

**ERIE COUNTY LEGISLATURE
MEETING NO. 4
FEBRUARY 16, 2011**

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

All members present.

An Invocation was held, led by Ms. Whyte, who read a short prayer and requested a moment of silence.

The Pledge of Allegiance was led by Ms. Grant.

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 3 from 2011. MR. KOZUB seconded.

CARRIED UNANIMOUSLY.

Item 4 – No Public Hearings.

MISCELLANEOUS RESOLUTIONS

Item 5 – CHAIR MILLER-WILLIAMS presented a resolution Congratulating Bishop Perry Davis & Pastor Gina Davis on the Opening of Buckeye's Chicken.

Item 6 – CHAIR MILLER-WILLIAMS presented a resolution Honoring the Buffalo Club of The National Association of Negro Business & Professional Women's Club, Inc.

Item 7 – CHAIR MILLER-WILLIAMS presented a resolution Honoring Lelia Byrd on Being Crowned the 2011 Buffalo Club of The National Association of Negro Business & Professional Women's Club Queen.

Item 8 – MR. MAZUR presented a Memorial Resolution Honoring Angus S. Russell.

Item 9 – MR. KOZUB presented a Memorial Resolution Honoring the Life of Charles S. Cicero.

Item 10 – MR. RATH presented a resolution Congratulating Peter Hunt for Being Honored by the NYS Commercial Association of Realtors with a Lifetime Achievement Award.

Item 11 – MR. RATH presented a resolution Congratulating Peter Cammarata for Being Honored the NYS Commercial Association of Realtors with the Meritorious Award.

Item 12 – CHAIR MILLER-WILLIAMS presented a resolution Honoring the Three Doctors & their Inspirational Story of Overcoming Obstacles to Achieve Your Life Goals.

Item 13 – MR. MAZUR presented a resolution Honoring Cheektowaga Chief of Police Christine M. Ziemba on Her Retirement.

Item 14 – MS. MARINELLI presented a resolution Honoring Jody Baily on Her Retirement from the EC Department of Social Services.

Item 15 – MR. HARDWICK presented a resolution Honoring Beverly Federspiel for Her Service as Director of the City of Tonawanda Public Library.

Item 16 – MR. HARDWICK presented a resolution Honoring Dorothy Young on Her 100th Birthday.

Item 17 – MR. KOZUB presented a resolution Celebrating the 100th Birthday of Lackawanna's Own Mrs. Frances Hetey; Mother of Four, Grandmother of 13 & Great-Grandmother of 22.

Item 18 – MR. FUDOLI presented a resolution Congratulating Bernard Fix for Being Recognized for His 50 Years of Service with the Millgrove Volunteer Fire Department.

MS. WHYTE moved for consideration of the above fourteen items. MR. MAZUR seconded.

CARRIED UNANIMOUSLY.

MS. WHYTE moved to amend the above fourteen items by including Et Al Sponsorship. MS. BOVE seconded.

CARRIED UNANIMOUSLY.

MS. WHYTE moved for approval of the above fourteen items as amended. MR. MAZUR seconded.

CARRIED UNANIMOUSLY.

LOCAL LAWS

Item 19 – 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 20 – CHAIR MILLER-WILLIAMS directed that Local Law No. 2 (Print #1) 2010 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 21 – CHAIR MILLER-WILLIAMS directed that Local Law No. 3 (Print #1) 2010 remain on the table and in the PUBLIC SAFETY COMMITTEE.

GRANTED.

Item 22 – CHAIR MILLER-WILLIAMS directed that Local Law No. 4 (Print #1) 2010 remain on the table and in the PUBLIC SAFETY COMMITTEE.

GRANTED.

COMMITTEE REPORTS

Item 23 – MS. BOVE presented the following report and moved for immediate consideration and approval. MR. MILLS seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 27

February 8, 2011	FINANCE & MANAGEMENT COMMITTEE REPORT NO. 2
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ALL MEMBERS PRESENT, EXCEPT LEGISLATOR MILLS.
CHAIR MILLER-WILLIAMS PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following item is hereby received and filed:
 - a. COMM. 3E-2 (2011)
COMPTROLLER: “Report on Mortgage Tax Collection”
(4-0) Legislator Bove not present for vote.
2. COMM. 3E-19 (2011)
COUNTY EXECUTIVE
WHEREAS, the Department of Public Works has reviewed capital projects in 2010 and has identified five projects where work has been completed and are ready to close; and

WHEREAS, based on a review by the Division of Budget and Management and the Comptroller’s Office, a balance totaling \$810,229.71 remains in the projects; and

WHEREAS, all five capital projects have outstanding principal and interest payments; and

WHEREAS, New York State Local Finance Law requires utilization of remaining project balances for the payment of the outstanding principal and interest related to these capital projects.

NOW, THEREFORE, BE IT

RESOLVED, that authorization is hereby provided to close the following capital projects in 2010 and transfer available funds in the amount of \$810,229.71 to Fund 310 Debt Service, to be utilized to assist in the payment of the outstanding principal and interest payments related to these capital projects:

Project		Amount	Fund
A.00017	2000 City Riverwalk Renovations	\$ 26,772.93	410
A.00024	2001 Building & Site 95 Franklin	\$ 40,772.82	410
B.00029	2001 Dick Rd Culvert	\$ 89,400.73	420
B.00033	2001 Seneca St & Var Inter Recon	\$ 190,163.66	420
E.00008	2002 ECC N Dental Lab Recon	\$ 463,119.57	480

and be it further

RESOLVED, that authorization is hereby provided to the Division of Budget and Management and the Comptroller's Office to make any and all budgetary and financial entries required in 2010 to implement this request; and be it further

RESOLVED, that certified copies of this resolution are forwarded to the County Executive, Director of Budget and Management, Office of the Comptroller, the Department of Public Works, and the County Attorney's Office.

(4-0) Legislator Bove not present for vote.

3. COMM. 3E-28 (2011)
COUNTY EXECUTIVE

WHEREAS, the Department of Public Works is responsible for mail services for all County departments; and

WHEREAS, over the last year, much work has gone in to improving the system of outgoing mail including the solicitation of one vendor to perform that service for the entire County; and

WHEREAS, with that contract in place and the purchase of a new machine, DPW is now instituting many changes to optimize the savings that are available to us; and

WHEREAS, there is a separate budgeted amount for postage in both the Departments of Social Services and Public Works; and

WHEREAS, it is advantageous to have only one department purchase postage for the new machine; and

WHEREAS, both departments desire to move the postage account under DPW; and

WHEREAS, by doing so, the current practice will be more streamlined and become more efficient during the process.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby provide the authorization to establish the following budget amendments:

DECREASE:

Fund 110, Fund Center 120, Account 530000	\$575,000.00
Fund 110, Fund Center 12210, Account 912215	\$575,000.00

INCREASE:

Fund 110, Fund Center 12210, Account 530000	\$575,000.00
Fund 110, Fund Center 120, Account 912215	\$575,000.00

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 Department of Social Services (Attn: Fiscal Office), the Division of Budget and Management, and the Office of the Comptroller.

(5-0)

4. COMM. 3E-29 (2011)
COUNTY EXECUTIVE

WHEREAS, the Department of Public Works is responsible for mail services for all County departments; and

WHEREAS, over the last year, much work has gone in to improving the system of outgoing mail including the solicitation for one vendor to perform that service for the entire County; and

WHEREAS, with that contract in place, DPW is now instituting many changes to optimize the savings that are available to us; and

WHEREAS, there is a separate budgeted amount for ID Mail Services in Highways, Fleet, Weights and Measures, and Building and Grounds (REAM); all divisions that fall under the Department of Public Works umbrella; and

WHEREAS, instead of separating the mail and charging each individual division, it is desirable to have only one division, the Office of the Commissioner, to oversee and be charged for mail services for the entire department; and

WHEREAS, by doing so, the current ID billing practice will be more streamlined and become more efficient during the process.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby provide the authorization to establish the following budget amendments:

DECREASE:

Fund 110, Fund Center 12230, Account 912215	\$1,944.00
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Fund 110, Fund Center 10710, Account 912215	\$ 252.00
Fund 210, Fund Center 12300, Account 912215	\$2,200.00
Fund 110, Fund Center 12220, Account 912215	\$1,752.00
INCREASE:	
Fund 110, Fund Center 12210, Account 912215	\$6,148.00

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.
(5-0)

BARBARA MILLER-WILLIAMS
CHAIR

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 28

February 8, 2011	GOVERNMENT AFFAIRS COMMITTEE REPORT NO. 2
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ALL MEMBERS PRESENT, EXCEPT LEGISLATOR RATH.
CHAIR MILLER-WILLIAMS PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 2M-6 (2011)
BUFFALO COMMON COUNCIL: "Letter to Legislature Concerning "City of Buffalo Support for War of 1812 Bicentennial Celebration""
(5-0)
 - b. COMM. 3D-1 (2011)
COUNTY ATTORNEY: "Transmittal of New Claims Against EC"
(5-0)

2. COMM. 3E-11 (2011)
COUNTY EXECUTIVE
WHEREAS, this resolution authorizes the utilization of capital project funds for the development, purchase and implementation of an automated eligibility and client case management software application; and

WHEREAS, burgeoning Food Stamps and Medicaid caseloads coupled with current high volume increases in Temporary Assistance applications for traditional welfare benefits bring a special urgency to this request, as we anticipate these caseload trend increases will continue; and

WHEREAS, the Department issued a Request for Proposals (RFP) for this purpose and has selected a Microsoft application based on a comprehensive proposal presentation and review; and

WHEREAS, the system will include a front end rules engine component to automate and standardize benefits applications as well as a downstream process to perform task assignment, scheduling and referral. This will result in faster processing, reduced wait time and better customer service and will help the Department to meet established State deadlines for case determinations; and

WHEREAS, the amount of this capital purchase will be \$1,300,000, and this system will take advantage of previous years multi-million dollar investments in imaging and desktop hardware architecture currently in place in Department eligibility offices; and

WHEREAS, existing Capital Project funding is available and will be utilized. This Project is eligible for both federal and state reimbursement, thereby, reducing the local share to 31.35% of total project costs; and

WHEREAS, the request for proposal provision of Section 19.08 of the Erie County Administrative Code was complied with and a summary of the process is included as Attachment A to this resolution; and

WHEREAS, there is no additional local share to this request and there is no fiscal impact to the Adopted 2011 Budget.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to contract with Microsoft in an amount not to exceed \$1,300,000; funding for which is currently available in SAP Project A.00253, 04 Mainframe Application/Data Migration; and be it further

RESOLVED, that the Comptroller's Office is authorized to make payment for all contractual expenses as outlined above from said project; and be it further

RESOLVED, that the original capital project (A.00253 Mainframe Application /Data Migration and Integration) in 2004 did contemplate expenditures of this nature, however, if any inconsistencies in purpose exist this resolution hereby amends the description of the original capital project to include the services outlined herein; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the County Executive, the Commissioner of Social Services, DISS – attention Chief Information Officer, the Erie County Comptroller, the County Attorney, and the Director of the Division of Budget and Management.

(5-0)

**CHRISTINA W. BOVE
CHAIR**

Item 25 – MR. WHALEN presented the following report and moved for immediate consideration and approval. MR. WALTER seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 29

February 8, 2011	ECONOMIC DEVELOPMENT COMMITTEE REPORT NO. 3
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ALL MEMBERS PRESENT, EXCEPT LEGISLATORS WALTER & RATH.
CHAIR MILLER-WILLIAMS PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 10E-2 (2010)
COUNTY EXECUTIVE: “ECC - City Campus - Exterior Masonry Restoration”
(4-0)
 - b. COMM. 3M-4 (2011)
NFTA: “Minutes of Meeting Held 12/20/2010”
(4-0)
2. COMM. 3E-20 (2011)
COUNTY EXECUTIVE
WHEREAS, the Cemetery Road Bridge Replacements over the Norfolk Southern Railroad and Plum Bottom Creek Project will be advertised, bid, and ready for award of construction contract to the responsible low bidder; and

WHEREAS, this project for the replacement of two bridges on Cemetery Road, Bridges BR 341-RR-1 and BR 431-3, PIN 5755.27 (the “Project”) was authorized by this honorable body via Comm.13E-36 of July 26, 2007, Comm. 21E-12 of November 12, 2008, and Comm. 24E-26 of December 16, 2010; and

WHEREAS, funding for this project was approved and is available in SAP B.20930 - 2009 Cemetery Road Bridge Construction in the amount of \$6,992,000.00; and

WHEREAS, due to the Legislative schedule during the months of February and March it is necessary that this approval be granted, so that the Contract can be awarded to allow the Contractor to begin construction as soon as possible; and

WHEREAS, in order to facilitate the construction of the replacement of two bridges on Cemetery Road, it will be necessary for the County to execute the Construction Contract with the responsible Low Bidder and establish a construction contingency; and

WHEREAS, a change order must be negotiated with Erdman Anthony and Associates, Inc. for construction inspection and services during construction.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be authorized and is hereby directed to award and execute a Contract for the Cemetery Road Bridge Replacements over the Norfolk Southern Railroad and Plum Bottom Creek Project 5755.27 between the County of Erie and the lowest responsible bidder, establish a construction contingency and execute a negotiated change order between the County of Erie and project engineers Erdman Anthony and Associates, Inc., in an amount not to exceed \$6,992,000.00; and be it further

RESOLVED, that the funds for the Cemetery Road Bridge Replacements over the Norfolk Southern Railroad and Plum Bottom Creek Project be allocated from the 2009 Cemetery Road Bridges Construction Project fund (B.20930) in an amount not to exceed \$6,992,000.00; and be it further

RESOLVED, that the County Executive of the County of Erie is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the County of Erie with the New York State Department of Transportation in connection with the advancement or approval of the Project; and be it further

RESOLVED, that the Department of Public Works will inform the Erie County Legislature, for information only, as to what contractor was the successful lowest responsible bidder for the Cemetery Road Bridge Replacements over the Norfolk Southern Railroad and Plum Bottom Creek Project 5755.27; and be it further

RESOLVED, that the Clerk of the Legislature be instructed to forward five (5) certified copies of this resolution 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.

(4-0)

3. COMM. 3E-21 (2011)
COUNTY EXECUTIVE

WHEREAS, the Pavement Road Bridge Replacement over the CSX Railroad and Bridge Removal over an Abandoned Railroad Project will be advertised, bid, and ready for award of construction contract to the responsible low bidder; and

WHEREAS, this project for the replacement of one bridge and the abandonment of another on Pavement Road, Bridges BR 139-RR-1 and BR 139-RR-2, PIN 5755.38 (the "Project") was authorized by this honorable body via Comm.14E-20 of July 6, 2000, Comm. 5E-9 of March 25, 2010, and Comm. 21E-6 of November 18, 2010; and

WHEREAS, funding for this project was approved and is available in SAP B.00179 - 2007 Pavement Road Construction in the amount of \$3,000,000.00; and

WHEREAS, due to the Legislative schedule during the months of February and March it is necessary that this approval be granted, so that the Contract can be awarded to allow the Contractor to begin construction as soon as possible; and

WHEREAS, in order to facilitate the construction of the replacement of one bridge and the abandonment of another on Pavement Road, it will be necessary for the County to execute the Construction Contract with the responsible Low Bidder and establish a construction contingency; and

WHEREAS, a change order must be negotiated with Urban Engineers of NY, PC for construction inspection and services during construction.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be authorized and is hereby directed to award and execute a Contract for the Pavement Road Bridge Replacement over the CSX Railroad and the Removal of a Bridge over an Abandoned Railroad Project 5755.38 between the County of Erie and the lowest responsible bidder, establish a construction contingency and execute a negotiated change order between the County of Erie and project engineers Urban Engineers of NY, PC in an amount not to exceed \$3,000,000.00; and be it further

RESOLVED, that the funds for the Pavement Road Bridge Replacement over the CSX Railroad and Removal of the Bridge over an Abandoned Railroad Project be allocated from the 2007 Pavement Road Construction Project fund (B.00179) in an amount not to exceed \$3,000,000.00; and be it further

RESOLVED, that the County Executive of the County of Erie is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the County of Erie with the New York State Department of Transportation in connection with the advancement or approval of the Project; and be it further

RESOLVED, that the Department of Public Works will inform the Erie County Legislature, for information only, as to what contractor was the successful lowest responsible bidder for the Pavement Road Bridge Replacement over the CSX Railroad and Removal of the Bridge over an Abandoned Railroad Project 5755.38; and be it further

RESOLVED, that the Clerk of the Legislature be instructed to forward five (5) certified copies of this resolution 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.

(4-0)

**TIMOTHY J. WHALEN
CHAIR**

Item 26 – MS. BOVE presented the following report and moved for immediate consideration and approval. MR. KOZUB seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 30

February 8, 2011	PUBLIC SAFETY COMMITTEE REPORT NO. 3
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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. 1M-4 (2011)
PARTNERSHIP FOR THE PUBLIC GOOD: "Letter to Legislature Concerning the Community Corrections Advisory Board"
(6-0)
 - b. COMM. 2M-2 (2011)
PRESIDENT/CEO HORIZON HEALTH SERVICES: "Nomination to Serve on EC Community Corrections Advisory Board"
(6-0)
 - c. COMM. 2M-9 (2011)
HOWARD K. HITZEL: "Resume Submission Concerning EC Community Corrections Advisory Board"
(6-0)
2. COMM. 3E-10 (2011)
COUNTY EXECUTIVE
RESOLVED, the Erie County Legislature *hereby confirms the* appointment of the following individuals to the Erie County Disaster Preparedness Advisory Board for the term ending 12/31/2012:

Mr. John Gullo
1130 Center Road
West Seneca, NY 14224

Mr. Michael Moskal
38 Rumford Street
Depew, NY 14043
(6-0)
3. COMM. 3E-17 (2011)
COUNTY EXECUTIVE
WHEREAS, the Erie County Central Police Services Forensic Lab has been awarded a 2011 Firearms Backlog Reduction Grant to be administered by the New York State Division of Criminal Justice Services; and

WHEREAS, said funds will enable the Central Police Services Forensic Laboratory to analyze backlogged firearms cases.

NOW, THEREFORE, BE IT

RESOLVED, that authorization is hereby provided for the County Executive to enter into a contract and accept funding in the amount of \$70,000 with the New York State Division of Criminal Justice Services; and be it further

RESOLVED, that authorization is hereby provided to establish the grant in the budget of the Department of Central Police Services as follows:

Grant Fund SAP #165FRMSBACKLOG1113
Central Police Services
01/01/2011 to 03/31/2013

<u>Revenue</u>		<u>Increase</u>
Acct. 409000State Aid		\$70,000
<u>Appropriation</u>		<u>Increase</u>
Account 516020	Professional Services Contracts	\$56,002
Account 501000	Overtime	\$12,947
Account 502000	Fringe Benefits	\$ 1,051
Total Appropriation		\$70,000

and be it further

RESOLVED, that authorization is hereby provided to contract with Michael Dujanovich, 3630 Woodhaven Dr., Hamburg, New York, 14075, a qualified Firearms Examiner, in the amount of \$56,002 (\$28.50 per hour) to provide forensic laboratory testing services in firearms related cases; and be it further

RESOLVED, that the Director of Budget and Management is hereby authorized to establish and adjust budgets as required to comply with State-approved funding levels; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Erie County Executive, the Division of Budget and Management, the Office of the Comptroller and the department of Central Police Services, c/o Kathy Gumulak, 45 Elm Street, Buffalo, NY 14203. (6-0)

4. COMM. 3E-24 (2011)
COUNTY EXECUTIVE

WHEREAS, the County of Erie desires to continue to raise the level of awareness among individuals, families and businesses in the County on the importance of emergency preparedness through the "Community Disaster Education Initiative" (hereinafter "Initiative"); and

WHEREAS, it is expected that the Initiative will continue to consist of: (1) a Community Component to prepare individuals to establish a family disaster plan, (2) a Business Component to establish a workplace emergency plan, and (3) a Education Component to train students in emergency preparedness; and

WHEREAS, the Initiative and raising the level of awareness of the importance of emergency preparedness in the County may be best achieved through existing organizations who have experience in preparing for emergencies and educating their constituents regarding emergency preparedness; and

WHEREAS, the Buffalo branch of the American Red Cross (“Red Cross”) has considerable experience in emergency preparedness and in responding to various emergencies and disaster; and

WHEREAS, the county will utilize \$125,000.00 of UASI 09 funding to continue this initiative.

NOW, THEREFORE, BE IT

RESOLVED, that the Legislature authorizes the County Executive to enter into a contract with the American Red Cross for the purpose of assisting the County in this initiative; and be it further

RESOLVED, that the County of Erie shall utilize \$125,000 from currently available UASI 2009 funds, account 516020 grant HS167UASIF0912, for said contract; and be it further

RESOLVED, that these funds will be utilized to raise the awareness level of the importance of emergency preparedness in the County; and be it further

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

(6-0)

**CHRISTINA W. BOVE
CHAIR**

Item 27 – MR. MAZUR presented the following report and moved for immediate consideration and approval. MS. GRANT seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 31

February 10, 2011	HEALTH & HUMAN SERVICES COMMITTEE REPORT NO. 3
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ALL MEMBERS PRESENT.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 3E-5 (2011)
WHYTE: "Article Entitled "How Far Have We Really Come in Helping the Suffering""
(5-0)
 - b. COMM. 3E-8 (2011)
COUNTY EXECUTIVE: "Re-Appointments to the Senior Services Advisory Board for a Term Ending 12/31/2012"
(5-0)
 - c. COMM. 3M-2 (2011)
ECMCC: "Minutes of Meeting Held 1/11/2011"
(5-0)
 - d. COMM. 3M-6 (2011)
CANNON DESIGN: "Copy of SEQRA Assessment Form Concerning ECMCC 390 Bed Skilled Nursing Facility & Parking Structure"
(5-0)

THOMAS J. MAZUR
CHAIR

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 32

February 10, 2011	ENERGY & ENVIRONMENT COMMITTEE REPORT NO. 2
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ALL MEMBERS PRESENT.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 24M-6 (2010)
OFFICE OF THE STATE COMPTROLLER: "Town of Eden; Establishment of Water District No. 5"
(5-0)
 - b. COMM. 3E-12 (2011)
COUNTY EXECUTIVE: "ECSD No. 8 - Engineer Term Agreement"
(5-0)

- c. COMM. 3E-26 (2011)
COUNTY EXECUTIVE: “Semi-Annual Attendance Records - Board of Managers - ECSD”
(5-0)
- d. COMM. 3M-1 (2011)
NYSDEC: “Informational Packet: Feasibility Study on Buffalo River Restoration Released;
Public Meeting Announced”
(5-0)
- e. COMM. 3M-5 (2011)
EC WATER AUTHORITY: “Copy of Financial Report for the Years Ended 12/31/2009 &
12/31/2010”
(5-0)

2. COMM. 2E-10 (2011)
COUNTY EXECUTIVE
WHEREAS, the New York State Department of Health (NYDOH) received a Great Lakes Restoration Initiative (GLRI) Grant from the U.S. Environmental Protection Agency (USEPA) for the Sanitary Surveys 13 Lake Erie Beaches Sanitary Surveys; and

WHEREAS, the New York State Department of Health (NYDOH) awarded a sub-grant to the Erie County Health Department (ECDOH) for sanitary surveys of 5 public beaches on Lake Erie for which it has regulatory oversight in the amount of \$64,000 over the period October 1, 2010 to March 1, 2014; and

WHEREAS, based on the regulatory oversight of the operation of public beaches the ECDOH has the responsibility to protect the health of bathers by assuring that public beaches are open only when conditions meet the standards of the New York State Public Health Code; and

WHEREAS, from 2007 – 2009, the ECDOH received grants from the USEPA and NYSDOH for beach sanitary surveys including extensive water quality sampling at, Lake Erie Beach, Evans Town Beach, Wendt Beach, and associated streams. The work under these grants allowed validation of the pre-emptive closing procedure by verifying high bacterial contamination at the bathing beaches after rain events, linked the transport of bacterial contamination to the lake by the streams, and identified the flush-out from outfalls of storm sewers as the primary sources of increased bacterial contamination concentrations to the streams and along the shoreline of Lake Erie; and

WHEREAS, based on a Request-for-Proposals solicited by the NYSDH, the ECDOH submitted a work plan to conduct an additional beach sanitary survey at Bennett Beach with associated streams, and update and expand the previous work at Evans Town Beach, Lake Erie Beach, Wendt Beach, Hamburg Town Beach, with associated streams, including extensive water quality sampling, that would be a systematic approach to identifying additional point sources of bacterial contamination, differentiate between human and non-human sources of bacterial contamination, through enforcement to abate the point sources, to reduce the bacterial contamination impacting the water quality at the beaches.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to accept a grant award from the New York State Health Department for the period of October 1, 2010 to March 1, 2014, to be budgeted as follows:

Lake Erie Beaches - Beach Sanitary Survey Project Grant
10/01/10 – 3/1/14

REVENUES

409000	State Aid	<u>\$ 64,000</u>
	TOTAL REVENUES	<u>\$ 64,000</u>

EXPENSES

505000	Office Supplies	68
516020	Prof. Services Contract & Fees	31,680
912730	ID Health Lab Services	<u>32,252</u>
	TOTAL EXPENSES	<u>\$ 64,000</u>

and be it further

RESOLVED, that certified copies of this resolution be forwarded to the County Executive's Office, the Office of the Comptroller, the Division of Budget and Management, the Department of Law and to Dr. Anthony J. Billittier, IV, Commissioner, in the Department of Health, 9th Floor, Rath Building.

(5-0)

3. COMM. 3E-9 (2011)
COUNTY EXECUTIVE

RESOLVED, the Erie County Legislature hereby confirms the re-appointment of the following individual to the Erie County Fisheries Advisory Board for the term ending 12/31/2013:

Mr. David Barus
2246 Center Street
E. Aurora, NY 14202

Mr. Joseph Jemiolo
4898 Langford Road
North Collins, NY 14111

(5-0)

4. COMM. 3E-13 (2011)
COUNTY EXECUTIVE

WHEREAS, the Erie County Legislature has awarded Contract 38PS to Hohl Industrial Services, Inc.; and

WHEREAS, the Erie County Division of Sewerage Management has advised the Legislature that all scheduled improvements are now completed; and

WHEREAS, the Erie County Department of Environment and Planning has recommended the acceptance of Contract No. 38PS in the final contract amount of \$97,344.00, which includes Change Order No. 1 (final), a decrease of \$1,384.00.

NOW, THEREFORE, BE IT

RESOLVED, that Contract 38PS, between the County of Erie and Hohl Industrial Services, Inc., 770 Riverview Blvd., Tonawanda, New York 14150 is accepted in the amount of \$97,344.00, which includes Change Order No. 1 (final), a decrease of \$1,384.00; and be it further

RESOLVED, that the Erie County Comptroller is hereby authorized and directed to finalize Contract No. 38PS between the County of Erie and Hohl Industrial Services, Inc. in the amount of \$97,344.00 and make final payment from Sewer Capital, Erie County Sewer District No. 3 Account C.00062; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send two (2) certified copies of this resolution to Michael J. Quinn, P.E., Department of Environment and Planning and one certified copy to the County Executive, the Erie County Comptroller, the Director of Budget and Management and Eric Ziobro, Assistant County Attorney.
(5-0)

5. COMM. 3E-14 (2011)
COUNTY EXECUTIVE

WHEREAS, the County of Erie/Erie County Sewer District No. 3, as stated in the Inter-Municipal Agreement (February 2005) owns and operates the Village of Hamburg's sanitary sewer collection system; and

WHEREAS, the village has entered into an Order on Consent (hereinafter also referred to as "ORDER") with the New York State Department of Environmental Conservation (hereinafter referred to as "NYSDEC") for the reduction of sanitary sewer overflows; and

WHEREAS, in response to the ORDER, the village has agreed to complete projects to restore and rehabilitate the sanitary sewer collection system formerly owned and operated by the village; and

WHEREAS, one such project will eliminate the South Buffalo Pumping Station and its associated sanitary sewer overflow; and

WHEREAS, the Inter-municipal Agreement executed on February 17, 2005 between the Village and the County states the Village shall be the contracting entity for engineering and construction work related to the Village Collection System and the County shall serve as the Village's agent for implementation of said work; and

WHEREAS, a construction contractor must be retained for the South Buffalo Street Pump Station Replacement Project; and

WHEREAS, the Village and County agree that construction of the South Buffalo Street Pump Station Replacement Project would be more efficiently and effectively administered directly by the County rather than by the County acting as agent for the Village; and

WHEREAS, the Village and County are desirous that the County shall be the contracting entity for services related to construction of the South Buffalo Street Pump Station Replacement Project; and

WHEREAS, the Village will reimburse the County for the costs related to the construction of the South Buffalo Street Pumping Station Replacement Project.

NOW, THEREFORE, BE IT

RESOLVED, that the intermunicipal agreement between the County, on behalf of Erie County Sewer District No. 3 and the Village of Hamburg for reimbursement of construction costs related to the South Buffalo (Hillview) Pumping Station Relocation Project is hereby approved; and be it further

RESOLVED, that the County Executive be, and hereby is, authorized to execute an Intermunicipal Agreement with the Village of Hamburg subject to approval as to form by the County Attorney and as to content by the Commissioner of the Department of Environment and Planning; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send two (2) certified copies of this resolution to Michael J. Quinn, P.E., Department of Environment and Planning; and one certified copy to the County Executive; the Director of Budget, Management and Finance; the Erie County Comptroller; Eric Ziobro, Assistant County Attorney; and Thomas Moses, Mayor, Village of Hamburg.
(5-0)

6. COMM. 3E-16 (2011)
COUNTY EXECUTIVE

WHEREAS, the Riverworld Site, 4000 River Road in the Town of Tonawanda is a former steel plant site that presents a blighting influence on the waterfront; and

WHEREAS, the owner of the property desires to redevelop the site to a higher quality use that will lead to investment and job creation; and

WHEREAS, the Town of Tonawanda Development Corporation and the ECIDA desire to partner with the owner and Erie County to perform concept planning and feasibility studies for the site; and

WHEREAS, National Grid has a Brownfield Grant Program to which the Erie County Department of Environment and Planning did submit a grant application to and was subsequently awarded \$4,000 for concept and feasibility studies at the Riverworld Site, 4000 River Road site.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to act in behalf of the County in all matters related to the National Grid grant award and sign contracts with National Grid receiving up to \$4,000 in grant funds; and be it further

RESOLVED, that the County Executive is authorized to enter into contracts with the Town of Tonawanda, the Erie County Industrial Development Agency, the Town of Tonawanda Development Corporation, the owner of Riverworld or contractors or consultants in amounts not to exceed a total of \$4,000.00 for the purpose of providing services and activities for brownfield planning, engineering and site preparation which may take place as part of the National Grid program; and be it further

RESOLVED, that the following adjustments be made to the 2011 Budget

Fund 110	
Fund Center 16200, Environment and Planning	
Revenue	Increase
420499 Other Local Source Revenue	\$4,000
Appropriations	Increase
516020 Prof Service Contract & Fees	\$4,000

and be it further

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

RESOLVED, that the Clerk of the Legislature be directed to send certified copies of this resolution to the County Executive; the Director of the Division of Budget and Management; the Comptroller; the Commissioner of the Department of Environment and Planning; and the County Attorney.

(5-0)

7. COMM. 3E-22 (2011)
COUNTY EXECUTIVE

WHEREAS, the Erie County Legislature had awarded Contract 78 to Villager Construction, Inc. for the installation of Forcemain Sewers for the Lake Street and Point Breeze Pumping Station, and

WHEREAS, the Erie County Division of Sewerage Management has advised the Legislature that all scheduled improvements are now completed; and

WHEREAS, the Erie County Department of Environment and Planning has recommended the acceptance of Contract No. 78, Lake Street and Point Breeze Pumping Station Forcemains Project, in the final contract amount of \$2,236,000.00 and approval for final payment.

NOW, THEREFORE, BE IT

RESOLVED, that Contract No. 78, Lake Street and Point Breeze Pumping Station Forcemains Project between the County of Erie and Villager Construction, Inc., 425 Old Macedon Center Road, Fairport, New York 14450 is accepted in the amount of \$2,236,000.00, is allocated in Erie County Sewer District No. 2 Bond Account C.00004; and be it further

RESOLVED, that the Erie County Legislature direct the Comptroller to make final payment for Contract 78, Lake Street and Point Breeze Pumping Station Forcemains Project to Villager Construction, Inc. at a final contract amount of \$2,236,000.00; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send two (2) certified copies of this resolution to Michael J. Quinn, P.E., Department of Environment and Planning and one (1) certified copy to the County Executive, the Erie County Comptroller, the Director of Budget and Management and Eric Ziobro, Assistant County Attorney.

(5-0)

8. COMM. 3E-23 (2011)
COUNTY EXECUTIVE

WHEREAS, New York State Solid Waste Management Policy requires each municipality that manages residential solid waste to participate in a Solid Waste Management Planning Unit, establish a Solid Waste Management Plan and submit annual and biennial compliance reports to the New York State Department of Environmental Conservation; and

WHEREAS, the Erie County Department of Environment and Planning (ECDEP) has provided administrative, management and technical services to the Northeast Southtowns Solid Waste Management Board (NEST) and the Northwest Solid Waste Management Board (NWSWMB) through two-year Memorandums of Understanding (MOUs) since 2007; and

WHEREAS, both NEST and NWSWMB and the communities they represent have requested that Erie County continue to provide services necessary to reach the goals and objectives of their Solid Waste Management Plans, comply with New York State solid waste regulations, and provide other administrative, management and technical support to the Boards as necessary; and

WHEREAS, both NEST and NWSWB will each provide \$10,125 annually for two years to Erie County; and

WHEREAS, funds received under the MOUs will support the existing JG-7 Erie County Junior Environmental Education Specialist over the next two years, who also delivers the Erie County Indoor Air Quality Program services.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to execute two-year MOUs and accept funds from NEST and NWSWMB; and be it further

RESOLVED, that revenue from NEST and NWSWMB is hereby appropriated in the 2011 Department of Environment and Planning budget (Business Area 162, Fund 110) as follows:

REVENUES

Account	Description	Budget
420499	Other Local Source Revenue	<u>\$20,250</u>
TOTAL REVENUE		\$20,250

APPROPRIATIONS

Account	Description	Budget
559000	County Share – Grants	<u>\$20,250</u>
TOTAL APPROPRIATIONS		\$20,250

and be it further

RESOLVED, that the Director of Budget and Management is hereby authorized to implement any budget amendments as required to comply with federal, state and other local source approved funding requirements; and be it further

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

(5-0)

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

WHEREAS, the Erie County on behalf of Erie County Sewer District No. 3 (hereinafter referred to as the "Municipality") submitted a grant application to the Water Quality Improvement Project program for the Rush Creek Interceptor project; and

WHEREAS, the Rush Creek Interceptor project has been identified as a viable solution to eliminate permitted sanitary sewer overflows in the Municipality; and

WHEREAS, the Municipality, after thorough consideration of the various aspects of the problem and study of available data, has hereby determined that certain work, as described in its Water Quality Improvement Project program application and attachments, herein called the "Project", is desirable, is in the public interest, and is required in order to implement the Project; and

WHEREAS, the Municipality has been notified that the Project has been awarded a \$5,000,000 grant through the Water Quality Improvement Project program; and

WHEREAS, the Environmental Conservation Law ("ECL") authorizes State assistance to municipalities for water quality improvement projects by means of a contract and the Municipality deems it to be in the public interest and benefit under this law to enter into a contract there with.

NOW, THEREFORE, BE IT

RESOLVED, that County Executive or such person's successor in office is the representative authorized to act in behalf of the Municipality's governing body in all matters related to State assistance under ECL Articles 17, 51 and 56 and/or any applicable federal grant provisions to make application, execute the State Assistance Contract, submit Project documentation, and otherwise act for the Municipality's governing body in all matters related to the Project and to State assistance; and be it further

RESOLVED, the Deputy Commissioner in the Erie County Division of Sewerage Management or such person's successor or his/her designee be authorized to manage the applicable requirements for the State Assistance Contract for the Project including executing vouchers, required forms, and other pertinent paperwork; and be it further

RESOLVED, that the Municipality agrees that it will fund its portion of the cost of the Project and that funds will be available to initiate the Project's field work within twelve (12) months of written approval of its application by the New York State Department of Environmental Conservation; and be it further

RESOLVED, that the Clerk of the Legislature send two (2) certified copies of this resolution to Michael Quinn, P.E., Division of Sewerage Management and one (1) certified copy each to the County Executive, the Erie County Comptroller, the Erie County Director of Budget and Management, Eric Ziobro, Assistant County Attorney, and the WQIP Program Coordinator for the New York State Department of Environmental Conservation (address: 625 Broadway - 4th Floor, Albany, NY 12233-3507).

(5-0)

10. COMM. 3E-27 (2011)
COUNTY EXECUTIVE

WHEREAS, Erie County applied to the New York State Department of Health (NYS DOH) to continue coordination of an Erie County Indoor Air Quality Program; and

WHEREAS, Erie County was awarded \$274,462 from the NYSDOH State Indoor Radon Grant (SIRG) Program to continue the Erie County Indoor Air Quality Program through June 30, 2015; and

WHEREAS, a current regular part-time JG-7 staff position in the Department of Environment and Planning will continue to provide services to residents, real estate agents and home builders under the Indoor Air Quality Program once the NYSDOH contract is executed and the budget established.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to execute a contract with the NYS DOH and establish a budget for the Erie County Indoor Air Quality Program; and be it further

RESOLVED, that the revenue from the NYSDOH is hereby appropriated in a grant account in the Department of Environment and Planning (Business Area 162, Fund 281) as follows:

Erie County Indoor Air Quality Program – 2010/15
Grant Period: (07/01/10-06/30/15),
SAP Grant Account #162SIRG-1015

REVENUES

Account	Description	Budget
407500	State Aid – NYSDOH	\$274,462
422010	Minor Sales – Radon Testing Kits	\$ 5,000
479000	County Share Contribution	<u>\$ 40,500</u>
TOTAL REVENUE		\$319,962

APPROPRIATIONS

Account	Description	Budget
500020	Regular Part-Time Wages	\$183,918
502000	Fringe Benefits	\$101,544
505800	Medical and Health Supplies	\$ 5,000
516020	Professional Svcs., Contracts and Fees	\$ 24,000
505000	Office Supplies	\$ 4,000
510000	Local Mileage	<u>\$ 1,500</u>
TOTAL APPROPRIATIONS		\$319,962

and be it further

RESOLVED, that the Director of Budget and Management is hereby authorized to implement any budget amendments as required to comply with federal and state approved funding requirements; and be it further

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

(5-0)

11. COMM. 3E-30 (2011)
COUNTY EXECUTIVE

WHEREAS, Erie and Niagara Counties have entered into a five-year Intermunicipal Agreement for Shared Geographic Information System Services, dated December 28, 2007; and

WHEREAS, this Intermunicipal Agreement for Shared GIS Services between Erie and Niagara Counties was authorized by a resolution of the Erie County Legislature (COMM 20E-14) dated November 15, 2007; and

WHEREAS, Erie and Niagara Counties have conducted a review of the terms of the IMA, as provided for in Section 3.1 "Revision of Terms and Provisions" of the existing IMA, and have determined that Appendix C – "Cost Summary" should be revised to increase the payments due to Erie County from Niagara County by the following amounts for the final two years of the Agreement:

- Year 4 (2011) increase from \$23,465.00 to \$30,465.00.
- Year 5 (2012) increase from \$24,401.00 to \$33,465.00.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Executive is authorized to enter into an amended Erie and Niagara Counties Intermunicipal Agreement for Shared Geographic Information Services to include "Amendment to Appendix C – Cost Summary;" and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the County Executive; the County Comptroller; the Commissioner of the Department of Environment and Planning; the Director of the Division of Budget and Management; and the County Attorney.
(5-0)

**THOMAS J. MAZUR
CHAIR**

LEGISLATOR RESOLUTIONS

Item 29 – MS. WHYTE presented the following resolution and moved for immediate consideration and approval. MR. MILLS seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 33

RE: Standard Work Day for Appointed
Officials for Retirement Reporting
Purposes
(INTRO 4-1)

**A RESOLUTION TO BE SUBMITTED BY
LEGISLATOR MILLER-WILLIAMS**

WHEREAS, the New York State and Local Employees' Retirement System requires that a standard work day be established for retirement credit purposes; and

WHEREAS, in order to be in full compliance with Regulation 315.4, legislative action is warranted.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby establish the following as standard work days for appointed officials and will report the following Standard Work Day to the New York State and Local Employees' Retirement System based on the Erie County Personnel Department's time-keeping system that shows hours worked:

Title	Name	Standard Work Day (Hrs/day)	Term Begins/Ends	Participates in Employer's Time Keeping System (Y/N)	Days/Month (based on Record of Activities)
Erie County Clerk – Appointed Officials					
First Deputy County Clerk	John Crangle	7	01/01/2011 to 12/31/2014	Y	N/A
Deputy County Clerk – Finance	Mark Adamchick	7	01/01/2011 to 12/31/2014	Y	N/A
Assistant Deputy County Clerk Admin	Camille Brandon	7	01/01/2011 to 12/31/2014	Y	N/A
Deputy County Clerk – Legal	Patricia Fulwiler	7	01/01/2011 to 12/31/2014	Y	N/A
Second Deputy County Clerk – Auto Bureau	Carl Szarek	7	01/01/2011 to 12/31/2014	Y	N/A
Deputy County Clerk – Auto Bureau	Joseph Wolf	7	01/01/2011 to 12/31/2014	Y	N/A
Erie County Legislature – Appointed Official					
Counsel (Legislature)	Shawn Martin	6	01/10/2011 to 12/31/2011	Y	N/A
Erie County Comptroller – Appointed Officials					
Deputy Comptroller	Lorne Steinhart	7	01/01/2010 to 12/31/2013	Y	N/A

Deputy Comptroller	Michael Szukala	7	01/01/2010 to 12/31/2013	Y	N/A
Erie County Sheriff – Appointed Officials					
Under Sheriff	Mark Wipperman	7	01/01/2010 to 12/31/2013	Y	N/A
Chief Deputy – Civil	John Anthony	7	01/01/2010 to 12/31/2013	Y	N/A
Superintendent – Holding Center	Robert Koch	7	01/01/2010 to 12/31/2013	Y	N/A
Erie County Board of Elections – Appointed Officials					
Commissioner, Board of Elections	Ralph Mohr	7	01/01/2009 to 12/31/2012	Y	N/A
Commissioner, Board of Elections	Dennis Ward	7	01/01/2009 to 12/31/2012	Y	N/A
Deputy Commissioner of Elections	Arthur Eve	7	05/08/2009 to 12/31/2012	Y	N/A
Deputy Commissioner of Elections	Dennis Ryan	7	01/01/2009 to 12/31/2012	Y	N/A
Assistant Deputy Commissioner – Board of Elections	Paul Tarapacki	7	05/11/2009 to 12/31/2012	Y	N/A
Assistant Deputy Commissioner – Board of Elections	Melvin Domagalski	7	02/28/2009 to 12/31/2012	Y	N/A
Erie County Executive – Appointed Officials					
Deputy County Executive	Jeffrey Hart	7	06/10/2010 to 12/31/2011	Y	N/A

Commissioner of Environment and Planning	Kathy Konst	7	08/19/2009 to 12/31/2011	Y	N/A
Deputy Commissioner of Environ Control	Daniel Barry	7	01/01/2008 to 12/31/2011	Y	N/A
Deputy Commissioner of Plan & Econ Dev	Darren Kempner	7	11/02/2009 to 12/31/2011	Y	N/A
Deputy Commissioner – Sewerage Management	Michael Quinn	7	01/01/2008 to 12/31/2011	Y	N/A
Assistant Deputy Commissioner – Sewerage Management	James Carr	7	01/01/2008 to 12/31/2011	Y	N/A
Assistant Deputy Commissioner – Sewerage Management	Joseph Fiegl	7	01/01/2008 to 12/31/2011	Y	N/A
Assistant Deputy Commissioner – Sewerage Management – Admin	Charles Katra	7	07/26/2010 to 12/31/2011	Y	N/A
Commissioner of Public Advocacy	Sawrie Becker	7	01/01/2008 to 12/31/2011	Y	N/A
Commissioner of Health	Anthony Billittier	7	01/01/2008 to 12/31/2011	Y	N/A
First Deputy Commissioner – Youth Svc PT – Health Department	Patrick Ruffino	6	01/01/2008 to 12/31/2011	Y	N/A
Purchasing Director	Bridget Corcoran	7	07/01/2009 to 12/31/2011	Y	N/A
Commissioner of Labor Relations	Christopher Putrino	7	03/04/2008 to 12/31/2011	Y	N/A
Deputy Director of Labor Relations	Jeannie Doyle	7	07/25/2010 to 12/31/2011	Y	N/A
Commissioner of Senior Services	Brenda Ward	7	01/01/2008 to 12/31/2011	Y	N/A
Commissioner of Social	Carol Dankert	7	07/13/2009 to	Y	N/A

Services			07/13/2015		
Assistant Commissioner – Administration – Department of Social Services	Mary Brockmyre	7	01/01/2008 to 12/31/2011	Y	N/A
Assistant Commissioner – Administration – Department of Social Services	Frank DeCarlo	7	01/01/2008 to 12/31/2011	Y	N/A
Assistant Commissioner – Administration – Department of Social Services	Vastye Gillespie	7	01/01/2008 to 12/31/2011	Y	N/A
First Deputy Commissioner of Social Services	William Graham	7	01/01/2008 to 12/31/2011	Y	N/A
Assistant Deputy Commissioner – Social Services	Gavin Kasper	7	01/01/2008 to 12/31/2011	Y	N/A
Deputy Commissioner, Youth Services Fin/Adm PT – Department of Social Services	Edward Kumrow	6	01/01/2008 to 12/31/2011	Y	N/A
Assistant Deputy Commissioner – Social Services RPT	Ricky Paulson	6	01/01/2008 to 12/31/2011	Y	N/A
Deputy Commissioner – Division Youth Services - Department of Social Services	Thomas Lillis	7	01/01/2008 to 12/31/2011	Y	N/A
Commissioner of Mental Health	Philip Endress	7	01/01/2008 to 12/31/2011	Y	N/A
Assistant Commissioner, Planning & Analys – Department of Mental Health	Peter Curtis	7	01/01/2008 to 12/31/2011	Y	N/A
Commissioner of Personnel	John Greenan	7	10/01/2008 to 10/01/2014	Y	N/A
Commissioner of Parks and Recreation	James Hornung	7	01/01/2008 to 12/31/2011	Y	N/A

Deputy Commissioner of Parks	Stanley Jemiolo	7	01/01/2008 to 12/31/2011	Y	N/A
Director of Budget and Management	Gregory Gach	7	01/01/2008 to 12/31/2011	Y	N/A
Director of Equal Employment Opportunity	William Lobbins	7	01/01/2008 to 12/31/2011	Y	N/A
Director of Real Property Tax Services	Joseph Maciejewski	7	10/01/2007 to 10/01/2013	Y	N/A
Commissioner of Probation	Brian McLaughlin	7	12/16/2010 to 12/31/2011	Y	N/A
Veterans' Service Officer	Marlene Roll	7	06/14/2010 to 12/31/2011	Y	N/A
Commissioner of Public Works	Gerard Sentz	7	01/01/2008 to 12/31/2011	Y	N/A
Deputy Commissioner – Highways – Department of Public Works	Gary Zawodzinski	7	01/01/2008 to 12/31/2011	Y	N/A
Deputy Commissioner, Buildings & Grounds – Department of Public Works	Jeffrey Quinn	7	01/01/2008 to 12/31/2011	Y	N/A
Commissioner of Emergency Services	Gregory Skibitsky	7	01/01/2008 to 12/31/2011	Y	N/A
Deputy Commissioner, Fire Safety – Department of Emergency Services	James McCullough	7	01/01/2008 to 12/31/2011	Y	N/A
Deputy Commissioner, Civil Defense & Disaster Preparedness – Department of Emergency Services	Gerard Whittington	7	01/01/2008 to 12/31/2011	Y	N/A
Commissioner of Central Police Services	Peter Vito	7	01/01/2008 to 12/31/2011	Y	N/A

and be it further

RESOLVED, that a certified copy of this resolution be posted on the Legislature's website pursuant to rules promulgated by the New York State Comptroller, and a copy shall be transmitted by the Clerk of the Legislature to the Erie County Commissioner of Personnel and the State Comptroller.

Item 30 – MS. WHYTE presented the following resolution and moved for immediate consideration. MS. MARINELLI seconded. MS. DIXON, MR. FUDOLI, MR. HARDWICK, MR. MILLS, MR. RATH, MR. WALTER, MS. BOVE and MR. WHALEN voted in the negative.

FAILED. (7-8)

RE: Resolution Concerning EC Community
Corrections Advisory Board
(INTRO 4-2)

CHAIR MILLER-WILLIAMS directed that the following resolution be referred to the PUBLIC SAFETY COMMITTEE.

GRANTED.

Item 31 – CHAIR MILLER-WILLIAMS directed that the following resolution be referred to the PUBLIC SAFETY COMMITTEE.

GRANTED.

INTRO 4-3 from WALTER. Amending NYS Penal Law § 125.27 to Include Cold Blooded, Pre-Meditated Murder Which Includes a Discretionary Sentence of Life Imprisonment Without the Possibility of Parole Upon Conviction of Such a Crime.

COMMUNICATIONS DISCHARGED FROM COMMITTEE

None.

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. 4M-14 from CITY OF BUFFALO COMMON COUNCIL MEMBER RIVERA
Re: Letter to Legislature Concerning EC Community Corrections Advisory Board

Received and referred to the PUBLIC SAFETY COMMITTEE.

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

GRANTED.

COMM. 4M-15 from HISPANICS UNITED OF BUFFALO EXECUTIVE DIRECTOR Re: Letter to Legislature Concerning EC Community Corrections Advisory Board

Received and referred to the PUBLIC SAFETY COMMITTEE.

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

GRANTED.

INTRO 4-4 from LEGISLATORS BOVE, MILLER-WILLIAMS and WHALEN Re: Expanding the Membership of the EC Community Corrections Advisory Board

Received and referred to the PUBLIC SAFETY COMMITTEE.

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

GRANTED.

INTRO 4-5 from LEGISLATOR WHYTE Re: Adding Two Voting Members to the EC Community Corrections Advisory Board

Received and referred to the PUBLIC SAFETY COMMITTEE.

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

GRANTED.

COMM. 4E-28 from CHAIR MILLER-WILLIAMS Re: Appointment of Chair for the EC Advisory Committee on Reapportionment

Received, Filed and Printed.

February 14, 2011

Mr. Robert M. Graber, Clerk
Erie County Legislature
92 Franklin Street, 4th Floor
Buffalo, NY 14202

RE: Appointment to the Advisory Committee on Reapportionment

Dear Mr. Graber:

As indicated in Section 210 of the Charter as Chair of the Legislature I hereby appoint the following individual to serve as my designee to the Advisory Committee on Reapportionment:

Adam W. Perry
140 Pearl Street, Suite 100
Buffalo, New York 14202

Thank you.

Sincerely,

Barbara Miller-Williams
Chair, Erie County Legislature

COMMUNICATIONS FROM ELECTED OFFICIALS

FROM CHAIR MILLER-WILLIAMS

Item 37 – (COMM. 4E-1) Letter to Clerk of Legislature Concerning a Resoluton Adopted by the Association of EC Governments

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

Item 38 – (COMM. 4E-2) Letter from League of Women Voters of Buffalo/Niagara Inc., Concerning the Redistricting/Reapportionment of the EC Legislature

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM LEGISLATOR MILLS

Item 39 – (COMM. 4E-3) Minority Leader's Designee/Appointment to Advisory Committee on Reapportionment

Received, Filed and Printed.

February 9, 2011

Hon. Robert M. Graber
Clerk of the Erie County Legislature
92 Franklin Street – 4th Floor
Buffalo, New York 14202

RE: Minority Leader's Designee/Appointment to the Committee on Reapportionment

Dear Clerk Graber:

Section 210 of the Erie County Charter grants the Minority Leader, or his or her designee, a position on the Erie County Committee on Reapportionment. I, personally, will not serve on the commission and will be represented by a designee.

Pursuant to the authority granted to me in Section 210 of the Erie County Charter, I hereby appoint the following individual to serve as my designee on the Erie County Committee on Reapportionment:

Ms. Martha Lamparelli
82 Larchmont Road
Buffalo, NY 14214

Sincerely,

JOHN J. MILLS
Minority Leader

Item 40 – (COMM. 4E-4) Appointments to Advisory Committee on Reapportionment

Received, Filed and Printed.

February 9, 2011

Hon. Robert M. Graber
Clerk of the Erie County Legislature
92 Franklin Street – 4th Floor
Buffalo, New York 14202

RE: Appointments to the Committee on Reapportionment

Dear Clerk Graber:

Pursuant to the authority granted to me in Section 210 of the Erie County Charter, I hereby appoint the following five (5) individuals to serve as my appointments on the Erie County Committee on Reapportionment:

Mr. Emilio Colaiacovo
190 Kinsey Avenue
Kenmore, NY 14217

Mr. Bryan Wittmeyer
3752 Howard Road
Hamburg, NY 14075

Mr. Jorge S. de Rosas
61 Lancaster Avenue
Buffalo, NY 14222

Mr. Jonathan S. Hickey
4485 Darcy Lane
Williamsville, NY 14221

Mr. Brian Biggie
75 Tennyson Avenue
Buffalo, NY 14216

Sincerely,

JOHN J. MILLS
Minority Leader

FROM THE COMPTROLLER

Item 41 – (COMM. 4E-5) State Authorization for Private Sale of Bonds by Negotiated Agreement

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE DISTRICT ATTORNEY

Item 42 – (COMM. 4E-6) Distribution of Profits from Sale of Illegal Knives

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM CHAIR MILLER-WILLIAMS

Item 43 – (COMM. 4E-7) Letter to ECFSA Concerning Four Year Plan

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM LEGISLATOR WHYTE

Item 44 – (COMM. 4E-8) Appointments to Advisory Committee on Reapportionment

Received, Filed and Printed.

February 14, 2011

Mr. Robert Graber, Clerk
Erie County Legislature
92 Franklin Street, 4th Floor
Buffalo, NY 14202

RE: Reapportionment Commission

Dear Mr. Clerk:

Per my duties as Majority Leader, I have reviewed the thoughtful letters of interest and resumes of over 80 applicants who expressed a desire to serve on the Erie County Legislature's Reapportionment Commission.

I have made the decision to appoint the following 5 people:

Dan Boody
Jeff Carter
Jesse Martin
Jonathan Rivera
Diane Terranova

To serve as my designee, I hereby appoint:

Jeremy Toth

Thank you for your attention and good work. If there are any questions, please do not hesitate to reach out to me directly.

Sincerely,

Maria R. Whyte
6th District Legislator
Majority Leader

FROM THE COUNTY EXECUTIVE

Item 45 – (COMM. 4E-9) EC Holding Center - Roof Replacement - Phase 2

Item 46 – (COMM. 4E-10) Supplemental Agreement with NYSDOT - Reconstruction of E. Robinson & N. French Roads - Town of Amherst

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

Item 47 – MS. WHYTE presented the following resolution and moved for immediate consideration and approval. MR. MAZUR seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 34

RE: SAP Helpdesk & Business Objects
Implementation Project
(COMM. 4E-11)

WHEREAS, the County of Erie is desirous of improving the business processes of the Department of Information and Support Services Help Desk along with implementation of archiving, online dash boards, and data warehousing through SAP Business Objects; and

WHEREAS, the County of Erie advertised for and received responses to a request for proposals from consulting firms to perform professional services associated with the SAP Helpdesk and Business Objects Implementation Project; and

WHEREAS, a review committee consisting of representatives from the Department of Information and Support Services was established to evaluate all responses to the County's request

for proposals as well as subsequent interviews, using a consistent scoring matrix. The results of that review are attached to this resolution as Attachment A; and

WHEREAS, the proposal review committee recommends retaining SAGE Group to complete the requested consulting services; and

WHEREAS, there is a current balance of approximately \$87,000.00 in Division of Information and Support Services capital project A.00339 to fund these services.

NOW, THEREFORE, BE IT

RESOLVED, that Sage Group be retained to perform professional services associated with the SAP Help Desk and Business Objects Implementation Project; and be it further

RESOLVED, that the County Executive be, and hereby is, authorized to execute an Agreement with SAGE Group, (100 Village Court, Suite 302, Hazlet, NJ 07730) for professional services associated with SAP Helpdesk and Business Objects Implementation Projects in an amount not to exceed \$87,000.00; and be it further

RESOLVED, that funding for said project is available in Fund 410, Capital Project A.00339, Business Continuity/Disaster Plan; and be it further

RESOLVED, that the Clerk of the Legislature send two (2) certified copies of this resolution to Gregory Turner, CIO., Division of Information and Support Services one (1) certified copy each to the County Executive, the Erie County Comptroller, the Erie County Director of Budget and Management, and Eric Ziobro, Assistant County Attorney.

Item 48 – (COMM. 4E-12) Appointment to Position of County Attorney

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

Item 49 – MS. WHYTE presented the following item and moved to send the item to committee for further consideration. MR. LOUGHRAN seconded.

(COMM. 4E-13) Appointment to EC Community Corrections Advisory Board

CHAIR MILLER-WILLIAMS directed that a roll-call vote be taken.

AYES: MS. GRANT, MR. LOUGHRAN, MS. MARINELLI, MR. MAZUR and MS. WHYTE. NOES: MS. DIXON, MR. FUDOLI, MR. HARDWICK, MR. MILLS, MR. RATH, MR. WALTER, MS. BOVE, MR. KOZUB, CHAIR MILLER-WILLIAMS and MR. WHALEN.
(AYES: 5; NOES: 10)

FAILED.

MS. BOVE moved to approve the item. MR. RATH seconded.

CHAIR MILLER-WILLIAMS directed that a roll-call vote be taken.

AYES: MS. DIXON, MR. FUDOLI, MR. HARDWICK, MR. MILLS, MR. RATH, MR. WALTER, MS. BOVE, MS. GRANT, MR. KOZUB, MS. MARINELLI, MR. MAZUR, CHAIR MILLER-WILLIAMS and MR. WHALEN. NOES: MR. LOUGHRAN and MS. WHYTE. (AYES: 13; NOES: 2)

CARRIED.

RESOLUTION NO. 35

RESOLVED, the Erie County Legislature hereby confirms the appointment of the following individual to the Erie County Community Corrections Advisory Board:

Ms. Cheryl Green
6 Opal Court
East Amherst, NY 14051

Item 50 – (COMM. 4E-14) Appointment to Buffalo & EC Public Library Board of Directors

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

Item 51 – (COMM. 4E-15) Intermunicipal Agreement with Town of Amherst - New Road Repaving Project

Item 52 – (COMM. 4E-16) Community Development Block Grant - 2011 Accounting Services

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

Item 53 – (COMM. 4E-17) Medical Reserve Corps Grant, 1/5/11 - 7/31/11

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

Item 54 – (COMM. 4E-18) Department of Emergency Services - Part Time Position Addition in Homeland Security Grant

Received and referred to the PUBLIC SAFETY COMMITTEE.

Item 55 – (COMM. 4E-19) Amendment Number 2 to EC & NYS Canal Corporation - Agreement Regarding Black Rock Canal Park Improvements

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 56 – (COMM. 4E-20) ECSD Nos. 3 & 6 - Engineer Term Agreement

Item 57 – (COMM. 4E-21) ECSD No. 2 - Lake Street Point Breeze Pumping Station Project

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

Item 58 – (COMM. 4E-22) Right-of-Way Acquisition - Reconstruction of Seneca Street Bridge Over Norfolk Southern Railroad - Town of West Seneca

Item 59 – (COMM. 4E-23) Contract with Wendel-Duchsherer for Preparation of Community Land Use Techniques Training Materials

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

Item 60 – (COMM. 4E-24) ECSD No. 3 - Bid Opening

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 61 – (COMM. 4E-25) Federal-Aid Highway & Marshiselli-Aid Agreement with NYSDOT for Reconstruction of E. Robinson & N. French Roads - Town of Amherst

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM CHAIR MILLER-WILLIAMS

Item 62 – (COMM. 4E-26) Copy of Letter from Executive Director of Buffalo & EC Public Library Concerning Disbursement of Designated Funds

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 63 – (COMM. 4E-27) Appointment to Advisory Committee on Reapportionment

Received, Filed and Printed.

March 29, 2011

Mr. Robert M. Graber
Clerk, Erie County Legislature
92 Franklin Street, 4th Floor
Buffalo, NY 14202

RE: Appointment of Chair for the Erie County Advisory Committee on Reapportionment

Dear Mr. Graber:

Please accept this letter as my appointment of the Chair of the Erie County Advisory Committee on Reapportionment. I name the following individual to serve in this position:

Adam W. Perry
140 Pearl Street, Suite 100

Buffalo, New York 14202

Thank you for your attention to this matter.

Sincerely,

Barbara Miller-Williams
Chair, Erie County Legislature

Cc: Brian Biggie
Dan Boody
Jeff Carter
Emilio Colaiavoco
Jorge de Rosas
Jonathan Hickey
Martha Lamparelli
Jesse Martin
Ralph Mohr
Jonathan Rivera
Diane Terranova
Jeremy Toth
Dennis Ward
Bryan Wittmeyer

COMMUNICATIONS FROM THE DEPARTMENTS

FROM THE COUNTY ATTORNEY

Item 64 – (COMM. 4D-1) Transmittal of New Claims Against Erie County

Item 65 – (COMM. 4D-2) Transmittal of New Claim Against Erie County

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

Item 66 – (COMM. 4D-3) Public Hearing Notice - Local Law Int. No. 1 - 2011

Received and Filed.

Item 67 – (COMM. 4D-4) Transmittal of New Claim Against Erie County

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE CLERK OF LEGISLATURE

Item 68 – (COMM. 4D-5) Letters of Interest in Serving on Advisory Committee on Reapportionment

Item 69 – (COMM. 4D-6) Letters of Interest in Serving on Advisory Committee on Reapportionment

The above two items were Received and Filed.

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES

FROM THE NYSDEC

Item 70 – (COMM. 4M-1) Fact Sheet - Brownfield Cleanup Program - Application & Remedial Investigation Work Plan for the Former American Linen Supply Company Facility

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE ASSIGNED COUNSEL PROGRAM

Item 71 – (COMM. 4M-2) Copy of Quarterly Report for 4th Quarter of 2010

Item 72 – (COMM. 4M-3) Copy of Financial Report for Period, 7/1/10 - 12/31/10, List of Attorneys Who Are Currently on the Board & Minutes of Meetings Held

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

FROM THE TONAWANDA TOWN CLERK

Item 73 – (COMM. 4M-4) Copy of Certified Resolution Concerning Direct Payment of EC Sales Tax to the Town

Item 74 – (COMM. 4M-5) Copy of Certified Resolution Concerning Authorizing Tonawanda Supervisor to Apply for Extension of Time for Tax Collection

The above two items were received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE CITY OF TONAWANDA CLERK

Item 75 – (COMM. 4M-6) Copy of Resolution Concerning Residency of Commissioners Appointed to the EC Water Authority

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

**FROM THE BUFFALO NIAGARA
CONVENTION & VISITORS BUREAU**

Item 76 – (COMM. 4M-7) 2011 Budget Accountability Act Submission

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM ECMCC

Item 77 – (COMM. 4M-8) Minutes of Meeting Held 2/1/2011

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

FROM THE NYSDEC

Item 78 – (COMM. 4M-9) Fact Sheet - Brownfield Cleanup Program - DEC Announces Public Meeting on Proposal to Take No Further Action at Spaulding Fibre Site

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE ECFSA

Item 79 – (COMM. 4M-10) Letter to Chair of Legislature Concerning ECFSA Four Year Plan

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE BUFFALO COMMON COUNCIL

Item 80 – (COMM. 4M-11) Copy of Resolution Entitled, "Scheduling a Government for the People UB Summit to Bring Buffalo-Niagara's Elected Officials Together & Coordinate Efforts for Advancing UB 2020 Legislation"

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM SENATOR GALLIVAN

Item 81 – (COMM. 4M-12) Copy of Letter to Comptroller Concerning Sales & Compensating Use Tax

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE NFTA

Item 82 – (COMM. 4M-13) Copies of the 17A Report & Capital Expenditure Reports for the Third Quarter of Fiscal Year Ending 3/31/2011

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

ANNOUNCEMENTS

Item 83 – CHAIR MILLER-WILLIAMS announced that the committee schedule has been distributed.

Item 84 – LEGISLATOR WHYTE announced that she will again be hosting her 3rd Annual Free Ice Skating Day at Riverside Ice Rink, on Monday, February 21, 2011.

Item 85 – LEGISLATOR GRANT announced that she has scheduled an informational meeting, open to the public, to discuss the reapportionment of the Legislature, and has invited all those who have been appointed to the Advisory Committee on Reapportionment to attend. The meeting will take place at 6:00 P.M. this evening (February 16, 2011) at the Frank E. Merriweather Jr. Library, on Jefferson Ave., Buffalo.

MEMORIAL RESOLUTIONS

Item 86 – Legislator Marinelli requested that when the Legislature adjourns, it do so in memory of Charles S. Cicero, father to former Legislature staff member Rosemary (Cicero) Sullivan.

Item 87 – Legislator Rath requested that when the Legislature adjourns, it do so in memory of Lance Cpl. Aaron M. Swanson; and Halina E. Ruskowski, mother of former Legislator Brian Rusk.

Item 88 – Legislator Mazur requested that when the Legislature adjourns, it also do so in memory of Halina E. Ruskowski.

Item 89 – Legislator Kozub requested that when the Legislature adjourns, it do so in memory of Charles S. Cicero and Dolores A. Anteck.

Item 90 – Legislator Hardwick requested that when the Legislature adjourns, it do so in memory of Lawrence A. Kimble Sr. and Thomas Alexander Szabad.

ADJOURNMENT

Item 91 - 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, March 17, 2011 at 2:00 p.m. Eastern Standard Time. MR. WALTER seconded.

CARRIED UNANIMOUSLY.

CHAIR MILLER-WILLIAMS declared the Legislature adjourned until Thursday, March 17, 2011 at 2:00 p.m. Eastern Standard Time.

ROBERT M. GRABER
CLERK OF THE LEGISLATURE