

ERIE COUNTY LEGISLATURE
MEETING NO. 19
SEPTEMBER 15, 2011

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

All members present.

An Invocation was held, led by Mr. Kozub, who requested a moment of silence.

The Pledge of Allegiance was led by Mr. Whalen.

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 Number 18 from 2011. MS. BOVE seconded.

CARRIED UNANIMOUSLY.

Item 4 – No Public Hearings.

MISCELLANEOUS RESOLUTIONS

Item 5 – CHAIR MILLER-WILLIAMS presented a resolution Congratulating the Staff & Clients of Skyview Learning Group on Their Success in Training Clients & Assisting Them with Acquiring & Keeping Good Jobs.

Item 6 – CHAIR MILLER-WILLIAMS presented a resolution Proclaiming the Fourth Monday of Every September to be "Family Day - A Day to Eat Dinner with Your Children."

Item 7 – MR. MAZUR presented a resolution Congratulating Villa Maria College on Their 50th Anniversary.

Item 8 – MS. MARINELLI presented a resolution Congratulating Jeanne Kabacinski Upon Her Retirement from the EC Health Department with Over Three Decades of Service to the Residents of EC.

Item 9 – MR. MILLS, MS. DIXON, MR. FUDOLI, MR. HARDWICK, MR. RATH & MR. WALTER presented a resolution Honoring National Assisted Living Week.

Item 10 – CHAIR MILLER-WILLIAMS presented a resolution Celebrating the Frank E. Merriweather, Jr. Library Community Day on September 24, 2011.

Item 11 – CHAIR MILLER-WILLIAMS presented a resolution Celebrating the National Federation for Just Communities' Walk for Community, September 17, 2011.

Item 12 – CHAIR MILLER-WILLIAMS presented a resolution Celebrating the Let's Get Moving Community Health Fair & Educational Symposium on September 17, 2011.

Item 13 – CHAIR MILLER-WILLIAMS presented a resolution Celebrating the Buffalo Fire Department Beneficiary Association's 121st Annual Ball on September 30, 2011.

Item 14 – MS. DIXON presented a resolution Recognizing Leukemia & Lymphoma Awareness Month.

Item 15 – MS. DIXON presented a resolution Recognizing Ovarian Cancer Awareness Month.

Item 16 – MS. DIXON presented a resolution Recognizing Prostate Cancer Awareness Month.

Item 17 – MS. DIXON presented a resolution Recognizing Newborn Screening Awareness Month.

Item 18 – MR. MILLS presented a resolution Honoring Fireman John Lipoff for 52 Years of Outstanding Service with the Springville Volunteer Fire Company.

Item 19 – MR. MILLS presented a resolution Honoring Fireman Duke Dains for 50 Years of Outstanding Service with the Springville Volunteer Fire Company.

Item 20 – MR. RATH presented a resolution Recognizing September as World Alzheimer's Month.

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

CARRIED UNANIMOUSLY.

MS. WHYTE moved to amend the above sixteen items by adding one for MS. BOVE, and also by including Et Al Sponsorship. MR. KOZUB seconded.

CARRIED UNANIMOUSLY.

MS. WHYTE moved for approval of the above seventeen items as amended. MS. BOVE seconded.

CARRIED UNANIMOUSLY.

LOCAL LAWS

Item 21 – 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 22 – CHAIR MILLER-WILLIAMS directed that Local Law No. 2 (Print #1) 2010 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 23 – CHAIR MILLER-WILLIAMS directed that Local Law No. 3 (Print #1) 2010 remain on the table and in the PUBLIC SAFETY COMMITTEE.

GRANTED.

Item 24 – CHAIR MILLER-WILLIAMS directed that Local Law No. 4 (Print #1) 2010 remain on the table and in the PUBLIC SAFETY COMMITTEE.

GRANTED.

Item 25 – CHAIR MILLER-WILLIAMS directed that Local Law No. 3 (Print #1) 2011 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 26 – CHAIR MILLER-WILLIAMS directed that Local Law No. 4 (Print #1) 2011 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 27 – 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

Item 28 – MR. WHALEN presented the following report and moved for immediate consideration and approval. MS. BOVE seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 159

September 12, 2011	ECONOMIC DEVELOPMENT COMMITTEE REPORT NO. 11
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ALL MEMBERS PRESENT, EXCEPT LEGISLATOR KOZUB.

CHAIR MILLER-WILLIAMS PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 14M-8 (2011)
NYS PUBLIC SERVICE COMMISSION: "Copy of Proceeding on Motion of the Commission to Examine Mobile Testing Requirements of Safety Standards"
(5-0)
 - b. COMM. 18M-1 (2011)
NFTA: "Minutes from Meeting Held 6/20/2011"
(5-0)
 - c. COMM. 18M-5 (2011)
NFTA: "Copy of Annual 17A Report"
(5-0)
 - d. COMM. 18M-6 (2011)
NFTA: "Copies of the Annual 17A Report and Capital Expenditure Reports for the First Quarter of Fiscal Year Ending 3/31/2012"
(5-0)
 - e. COMM. 18M-11 (2011)
NFTA: "Minutes from Meeting Held 7/25/2011"
(5-0)
2. COMM. 18E-24 (2011)
COUNTY EXECUTIVE
WHEREAS, the New York State Consolidated Highway Improvement Program (CHIPS) award to Erie County has been increased by \$312,150.14; and

WHEREAS, the Department of Public Works, Division of Highways desires to utilize this additional award to continue the rehabilitation of Erie County roads and bridges; and

WHEREAS, the 2011 road fund budget must be increased by \$312,150.14 to accept and utilize the additional award; and

WHEREAS, the additional CHIPS award is available for reimbursement of expenditures related to repair of Erie County roads and bridges during the 2011-2012 State fiscal year ending March 31, 2012.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the following budget amendments:

Cost Center 1231010, Fund 210, Administration – Highways

Account	Description	CURRENT BUDGET	INCREASE/ (DECREASE)	REVISED BUDGET
REVENUE				
407000	Consolidated Highway Aid	<u>\$7,200,000.00</u>	<u>\$ 312,150.14</u>	<u>\$7,512,150.14</u>
TOTAL REVENUE		<u>\$7,200,000.00</u>	<u>\$ 312,150.14</u>	<u>\$7,512,150.14</u>
APPROPRIATIONS				
570000	Interfund Transfers Subsidy	<u>\$5,200,000.00</u>	<u>\$ 312,150.14</u>	<u>\$5,512,150.14</u>
TOTAL APPROPRIATIONS		<u>\$5,200,000.00</u>	<u>\$ 312,150.14</u>	<u>\$5,512,150.14</u>

Capital Account B.11001, Fund 420, 2011 Capital Overlay Program - Countywide

REVENUE				
486000	Interfund Revenue Subsidy	<u>\$7,000,000.00</u>	<u>\$312,150.14</u>	<u>\$7,312,150.14</u>
TOTAL REVENUE		<u>\$7,000,000.00</u>	<u>\$312,150.14</u>	<u>\$7,312,150.14</u>
APPROPRIATIONS				
Capital Projects	Capital Project Exp	<u>\$7,000,000.00</u>	<u>\$312,150.14</u>	<u>\$7,312,150.14</u>
TOTAL APPROPRIATIONS		<u>\$7,000,000.00</u>	<u>\$312,150.14</u>	<u>\$7,312,150.14</u>

and be it further

RESOLVED, that one certified copy of this resolution be forwarded 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, the Office of the County Attorney, and the Office of the Comptroller.

(5-0)

3. COMM. 18E-26 (2011)
COUNTY EXECUTIVE

WHEREAS, the Erie County Division of Real Estate and Asset Management received bids for the Rath Building Mechanical and Electrical Renovations - Energy Efficiency and Conservation Block Grant Program (EECBG) project on June 16, 2011; and

WHEREAS, the Erie County Division of Real Estate and Asset Management is recommending award of contract to the lowest responsible bidders, along with the engineer; and

WHEREAS, your honorable body has previously approved a General Architectural/Engineering Agreement with the Engineering firm of CJ Brown Energy, PC for providing professional services on Erie County projects; and

WHEREAS, the County Executive is seeking authorization from your honorable body to enter into construction contracts with DV Brown & Associates, Inc. and Weydman Electric for the Rath Building Mechanical and Electrical Renovations - Energy Efficiency and Conservation Block Grant Program (EECBG) project.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter into a contract with the lowest responsible bidders for the Rath Building Mechanical and Electrical Renovations - Energy Efficiency and Conservation Block Grant Program (EECBG) project as follows:

Mechanical Construction Work

DV Brown & Associates, Inc. for a base bid and total contract in the amount of \$2,617,000.00

Plumbing Construction Work

DV Brown & Associates, Inc. for a total bid and contract in the amount of \$183,000.00

Electrical Construction Work

Weydman Electric for a base bid and total contract in the amount of \$124,000.00

and be it further

RESOLVED, that the sum of \$158,000.00 be allocated to a construction contingency fund with authorization for the County Executive to approve change orders in an amount not to exceed the contingency; and be it further

RESOLVED, that deduct change orders will result in these funds returned to the contingency fund; and be it further

RESOLVED, that the Comptroller's Office be authorized to make payment as follows:

A.11003.1 –Countywide Code and Environmental Compliance in the amount of \$469,124.00 and

DOE Efficiency & Conservation Block Grant; Grant #:122DOEECBG_0912 in the amount of \$2,612,876.00. Total payments will not exceed \$3,082,000.00; and be it further

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

(5-0)

4. COMM. 18E-29 (2011)
COUNTY EXECUTIVE

WHEREAS, Cynthia Gardens Housing Development Fund, Inc. is developing housing for low and very low income households (Project), pursuant to Article XI of the New York Private Housing Finance; and

WHEREAS, the Project will be located on vacant land at 294-302 Hudson Street in the City of Buffalo, New York, will contain 8 new constructed housing units, four (4) two-bedroom apartments and four (4) three-bedroom apartments for households with income at or below 60% of the median income for Erie County; and

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

WHEREAS, in order to make the Project economically feasible for Cynthia Gardens Housing Development Fund, Inc. to operate the apartment complex 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 Cynthia Gardens Housing Development Fund, Inc. , Heart of the City Neighborhoods, Inc. and the City of Buffalo relating to the Cynthia Gardens and all other agreements necessary to conclude this Project; 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. Payment under the Agreement will be for fifteen (15) years with the County share of each annual payment being twenty-five (25) percent of the total amount; 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.
(5-0)

5. COMM. 18E-34 (2011)
COUNTY EXECUTIVE

WHEREAS, it is desired to reconstruct approximately 900 linear feet of Zoar Valley Road, FEMA PW 667, the "Project"; and

WHEREAS, in order to facilitate this reconstruction, it will be necessary for the County to acquire two parcels by permanent easement, portions of real property in the vicinity of the Project;

PORTION OF TAX MAP SBL NUMBER

TOWNSHIP

SBL 353.00-2-5.1

Concord

SBL 353.00-2-8

Concord

such property to be acquired by the County is herein referred to as the "Subject Properties"; and

WHEREAS, in order to acquire the permanent easement for the Project, it will be necessary for the County to establish an amount which it believes to represent just compensation for the real property interest to be acquired and to thereafter make a written offer to purchase the real property interest for the respective just compensation amount; and

WHEREAS, the acquisition of the portion of the Subject Property is de minimis in nature so that the public interest will not be prejudiced by the reconstruction and other general improvements to the subject section of Zoar Valley Road (CR 457); and

WHEREAS, should one or more owners of the Subject Property refuse to convey such portion of their real property to the County for an amount not exceeding fair market value, it will be necessary for the County to acquire the Subject Property by commencing eminent domain proceedings.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby approves the above subject actions; and be it further

RESOLVED, that the sum of \$18,199.82 from the 2010 FEMA Zoar Valley Road Right of Way account, SAP B.21025 be made available to cover the cost of Right-of-Way acquisition; and be it further

RESOLVED, that the County of Erie is authorized to acquire easement title to the aforementioned Subject Properties for the purpose of reconstructing and improving the aforementioned Zoar Valley Road PW 667 site; and be it further

RESOLVED, that the Commissioner of Public Works, or his authorized representatives, are hereby authorized to establish the amounts which he believes to represent just compensation for the real properties to be acquired; and be it further

RESOLVED, that the Commissioner of Public Works, or his authorized representatives, are hereby authorized to negotiate and offer just compensation amounts to the owners of the Subject Properties for the purpose of acquiring interests in portions of their respective parcels of real property by permanent easement, which acquisition is necessary for the Zoar Valley Road PW 667 site reconstruction project; and be it further

RESOLVED, that the Commissioner of Public Works, or his authorized representatives, are authorized to act on behalf of the County of Erie in connection with the acquisition of the portions of the aforementioned Subject Properties; and be it further

RESOLVED, that the County Attorney shall prepare and the County Executive shall execute all appropriate documents relating to acquiring fee and/or easement interests in the Subject Properties; and be it further

RESOLVED, should one or more owners of the Subject Property refuse to convey such portions of their real property to the County for an amount not to exceed the just compensation determined by the Commissioner of Public Works, or his authorized representatives, the County is authorized to commence eminent domain procedures; and be it further

RESOLVED, that the Clerk of the Legislature forward three (3) certified copies of this resolution to the Department of Public Works, Office of the Commissioner, and also one copy each to the Office of the County Executive, the Division of Budget and Management, and the Office of the Comptroller.

(5-0)

TIMOTHY J. WHALEN
CHAIR

Item 29 – MR. LOUGHRAN presented the following report and moved for immediate consideration and approval. MR. MAZUR seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 160

September 12, 2011	COMMUNITY ENRICHMENT COMMITTEE REPORT NO. 4
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ALL MEMBERS PRESENT.

CHAIR MILLER-WILLIAMS PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 16M-4 (2011)
BUFFALO & EC PUBLIC LIBRARY: “Proposed Agenda for Meeting to be Held 7/21/2011”
(6-0)
 - b. COMM. 18E-15 (2011)
COUNTY EXECUTIVE: “Appointment to the Board of Directors of Visit Buffalo Niagara for a Term Ending 12/31/2011”
(6-0)
2. COMM. 18E-17 (2011)
COUNTY EXECUTIVE
RESOLVED, the Erie County Legislature hereby confirms the appointment of the following individual to the Buffalo & Erie County Public Library Board of Directors for a term ending December 31, 2013:

Ms. Jennifer Zivis

156 Schlemmer Road
Lancaster, NY 14086

(6-0)

3. COMM. 18E-25 (2011)
COUNTY EXECUTIVE

WHEREAS, the Erie County Division of Real Estate and Asset Management received bids for the Erie Community College (ECC) North and South Campuses Hydraulic Elevator Upgrades project on August 12, 2011; and

WHEREAS, the Erie County Division of Real Estate and Asset Management is recommending award of contract to the lowest responsible bidder, along with the engineer; and

WHEREAS, your honorable body has previously approved a General Architectural/Engineering Agreement with the Engineering firm of Watts Architecture & Engineering, PC for providing professional design services on Erie County projects; and

WHEREAS, the sole bidder for this project was DCB Elevator, Inc., who submitted a bid for the elevator contract. No bids were received for the electrical contract. As a result, the Erie County Division of Real Estate and Asset Management is recommending that sole bidder provide the electrical work required for this project; and

WHEREAS, this additional electrical work will be done as a contract amendment to DCB Elevator, Inc. through the construction contingency; and

WHEREAS, the County Executive is seeking authorization from your honorable body to enter into a construction contract with DCB Elevator Company, Inc. for the ECC North and South Campus Hydraulic Elevator Upgrades project; and

WHEREAS, New York State has approved the above project and will reimburse Erie County for 50% of the total costs.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter into a contract with the lowest responsible bidder for the Erie Community College North and South Campuses Hydraulic Elevator Upgrades project as follows:

Elevator Work

DCB Elevator Company, Inc. for a base bid and total contract in the amount of \$338,575.00; and be it further

RESOLVED, that the sum of \$100,000.00 be allocated to a construction contingency fund with authorization for the County Executive to approve change orders in an amount not to exceed the contingency; and be it further

RESOLVED, that deduct change orders will result in these funds returned to the contingency fund; and be it further

RESOLVED, that the County Executive is authorized to execute a contract amendment with DBC Elevator Company, Inc. for providing the electrical work required for this project, to be paid from the construction contingency fund; and be it further

RESOLVED, that the Comptroller's Office be authorized to make payment for all the above from SAP Project E.00064.1.3 – 2006 – ECC Elevator Safety Upgrades for an amount not to exceed \$438,575; and be it further

RESOLVED, that two certified copies of this resolution be sent to the Department of Public Works, Division of Real Estate and Asset Management, and one copy each to the Office of the County Executive, the Division of Budget and Management, Erie Community College – Chief Financial Officer, and the Office of the Comptroller.

(6-0)

**THOMAS A. LOUGHRAN
CHAIR**

LEGISLATOR RESOLUTIONS

None.

COMMUNICATIONS DISCHARGED FROM COMMITTEE

Item 30 – MS. WHYTE moved to discharge the ENERGY & ENVIRONMENT COMMITTEE of further consideration of COMM. 18E-23 (2011). MS. BOVE seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 161

RE: Notice of Public Hearing - ECSD - 2011
Assessment Rolls (2012 Levy)
(COMM. 18E-23, 2011)

WHEREAS, Article 5-A, Sections 270 and 271 of County Law requires your Honorable Body to hold a Public Hearing on the Sewer District Assessment Rolls for Erie County Sewer District Nos. 1, 2, 3, 4, 5, 6 and 8; and

WHEREAS, Notice of said Public Hearing shall be published at least once in the official County newspapers prior to holding the Public Hearing.

NOW, THEREFORE, BE IT

RESOLVED, that the Sewer District assessment rolls are open for public inspection in the offices of the Division of Sewerage Management, 95 Franklin Street, Buffalo, New York 14202; and be it further

518165	Studio Arena Theatre(Shea's Performing Arts Center)	\$50,000
518004	African American Cultural Center	50,000
518104	Graycliff Conservancy	40,000
518181	Western New York Book Arts Collaborative	30,000
518160	Springville Center for the Arts	25,000
518128	Lancaster Opera House	20,000
518117	Iron Island Museum	20,000
518112	Penn Dixie Paleontological Center	20,000
518116	Irish Classical Theatre Company	18,000
518156	Shakespeare in Delaware Park	10,000
518168	Theatre of Youth	6,000
518132	Locust Street Neighborhood Art Classes	6,000
518096	Explore & More Children's Museum	5,000
	Total	<u>\$300,000</u>

and be it further

RESOLVED, that the Director of the Division of Budget and Management in conjunction with the Erie County Comptroller is authorized to make all the appropriate budget and accounting entries necessary to implement the above; and be it further

RESOLVED, that certified copies of this resolution be sent to the County Executive, the Director of the Division of Budget and Management, the Commissioner of Environment and Planning, the County Comptroller, and the County Attorney.

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

CARRIED UNANIMOUSLY.

Insert the Following between the First and Second Whereas Clauses:

WHEREAS, the Erie County Legislature recognizes the importance of the cultural organizations in Erie County and is providing funding to the organizations listed below for capital purposes; and

Delete the First Resolve Clause in its Entirety and Insert the Following:

RESOLVED, that the Legislature hereby authorizes the County Executive to enter into contracts with the cultural organizations listed below, for the dollar amount indicated, to fund their capital project needs as stated more specifically in Attachments A and B, which is incorporated herein; and be it further

RESOLVED, that by December 31, 2011 the cultural organizations listed below submit to the Clerk of the Erie County Legislature a written report with supporting documents indicating:

- How the grant received pursuant to this resolution was spent;

- Total cost of the project or purchase;
- Timeframe within which the grant funds received were expended;
- Whether there is a remaining balance of grant funds

and be it further

Insert the Following Attachments:

ATTACHMENT A

The following organizations are in line to receive capital cultural grants from Erie County once approved in the attached resolution:

Studio Arena Theatre - \$50,000

Shea's Performing Arts Center is in the process of taking over the management of the former Studio Arena Theater. The space will be used as a presenting theatre. This funding will be used for maintenance and repair of the building's mechanical systems.

African American Cultural Center - \$50,000

This grant will be used by the Center to purchase a new performance stage.

Graycliff Conservancy - \$40,000

The funding will help the Conservancy with its ongoing restoration of the Frank Lloyd Wright designed Graycliff campus.

WNY Book Arts Center - \$30,000

The organization will use the grant to purchase and install an ADA compliant lift to make its downtown Buffalo location fully handicap accessible.

Springville Center for the Arts - \$25,000

This grant will help the Center in its ongoing capital campaign to secure the exterior of its building – a former church dating back to 1869.

Lancaster Opera House - \$20,000

This funding will allow the organization to make upgrades and repairs including the replacement of auditorium seating and sound and lighting equipment.

Iron Island Museum - \$20,000

The museum will use the grant to fund the purchase and installation of a new roof and gutters on its building dating back to 1885 on Lovejoy Street in Buffalo.

Penn Dixie Paleontological Center - \$20,000

The funding will allow the organization to install additional paved trails for handicap accessibility and build a shelter overlooking the wetlands on the northern section of the site.

Irish Classical Theatre Company - \$18,000

This grant will allow the Company to finish the second phase of its capital plan, specifically the replacement of existing theatrical lighting equipment with new, energy efficient instruments.

Shakespeare in Delaware Park - \$10,000
The organization will use the funding to rebuild its stage.

Theatre of Youth - \$6,000
The organization will use the funding to make improvements to its stage lighting.

Locust Street Neighborhood Art Classes - \$6,000
The funding will be used to make necessary repairs and upgrades to the organization's home in the Fruit Belt that dates back to the 1880s. Projects include improvements to the roof and paving of parking lot.

Explore & More Children's Museum - \$5,000
The museum will use the funding to help finance the purchase of new and interactive exhibits.

ATTACHMENT B

Legislator Betty Jean Grant
7th District
790 East Delavan Avenue
Buffalo, New York 14215

Dear Legislator Grant:

We thank the County Executive for his recommendation for the African American Cultural Center to Purchase a mobile performing stage.

However, we would appreciate it if consideration would be given to the items that were listed which are our priority that would help the agency tremendously for the capital improvement:

1. Steel Doors (4)	6,500
2. Upgrade of electrical system in the theatre	5,000
3. Security System	3,000
4. Rugs for theatre floor	1,500
5. Collapsible risers	30,000

Our facility (which we own) is extremely old and in dire need of capital improvement. The aforementioned items total \$46,000. We do not know what problems we would run into when the repairs are facilitated. We would request that the remaining \$4,000 be utilized as a reserve in case we have to go over the budget line.

Any consideration given to this request would be greatly appreciated.

Sincerely,

Agnes M. Bain

Executive Director
African American
Cultural Center, Inc.

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

CARRIED UNANIMOUSLY.

SUSPENSION OF THE RULES

Item 32 - MS. WHYTE moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 19M-3 from 710 MAIN ST., INC. Re: Application for Funding Toward Capital Improvements - Cultural Capital Projects

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

Item 33 - MS. WHYTE moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 19M-4 from the AFRICAN AMERICAN CULTURAL CENTER Re: Application for Funding Toward Capital Improvements - Cultural Capital Projects

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

Item 34 - MS. WHYTE moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 19M-5 from GRAYCLIFF CONSERVATORY Re: Application for Funding Toward Capital Improvements - Cultural Capital Projects

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

Item 35 - MS. WHYTE moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 19M-6 from the WNY BOOK ARTS CENTER Re: Application for Funding Toward Capital Improvements - Cultural Capital Projects

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

Item 36 - MS. WHYTE moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 19M-7 from the SPRINGVILLE CENTER FOR THE ARTS Re: Application for Funding Toward Capital Improvements - Cultural Capital Projects

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

Item 37 - MS. WHYTE moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 19M-8 from the LANCASTER OPERA HOUSE Re: Application for Funding Toward Capital Improvements - Cultural Capital Projects

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

Item 38 - MS. WHYTE moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 19M-9 from the IRON ISLAND MUSEUM Re: Application for Funding Toward Capital Improvements - Cultural Capital Projects

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

Item 39 - MS. WHYTE moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 19M-10 from the PENN DIXIE PALEONTOLOGICAL CENTER Re: Application for Funding Toward Capital Improvements - Cultural Capital Projects

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

Item 40 - MS. WHYTE moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 19M-11 from the IRISH CLASSICAL THEATRE COMPANY Re: Application for Funding Toward Capital Improvements - Cultural Capital Projects

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

Item 41 - MS. WHYTE moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 19M-12 from SHAKESPEARE IN DELAWARE PARK Re: Application for Funding Toward Capital Improvements - Cultural Capital Projects

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

Item 42 - MS. WHYTE moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 19M-13 from THEATER OF YOUTH Re: Application for Funding Toward Capital Improvements - Cultural Capital Projects

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

Item 43 - MS. WHYTE moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 19M-14 from the LOCUST STREET NEIGHBORHOOD ART CLASSES Re: Application for Funding Toward Capital Improvements - Cultural Capital Projects

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

Item 44 - MS. WHYTE moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 19M-15 from the EXPLORE & MORE CHILDREN'S MUSEUM Re: Application for Funding Toward Capital Improvements - Cultural Capital Projects

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

COMMUNICATIONS FROM ELECTED OFFICIALS

FROM THE COUNTY EXECUTIVE

Item 45 – (COMM. 19E-1) CPS - Grant Personnel Adjustments

Received and referred to the PUBLIC SAFETY COMMITTEE.

Item 46 – (COMM. 19E-2) Appointments & Re-Appointments to the EC Commission on the Status of Women Advisory Board, for a Term Expiring 6/30/2014

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

Item 47 – (COMM. 19E-3) Employee Subsidized Wage Stimulus Grant Increase

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

Item 48 – (COMM. 19E-4) Supplemental Agreement with NYSDOT - Bridge Deck Sealing Project - Various Towns & Villages

Item 49 – (COMM. 19E-5) Bridge Deck Sealing Project Construction Award - Various Towns & Villages

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

Item 50 – (COMM. 19E-6) Amend Senior Services Operating Budget

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

Item 51 – (COMM. 19E-7) Rath Building - Low Rise Elevator Modernization Project

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM LEGISLATOR LOUGHRAN

Item 52 – (COMM. 19E-8) Letter to County Executive Concerning Further Information Regarding Comm. 18E-21 (2011)

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

COMMUNICATIONS FROM THE DEPARTMENTS

FROM THE COMMISSIONER - DEPARTMENT OF PUBLIC WORKS

Item 53 – (COMM. 19D-1) Follow Up Letter - Pavement Road Bridge Replacement Over the CSX Railroad & Bridge Removal Over an Abandoned Railroad - Town of Lancaster

Item 54 – (COMM. 19D-2) Follow Up Letter - Cemetery Road Bridge Replacement Over the NS Railroad & Plum Bottom Creek - Town of Lancaster

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

FROM THE COMPTROLLER'S OFFICE

Item 55 – (COMM. 19D-3) Letter to Commissioner of Central Police Services Concerning 2007 Homeland Security Contracts

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM THE DIRECTOR, INTERGOVERNMENTAL AFFAIRS

Item 56 – (COMM. 19D-4) Letter to Legislator Grant Concerning Cultural Capital Projects

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM THE CLERK,
EC COMMUNITY CORRECTIONS ADVISORY BOARD

Item 57 – (COMM. 19D-5) Resolution from the EC Community Corrections Advisory Board

Received and referred to the PUBLIC SAFETY COMMITTEE.

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES

FROM THE EXECUTIVE DIRECTOR, ECFSA

Item 58 – (COMM. 19M-1) Letter to Chair of the Legislature with Copy of Resolution Concerning Approving the Issuance Notes by the ECFSA

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM ECMCC

Item 59 – (COMM. 19M-2) Copy of Materials Distributed at Meeting Held 8/30/2011

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

ANNOUNCEMENTS

Item 60 – CHAIR MILLER-WILLIAMS announced that the schedule of upcoming Legislative committee meetings has been distributed.

MEMORIAL RESOLUTIONS

Item 61 – Legislator Hardwick requested that when the Legislature adjourns, it do so in memory of David M. Parish, Bonnie S. Foster, Gary L. Thompson, June L. Abernethy, John Beck, Warren A. Brock, and Louis E. Peterson.

Item 62 – Legislator Mazur requested that when the Legislature adjourns, it do so in memory of Retired NYS Supreme Court Justice Hon. William J. Ostrowski.

Item 63 – Legislator Kozub requested that when the Legislature adjourns, it do so in memory of Viola V. (Tyrpak) Askler.

Item 64 – Legislator Rath also requested that when the Legislature adjourns, it do so in memory of Retired NYS Supreme Court Justice Hon. William J. Ostrowski.

Item 65 – Legislator Marinelli requested that when the Legislature adjourns, it do so in memory of Catherine A. Federico.

Item 66 – Legislator Grant requested that when the Legislature adjourns, it do so in memory of Rev. Robert E. Baines.

ADJOURNMENT

Item 67 – 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, October 6, 2011 at 2:00 p.m. Eastern Standard Time. MR. WALTER seconded.

CARRIED UNANIMOUSLY.

CHAIR MILLER-WILLIAMS declared the Legislature adjourned until Thursday, October 6, 2011 at 2:00 p.m. Eastern Standard Time.

ROBERT M. GRABER
CLERK OF THE LEGISLATURE