

ERIE COUNTY LEGISLATURE
MEETING NO. 5
MARCH 7, 2013

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 2013. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

Item 4 – No Public Hearings.

MISCELLANEOUS RESOLUTIONS

Item 5 – CHAIR GRANT presented a Memorial Proclamation Honoring Philip Frandina, Former Commissioner of the EC Department of Public Works.

Item 6 – MR. LORIGO presented a Proclamation Honoring Devon Carrow & the Faculty & Staff at Winchester Elementary.

Item 7 – MR. MILLS presented a resolution Congratulating Jonathan McNatty on Receiving the Orchard Park Fire Company's "2013 Firefighter of the Year Award."

Item 8 – MS. DIXON presented a resolution Honoring Mark O'Neill as the 2013 St. Patrick's Day Marshal.

Item 9 – MR. MILLS presented a resolution Congratulating Joseph Fiegl, Deputy Commissioner – Erie County Department of Environment & Planning, Division of Sewerage Management on Being Awarded the 2012 Technical and Management Innovation Award by the WNY American Public Works Association.

Item 10 – MR. HARDIWCK & MS. MARINELLI presented a memorial resolution Honoring the Memory of E. William Miller.

Item 11 – MR. LORIGO presented a resolution Proclamation Honoring Anthony Mazella Being Named 2013 "Celebrity Kid of the Year" for the Variety Club's West Seneca Satellite.

Item 12 – MS. MARINELLI, CHAIR GRANT & MS. DIXON presented a resolution Celebrating Women's History Month - March 2013.

Item 13 – MR. MILLS presented a resolution Congratulating Boy Scout Alexander Crinzi, Troop 285, on Obtaining the Rank of Eagle Scout.

Item 14 – MS. DIXON presented a resolution Honoring Elizabeth Fisher of Hamburg for Celebrating Her 100th Birthday.

Item 15 – MS. DIXON presented a resolution Recognizing Lackawanna School District Superintendent Nicholas D. Korach for Serving the Community for Five Decades as an Educator & Mentor.

Item 16 – CHAIR GRANT presented a memorial resolution Honoring Paul Woods.

Item 17 – CHAIR GRANT presented a memorial resolution In Memory of Tanga James.

MR. MAZUR moved for consideration of the above thirteen items. MR. HOGUES seconded.

CARRIED UNANIMOUSLY.

MR. MAZUR moved to amend the above thirteen items by including Et Al Sponsorship. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

MR. MAZUR moved for approval of the above thirteen items as amended. MR. LORIGO seconded.

CARRIED UNANIMOUSLY.

LOCAL LAWS

Item 18 – CHAIR GRANT directed that Local Law No. 1 (Print #1) 2012 remain on the table and in the ENERGY & ENVIRONMENT COMMITTEE.

GRANTED.

Item 19 – CHAIR GRANT directed that Local Law No. 3 (Print #1) 2012 remain on the table and in the COMMUNITY ENRICHMENT COMMITTEE.

GRANTED.

Item 20 – CHAIR GRANT directed that Local Law No. 1 (Print #1) 2013 remain on the table and in the ENERGY & ENVIRONMENT COMMITTEE.

GRANTED.

COMMITTEE REPORTS

Item 21 – MR. MAZUR presented the following report and moved for immediate consideration and approval. MR. HOGUES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 52

February 26, 2013	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. 18M-1 (2012)
ANNETTE COLE, ELLEN MOSACK & MARTI KOVACH: “Letter to Chair of Legislature Concerning Senior Services Support Program Support Specialist”
(5-0)
 - b. COMM. 19M-9 (2012)
ANNETTE COLE, ELLEN MOSACK & MARTI KOVACH: “Letter to Chair Grant Concerning Senior Service Support Specialist, Department of Social Services”
(5-0)
 - c. COMM. 3M-13 (2013)
BUFFALO COMMON COUNCIL: “Buffalo Common Council Resolutions Concerning Death of Amanda Lynn Wienckowski”
(5-0)
 - d. COMM. 4D-3 (2013)
COMPTROLLER'S OFFICE: “Letter to Commissioner of Social Services Concerning Audit of Medicaid & Public Assistance Units”
(5-0)
 - e. COMM. 4D-6 (2013)
COMPTROLLER'S OFFICE: “Copy of Letter to NYS Medicaid Inspector General Concerning Medicaid Eligibility Recertification”
(5-0)
 - f. COMM. 4D-10 (2013)

DEPUTY COUNTY EXECUTIVE: “Copy of Letter to NYS Medicaid Inspector General Concerning Audit Request”
(5-0)

g. COMM. 4D-12 (2013)
COUNTY ATTORNEY: “Letter to EC Chief Medical Examiner Concerning Appearance Before Health & Human Services Committee”
(5-0)

h. COMM. 4M-11 (2013)
BUFFALO COMMON COUNCIL: “Letter to Legislature Concerning Commissioner of Health's Attendance at Meeting Held 1/29/2013”
(5-0)

2. COMM. 4E-4 (2013)
COUNTY EXECUTIVE
WHEREAS, the Department of Senior Services (Department) , \$25,000 Falls Prevention Grant, for the period December 1, 2012 through June 30, 2014 is 100% funded by the Health Foundation for Western & Central New York (Foundation); and

WHEREAS, the Department’s grant proposal and contract with the Foundation calls for a portion of the grant funds to be used to compensate a consultant who will complete the initial canvassing of falls prevention programs and offerings in Erie County, and support outreach on the use of our new web-based tool for gathering on-going information on falls prevention programs; and

WHEREAS, the grant proposal specifically identifies Ms. Patricia Watson, a Licensed Master Social Worker as the consultant the department will utilize; and

WHEREAS, Ms. Watson, until recently retiring from her Supervisor Case Management Services position with the Department, had been the point person between the Department and Foundation on previous falls prevention efforts and is felt by both parties as the logical choice to function as the consultant given her knowledge and expertise in this area; and

WHEREAS, The Department of Senior Services desires to contract with Ms. Watson, at a cost not to exceed \$5,000; to function as the consultant for the Falls Prevention Grant.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be and is hereby authorized to enter into a \$5,000 consultant contract with Ms. Patricia Watson, for the Department of Senior Services Falls Prevention Grant; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the County Executive’s Office, the Division of Budget and Management, the Comptroller’s Office, and the Department of Senior Services.
(5-0)

THOMAS J. MAZUR

CHAIR

Item 22 – MS. MARINELLI presented the following report and moved for immediate consideration and approval. MR. MAZUR seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 53

February 26, 2013	COMMUNITY ENRICHMENT COMMITTEE REPORT NO. 4
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ALL MEMBERS PRESENT, EXCEPT LEGISLATOR LORIGO.
CHAIR GRANT PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following item is hereby received and filed:
 - a. COMM. 4M-5 (2013)
VISIT BUFFALO NIAGARA: “Copy of 4th Quarter Report for 2012”
(6-0)

**LYNN M. MARINELLI
CHAIR**

Item 23 – MR. MAZUR presented the following report and moved for immediate consideration and approval. MR. RATH seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 54

February 26, 2013	GOVERNMENT AFFAIRS COMMITTEE REPORT NO. 4
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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 (2013)
COMPTROLLER: “Pro-Active Cost Savings Measures in the Office of EC Comptroller”
(6-0)
 - b. COMM. 3D-7 (2013)

DIRECTOR OF BUDGET & MANAGEMENT: "Letter Concerning Comptroller's Office Reorganization Request"
(6-0)

c. COMM. 4D-4 (2013)
COUNTY ATTORNEY: "Transmittal of New Claims Against EC"
(6-0)

d. COMM. 4D-13 (2013)
DIRECTOR OF BUDGET & MANAGEMENT: "Letter to Comptroller Concerning Comptroller Office Reorganization"
(6-0)

THOMAS J. MAZUR
CHAIR

Item 24 – MR. LOUGHRAN presented the following report, moved to separate item Number 2, and moved to approve the balance of the report. MR. HOGUES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 55

February 26, 2013	ECONOMIC DEVELOPMENT COMMITTEE REPORT NO. 4
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ALL MEMBERS PRESENT.
CHAIR GRANT PRESENT AS EX-OFFICIO MEMBER.

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

a. COMM. 4M-13 (2013)
BUFFALO COMMON COUNCIL: "Copy of Resolution Supporting the Greater Buffalo Sports & Entertainment Complex"
(6-0)

2. INTRO 4-8 (2013)
HOGUES, GRANT, MARINELLI,
LOUGHRAN, LORIGO & RATH AS AMENDED
WHEREAS, the Economic Opportunity Panel (EOP) was established by St. John Baptist Church and the University at Buffalo to formulate public policy relating to the neighborhoods that are proximate to the Buffalo Niagara Medical Campus, along with assessing economic opportunities for the neighborhood and ever-expanding Medical Campus; and

WHEREAS, the EOP also advises the Medical Campus on issues that are of keen interest to neighboring residents and businesses, yet it is remarkable that the composition of the EOP does not

allow for their voices to be heard due to the fact that the panel lacks representation from neighborhood residents and businesses; and

WHEREAS, in particular, Buffalo's Fruit Belt neighborhood and the residents of McCarley Gardens would very much like to participate in the discussions and crafting of recommendations that will ensue from the EOP, given its stated mission to address workforce development and economic opportunity in the neighborhood; and

WHEREAS, McCarley Gardens is located within the borders of the Buffalo Niagara Medical Campus and features 149 apartments on 15 acres, as well as small businesses that have also expressed an interest in participation in the important work of the EOP; and

WHEREAS, the economic opportunities that evolve from the development of the Medical Campus can provide a step up to the middle class for these residents, yet they have unfortunately been left out of the process; and

WHEREAS, American Democracy is participatory in nature, and together with Home Rule are basic tenets of our democratic process, providing for self-determination and community input in public policy formation, especially when such policy affects people's lives as well as their neighborhoods; and

WHEREAS, the omission of Fruit Belt residents on the EOP has created unrest in the neighborhood surrounding the Buffalo Niagara Medical Campus, where broad community consensus is a necessary and critical component for maximizing the Medical Campus' full economic potential.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature fully supports the continued unfettered development/redevelopment of the Buffalo Niagara Medical Campus and nearby community, however, this Body also declares it essential that neighborhood stakeholders be a part of any development or advisory committee formulating policy or planning for the neighborhood; and be it further

RESOLVED, that the Erie County Legislature respectfully calls upon the leadership of St. John Baptist Church and the Buffalo Niagara Medical Campus to reconsider the Economic Opportunity Panel in relation to providing inclusion of nearby residents and businesses of the Fruit Belt and McCarley Gardens in its work; and be it further

RESOLVED, that in order to avoid the possibility of litigation, that this Legislative Body encourages residents' membership on the EOP, and/or any other committee charged with formulating public policy that would impact this Buffalo neighborhood, to include in its membership representatives of the McCarley Gardens Tenant Association and the Fruit Belt Housing Task Force; and be it further

RESOLVED, that this Legislature believes that an important step to community engagement would be for this Honorable Body's Economic Development Committee to invite all stakeholders to a future meeting of the committee to discuss this matter in an effort to and reach consensus and a positive outcome for everyone involved; and be it further

RESOLVED, that certified copies of this resolution be conveyed to Matthew Enstice, Director of the Buffalo Niagara Medical Campus; Rev. Michael Chapman, Pastor of St. John Baptist Church; John DellaContrada of the University at Buffalo; Lorraine Chambley, president of the McCarley Gardens Tenant Association; Veronica Hemphill-Nichols, founder of the Fruit Belt Housing Task Force, and all others deemed necessary and proper.

(6-0)

3. COMM. 4E-9 (2013)
COUNTY EXECUTIVE

WHEREAS, the Department of Public Works received bids for the Old County Hall - Exterior Waterproofing and Improvements on December 21, 2012; and

WHEREAS, The Erie County Department of Public Works, along with the Architect, is recommending award of the contract to the lowest bidders; and

WHEREAS, the lowest responsible bidders are Lupini Construction, Inc. for the masonry work and Weaver Metal & Roofing Inc. for the copper clad metal roof work; and

WHEREAS, your Honorable Body has previously authorized the County Executive to enter in a General Architectural/Engineering services agreement with the firm of Lauer & Manguso Architects for providing professional design and construction document services on Erie County projects; and

WHEREAS, the County Executive is requesting authorization to issue an Agreement Amendment to the firm of Lauer & Manguso Architects for providing design and construction administration services for the Old County Hall - Exterior Waterproofing & Improvements.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter into a contract with the lowest responsible bidders for the Old County Hall - Exterior Waterproofing & Improvements as follows:

MASONRY WORK

Lupini Construction	Base Bid:	<u>1,248,000.00</u>
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ROOFING WORK

Weaver Metal & Roofing, Inc.	Base Bid:	<u>1,088,000.00</u>
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and be it further

RESOLVED, that the sum of \$300,000.00 be allocated to the Construction Contingency Fund with authorization for the County Executive, to approve change orders in an amount not to exceed the Contingency Fund; and be it further

RESOLVED, that deduct change orders will result in these funds being returned to the Construction Contingency Fund; and be it further

RESOLVED, that the County Executive is authorized to execute an Agreement Amendment with the firm of Lauer & Manguso Architects for providing professional design and construction administration services for Old County Hall- Exterior Waterproofing and Improvements for an amount not to exceed \$60,000.00, including reimbursables; and be it further

RESOLVED, that the Comptroller's Office be authorized to make payment for all the above from SAP Accounts:

A.00018	2000	Courts Renovation Exterior	\$250,469.30
A.00313	2007	Waterproofing & Restoration	\$384,092.61
A.00327	2008	Waterproofing & Restoration	\$447,889.59
A.20919	2009	County Facility Exterior Renovation	\$364,148.50
A.21005	2010	County Facility Exterior Renovation	<u>\$1,249,400.00</u>
TOTAL			\$2,696,000.00

and be it further

RESOLVED, that two certified copies of this resolution be sent to the Department of Public Works, Commissioner's Office, and one copy each to the Office of the County Executive, the Division of Budget and Management, and the Office of the Comptroller.
(6-0)

4. COMM. 4E-10 (2013)
COUNTY EXECUTIVE

WHEREAS, a Project for the Construction of the Sherwood Greenway Multi-Use Trail in conjunction with the Resurfacing of NY Routes 324 and 325, Sheridan Drive from the NY Route 266, River Road to NY Route 384, Delaware Avenue, in the Town of Tonawanda, Erie County, PIN 5756.76 and PIN 5086.22 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be born at the ratio of approximately 72.2% Federal funds and 27.8% Non-Federal funds; and

WHEREAS, the County of Erie desires to advance the Project by making a commitment of 100% of the Non-Federal share of the costs of the Construction and Construction Inspection phase of the Trail portion of the project PIN 5756.76 and PIN 5086.22.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby approves the Sherwood Greenway Multi-Use Trail Construction and Construction Inspection Phase project; and be it further

RESOLVED, that the County Legislature of the County of Erie hereby authorizes the County of Erie to pay the Non-Federal share of the cost of the New York State Department of Transportation (NYSDOT) administered portion of the Construction and Construction Inspection phase of the Trail

portion of the project or portions thereof, with the Federal share of such costs to be applied directly by the NYSDOT pursuant to Agreement; and be it further

RESOLVED, that the sum of \$217,740 is hereby appropriated from available balances in capital account A.21014 and \$40,491 from account A.00344 and made available to cover the cost of participation in the Trail portion of the above phase of the Project; and be it further

RESOLVED, that in the event the Non-Federal share of the cost of the NYSDOT administered portion of the Project's Construction and Construction Inspection phase of the Trail portion exceeds the amount appropriated above, the County of Erie shall convene its Legislature as soon as possible to appropriate said excess amount immediately upon the notification by the NYSDOT thereof; and be it further

RESOLVED, that the Erie County Executive be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid on behalf of the County of Erie with the NYSDOT in connection with the advancement or approval of the Project and with the NYSDOT providing for the administration of the Project and the Municipality's funding of the local share of Federal-Aid Eligible Project costs and all Project costs within appropriations therefore that are not so eligible; and be it further

RESOLVED, that certified copies of this resolution be sent to the County Executive's Office; the Comptroller's Office; the Director of Budget and Management; the County Attorney; the Commissioner of Environment and Planning; and be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project.
(6-0)

THOMAS A. LOUGHRAN
CHAIR

CHAIR GRANT directed that item Number 2 be returned to the ECONOMIC DEVELOPMENT COMMITTEE for further consideration.

GRANTED.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 56

February 26, 2013	MINORITY & WOMEN BUSINESS ENTERPRISE COMMITTEE REPORT NO. 2
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ALL MEMBERS PRESENT, EXCEPT LEGISLATOR MILLS.

1. RESOLVED, all items are hereby tabled.

BETTY JEAN GRANT
CHAIR

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 57

February 28, 2013	ENERGY & ENVIRONMENT 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. 6M-23 (2012)
LANCASTER TOWN BOARD: “Copy of Resolution Concerning Hydrofracking”
(6-0)
 - b. INTRO 9-2 (2012)
LORIGO, MILLS & RATH: “Opposing Anti-Farming Regulations Being Proposed by the Department of Labor”
(6-0)
 - c. COMM. 3E-10 (2013)
GRANT: “Letter to Legislator McCracken Concerning Interviews for Position of Commissioner of the ECWA”
(6-0)
 - d. COMM. 3M-6 (2013)
CHRISTOPHER J. O'BRIEN: “Letter to Chair of Legislature Concerning Appointment to the ECWA”
(6-0)
 - e. COMM. 3M-11 (2013)
HAROLD (BILL) RICE, JR.: “Letter to Chair of Legislature Concerning Appointment to the ECWA”
(6-0)
 - f. COMM. 3M-12 (2013)
PETER C. GROLLITSCH: “Letter to Chair of Legislature Concerning Appointment to the ECWA”
(6-0)

2. COMM. 4E-8 (2013)
COUNTY EXECUTIVE

WHEREAS, the West Valley Demonstration Project (WVDP) is a federal high level radioactive waste cleanup project located 35 miles south of the City of Buffalo, on the border with Erie County, within the Great Lakes watershed and upstream of fresh water intakes for Erie County residents; and

WHEREAS, WVDP is one of the largest federal projects and a significant employer in the Western New York region; and

WHEREAS, the President's 2013 budget request included only \$50 million for the WVDP; and

WHEREAS, the House Appropriations Committee Energy and Water Appropriations Bill for fiscal year 2013 also provides only \$50 million for WVDP; and

WHEREAS, the \$50 million budgeted amount represents a reduction of one third in funding for the WVDP from fiscal year 2012; and

WHEREAS, an annual cost of \$20 million is required at a minimum to maintain the facility to insure safety and protect the public from exposure; and

WHEREAS, if the WVDP receives an annual appropriation of only \$50 million, it will take approximately 20 years to complete Phase 1 decommissioning activities, twice as long as stated in the US DOE Record of Decision; and

WHEREAS, the extension of Phase 1 decommissioning work from 10 to 20 years add an additional \$200 million maintenance cost to the project; and

WHEREAS, the DOE must provide adequate funding to meet its stated ROD timeframe and obligations.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby requests the DOE to restore WVDP funding to the \$75 million level that was anticipated when the Final Environmental Impact Statement and Record of Decision were issued in 2010; and be it further

RESOLVED, that the Erie County Legislature hereby requests that this level of funding be maintained during the 10-year period specified in the Phased Decisionmaking alternative selected by the DOE in their Record of Decision; and be it further

RESOLVED, that certified copies of this resolution be prepared and sent to U.S. Secretary of Energy Dr. Steven Chu; Senators Charles Schumer and Kirsten Gillibrand; Congressmen Brian Higgins and Christopher Collins; Governor Andrew Cuomo; USDOE Director of WVDP Bryan Bower; and Paul Bembia, NYSERDA Director of West Valley Site Management Program; and be it further

RESOLVED, that certified copies of this resolution shall also be forwarded to the County Executive; the Director of the Division of Budget and Management; the County Attorney; the County Comptroller; Maria Whyte, Commissioner of Environment and Planning; Thomas Hersey, Deputy Commissioner of Environment and Planning; and Paul Kranz, P.E., Associate Engineer.
(6-0)

TERRENCE D. McCRACKEN
CHAIR

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 58

February 28, 2013	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. 2M-5 (2013)
HON. PAULA L. FEROLETO: “Recommendation of Appointment to EC Community Corrections Advisory Board”
(6-0)
 - b. COMM. 4E-6 (2013)
COUNTY EXECUTIVE: “Reappointment to the EC Traffic Safety Advisory Board”
(6-0)

TIMOTHY R. HOGUES
CHAIR

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 59

February 28, 2013	FINANCE & MANAGEMENT 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. 18E-13 (2012)
COUNTY EXECUTIVE: "Sale of Tax Certificates - 70 Meadowbrook Drive, Elma, NY"
(6-0)
 - b. COMM. 4D-2 (2013)
COMPTROLLER'S OFFICE: "Letter to Director of Budget & Management Concerning
County Cash Flow"
(6-0)
 - c. COMM. 4D-9 (2013)
DIRECTOR OF BUDGET & MANAGEMENT: "Letter to ECFSA Concerning
Comptroller's Memorandum Regarding 2013-2016 Revised EC Four Year Financial Plan"
(6-0)
 - d. COMM. 4D-11 (2013)
DIRECTOR OF BUDGET & MANAGEMENT: "Letter to ECFSA Concerning Comptroller
Remarks to ECFSA Finance Committee"
(6-0)
 - e. COMM. 4M-14 (2013)
DAVID W. POLAK ESQ.: "Letter Concerning Purchase of Tax Lien"
(6-0)

TIMOTHY R. HOGUES
CHAIR

LEGISLATOR RESOLUTIONS

Item 29 – CHAIR GRANT directed that the following resolution be referred to the HEALTH & HUMAN SERVICE COMMITTEE.

GRANTED.

INTRO 5-1 from MARINELLI. Recognizing Women's History Month by Supporting Governor Cuomo's Women's Equality Agenda.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 60

RE: Standing in Solidarity with the County Executive & Comptroller Contesting the Factually Erroneous & Legally Baseless Federal Audit Regarding Emergency Cleanup Following the October 2006 Surprise Storm
(INTRO 5-2)

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

WHEREAS, the Inspector General at the Department of Homeland Security (DHS) recently released an audit alleging that a former County Executive violated FEMA rules governing cleanup contracts following federally-declared disasters; and

WHEREAS, on a bipartisan basis, Erie County's Congressional Representatives, U.S. Senators, the current County Executive and County Comptroller are joining together to protest the recommendation in the audit that Erie County taxpayers repay \$48.5 million in FEMA funds; and

WHEREAS, the collective, bipartisan protest cites federal legislation that, in effect, supersedes any FEMA regulations, policies and procedures outlined in the audit; and

WHEREAS, according to current County Executive Mark Poloncarz, former County Executive Joel Giambra did properly direct the Purchasing Division to award contracts to local businesses in accordance with federal legislation; and

WHEREAS, County Executive Poloncarz further asserts that federal law in effect at the time of the October Surprise Storm of 2006 "specifically directs that in federally-declared disasters, local officials give explicit preferences for hiring local businesses to perform disaster recovery;" and

WHEREAS, County Comptroller Stefan Mychajliw has also offered to work with our federal congressional delegation in a timely fashion, noting that the DHS audit requires Erie County to prepare responses to their findings within 90 days of January 29, 2013.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature stand together with the Erie County Executive, County Comptroller and WNY Congressional Delegation in contesting the factually erroneous and legally baseless audit issued by the inspector general of the Department of Homeland Security with regard to Erie County's actions following the October Surprise Storm of 2006; and be it further

RESOLVED, that certified copies of this resolution be conveyed to the WNY Congressional Delegation, U.S. Senators Charles Schumer and Kirsten Gillibrand, Secretary for Homeland Security Janet Napolitano, County Executive Mark Poloncarz, County Comptroller Stefan Mychajliw, Governor Andrew Cuomo and all others deemed necessary and proper.

Item 31 – CHAIR GRANT directed that the following resolution be referred to the FINANCE & MANAGEMENT COMMITTEE.

GRANTED.

INTRO 5-3 from MILLS, RATH, DIXON, HARDWICK & LORIGO. Requesting Changes to Capital Borrowing for 2013.

Item 32 – MR. MAZUR presented the following resolution and moved for immediate consideration. MR. HOGUES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 61

RE: Memorializing Congress to Recognize the Heroism of the 65th Infantry Regiment Known as the Borinqueneers by Bestowing the Congressional Gold Medal
(INTRO 5-4)

A RESOLUTION TO BE SUBMITTED
BY LEGISLATOR HOGUES

WHEREAS, military heroes who served so valiantly and honorably in wars in which this country's freedom was at stake should be recognized by the people of this great nation, who should never forget the courage with which these soldiers fought; and

WHEREAS, attendant to such concern, and in full accord with its long-standing traditions, it is the sense of this Legislative Body to memorialize the Congress of the United States to recognize the 65th Infantry Regiment, known as the Borinqueneers, and to request that Congress bestow the Congressional Gold Medal upon these war heroes; and

WHEREAS, this auspicious honor, considered the most distinguished, is an award bestowed by the United States Congress and is, along with the Presidential Medal of Freedom, the highest civilian award in the United States; it is given to persons who have performed an achievement that has an impact on American history and culture that is likely to be recognized as a major achievement in the recipient's field long after the achievement; by every measure, the Borinqueneers are such individuals; and

WHEREAS, as mandated by Congress in 1899, the 65th Infantry Regiment, hailing from Puerto Rico, was the only Hispanic-segregated unit ever in the United States Armed Forces that played a prominent role in American military history, having participated in three wars in which the United States was engaged -- World War I, World War II, and most notably, the Korean War; and

WHEREAS, the Borinqueneers were willing to shed their blood, sweat and tears for democracy by enlisting in the United States Armed Forces on their own accord to defend the freedoms of others; and

WHEREAS, these brave men were the first infantrymen of the "Rock of the Marne Division" (3rd Infantry Division) to meet the enemy on the battlefields of Korea, fighting with determination and efficiency; and

WHEREAS, the 65th Infantry Regiment served with distinction and valor, earning two Presidential Unit Citations, Army Unit Superior Award, Navy Unit Citation, two Republic of Korea Presidential Unit Citations and Bravery Gold Medal of Greece; and

WHEREAS, the Congressional Honor would affirm that they are recognized by the people of the United States as true American heroes who served their country with distinction, fighting bravely even while enduring the hardships of segregation and discrimination; and

WHEREAS, veritable American heroes, the Borinqueneers deserve to be recognized, commended, acknowledged and remembered by the people of the State of New York, as well as by all of the citizens of this great Nation.

NOW, THEREFORE, BE IT

RESOLVED, that the Congress of the United States be and hereby is respectfully memorialized by this Legislative Body to recognize the 65th Infantry Regiment known as the Borinqueneers, and request that these war heroes receive the Congressional Gold Medal; and be it further

RESOLVED, that copies of this Resolution, suitably engrossed, be transmitted to the President of the Senate of the United States, the Speaker of the House of Representatives, Congressman Brian Higgins, Congressman Chris Collins, Senator Charles Schumer, Senator Kirsten Gillibrand, Erie County Veteran Services Director Carlos Benitez and all others deemed necessary and proper.

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

CARRIED UNANIMOUSLY.

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

A RESOLUTION SUBMITTED BY
LEGISLATORS HOGUES, GRANT, MAZUR, MILLS,
MARINELLI, HARDWICK, LOUGHRAN,
RATH, McCracken, DIXON & LORIGO

WHEREAS, military heroes who served so valiantly and honorably in wars in which this country's freedom was at stake should be recognized by the people of this great nation, who should never forget the courage with which these soldiers fought; and

WHEREAS, attendant to such concern, and in full accord with its long-standing traditions, it is the sense of this Legislative Body to memorialize the Congress of the United States to recognize the 65th Infantry Regiment, known as the Borinqueneers, and to request that Congress bestow the Congressional Gold Medal upon these war heroes; and

WHEREAS, this auspicious honor, considered the most distinguished, is an award bestowed by the United States Congress and is, along with the Presidential Medal of Freedom, the highest civilian award in the United States; it is given to persons who have performed an achievement that has an impact on American history and culture that is likely to be recognized as a major achievement in the recipient's field long after the achievement; by every measure, the Borinqueneers are such individuals; and

WHEREAS, as mandated by Congress in 1899, the 65th Infantry Regiment, hailing from Puerto Rico, was the only Hispanic-segregated unit ever in the United States Armed Forces that played a prominent role in American military history, having participated in three wars in which the United States was engaged -- World War I, World War II, and most notably, the Korean War; and

WHEREAS, the Borinqueneers were willing to shed their blood, sweat and tears for democracy by enlisting in the United States Armed Forces on their own accord to defend the freedoms of others; and

WHEREAS, these brave men were one of the first infantrymen of the "Rock of the Marne Division" (3rd Infantry Division) to meet the enemy on the battlefields of Korea, fighting with determination and efficiency; and

WHEREAS, the 65th Infantry Regiment served with distinction and valor, earning two Presidential Unit Citations, Army Unit Superior Award, Navy Unit Citation, two Republic of Korea Presidential Unit Citations and Bravery Gold Medal of Greece; and

WHEREAS, the Congressional Honor would affirm that they are recognized by the people of the United States as true American heroes who served their country with distinction, fighting bravely even while enduring the hardships of segregation and discrimination; and

WHEREAS, veritable American heroes, the Borinqueneers deserve to be recognized, commended, acknowledged and remembered by the people of the State of New York, as well as by all of the citizens of this great Nation.

NOW, THEREFORE, BE IT

RESOLVED, that the Congress of the United States be and hereby is respectfully memorialized by this Legislative Body to recognize the 65th Infantry Regiment known as the Borinqueneers, and request that these war heroes receive the Congressional Gold Medal; and be it further

RESOLVED, that copies of this Resolution, suitably engrossed, be transmitted to the President of the Senate of the United States, the Speaker of the House of Representatives, Congressman Brian Higgins, Congressman Chris Collins, Senator Charles Schumer, Senator Kirsten Gillibrand, Erie County Veteran Services Director Carlos Benitez and all others deemed necessary and proper.

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

CARRIED UNANIMOUSLY.

COMMUNICATIONS DISCHARGED FROM COMMITTEE

Item 33 – MR. MAZUR moved to discharge the GOVERNMENT AFFAIRS COMMITTEE of further consideration of COMM. 2E-7 (2013). MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 62

RE: Reorganization of the Office of the
Comptroller
(COMM. 2E-7, 2013)

WHEREAS, Drescher & Malecki, LLP, the County's outside auditors, in their Management Letter to the County dated June 27, 2012 made an observation about the accounting staff in the Office of the Comptroller and advised the County to institute a succession plan to address anticipated retirements of key accounting staff as well as address formalized accounting policy; and

WHEREAS, a recent review of the operations of the Office of the Comptroller was Completed that identified a number of issues: need for IT support; documentation of various accounting policies and procedures; and dependency on paper in the Accounts Payable section; and identified opportunities to improve the operations and efficiency of the office; and

WHEREAS, there are a number of vacancies in clerical and junior accounting positions in the Office of the Comptroller; and

WHEREAS, the opportunity exists to address the issues and provide adequate staff to assure an efficient and cost effective operation; and

WHEREAS, these changes will not change the job count in the Office of the Comptroller and will result in tax payer savings in the 2013 Adopted Budget.

NOW, THEREFORE, BE IT

RESOLVED, the following vacant positions are eliminated in the Office of the Comptroller effective with passage of this resolution:

Billing Collections Specialist Grade X

Junior Accountant Grade VII

Principal Clerk Grade VI

Account Clerk Typist Grade IV

and be it further

RESOLVED, that the following position be eliminated no later than March 31, 2013: Account Clerk Typist Grade IV; and be it further

RESOLVED, that the following positions be established in the Office of the Comptroller:

Application Systems Specialist Grade XIV

Accountant Analyst Grade XI

Accountant Grade IX

Accountant Grade IX

Accountant Grade IX

and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Budget Director, Commissioner of Personnel and the Comptroller.

MR. MAZUR moved to amend the item. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

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

WHEREAS, Drescher & Malecki, LLP, the County's outside auditors, in their Management Letter to the County dated June 27, 2012 made an observation about the accounting staff in the Office of the Comptroller and advised the County to institute a succession plan to address anticipated retirements of key accounting staff as well as address formalized accounting policy; and

WHEREAS, there are a number of vacancies in clerical and junior accounting positions in the Office of the Comptroller; and

WHEREAS, the opportunity exists to address the issues and provide adequate staff to assure an efficient and cost effective operation; and

WHEREAS, the Office of the Comptroller and Division of Budget & Management met and have agreed to this resolution assuring annual savings in 2013 and will work to minimize the impact of these changes on the Four year Plan; and

WHEREAS, these changes will not change the job count in the Office of the Comptroller and will result in tax payer savings in the 2013 Adopted Budget.

NOW, THEREFORE, BE IT

RESOLVED, the following vacant positions are eliminated in the Office of the Comptroller effective with passage of this resolution:

Billing Collections Specialist Grade X

Junior Accountant Grade VII
Principal Clerk Grade VI
Account Clerk Typist Grade IV

and be it further

RESOLVED, that the following position be eliminated no later than March 31, 2013:
Account Clerk Typist Grade IV; and be it further

RESOLVED, that the following positions be established in the Office of the Comptroller:

Accounting Analyst Grade XI
Accountant Grade IX
Accountant Grade IX
Accountant Grade IX
Accountant Grade IX

and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Budget Director,
Commissioner of Personnel and the Comptroller.

MR. MAZUR moved to approve the item. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

SUSPENSION OF THE RULES

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

GRANTED.

COMM. 5D-3 from DIRECTOR OF BUDGET & MANAGEMENT. Re: Letter to
Legislature Concerning Reduction in 2013 Capital Borrowing for Construction Projects

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

COMMUNICATIONS FROM ELECTED OFFICIALS

FROM CHAIR GRANT

Item 35 – (COMM. 5E-1) Copy of Article Titled "Residents Deserve Seats at the Table"

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM THE COMPTROLLER

Item 36 – (COMM. 5E-2) Letter to Legislator Hogues Concerning Recent Audit Regarding FEMA as it Relates to Reimbursements from the "October Surprise Storm" in 2006

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE SHERIFF

Item 37 – (COMM. 5E-3) Reappointment to the EC Community Corrections Advisory Board

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM THE COUNTY CLERK

Item 38 – (COMM. 5E-4) Memoranda of Understanding - Registered Submitters for Electronic Recording

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE COUNTY EXECUTIVE

Item 39 – (COMM. 5E-5) Legislative Acceptance of the EC Agricultural & Farmland Protection Plan

Item 40 – (COMM. 5E-6) License Agreement - Black Rock Canal Park - Barkyard - City of Buffalo

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

Item 41 – (COMM. 5E-7) Old County Hall - Exterior Lighting

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 42 – (COMM. 5E-8) EC Home Decommissioning

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

Item 43 – (COMM. 5E-9) Third Amendatory Agreement - Design Services - Black Rock Canal Park Improvements Project

Item 44 – (COMM. 5E-10) ECSD No. 3 - Engineer Term Agreement

Item 45 – (COMM. 5E-11) Elma Meadows Concession Agreement

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

Item 46 – (COMM. 5E-12) Ralph Wilson Stadium Lease Agreement (Placeholder)

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 47 – (COMM. 5E-13) Closure of Inactive Capital Projects

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 48 – (COMM. 5E-14) State Aid for Snowmobile Development, 2012-2013

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 49 – MR. MAZUR presented the following resolution and moved for immediate consideration and approval. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 63

RE: Intermunicipal Agreement Between EC
& Town of Tonawanda
(COMM. 5E-15)

WHEREAS, the Town of Tonawanda has received a Port Security Grant the New York State Office of Homeland Security; and

WHEREAS, the purpose of the grant is to enable the Town to install and maintain a system of security video cameras and radar equipment for law enforcement purposes along the waterfront corridor from the City of Buffalo to the City of North Tonawanda in order to promote the safety and welfare of the communities.; and

WHEREAS, the Division of Information and Support Services recommends Erie County enter into an intermunicipal agreement with the Town of Tonawanda wherein the Town of Tonawanda install security/radar equipment on the roof of the Edward A. Rath Building; and

WHEREAS, Erie County will realize no revenue nor incur any cost; and

WHEREAS, the Town of Tonawanda will bear the cost of installation, maintenance, and eventual removal of installed equipment.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Executive is authorized to enter into an Intermunicipal Agreement with the Town of Tonawanda to allow the Town of Tonawanda to install security/radar equipment on the roof of the Edward A. Rath Building; and

RESOLVED, that certified copies of this resolution be forwarded to the County Executive, the County Attorney, the County Comptroller, the Division of Information and Support Services and the Director of the Division of Budget and Management.

FROM THE COMPTROLLER

Item 50 – (COMM. 5E-16) 2013 Bills Lease Bond Resolution

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE SHERIFF

Item 51 – (COMM. 5E-17) Personnel Adjustments

Received and referred to the PUBLIC SAFETY COMMITTEE.

Item 52 – MR. MAZUR presented the following resolution and moved for immediate consideration and approval. MR. LORIGO seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 64

RE: Asset Forfeiture Funded Program SAFS
(COMM. 5E-18)

WHEREAS, procedures have been established by Resolution #Int. 23-3 adopted on December 1, 1994; and

WHEREAS, there are currently \$645,720 in funds available for distribution to the Sheriff's Office in the Asset Forfeiture Trust Account; and

WHEREAS, the Clarence Center Fire Department has two (2) specially equipped 2010 Chevrolet Tahoes available for purchase below NADA value; and

WHEREAS, the Erie County Legislature has the authority , under Article III Section 07.b of the Erie County Administrative Code to waive bidding procedures when deemed impractical by a 2/3 vote of the Legislature; and

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

NOW, THEREFORE, BE IT

RESOLVED, that \$340,800 in available balances in the Asset Forfeiture Trust Fund is hereby transferred to the Erie County Sheriff's Office Asset Forfeiture Funded Program SAFS; and be it further

RESOLVED, that the following budgetary transactions are hereby authorized:

ERIE COUNTY SHERIFF'S OFFICE

ASSET FORFEITURE FUNDED PROGRAM SAFS

<u>REVENUE</u>		<u>Increase</u>
421550	Forfeiture Crime Proceeds	<u>\$ 340,800</u>
	Total Revenue	<u>\$ 340,800</u>
 <u>APPROPRIATION</u>		 <u>Increase</u>
505200	Clothing & Protective Supplies	\$ 9,500
506200	Maintenance & Repair	\$ 20,000
510100	Travel & Training	\$ 25,000
516020	Professional Services & Fees	\$ 10,300
561410	Lab & Technical Equipment	\$ 120,000
561420	Office Furniture & Fixtures	\$ 72,000
561440	Motor Vehicle Equipment	<u>\$ 84,000</u>
	Total Appropriations	<u>\$ 340,800</u>

and be it further

RESOLVED, that the Sheriff and Erie County Purchasing are authorized to purchase used vehicles from the Clarence Center Fire Department without competitive bidding; and be it further

RESOLVED, that these expenditures meet the criteria established by the U.S. Department of Justice for the use of equitable shared funds; and be it further

RESOLVED, that certified copies be forwarded to the Division of Budget and Management, the Erie County Comptroller, the Division of Purchase and the Office of the Sheriff for implementation.

COMMUNICATIONS FROM THE DEPARTMENTS

FROM THE COMMISSIONER OF EMERGENCY SERVICES

Item 53 – (COMM. 5D-1) Response Letter to Senior Public Safety Dispatcher, Town of Hamburg, Concerning the County UHF Radio System

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM THE DEPARTMENT OF ENVIRONMENT & PLANNING

Item 54 – (COMM. 5D-2) Copy of Audit Report of EC Times Beach Public Access Project for the Period of 5/20/05 - 12/31/2010

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES

FROM THE FULTON COUNTY BOARD OF SUPERVISORS

Item 55 – (COMM. 5M-1) Copy of Resolution Urging Congress to Amend the Federal Property & Administrative Services Act of 1949 Regarding Purchasing of Professional Services

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE NYS DEPARTMENT OF AGRICULTURE & MARKETS

Item 56 – (COMM. 5M-2) Letter to Clerk of Legislature Concerning EC Agricultural Districts No. 5 & 15

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM CARL PALADINO

Item 57 – (COMM. 5M-3) Copy of Letter Concerning Autopsy from the Death of Amanda Wienckowski

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

FROM THE BUFFALO & EC PUBLIC LIBRARY

Item 58 – (COMM. 5M-4) Proposed Agenda from Meeting Held 2/21/2013

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM THE LEGAL AID BUREAU OF BUFFALO, INC.

Item 59 – (COMM. 5M-5) Copy of Financial Statements, Annual Report & Minutes from Annual Board of Directors Meeting Held on 6/21/2012

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE NYSDEC

Item 60 – (COMM. 5M-6) Public Notice: Application & Remedial Investigation Work Plan from 500 Seneca Street, LLC

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM JANIS MIDDLEBROOKS

Item 61 – (COMM. 5M-7) Letter to Legislature Concerning NYS Correction Officer William J. Middlebrooks, Jr. Retirement

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE CHAIR, EC & BUFFALO
SAFE NEIGHBORHOODS COMMITTEE

Item 62 – (COMM. 5M-8) Appointments to the EC & Buffalo Safe Neighborhoods Committee

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM THE CHAIR, EC COMMUNITY
CORRECTIONS ADVISORY BOARD

Item 63 – (COMM. 5M-9) 2012 EC Community Corrections Advisory Board Annual Report

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM THE BRANT TOWN BOARD

Item 64 – (COMM. 5M-10) Copy of Resolution Concerning Justice Court Funding

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

Item 65 – (COMM. 5M-11) Copy of Resolution Opposing the New Gun Control Legislation in NYS

Received and referred to the PUBLIC SAFETY COMMITTEE.

Item 66 – (COMM. 5M-12) Copy of Resolution Supporting Phoenix's Law

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

ANNOUNCEMENTS

Item 67 – CHAIR GRANT announced that the schedule of upcoming committee meetings has been distributed.

Item 68 – MR. LOUGHRAN announced that the 41st Annual Amherst Gaelic League Irish American Appreciation Party will be held on Friday, March 15, 2013, from 5:15 to 7:15 P.M., at the Hearthstone Manor in Depew, to benefit the league's summer relief program.

MEMORIAL RESOLUTIONS

Item 69 – Legislator Marinelli requested that when the Legislature adjourns, it do so in memory of George R. Lobuzzetta and Deborah O'Connor.

Item 70 – Legislator Dixon requested that when the Legislature adjourns, it do so in memory of Charles “CoCo” Hotho and Michael Lauria.

Item 71 – Legislator Hardwick requested that when the Legislature adjourns, it do so in memory of E. William Miller and James F. Reece.

Item 72 – Legislator Lorigo requested that when the Legislature adjourns, it do so in memory of Joan Duggan.

Item 73 – Legislator Hogues requested that when the Legislature adjourns, it do so in memory of William M. Fallon.

Item 74 – Legislator McCracken requested that when the Legislature adjourns, it do so in memory of Mary Jane Farmer and Dorothy Dale.

Item 75 – Chair Grant requested that when the Legislature adjourns, it do so in memory of Tan James.

ADJOURNMENT

Item 76 - 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 21, 2013 at 2:00 p.m. Eastern Standard Time. MR. HOGUES seconded.

CARRIED UNANIMOUSLY.

CHAIR GRANT declared the Legislature adjourned until Thursday, March 21, 2013 at 2:00 p.m. Eastern Standard Time.

ROBERT M. GRABER
CLERK OF THE LEGISLATURE