

ERIE COUNTY LEGISLATURE
MEETING NO. 6
MARCH 17, 2011

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

All members present.

An Invocation was held, led by Mr. Mazur, who read two short prayers.

The Pledge of Allegiance was led by Ms. Bove.

Item 1 – No tabled items.

Item 2 – No items for reconsideration from previous meeting.

Item 3 – MS. WHYTE moved for the approval of the minutes for Meeting Numbers 4 and 5 from 2011. MS. BOVE seconded.

CARRIED UNANIMOUSLY.

Item 4 – No Public Hearings.

MISCELLANEOUS RESOLUTIONS

Item 5 – MR. FUDOLI presented a resolution Honoring Jerren Myers, an Intermediate Emergency Medical Technician for the Lancaster Volunteer Ambulance Corps, for His Heroic Efforts in Saving the Life of Orchard Park Resident, Derek Garner.

Item 6 – MR. FUDOLI presented a resolution Honoring Jason Kaese, a Paramedic for the Lancaster Volunteer Ambulance Corps, for His Heroic Efforts in Saving the Life of Orchard Park Resident, Derek Garner.

Item 7 – MR. MAZUR presented a Memorial Resolution Honoring the Life of Ricky Prather.

Item 8 – MR. MAZUR presented a Memorial Resolution Honoring Sylvia Lipowski.

Item 9 – MR. MAZUR presented a Memorial Resolution In Remembrance of Frances Swiatek.

Item 10 – MR. MAZUR presented a Memorial Resolution Honoring the Memory of Former EC Sheriff Deputy Joseph Elias Joseph & His Many Contributions to the Residents of Erie County.

Item 11 – MS. BOVE presented a resolution Congratulating the West Seneca Food Pantry on its Award as the West Seneca Chamber of Commerce 2011 Community Service Organization of the Year.

Item 12 – MS. BOVE presented a resolution Congratulating Certo Brothers Distribution Company as the West Seneca Chamber of Commerce 2011 Business of the Year.

Item 13 – MS. BOVE presented a resolution Congratulating Dale McCabe as the West Seneca Chamber of Commerce 2011 Citizen of the Year.

Item 14 – MS. BOVE presented a resolution Congratulating Thomas J. Shriver as the West Seneca Chamber of Commerce 2011 Educator of the Year.

Item 15 – MS. BOVE presented a resolution Congratulating John Morrison as the West Seneca Chamber of Commerce 2011 Chamber Member of the Year.

Item 16 – CHAIR MILLER-WILLIAMS presented a resolution Celebrating March as Women's History Month.

Item 17 – CHAIR MILLER-WILLIAMS presented a resolution Congratulating SABAH (Skating Athletes Bold at Heart) on Their Annual 'Celebration On Ice' Show on 3/27/2011 at HSBC Arena.

Item 18 – MS. MARINELLI presented a resolution Honoring Karen Eckert & Her Recognition by the Amherst Museum's Women's Interclub Council During National Women's History Month.

Item 19 – MS. MARINELLI presented a resolution Honoring Irene Adamski & Her Recognition by the Amherst Museum's Women's Interclub Council During National Women's History Month.

Item 20 – MR. MAZUR presented a Memorial Resolution Remembering the Life of Arthur J. Blackowski Jr. & His Commitment to Our Community.

Item 21 – MR. MILLS presented a resolution Congratulating Paul Volo of Troop No. 285, on Obtaining the Rank of Eagle Scout.

Item 22 – MR. MILLS presented a resolution Congratulating Corbin Dzimian of Troop No. 285, on Obtaining the Rank of Eagle Scout.

Item 23 – MR. MILLS, MR. WALTER, MR. FUDOLI, MR. HARDWICK, MS. DIXON & MR. RATH presented a resolution Proclaiming Sunday, April 10, 2011 'Niagara Frontier Radio Reading Service Day' Celebrating 200,000 Hours of Radio Readings to the Blind.

Item 24 – MR. HARDWICK presented a resolution Honoring the Tonawanda Warriors Varsity Basketball Team Winning of the ECIC Div 4 Section 6 Crown.

Item 25 – MR. HARDWICK presented a resolution Honoring the Tonawanda Warriors Bowling Team Winning of the ECIC DIV 4 Section 6 Crown.

Item 26 – MR. HARDWICK presented a resolution Honoring the Erie Niagara Sunrise Exchange Club on Its 25th Anniversary.

Item 27 – MR. HARDWICK presented a resolution Honoring Cory McGregor & Jordan McGregor on Their Performance at NYS Public High School Athletic Association State Wrestling Championship.

Item 28 – MR. HARDWICK presented a resolution Honoring Tonawanda High School Cheering Team for Its Dedication to the Sports Teams of Tonawanda High School.

Item 29 – MR. HARDWICK presented a resolution Honoring Aubrey McCoy of Girl Scout Troop No. 1019 on Receiving the Girl Scout Silver Award.

Item 30 – MR. HARDWICK presented a resolution Honoring James T. Klock on Selection as Grand Island High School Distinguished Alumni Award Recipient of 2010.

Item 31 – MR. HARDWICK presented a resolution Honoring Russell Certo on Selection as Grand Island High School Distinguished Alumni Award Recipient of 2010.

Item 32 – MS. DIXON presented a resolution Recognizing Gracie Isabella Joyce for Being Named the 2011 Variety Club Kids Telethon Celebrity Child.

Item 33 – MS. DIXON presented a resolution Honoring Carmen A. Vacco for His Commitment to the Community.

Item 34 – MR. FUDOLI presented a resolution Honoring Eric Burt, a Paramedic for the Lancaster Volunteer Ambulance Corps, for His Heroic Efforts in Saving the Life of Orchard Park Resident, Derek Garner.

Item 35 – MR. MILLS, MR. WALTER, MR. FUDOLI, MR. HARDWICK, MS. DIXON & MR. RATH presented a resolution Congratulating Ralph C. Lorigo for Receiving the Anthony M. Castiglia Achievement Award from the Italian American Leadership Council.

Item 36 – CHAIR MILLER-WILLIAMS presented a resolution Congratulating the CAO Head Start Program at Memorial Temple During the Week of the Young Child Celebration.

Item 37 – CHAIR MILLER-WILLIAMS presented a resolution Celebrating Harriet Tubman 300's Inc., During National Women's History Month.

Item 38 – CHAIR MILLER-WILLIAMS, MS. BOVE, MS. DIXON, MR. FUDOLI, MS. GRANT, MR. HARDWICK, MR. KOZUB, MR. LOUGHRAN, MR. MAZUR, MS. MARINELLI, MR. MILLS, MR. RATH, MR. WALTER, MR. WHALEN and MS. WHYTE presented a resolution Celebrating the Life of Former Buffalo Sabre Rick Martin.

Item 39 – MR. RATH presented a resolution Congratulating ECC Men's Hockey Team on Winning the National Junior College Athletic Association (NJCAA) National Title.

Item 40 – MR. RATH presented a resolution Honoring ECC Men's Hockey Coach Gary Rost for Being Named the National Junior College Athletic Association (NJCAA) National Coach of the Year.

MS. WHYTE moved for consideration of the above thirty-six items. MR. KOZUB seconded.

CARRIED UNANIMOUSLY.

MS. WHYTE moved to amend the above thirty-six items by including Et Al Sponsorship. MR. MAZUR seconded.

CARRIED UNANIMOUSLY.

MS. WHYTE moved for approval of the above thirty-six items as amended. MR. RATH seconded.

CARRIED UNANIMOUSLY.

LOCAL LAWS

Item 41 – CHAIR MILLER-WILLIAMS directed that Local Law No. 1 (Print #1) 2010 remain on the table and in the HEALTH & HUMAN SERVICES COMMITTEE.

GRANTED.

Item 42 – CHAIR MILLER-WILLIAMS directed that Local Law No. 2 (Print #1) 2010 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 43 – CHAIR MILLER-WILLIAMS directed that Local Law No. 3 (Print #1) 2010 remain on the table and in the PUBLIC SAFETY COMMITTEE.

GRANTED.

Item 44 – CHAIR MILLER-WILLIAMS directed that Local Law No. 4 (Print #1) 2010 remain on the table and in the PUBLIC SAFETY COMMITTEE.

GRANTED.

COMMITTEE REPORTS

Item 45 – MS. BOVE presented the following report and moved for immediate consideration and approval. MR. WALTER seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 36

	COMMITTEE REPORT NO. 3
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ALL MEMBERS PRESENT.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 21E-21 (2010)
WALTER: "Letter to County Executive Concerning Funding to Libraries & Cultural Organizations in the 2011 EC Tentative Budget"
(6-0)
 - b. COMM. 4E-7 (2011)
MILLER-WILLIAMS: "Letter to ECFSA Concerning Four Year Plan"
(6-0)
 - c. COMM. 4M-4 (2011)
TONAWANDA TOWN CLERK: "Copy of Certified Resolution Concerning Direct Payment of EC Sales Tax to the Town"
(6-0)
 - d. COMM. 4M-5 (2011)
TONAWANDA TOWN CLERK: "Copy of Certified Resolution Concerning Authorizing Tonawanda Supervisor to Apply for Extension of Time for Tax Collection"
(6-0)
 - e. COMM. 4M-10 (2011)
ECFSA: "Letter to Chair of Legislature Concerning ECFSA Four Year Plan"
(6-0)
2. COMM. 8D-3 (2010)
EC REAL PROPERTY TAX SERVICES AS AMENDED
WHEREAS, the Erie County Director of Real Property Tax Services has received applications for corrected tax billings and / or refunds for taxes previously paid in accordance with New York State Real Property Tax Law sections 554 and 556; and

WHEREAS, the Director has investigated the validity of such applications (see attached listing).

NOW, THEREFORE, BE IT

RESOLVED, that petitions numbered 211020 through 211114, inclusive be hereby approved or denied based upon the recommendation of the Director of Real Property Tax Services and be charged back to the applicable towns and/or cities.

FISCAL YEAR	2011	Petition No.	211,020.00
	ASSESSOR	Cancel	\$287.07

S-B-L 65.40-2-7 146489 TONAWANDA

	Acct. No. 112	\$116.75	County
	Acct. No. 132	\$170.32	Town/SpecialDist/School
<u>Charge To :</u>	146489 TONAWANDA		\$170.32

RPTL 550(2): FAILED TO APPLY AN AGED EXEMPTION
NEW TAX BILL TO BE ISSUED TO: MARILYN GILBERT

FISCAL YEAR	2011	Petition No.	211,021.00
	ASSESSOR	Cancel	\$520.38

S-B-L 69.17-4-28 142289 AMHERST

	Acct. No. 112	\$258.91	County
	Acct. No. 132	\$261.47	Town/SpecialDist/School
<u>Charge To :</u>	142289 AMHERST		\$261.47

RPTL 550(2): INCORRECT ASSESSED VALUE APPLIED TO THE TAX ROLL
NEW TAX BILL TO BE ISSUED TO: PATRICIA J GERBER & WILLIAM H MALLON

FISCAL YEAR	2011	Petition No.	211,022.00
	ASSESSOR	Cancel	\$108.18

S-B-L 69.16-6-1./41 142289 AMHERST

	Acct. No. 112	\$46.60	County
	Acct. No. 132	\$61.58	Town/SpecialDist/School
<u>Charge To :</u>	142289 AMHERST		\$61.58

RPTL 550(2): FAILED TO APPLY A COLD WAR VETERANS EXEMPTION
NEW TAX BILL TO BE ISSUED TO: ARVILLA E YAEGER

FISCAL YEAR	2011	Petition No.	211,023.00
	ASSESSOR	Cancel	\$280.91

S-B-L 56.22-1-1./19 142289 AMHERST

	Acct. No. 112	\$155.33	County
	Acct. No. 132	\$125.58	Town/SpecialDist/School
<u>Charge To :</u>	142289 AMHERST		\$125.58

RPTL 550(2): FAILED TO APPLY A COMBAT VETERANS EXEMPTION
NEW TAX BILL TO BE ISSUED TO: SAMUEL BODINE

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$1,448.75	Town/SpecialDist/School
<u>Charge To :</u>	142289 AMHERST	\$1,448.75	
	Relevy School	\$1,448.75	142203 WILLIAMSVILLE CENT

RPTL 550(2): INCORRECT ASSESSED VALUE APPLIED TO THE TAX ROLL
REFUND TO BE ISSUED TO: CHAPEL WOODS POOL & TENNIS

FISCAL YEAR 2011 Petition No. 211,028.00

ASSESSOR Cancel \$927.17

S-B-L 42.19-1-33 142289 AMHERST

	Acct. No. 112	\$427.72	County
	Acct. No. 132	\$499.45	Town/SpecialDist/School
	22030 EAST AMHERST FD	\$50.33	
<u>Charge To :</u>	142289 AMHERST	\$449.12	

RPTL 550(2): INCORRECT ASSESSED VALUE APPLIED TO THE TAX ROLL
NEW TAX BILL TO BE ISSUED TO: CHAPEL WOODS POOL & TENNIS

FISCAL YEAR 2011 Petition No. 211,029.00

ASSESSOR Cancel \$753.19

S-B-L 69.15-1-98 142289 AMHERST

	Acct. No. 112	\$375.29	County
	Acct. No. 132	\$377.90	Town/SpecialDist/School
	22031 MAIN TRANSIT FIRE PROTECTION	\$57.23	
<u>Charge To :</u>	142289 AMHERST	\$320.67	

RPTL 550(2): INCORRECT ASSESSED VALUE APPLIED TO THE TAX ROLL
NEW TAX BILL TO BE ISSUED TO: TIMOTHY & KAREN KELLER

FISCAL YEAR 2011 Petition No. 211,030.00

ASSESSOR Cancel \$187.78

S-B-L 173.17-1-30 146089 ORCHARD PARK

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$187.78	Town/SpecialDist/School
<u>Charge To :</u>	146089 ORCHARD PARK	\$187.78	

RPTL 550(2): INCORRECT SPECISL DISTRICTS CHARGED IN ERROR
NEW TAX BILL TO BE ISSUED: CORSI MANAGEMENT GROUP LLC

FISCAL YEAR 2011 Petition No. 211,031.00

ASSESSOR Cancel \$203.89

S-B-L 116.08-1-14 145289 LANCASTER

Acct. No. 112 \$77.36 County

Acct. No. 132 \$126.53 Town/SpecialDist/School

52005 POLICE FUND \$30.54

52500 ERIE CO SEWER #4 \$4.79

Charge To : 145289 LANCASTER \$91.20

RPTL 550(2): INCORRECT ASSESSED VALUE APPLIED TO THE TAX ROLL
NEW TAX BILL TO BE ISSUED TO: MARK 7 JESSICA SCHIRCHING

FISCAL YEAR 2011 Petition No. 211,032.00

ASSESSOR Cancel \$288.97

S-B-L 44.18-3-38.2 143200 CLARENCE

Acct. No. 112 \$0.00 County

Acct. No. 132 \$288.97 Town/SpecialDist/School

32438 EC SEWER 2 EDU \$288.97

Charge To : 143200 CLARENCE \$0.00

RPTL 550(2): INCORRECT SEWER UNITS CHARGED IN ERROR
NEW TAX BILL TO BE ISSUED TO: TOWN OF CLARENCE

FISCAL YEAR 2011 Petition No. 211,033.00

ASSESSOR Cancel \$85.20

S-B-L 44.18-3-46 143200 CLARENCE

Acct. No. 112 \$60.58 County

Acct. No. 132 \$24.62 Town/SpecialDist/School

Charge To : 143200 CLARENCE \$24.62

RPTL 550(2): FAILED TO APPLY A COLD WAR VETERANS EXEMPTION
NEW TAX BILL TO BE ISSUED TO: ROBERT W & LOIS MAINES

FISCAL YEAR 2010 Petition No. 211,034.00

ASSESSOR Refund \$85.34

S-B-L 44.18-3-46 143200 CLARENCE

	Acct. No. 112	\$60.80	County
	Acct. No. 132	\$24.54	Town/SpecialDist/School
	52002 2009 COMM COLLEGE	\$0.36	
<u>Charge To :</u>	143200 CLARENCE		\$24.18

RPTL 550(2): FAILED TO APPLY A COLD WAR VETERANS EXEMPTION
REFUND TO E ISSUED TO: ROBERT W & LOIS MAINES

FISCAL YEAR	2010	Petition No.	211,035.00
	ASSESSOR	Refund	\$1,583.80

S-B-L 28.10-3-2 142289 AMHERST

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$1,583.80	Town/SpecialDist/School
<u>Charge To :</u>	142289 AMHERST		\$1,583.80
	Relevy School	\$1,583.80	142203 WILLIAMSVILLE CENT

RPTL 550(2): FAILED TO APPLY A LOW INCOME SENIOR EXEMPTION
REFUND TO BE ISSUED TO: FLORIS SARVER

FISCAL YEAR	2011	Petition No.	211,036.00
	ASSESSOR	Cancel	\$635.38

S-B-L 28.10-3-2 142289 AMHERST

	Acct. No. 112	\$311.72	County
	Acct. No. 132	\$323.66	Town/SpecialDist/School
	22028 GETZVLE FIRE PROTECTION	\$46.78	
<u>Charge To :</u>	142289 AMHERST		\$276.88

RPTL 550(2): FAILED TO APPLY A LOW INCOME SENIOR
NEW TAX BILL TO BE ISSUED TO: FLORIS SARVER

FISCAL YEAR	2011	Petition No.	211,037.00
	ASSESSOR	Cancel	\$2,310.86

S-B-L 40.15-3-27 142289 AMHERST

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$2,310.86	Town/SpecialDist/School
<u>Charge To :</u>	142289 AMHERST		\$2,310.86

RPTL 550(2): INCORRECT SPECIAL DISTRICTS CHARGED IN ERROR

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$642.65	Town/SpecialDist/School
<u>Charge To :</u>	143089 CHEEKTOWAGA	\$642.65	
	Relevy School	\$642.65	143003 CHEEK. UNION #3

RPTL 550(2): FAILED TO APPLY A ENHANCED STAR
REFUND TO BE ISSUED TO: LEO S & BARBARA DUNN

FISCAL YEAR 2011 Petition No. 211,042.00

ASSESSOR Cancel \$727.53

S-B-L 112.51-1-5 143089 CHEEKTOWAGA

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$727.53	Town/SpecialDist/School
<u>Charge To :</u>	143089 CHEEKTOWAGA	\$727.53	

Relevy Village \$727.53 Village of CHEEKTOWAGA

RPTL 550(2): VILLAGE RELEVY APPLIED IN ERROR
NEW TAX BILL TO BE ISSUED TO: ALEX GONZALEZ

FISCAL YEAR 2011 Petition No. 211,043.00

ASSESSOR Cancel \$795.58

S-B-L 101.60-1-11 143089 CHEEKTOWAGA

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$795.58	Town/SpecialDist/School
<u>Charge To :</u>	143089 CHEEKTOWAGA	\$795.58	

RPTL 550(2): SPECIAL DISTRICTS CHARGED IN ERROR
NEW TAX BILL TO BE ISSUED TO: TOWN OF CHEEKTOWAGA

FISCAL YEAR 2009 Petition No. 211,044.00

ASSESSOR Refund \$273.35

S-B-L 92.09-6-14 143089 CHEEKTOWAGA

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$273.35	Town/SpecialDist/School
<u>Charge To :</u>	143089 CHEEKTOWAGA	\$273.35	

RPTL 550(2): SPECIAL DISTRICTS CHARGED IN ERROR
REFUND TO BE ISSUED TO: NIAGARA FRONTIER TRANSIT AUTHORITY

FISCAL YEAR 2010 Petition No. 211,045.00

 ASSESSOR Refund \$285.52

S-B-L 92.09-6-14 143089 CHEEKTOWAGA

 Acct. No. 112 \$0.00 County
 Acct. No. 132 \$285.52 Town/SpecialDist/School

Charge To : 143089 CHEEKTOWAGA \$285.52

RPTL 550(2): SPECIAL DISTRICTS CHARGED IN ERROR
REFUND TO BE ISSUED TO: NIAGARA FRONTIER TRANSIT AUTHORITY

FISCAL YEAR 2011 Petition No. 211,046.00

 ASSESSOR Cancel \$297.41

S-B-L 92.09-6-14 143089 CHEEKTOWAGA

 Acct. No. 112 \$0.00 County
 Acct. No. 132 \$297.41 Town/SpecialDist/School

Charge To : 143089 CHEEKTOWAGA \$297.41

RPTL 550(2): SPECIAL DISTRICTS CHARGED IN ERROR
NEW TAX BILL TO BE ISSUED TO: NIAGARA FRONTIER TRANSIT AUTHORITY

FISCAL YEAR 2009 Petition No. 211,047.00

 ASSESSOR Refund \$273.35

S-B-L 92.09-6-15 143089 CHEEKTOWAGA

 Acct. No. 112 \$0.00 County
 Acct. No. 132 \$273.35 Town/SpecialDist/School

Charge To : 143089 CHEEKTOWAGA \$273.35

RPTL 550(2): SPECIAL DISTRICTS CHARGED IN ERROR
REFUND TO BE ISSUED TO: NIAGARA FRONTIER TRANSIT AUTHORITY

FISCAL YEAR 2010 Petition No. 211,048.00

 ASSESSOR Refund \$285.52

S-B-L 92.09-6-15 143089 CHEEKTOWAGA

 Acct. No. 112 \$0.00 County
 Acct. No. 132 \$285.52 Town/SpecialDist/School

Charge To : 143089 CHEEKTOWAGA \$285.52

RPTL 550(2): SPECIAL DISTRICTS CHARGED IN ERROR
REFUND TO BE ISSUED TO: NIAGARA FRONTIER TRANSIT AUTHORITY

FISCAL YEAR 2011 Petition No. 211,049.00

ASSESSOR Cancel \$297.41

S-B-L 92.09-6-15 143089 CHEEKTOWAGA

Acct. No. 112 \$0.00 County
Acct. No. 132 \$297.41 Town/SpecialDist/School
Charge To: 143089 CHEEKTOWAGA \$297.41

RPTL 550(2): SPECIAL DISTRICTS CHARGED IN ERROR
NEW TAX BILL TO BE ISSUED TO: NIAGARA FRONTIER TRANSIT AUTHORITY

FISCAL YEAR 2011 Petition No. 211,050.00

ASSESSOR Refund \$157.34

S-B-L 105.00-5-35.12 145289 LANCASTER

Acct. No. 112 \$0.00 County
Acct. No. 132 \$157.34 Town/SpecialDist/School
Charge To: 145289 LANCASTER \$157.34

RPTL 550(2): REFUSE CHARGED WITH NO GARBAGE SERVICES
REFUND TO BE ISSUED TO: CLYDE MAYS JR

FISCAL YEAR 2011 Petition No. 211,051.00

ASSESSOR Refund \$157.34

S-B-L 105.00-5-46 145289 LANCASTER

Acct. No. 112 \$0.00 County
Acct. No. 132 \$157.34 Town/SpecialDist/School
Charge To: 145289 LANCASTER \$157.34

RPTL 550(2): SPECIAL DISTRICTS CHARGED IN ERROR NO GARBAGE SERVICES
REFUND TO BE ISSUED TO: ANTHONY LAZAZZERO

FISCAL YEAR 2011 Petition No. 211,052.00

ASSESSOR Cancel \$74.38

S-B-L 60.00-3-6./104 145689 NEWSTEAD

	Acct. No. 112	\$47.75	County
	Acct. No. 132	\$26.63	Town/SpecialDist/School
56010	WATER TANK	\$0.57	
56019	NEWSTEAD FIRE PROTECT	\$10.88	
<u>Charge To :</u>	145689 NEWSTEAD		\$15.18

RPTL 550(2): DUPLICATE PARCEL UNDER DIFFERENT SBL #
DELETE ENTIRE PARCEL FROM THE TAX ROLL

FISCAL YEAR	2011	Petition No.	211,053.00
	ASSESSOR	Cancel	\$74.38

S-B-L 61.00-3-6./104 145689 NEWSTEAD

	Acct. No. 112	\$47.75	County
	Acct. No. 132	\$26.63	Town/SpecialDist/School
56010	WATER TANK	\$0.57	
56019	NEWSTEAD FIRE PROTECT	\$10.88	
<u>Charge To :</u>	145689 NEWSTEAD		\$15.18

RPTL 550(2): DUPLICATE PARCEL UNDER DIFFERENT SBL
DELETE ENTIRE PARCEL FROM THE TAX ROLL

FISCAL YEAR	2011	Petition No.	211,054.00
	ASSESSOR	Cancel	\$1,818.30

S-B-L 67.10-1-3.1 142289 AMHERST

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$1,818.30	Town/SpecialDist/School
<u>Charge To :</u>	142289 AMHERST		\$1,818.30

RPTL 550(2): INCORRECT SPECIAL DISTRICTS CHARGED IN ERROR
NEW TAX BILL TO BE ISSUED TO: FALLS BLVD SHOP CENTER INC.

FISCAL YEAR	2009	Petition No.	211,055.00
	ASSESSOR	Refund	\$105.41

S-B-L 161.20-6-16 146089 ORCHARD PARK

	Acct. No. 112	\$54.56	County
	Acct. No. 132	\$50.85	Town/SpecialDist/School
<u>Charge To :</u>	146089 ORCHARD PARK		\$50.85

RPTL 550(2): FAILED TO APPLY A COLD WAR VETERANS EXEMPTION
REFUND TO BE ISSUED TO: JOHN J & KATHLEEN L BARNETT

FISCAL YEAR 2010 Petition No. 211,056.00

ASSESSOR Refund \$105.95

S-B-L 161.20-6-16 146089 ORCHARD PARK

Acct. No. 112 \$56.88 County

Acct. No. 132 \$49.07 Town/SpecialDist/School

52002 2009 COMM COLLEGE \$0.14

Charge To : 146089 ORCHARD PARK \$48.93

RPTL 550(2): FAILED TO APPLY A COLD WAR VETERANS EXEMPTION
REFUND TO BE ISSUED TO: JOHN J & KATHLEEN L BARNETT

FISCAL YEAR 2011 Petition No. 211,057.00

ASSESSOR Refund \$139.28

S-B-L 161.20-6-16 146089 ORCHARD PARK

Acct. No. 112 \$82.24 County

Acct. No. 132 \$57.04 Town/SpecialDist/School

Charge To : 146089 ORCHARD PARK \$57.04

RPTL 550(2): FAILED TO APPLY A COLD WAS VETERANS EXEMPTION
REFUND TO BE ISSUED TO: JOHN J & KATHLEEN L BARNETT

FISCAL YEAR 2010 Petition No. 211,058.00

ASSESSOR Refund \$1,200.00

S-B-L 125.07-15-13 143089 CHEEKTOWAGA

Acct. No. 112 \$0.00 County

Acct. No. 132 \$1,200.00 Town/SpecialDist/School

Charge To : 143089 CHEEKTOWAGA \$1,200.00

RPTL 550(2): ERIE COUNTY SEWER #1 PREMIUM ASSESSMENT
REFUND TO BE ISSUED TO: JOHNATHAN S ALEXANDROWICZ

FISCAL YEAR 2011 Petition No. 211,059.00

ASSESSOR Cancel \$21,985.28

S-B-L 141.67-4-2.21 140900 LACKAWANNA

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$21,985.28	Town/SpecialDist/School
	9992 ECSD#6 SAN SEWER	\$21,985.28	
<u>Charge To :</u>	140900 LACKAWANNA		\$0.00

RPTL 550(2): INCORRECT SPECIAL DISTRICTS CHARGED IN ERROR
NEW TAX BILL TO BE ISSUED TO: 2530 HTP LLC

FISCAL YEAR	2010	Petition No.	211,060.00
	ASSESSOR	Refund	\$1,753.93

S-B-L 70.09-2-11.2 142289 AMHERST

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$1,753.93	Town/SpecialDist/School
<u>Charge To :</u>	142289 AMHERST		\$1,753.93
	Relevy School	\$1,753.93	142203 WILLIAMSVILLE CENT

RPTL 550(2): INCORRECT ASSESSED VALUE APPLIED TO THE TAX ROLL
REFUND TO BE ISSUED: KENNY TRANSIT LLC

FISCAL YEAR	2011	Petition No.	211,061.00
	ASSESSOR	Cancel	\$1,065.51

S-B-L 70.09-2-11.2 142289 AMHERST

	Acct. No. 112	\$517.82	County
	Acct. No. 132	\$547.69	Town/SpecialDist/School
	22031 MAIN TRANSIT FIRE PROTECTION	\$82.94	
<u>Charge To :</u>	142289 AMHERST		\$464.75

RPTL 550(2): INCORRECT ASSESSED VALUE APPLIED TO THE TAX ROLL
NEW TAX BILL TO BE ISSUED TO: KENNY TRANSIT LLC

FISCAL YEAR	2011	Petition No.	211,062.00
	ASSESSOR	Cancel	\$463.22

S-B-L 146.00-4-42.2 144200 ELMA

	Acct. No. 112	\$443.96	County
	Acct. No. 132	\$19.26	Town/SpecialDist/School
<u>Charge To :</u>	144200 ELMA		\$19.26

RPTL 550(2): FAILED TO APPLY AN AGRICULTURAL EXEMPTION

Acct. No. 112 \$29.34 County
Acct. No. 132 \$298.41 Town/SpecialDist/School
Charge To : 146800 WEST SENECA \$298.41

RPTL 550(2): FAILED TO APPLY AN AGED EXEMPTION
NEW TAX BILL TO BE ISSUED TO: ALMA VOGEL

FISCAL YEAR 2011 Petition No. 211,067.00
ASSESSOR Cancel \$8.65

S-B-L 153.05-6-13 146800 WEST SENECA

Acct. No. 112 \$8.65 County
Acct. No. 132 \$0.00 Town/SpecialDist/School
Charge To : 146800 WEST SENECA \$0.00

RPTL 550(2): FAILED TO APPLY AN AGED EXEMPTION
NEW TAX BILL TO BE ISSUED TO: WILLIAM & THERESA MORTON

FISCAL YEAR 2011 Petition No. 211,068.00
ASSESSOR Cancel \$128.05

S-B-L 152.08-1-7 146800 WEST SENECA

Acct. No. 112 \$65.05 County
Acct. No. 132 \$63.00 Town/SpecialDist/School
Charge To : 146800 WEST SENECA \$63.00

RPTL 550(2): FAILED TO APPLY A COLD WAR VETERANS EXEMPTION
NEW TAX BILL TO BE ISSUED TO: ROBERT & JACQUELINE MCANENEY

FISCAL YEAR 2011 Petition No. 211,069.00
ASSESSOR Cancel \$536.95

S-B-L 143.17-1-3 146800 WEST SENECA

Acct. No. 112 \$281.42 County
Acct. No. 132 \$255.53 Town/SpecialDist/School
Charge To : 146800 WEST SENECA \$255.53

RPTL 550(2): FAILED TO APPLY AN AGED EXEMPTION
NEW TAX BILL TO BE ISSUED: AGATA DILORETO

FISCAL YEAR 2010 Petition No. 211,070.00

ASSESSOR Refund \$427.46

S-B-L 124.00-7-5.2/129 146800 WEST SENECA

Acct. No. 112 \$0.00 County
Acct. No. 132 \$427.46 Town/SpecialDist/School
Charge To: 146800 WEST SENECA \$427.46
Relevy School \$427.46 146801 WEST SENECA CENT

RPTL 550(2): FAILED TO APPLY A BASIC STAR
REFUND TO BE ISSUED TO: MICHAEL & DEBORAH HAHIN

FISCAL YEAR 2011 Petition No. 211,071.00

ASSESSOR Cancel \$263.08

S-B-L 143.17-9-6 146800 WEST SENECA

Acct. No. 112 \$67.36 County
Acct. No. 132 \$195.72 Town/SpecialDist/School
Charge To: 146800 WEST SENECA \$195.72

RPTL 550(2): FIAILED TO APPLY A DISABILITY EXEMPTION
NEW TAX BILL TO BE ISSUED TO: CAROL PETRIK

FISCAL YEAR 2011 Petition No. 211,072.00

ASSESSOR Cancel \$174.89

S-B-L 124.62-2-43 146800 WEST SENECA

Acct. No. 112 \$0.00 County
Acct. No. 132 \$174.89 Town/SpecialDist/School
Charge To: 146800 WEST SENECA \$174.89

RPTL 550(2): FAILED TO APPLY AN AGED EXEMPTION
NEW TAX BILL TO BE ISSUED TO: ELEANORE PERSICHINI

FISCAL YEAR 2011 Petition No. 211,073.00

OWNER Cancel \$311.10

S-B-L 143.19-3-31 146800 WEST SENECA

Acct. No. 112 \$158.04 County
Acct. No. 132 \$153.06 Town/SpecialDist/School
Charge To: 146800 WEST SENECA \$153.06

Acct. No. 132 \$23.63 Town/SpecialDist/School
Charge To : 146800 WEST SENECA \$23.63

RPTL 550(2): FAILED TO APPLY A VOLUNTEER FIREFIGHTER EXEMPTION
REFUND TO BE ISSUED TO: JANICE & MICHAEL FARRELL

FISCAL YEAR 2011 Petition No. 211,078.00
ASSESSOR Refund \$77.00

S-B-L 135.15-3-13 146800 WEST SENECA

Acct. No. 112 \$23.57 County
Acct. No. 132 \$53.43 Town/SpecialDist/School
68023 W SENECA FIRE D#4 \$6.29
Charge To : 146800 WEST SENECA \$47.14

RPTL 550(2): INCORRECT ASSESSED VALUE APPLIED TO THE TAX ROLL
NEW TAX BILL TO BE ISSUED TO: DARLENE CUMMINS

FISCAL YEAR 2010 Petition No. 211,079.00
ASSESSOR Refund \$494.13

S-B-L 113.20-3-13 143089 CHEEKTOWAGA

Acct. No. 112 \$0.00 County
Acct. No. 132 \$494.13 Town/SpecialDist/School
Charge To : 143089 CHEEKTOWAGA \$494.13
Relevy School \$494.13 143001 CHEEKTO. CENTRAL

RPTL 550(2): FAILED TO APPLY A BASIC STAR EXEMPTION
REFUND TO BE ISSUED TO: HAROLD & MARSHA THEN

FISCAL YEAR 2010 Petition No. 211,080.00
ASSESSOR Refund \$703.52

S-B-L 134.65-4-2.1 146800 WEST SENECA

Acct. No. 112 \$0.00 County
Acct. No. 132 \$703.52 Town/SpecialDist/School
Charge To : 146800 WEST SENECA \$703.52
Relevy School \$703.52 146801 WEST SENECA CENT

RPTL 550(2): FAILED TO APPLY AN AGED EXEMPTION
REFUND TO BE ISSUED: MARY MICHALAK

Charge To : 142289 AMHERST \$136.72

RPTL 550(2): FAILED TO APPLY AN AGED EXEMPTION
REFUND TO BE ISSUED TO: VITO L FALSONE

FISCAL YEAR 2011 Petition No. 211,085.00
ASSESSOR Cancel \$368.96

S-B-L 15.00-2-28 142289 AMHERST

Acct. No. 112 \$103.51 County
Acct. No. 132 \$265.45 Town/SpecialDist/School
22027 NORTH AMHERST # 10 \$172.71
Charge To : 142289 AMHERST \$92.74

RPTL 550(2): INCORRECT ASSESSED VALUE APPLIED TO THE TAX ROLL
NEW TAX BILL TO BE ISSUED TO: CHARLES F MOHR

FISCAL YEAR 2010 Petition No. 211,086.00
ASSESSOR Refund \$250.00

S-B-L 235.12-1-20 144489 EVANS

Acct. No. 112 \$0.00 County
Acct. No. 132 \$250.00 Town/SpecialDist/School
44077 ERIE CO SEWER DIST \$250.00
Charge To : 144489 EVANS \$0.00

RPTL 550(2): INCORRECT SEWER UNITS CHARGED TO THE TAX ROLL
REFUND TO BE ISSUED TO: MARK ENGLER

FISCAL YEAR 2011 Petition No. 211,087.00
ASSESSOR Refund \$260.00

S-B-L 235.12-1-20 144489 EVANS

Acct. No. 112 \$0.00 County
Acct. No. 132 \$260.00 Town/SpecialDist/School
44077 ERIE CO SEWER DIST \$260.00
Charge To : 144489 EVANS \$0.00

RPTL 550(2): INCORRECT SEWER UNITS CHARGED TO THE TAX ROLL
REFUND TO BE ISSUED TO: MARK ENGLER

FISCAL YEAR 2011 Petition No. 211,088.00

ASSESSOR Refund \$21,600.40

S-B-L 134.14-2-8.22 146800 WEST SENECA

Acct. No. 112 \$0.00 County
Acct. No. 132 \$21,600.40 Town/SpecialDist/School
Charge To : 146800 WEST SENECA \$21,600.40

RPTL 550(2): INCORRECT SEWER UNITS CHARGED TO THE TAX ROLL
NEW TAX BILL TO BE ISSUED TO: IVYBROOKE EQUITY ENTERPRISES

FISCAL YEAR 2011 Petition No. 211,089.00

ASSESSOR Refund \$193.80

S-B-L 94.00-3-15.212 145289 LANCASTER

Acct. No. 112 \$0.00 County
Acct. No. 132 \$193.80 Town/SpecialDist/School
Charge To : 145289 LANCASTER \$193.80

RPTL 550(2): INCORRECT SEWER UNITS CHARGED TO THE TAX ROLL
REFUND TO BE ISSUED TO: DAVID BLAKELEY

FISCAL YEAR 2011 Petition No. 211,090.00

ASSESSOR Refund \$225.48

S-B-L 134.37-2-39 146800 WEST SENECA

Acct. No. 112 \$57.74 County
Acct. No. 132 \$167.74 Town/SpecialDist/School
Charge To : 146800 WEST SENECA \$167.74

RPTL 550(2): FAILED TO APPLY AN AGED EXEMPTION
NEW TAX BILL TO BE ISSUED TO: DELOZIER RAYMOND

FISCAL YEAR 2010 Petition No. 211,091.00

ASSESSOR Refund \$160.65

S-B-L 134.56-2-28 146800 WEST SENECA

Acct. No. 112 \$0.00 County
Acct. No. 132 \$160.65 Town/SpecialDist/School
Charge To : 146800 WEST SENECA \$160.65
Relevy School \$160.65 146801 WEST SENECA CENT

RPTL 550(2): FAILED TO APPLY AN AGED EXEMPTION
REFUND TO BE ISSUED TO: STEPHEN & GENEVE WERESKI

FISCAL YEAR 2011 Petition No. 211,092.00

 ASSESSOR Cancel \$74.12

S-B-L 134.56-2-28 146800 WEST SENECA

 Acct. No. 112 \$52.38 County
 Acct. No. 132 \$21.74 Town/SpecialDist/School
Charge To : 146800 WEST SENECA \$21.74

RPTL 550(2): FAILED TO APPLY AN AGED EXEMPTION
NEW TAX BILL TO BE ISSUED TO: STEPHEN & GENEVE WERESKI

FISCAL YEAR 2011 Petition No. 211,093.00

 ASSESSOR Refund \$602.89

S-B-L 175.06-2-1/13 142289 AURORA

 Acct. No. 112 \$0.00 County
 Acct. No. 132 \$602.89 Town/SpecialDist/School
Charge To : 142289 AURORA \$602.89

RPTL 550(2): INCORRECT SPECIAL DISTRICTS APPLIED TO THE TAX ROLL
REFUND TO BE ISSUED TO: JOELLE M LISCHER

FISCAL YEAR 2011 Petition No. 211,094.00

 ASSESSOR Cancel \$639.87

S-B-L 224.17-3-3 144000 EDEN

 Acct. No. 112 \$0.00 County
 Acct. No. 132 \$639.87 Town/SpecialDist/School
 40050 ERIE CO SEW DST 2 \$557.87
 40052 EC2 FOOTAGE O&M \$82.00
Charge To : 144000 EDEN \$0.00

RPTL 550(2): INCORRECT SPECIAL DISTRICTS APPLIED TO THE TAX ROLL
NEW TAX BILL TO BE ISSUED TO: EDWARD R BLAKE

FISCAL YEAR 2011 Petition No. 211,095.00

 ASSESSOR Cancel \$177.30

S-B-L 268.00-5-14.11 142889 BRANT

Acct. No. 112	\$80.85	County
Acct. No. 132	\$96.45	Town/SpecialDist/School
28020 BRANT FIRE PROTECTION	\$29.62	
<u>Charge To :</u> 142889 BRANT		\$66.83

RPTL 550(2): FAILED TO APPLY AN AGRICULTURAL EXEMPTION
NEW TAX BILL TO BE ISSUED TO: ROBERT A & KIMBERLY A TURNBULL

FISCAL YEAR 2011 Petition No. 211,096.00

ASSESSOR Cancel \$1,262.15

S-B-L 223.00-5-12.1 144000 EDEN

Acct. No. 112	\$0.00	County
Acct. No. 132	\$1,262.15	Town/SpecialDist/School
<u>Charge To :</u> 144000 EDEN		\$1,262.15
Relevy School	\$1,262.15	144001 EDEN CENTRAL

RPTL 550(2): SCHOOL RELEVY APPLIED IN ERROR
NEW TAX BILL TO BE ISSUED TO: STEPHEN & LUCY ALESSI

FISCAL YEAR 2011 Petition No. 211,097.00

ASSESSOR Cancel \$364.58

S-B-L 255.00-1-1.12 144000 EDEN

Acct. No. 112	\$0.00	County
Acct. No. 132	\$364.58	Town/SpecialDist/School
40044 ERIE CO WATER DISTRICT #4	\$364.58	
<u>Charge To :</u> 144000 EDEN		\$0.00

RPTL 550(2): INCORRECT SPECIAL DISTRICTS CHARGED TO THE TAX ROLL
NEW TAX BILL TO BE ISSUED TO: MELLER ROBERT E & KAREN I

FISCAL YEAR 2011 Petition No. 211,098.00

ASSESSOR Cancel \$173.34

S-B-L 239.00-4-19.1 144000 EDEN

Acct. No. 112	\$95.31	County
Acct. No. 132	\$78.03	Town/SpecialDist/School
40019 FIRE PROTECTION	\$11.27	

Charge To : 144000 EDEN \$66.76

RPTL 550(2): INCORRECT ASSESSED VALUE APPLIED TO THE TAX ROLL
NEW TAX BILL TO BE ISSUED TO: WESLEY SCHUNK

FISCAL YEAR 2011 Petition No. 211,099.00

ASSESSOR Refund \$1,928.56

S-B-L 69.15-1-99 142289 AMHERST

Acct. No. 112 \$937.25 County

Acct. No. 132 \$991.31 Town/SpecialDist/School

22031 MAIN TRANSIT FIRE PROTECTION \$150.12

Charge To : 142289 AMHERST \$841.19

FISCAL YEAR 2009 Petition No. 211,100.00

ASSESSOR Refund \$544.62

S-B-L 195.11-3-10 144889 HAMBURG

Acct. No. 112 \$0.00 County

Acct. No. 132 \$544.62 Town/SpecialDist/School

48020 HAMBURG TOWN FIRE PROTECT \$142.94

48148 EC#3 BOSTON VALLEY \$295.21

48150 BV FOOTAGE O & M \$45.00

Charge To : 144889 HAMBURG \$61.47

RPTL 550(2): FAILED TO APPLY A PARAPLEGIC EXEMPTION
REFUND TO BE ISSUED TO: EARL D SR & DENISE J WRAY

FISCAL YEAR 2010 Petition No. 211,101.00

ASSESSOR Refund \$568.80

S-B-L 195.11-3-10 144889 HAMBURG

Acct. No. 112 \$0.00 County

Acct. No. 132 \$568.80 Town/SpecialDist/School

48020 HAMBURG TOWN FIRE PROTECT \$143.09

48148 EC#3 BOSTON VALLEY \$313.85

48150 BV FOOTAGE O & M \$45.00

Charge To : 144889 HAMBURG \$66.86

RPTL 550(2): FAILED TO APPLY A PARAPLEGIC EXEMPTION
REFUND TO BE ISSUED TO: EARL D SR & DENISE J WRAY

40019 FIRE PROTECTION \$62.74
40050 ERIE CO SEW DST 2 \$243.48
Charge To : 144000 EDEN \$454.49

RPTL 550(2): DUPLICATE ENTRY FOR THE SAME PARCEL
DELETE THIS ENTIRE ENTRY FROM THE TAX ROLL

FISCAL YEAR 2011 Petition No. 211,106.00
ASSESSOR Cancel \$2,080.11

S-B-L 238.12-2-27.111 144000 EDEN

Acct. No. 112 \$854.64 County
Acct. No. 132 \$1,225.47 Town/SpecialDist/School
40019 FIRE PROTECTION \$101.08
40050 ERIE CO SEW DST 2 \$392.23
Charge To : 144000 EDEN \$732.16

RPTL 550(2): DUPLICATE ENTRY FOR THE SAME PARCEL
DELETE THIS ENTIRE ENTRY FROM THE TAX ROLL

FISCAL YEAR 2011 Petition No. 211,107.00
ASSESSOR Refund \$7,141.48

S-B-L 294.00-1-6.12 146200 SARDINIA

Acct. No. 112 \$7,141.48 County
Acct. No. 132 \$0.00 Town/SpecialDist/School
Charge To : 146200 SARDINIA \$0.00

RPTL 550(2): DUPLICATE PARCEL UNDER DIFFERENT SBL#
REFUND TO BE ISSUED TO: LEROY & ROBERT L MOORE
DELETE ENTIRE PARCEL FROM THE TAX ROLL

FISCAL YEAR 2011 Petition No. 211,108.00

ASSESSOR Cancel \$502.93

S-B-L 74.00-4-34.2 145689 NEWSTEAD

Acct. No. 112 \$0.00 County
Acct. No. 132 \$502.93 Town/SpecialDist/School
Charge To : 145689 NEWSTEAD \$502.93

RPTL 550(2): INCORRECT SPECIAL DISTRICTS CHARGED TO THE TAX ROLL
NEW TAX BILL TO BE ISSUED TO: COUNTY LINE STONE CO.

FISCAL YEAR 2011 Petition No. 211,109.00

 ASSESSOR Refund \$446.55

S-B-L 175.06-2-1/8 142289 AURORA

 Acct. No. 112 \$0.00 County
 Acct. No. 132 \$446.55 Town/SpecialDist/School

Charge To : 142289 AURORA \$446.55

RPTL 550(2): INCORRECT SPECIAL DISTRICTS CHARGED TO THE TAX ROLL
REFUND TO BE ISSUED TO: RUSSELL E PENNER

FISCAL YEAR 2011 Petition No. 211,110.00

 ASSESSOR Refund \$602.89

S-B-L 175.06-2-1/7 142289 AURORA

 Acct. No. 112 \$0.00 County
 Acct. No. 132 \$602.89 Town/SpecialDist/School

Charge To : 142289 AURORA \$602.89

RPTL 550(2): INCORRECT SPECIAL DISTRICTS APPLIED TO THE TAX ROLL
REFUND TO BE ISSUED TO: WILLIAM E & PATRICIAL M KOLKMANN

FISCAL YEAR 2011 Petition No. 211,111.00

 ASSESSOR Refund \$602.89

S-B-L 175.06-1-1/9 142289 AURORA

 Acct. No. 112 \$0.00 County
 Acct. No. 132 \$602.89 Town/SpecialDist/School

Charge To : 142289 AURORA \$602.89

RPTL 550(2): INCORRECT SPECIAL DISTRICTS CHARGED TO THE TAX ROLL
REFUND TO BE ISSUED TO: DAVID J & SUSAN M SWARTS

FISCAL YEAR 2009 Petition No. 211,112.00

 ASSESSOR Refund \$129.45

S-B-L 260.03-1-17 143400 COLDEN

 Acct. No. 112 \$0.00 County
 Acct. No. 132 \$129.45 Town/SpecialDist/School

Charge To : 143400 COLDEN \$129.45

RPTL 550(2): INCORRECT SPECIAL DISTRICTS APPLIED TO THE TAX ROLL
REFUND TO BE ISSUED TO: DENNIS R & MARILYN J ALLEN

FISCAL YEAR 2010 Petition No. 211,113.00

ASSESSOR Refund \$134.45

S-B-L 260.03-1-17 143400 COLDEN

Acct. No. 112 \$0.00 County

Acct. No. 132 \$134.45 Town/SpecialDist/School

Charge To : 143400 COLDEN \$134.45

RPTL 550(2): INCORRECT SPECIAL DISTRICTS APPLIED TO THE TAX ROLL
REFUND TO BE ISSUED TO: DENNIS R & MARILYN J ALLEN

FISCAL YEAR 2011 Petition No. 211,114.00

ASSESSOR Cancel \$134.13

S-B-L 260.03-1-17 143400 COLDEN

Acct. No. 112 \$0.00 County

Acct. No. 132 \$134.13 Town/SpecialDist/School

Charge To : 143400 COLDEN \$134.13

RPTL 550(2): INCORRECT SPECIAL DISTRICTS APPLIED TO THE TAX ROLL
NEW TAX BILL TO BE ISSUED TO: DENNIS R & MARILYN J ALLEN

and be it further

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

(6-0)

- 3. COMM. 4E-5 (2011)
COMPROLLER

HOME RULE REQUEST – ASSEMBLY

WHEREAS, the County's authority to arrange for the underwriting of bonds or notes at
private sale through negotiated agreement expires on June 30, 2011; and

WHEREAS, Assembly Bill A.04215 and Senate Bill S.02787, now pending before the New
York State Legislature, would authorize extension of the County's authority to arrange for
underwriting of bonds or notes at private sale through negotiated agreement through June 30, 2012;

NOW THEREFORE, BE IT RESOLVED, that a home rule request is made to the New York State Legislature as follows:

To the Legislature:

Pursuant to Article IX of the Constitution, the County of Erie requests the enactment of Assembly Bill A.04215, entitled "AN ACT to amend the local finance law, in relation to the sale of municipal obligations by the county of Erie".

It is hereby declared that a necessity exists for the enactment of such legislation, and that the facts establishing such necessity are as follows:

The local government does not have power to enact such legislation by local law.

Such request is made by the chief executive officer of such municipality, concurred with by a majority of the total membership of the local legislative body.

And be it further resolved, that the Clerk of the Legislature be directed to forward copies of this home rule request, certified by the Erie County Executive and the Clerk of the Erie County Legislature, two copies to the New York State Assembly and two copies to the New York State Senate.

HOME RULE REQUEST – SENATE

WHEREAS, the County's authority to arrange for the underwriting of bonds or notes at private sale through negotiated agreement expires on June 30, 2011; and

WHEREAS, Senate Bill S.02787 and Assembly Bill A.04215, now pending before the New York State Legislature, would authorize extension of the County's authority to arrange for underwriting of bonds or notes at private sale through negotiated agreement through June 30, 2012;

NOW THEREFORE, BE IT RESOLVED, that a home rule request is made to the New York State Legislature as follows:

To the Legislature:

Pursuant to Article IX of the Constitution, the County of Erie requests the enactment of Senate Bill S.02787, entitled "AN ACT to amend the local finance law, in relation to the sale of municipal obligations by the county of Erie".

It is hereby declared that a necessity exists for the enactment of such legislation, and that the facts establishing such necessity are as follows:

The local government does not have power to enact such legislation by local law.

Such request is made by the chief executive officer of such municipality, concurred with by a majority of the total membership of the local legislative body.

And be it further resolved, that the Clerk of the Legislature be directed to forward copies of this home rule request, certified by the Erie County Executive and the Clerk of the Erie County Legislature, two copies to the New York State Senate and two copies to the New York State Assembly.

(6-0)

BARBARA MILLER-WILLIAMS
CHAIR

Item 46 – MS. BOVE presented the following report and moved for immediate consideration and approval. MR. WALTER seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 37

March 1, 2011	GOVERNMENT AFFAIRS COMMITTEE REPORT NO. 3
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ALL MEMBERS PRESENT.

CHAIR MILLER-WILLIAMS PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 1D-3 (2011)
DIRECTOR OF SIX SIGMA: “Six Sigma Quarterly Status Report”
(6-0)
 - b. COMM. 4D-1 (2011)
COUNTY ATTORNEY: “Transmittal of New Claims Against EC”
(6-0)
 - c. COMM. 4D-2 (2011)
COUNTY ATTORNEY: “Transmittal of New Claim Against EC”
(6-0)
 - d. COMM. 4D-4 (2011)
COUNTY ATTORNEY: “Transmittal of New Claim Against EC”
(6-0)
 - e. COMM. 4M-2 (2011)
ASSIGNED COUNSEL PROGRAM: “Copy of Quarterly Report for 4th Quarter of 2010”
(6-0)
 - f. COMM. 4M-3 (2011)
ASSIGNED COUNSEL PROGRAM: “Copy of Financial Report for Period, 7/1/10 -
12/31/10, List of Attorneys Who Are Currently on the Board & Minutes of Meetings Held”

(6-0)

- g. COMM. 4M-11 (2011)
BUFFALO COMMON COUNCIL: "Copy of Resolution Entitled, "Scheduling a Government for the People UB Summit to Bring Buffalo-Niagara's Elected Officials Together & Coordinate Efforts for Advancing UB 2020 Legislation""
(6-0)

CHRISTINA W. BOVE
CHAIR

Item 47 – MS. BOVE presented the following report, moved to separate item Number 3, and moved to approve the balance of the report. MS. WHYTE seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 38

March 2, 2011	PUBLIC SAFETY COMMITTEE REPORT NO. 4
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ALL MEMBERS PRESENT, EXCEPT LEGISLATOR KOZUB.
CHAIR MILLER-WILLIAMS PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
 - a. INTRO 4-2 (2011)
WHYTE: "Resolution Concerning EC Community Corrections Advisory Board"
(5-0)
 - b. INTRO 4-5 (2011)
WHYTE: "Adding Two Voting Members to the EC Community Corrections Advisory Board"
(5-0)
 - c. COMM. 4M-14 (2011)
CITY OF BUFFALO COMMON COUNCIL MEMBER RIVERA: "Letter to Legislature Concerning EC Community Corrections Advisory Board"
(5-0)
 - d. COMM. 4M-15 (2011)
HISPANICS UNITED OF BUFFALO EXECUTIVE DIRECTOR: "Letter to Legislature Concerning EC Community Corrections Advisory Board"
(5-0)
2. INTRO 4-3 (2011)
WALTER, BOVE, WHALEN, AS AMENDED
DIXON & MILLS

WHEREAS, New York State Penal Law §125.27 outlines the crimes which are eligible for prosecution of a charge of murder in the first degree; and

WHEREAS, the statute outlines thirteen separate categories of murder which would qualify for a such a prosecution; and

WHEREAS, the statute does not include a commission of murder in which the murderer acted in a cold blooded and premeditated manner, with excessive barbarism; and

WHEREAS, recently, the conviction of Muzzammil Hassan of second degree murder reveals a glaring flaw in the current penal law; and

WHEREAS, a first degree murder conviction was not possible and not pursued, because the crime did not fit into any of the thirteen categories of first degree murder; and

WHEREAS, the facts of the present case demonstrate the need to include such a cold blooded, pre-meditated murder into the definition of murder in the first degree; and

WHEREAS, while murder in the first degree and murder in the second degree are both class A-1 felonies, the minimum sentence for conviction of each crime is different; and

WHEREAS, a first degree murder conviction brings a minimum sentence of twenty-five years in prison, pursuant to New York State Penal Law §70.00 and a maximum of life without parole; and

WHEREAS, a second degree murder conviction brings a minimum sentence of only fifteen years and a maximum of 25 years to life; and

WHEREAS, as such, creating a category of murder in the first degree to include cold blooded, pre-meditated murders with aggravating factors, such as excessive barbarism, would have the immediate effect of increasing the minimum sentence for such a murderer.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature requests the New York State Legislature to amend New York State Penal Law §125.27, murder in the first degree, to include a category for cold blooded, pre-meditated murder accompanied by aggravating factors, such as excessive barbarism; and be it further

RESOLVED, that a certified copy of this resolution be forwarded to Governor Andrew Cuomo, Assembly Speaker Sheldon Silver, Senate Majority Leader Dean Skelos and the local delegation to the New York State Legislature.

(5-0)

3. INTRO 4-4 (2011)

BOVE, MILLER-WILLIAMS & WHALEN

WHEREAS, the Erie County Community Correctional Advisory Board was established by the Erie County Legislature Intro 16-4 (2010) for the express purpose of discussing correctional

facilities programs and services to offer suggestions and advice for the improvement of such programs at the Erie County Correctional Facility and the Erie County Holding Center; and

WHEREAS, the Erie County Community Corrections Advisory Board indicated at their initial meeting held on February 15, 2011 that the Advisory Board's membership should be expanded to include two additional representatives; and

WHEREAS, the Erie County Community Corrections Advisory Board has indicated that one of the additional members be recommended to the Erie County Legislature by the Hispanic community of Erie County; and

WHEREAS, the Erie County Legislature believes that the other additional member of the Erie County Community Corrections Advisory Board should be selected from among interested residents of Erie County after an open and transparent review process is conducted involving all interested parties by the Erie County Legislature's Public Safety Committee.

NOW, THEREFORE, BE IT

RESOLVED, that the two additional voting members are added to the Erie County Community Corrections Advisory Board and that one additional member be recommended by the Hispanic community of Erie County and one additional member be recommended by the Erie County Legislature's Public Safety Committee for appointment by the Erie County Legislature; and be it further

RESOLVED, that copies of this resolution be sent to the Erie County Community Corrections Advisory Board and all organizations representing the Hispanic community of Erie County.

(5-0)

4. COMM. 4E-6 (2011)
DISTRICT ATTORNEY

WHEREAS, funds for the investigation and prosecution of crimes under Penal Law Article 265 have been made available to the District Attorney's Office from the New York County District Attorney's Office in the amount of \$14,438; and

WHEREAS, these funds will be utilized in the rewarding of current staff by providing for performance based bonuses to Assistant District Attorneys to be given at the discretion of the District Attorney in accordance with the uses specified by the receipt of these monies.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby provide authorization to reallocate funds within the 2011 General Fund of the District Attorney, Fund 110, Fund Center 11400 as follows:

INCREASE

Revenues

466130 Other Unclassified Revenue	\$ 14,438
Appropriations	
500000 Full time salaries	\$ 12,414
502000 Fringe Benefits	2,023
	<u>\$ 14,438</u>

and be it further

RESOLVED, the Department of Personnel is authorized to pay bonuses as per the discretion of the District Attorney; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Erie County District Attorney, the Erie County Executive, Erie County Personnel and the Director of Budget, Management and Finance.

(5-0)

5. COMM. 4E-18 (2011)
COUNTY EXECUTIVE AS AMENDED

WHEREAS, the Department of Emergency Services has been awarded homeland security grants from the U.S. Department of Homeland Security (DHS) Federal Emergency Management Agency (FEMA); and

WHEREAS, the said funds will enable the Department of Emergency Services to hire a Part Time Interoperable Communications Consultant to assist with interoperable communications projects; and

WHEREAS, this position will be allowed to continue through future homeland security grant funding.

NOW, THEREFORE, BE IT

RESOLVED, that a portion of the homeland security funding will be used to create a Part Time Interoperable Emergency Communications Consultant, job group 14 (B-100 6111) in the amount of \$29,203.00; and be it further

RESOLVED, that authorization is hereby provided to add one position of Part Time Interoperable Emergency Communications Consultant, job group 14, in the budget of the 2009-2012 State Homeland Security Program, HS167SHSP0912; and be it further

RESOLVED, that the Director of Budget and Management is hereby authorized to transfer available funds in Homeland Security Grant HS167SHSP0912, from account 516020 Professional Services, to account 500010 Part Time salaries in the amount of \$29,203, to fund this request; and be it further

RESOLVED, that certified copies of this resolution be sent to the County Executive's Office, the Division of Budget and Management, the Department of Personnel, the Department of

Emergency Services c/o Melissa Calhoun, the Department of Central Police Services, the County Comptroller, and the County Attorney.
(5-0)

CHRISTINA W. BOVE
CHAIR

MS. BOVE moved to amend item Number 3. MR. MILLS seconded.

CARRIED UNANIMOUSLY.

Add the Following After the Fourth Whereas Clause:

WHEREAS, the original composition of the Erie County Community Corrections Advisory Board included a representative to be recommended to the Legislature by the Assigned Counsel Program; and

WHEREAS, the Assigned Counsel Program has determined that a potential conflict of interest exists if the program participates in the Advisory board; and

WHEREAS, the Erie County Legislature continues to believe that it is appropriate to have representation on the Advisory Board from the legal community particularly someone with direct experience and involvement representing individuals who have spent time at the Erie County Holding Center and the Erie County Correctional Facility.

Add the Following After the First Resolve Clause:

RESOLVED, that a member of the Erie County Bar Association be appointed by the Legislature to serve on the Erie County Community Corrections Advisory Board after an open transparent review process is conducted involving all interested parties by the Erie County Legislature's Public Safety Committee.

MS. BOVE moved to approve the resolution as amended. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

Item 48 – MR. WHALEN presented the following report and moved for immediate consideration and approval. MS. BOVE seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 39

March 2, 2011	ECONOMIC DEVELOPMENT COMMITTEE REPORT NO. 4
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ALL MEMBERS PRESENT, EXCEPT LEGISLATOR KOZUB.

CHAIR MILLER-WILLIAMS PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following item is hereby received and filed:
 - a. COMM. 4M-13 (2011)
NFTA: "Copies of the 17A Report & Capital Expenditure Reports for the Third Quarter of Fiscal Year Ending 3/31/2011"
(5-0)

2. COMM. 4E-9 (2011)
COUNTY EXECUTIVE
WHEREAS, the Division of Real Estate and Asset Management received bids on January 19, 2011 for the Erie County Holding Center – Roof Replacement – Phase 2; and

WHEREAS, the County Executive finds it desirable to proceed with awarding a construction contract for the Phase 2 work; and

WHEREAS, the first phase of the work was bid through the Department of Purchasing and the work was started in 2010; and

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

WHEREAS, your honorable body has previously approved a General Architectural/Engineering Agreement with the Engineering firm of E.I. Team, Inc. for providing professional services on County projects via Comm. 14E-19 (2008) and specific design fees associated with this project were approved via Comm. 27E-13 (2009); and

WHEREAS, the County Executive is seeking authorization from your honorable body to enter into a construction contract with Weaver Metal & Roofing for the Erie County Holding Center – Roof Replacement – Phase 2 project.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter into a contract with the lowest responsible bidder for the Erie County Holding Center – Roof Replacement – Phase 2 project as follows:

Roofing Work

Weaver Metal & Roofing for a base bid and total contract in the amount of \$854,000.00; and be it further

RESOLVED, that the sum of \$150,000.00 be allocated to a construction contingency fund in addition to the base bid amount of \$854,000.00 with authorization for the County Executive to approve change orders in an amount not to exceed the contingency; and be it further

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

RESOLVED, that the Comptroller's Office be authorized to make payment for all the above from SAP Project accounts as follows:

A.00333 - 2008 Roof Replacement – Holding Center in the amount of \$1,004,000.00, allocated to WBS element A.00333.5.1, Weaver Metal and Roofing, \$854,000.00 and WBS element A.00333.5.99, Contingency, \$150,000.00; and be it further

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

(5-0)

3. COMM. 4E-10 (2011)
COUNTY EXECUTIVE

WHEREAS, a Project for the Reconstruction with Widening of CR 299, East Robinson and North French Roads, from US Route 62, Niagara Falls Blvd. to CR 301, Sweet Home Road, in the Town of Amherst, Erie County, P.I.N. 5755.43 (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 by making a commitment of 100% of the non-Federal share of the costs of the Preliminary Engineering (Scoping and Design I-VI) phase of the Project via Comm. 14E-20(B), adopted on July 6, 2000; 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 Preliminary Engineering (Scoping & Design I-VI) phase of the Project, PIN 5755.43 through a Supplemental Agreement that increases the previous Project Agreement's Preliminary Engineering (Scoping & Design I-VI) phase by \$525,800.00 in the new agreement amount of \$1,033,000.00; and

WHEREAS, the local share is available from Project Fund B.20911 - 2009 East Robinson Design Project as General Obligated Bond Proceeds in the amount of \$60,000.00, and in order to enter into the agreement the budget needs to be increased by the anticipated revenue of \$465,800.00; and

WHEREAS, the contract for design and engineering services for the above noted Project between the County of Erie and the engineering firm of Greenman-Pedersen, Inc. of Cheektowaga, New York was approved on July 12, 2001, via Comm. 16E-21, and it has been determined that the contract must be increased to include additional engineering design services due to unanticipated work scope changes.

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 shares of the cost of the Preliminary Engineering (Scoping and Design I-VI) phase of the Project or portions thereof; and be it further

RESOLVED, that the sum of \$508,000.00 of which the local share required is \$25,400.00 has been appropriated from B.00011 via Comm. 14E-20(B) adopted on July 6, 2000 for Preliminary Engineering (Scoping & Design I-VI) phase, and the increased Project Preliminary Engineering (Scoping & Design I-VI) amount of \$525,800.00 of which the local share required is \$59,200.00 is hereby appropriated from capital account B.20911 2009 East Robinson and North French Roads Design; and be it further

RESOLVED, that the budget for Project Fund SAP B.20911, 2009 East Robinson Design, fund center 123, fund 420, be increased by the anticipated Federal and State Marchiselli revenue in the amount of \$465,800.00 as follows:

REVENUE

Account	Description	Current Budget	Increase/ (Decrease)	Revised Budget
410170	Federal Aid – Road	\$ 0	\$ 420,000	\$ 420,000
405160	NYS Marchiselli Aid	\$ 0	\$ 45,800	\$ 45,800
475000	Gen Oblig Bond Proc	<u>\$ 60,000</u>	<u>\$ 0</u>	<u>\$ 60,000</u>
TOTAL REVENUE		<u>\$ 60,000</u>	<u>\$ 465,800</u>	<u>\$ 525,800</u>

APPROPRIATIONS

CAPITAL PROJECTS	Capital Project Exp			
		<u>\$ 60,000</u>	<u>\$ 465,800</u>	<u>\$ 525,800</u>
TOTAL APPROPRIATIONS		<u>\$ 60,000</u>	<u>\$ 465,800</u>	<u>\$ 525,800</u>

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 cost of the Project's Preliminary Engineering (Scoping and Design I-VI) phase exceeds the amount appropriated, \$525,800.00 and/or 100% of the full Federal and non-Federal shares of the cost of the Project's Preliminary Engineering (Scoping and Design I-VI) phase exceeds the total Project allowance of \$1,033,000.00, 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 with the New York State Department of Transportation in connection with the advancement or approval of the Project 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 the County Executive be authorized to execute a negotiated Change Order in an amount not to exceed the allowable Project design increase between the County of Erie and project engineer Greenman-Pedersen, Inc. of Cheektowaga, New York for unanticipated work scope changes; 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 be it further

RESOLVED, that two certified copies of this resolution be sent to the Department of Public Works, Office of the Commissioner, and one copy each to the Office of the County Executive, the Division of Budget and Management, and the Office of the Comptroller.
(5-0)

4. COMM. 4E-15 (2011)
COUNTY EXECUTIVE

WHEREAS, the New Road Repaving Project is necessary to improve roadway conditions along New Road and the local roads in the Town of Amherst; and

WHEREAS, the County of Erie and the Town of Amherst have joint responsibilities and obligations to address the waterline and roadway conditions in this area; and

WHEREAS, the County of Erie and the Town of Amherst have agreed to enter an Intermunicipal Agreement (IMA) to address the necessary waterline work and roadway conditions on New Road; and

WHEREAS, in order to advance the work it is necessary to enter into an Intermunicipal Agreement with the Town of Amherst for the purposes of reimbursing Erie County in the amount of \$78,000.00.

NOW, THEREFORE, BE IT

RESOLVED, that the County Legislature authorizes the County Executive to enter into an Intermunicipal Agreement with the Town of Amherst to perform work on New Road; and be it further

RESOLVED, the Town of Amherst will reimburse the Erie County Department of Public Works, Division of Highways for Erie County's share of the work in the amount of \$78,000.00. Erie County's share of the work will be funded from SAP Project B.210026 – 2010 Preservation of Roads; and be it further

RESOLVED, that the Project Budget B.21026 be increased in appropriations and revenue in the amount of the reimbursement of \$78,000.00 as follows:

REVENUES		INITIAL BUDGET	ADJUSTMENTS	REVISED BUDGET
Account	Description			
420180	Sale – Support Other Governments	\$ 0	\$78,000	\$ 78,000
475000	Gen Oblig Bond Proc	<u>\$4,200,000</u>	<u>\$ 0</u>	<u>\$4,200,000</u>
TOTAL REVENUES		<u>\$4,200,000</u>	<u>\$78,000</u>	<u>\$4,278,000</u>
APPROPRIATIONS		INITIAL BUDGET	ADJUSTMENTS	REVISED BUDGET
516020	Pro Ser Cnt and Fees	\$ 0	\$78,000	\$ 78,000
CAPITAL PROJECTS	Capital Project Exp	<u>\$4,200,000</u>	<u>\$ 0</u>	<u>\$4,200,000</u>
TOTAL APPROPRIATIONS		<u>\$4,200,000</u>	<u>\$78,000</u>	<u>\$4,278,000</u>

and be it further

RESOLVED, that the County Executive be authorized to accept any and all funds from the Town of Amherst for their share of the work relating to this project; and be it further

RESOLVED, that the Clerk of the Legislature forward five (5) certified copies of this Resolution to the Department of Public Works, Office of the Commissioner, to be forwarded to the Town of Amherst; 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-22 (2011)
 COUNTY EXECUTIVE

WHEREAS, a project for reconstruction of BR 215-RR1, Seneca Street Bridge, over Norfolk Southern Railroad, West Seneca, Erie County, PIN 5755.25 (the “Project”) was authorized by this honorable body on May 19, 2005 via Communication 8E-36; and

WHEREAS, via Communication 5E-19 (2009) of March 26, 2009 this Honorable Body approved the acquisition of 10 identified Parcels for the purpose of this Project; and

WHEREAS, in order to facilitate the reconstruction of the bridge, it will be necessary for the County to acquire three additional parcels by permanent easement or temporary easement, portions of real property in the vicinity of the bridge;

<u>PORTIONS OF TAX MAP SBL NUMBERS</u>	<u>TOWNSHIP</u>
SBL 134.17-3-7	West Seneca
SBL 134.17-3-10	West Seneca
SBL 134.14-4-32	West Seneca

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

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

WHEREAS, the acquisition of the portion of the Subject Properties are de minimis in nature so that the public interest will not be prejudiced by the reconstructed bridge and other general improvements to the subject section of Seneca Street (CR 215); and

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

NOW, THEREFORE, BE IT

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

RESOLVED, that the sum of \$94,000.00 has previously been appropriated from the 1999 Federal Aid Road and Bridge Project Program (SAP B.00007) via County Resolution 8E-36 adopted May 19, 2005 and made available to cover the cost of Right-of-Way acquisition; and be it further

RESOLVED, that the County of Erie is authorized to acquire easement title to the aforementioned Subject Properties for the purpose of reconstructing and improving the aforementioned Seneca Street Bridge (BR 215-RR1) Project; and be it further

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

RESOLVED, that the Commissioner of Public Works, or his authorized representatives, are hereby authorized to negotiate and offer just compensation amounts to the owners of the Subject Properties for the purpose of acquiring interests in portions of their respective parcel of real property by permanent easement or temporary easement, which acquisitions are necessary for the Seneca Street Bridge (BR 215-RR1) reconstruction project; and be it further

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

RESOLVED, that based upon the factors previously set forth herein, it is the determination of this County Legislature that such acquisitions of portions of the aforementioned Subject Properties are de minimis in nature; and be it further

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

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

RESOLVED, that the Clerk of the Legislature forward 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 Division of Budget and Management, and the Office of the Comptroller.

(5-0)

6. COMM. 4E-25 (2011)
COUNTY EXECUTIVE

WHEREAS, a Project for the Reconstruction with Widening of CR 299, East Robinson and North French Roads, from US Route 62, Niagara Falls Blvd, to CR 301, Sweet Home Road, in the Town of Amherst, Erie County, P.I.N. 5755.43 (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, or 90% Federal funds and 10% Non-Federal funds, depending on the Federal Funding Program; 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 Right-of-Way (ROW) Incidentals and Right-of-Way Acquisition Phases of the Project or portions thereof, with the Federal share of such costs to be applied directly by the New York State Department of Transportation pursuant to Agreement; and

WHEREAS, the Non-Federal share is available from funded program B.20905, 2009 East Robinson Right-of-Way General Obligated Bond Proceeds; and

WHEREAS, the New York State Department of Transportation requires the County of Erie to agree to accept ownership of any property acquired by the State or rights therein to all involved property in connection with the Project being more specifically set forth in Schedule A, attached hereto.

NOW, THEREFORE, BE IT

RESOLVED, that the County Legislature of the County of Erie hereby approves the 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 Non-Federal share of the cost of the ROW Incidentals and ROW Acquisition Phases of the Project or portions thereof; and be it further

RESOLVED, that the required Non-Federal share in the sum of \$341,925.00 is hereby appropriated from fund center 123, fund 420, funded program B.20905 – 2009 E. Robinson and N. French Roads Right-of-Way as follows:

APPROPRIATIONS

Account	Description	Amount
Capital Projects	Capital Project Expense	<u>\$341,925.00</u>
TOTAL APPROPRIATIONS		<u>\$341,925.00</u>

and made available to cover the cost of participation in the above phases of the Project; and be it further

RESOLVED, that in the event the Non-Federal share of the cost of the Project's ROW Incidentals and ROW Acquisition Phases 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 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 with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the Municipality's first instance funding of the Non-Federal share 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 the County of Erie hereby agrees to accept all acquired property from the State or its agencies upon completion of the project and to keep the property as set forth in Schedule A, attached hereto, for the length of time required; 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 be it further

RESOLVED, that two certified copies of this resolution be sent to the Department of Public Works, Office of the Commissioner, and one copy each to the Office of the County Executive, the Division of Budget and Management and the Office of the Comptroller.
(5-0)

TIMOTHY J. WHALEN
CHAIR

Item 49 – MR. LOUGHRAN presented the following report, moved to separate item Number 2, and moved to approve the balance of the report. MS. WHYTE seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 40

March 3, 2011	COMMUNITY ENRICHMENT COMMITTEE REPORT NO. 1
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ALL MEMBERS PRESENT.

CHAIR MILLER-WILLIAMS PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 14E-6 (2010)
COUNTY EXECUTIVE: “Re-Appointment to the Buffalo & EC Public Library Board of Directors for a Term Expiring 12/31/2013”
(6-0)
 - b. COMM. 3D-2 (2011)
CLERK OF LEGISLATURE: “EC Budget - 2011 Budget Accountability Act Notifications”
(6-0)
 - c. COMM. 4M-7 (2011)
BUFFALO NIAGARA CONVENTION & VISITORS BUREAU: “2011 Budget Accountability Act Submission”
(6-0)
2. COMM. 3E-18 (2011)
COUNTY EXECUTIVE AS AMENDED
WHEREAS, the Erie County Division of Real Estate received bids for the Erie Community College City Campus – Exterior Restoration project on October 18, 2010; and

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

WHEREAS, your honorable body has previously approved a General Architectural/Engineering Agreement with the Engineering firm of Flynn Battaglia Architects, PC

for providing professional services on County projects via Comm. 10E-17 (2009) and Comm. 7E-19 (2010); and

WHEREAS, the County Executive is seeking authorization from your honorable body to enter into a construction contract with Picone Construction Corporation for the Erie Community College City Campus – Exterior Restoration project; and

WHEREAS, the County of Erie has approved and bonded \$3.5 million for Erie Community College, City Campus, masonry project which is eligible for State matching funds; and

WHEREAS, currently the SUNY Construction Fund has bonded and available \$2,432,000 of its \$3,500,000 State share and is planning on borrowing the remaining amount in 2011; and

WHEREAS, in order to allow the project to go forward in a timely manner prior to full bonding of the State's share, ECC will guarantee, through a Memorandum of Understanding, which has received approval by the Erie Community College's Board of Trustees, which will guarantee, to Erie County, any reimbursement requests made to the State that are delayed if the State has not borrowed their full share of the project.

NOW, THEREFORE, BE IT

RESOLVED that, the County Executive is hereby authorized to enter into a Memorandum of Understanding with Erie Community College for the purpose of guaranteeing funding to the County of Erie for any reimbursement requests made to the State that are delayed due to the State's failure to borrow their full share of the project; and be it further

RESOLVED, that the County Executive is authorized to enter into a contract with the lowest responsible bidder for the Erie Community College City Campus – Exterior Restoration project as follows:

General Construction Work

Picone Construction Corporation for a base bid in the amount of \$2,874,000.00 along with Alternate #1 in the amount of \$956,000.000, Alternate #3 in the amount of \$368,000.00, Alternate #4 in the amount of \$573,000.00 and Alternate #6 in the amount of \$68,000.00 for a total contract amount of \$4,839,000.00

and be it further

RESOLVED, that the sum of \$800,000.00 be allocated to a construction contingency fund with authorization for the County Executive, upon prior Legislative approval, to approve change orders in an amount not to exceed the contingency; and be it further

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

RESOLVED, that the Comptroller's Office be authorized to make payment for all the above from SAP Project accounts as follows:

E.00065 - 2006 Exterior Building Renovation in the amount of \$159,530.00, E.00068 - 2007 Exterior Building Renovation-ECC in the amount of \$1,502,096.34, E.00069 - 2007 Exterior Building Restoration-ECC in the amount of \$729,914.36, E.00071 - 2008 Exterior Building Restoration-ECC City in the amount of \$1,397,459.30, E.20902 – 2009 ECC Exterior Building Renovation & Restorations in the amount of \$1,350,000.00 and E.21002 – 2010 ECC Exterior Building Renovation & Restorations in the amount of \$500,000.00.

and be it further

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

(6-0)

THOMAS A. LOUGHRAN
CHAIR

MR. WALTER moved to amend item Number 2 by deleting “upon prior Legislative approval” from the Third Resolved Clause. MR. MILLS seconded.

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

AYES: MS. DIXON, MR. FUDOLI, MR. HARDWICK, MR. MILLS, MR. RATH and MR. WALTER. NOES: MS. BOVE, MS. GRANT, MR. KOZUB, MR. LOUGHRAN, MS. MARINELLI, MR. MAZUR, CHAIR MILLER-WILLIAMS, MR. WHALEN and MS. WHYTE. (AYES: 6; NOES: 9)

FAILED.

MS. MARINELLI moved to approve item Number 2. MS. GRANT seconded.

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

AYES: MS. DIXON, MR. FUDOLI, MR. HARDWICK, MR. MILLS, MR. RATH, MR. WALTER, MS. BOVE, MS. GRANT, MR. KOZUB, MR. LOUGHRAN, MS. MARINELLI, MR. MAZUR, CHAIR MILLER-WILLIAMS, MR. WHALEN and MS. WHYTE. NOES: None. (AYES: 15; NOES: 0)

CARRIED UNANIMOUSLY.

Item 50 – MR. MAZUR presented the following report and moved for immediate consideration and approval. MR. KOZUB seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 41

March 3, 2011	HEALTH & HUMAN SERVICES COMMITTEE REPORT NO. 4
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ALL MEMBERS PRESENT.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 3E-7 (2011)
COUNTY EXECUTIVE: "Re-Appointments to the ECMCC Board of Directors"
(5-0)
 - b. COMM. 4E-1 (2011)
MILLER-WILLIAMS: "Letter to Clerk of Legislature Concerning a Resoluton Adopted by the Association of EC Governments"
(5-0)
 - c. COMM. 4M-8 (2011)
ECMCC: "Minutes of Meeting Held 2/1/2011"
(5-0)

2. COMM. 4E-17 (2011)
COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Health has received a grant award in the amount of \$5,000 from the Department of Health & Human Services through the National Association of County and City Health Officials (NACCHO) to provide funding for the coordination and recruitment for the S.M.A.R.T. (Specialized Medical Assistance Response Team); and

WHEREAS, the mission of S.M.A.R.T. requires personnel and volunteer leadership to participate in regional and national training programs, conferences and meetings, and to share the information gathered at these conferences with the general membership; and

WHEREAS, it is necessary to conduct background checks on active and potential S.M.A.R.T. members to meet the standards of other volunteer organizations (American Red Cross, CERT, etc.) in Erie County and the national standards established for Medical Reserve Corps. (S.M.A.R.T.)

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter into a contract with the National Association of County and City Health Officials (NACCHO) which is budgeted as follows:

MEDICAL RESERVE CORPS
1/5/11 – 7/31/11

SAP	REVENUE	BUDGET
414000	Federal Aid	<u>\$ 5,000</u>
	TOTAL	<u>\$ 5,000</u>

EXPENSES		
505400	Food & Kitchen Supplies	\$250
510100	Conference, Registration Fees, Travel	2,000
516020	Professional Service Contract Fees	2,250
980000	ID DISS	<u>500</u>
	TOTAL	<u>\$ 5,000</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, Management and Finance, the Department of Law and Dr. Anthony J. Billittier, IV, Commissioner, in the Department of Health, 9th Floor, Rath Building.

(5-0)

THOMAS J. MAZUR
CHAIR

Item 51 – MR. MAZUR presented the following report and moved for immediate consideration and approval. MS. GRANT seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 42

March 3, 2011	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. 4E-20 (2011)
COUNTY EXECUTIVE: “ECSD Nos. 3 & 6 - Engineer Term Agreement”
(5-0)
 - b. COMM. 4E-21 (2011)
COUNTY EXECUTIVE: “ECSD No. 2 - Lake Street Point Breeze Pumping Station Project”
(5-0)
 - c. COMM. 4M-1 (2011)
NYSDEC: “Fact Sheet - Brownfield Cleanup Program - Application & Remedial Investigation Work Plan for the Former American Linen Supply Company Facility”

(5-0)

- d. COMM. 4M-6 (2011)
CITY OF TONAWANDA CLERK: "Copy of Resolution Concerning Residency of Commissioners Appointed to the EC Water Authority"
(5-0)
- e. COMM. 4M-9 (2011)
NYSDEC: "Fact Sheet - Brownfield Cleanup Program - DEC Announces Public Meeting on Proposal to Take No Further Action at Spaulding Fibre Site"
(5-0)

2. COMM. 3E-15 (2011)
COUNTY EXECUTIVE
WHEREAS, the County of Erie advertised for and received responses to a request for proposals from consulting firms to perform professional services associated with the SAP Plant Maintenance Module Implementation Project; and

WHEREAS, a review committee consisting of representatives from the Erie County Division of Sewerage Management, Department of Public Works, and the Department of Information and Support Services was established to evaluate all responses to the County's request for proposals as well as subsequent interviews, using a consistent scoring matrix; and

WHEREAS, the proposal review committee recommends retaining Globalquest Solutions, Inc. to complete the requested consulting services; and

WHEREAS, there is a current cash balance of approximately \$750,000.00 and an appropriation balance of \$730,000.00 previously authorized and funded in capital project C.00065 to partially fund these services; and

WHEREAS, there are available monies in the Sewer District capital reserve accounts to fund the additional \$200,000.00 of the project costs.

NOW, THEREFORE, BE IT

RESOLVED, that Globalquest Solutions, Inc., be retained to perform professional services associated with the SAP Plant Maintenance Module Implementation Project; and be it further

RESOLVED, that the County Executive be, and hereby is, authorized to execute an Agreement with Globalquest Solutions, Inc. (435 Lawrence Bell Drive, Williamsville New York 14221) for professional services associated with the SAP Plant Maintenance Module Implementation Project in an amount not to exceed \$930,000.00, subject to approval as to content by the Commissioner of the Department of Information and Support Services and approval as to form by the County Attorney's office; and be it further

RESOLVED, that the County Director of Budget and the County Comptroller be authorized to increase the Budget in the Erie County Sewer District-wide capital project C.00065 by \$200,000.00 additional funding will be provided by a combination of \$20,000.00 in interest

earnings, \$150,000.00 cash transfer from Erie County Sewer District No. 3 Capital reserve Account C.00007 and a \$30,000.00 cash transfer from Erie County Sewer District No. 8 Capital reserve Account C.11801; and be it further

RESOLVED, that the County Director of Budget and the County Comptroller be authorized to establish all budget accounts necessary to facilitate the transfer of \$180,000.00 total from sewer district capital reserve accounts to sewer district wide capital project C.00065 as follows:

C.00065-District-Wide Capital	Increase
Estimated Revenue	
486000 Transfer In	\$180,000.00
445031 Interest Income	\$20,000.00
Appropriations	
516020 Professional Services	\$200,000.00
C.00007-ECSD No. 3Capital Reserve	Increase
570000 Transfer Out	\$150,000.00
C.11801-ECSD No. 8 Capital Reserve	Increase
570000 Transfer Out	\$30,000.00

and be it further

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

(5-0)

THOMAS J. MAZUR
CHAIR

LEGISLATOR RESOLUTIONS

Item 52 – CHAIR MILLER-WILLIAMS directed that the following resolution be referred to the HEALTH & HUMAN SERVICES COMMITTEE.

GRANTED.

INTRO 6-1 from DIXON. Supporting NYS Senate Bill S. 3306, also known as 'Laura Cummings Law'.

Item 53 – MS. WHYTE presented the following resolution and moved for immediate consideration. MS. BOVE seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 43

RE: Opposition to the Usurpation of the
Assets of Western Off-Track Betting
Corporation
(INTRO 6-2)

**A RESOLUTION TO BE SUBMITTED BY
LEGISLATORS MILLER-WILLIAMS, BOVE & WHALEN**

WHEREAS, in September 1973 nine western New York counties established, as enabled by New York State law, the Western Regional Off Track Betting Corporation, WROTBC; and

WHEREAS, the county stakeholders established an oversight board represented by each community for local control and authority to regulate and administer gaming in each participating county; and

WHEREAS, since 1973 eight additional counties have joined this regional corporation, funding it in its entirety as a seventeen member county organization; and

WHEREAS, any gains in asset growth or profit from operations have been the result of the oversight and management by the member counties and their representatives, and any losses in operations were not sustained by New York State or any other entity; and

WHEREAS, gains realized have been distributed to the contributing member counties for the benefit of all taxpayers who funded the Western Regional Off Track Betting Corporation as owners; and

WHEREAS, the current net equity in 2011 of approximately \$39 million in the assets, including the branch facilities and the racetrack and gaming casino in Batavia, NY therefore are the exclusive property of the funding counties on a pro rata basis; and

WHEREAS, Erie County has earned profit distributions from WROTBC in the years 1974 and 2009 of \$68,991,274; and

WHEREAS, New York State government has proposed the taking of WROTBC assets and local control authority by consolidation of all similar off track betting corporations with the WROTBC, which will dilute the authority of the WROTBC board and represent a taking of property developed by the WROTBC with substantial risk unto itself, and significant reinvested monies to insure the financial health and stability of the WROTBC; and

WHEREAS, the member counties of WROTBC including Erie County, oppose the consolidation or other measures that improperly divest the sustaining counties of WROTBC from their assets and control without appropriate recompense.

NOW, THEREFORE, BE IT

RESOLVED, that Erie County as a member of WROTBC, joins the other member counties in opposition to proposals unfair to the equity positions of the stakeholders by New York State or other entity; and be it further

RESOLVED, that the governance of the WROTBC be administered solely by the invested counties which established the WROTBC and have successfully maintained it; and be it further

RESOLVED, that certified copies of this resolution be sent to Governor Cuomo, the Members of the Western New York State Delegation, and member counties of WROTBC.

MS. WHYTE moved to amend the resolution by adding Et Al Sponsorship. MS. BOVE seconded.

CARRIED UNANIMOUSLY.

MS. WHYTE moved to approve the resolution as amended. MS. BOVE seconded.

CARRIED UNANIMOUSLY.

Item 54 – MS. WHYTE presented the following resolution and moved for immediate consideration. MR. KOZUB seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 44

RE: Opposing NYS Assembly Bills A. 5429
& A. 5430, Which Would Impose
Registration Fees for Bicycles
(INTRO 6-3)

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

WHEREAS, there has been much discourse recently about the costs of healthcare and how to effectively provide healthcare to Americans; and

WHEREAS, as a part of this discussion, it is universally understood that exercise is an effective preventative way to improve overall health and reduce the need for curative healthcare; and

WHEREAS, bicycle riding is a relatively low cost form of exercise; and

WHEREAS, bicycle riding is an activity enjoyed by families and can be used to instill a life-long love of exercise in children; and

WHEREAS, New York State Assembly Bill A. 5429 would impose an annual registration fee on each and every bicycle in New York State; and

WHEREAS, the use of bicycles also has the benefit of reducing emissions from motor vehicles if the bicycles are used in lieu of automobiles for transportation purposes; and

WHEREAS, New York State Assembly Bill A. 5430 would impose an annual registration fee on bicycles used for commercial purposes in New York State; and

WHEREAS, although these Assembly bills, if passed and implemented, would be an effective cash grab to plug a hole in the New York State budget as an alternative to cutting spending, they would have a negative effect in that they would deter the use of an environmentally friendly form of transportation and would discourage a family friendly form of exercise.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature opposes the passage of New York State Assembly Bills A. 5429 and A. 5430 and any companion bills in the New York State Senate; and be it further

RESOLVED, that a certified copy of this resolution be forwarded to Governor Andrew Cuomo, Senate Majority Leader Dean Skelos, Assembly Speaker Sheldon Silver and the local delegation to the New York State Legislature.

MS. WHYTE moved to amend the resolution by adding Et Al Sponsorship. MS. GRANT seconded.

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

Item 55 – MS. WHYTE presented the following resolution and moved for immediate consideration. MR. MILLS seconded. MR. WALTER voted in the negative.

CARRIED. (14-1)

RESOLUTION NO. 45

RE: Studying the Possibility of Partnering with a Local Federally Qualified Health Center for the Purpose of Lowering the Cost of Prescription Medications for Inmates at the EC Correctional Facilities (INTRO 6-4)

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

WHEREAS, Erie County is responsible for the medical care of all inmates who enter the Erie County Correctional Facility and Holding Center including the cost of prescription medication for those inmates; and

WHEREAS, in 2010 Erie County spent \$1,134,211 for the cost of the prescription medications; and

WHEREAS, the Federal government offers a rebate program for Federally Qualified Health Centers that can refund the cost of up to 50% on prescription medications for their patients under the 340B program; and

WHEREAS, other Counties in New York State and other States around the Country have found significant cost savings by associating with a Federally Qualified Health Center to receive access to the 340B discounted medications; and

WHEREAS, any potential cost savings with regards to the health care of inmates at any of the Erie County Correctional Facilities should be studied and considered seriously and expeditiously.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature asks the Erie County Health Commissioner and the Erie County Sheriff to come before this Honorable Body to discuss the possibility of having Erie County partner with a Federally Qualified Health Center for the purpose of receiving discounted prescriptions for inmates through the 340B program; and be it further

RESOLVED, that certified copies of this resolution be given to Erie County Health Commissioner Dr. Anthony Billitier, County Executive Chris Collins and Erie County Sheriff Timothy Howard.

MS. WHYTE moved to amend the resolution by adding MS. WHYTE, MR. MILLS, MR. KOZUB, MR. WHALEN, MS. GRANT, MR. MAZUR, MS. BOVE, MS. MARINELLI, MS. DIXON, MR. LOUGHRAN and MR. RATH as Co-Sponsors; and to amend the resolution for content. MS. GRANT seconded.

CARRIED UNANIMOUSLY.

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

RESOLVED, that certified copies of the resolution be sent to County Executive Chris Collins, Erie County Health Commissioner Dr. Anthony Billitier, Sheriff Timothy Howard and the Erie County Community Corrections Advisory Board.

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

CARRIED UNANIMOUSLY.

Item 56 – MS. WHYTE presented the following resolution and moved for immediate consideration. MR. RATH seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 46

RE: Opposing NYS Surcharge for Spay &
Neutering Dogs
(INTRO 6-5)

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

WHEREAS, the State of New York, Department of Agriculture, has always imposed a three dollar surcharge to be added to the license fee for un-spayed and un-neutered dogs; and

WHEREAS, this three dollar surcharge, paid by owners of intact dogs, was then used to control dog populations by funding spay/neuter programs, thereby putting the cost of such programs on those who choose to keep their dogs intact; and

WHEREAS, responsible dog owners who have sterilized their dogs through spaying or neutering were therefore able to enjoy a reduced licensing fee, exempt from spay/neuter fees of any kind; and

WHEREAS, the State of New York, Department of Agriculture, as of January 1, 2011 has transferred dog licensing to the local government level, while maintaining the original three dollar spay and neuter fee, now called a spay/neuter surcharge; and

WHEREAS, the State of New York, Department of Agriculture, is now imposing a new spay and neuter surcharge of one dollar to be added to the license fee of each altered dog; and

WHEREAS, imposing a spay and neuter surcharge is a disincentive to maintaining a dog license, encouraging unlicensed dogs; and

WHEREAS, dog licensing, among other purposes, helps to control vector-borne diseases, such as rabies, by insuring that licensed dogs are vaccinated; and

WHEREAS, New York State has decreased funding for programs to prevent vector-borne diseases; and

WHEREAS, it is counterintuitive and a public health risk to disincentivise licensing dogs.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature opposes the imposition of a new spay/neuter surcharge meant for owners who have responsibly sterilized their dogs, thereby contributing to the control of the State of New York's dog population and vector-borne diseases; and be it further

RESOLVED, that a certified copy of this resolution be forwarded to Governor Andrew Cuomo, Senate Majority Leader Dean Skelos, Assembly Speaker Sheldon Silver and the local delegation to the New York State Legislature.

MS. WHYTE moved to amend the resolution by adding Et Al Sponsorship. MR. MILLS seconded.

CARRIED UNANIMOUSLY.

MS. WHYTE moved to approve the resolution as amended. MR. RATH seconded.

CARRIED UNANIMOUSLY.

COMMUNICATIONS DISCHARGED FROM COMMITTEE

Item 57 – MS. WHYTE moved to discharge the ENERGY & ENVIRONMENT COMMITTEE of further consideration of INTRO 15-5 (2010). MR. KOZUB seconded. MS. DIXON, MR. FUDOLI, MR. HARDWICK, MR. MILLS, MR. RATH, MR. WALTER and MR. LOUGHRAN voted in the negative.

CARRIED. (8-7)

RE: Supporting Renewable Energy Sources
but Opposing Offshore Wind Farms in
Lake Erie
(INTRO 15-5, 2010)

WHEREAS, the Nation's future is dependent on clean, reliable and inexpensive energy from a variety of renewable sources; and

WHEREAS, wind energy is among the new technologies that shows promise to lead us to a clean energy future and we have an abundance of this unlimited resource in Erie County; and

WHEREAS, there are numerous on-shore and inland wind farms in current production or in the planning stages throughout Western New York that can provide the region with a source of renewable energy; and

WHEREAS, the proposal by the New York Power Authority (NYPA) to consider Lake Erie for its Great Lakes Off-Shore Wind (GLOW) project raises many questions about the safety of the project and the economic and environmental impact on Erie County residents; and

WHEREAS, questions such as:

- the number of wind turbines and where exactly in the Lake they would be situated;
- what protections can be assured that potentially toxic sludge on the Lake Erie floor will not be disturbed;
- how will the power lines be connected to shore outlets and is there any chance that oil will leak from those cables;
- what impact will maintenance and repair times for off-shore turbines and towers have and what is the cost savings of locating the towers in the Great Lakes versus at an on-shore location, must be answered by the New York Power Authority before planning can move forward on this project.

NOW, THEREFORE, BE IT

RESOLVED, the Erie County Legislature opposes, at this time, the NYPA GLOW project until more study can be conducted and questions answered that will assure that the project would produce economic benefits for the residents of Erie County while safeguarding the environment of Lake Erie and the beauty of the shoreline; and be it further

RESOLVED, that the Erie County Legislature goes on record supporting renewable energy, in particular wind energy as a source of power for a clean energy future; and be it further

RESOLVED, that the Erie County Legislature encourages the development of more on-shore and inland wind projects as well as the development of other renewable energy sources such as solar and hydropower that will provide clean, inexpensive sources of energy for the future of Erie County.

MS. MARINELLI moved to approve the resolution. MR. KOZUB seconded.

MR. LOUGHRAN moved to return the resolution to committee for further consideration. MR. HARDWICK seconded.

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

AYES: MS. DIXON, MR. FUDOLI, MR. HARDWICK, MR. MILLS, MR. RATH, MR. WALTER, MS. BOVE, MR. LOUGHRAN, MS. MARINELLI, MR. MAZUR, CHAIR MILLER-WILLIAMS and MR. WHALEN. NOES: MS. GRANT, MR. KOZUB and MS. WHYTE. (AYES: 12; NOES: 3)

CARRIED.

Item 58 – MS. DIXON moved to discharge the ENERGY & ENVIRONMENT COMMITTEE of further consideration of INTRO 9-4 (2010). MR. MILLS seconded.

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

AYES: MS. DIXON, MR. FUDOLI, MR. MILLS, MR. RATH, MR. WALTER, MS. BOVE, CHAIR MILLER-WILLIAMS and MR. WHALEN. NOES: MR. HARDWICK, MS. GRANT, MR. KOZUB, MR. LOUGHRAN, MS. MARINELLI, MR. MAZUR and MS. WHYTE. (AYES: 8; NOES: 7)

CARRIED.

RESOLUTION NO. 47

RE: Opposing Wind Farms in Lake Erie
(INTRO 9-4, 2010)

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

WHEREAS, amongst Erie County's many great assets is Lake Erie and its waterfront, which has the potential to be a major tourist destination; and

WHEREAS, recent efforts have been made to better utilize the lake and its waterfront as a tourist, recreational and commercial destination; and

WHEREAS, some have proposed exploiting Lake Erie by installing windmill clusters in the lake; and

WHEREAS, as with most power generation systems, wind energy has potential drawbacks; and

WHEREAS, the installation of a wind farm would create a change in scenery, with a negative effect on the beauty of Lake Erie, which is admired by visitors to Western New York and residents alike; and

WHEREAS, the installation of a wind farm could negatively disturb wildlife habitats, which is detrimental to the sportfishing tourism industry that attracts national fishing events to Lake Erie; and

WHEREAS, the construction of a wind farm could dislodge toxins that settled to the lake floor and are currently encased in sediment, with a disastrous environmental impact; and

WHEREAS, the installation of a wind farm could negatively impact shipping lanes used to transport goods on the Great Lakes; and

WHEREAS, the installation of a wind farm would tend to increase avian mortality among threatened species, an issue brought to light recently by individuals choosing a design for a new bridge to span the Niagara River; and

WHEREAS, shorts in electric cables could injure or kill aquatic wildlife; and

WHEREAS, wind farms have been shown to interfere with accurate weather predicting, which is an important consideration in a region subject to extreme weather patterns; and

WHEREAS, the low frequency sounds caused by wind farms could potentially be damaging to marine habitat; and

WHEREAS, the future of Buffalo and Erie County would be negatively impacted by the installation of a wind farm in Lake Erie.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature opposes the exploitation of Lake Erie as a site for a wind farm; and be it further

RESOLVED, that copies of this resolution be forwarded to the Erie Canal Harbor Development Corporation, County Executive Chris Collins, Mayor Byron Brown, the Buffalo Common Council and the New York Power Authority.

MR. LOUGHRAN moved to return the resolution to committee for further consideration. MS. GRANT seconded. MS. DIXON, MR. FUDOLI, MR. HARDWICK, MR. MILLS, MR. RATH, MR. WALTER, MS. BOVE, CHAIR MILLER-WILLIAMS and MR. WHALEN voted in the negative.

FAILED. (6-9)

MS. DIXON moved to approve the resolution. MR. FUDOLI seconded.

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

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

CARRIED.

SUSPENSION OF THE RULES

Item 59 - MS. WHYTE moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

INTRO 6-6 from LEGISLATORS MARINELLI, LOUGHRAN, WHYTE, MILLER-WILLIAMS, KOZUB, WHALEN, GRANT, MAZUR & BOVE Re: Restoration of Rodent Control & Baiting Services Offered by the EC Health Department

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

Item 60 - MS. WHYTE moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 6M-33 from ROSE SICKLER Re: Letter to Legislator Loughran Concerning Crematory at 2600 Sheridan Dr., Tonawanda

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 61 - MS. WHYTE moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 6E-30 from LEGISLATOR KOZUB Re: Notice of Absence from Special Meeting
Held on 3/8/2011

Received, Filed and Printed.

March 16, 2011

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

Dear Mr. Graber,

I write to you today concerning my absence from the Special Meeting of the Erie County Legislature held on March 8, 2011, while I was out of town.

Unfortunately, my absence was unavoidable in that a long-scheduled visit with family in Florida prevented me from returning for this meeting.

It is also important to mention that my schedule, including this visit with family, was presented to the Legislature last fall in order to avoid any absence from regular meetings.

Thank you.

Sincerely,

Daniel M. Kozub
Erie County Legislator - 1st District

COMMUNICATIONS FROM ELECTED OFFICIALS

FROM THE COMPTROLLER

Item 62 – (COMM. 6E-1) EC Fund Balance & Extension of the One Percent Sales Tax

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM LEGISLATOR WHYTE

Item 63 – (COMM. 6E-2) Letter to Clerk of Legislature Concerning EC Reapportionment Commission

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE COMPTROLLER

Item 64 – (COMM. 6E-3) Proposed Bond Resolution to Amend a 2007 Bond Resolution

Item 65 – (COMM. 6E-4) Proposed Bond Resolution to Amend a 2010 Bond Resolution

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

FROM THE COUNTY EXECUTIVE

Item 66 – (COMM. 6E-5) Veto Message of Local Law Intro 1-2011

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM LEGISLATOR GRANT

Item 67 – (COMM. 6E-6) Notice of Absence from Special Meeting Held on 3/8/2011

Received, Filed and Printed.

March 2, 2011

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

Dear Mr. Graber:

Please be advised that I will not be able to attend the Special Meeting of the Erie County Legislature scheduled for Tuesday, March 8, 2011, due to a previously scheduled doctor's appointment at that time.

While my absence from this Special Meeting is unavoidable, as usual I will be reachable by cellular telephone should you need to contact me.

Thank you.

Sincerely,

Betty Jean Grant
Erie County Legislator - 7th District

FROM LEGISLATOR BOVE

Item 68 – MS. WHYTE presented the following resolution and moved for immediate consideration and approval. MS. DIXON seconded. MS. BOVE abstained.

CARRIED. (14-0-1)

RESOLUTION NO. 48

RE: Lease Agreement for Legislative Office
Space
(COMM. 6E-7)

RESOLVED, the Erie County Executive is hereby authorized to sign a One (1) Year Lease Agreement with Southgate Plaza Inc. for Legislative office space for Christina W. Bove, located at 1104 Union Rd., Space #1B, West Seneca, New York for a monthly rate of \$520.

FROM LEGISLATOR WHYTE

Item 69 – (COMM. 6E-8) Copy of Letter from OTB President & CEO Concerning the OTB Consolidation

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM LEGISLATOR FUDOLI

Item 70 – (COMM. 6E-9) Letter to Legislator Mazur Concerning EC Agricultural & Farmland Protection Board Appearance at Energy & Environment Committee

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE COUNTY EXECUTIVE

Item 71 – MS. WHYTE presented the following resolution and moved for immediate consideration and approval. MR. MILLS seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 49

RE: Resolution Authorizing the County
Clerk to Increase the Amount of the
Change-Making Fund at the EC Clerk's
Office
(COMM. 6E-10)

WHEREAS, the Erie County Clerk's Office, as part of its duties and responsibilities, is charged with registrar's duties in the acceptance and recording of instruments in the public records and the furnishing of copies of such instruments, among other duties; and

WHEREAS, the Erie County Clerk's Office is required to have on hand sufficient cash to make change for payment by customers for services provided to them; and

WHEREAS, the number of cashiers required to service customer volume has increased over the past year; and

WHEREAS, the current Reserve held by the County Clerk in the amount of \$1,500 for the purpose of making change is insufficient to meet the increased demands of the Clerk's Office; and

WHEREAS, the consequences of insufficient cash has required employees to leave their stations to exchange cash with other cashiers and otherwise cause substantial delays and inconvenience to the customer.

NOW, THEREFORE, BE IT

RESOLVED, that in accordance with Section 2.06 of the Erie County Administrative Code, a revolving Change Making (Petty Cash) Fund is hereby increased in the County Clerk's Office by \$500 from \$1,500 to \$2,000; and be it further

RESOLVED, that certified copies of this resolution be sent to the County Comptroller, the County Attorney, the Division of Budget and Management and the County Clerk's Office.

Item 72 – (COMM. 6E-11) Chestnut Ridge Conservancy MOU

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 73 – (COMM. 6E-12) FEMA DR-1857-NY - Project on New Oregon Road - Town of Eden

Item 74 – (COMM. 6E-13) Professional Architectural & Engineering Services

Item 75 – (COMM. 6E-14) Ralph Wilson Stadium - 2011 - Miscellaneous Improvements

Item 76 – (COMM. 6E-15) Ralph Wilson Stadium - 2011 - Artificial Grass Field Replacement

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

Item 77 – (COMM. 6E-16) Grant Funding - WNY Stormwater Coalition: Mapping Project

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 78 – (COMM. 6E-17) Amend CSE & EISEP Grant Budgets & Authorize Contracts

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

Item 79 – (COMM. 6E-18) API Heat Transfer Contract for Engineering Feasibility Studies

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 80 – (COMM. 6E-19) Establish MIPPA/ADRC Grant Budgets

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

Item 81 – (COMM. 6E-20) ECSM - Engineering Service Agreement

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 82 – (COMM. 6E-21) CPS/ECC Law Enforcement Training Academy

Received and referred to the PUBLIC SAFETY COMMITTEE.

Item 83 – (COMM. 6E-22) Mandated Preventive Respite Services

Item 84 – (COMM. 6E-23) Handicapped Parking Education Fund

The above two items were received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

Item 85 – (COMM. 6E-24) Event Fees & Sponsorships

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 86 – (COMM. 6E-25) Survey Technical Services Agreement County Wide - TVGA Consultants, Elma NY

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM THE SHERIFF

Item 87 – (COMM. 6E-26) EC Sheriff's Office - Laborer Sheriff

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM LEGISLATOR WHYTE

Item 88 – (COMM. 6E-27) Letter to Chairman of EC Reapportionment Commission Concerning the History of EC Reapportionment Commission

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

Item 89 – (COMM. 6E-28) Letter to ECFSA Chairman Concerning a Follow-Up to Meeting with the Legislature's Finance & Management Committee

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM LEGISLATOR MILLS

Item 90 – (COMM. 6E-29) Notice of Absence from Special Meeting Held on 3/8/2011

Received, Filed and Printed.

March 14, 2011

Hon. Barbara Miller-Williams, Chair
Erie County Legislature
92 Franklin Street, 4th Floor
Buffalo, New York 14202

Dear Chair Miller-Williams,

I regret that I was unavoidably unable to attend the special session on March 8, 2011. As you know, I was scheduled to be out of town on that date.

Thank you.

Yours Truly,

John J. Mills
Erie County Legislator – 13th District

cc: Robert M. Graber, Clerk
Erie County Legislature

COMMUNICATIONS FROM THE DEPARTMENTS

FROM THE COUNTY ATTORNEY

Item 91 – (COMM. 6D-1) Transmittal of New Claim Against Erie County

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE DIRECTOR OF BUDGET & MANAGEMENT

Item 92 – (COMM. 6D-2) Letter Concerning January Budget Monitoring Report

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE COMPTROLLER'S OFFICE

Item 93 – (COMM. 6D-3) Audit of the Buffalo Niagara Convention & Visitors Bureau, Inc.
for the Period 1/1/2008 - 6/30/2010

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM THE BOARD OF ELECTIONS

Item 94 – MS. WHYTE presented the following resolution and moved for immediate consideration and approval. MR. MAZUR seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 50

RE: Resolution Requesting Grant Contract
Extensions
(COMM. 6D-4)

WHEREAS, the New York State Board of Elections has forwarded certain grant extensions and contracts to the Erie County Board of Elections for approval and execution; and

WHEREAS, the acceptance and execution by the Commissioners of the Erie County Board of Elections would provide for the receipt of grant money in the aggregate amount of \$1,051,651.00 for the specific purposes of establishing, expanding and improving access to and participation by individuals with a full range of disabilities in the election process, as well as the education of voters on the proper use of new voting systems including ballot marking devices; and

WHEREAS, the Commissioners of the Erie County Board of Elections believe the funds to be obtained under these contracts to be beneficial to the residents of the County and are desirous of entering into said contracts and extensions; and

WHEREAS, the approval of this legislative body is a pre-requisite for the acceptance of these agreements by the Erie County Board of Elections.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve and accept the following contacts and does hereby authorize the Commissioners of the Erie County Board of Elections to execute the same entitled and designated as:

- 1) NYS Voter Education/Poll Training Grant - \$583,803.00 (time extension),
- 2) HHS Voting Access for Individuals with Disabilities Polling Place Improvement Grant - \$140,234.00 (time extension),
- 3) HHS 2007-2008 Voting Access for Individuals with Disabilities Polling Place Access Improvement Gant - \$35,713.00 (time extension),
- 4) NYS Voting Access for Individuals with Disabilities Polling Place Access Improvement Grant - \$291,901.00 (time extension),

and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Erie County Board of Election for the purpose of accompanying the transmittal of the aforesaid executed agreements, and also to the County Comptroller and Director of Budget & Management.

FROM THE DIRECTOR OF BUDGET & MANAGEMENT

Item 95 – (COMM. 6D-5) Copy of EC 2011 Adopted Budget

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE BOARD OF ELECTIONS

Item 96 – (COMM. 6D-6) Letter to Legislature Concerning Special Election Being Held 5/24/2011 for NYS 26th Congressional District

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES

FROM MARTIZA VEGA

Item 97 – (COMM. 6M-1) Letter of Interest for EC Reapportionment Commission

Received and Filed.

FROM CORNELL COOPERATIVE EXTENSION

Item 98 – (COMM. 6M-2) 2011 Budget Accountability Act Submission

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM THE BUFFALO & EC PUBLIC LIBRARY

Item 99 – (COMM. 6M-3) Minutes of Meeting Held 2/17/2011

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM THE NYSDEC

Item 100 – (COMM. 6M-4) Fact Sheet: Cleanup Action to Begin at Polymer Applications Site - Town of Tonawanda

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM BUFFALO GREENCODE

Item 101 – (COMM. 6M-5) Notice of Public Meetings to be Held Throughout Buffalo

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM ALAN ISSELHARD

Item 102 – (COMM. 6M-6) Letter to Legislature Concerning Renewable Energy

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM EC SOIL & WATER

Item 103 – (COMM. 6M-7) 2011 Budget Accountability Act Submission

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM THE GENESEE COUNTY LEGISLATURE CLERK

Item 104 – (COMM. 6M-8) Copy of Resolution Concerning Opposition to the Usurpation of the Assets of the Western Off-Track Betting Corporation

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THOMAS MARKS

Item 105 – (COMM. 6M-9) Letter to Legislature Concerning Renewable Energy

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE CLARENCE TOWN CLERK

Item 106 – (COMM. 6M-10) Copy of Resolution Concerning Contract with EC Water Authority

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE BUFFALO
URBAN DEVELOPMENT CORPORATION

Item 107 – (COMM. 6M-11) Notice of Public Meeting Held 3/9/2011

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM THE BUFFALO COMMON COUNCIL

Item 108 – (COMM. 6M-12) Copy of Resolution Concerning Opposition to the Usurpation of the Assets of the Western Off-Track Betting Corporation

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE ORCHARD PARK TOWN CLERK

Item 109 – (COMM. 6M-13) Copy of Resolution in Opposition to Spay/Neuter Surcharges for Altered Dogs

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

FROM BARRY NELSON COVERT

Item 110 – (COMM. 6M-14) Letter of Interest for EC Community Corrections Advisory Board

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM CHRIS G. TRAPP

Item 111 – (COMM. 6M-15) Copy of the Rules & Regulations of the EC Board of Ethics

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE ASSOCIATION OF EC GOVERNMENTS

Item 112 – (COMM. 6M-16) Letter to Legislature Concerning the Formation of a Committee

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

FROM THE CATTARAUGUS COUNTY DEPUTY CLERK

Item 113 – (COMM. 6M-17) Copy of Resolution Concerning Intent to Abandon Old Route 219 Bridge Over Cattaraugus Creek if NYS Discontinues Maintenance of Same

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM THE DIRECTOR, WESTERN-REGION
OFF-TRACK BETTING CORPORATION

Item 114 – (COMM. 6M-18) Copy of Resolution Concerning Opposition to the Usurpation of the Assets of the Western Off-Track Betting Corporation

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE PRESIDENT & CEO,
WESTERN REGION OFF-TRACK BETTING CORPORATION

Item 115 – (COMM. 6M-19) Letter to Chair Miller-Williams Concerning Proposed Consolidation of Regional OTB Corporations

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE EDEN TOWN CLERK

Item 116 – (COMM. 6M-20) Copy of Resolution Opposing Spay/Neuter Surcharges for Altered Dogs

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

FROM THE NEWSTEAD TOWN CLERK

Item 117 – (COMM. 6M-21) Copy of Resolution Concerning Appointment Qualifications for Erie County Water Authority Commissioners

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE STEUBEN COUNTY LEGISLATURE

Item 118 – (COMM. 6M-22) Copy of Resolution Opposing State Takeover of WNY Off-Track Betting Corporation

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE NFTA

Item 119 – (COMM. 6M-23) NFTA Board Minutes for Meeting Held 1/24/11

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM THE INTERCOUNTY ASSOCIATION OF WNY

Item 120 – (COMM. 6M-24) Meeting Schedule for 2011, and Agenda Items for Meeting to be Held 3/18/11

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE ASSIGNED COUNSEL PROGRAM

Item 121 – (COMM. 6M-25) Letter to Chair Miller-Williams Concerning Appointment to EC Community Corrections Advisory Board

Item 122 – (COMM. 6M-26) Letter to Chair Miller-Williams Concerning Resignation from EC Community Corrections Advisory Board

The above two items were received and referred to the PUBLIC SAFETY COMMITTEE.

FROM THE LEAGUE OF WOMEN VOTERS
OF BUFFALO/NIAGARA

Item 123 – (COMM. 6M-27) Letter to Legislature Concerning Advisory Committee on Reapportionment

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE LIVINGSTON CORRECTIONAL FACILITY,
SUPERVISOR, INMATE GRIEVANCE PROGRAM

Item 124 – (COMM. 6M-28) Letter of Support for Kenneth Colon

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM THE NIAGARA DISTRICT COUNCILMEMBER,
HISPANIC COMMUNITY LEADERS

Item 125 – (COMM. 6M-29) Letter to Legislature Endorsing the Appointment of Kenneth Colon to the EC Community Corrections Advisory Board

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM ECMCC

Item 126 – (COMM. 6M-30) Agenda Materials for Meeting Held on 3/1/11

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

FROM THE BLACK LEADERSHIP FORUM

Item 127 – (COMM. 6M-31) Letter Requesting Appointment to the EC Community Corrections Advisory Board

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM THE BUFFALO & EC PUBLIC LIBRARY

Item 128 – (COMM. 6M-32) Agenda Materials for Meeting to be Held on 3/17/11

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

ANNOUNCEMENTS

Item 129 – CHAIR MILLER-WILLIAMS announced that the committee schedule has been distributed.

Item 130 – LEGISLATOR KOZUB announced birthday wishes to LEGISLATORS HARDWICK and GRANT.

MEMORIAL RESOLUTIONS

Item 131 – Legislator Rath requested that when the Legislature adjourns, it do so in memory of Arthur E. Shade III and William Fiske ‘Kim’ Kimberly Jr.

Item 132 – Legislator Hardwick requested that when the Legislature adjourns, it do so in memory of Sandra Kujawa, William Morrish, Martha MacLeod, John Burngasser and Virginia Nebelecky.

Item 133 – Legislator Dixon requested that when the Legislature adjourns, it also do so in memory of the people of Japan.

Item 134 – Legislator Bove requested that when the Legislature adjourns, it do so in memory of Gary W. Aeschbacher and Theresa J. Boryszewski.

Item 135 – Legislator Kozub requested that when the Legislature adjourns, it do so in memory of retired Erie County Sheriff Deputy Joseph Elias Joseph and Connie Perez.

ADJOURNMENT

Item 136 - At this time, there being no further business to transact, CHAIR MILLER-WILLIAMS announced that the Chair would entertain a Motion to Adjourn.

MR. MAZUR moved that the Legislature adjourn until Thursday, March 24, 2011 at 2:00 p.m. Eastern Standard Time. MR. WALTER seconded.

CARRIED UNANIMOUSLY.

CHAIR MILLER-WILLIAMS declared the Legislature adjourned until Thursday, March 24, 2011 at 2:00 p.m. Eastern Standard Time.

ROBERT M. GRABER
CLERK OF THE LEGISLATURE