

ERIE COUNTY LEGISLATURE
MEETING NO. 18
SEPTEMBER 8, 2011

The Legislature was called to order by Chair Miller-Williams.

All members present.

An Invocation was held, led by Mr. Rath, who recited the "911 Memorial Prayer."

The Pledge of Allegiance was led by Mr. Loughran.

Item 1 – No tabled items.

Item 2 – No items for reconsideration from previous meeting.

Item 3 – MS. WHYTE moved for the approval of the minutes for Meeting Numbers 16 and 17 from 2011. MR. KOZUB seconded.

CARRIED UNANIMOUSLY.

Item 4 – No Public Hearings.

MISCELLANEOUS RESOLUTIONS

Item 5 – MR. MAZUR presented a Memorial Resolution Honoring the Memory & Legacy of Hon. H. Buswell Roberts, Retired Buffalo Chief City Judge.

Item 6 – CHAIR MILLER-WILLIAMS presented a resolution Congratulating the Hariston Clan on Their 38th Annual Reunion.

Item 7 – MR. HARDWICK presented a resolution Honoring Matthew Mondoux for His Commitment & Devotion to Raising Awareness & Funds to Fight Lou Gehrig's Disease.

Item 8 – MR. MILLS presented a resolution Honoring Springville-Griffith Institute Sophomore Dakota Ball on Designing the School's 9/11 Memorial Built from Salvaged Steel from the World Trade Center.

Item 9 – MR. MILLS presented a resolution Honoring Springville-Griffith Institute for Their Remembrance of 9/11 by Dedicating a Memorial Built from Salvaged Steel from the World Trade Center.

Item 10 – MR. MAZUR presented a Memorial Resolution In Remembrance of the Life of Fred P. Zasowski, Deeply Committed to Scouting & Truly Inspirational as a Scoutmaster, Boy Scouts of America.

Item 11 – MR. WALTER presented a resolution Congratulating Robert Anderson for 75 Years of Involvement in the Akron Community Band.

Item 12 – MR. WALTER presented a resolution Congratulating the Jafarjian Family for Visiting All 37 Branches of the Buffalo & EC Library System.

Item 13 – MS. DIXON presented a resolution Honoring Grace Koncikowski for Raising \$75 from Her Lemonade Stand for Mercy Hospital.

Item 14 – MS. DIXON presented a resolution Honoring Firefighter Everett Reardon of the Westfield Fire Department for Rescuing a Father & Daughter from Lake Erie.

Item 15 – MS. DIXON presented a resolution Honoring Firefighter Brandon Wright of the Westfield Fire Department for Rescuing a Father & Daughter from Lake Erie.

Item 16 – CHAIR MILLER-WILLIAMS presented a resolution Supporting the Creation of a Hispanic-American Veterans Memorial in EC.

Item 17 – CHAIR MILLER-WILLIAMS presented a resolution Celebrating the 9th Annual Puerto Rican Day Parade to be Held on September 10, 2011.

Item 18 – CHAIR MILLER-WILLIAMS presented a resolution Congratulating Loretta Davis, Annetta Jones & Vanessa Anderson on the Grand Opening of Their Restaurant & Catering Business "Loretta's Soulful Dining & Catering."

Item 19 – CHAIR MILLER-WILLIAMS presented a resolution Recognizing September 15th - October 15th as Hispanic Heritage Month.

Item 20 – MR. RATH presented a resolution Honoring the WNY Gluten-Free Diet Support Group on 25 Years of Service to the Community & Declaring September 10, 2011 "Gluten Freedom Day" in EC.

Item 21 – CHAIR MILLER-WILLIAMS presented a resolution Recognizing September as National Library Card Sign-Up Month.

Item 22 – MS. MARINELLI & MR. KOZUB presented a resolution Congratulating & Honoring John Opalka Upon His Retirement as a Highly Valued Leader in the Department of Economic Development, Environment & Planning.

Item 23 – MS. GRANT presented a resolution Honoring Edward Williams, Rudolph Boas Jr. & Edward Wiley. All Original Members of Stop the Violence Coalition & 100 Mighty Men.

MS. WHYTE moved for consideration of the above nineteen items. MR. MILLS seconded.

CARRIED UNANIMOUSLY.

MS. WHYTE moved to amend the above nineteen items by adding one for CHAIR MILLER-WILLIAMS, and also by including Et Al Sponsorship. MR. RATH seconded.

CARRIED UNANIMOUSLY.

MS. WHYTE moved for approval of the above twenty items as amended. MR. KOZUB seconded.

CARRIED UNANIMOUSLY.

LOCAL LAWS

Item 24 – CHAIR MILLER-WILLIAMS directed that Local Law No. 1 (Print #1) 2010 remain on the table and in the HEALTH & HUMAN SERVICES COMMITTEE.

GRANTED.

Item 25 – CHAIR MILLER-WILLIAMS directed that Local Law No. 2 (Print #1) 2010 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 26 – CHAIR MILLER-WILLIAMS directed that Local Law No. 3 (Print #1) 2010 remain on the table and in the PUBLIC SAFETY COMMITTEE.

GRANTED.

Item 27 – CHAIR MILLER-WILLIAMS directed that Local Law No. 4 (Print #1) 2010 remain on the table and in the PUBLIC SAFETY COMMITTEE.

GRANTED.

Item 28 – CHAIR MILLER-WILLIAMS directed that Local Law No. 3 (Print #1) 2011 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 29 – CHAIR MILLER-WILLIAMS directed that Local Law No. 4 (Print #1) 2011 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 30 – CHAIR MILLER-WILLIAMS directed that Local Law No. 6 (Print #1) 2011 remain on the table and in the HEALTH & HUMAN SERVICES COMMITTEE.

GRANTED.

COMMITTEE REPORTS

None

LEGISLATOR RESOLUTIONS

None

COMMUNICATIONS DISCHARGED FROM COMMITTEE

None.

SUSPENSION OF THE RULES

None.

COMMUNICATIONS FROM ELECTED OFFICIALS

FROM THE COUNTY EXECUTIVE

Item 31 – (COMM. 18E-1) Letter to Legislature Concerning Revenue Anticipation Notes
Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE COMPTROLLER

Item 32 – (COMM. 18E-2) Comptroller's Review of County-Wide Dual Employment
Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM CHAIR MILLER-WILLIAMS

Item 33 – (COMM. 18E-3) Letter to Brian Melber, Esq. Concerning Counsel for the
Legislature in Certain Matters Regarding Redistricting
Received and Filed.

FROM THE COMPTROLLER

Item 34 – (COMM. 18E-4) 2011 Revenue Anticipation Note & Declaration of Need
Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM LEGISLATOR MARINELLI

Item 35 – (COMM. 18E-5) Letter to NYS Regional Economic Development Council Concerning Regional Development Efforts

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM THE COMPTROLLER

Item 36 – (COMM. 18E-6) Copy of Financial Report for the Second Quarter, Period Ending June 30, 2011

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 37 – (COMM. 18E-7) Copy of Finalized Certificate of Determination Relative to the Terms, Form & Details of Sale & Issuance of \$27,690,000

Item 38 – (COMM. 18E-8) Copy of Finalized Certificate of Determination Relative to the Terms, Form & Details of Sale & Issuance of \$16,810,000

The above two items were Received and Filed.

Item 39 – (COMM. 18E-9) Comptroller's Review of Swipe System Compliance

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE COUNTY EXECUTIVE

Item 40 – MS. WHYTE presented the following resolution and moved for immediate consideration and approval. MR. KOZUB seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 155

RE: Appointment to the Buffalo & EC Public Library Board of Directors for a Term Ending 12/31/2015 (COMM. 18E-10)

RESOLVED, the Erie County Legislature hereby confirms the appointment of the following named individual to the Buffalo & Erie County Public Library Board of Directors for a term that will expire on December 31, 2015:

Mr. Theodore K. Johnson
1700 Elmwood Ave.
Buffalo, NY 14207

Item 41 – (COMM. 18E-11) Letter to Comptroller with List of Designated Depositories

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE COMPTROLLER

Item 42 – (COMM. 18E-12) Homeland Security Grants

Received and referred to the PUBLIC SAFETY COMMITTEE.

Item 43 – (COMM. 18E-13) Results of 2011 Revenue Anticipation Note RFP

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM CHAIR MILLER-WILLIAMS

Item 44 – (COMM. 18E-14) 2011 Schedule of Legislative Session - Updated 8/18/2011, 2011 Schedule of Legislative Sessions Invocation & Pledge Schedule & Letter from to Members Concerning Changes to the Schedules

Received, Filed and Printed.

August 18, 2011

Robert M. Graber, Clerk
Erie County Legislature
92 Franklin St., 4th Floor
Buffalo, N.Y. 14202

Dear Mr. Graber:

Please be advised that there is a need to change the 2011 Schedule of Regular Sessions of the Erie County Legislature.

As you are aware, the New York State Association of Counties will be holding their 2011 Fall Seminar from September 21, 2011 to September 23, 2011. Changing the Legislature's schedule will accommodate those members who wish to attend the seminar.

Therefore, please change the session currently scheduled for Thursday, September 22, 2011 to Thursday, September 15, 2011. Also, please distribute the updated schedule to members of the Legislature, the media, and County staff.

Thank you for your prompt attention to this matter.

Sincerely,

Barbara Miller-Williams, Chair
Erie County Legislature

To: Robert M. Graber, Clerk

From: Barbara Miller-Williams, Chair

Subject: 2011 SCHEDULE OF LEGISLATIVE SESSIONS – Updated 8-18-11

JANUARY

6
20

JULY

7
21

FEBRUARY

3
16 – Wednesday (*Clock-In 2/14/11*)

AUGUST

Recess

MARCH

17
24

SEPTEMBER

8
15

APRIL

14
28

OCTOBER

6
20

MAY

12
26

NOVEMBER

3
17

JUNE

16
30

DECEMBER

1
6 – *Annual Budget Meeting*
8
13 – *Budget Override Meeting*

All Regular Sessions: Pre-Session Caucuses begin at 9:30 A.M.,
in the Legislative Caucus Room.

All Regular Sessions: Begin at 2:00 P.M., in the Legislature Chambers.

To: Robert M. Graber, Clerk

From: Barbara Miller-Williams, Chair

**Subject: 2011 SCHEDULE OF LEGISLATIVE SESSIONS
INVOCATION & PLEDGE SCHEDULE**

JANUARY

JULY

6 – Whyte and Mills
20 – Kozub and Whalen

7 – Marinelli and Hardwick
21 – Mills and Dixon

FEBRUARY

3 – Walter and Fudoli
16 – Whyte and Grant

AUGUST

Recess

MARCH

17 – Mazur and Bove
24 – Hardwick and Marinelli

SEPTEMBER

8 – Rath and Loughran
15 – Kozub and Whalen

APRIL

14 – Dixon and Mills
28 – Loughran and Rath

OCTOBER

6 – Walter and Fudoli
20 – Whyte and Grant

MAY

12 – Whalen and Kozub
26 – Fudoli and Walter

NOVEMBER

3 – Mazur and Bove
17 – Hardwick and Marinelli

JUNE

16 – Grant and Whyte
30 – Bove and Mazur

DECEMBER

1 – Dixon and Mills
6 – *Annual Budget Meeting*
8 – Loughran and Rath
13 – *Budget Override Meeting*

FROM THE COUNTY EXECUTIVE

Item 45 – (COMM. 18E-15) Appointment to the Board of Directors of Visit Buffalo Niagara for a Term Ending 12/31/2011

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM THE SHERIFF

Item 46 – (COMM. 18E-16) Asset Forfeiture Funded Program (SAFS)

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM THE COUNTY EXECUTIVE

Item 47 – (COMM. 18E-17) Appointment to the Buffalo & EC Public Library Board of Directors for a Term Ending 12/31/2013

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

Item 48 – MS. WHYTE presented the following resolution and moved for immediate consideration and approval. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 156

RE: Foreclosure Pursuant to the In Rem
Provisions of the EC Tax Act
(COMM. 18E-18)

WHEREAS, the Real Property Tax Services Director has transmitted to this Legislature transcripts of tax delinquencies and tax delinquent real properties for foreclosure pursuant to the In Rem provisions of the Erie County Tax Act, and has furnished this Legislature with the necessary abstracts from the Finance Department records of such delinquencies.

NOW, THEREFORE, BE IT

RESOLVED, that the In Rem provisions of the Erie County Tax Act be applied to such real property and the delinquent taxes set forth in said transcripts, as determined by the Real Property Tax Services Director from the transcripts of properties upon which the County of Erie owns a tax sale certificate which has been due and unpaid for a period of at least two years; and be it further

RESOLVED, that the County Attorney or his designee conduct and consummate such foreclosure proceedings as directed by this Legislature and determined by the Real Property Tax Services Director; and be it further

RESOLVED, that this resolution shall take effect immediately; and be it further

RESOLVED, that certified copies of this resolution be transmitted to the Division of Budget, Management and Finance, the County Attorney, the Office of the Comptroller, the Real Property Tax Services Department and the Finance Department.

Item 49 – MS. WHYTE presented the following resolution and moved for immediate consideration. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 157

RE: Road Rehab Project
(COMM. 18E-19)

MS. WHYTE moved to amend the item. MR. KOZUB seconded.

CARRIED UNANIMOUSLY.

Insert the Following Resolution:

WHEREAS, when Eden Center - Evans Road was reconstructed about 40 years ago, slag was used as a subbase material which, at the time was thought that slag was an acceptable material for this purpose; and

WHEREAS, the Department of Public Works reconstructed one portion of the roadway and found the infiltration of very small granular material to be more extensive than anticipated when testing was performed; and

WHEREAS, it is desired to replace another section of the roadway as the additional infiltration of very small granular material may cause further heaving of the road during the freeze cycle of the road in the coming winter; and

WHEREAS, in order to accomplish this reconstruction work, survey and basic design work is required; and

WHEREAS, your honorable body has previously authorized the County Executive to enter into a Term Agreement with DiDonato Associates for providing professional engineering services via Comm. 14E-19 adopted July 17, 2008; and

WHEREAS, Department of Public Works determined that DiDonato Associates has the appropriate experience required to perform the necessary design and survey work for this section of roadway; and

WHEREAS, all other necessary work will be negotiated and executed using the Erie County Highway Bids for Construction Materials; and

WHEREAS, funding has been identified and authorization is sought to move those funds to this project from the funding that is available in Federal Medical Assistance Percentage (FMAP) that has already exceeded the annual budget for 2011.

NOW, THEREFORE, BE IT

RESOLVED, that an increase in the 2011 Budget is hereby authorized for the purpose of reconstructing Eden Center - Evans Road, as follows:

Fund 110 – General Fund

Revenue

Fund Center 120 Social Services
Account 414030 Federal Medical Assistance Percentage (FMAP) \$2,600,000.00

Expense

Fund Center 14020
570050 Interfund Transfer Capital \$2,600,000.00

Fund 420 – Project B.11001 - 2011 Overlay Program

Revenue

Fund Center 123 Highways/DPW
486000 Interfund Revenue Subsidy \$2,600,000.00

Expense

Fund Center 123 Highways/DPW
Capital Projects Expense

\$2,600,000.00

and be it further

RESOLVED, that the County Executive is authorized to issue a change order to an existing contract with DiDonato Associates, previously approved by the Legislature being Communication 14E-19 adopted July 17, 2008, in an amount not to exceed \$75,000.00 to be paid from Project B.11011; and be it further

RESOLVED, all other necessary purchase orders will be executed through the Department of Purchase in accordance with the 2011 Erie County Highway Bids for Construction Materials to provide the required services through completion of construction; and be it further

RESOLVED, that two certified copies of this resolution be sent to the Department of Public Works, Office of the Commissioner, and one copy each to the Office of the County Executive, the Division of Budget and Management, and the Office of the Comptroller.

MS. WHYTE moved to further amend the item. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

Insert the Following Resolved Clause:

RESOLVED, that the Erie County Executive and Public Works Department file with the Erie County Legislature the Federal Jobs Report for FMAP; and be it further

MS. WHYTE moved to approve the item as amended. MS. BOVE seconded.

CARRIED UNANIMOUSLY.

Item 50 – MS. WHYTE presented the following resolution and moved for immediate consideration and approval. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 158

RE: Vector Control Program Transition
Allocations
(COMM. 18E-20)

WHEREAS, rodent control is an ongoing concern for certain municipalities within Erie County; and

WHEREAS, County rodent control programs are being transitioned to city, town and village programs; and

WHEREAS, Erie County seeks to assist cities, towns and villages with this transition; and

WHEREAS, funds are currently available in the 2011 Budget to help municipalities gain proper certification and permits related to vector and rodent control management; and

WHEREAS, when originally contemplated said funding was going to be used to purchase materials and health supplies, however, it has been determined that it is in the best interest of all parties to allocate funding to municipalities through contractual agreements.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into a contract with the City of Tonawanda in an amount not to exceed \$5,000, for the purpose of assisting the City of Tonawanda implement a vector and rodent control program; and be it further

RESOLVED, that the County Executive is hereby authorized to enter into a contract with the Village of Kenmore in an amount not to exceed \$10,000, for the purpose of assisting the Village of Kenmore implement a vector and rodent control program; and be it further

RESOLVED, that the County Executive is hereby authorized to enter into a contract with the Town of Hamburg in an amount not to exceed \$5,000, for the purpose of assisting the Town of Hamburg develop its existing vector and rodent control program; and be it further

RESOLVED, that in order to pay these contracts out of the appropriate budgetary line the 2011 budget shall be adjusted as follows:

Fund 110, Fund Center 12730 Public Health Laboratory

Account 505800 Medical and Health Supplies	<u>Decrease</u> \$70,000
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Account 516020 Professional Svcs, Contracts & Fees	<u>Increase</u> \$70,000
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and be it further

RESOLVED, that the County Executive is hereby authorized to enter into any and all additional contacts with other municipalities for the purpose of helping cities, towns and villages gain proper certification and permits related to vector and rodent control management; and be it further

RESOLVED, that said contractual agreements shall not exceed the \$70,000 appropriation in the aggregate; and be it further

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

Item 51 – (COMM. 18E-21) Cultural Capital Projects

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

Item 52 – (COMM. 18E-22) ECSD No. 2 - Engineering Agreement Dated 8/29/2002

Item 53 – (COMM. 18E-23) Notice of Public Hearing - ECSD - 2011 Assessment Rolls (2012 Levy)

The above two items were received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 54 – (COMM. 18E-24) 2011 Increase in CHIPS Funding

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 55 – (COMM. 18E-25) ECC North & South Campuses Hydraulic Elevator Upgrades

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

Item 56 – (COMM. 18E-26) Rath Building Mechanical & Electrical Renovations - Energy Efficiency & Conservation Block Grant Program

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 57 – (COMM. 18E-27) Department of Social Services - Non-Residential Domestic Violence Contracts

Item 58 – (COMM. 18E-28) Department of Social Services - Interpreter Services Contract Increases

The above two items were received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

Item 59 – (COMM. 18E-29) Payment in Lieu of Taxes (PILOT) Agreement for Cynthia Gardens - Affordable Housing Development

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 60 – (COMM. 18E-30) EC Soil & Water Conservation District Agreement - Technical Services & Stream Bank Maintenance, Bridge & Culvert Scour Maintenance Program

Item 61 – (COMM. 18E-31) Shoreline Trail - Signage & Park Furnishing System - First Amendatory - Agreement - Wendel Duchscherer

Item 62 – (COMM. 18E-32) SEMI-Annual Attendance Records - Board of Managers - Sewer Districts

The above three items were received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 63 – (COMM. 18E-33) Department of Emergency Services - Acceptance of FY 09 Port Security Grant Program

Received and referred to the PUBLIC SAFETY COMMITTEE.

Item 64 – (COMM. 18E-34) Right-of-Way Acquisition - Zoar Valley Road Reconstruction - Town of Concord

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 65 – (COMM. 18E-35) Sale of Tax Certificates - 117 French Rd & 2744 Clinton St, West Seneca, NY

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

COMMUNICATIONS FROM THE DEPARTMENTS

FROM THE COUNTY ATTORNEY

Item 66 – (COMM. 18D-1) Transmittal of New Claims Against EC

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE DEPARTMENT OF ENVIRONMENT & PLANNING

Item 67 – (COMM. 18D-2) Acquisition/Demolition of 1717 Two Rod Road - Town of Marilla - SEQR Notification

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM THE COUNTY ATTORNEY

Item 68 – (COMM. 18D-3) Transmittal of New Claims Against EC

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE DIRECTOR OF BUDGET & MANAGEMENT

Item 69 – (COMM. 18D-4) Copy of Budget Monitoring Report for Period Ending 6/30/2011

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE COUNTY ATTORNEY

Item 70 – (COMM. 18D-5) Transmittal of New Claims Against EC

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE DEPARTMENT OF CENTRAL POLICE SERVICES

Item 71 – (COMM. 18D-6) Letter to Comptroller Concerning 2007 Homeland Security Grants

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM THE COUNTY ATTORNEY

Item 72 – (COMM. 18D-7) Transmittal of New Claims Against EC

Item 73 – (COMM. 18D-8) Transmittal of New Claims Against EC

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

FROM THE CLERK, FINANCE & MANAGEMENT

Item 74 – (COMM. 18D-9) 2011 Mid-Year Budget Hearings' Report

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE EC HEALTH COMMISSIONER

Item 75 – (COMM. 18D-10) Letter to Mayor Brown Concerning Vector Control Program

Received and referred to the HEATH & HUMAN SERVICES COMMITTEE.

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES

FROM THE NFTA

Item 76 – (COMM. 18M-1) Minutes from Meeting Held 6/20/2011

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM THE NYSDEC

Item 77 – (COMM. 18M-2) Fact Sheet: Brownfield Cleanup Program at 111 Hydraulic Street Project

Item 78 – (COMM. 18M-3) Public Notice: Application from 4216 Group, LLC for a Site Known as the 300 Ohio Street Site

The above two items were received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE ASSIGNED COUNSEL PROGRAM

Item 79 – (COMM. 18M-4) Copy of Financial Report for Period of 1/1/2011 - 6/30/2011

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE NFTA

Item 80 – (COMM. 18M-5) Copy of Annual 17A Report

Item 81 – (COMM. 18M-6) Copies of the Annual 17A Report and Capital Expenditure Reports for the First Quarter of Fiscal Year Ending 3/31/2012

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

FROM THE VERIZON PRESIDENT - NEW YORK REGION

Item 82 – (COMM. 18M-7) Letter to Chair Miller-Williams Concerning Contract Negotiations between Verizon, the Communications Workers of America & the International Brotherhood of Electrical Workers

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE NYS DEPARTMENT OF AGRICULTURE & MARKETS

Item 83 – (COMM. 18M-8) Letter to Clerk of Legislature Concerning a 2010 Report & Plan to Modify EC Agricultural District No. 15, No. 9 & No. 2

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE NYSDEC

Item 84 – (COMM. 18M-9) Public Notice: Inactive Hazardous Waste Disposal Site Delist Notice - Niagara Mohawk Dewey Ave. Service Station

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE NYS DEPARTMENT OF AGRICULTURE & MARKETS

Item 85 – (COMM. 18M-10) Letter to Clerk of Legislature Concerning EC Agricultural Districts No. 11, No. 12, No. 13 & No. 16

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE NFTA

Item 86 – (COMM. 18M-11) Minutes from Meeting Held 7/25/2011

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM THE NYSDEC

Item 87 – (COMM. 18M-12) Fact Sheet: Environmental Cleanup Project to Begin at Trinidad Park in Buffalo

Item 88 – (COMM. 18M-13) Public Notice: Application from Giuseppe Holdings, LLC for a Site Known as 4630 River Road

The above two items were received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE EC BOARD OF HEALTH

Item 89 – (COMM. 18M-14) Schedule of Upcoming Meetings & Minutes/Agenda from Meeting Held 5/12/2011

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

ANNOUNCEMENTS

Item 90 – CHAIR MILLER-WILLIAMS announced that the schedule of upcoming Legislative committee meetings has been distributed. She also welcomed everyone back following summer recess. Further, Chair Miller-Williams welcomed Buffalo News reporter Denise Jewell Gee to the County beat, replacing Matthew Spina who has been assigned to a new investigative team at the News. Mr. Spina received a standing ovation for his work as the County beat reporter for the News.

MEMORIAL RESOLUTIONS

Item 91 – Chair Miller-Williams requested that when the Legislature adjourns, it do so in memory of Rev. Robert E. Baines, Sr.

Item 92 – Legislator Rath requested that when the Legislature adjourns, it do so in memory of Rev. Edward Kryder.

Item 93 – Legislator Dixon requested that when the Legislature adjourns, it do so in memory of Charles A. Morlock.

Item 94– Legislator Kozub requested that when the Legislature adjourns, it do so in memory of Frank Anzalone, and Angeline (Kozub) Kowalczyk.

Item 95– Legislator Hardwick requested that when the Legislature adjourns, it do so in memory of Estelle Barbalato, Judith L. Canino, Donald J. Kline, John P. McGowan, Harry O. Prohn, Roland J. Bergler, Michael Vincent Harmon, and Gladys M. Wendel.

Item 96 – Legislator Whyte requested that when the Legislature adjourns, it do so in memory of Eileen M. Insalaco.

ADJOURNMENT

Item 97 – At this time, there being no further business to transact, CHAIR MILLER-WILLIAMS announced that the Chair would entertain a Motion to Adjourn.

MR. MAZUR moved that the Legislature adjourn until Thursday, September 15, 2011 at 2:00 p.m. Eastern Standard Time. MR. WALTER seconded.

CARRIED UNANIMOUSLY.

CHAIR MILLER-WILLIAMS declared the Legislature adjourned until Thursday, September 15, 2011 at 2:00 p.m. Eastern Standard Time.

ROBERT M. GRABER
CLERK OF THE LEGISLATURE