

**ERIE COUNTY LEGISLATURE
MEETING NO. 20
NOVEMBER 29, 2012**

The Legislature was called to order by Chair Grant.

All members present.

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

The Pledge of Allegiance was led by Mr. Hardwick.

Item 1 – No tabled items.

Item 2 – No items for reconsideration from previous meeting.

Item 3 – MR. MAZUR moved for the approval of the minutes for Meeting Number 19 from 2012. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

Item 4 – No Public Hearings.

MISCELLANEOUS RESOLUTIONS

Item 5 – MR. MAZUR presented a memorial resolution Honoring the Memory of Raymond F. Bova Sr.

Item 6 – MR. MAZUR presented a memorial resolution In Remembrance of the Life of Candace L. "Candy" Koehn.

Item 7 – MR. MILLS presented a resolution Congratulating Boy Scout Noah Quinlan, Troop 491 on Obtaining the Rank of Eagle Scout.

Item 8 – MR. MAZUR presented a resolution Congratulating Joseph L. Maciejewski on Receiving the Harry Dunks Memorial Award of the NYS Association of County Directors of Real Property Tax Services.

Item 9 – MR. MAZUR & MS. MARINELLI presented a memorial resolution Honoring the Memory, Leadership & Community Advocacy Championed by Former North District Buffalo Common Council Member David P. Rutecki.

Item 10 – MR. MAZUR presented a memorial resolution Honoring Donald H. Cloudsley, Champion of the Buffalo & EC Public Library System.

Item 11 – MR. MAZUR presented a memorial resolution Honoring the Life of Irene B. Schunke.

Item 12 – MR. MAZUR presented a memorial resolution Remembering Ernest "Ernie" Warlick Upon His Passing.

Item 13 – MR. MAZUR presented a resolution Congratulating Belle Walls Montree on Her Retirement from Child & Family Services.

Item 14 – MS. MARINELLI presented a memorial resolution Honoring the Life of Donald H. Cloudsley, "Library Lion" & Director of the Buffalo & EC Public Library from 1983-1995.

Item 15 – MR. LORIGO presented a resolution Congratulating Boy Scout Matthew Walter, Troop 616 on Obtaining the Rank of Eagle Scout.

Item 16 – MR. HARDWICK presented a resolution Honoring Bonnie P. Sciuk for Her Commitment to the Town of Grand Island.

Item 17 – MR. HARDWICK presented a resolution Honoring the Tonawanda High School Boys Soccer Team on Being the 2012 Class B2 Sectional Champions.

Item 18 – MS. DIXON presented a resolution Recognizing & Honoring Walter & Mary Iwanenko as Erie County Citizens of the Month for November, 2012.

Item 19 – CHAIR GRANT presented a memorial resolution In Memory of Blanche Thomas.

MR. MAZUR moved for consideration of the above fifteen items. MR. RATH seconded.

CARRIED UNANIMOUSLY.

MR. MAZUR moved to amend the above fifteen items by including Et Al Sponsorship. MR. LORIGO seconded.

CARRIED UNANIMOUSLY.

MR. MAZUR moved for approval of the above fifteen items as amended. MR. HOGUES seconded.

CARRIED UNANIMOUSLY.

LOCAL LAWS

Item 20 – CHAIR GRANT directed that Local Law No. 8 (Print #1) 2011 remain on the table and in the ENERGY & ENVIRONMENT COMMITTEE.

GRANTED.

Item 21 – CHAIR GRANT directed that Local Law No. 11 (Print #1) 2011 remain on the table and in the PUBLIC SAFETY COMMITTEE.

GRANTED.

Item 22 – CHAIR GRANT directed that Local Law No. 1 (Print #1) 2012 remain on the table and in the ENERGY & ENVIRONMENT COMMITTEE.

GRANTED.

Item 23 – CHAIR GRANT directed that Local Law No. 3 (Print #1) 2012 remain on the table and in the COMMUNITY ENRICHMENT COMMITTEE.

GRANTED.

COMMITTEE REPORTS

Item 24 – MS. MARINELLI presented the following report and moved for immediate consideration and approval. MR. MILLS seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 251

November 9, 2012	COMMUNITY ENRICHMENT COMMITTEE REPORT NO. 12
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ALL MEMBERS PRESENT, EXCEPT LEGISLATOR HARDWICK.
CHAIR GRANT PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 16D-1 (2012)
COMMISSIONER OF ENVIRONMENT & PLANNING: “Copy of 2011 EC Funding for Cultural Organization Capital Projects”
(5-0)
 - b. COMM. 18D-3 (2012)
COMMISSIONER OF ENVIRONMENT & PLANNING: “Corrected – 2011 EC Funding for Cultural Organizations Capital Projects”
(5-0)
 - c. COMM. 18M-4 (2012)
710 MAIN STREET INC.: “Letter to Clerk of Legislature Concerning Capital Funding from 2011 - Receipts”
(5-0)
 - d. COMM. 18M-5 (2012)

LANCASTER OPERA THEATER HOUSE: “Letter to Clerk of Legislature Concerning Capital Funding from 2011 - Receipts”
(5-0)

e. COMM. 18M-6 (2012)
SPRINGVILLE CENTER FOR THE ARTS: “Letter to Clerk of Legislature Concerning Capital Funding from 2011 - Receipts”
(5-0)

f. COMM. 18M-9 (2012)
LOCUST STREET NEIGHBORHOOD ART CLASSES, INC.: “Letter to Clerk of Legislature Concerning Capital Funding from 2011 – Receipts”
(5-0)

g. COMM. 18M-12 (2012)
BUFFALO & EC PUBLIC LIBRARY: “Agenda for Meeting Held 10/18/2012”
(5-0)

h. COMM. 19M-1 (2012)
MAYOR OF BUFFALO: “Letter to Chair Grant Concerning Recommendation for Reappointment to the Buffalo & EC Public Library Board of Trustees”
(5-0)

2. COMM. 19E-8 (2012)
COUNTY EXECUTIVE AS AMENDED
RESOLVED, the Erie County Legislature hereby confirms the appointment of the following individuals to the Buffalo & EC Public Library Board of Trustees:

<u>Name & Address</u>	<u>Term Expires</u>
Sheldon M. Berlow 33 Gates Circle Buffalo, NY 14209	December 31, 2013
Sharon Thomas 76 Benwood Avenue Buffalo, NY 14214	December 31, 2016
Frank Gist 409 Wyoming Avenue Buffalo, NY 14215	December 31, 2015

(5-0)

LYNN M. MARINELLI
CHAIR

Item 25 – MR. MAZUR presented the following report and moved for immediate consideration and approval. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 252

November 20, 2012	HEALTH & HUMAN SERVICES COMMITTEE REPORT NO. 15
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ALL MEMBERS PRESENT.

CHAIR GRANT PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following item is hereby received and filed:
 - a. COMM. 19M-12 (2012)
THE WOMEN, CHILDREN & SOCIAL JUSTICE CLINIC AT SUNY BUFFALO LAW SCHOOL: "Copy of Flier Entitled "Domestic Violence as a Human Rights Violation""
(6-0)

2. COMM. 19E-3 (2012)
COUNTY EXECUTIVE
WHEREAS, the purpose of this resolution is to authorize entering into contract for Cancer Services reimbursement from multiple sources with Diane SanFilippo, M.D., for the provision of eligible clinical services during the time period 4/1/12 through 12/31/12; and

WHEREAS, the provision of clinical services is based upon New York State Department of Health assigned rates for the Partners for Prevention Cancer Services Program of Erie County; and

WHEREAS, the funds necessary to cover the costs of this contract have been appropriated in the 2012 Adopted Budget (Special Funds).

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into contract and amendments to that contract for Cancer Services reimbursement from multiple sources with Diane SanFilippo, M.D., for the provision eligible clinical services during the time period 4/1/12 through 12/31/12; and be it further

RESOLVED, that contract reimbursement rates to Dr. SanFilippo will be the New York State Department of Health assigned rates for the Partners for Prevention Cancer Services Program of Erie County, said funds are available in the 2012 grant budget; and be it further

RESOLVED, that certified copies of this resolution will be forwarded to the Erie County Executive, the Office of the Comptroller, the Division of Budget and Management, the Department of Law and to Dr. Gale R. Burstein, Commissioner, in the Erie County Department of Health, 9th Floor, Rath Building.

(6-0)

3. COMM. 19E-5 (2012)
COUNTY EXECUTIVE

WHEREAS, the Legislature has already appropriated funds for the 2012 Congregate Dining grant for the period January 1, 2012 to December 31, 2012; and

WHEREAS, Congregate Dining funds are expected to be fully utilized for the provision of meals to the elderly; and

WHEREAS, the Congregate Dining grant budget needs to be revised to allow the Salvation Army to be paid for the congregare meals it will serve in 2012 ; and

WHEREAS, appropriations to pay the Salvation Army are available in other grant lines; and

WHEREAS, the revisions will not change the required local County match.

NOW, THEREFORE, BE IT

RESOLVED, that the budget for the Congregate Dining grant, 163III-C-12012, and current Salvation Army contract, be revised as follows:

		CURRENT		AMENDED
		BUDGET	CHANGES	BUDGET
APPROPRIATIONS				
Account	Description			
510000	Local Mileage Reimbursement	21,620	-2,000	19,620
516020	Professional Services	109,150	-2,000	107,150
516024	Dietary Consulting	25,000	-2,000	23,000
517777	Salvation Army	37,360	6,000	43,360
			<u>-0-</u>	

and be it further

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

(6-0)

4. COMM. 19E-6 (2012)
COUNTY EXECUTIVE

WHEREAS, the New York State Energy Research and Development Authority (NYSERDA) has expressed interest in partnering with local Area Agencies on Aging (AAA's) to inform older adults who might be eligible for the EmPower NY program, and to assist with the application process; and

WHEREAS, the EmPower NY program delivers energy efficiency and energy use education to low-income New Yorkers and can provide access to electric and heating efficiency measures such as ENERGY STAR, lighting and refrigerators, insulation and air sealing, and In-Home energy education to reduce the energy bills of those served; and

WHEREAS, NYSERDA is offering to pay participating AAA's \$20 for each completed EmPower NY application with income verification.

NOW, THEREFORE, BE IT

RESOLVED that the County Executive is hereby authorized to enter into an agreement with NYSERDA, for the period September 1, 2012 through December 30, 2015, to complete EmPower NY applications for eligible Erie County seniors; and be it further

RESOLVED, that the budget for the Community Services for the Elderly grant (163CSE1213) be revised, to reflect anticipated revenue generated from NYSERDA's payments for completed applications, as follows:

		CURRENT	CHANGES	AMENDED
		BUDGET		BUDGET
APPROPRIATIONS				
Account	Description			
530000	Other Expenses	66,110	+3,000	69,110
REVENUES				
466330	Other Local Match	0	<u>+3,000</u>	3,000
			<u>-0-</u>	

and be it further

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

(6-0)

5. COMM. 19E-9 (2012)
COUNTY EXECUTIVE

RESOLVED, the Erie County Legislature hereby confirms the appointment of the following individual to the Youth Services Board to a term expiring December 31, 2014:

Margaret Jones-Casey
3490 Heatherwood Drive
Hamburg, New York 14075

(6-0)

THOMAS J. MAZUR

CHAIR

Item 26 – MR. McCracken presented the following report and moved for immediate consideration and approval. MR. MAZUR seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 253

November 20, 2012	ENERGY & ENVIRONMENT COMMITTEE REPORT NO. 14
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ALL MEMBERS PRESENT, EXCEPT LEGISLATOR LORIGO.
CHAIR GRANT PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 15M-18 (2012)
THE KNOER GROUP, PLLC: “Letter to Legislature Concerning Sheridan Park, Inc.”
(5-0)
 - b. COMM. 19D-1 (2012)
COMMISSIONER OF ENVIRONMENT & PLANNING: “EC Environmental Management Council - 2012 State of the County Environment Report”
(5-0)

2. COMM. 18E-11 (2012)
COUNTY EXECUTIVE
WHEREAS, the Erie County Department of Environment and Planning (ECDEP) provides technical assistance to municipalities to facilitate compliance with State Environmental regulations; and

WHEREAS, the ECDEP has previously been contracted by the County’s two solid waste management boards to assist with compliance with the New York State Department of Environmental Conservation approved Solid Waste Management Plans (SWMP); and

WHEREAS, Erie County’s two solid waste management boards have signed separate Memorandums of Understanding (MOU) for the ECDEP to provide the necessary administrative, logistical and technical assistance and services to comply with the approved SWMP; and

WHEREAS, a current JG-7 position in the ECDEP will continue to provide the assistance to the solid waste management boards upon execution of the MOU’s.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter into separate two year MOU agreements with the Northeast Southtowns Solid Waste Management Board (NEST) and the

Northwest Solid Waste Management Board (NWSWMB) to provide services in 2013 and 2014 and accept the combined funds; and be it further

RESOLVED, that certified copies of this resolution be sent to the County Executive's Office; the Comptroller's Office; the Director of the Division of Budget and Management; the County Attorney; and the Commissioner of the Department of Environment and Planning, Rath Building, 10th Floor.

(5-0)

3. COMM. 18E-12 (2012)
COUNTY EXECUTIVE

WHEREAS, household hazardous waste is being generated by residents in Erie County; and

WHEREAS, improper disposal of household hazardous waste has the potential to contaminate the air, land, and waters of Erie County; and

WHEREAS, continued storage of hazardous household products in the home constitutes a danger to the occupants and the community; and

WHEREAS, Erie County has successfully conducted a model Household Hazardous Waste (HHW) Collection Program since 1988, servicing over 50,000 residents within Erie County; and

WHEREAS, the State of New York provides financial aid for household hazardous waste programs; and

WHEREAS, the Erie County HHW Program is dependent upon State Aid assistance for partial funding; and

WHEREAS, Erie County deems it to be in the public interest and benefit to file an application for State Aid; and

WHEREAS, it is necessary that a Contract by and between the people of the State of New York and Erie County be executed for such State Aid.

NOW, THEREFORE, BE IT

RESOLVED, that the filing of an application for State assistance for the Household Hazardous Waste Program in the form required by the State of New York in conformity with the applicable laws of the State of New York including all understanding and assurances contained in said application is hereby authorized; and be it further

RESOLVED, that the County Executive is directed and authorized enter into agreement and sign the resulting contract for partial reimbursement for expenses incurred conducting the County HHW Program if said application is approved by the State; and be it further

RESOLVED, that Erie County agrees that it will fund the cost of said HHW Program and will be reimbursed by the State for the State share of such costs; and be it further

RESOLVED, that five (5) certified copies of this resolution be prepared and sent to the NYSDEC together with a complete application; 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 Office of the Comptroller; Maria Whyte, Commissioner of Environment and Planning; Thomas Hersey, Deputy Commissioner of Environment and Planning; Paul Kranz, P.E., Associate Engineer, the County Comptroller and the County Attorney.

(5-0)

4. COMM. 19E-2 (2012)
COUNTY EXECUTIVE

WHEREAS, the Department of Parks, Recreation & Forestry currently permits mountain biking on designated trails at Sprague Brook Park and Hunters Creek Park (AKA Sgt. Mark A. Rademacher Memorial Park); and

WHEREAS, the Department of Parks, Recreation & Forestry is finding it increasingly difficult to maintain biking trails due to the lack of staffing; and

WHEREAS, the Western New York Mountain Bicycling Association (WNYMBA) is willing to enter into agreements with the County to take over the maintenance aspect of these designated trails, including, but not limited to, repairs, signage, mapping and trail volunteer days.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into agreements with the WNYMBA for the purpose of permitting the maintenance of these designated trails located within the Erie County Park System; and be it further

RESOLVED, that certified copied of this resolution be forwarded to the Office of the Erie County Executive, the Department of Parks, Recreation & Forestry and Assistant County Attorney, Kristen Walder, of the Law Department.

(5-0)

**TERRENCE D. McCRACKEN
CHAIR**

Item 27 – MR. HOGUES presented the following report and moved for immediate consideration. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 254

November 20, 2012	PUBLIC SAFETY COMMITTEE REPORT NO. 13
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ALL MEMBERS PRESENT, EXCEPT LEGISLATOR McCRACKEN.

CHAIR GRANT PRESENT AS EX-OFFICIO MEMBER.

1. COMM. 19E-15 (2012)
SHERIFF

RESOLVED, the Erie County Legislature hereby appoints the following individual as recommended by the EC Sheriff to the EC Community Corrections Advisory Board to complete the term created by a vacancy and will expire on 11/20/2015:

Superintendent Thomas J. Diina
EC Sheriff's Office
Jail Management Division
40 Delaware Avenue
Buffalo, New York 14202

(5-0)

2. COMM. 19M-10 (2012)
BUFFALO NIAGARA DISTRICT COUNCILMEMBER RIVERA

RESOLVED, the Erie County Legislature hereby appoints the following individual as recommended by the Hispanic Community to the EC Community Corrections Advisory Board to complete the term created by a vacancy and will expire on 11/20/2015:

Mr. Kenneth Colon
Buffalo Urban League
15 Genesee Street
Buffalo, New York 14203

(5-0)

3. COMM. 19M-16 (2012)
JUSTICE WOLFGANG

RESOLVED, the Erie County Legislature hereby appoints the following individual as recommended by the Chair of the Alternatives to Incarceration Board to the EC Community Corrections Advisory Board to complete the term created by a vacancy and will expire on 11/20/2015:

Mr. William Shultz
Associate Vice President
People Inc.
4286 Delaware Avenue
Tonawanda, NY 14150

(5-0)

TIMOTHY R. HOGUES
CHAIR

MR. HOGUES moved to amend the report. MR. MAZUR seconded.

CARRIED UNANIMOUSLY.

Delete the Report in its Entirety and Replace with the Following:

November 20, 2012	PUBLIC SAFETY COMMITTEE REPORT NO. 13
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ALL MEMBERS PRESENT, EXCEPT LEGISLATOR McCracken.
CHAIR GRANT PRESENT AS EX-OFFICIO MEMBER.

1. COMM. 19E-15 (2012)
SHERIFF

RESOLVED, the Erie County Legislature hereby appoints the following individual as recommended by the EC Sheriff to the EC Community Corrections Advisory Board to complete the term created by a vacancy and will expire on 2/15/2013:

Superintendent Thomas J. Diina
EC Sheriff's Office
Jail Management Division
40 Delaware Avenue
Buffalo, New York 14202

(5-0)

2. COMM. 19M-10 (2012)
BUFFALO NIAGARA DISTRICT COUNCILMEMBER RIVERA

RESOLVED, the Erie County Legislature hereby appoints the following individual as recommended by the Hispanic Community to the EC Community Corrections Advisory Board to complete a term that will expire on 11/29/2015:

Mr. Kenneth Colon
Buffalo Urban League
15 Genesee Street
Buffalo, New York 14203

(5-0)

3. COMM. 19M-16 (2012)
JUSTICE WOLFGANG

RESOLVED, the Erie County Legislature hereby appoints the following individual as recommended by the Chair of the Alternatives to Incarceration Board to the EC Community Corrections Advisory Board to complete the term created by a vacancy and will expire on 2/15/2014:

Mr. William Shultz
Associate Vice President
People Inc.
4286 Delaware Avenue
Tonawanda, NY 14150

(5-0)

TIMOTHY R. HOGUES

CHAIR

MR. HOGUES moved to approve the report as amended. MR MAZUR seconded.

CARRIED UNANIMOUSLY.

Item 28 – MR. LOUGHRAN presented the following report and moved for immediate consideration and approval. MR. HOGUES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 255

November 20, 2012	ECONOMIC DEVELOPMENT COMMITTEE REPORT NO. 13
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ALL MEMBERS PRESENT.
CHAIR GRANT PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 19M-2 (2012)
NFTA: “Copy of 17A Report & the Capital Expenditure Report for the Second Quarter of Fiscal Year Ending 3/31/2013”
(6-0)
 - b. COMM. 19M-5 (2012)
NFTA: “Minutes from Meeting Held 9/28/2012”
(6-0)
 - c. COMM. 19M-8 (2012)
CENTER FOR EMPLOYMENT OPPORTUNITIES: “Copy of Letter to NFTA Executive Director Concerning Transportation”
(6-0)

2. COMM. 19E-4 (2012)
COUNTY EXECUTIVE
WHEREAS, the State of New York has established an Empire Zone Program to revitalize economic development by providing financial inducements for businesses and industry to locate within Empire Zones; 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

WHEREAS, pursuant to New York Tax Law Section 1210(d), this resolution must be submitted to the New York Commissioner of Taxation and Finance prior to December 1, 2012 for a March 1, 2013 effective date; and

WHEREAS, Erie County has provided for QEZE exemptions on an annual basis for a number of years and wants to continue to provide the QEZE refund/credit provisions that superseded those expired exemptions; 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) For the period beginning March 1, 2013, and ending on February 28, 2014, the provision for credit or refund described in subdivision (d) of Section 1119 of the New York Tax Law, relating to Qualified Empire Zone Enterprises, shall apply to taxes imposed by this enactment.

Section 2. This resolution shall take effect March 1, 2013 and shall apply to sales made, services rendered and uses occurring during the period of March 1, 2013, through February 28, 2014, in accordance with the applicable transitional provisions in sections 1106 and 1217 of the New York Tax Law; and be it further

RESOLVED, that certified copies of this resolution be filed with the Erie County Clerk, the Secretary of State, 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 Commissioner of Environment and Planning; and the County Attorney.

(6-0)

3. COMM. 19E-12 (2012)
COUNTY EXECUTIVE

WHEREAS, the Department of Public Works, Division of Highways, and the New York State Department of Transportation (NYSDOT) perform annual and biannual inspections of County-owned bridges; and

WHEREAS, as a result of these inspections, Erie County was cited with yellow and red flags which restrict access to the traveling public and requires the County to respond to NYSDOT with a plan of action as soon as practicable; and

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

WHEREAS, the Department of Public Works, Division of Highways, determined that Clough, Harbour & Associates has the appropriate experience in design, construction management, technical services and construction inspection of bridges; and

WHEREAS, in order for the Department of Public Works, Division of Highways, to urgently respond to these cited County bridge deficiencies with bridge repairs and construction, Legislature approval is required to enter into a contract with Clough, Harbour & Associates to perform this work.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be authorized to execute a contract with Clough, Harbour & Associates for an amount not to exceed \$130,175.00 with funding totaling \$128,079.96 from the Emergency Bridge Design Program, SAP account B.00191.1, and funding totaling \$2,095.04 coming from Preservation of Bridges and Culverts Design, SAP account B.11027.2; and be it further

RESOLVED, that five (5) 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, the Office of the Comptroller and the Division of Purchase.

(6-0)

**THOMAS A. LOUGHRAN
CHAIR**

LEGISLATOR RESOLUTIONS

Item 29 – MR. MAZUR presented the following resolution and moved for immediate consideration. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 256

RE: Expressing Opposition to Federal & State Budget Cuts that Would Impact Nutrition Programs for Senior Citizens (INTRO 20-1)

**A RESOLUTION TO BE SUBMITTED
BY LEGISLATORS MARINELLI, GRANT, MAZUR,
HOGUES & McCracken**

WHEREAS, during the budget hearing for the Erie County Department of Senior Services, the Erie County Legislature was informed that, effective January 1, 2013, the department will absorb a severe decrease in funding for senior citizen nutrition programs; and

WHEREAS, the specific program that will be discontinued is the pilot program for frozen weekend meals, putting an end to the availability of nearly 10,000 meals for Erie County's senior citizens over the course of a year; and

WHEREAS, it is anticipated that the aforementioned federal cuts will force the state to reduce Title IIIC funding, which also impacts congregate dining and SNAP (Supplemental Nutrition Assistance Program); and

WHEREAS, these cuts will be implemented even if the looming sequestration issue is resolved, and would be substantially worsened if the nation's "fiscal cliff" results in massive cuts to domestic programs including those that allow senior citizens to live out their golden years in dignity and above the poverty level.

NOW, THEREFORE, BE IT

RESOLVED, that this Honorable Body pause in its deliberations to appeal to federal and state policymakers to mitigate the impact of federal and state budget cuts on the elderly, particularly in the area of senior nutrition programs; and be it further

RESOLVED, that copies of this resolution be conveyed to President Barack Obama, U.S. Senators Chuck Schumer and Kirsten Gillibrand, the WNY Congressional Delegation, the WNY Delegation to the New York State Legislature, County Executive Mark Poloncarz, Erie County Commissioner of Senior Services Ellen Grant and all others deemed necessary and proper.

MR. MAZUR moved to amend the resolution by including Et Al Sponsorship. MR. MILLS seconded.

CARRIED UNANIMOUSLY.

MR. MAZUR moved to approve the resolution as amended. MR. HOGUES seconded.

CARRIED UNANIMOUSLY.

Item 30 – MR. MAZUR presented the following resolution and moved for immediate consideration. MR. McCRACKEN seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 257

RE: Encouraging the NYS Legislature & Governor to Enact "Phoenix's Law" to Increase the Criminal Penalties for Animal Cruelty
(INTRO 20-2)

**A RESOLUTION TO BE SUBMITTED
BY LEGISLATOR McCRACKEN**

WHEREAS, on October 29, 2012, two Buffalo teenagers allegedly doused a Jack Russell terrier with lighter fluid and attempted to burn the dog to death; and

WHEREAS, although the dog – named Phoenix by the veterinary team at Buffalo Small Animal Hospital – survived the October 29 incident, his recovery has been painful and slow, including multiple surgeries and skin grafts to treat the burns which covered more than 50% of his body; and

WHEREAS, current state law does not adequately address a crime of such depravity with an appropriate punishment; and

WHEREAS, this shortcoming in New York State Law calls for a legislative remedy; and

WHEREAS, it behooves the New York State Assembly and Senate – on behalf of helpless animals like Phoenix and the countless citizens of this state who are appalled by animal cruelty – to introduce bills in the upcoming session of the Legislature to update the penal law to exact a punishment that more closely reflects the severity of the animal cruelty crime committed.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature encourage the New York State Assembly and Senate to introduce and approve bills in the upcoming session of the State Legislature commencing in January 2013, and also urge the Governor to sign the bills into law, that will raise the level of felony for animal torture and abuse to more accurately reflect the heinousness and gravity of the crime; and be it further

RESOLVED, that copies of this resolution be conveyed to the Governor, Speaker of the Assembly and Senate Majority Leader, the Western New York Delegation of the New York State Legislature, District Attorney Frank A. Sedita III, County Executive Mark Poloncarz and all others deemed necessary and proper.

MR. MAZUR moved to amend the resolution by including Et Al Sponsorship. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

MR. MAZUR moved to approve the resolution as amended. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

Item 31 – MR. MAZUR presented the following resolution and moved for immediate consideration and approval. MR. McCRACKEN seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 258

RE: Legislature Recommendation to
Governor Cuomo for Appointment to the

NFTA Board of Commissioners
(INTRO 20-3)

**A RESOLUTION TO BE SUBMITTED
BY LEGISLATORS GRANT, MAZUR, HOGUES,
LOUGHRAN & McCRACKEN**

WHEREAS, New York State Public Authorities Law, Section 1299-C, provides that among the ten members of the Niagara Frontier Transportation Authority Board of Commissioners, one member shall be appointed by the Governor upon the recommendation of the Erie County Legislature, subject to State Senate confirmation; and

WHEREAS, the previous appointee recommended by the Erie County Legislature has submitted his resignation resulting in a vacancy in this important public policy position, and as such, the Legislature must act expeditiously on its recommendation to Governor Andrew M. Cuomo to ensure continuity of representation on the NFTA Board of Commissioners; and

WHEREAS, Dr. Wesley L. Hicks Jr. has expressed a desire to be the Legislature's recommendation to Governor Cuomo, offering solid credentials and a deep commitment to our region, as well as energy and enthusiasm for the appointment, and a stated commitment to this Legislature's Economic Development Committee concerning communication, collaboration and information sharing; and

WHEREAS, as a medical doctor and surgeon, dentist, author and Professor of both Neurosurgery and Biomedical Engineering at SUNY Buffalo School of Medicine, among other remarkable achievements, Dr. Hicks possesses an exceptional understanding of complex matters, enabling him to excel as a member of the governing board of the NFTA; and

WHEREAS, Dr. Hicks recognizes that Buffalo Niagara's public transportation system is an economic development engine that can power strategic linkages between the geography of where jobs are to the geography of where job seekers live.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature respectfully calls upon the Governor of New York, the Honorable Andrew M. Cuomo, to appoint Dr. Wesley L. Hicks Jr. (9714 Erie Rd., Angola, NY 14006), as a member of the Niagara Frontier Transportation Authority Board of Commissioners, to complete the balance of a five-year term ending on June 30, 2016; and be it further

RESOLVED, that the Clerk of the Legislature be and hereby is directed to forward certified copies of this resolution to Governor Cuomo; the Majority Leader of the New York State Senate, the Honorable Dean G. Skelos; the Secretary of the NFTA Board of Commissioners; and Dr. Wesley L. Hicks Jr.

COMMUNICATIONS DISCHARGED FROM COMMITTEE

Acct. No. 112 \$0.00 County
Acct. No. 132 \$510.46 Town/SpecialDist/School
Charge To : 146800 WEST SENECA \$510.46
Relevy School \$510.46 146801 WEST SENECA CENT

RPTL 550(2): FAILED TO APPLY A DISABILITY EXEMPTION
REFUND TO BE ISSUED TO: EUGENE & CATHERINE O'NEILL

FISCAL YEAR2010 Petition No. 212,273.00

ASSESSOR Refund \$3,472.64

S-B-L MULTIPLE 145289 LANCASTER

Acct. No. 112 \$3,472.64 County
Acct. No. 132 \$0.00 Town/SpecialDist/School
Charge To : 145289 LANCASTER \$0.00

RPTL 550(2): DUPLICATE SEWER DISTRICT # 4 CHARGED TO THE TAX ROLL
REFUNDS TO BE ISSUED TO: MULTIPLE PROPERTY OWNERS

FISCAL YEAR2011 Petition No. 212,274.00

ASSESSOR Refund \$3,389.52

S-B-L MULTIPLE 145289 LANCASTER

Acct. No. 112 \$3,389.52 County
Acct. No. 132 \$0.00 Town/SpecialDist/School
Charge To : 145289 LANCASTER \$0.00

RPTL 550(2): DUPLICATE SEWER DISTRICT # 4 CHARGED TO THE TAX ROLL
REFUNDS TO BE ISSUED TO: MULTIPLE PROPERTY OWNERS

FISCAL YEAR2012 Petition No. 212,275.00

ASSESSOR Refund \$4,400.70

S-B-L MULTIPLE 145289 LANCASTER

Acct. No. 112 \$4,400.70 County
Acct. No. 132 \$0.00 Town/SpecialDist/School
Charge To : 145289 LANCASTER \$0.00

RPTL 550(2): DUPLICATE SEWER DISTRICT # 4 CHARGED TO THE TAX ROLL
REFUNDS TO BE ISSUED TO: MULTIPLE PROPERTY OWNERS

and be it further

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

MR. MAZUR moved to approve the item as amended. MR. HOGUES seconded.

CARRIED UNANIMOUSLY.

SUSPENSION OF THE RULES

Item 33 – MR. MAZUR moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 20E-25 from the COUNTY EXECUTIVE Re: Letter to Legislature Concerning Minority Caucus Budget Amendments to the 2013 Tentative EC Budget

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 34 – MR. MAZUR moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 20E-26 from LEGISLATOR HOGUES Re: Letter to Chairman of ECFSA Concerning the ECFSA's 10/26/2012 Analysis of County Executive's 2013 Budget & Four Year Financial Plan

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

COMMUNICATIONS FROM ELECTED OFFICIALS

FROM THE COMPTROLLER

Item 35 – (COMM. 20E-1) Letter to Chair of Public Safety Committee Concerning Further Clarification & Additional Information Regarding Commissary & Telephone Expenditures

Received and referred to the PUBLIC SAFETY COMMITTEE.

Item 36 – (COMM. 20E-2) Copy of EC Interim Financial Report for the Third Quarter Ended 9/30/2012

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE COUNTY EXECUTIVE

Item 37 – (COMM. 20E-3) Lake Avenue Bridge over Smokes Creek - Construction Award - Town of Orchard Park

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 38 – MR. MAZUR presented the following resolution and moved for immediate consideration and approval. MR. MILLS seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 260

RE: Design & Engineering for New Road & Other Public Infrastructure on Former Bethlehem Steel Site (COMM. 20E-4)

WHEREAS, the County of Erie is interested in the fostering of business growth and job creation within Erie County; and

WHEREAS, Erie County desires to encourage the sound reuse of urban brownfields for productive use, be it industrial, commercial or recreational; and

WHEREAS, the former Bethlehem Steel site in the City of Lackawanna is now owned by Tecumseh Redevelopment Inc., and that Tecumseh Redevelopment Inc., the City of Lackawanna and the County of Erie entered into a Memorandum of Understanding on April 12, 2005, to work cooperatively toward the goal of the redevelopment of this underutilized site; and

WHEREAS, the County of Erie, City of Lackawanna, Lackawanna Community Development Corporation, Erie County Industrial Development Agency, South Buffalo Railway, Gateway Trade Corporation and Tecumseh Redevelopment Incorporated have worked and continue to work cooperatively toward achieving the redevelopment of the former Bethlehem Steel Site; and

WHEREAS, rehabilitation of the roadway and construction of the infrastructure is necessary for Welded Tube to start productive operations by Aug. 1, 2013; and

WHEREAS, it is necessary to retain Wendel Duchscherer Architects & Engineers, P.C., to perform the necessary design and engineering work for the rehabilitation and construction of the access road and infrastructure; and

WHEREAS, the County Legislature has previously approved the sale of the General Obligation Bonds (Comm.7E-7, 2009) for improvements at this site and funds are available for the project in question.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter into contract(s) in an amount not to exceed a total of \$499,000 for the purpose of design and engineering for the construction related to

rehabilitation of the Welded Tube access road on the former Bethlehem Steel site, with the project funds coming from capital account A.20911; and be it further

RESOLVED, that five (5) 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, Department of Environment and Planning, the Office of the Comptroller and the Division of Purchase.

Item 39 – (COMM. 20E-5) Supplemental Agreement with NYSDOT - Lake Avenue Bridge over Smokes Creek - Town of Orchard Park

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 40 – (COMM. 20E-6) 2013 Stay Fit (Congregate) Dining Food Preparation & Delivery Contract

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

Item 41 – MR. MAZUR presented the following resolution and moved for immediate consideration and approval. MR. HOGUES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 261

RE: Downtown Pedestrian/Transit Mall
Special District - Adoption of Mall
District Service Charge Roll for 2013
(COMM. 20E-7)

WHEREAS, after a public hearing, held on October 30, 2012 by Buffalo Place Inc., and upon adoption of Intro 19-1, November 8, 2012, the Erie County Legislature determined that the total amount to be raised by mall district service charges for 2013 for the downtown pedestrian/transit mall special district shall be the sum of \$ 1,286,122; and

WHEREAS, the 2013 Mall District Budget requires that the amount to be raised by Mall District payments in lieu for 2013 for the downtown pedestrian/transit mall special district shall be the sum of \$ 18,000.00; and

WHEREAS, the Director of Real Property Tax Services has established the 2013 mall district service charge and payment in lieu roll apportioning the amount to be raised and has transmitted such roll to the Erie County Legislature for adoption.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby adopt the mall district service charge and payment in lieu roll established by the Director of Real Property Tax Services for the purpose of assessing 2013 service charges for the downtown pedestrian/transit mall special district; and be it further

RESOLVED, that 2013 mall district service charges and payment in lieu in the amount of \$18,000 shall be assessed, due and a lien on benefited properties within the downtown pedestrian/transit mall special district on and as of January 1, 2013 and shall be payable to the Director of Real Property Tax Services as provided in Erie County Local Law No. 8-1984; and be it further

RESOLVED, that late fees shall be collected on payments made after the dates provided in Erie County Local Law No. 8-1984, and an interest budget line of \$10,000.00 shall be added to the Mall Budget for collection of these late fees; and be it further

RESOLVED, that the Director of Budget and Management is hereby authorized to establish the 2013 Downtown Mall Budget in the amount \$1,314,122, which includes \$1,286,122 for service charges, \$18,000 for payment in lieu, and \$10,000 for interest earnings; and be it further

RESOLVED, that the Director of Real Property Tax Services is hereby authorized to make adjustments and modifications as he deems appropriate; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the County Executive, Budget Director, County Comptroller, County Attorney, and Joseph L. Maciejewski, Director Real Property Tax Services.

Item 42 – (COMM. 20E-8) ECSD No. 2 - Modification of Plans (2012)

Item 43 – (COMM. 20E-9) ECSD No. 3 - 2013 Budget Amendment - Mount Vernon Sewer District Operation & Maintenance Services

Item 44 – (COMM. 20E-10) ECSD Nos. 1,3,4 & 5 - Engineering Agreement Close-Out - A/E Agreement Dated 11/20/2008 - Conestoga-Rovers & Associates

Item 45 – (COMM. 20E-11) ECSDs Engineering Agreement Close-Out - A/E Agreement Dated 11/29/2007 - Greenman-Pederson, Inc. (GPI)

Item 46 – (COMM. 20E-12) ECSDs Engineering Agreement Close-Out - A/E Agreement Dated 11/29/2007 - LiRo Engineers

Item 47 – (COMM. 20E-13) ECSD Nos. 1-6 & 8 - User Charge Rates

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

Item 48 – (COMM. 20E-14) Federal Aid Bridge Maintenance Projects: Bridge Washing (230 Bridges), Bridge Deck Sealing (18 Bridges) & Bridge Joint Replacement (3 Bridges) - Various Towns - with Consultant Design Engineer Services

Item 49 – (COMM. 20E-15) Fuel Tank Replacement at the Angola & Collins Highway Facility

Item 50 – (COMM. 20E-16) Environmental Compliance - Phase 3

Item 51 – (COMM. 20E-17) Angola/Collins/East Concord Highway Maintenance Facilities - 2012 Oil/Water Separator Improvements

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

Item 52 – (COMM. 20E-18) EC Parks & Recreation - Wendt Beach Mansion Restoration Evaluation Report

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 53 – MR. MAZUR presented the following resolution and moved for immediate consideration and approval. MR. HOGUES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 262

RE: Amend Community Services for the Elderly (CSE) Grant to Provide for Increased Transportation Dollars (COMM. 20E-19)

WHEREAS, the 2012 Erie County Budget includes funds appropriated for Community Services for the Elderly (CSE) Grant; and

WHEREAS, the New York State Office for Aging (NYSOFA) has notified the Department of Senior Services (Department) of an award of additional state funds in the amount of \$5,639 for the Community Services for the Elderly (CSE) Grant for the period April 1, 2012 through March 31, 2013; and

WHEREAS, the Department's Going Places Transportation Program was previously awarded a vehicle by the New York State Department of Transportation (NYSDOT), which is now being delivered; and

WHEREAS, the Department currently contracts with Schiller Park Community Services, Inc. (Schiller Park) to provide transportation services to seniors 60 years of age and older under CSE funding, and desires to amend the contract with Schiller Park to reflect the additional vehicle and funds for the operation of the new vehicle; and

WHEREAS, the Department also contracts for senior transportation services with Hispanics United of Buffalo, Inc. (Hispanics United) and Lt. Col. Matt Urban Human Services Center of Western New York an assumed name of Polish Community Center of Buffalo, Inc. (Matt Urban Center) thru CSE; and

WHEREAS, the additional CSE funds will partially offset the increased expenses and continue services; and

WHEREAS, the CSE grant budget is in need of revision.

NOW, THEREFORE, BE IT

RESOLVED, the County Executive be and is hereby authorized to accept additional NYSOFA funds; and be it further

RESOLVED, the County Executive be and is hereby authorized to amend the contracts with Hispanics United, Matt Urban Center and Schiller Park; and be it further

RESOLVED, that the budget for the CSE grant, 163CSE1213, be revised as follows:

REVENUES		CURRENT		AMENDED
		BUDGET	CHANGES	BUDGET
Account	Description			
409000	State Aid	\$1,138,957	<u>\$5,639</u>	\$1,144,596
	TOTAL CHANGE		<u>\$5,639</u>	

APPROPRIATIONS

Account	Description			
517785	Schiller Park	\$228,780	\$4,000	\$232,780
517641	Hispanics United	\$ 2,350	\$ 775	\$ 3,125
517693	Matt Urban Center	\$278,630	<u>\$ 864</u>	\$279,494
	TOTAL CHANGE		<u>\$5,639</u>	

and be it further

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

Item 54 – (COMM. 20E-20) Department of Public Works - Transfer of Funds

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 55 – (COMM. 20E-21) Acceptance of FY12 State Homeland Security Program (SHSP) Funds

Received and referred to the PUBLIC SAFETY COMMITTEE.

Item 56 – (COMM. 20E-22) Payment in Lieu of Taxes (PILOT) Agreement for Massachusetts Avenue - Development Plan Project - Affordable Housing Development

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 57 – MR. MAZUR presented the following resolution and moved for immediate consideration and approval. MR. McCracken seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 263

RE: Safe Harbor for Sexually Exploited
Children
(COMM. 20E-23)

WHEREAS, the Department of Social Services has been awarded \$124,444 in 100% State share funds to implement a program entitled Safe Harbor for Sexually Exploited Children; and

WHEREAS, in 2008, the State Legislature passed the Safe Harbor for Exploited Children Act, and 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 the State directs that an agency be designated by November 26, 2012 and this service is needed immediately, 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 of Social Services to amend the 2012 Adopted Budget and to execute a contract with the International Institute as the lead agency for this program funding; and

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

NOW, THEREFORE, BE IT

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

RESOLVED, that the following budget amendments are hereby authorized in the 2012 Adopted Budget:

Department of Social Services, Fund 110, Department 120

ACCOUNT	DESCRIPTION	INCREASE
517172	International Institute	<u>\$124,444</u>
	Total Expenditures	<u>\$124,444</u>
409000	State Aid	<u>\$124,444</u>
	Total Revenues	<u>\$124,444</u>

and be it further

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.

Item 58 – MR. MAZUR presented the following resolution and moved for immediate consideration and approval. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 264

RE: Appointment of EC Commissioner of
Mental Health
(COMM. 20E-24)

RESOLVED, the Erie County Legislature hereby confirms the appointment of Ellery Reaves as Commissioner of Mental Health for the County of Erie.

COMMUNICATIONS FROM THE DEPARTMENTS

FROM THE COMMISSIONER OF ENVIRONMENT & PLANNING

Item 59 – (COMM. 20D-1) Buffalo Erie Niagara Land Improvement Corporation Board of Directors Meeting Notice

Received and Filed.

FROM THE COUNTY ATTORNEY

Item 60 – (COMM. 20D-2) Copy of Letter to Regional Director, NYSDEC Region 9 Concerning 1815 Eggert Road, Town of Amherst - Environmental Restoration Investigation

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE CLERK OF LEGISLATURE

Item 61 – (COMM. 20D-3) Written Testimony Submitted to Legislature at Public Hearing Concerning 2013 Tentative EC Budget

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES

FROM THE EXECUTIVE DIRECTOR, ECFSA

Item 62 – (COMM. 20M-1) Copy of Resolution Approving an Efficiency Grant for County Vehicles

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE PRESIDENT & CEO, VISIT BUFFALO NIAGARA

Item 63 – (COMM. 20M-2) Copy of 3rd Quarter Report for 2012

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM CATHERINE SCHWEITZER

Item 64 – (COMM. 20M-3) Written Testimony Submitted to the Legislature at Community Enrichment Committee Meeting Held 11/9/2012

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM THE BUFFALO & EC PUBLIC LIBRARY

Item 65 – (COMM. 20M-4) Proposed Agenda for Meeting Held 11/15/2012

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM ONE REGION FORWARD

Item 66 – (COMM. 20M-5) Informational Packet Entitled "One Region Forward Towards a More Sustainable Buffalo Niagara"

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM JEFFREY M. CONRAD

Item 67 – (COMM. 20M-6) Copy of Curriculum Vitae for Consideration as the Legislature's Recommendation for the Governor's Appointment to the NFTA Board of Commissioners

Received and Filed.

FROM KEVIN E. CICHOCKI

Item 68 – (COMM. 20M-7) Copy of Curriculum Vitae for Consideration as the Legislature's Recommendation for the Governor's Appointment to the NFTA Board of Commissioners

Received and Filed.

FROM THE CHENANGO COUNTY BOARD OF SUPERVISORS

Item 69 – (COMM. 20M-8) Copy of Resolution Calling for the Governor & State Legislature to Compensate Counties for State-Mandated District Attorney's Salaries

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM ECC PRESIDENT

Item 70 – (COMM. 20M-9) Letter to Chair of Legislature Concerning Additional Information Requested at the Community Enrichment Committee Meeting Held 10/16/2012

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM MARGARET A. MURPHY

Item 71 – (COMM. 20M-10) Copy of Curriculum Vitae for Consideration as the Legislature's Recommendation for the Governor's Appointment to the NFTA Board of Commissioners

Received and Filed.

FROM THE ECMCC SECRETARY

Item 72 – (COMM. 20M-11) Copy of Resolution Approving the First Amendment to the 2009 Settlement Agreement with EC

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE MAYOR, CITY OF LACKAWANNA

Item 73 – (COMM. 20M-12) Copy of Resolution Opposing ECIDA Standard Pilot Agreements

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM RITA YELDA

Item 74 – (COMM. 20M-13) Letter to Legislature Concerning Hydraulic Fracturing

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM IT TAKES A VILLAGE ACTION ORGANIZATION

Item 75 – (COMM. 20M-14) Description of Organization Concerning Cultural Funding Request

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

ANNOUNCEMENTS

Item 76 – CHAIR GRANT announced that the schedule of upcoming committee meetings has been distributed.

Item 77 – MR. HOGUES announced that the 2013 United Way Drive is under way, and encouraged participation.

MEMORIAL RESOLUTIONS

Item 78 – Legislator Dixon requested that when the Legislature adjourns, it do so in memory of James Grady, Julia Roberts, Ronan Guyer, and Baby Baylee Marie Dion.

Item 79 – Legislator Mazur requested that when the Legislature adjourns, it do so in memory of Raymond F. Bova Sr.

Item 80 – Legislator Hardwick requested that when the Legislature adjourns, it do so in memory of Audrey Bennett and Robert Cady.

Item 81 – Legislator Lorigo requested that when the Legislature adjourns, it do so in memory of Donald Terwilliger.

Item 82 – Legislator Marinelli requested that when the Legislature adjourns, it do so in memory of Donald H. Cloudsley, David P. Rutecki, Michael McCabe, Carl P. Kowalkowski, David F. Mann, and Julia Roberts.

Item 83 – Chair Grant requested that when the Legislature adjourns, it do so in memory of Blanche Thomas.

Item 84 – Legislator Hogues requested that when the Legislature adjourns, it do so in memory of Blanche Thomas.

ADJOURNMENT

Item 85 – At this time, there being no further business to transact, CHAIR GRANT announced that the Chair would entertain a Motion to Adjourn.

MR. MAZUR moved that the Legislature adjourn until Thursday, November 29, 2012 at 3:30 P.M. Eastern Standard Time. MR. LOUGHRAN seconded.

CARRIED UNANIMOUSLY.

CHAIR GRANT declared the Legislature adjourned until Thursday, November 29, 2012 at 3:30 P.M. Eastern Standard Time.

ROBERT M. GRABER
CLERK OF THE LEGISLATURE