

**ERIE COUNTY LEGISLATURE**  
**MEETING NO. 7**  
**APRIL 5, 2012**

The Legislature was called to order by Chair Grant.

All members present.

An Invocation was held, led by Mr. Mazur, who read a short prayer.

The Pledge of Allegiance was led by Mr. Mills.

Item 1 – No tabled items.

Item 2 – No items for reconsideration from previous meeting.

Item 3 – MR. MAZUR moved for the approval of the minutes for Meeting Number 6 from 2012. MR. McCracken seconded.

CARRIED UNANIMOUSLY.

Item 4 – No Public Hearings.

**MISCELLANEOUS RESOLUTIONS**

Item 5 – MR. LORIGO presented a resolution Commending Crista Botticello for Establishing a Scholarship to Promote Fashion Design.

Item 6 – MR. MILLS presented a resolution Recognizing Thomas R. O'Boyle on 40 Years of Service to His Community of North Collins.

Item 7 – MR. MILLS presented a resolution Congratulating the Town of Brant on Being Awarded the Friends & Neighbors Advocating Better Green Living Organization's 2012 Communities Gone Green Award of Excellence.

Item 8 – MR. HOGUES presented a resolution Celebrating Dyngus Day on Easter Monday, April 9th.

Item 9 – MR. MAZUR presented a memorial resolution In Remembrance of Henry S. Sypniewski.

Item 10 – CHAIR GRANT, MR. MAZUR, MR. MILLS, MR. HOGUES, MS. MARINELLI, MR. HARDWICK, MR. LOUGHRAN, MR. RATH, MR. McCracken, MS. DIXON & MR. LORIGO presented a resolution Congratulating Veronica Federiconi on the 10th Anniversary of Arts Work at Autistic Services & in Recognition of April as Autism Awareness Month.

MR. MAZUR moved for consideration of the above six items. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

MR. MAZUR moved for approval of the above six items as amended. MR. HOGUES seconded.

CARRIED UNANIMOUSLY.

### **LOCAL LAWS**

Item 11 – CHAIR GRANT directed that Local Law No. 8 (Print #1) 2011 remain on the table and in the ENERGY & ENVIRONMENT COMMITTEE.

GRANTED.

Item 12 – CHAIR GRANT directed that Local Law No. 11 (Print #1) 2011 remain on the table and in the PUBLIC SAFETY COMMITTEE.

GRANTED.

Item 13 – CHAIR GRANT directed that Local Law No. 1 (Print #1) 2012 remain on the table and in the ENERGY & ENVIRONMENT COMMITTEE.

GRANTED.

### **COMMITTEE REPORTS**

None.

### **LEGISLATOR RESOLUTIONS**

Item 14 – MR. MAZUR presented the following resolution and moved for immediate consideration. MR. MILLS seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 94

RE: Transfer of Surplus Property to the  
Town of Collins  
(INTRO 7-1)

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

WHEREAS, Town of Collins Supervisor David F. Tessmer recently visited the county surplus warehouse and identified items that would be useful to the town; and

WHEREAS, the county has no use for these items and the Department of Purchase has approved them for transfer; and

WHEREAS, final transfer of these items from the county to the Town of Collins will only happen with the approval of the Legislature.

NOW, THEREFORE, BE IT

RESOLVED, that ownership of the following items:

Item	Quantity
Wall Locker	2
Projector Screen	1
Credenza	1
Display Case	1

Is hereby transferred from the County of Erie to the Town of Collins; and be it further

RESOLVED, that certified copies of this resolution be sent to Michael Sluberski in the Erie County Department of Purchase and to Town of Collins Supervisor David F. Tessmer at 14093 Mill Street, PO Box 420, Collins, New York 14034.

MR. MAZUR moved to amend the resolution by including Et Al Sponsorship. MR. HOGUES seconded.

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

Item 15 – CHAIR GRANT directed that the following resolution be referred to the PUBLIC SAFETY COMMITTEE.

GRANTED.

INTRO 7-2 from RATH, MILLS, DIXON, HARDWICK & LORIGO. Supporting the Ability of Volunteer Emergency Medical Providers to Recover Costs for Services Provided.

Item 16 – CHAIR GRANT directed that the following resolution be referred to the ECONOMIC DEVELOPMENT COMMITTEE.

GRANTED.

INTRO 7-3 from LORIGO, MILLS, RATH, DIXON & HARDWICK. Encouraging Reform of New York's Scaffold Law.

**COMMUNICATIONS DISCHARGED FROM COMMITTEE**

Item 17 – MR. MAZUR moved to discharge the PUBLIC SAFETY COMMITTEE of further consideration of INTRO 6-3 (2012). MR. RATH seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 95

RE: Encouraging Utilization of Firefighter  
Training Grant  
(INTRO 6-3, 2012)

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

WHEREAS, Erie County has accepted and utilizes Staffing for Adequate Fire and Emergency Response (SAFER) grant #EMW2008-00784 for providing firefighter 1 and other firefighting training classes at Erie Community College, among other purposes; and

WHEREAS, SAFER grant 2010-360 is a state-wide grant which is utilized by firefighters in other counties to provide eighty credit hours of training and education at their local community college; and

WHEREAS, the state-wide SAFER grant requires those utilizing these expanded educational benefits to commit to a number of years of service; and

WHEREAS, Erie County firefighters cannot utilize the state-wide grant, because the local grant also provides training and education; and

WHEREAS, if the local grant did not provide training, Erie County firefighters could participate in the state-wide grant; and

WHEREAS, utilizing the state-wide grant would encourage local firefighters to get their education at Erie Community College, instead of going to community colleges in other counties, as well as encourage community members to become volunteer firefighters; and

WHEREAS, this could help reduce chargebacks paid by local taxpayers when local students attend community colleges in other counties; and

WHEREAS, in order to participate in the state-wide grant, two federal grant administrators must sign-off that there will be no duplication of efforts providing training to firefighters.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature requests that all parties move forward to complete the process which would allow firefighters in Erie County to participate in the state-wide grant; and be it further

RESOLVED, that copies of this resolution be forwarded to County Executive Mark Poloncarz, the Erie County Department of Emergency Services and the Firemen's Association of the State of New York.

MR. MAZUR moved to amend the resolution by including Et Al Sponsorship. MR. McCRACKEN seconded.

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

### **SUSPENSION OF THE RULES**

None.

### **COMMUNICATIONS FROM ELECTED OFFICIALS**

#### **FROM THE COUNTY EXECUTIVE**

Item 18 – (COMM. 7E-1) Letter to Chair of the ECFSA Concerning 2012-2015 EC Four Year Financial Plan

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 19 – (COMM. 7E-2) ECSD No. 3 - Authorization of Easement Acquisition - McKinley Pumping Station Elimination - Village of Hamburg

Item 20 – (COMM. 7E-3) ECSD No. 3 - Proposed Inter-Municipal Agreement - Village of Hamburg

Item 21 – (COMM. 7E-4) ECSD Nos. 1 & 3 - Mineral Springs Old Metering Building Demolition & Magnetic Metering Building Replacement Close-Out

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

Item 22 – (COMM. 7E-5) Department of Real Property Tax Services - Authorize Sale of County-Owned Properties Sold at Public Auction

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 23 – (COMM. 7E-6) EC Community Corrections Advisory Board Appointment Recommendation

Received and referred to the PUBLIC SAFETY COMMITTEE.

**FROM LEGISLATOR HARDWICK**

Item 24 – (COMM. 7E-7) Letter to Legislator Marinelli Concerning Preliminary Drafts of Charter Change Regarding the Library's Budget

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

**COMMUNICATIONS FROM THE DEPARTMENTS**

None.

**COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES**

**FROM THE BUFFALO & EC PUBLIC LIBRARY**

Item 25 – (COMM. 7M-1) Letter to Legislator Marinelli Concerning the System's Efforts to Become a Special Legislative District Public Library

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

**FROM THE NFTA**

Item 26 – (COMM. 7M-2) Minutes from Meeting Held 2/27/2012

Received and referred to the the ECONOMIC DEVELOPMENT COMMITTEE.

**FROM ECMCC**

Item 27 – (COMM. 7M-3) Copy of Annual Report for 2011

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

**FROM THE NYSDEC**

Item 28 – (COMM. 7M-4) Public Notice: Inactive Hazardous Waste Disposal Site Delist Notice - 110 Fuhmann Blvd., Buffalo, NY 14202

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE LANGSTON HUGHES INSTITUTE

Item 29 – (COMM. 7M-5) Legislature Arts & Cultural Organizations Allocation - Program Services Description & Budget

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM SENATOR GRISANTI

Item 30 – (COMM. 7M-6) Letter to Legislature Concerning Senate Bill 6286, in Relation to Reinstatement of the STAR Rebate Program for Seniors

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM PRISONERS ARE PEOPLE TOO

Item 31 – (COMM. 7M-7) Letter to Legislature Concerning Reappointment to the EC Community Corrections Advisory Board

Received and referred to the PUBLIC SAFETY COMMITTEE.

ANNOUNCEMENTS

Item 32 – MR. MAZUR announced that Monday, April 9, 2012 is Dyngus Day.

Item 33 – CHAIR GRANT announced that the next session of the Legislature is Thursday, April 19, 2012.

MEMORIAL RESOLUTIONS

Item 34 – Legislator Dixon requested that when the Legislature adjourns, it do so in memory of George F. Zenger, Bruce Colley and Allan Wittmeyer.

Item 35 – Legislator Mazur requested that when the Legislature adjourns, it do so in memory of Henry S. Sypniewski, Florence A. Wohlgemuth-Kraus, and Alois E. Mazur.

Item 36 – Legislator McCracken requested that when the Legislature adjourns, it do so in memory of Helga Honey.

Item 37 – Legislator Marinelli requested that when the Legislature adjourns, it do so in memory of George F. Zenger.

**ADJOURNMENT**

Item 38 – At this time, there being no further business to transact, CHAIR GRANT announced that the Chair would entertain a Motion to Adjourn.

MR. MAZUR moved that the Legislature adjourn until Thursday, April 19, 2012 at 2:00 p.m. Eastern Standard Time. MR. McCRACKEN seconded.

CARRIED UNANIMOUSLY.

CHAIR GRANT declared the Legislature adjourned until Thursday, April 19, 2012 at 2:00 p.m. Eastern Standard Time.

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