

**ERIE COUNTY LEGISLATURE
MEETING NO. 7
MARCH 24, 2011**

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

All members present.

An Invocation was held, led by Mr. Hardwick, who said a short prayer, and asked attendees to remember the victims of the multiple tragedies in Japan, and the three wars the United States is engaged in while pausing for a moment of silence.

The Pledge of Allegiance was led by Ms. Marinelli.

Item 1 – No tabled items.

Item 2 – No items for reconsideration from previous meeting.

Item 3 – MS. WHYTE moved for the approval of the minutes for Meeting Number 6 from 2011. MS. GRANT seconded.

CARRIED UNANIMOUSLY.

Item 4 – No Public Hearings.

MISCELLANEOUS RESOLUTIONS

Item 5 – MR. HARDWICK presented a resolution Honoring Grand Island Golden Age Center for It's Celebration of Members' Golden Anniversaries.

Item 6 – MR. HARDWICK presented a resolution Honoring Kimberly M. McMahon on Her Appointment as Benefits Administrator for the Grand Island Chamber of Commerce.

Item 7 – MR. HARDWICK presented a resolution Honoring Carolyn M. Konopski on Her Appointment as Administrative Director of the Grand Island Chamber of Commerce.

Item 8 – MR. HARDWICK presented a resolution Honoring Chris Brownschidle on Attaining the Coverted Rank of Eagle Scout.

Item 9 – MR. MAZUR presented a Memorial Resolution In Remembrance of Mark D. Hycner.

Item 10 – MR. LOUGHRAN presented a resolution Honoring Karen Eckert & Irene Adamski Upon Their Recognition by the Amherst Museum's Women Interclub Council During Women's History Month.

Item 11 – MS. WHYTE presented a Memorial Resolution Honoring the Life of Dr. David Kato, Slain GLBT Activist.

Item 12 – MS. WHYTE presented a resolution Honoring Ms. Mary Ann Kedron During Women's History Month.

Item 13 – MS. WHYTE presented a resolution Honoring Ms. Mercy Dela Cruz During Women's History Month.

Item 14 – MS. WHYTE presented a resolution Honoring Ms. Bonnie Eschborn During Women's History Month.

Item 15 – MR. MAZUR presented a resolution Congratulating Victorious Sacred Heart Academy Upon Winning the 2011 EC High School Mock Trial Championship Tournament.

Item 16 – MS. WHYTE presented a resolution Remembering & Commemorating Ms. Anna Cotton & Her Legacy as Founder of Los Tainos Senior Citizens' Center.

Item 17 – MR. HARDWICK presented a resolution Honoring the Grand Island Girls Varsity Basketball Team for Its Outstanding Season.

Item 18 – MR. MAZUR presented a Memorial Resolution Honoring the Memory of Daniel F. Federice.

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

LOCAL LAWS

Item 19 – CHAIR MILLER-WILLIAMS directed that Local Law No. 1 (Print #1) 2010 remain on the table and in the HEALTH & HUMAN SERVICES COMMITTEE.

GRANTED.

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

GRANTED.

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

GRANTED.

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

GRANTED.

COMMITTEE REPORTS

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 51

| | |
|----------------|---|
| March 21, 2011 | PUBLIC SAFETY COMMITTEE REPORT NO. 5 |
|----------------|---|

ALL MEMBERS PRESENT.

CHAIR MILLER-WILLIAMS PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 6M-25 (2011)
ASSIGNED COUNSEL PROGRAM: “Letter to Chair Miller-Williams Concerning Appointment to EC Community Corrections Advisory Board”
(6-0)
 - b. COMM. 6M-26 (2011)
ASSIGNED COUNSEL PROGRAM: “Letter to Chair Miller-Williams Concerning Resignation from EC Community Corrections Advisory Board”
(6-0)
2. COMM. 6E-21 (2011)
COUNTY EXECUTIVE
WHEREAS, in 2003 the Central Police Services Law Enforcement Training Academy relocated onto the grounds of Erie Community College North in an effort to facilitate an educational partnership with Erie Community College and take advantage of the resources available in an academic setting; and

WHEREAS, an agreement to transfer all personnel and operations to Erie Community College was finalized effective 01/01/2007 (Reference Comm. 3E-18, 2007); and

WHEREAS, the Joint Advisory Committee of the Law Enforcement Training Academy wishes to continue the partnership.

NOW, THEREFORE, BE IT

RESOLVED, that authorization is hereby provided for the County Executive to enter into subsequent agreements effective 01/01/2010 to continue the partnership and transfer all the Central Police Services Law Enforcement Training functions to Erie Community College; and be it further

RESOLVED, in consideration of this transfer, the County agrees to provide annual payments to Erie Community College in an amount not to exceed \$200,000 per year, in exchange for which Erie Community College agrees to provide the level of law enforcement training articulated in the agreement between the County and the College; and be it further

RESOLVED, that the Department of Central Police Services budget request shall reflect an allocation not to exceed \$200,000 per year beginning in 2010 onward from account #516020 – Professional Services Contracts and Fees to fund the County’s costs associated with this program; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Erie County Executive, the Director of Budget and Management, the Office of the Comptroller, the County Attorney, Erie Community College and the Department of Central Police Services in care of Kathleen Gumulak, 45 Elm Street, Buffalo, New York 14203.

(6-0)

3. COMM. 6E-26 (2011)
SHERIFF

WHEREAS, the Sheriff’s Office has identified the need to create one (1) Laborer Sheriff position in the Jail Management Division; and

WHEREAS, this position is required to meet the New York State Commission of Corrections minimum standard in regards to prisoners personal hygiene; and

WHEREAS, there will be no additional cost to the taxpayers of Erie County.

NOW, THEREFORE, BE IT

RESOLVED, that one (1) Labor Sheriff, Job Group 4 be created in the Jail Management Division of the Erie County Sheriff’s Office; and be it further

RESOLVED, that the following budgetary transactions be authorized:

Erie County Sheriff’s Office – Jail Management Division – Fund Center 11610

| <u>APPROPRIATIONS</u> | <u>Decrease</u> |
|------------------------------|-----------------|
| 516020 Professional Services | \$27,140 |

| <u>APPROPRIATIONS</u> | | <u>Increase</u> |
|-----------------------|----------------------|-----------------|
| 500000 | Full Time - Salaries | \$15,985 |
| 500320 | Uniform Allowance | 750 |
| 500340 | Line-Up Pay | 750 |
| 502000 | Fringe Benefits | <u>9,655</u> |
| | | \$27,140 |
| NET IMPACT | | 0 |

and be it further

RESOLVED, that certified copies be forwarded to the Division of Budget and Management, Erie County Comptroller, Department of Personnel and the Office of the Sheriff for implementation. (6-0)

**CHRISTINA W. BOVE
CHAIR**

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 52

| | |
|----------------|---|
| March 21, 2011 | ECONOMIC DEVELOPMENT COMMITTEE REPORT NO. 5 |
|----------------|---|

ALL MEMBERS PRESENT, EXCEPT LEGISLATOR RATH.
CHAIR MILLER-WILLIAMS PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
 - a. INTRO 4-11 (2010)
WHYTE, GRANT, MAZUR, KOZUB & MARINELLI: “Canal Side Development Project”
(4-0) Chair Miller-Williams not present for vote.
 - b. INTRO 5-2 (2010)
KENNEDY: “As Amended Calling on New York to Honor Native American Treaties”
(4-0) Chair Miller-Williams not present for vote.
 - c. INTRO 19-1 (2010)
WALTER: “Opposing NYS Senate Bill S. 7263C & Assembly Bill A. 2208D, Which Would Hamper Telecommunications Businesses From Locating in NYS”
(4-0) Chair Miller-Williams not present for vote.
 - d. COMM. 21M-2 (2010)

COALITION FOR ECONOMIC JUSTICE: "Letter to Legislator Whyte Concerning New York State's Industrial Development Agency"
(5-0)

- e. COMM. 24E-1 (2010)
WHYTE: "Article Entitled "Think Small to Plant Seeds of Job Growth"
(5-0)
- f. COMM. 6M-5 (2011)
BUFFALO GREENCODE: "Notice of Public Meetings to be Held Throughout Buffalo"
(5-0)
- g. COMM. 6M-11 (2011)
BUFFALO URBAN DEVELOPMENT CORPORATION: "Notice of Public Meeting Held 3/9/2011"
(5-0)
- h. COMM. 6M-17 (2011)
CATTARAUGUS COUNTY DEPUTY CLERK: "Copy of Resolution Concerning Intent to Abandon Old Route 219 Bridge Over Cattaraugus Creek if NYS Discontinues Maintenance of Same"
(5-0)
- i. COMM. 6M-23 (2011)
NFTA: "NFTA Board Minutes for Meeting Held 1/24/11"
(5-0)

2. COMM. 1E-9 (2011)
COUNTY EXECUTIVE
WHEREAS, Erie County instituted a Real Estate initiative in 2008 to review the way in which Erie County manages its owned and leased buildings; and

WHEREAS, this position facilitates all real estate capital projects, lease administration and facilities management in order to incorporate industry standard practices into County government; and

WHEREAS, this position resulted in more than \$4.3 million dollars of savings since it was created in 2008 and will continue to incorporate efficiencies into the overall management and construction of county owned and leased buildings to create additional savings; and

WHEREAS, funding for this position is available within the 2011 Department of Public Works Budget.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby provides authorization to include one Director of Real Estate, JG 22, in the Department of Public Works effective January 1, 2011; and be it further

RESOLVED, that authorization is hereby provided to the Director of Budget and Management to make the following adjustments to the 2011 Budget in order to establish said position in the Department of Public Works, Division of Buildings and Grounds (REAM):

2011 Budget - Fund 110
Department of Public Works
Fund Center 12220- Division of Buildings & Grounds (REAM)

| | Increase/(Decrease) |
|---|---------------------|
| Appropriations | |
| Account 575040 Interfund Expense Utility Fund | (\$129,453) |
| Appropriations | |
| Account 500000 Full Time Salaries | \$129,453 |

and be it further

RESOLVED, that the Director of Budget and Management is hereby authorized to adjust the 2011 budget for the Utility Fund, Fund 140, as necessary to balance the Fund; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Erie County Executive, the Erie County Comptroller, the Director of Budget and Management, the Commissioner of Personnel and Department of Public Works, Division of Buildings and Grounds (REAM).

(3-2) Legislator Kozub & Chair Miller-Williams voted in the negative.

3. COMM. 4E-16 (2011)
COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Environment and Planning has the responsibility for carrying out the federal Community Development Block Grant, HOME Investment Partnership, and Emergency Shelter Grant Programs; and

WHEREAS, said Programs require financial oversight, vendor payment processing, coordination of federal and County accounting systems; and

WHEREAS, said Programs have an annual budget of over \$7.0 million; and

WHEREAS, the execution of a personal services contract with the former Chief Account Clerk within the Community Development Block Grant budget provides an opportunity to realize a cost savings of \$23,300 in the grant program.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to execute a Personal Services Contract with Nancy Gorrell, residing at 3280 Stony Point Road, Grand Island, New York 14072 for the purpose of undertaking accounting services within the federally funded Community Development Block Grant Program; and be it further

RESOLVED, that the agreement shall include an authorized contract amount not to exceed \$21,000; and be it further

RESOLVED, that the requirement for request for proposals in Section 19.08 of the Erie County Administrative Code are hereby waived since the engagement is a continuation of work activities undertaken through the original County service of Nancy Gorrell as a Chief Account Clerk; and be it further

RESOLVED, that the source of funds shall be money available within the Erie County Community Development Block Grant, in Project J.00510, WBS element J.00510.1.1; and be it further

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

(5-0)

4. COMM. 4E-19 (2011)
COUNTY EXECUTIVE

WHEREAS, the New York State Canal Corporation and Erie County have entered into an agreement dated April 29, 2009, as amended June 11, 2010; and

WHEREAS, said agreement authorized the Canal Corporation to provide \$100,000 to the County for use in improving facilities at Black Rock Canal Park (aka Ontario Street Boat Launch); and

WHEREAS, said agreement has a termination date of November 30, 2011; and

WHEREAS, due to delays in project design it is now necessary to extend the termination date to December 31, 2012.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Executive is hereby authorized to execute the No Cost Budget Modification/Time Extension Appendix to the existing agreement between Erie County and the New York State Canal Corporation dated April 29, 2009, as amended June 11, 2010, which extends the termination date to December 31, 2012; and be it further

RESOLVED, that the Erie County Executive is hereby authorized to execute any and all additional No Cost Budget Modification/Time Extension agreements to the original April 29, 2009 Contract as may be necessary to fully utilize New York State Canal Corporation funds; and be it further

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

(5-0)

5. COMM. 4E-23 (2011)
COUNTY EXECUTIVE

WHEREAS, Erie County seeks to undertake a Community Land Use Technique Training Program through the federally funded Community Development Block Grant; and

WHEREAS, the objective of the Program is to educate municipal officials concerning innovative land use techniques that can be used to better accommodate affordable housing within their communities; and

WHEREAS, in order to successfully carry out the Program professional planning services are required to complete certain technical components of the training effort.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Executive is hereby authorized to execute a contract with Wendel-Duchscherer for planning services in an amount not to exceed \$20,000; and be it further

RESOLVED, that the source of funds is money available within the Erie County Department of Environment and Planning Budget, Fund 290, Community Development Fund, Project J.00510.2.4, Economic Development – Planning; and be it further

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

(5-0)

6. COMM. 6E-12 (2011)
COUNTY EXECUTIVE

WHEREAS, the transportation infrastructure of Southern Erie County was significantly damaged by the storms of early August 2009; and

WHEREAS, Federal Disaster DR-1857-NY was declared for parts of Erie County as a result of the August storms making available assistance from the New York State Office of Emergency Management (NYSOEM) and the Federal Emergency Management Agency (FEMA) under FEMA's Public Assistance program; and

WHEREAS, under the Public Assistance program, with the participation of NYSOEM, approved costs are eligible for reimbursement from FEMA – 75%, and NYSOEM – 12.5% with Erie County providing the remaining 12.5%; and

WHEREAS, among the projects identified by FEMA and eligible for reimbursement was PW 813 (Project) on New Oregon Road in the Town of Eden; and

WHEREAS, your honorable body has previously authorized Greenman-Pedersen, Inc. as a qualified Term Agreement General Architectural/Engineering firm via Comm.14E-19 of July 17, 2008; and

WHEREAS, it is desired to construct the Project during the 2011 construction season.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized and directed to negotiate and execute all necessary contracts for the Project and engineering firm Greenman-Pedersen, Inc. for an aggregate amount not to exceed \$200,000.00; and be it further

RESOLVED, that funds in the amount of \$200,000.00 be allocated from SAP Account B.20921; WBS element B.20921.1.2 - 2009 FEMA 1857-NY Projects for the Project; 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)

7. COMM. 6E-13 (2011)
COUNTY EXECUTIVE

WHEREAS, your honorable body has previously authorized the County Executive to enter into a General Architectural/Engineering Services Agreement with Zaxis Architectural, PC for providing professional design services on Erie County projects; and

WHEREAS, in order to improve efficiency within the Department of Social Services, the County of Erie desires to renovate 26,500 square feet of office space on the first and second floors of the Erie County Rath Building and to relocate office personnel to this space upon completion of the project; and

WHEREAS, this project is eligible for Federal and State reimbursement with a local share of 31.35% of total project costs; and

WHEREAS, Zaxis Architectural, PC has the necessary expertise and manpower to design and oversee the aforementioned project for the renovation of office space on the first and second floors of the Rath Building to be utilized by the Department of Social Services.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter into an Agreement Amendment with the firm of Zaxis Architectural, PC for providing Professional Architectural/Engineering Services for the Rath Building first and second floor renovation project to include space planning, preparation of construction and bid documents and construction administration for an amount not to exceed \$69,500.00; and be it further

RESOLVED, that the Department of Social Services allocate the amount of \$69,500.00 from SAP Project A.00308 – Social Services Project Renovation to Office Space 2007, WBS element A.00308.1, Capital Project Expense, for Architectural/Engineering services for the Rath Building first and second floor renovation project; and be it further

RESOLVED, that the Comptroller’s Office be authorized to make payment for all the above from SAP Project A.00308 – Social Services Project Renovation to Office Space 2007, WBS element A.00308.1, Capital Project Expense; and be it further

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

(5-0)

8. COMM. 6E-14 (2011)
COUNTY EXECUTIVE AS AMENDED

WHEREAS, the County is required pursuant to the Lease Agreement between the Buffalo Bills and Erie County to provide capital improvements to Ralph Wilson Stadium on an annual basis; and

WHEREAS, the Erie County Division of Real Estate and Asset Management received bids for the Ralph Wilson Stadium – 2011 – Miscellaneous Improvements on February 28, 2011; and

WHEREAS, the Erie County Division of Real Estate and Asset Management is recommending award of contracts to the lowest responsible bidders, along with the engineer.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be authorized to enter into contracts with the lowest responsible bidders for the Ralph Wilson Stadium – 2011 – Miscellaneous Improvements as follows:

GENERAL CONSTRUCTION WORK

| | | |
|--------------------------------|----------|--------------|
| Trason Development Corporation | Base Bid | \$289,900.00 |
|--------------------------------|----------|--------------|

ELECTRICAL WORK

| | | |
|------------------------------------|----------|--------------|
| Frey Electric Construction Company | Base Bid | \$212,000.00 |
|------------------------------------|----------|--------------|

MECHANICAL WORK

| | | |
|--------------------|----------|--------------|
| MKS Plumbing, Inc. | Base Bid | \$382,000.00 |
|--------------------|----------|--------------|

PLUMBING WORK

| | | |
|--------------------|----------|---------------------|
| MKS Plumbing, Inc. | Base Bid | <u>\$122,000.00</u> |
|--------------------|----------|---------------------|

TOTAL AWARD OF ALL CONTRACTS NOT TO EXCEED \$1,005,900.00

and be it further

RESOLVED, that the sum of \$75,000.00 be allocated to a construction contingency fund 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.21002.12 2010 – Rehabilitation of Ralph Wilson Stadium \$1,080,900.00

TOTAL PAYMENTS NOT TO EXCEED \$1,080,900.00

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)

9. COMM. 6E-15 (2011)
COUNTY EXECUTIVE

WHEREAS, the County is required pursuant to the Lease Agreement between the Buffalo Bills and Erie County to provide capital improvements to Ralph Wilson Stadium on an annual basis; and

WHEREAS, the Erie County Division of Real Estate and Asset Management received bids for the Ralph Wilson Stadium – 2011 – Artificial Grass Field Replacement on February 28, 2011; and

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

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be authorized to enter into a contract with the lowest responsible bidder for the Ralph Wilson Stadium – 2011 – Artificial Grass Field Replacement as follows:

TURF CONTRACTOR

| | | |
|--------------|---------------------|--------------|
| A-Turf, Inc. | Base Bid | \$177,780.00 |
| | Add Alternate No. 1 | \$89,500.00 |

Add Alternate No. 2 \$12,000.00

TOTAL AWARD OF ALL CONTRACTS NOT TO EXCEED \$279,280.00

and be it further

RESOLVED, that the sum of \$40,000.00 be allocated to a construction contingency fund 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 account as follows:

A.21002.13 2010 – Rehabilitation of Ralph Wilson Stadium \$319,280.00

TOTAL PAYMENTS NOT TO EXCEED \$319,280.00

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)

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

 WHEREAS, Erie County must confirm right of way and property rights prior to various county-wide road and bridge work projects; and

 WHEREAS, your honorable body has previously approved a General Architectural/Engineering Agreement with the firm of TVGA Consultants for providing professional services on County projects via Comm.14E-19 of July 17, 2008; and

 WHEREAS, the County Executive is requesting authorization from your honorable body to execute an Agreement with TVGA Consultants for providing Professional Survey Services to the Department of Public Works.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be authorized to execute an Agreement with TVGA Consultants for providing Professional Survey Services to the Department of Public Works related to various road and bridge projects for an amount not to exceed \$100,000.00; and be it further

RESOLVED, that the payment for the above agreement be allocated from SAP Project B.21001, 2010 Capital Road Overlay Program (PAYGO), WBS element B.21001.1.7, for an amount not to exceed \$100,000.00; and be it further

RESOLVED, that three (3) 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

MR. MILLS moved to approve item Number 2. MR. WALTER 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, CHAIR MILLER-WILLIAMS and MR. WHALEN. NOES: MS. GRANT, MR. KOZUB, MR. LOUGHRAN, MS. MARINELLI, MR. MAZUR and MS. WHYTE. (AYES: 9; NOES: 6)

CARRIED.

Item 25 – MR. MAZUR presented the following report, moved to separate item Number 2, and moved to approve the balance of the report. MR. WALTER seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 53

| | |
|----------------|--|
| March 22, 2011 | HEALTH & HUMAN SERVICES COMMITTEE REPORT NO. 5 |
|----------------|--|

ALL MEMBERS PRESENT, EXCEPT LEGISLATOR GRANT.
CHAIR MILLER-WILLIAMS PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 6M-13 (2011)
ORCHARD PARK TOWN CLERK: “Copy of Resolution in Opposition to Spay/Neuter Surcharges for Altered Dogs”
(5-0)
 - b. COMM. 6M-30 (2011)
ECMCC: “Agenda Materials for Meeting Held on 3/1/11”
(5-0)

2. INTRO 6-1 (2011)
DIXON

WHEREAS, Laura Cummings, a mentally and physically challenged young adult, was smothered to death by her mother after a lifetime of physical, mental and sexual abuse by some members of her family; and

WHEREAS, New York State Senate Bill S. 3306 would make it easier to investigate claims of abuse against some of the most vulnerable members of our society; and

WHEREAS, among the provisions, the law would empower Child or Adult Protective Services to seek a court order to enter premises to investigate claims of abuse if access is denied by the homeowner; allow Child Protective Services to share information about prior abuse with Adult Protective Services; and, make it a Class A misdemeanor to deny Child or Adult Protective Services access to an alleged victim for an interview; and

WHEREAS, these protections could help to prevent future tragedies similar to the abuse suffered by Laura Cummings.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature goes on record in support of New York State Senate Bill S. 3306 and any companion bill in the New York State Assembly; 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. COMM. 6E-19 (2011)
COUNTY EXECUTIVE

WHEREAS, the New York State Office for Aging has notified the Department of Senior Services (Department) that the Department has been awarded \$45,094 for the Medicare Improvements for Patients and Providers Act – Aging and Disability Resource Center (MIPPA/ADRC) grant for the period September 30, 2010 through September 29, 2011; and

WHEREAS, the MIPPA/ADRC grant funds will be used to enhance and supplement current activities to reach Medicare beneficiaries that may be eligible for low income subsidy and/or the Medicare savings program and to promote the new Medicare wellness and prevention benefits; and

WHEREAS, the MIPPA/ADRC grant budget needs to be established; and

WHEREAS, there are no local match requirements for this grant.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be and is hereby authorized to accept the MIPPA/ADRC funds from the New York State Office for Aging; and be it further

RESOLVED, that the budget for the MIPPA/ADRC grant, 163 MIPPA/ADRC1011, be established as follows:

| | | INITIAL |
|-----------------------|-----------------------------|-----------------|
| | | BUDGET |
| REVENUES | | |
| Account | Description | |
| 414000 | Federal Aid | \$45,094 |
| | TOTAL REVENUE | \$45,094 |
| APPROPRIATIONS | | |
| 505000 | Office Supplies | \$500 |
| 510000 | Local Mileage | 1,000 |
| 510100 | Out of Area Travel | 1,000 |
| 516020 | Professional Fees | 3,581 |
| 530000 | Other Expenses | 2,000 |
| 916300 | ID Senior Services | 37,013 |
| | TOTAL APPROPRIATIONS | \$45,094 |

and be it further

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

(5-0)

4. COMM. 6E-22 (2011)
COUNTY EXECUTIVE

WHEREAS, Hopevale ceased operations due to financial difficulties in early 2011; and

WHEREAS, due to the closure of Hopevale, the Department of Social Services requests authority to transfer budgeted funds for Mandated Preventive Respite Services from Hopevale to Gateway-Longview and Gustavus Adolphus; and

WHEREAS, due to the emergency nature of the closure and the need to maintain critical Mandated Preventive Respite Services, the Department identified contractors with the capacity available to foster a seamless transition for children and families; and

WHEREAS, this resolution enables the transfer of budgeted funds necessary for contract payments and there is no fiscal impact to this change.

NOW, THEREFORE, BE IT

RESOLVED, that the following budget amendments are hereby authorized in the 2011 Adopted Budget:

Department of Social Services, Department 120, Fund 110

| <u>ACCOUNT</u> | <u>DESCRIPTION</u> | <u>INCREASE/ (DECREASE)</u> |
|----------------|--------------------|---------------------------------|
| 517170 | Hopevale | \$(50,000) |
| 517150 | Gateway-Longview | 25,000 |
| 517163 | Gustavus Adolphus | <u>25,000</u> |
| | Total Expenditure | <u>-0-</u> |

and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the County Executive, the Commissioner of Social Services, the Erie County Comptroller and the Director of the Division of Budget and Management.
(5-0)

THOMAS J. MAZUR
CHAIR

MR. MAZUR moved to amend item Number 2 by including Et Al Sponsorship. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

LEGISLATOR RESOLUTIONS

Item 26 – MS. WHYTE presented the following resolution and moved for immediate consideration. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 54

RE: Compliance with all County MBE/WBE
Local Laws
(INTRO 7-1)

**A RESOLUTION TO BE SUBMITTED BY
LEGISLATORS WHYTE, GRANT, MILLER-WILLIAMS,
MAZUR, WHALEN, BOVE & MARINELLI**

WHEREAS, there are three local laws governing minority and women business utilization in Erie County; and

WHEREAS, the first law was adopted in 1987 as Local Law 1 dealing with construction contracts; and

WHEREAS, the second law was adopted in 1994 as Local Law 5 dealing with procurement contracts; and

WHEREAS, the third law was passed in 2005 as Local Law 9 dealing with professional, technical and consultant contracts; and

WHEREAS, section 1 of 1987 Local Law 1 outlines at least four specific ways in which the contractor must submit evidence of compliance to the County MBE/WBE Office, including the requirement to submit copies of all subcontracts and/or purchase agreements with MBE's and WBE's within 15 days of contract award; and

WHEREAS, section 1 (G) and (H) of 1987 Local Law 1 indicate that minority and women owned businesses must become certified by the Erie County EEO Division; and

WHEREAS, the Erie County EEO Division has developed a "County of Erie, City of Buffalo Joint Certification Committee" to review minority and women owned businesses wishing to become certified under the requirements of the Law; and

WHEREAS, the Joint Certification Committee has developed a lengthy and cumbersome application process which requires minority and women owned businesses to reveal information that could be detrimental to their business, including who their customers and suppliers are; and

WHEREAS, section 2 of 1987 Local Law 1 indicates that the County Executive shall appoint a MBE/WBE Utilization Advisory Board of nine members, the composition of which is supposed to include minority and female contractors; and

WHEREAS, section 4 (A) of 2005 Local Law 9 requires that every Department annually prepare a written plan for the utilization of bona-fide minority and women owned businesses for professional, technical, or other consultant services; and

WHEREAS, section 4 (C) of 2005 Local Law 9 requires that the County Executive submit a summary of each Department's plan to the Legislature simultaneously with the annual proposed Budget; and

WHEREAS, section 5 (F) of 2005 Local Law 9 requires that the County EEO Division prepare an annual report to the Executive and the Legislature on the compliance of the Departments with the Law; and

WHEREAS, many questions exist relating to the compliance and enforcement of these local laws and their reporting requirements.

NOW, THEREFORE, BE IT

RESOLVED, that the Deputy County Executive, the County Personnel Commissioner, the Director of the County Division of EEO, and the County Attorney appear before the Legislature's Community Enrichment Committee to discuss compliance with and enforcement of the aforementioned Local Laws; and be it further

RESOLVED, that Minority and Women Owned businesses also be invited into committee to discuss the cumbersome certification process as well as how compliance with the Local Laws affects their businesses; and be it further

RESOLVED, that the Erie County Comptroller, either by way of review or audit, conduct an analysis of Erie County's compliance with the aforementioned Local Laws; and be it further

RESOLVED, that certified copies of this resolution be sent to the County Executive, the County Personnel Commissioner, the Director of the County EEO Division, the County Attorney, the members of the County of Erie-City of Buffalo Joint Certification Committee, the Common Council of the City of Buffalo, the Buffalo Niagara Partnership, the Black Chamber of Commerce, the Hispanic Women's League, the US Small Business Administration, the Small Business Development Center at Buffalo State College, and the Women's Business Center at Canisius Colleges.

MS. WHYTE moved to amend the resolution by adding MR. KOZUB and MR. LOUGHRAN as Co-Sponsors. MS. BOVE seconded.

CARRIED UNANIMOUSLY.

MR. WALTER moved to send the resolution to committee for further consideration. MR. FUDOLI seconded.

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

AYES: MR. FUDOLI, MR. HARDWICK, MR. MILLS and MR. WALTER. NOES: MS. DIXON, MR. RATH, MS. BOVE, MS. GRANT, MR. KOZUB, MR. LOUGHRAN, MS. MARINELLI, MR. MAZUR, CHAIR MILLER-WILLIAMS, MR. WHALEN and MS. WHYTE. (AYES: 4; NOES: 11)

FAILED.

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

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

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

CARRIED.

COMMUNICATIONS DISCHARGED FROM COMMITTEE

Item 27 – MS. WHYTE moved to discharge the ENERGY & ENVIRONMENT COMMITTEE of further consideration of COMM. 4E-24 (2011). MR. KOZUB seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 55

RE: ECSD No. 3 - Bid Opening
(COMM. 4E-24, 2011)

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

CARRIED UNANIMOUSLY.

Delete the Entire Text and Insert the Following:

WHEREAS, the Erie County Department of Environment and Planning has received the following lowest responsible bid for the Erie County Sewer District No. 3, repairs to Southtowns Incinerator's Heat Exchangers "X" and "Y", Contract No. 11ST at 2:00 P.M. on March 8, 2011:

| <u>Contract</u> | <u>Lowest Responsible Bidder</u> | <u>Amount Bid</u> |
|-----------------|---|-------------------|
| Contract 11ST | Hohl Industrial Services, Inc. 770 Riverview Blvd Tonawanda, New York 14150 | \$345,675.00 |

and

WHEREAS, the aforementioned lowest responsible bidder has successfully performed similar work; and

WHEREAS, Erie County Sewer District No. 3 has set aside funds in a Capital Reserve account for future Capital Improvements; and

WHEREAS, Erie County Sewer District No. 3 desires to utilize a portion of these funds to finance this project in its entirety.

NOW, THEREFORE, BE IT

RESOLVED, that the repairs to Southtowns Incinerator's Heat Exchanger's "X" and "Y" Contract No. 11ST be awarded to Hohl Industrial Services, Inc., in the not-to-exceed amount of \$345,675.00; and be it further

RESOLVED, that the County Executive be, and is hereby authorized to execute the Contract with the aforementioned lowest, responsible bidder subject to approval as form by the County Attorney and certification of availability of funds; and be it further

RESOLVED, that the Comptroller and Director of Budget are authorized and directed to establish a capital project with a budget of \$345,675.00 (Southtowns STP Heat Exchanger

Rehabilitation 2011), and to establish additional budget to Facilitate a transfer of funds from Fund 220 to Sewer Capital as follows:

| <u>Fund</u> | <u>Project</u> | <u>Account</u> | <u>Description</u> | <u>Amount</u> |
|-------------|----------------|----------------|-----------------------|---------------|
| 430 | C.00007 | 486000 | Transfer In | \$345,675.00 |
| 430 | C.00007 | 570000 | Transfer Out | \$345,675.00 |
| 430 | to be est. | 516020 | Professional Services | \$345,675.00 |
| 430 | to be est. | 486000 | Transfer In | \$345,675.00 |

and be it further

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

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

CARRIED UNANIMOUSLY.

Item 28 – MS. WHYTE moved to discharge the HEALTH & HUMAN SERVICES COMMITTEE of further consideration of COMM. 6E-17 (2011). MR. KOZUB seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 56

RE: Amend CSE & EISEP Grant Budgets &
Authorize Contracts
(COMM. 6E-17, 2011)

WHEREAS, the 2011 Erie County Budget includes appropriated funds for the Community Services for the Elderly (CSE) and the Expanded In-home Services for the Elderly Program (EISEP) grants for 2011; and

WHEREAS, the Department periodically conducts needs assessments and analysis of decennial census information to modify program design and service delivery throughout the County; and

WHEREAS, such data will not be complete and available until late in 2011; and

WHEREAS, the Department of Senior Services has historically contracted with community-based organizations to provide case management, information and assistance, chore services and transportation to older adults living in their own homes; and

WHEREAS, the following organizations have been providing these services to seniors living in their respective service areas: Community Concern of WNY, Inc., Concerned Ecumenical Ministry, Lt. Col. Matt Urban Human Services Center of WNY, Inc., Schiller Park Community Services, Inc., South Buffalo Community Association, and Town of Amherst Center for Senior Services; and

WHEREAS, the Department wishes to contract with these organizations to continue such service provision for the period April 1, 2011 to March 31, 2012; and

WHEREAS, the CSE and EISEP grant budgets are in need of revision.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be and hereby is authorized to enter into contracts with Community Concern of WNY, Inc., Concerned Ecumenical Ministry, Lt. Col. Matt Urban Human Services Center of WNY, Inc., Schiller Park Community Services, Inc., South Buffalo Community Association, and Town of Amherst Center for Senior Services for the period April 1, 2011 to March 31, 2012; and be it further

RESOLVED, that the budget for the CSE grant, 163CSE1112, be revised as follows:

| | | CURRENT | CHANGES | AMENDED |
|-----------------------|----------------------------------|-----------|-----------------|-----------|
| | | BUDGET | | BUDGET |
| REVENUES | | | | |
| Account | Description | | | |
| 466320 | SUBCONTRACTOR MATCH | \$125,000 | <u>\$48,810</u> | \$173,810 |
| | TOTAL REVENUES | | <u>\$48,810</u> | |
| APPROPRIATIONS | | | | |
| 516010 | CONTRACTPMT-NON PROFIT AGENCY | 700,000 | -659,220 | \$40,780 |
| 516020 | PROFESSIONAL SRV CONTRACT & FEES | 6,500 | 3,863 | 10,363 |
| 517561 | COMMUNITY CONCERN OF WNY | 0 | 70,725 | 70,725 |
| 517573 | CONCERNED ECUMENICAL MINISTRY | 0 | 39,580 | 39,580 |
| 517693 | LT. COL. MATT URBAN CENTER | 24,000 | 254,630 | 278,630 |
| 517733 | NORTH BUFFALO COMMUNITY CENTER | 0 | 19,360 | 19,360 |
| 517737 | NORTHWEST BUFFALO COMM. CENTER | 24,000 | 26,540 | 50,540 |
| 517785 | SCHILLER PARK COMMUNITY CENTER | 0 | 228,780 | 228,780 |
| 517797 | SOUTH BUFFALO COMMUNITY CENTER | 24,000 | 85,565 | 109,565 |
| 517829 | TOWN OF AMHERST SENIOR CENTER | 0 | 16,000 | 16,000 |
| 916390 | ID SENIOR SERVICES GRANTS | -23936 | <u>-37,013</u> | -60,949 |
| | TOTAL APPROPRIATIONS | | <u>\$48,810</u> | |

and be it further

RESOLVED, that the budget for the EISEP grant, 163EISEP1112, be revised as follows:

| | | CURRENT | CHANGES | AMENDED |
|-----------------------|--------------------------------|-----------|-----------------|-----------|
| | | BUDGET | | BUDGET |
| REVENUES | | | | |
| Account | Description | | | |
| 466320 | SUBCONTRACTOR MATCH | \$185,000 | <u>\$12,745</u> | \$197,745 |
| | TOTAL REVENUES | | <u>\$12,745</u> | |
| APPROPRIATIONS | | | | |
| 516010 | CONTRACT PMT-NON PROFIT AGENCY | 920,000 | -814,780 | \$105,220 |

| | | | | |
|--------|--------------------------------|---|-----------------|---------|
| 517561 | COMMUNITY CONCERN OF WNY | 0 | 72,780 | 72,780 |
| 517573 | CONCERNED ECUMENICAL MINISTRY | 0 | 207,365 | 207,365 |
| 517693 | LT. COL. MATT URBAN CENTER | 0 | 125,310 | 125,310 |
| 517785 | SCHILLER PARK COMMUNITY CENTER | 0 | 155,730 | 155,730 |
| 517797 | SOUTH BUFFALO COMMUNITY CENTER | 0 | 96,760 | 96,760 |
| 517829 | TOWN OF AMHERST SENIOR CENTER | 0 | 169,580 | 169,580 |
| | TOTAL APPROPRIATIONS | | <u>\$12,745</u> | |

and be it further

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

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

CARRIED UNANIMOUSLY.

Item 29 – MS. WHYTE moved to discharge the HEALTH & HUMAN SERVICES COMMITTEE of further consideration of INTRO 6-6 (2011). 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)

SUSPENSION OF THE RULES

Item 30 - MS. WHYTE moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 7D-2 from the COMPTROLLER'S OFFICE Re: Audit of EC Department of Social Services Special Investigations Division

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

Item 31 - MR. HARDWICK moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 7E-7 from the COUNTY EXECUTIVE Re: Rodent Control Program - EC Health Department

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

COMMUNICATIONS FROM ELECTED OFFICIALS

FROM LEGISLATOR WHYTE

Item 32 – (COMM. 7E-1) Copy of Three Local Laws, Previously Passed by the EC Legislature Concerning the Utilization of Minority & Women Owned Businesses in County Contracting & Purchasing

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM THE COUNTY EXECUTIVE

Item 33 – (COMM. 7E-2) CPS 2011-2012 DNA Laboratory Backlog Reduction Grant

Received and referred to the PUBLIC SAFETY COMMITTEE.

Item 34 – (COMM. 7E-3) Award of Construction Contract - Contract for Engineering & Construction Inspection Services - Bridge Cleaning & Washing of Various County Bridges

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 35 – (COMM. 7E-4) Amendment No. 1 to EC & NYS Department of Agriculture & Markets Agreement Regarding Preparation of an EC Agricultural Farmland Protection Plan

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 57

RE: Legislation Authorizing Two-Year Extension of Additional 1% & .75% Sales & Compensating Use Tax (COMM. 7E-5)

WHEREAS, Erie County is requesting authorization to continue to impose an additional one percent and three quarters percent sales and compensating use tax pursuant to New York State Tax Law 1210 (i)(4); and

WHEREAS, the revenue anticipated from this additional tax will allow the County of Erie to continue to provide services deemed vital to the community, while maintaining a balanced budget; and

WHEREAS, the Office of the Erie County Attorney has prepared the necessary State authorizing legislation to effectuate the continued imposition of sales and compensation use tax; and

WHEREAS, Erie County derives all of its tax imposing authority directly from State law;
and

WHEREAS, Erie County's authority to impose its additional 1% and .75 % sales tax rate will expire at midnight on November 30, 2011 absent enactment of new State authorizing legislation.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby memorializes to the NYS Assembly and Senate, particularly those lawmakers who serve as Western New York's delegation in Albany, that immediate introduction of new State authorizing legislation is needed so that Erie County can continue to impose its additional 1% and .75% sales tax rate for the period beginning December 1, 2011 and ending November 30, 2013; and be it further

RESOLVED, that, as the proposed Bill indicates, if the county of Erie imposes the additional one percent rate of sales and compensating use taxes authorized by item (i) of clause (4) of subparagraph (i) of the opening paragraph of section twelve hundred ten of this article during the period beginning January first, two thousand seven, or thereafter, the county shall allocate each calendar year the first twelve million five hundred thousand dollars of the net collections from such one percent rate to the cities of such county and the area in such county outside its cities to be applied or distributed in the same manner and proportion as the net collections for such cities and area are applied or distributed under the revenue distribution agreement entered into pursuant to the authority of subdivision (c) of section twelve hundred sixty-two of this part in effect on January first, two thousand six, and subject to all provisions of such agreement governing the net collections for such cities and area and shall retain the remainder of such net collections for any county purpose; and be it further

RESOLVED, that certified copies of this resolution be transmitted to the Honorable Robin Schimminger of the NYS Assembly and the Honorable Michael Ranzenhofer of the NYS Senate, together with the Department of Budget, the County Attorney, and the County Comptroller.

Item 37 – (COMM. 7E-6) Right-of-Way Acquisition - Greiner Rd. at Shimerville Rd. Intersection Improvement Program - Town of Clarence

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

COMMUNICATIONS FROM THE DEPARTMENTS

FROM THE COMPTROLLER'S OFFICE

Item 38 – (COMM. 7D-1) Letter to Commissioner of Personnel Concerning Rate of Pay for the EC Attorney

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES

None.

ANNOUNCEMENTS

Item 39 – CHAIR MILLER-WILLIAMS announced that the committee schedule has been distributed.

Item 40 – LEGISLATOR DIXON announced that her Second Annual Prom Dress Drive is underway, with a deadline of April 8, 2011 for donations.

MEMORIAL RESOLUTIONS

Item 41 – Legislator Marinelli requested that when the Legislature adjourns, it do so in memory of George Ciancio and Maureen Crangle.

Item 42 – Legislator Mazur requested that when the Legislature adjourns, it do so in memory of Mark D. Hyener and Daniel F. Federice.

Item 43 – Legislator Grant requested that when the Legislature adjourns, it also do so in memory of Elizabeth Tayler.

Item 44 – Legislator Hardwick requested that when the Legislature adjourns, it do so in memory of Richard E. Hinkle, Edward A. Radecki, James Sherry, Mary M. Henshaw, Harry N. Carter and Edward J. Wolf.

ADJOURNMENT

Item 45 - 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, April 14, 2011 at 2:00 p.m. Eastern Standard Time. MR. WALTER seconded.

CARRIED UNANIMOUSLY.

CHAIR MILLER-WILLIAMS declared the Legislature adjourned until Thursday, April 14, 2011 at 2:00 p.m. Eastern Standard Time.

**ROBERT M. GRABER
CLERK OF THE LEGISLATURE**