

ERIE COUNTY LEGISLATURE
MEETING NO. 5
MARCH 15, 2012

The Legislature was called to order by Chair Grant.

All members present.

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

The Pledge of Allegiance was led by Ms. Dixon.

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 4 from 2012. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

Item 4 – No Public Hearings.

MISCELLANEOUS RESOLUTIONS

Item 5 – MR. MAZUR presented a resolution Recognizing Rev. Marian Gardocki on Receiving the Legion of Honor During the Four Chaplains Memorial Service at VA WNY Healthcare System in Buffalo.

Item 6 – MR. MAZUR presented a resolution Recognizing Mary Danakas on Receiving the Legion of Honor During the Four Chaplains Memorial Service at VA WNY Healthcare System in Buffalo.

Item 7 – MR. MAZUR presented a resolution Recognizing Sharon Shelton on Receiving the Legion of Honor During the Four Chaplains Memorial Service at VA WNY Healthcare System in Buffalo.

Item 8 – CHAIR GRANT presented a resolution Recognizing March as National Kidney Month.

Item 9 – MR. MILLS & MS. DIXON presented a resolution Honoring Patrick Plunkett on Being Elected the United Irish American Association's Honorary Grand Marshal for the 2012 Saint Patrick's Day Parade.

Item 10 – MS. MARINELLI presented a resolution Recognizing the Week of March 12-16, 2012 as National Young Audiences Week in EC.

Item 11 – MS. MARINELLI presented a resolution Congratulating Donald & Rita Chrems on Their 50th Wedding Anniversary.

Item 12 – MR. LOUGHRAN presented a resolution Honoring Dolores Sapienza on the Occasion of the Amherst Museum's Women's Interclub Council Celebration of Women's History Month.

Item 13 – CHAIR GRANT & MR. HOGUES presented a resolution Recognizing the Kidney Center of Women & Children's Hospital of Buffalo During National Kidney Disease Awareness Month in March.

Item 14 – MR. MAZUR presented a memorial resolution In Remembrance of John H. "Jack" Roberts Sr.

Item 15 – MR. McCracken presented a resolution Recognizing the Listing of the John P. Sommers House in Lancaster on the National Register of Historic Places.

Item 16 – MR. HARDWICK presented a resolution Congratulating Tim Winder, Boy Scout Troop No. 510, on Obtaining the Rank of Eagle Scout.

Item 17 – MR. HARDWICK presented a resolution Honoring Mississippi Mudds on Their 25th Anniversary.

Item 18 – MS. MARINELLI presented a memorial resolution Remembering the Life of Catherine M. Mallaber.

Item 19 – MS. MARINELLI presented a resolution Congratulating Housing Opportunities Made Equal (HOME) on Its 49th Anniversary.

Item 20 – MR. HOGUES presented a resolution Congratulating Murray Holman, Community Activist, Upon Being Named the March 2012 Recipient of the EC Legislature's Citizen of the Month Award.

Item 21 – MR. MILLS presented a resolution Congratulating Florence Kirkner for Her 65 Years of Service on the National Ski Patrol.

Item 22 – MR. MILLS presented a resolution Congratulating Joseph Karb, Springville Griffith Institute, on Receiving the Outstanding Social Studies Middle School Teacher Award for 2012 by the New York State Council for the Social Studies.

Item 23 – MR. LORIGO presented a resolution Honoring John and Victoria Frontera for Being Married 72 years and Being Named the New York State Winners of the Longest Married Couple Project.

Item 24 – MR. MILLS, MR. HARDWICK, MR. RATH, MS. DIXON & MR. LORIGO presented a resolution Recognizing Poison Prevention Week in Erie County.

Item 25 – MR. MILLS, MR. HARDWICK, MR. RATH, MS. DIXON & MR. LORIGO presented a resolution Honoring Jordan Levy for His Work with the Erie Canal Harbor Development Corporation.

MR. MAZUR moved for consideration of the above twenty-one items. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

MR. MAZUR moved to amend the above twenty-one items by including Et Al Sponsorship. MR. RATH seconded.

CARRIED UNANIMOUSLY.

MR. MAZUR moved for approval of the above twenty-one items as amended. MR. McCRACKEN seconded.

CARRIED UNANIMOUSLY.

LOCAL LAWS

Item 26 – CHAIR GRANT directed that Local Law No. 8 (Print #1) 2011 remain on the table and in the ENERGY & ENVIRONMENT COMMITTEE.

GRANTED.

Item 27 – CHAIR GRANT directed that Local Law No. 11 (Print #1) 2011 remain on the table and in the PUBLIC SAFETY COMMITTEE.

GRANTED.

COMMITTEE REPORTS

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 63

February 28, 2012	COMMUNITY ENRICHMENT COMMITTEE REPORT NO. 3
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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. 3E-9 (2012)
COUNTY EXECUTIVE: "Letter to President & CEO of Buffalo & EC Botanical Gardens Society Concerning Operational Funding"
(6-0)
 - b. COMM. 3M-3 (2012)
EL MUSEO: "2012 Cultural Organization Data Response Sheet"
(6-0)
 - c. COMM. 3M-6 (2012)
LANCASTER OPERA HOUSE: "2012 Cultural Organization Data Response Sheet"
(6-0)
 - d. COMM. 3M-9 (2012)
BUFFALO ZOO: "2012 Budget Accountability Act Submission"
(6-0)
 - e. COMM. 3M-10 (2012)
ROYCROFT CAMPUS CORPORATION: "2012 Cultural Organization Data Response Sheet"
(6-0)
 - f. COMM. 3M-11 (2012)
CEPA GALLERY: "2012 Budget Accountability Act Submission"
(6-0)
 - g. COMM. 3M-12 (2012)
CEPA GALLERY: "2012 Cultural Organization Data Response Sheet"
(6-0)
 - h. COMM. 3M-14 (2012)
BUFFALO ARTS STUDIO: "2012 Cultural Organization Data Response Sheet"
(6-0)
 - i. COMM. 3M-15 (2012)
CORNELL COOPERATIVE EXTENSION: "2012 Cultural Organization Data Response Sheet"
(6-0)
 - j. COMM. 3M-19 (2012)
SPRINGVILLE CENTER FOR THE ARTS, INC.: "2012 Cultural Organization Data Response Sheet"
(6-0)
 - k. COMM. 3M-20 (2012)

THE BUFFALO FINE ARTS ACADEMY/ALBRIGHT KNOX ART GALLERY: “2012 Cultural Organization Data Response Sheet”
(6-0)

- l. COMM. 3M-21 (2012)
BUFFALO INNER CITY BALLET: “2012 Cultural Organization Data Response Sheet”
(6-0)
- m. COMM. 3M-22 (2012)
BUFFALO OLMSTED PARKS CONSERVANCY: “2012 Cultural Organization Data Response Sheet”
(6-0)
- n. COMM. 3M-23 (2012)
BUFFALO PHILHARMONIC CHORUS: “2012 Cultural Organization Data Response Sheet”
(6-0)
- o. COMM. 3M-24 (2012)
COMMUNITY MUSIC SCHOOL OF BUFFALO: “2012 Cultural Organization Data Response Sheet”
(6-0)
- p. COMM. 3M-25 (2012)
FOLKLORIC PRODUCTIONS DANCE CO INC.: “2012 Cultural Organization Data Response Sheet”
(6-0)
- q. COMM. 3M-32 (2012)
SHAKESPEARE IN DELAWARE PARK: “2012 Budget Accountability Act Submission”
(6-0)
- r. COMM. 3M-33 (2012)
JUST BUFFALO LITERARY CENTER: “2012 Budget Accountability Act Submission”
(6-0)
- s. COMM. 3M-34 (2012)
ROAD LESS TRAVELED PRODUCTIONS: “2012 Cultural Organization Data Response Sheet”
(6-0)
- t. COMM. 3M-35 (2012)
IRISH CLASSICAL THEATRE COMPANY: “2012 Cultural Organization Data Response Sheet”
(6-0)
- u. COMM. 3M-36 (2012)

- BUFFALO & EC HISTORICAL SOCIETY: “2012 Cultural Organization Data Response Sheet”
(6-0)
- v. COMM. 3M-37 (2012)
THEODORE ROOSEVELT INAUGURAL SITE: “2012 Cultural Organization Data Response Sheet”
(6-0)
- w. COMM. 3M-38 (2012)
AMERICAN LEGION BAND OF THE TONAWANDAS, INC.: “2012 Cultural Organization Data Response Sheet”
(6-0)
- x. COMM. 3M-43 (2012)
AFRICAN AMERICAN CULTURAL CENTER, INC.: “2012 Cultural Organization Data Response Sheet”
(6-0)
- y. COMM. 3M-45 (2012)
MUSICALFARE THEATRE: “2012 Budget Accountability Act Submission”
(6-0)
- z. COMM. 3M-46 (2012)
LOCUST STREET NEIGHBORHOOD ART CLASSES, INC.: “2012 Cultural Organization Data Response Sheet”
(6-0)
- aa. COMM. 3M-47 (2012)
ROAD LESS TRAVELED PRODUCTIONS: “2012 Budget Accountability Act Submission”
(6-0)
- bb. COMM. 3M-48 (2012)
YOUNG AUDIENCES OF WNY: “2012 Cultural Organization Data Response Sheet”
(6-0)
- cc. COMM. 3M-51 (2012)
HULL HOUSE FOUNDATION: “Copy of Strategic Plan for 2011 – 2012”
(6-0)
- dd. COMM. 3M-52 (2012)
MUSICALFARE THEATRE: “2012 Cultural Organization Data Response Sheet”
(6-0)
- ee. COMM. 3M-53 (2012)
CORNELL COOPERATIVE EXTENSION: “2012 Budget Accountability Act Submission”
(6-0)

- ff. COMM. 3M-54 (2012)
BUFFALO & EC PUBLIC LIBRARY: “Copy of Proposed Agenda for Meeting Held 2/16/2012”
(6-0)
- gg. COMM. 4M-1 (2012)
SQUEAKY WHEEL: “2012 Budget Accountability Act Submission”
(6-0)
- hh. COMM. 4M-2 (2012)
WNY ARTISTS GROUP INC.: “2012 Cultural Organization Data Response Sheet”
(6-0)
- ii. COMM. 4M-3 (2012)
NEW PHOENIX THEATRE: “2012 Budget Accountability Act Submission”
(6-0)
- jj. COMM. 4M-4 (2012)
IRISH CLASSICAL THEATRE COMPANY: “2012 Budget Accountability Act Submission”
(6-0)
- kk. COMM. 4M-5 (2012)
NEGLIA BALLET ARTISTS: “2012 Budget Accountability Act Submission”
(6-0)
- ll. COMM. 4M-6 (2012)
LANCASTER OPERA HOUSE THEATRE: “2012 Budget Accountability Act Submission”
(6-0)
- mm. COMM. 4M-7 (2012)
BUFFALO PHILHARMONIC CHORUS: “2012 Budget Accountability Act Submission”
(6-0)
- nn. COMM. 4M-11 (2012)
POLISH ARTS CLUB OF BUFFALO, INC.: “2012 Budget Accountability Act Submission”
(6-0)
- oo. COMM. 4M-12 (2012)
HALLWALLS: “2012 Budget Accountability Act Submission”
(6-0)
- pp. COMM. 4M-13 (2012)
SQUEAKY WHEEL: “2012 Cultural Organization Data Response Sheet”
(6-0)
- qq. COMM. 4M-14 (2012)

BIG ORBIT GALLERY: "2012 Budget Accountability Act Submission"
(6-0)

rr. COMM. 4M-16 (2012)
BUFFALO & EC HISTORICAL SOCIETY: "2012 Budget Accountability Act Submission"
(6-0)

ss. COMM. 4M-19 (2012)
THEATRE OF YOUTH: "2012 Budget Accountability Act Submission"
(6-0)

tt. COMM. 4M-20 (2012)
MARTIN HOUSE RESTORATION CORPORATION: "2012 Cultural Organization Data
Response Sheet"
(6-0)

uu. COMM. 4M-21 (2012)
LANGSTON HUGHES INSTITUTE, INC.: "2012 Budget Accountability Act Submission"
(6-0)

**LYNN M. MARINELLI
CHAIR**

Item 29 – MR. MAZUR presented the following report, moved to separate item Number 2,
and moved to approve the balance of the report. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 64

February 28, 2012	GOVERNMENT AFFAIRS COMMITTEE REPORT NO. 3
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ALL MEMBERS PRESENT, EXCEPT LEGISLATOR RATH.
CHAIR GRANT PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 3D-1 (2012)
COUNTY ATTORNEY: "Transmittal of New Claims Against EC"
(5-0)
 - b. COMM. 3D-3 (2012)
COUNTY ATTORNEY: "Notice of Claim"
(5-0)
 - c. COMM. 3D-5 (2012)

- COUNTY ATTORNEY: "Notice of Claim"
(5-0)
- d. COMM. 3D-6 (2012)
COUNTY ATTORNEY: "Notice of Claim"
(5-0)
- e. COMM. 3D-9 (2012)
COUNTY ATTORNEY: "Transmittal of New Claims Against EC"
(5-0)
- f. COMM. 3M-17 (2012)
ASSIGNED COUNSEL PROGRAM: "Copy of Financial Report for Period 7/1/11 -
12/31/11"
(5-0)
- g. COMM. 3M-18 (2012)
ASSIGNED COUNSEL PROGRAM: "Copy of Quarterly Report for the 4th Quarter of
2011"
(5-0)
- h. COMM. 4E-12 (2012)
COUNTY EXECUTIVE: "Issuance of Executive Order No. 6"
(5-0)
- i. COMM. 4D-2 (2012)
COUNTY ATTORNEY: "Transmittal of New Claims Against EC"
(5-0)
- j. COMM. 4D-3 (2012)
COUNTY ATTORNEY: "Transmittal of New Claims Against EC"
(5-0)
- k. COMM. 4M-9 (2012)
EDEN TOWN CLERK: "Copies of Resolutions Concerning Highway Signage & Mandate
Relief"
(5-0)
2. COMM. 4E-13 (2012)
COUNTY EXECUTIVE AS AMENDED
WHEREAS, the Erie County Sheriff is responsible for health care at the Erie County
Correctional Facility and the Erie County Holding Center; and

WHEREAS, the Erie County Department of Health provides medical oversight and medical
staffing to provide health care at the Erie County Correctional Facility and Erie County Holding
Center under an Interdepartmental Agreement with the Erie County Sheriff; and

WHEREAS, the availability of Physician Assistants and Nurse Practitioners, Registered Nurses and Medical Aides (Licensed Practical Nurses) locally, is very competitive, thus we must offer a competitive salary commensurate with the responsibilities of the position and in line with community standards, to attract a qualified candidate in Correctional Health Services; and

WHEREAS, in order to reduce contractual services and recruit and retain additional qualified professional staff for the Correctional Health Services, it is necessary to establish variable minimums for thirty (30) medical service positions; and

WHEREAS, the Department of Health also requests the creation of one full time position of a Registered Nurse, JG 8, Step 1 (\$43,073) in the NYSNA bargaining unit, as indicated on B-100 #6821; and

WHEREAS, funding for the implementation of this restructuring is built into the Health Department's 2012 Budget and is also available from vacancy savings and there is no negative 2012 budgetary impact.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the establishment of variable minimum hiring levels in order to facilitate the recruitment of medical personnel for the Health Department's Correctional Health Services Division as follows:

Number of Positions	Bargaining Unit	Title	Job Group	Current Budgeted Step	New Step Variable Minimum	New Annual Salary	2012 Budgeted Annual Salary
8	Teamsters	Registered Nurse/Holding Center	8	Step E	Step 5	45,042	50,355
4	CSEA	Correctional Facility/Medical Aide	6	Step 3	Step 5	35,841	33,077
18	Teamsters	Holding Center/Medical Aide	7	Step 3	Step 2	36,057	37,958

and be it further

RESOLVED, that the Erie County Legislature hereby authorizes the creation of one full time position of Registered Nurse, JG 8, Step 1 (\$43,073) in the NYSNA bargaining unit, as indicated on B-100 #6821; and be it further

RESOLVED, that while there is additional expense due to the new positions and variable minimums (\$149,806), due to vacancy savings from the above-mentioned positions being vacant throughout the first two months of 2012, as well as the fact that most of these positions will require several weeks to effectuate new hires (estimated savings of \$579,176), there is no additional 2012

budgetary impact above the adopted budget for the Department of Health from any of these adjustments; and be it further

RESOLVED, that certified copies of this resolution will be forwarded to the Erie County Sheriff, the County Executive, the Office of the Comptroller, the Department of Personnel, the Director of Labor Relations, the Division of Budget and Management, the Department of Law and to Commissioner Gale R. Burstein in the Erie County Department of Health.
(5-0)

THOMAS J. MAZUR
CHAIR

CHAIR GRANT directed that item Number 2 be tabled.

GRANTED.

Item 30 – MR. LOUGHRAN presented the following report and moved for immediate consideration and approval. MR. HOGUES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 65

February 28, 2012	ECONOMIC DEVELOPMENT COMMITTEE REPORT NO. 3
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ALL MEMBERS PRESENT, EXCEPT LEGISLATOR RATH.
CHAIR GRANT PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 7E-1 (2011)
WHYTE: “Copy of Three Local Laws, Previously Passed by the EC Legislature Concerning the Utilization of Minority & Women Owned Businesses in County Contracting & Purchasing”
(5-0)
 - b. COMM. 1D-10 (2012)
EC CENTER FOR EMPLOYMENT OPPORTUNITIES: “Letter to NFTA Chairman Concerning the Current Fee Structure & the Elimination of Service”
(5-0)
 - c. COMM. 3M-4 (2012)
NFTA: “Copies of the 17A Report & Capital Expenditure Reports for the Third Quarter of Fiscal Year”
(5-0)

- d. COMM. 3M-5 (2012)
NFTA: "Minutes of Meeting Held 12/19/11"
(5-0)
- e. COMM. 4M-18 (2012)
NYS DOT: "Copy of Resolution Concerning Discontinuance of Maintenance of a Portion of Kinsley Road in the Town of Elma"
(5-0)
2. RESOLVED, the following item is hereby received, filed and referred to the MINORITY & WOMEN BUSINESS ENTERPRISE COMMITTEE:
 - a. COMM. 14D-6 (2011)
EC EEO OFFICE: "2010 EC MWBE Utilization Record"
(5-0)
3. RESOLVED, the following item is hereby received, filed and referred to the PUBLIC SAFETY COMMITTEE:
 - a. COMM. 2E-7 (2012)
GRANT: "Information Materials from the Center for Employment Opportunities Entitled "CEO Breaks Down Barriers to Employment""
(5-0)
4. COMM. 4E-5 (2012)
COUNTY EXECUTIVE
WHEREAS, the Bridge Painting Project in various towns, Erie County, PIN 5759.60 (the "project") is eligible for funding under Title 23, U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80% Federal funds and 20% non-Federal funds, depending on the Federal Aid Funding Program; and

WHEREAS, the County of Erie desires to advance the construction and construction inspection phases of the project, PIN 5759.60 through a Supplemental Agreement that increases the original project agreement in the amount of \$970,000.

NOW, THEREFORE, BE IT

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

RESOLVED, that the County Legislature of the County of Erie hereby authorizes the County of Erie to pay in the first instance 100% of the Federal and non-Federal share of the cost of the preliminary engineering (Scoping and Design I-VI), and construction and construction inspection phases of the project or portions thereof; and be it further

RESOLVED, that the Project Fund B.21011 - 2010 Bridge Painting Construction, fund center 123, fund 420, be increased by the anticipated Federal revenue in the amount of \$776,000. as follows:

REVENUES		CURRENT BUDGET	INCREASE/ DECREASE	REVISED BUDGET
Account	Description			
414000	Federal Aid	\$0	\$776,000	\$ 776,000
475000	Gen Oblig Bond Proc	<u>\$249,800</u>	<u>\$0</u>	<u>\$ 249,800</u>
TOTAL REVENUES		<u>\$249,800</u>	<u>\$776,000</u>	<u>\$1,025,800</u>
APPROPRIATIONS				
Capital Projects	Capital Project Exp	<u>\$249,800</u>	<u>\$776,000</u>	<u>\$1,025,800</u>
TOTAL APPROPRIATIONS		<u>\$249,800</u>	<u>\$776,000</u>	<u>\$1,025,800</u>

and be it further

RESOLVED, that the estimated total sum of the construction phase of the project, \$970,000.00 is hereby appropriated from B.21011 – 2010 Bridge Painting Construction and made available to cover the cost of participation in the above phase of the project; and be it further

RESOLVED, that in the event the amount required to pay in the first instance 100% of the Federal and non-Federal shares of the costs of the project's construction and construction inspection phases exceeds the amount appropriated, \$970,000.00 and/or 100% of the full Federal and non-Federal shares of the cost of the project's construction and construction inspection phases exceeds \$970,000.00, the County of Erie shall convene its Legislature as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof; 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, (subject to the County of Erie Attorney's approval as to form and content), with the New York State Department of Transportation in connection with the advancement or approval of the project identified in the State/Local Agreement; and providing for the administration of the project and the municipality's first instance funding of project costs and permanent funding of the local share of Federal-Aid and State-Aid eligible project costs and all project costs within appropriations therefore that are not so eligible; and be it further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation, by attaching it to any necessary Agreement in connection with the project; and be it further

RESOLVED, that the Clerk of the Legislature forward ten (10) certified copies of this Resolution to the Department of Public Works, Office of the Commissioner, to be forwarded to the

New York State Department of Transportation and also one copy each to the Office of the County Executive, the Office of Budget and Management, and the Office of the Comptroller.

(5-0)

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

WHEREAS, the Bridge Painting Project PIN 5759.60 will be advertised, bid, and ready for award of construction contract to the responsible low bidder; and

WHEREAS, the Bridge Painting Project PIN 5759.60 will improve the condition of County bridges; and

WHEREAS, funding for this project was approved and is available in B.21011 - 2010 Bridge Painting Construction in the amount of \$970,000; and

WHEREAS, it is necessary that this approval be granted, so that the contract can be awarded to allow the contractor to begin painting as soon as possible; and

WHEREAS, in order to facilitate the Bridge Painting Project 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 LiRo Engineers, of Buffalo, New York, for construction inspection and services during construction. This is the second Federal Aid Bridge Painting Project.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be authorized and is hereby directed to award and execute a contract for the Bridge Painting Project PIN 5759.60 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 LiRo Engineers of Buffalo, New York; and be it further

RESOLVED, that funding for the Bridge Painting Project Two be allocated from fund B.21011 in an amount not to exceed \$970,000; 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 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 low responsible bidder for the Bridge Painting Project Two PIN 5759.60; 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.

(5-0)

6. COMM. 4E-7 (2012)
COUNTY EXECUTIVE

WHEREAS, as a result of the storms of early August 2009 federal disasters FEMA DR-1857-NY and FHWA 0902 were declared for parts of Erie County making available assistance from the New York State Office of Emergency Management (NYSOEM) and the Federal Emergency Management Agency (FEMA) under FEMA's Public Assistance (PA) program, from the Federal Highway Administration (FHWA) Emergency Relief (ER) program and from the Natural Resource Conservation Service (NRCS) Emergency Watershed Protection (EWP) program; and

WHEREAS, under the PA, ER and EWP programs, approved costs are eligible for reimbursement from FEMA & NYSOEM; FHWA (via NYSDOT); and NRCS respectively with Erie County providing the remaining share; and

WHEREAS, the actual and estimated costs for completion of design and construction of several of these projects have increased beyond the initial authorization; and

WHEREAS, these projects are in design and scheduled for construction in 2012.

NOW, THEREFORE, BE IT

RESOLVED, that the 2011 Budget appropriation of \$100,000.00 as Erie County share in B.11023 2011 FEMA, FHWA and EWP Match/Road Design Program (Countywide) be increased by anticipated revenue to \$800,000.00 as follows:

REVENUES		CURRENT BUDGET	INCREASE/ DECREASE	REVISED BUDGET
Account	Description			
405150	State Aid SEMO	\$ 0	\$100,000	\$ 100,000
412540	Federal Aid FEMA	\$ 0	\$600,000	\$600,000
414020	Misc Federal Aid	\$ 0	\$0	\$ 0
475000	Gen Oblig Bond Proc	<u>\$100,000</u>	<u>\$ 0</u>	<u>\$100,000</u>
TOTAL REVENUES		<u>\$100,000</u>	<u>\$700,000</u>	<u>\$800,000</u>
APPROPRIATIONS				
Capital Projects	Capital Project Exp	<u>\$100,000</u>	<u>\$700,000</u>	<u>\$800,000</u>
TOTAL APPROPRIATIONS		<u>\$100,000</u>	<u>\$700,000</u>	<u>\$800,000</u>

and be it further

RESOLVED, that the Department of Public Works be authorized to execute agreements and Change Orders not to exceed \$800,000.00 under Erie County Disaster Declaration of August 9, 2009; FEMA DR-1857-NY and FHWA 0902 Disasters; and be it further

RESOLVED, that five 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)

7. COMM. 4E-8 (2012)

COUNTY EXECUTIVE

WHEREAS, the Colvin Boulevard at Highland Avenue Project in the Town of Tonawanda, Erie County, PIN 5756.86 (the "Project") is eligible for funding under Title 23, U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80% Federal funds and 20% non-Federal funds; and

WHEREAS, the County of Erie advanced the Project's Design Phase via Comm. Nos. 13E-38, 9E-16, and 24E-24 adopted on June 24, 2004, May 17, 2007, and December 16, 2010 respectively; and

WHEREAS, the County of Erie desires to advance the Construction and Construction Inspection Phase of the Project, PIN 5756.86 through a Supplemental Agreement that increases the original Project Agreement by \$700,000.00.

NOW, THEREFORE, BE IT

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

RESOLVED, that the County Legislature of the County of Erie hereby authorizes the County of Erie to pay in the first instance 100% of the Federal and Non-Federal share of the cost of the Preliminary Engineering (Scoping and Design I-VI), and Construction and Construction Inspection Phases of the Project or portions thereof; and be it further

RESOLVED, that the Project Fund B.21002 - 2010 Colvin Signals Construction, fund center 123, fund 420, be increased by the anticipated Federal and State revenue in the amount of \$665,000.00 as follows:

REVENUES		CURRENT BUDGET	INCREASE/ DECREASE	REVISED BUDGET
Account	Description			
410170	Federal Aid - Road	\$0	\$560,000	\$560,000

405160	NYS Marchiselli Aid	\$0	\$105,000	\$105,000
475000	Gen Oblig Bond Proc	<u>\$158,000</u>		<u>\$158,000</u>
TOTAL REVENUES		<u>\$158,000</u>	<u>\$665,000</u>	<u>\$823,000</u>

APPROPRIATIONS

Capital Projects	Capital Project Exp	<u>\$158,000</u>	<u>\$665,000</u>	<u>\$823,000</u>
TOTAL APPROPRIATIONS		<u>\$158,000</u>	<u>\$665,000</u>	<u>\$823,000</u>

and be it further

RESOLVED, that the estimated total sum of the construction phase of the Project, \$700,000.00 is hereby appropriated from B.21002 – 2010 Colvin Signals Construction and made available to cover the cost of participation in the above phase of the Project; and be it further

RESOLVED, that in the event the amount required to pay in the first instance 100% of the Federal and non-Federal shares of the costs of the Project's Construction and Construction Inspection Phases exceeds the amount appropriated, \$700,000.00 and/or 100% of the full Federal and non-Federal shares of the cost of the Project's Construction and Construction Inspection Phases exceeds \$700,000.00, the County of Erie shall convene its Legislature as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof; 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, (subject to the County of Erie Attorney's approval as to form and content), with the New York State Department of Transportation in connection with the advancement or approval of the Project identified in the State/Local Agreement; and providing for the administration of the Project and the Municipality's first instance funding of Project costs and permanent funding of the local share of Federal-Aid and State-Aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible; and be it further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation, by attaching it to any necessary Agreement in connection with the Project; and be it further

RESOLVED, that the Clerk of the Legislature forward ten (10) certified copies of this Resolution to the Department of Public Works, Office of the Commissioner, to be forwarded to the New York State Department of Transportation and also one copy each to the Office of the County Executive, the Office of Budget and Management, and the Office of the Comptroller.

(5-0)

8. COMM. 4E-9 (2012)
COUNTY EXECUTIVE

WHEREAS, the Colvin Boulevard at Highland Avenue Project PIN 5756.86 will be advertised, bid, and ready for award of construction contract to the responsible low bidder; and

WHEREAS, the Colvin Boulevard at Highland Avenue Project PIN 5756.86 will improve the intersection; and

WHEREAS, funding for this Federal Aid Project was approved and is available in B.21002 2010 Colvin Signals Construction in the amount of \$700,000.00; and

WHEREAS, it is necessary that this approval be granted, so that the contract can be awarded to allow the contractor to begin work as soon as possible; and

WHEREAS, in order to facilitate the Colvin Boulevard at Highland Avenue Project 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 TVGA Consultants, of Buffalo, New York, for construction inspection and engineering 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 Colvin Boulevard at Highland Avenue Project PIN 5756.86 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 TVGA Consultants, of Buffalo, New York; and be it further

RESOLVED, that funding for the Colvin Boulevard at Highland Avenue Federal Aid Project be allocated from fund B.21002 2010 Colvin Signals Construction in an amount not to exceed \$700,000.00; 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 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 low responsible bidder for the Colvin Boulevard at Highland Avenue Project PIN 5756.86; 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.

(5-0)

**THOMAS A. LOUGHRAN
CHAIR**

Item 31 – MR. MAZUR presented the following report and moved for immediate consideration and approval. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 66

February 28, 2012	MINORITY & WOMEN BUSINESS ENTERPRISE COMMITTEE REPORT NO. 1
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ALL MEMBERS PRESENT, EXCEPT LEGISLATOR MILLS.

1. RESOLVED, all items are hereby tabled.

**BETTY JEAN GRANT
CHAIR**

Item 32 – MR. HOGUES presented the following report and moved for immediate consideration and approval. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 67

March 1, 2012	PUBLIC SAFETY COMMITTEE REPORT NO. 3
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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. 3E-1 (2012)
SHERIFF: “Letter to Chair Grant Concerning Designation of the Official Doctor for the EC Holding Center & the EC Correctional Facility”
(6-0)
 - b. COMM. 3E-2 (2012)
SHERIFF: “Retraction of Letter Concerning Designation of the Official Doctor for the EC Holding Center & the EC Correctional Facility”
(6-0)

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

WHEREAS, New York State Corrections Law Section 501 requires The board of supervisors of each county, except New York, to appoint some reputable physician, duly authorized to practice medicine, as the physician to the jail of the county; and

WHEREAS, no such designation is currently in place; and

WHEREAS, as the Chief Medical Officer of the County of Erie, Doctor Edwin Heidelberger provides all clinical oversight of correctional health services for Erie County.

NOW, THEREFORE, BE IT

RESOLVED, that Doctor Edwin Heidelberger is hereby designated, pursuant to NYS Corrections Law §501, as the jail physician for the Erie County Holding Center and the Erie County Correctional Facility; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the Erie County Executive, the Erie County Sheriff, the Erie County Health Commissioner and the County Attorney.
(6-0)

3. COMM. 3E-27 (2012)
COUNTY EXECUTIVE

RESOLVED, the Erie County Legislature hereby confirms the appointment of John Glascott as Erie County Commissioner of Central Police Services.

(6-0)

**TIMOTHY R. HOGUES
CHAIR**

Item 33 – MR. HOGUES presented the following report and moved for immediate consideration and approval. MR. MAZUR seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 68

March 6, 2012	FINANCE & MANAGEMENT COMMITTEE REPORT NO. 3
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ALL MEMBERS PRESENT.

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

a. INTRO 2-7 (2012)

MILLS, RATH, DIXON, HARDWICK & LORIGO: “Supporting NYS Assumption of the Local Share of Medicaid”

(5-0)

TIMOTHY R. HOGUES
CHAIR

Item 34 – MR. McCracken presented the following report and moved for immediate consideration and approval. MR. MAZUR seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 69

March 6, 2012	ENERGY & ENVIRONMENT COMMITTEE REPORT NO. 3
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ALL MEMBERS PRESENT.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 3D-8 (2012)
DEPARTMENT OF ENVIRONMENT & PLANNING: “Black Rock Canal Park Improvements”
(5-0)
 - b. COMM. 3M-7 (2012)
NYSDEC: “Notice of Deletion of Site from Registry: Tifft Farm Nature Preserve”
(5-0)
 - c. COMM. 3M-13 (2012)
EC WATER AUTHORITY: “Copy of Financial Report for the Years Ended 12/31/2011 & 2010”
(5-0)
 - d. COMM. 3M-16 (2012)
EC SOIL & WATER CONSERVATION DISTRICT: “2012 Budget Accountability Act Submission”
(5-0)
 - e. COMM. 3M-44 (2012)
NYSDEC: “Fact Sheet: Draft Remedial Investigation Work Plan Available for Public Comment - 300 Ohio Street Site, Buffalo, NY”
(5-0)
 - f. COMM. 4M-15 (2012)
NYSDEC: “Fact Sheet: Draft Investigation Work Plan for Brownfield Available for Public Comment - 285-295 Niagara Street Site”
(5-0)

g. COMM. 4M-17 (2012)
NYSDEC: "Public Notice: Brownfield Cleanup Program Application from Harbour District Associates, LLC for a Site Known as 125 Main Street"
(5-0)

2. COMM. 3E-11 (2012)
COUNTY EXECUTIVE
RESOLVED, the Erie County Legislature hereby confirms the appointments of the following individuals to ECSD No. 5 Board of Managers for a term expiring 12/31/2013:

Mr. James Callahan
Director of Community Development
Town of Clarence
One Town Place
Clarence, New York 14031

Mr. Albert Schultz
8293 Parliament Circle
East Amherst, New York 14051

Hon. Steven Sanders, C.P.A.
Councilmember
Town of Amherst
5583 Main Street
Williamsville, New York 14221

Mr. Thomas Ketchum, P.E.
Building Commissioner/Interim Town
Engineer – Town of Amherst
5583 Main Street
Williamsville, New York 14221

Mr. Kevin Zynda, P.E.
Sanitary Engineer
Department of Environment & Planning
95 Franklin Street, Room 1034
Buffalo, New York 14202
(5-0)

3. COMM. 3E-12 (2012)
COUNTY EXECUTIVE
RESOLVED, the Erie County Legislature hereby confirms the appointments of the following individuals to ECSD No. 3 Board of Managers for a term expiring 12/31/2013:

Hon. John Mills
Erie County Legislator
80 Highland Avenue
Orchard Park, New York 14127

Hon. Michael Kasprzyk
Supervisor, Town of Holland
47 Pearl Street
Holland, New York 14080

Hon. Glenn Nellis
Supervisor, Town of Eden
2795 East Church Street
Eden, New York 14057

Hon. David Kaczor
Councilman, Town of Orchard Park
23 Silent Meadow
Orchard Park, New York 14127

Mr. Donald Witkowski
Village Administrator
Village of Hamburg

Hon. John Wilson
Mayor, Village of Orchard Park
4295 South Buffalo Street

100 Main Street
Hamburg, New York 14075

Orchard Park, New York 14127

Mr. Gerard Kapsiak, P.E.
Town of Hamburg
Town Engineer
6100 South Park Avenue
Hamburg, New York 14075
(4-0-1) Legislator Mills abstained.

Mr. Karl Simmeth, Jr.
6678 Meadowbrook Drive
Boston, New York 14025

4. COMM. 3E-13 (2012)
COUNTY EXECUTIVE

RESOLVED, the Erie County Legislature hereby confirms the appointments of the following individuals to ECSD No. 1 Board of Managers for a term expiring 12/31/2013:

Hon. Mary F. Holtz
Supervisor, Town of Cheektowaga
3301 Broadway
Cheektowaga, New York 14227

William Pugh, P.E.
Town Engineer
Town of Cheektowaga
275 Alexander Avenue
Cheektowaga, New York 14227

Sheila M. Meegan
Supervisor, Town of West Seneca
1250 Union Road
West Seneca, New York 14224

Daniel Higgins
Representing West Seneca Engineer Dept.
70 N. Covington Drive
Buffalo, New York 14220

Mutasem Salah, P.E.
Sr. Coordinator, Sewer Construction Projects
Department of Environment & Planning
95 Franklin Street, Room 1034
(5-0)

5. COMM. 3E-20 (2012)
COUNTY EXECUTIVE

RESOLVED, the Erie County Legislature hereby confirms the appointments of the following individuals to ECSD No. 6 Board of Managers for a term expiring 12/31/2013:

Mr. Anthony Collareno
93 Cloverleaf Avenue
Lackawanna, New York 14218

Mr. James Balcarczyk
44 Reed Avenue
Lackawanna, New York 14218

James Carr, P.E.
Assistant Deputy Commissioner
Department of Environment & Planning
95 Franklin Street, Room 1034
Buffalo, New York 14202
(5-0)

6. COMM. 3E-21 (2012)
COUNTY EXECUTIVE

RESOLVED, the Erie County Legislature hereby confirms the appointments of the following individuals to ECSD No. 8 Board of Managers for a term expiring 12/31/2013:

Hon. Susan Friess
Councilwoman
Town of Aurora
7 Ravine Court
East Aurora, New York 14052

Mr. Bryan Smith
Town Engineer
Town of Aurora
21 Westgate
East Aurora, New York 14052

Mr. Matthew Hoeh
Superintendent of Public Works
Village of East Aurora
400 Pine Street Extension
East Aurora, New York 14052
(5-0)

Edward Paolini, P.E.
Sr. Sanitary Engineer
Department of Environment & Planning
95 Franklin Street, Room 1034
Buffalo, New York 14202

7. COMM. 4E-10 (2012)
COUNTY EXECUTIVE

RESOLVED, the Erie County Legislature hereby confirms the appointments of the following individuals to ECSD No. 2 Board of Managers for a term expiring 12/31/2013:

Anna M. Knack
Administrative Assistant
Town of Eden
2795 E. Church Street
Eden, New York 14006

Mr. Gifford M. Swyers
50 Terrylynn Drive
Angola, New York 14006

Hon. Howard Frawley
Mayor, Village of Angola
41 Commercial Street
Angola, New York 14006

Hon. Vincent George
Mayor, Village of North Collins
10543 Main Street, P.O. Box 459
North Collins, New York 14111

Angela Horton, P.E.
Coordinator, Sewer Construction Projects
Department of Environment & Planning
95 Franklin Street, Room 1034
Buffalo, New York 14202
(5-0)

8. COMM. 4E-11 (2012)
COUNTY EXECUTIVE

RESOLVED, the Erie County Legislature hereby confirms the appointments of the following individuals to ECSD No. 2 Board of Managers for a term expiring 12/31/2013:

Gary J. Ambrose
80 Holland Avenue

Jesse C. Nikonowicz, Sr.
138 Grant Street

Lancaster, New York 14086

Depew, New York 14043

Mr Robert Harris
Engineering Department
Wm. Schutt & Associates, P.C.
31 Central Avenue
Lancaster, New York 14086

Thomas M. Batt, P.E.
Sr. Sanitary Engineer
Department of Environment & Planning
95 Franklin Street, Room 1034
Buffalo, New York 14202

Kristin McCracken
41 Bloomfield Avenue
Depew, New York 14043
(4-0-1) Legislator McCracken abstained.

**TERRENCE D. McCRACKEN
CHAIR**

Item 35 – MR. MAZUR presented the following report and moved for immediate consideration and approval. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 70

March 6, 2012	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. 3M-31 (2012)
NYS DEPARTMENT OF HEALTH: “Letter to Clerk of Legislature Concerning VA WNY Healthcare System”
(5-0)
 - b. COMM. 4M-8 (2012)
ECMCC: “Copy of Materials Distributed at Meeting Held 2/7/2012”
(5-0)
2. COMM. 3E-14 (2012)
COUNTY EXECUTIVE
RESOLVED, the Erie County Legislature hereby confirms the appointment/reappointment of the following individuals to EC Board of Health:

REAPPOINTMENT

NAME AND ADDRESS

TERM EXPIRATION

Dennis C. Galluzzo, R.Ph.
Family Medicine Pharmacy Inc.
120 Plaza Drive
Williamsville, New York 14221

December 31, 2017

APPOINTMENT

NAME AND ADDRESS

Maureen Montgomery, MD, FAAP
Amherst Pediatric Association
25 Hopkins Road
Williamsville, New York 14221
(5-0)

TERM EXPIRATION

December 31, 2013

3. COMM. 3E-15 (2012)
COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Health provides Public Health Laboratory services to various departments in Erie County government, local health departments from around the state, government agencies, area hospitals, and local health care providers; and

WHEREAS, each contracting county Health Department is responsible for delivery of a comprehensive program of health services to the residents of its county pursuant to the New York Public Health Law, and further, each municipal corporation in New York is authorized to enter into cooperative agreements such as this under Article 5G of New York General Municipal Law; and

WHEREAS, other counties and other agencies pay the Erie County Public Health Laboratory to render public health services; and

WHEREAS, Niagara County has established a fully executed contract with the Erie County Department of Health for the provision of laboratory services for its Sexually Transmitted Disease Clinic in Niagara Falls, N.Y., and has agreed to reimburse the county at the rate of \$30 per hour for work performed; and

WHEREAS, in order to effectively and efficiently fulfill the requirements of this contract, it is necessary to create one part-time position of Laboratory Technologist (Public Health), JG 7; and

WHEREAS, costs versus revenue projections indicate that the Erie County Public Health Laboratory will cover all direct and indirect costs associated with this venture through the executed contract with Niagara County.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the creation of one part-time position of Laboratory Technologist (Public Health), JG 7, as indicated on B100 number 6797; to be budgeted as follows:

EXPENSES

500010	Part Time Wages	\$12,540
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502000	Fringe Benefits	1,128
505800	Laboratory Supplies	<u>500</u>
	TOTAL	<u>\$14,168</u>

REVENUE		
416560	Lab Fees – Other Counties	<u>\$14,168</u>
	TOTAL	<u>\$14,168</u>

and be it further

RESOLVED, that certified copies of this resolution be forwarded to the County Executive, the Office of the Comptroller, the Division of Budget and Management, the Department of Personnel, the Department of Law and to Gale R. Burstein, M.D., M.P.H., Commissioner in the Erie County Department of Health, 9th Floor, Rath Building.
(5-0)

THOMAS J. MAZUR
CHAIR

LEGISLATOR RESOLUTIONS

Item 36 – MR. MAZUR presented the following resolution and moved for immediate consideration. MR. RATH seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 71	RE: Supporting the Secure Travel & Conterterrorism Partnership Program Act of 2011 (INTRO 5-1)
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**A RESOLUTION TO BE SUBMITTED BY
LEGISLATORS MILLS, MAZUR & MARINELLI**

WHEREAS, the Immigration and Nationality Act legislates a visa waiver program; and

WHEREAS, Poland, Romania and Bulgaria are currently the only European Union countries excluded from the Visa Waiver Program; and

WHEREAS, Poland has been a longtime ally and friend of the United States dating back to the Revolutionary War; and

WHEREAS, there is no reason for the citizens of Poland to be required to apply for a visa to enter the US; and

WHEREAS, the need for a visa discourages citizens of Poland from traveling to the US to visit family here; and

WHEREAS, Senate bill 497, and its companion, H.R. bill number 959, could finally change visa requirements for Poland to be equal with other European countries.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby supports passage of Senate bill 497 and H.R. 959 and signing into law by The President of the United States; and be it further

RESOLVED, that copies of this resolution be forwarded to Senate Majority Leader Harry Reid, Speaker of the House John Boehner and President Barack Obama.

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

Item 37 – CHAIR GRANT directed that the following resolution be referred to the FINANCE & MANAGEMENT COMMITTEE.

GRANTED.

INTRO 5-2 from MILLS, RATH, DIXON, HARDWICK & LORIGO. Supporting NYS Assumption of the Local Share of Medicaid.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 72

RE: Supporting Reinstatement of STAR
Rebate for Senior Citizens
(INTRO 5-3)

**A RESOLUTION TO BE SUBMITTED BY
LEGISLATORS MILLS, RATH, DIXON, HARDWICK & LORIGO**

WHEREAS, many senior citizens in Western New York survive on a fixed income; and

WHEREAS, affording rising taxes and expenses is difficult with a fixed income; and

WHEREAS, the STAR rebate program for seniors, which was abandoned by New York State three years ago, assisted seniors with these financial challenges; and

WHEREAS, New York State Senate Bill 6286 would reinstate the STAR rebate program for seniors, starting with the 2012-2013 school year.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby supports passage of New York State Senate Bill 6286, as well as any companion legislation in the New York State Assembly; and be it further

RESOLVED, that copies of this resolution be forwarded to the local delegation of the New York State Senate and Assembly and Governor Andrew Cuomo.

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

Item 39 – MR. MAZUR presented the following resolution and moved for immediate consideration. MR. McCracken seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 73

RE: Encouraging Federal Legislation
Regarding Carbon Monoxide Safety
(INTRO 5-4)

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

WHEREAS, the United States Consumer Product Safety Commission reports that on average, about 170 people in the United States die every year from CO produced by non-automotive consumer products; and

WHEREAS, these products include malfunctioning fuel-burning appliances such as furnaces, ranges, water heaters and room heaters; engine-powered equipment such as portable generators; fireplaces; and charcoal that is burned in homes and other enclosed areas; and

WHEREAS, several thousand people go to hospital emergency rooms every year to be treated for CO poisoning; and

WHEREAS, to address these unintentional poisonings in New York, “Amanda’s Law” took effect on February 22, 2010; and

WHEREAS, “Amanda’s Law” is named after Amanda Hansen, a sixteen-year-old who lost her life to carbon monoxide poisoning from a defective boiler; and

WHEREAS, the law requires all owners of residences with appliances, devices or systems emitting carbon monoxide to purchase and install carbon monoxide detectors when such appliances, devices or systems are replaced; and

WHEREAS, at the federal level, the opportunity exists to install such devices on appliances at the factory before distribution to consumers; and

WHEREAS, federal legislation to address carbon monoxide poisoning is necessary.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby supports federal legislation to address carbon monoxide poisoning; and be it further

RESOLVED, that copies of this resolution be forwarded to the local delegation of the United States House of Representatives and our two United States Senators.

MR. MAZUR moved to amend the resolution by adding Et Al Sponsorship. MR. LORIGO seconded.

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 74

RE: Reforming the Federal Tax Code by
Implementing a 20% Federal Income
Tax Credit for Companies that Bring
Jobs Back to the United States
(INTRO 5-5)

**A RESOLUTION TO BE SUBMITTED BY
LEGISLATORS McCracken, Grant, Mazur, Mills,
Hogues, Marinelli, Hardwick, Loughran, Rath, Dixon & Lorigo**

WHEREAS, in the State of the Union Address delivered on Tuesday, January 24, 2012, President Barack Obama called for a 20% Federal Income Tax Credit for companies that bring jobs back to the United States; and

WHEREAS, this initiative aligns with the President's domestic policy agenda to reverse years of federal tax policy that rewarded businesses for outsourcing U.S. jobs; and

WHEREAS, it is both in the domestic and national security interests of our nation to rebuild a robust manufacturing sector in our economy; and

WHEREAS, thirty years ago, manufacturing represented 30% of the nation's Gross Domestic Product (GDP); and

WHEREAS, at present, manufacturing represents only 10% of GDP, far below the percentage of other industrialized nations, such as Germany; and

WHEREAS, economists confirm that manufacturing employment has a substantial positive impact on the larger economy, to wit, for every single manufacturing job that is created, an additional four jobs are added; and

WHEREAS, the United States is a nation that has led the world in innovation and entrepreneurship, and a return to these core American values is facilitated by support of the growth in domestic manufacturing; and

WHEREAS, sustainable job creation ensues from consumer, business and government demand for goods and services being met by manufacturers in the United States.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature stand in full support of reform of the federal tax code in order to reward U.S. companies for insourcing American jobs; and be it further

RESOLVED, that Congress should draft, approve and send legislation to the President's desk that will provide a 20% income tax credit for companies that return manufacturing jobs to the U.S.; and be it further

RESOLVED, that certified copies of this resolution be conveyed to President Obama, the Majority Leader of the United States Senate, the Speaker of the House of Representatives; Senator Chuck Schumer, Senator Kirsten Gillibrand and to the WNY Congressional Delegation.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 75

RE: Returning 911 Dispatch Operations Now Housed in the Department of Central Police Services to the EC Sheriff's

Office
(INTRO 5-6)

**A RESOLUTION TO BE SUBMITTED BY
LEGISLATORS MARINELLI, GRANT, MAZUR, MILLS,
HOGUES, HARDWICK, LOUGHRAN, RATH, McCRACKEN, DIXON & LORIGO**

WHEREAS, the proposed Erie County Budget for 2012 transfers all of the police dispatcher positions from the Department of Central Police Services to the jurisdiction of the Erie County Sheriff; and

WHEREAS, the prior transfer of the police dispatcher positions from the Sheriff's Office to Central Police Services resulted in no net gain to the taxpayers from either a fiscal or programmatic standpoint; and

WHEREAS, the Honorable Members of the Erie County Legislature encourage the County Executive to return the dispatchers to the Office of the Erie County Sheriff.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature convey its support of the transfer of all of the police dispatcher positions from Central Police Services back to the Erie County Sheriff's Department; and be it further

RESOLVED, that the Erie County Legislature request the Budget Division to consult with both the Sheriff's Department and Central Police Services to ensure a smooth transition and a seamless transfer of positions, with no negative impact on service delivery; and be it further

RESOLVED, that the Budget Division, in collaboration with Central Police Services and the Erie County Sheriff's Department, prepare the necessary budgetary and personnel paperwork to effectuate the transfer of the police dispatcher positions from Central Police Services to the Erie County Sheriff; and be it further

RESOLVED, that certified copies of this resolution be conveyed to the County Executive, Budget Director, Sheriff and Commissioner of Central Police Services.

Item 42 – MR. MAZUR presented the following resolution and moved for immediate consideration and approval. MR. McCRACKEN seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 76

RE: Calling for the Inclusion of Political
Intellegence Acquired by Lobbyists in
the Recently Approved STOCK Act
Banning Insider Trading by Members of
Congress During the House/Senate Bill
Reconciliation Process
(INTRO 5-7)

**A RESOLUTION TO BE SUBMITTED
BY LEGISLATORS McCracken, Grant, Mazur, Mills,
Hogues, Marinelli, Hardwick, Loughran, Rath, Dixon & Lorigo**

WHEREAS, both the United States Senate and House of Representatives have overwhelmingly approved the STOCK Act (Stop Trading on Congressional Knowledge Act), with many co-sponsors from both major political parties; and

WHEREAS, it is in the public interest that Congress has finally taken this step on this important ethics issue that had substantially eroded the public trust; and

WHEREAS, the nonpublic commodities and securities information obtained by members of Congress and their staffs through the course of doing the people's work enabled a number of elected representatives and their staff members to trade on this information in the stock market and reap incredible financial gains; and

WHEREAS, members of Congress and their staffs were also known to pass this insider information – known as political intelligence - to lobbyists who also used this nonpublic information to conduct lucrative stock transactions; and

WHEREAS, this sharing of knowledge or political intelligence is commonly called “whispers in the Halls of Congress” and is heavily rewarded via campaign contributions by the lobbyists to their “friends” in Congress who so generously conveyed commodities and securities information not available to the general public; and

WHEREAS, the Senate version of the STOCK Act does apply to political intelligence gleaned by lobbying firms, yet the House version was stripped of this important reform provision; and

WHEREAS, there is still an opportunity for the final version of the bill to be negotiated during the reconciliation process to include political intelligence before it is placed on President Obama's desk for signature; and

WHEREAS, the President called for this measure to be approved by Congress and sent to him during his State of the Union Address; and

WHEREAS, Senator Kirsten Gillibrand and Congresswoman Louise Slaughter are prime sponsors of the STOCK Act in their respective Houses of Congress and have secured support for this measure on both sides of the political aisle; and

WHEREAS, it is imperative that Members of Congress and lobbyists alike are held to the same ethical standard of conduct required of average citizens who must comply with the prohibition on insider trading or otherwise face prosecution and penalty.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature call on Congress, during the House/Senate bill reconciliation process, to ensure that political intelligence gleaned by lobbyists is also included as a prohibited activity in the STOCK (Stop Trading on Congressional Knowledge) Act; and be it further

RESOLVED, that the Clerk of the Legislature is hereby authorized to forward certified copies of this resolution to President Barack Obama, U.S. Senate Majority Leader Harry Reid, Speaker John Boehner of the U.S. House of Representatives, Senators Chuck Schumer and Kirsten Gillibrand, the WNY Delegation to the House of Representatives and all others deemed necessary and proper.

Item 43 – MR. MAZUR presented the following resolution and moved for immediate consideration. MR. MILLS seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 77

RE: Supporting the Expansion of the DNA
Databank in NYS
(INTRO 5-8)

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

WHEREAS, the County District Attorney's Association and the County Sheriff's Association have announced their support for the Governor's budget proposal with regard to the expansion of the DNA database in New York State; and

WHEREAS, expansion of the DNA database will provide the law enforcement and criminal justice systems another tool to apprehend, prosecute and bring to justice those who commit crimes in New York State; and

WHEREAS, in the alternative, this very same databank can be used to exonerate incarcerated individuals who are actually innocent of the crimes they have been convicted of committing; and

WHEREAS, under current law, DNA samples are required from individuals who have been convicted of a felony offense; and

WHEREAS, for the 2012-13 State Budget, the Governor has proposed, in Uni Bill S6625-B/A9055-B, that DNA samples taken by law enforcement be allowed for individuals that have been convicted of any misdemeanor or felony charge; and

WHEREAS, the Executive Budget includes state funds to offset any increased costs to counties for implementing this change in the collection of DNA samples; and

WHEREAS, it is in the public interest to reduce the number of wrongful convictions in the criminal justice system, to bring the true perpetrators of these crimes to justice and to deter future crimes since criminal elements will now know that law enforcement agencies have a very powerful new tool in their arsenals.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature convey its full and unreserved support for the expansion of the DNA database in New York State through passage of Uni Bill S6625-B/ A9055-B during the upcoming budget process; and be it further

RESOLVED, that certified copies of this resolution be conveyed to Governor Andrew Cuomo, New York State Assembly Speaker Sheldon Silver, New York State Senate Majority Leader Dean Skelos and all others deemed necessary and proper.

MR. MAZUR moved to amend the resolution by adding Et Al Sponsorship. MR. LOUGHRAN seconded.

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

COMMUNICATIONS DISCHARGED FROM COMMITTEE

None.

SUSPENSION OF THE RULES

Item 44 – MR. MAZUR moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 5E-26 from CHAIR GRANT Re: Letter to Sheriff Howard Regarding Attending Public Safety Committee Meeting Concerning Mistaken Inmate Releases

Received and referred to the PUBLIC SAFETY COMMITTEE.

Item 45 – MR. MAZUR moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 5E-27 from CHAIR GRANT Re: Copy of Buffalo News Editorial Concerning Ombudsman Position Requested by the Community Corrections Advisory Board

Received and referred to the PUBLIC SAFETY COMMITTEE.

COMMUNICATIONS FROM ELECTED OFFICIALS

FROM LEGISLATOR DIXON

Item 46 – (COMM. 5E-1) Letter to County Clerk Concerning Reported Service Backlog in the County Clerk's Office

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM LEGISLATOR MARINELLI

Item 47 – (COMM. 5E-2) Letter to Deputy County Executive Concerning the ECC Task Force & for Participating at the Community Enrichment Committee Meeting

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM THE COUNTY EXECUTIVE

Item 48 – (COMM. 5E-3) Letter to Mayor of Buffalo Concerning Land Bank Proposal

Item 49 – (COMM. 5E-4) Issuance of Executive Order Nos. 7-9

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

FROM THE COUNTY CLERK

Item 50 – (COMM. 5E-5) Letter to County Executive Concerning Creation of an EC Land Bank

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE COUNTY EXECUTIVE

Item 51 – (COMM. 5E-6) Letter to Legislature Concerning Local Law Intro No. 10-2011 - Cyberbullying Law

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM CHAIR GRANT

Item 52 – (COMM. 5E-7) Letter to Legislator McCracken Concerning Appointment of Commissioner to the EC Water Authority

Item 53 – (COMM. 5E-8) Letter to Clerk of Legislature Concerning Appointment of Commissioner to the EC Water Authority

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

FROM THE COMPTROLLER

Item 54 – (COMM. 5E-9) 2012 Consolidated Bond Resolution

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE SHERIFF

Item 55 – MR. MAZUR presented the following resolution and moved for immediate consideration and approval. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 78

RE: Operation Stonegarden Grant
(COMM. 5E-10)

WHEREAS, the U.S. Department of Homeland Security through the NYS Division of Homeland Security and Emergency Services has awarded \$196,336 to Erie County in funding to increase security along the Canadian border; and

WHEREAS, the Erie County Sheriff's Office will coordinate with Police Departments from the City of Buffalo, the City of Tonawanda, the Town of Cheektowaga, the Town of Evans, the Town of Hamburg and the Town of Tonawanda to conduct joint law enforcement patrols in support of the U.S. Border Patrol's mission of apprehending terrorists and their weapons as they attempt to enter the United States illegally; and

WHEREAS, these funds will be used for overtime for the participating law enforcement agencies, including the fringe benefits associated with it, and to purchase equipment required to support this program; and

WHEREAS, there will be no impact on County tax dollars.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize the County Executive to enter into contract with the U.S. Department of Homeland Security through the NYS Department of Homeland Security to accept funding in the amount of \$196,336; and be it further

RESOLVED, that the County Executive is authorized to enter into sub-contracts with the participating agencies to reimburse the expenses they incur while participating in the Stonegarden Border Security Operation; and be it further

RESOLVED, that authorization is hereby provided to the Division of Budget and Management to establish funding in the Grant Fund 281 and budget those funds as follows:

OPERATION STONEGARDEN GRANT

<u>REVENUE</u>	<u>Increase</u>
SAP Account 414000 – Federal Aid	<u>196,336</u>
TOTAL REVENUE	<u>196,336</u>
<u>APPROPRIATIONS</u>	<u>Increase</u>
SAP Account 501000 – Overtime	27,685
SAP Account 502000 – Fringe Benefits	6,262
SAP Account 516010 – Contractual Payments	146,389
SAP Account 561410 - Lab & Technical Equipment	<u>16,000</u>
TOTAL APPROPRIATIONS	<u>196,336</u>

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 and Federal approved funding levels; 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 Office of the Comptroller, the County Attorney and the Office of the Sheriff.

Item 56 – (COMM. 5E-11) K9 Retirement

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM THE COUNTY EXECUTIVE

Item 57 – (COMM. 5E-12) Personnel Adjustment - DPW Architect

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 58 – (COMM. 5E-13) Payment of Civil Penalty - US Environmental Protection Agency

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 59 – (COMM. 5E-14) Approval to Transfer Three Department of Senior Services' Positions Affected by the Elimination of WRAP-SOFA Grant Funding as of 4/1/2012

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

Item 60 – (COMM. 5E-15) EC Correctional Facility - Video System Upgrade

Received and referred to the PUBLIC SAFETY COMMITTEE.

Item 61 – (COMM. 5E-16) Right-of-Way Acquisition - Harris Hill Road Intersections at Wehrle Drive & Pleasant View - Towns of Clarence & Lancaster

Item 62 – (COMM. 5E-17) Obtaining Easements for Access to the Black Rock Canal Park

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

Item 63 – (COMM. 5E-18) Approval for the Retired Senior Volunteer Program (RSVP) Grant to Accept \$2,200 Award to Conduct Diabetes Awareness Classes

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

Item 64 – (COMM. 5E-19) Community Development Block Grant (CDBG) & HOME Investment Partnership Program - Grant Management Services Agreement

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 65 – (COMM. 5E-20) ECSD No. 4 - Contract No. EC-7D - Change Order No. 1

Item 66 – (COMM. 5E-21) ECSD No. 6 - Contract No. 44SA - Change Order No. 1

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

Item 67 – (COMM. 5E-22) Reappointment of EC Historian

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

Item 68 – (COMM. 5E-23) Appointments/Reappointments to the Youth Services Board

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

Item 69 – (COMM. 5E-24) Appointments/Reappointments to the Fire Advisory Board

Received and referred to the PUBLIC SAFETY COMMITTEE.

Item 70 – (COMM. 5E-25) Appointments to the Local Early Intervention Coordinating Council

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

COMMUNICATIONS FROM THE DEPARTMENTS

FROM THE COUNTY ATTORNEY

Item 71 – (COMM. 5D-1) Notice of Public Hearing: Local Law Intro. No. 10-2011

Received and Filed.

Item 72 – (COMM. 5D-2) Transmittal of New Claims Against EC

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE HEALTH DEPARTMENT

Item 73 – (COMM. 5D-3) Copy of Proposed Agenda for Board of Health Meeting to be Held 3/27/2012

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

FROM THE COUNTY ATTORNEY

Item 74 – (COMM. 5D-4) Notice of Filing: Local Law No. 1-2012

Received and Filed.

FROM THE CLERK, COMMUNITY ENRICHMENT COMMITTEE

Item 75 – (COMM. 5D-5) 2012 Cultural Organization Data Response Sheet Submissions

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM THE CLERK OF LEGISLATURE

Item 76 – (COMM. 5D-6) Copy of Letter to Majority & Minority Leaders of the Legislature Concerning Appointment to EC Water Authority

Received, Filed and Printed.

March 13, 2012

To: Hon. Thomas J. Mazur, Majority Leader
Hon. John J. Mills, Minority Leader

From: Robert M. Graber, Clerk

Subject: Appointment to Erie County Water Authority

I have been informed that a term for a Commissioner of the Erie County Water Authority will expire on April 27, 2012.

Pursuant to Section 1053 of the Public Authorities Law, the appointment to the Erie County Water Authority shall be made for a term of three (3) years and shall be made by the Chair of the

Legislature of the County of Erie, pursuant to nominations in writing by the majority, respectively, of the legislators of each political party represented on such legislature, subject to confirmation by a majority of such legislators. All members shall continue to hold office until their successors are appointed and qualified.

In litigation regarding the procedure, the Court determined that each political party would have the opportunity if it chose to submit a nomination in writing.

Therefore, you are hereby giving notice of a expiration of a term of a Commissioner of the Erie County Water Authority, and you have an opportunity to submit a written nomination if you choose. For your information, it is anticipated that the Chair of the Legislature will make a nomination for this position at the session scheduled for March 29, 2012.

Thank you.

FROM THE DEPARTMENT OF ENVIRONMENT & PLANNING

Item 77 – (COMM. 5D-7) Aurora North Pump Station Elimination Project - SEQR Notification

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES

FROM THE NYSDOT

Item 78 – (COMM. 5M-1) Copy of Letter to Sardinia Town Clerk Concerning Repairs to Route 219 Bridge over Cattaraugus Creek

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM THE WNY ENVIRONMENTAL ALLIANCE

Item 79 – (COMM. 5M-2) Disc Golf Course at Chestnut Ridge Park

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE NFTA

Item 80 – (COMM. 5M-3) Minutes of Meeting Held 1/23/2012

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM THE ASSOCIATION OF EC GOVERNMENTS

Item 81 – (COMM. 5M-4) Copy of Resolution Concerning Land Banking

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

Item 82 – (COMM. 5M-5) Copy of Resolution Concerning NYS Vehicle & Traffic Law Section 1104

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM THE NYSDEC

Item 83 – (COMM. 5M-6) Fact Sheet: Cleanup Action Completed at Brownfield Site - Site Known as 330 Maple Road - Final Engineering Report Under Review

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE THE OUTSOURCE CENTER, LLC

Item 84 – (COMM. 5M-7) Letter to Chair of Legislature Regarding the Minority & Women Business Enterprise Committee Meeting Held 2/29/2012

Received and referred to the MINORITY & WOMEN BUSINESS ENTERPRISE COMMITTEE.

FROM LATISHA M. BAKER

Item 85 – (COMM. 5M-8) Letter to Legislature Concerning the EC Holding Center

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM ECC

Item 86 – (COMM. 5M-9) Fiscal Year 2011-12 Revenues & Expenditures - Key Item Report - 1/31/2012

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM THE CHAIR, EC WATER AUTHORITY

Item 87 – (COMM. 5M-10) Letter to Chair of Legislature Concerning Reappointment to the Board of Commissioners of the EC Water Authority

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE SUPERVISOR, TOWN OF AMHERST

Item 88 – (COMM. 5M-11) Letter with Attached Resolution Entitled "Raising the Threshold for Property Tax Exemption for Persons with Disabilities & Limited Incomes"

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE TOWN OF SARDINIA, TOWN BOARD

Item 89 – (COMM. 5M-12) Copy of Resolution in Support of Emergency Responders in Recent Decision of Kabir v. County of Monroe

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM THE ESSEX COUNTY BOARD OF SUPERVISORS

Item 90 – (COMM. 5M-13) Copy of Resolution Calling on All Counties to Unite to Bring About Real & Meaningful Mandate Relief in NYS

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE MAYOR OF BUFFALO

Item 91 – (COMM. 5M-14) Letter to County Executive Concerning Regional Land Banking

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE BUFFALO & EC PUBLIC LIBRARY

Item 92 – (COMM. 5M-15) Copy of Proposed Agenda for Meeting to be Held 3/15/2012

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

****CHAIR GRANT directed that the Legislature enter into recess at 3:02 P.M.

****CHAIR GRANT reconvened the Legislature at 3:16 P.M.

All members present.

Item 93 – MR. MAZUR moved to take item Number 2 (COMM. 4E-13) from the Government Affairs Committee off the table. MR. RATH seconded.

CARRIED UNANIMOUSLY.

CHAIR GRANT directed that the item be returned to the GOVERNMENT AFFAIRS COMMITTEE for further consideration.

GRANTED.

ANNOUNCEMENTS

Item 94 – CHAIR GRANT announced that the schedule of upcoming committee meetings has been distributed.

Item 95 – MS. DIXON announced that her annual prom dress donor drive is underway, and people wishing to donate to this cause can drop off items at area libraries.

MEMORIAL RESOLUTIONS

Item 96 – Legislator Marinelli requested that when the Legislature adjourns, it do so in memory of Catherine M. Mallaber.

Item 97 – Legislator Mazur requested that when the Legislature adjourns, it do so in memory of John H. “Jack” Roberts Sr.

Item 98 – Legislator Hardwick requested that when the Legislature adjourns, it do so in memory of Richard C. Schenk, Michael G. Kargatis Sr., Charles H. Warner, Howard Scudder, Michael McInnis Sr., Robert E. Starr, Jean R. Charlesworth, Morey Dillon, Richard N. Solomon, Earl D. Hall, Eugene Musial and Patricia Lingenfelter.

Item 99 – Legislator Lorigo requested that when the Legislature adjourns, it do so in memory of Thomas G. Elliott III.

ADJOURNMENT

Item 100 - 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, March 29, 2012 at 2:00 p.m. Eastern Standard Time. MR. LOUGHRAN seconded.

CARRIED UNANIMOUSLY.

CHAIR GRANT declared the Legislature adjourned until Thursday, March 29, 2012 at 2:00 p.m. Eastern Standard Time.

ROBERT M. GRABER
CLERK OF THE LEGISLATURE