approve a resolution memorializing how the Direct Care Cost of Living Adjustment funding will be allocated.

NOW, THEREFORE, BE IT

RESOLVED; that the Erie County Legislature agrees to accept the New York State Department of Health Direct Care Cost of Living Adjustments of 2.0%, as applied to salary and fringe expenditures, for those employees determined by the New York State Department of Health to be eligible to receive the adjustment; and be it further

RESOLVED; that this funding will be distributed solely to those eligible employees at the rate of 2.0% as applied to actual salary and fringe expenditures incurred during the award period; and be it further

RESOLVED; that the funding received for any Direct Care Cost of Living Adjustments will be used solely to support salary and salary-related fringe benefit increases for direct care staff, direct support professionals, clinical staff, and eligible foster parents and adoptive parents; and be it further;

RESOLVED; that this action is conducted pursuant to Subdivision 3-d of section 1 of part C of chapter 57 of the laws of 2006, as added by L. 2014, chapter 60, Part I, Section 2 (paragraph (i)) and the applicable standards issued by DOH; and be it further

RESOLVED; that this Resolution take effect immediately; and be it further

RESOLVED, that certified copies of this resolution shall be transmitted to the Erie County Executive, Commissioner of Personnel, Director of Budget and Management, County Comptroller, County Attorney and the Commissioner of Health.

(5-0)

5. COMM. 1E-16 (2016)

COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Mental Health's SPOA process is designed to identify, screen and assign Care Coordination and Wraparound Services to eligible high need/high risk children and youth with a serious emotional disturbance (SED) and/or behavioral disorder and their families; and

WHEREAS, the Erie County Department of Mental Health has been awarded an additional \$89,100 by the New York State Office of Mental Health (OMH) as part of an effort to help support the enhanced roles and responsibilities of the Local Government Unit (LGU) and Single Point of Access (SPOA) due to changes to the OMH Home- and Community-Based Services (HCBS) Waiver; and

WHEREAS, the New York State OMH has identified the Erie County Department of Mental Health as the recipient of this award to continue development of its Children's SPOA community outreach; and

WHEREAS, the Erie County Department of Mental Health requires legislative approval to accept the State funds and to establish a grant budget in Fund 281; and

WHEREAS, no County funds will be necessary for Erie County to accept this state aid to serve individuals residing in Erie County.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize the County Executive to accept New York State funds as part of an effort to help support the enhanced roles and responsibilities of the LGU and SPOA, and authorizes the Division of Budget and Management to establish a grant-funded position as follows:

Erie County Department of Mental Health
Grant Fund 281, Fund Center 12420
January 1, 2016 - December 31, 2016
124SPOAGRANT2016

Revenue	Increase
Account 406810 - State Aid- Forensic Mental Health	\$89,100
Appropriation	Increase
Account 500000 - Full Time Salaries	\$55,000
Account 502000 - Fringe Benefits	<u>\$34,100</u>
Total Appropriation	\$89,100

and be it further

RESOLVED, that the following position be created through grant funding for The Department of Mental Health's SPOA division:

1 Forensic Mental Health (FMH) Specialist I - Children (JG 10)
B-100 #8484

Start Date: January 1, 2016

and be it further

RESOLVED, that the Director of Budget and Management is hereby authorized to adjust items of appropriations and revenues which may be impacted by changes to the grantor award, provided there are no changes to county share amounts; and be it further

RESOLVED, that certified copies of this resolution be furnished to the Office of the County Executive, the Department of Mental Health, the Office of the Comptroller, and the Division of Budget and Management.

(5-0)

LYNNE M. DIXON
CHAIR

Item 15 – MR. HARDWICK presented the following report and moved for immediate consideration and approval. MR. RATH seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 5

January 14, 2016	GOVERNMENT AFFAIRS COMMITTEE REPORT NO. 1
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ALL MEMBERS PRESENT.

1. RESOLVED, the following items are hereby received and filed:

a. COMM. 24E-8 (2015)

COUNTY EXECUTIVE: “Veto Message of LL Intro. 4-2 (2015)”

(5-0)

b. COMM. 24D-7 (2015)

COUNTY ATTORNEY: “Transmittal of New Claims Against Erie County”

(5-0)

c. COMM. 25D-11 (2015)

COUNTY ATTORNEY: “Transmittal of New Claims Against Erie County”

(5-0)

2. INTRO. 16-3 (2015)

BURKE & GRANT

WHEREAS, the Niagara Frontier Transportation Authority offers a program called MetroPerk, which allows employees of subscriber organizations to purchase a metro pass with pre-tax dollars; and

WHEREAS, the program benefits employers by reducing their payroll taxes, for every \$1,000 reduced in payroll an employer stands to save around \$76 annually; and

WHEREAS, the program will offer employees nearly a 30% savings on the cost of a metro pass by using pre-tax dollars; and

WHEREAS, participating in MetroPerk could potentially increase ridership on the metro bus system.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature encourage the Department of Personnel to subscribe to the NFTA's MetroPerks Program; and be it further

RESOLVED, that certified copies of this resolution be sent to the Erie County Executive, the Erie County Commissioner of Personnel, and the NFTA Board of Commissioners.
(5-0)

3. COMM. 1E-15 (2016)

COUNTY EXECUTIVE

RESOLVED, the Erie County Legislature hereby confirms the appointment, on the recommendation of the County Executive, of Jonathan Miles Gresham, Esq. of 66 Summer St., Buffalo, NY 14209 to the Erie County Board of Ethics to complete a term expiring on December 31, 2017; and, be it further

RESOLVED, the Erie County Legislature hereby confirms the re-appointment, on the recommendation of the County Executive, of Chris G. Trapp of 1700 Rand Building, 14 Lafayette Square, Buffalo, NY 14203 to the Erie County Board of Ethics.
(5-0)

KEVIN R. HARDWICK
CHAIR

Item 16 – MR. LORIGO presented the following report and moved for immediate consideration and approval. MR. RATH seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 6

January 14, 2016	FINANCE & MANAGEMENT COMMITTEE REPORT NO. 1
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ALL MEMBERS PRESENT.

1. RESOLVED, the following items are hereby received and filed:

a. COMM. 1E-5 (2015)

- COMPTROLLER:** “Audit of Correctional Health Services and Inmate Medical Costs for Period January 2011-December 2013”
(5-0)
- b. COMM. 1D-10 (2015)
COMMISSIONER, DEPARTMENT OF HEALTH: “County Executive’s Response to Comptroller’s Audit Concerning Correctional Health Services”
(5-0)
- c. COMM. 2M-15 (2015)
PARTNERSHIP FOR THE PUBLIC GOOD: “Statement on Requiring Inmates to Make Medical Co-Payments”
(5-0)
- d. COMM. 3E-5 (2015)
COMPTROLLER: “Report on Motor Fuel Tax in Erie County”
(5-0)
- e. COMM. 4D-12 (2015)
COUNTY ATTORNEY: “Co-Pays for Inmates in the Custody of the Erie County Sheriff”
(5-0)
- f. COMM. 19M-9 (2015)
EC RIGHTS COALITION: “Letter Regarding Changing the Closing Time of Erie County Bars”
(5-0)
- g. COMM. 20E-19 (2015)
MILLER-WILLIAMS: “Buffalo Place Inc Resolution Regarding Support for Earlier Bar Closings in EC”
(5-0)
- h. COMM. 21E-12 (2015)
COUNTY EXECUTIVE: “Memo from Central Police Services - Stop DWI Program Regarding Potential Change of Closing Time of Bars”
(5-0)
- i. COMM. 21E-13 (2015)
MILLER-WILLIAMS: “Correspondence Received Regarding Potential Change of Closing Time of Bars”
(5-0)
- j. COMM. 21M-5 (2015)
JAMES & NICOLE PUSKAS: “Letter Regarding Opposition to the Proposed Change of Bar Closing Time”
(5-0)
- k. INTRO. 25-3 (2015)

MILLER-WILLIAMS: “Handling of Unclaimed Funds Received by Erie County Comptroller as a Result of Foreclosure Sales by the City of Buffalo”
(5-0)

- l. COMM. 25D-9 (2015)
COMPTROLLER'S OFFICE: “Notice of Audit of EC Clerk's Office Registrar Division Regarding the Mortgage Transfer Tax- NFTA for Period Apr-Sept 2015”
(5-0)
- m. COMM. 25D-10 (2015)
DEPARTMENT OF BUDGET & MANAGEMENT: “Budget Monitoring Report for Period Ending Oct 31, 2015”
(5-0)
- n. COMM. 25M-10 (2015)
TOWN OF ELMA: “Town Resolution Regarding the Refugee Resettlement”
(5-0)
- o. COMM. 1E-8 (2016)
COMPTROLLER: “Review of the Trinity Services Group LLC - Food Services Contracts at the Youth Detention Facility - Oct. 1, 2014-Mar. 31, 2015”
(5-0)
- p. COMM. 1E-9 (2016)
COMPTROLLER: “Report for Apportionment and Distribution of Net Collections from the 4.75% Sales and Compensating Use Tax for Sept., Oct. and Nov. 2015”
(5-0)
- q. COMM. 1M-7 (2016)
EC AUDIT COMMITTEE: “Annual Report for Year Ended Dec. 31, 2014”
(5-0)

2. COMM. 1D-9 (2015)
EC REAL PROPERTY TAX SERVICES **AS AMENDED**

WHEREAS, the Erie County Director of Real Property Tax Services has received applications for corrected tax billings and / or refunds for taxes previously paid in accordance with New York State Real Property Tax Law sections 554 and 556; and

Recommendation to ECL regarding the Level 3RP-554 and RP-556 Applications Petitioners, Level 3 Communications, LLC and Broadwing Communications filed Applications for Refund and Credit of Real Property Taxes on form RP-556 (attached) relative to the various properties listed below for various years. Each Application purportedly applies to “fiber optic cables and inclosures on private rights of way”. The petitioner alleges, in addenda attached to each Application, that the assessments in issue were made upon personal property excluded from taxable real property because the fiber optic cable at issue is “not for electrical conductors and therefore they cannot be taxed under RPTL”. They base this assertion on a holding in *Matter of RCN*, a First Department case, whose holding has been rejected by a recent decision in our Judicial District, *Level 3 Communications, LLC vs. County of Erie et al* (copy attached). The addenda further allege that the taxes at issue were assessed based

upon an “unlawful entry” pursuant to RPTL §550(7)(c). That section of the RPTL provides that an assessment is unlawful where it has been made by a person or body without the authority to make the assessment.

I have conducted an investigation of each Application and have determined that pursuant to Level 3 Communications, LLC vs. County of Erie et al, the fiber optic cable at issue is taxable as real property pursuant to RPTL 102(12)(f). Additionally, the assessors each had the authority to make such an assessment and therefore, the assessments were not “unlawful entries” pursuant to RPTL §550(7)(c). Accordingly, it is my recommendation that this Honorable Body deny each of the Applications based upon the foregoing.

NOW, THEREFORE, BE IT

RESOLVED, that petitions numbered 215206 through 215226, inclusive be hereby denied based upon the recommendation of the Director of Real Property Tax Services and be charged back to the applicable towns and/or cities.

FISCAL YEAR	2010	Petition No.	215,206.00
	OWNER	Refund	\$999.69
S-B-L	Multiple	Multiple	145801 NORTH COLLINS
	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$999.69	Town/SpecialDist/School
<u>Charge To :</u>	145801 NORTH COLLINS	\$999.69	
	Relevy Village	\$999.69	Village of NORTH COLLINS

RPTL550(2): Fiberoptic not taxable
Refund to be issued to Level 3 Communications, LLC.

FISCAL YEAR	2011	Petition No.	215,207.00
	OWNER	Refund	\$1,019.79
S-B-L	Multiple	Multiple	145801 NORTH COLLINS
	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$1,019.79	Town/SpecialDist/School
<u>Charge To :</u>	145801 NORTH COLLINS	\$1,019.79	
	Relevy Village	\$1,019.79	Village of NORTH COLLINS

RPTL550(2): Fiberoptic not taxable
Refund to be issued to Level 3 Communications, LLC.

FISCAL YEAR	2012	Petition No.	215,208.00
	OWNER	Refund	\$1,052.78

S-B-L Multiple Multiple 145801 NORTH COLLINS

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$1,052.78	Town/SpecialDist/School
<u>Charge To :</u>	145801 NORTH COLLINS	\$1,052.78	

Relevy Village \$1,052.78 Village of NORTH COLLINS
RPTL550(2): Fiberoptic not taxable
Refund to be issued to Level 3 Communications, LLC.

FISCAL YEAR 2010 Petition No. 215,209.00

OWNER Refund \$774.34
S-B-L 555.000-75-1.1 144000 EDEN

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$774.34	Town/SpecialDist/School
<u>Charge To :</u>	144000 EDEN	\$774.34	
	Relevy School	\$774.34	144001 EDEN CENTRAL

RPTL550(2): Fiberoptic not taxable
Refund to be issued to Level 3 Communications, LLC.

FISCAL YEAR 2011 Petition No. 215,210.00

OWNER Refund \$770.23
S-B-L 555.00-75-1.1 144000 EDEN

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$770.23	Town/SpecialDist/School
<u>Charge To :</u>	144000 EDEN	\$770.23	
	Relevy School	\$770.23	144001 EDEN CENTRAL

RPTL550(2): Fiberoptic not taxable
Refund to be issued to Level 3 Communications, LLC.

FISCAL YEAR 2012 Petition No. 215,211.00

OWNER Refund \$788.28
S-B-L 555.00-75-1.1 144000 EDEN

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$788.28	Town/SpecialDist/School
<u>Charge To :</u>	144000 EDEN	\$788.28	
	Relevy School	\$788.28	144001 EDEN CENTRAL

RPTL550(2): Fiberoptic not taxable
Refund to be issued to Level 3 Communications, LLC.

FISCAL YEAR	2010	Petition No.	215,212.00
	OWNER	Refund	\$7,709.07
S-B-L	Multiple	Multiple	145889 NORTH COLLINS
	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$7,709.07	Town/SpecialDist/School
<u>Charge To :</u>	145889 NORTH COLLINS	\$7,709.07	\$7,709.07
	Relevy School	\$7,709.07	145801 NORTH COLLINS

CENT

RPTL550(2): Fiberoptic not taxable
Refund to be issued to Level 3 Communications, LLC.

FISCAL YEAR	2011	Petition No.	215,213.00
	OWNER	Refund	\$0.00
S-B-L	Multiple	Multiple	145889 NORTH COLLINS
	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$0.00	Town/SpecialDist/School
<u>Charge To :</u>	145889 NORTH COLLINS		\$0.00

RPTL550(2): Fiberoptic not taxable
Refund to be issued to Level 3 Communications, LLC.

FISCAL YEAR	2012	Petition No.	215,214.00
	OWNER	Cancel	\$8,116.65
S-B-L	Multiple	Multiple	145889 NORTH COLLINS
	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$8,116.65	Town/SpecialDist/School
<u>Charge To :</u>	145889 NORTH COLLINS	\$8,116.65	\$8,116.65
	Relevy School	\$8,116.65	145801 NORTH COLLINS

CENT

RPTL550(2): Fiberoptic not taxable
Refund to be issued to Level 3 Communications, LLC.

	Acct. No. 112	\$42,872.78	County
	Acct. No. 132	\$0.00	Town/SpecialDist/School
<u>Charge To :</u>	140200 BUFFALO		\$0.00

RPTL550(2): Fiberoptic not taxable
Refund to be issued to Level 3 Communications, LLC.

FISCAL YEAR 2011 Petition No. 215,219.00

	OWNER	Refund	\$42,676.40
S-B-L 666.00-65-9		140200 BUFFALO	

	Acct. No. 112	\$42,676.40	County
	Acct. No. 132	\$0.00	Town/SpecialDist/School
<u>Charge To :</u>	140200 BUFFALO		\$0.00

RPTL550(2): Fiberoptic not taxable
Refund to be issued to Level 3 Communications, LLC.

FISCAL YEAR 2012 Petition No. 215,220.00

	OWNER	Refund	\$39,247.38
S-B-L 666.00-65-9		140200 BUFFALO	

	Acct. No. 112	\$39,247.38	County
	Acct. No. 132	\$0.00	Town/SpecialDist/School
<u>Charge To :</u>	140200 BUFFALO		\$0.00

RPTL550(2): Fiberoptic not taxable
Refund to be issued to Level 3 Communications, LLC.

FISCAL YEAR 2010 Petition No. 215,221.00

	OWNER	Refund	\$684.56
S-B-L 666.00-65-1		140200 BUFFALO	

	Acct. No. 112	\$684.56	County
	Acct. No. 132	\$0.00	Town/SpecialDist/School
<u>Charge To :</u>	140200 BUFFALO		\$0.00

RPTL550(2): Fiberoptic not taxable

Refund to be issued to Level 3 Communications, LLC.

FISCAL YEAR	2011	Petition No.	215,222.00
	OWNER	Refund	\$497.00
S-B-L	666.00-65-1	140200 BUFFALO	
	Acct. No. 112	\$497.00	County
	Acct. No. 132	\$0.00	Town/SpecialDist/School
<u>Charge To :</u>	140200 BUFFALO		\$0.00

RPTL550(2): Fiberoptic not taxable
Refund to be issued to Level 3 Communications, LLC.

FISCAL YEAR	2012	Petition No.	215,223.00
	OWNER	Refund	\$457.06
S-B-L	666.00-65-1	140200 BUFFALO	
	Acct. No. 112	\$457.06	County
	Acct. No. 132	\$0.00	Town/SpecialDist/School
<u>Charge To :</u>	140200 BUFFALO		\$0.00

RPTL550(2): Fiberoptic not taxable
Refund to be issued to Level 3 Communications, LLC.

FISCAL YEAR	2010	Petition No.	215,224.00
	OWNER	Refund	\$108.82
S-B-L	666.00-65-10	140200 BUFFALO	
	Acct. No. 112	\$108.82	County
	Acct. No. 132	\$0.00	Town/SpecialDist/School
<u>Charge To :</u>	140200 BUFFALO		\$0.00

RPTL550(2): Fiberoptic not taxable
Refund to be issued to Level 3 Communications, LLC.

FISCAL YEAR	2011	Petition No.	215,225.00
	OWNER	Refund	\$81.77

S-B-L 28.00-1-69 2270 Hopkins Rd 142289 AMHERST

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$9.57	Town/SpecialDist/School
<u>Charge To :</u>	142289 AMHERST		\$9.57
	Relevy School	\$9.57	142203 WILLIAMSVILLE

CENT

RPTL550(3): Ownership Incorrect
Refund to be issued to Bernice Fiegl

FISCAL YEAR 2014 Petition No. 215,229.00

ASSESSOR Refund \$238.80
S-B-L 47.07-2-16.11/R7 7 Randy Dr 145601 AKRON

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$238.80	Town/SpecialDist/School
<u>Charge To :</u>	145601 AKRON		\$238.80
	Relevy School	\$238.80	145601 AKRON CENTRAL

RPTL550(2): Failed to apply basic STAR exemption
Refund to be issued to Jennifer M. Drozdowski

FISCAL YEAR 2015 Petition No. 215,230.00

ASSESSOR Refund \$59.98
S-B-L 163.05-3-4.2 3520 Transit Rd 146089 ORCHARD PARK

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$59.98	Town/SpecialDist/School
<u>Charge To :</u>	146089 ORCHARD PARK		\$59.98

RPTL550(2): Incorrect special district charge
Refund to be issued to John A And Sandy A Giannicchi

FISCAL YEAR 2014 Petition No. 215,231.00

ASSESSOR Refund \$35.46
S-B-L 163.05-3-4.2 3520 Transit Rd 146089 ORCHARD PARK

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$35.46	Town/SpecialDist/School
<u>Charge To :</u>	146089 ORCHARD PARK		\$35.46

RPTL550(2): Incorrect special district charge
Refund to be issued to John A and Sandy A Giannicchi

FISCAL YEAR	2013	Petition No.	215,232.00
	ASSESSOR	Refund	\$35.36
S-B-L	163.15-3-4.2	3520 Transit Rd	146089 ORCHARD PARK
	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$35.36	Town/SpecialDist/School
<u>Charge To :</u>	146089 ORCHARD PARK		\$35.36

RPTL550(2): Incorrect special district charge
Refund to be issued to John A and Sandy A Giannicchi

FISCAL YEAR	2015	Petition No.	215,233.00
	ASSESSOR	Refund	\$363.70
S-B-L	216.00-4-19.1	7146 Olean Rd	145000 HOLLAND
	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$363.70	Town/SpecialDist/School
<u>Charge To :</u>	145000 HOLLAND		\$363.70
	Relevy School	\$363.70	145001 HOLLAND

CENTRAL

RPTL550(2): Error in calculating exemption
Refund to be issued to Christine U Fronckowiak

FISCAL YEAR	2015	Petition No.	215,234.00
	ASSESSOR	Refund	\$1,082.00
S-B-L	134.56-2-24	263 Wimbledon Ct	146800 WEST SENECA
	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$1,082.00	Town/SpecialDist/School
<u>Charge To :</u>	146800 WEST SENECA		\$1,082.00
	Relevy School	\$1,082.00	146801 WEST SENECA

CENT

RPTL550(2): Failed to apply enhanced STAR
Refund to be issued to Brian Herman

FISCAL YEAR 2016 Petition No. 215,245.00

 ASSESSOR Cancel \$58.44

S-B-L 163.05-3-4.2 3520 Transit Rd 146089 ORCHARD PARK

 Acct. No. 112 \$0.00 County

 Acct. No. 132 \$58.44 Town/SpecialDist/School

Charge To : 146089 ORCHARD PARK \$58.44

RPTL550(2): Incorrect special district charge
New tax bill to be issued

FISCAL YEAR 2015 Petition No. 215,246.00

 ASSESSOR Refund \$466.00

S-B-L 71.00-3-28./52 4614 Leytonstone 143200 CLARENCE

 Acct. No. 112 \$0.00 County

 Acct. No. 132 \$466.00 Town/SpecialDist/School

Charge To : 143200 CLARENCE \$466.00

 Relevy School \$466.00 143201 CLARENCE

CENTRAL

RPTL550(2): Failed to apply enhanced STAR
Refund to be issued to Rock Oak Phase III LLC

FISCAL YEAR 2016 Petition No. 215,247.00

 ASSESSOR Cancel \$66.53

S-B-L 226.01-7-26 7928 Hywood Dr142600 BOSTON

 Acct. No. 112 \$66.53 County

 Acct. No. 132 \$0.00 Town/SpecialDist/School

Charge To : 142600 BOSTON \$0.00

RPTL550(2): Failed to apply cold war exemption
New tax bill to be issued

and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Director of Real Property Tax Services.

(5-0)

JOSEPH C. LORIGO
CHAIR

Item 17 – MR. MORTON presented the following report and moved for immediate consideration and approval. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 7

January 14, 2016	ENERGY & ENVIRONMENT COMMITTEE REPORT NO. 1
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ALL MEMBERS PRESENT.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 20D-5 (2015)
DEPARTMENT OF ENVIRONMENT & PLANNING: “2015 Agricultural District Modification Requests”
(5-0)
 - b. COMM. 21E-11 (2015)
BURKE: “Review of the Public Discussion on the Status of Lake Erie Water Quality”
(4-1) Legislator Burke voted in the negative.
 - c. COMM. 21D-12 (2015)
DEPARTMENT OF ENVIRONMENT & PLANNING: “Addendum to Proposed Modifications to Agricultural Districts”
(5-0)
 - d. COMM. 25D-7 (2015)
COMMISSIONER, DEPARTMENT OF ENVIRONMENT & PLANNING: “Letter Regarding Potential Modifications to EC Agricultural District 17”
(5-0)
 - e. COMM. 25D-8 (2015)
DEPARTMENT OF HEALTH: “Letter Regarding Potential Modifications to EC Agricultural District 17”
(5-0)
 - f. COMM. 1M-4 (2016)
HODGSON RUSS LLP: “Letter Regarding Potential Modifications to EC Agricultural District 17”
(5-0)

- g. COMM. 1M-5 (2016)
ISLE CHEM LLC: “Letter Regarding Potential Modifications to EC Agricultural District 17”
(5-0)
- h. COMM. 1M-6 (2016)
TOWN OF AURORA: “Letter Regarding Potential Modifications to EC Agricultural District for Aurora Community Gardens”
(5-0)

2. **RESOLVED**, the following item is hereby amended by a majority vote, and tabled on Chair’s motion:

- a. INTRO. 1-2 (2016)
MILLS & MORTON **AS AMENDED**
Insert the following:
WHEREAS, pursuant to New York State Agriculture and Markets Law (“Agriculture and Markets Law”) Section 303-b(1) the Erie County Legislature adopted Intro 20-15 (2004) on September 23, 2004; and

WHEREAS, the Erie County Legislature designated September 1 through September 30 as the annual thirty-day period during which applicants may submit requests to include predominantly viable agricultural land into any existing certified agricultural district outside of the established 8-year review period; and

WHEREAS, during the 2015 thirty-day open enrollment period fifty applicants requested that eighty-six parcels of land be included in existing agricultural districts; and

WHEREAS, the Erie County Agricultural and Farmland Protection Board reviewed each request to determine if each includes “viable agricultural land” as defined in Agriculture and Markets Law Section 301(7); and

WHEREAS, the Erie County Agricultural and Farmland Protection Board reviewed each request to determine whether the inclusion of such land would serve the public interest and maintain a viable agricultural industry within the district; and

WHEREAS, the Erie County Agricultural and Farmland Protection Board voted to recommend that the County Legislature adopt the inclusion of sixty-two parcels listed below in an existing agricultural district; and

PARCEL(S)	ACRES (approx.)	ADDRESS	TOWN	APPLICANT	DISTRICT
335.11-1-1.112 335.11-1-10.1 335.11-1-11 332-1-43.12	56.088	4451 Route 78	Springville	Sean Fitzpatrick	Concord 15
229.00-2-18.2	48.5	8213 Center Street	Holland	Paul M. Cohn	Holland 11

229.00-2-19					
188.00-3-23.1	136.1	1231 Olean Road	South Wales	John B. Hitchings	Wales 12
195.00-1-7.2	22.6	3134 Old Lakeview Road	Hamburg	Michael Jablonski	Eden 2
11.00-1-11 23.08-1-4.11	23.58	2487 Long Road	Grand Island	Thomas & Wendy Thompson	Amherst 17
50.17-1-3.121	40	1639 West River Road	Grand Island	Russell P. Colosi	Amherst 17
11.20-1-1	37.62	0 Long Road	Grand Island	Ash Brooke Court Enterprises	Amherst 17
23.00-3-2.1	38.73	2630 Bedell Road	Grand Island	Peter L. Sparks	Amherst 17
36.00-3-13.12 36.00-3-21.1	34.29	2723 Staley Road	Grand Island	Robert C. Luthringer	Amherst 17
50.04-1-12.1	35.74	2655 Fix Road	Grand Island	Mary Beth & Jeffery A. Smith	Amherst 17
25.00-1-21 25.00-1-22	16.11	555 Ransom Road	Grand Island	Elizabeth L. Hopkins	Amherst 17
36.00-4-8.213	5.345	3013 Staley Road	Grand Island	Mary & Bryant Pfalzer	Amherst 17
12.00-1-4.11	48	5345 East River Road	Grand Island	Cyrus Ardalán	Amherst 17
63.02-2-38.311	10.33	2230 Fix Road	Grand Island	Patricia Giordano-Birtz & Stephen Birtz	Amherst 17
50.18-1-23.1	3.1	2935 Fix Road	Grand Island	Robert & Audra Wynne	Amherst 17
64.05-3-13.111	2.9	2020 Fix Road	Grand Island	Bryce & Robin Shipman	Amherst 17
37.02-2-2 37.02-2-3	15.4	1175 Whitehaven Road	Grand Island	Suzanne L. Langenfeld	Amherst 17
36.00-2-4 36.00-2-5 24.03-1-4 24.03-1-11 24.03-1-39	41.94	2438 Whitehaven Road 2450 Whitehaven Road	Grand Island	Dianne Nassar	Amherst 17
36.00-2-34	9.5	2413 Staley Road	Grand Island	James Heitman	Amherst 17
36.00-3-34.12 36.00-3-35.1	20.24	2945 Staley Road	Grand Island	Raymond J. Fisher	Amherst 17
36.00-3-34.111	8	2919 Staley Road	Grand Island	David Fisher	Amherst 17
36.00-3-34.112	7.88	2933 Staley Road	Grand Island	Bonnie Fisher	Amherst 17
36.00-1-6.11 36.00-1-7 36.00-1-11.2	78.55	2449 Whitehaven Road 2605 Whitehaven Road	Grand Island	George L. DeGlopper	Amherst 17

12.00-2-3.11	110	4943 East River Road	Grand Island	Christie Harper	Amherst 17
37.04-1-51.11	7.03	1839 Stony Point Road	Grand Island	Christopher Beyer	Amherst 17
50.04-2-10	6.18	2689 Fix Road	Grand Island	Christopher A. Russell	Amherst 17
64.06-3-25 50.00-2-2.2 51.13-4-2 51.13-4-3	9.31	828 East River Road 1270 Baseline Road	Grand Island	Richard & Jennifer Benz	Amherst 17
24.16-2-21	0.56	1101 Ransom Road	Grand Island	Mansard LLC	Amherst 17
36.00-1-8	33.4	2489 Whitehaven Road	Grand Island	Nicole Gerber	Amherst 17
63.02-2-38.111	14.6	2300 Fix Road	Grand Island	Nick Stuckert	Amherst 17
36.04-1-46.1	5.75	2175 Staley Road	Grand Island	David Williams	Amherst 17
36.00-2-22.1	9.64	2303 Staley Road	Grand Island	Mark & Marci Lange	Amherst 17
36.00-3-32.2	14.55	2855 Staley Road	Grand Island	Kenneth Sandford	Amherst 17
36.00-3-23	6.1	2743 Staley Road	Grand Island	Susan Sondel	Amherst 17
50.00-3-2.2	4.8	2406 Love Road	Grand Island	Joseph & Susan Salamone	Amherst 17
36.00-3-37	9.5	2975 Staley Road	Grand Island	Holly's Horse Haven LLC	Amherst 17
23.02-3-55	18.01	145 Morningside Drive	Grand Island	Elizabeth Szur-O'Connor & Kenneth K. O'Connor	Amherst 17
50.00-1-3.11	6.21	3050 Staley Road	Grand Island	Lynn Kahn	Amherst 17
63.02-2-37	5	2326 Fix Road	Grand Island	Dennis & Adele Upton	Amherst 17
63.02-2-35.1	16.5	2350 Fix Road	Grand Island	Peter & Linda A. Gottler	Amherst 17
37.02-2-5.12 37.02-2-5.11 37.02-2-4	32.6	1149 Whitehaven Road	Grand Island	Krista & Daniel Drexelius	Amherst 17
25.00-2-39	5.01	394 Ransom Road	Grand Island	Jayne Schaber	Amherst 17

WHEREAS, the Erie County Agricultural and Farmland Protection Board voted to recommend that the County Legislature reject the inclusion of twenty-four parcels listed below in an existing agricultural district; and

PARCEL	ACRES (approx.)	PARCEL ADDRESS	TOWN	APPLICANT	DISTRICT
175.00-2-27.2	4.36	619 South Street	East Aurora	Aurora Community	Wales 12

				Gardens	
64.05-1-37.1	0.56	2189 Fix Road	Grand Island	Tina Wynne	Amherst 17
37.03-3-15	3	2076 Stony Point Rd	Grand Island	Kim Leys	Amherst 17
24.11-1-4.1	3.87	3030 Stony Point Rd	Grand Island	Patricia Burg	Amherst 17
37.01-52-3.1 37.01-2-4.2	2.11	1645, 1655 Stony Point Road	Grand Island	John & Carolyn Tripi	Amherst 17
23.08-2-75 23.08-2-77 23.08-2-78	0.87	0 Morningside Dr.	Grand Island	Alex Szur	Amherst 17
23.08-2-44 23.08-2-45 23.08-2-46 23.08-2-47 23.08-2-48 23.08-2-49 23.08-2-50 23.08-2-71 23.08-2-72 23.08-2-73 23.08-2-74 23.08-2-76 23.08-2-79.1 23.08-2-82	5.77	0 Morningside Dr.	Grand Island	Szur Builders	Amherst 17
23.08-1-16	0.96	2432 Long Road	Grand Island	Regina Kernin	Amherst 17

WHEREAS, pursuant to Agriculture and Markets Law Sections 303-b(2)(b) and 303-b(3) the Erie County Legislature gave the required public notice and set a public hearing and for November 19, 2015; and

WHEREAS, pursuant to Agriculture and Markets Law Section 303-b(3)(b) the Erie County Legislature published a public hearing notice in a newspaper having a general circulation within the County and notified in writing those municipalities whose territory encompasses the lands which are proposed to be included in an agricultural district; and

WHEREAS, a public hearing was held at 6:00 p.m. on November 19, 2015 at the Cornell Cooperative Extension Offices in East Aurora, New York to consider 2015 open enrollment period requests and recommendations of the Erie County Agricultural and Farmland Protection Board; and

WHEREAS, the Erie County Legislature reviewed the requests pursuant to the NYS Environmental Quality Review Act.

NOW, THEREFORE, BE IT

RESOLVED that the Erie County Legislature adopts the inclusion of the following fifty-eight parcels into an adjacent existing agricultural district; and be it further

PARCEL(S)	ACRES (approx.)	ADDRESS	TOWN	APPLICANT	DISTRICT
335.11-1-1.112 335.11-1-10.1 335.11-1-11 332-1-43.12	56.088	4451 Route 78	Springville	Sean Fitzpatrick	Concord 15
229.00-2-18.2 229.00-2-19	48.5	8213 Center Street	Holland	Paul M. Cohn	Holland 11
188.00-3-23.1	136.1	1231 Olean Road	South Wales	John B. Hitchings	Wales 12
195.00-1-7.2	22.6	3134 Old Lakeview Road	Hamburg	Michael Jablonski	Eden 2
11.00-1-11 23.08-1-4.11	23.58	2487 Long Road	Grand Island	Thomas & Wendy Thompson	Amherst 17
50.17-1-3.121	40	1639 West River Road	Grand Island	Russell P. Colosi	Amherst 17
11.20-1-1	37.62	0 Long Road	Grand Island	Ash Brooke Court Enterprises	Amherst 17
23.00-3-2.1	38.73	2630 Bedell Road	Grand Island	Peter L. Sparks	Amherst 17
36.00-3-13.12 36.00-3-21.1	34.29	2723 Staley Road	Grand Island	Robert C. Luthringer	Amherst 17
50.04-1-12.1	35.74	2655 Fix Road	Grand Island	Mary Beth & Jeffery A. Smith	Amherst 17
25.00-1-21 25.00-1-22	16.11	555 Ransom Road	Grand Island	Elizabeth L. Hopkins	Amherst 17
36.00-4-8.213	5.345	3013 Staley Road	Grand Island	Mary & Bryant Pfalzer	Amherst 17
12.00-1-4.11	48	5345 East River Road	Grand Island	Cyrus Ardalan	Amherst 17
63.02-2-38.311	10.33	2230 Fix Road	Grand Island	Patricia Giordano-Birtz & Stephen Birtz	Amherst 17
50.18-1-23.1	3.1	2935 Fix Road	Grand Island	Robert & Audra Wynne	Amherst 17
64.05-3-13.111	2.9	2020 Fix Road	Grand Island	Bryce & Robin Shipman	Amherst 17
37.02-2-2 37.02-2-3	15.4	1175 Whitehaven Road	Grand Island	Suzanne L. Langefeld	Amherst 17
36.00-2-4 36.00-2-5	41.94	2438 Whitehaven	Grand Island	Dianne Nassar	Amherst 17

24.03-1-4 24.03-1-11 24.03-1-39		Road 2450 Whitehaven Road			
36.00-2-34	9.5	2413 Staley Road	Grand Island	James Heitman	Amherst 17
36.00-3-34.12 36.00-3-35.1	20.24	2945 Staley Road	Grand Island	Raymond J. Fisher	Amherst 17
36.00-3-34.111	8	2919 Staley Road	Grand Island	David Fisher	Amherst 17
36.00-3-34.112	7.88	2933 Staley Road	Grand Island	Bonnie Fisher	Amherst 17
36.00-1-6.11 36.00-1-7 36.00-1-11.2	78.55	2449 Whitehaven Road 2605 Whitehaven Road	Grand Island	George L. DeGlopper	Amherst 17
12.00-2-3.11	110	4943 East River Road	Grand Island	Christie Harper	Amherst 17
37.04-1-51.11	7.03	1839 Stony Point Road	Grand Island	Christopher Beyer	Amherst 17
50.04-2-10	6.18	2689 Fix Road	Grand Island	Christopher A. Russell	Amherst 17
64.06-3-25 50.00-2-2.2 51.13-4-2 51.13-4-3	9.31	828 East River Road 1270 Baseline Road	Grand Island	Richard & Jennifer Benz	Amherst 17
36.00-1-8	33.4	2489 Whitehaven Road	Grand Island	Nicole Gerber	Amherst 17
63.02-2-38.111	14.6	2300 Fix Road	Grand Island	Nick Stuckert	Amherst 17
36.04-1-46.1	5.75	2175 Staley Road	Grand Island	David Williams	Amherst 17
36.00-2-22.1	9.64	2303 Staley Road	Grand Island	Mark & Marci Lange	Amherst 17
36.00-3-32.2	14.55	2855 Staley Road	Grand Island	Kenneth Sandford	Amherst 17
36.00-3-23	6.1	2743 Staley Road	Grand Island	Susan Sondel	Amherst 17
50.00-3-2.2	4.8	2406 Love Road	Grand Island	Joseph & Susan Salamone	Amherst 17
36.00-3-37	9.5	2975 Staley Road	Grand Island	Holly's Horse Haven LLC	Amherst 17
23.02-3-55	18.01	145 Morningside Drive	Grand Island	Elizabeth Szur- O'Connor & Kenneth K.	Amherst 17

				O'Connor	
50.00-1-3.11	6.21	3050 Staley Road	Grand Island	Lynn Kahn	Amherst 17
63.02-2-37	5	2326 Fix Road	Grand Island	Dennis & Adele Upton	Amherst 17
63.02-2-35.1	16.5	2350 Fix Road	Grand Island	Peter & Linda A. Gottler	Amherst 17
25.00-2-39	5.01	394 Ransom Road	Grand Island	Jayne Schaber	Amherst 17

RESOLVED that the Erie County Legislature rejects the inclusion of the following twenty-eight parcels into an existing agricultural district; and be it further

PARCEL(S)	ACRES (approx.)	ADDRESS	TOWN	APPLICANT	DISTRICT
175.00-2-27.2	4.36	619 South Street	East Aurora	Aurora Community Gardens	Wales 12
64.05-1-37.1	0.56	2189 Fix Road	Grand Island	Tina Wynne	Amherst 17
37.03-3-15	3	2076 Stony Point Rd	Grand Island	Kim Leys	Amherst 17
24.11-1-4.1	3.87	3030 Stony Point Rd	Grand Island	Patricia Burg	Amherst 17
37.01-52-3.1 37.01-2-4.2	2.11	1645, 1655 Stony Point Road	Grand Island	John & Carolyn Tripi	Amherst 17
23.08-2-75 23.08-2-77 23.08-2-78	0.87	0 Morningside Dr.	Grand Island	Alex Szur	Amherst 17
23.08-2-44 23.08-2-45 23.08-2-46 23.08-2-47 23.08-2-48 23.08-2-49 23.08-2-50 23.08-2-71 23.08-2-72 23.08-2-73 23.08-2-74 23.08-2-76 23.08-2-79.1 23.08-2-82	5.77	0 Morningside Dr.	Grand Island	Szur Builders	Amherst 17
23.08-1-16	0.96	2432 Long	Grand Island	Regina Kernin	Amherst 17

		Road			
24.16-2-21	0.56	1101 Ransom Road	Grand Island	Mansard LLC	Amherst 17
37.02-2-5.12 37.02-2-5.11 37.02-2-4	32.6	1149 Whitehaven Road	Grand Island	Krista & Daniel Drexelius	Amherst 17

RESOLVED, that the Erie County Legislature has complied with the requirements of the New York State Environmental Quality Review Act and hereby determines that the requested parcel additions to the Agricultural Districts noted above will not have a significant adverse environmental impact and therefore an environmental impact statement will not be required; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the County Executive, the Commissioner of Environment and Planning, the Commissioner of the Department of Health, the Director of Real Property Tax Services, the Chair of the Erie County Agricultural and Farmland Protection Board, and the Supervisors of the Towns of Springville, Holland, Wales, Hamburg, East Aurora and Grand Island; and be it further

RESOLVED, that the Commissioner of Environment and Planning send a certified copy of this resolution along with the Erie County Agricultural and Farmland Protection Board report and maps for each parcel of land to be included in an existing agricultural district to the Commissioner of New York State Department of Agriculture and Markets for certification and immediate inclusion into existing agricultural districts.

(5-0)

3. COMM. 24E-5 (2015)

COUNTY EXECUTIVE

AS AMENDED

WHEREAS, the County Executive has made appointments to the Erie County Sewer District Board of Managers pursuant to the power vested to him by Article 5-A of the County Law and Section 16 of the County Charter.

NOW, THEREFORE, BE IT

RESOLVED, that the following appointments to the Erie County Sewer District Board of Managers are hereby confirmed:

<u>Erie County Sewer District No. 1</u>	<u>Term Expires</u>
Hon. Diane Benczkowski (New Appointment) Supervisor Town of Cheektowaga 3301 Broadway Cheektowaga, NY 14227	12/31/17
Mr. Patrick Bowen,P.E. (Reappointment) Town Engineer Town of Cheektowaga 275 Alexander Avenue	12/31/17

Cheektowaga, NY 14211

Mr. Daniel Higgins (Reappointment) 12/31/17
70 N. Covington Drive
Buffalo, NY 14220

Hon. Sheila Meegan (Reappointment) 12/31/17
Supervisor
Town of West Seneca
1250 Union Road
West Seneca, NY 14224

Mr. Mutasem Salah, P.E. (Reappointment)
Sr. Coordinator Construction Projects
Department of Environment & Planning
95 Franklin Street - Room 1034
Buffalo, NY 14202

Erie County Sewer District No. 2 Term Expires

Hon. Howard Frawley (Reappointment) 12/31/17
Mayor, Village of Angola
41 Commercial Street
Angola, NY 14006

Hon. Vincent George (Reappointment) 12/31/17
Mayor, Village of North Collins
10543 Main Street
P.O. Box 459
North Collins, NY 14111

Ms. Anna Knack (Reappointment) 12/31/17
Administrative Asst., Town of Eden
2505 West Church Street
Eden, NY 14057

Mr. Gifford Swyers (Reappointment) 12/31/17
50 Terrylynn Drive
Angola, NY 14006

Ms. Angela Horton, P.E. (Reappointment) 12/31/17
Coord. Sewer Construction Projects
Department of Environment & Planning
95 Franklin Street - Room 1034
Buffalo, NY 14202

Erie County Sewer District No. 3 Term Expires

Hon. Melissa Hartman (New Appointment) 12/31/17
Supervisor, Town of Eden

2795 East Church Street
Eden, NY 14057

Mr. Michael Hayden (New Appointment) 12/31/17
Town of Holland Water
47 Pearl Street
Holland, NY 14080

Mr. David Kaczor (Reappointment) 12/31/17
23 Silent Meadow
Orchard Park, NY 14127

Hon. John Mills (Reappointment) 12/31/17
80 Highland Avenue
Orchard Park, NY 14127

Hon. David Rood (Reappointment) 12/31/17
Deputy Mayor, Village of Orchard Park
4295 South Buffalo Street
Orchard Park, NY 14127

Mr. Karl Simmeth, Jr. (Reappointment) 12/31/17
6678 Meadowbrook Drive
Boston, NY 14025

Mr. Donald Witkowski (Reappointment) 12/31/17
Administrator, Village of Hamburg
100 Main Street
Hamburg, NY 14075

Mr. David Millar, P.E. (Reappointment) 12/31/17
Assistant Deputy Commissioner
Department of Environment & Planning
95 Franklin Street - Room 1034
Buffalo, NY 14202

Erie County Sewer District No. 4 Term Expires

Mr. Gary Ambrose (Reappointment) 12/31/17
80 Holland Avenue
Lancaster, NY 14086

Mr. Robert Harris, P.E. (Reappointment) 12/31/17
Town of Lancaster Engineer
Wm. Schutt & Associates, P.C.
37 Central Avenue
Lancaster, NY 14086

Ms. Kristin McCracken (Reappointment) 12/31/17

Member - Town of Lancaster Planning Board
41 Bloomfield Avenue
Depew, NY 14043

Hon. Jesse Nikoniwicz, Sr. (Reappointment) 12/31/17
Mayor - Village of Depew
138 Grant Street
Depew, NY 14043

Mr. Thomas Batt, P.E. (Reappointment) 12/31/17
Sr. Sanitary Engineer
Department of Environment & Planning
95 Franklin Street - Room 1034
Buffalo, NY 14202

Erie County Sewer District No. 5 Term Expires

Mr. Brian Andrzejewski, P.E. (New Appointment) 12/31/17
Commissioner
Town of Amherst Building Department
5583 Main Street
Williamsville, NY 14221

Mr. Brian Armstrong (New Appointment) 12/31/17
Assistant Municipal Engineer
Town of Amherst Engineering
1100 North Forest Road
Williamsville, NY 14221

Mr. James Callahan (Reappointment) 12/31/17
Town of Clarence
Director of Community Development
One Town Place
Clarence, NY 14031

Mr. Timothy Lavocat (Reappointment) 12/31/17
Town Engineer
Town of Clarence
6221 Goodrich Road
Clarence Center, NY 14032

Mr. Kevin Zynda, P.E. (Reappointment) 12/31/17
Sanitary Engineer
Department of Environment & Planning
95 Franklin Street - Room 1034
Buffalo, NY 14202

Erie County Sewer District No. 6 Term Expires

Mr. James Balcarczyk (Reappointment) 12/31/17

44 Reed Avenue
Lackawanna, NY 14218

Mr. Anthony Collareno (Reappointment) 12/31/17
93 Cloverleaf Avenue
Lackawanna, NY 14218

Mr. James Carr, P.E. (Reappointment) 12/31/17
Assistant Deputy Commissioner
Department of Environment & Planning
95 Franklin Street - Room 1034
Buffalo, NY 14202

Erie County Sewer District No. 8 Term Expires
Hon. Susan Friess (Reappointment) 12/31/17
Councilwoman, Town of Aurora
7 Ravine Court
East Aurora, NY 14052

Mr. Matthew Hoeh (Reappointment) 12/31/17
Superintendent of Public Works
Village of East Aurora
571 Main Street
East Aurora, NY 14052

Mr. Bryan Smith, P.E. (Reappointment) 12/31/17
Town of Aurora Engineer
21 Westgate
East Aurora, NY 14052

Mr. Garry Pecak, P.E. (Reappointment) 12/31/17
Senior Sanitary Engineer
Department of Environment & Planning
95 Franklin Street - Room 1034
Buffalo, NY 14202

; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send a certified copy of this resolution to the County Executive, the Board of Managers, the appointees, and Joseph Fiegl, P.E. - Deputy Commissioner in the Department of Environment and Planning.

(5-0)

4. COMM. 25E-20 (2015)

COUNTY EXECUTIVE

WHEREAS, Capital Project C.00038, "Southtowns CIP98 Increase and Improvements of Facilities" is scheduled to be closed out; and

WHEREAS, there is currently a cash balance of \$130,841.99 in Capital Project C.00038; and

WHEREAS, as part of bond refinancing, the New York State Environmental Facilities Corporation reduced the principal borrowed in the amount of \$301,931.33; and

WHEREAS, Erie County Sewer District No. 3 has sufficient funds available in its Capital Reserve Account to offset the remaining balance and facilitate close out of Capital Project C.00038; and

WHEREAS, use of said Capital Reserves will have no impact on the approved 2015 or 2016 Budgets.

NOW, THEREFORE BE IT

RESOLVED, that \$171,089.34 shall be transferred from Erie County Sewer District No. 3 Capital Reserve Account C.00007 to Capital Project C.00038; and be it further

RESOLVED, that \$301,931.33 shall be transferred from Capital Project C.00038 to the Debt Service Fund; and be it further

RESOLVED, the Erie County Comptroller and Director of Budget and Management shall increase estimated revenues and appropriations in Erie County Sewer District No.3 Capital Reserve Account C.00007 by \$171,089.34 and in Erie County Sewer District No. 3 C.00038 by \$301,931.33, and establish all budgetary accounts necessary to facilitate these actions; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send one certified copy each of this Resolution to the County Executive, the Erie County Comptroller, the Director of Budget and Management, and Kristen Walder, Assistant County Attorney; and two (2) certified copies be sent to Joseph L. Fiegl, P.E. in the Division of Sewerage Management.

(5-0)

5. COMM. 1E-5 (2016)

COUNTY EXECUTIVE

WHEREAS, the NYSDOT periodically schedules the improvements of sections of State Highways; and

WHEREAS, these improvements require the adjustment of County sanitary sewer facilities located within the State highway right-of-way at no cost to the County upon the review and approval of the Erie County Department of Environment and Planning, Division of Sewerage Management; and

WHEREAS, the Erie County Department of Environment and Planning, Division of Sewerage Management has recommended to the Legislature that Erie County enter into the NYSDOT Utility Work Agreements.

NOW, THEREFORE BE IT

RESOLVED, that the Legislature approve the Erie County Department of Environment and Planning, Division of Sewerage Management entering into NYSDOT Utility Work Agreements for adjusting County sanitary sewer facilities located within the State highway right-of-way at no cost to the County upon the approval of the Erie County Department of Environment and Planning, Division of Sewerage Management; and it be further

RESOLVED, that the Commissioner of the Erie County Department of Environment and Planning is hereby authorized on behalf of the County Executive to sign the NYSDOT Utility Work Agreements allowing the NYSDOT to perform the necessary work required and at no cost to the County; and it be further

RESOLVED, that the Commissioner of the Erie County Department of Environment and Planning is hereby authorized on behalf of the County Executive to sign NYSDOT Utility Work Agreements with the understanding that the County will be obligated to maintain Erie County Sewer District facilities adjusted via State-let contracts; and be it further

RESOLVED, that the Clerk of the Legislature send one (1) certified copy each of this resolution to the County Executive, the Commissioner of Environment and Planning, and Kristin Walder, Assistant County Attorney; and send two (2) certified copies of this resolution to Joseph L. Fiegl, P.E., Department of Environment and Planning.
(5-0)

6. COMM. 1E-6 (2016)

COUNTY EXECUTIVE

WHEREAS, the Department of Parks, Recreation & Forestry identified a number of roads, pathways and parking lots throughout the Erie County Park System that were included in the Department of Public Works 2015 Capital Overlay Project "B" ("Project"); and

WHEREAS, the Department of Public Works awarded the project to responsible low bidder Occhino Corporation on July 2, 2015 via Comm. 7E-5 (2015); and

WHEREAS, the Department of Parks, Recreation and Forestry has funds available for the Project in the amount of \$225,000 from SAP accounts A.13011 (\$25,000) and A.15014 (\$200,000), 2013 and 2015 Parks Roads, Pathways and Parking Lot Construction respectively.

NOW, THEREFORE, BE IT

RESOLVED, that the Department of Parks, Recreation and Forestry be authorized to submit Occhino Corporation invoices in an amount not to exceed \$225,000 for paving related to the Project; and be it further

RESOLVED, that the Comptroller's Office be authorized to make payment for these additional contractual services from SAP projects:

A.13011 - 2013 Roads, Pathways and Parking Lots	\$25,000
A.15014 - 2015 Roads, Path & Parking Lot Rep-Countywide	\$200,000

; and be it further

RESOLVED, that certified copies of this resolution shall be sent to the Department of Parks, Recreation and Forestry; the Department of Public Works; the Office of the County Executive; the Director of the Division of Budget and Management and the Office of the Comptroller.
(5-0)

TED B. MORTON
CHAIR

Item 18 – MR. RATH presented the following report and moved for immediate consideration and approval. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 8

January 14, 2016	ECONOMIC DEVELOPMENT COMMITTEE REPORT NO. 1
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ALL MEMBERS PRESENT.

1. RESOLVED, the following item is hereby received and filed:

a. COMM. 1M-3 (2016)

VILLAGE OF WILLIAMSVILLE: “Village Resolution Regarding Support of a Youngs Rd NYS Thruway Interchange”
(5-0)

2. COMM. 18E-6 (2015)

COUNTY EXECUTIVE **AS AMENDED**

WHEREAS, HELP Buffalo Housing Development Fund Corporation is developing housing for low and moderate income individuals and families under 60% of the area median income; and

WHEREAS, HELP Buffalo II consists of a 47-unit affordable housing development in the City of Buffalo at Broadway and Hickory Streets; and

WHEREAS, 15 one-bedroom apartments will be set aside as special needs units for formerly homeless tenants; and

WHEREAS, individuals with special needs will not pay more than 30% of their income towards rent and utilities and will be supported through a project based Annual Contributions Contract (ACC) with the Buffalo Municipal Housing Authority; and

WHEREAS, the Erie County Legislature adopted a policy on Payment in Lieu of Taxes (PILOT) on December 16, 1999, and the PILOT is consistent with said policy; and

WHEREAS, in order to make the Project economically feasible for HELP Buffalo Housing Development Fund Corporation to operate the housing project it is necessary to obtain tax relief from the County of Erie and the City of Buffalo.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to execute a Payment in Lieu of Taxes (PILOT) Agreement with HELP Buffalo II LLC and HELP Buffalo Housing Development Fund Corporation, the City of Buffalo, and any other organizations necessary to conclude this PILOT Agreement; and be it further

RESOLVED, that said Agreement shall include an annual PILOT in the amount of taxes due as set forth on Schedule A attached hereto; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the County Executive; the Director of the Division of Budget and Management; the Director of Real Property Tax Services; the Commissioner of the Department of Environment and Planning; the County Comptroller; and the County Attorney.

Schedule A

Year	Total	City	County
1	9,895.98	7421.99	2,474.00
2	10,192.86	7,644.64	2,548.21
3	10,498.65	7,873.98	2,624.66
4	10,813.60	8,110.20	2,703.40
5	11,138.01	8,353.51	2,784.50
6	11,472.15	8,604.11	2,868.04
7	11,816.32	8,862.24	2,954.08
8	12,170.81	9,128.11	3,042.70
9	12,535.93	9,401.95	3,133.98
10	12,912.01	9,684.01	3,228.00
11	13,299.37	9,974.53	3,324.84
12	13,698.35	10,273.76	3,424.59
13	14,109.30	10,581.98	3,527.33
14	14,532.58	10,899.44	3,633.15
15	14,968.56	11,226.42	3,742.14

(5-0)

3. COMM. 25E-7 (2015)

COUNTY EXECUTIVE

RESOLUTION of the Legislature of the County of Erie, electing the provision for refund or credit of sales and compensating use taxes described in section 1119(d) of the New York Tax Law, relating to Qualified Empire Zone Enterprises, qualified entities that are also tenants in or part of a New York State innovation hot spot, and businesses located in an approved tax-free NY area, pursuant to the authority of section 1210(a)(1)(i) of the New York Tax Law.

WHEREAS, the State of New York has established an Empire Zone Program and other programs to revitalize economic development by providing financial inducements for businesses and industry to locate within Empire Zones and in other State-approved locations; and

WHEREAS, the proposed amendment to Section Twelve of the County Sales and Use Tax Resolution will provide for refunds or credits of local sales and compensating use taxes applicable to Qualified Empire Zone Enterprises (QEZE) and certain other business entities; and

WHEREAS, pursuant to New York Tax Law Section 1210(d), a certified copy of this resolution must be properly mailed to the New York State Commissioner of Taxation and Finance with a waiver request prior to January 30, 2016, for a March 1, 2016, effective date; and

WHEREAS, Erie County has provided the Tax Law section 1119(d) refund/credit on an annual basis for a number of years and wants to continue to provide it; and

WHEREAS, Erie County wishes to continue to participate in the Empire Zone Program established by New York State; now therefore,

BE IT ENACTED by the Legislature of the County of Erie, as follows:

Section 1. Subdivision (d) of section twelve of the Erie County Sales and Use Tax Resolution being a resolution adopted by the Board of Supervisors of the County of Erie being Item 8 of Meeting Number 31, held on July 27, 1965, Supervisors Proceedings, Page 666, as amended, is amended to read as follows:

(d) The provision for refund or credit described in section 1119(d) of the New York Tax Law, relating to qualified empire zone enterprises, qualified entities that are also tenants in or part of a New York State innovation hot spot, and to businesses located in an approved tax-free NY area, shall apply to the taxes imposed by this enactment.

Section 2. This resolution shall take effect March 1, 2016, and shall apply in accordance with applicable transitional provisions in sections 1106 and 1217 of the New York Tax Law.

RESOLVED, that certified copies of this resolution be filed with the State Commissioner of Taxation and Finance; the Secretary of State; and the State Comptroller; and that certified copies be sent to the County Executive; the Director of the Division of Budget and Management; the County Comptroller; the Erie County Clerk; the Commissioner of Environment and Planning; and the County Attorney.

(5-0)

EDWARD A. RATH, III
CHAIR

Item 19 – MR. RATH presented the following report and moved for immediate consideration and approval. MR. HARDWICK seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 9

ALL MEMBERS PRESENT.

1. COMM. 25E-22 (2015)
COUNTY EXECUTIVE

WHEREAS, FEMA aid was made available to Erie County for the November 2014 winter storm Knife disaster on behalf of various Fire Departments throughout the county (COMM. 14E-6 (2015)) at 75% of the total storm expenditures, along with the possibility of the remaining 25% being reimbursed by the State; and

WHEREAS, Fire Departments are required to submit to the County invoices and proof of payment for their allowable claims consistent with FEMA guidelines prior to receiving their FEMA and possible State reimbursements; and

WHEREAS, the Newton Abbott Fire Department had extensive curb damage which they are unable to repair under their current budget and are requesting an advance of their 75% FEMA reimbursement, and their possible 25% State reimbursement if the County should receive that, based on the three quotes provided to the County; and

WHEREAS, the Newton Abbott Fire Department will be required to submit invoices and proof of payment once the work is completed; and

WHEREAS, the Newton Abbott Fire Department is solely responsible for subsequent FEMA audits and compliance issues and not the County of Erie; and

WHEREAS, the Newton Abbott Fire Department will be responsible for repaying any reimbursements, repayments or liabilities subsequently identified by any audit, with no liability accruing to Erie County.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to advance the FEMA funds for the curb replacement at the Newton Abbott Fire Hall for an amount not to exceed 75% of \$9,500.00, and possibly the additional 25% State aid, to the Newton Abbott Fire Department; and be it further

RESOLVED, that the Director of Budget and Management is hereby authorized to advance the funds from GL account 212100, fund 251, business area 167; and be it further

RESOLVED, that certified copies of this resolution be sent to the County Executive's Office, the Division of Budget and Management, the Department of Emergency Services, c/o Melissa Calhoun, the County Comptroller and the County Attorney.
(5-0)

2. COMM. 1E-14 (2016)
COUNTY EXECUTIVE

WHEREAS, positions in the Department of Central Police Services forensic laboratory were developed in conjunction with New York State Civil Service to allow the laboratory to hire staff at

an entry-level position and then promote to higher levels as they meet the years of work experience qualifications for upgrades ; and

WHEREAS, the employee in the entry-level position has met the work experience requirement for the upgrade.

NOW, THEREFORE, BE IT

RESOLVED, that authorization is hereby provided to create the position of Firearms Examiner II (Job Group 10) in the Department of Central Police Services 165GIVE1516 grant and delete the position of Firearms Examiner I (Job Group 9) in the same grant (B-100 #8462) with an effective date of 11/28/15; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Erie County Executive, the Division of Budget and Management, Division of Personnel and the Department of Central Police Services, attention: Brian Speers.
(5-0)

EDWARD A. RATH, III
CHAIR

LEGISLATOR RESOLUTIONS

Item 20 – MR. LORIGO presented the following resolution and moved for immediate consideration and approval. MR. RATH seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 10

RE: Appointment of Legislature's Advisor on
Open Meetings and Freedom of
Information Laws
(INTRO. 2-1)

A RESOLUTION TO BE SUBMITTED
BY CHAIR MILLS

WHEREAS, pursuant to the Erie County Charter, Article 2 §202.4 the Legislature must select from its members an advisor to this honorable body on the Open Meeting and Freedom of Information Laws; and

WHEREAS, Legislator Joseph C. Lorigo, being an attorney himself, is well qualified to ensure this honorable body complies with all sections of the aforementioned laws; and

WHEREAS, Legislator Lorigo has served in this capacity since 2014.

NOW, THEREFORE, BE IT

RESOLVED, that Legislator Joseph C. Lorigo be selected as this honorable body’s advisor on the Open Meetings and Freedom of Information laws.

COMMUNICATIONS DISCHARGED FROM COMMITTEE

Item 21 – MR. LORIGO moved to discharge the ENERGY & ENVIRONMENT COMMITTEE of further consideration of INTRO. 1-2 AS AMENDED. MR. HARDWICK seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 11

RE: Inclusion of Viable Agricultural Lands
Into an Agricultural District
(INTRO. 1-2 AS AMENDED, 2016)

A RESOLUTION TO BE SUBMITTED
BY LEGISLATORS MILLS & MORTON

WHEREAS, pursuant to New York State Agriculture and Markets Law (“Agriculture and Markets Law”) Section 303-b(1) the Erie County Legislature adopted Intro 20-15 (2004) on September 23, 2004; and

WHEREAS, the Erie County Legislature designated September 1 through September 30 as the annual thirty-day period during which applicants may submit requests to include predominantly viable agricultural land into any existing certified agricultural district outside of the established 8-year review period; and

WHEREAS, during the 2015 thirty-day open enrollment period fifty applicants requested that eighty-six parcels of land be included in existing agricultural districts; and

WHEREAS, the Erie County Agricultural and Farmland Protection Board reviewed each request to determine if each includes “viable agricultural land” as defined in Agriculture and Markets Law Section 301(7); and

WHEREAS, the Erie County Agricultural and Farmland Protection Board reviewed each request to determine whether the inclusion of such land would serve the public interest and maintain a viable agricultural industry within the district; and

WHEREAS, the Erie County Agricultural and Farmland Protection Board voted to recommend that the County Legislature adopt the inclusion of sixty-two parcels listed below in an existing agricultural district; and

PARCEL(S)	ACRES (approx.)	ADDRESS	TOWN	APPLICANT	DISTRICT
335.11-1-1.112 335.11-1-10.1 335.11-1-11	56.088	4451 Route 78	Springville	Sean Fitzpatrick	Concord 15

332-1-43.12					
229.00-2-18.2 229.00-2-19	48.5	8213 Center Street	Holland	Paul M. Cohn	Holland 11
188.00-3-23.1	136.1	1231 Olean Road	South Wales	John B. Hitchings	Wales 12
195.00-1-7.2	22.6	3134 Old Lakeview Road	Hamburg	Michael Jablonski	Eden 2
11.00-1-11 23.08-1-4.11	23.58	2487 Long Road	Grand Island	Thomas & Wendy Thompson	Amherst 17
50.17-1-3.121	40	1639 West River Road	Grand Island	Russell P. Colosi	Amherst 17
11.20-1-1	37.62	0 Long Road	Grand Island	Ash Brooke Court Enterprises	Amherst 17
23.00-3-2.1	38.73	2630 Bedell Road	Grand Island	Peter L. Sparks	Amherst 17
36.00-3-13.12 36.00-3-21.1	34.29	2723 Staley Road	Grand Island	Robert C. Luthringer	Amherst 17
50.04-1-12.1	35.74	2655 Fix Road	Grand Island	Mary Beth & Jeffery A. Smith	Amherst 17
25.00-1-21 25.00-1-22	16.11	555 Ransom Road	Grand Island	Elizabeth L. Hopkins	Amherst 17
36.00-4-8.213	5.345	3013 Staley Road	Grand Island	Mary & Bryant Pfalzer	Amherst 17
12.00-1-4.11	48	5345 East River Road	Grand Island	Cyrus Ardanan	Amherst 17
63.02-2-38.311	10.33	2230 Fix Road	Grand Island	Patricia Giordano-Birtz & Stephen Birtz	Amherst 17
50.18-1-23.1	3.1	2935 Fix Road	Grand Island	Robert & Audra Wynne	Amherst 17
64.05-3-13.111	2.9	2020 Fix Road	Grand Island	Bryce & Robin Shipman	Amherst 17
37.02-2-2 37.02-2-3	15.4	1175 Whitehaven Road	Grand Island	Suzanne L. Langenfeld	Amherst 17
36.00-2-4 36.00-2-5 24.03-1-4 24.03-1-11 24.03-1-39	41.94	2438 Whitehaven Road 2450 Whitehaven Road	Grand Island	Dianne Nassar	Amherst 17
36.00-2-34	9.5	2413 Staley Road	Grand Island	James Heitman	Amherst 17
36.00-3-34.12 36.00-3-35.1	20.24	2945 Staley Road	Grand Island	Raymond J. Fisher	Amherst 17
36.00-3-34.111	8	2919 Staley Road	Grand Island	David Fisher	Amherst 17
36.00-3-34.112	7.88	2933 Staley Road	Grand Island	Bonnie Fisher	Amherst 17
36.00-1-6.11 36.00-1-7	78.55	2449 Whitehaven Road	Grand Island	George L. DeGlopper	Amherst 17

36.00-1-11.2		2605 Whitehaven Road			
12.00-2-3.11	110	4943 East River Road	Grand Island	Christie Harper	Amherst 17
37.04-1-51.11	7.03	1839 Stony Point Road	Grand Island	Christopher Beyer	Amherst 17
50.04-2-10	6.18	2689 Fix Road	Grand Island	Christopher A. Russell	Amherst 17
64.06-3-25 50.00-2-2.2 51.13-4-2 51.13-4-3	9.31	828 East River Road 1270 Baseline Road	Grand Island	Richard & Jennifer Benz	Amherst 17
24.16-2-21	0.56	1101 Ransom Road	Grand Island	Mansard LLC	Amherst 17
36.00-1-8	33.4	2489 Whitehaven Road	Grand Island	Nicole Gerber	Amherst 17
63.02-2-38.111	14.6	2300 Fix Road	Grand Island	Nick Stuckert	Amherst 17
36.04-1-46.1	5.75	2175 Staley Road	Grand Island	David Williams	Amherst 17
36.00-2-22.1	9.64	2303 Staley Road	Grand Island	Mark & Marci Lange	Amherst 17
36.00-3-32.2	14.55	2855 Staley Road	Grand Island	Kenneth Sandford	Amherst 17
36.00-3-23	6.1	2743 Staley Road	Grand Island	Susan Sondel	Amherst 17
50.00-3-2.2	4.8	2406 Love Road	Grand Island	Joseph & Susan Salamone	Amherst 17
36.00-3-37	9.5	2975 Staley Road	Grand Island	Holly's Horse Haven LLC	Amherst 17
23.02-3-55	18.01	145 Morningside Drive	Grand Island	Elizabeth Szur-O'Connor & Kenneth K. O'Connor	Amherst 17
50.00-1-3.11	6.21	3050 Staley Road	Grand Island	Lynn Kahn	Amherst 17
63.02-2-37	5	2326 Fix Road	Grand Island	Dennis & Adele Upton	Amherst 17
63.02-2-35.1	16.5	2350 Fix Road	Grand Island	Peter & Linda A. Gottler	Amherst 17
37.02-2-5.12 37.02-2-5.11 37.02-2-4	32.6	1149 Whitehaven Road	Grand Island	Krista & Daniel Drexelius	Amherst 17
25.00-2-39	5.01	394 Ransom Road	Grand Island	Jayne Schaber	Amherst 17

WHEREAS, the Erie County Agricultural and Farmland Protection Board voted to recommend that the County Legislature reject the inclusion of twenty-four parcels listed below in an existing agricultural district; and

PARCEL	ACRES (approx.)	PARCEL ADDRESS	TOWN	APPLICANT	DISTRICT
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175.00-2-27.2	4.36	619 South Street	East Aurora	Aurora Community Gardens	Wales 12
64.05-1-37.1	0.56	2189 Fix Road	Grand Island	Tina Wynne	Amherst 17
37.03-3-15	3	2076 Stony Point Rd	Grand Island	Kim Leys	Amherst 17
24.11-1-4.1	3.87	3030 Stony Point Rd	Grand Island	Patricia Burg	Amherst 17
37.01-52-3.1 37.01-2-4.2	2.11	1645, 1655 Stony Point Road	Grand Island	John & Carolyn Tripi	Amherst 17
23.08-2-75 23.08-2-77 23.08-2-78	0.87	0 Morningside Dr.	Grand Island	Alex Szur	Amherst 17
23.08-2-44 23.08-2-45 23.08-2-46 23.08-2-47 23.08-2-48 23.08-2-49 23.08-2-50 23.08-2-71 23.08-2-72 23.08-2-73 23.08-2-74 23.08-2-76 23.08-2-79.1 23.08-2-82	5.77	0 Morningside Dr.	Grand Island	Szur Builders	Amherst 17
23.08-1-16	0.96	2432 Long Road	Grand Island	Regina Kernin	Amherst 17

WHEREAS, pursuant to Agriculture and Markets Law Sections 303-b(2)(b) and 303-b(3) the Erie County Legislature gave the required public notice and set a public hearing and for November 19, 2015; and

WHEREAS, pursuant to Agriculture and Markets Law Section 303-b(3)(b) the Erie County Legislature published a public hearing notice in a newspaper having a general circulation within the County and notified in writing those municipalities whose territory encompasses the lands which are proposed to be included in an agricultural district; and

WHEREAS, a public hearing was held at 6:00 p.m. on November 19, 2015 at the Cornell Cooperative Extension Offices in East Aurora, New York to consider 2015 open enrollment period requests and recommendations of the Erie County Agricultural and Farmland Protection Board; and

WHEREAS, the Erie County Legislature reviewed the requests pursuant to the NYS Environmental Quality Review Act.

NOW, THEREFORE, BE IT

RESOLVED that the Erie County Legislature adopts the inclusion of the following fifty-eight parcels into an adjacent existing agricultural district; and be it further

PARCEL(S)	ACRES (approx..)	ADDRESS	TOWN	APPLICANT	DISTRICT
335.11-1-1.112 335.11-1-10.1 335.11-1-11 332-1-43.12	56.088	4451 Route 78	Springville	Sean Fitzpatrick	Concord 15
229.00-2-18.2 229.00-2-19	48.5	8213 Center Street	Holland	Paul M. Cohn	Holland 11
188.00-3-23.1	136.1	1231 Olean Road	South Wales	John B. Hitchings	Wales 12
195.00-1-7.2	22.6	3134 Old Lakeview Road	Hamburg	Michael Jablonski	Eden 2
11.00-1-11 23.08-1-4.11	23.58	2487 Long Road	Grand Island	Thomas & Wendy Thompson	Amherst 17
50.17-1-3.121	40	1639 West River Road	Grand Island	Russell P. Colosi	Amherst 17
11.20-1-1	37.62	0 Long Road	Grand Island	Ash Brooke Court Enterprises	Amherst 17
23.00-3-2.1	38.73	2630 Bedell Road	Grand Island	Peter L. Sparks	Amherst 17
36.00-3-13.12 36.00-3-21.1	34.29	2723 Staley Road	Grand Island	Robert C. Luthringer	Amherst 17
50.04-1-12.1	35.74	2655 Fix Road	Grand Island	Mary Beth & Jeffery A. Smith	Amherst 17
25.00-1-21 25.00-1-22	16.11	555 Ransom Road	Grand Island	Elizabeth L. Hopkins	Amherst 17
36.00-4-8.213	5.345	3013 Staley Road	Grand Island	Mary & Bryant Pfalzer	Amherst 17
12.00-1-4.11	48	5345 East River Road	Grand Island	Cyrus Ardalan	Amherst 17
63.02-2-38.311	10.33	2230 Fix Road	Grand Island	Patricia Giordano-Birtz & Stephen Birtz	Amherst 17
50.18-1-23.1	3.1	2935 Fix Road	Grand Island	Robert & Audra Wynne	Amherst 17
64.05-3-13.111	2.9	2020 Fix Road	Grand Island	Bryce & Robin Shipman	Amherst 17
37.02-2-2 37.02-2-3	15.4	1175 Whitehaven Road	Grand Island	Suzanne L. Langenfeld	Amherst 17

36.00-2-4 36.00-2-5 24.03-1-4 24.03-1-11 24.03-1-39	41.94	2438 Whitehaven Road 2450 Whitehaven Road	Grand Island	Dianne Nassar	Amherst 17
36.00-2-34	9.5	2413 Staley Road	Grand Island	James Heitman	Amherst 17
36.00-3-34.12 36.00-3-35.1	20.24	2945 Staley Road	Grand Island	Raymond J. Fisher	Amherst 17
36.00-3-34.111	8	2919 Staley Road	Grand Island	David Fisher	Amherst 17
36.00-3-34.112	7.88	2933 Staley Road	Grand Island	Bonnie Fisher	Amherst 17
36.00-1-6.11 36.00-1-7 36.00-1-11.2	78.55	2449 Whitehaven Road 2605 Whitehaven Road	Grand Island	George L. DeGlopper	Amherst 17
12.00-2-3.11	110	4943 East River Road	Grand Island	Christie Harper	Amherst 17
37.04-1-51.11	7.03	1839 Stony Point Road	Grand Island	Christopher Beyer	Amherst 17
50.04-2-10	6.18	2689 Fix Road	Grand Island	Christopher A. Russell	Amherst 17
64.06-3-25 50.00-2-2.2 51.13-4-2 51.13-4-3	9.31	828 East River Road 1270 Baseline Road	Grand Island	Richard & Jennifer Benz	Amherst 17
36.00-1-8	33.4	2489 Whitehaven Road	Grand Island	Nicole Gerber	Amherst 17
63.02-2-38.111	14.6	2300 Fix Road	Grand Island	Nick Stuckert	Amherst 17
36.04-1-46.1	5.75	2175 Staley Road	Grand Island	David Williams	Amherst 17
36.00-2-22.1	9.64	2303 Staley Road	Grand Island	Mark & Marci Lange	Amherst 17
36.00-3-32.2	14.55	2855 Staley Road	Grand Island	Kenneth Sandford	Amherst 17
36.00-3-23	6.1	2743 Staley Road	Grand Island	Susan Sondel	Amherst 17
50.00-3-2.2	4.8	2406 Love Road	Grand Island	Joseph & Susan Salamone	Amherst 17
36.00-3-37	9.5	2975 Staley	Grand Island	Holly's Horse	Amherst 17

		Road		Haven LLC	
23.02-3-55	18.01	145 Morningside Drive	Grand Island	Elizabeth Szur-O'Connor & Kenneth K. O'Connor	Amherst 17
50.00-1-3.11	6.21	3050 Staley Road	Grand Island	Lynn Kahn	Amherst 17
63.02-2-37	5	2326 Fix Road	Grand Island	Dennis & Adele Upton	Amherst 17
63.02-2-35.1	16.5	2350 Fix Road	Grand Island	Peter & Linda A. Gottler	Amherst 17
25.00-2-39	5.01	394 Ransom Road	Grand Island	Jayne Schaber	Amherst 17

RESOLVED that the Erie County Legislature rejects the inclusion of the following twenty-eight parcels into an existing agricultural district; and be it further

PARCEL(S)	ACRES (approx.)	ADDRESS	TOWN	APPLICANT	DISTRICT
175.00-2-27.2	4.36	619 South Street	East Aurora	Aurora Community Gardens	Wales 12
64.05-1-37.1	0.56	2189 Fix Road	Grand Island	Tina Wynne	Amherst 17
37.03-3-15	3	2076 Stony Point Rd	Grand Island	Kim Leys	Amherst 17
24.11-1-4.1	3.87	3030 Stony Point Rd	Grand Island	Patricia Burg	Amherst 17
37.01-52-3.1 37.01-2-4.2	2.11	1645, 1655 Stony Point Road	Grand Island	John & Carolyn Tripi	Amherst 17
23.08-2-75 23.08-2-77 23.08-2-78	0.87	0 Morningside Dr.	Grand Island	Alex Szur	Amherst 17
23.08-2-44 23.08-2-45 23.08-2-46 23.08-2-47 23.08-2-48 23.08-2-49 23.08-2-50 23.08-2-71 23.08-2-72 23.08-2-73 23.08-2-74 23.08-2-76 23.08-2-79.1 23.08-2-82	5.77	0 Morningside Dr.	Grand Island	Szur Builders	Amherst 17

23.08-1-16	0.96	2432 Long Road	Grand Island	Regina Kernin	Amherst 17
24.16-2-21	0.56	1101 Ransom Road	Grand Island	Mansard LLC	Amherst 17
37.02-2-5.12 37.02-2-5.11 37.02-2-4	32.6	1149 Whitehaven Road	Grand Island	Krista & Daniel Drexelius	Amherst 17

RESOLVED, that the Erie County Legislature has complied with the requirements of the New York State Environmental Quality Review Act and hereby determines that the requested parcel additions to the Agricultural Districts noted above will not have a significant adverse environmental impact and therefore an environmental impact statement will not be required; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the County Executive, the Commissioner of Environment and Planning, the Commissioner of the Department of Health, the Director of Real Property Tax Services, the Chair of the Erie County Agricultural and Farmland Protection Board, and the Supervisors of the Towns of Springville, Holland, Wales, Hamburg, East Aurora and Grand Island; and be it further

RESOLVED, that the Commissioner of Environment and Planning send a certified copy of this resolution along with the Erie County Agricultural and Farmland Protection Board report and maps for each parcel of land to be included in an existing agricultural district to the Commissioner of New York State Department of Agriculture and Markets for certification and immediate inclusion into existing agricultural districts.

MR. LORIGO moved to amend the item. MR. HARDWICK seconded.

CARRIED UNANIMOUSLY.

Amend the first two RESOLVED clauses to read as follows:

RESOLVED that the Erie County Legislature adopts the inclusion of the following fifty-nine parcels into an adjacent existing agricultural district; and be it further

PARCEL(S)	ACRES (approx.)	ADDRESS	TOWN	APPLICANT	DISTRICT
335.11-1-1.112 335.11-1-10.1 335.11-1-11 332-1-43.12	56.088	4451 Route 78	Springville	Sean Fitzpatrick	Concord 15
229.00-2-18.2 229.00-2-19	48.5	8213 Center Street	Holland	Paul M. Cohn	Holland 11
188.00-3-23.1	136.1	1231 Olean Road	South Wales	John B. Hitchings	Wales 12
195.00-1-7.2	22.6	3134 Old Lakeview Road	Hamburg	Michael Jablonski	Eden 2
11.00-1-11 23.08-1-4.11	23.58	2487 Long Road	Grand Island	Thomas & Wendy Thompson	Amherst 17
50.17-1-3.121	40	1639 West River Road	Grand Island	Russell P. Colosi	Amherst 17

11.20-1-1	37.62	0 Long Road	Grand Island	Ash Brooke Court Enterprises	Amherst 17
23.00-3-2.1	38.73	2630 Bedell Road	Grand Island	Peter L. Sparks	Amherst 17
36.00-3-13.12 36.00-3-21.1	34.29	2723 Staley Road	Grand Island	Robert C. Luthringer	Amherst 17
50.04-1-12.1	35.74	2655 Fix Road	Grand Island	Mary Beth & Jeffery A. Smith	Amherst 17
25.00-1-21 25.00-1-22	16.11	555 Ransom Road	Grand Island	Elizabeth L. Hopkins	Amherst 17
36.00-4-8.213	5.345	3013 Staley Road	Grand Island	Mary & Bryant Pfalzer	Amherst 17
12.00-1-4.11	48	5345 East River Road	Grand Island	Cyrus Ardan	Amherst 17
63.02-2-38.311	10.33	2230 Fix Road	Grand Island	Patricia Giordano-Birtz & Stephen Birtz	Amherst 17
50.18-1-23.1	3.1	2935 Fix Road	Grand Island	Robert & Audra Wynne	Amherst 17
64.05-3-13.111	2.9	2020 Fix Road	Grand Island	Bryce & Robin Shipman	Amherst 17
37.02-2-2 37.02-2-3	15.4	1175 Whitehaven Road	Grand Island	Suzanne L. Langenfeld	Amherst 17
36.00-2-4 36.00-2-5 24.03-1-4 24.03-1-11 24.03-1-39	41.94	2438 Whitehaven Road 2450 Whitehaven Road	Grand Island	Dianne Nassar	Amherst 17
36.00-2-34	9.5	2413 Staley Road	Grand Island	James Heitman	Amherst 17
36.00-3-34.12 36.00-3-35.1	20.24	2945 Staley Road	Grand Island	Raymond J. Fisher	Amherst 17
36.00-3-34.111	8	2919 Staley Road	Grand Island	David Fisher	Amherst 17
36.00-3-34.112	7.88	2933 Staley Road	Grand Island	Bonnie Fisher	Amherst 17
36.00-1-6.11 36.00-1-7 36.00-1-11.2	78.55	2449 Whitehaven Road 2605 Whitehaven Road	Grand Island	George L. DeGlopper	Amherst 17
12.00-2-3.11	110	4943 East River Road	Grand Island	Christie Harper	Amherst 17
37.04-1-51.11	7.03	1839 Stony Point Road	Grand Island	Christopher Beyer	Amherst 17
50.04-2-10	6.18	2689 Fix Road	Grand Island	Christopher A. Russell	Amherst 17
64.06-3-25 50.00-2-2.2 51.13-4-2	9.31	828 East River Road 1270 Baseline Road	Grand Island	Richard & Jennifer Benz	Amherst 17

51.13-4-3					
36.00-1-8	33.4	2489 Whitehaven Road	Grand Island	Nicole Gerber	Amherst 17
63.02-2-38.111	14.6	2300 Fix Road	Grand Island	Nick Stuckert	Amherst 17
36.04-1-46.1	5.75	2175 Staley Road	Grand Island	David Williams	Amherst 17
36.00-2-22.1	9.64	2303 Staley Road	Grand Island	Mark & Marci Lange	Amherst 17
36.00-3-32.2	14.55	2855 Staley Road	Grand Island	Kenneth Sandford	Amherst 17
36.00-3-23	6.1	2743 Staley Road	Grand Island	Susan Sondel	Amherst 17
50.00-3-2.2	4.8	2406 Love Road	Grand Island	Joseph & Susan Salamone	Amherst 17
36.00-3-37	9.5	2975 Staley Road	Grand Island	Holly's Horse Haven LLC	Amherst 17
23.02-3-55	18.01	145 Morningside Drive	Grand Island	Elizabeth Szur-O'Connor & Kenneth K. O'Connor	Amherst 17
50.00-1-3.11	6.21	3050 Staley Road	Grand Island	Lynn Kahn	Amherst 17
63.02-2-37	5	2326 Fix Road	Grand Island	Dennis & Adele Upton	Amherst 17
63.02-2-35.1	16.5	2350 Fix Road	Grand Island	Peter & Linda A. Gottler	Amherst 17
25.00-2-39	5.01	394 Ransom Road	Grand Island	Jayne Schaber	Amherst 17
24.16-2-21	0.56	1101 Ransom Road	Grand Island	Mansard LLC	Amherst 17

RESOLVED that the Erie County Legislature rejects the inclusion of the following twenty-seven parcels into an existing agricultural district; and be it further

PARCEL(S)	ACRES (approx.)	ADDRESS	TOWN	APPLICANT	DISTRICT
175.00-2-27.2	4.36	619 South Street	East Aurora	Aurora Community Gardens	Wales 12
64.05-1-37.1	0.56	2189 Fix Road	Grand Island	Tina Wynne	Amherst 17
37.03-3-15	3	2076 Stony Point Rd	Grand Island	Kim Leys	Amherst 17
24.11-1-4.1	3.87	3030 Stony Point Rd	Grand Island	Patricia Burg	Amherst 17
37.01-52-3.1 37.01-2-4.2	2.11	1645, 1655 Stony Point Road	Grand Island	John & Carolyn Tripi	Amherst 17
23.08-2-75 23.08-2-77 23.08-2-78	0.87	0 Morningside Dr.	Grand Island	Alex Szur	Amherst 17

23.08-2-44 23.08-2-45 23.08-2-46 23.08-2-47 23.08-2-48 23.08-2-49 23.08-2-50 23.08-2-71 23.08-2-72 23.08-2-73 23.08-2-74 23.08-2-76 23.08-2-79.1 23.08-2-82	5.77	0 Morningside Dr.	Grand Island	Szur Builders	Amherst 17
23.08-1-16	0.96	2432 Long Road	Grand Island	Regina Kernin	Amherst 17
37.02-2-5.12 37.02-2-5.11 37.02-2-4	32.6	1149 Whitehaven Road	Grand Island	Krista & Daniel Drexelius	Amherst 17

MR. LORIGO moved to further amend the item. MR. HARDWICK seconded.

CARRIED UNANIMOUSLY.

Amend the first RESOLVED clause to ADD the following parcel:

PARCEL(S)	ACRES (approx.)	ADDRESS	TOWN	APPLICANT	DISTRICT
175.00-2-27.2	4.36	619 South Street	East Aurora	Aurora Community Gardens	Wales 12

Amend the second RESOLVED clause to DELETE the following parcel:

PARCEL(S)	ACRES (approx.)	ADDRESS	TOWN	APPLICANT	DISTRICT
175.00-2-27.2	4.36	619 South Street	East Aurora	Aurora Community Gardens	Wales 12

MR. LORIGO moved to approve the item as amended. MR. HARDWICK seconded.

CARRIED UNANIMOUSLY.

Item 22 – MR. LORIGO moved to discharge the FINANCE & MANAGEMENT COMMITTEE of further consideration of INTRO. 19-3 (2015). MR. RATH seconded.

CHAIR MILLS directed that a roll call vote be taken.

AYES: MR. BURKE, MS. DIXON, MR. LORIGO and MR. RATH. NOES: MS. GRANT, MR. LOUGHRAN, MS. MILLER-WILLIAMS, MR. SAVAGE, MR. HARDWICK, CHAIR MILLS and MR. MORTON. (AYES: 4; NOES: 7)

FAILED.

Item 23 – MR. LORIGO moved to discharge the FINANCE & MANAGEMENT COMMITTEE of further consideration of COMM. 1E-17. MS. GRANT seconded. MR. LOUGHRAN abstained.

CARRIED 10-0-1.

RESOLUTION NO. 12

RE: Lease Agreement for Legislative Office Space
(COMM. 1E-17, 2016)

LEASE AGREEMENT FOR LEGISLATIVE OFFICE SPACE

Landlord	<u>3d Partners, LLC</u>	Lease Date	<u>1/1/16</u>
Mailing Address	<u>4549 Main St, Ste 100</u> <u>Amherst, NY 14226</u>	Term	<u>2 years</u>
		Starting Date	<u>1/1/16</u>
		Ending Date	<u>12/31/18</u> <u>12/31/17</u>
Tenant	COUNTY OF ERIE 95 FRANKLIN STREET BUFFALO, NEW YORK 14202		

Total Annual Rent \$ 9600.00 at a Monthly rate of \$ 800.00
(to be paid the first of every month)

Square Feet of Premises 655

1. Leased Premises The Landlord has agreed to rent to the Tenant and the Tenant has agreed to rent from the Landlord the following premises:

4549 Main St., Ste 203
Amherst, NY 14226

2. Use The Tenant agrees not to use the premises for any other purpose than office space for Erie County Legislator

Thomas Loughran

3. Assign and Sublease
The Tenant must not sublease or assign this lease to anyone else.
4. Rent
The Tenant agrees to pay the rent on the first day of every month at the Landlord's Mailing Address.
5. Right of Landlord to Show Premises and to Place Signs Thereon
Tenant agrees to allow the Landlord, in person or by agent, to enter the said premises at all reasonable times of the day and to allow the Landlord, or his agent to place on or about said premises, notices indicating that the premises are for sale or rent; and to allow the Landlord, or his agent, to enter upon and pass through and over premises for purposes of showing the same to persons wishing to purchase or lease the same.
6. Utilities
The Landlord shall provide at no cost to the Tenant all utilities: including electricity, heat, water and sewer.
7. Air Conditioning
The Landlord agrees that the space shall be air conditioned.
8. Snow & Ice Removal
The Landlord agrees to maintain the structure of the building and to keep all walks, driveways, and entrances free of snow and ice.
9. End of Term
The Tenant must return the premises broom-clean at the expiration of the lease to the Landlord and in the same condition as when taken, reasonable wear and tear thereof accepted.
10. Number Clauses
Every Numbered Clause herein contained is hereby made a condition.
11. Fire Conditions
In case the premises herein leased shall be partially damaged by fire, the same shall be repaired as speedily as possible by the Landlord. In case the premises shall be totally destroyed by fire, or so much damaged as to render them untenable, either party hereto may serve personally, or by registered mail, upon the other party within ten days after such fire, a thirty-day written notice of the intention of such party to terminate this lease and the term therein provided for and at the end of such thirty days the tenant shall pay all rent to the date of said fire and surrender up to the owner and premise discharge of this lease.
12. Rules
Tenant must comply with Landlord's Rules. Notice of Rules will be posted or given to Tenant. Landlord need not enforce Rules against other Tenants. Landlord is not liable to Tenant if another tenant violates the Rules. Tenant receives no rights under the rules.
13. Executory
This agreement shall be deemed executory to the extent of monies available in the yearly budget of the County of Erie as approved. No liability shall be incurred by the County of Erie beyond such monies as made available for the purpose therefore.
14. Changes
This lease may be changed only by an agreement in writing signed by and delivered to each party.

- 15. Effective date and Signatures
Landlord and Tenant agree that this agreement is effective as of the date that both parties have completed copies and are signing as of the date at the top of the Lease.
- 16. Termination
This lease agreement is automatically terminated in the event that Legislator Thomas Laughon ceases to be a member of the Erie County Legislature representing the H District.
- 17. Indemnity
The landlord agrees to defend, hold harmless and indemnify the said County of Erie and Legislator Thomas Laughon staff, and invitees from all claims arising out of the acts or omissions of the landlord, agents, employees, or subcontractors, and from all claims resulting from the Landlord's ownership of the building.
- 18. Insurance
Landlord agrees to provide written proof to the said County of Erie of the existence of structural insurance coverage and liability insurance, together with any endorsements referring to contents.
- 19. Compliance with Laws
Landlord agrees to maintain the building in compliance with all local state and federal laws, rules and regulations. Landlord shall ensure that the premises is accessible to disabled persons, including access by those using wheelchairs.
- 20.
Tenant has read this lease. All promises made by the Landlord are in this lease. There are no others. This lease is authorized by resolution, adopted by the Erie County Legislature on , item page , and by resolution adopted item page of the Legislature's proceedings.

Blin
Landlord or Agent of Landlord

Thomas Laughon
Erie County Legislator
5th District

Witness: [Signature]

Erie County Executive

Assistant Erie County Attorney
Approved as to Form

Erie County Director of Real Property Tax Services
Approved as to Form

MR. LORIGO moved to amend the item. MR. RATH seconded. MR. LOUGHRAN abstained.

CARRIED 10-0-1.

Delete the Communication in its Entirety and Replace with the attached.

LEASE AGREEMENT FOR LEGISLATIVE OFFICE SPACE

Landlord	<u>3L Partners, LLC</u>	Lease Date	<u>1/1/16</u>
Mailing Address	<u>4549 Main St., Ste 100</u>	Term	<u>2 years</u>
	<u>Amherst, Ny 14226</u>	Starting Date	<u>1/1/16</u>
		Ending Date	<u>12/31/17</u>

Tenant
**COUNTY OF ERIE
95 FRANKLIN STREET
BUFFALO, NEW YORK 14202**

Total Annual Rent \$ 9600.00 at a Monthly rate of \$ 800.00
(to be paid the first of every month)

Square Feet of Premises 655

1. Leased Premises

The Landlord has agreed to rent to the Tenant and the Tenant has agreed to rent from the Landlord the following premises:

4549 Main St, Ste 203
Amherst, Ny 14226

2. Use

The Tenant agrees not to use the premises for any other purpose than office space for Erie County Legislator

Thomas A. Loughran

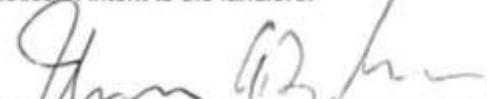
3. Assign and Sublease
The Tenant must not sublease or assign this lease to anyone else.
4. Rent
The Tenant agrees to pay the rent on the first day of every month at the Landlord's Mailing Address.
5. Right of Landlord to Show Premises and to Place Signs Thereon
Tenant agrees to allow the Landlord, in person or by agent, to enter the said premises at all reasonable times of the day and to allow the Landlord, or his agent to place on or about said premises, notices indicating that the premises are for sale or rent; and to allow the Landlord, or his agent, to enter upon and pass through and over premises for purposes of showing the same to persons wishing to purchase or lease the same.
6. Utilities
The Landlord shall provide at no cost to the Tenant all utilities: including electricity, heat, water and sewer.
7. Air Conditioning
The Landlord agrees that the space shall be air conditioned.
8. Snow & Ice Removal
The Landlord agrees to maintain the structure of the building and to keep all walks, driveways, and entrances free of snow and ice.
9. End of Term
The Tenant must return the premises broom-clean at the expiration of the lease to the Landlord and in the same condition as when taken, reasonable wear and tear thereof accepted.
10. Number Clauses
Every Numbered Clause herein contained is hereby made a condition.
11. Fire Conditions
In case the premises herein leased shall be partially damaged by fire, the same shall be repaired as speedily as possible by the Landlord. In case the premises shall be totally destroyed by fire, or so much damaged as to render them untenable, either party hereto may serve personally, or by registered mail, upon the other party within ten days after such fire, a thirty-day written notice of the intention of such party to terminate this lease and the term therein provided for and at the end of such thirty days the tenant shall pay all rent to the date of said fire and surrender up to the owner and premise discharge of this lease.

12. Rules
Tenant must comply with Landlord's Rules. Notice of Rules will be posted or given to Tenant. Landlord need not enforce Rules against other Tenants. Landlord is not liable to Tenant if another tenant violates the Rules. Tenant receives no rights under the rules.
13. Executory
This agreement shall be deemed executory to the extent of monies available in the yearly budget of the County of Erie as approved. No liability shall be incurred by the County of Erie beyond such monies as made available for the purpose therefore.
14. Changes
This lease may be changed only by an agreement in writing signed by and delivered to each party.
15. Effective date and Signatures
Landlord and Tenant agree that this agreement is effective as of the date that both parties have completed copies and are signing as of the date at the top of the Lease.
16. Termination
This lease agreement is automatically terminated in the event that Legislator Thomas A. Laughran ceases to be a member of the Erie County Legislature representing the 5th District or by resolution from the county legislature subject to other terms and conditions in this lease.
17. Indemnity
The landlord agrees to defend, hold harmless and indemnify the said County of Erie and Legislator Thomas A. Laughran, staff, and invitees from all claims arising out of the acts or omissions of the landlord, agents, employees, or subcontractors, and from all claims resulting from the Landlord's ownership of the building.
18. Insurance
Landlord agrees to provide written proof to the said County of Erie of the existence of structural insurance coverage and liability insurance, together with any endorsements referring to contents.
19. Compliance with Laws
Landlord agrees to maintain the building in compliance with all local state and federal laws, rules and regulations. Landlord shall ensure that the premises is accessible to disabled persons, including access by those using wheelchairs.
20.
Tenant has read this lease. All promises made by the Landlord are in this lease. There are no others. This lease is authorized by resolution, adopted by the Erie

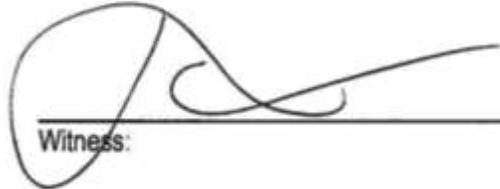
County Legislature on _____, item _____ page _____, and by resolution adopted _____ item _____ page _____ of the Legislature's proceedings. This lease may also be terminated upon legislative resolution and sixty (60) days' written notice of intent to the landlord.



Landlord or Agent of Landlord



Erie County Legislator
5th District



Witness:

Erie County Executive

Assistant Erie County Attorney
Approved as to Form

Erie County Director of Real Property Tax Services
Approved as to Form

Document No. _____

Date: _____

RESOLVED, the Erie County Executive is hereby authorized to sign a Two (2) Year Lease Agreement with 3d Partners LLC for Legislative office space for Thomas A. Loughran, located at 4549 Main St, Ste 203, Amherst, New York for a monthly rate of \$800.

MR. LORIGO moved to approve the item as amended. MS. GRANT seconded. MR. LOUGHRAN abstained.

CARRIED 10-0-1.

SUSPENSION OF THE RULES

Item 24 – MR. LORIGO moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

INTRO. 2-2 from LEGISLATOR RATH. Re: Support for the Application for Aurora Academy Charter High School

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 25 – MR. LORIGO moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

INTRO. 2-3 from LEGISLATOR BURKE. Re: Calling on the Erie County Stability Authority to Reduce in Size

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

COMMUNICATIONS FROM ELECTED OFFICIALS

FROM THE COUNTY EXECUTIVE

Item 26 – MR. LORIGO presented the following resolution and moved for immediate consideration and approval. MR. BURKE seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 13

RE: Bailey Peninsula Land Transfer - City of Buffalo/NYS DOT Bailey Ave Bridge – Relocation at EC Bailey Peninsula Natural Habitat Park (COMM. 2E-1)

WHEREAS, the County of Erie currently owns the Bailey Peninsula Natural Habitat Park located in the City of Buffalo, State of New York; and

WHEREAS, the City of Buffalo and the New York State Department of Transportation (NYS DOT) have received funding and are proceeding with the relocation of the Bailey Avenue Bridge, Buffalo, New York, requiring the new bridge to be constructed through what is currently Erie County's Bailey Peninsula Natural Habitat Park; and

WHEREAS, it is necessary for the City of Buffalo to exchange an equal amount of parkland back to Erie County, with habitat restorations and park improvements, to replace the parkland that is being used for the roadway relocation through Bailey Peninsula Natural Habitat Park; and

WHEREAS, Erie County will realize the benefit of unanticipated enhancements of park amenities, green infrastructure features, and natural habitat restorations that would not otherwise be possible for Erie County to implement on its own; and

WHEREAS, Erie County will have no fiscal implications in this equal land exchange transfer; and

WHEREAS, Joseph Maciejewski, Erie County Commissioner of Real Property Tax Services made a determination that the land exchange transfer is fair and acceptable; and

WHEREAS, the Department of Environment and Planning has completed a review pursuant to New York State Environmental Quality Review Act (SEQR) and a Negative Declaration was issued on May 21, 2014, thus determining that the proposed action will not have an adverse environmental impact; and

WHEREAS, at its meeting on June 26, 2014, the Erie County Advisory Review Committee (ARC) approved the exchange of said real property by the County.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to execute any and all agreements relating to the exchange of real property located at Bailey Peninsula Natural Habitat Park, Buffalo, New York, for consideration of an equal exchange of real property by the City of Buffalo as more fully described on Attachment A (Exhibits A, B and C), with improvements more fully described on Attachment B, to be paid for by the City of Buffalo and/or New York State Department of Transportation; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the County Executive; Comptroller; Director of the Division of Budget and Management; Commissioner of the Department of Environment and Planning; Deputy Commissioner of Environmental Compliance; Commissioner of the Department of Parks, Recreation and Forestry; and Assistant County Attorney Kristen M. Walder.

FROM CHAIR MILLS

Item 27 – (COMM. 2E-2) 2016 Committee Assignments

Received, filed and printed.

To: Karen M. McCarthy, Clerk
From: John J. Mills, Chair
Date: January 7, 2016

ERIE COUNTY LEGISLATURE
2016 COMMITTEE ASSIGNMENTS

Community Enrichment

Chair: Kevin R. Hardwick
Vice-Chair: Edward A. Rath III
Members: Joseph C. Lorigo
Patrick B. Burke

Government Affairs

Chair: Kevin R. Hardwick
Vice-Chair: Lynne M. Dixon
Members: Ted B. Morton
Thomas A. Loughran

Thomas A. Loughran

Barbara Miller-Williams

Economic Development

Chair: Edward A. Rath III
Vice-Chair: Joseph C. Lorigo
Members: Ted B. Morton
Patrick B. Burke
Thomas A. Loughran

Health & Human Services

Chair: Lynne M. Dixon
Vice-Chair: Ted B. Morton
Members: Joseph C. Lorigo
Betty Jean Grant
Barbara Miller-Williams

Energy & Environment

Chair: Ted B. Morton
Vice-Chair: Joseph C. Lorigo
Members: Kevin R. Hardwick
Patrick B. Burke
Peter J. Savage III

Minority & Women Business Enterprise

Chair: Lynne M. Dixon
Vice-Chair: Edward A. Rath III
Members: Ted B. Morton
Betty Jean Grant
Peter J. Savage III

Finance & Management

Chair: Joseph C. Lorigo
Vice-Chair: Edward A. Rath III
Members: Kevin R. Hardwick
Barbara Miller-Williams
Peter J. Savage III

Public Safety

Chair: Edward A. Rath III
Vice-Chair: Lynne M. Dixon
Members: Ted B. Morton
Betty Jean Grant
Peter J. Savage III

Item 28 – (COMM. 2E-3) Letter to Clerk of the Legislature Calling for a Public Hearing Regarding LL Intro. 1-1 (2016)

Received, filed and printed.

January 11, 2016

Karen M. McCarthy, Clerk
Erie County Legislature
92 Franklin Street, 4th Floor
Buffalo, New York 14202

Dear Ms. McCarthy:

Please be advised that there is a need to call a Public Hearing to consider Local Law Intro. No. 1-1 “A Local Law Authorizing Extended Period Leases with SolarCity through a Power Purchasing Agreement”.

Pursuant to the Erie County Charter Article 2 §204, a public hearing is to be held before a local law can be put to a vote.

The Erie County Legislature is to hold a PUBLIC HEARING to consider the abovementioned at 4:00 p.m. on Tuesday, January 19, 2016 in the Erie County Legislature Chambers, located on the 4th floor of Old county Hall, 92 Franklin Street in the City of Buffalo.

Thank You for your attention to this matter.

Sincerely,
JOHN J. MILLS
John J. Mills, Chair
Erie County Legislature

FROM LEGISLATOR MILLER-WILLIAMS

Item 29 – (COMM. 2E-4) Appointment to the EC Charter Revision Commission

Received, filed and printed.

December 31, 2015

Karen McCarthy
Clerk
Erie County Legislature
92 Franklin Street, 4th Floor
Buffalo, NY 14202

Dear Ms. McCarthy:

Under the terms of the local law establishing the Charter Revision Commission of Erie County, I hereby appoint Mr. Rashied McDuffie, 183 Brunswick Avenue, Buffalo, NY 14208 as my representative to the Charter Revision Commission of Erie County.

Mr. McDuffie can be reached at XXX-XXX-XXXX or at X@gmail.com.
Thank you for your assistance.

Sincerely,
BARBARA MILLER-WILLIAMS
Erie County Legislator
District 1

CC: Mr. Rashied McDuffie, Esq.

RASHIED H. MCDUFFIE
LICENSED ATTORNEY & MANAGERIAL PROFESSIONAL

PROFESSIONAL EXPERIENCE:

Assistant Corporation Counsel, March 2014 - Present

CITY OF BUFFALO LAW DEPARTMENT-CORPORATION COUNSEL, Buffalo, New York

Handle variety of matters in the areas of property damage, first and additional party insurance defense and indemnification, M/WBE contract enforcement and compliance and prosecution of small claims at every phase of the matter from pre-suit stage through appeal. Defend the City at all stages in complex and challenging city and state actions arising out of the City's role as a building code enforcement agency. Perform sophisticated legal research and prepare opinions on diverse legal issues. Interpret and apply legal principles and precedents in resolving complex legal issues. Negotiate, prepare, draft, revise and approve contracts, resolutions, ordinances and other legal documents. Review documents and render opinions as to their legal validity and/or acceptability. Investigate claims and complaints involving the City and recommend necessary actions. Prepare for and try city and state cases for damages, declaratory and injunctive or other relief. Take depositions, prepare pleadings, motions, memorandums, written discovery, briefs, trial and appellate materials in preparation for lawsuits, administrative proceedings and hearings. Draft proposed legislation and make recommendations to repeal, amend or revise existing laws. Advise the Mayor, Deputy Mayor, members of the Buffalo Common Council, Commissioners and supervisory employees of agencies, housing court and small claims clients on legal matters. Represent Corporation Counsel in cases, hearings and at various internal board hearings and appeals. Attend meetings of the City Council, boards, agencies and housing court clients. Operate with facts, focus on results, provide clear direction and encourages innovation. Work independently and manage a large caseload.

Attorney, May 2012-present

RRM CONSULTING, Buffalo, New York/Miami, Florida

Assist and advise homeowners at all stages of property ownership, including negotiating, drafting and reviewing purchase agreements. Applies for zoning variances, appeals property tax assessments, clears liens, explores options to prevent foreclosure. Defend homeowners during foreclosure proceedings and represents homeowners in the event of defect non-disclosure litigation. Represent landlords on lease negotiations, landlord-tenant disputes, and eviction proceedings. Communicate with IRS officials. Assist clients in maximizing use of tax credits. File an appeal of a IRS departmental decision.

Government and Policy Administrator, February 2013-March 2014

CITY OF BUFFALO COMMISSION ON CITIZEN'S RIGHTS AND COMMUNITY RELATIONS, Buffalo, New York

Managed and assisted the Commission's advocacy efforts in Western New York. Performed extensive and complex legal research and implemented strategy pertaining to environmental justice law, human rights law, constitutional law, social security law, housing law and immigration law matters. Served as an advocate for the Commission's policies and objectives in cases before the City Council, New York State, Congress and federal agencies. Assisted in the resolution of citizen inquiries and complaints by reviewing, responding and making recommendations for submission to the City Commission. Analyzed and proposed recommendations in the development of administrative policies and provided policy guidance to Executive Director and Commissioners. Organized and attended meetings of the Commission, the New York State Division of Human Rights and the Buffalo Common Council.

Senior Legislative Assistant & Chief of Staff, February 2003-June 2005

Legislative Assistant, February 2001-February 2003

CITY OF BUFFALO-BUFFALO COMMON COUNCIL, Buffalo, New York

Managed day to day operations. Developed and implemented two year legislative and policy plan and enacted appropriate strategies to achieve district objectives. Served as a liaison and an advocate

for the Councilman's policies and objectives in matters before the United States House of Representatives, Senate, the White House, the New York State Assembly, Senate and office of the Governor, community and faith based organizations, county health department and city departments. Supervised staff of two full-time employees, thirty part-time employees and various summer interns. Analyzed and monitored specific legislative and regulatory activities and proposals and identified the potential impact of proposals on constituents and businesses within the City of Buffalo. Promoted to Chief-of-Staff within two years.

Junior Counsel & Executive Director to Committee on Environmental Conservation, May 2009-February 2011

MAJORITY LEADERSHIP OF THE NEW YORK STATE SENATE, Albany, New York
Researched and analyzed legal issues related to environmental conservation, business and corporations and minority and business development. Monitored proposed legislative amendments to New York State Senate Leadership regarding water quality and wetland development laws. Drafted policy recommendations and oversaw implementation to Department of Environmental Conservation concerning hydraulic fracturing in New York State. Counseled Chairperson regarding scope and legality of policy recommendations, status of outcome and requested documents. Organized and conducted committee hearings agendas, talking points, meeting dates and schedules, voting tallies and posting of committee results. Negotiated Environmental Protection Fund budget. Observed and assisted with preparation of talking points, press materials and speeches for senate sessions.

EDUCATION:

HARVARD BUSINESS SCHOOL HARVARD CLUB OF BUFFALO, Cambridge, Massachusetts
Executive MBA Certificate Program, May 2009

UNIVERSITY OF MIAMI SCHOOL OF LAW, Coral Gables, Florida
Juris Doctor, May 2008

STATE UNIVERSITY OF NEW YORK AT BUFFALO (SUNY AT BUFFALO), Buffalo, New York
Bachelors of Arts, *cum laude*, May 2005

BAR ADMISSIONS:

State of Florida - Admitted, May 2012
New York State Bar - Admitted, January 2014

PROFESSIONAL ASSOCIATIONS:

New York State Bar Association, Member 2014
Florida Bar Association, Member 2014
Minority Bar Association of Western New York, Member 2014
University of Miami Alumni Association, Young Leaders - Board of Directors, 2010-2012

SKILLS:

Proficient in Windows/Mac OS, *Microsoft Office* applications, *LexisNexis*, *Westlaw*, and *Agenda*.
Media/Press Relations; Superior writing abilities (legal, advocacy, educational, persuasive); Event planning and coordination; Decision Making; Leadership Roles; New Venture Introduction,

Implementation, and Management; Project Management; Fundraising; Client Care Management; Strategic Planning; Establishing and maintaining State and Local Government relationships.

FROM LEGISLATOR GRANT

Item 30 – (COMM. 2E-5) Appointment to the EC Charter Revision Commission

Received, filed and printed.

January 15, 2016

Karen McCarthy, Clerk
Erie County Legislature
92 Franklin Street
Buffalo, NY 14202

RE: Erie County Charter Revision Commission
2nd District Appointment

Dear Ms. McCarthy:

Pursuant to Local Law No. 5 (2015), please be advised that I hereby appoint the following named individual as the 2nd District representative to the Erie County Charter Revision Commission:

Myra Robinson-Moses
178 Roebling Ave.
Buffalo, NY 14215

Telephone: (XXX) XXX-XXXX
E-Mail: X@yahoo.com

Thank you.

Sincerely,
BETTY JEAN GRANT
Betty Jean Grant
Erie County Legislator – 2nd District

FROM LEGISLATOR SAVAGE

Item 31 – (COMM. 2E-6) Appointment to the EC Charter Revision Commission

Received, filed and printed.

January 7, 2016

Karen McCarthy, Clerk
Erie County Legislature

92 Franklin Street
Buffalo, NY 14202

RE: Erie County Charter Revision Commission
3rd District Appointment

Dear Ms. McCarthy:

Pursuant to Local Law No. 5 (2015), please be advised that I hereby appoint the following named individual as the 3rd District representative on the reinstated Erie County Charter Revision Commission:

Peter Kooshoian, Esq.
190 Woodbridge Ave.
Buffalo, NY 14214

Cellular: XXX/XXX-XXXX
E-Mail: X@trialadvocates.com

Thank you for your attention to this matter.

Sincerely,
PETER J. SAVAGE III
Peter J. Savage III
Erie County Legislator – 3rd District

FROM LEGISLATOR HARDWICK

Item 32 – (COMM. 2E-7) Appointment to the EC Charter Revision Commission

Received, filed and printed.

January 7, 2016

Ms. Karen M. McCarthy
Clerk Erie County Legislature
92 Franklin St, 4th Floor
Buffalo, New York 14202

Dear Clerk McCarthy,

Pursuant to the Local Law 5 (2015) reinstating the Charter Revision Commission, I hereby submit the following as my appointment to the Charter Revision Commission of Erie County:

Peter J. Galie
3939 West River Road
Grand Island, New York 14072

Sincerely,
KEVIN R. HARDWICK
Kevin R. Hardwick
Erie County Legislator – 4th District

FROM LEGISLATOR LOUGHRAN

Item 33 – (COMM. 2E-8) Appointment to the EC Charter Revision Commission

Received, filed and printed.

January 13, 2016

Karen McCarthy, Clerk
Erie County Legislature
92 Franklin Street
Buffalo, NY 14202

RE: Erie County Charter Revision Commission
5th District Appointment

Dear Ms. McCarthy:

Pursuant to Local Law No. 5 (2015), please be advised that I hereby appoint the following named individual as the 5th District representative on the reinstated Erie County Charter Revision Commission:

Jeanne M. Vinal, Esq.
Vinal and Vinal, Esq.
Attorneys at Law
193 Delaware Avenue
Buffalo, NY 14202

Telephone: (XXX) XXX-XXXX
E-Mail: X@aol.com

Thank you.

Sincerely,
THOMAS A. LOUGHRAN
Thomas A. Loughran
Erie County Legislator – 5th District

FROM LEGISLATOR RATH

Item 34 – (COMM. 2E-9) Appointment to the EC Charter Revision Commission

Received, filed and printed.

January 11, 2016

Ms. Karen M. McCarthy
Clerk Erie County Legislature
92 Franklin St, 4th Floor
Buffalo, New York 14202

Dear Clerk McCarthy,

Pursuant to the Local Law 5 (2015) reinstating the Charter Revision Commission, I hereby submit the following as my appointment to the Charter Revision Commission of Erie County:

David Pollack
37 Grandview Drive
Amherst, NY 14228

Sincerely,
EDWARD A. RATH III
Edward A. Rath III
Erie County Legislator – 6th District

FROM LEGISLATOR BURKE

Item 35 – (COMM. 2E-10) Appointment to the EC Charter Revision Commission

Received, filed and printed.

January 8th, 2016

Ms. Karen M. McCarthy
Clerk Erie County Legislature
92 Franklin St, 4th Floor
Buffalo, New York 14202

Dear Clerk McCarthy,

Pursuant to the Local Law 5 (2015) reinstating the Charter Revision Commission, I hereby submit the following as my appointment to the Charter Revision Commission of Erie County;

Diana Cihak
28 Elmview Place
Buffalo, NY 14207

Sincerely,
PATRICK B. BURKE
Patrick B. Burke
Erie County Legislator, 7th District

FROM LEGISLATOR MORTON

Item 36 – (COMM. 2E-11) Appointment to the EC Charter Revision Commission

Received, filed and printed.

January 14, 2016

Ms. Karen M. McCarthy
Clerk Erie County Legislature
92 Franklin St, 4th Floor
Buffalo, New York 14202

Dear Clerk McCarthy,

Pursuant to the Local Law 5 (2015) reinstating the Charter Revision Commission, I hereby submit the following as my appointment to the Charter Revision Commission of Erie County:

Keith Dash
7490 Versailles Road
Derby, NY 14047

Sincerely,
TED B. MORTON
Ted B. Morton
Erie County Legislator – 8th District

FROM LEGISLATOR DIXON

Item 37 – (COMM. 2E-12) Appointment to the EC Charter Revision Commission

Received, filed and printed.

January 7, 2016

Ms. Karen M. McCarthy
Clerk Erie County Legislature
92 Franklin St, 4th Floor
Buffalo, New York 14202

Dear Clerk McCarthy,

Pursuant to the Local Law 5 (2015) reinstating the Charter Revision Commission, I hereby submit the following as my appointment to the Charter Revision Commission of Erie County:

Kenneth J. Farrell
5360 Briercliff Drive

Hamburg, NY 14075

Sincerely,
LYNNE M. DIXON
Lynne M. Dixon
Erie County Legislator – 9th District

FROM LEGISLATOR LORIGO

Item 38 – (COMM. 2E-13) Appointment to the EC Charter Revision Commission

Received, filed and printed.

January 14, 2016

Ms. Karen M. McCarthy
Clerk Erie County Legislature
92 Franklin St, 4th Floor
Buffalo, New York 14202

Dear Clerk McCarthy,

Pursuant to the Local Law 5 (2015) reinstating the Charter Revision Commission, I hereby submit the following as my appointment to the Charter Revision Commission of Erie County:

Timothy M. Hudson
52 Windmill Road
West Seneca, NY 14218

Sincerely,
JOSEPH C. LORIGO
Joseph C. Lorigo
Erie County Legislator – 10th District

FROM LEGISLATOR MILLS

Item 39 – (COMM. 2E-14) Appointment to the EC Charter Revision Commission

Received, filed and printed.

January 13, 2016

Ms. Karen M. McCarthy
Clerk Erie County Legislature
92 Franklin St, 4th Floor
Buffalo, New York 14202

Dear Clerk McCarthy,

Pursuant to the Local Law 5 (2015) reinstating the Charter Revision Commission, I hereby submit the following as my appointment to the Charter Revision Commission of Erie County:

Patrick J. Keem
8 Highbrook Court
Orchard Park, NY 14127

Sincerely,
JOHN J. MILLS
John J. Mills
Erie County Legislator – 11th District

FROM CHAIR MILLS

Item 40 – (COMM. 2E-15) Chair of the Legislature's Appointment to the EC Charter Revision Commission

Received, filed and printed.

January 13, 2016

Ms. Karen M. McCarthy
Clerk Erie County Legislature
92 Franklin St, 4th Floor
Buffalo, New York 14202

Dear Clerk McCarthy,

Pursuant to the Local Law 5 (2015) reinstating the Charter Revision Commission, I hereby submit the following as my Chairman of the Legislature appointment to the Charter Revision Commission of Erie County:

Todd Aldinger
59 Linwood Avenue
Buffalo, NY 14209

Sincerely,
JOHN J. MILLS
John J. Mills
Chairman
Erie County Legislature

Item 41 – (COMM. 2E-16) Appointment of Chair of the EC Charter Revision Commission

Received, filed and printed.

January 15, 2016

Ms. Karen M. McCarthy
Clerk Erie County Legislature
92 Franklin St, 4th Floor
Buffalo, New York 14202

Dear Clerk McCarthy,

Pursuant to the Local Law 5 (2015) reinstating the Charter Revision Commission, I hereby appoint Todd Aldinger to act as Chairman of the Commission.

Sincerely,
JOHN J. MILLS
John J. Mills
Chairman Erie County Legislature

FROM THE COUNTY EXECUTIVE

Item 42 – (COMM. 2E-17) Appointments to the EC Charter Revision Commission

Received, filed and printed.

January 14, 2016

Honorable Members
Erie County Legislature
92 Franklin St, Fourth Floor
Buffalo, New York 14202

Dear Honorable Legislators:

Pursuant to Local Law No. 5-2015, I hereby appoint the following individuals to serve on the Erie County Charter Revision Commission:

Matthew J. Kibler, Esq.
4285 Tisbury Lane
Hamburg, New York 14075

Tiffany R. Perry, Esq.
51 Crestwood Avenue, Upper
Buffalo, New York 14216

Sibu S. Nair
113 Bramble Road
Williamsville, New York 14221

Thank you in advance for your courtesies.

Sincerely,
MARK C. POLONCARZ
Mark C. Poloncarz, Esq.
Erie County Executive

CC: Appointees
Michael Siragusa, Esq, Erie County Attorney

FROM THE COMPTROLLER

Item 43 – (COMM. 2E-18) Appointment to the EC Charter Revision Commission

Received, filed and printed.

January 7, 2016

Hon. Karen M. McCarthy
Clerk of the Erie County Legislature
92 Franklin St, 4th Floor
Buffalo, New York 14202

RE: Appointment to the Erie County Charter Revision Commission

Dear Madam Clerk,

Pursuant to the Local Law 5 (2015) and in accordance with the timeline provisions established in Section 2608 of the Erie County Charter, I hereby appoint Mr. Joseph Burns to serve as my appointment on the Erie County Charter Revision Commission. Mr. Burns resides at 210 Northwood Drive, Williamsville, New York 14221.

Thank you for your attention to this matter.

Sincerely,
STEFAN I. MYCHAJLIW
Stefan I. Mychajliw
Erie County Comptroller

CC: Mr. Joseph Burns

FROM THE COUNTY CLERK

Item 44 – (COMM. 2E-19) Appointment to the EC Charter Revision Commission

Received, filed and printed.

January 14, 2016

Karen M. McCarthy, Clerk

Erie County Legislature
92 Franklin St
Buffalo, New York 14202

RE: County Clerk Appointment to the Erie County Charter Revision Commission

Dear Clerk McCarthy,

In accordance with Local Law 5 (2015), the County Clerk's appointment to the Erie County Charter Revision Commission is:

Honorable Mary A. Stang-Cooke
775 North Colony Road
Grand Island, NY 14072
XXX-XXX-XXXX
X@roadrunner.com

I look forward to the final report from this important Commission.

Sincerely,
CHRISTOPHER L. JACOBS
Christopher L. Jacobs
Erie County Clerk

CC: Hon. Mary Stang-Cooke

FROM THE SHERIFF

Item 45 – (COMM. 2E-20) Appointment to the EC Charter Revision Commission

Received, filed and printed.

January 13, 2016

Ms. Karen M. McCarthy
Clerk of the Legislature of Erie County
92 Franklin Street
Buffalo, New York 14202

RE: Charter Revision Commission Appointment

Dear Clerk McCarthy,

Pursuant to Local Law 5-2015, amending the Erie County Charter to Reinstate the Charter Revision Commission, I hereby appoint Christina Holdsworth, 848 Potomac Avenue, Buffalo, New York 14209 as the Office of the Sheriff's representative to the Charter Revision Commission.

Very truly yours,

TIMOTHY B. HOWARD
Timothy B. Howard
Sheriff of Erie County

FROM THE DISTRICT ATTORNEY

Item 46 – (COMM. 2E-21) Appointment to the EC Charter Revision Commission

Received, filed and printed.

January 13, 2016

Karen McCarthy
Clerk
Erie County Legislature
92 Franklin Street, 4th Floor
Buffalo, NY 14202

Dear Clerk McCarthy,

Under the terms of the local law establishing the “Commission”, I hereby appoint Cheryl Meyers Buth, 12 Chisholm Trail, Orchard Park, New York, 14127, XXX-XXX-XXXX, X@murphymeyers.com, as my appointee to the “Commission”, which is to be seated January 15, 2016

Thank you for your assistance.

Very truly yours,
MICHAEL J. FLAHERTY, JR.
Michael J. Flaherty, Jr
Acting District Attorney

FROM THE COUNTY EXECUTIVE

Item 47 – (COMM. 2E-22) Appointment to the Board of Health

Received, filed and printed.

January 6, 2016

Erie County Legislature
92 Franklin Street, 4th Floor
Buffalo, New York 14202

Re: Appointment to the Board of Health

Dear Honorable Members:

Pursuant to Article 5 § 503 of the County's Charter, I hereby appoint the following individual to replace Carolyn Montgomery to the Board of Health. Ms. Montgomery's term was set to expire on 12/31/18 and the new appointee will fill out her term.

Dianne Loomis, DNP, FNP
6853 Picture Lake Drive
Hamburg, NY 14075

Should your Honorable Body require further information, I encourage you to contact my Chief of Staff Jennifer Hibit. Thank you for your consideration on this matter.

Sincerely yours,
MARK C. POLONCARZ
Mark C. Pononcarz, Esq.
Erie County Executive

CURRICULUM VITAE – Dianne M. Loomis

DIANNE LOOMIS, DNP, FNP
6853 Picture Lake Drive
Hamburg, NY 14075
(XXX) XXX-XXXX
X@buffalo.edu

Academic Address:
University at Buffalo
The State University of New York
Buffalo, New York 14214
716-829-3328 (office)
716-829-2067 (fax)

Clinical Address:
UBMD Family Medicine at Lakeshore
430 Niagara Street, 206 Wende Hall
Buffalo, New York 14201
716-856-2587

Education

University at Buffalo, The State University of New York, Buffalo, NY 2012
D.N.P. Family Nurse Practitioner

University at Buffalo, The State University of New York, Buffalo, NY 1995
Fellowship sponsored by NYS Office of Mental Retardation/Developmental Disabilities
M. S. Nursing, Family Nurse Practitioner

University of Cincinnati, Cincinnati, Ohio 1981
B.S. Nursing

Mercy School of Nursing, Canton, Ohio 1976
Diploma

Professional Employment

Academic

University at Buffalo, Buffalo, New York August 2013-present
Clinical Associate Professor

University at Buffalo, Buffalo, New York August 2012-August 2013
Clinical Assistant Professor 1.0 FTE
August 2006-August 2013 0.5 FTE

Practice

UBMD Family Practice at Lakeshore Behavioral Health, Buffalo, New York April 2014
Family Nurse Practitioner part-time
• Integrated primary care for Assertive Community Treatment, Lake Shore Behavioral Health Home and Homeless Services

Neighborhood Health Center, Buffalo, New York November 2011-May 2013
Family Nurse Practitioner
• FQHC serving a diverse urban population including refugees.
• Scope of practice included pediatrics, obstetrics and gynecology, adult health, and geriatrics.
• Management of acute and chronic disease states. Emphasis on risk reduction and preventive services.
• Staff development with emphasis on key performance quality indicators.

Kaleida Health, Buffalo, New York
Niagara Family Health Center January 1995-November 2011
Upper West Side Family Health Center
Family Nurse Practitioner
• Research based primary care for multicultural, diverse populations, including refugees in an urban setting.

Buffalo General Hospital, Buffalo, New York July 1993-June 1995
Ambulatory Surgical Unit
Staff Nurse
• Provided pre-operative and post-operative care of the ambulatory surgical patient.

Buffalo General Hospital, Buffalo, New York April 1985-July 1993
Pain Management Center
Staff Nurse
• Multidisciplinary team comprised of anesthesiologists, psychologists, psychiatrists, and nurses.
• Direct patient care of patients experiencing both acute and chronic pain.
• Developed the policies and procedures, patient questionnaires, and teaching guides.

Buffalo General Hospital, Buffalo, New York December 1983-April 1985
Clinical Nurse Supervisor

- Responsible for the clinical and administrative problems on the 11-7 shift. Unit responsibilities: Critical Care, Private Medicine, Oncology, and Medical Telemetry.

Millard Fillmore Hospital, Buffalo, New York July 1983-December 1983
Staff Nurse

- Three stage coronary care unit. Responsibilities included care of patients with an acute myocardial infarction through rehabilitation and discharge.

The Jewish Hospital, Cincinnati, Ohio November 1981-May 1983
Head Nurse

- Direct responsibility of a 6 bed Cardiovascular Surgery Intensive Care Unit.
- November of 1982 developed and opened a 19 bed Telemetry unit.
- 24 hour responsibility included: Scheduling, staffing, quality assurance programs, budget planning, interviewing and hiring, and evaluation of job performance.

The Christ Hospital, Cincinnati, Ohio July 1976-October 1981
Staff Nurse

- Cardiovascular Surgery, Neurology, and Neurosurgery Step-Down Unit and 16 bed Surgical Intensive Care Unit.

Awards and Honors

The University at Buffalo, School of Nursing, Distinguished Preceptor Award, April, 2006.

Nurse Practitioner Association of WNY, Nurse Practitioner of the Year, June 1999.

Nurse Practitioner Association of WNY, Student Nurse Practitioner Award for Clinical Excellence, May 1995.

American Nurse Credentialing Center, Family Nurse Practitioner, July 1995-Present.

Grant Support

DHHS, Substance Abuse and Mental Health Services Administration (SAMSHA), Center for Mental Health Services. Lake Shore Whole Person Health. Hitzel, H. CEO Lakeshore Behavioral Health Project Director, September 30, 2015-September 20, 2019. \$1,600,000. [Key personnel to expand primary care in an additional location, mentor and provide interprofessional training for health care professionals to provide integrated care (primary care and behavioral health) in a behavioral health setting.]

Sigma Theta Tau. Loomis, D.M. & Griswold, K.M. Baseline Health Indicators for a Co-located Assertive Community Team (ACT) and Family Practice. May 2014-May 2015. \$1000.00. [PI]

Esperanza y Vida (Hope and Life). Erwin, D., Colon, J., Harfouche, F.G., Gomez, E., Pastore, P.A., Loomis, D.M. Western New York Affiliate of Susan G. Komen for the Cure. Roswell Park Cancer Institute, Kaleida Health, New York State Department of Health

Cancer Services Program. April 1, 2010-March 31, 2011, \$76,524.00 [In-kind service; clinical team performed clinical breast exams and ordered mammograms.]

Publications

Refereed, data-based*

Castner, J., Yin, Y., Loomis, D., & Hewner, S. (in review). Medical Mondays: Emergency department utilization for Medicaid recipients depends on the day of the week, season, and holidays. *Journal of Emergency Nursing*.

Loomis, D.M., & Griswold, K. M. (2012, Winter). Development of a refugee RISK assessment template, *The Journal of the Nurse Practitioner Association: Volume 2(3)*, 16-25.*

Loomis D. M., Pastore, P. A., Rejman, K., Gutierrez, K. L., & Bethea, B. (2009). Cervical cytology in vulnerable pregnant women. *Journal of the American Academy of Nurse Practitioners: Volume 21(5)*, 287-300.*

Pastore, P. A., Loomis, D. M., & Sauret, J. (2006). Appendicitis in pregnancy. *Journal of the American Board of Family Medicine: Volume 19(6)*, 621 -6.*

Non-refereed

Loomis, D.M., & Sands, J. (2014, Spring). School of nursing launches winter session programs. *UB International*, 23(1), 5, 20.

Book Chapters

Loomis, D.M., Griswold, K.S., & Pastore, P.A. (2014). Psychosocial problems. In L. M. Dunphy, J.E. Winland-Brown, B.O. Porter, & D. J. Thomas (Eds.), *Primary care: The art and science of advanced practice nursing*. (4th ed.). Philadelphia: F.A. Davis

Loomis, D.M., Griswold, K.S., Pastore, P.A., & Dunphy, L.M. (2011). Psychosocial problems. In L.M. Dunphy, J.E. Winland-Brown, B.O. Porter, & D. J. Thomas (Eds.), *Primary care: The art and science of advanced practice nursing* (3rd ed.). Philadelphia: F.A. Davis.

Presentations

National Refereed, data-based*

Loomis, D.M., Haas, M., & Griswold, K.M. (2014). *Baseline health indicators for a co-located primary care/behavioral health clinic*. North American Primary Care Research Group, New York, New York. [Poster*]

Loomis, D.M., & Griswold, K.S. (June, 2012). *Development and implementation of a refugee template for The electronic health record in a Federally Qualified Community Health Care Center*. 2012 North American Refugee Healthcare Conference. [Poster*]

Loomis, D. (November 2008). *Cervical cytology in vulnerable pregnant women*. Presented at the North American Primary Care Research Group, 36th Annual Meeting.*

Griswold, K., Stephan, M., Pastore, P., Loomis, D., Wagner, C., Taylor, J., Thrist, M., Zayas, L. (November 2003). *Mentor magic- Shortening the path to success*. North American Primary Care Research Group, 31st Annual Meeting.*

Regional/Local, Refereed, data-based*

Haas, M., & Loomis, D.M. (2015). *Baseline health indicators for a co-located primary care/behavioral health clinic*. 28th Annual Celebration of Nursing Research & Scholarly Activities Conference District 1, Professional Nurses Association of Western New York, Gamma Kappa, Gamma Theta, Pi Zeta, and Zeta Nu chapters of Sigma Theta Tau International, Buffalo, NY. [Poster*]

Shahan, M., Loomis, D., Pastore, P., & Griswold, K. (2011). *Bridging global communities through health changes*. 2011 National Refugee Healthcare Conference, Rochester, NY. [Poster*]

Loomis, D., & Pastore, P. (2010). *Improving follow-up to abnormal cervical cancer screening- A review of provider adherence to the 2006 consensus guidelines for the management of women with abnormal cervical cancer screening tests*. District 1, Professional Nurses Association of WNY and Sigma Theta Tau International 23rd Annual Celebration of Research-Scholarly Activities Day. [Poster]

Rejman, K., Loomis, D., Pastore, P. (2005, May). *Abnormal pap smears in pregnancy*. Presented at the *Kaleida Health Nursing Research Day*. [Poster]

Regional/Local, Non-refereed

Hurley, C., Griswold, K.M., & Loomis, D.M. (July 9, 2015). *Integrated care*. National Alliance on Mental illness of Buffalo & Erie County. [Invited].

Refugee Health Summit. (April 24, 2014). *Barriers and models for culturally engaged refugee health care in Buffalo*. Office of Global Health Initiatives, University at Buffalo. School of Public Health and Health Professions. [Invited panelist]

Loomis, D.M. (May, 2013). *Tuberculosis screening protocol*. Presented at Neighborhood Health Center, Buffalo, NY. [Invited]

Griswold, K., & Loomis, D.M. (December 2011). *A beacon model of care for refugees*. Presented at *UB Primary Care Research Forum*. [Invited]

Griswold, K., Pastore, P., Wagner, C., Loomis, D. (2005, June). *Mentor magic - Shortening the path to success*. Presented at the *Interdisciplinary Clinical Supervision Conference*, Buffalo, NY. [Invited]

Loomis, D. (November 2004). *Mentorship, nursing development, and magnet status*.
Presented at the *Kaleida Health Nursing Research Group*. [Invited]

Service

Professional

Secretary, Sigma Theta Tau, Gamma Kappa Tau	2015-Present
Member, Sigma Theta Tau International, Gamma Kappa Tau	2008-Present
Member, The Nurse Practitioner Association, New York State	1995-Present
Awards Committee Member and Recording Secretary, Nurse Practitioner Association of Western New York	1995-2003
Member, American Association of Nurse Practitioners	2006-Present

School of Nursing

Member, Graduate Curriculum Committee	2014-Present
Member, MS-DNP Committee	2013-2014

International

Peru: International Health Adventure in the Sacred Valley Faculty led; service learning	2014
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UB

Member, Refugee Health Strategic Advisory Group	2014-Present
Member, Global Health Summit Planning Committee	2013-2015
Faculty, Global Health-Sacred Valley, Peru	2014
Member, Underserved Interest Group	2007-2014

Community

Member, Nursing Research Council, Kaleida Health	2004-2008
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FROM THE DISTRICT ATTORNEY

Item 48 – (COMM. 2E-23) Letter to Clerk of the Legislature Regarding Appointment to the
EC Charter Revision Commission

Received and filed.

FROM LEGISLATOR LORIGO

Item 49 – (COMM. 2E-24) Letter to Buffalo Urban League Regarding Request to attend
Finance & Management Committee Meeting

Received and filed.

FROM THE COUNTY EXECUTIVE

Item 50 – (COMM. 2E-25) EC Sewer District Nos. 1, 4 & 5 - Engineer Term Contract
Agreement - Work Order WS-5

Item 51 – (COMM. 2E-26) EC Sewer District No. 3 - NYS DEC & Environmental Facilities Corporation - Engineering Planning Grant #51720

Item 52 – (COMM. 2E-27) EC Sewer District No. 3 - Engineer Term Contract Agreement - Work Order DI-5

Item 53 – (COMM. 2E-28) EC Sewer District No. 6 - Engineer Term Contract Agreement - Work Order CRA-7

Item 54 – (COMM. 2E-29) 2016 Annual Action Plan for Community Development, Emergency Solutions & HOME Investment Partnership Programs

Item 55 – (COMM. 2E-30) Department of Parks - 2015-2016 State Aid for Snowmobile Development

The above six items were referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM LEGISLATOR BURKE

Item 56 – (COMM. 2E-31) Letter to Legislature Chair Regarding Request for a Public Hearing on Local Law Intro. 5-1 (2015)

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE COUNTY EXECUTIVE

Item 57 – (COMM. 2E-32) PILOT Agreement - Massachusetts Ave, Buffalo - Sustainable Neighborhoods Project - Affordable Housing Development

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 58 – (COMM. 2E-33) Sale Approval - County-Owned Property - Meridian St, Village of Depew

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE COUNTY CLERK

Item 59 – (COMM. 2E-34) Personnel Adjustments

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE COUNTY EXECUTIVE

Item 60 – (COMM. 2E-35) Youth Services Division - Software Support Services

Item 61 – (COMM. 2E-36) Youth Services Division - Acceptance of Donation of Universal Workout Station

The above two items were received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE SHERIFF

Item 62 – (COMM. 2E-37) Contract Approval - 207c Hearing Officer

Received and referred to the PUBLIC SAFETY COMMITTEE.

COMMUNICATIONS FROM THE DEPARTMENTS

FROM THE CLERK OF THE LEGISLATURE

Item 63 – (COMM. 2D-1) Notice of Public Hearing Regarding Local Law Intro. No. 1-1 (2016)

Item 64 – (COMM. 2D-2) NYS DEC Documents Received

The above two items were received and filed.

FROM THE COUNTY ATTORNEY

Item 65 – (COMM. 2D-3) Notice of State Filing of Local Law No. 1-2016

Received and filed.

FROM THE COMMISSIONER, DEPARTMENT OF SOCIAL SERVICES

Item 66 – (COMM. 2D-4) Comm.12E-34 Compliance Report - December - CPS Caseloads

Received and filed.

FROM THE DEPARTMENT OF BUDGET & MANAGEMENT

Item 67 – (COMM. 2D-5) Budget Monitoring Report for Period Ending Nov. 30, 2015

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE COMPTROLLER'S OFFICE

Item 68 – (COMM. 2D-6) Notice of Audit of Family/Maternity-Related Leave Policies and Procedures for Period Jan 2013 - Dec 2015

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE CLERK OF THE LEGISLATURE

Item 69 – (COMM. 2D-7) Documents Received Regarding Opioid Informational Meeting
Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES

FROM DIANA CIHAK

Item 70 – (COMM. 2M-1) Letter to Legislator Burke Regarding Resignation from
Broadband Committee

Received, filed and printed.

January 8, 2016

Erie County Legislator Patrick Burke
95 Franklin
Buffalo, NY 14202

RE: Resignation from Broadband Committee

Dear Legislator Burke,

First let me thank you for the opportunity to serve on the County's Broadband committee. I feel the work that we did to achieve the County issuing and RFP for a broadband study was meaningful and I am hopeful it will lead to increased access and lowered costs for both residents and businesses in Erie County.

With a majority of the work completed on the committee, I am going to offer my resignation from the Broadband Committee effective immediately. It was an honor to serve.

Best Regards,
DIANA K. CIHAK
Diana K. Cihak

FROM MARY S. COOKE

Item 71 – (COMM. 2M-2) Letter to Legislature Chair Regarding Resignation from BRIM
Advisory Board

Received, filed and printed.

January 15, 2016

Erie County Legislature
25 Delaware Avenue
Buffalo, NY 14202

Dear Legislators,

I am honored to have served on the Erie County Legislature's Bridge and Road Maintenance Infrastructure Maintenance (BRIM) Advisory Board and have learned much in the time that the group was active. Most importantly, as a result of the group's work, lines of communication were established, and will hopefully remain open, among the County, Municipal Highway Superintendents, the New York State Department of Transportation, the New York State Thruway Authority, the Greater Buffalo Niagara Regional Transportation Council and the Niagara International Transportation Technology Coalition.

As we have not met in several months, and our work appears finished, I would like to resign from the BRIM Advisory Board.

Thank you again for giving me the opportunity to serve and learn. I am most grateful.

With kindest regards,
MARY S. COOKE
Mary S. Cooke

FROM JOSEPH P. HEINS

Item 72 – (COMM. 2M-3) Letter to District Attorney Regarding Appointment to EC Charter Revision Commission

Received, filed and printed.

January 12, 2016

Dear District Attorney Flaherty:

Please be advised that I am withdrawing from the appointment to the Charter Review Commission. Please do not hesitate to contact me if I can be of further assistance in the future. I would ask that you please pass this along to Chairman Mills and the Erie County Legislature.

Best Regards,
JOSEPH P. HEINS
Joseph P. Heins

FROM KEITH TRIPI

Item 73 – (COMM. 2M-4) Letter Regarding Potential Modifications to EC Agricultural District 17

Item 74 – (COMM. 2M-5) Letter Regarding Potential Modifications to EC Agricultural District 17

The above two items were received and filed.

FROM JAMES P. COLLINS

Item 75 – (COMM. 2M-6) Letter Regarding Potential Modifications to EC Agricultural District for Aurora Community Gardens

Received and filed.

FROM THE STATE ENVIRONMENTAL QUALITY REVIEW

Item 76 – (COMM. 2M-7) Solicitation for Lead Agency Status

Received and filed.

FROM THE NYS COMPTROLLER

Item 77 – (COMM. 2M-8) Audit of Erie Community College - Board Oversight and Management of College Resources

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM THE BUFFALO & EC PUBLIC LIBRARY

Item 78 – (COMM. 2M-9) Jan. 21, 2016 Board of Trustees Agenda

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM THE NFTA

Item 79 – (COMM. 2M-10) Five Year Capital Plan for Fiscal Years Ending Mar. 31, 2017-2021 and Annual Operating Budget for FY End 2017

Item 80 – (COMM. 2M-11) Nov. 23, 2015 Board Minutes

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

FROM THE BUFFALO URBAN LEAGUE

Item 81 – (COMM. 2M-12) Response to Comptroller's Contract Compliance Review

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM DANIEL McMAHON

Item 82 – (COMM. 2M-13) Letter to Legislator Hardwick Regarding Veterans Hospital Parking Lot

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE NYS SHERIFFS' ASSOCIATION INC

Item 83 – (COMM. 2M-14) Letter Regarding Expedited Bail by Credit Card Program

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM RON & TERESA RATTUS

Item 84 – (COMM. 2M-15) Letter Regarding Potential Modifications to EC Agricultural District 17

Received and filed

ANNOUNCEMENTS

Item 85 – MS. MILLER-WILLIAMS announced a workshop “How to Access Erie County Funding for Community Groups” has been scheduled for February 20, 2016, from 10:00 a.m. to 2:00 p.m., at the Buffalo & Erie County Public Library at 1 Lafayette Square.

Item 86 – CHAIR MILLS announced the committee schedule for January 28, 2016 has been distributed.

Item 87 – CHAIR MILLS announced the next regularly scheduled legislative session is February 4, 2016.

MEMORIAL RESOLUTIONS

Item 88 – Legislator Hardwick requested that when the Legislature adjourns, it do so in memory of Michael F. Murphy, James W. Nydahl, Francis F. Quinn, Louis Albert “Ramblin Lou” Schriver, and Mark D. Sternin Jr.

Item 89 – Legislator Morton requested that when the Legislature adjourns, it do so in memory of Harold Cohick and Gordon R. Long.

Item 90 – Legislator Savage requested that when the Legislature adjourns, it do so in memory of Dolores A. Kwiatkowski, Michael F. Murphy, and Francis F. Quinn.

ADJOURNMENT

Item 91- At this time, there being no further business to transact, CHAIR MILLS announced that the Chair would entertain a Motion to Adjourn.

MR. LORIGO moved that the Legislature adjourn until Thursday, February 4, 2016 at 2:00 p.m. Eastern Standard Time. MR. RATH seconded.

CARRIED UNANIMOUSLY.

CHAIR MILLS declared the Legislature adjourned until Thursday, February 4, 2016 at 2:00 p.m. Eastern Standard Time.

**KAREN M. McCARTHY
CLERK OF THE LEGISLATURE**