

**ERIE COUNTY LEGISLATURE
MEETING NO. 9
MAY 10, 2012**

The Legislature was called to order by Chair Grant.

All members present.

An Invocation was held, led by Ms. Dixon, who requested 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 – MR. MAZUR moved for the approval of the minutes for Meeting Number 8 from 2012. MR. RATH seconded.

CARRIED UNANIMOUSLY.

Item 4 – No Public Hearings.

MISCELLANEOUS RESOLUTIONS

Item 5 – MR. McCRACKEN presented a resolution Congratulating the Lancaster Amateur Radio Club on Its 25th Anniversary.

Item 6 – MR. MAZUR presented a resolution Congratulating the Mental Health Association of EC on Its 50th Anniversary.

Item 7 – MR. MAZUR presented a memorial resolution Honoring the Memory of Leora R. Allaire.

Item 8 – MR. LORIGO presented a memorial resolution Honoring the Life and Service of William A. Delmont.

Item 9 – MR. MILLS presented a resolution Congratulating Joseph R. Wales on Being Named “Orchard Park Republican Committee Republican of the Year.”

Item 10 – MR. LORIGO presented a resolution Recognizing Arbor Day, April 27, 2012.

Item 11 – MS. DIXON presented a resolution Honoring Tony Scaccia for Being Awarded the Longevity Award by the Greater South Buffalo Chamber of Commerce.

Item 12 – MS. DIXON presented a resolution Honoring Fran Desiderio for Being Awarded Chamber Ambassador by the Greater South Buffalo Chamber of Commerce.

Item 13 – MS. DIXON presented a resolution Honoring Mercy Hospital for Being Awarded Business of the Year by the Greater South Buffalo Chamber of Commerce.

Item 14 – MS. DIXON presented a resolution Honoring William “Bill” Conroy for Being Awarded Community Service Award by the Greater South Buffalo Chamber of Commerce.

Item 15 – MS. DIXON presented a resolution Honoring the South Buffalo News/Front Page Group on Being Awarded Business of the Year Award (Small Business) by the Greater South Buffalo Chamber of Commerce.

Item 16 – MS. DIXON presented a resolution Honoring Theresa Schuta for Educator of the Year Award by the Greater South Buffalo Chamber of Commerce.

Item 17 – MS. DIXON presented a resolution Honoring Mark J.F. Schroeder for the Founders' Award by the Greater South Buffalo Chamber of Commerce.

Item 18 – MR. LORIGO presented a resolution Honoring Tri-R Mechanical Services for Receiving the 2012 “Commitment to Education Award.”

Item 19 – MR. HARDWICK presented a resolution Honoring Christopher Dlugokinski for Receiving the Newton-Azrak Award for Heroism.

Item 20 – MR. HARDWICK presented a resolution Honoring Jeffrey Gramlich on Receiving the Medaille College’s Founders' Day Award.

Item 21 – MR. HARDWICK presented a resolution Honoring Cheryl Celotto During National Military Appreciation Month for Her Dedication and Unselfish Service.

Item 22 – MR. HARDWICK presented a resolution Honoring Cannon Design on Being Awarded the Commitment to Education Award.

Item 23 – MR. HARDWICK presented a resolution Honoring Heather Holden on Receiving the Award for Excellence in Music Education.

Item 24 – MR. MAZUR presented a memorial resolution In Remembrance of the Life of Margaret A. Hanzlian.

Item 25 – MR. MILLS presented a resolution Congratulating Phillip Muck on Receiving the EC 2012 Senior of the Year Award.

Item 26 – MR. MILLS presented a resolution Congratulating Reid Smith for 50 Years of Outstanding Service in Law Enforcement.

Item 27 – MS. MARINELLI presented a resolution Congratulating the Buffalo Bisons on Their 25th Year of Play at Coca-Cola Field.

Item 28 – MS. DIXON presented a resolution Congratulating Evan Taylor on His Outstanding Accomplishment in Completing All Requirements to Attain the Prestigious Rank of Eagle Scout.

Item 29 – MS. DIXON presented a resolution Honoring Daniel Chiacchia for Receiving the 2012 Commitment to Education Award for His Dedication & Outstanding Service.

Item 30 – MS. DIXON presented a resolution Honoring Deputy Elizabeth Fildes for Her Tireless Commitment to Combat Human Trafficking.

Item 31 – MR. LOUGHRAN presented a resolution Congratulating James Loughran on His Retirement from the Amherst Town Court.

Item 32 – 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 Commending Lancaster Citizen Benny Kirkland for Bravery in Apprehending a Suspect Immediately Following the Hit-and-Run Crash He Witnessed.

Item 33 – CHAIR GRANT, MR. MILLS, MR. HOGUES, MS. MARINELLI, MR. McCracken & MR. LORIGO presented a resolution Honoring Jane M. Vosseler, Owner of Ace Flag Company, an Outstanding WBE.

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

CARRIED UNANIMOUSLY.

MR. MAZUR moved to amend the above twenty-nine items by adding one for CHAIR GRANT and also by including Et Al Sponsorship. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

LOCAL LAWS

Item 34 – CHAIR GRANT directed that Local Law No. 8 (Print #1) 2011 remain on the table and in the ENERGY & ENVIRONMENT COMMITTEE.

GRANTED.

Item 35 – CHAIR GRANT directed that Local Law No. 11 (Print #1) 2011 remain on the table and in the PUBLIC SAFETY COMMITTEE.

GRANTED.

Item 36 – CHAIR GRANT directed that Local Law No. 1 (Print #1) 2012 remain on the table and in the ENERGY & ENVIRONMENT COMMITTEE.

GRANTED.

COMMITTEE REPORTS

Item 37 – MR. MAZUR presented the following report and moved for immediate consideration and approval. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 102

April 24, 2012	MINORITY & WOMEN BUSINESS ENTERPRISE COMMITTEE REPORT NO. 3
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ALL MEMBERS PRESENT.

1. RESOLVED, all items are hereby tabled.

**BETTY JEAN GRANT
CHAIR**

Item 38 – MR. MAZUR presented the following report, moved to separate item Number 2, and moved to approve the balance of the report. MR. RATH seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 103

May 1, 2012	GOVERNMENT AFFAIRS COMMITTEE REPORT NO. 5
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ALL MEMBERS PRESENT.

CHAIR GRANT PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 8E-18 (2011)
COUNTY EXECUTIVE: “Authorization to Hold a Public Auction for Sale of County Owned Real Estate”

- (6-0)
- b. INTRO 16-1 (2011)
DIXON: "Transfer of Surplus Property to the Boys & Girls Club of Lakeshore"
(6-0)
- c. COMM. 3M-39 (2012)
JEREMY A. COLBY: "Letter to Chair of the Legislature Concerning Salary Structure of the EC Attorney's Office"
(6-0)
- d. COMM. 5E-1 (2012)
DIXON: "Letter to County Clerk Concerning Reported Service Backlog in the County Clerk's Office"
(6-0)
- e. COMM. 5E-3 (2012)
COUNTY EXECUTIVE: "Letter to Mayor of Buffalo Concerning Land Bank Proposal"
(6-0)
- f. COMM. 5E-5 (2012)
COUNTY CLERK: "Letter to County Executive Concerning Creation of an EC Land Bank"
(6-0)
- g. COMM. 5M-4 (2012)
ASSOCIATION OF EC GOVERNMENTS: "Copy of Resolution Concerning Land Banking"
(6-0)
- h. COMM. 5M-14 (2012)
MAYOR OF BUFFALO: "Letter to County Executive Concerning Regional Land Banking"
(6-0)
- i. COMM. 6E-2 (2012)
COUNTY EXECUTIVE: "Issuance of Executive Order No. 10"
(6-0)
- j. COMM. 6D-2 (2012)
DEPARTMENT OF ENVIRONMENT & PLANNING: "Intermunicipal Agreement for the Creation of the Buffalo Erie Niagara Land Improvement Corporation"
(6-0)
- k. COMM. 6D-3 (2012)
DEPARTMENT OF ENVIRONMENT & PLANNING: "By-Laws of Buffalo Erie Niagara Land Improvement Corporation"
(6-0)
- l. COMM. 6M-1 (2012)

- HAMILTON COUNTY BOARD OF SUPERVISORS: “Copy of Resolution Calling on All Counties to Unite to Bring About Real & Meaningful Mandate Relief in NYS”
(6-0)
- m. COMM. 6M-4 (2012)
VILLAGE OF SPRINGVILLE: “Copy of Resolution In Support for an EC Land Bank”
(6-0)
- n. COMM. 6M-5 (2012)
AMHERST TOWN BOARD: “Copy of Resolution In Support for an EC Land Bank”
(6-0)
- o. COMM. 6M-6 (2012)
CHEEKTOWAGA TOWN BOARD: “Copy of Resolution In Support for an EC Land Bank”
(6-0)
- p. COMM. 6M-7 (2012)
VILLAGE OF HAMBURG: “Copy of Resolution In Support for an EC Land Bank”
(6-0)
- q. COMM. 6M-10 (2012)
ORCHARD PARK TOWN BOARD: “Copy of Resolution In Support for an EC Land Bank”
(6-0)
- r. COMM. 6M-13 (2012)
LACKAWANNA COMMON COUNCIL: “Copy of Resolution In Support for an EC Land Bank”
(6-0)
- s. COMM. 6M-15 (2012)
SCHOHARIE COUNTY BOARD OF SUPERVISORS: “Copy of Resolution Calling on All Counties to Unite to Bring About Real & Meaningful Mandate Relief in NYS”
(6-0)
- t. COMM. 6M-22 (2012)
EDEN TOWN BOARD: “Copy of Resolution In Support for an EC Land Bank”
(6-0)
- u. COMM. 7M-6 (2012)
SENATOR GRISANTI: “Letter to Legislature Concerning Senate Bill 6286, in Relation to Reinstatement of the STAR Rebate Program for Seniors”
(6-0)
- v. COMM. 8D-2 (2012)
COUNTY ATTORNEY: “Transmittal of New Claims Against EC”
(6-0)
- w. COMM. 8D-3 (2012)

COUNTY ATTORNEY: "Notice of Claim"
(6-0)

x. COMM. 8D-4 (2012)
DEPARTMENT OF ENVIRONMENT & PLANNING: "Application for Buffalo Erie
Niagara Land Improvement Corporation"
(6-0)

y. COMM. 8D-5 (2012)
COUNTY ATTORNEY: "Transmittal of New Claims Against EC"
(6-0)

z. COMM. 8M-4 (2012)
FULTON COUNTY BOARD OF SUPERVISORS: "Copy of Resolution Urging the United
States Congress to Repeal a Portion of the Universal Service Fund Surcharge that Provides
Free Cellular Telephone Service to "Income Eligible" Individuals"
(6-0)

2. COMM. 6E-13 (2012)
COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Public Works is responsible for administering
the Utility Fund, a \$37.7 million energy aggregate purchasing electricity and natural gas on behalf of
approximately 42 municipal governments/entities in Western New York; and

WHEREAS, the Department of Public Works needs to provide critical accounting and fiscal
monitoring for the Fund; and

WHEREAS, the Department of Public Works requests creation of a part time accountant
position to assist in this need with no new County share expense.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the creation of one part-
time position of Accountant, job group 9, in the Department of Public Works' Utility Fund, B-100 #
6827; and be it further

RESOLVED, that the Division of Budget and Management is hereby authorized to adjust the
Adopted 2012 Utility Budget to add \$15,000 to Account 500010 (part time salary) \$1,200 to
Account 502000 (Fringe Benefits) in Fund 140, Fund Center 12110 and to accordingly decrease
Account 515000 (Utility Charges) by the total amount of \$16,200; and be it further

RESOLVED, that certified copies of this resolution will be forwarded to the County
Executive, the Office of the Comptroller, the Department of Personnel, the Division of Budget and
Management, and the Department of Public Works.
(6-0)

3. COMM. 6E-15 (2012)
COUNTY EXECUTIVE

WHEREAS, the County administration desires to reactivate the County's long-standing membership in the New York State Association of Counties ("NYSAC"); and

WHEREAS, NYSAC has submitted the annual membership dues invoice totaling \$58,686; and

WHEREAS, funding to pay the dues is available within the 2012 Budget.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the payment of the NYSAC dues and the Division of Budget and Management is hereby authorized to adjust the Adopted 2012 Budget as follows:

Fund Center 14010

Revenue	Increase
Account 400040, Other Payments in Lieu of Taxes	\$58,686
Appropriation	Increase
Account 520000, Municipal Association Fees	\$58,686

and be it further

RESOLVED, that certified copies of this resolution will be forwarded to the County Executive, the Office of the Comptroller, the Department of Law, and the Division of Budget and Management.

(6-0)

4. COMM. 8E-8 (2012)
COUNTY CLERK

WHEREAS, the Erie County Auto Bureau's Cheektowaga branch has occupied space at the Urbandale Shopping Center, 2122 George Urban Blvd., Cheektowaga, New York, since 1997; and

WHEREAS, the current lease expires September 30, 2012; and

WHEREAS, the County Clerk's Office has examined several options for Cheektowaga Auto Bureau space as the lease expiration date has approached; and

WHEREAS, this review has led to the recommendation that the best alternative for continued service to Auto Bureau customers during the next five years is that the office remain at its current location in the Urbandale Shopping Center.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize the County Executive to enter into an agreement between the County of Erie and Urbandale Development Company for the

lease of approximately 9,158 square feet of space at the Urbandale Shopping Center on George Urban Boulevard in Cheektowaga; and be it further

RESOLVED, that the County Auto Bureau's tenancy of the premises provided in this lease shall be at the rate of \$123,633 per year payable in equal monthly installments for a five-year term beginning October 1, 2012 through September 30, 2017, with an option for one additional five-year term; and be it further

RESOLVED, that certified copies of this resolution be sent to the County Clerk, the Director of Budget and Management, the County Attorney and the County Comptroller.
(6-0)

5. COMM. 8E-13 (2012)
COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Law serves as general counsel and litigation counsel for Erie County government; and

WHEREAS, in 2010, the prior administration deleted several filled assistant county attorney positions from the County's 2011 Budget and subsequently outsourced legal work to outside law firms; and

WHEREAS, the Department of Law has a critical need to have the services of another assistant county attorney to perform important legal work and to reduce the County's dependence on expensive outside counsel; and

WHEREAS, the Department of Mental Health also has the need of an assistant county attorney assigned half-time to work on its myriad of legal tasks; and

WHEREAS, available 2012 funding is available in the professional service accounts of both departments for this position.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the creation of one position of Assistant County Attorney, job group 14, step 5 (\$67,758 annualized salary), in the Department of Law B-100 # 6881; and be it further

RESOLVED, that the Erie County Legislature hereby authorizes the following Budget adjustments in order to implement this request.

Fund 110 - 2012 Budget	
Department of Law - Fund Center 160	
Expense	Increase/(Decrease)
500000 - Full time Salaries	47,996
502000 - Fringe Benefits	26,390

516020 - Professional Services	(37,193)
916000 - Interdept Billing - Law	<u>(37,193)</u>

Total 0

Department of Forensic Mental Health – Fund Center
12420

516020 - Professional Services	(37,193)
916000 - Interdept Billing - Law	<u>37,193</u>

Total 0

RESOLVED, that the Division of Budget and Management is hereby authorized to adjust the Adopted 2012 Budgets of the Department of Law and Department of Mental Health for this position, with the position covered by available balances in Account 516020, Professional Services Contracts and Fees; and be it further

RESOLVED, that certified copies of this resolution will be forwarded to the County Executive, the Office of the Comptroller, the Department of Personnel, the Division of Budget and Management, the Department of Mental Health and the Department of Law.
(6-0)

6. COMM. 8E-23 (2012)
COUNTY CLERK

WHEREAS, Joseph C. Vispi was a prominent real estate lawyer in Erie County for over sixty years, until he died at the age of 91 years; and

WHEREAS, Mr. Vispi worked out of Old County Hall’s “Closing Room” every day and was known to everyone who practiced in the field of real estate law, by every recording clerk, cashier, title searcher and attorney; and

WHEREAS, Mr. Vispi was elected president of his law school class, was a Director of the Bar Association of Erie County, President of the Lawyers Club of Buffalo, and the Justinian Legal Society; and

WHEREAS, Mr. Vispi was so loved and respected and considerate of his fellow lawyers, that the Bar Association of Erie County awarded him one of its highest honors in 2009 with the Civility Award; and

WHEREAS, Joe Vispi was a preeminent attorney in his field, always willing to share his knowledge with other lawyers, title searchers, and filing clerks and he also mentored many young lawyers.

NOW, THEREFORE, BE IT

RESOLVED, that the "Closing Room", in the Clerk's Office, located in Old County Hall be dedicated in Mr. Vispi's memory and renamed in his honor as the "Joseph C. Vispi Closing Room"; and be it further

RESOLVED, that copies of this resolution be forwarded to the Erie County Clerk, the County Attorney, Justice Paula Feroleto, Administrative Judge, 8th Judicial District, Mr. Scott Schwartz of Lipsitz, Green, Scime, Cambria and to the Vispi Family.
(6-0)

**THOMAS J. MAZUR
CHAIR**

MR. MAZUR moved to amend item Number 2. MR. McCracken seconded.

CARRIED UNANIMOUSLY.

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

WHEREAS, the Erie County Department of Public Works is responsible for administering the Utility Fund, a \$37.7 million energy aggregate purchasing electricity and natural gas on behalf of approximately 42 municipal governments/entities in Western New York; and

WHEREAS, the Department of Public Works needs to provide critical accounting and fiscal monitoring for the Fund; and

WHEREAS, the Department of Public Works requests creation of a regular part time accountant position to assist in this need with no new County share expense.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the creation of one regular part-time position of Accountant, job group 9, in the Department of Public Works' Utility Fund, B-100 # 6827; and be it further

RESOLVED, that the Division of Budget and Management is hereby authorized to adjust the Adopted 2012 Utility Budget to add \$15,000 to Account 500020 (regular part time salary) \$1,200 to Account 502000 (Fringe Benefits) in Fund 140, Fund Center 12110 and to accordingly decrease Account 515000 (Utility Charges) by the total amount of \$16,200; and be it further

RESOLVED, that certified copies of this resolution will be forwarded to the County Executive, the Office of the Comptroller, the Department of Personnel, the Division of Budget and Management, and the Department of Public Works.

MR. MAZUR moved to approve the item as amended. MR. MILLS seconded. MR. RATH abstained.

CARRIED. (10-0-1)

Item 39 – MR. LOUGHRAN presented the following report and moved for immediate consideration and approval. MR. LORIGO seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 104

May 1, 2012	ECONOMIC DEVELOPMENT COMMITTEE REPORT NO. 5
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ALL MEMBERS PRESENT.

CHAIR GRANT PRESENT AS EX-OFFICIO MEMBER.

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

a. COMM. 7M-2 (2012)
NFTA: “Minutes from Meeting Held 2/27/2012”
(6-0)

2. COMM. 6E-10 (2012)
COUNTY EXECUTIVE

WHEREAS, A Project for Reconstruction of Seneca Street Bridge (BR 215-RR1) Over Norfolk Southern Railroad, Town of West Seneca, Erie County, NYS PIN 5755.25; BIN 3362080 (the Project) is eligible for funding under Title 23 U.S. Code, as amended, that calls for the appointment of the costs of such program to be borne at the ratio of 80% Federal funds and 20% non-Federal funds; and

WHEREAS, a Supplemental Agreement with New York State Department of Transportation increases the Project Design by \$55,000.00 and Right of Way phases by \$ \$6,000.00 from the previous agreement, and includes Construction phase at an estimated cost of \$ 4,000,000.00; and

WHEREAS, the County of Erie desires to advance the Project by making a commitment to advance the Federal and State share of the costs of the Preliminary Engineering (Scoping & Design I-VI), Right of Way Incidentals and Right of Way Acquisition increase, and total Construction & Inspection of the Project, PIN 5755.25; and

WHEREAS, the County of Erie is required to commit the payment of the Local share for the Project in the amount of \$268,250.00; and

WHEREAS, your honorable body has previously authorized Greenman Pederson, Inc. formerly Abate Associates Engineers & Surveyors, P.C. as a qualified, Term Agreement General Architectural/Engineering firm via Comm.14E-19 of July 17, 2008.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature 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 & Design I-VI), Right of Way Incidentals and Right of Way Acquisition, Construction and Inspection phases of the Project or portions thereof; and be it further

RESOLVED, that in addition to the previous Project agreement appropriations authorized via County Resolution Comm. 6D-16 adopted on April 29, 1999 and 8E-36 on May, 19, 2005, the budget for the Project Preliminary Engineering (Scoping & Design I-VI) be increased by \$51,050.00 for anticipated federal and State revenue, and the local share of \$3,950.00 be appropriated from Erie County bond proceeds in Project Fund B.20916– 2009 Seneca Bridge Design as follows:

		CURRENT BUDGET	INCREASE/ DECREASE	REVISED BUDGET
REVENUES				
Account	Description			
405160	NYS Marchiselli	\$0	\$7,050	\$7,050
414000	Federal Aid	\$0	\$44,000	\$44,000
475000	Gen Oblig Bond Proc	\$8,000	\$0	\$8,000
TOTAL REVENUES		\$8,000	\$ 51,050	\$59,050
APPROPRIATIONS				
516020	Pro Ser Cnt & Fee Capital	\$8,000	\$51,050	\$59,050
Projects	Capital Projects	\$8,000		
Expense			\$51,050	\$59,050
TOTAL APPROPRIATIONS		\$8,000	\$51,050	\$59,050

and be it further

RESOLVED, that the budget for the Project right of Way Phases be increased by \$5,700.00 for anticipated federal and State revenue, and the local share of \$300.00 be appropriated from Erie County bond proceeds in Project Fund B.00216 – 2008 Seneca Street Bridge Right of Way as follows:

		CURRENT BUDGET	INCREASE/ DECREASE	REVISED BUDGET
REVENUES				
Account	Description			

414000	Federal Aid	\$0	\$4,800	\$4,800
405160	NYS Marchiselli	\$0	\$900	\$900
475000	Gen Oblig Bond Proc	\$2,500	\$0	\$2,500
TOTAL REVENUES		\$2,500	\$5,700	\$8,200
APPROPRIATIONS				
Capital Projects	Capital Project Exp	\$2,500	\$5,700	\$8,200
TOTAL APPROPRIATIONS		\$2,500	\$5,700	\$8,200

and be it further

RESOLVED, that the budget for Construction & Inspection Phases be increased by \$3,736,000.00 for anticipated federal and State revenue, and the local share of \$264,000.00 be appropriated from Erie County bond proceeds in Project Fund from B.00205 – 2008 Various Federal Aid Bridge Construction Projects as follows:

		CURRENT BUDGET	INCREASE/ DECREASE	REVISED BUDGET
REVENUES				
Account	Description			
414000	Federal Aid	\$0	\$3,200,000	\$3,200,000
405160	NYS Marchiselli	\$0	\$536,000	\$536,000
475000	Gen Oblig Bond Proc	\$346,750	\$0	\$346,750
TOTAL REVENUES		\$346,750	\$3,736,000	\$4,082,750
APPROPRIATIONS				
Capital Projects	Capital Project Exp	\$346,750	\$3,736,000	\$4,082,750
TOTAL APPROPRIATIONS		\$346,750	\$3,736,000	\$4,082,750

and be it further

RESOLVED, should additional Federal or State revenue be made available for this project, the project budgets shall be adjusted accordingly; 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 &

Design I-VI) Right of Way Incidentals and Right of Way Acquisition phases phase \$4,553,000.00 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 and Right of Way amount between the County of Erie and Greenman-Pedersen, Inc. formerly Abate Associates Engineers & Surveyors, P.C. as Project Design Engineers, contingent upon execution of the agreement with the NYSDOT; 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 (2) certified copies of this resolution be sent to the Department of Public Works, Office of the Commissioner, and one (1) copy each to the Office of the County Executive, the Division of Budget and Management and the Office of the Comptroller.
(6-0)

3. COMM. 6E-11 (2012)
COUNTY EXECUTIVE

WHEREAS, a Project for the Reconstruction of BR 225-1, Savage Road Bridge over Dry Creek, in the Town of Sardinia, Erie County, P.I.N. 5757.30, BIN 3328500 (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 (Design I-VI) phase of the Project via Comm. 8E-10, adopted on April 28, 2011; 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 (Design I-VI) phase of the Project, PIN 5757.30 through a Supplemental Agreement that increases the previous Project Agreement's Preliminary Engineering (Design I-VI) phase by \$75,000.00 to the new agreement amount of \$225,000.00; and

WHEREAS, the additional local share is available from Project Fund B.00151, 2006 Unanticipated Federal Aid Road & Bridge Program in the amount of \$14,500.00 , and in order to enter into the agreement the budget needs to be increased by the increased revenue amount of \$60,500.00; and

WHEREAS, a change order for engineering design services for the above noted Project between the County of Erie and the engineering firm of Wendel Duchscherer Architects & Engineers, PC of Amherst, New York is necessary for the design of the reconstruction of the bridge.

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 (Design I-VI) Phase of the Project or portions thereof; and be it further

RESOLVED, that the Project's budget be increased by \$75,000.00 which includes Federal and State revenue in the amount of \$60,500.00, and the additional local share required of \$14,500.00 hereby appropriated from B.00151, 2006 Unanticipated Federal Aid Road & Bridge Program and made available to cover the cost of participation in the Preliminary Engineering (Design I-VI) Phase of the Project; and be it further

RESOLVED, that should additional Federal or State revenue become available for the Project, the Project budget will be adjusted accordingly; and be it further

RESOLVED, that in the event the amount required to pay in the first instance 100% of the full Federal and non-Federal shares of the cost of the Project's Preliminary Engineering (Design I-VI) Phase exceeds the amount appropriated \$225,000.00, 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 therefor that are not so eligible; and be it further

RESOLVED, that the County Executive be authorized to execute a Change Order in an amount not to exceed the allowable Project design amount between the County of Erie and project engineers Wendel Duchscherer Architects & Engineers, PC of Amherst, New York for the design of the reconstruction of Savage Road Bridge over Dry Creek; 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 of the Office of the Comptroller.

(6-0)

4. COMM. 6E-12 (2012)
COUNTY EXECUTIVE

WHEREAS, the Department of Parks, Recreation & Forestry desires to enter into an agreement with the New York State Office of Parks, Recreation and Historic Preservation for Snowmobile Trail Development during the 2011-2012 snowmobile season in the amount not to exceed \$180,950.00; and

WHEREAS, the sum of \$5,000.00 is budgeted as a state revenue for snowmobile development in the 2012 Budget of the Division of Parks; and

WHEREAS, this agreement with the State shall pertain to such maintenance as performed by the Erie County Department of Parks, Recreation and Forestry within the County parks and forest lots, as well as similar work performed by the individual Snowmobile Clubs of Erie County on club trails located outside County-owned lands.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into an agreement with the New York State Office of Parks, Recreation and Historic Preservation for an amount not to exceed \$180,950.00 as pertains to snowmobile trail maintenance performed during the 2011-2012 snowmobile season; and be it further

RESOLVED, that the County Executive is authorized to enter into contracts with the individual Snowmobile Clubs of Erie County for a total amount not to exceed \$175,630.00 for the purpose of snowmobile trail maintenance on club trails during the 2011-2012 snowmobile season, provided that the clubs meet all insurance and other requirements deemed necessary by the County, in amounts as follows:

Colden Trail Riders Inc.	\$19,250.00
Eden Trail Blazers Inc.	\$11,370.00
Grand Island Snowmobile Club Inc.	\$ 5,600.00
Hamburg Snowmobile Club Inc.	\$18,990.00
Holland Sno-Rascals Inc.	\$20,680.00
Marilla Sno-Mob Inc.	\$15,830.00
Northern Erie Snowseekers Inc.	\$23,670.00

Pioneer Sno-Surfers Inc.	\$ 9,640.00
Southern Tier Snowdrifters Inc.	\$21,310.00
WNY Snowmobile Club of Boston Inc.	<u>\$29,290.00</u>
	\$175,630.00

and be it further

RESOLVED, that the Erie County Legislature hereby approves the appropriation of anticipated state aid revenue in the Division of Parks, fund 110, cost center 1641010, account 409010, in the amount of \$175,630.00, an increase in appropriations in the amount of \$175,630.00, in the Division of Parks, fund 110, cost center 1641010, account 516020 contractual, in order that funds may be available to make payment to the individual clubs of the Erie County Federation of Snowmobile Clubs; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Office of the Erie County Executive, the Department of Parks, Recreation and Forestry, the Division of Budget, Management and Finance, the Office of the Erie County Comptroller and Assistant County Attorney, Kristen Walder, of the Law Department.

(6-0)

5. COMM. 8E-14 (2012)
COUNTY EXECUTIVE

WHEREAS, the Niagara Frontier Transportation Authority (NFTA) has received a Regional Sustainability Planning Grant from the United States Department of Housing and Urban Development in the amount of \$2,133,205; and

WHEREAS, the grant will allow preparation of a Regional Sustainability Development Plan for Erie and Niagara Counties; and

WHEREAS, an important element of the planning process will be to expand and improve the focus of the Framework for Regional Growth prepared for Erie and Niagara Counties in 2006; and

WHEREAS, Erie County benefits from the Agreement by obtaining important updates to the Framework for Regional Growth which serves as the County's primary planning document; and

WHEREAS, said updates will focus on housing, transportation, and agriculture/food access; and

WHEREAS, an organizational element of the grant program is the formation of a Consortium of government units, agencies, and stakeholders to advise the Greater Buffalo- Niagara Regional Transportation Council and NFTA on grant matters; and

WHEREAS, the Erie County Department of Environment and Planning will provide \$116,388.00 of in-kind staff services to the three year effort; and

WHEREAS, said services are itemized as follows:

1. Deputy Commissioner \$74,337

2. Director of GIS Services	\$11,761
3. Planner	\$12,647
4. Coordinator, Pollution Prevention Program	\$11,761
5. Director of Business Assistance	<u>\$5,882</u>
TOTAL	\$116,388

and

WHEREAS, formal establishment of said Consortium requires execution of a Sustainable Communities Grant Agreement by all members.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Executive is authorized to execute a Sustainable Communities Grant Agreement with any and all organizations, agencies, and municipalities comprising the Sustainable Communities Grant Consortium; and be it further

RESOLVED, that copies of this resolution shall be forwarded to the County Executive; the Commissioner of the Department of Environment and Planning; the County Comptroller; the County Attorney; and the Director of the Division of Budget and Management.

(6-0)

6. COMM. 8E-15 (2012)
COUNTY EXECUTIVE

WHEREAS, Benderson Development Company, LLC, property owner at 348 Langner Road, West Seneca, New York, wishes to purchase a portion of highway right-of-way deemed no longer necessary by the Erie County Lands Advisory Review Committee (ARC); and

WHEREAS, Benderson Development Company, LLC, being the adjacent property owner to the existing right-of-way will compensate the County of Erie for the agreed upon price of \$17,500 for 0.196+ acre at the time of filing in the Erie County Clerk's Office.

NOW, THEREFORE, BE IT

RESOLVED, that for County purposes of transferring land no longer necessary for highway purposes, the County Executive is hereby authorized and directed to convey the following interest in the parcel of land herein described for and in consideration of the sum described herein for Ridge Road (CR 137) and Langner Road (CR 458), in the Town of West Seneca:

PARCELS	OWNER	AREA	VALUE
1 & 2	County of Erie	0.196± acres	\$17,500

and be it further

RESOLVED, that three (3) certified copies of this resolution be sent to the Department of Public Works, Division of Highways, and one copy each to the Office of the County Executive, the Division of Budget, Management and Finance, and the Office of the Comptroller.

(6-0)

7. COMM. 8E-25 (2012)
COUNTY EXECUTIVE

WHEREAS, the Seneca Street Bridge Reconstruction Project PIN 5755.25 was advertised and bid on Thursday, March 8, 2012; and

WHEREAS, this project for the reconstruction of the Seneca Street Bridge Reconstruction PIN 5755.25 will improve travel and safety for the traveling public; and

WHEREAS, funding for this project was approved and is available in B.00205 – 2008 Various Federal Aid Bridge Construction Projects in the amount of \$4,000,000; and

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

WHEREAS, in order to facilitate the construction of the Seneca Street Bridge Reconstruction Project it will be necessary for the County to execute the construction contract with the lowest responsible bidder, Union Concrete & Construction Corp., a construction inspection and services contract with Norfolk Southern Railroad Corporation and project engineers Greenman-Pedersen, Inc. and establish a construction contingency.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be authorized and is hereby directed to award and execute a contract for the Seneca Street Reconstruction Project PIN 5755.25 between the County of Erie and Union Concrete & Construction Corp., the lowest responsible bidder, in the amount of \$2,735,475.95, execute construction inspection and service agreements between the County of Erie and Norfolk Southern Railroad Corp and project engineers Greenman-Pedersen Inc. not to exceed \$934,524.05, and establish a construction contingency in an amount not to exceed \$330,000; and be it further

RESOLVED, that the funds for the Seneca Street Reconstruction Project be allocated from fund B.00205 – 2008 Various Federal Aid Bridge Construction Projects in the amount of \$4,000,000; and be it further

RESOLVED, that the County Executive 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 be it further

RESOLVED, that the Clerk of the Legislature be instructed to forward five (5) certified copies of this resolution to the Department of Public Works, Office of the Commissioner, and one copy each to the Office of the County Executive, the Division of Budget and Management, and the Office of the Comptroller.

(6-0)

**THOMAS A. LOUGHRAN
CHAIR**

Item 40 – MR. HOGUES presented the following report and moved for immediate consideration and approval. MR. MAZUR seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 105

May 3, 2012	FINANCE & MANAGEMENT COMMITTEE REPORT NO. 5
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ALL MEMBERS PRESENT.

CHAIR GRANT PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 3M-42 (2012)
EC AUDIT COMMITTEE: “Copy of Annual Report for the Year Ended 12/31/2010”
(6-0)
 - b. COMM. 6E-5 (2012)
COUNTY EXECUTIVE: “Preliminary Unaudited 2011 EC Financial Results”
(6-0)
 - c. COMM. 6D-4 (2012)
DIRECTOR OF BUDGET & MANAGEMENT: “Budget Monitoring Reports - January & February 2012”
(6-0)
 - d. COMM. 7E-1 (2012)
COUNTY EXECUTIVE: “Letter to Chair of the ECFSA Concerning 2012-2015 EC Four Year Financial Plan”
(6-0)
 - e. COMM. 8E-3 (2012)
COMPTROLLER: “EC 1% Sales & Compensating Use Tax Revenue Sharing with Local Governments”
(6-0)
 - f. COMM. 8E-4 (2012)
COMPTROLLER: “Report Regarding Apportionment & Distribution of Net Collections from the Local 4.75% Sales & Compensating Use Tax for EC for the Months of 12/2011, 1/2012 & 2/2012”
(6-0)
 - g. COMM. 8E-7 (2012)

COMPTROLLER: "Comptroller's Review, Findings & Comment Report on the Proposed EC Four Year Financial Plan for Fiscal Years 2012-2015"
(6-0)

2. COMM. 1D-7 (2012)
EC REAL PROPERTY TAX SERVICES AS AMENDED
WHEREAS, the Director has investigated the validity of such applications (see attached listing).

NOW, THEREFORE, BE IT

RESOLVED, that petitions numbered 212101 through 212127, 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	2012	Petition No.	212,101.00
	ASSESSOR	Refund	\$348.60

S-B-L 43.05-1-3.121 142289 AMHERST

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$348.60	Town/SpecialDist/School
32101	ERIE CO SEWER DIST #5	\$348.60	
<u>Charge To :</u>	142289 AMHERST		\$0.00

RPTL 550(2): INCORRECT SPECIAL DISTRICTS CHARGED TO THE TAX ROLL
REFUND TO BE ISSUED TO: ROCCO LUCENTO

FISCAL YEAR	2012	Petition No.	212,102.00
	ASSESSOR	Cancel	\$275.00

S-B-L 207.00-1-17.1/A 144000 EDEN

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$275.00	Town/SpecialDist/School
40047	WATER DISTRICT 5 B	\$275.00	
<u>Charge To :</u>	144000 EDEN		\$0.00

RPTL 550(2): SPECIAL DISTRICTS ADDED TO THE TAX ROLL IN ERROR
NEW TAX BILL TO BE ISSUED TO: SUBSEA OIL & GAS, INC.

FISCAL YEAR	2012	Petition No.	212,103.00
	ASSESSOR	Cancel	\$877.67

S-B-L 149.00-1-9.2 145400 MARILLA

Acct. No. 112	\$0.00	County
Acct. No. 132	\$877.67	Town/SpecialDist/School
54019 MARILLA FIRE PROTECT	\$241.47	
<u>Charge To :</u>	145400 MARILLA	\$636.20

RPTL 550(2): FAILED TO APPLY A PARAPLEGIC EXEMPTION
NEW TAX BILL TO BE ISSUED TO: MARK & MICHELLE O'BRIEN

FISCAL YEAR 2012	Petition No.	212,104.00
ASSESSOR	Cancel	\$42.04

S-B-L 20.00-1-5 145689 NEWSTEAD

Acct. No. 112	\$0.00	County
Acct. No. 132	\$42.04	Town/SpecialDist/School
56126 WD #10 PHASE 1A & AB	\$42.04	
<u>Charge To :</u>	145689 NEWSTEAD	\$0.00

RPTL 550(2): INCORRECT SPECIAL DISTRICT APPLIED TO THE TAX ROLL
NEW TAX BILL TO BE ISSUED TO: RICHARD BORSCHER

FISCAL YEAR 2012	Petition No.	212,105.00
ASSESSOR	Cancel	\$184.46

S-B-L 86.00-1-7.11 145689 NEWSTEAD

Acct. No. 112	\$0.00	County
Acct. No. 132	\$184.46	Town/SpecialDist/School
<u>Charge To :</u>	145689 NEWSTEAD	\$184.46

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

FISCAL YEAR 2012	Petition No.	212,106.00
ASSESSOR	Refund	\$72.77

S-B-L 20.00-1-2 145689 NEWSTEAD

Acct. No. 112	\$0.00	County
Acct. No. 132	\$72.77	Town/SpecialDist/School
56010 WATER TANK	\$7.43	
56126 WD #10 PHASE 1A & AB	\$65.34	
<u>Charge To :</u>	145689 NEWSTEAD	\$0.00

RPTL 550(2): INCORRECT SPECIAL DISTRICTS APPLIED TO THE TAX ROLL
REFUND TO BE ISSUED TO: GARY D & MARY K BRITTON

FISCAL YEAR 2011 Petition No. 212,107.00

ASSESSOR Refund \$30.49

S-B-L 161.20-1-34 146001 ORCHARD PARK

Acct. No. 112 \$0.00 County
Acct. No. 132 \$30.49 Town/SpecialDist/School

Charge To : 146001 ORCHARD PARK \$30.49

Relevy Village \$30.49 Village of ORCHARD PARK

RPTL 550(2): FAILED TO APPLY A COMBAT VET EXEMPTIONS
REFUND TO BE ISSUED TO: LENA E & JOSEPH E CALABRESE

FISCAL YEAR 2009 Petition No. 212,108.00

ASSESSOR Refund \$49.50

S-B-L 172.16-1-2 146001 ORCHARD PARK

Acct. No. 112 \$0.00 County
Acct. No. 132 \$49.50 Town/SpecialDist/School

Charge To : 146001 ORCHARD PARK \$49.50

Relevy Village \$49.50 Village of ORCHARD PARK

RPTL 550(2): FAILED TO APPLY A COMBAT VET EXEMPTION
REFUND TO BE ISSUED TO: PAUL W JR & MICHELLE HENRY

FISCAL YEAR 2010 Petition No. 212,109.00

ASSESSOR Refund \$54.00

S-B-L 172.16-1-2 146001 ORCHARD PARK

Acct. No. 112 \$0.00 County
Acct. No. 132 \$54.00 Town/SpecialDist/School

Charge To : 146001 ORCHARD PARK \$54.00

Relevy Village \$54.00 Village of ORCHARD PARK

RPTL 550(2): FAILED TO APPLY A COMBAT VET EXEMPTION
REFUND TO BE ISSUED TO: PAUL W JR & MICHELLE HENRY

FISCAL YEAR 2011 Petition No. 212,110.00

ASSESSOR Refund \$60.90

S-B-L 172.16-1-2 146001 ORCHARD PARK

Acct. No. 112 \$0.00 County
Acct. No. 132 \$60.90 Town/SpecialDist/School

Charge To : 146001 ORCHARD PARK \$60.90

Relevy Village \$60.90 Village of ORCHARD PARK

RPTL 550(2): FAILED TO APPLY A COMBAT VET EXEMPTION
REFUND TO BE ISSUED TO: PAUL W JR & MICHELLE HENRY

FISCAL YEAR 2010 Petition No. 212,111.00

ASSESSOR Refund \$32.40

S-B-L 173.09-1-27 146001 ORCHARD PARK

Acct. No. 112 \$0.00 County
Acct. No. 132 \$32.40 Town/SpecialDist/School

Charge To : 146001 ORCHARD PARK \$32.40

Relevy Village \$32.40 Village of ORCHARD PARK

RPTL 550(2): FAILED TO APPLY A VETERANS EXEMPTION
REFUND TO BE ISSUED TO: BERNARD G & TERESA A WITTMANN

FISCAL YEAR 2011 Petition No. 212,112.00

ASSESSOR Refund \$36.54

S-B-L 173.09-1-27 146001 ORCHARD PARK

Acct. No. 112 \$0.00 County
Acct. No. 132 \$36.54 Town/SpecialDist/School

Charge To : 146001 ORCHARD PARK \$36.54

Relevy Village \$36.54 Village of ORCHARD PARK

RPTL 550(2): FAILED TO APPLY A VETERANS EXEMPTION
REFUND TO BE ISSUED TO: BERNARD G & TERESA A WITTMANN

FISCAL YEAR 2011 Petition No. 212,113.00

ASSESSOR Refund \$454.65

S-B-L 66.84-1-8

146489 TONAWANDA

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$454.65	Town/SpecialDist/School
<u>Charge To :</u>	146489 TONAWANDA	\$454.65	
	Relevy School	\$454.65	146401 KEN-TON UNION FREE

RPTL 550(2): FAILED TO APPLY A LOW-INCOME SENIOR EXEMPTION
REFUND TO BE ISSUED TO: ROSELLA A NICOSIA

FISCAL YEAR	2012	Petition No.	212,114.00
	ASSESSOR	Refund	\$474.57

S-B-L 262.12-1-4

145000 HOLLAND

	Acct. No. 112	\$303.50	County
	Acct. No. 132	\$171.07	Town/SpecialDist/School
<u>Charge To :</u>	145000 HOLLAND	\$171.07	

RPTL 550(2): FAILED TO APPLY A DISABLED VETERANS EXEMPTION
REFUND TO BE ISSUED TO: DAVID B & SHELLY WILLIAMS

FISCAL YEAR	2009	Petition No.	212,115.00
	ASSESSOR	Refund	\$0.00

S-B-L 68.14-7-3.1/419G

142289 AMHERST

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

RPTL 550(2): INCORRECT ASSESSED VALUE APPLIED TO THE TAX ROLL
REFUND TO BE ISSUED TO: PAUL R CHIMERA
DENIED NOT CORRECTABLE BY THE COUNTY OF ERIE PROCESS

FISCAL YEAR	2010	Petition No.	212,116.00
	ASSESSOR	Refund	\$0.00

S-B-L 68.14-7-3.1/419G

142289 AMHERST

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$0.00	Town/SpecialDist/School
	22021 SNYDER # 7 FIRE DISTRICT	\$0.00	
	52002 2009 COMM COLLEGE	\$0.00	
<u>Charge To :</u>	142289 AMHERST	\$0.00	

RPTL 550(2): INCORRECT ASSESSED VALUE APPLIED TO THE TAX ROLL
REFUND TO BE ISSUED TO: PAUL R CHIMERA
DENIED NOT CORRECTABLE BY THE COUNTY OF ERIE PROCESS

FISCAL YEAR 2010 Petition No. 212,117.00

ASSESSOR Refund \$0.00

S-B-L 68.14-7-3.1/419G 142289 AMHERST

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

Charge To : 142289 AMHERST \$0.00

RPTL 550(2): INCORRECT ASSESSED VALUE APPLIED TO THE TAX ROLL
REFUND TO BE ISSUED TO: PAUL R CHIMERA
DENIED NOT CORRECTABLE BY THE COUNTY OF ERIE PROCESS

FISCAL YEAR 2011 Petition No. 212,118.00

ASSESSOR Refund \$0.00

S-B-L 68.14-7-3.1/419G 142289 AMHERST

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

22021 SNYDER # 7 FIRE DISTRICT \$0.00
Charge To : 142289 AMHERST \$0.00

RPTL 550(2): INCORRECT ASSESSED VALUE APPLIED TO THE TAX ROLL
REFUND TO BE ISSUED TO: PAUL R CHIMERA
DENIED NOT CORRECTABLE BY THE COUNTY OF ERIE PROCESS

FISCAL YEAR 2011 Petition No. 212,119.00

ASSESSOR Refund \$0.00

S-B-L 68.14-7-3.1/419G 142289 AMHERST

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

Charge To : 142289 AMHERST \$0.00

RPTL 550(2): INCORRECT ASSESSED VALUE APPLIED TO THE TAX ROLL
REFUND TO BE ISSUED TO: PAUL R CHIMERA
DENIED NOT CORRECTABLE BY THE COUNTY OF ERIE PROCESS

FISCAL YEAR 2011 Petition No. 212,120.00

 ASSESSOR Refund \$138.99

S-B-L 68.12-3-19 142289 AMHERST

 Acct. No. 112 \$65.24 County
 Acct. No. 132 \$73.75 Town/SpecialDist/School

Charge To : 142289 AMHERST \$73.75

RPTL 550(2): FAILED TO APPLY A WAR VET EXEMPTION
REFUND TO BE ISSUED TO: ADRIENNE M GROSS

FISCAL YEAR 2012 Petition No. 212,121.00

 ASSESSOR Refund \$150.11

S-B-L 68.12-3-19 142289 AMHERST

 Acct. No. 112 \$70.15 County
 Acct. No. 132 \$79.96 Town/SpecialDist/School

Charge To : 142289 AMHERST \$79.96

RPTL 550(2): FAILED TO APPLY A WAR VET EXEMPTION
REFUND TO BE ISSUED TO: ADRIENNE M GROSS

FISCAL YEAR 2011 Petition No. 212,122.00

 ASSESSOR Refund \$260.00

S-B-L 238.07-3-1 144000 EDEN

 Acct. No. 112 \$0.00 County
 Acct. No. 132 \$260.00 Town/SpecialDist/School

 40050 ERIE CO SEW DST 2 \$260.00
Charge To : 144000 EDEN \$0.00

RPTL 550(2): INCORRECT SEWER UNITS CHARGED TO THE TAX ROLL
REFUND TO BE ISSUED TO: ROBERT W PIETROCARLO

FISCAL YEAR 2012 Petition No. 212,123.00

 ASSESSOR Refund \$270.00

S-B-L 238.07-3-1 144000 EDEN

 Acct. No. 112 \$0.00 County
 Acct. No. 132 \$270.00 Town/SpecialDist/School

40050 ERIE CO SEW DST 2 \$270.00
Charge To : 144000 EDEN \$0.00

RPTL 550(2): INCORRECT SEWER UNITS CHARGED TO THE TAX ROLL
REFUND TO BE ISSUED TO: ROBERT W PIETROCARLO

FISCAL YEAR 2010 Petition No. 212,124.00
ASSESSOR Refund \$229.70

S-B-L 79.08-1-64 142289 AMHERST

Acct. No. 112 \$0.00 County
Acct. No. 132 \$229.70 Town/SpecialDist/School
Charge To : 142289 AMHERST \$229.70

RPTL 550(2): INCORRECT SPECIAL DISTRICTS CHARGED TO THE TAX ROLL
REFUND TO BE ISSUED TO: ROBERT J & MARY CATHERINE FINGER

FISCAL YEAR 2011 Petition No. 212,125.00
ASSESSOR Refund \$226.24

S-B-L 79.08-1-64 142289 AMHERST

Acct. No. 112 \$0.00 County
Acct. No. 132 \$226.24 Town/SpecialDist/School
Charge To : 142289 AMHERST \$226.24

RPTL 550(2): INCORRECT SPECIAL DISTRICTS CHARGED TO THE TAX ROLL
REFUND TO BE ISSUED TO: ROBERT J & MARY CATHERINE FINGER

FISCAL YEAR 2012 Petition No. 212,126.00
ASSESSOR Refund \$194.99

S-B-L 79.08-1-64 142289 AMHERST

Acct. No. 112 \$0.00 County
Acct. No. 132 \$194.99 Town/SpecialDist/School
Charge To : 142289 AMHERST \$194.99

INCORRECT SPECIAL DISTRICT CHARGED TO THE TAX ROLL
REFUND TO BE ISSUED TO: ROBERT J & MARY CATHERINE FINGER

FISCAL YEAR 2012 Petition No. 212,127.00
ASSESSOR Refund \$551.71

S-B-L 142.54-5-2.1/A

140900 LACKAWANNA

	Acct. No. 112	\$551.71	County
	Acct. No. 132	\$0.00	Town/SpecialDist/School
<u>Charge To :</u>	140900 LACKAWANNA		\$0.00

RPTL 550(2): SHOULD HAVE BEEN EXEMPT FROM THE COUNTY
REFUND TO BE ISSUED TO: LACKAWANNA OVERSEAS VET

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. 6E-8 (2012)
COUNTY EXECUTIVE

WHEREAS, the below grant programs are included in Book B of the 2012 Adopted Budget;
and

WHEREAS, the 2012 Adopted Budget resolutions require legislative approval for the County Executive to enter into contracts with grantor agencies for the purpose of receiving grants awarded or budgeted for fiscal 2012.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into contracts with grantor agencies for the purpose of receiving grants, following review and approval by the Director of Budget and Management with respect to the availability of State and/or Federal funds, for the following grant programs:

2012 Book B Adopted Grants

Department – Grant	Start Date	Total Grant
Law (County Attorney’s Office)		
Aid To Localities- Indigent Defense Program	04/01/12	184,160
Total Department	04/01/12	184,160
Central Police Services		
Aid to Crime Labs Program	07/01/12	1,471,334
Child Passenger Safety (Car Seat)	10/01/12	7,500
DNA Backlog Crime Laboratory Equipment	04/01/12	399,487
High School Traffic & Passenger Safety Education	10/01/12	59,617
National Forensic Sciences Improvement	10/01/12	64,145

Project Impact	07/01/12	185,589
Total Department		2,187,672

District Attorney

Aid to Prosecution	04/01/12	1,588,548
BE-SAFE Program	10/01/12	427,404
Crimes Against Revenue Program	10/01/12	440,256
Federal Family Violence Prevention Svcs Act	03/31/12	56,715
Investigative Task Force	07/01/12	305,289
Motor Vehicle Theft & Ins Fraud Prev	01/01/12	118,030
Operation Impact	07/01/12	724,977
Stop Violence Against Women Program	10/01/12	156,428
Victim/Witness Assistance Program	10/01/12	464,397
Total Department		4,282,044

Probation

200% of Poverty Alternative to Incarceration	01/01/12	115,210
ATI Community Service Sentencing	01/01/12	78,598
ATI Pre-Trial Project	01/01/12	195,979
Assertive Adolescent and Family Treatment	09/30/12	41,011
Be-Safe Probation	10/01/12	159,825
Crime Victims Board	10/01/12	63,321
Intensive Supervision Program	01/01/12	299,097
JABG Mentoring	01/01/12	40,411
Juvenile Treatment Court Grant	09/30/12	41,975
Operation Impact - Probation	07/01/12	222,495
Total Department		1,257,922

Sheriff

Human Trafficking	10/01/12	250,000
Impact Enhancement	07/01/12	135,615
Total Department		385,615

Social Services

Energy Services Packaging	10/01/12	67,906
Total Department		67,906

Senior Services

Areawide Agency on Aging	01/01/12	1,761,952
Community Services for the Elderly	04/01/12	1,557,267
Congregate Dining Nutrition Program	01/01/12	2,345,948
Congregate Services Initiative Program	04/01/12	41,023

Disease Prevention & Health Promotion Services	01/01/12	128,322
Elder Caregiver Support Program	01/01/12	770,564
Expanded In-Home Services for the Elderly	04/01/12	3,887,988
Hlth Insurance Info, Counseling & Assistance	04/01/12	65,062
Home Delivered Nutrition Program	01/01/12	1,331,581
NYS Areawide Agency on Aging Transportation	04/01/12	52,137
NYS Retired Senior Volunteer Program	04/01/12	5,698
New York Connects	10/01/12	188,933
Nutrition Services Incentive	10/01/12	755,746
Retired Senior Volunteer Program (RSVP)	07/01/12	169,021
Senior Aides Program (Title V)	07/01/12	1,068,093
Senior Community Services Employment	07/01/12	288,875
Supplemental Nutrition Assistance Program	04/01/12	1,697,543
Total Department		16,115,753

Health

Beach Water Quality Monitoring	10/01/12	10,414
Breast & Cervical Cancer Early Detection	06/30/12	119,023
Childhood Lead Poisoning Prevention	10/01/12	586,201
Children with Special Health Care Needs	10/01/12	82,961
Enhanced Drinking Water Protection	04/01/12	143,499
Expanded Syringe Access Demonstration Program	07/01/12	56,812
HIV Partner Notification Program	10/01/12	195,098
Healthy Mom-Baby Prenatal Postpart Home Visit Pgm	10/01/12	362,626
Healthy Neighborhoods	10/01/12	287,763
Immunization Action Plan	04/01/12	300,000
Komen for the Cure of Breast Cancer	04/01/12	68,833
Lead Poisoning Primary Prevention	04/01/12	1,018,133
Medical Examiner Toxicology Lab Aid	07/01/12	100,000
National Forensic Science Improvement	10/01/12	60,235
PH Preparedness/Response to Bioterrorism	08/10/12	709,678
Partners for Prevention Clinical Services	04/01/12	237,627
Partners for Prevention Program	04/01/12	268,791
Public Health Campaign STD	04/01/12	142,000
Public Health Campaign TB	03/31/12	300,049
Public Health Laboratory Response Network	08/10/12	75,000
STD Outreach Intervention	01/01/12	101,314
Youth Tobacco Enforcement & Prevention	04/01/12	271,289
Total Department		5,497,346

County Executive			
Office Of Workforce Development	01/01/12	226,541	
Total Department			226,541
Environment & Planning			
Community Development Block Grant	04/01/12	4,864,705	
Total Department			4,864,705
Library			
Central Library Book Aid	01/01/12	55,948	
Central Library Development Aid	01/01/12	242,528	
Continuity of Service	01/01/12	39,124	
Coordinated Outreach Program	01/01/12	132,174	
Library Svcs to County Correctional Facilities	04/01/12	6,861	
Library Svcs to State Correctional Facilities	01/01/12	35,777	
NYS Library System Automation	01/01/12	59,860	
Total Department			572,272
Grand Total			35,641,936

and be it further

RESOLVED, that the County Executive is hereby authorized to enter into subcontracts with community agencies funded under the above grants as indicated in Book B of the 2012 Adopted Budget; and be it further

RESOLVED, that the Director of Budget and Management is hereby authorized to adjust items of appropriations and revenues which may be impacted by changes to grantor awards, provided there are no changes to authorized personnel levels and county share amounts; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the following departments: District Attorney, the Office of the Sheriff, Probation, Social Services, Senior Services, Central Police Services, the Library, the Health Department, the Office of the Comptroller, the Office of the County Attorney, the Department of Environment and Planning, the County Attorney's Office and the Division of Budget and Management.

(6-0)

4. COMM. 7E-5 (2012)
COUNTY EXECUTIVE

WHEREAS, on March 5, 2012, a public auction of county-owned properties was conducted in the Auditorium of the downtown library; and

WHEREAS, at said public auction, bids totaling the sum of \$56,850.00 were accepted on ten (10) properties, as set forth on the list attached hereto.

NOW, THEREFORE, BE IT

RESOLVED, that as to those ten (10) properties, the sale of same is hereby approved, confirmed and ratified; and be it further

RESOLVED, that the County Executive, provided that the full amount of the bid and applicable fees and commissions have first been paid, is hereby authorized and directed to execute, deliver and record a Quit-Claim Deed conveying to the particular bidder-designated purchaser(s) all of the County of Erie's right, title and interest in and to the properties whose public auction sale is approved herein; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Office of the Comptroller, the Office of the County Attorney, the Department of Real Property Tax Services, the County Executive's Office and the Division of Budget and Management.
(6-0)

5. COMM. 8E-21 (2012)
COUNTY EXECUTIVE AS AMENDED

WHEREAS, year-end budget balancing amendments are necessary to close the County's books and prepare financial statements for review by the County's independent auditors for the 2011 fiscal year, and

WHEREAS, amendments were identified in cooperation with the Erie County Comptroller's Office and in consultation with departmental accountants based on year-end financial reports; and

WHEREAS, 2011 funding within the County Attorney's Risk Retention Fund, Buildings and Grounds, the Office of the County Clerk Auto Bureau, the Department of Environment and Planning, and for the Department of Social Services, is designated for reappropriation into 2012; and

WHEREAS, also included is a 2011 designation of funds for Erie Community College Building construction.

NOW, THEREFORE, BE IT

RESOLVED, that the Director of the Division of Budget and Management is hereby authorized to adjust the 2011 Budget in order to facilitate the completion of 2011 financial statements, based on the following schedule:

2011 Year End Budget Balancing Amendments

The following list of accounts is balanced by fund and indicates where adjustments are needed to match year end spending. In most cases the source of funds was obtained from within the department where the shortfall occurred.

<u>Department</u>	<u>Account</u>	<u>Increase/ (Decrease)</u>
General Fund 110 – Expense		
105	Dept. of Information and Support Services	
	500000 Full Time - Salaries	24,960
	500020 Regular PT - Wages	(24,960)
	515000 Utility Charges	123,922
	516030 Maintenance Contracts	(123,922)
	<u>DISS Total</u>	<u>-</u>
120	Department of Social Services	
	500010 Part Time - Wages	(81,200)
	500020 Regular PT - Wages	(5,420,893)
	500350 Other Employee Payments	367,689
	501000 Overtime	(570,000)
	502000 Fringe Benefits	(2,268,110)
	505000 Office Supplies	(164,000)
	510000 Local Mileage Reimbursement	25,703
	516020 Professional Svcs Contracts & Fees	(774,020)
	516040 DSS Training & Education Program	(368,090)
	525000 MMIS - Medicaid Local Share	(198,400)
	525020 UPL Expense	6,034,557
	525070 Emerg Assist To Adults (EAA)	196,154
	525080 Education of Handicapped Children	(344,299)
	525130 State Training Schools (STS)	(242,494)
	525140 HEAP Program Costs	127,116
	525150 DSH Expense	18,196,729
	530000 Other Expenses	(257,471)
	530010 Chargebacks	(138,937)
	530030 Pivot Wage Subsidies	(800,433)
	<u>DSS Total</u>	<u>13,319,601</u>
163	Senior Services	
	500000 Full Time – Salaries	16,670
	500010 Part Time – Wages	13,245
	500020 Regular PT – Wages	(19,880)
	500030 Seasonal – Wages	(10,035)
	<u>Senior Services Total</u>	<u>-</u>

10210	Budget & Management	
500000	Full Time – Salaries	(15,280)
500020	Regular PT – Wages	15,280
<hr/> Budget & Mgmt. Total		-
10810	Equal Employment Opportunity	
500000	Full Time – Salaries	45,690
500020	Regular PT – Wages	(41,791)
502000	Fringe Benefits	(3,899)
<hr/> Equal Employment Opportunity Total		-
11200	Comptroller	
500000	Full Time - Salaries	(14,827)
516020	Professional Svcs Contracts & Fees	14,827
<hr/> Comptroller Total		-
116	Jail Management	
500000	Full Time - Salaries	(561,568)
500010	Part Time - Wages	(105,742)
500300	Shift Differential	57,921
500330	Holiday Worked	106,137
500340	Line-up Pay	(45,408)
500350	Other Employee Payments	135,428
501000	Overtime	2,557,917
502000	Fringe Benefits	(783,898)
504994	October 1st Elimination of Bflo Lock-up	198,024
505400	Food & Kitchen Supplies	282,846
505800	Medical & Health Supplies	381,514
506200	Maintenance & Repair	(41,674)
516020	Professional Svcs Contracts & Fees	(148,704)
516050	Dept Payments to ECMCC	118,338
<hr/> Jail Management Total		2,151,131
11510	Sheriff Division	
500000	Full Time - Salaries	74,661
500010	Part Time - Wages	62,566
500300	Shift Differential	(10,242)
500320	Uniform Allowance	(9,750)
500330	Holiday Worked	(5,761)
500340	Line-up Pay	(25,422)
500350	Other Employee Payments	(15,457)
501000	Overtime	662,330

502000	Fringe Benefits	(299,856)
504992	Contractual Union Salary Reserves	(942,000)
510100	Out Of Area Travel	(18,807)
516020	Professional Svcs Contracts & Fees	31,625
559000	County Share - Grants	(36,388)
<u>Sheriff Division Total</u>		<u>(532,501)</u>
12210	DPW Commissioner	
500000	Full Time - Salaries	27,168
530000	Other Expenses	(27,168)
<u>DPW Commissioner Total</u>		<u>-</u>
12220	DPW Building & Grounds	
500000	Full Time - Salaries	(360,000)
500020	Regular PT - Wages	(33,322)
500350	Other Employee Payments	69,408
501000	Overtime	80,178
515000	Utility Charges	87,233
516020	Professional Svcs Contracts & Fees	(15,513)
516050	Dept Payments to ECMCC	(63,885)
530000	Other Expenses	273,820
575040	Interfund Expense-Utility Fund	232,955
<u>DPW Building & Grounds Total</u>		<u>(2,946)</u>
12230	DPW Weights & Measures	
500000	Full Time - Salaries	59,700
500020	Regular PT - Wages	(56,754)
<u>DPW Weights & Measures Total</u>		<u>2,946</u>
12410	Mental Health - Program Admin.	
516010	Contract Pymts Nonprofit Purch Svcs	(609,031)
517517	Alcohol & Drug Dependency Svcs ASA	175,594
517545	Child & Adolescent Treatmt Svcs OMH	25,655
517569	Compeer West OMH	70,095
517581	Court Ordered-Mental Hygiene Sv OMH	223,763
517675	Jewish Family Service OMH	12,807
517845	University Psych Practice OMH	101,117
<u>MH - Program Admin. Total</u>		<u>-</u>
12420	Forensic Mental Health Services	
500000	Full Time - Salaries	57,919
500020	Regular PT - Wages	(57,919)

502000	Fringe Benefits	(49,279)
516020	Professional Svcs Contracts & Fees	49,279
<hr/> Forensic MH Services Total		-
12520	Youth Detention	
500010	Part Time - Wages	20,526
500020	Regular PT - Wages	(20,526)
<hr/> Youth Detention Total		-
12610	Probation Division	
500000	Full Time - Salaries	69,002
500020	Regular PT - Wages	(100,688)
500350	Other Employee Payments	61,068
501000	Overtime	54,384
502000	Fringe Benefits	(193,366)
510000	Local Mileage Reimbursement	15,229
559000	County Share - Grants	94,371
<hr/> Probation Division Total		-
12700	Health Division	
500000	Full Time - Salaries	(217,748)
500010	Part Time - Wages	(104,828)
500020	Regular PT - Wages	(5,005)
500330	Holiday Worked	38,535
500340	Line-up Pay	(6,118)
501000	Overtime	682,769
502000	Fringe Benefits	(160,243)
516020	Professional Svcs Contracts & Fees	440,203
561410	Lab & Technical Equipment	(9,358)
<hr/> Health Division Total		658,207
12720	Emergency Medical Services	
500000	Full Time - Salaries	30,203
500010	Part Time - Wages	(7,708)
500350	Other Employee Payments	10,340
502000	Fringe Benefits	(16,284)
516020	Professional Svcs Contracts & Fees	(16,551)
<hr/> Emergency Medical Services Total		-
12730	Public Health Lab	
500000	Full Time - Salaries	23,660
500020	Regular PT - Wages	(39,346)

500350	Other Employee Payments	15,686
502000	Fringe Benefits	(214,800)
505800	Medical & Health Supplies	(42,000)
510000	Local Mileage Reimbursement	(21,937)
516020	Professional Svcs Contracts & Fees	(78,700)
516030	Maintenance Contracts	(37,000)
516050	Dept Payments to ECMCC	(39,910)
<hr/> Public Health Lab Total		(434,347)
12740	Medical Examiner	
500000	Full Time - Salaries	(145,793)
501000	Overtime	88,187
502000	Fringe Benefits	(158,660)
516020	Professional Svcs Contracts & Fees	(47,000)
516030	Maintenance Contracts	(15,900)
516050	Dept Payments to ECMCC	57,606
<hr/> Medical Examiner Total		(221,560)
12750	Special Needs	
500000	Full Time - Salaries	26,804
500020	Regular PT - Wages	(26,804)
<hr/> Special Needs Total		-
13000	Veterans' Services	
500000	Full Time - Salaries	16,438
500020	Regular PT - Wages	(16,438)
<hr/> Veterans' Services Total		-
14010	County-wide Accounts - Budget	
511000	Control Board Expense	82,015
520070	Buffalo Bills Maintenance	(82,015)
<hr/> County-wide Accounts - Budget Total		-
15000	Board of Elections	
500000	Full Time - Salaries	(66,347)
500020	Regular PT - Wages	66,347
<hr/> Board of Elections Total		-
16110	Personnel	
500000	Full Time - Salaries	84,658
500020	Regular PT - Wages	(76,480)

502000 Fringe Benefits	(8,178)
<u>Personnel Total</u>	<u>-</u>
16410 Parks	
500000 Full Time - Salaries	241,644
500020 Regular PT - Wages	(211,173)
501000 Overtime	105,199
515000 Utility Charges	38,665
575040 Interfund Expense-Utility Fund	(64,828)
<u>Parks Total</u>	<u>109,507</u>
16500 Central Police Services	
500000 Full Time - Salaries	119,542
500020 Regular PT - Wages	(98,608)
502000 Fringe Benefits	10,468
<u>Central Police Srvcs Total</u>	<u>31,402</u>
17000 County-wide Accounts - Comptroller.	
570000 Interfund Transfers Subsidy	112,841
<u>County-wide Accounts - Compt. Total</u>	<u>112,841</u>
13350 Extra Aid to Local Government	
516060 Sales Tax Pd to Local Govt from 3%	9,502,588
<u>Extra Aid to Local Government Total</u>	<u>9,502,588</u>
<u>General Fund 110 - Total Expense Increase</u>	<u>24,696,869</u>
General Fund 110 – Revenue	
120 Department of Social Services	
411520 Fed Aid - Family Assistance	15,194,281
<u>DSS Total</u>	<u>15,194,281</u>
14010 County-wide Accounts - Budget	
Sales Tax Distributed to Local Govts. from	
402140 3%	9,502,588
<u>County-wide Accounts - Budget Total</u>	<u>9,502,588</u>
<u>General Fund 110 - Total Revenue Increase</u>	<u>24,696,869</u>
<u>Fund 110 Net (Revenue less Expense)</u>	<u>-</u>

Utility Fund 140 – Expense

12110	Utilities Fund-(DPW)		
	515000	Utility Charges	(65,076)
	914000	ID County-wide Accounts Budget	65,076
		<u>Utilities Fund-(DPW) Total</u>	<u>-</u>
Road Fund 210 - Expense			
123	Highways (DPW)		
	500000	Full Time - Salaries	(136,103)
	500010	Part Time - Wages	2,020
	500020	Regular PT - Wages	(42,302)
	500330	Holiday Worked	(25,955)
	500350	Other Employee Payments	25,381
	501000	Overtime	96,099
	502000	Fringe Benefits	355,779
	505600	Auto, Truck, & Heavy Eqp	(60,883)
	575040	Interfund Expense-Utility Fund	(172,184)
	910700	ID Fleet Services	148,111
		<u>Highways (DPW) Total Expense</u>	<u>189,963</u>
Road Fund 210 - Revenue			
123	Highways (DPW)		
	450000	Interfund Revenue Non-Subsidy	189,963
		<u>Highways (DPW) Total Revenue</u>	<u>189,963</u>
		<u>Fund 210 Net (Revenue less Expense)</u>	<u>-</u>
Sewer Fund 220 - Expense			
18010	Sewerage Management		
	500350	Other Employee Payments	57,107
	500020	Regular PT - Wages	(57,107)
		<u>Sewerage Management Total</u>	<u>-</u>
E-911 Fund 230 - Expense			
16500	Central Police Services		
	500000	Full Time - Salaries	87,091
	500020	Regular PT - Wages	(102,981)
	500350	Other Employee Payments	11,513
	501000	Overtime	4,377
		<u>Central Police Srvcs Total</u>	<u>-</u>
12720	Emergency Medical Services		

500000	Full Time - Salaries	(11,396)
501000	Overtime	11,396
<u>Emergency Medical Services Total</u>		<u>-</u>
Debt Service Fund 310		
17200 General Debt		
550000	Principal - Bonds	395,000
550110	Bond Issue Costs	125,285
550120	Payments to Refunded Bond Escrow	31,463,880
550800	Interest - Bonds	(185,393)
<u>General Debt - Expense Total</u>		<u>31,798,772</u>
445070	Premium On Obligations	3,900,498
445031	Interest & Earnings Cap. Inv.	68,140
475030	Bond Proceeds For Advance Refunding	27,690,000
486010	Residual Equity Trans. In	140,134
<u>General Debt - Revenue Total</u>		<u>31,798,772</u>
<u>General Debt Net (Revenue less Expense)</u>		<u>-</u>
17300 Debt Service Sewer District 1, 4, 5		
550130	Payments Bond Refunding	650,000
<u>Debt Service Sewer District 1, 4, 5 - Expense Total</u>		<u>650,000</u>
475030	Bond Proc-Adv Refund	650,000
<u>Debt Service Sewer District 1, 4, 5 - Revenue Total</u>		<u>650,000</u>
<u>SD 1,4,5 Debt Net (Revenue less Expense)</u>		<u>-</u>
17400 Debt Service Sewer District 2		
550130	Payments Bond Refunding	2,355,000
<u>Debt Service Sewer District 2 - Expense Total</u>		<u>2,355,000</u>
475030	Bond Proc-Adv Refund	2,355,000
<u>Debt Service Sewer District 2 - Revenue Total</u>		<u>2,355,000</u>
<u>SD 2 Debt Net (Revenue less Expense)</u>		<u>-</u>
17500 Debt Service Sewer District 3/Southtowns		
550000	Principal Bonds	(30,844)
550800	Interest - Bonds	30,844

Debt Service Sewer District 3/South - Expense Total -

and be it further

RESOLVED, that authorization is provided to designate available 2011 funding for the County Attorney's Risk Retention Fund in the amount of \$5,000,000, \$105,700 for Buildings and Grounds to maintain and repair county facilities, \$20,590 for equipment in the County Clerk's Auto Bureau, \$150,000 for the St. John Community Center development initiative in the Department of Environment and Planning, \$14,405 for hazardous waste collection in the Department of Environment and Planning, and \$224,760 for the Department of Social Services for various community activities; and be it further

RESOLVED, that 2011 funds in the amount of \$7,500,000 is hereby designated for Erie Community College building construction; and be it further

RESOLVED, that the Director of Budget and Management is authorized to make any further 2011 Budget adjustments that may be required based on adjusting entries identified by the Erie County Comptroller or the County's independent auditors, said adjustments would be made in conjunction with the Office of the Comptroller in preparation of their final financial statements and for no other purpose; and be it further

RESOLVED, that the Clerk of the Legislature be instructed to forward certified copies of this resolution to the County Executive, the County Attorney, the Office of the Comptroller and the Director of Budget and Management.

(6-0)

**TIMOTHY R. HOGUES
CHAIR**

Item 41 – MR. McCracken presented the following report and moved for immediate consideration and approval. MR. MAZUR seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 106

May 3, 2012	ENERGY & ENVIRONMENT COMMITTEE REPORT NO. 5
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ALL MEMBERS PRESENT.

CHAIR GRANT PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 23D-2 (2011)
DEPARTMENT OF ENVIRONMENT & PLANNING: "Botanical Gardens Cistern Installation Project"

- (6-0)
- b. COMM. 1D-6 (2012)
COMPTROLLER'S OFFICE: "Letter to County Executive Including Audit Report of the EC Tow Path Park Development Project for Period of 11/18/2002 - 12/31/2009"
(6-0)
- c. COMM. 5E-7 (2012)
GRANT: "Letter to Legislator McCracken Concerning Appointment of Commissioner to the EC Water Authority"
(6-0)
- d. COMM. 5E-8 (2012)
GRANT: "Letter to Clerk of Legislature Concerning Appointment of Commissioner to the EC Water Authority"
(6-0)
- e. COMM. 6E-9 (2012)
COUNTY EXECUTIVE: "ECSD Nos. 1, 3, 4 & 5 - Engineer Term Contract Agreement"
(6-0)
- f. COMM. 6D-1 (2012)
DEPARTMENT OF ENVIRONMENT & PLANNING: "Rush Creek Interceptor & Elimination of Pumping Stations & Blasdell Wastewater Treatment Plant - SEQR Notification"
(6-0)
- g. COMM. 6D-5 (2012)
DEPARTMENT OF ENVIRONMENT & PLANNING: "Lease of USCG Property & Related Improvements - SEQR Notification"
(6-0)
- h. COMM. 6M-14 (2012)
NYSDEC: "Public Notice: Inactive Hazardous Waste Disposal Site Delist Notice - Wide Beach Community, Brant, NY"
(6-0)
- i. COMM. 6M-18 (2012)
NYSDEC: "Public Notice: Inactive Hazardous Waste Disposal Site Delist Notice - 110 Furhmann Blvd., Buffalo, NY"
(6-0)
- j. COMM. 6M-19 (2012)
NYS DEPARTMENT OF AGRICULTURE & MARKETS: "Letter to Legislature Concerning Receipt of Resolution Regarding a Report & Plan to Modify EC Agricultural District No. 2"
(6-0)

k. COMM. 7M-4 (2012)
NYSDEC: "Public Notice: Inactive Hazardous Waste Disposal Site Delist Notice - 110 Furhmann Blvd., Buffalo, NY 14202"
(6-0)

1. COMM. 8E-17 (2012)
COUNTY EXECUTIVE: "ECSD Nos. 1,2,4 & 5 - Engineer Term Agreement - LiRo Engineers, Inc."
(6-0)

2. COMM. 7E-2 (2012)
COUNTY EXECUTIVE
WHEREAS, the Erie County Sewer District No. 3 Board of Managers and the Erie County Legislature have previously authorized construction of a network of sanitary sewers and pumping stations in the Village of Hamburg; and

WHEREAS, Erie County Sewer District No. 3 needs to acquire a permanent .06± acre and a temporary .06± acre easement (SBL 183.15-5-1) adjacent to the McKinley Pumping Station for the future construction of sanitary sewers to enable the elimination of the existing pumping station; and

WHEREAS, an independent appraisal has been prepared of the easement area for Erie County Sewer District No. 3.

NOW, THEREFORE, BE IT

RESOLVED, that Erie County Sewer District No. 3 be authorized to acquire said easements adjacent to the McKinley Pumping Station owned by James Appolson (SBL 183.15-5-1) for the sum not to exceed \$50,000.00, with documents subject to approval as to form by the County Attorney; and be it further

RESOLVED, that the Comptroller be authorized and directed to allocate the sum not to exceed \$50,000.00 from Erie County Sewer District No. 3, Sewer Capital C.00062; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send two (2) certified copies of this resolution to Joseph L. Fiegl, P.E., Department of Environment and Planning; and one certified copy to the County Executive; the Director of Budget, Management and Finance; the Erie County Comptroller; Kristen Walder, Assistant County Attorney.
(6-0)

3. COMM. 7E-3 (2012)
COUNTY EXECUTIVE
WHEREAS, the County of Erie/Erie County Sewer District No. 3, as stated in an Inter-Municipal Agreement (February 2005) owns and operates the Village of Hamburg's sanitary sewer collection system; and

WHEREAS, the Village has entered into an Order on Consent (hereinafter also referred to as "ORDER") with the New York State Department of Environmental Conservation (hereinafter referred to as "NYSDEC") for the reduction of sanitary sewer overflows; and

WHEREAS, in response to the ORDER, the Village has agreed to complete projects to restore and rehabilitate the sanitary sewer collection system formerly owned and operated by the Village; and

WHEREAS, one such project will eliminate the Charlotte, Sherburn and McKinley Pumping Stations and demolish the Brookwood Pumping Station; and

WHEREAS, the Inter-Municipal Agreement executed on February 17, 2005 between the Village and the County states the Village shall be the contracting entity for engineering and construction work related to the Village Collection System and the County shall serve as the Village's agent for implementation of said work; and

WHEREAS, a construction contractor must be retained for the Charlotte, Sherburn and McKinley Pumping Station Elimination and the Brookwood Pumping Station Demolition Project; and

WHEREAS, the Village and County agree that construction of the Charlotte, Sherburn and McKinley Pumping Station Elimination and the Brookwood Pumping Station Demolition Project would be more efficiently and effectively administered directly by the County rather than by the County acting as agent for the Village; and

WHEREAS, the Village and County are desirous that the County shall be the contracting entity for services related to construction of the Charlotte, Sherburn and McKinley Pumping Station Elimination and the Brookwood Pumping Station Demolition Project; and

WHEREAS, the Village will reimburse the County for the costs related to the construction of the Charlotte, Sherburn and McKinley Pumping Station Elimination and the Brookwood Pumping Station Demolition Project.

NOW, THEREFORE, BE IT

RESOLVED, that the Inter-Municipal Agreement between the County, on behalf of Erie County Sewer District No. 3 and the Village of Hamburg for reimbursement of construction costs related to the Charlotte, Sherburn and McKinley Pumping Station Elimination and the Brookwood Pumping Station Demolition Project is hereby approved; and be it further

RESOLVED, that the County Executive be, and hereby is, authorized to execute an Inter-Municipal agreement with the Village of Hamburg subject to approval as to form by the County Attorney and as to content by the Commissioner of the Department of Environment and Planning; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send two (2) certified copies of this resolution to Joseph L. Fiegl, P.E., Department of Environment and Planning; and one certified copy to the County Executive; the Director of Budget, Management and Finance; the Erie County Comptroller; Kristen Walder, Assistant County Attorney; and Hon. Thomas Moses, Mayor, Village of Hamburg.

(6-0)

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

WHEREAS, the Erie County Legislature had awarded Contract No. 65 to Pinto Construction Services, Inc.; and

WHEREAS, the Erie County Department of Environment and Planning, Division of Sewerage Management has advised the Legislature that all scheduled improvements are now completed; and

WHEREAS, the Erie County Department of Environment and Planning, Division of Sewerage Management has recommended the final acceptance of Contract No. 65 in the amount of \$83,977.45 which includes Change Order No. 1 (final), a decrease of (\$13,435.05) and approve final payment.

NOW, THEREFORE, BE IT

RESOLVED, that Contract No. 65 between the County of Erie and Pinto Construction Services, Inc., 1 Babcock Street, Buffalo, New York 14210, be accepted in the amount of \$83,977.45 which includes Change Order No. 1 (final), a decrease of (\$13,435.05); and be it further

RESOLVED, that the Erie County Comptroller is hereby authorized and directed to finalize Contract No. 65 between the County of Erie and Pinto Construction Services, Inc. in the amount of \$83,977.45; as follows \$26,994.50 in Erie County Sewer District No. 1 Bond Account No. C.00057 and \$56,982.95 in Erie County Sewer District No. 3 Bond Account No. C.00062 and return the unused portion of \$13,435.05 to Unallocated Account; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send one certified copy each of this Resolution to the County Executive; Erie County Comptroller's Office; Assistant County Attorney; and two (2) certified copies to Joseph L. Fiegl, P.E. Department of Environment and Planning, Division of Sewerage Management, Rath Building, 10th floor.

(6-0)

5. COMM. 8E-5 (2012)
COUNTY EXECUTIVE

RESOLVED, the Erie County Legislature hereby confirms the appointment of the following individual to the EC Environmental Management Council for a term expiring 5/31/2013:

Ms. Jennifer Lougen-Wiertel
8390 Wehrle Drive
Clarence, New York 14031

(6-0)

6. COMM. 8E-16 (2012)
COUNTY EXECUTIVE

WHEREAS, the Erie County Legislature had awarded Contract No. 11ST to Hohl Industrial Services, Inc.; and

WHEREAS, the Erie County Department of Environment and Planning, Division of Sewerage Management has advised the Legislature that all scheduled improvements are now completed; and

WHEREAS, the Erie County Department of Environment and Planning, Division of Sewerage Management has recommended the final acceptance of Contract No. 11ST in the final contract amount of \$345,673.16, which includes Change Order No. 1 (final), a decrease of \$1.84.

NOW, THEREFORE, BE IT

RESOLVED, that Contract No. 11ST between the County of Erie and Hohl Industrial Services, Inc. 770 Riverview Blvd. Tonawanda, New York 14150, is accepted in the amount of \$345,673.16 which includes Change Order No. 1 (final), a decrease of (\$1.84); and be it further

RESOLVED, that the Erie County Comptroller is hereby authorized and directed to finalize Contract No. 11ST between the County of Erie and Hohl Industrial Services, Inc. in the amount of \$345,673.16 and make final payment from Erie County Sewer District No. 3 Capital Project C.11302 and return the unused balance to Erie County Sewer District No. 3 Capital Reserve C.00007; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send one certified copy each of this Resolution to the County Executive; Erie County Comptroller's Office; Kristen Walder, Assistant County Attorney; and two (2) certified copies to Joseph L. Fiegl, P.E. Department of Environment and Planning, Division of Sewerage Management, Rath Building, 10th floor. (6-0)

7. COMM. 8E-18 (2012)
COUNTY EXECUTIVE

WHEREAS, the Erie County Sewer District No. 4 Board of Managers and the Erie County Legislature have previously authorized funding for the Aurora North Interceptor sanitary sewer in the Town of Lancaster and the Town of Cheektowaga; and

WHEREAS, Erie County Sewer District No. 4 needs to acquire a .65 acre permanent easement and a temporary easement for the work area (SBL 115.03-1-58.2 & 59) adjacent to the Flix Theaters for the future construction of sanitary sewers to enable the elimination of the Aurora North Pumping Station; and

WHEREAS, an appraisal based on the Real Property Rolls and applied standard percent reduction for easement acquisition has been prepared for the required easement area.

NOW, THEREFORE, BE IT

RESOLVED, that Erie County/Erie County Sewer District No. 4 be authorized to acquire said easement adjacent to the Aurora North Pumping Station owned by M & B Flix LLC (SBL 115.03-1-58.2 & 59) for the sum not to exceed \$36,000.00; and be it further

RESOLVED, that the Comptroller be authorized and directed to allocate the sum not to exceed \$36,000.00 from Erie County Sewer District No. 4, Sewer Capital C.00072; and be it further

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

(6-0)

TERRENCE D. McCRACKEN
CHAIR

Item 42 – MR. HOGUES presented the following report and moved for immediate consideration and approval. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 107

May 3, 2012	PUBLIC SAFETY COMMITTEE REPORT NO. 5
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ALL MEMBERS PRESENT.

CHAIR GRANT PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 5E-24 (2012)
COUNTY EXECUTIVE: “Appointments/Reappointments to the Fire Advisory Board”
(6-0)
 - b. COMM. 5E-26 (2012)
GRANT: “Letter to Sheriff Howard Regarding Attending Public Safety Committee Meeting Concerning Mistaken Inmate Releases”
(6-0)
 - c. COMM. 6E-14 (2012)
COUNTY EXECUTIVE: “Reappointments to the Fire Advisory Board”
(6-0)
 - d. COMM. 7E-6 (2012)
COUNTY EXECUTIVE: “EC Community Corrections Advisory Board Appointment Recommendation”
(6-0)
 - e. COMM. 7M-7 (2012)
PRISONERS ARE PEOPLE TOO: “Letter to Legislature Concerning Reappointment to the EC Community Corrections Advisory Board”
(6-0)

f. COMM. 8D-1 (2012)
HEALTH DEPARTMENT: "Re-Appointment - EC Community Corrections Advisory Board"
(6-0)

2. COMM. 8E-19 (2012)
COUNTY EXECUTIVE
WHEREAS, the Erie County Central Police Services Forensic Laboratory has been awarded a NIBIN Workstation grant by the New York State Division of Criminal Justice Services; and

WHEREAS, said funds will enable the Central Police Services Forensic Laboratory to upgrade and enhance its ability to process firearms evidence submissions.

NOW, THEREFORE, BE IT

RESOLVED, that authorization is hereby provided for the County Executive to enter into a contract and accept funding in the amount of \$180,000 with the New York State Division of Criminal Justice Services; and be it further

RESOLVED, that authorization is hereby provided to establish the grant in the budget of the Department of Central Police Services as follows:

Grant Fund SAP 165
03/01/2012 to 02/28/2013

<u>Revenue</u>		<u>Increase</u>
Account 409000	State Aid	<u>180,000</u>
Total Revenue		\$180,000
 <u>Appropriation</u>		
Account 561410	Lab & Tech Equipment	<u>180,000</u>
Total Appropriation		\$180,000

and be it further

RESOLVED, that the Director of the Budget and Management is hereby authorized to establish and adjust budgets as required to comply with State approved funding levels; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Erie County Executive, the Division of Budget and Management, the Office of the Comptroller and the Department of Central Police Services, attention: Carmen Walling.
(6-0)

3. COMM. 8E-20 (2012)
COUNTY EXECUTIVE

WHEREAS, the County of Erie wants to continue raising the level of awareness among individuals, families and businesses in our community on the importance of emergency preparedness through the Community Disaster Education Initiative (“Initiative”); and

WHEREAS, it is expected that the Initiative will continue to consist of:

- (1) a Community Component to prepare individuals to establish a family disaster plan,
- (2) a Business Component to establish a workplace emergency plan, and
- (3) a Education Component to train students in emergency preparedness; and

WHEREAS, the success of the Initiative will be best achieved through existing organizations who have experience in preparing for emergencies and educating their constituents regarding emergency preparedness; and

WHEREAS, the Buffalo branch of the American Red Cross (“Red Cross”) has considerable experience in emergency preparedness and in responding to various emergencies and disaster; and

WHEREAS, in addition the county will utilize \$90,000 of UASI 09 funding to support this initiative, which has been approved in a prior resolution.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to enter into a contract with the American Red Cross for the purpose of assisting the County in the Initiative; and be it further

RESOLVED, that the County of Erie shall utilize \$90,000 from currently available UASI 2010 funds, account 516020 grant HS167UASIF1013, for said contract; and be it further

RESOLVED, that these funds will be utilized to raise the awareness level of the importance of emergency preparedness in the County; 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 Emergency Services c/o Melissa Calhoun, the Department of Central Police Services, the County Comptroller, and the County Attorney.

(6-0)

TIMOTHY R. HOGUES
CHAIR

Item 43 – MR. MAZUR presented the following report and moved for immediate consideration and approval. MR. HOGUES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 108

May 3, 2012	HEALTH & HUMAN SERVICES COMMITTEE REPORT NO. 5
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ALL MEMBERS PRESENT.
CHAIR GRANT PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
 - a. INTRO 2-3 (2011)
MARINELLI, LOUGHRAN & KOZUB: “Supporting NYS A.2285 for County Control of Medicaid”
(6-0)
 - b. COMM. 6M-16 (2011)
ASSOCIATION OF EC GOVERNMENTS: “Letter to Legislature Concerning the Formation of a Committee”
(6-0)
 - c. COMM. 10D-7 (2011)
DEPARTMENT OF SOCIAL SERVICES: “Response to the Audit Conducted by the Comptroller's Office Concerning Social Services Special Investigations Division for the Period 1/1/2008 - 12/31/2009”
(6-0)
 - d. COMM. 21M-7 (2011)
FULTON COUNTY CLERK: “Copy of Resolution Urging Passage of Senate Bill S. 5889-B & Assembly Bill A.8644 that Would Implement A Multi-Year State Takeover of the Local Share of Medicaid”
(6-0)
 - e. COMM. 21M-9 (2011)
STAFF OF THE CHEMICAL DEPENDENCY DEPARTMENT: “Packet of Materials Concerning the Proposed Closing of ECMCC Drug & Alcohol Clinics”
(6-0)
 - f. COMM. 1E-30 (2012)
COUNTY EXECUTIVE: “Appointment of EC Director of Office for the Disabled”
(6-0)
 - g. COMM. 1M-8 (2012)
CHAUTAQUA COUNTY LEGISLATURE: “Copy of Resolution Urging Passage of Senate Bill S.5889-B & Assembly Bill A.8644 that Would Implement a Multi-Year State Takeover of Local Share of Medicaid”
(6-0)
 - h. COMM. 3E-16 (2012)
COUNTY EXECUTIVE: “Goodwill Industries - Employment Services Contract”

(6-0)

- i. COMM. 6M-9 (2012)
CHENANGO COUNTY BOARD OF SUPERVISORS: “Copy of Resolution Calling on the Governor & NYS Legislature to Maintain the Current Success of the NYS Child Support Enforcement Unit by Maintaining a Commitment to a Strong State/Local Partnership”
(6-0)
- j. COMM. 7M-3 (2012)
ECMCC: “Copy of Annual Report for 2011”
(6-0)

**THOMAS J. MAZUR
CHAIR**

LEGISLATOR RESOLUTIONS

Item 44 – MR. MAZUR presented the following resolution and moved for immediate consideration and approval. MR. HOGUES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 109

RE: Transfer of Surplus Property to
Lancaster VFW Post 7275
(INTRO 9-1)

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

WHEREAS, officials from Town of Lancaster VFW Post 7275 have requested the transfer of Erie County surplus tables and cart for their VFW Hall use; and

WHEREAS, leaders of VFW Post 7275 have indicated that the requested tables will be utilized in hosting meetings of local Girl & Boy Scout Troops, as well as Daisy’s who will use the tables for any number of crafts, and local VFW events including putting together food bags during food drives held to benefit local community organizations; and

WHEREAS, Legislature authorization is necessary to effectuate the transfer of said tables and cart.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature declares that it is both appropriate and fitting to assist Lancaster VFW Post 7275 in their endeavor of securing surplus Erie County tables and cart, which will help in the good works of local Boy & Girl Scout Troops, local Daisy’s, as well as the good works provided by Lancaster VFW Post 7275; and be it further

RESOLVED, authorization is granted to transfer ownership of eight (8) Erie County surplus tables, I.D. numbers 52626 and 518515 (others without Erie County I.D. numbers) and one cart to Lancaster VFW Post 7275 (3741 Walden Ave., Lancaster, NY 14086); and be it further

RESOLVED, that certified copies of this resolution be sent to the County Executive, the Department of Purchase, and Lancaster VFW Post 7275.

Item 45 – CHAIR GRANT directed that the following resolution be referred to the ENERGY & ENVIRONMENT COMMITTEE.

GRANTED.

INTRO 9-2 from LORIGO, MILLS & RATH. Opposing Anti-Farming Regulations Being Proposed by the Department of Labor.

Item 46 – MR. MAZUR presented the following resolution and moved for immediate consideration and approval. MR. MILLS seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 110

RE: Legislature Appointment to the Buffalo
Olmsted Parks Conservancy Board of
Trustees
(INTRO 9-3)

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

WHEREAS, the Buffalo Olmsted Parks Conservancy (BOPC), a 501c3 not-for-profit, independent, community organization promotes, preserves, restores, enhances and ensures maintenance of Olmsted Parks and Parkways in the greater Buffalo area to guarantee Olmsted park experiences for current and future generations; and

WHEREAS, the By-laws of the BOPC, Section 3.21 “Appointed Trustees,” states that among its membership one trustee shall be appointed by the Erie County Legislature, and “shall have all the attributes and responsibilities of Board membership;” and

WHEREAS, Third District Legislator Lynn M. Marinelli has requested consideration to serve in this important public policy position, represents a district that includes the BOPC headquarters and largest Olmsted Park, and serves as Chair of this Legislature’s Community Enrichment Committee, which oversees Legislature policy and oversight involving BOPC’ legislation and communications.

NOW, THEREFORE, BE IT

RESOLVED, that Erie County Legislator Lynn M. Marinelli has established a strong reputation of advocacy and leadership on behalf of the Buffalo Olmsted Parks Conservancy, and has

demonstrated a commitment to the long-term viability of this community-wide cultural treasure; and be it further

RESOLVED, that this Honorable Body declares that Legislator Marinelli is uniquely qualified to represent this Legislature on the BOPC Board of Trustees, both as the district legislator whose district encompasses a significant portion of BOPC assets, and by virtue of her leadership role as Chair of this Body's Community Enrichment Committee; and be it further

RESOLVED, that Legislator Lynn M. Marinelli be and hereby is appointed to serve as the Erie County Legislature representative to the Buffalo Olmsted Parks Conservancy Board of Trustees effective immediately; and be it further

RESOLVED, that a certified copy of this resolution be forwarded to Legislator Marinelli, the County Executive, the Mayor of the City of Buffalo, the Commissioners of Parks for both the City of Buffalo and County of Erie, and to the Executive Director of the Buffalo Olmsted Parks Conservancy (84 Parkside Ave., Buffalo NY 14214).

Item 47 – MR. MAZUR presented the following resolution and moved for immediate consideration and approval. MR. HOGUES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 111

RE: Appointment/Reappointments to the EC
Community Corrections Advisory Board
(INTRO 9-4)

**A RESOLUTION TO BE SUBMITTED BY
LEGISLATORS GRANT & HOGUES**

WHEREAS, the Erie County Legislature approved INTRO 16-4 (2010) establishing the Erie County Community Corrections Advisory Board providing for the appointment of thirteen (13) voting members, and with the subsequent approval of INTRO 4-4 (2011), the Community Corrections Advisory Board was expanded to include fifteen (15) voting members; and

WHEREAS, members of the Erie County Community Corrections Advisory Board are appointed by the Erie County Legislature upon the recommendation of community stakeholders, and the terms of three board members have expired; and

WHEREAS, of the three, one member is to be recommended by a recognized organization working on behalf of prisoners' rights, one member is to be recommended by the Erie County Executive, and one member is to be recommended by the Erie County Commissioner of Health; and

WHEREAS, the community organization Prisoners Are People Too! has submitted the recommendation to reappoint Board Member Rev. Eugene Pierce, County Executive Poloncarz has submitted the recommendation to appoint Joseph Cercone, and Erie County Health Commissioner Burstein has submitted the recommendation to reappoint Board Member Michael Kubik, and all three are eligible to serve three-year terms to expire on February 15, 2015.

NOW, THEREFORE, BE IT

RESOLVED, that effective immediately, the Erie County Legislature does hereby appoint/reappoint the following named individuals to serve as members of the Erie County Community Corrections Advisory Board for terms that will expire on February 15, 2015:

<u>Appointee</u>	<u>Upon Recommendation</u>
Rev. Eugene Pierce	Prisoners Are People Too!
Joseph Cercone	Erie County Executive
Michael Kubik	Erie County Health Commissioner

and be it further

RESOLVED, that certified copies of this resolution be forwarded to Prisoners Are People Too! (P.O. Box 273, Buffalo, NY 14212), the Erie County Executive, the Erie County Commissioner of Health, and the Secretary of the Erie County Community Corrections Advisory Board.

Item 48 – MR. MAZUR presented the following resolution and moved for immediate consideration and approval. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 112

RE: Fifth District Legislative Office
Personnel Adjustments
(INTRO 9-5)

**A RESOLUTION TO BE SUBMITTED BY
LEGISLATORS GRANT & LOUGHRAN**

WHEREAS, in order to better serve the residents of the Fifth District of the Erie County Legislature, a reorganization is necessary of the Legislature's district office personal services budget.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby make the following technical budget adjustments to the Legislature's 2012 Adopted Departmental Budget, to be effectuated while keeping within the Legislature's adopted appropriation for 2012:

DELETE one (1) Administrative Clerk (Legislature) FT, JG 8 Step 4, Position Number 51009977, Fund Center 100, Cost Center 1005017 District Office Staff, effective May 14, 2012;

REPLACE with one (1) Administrative Clerk (Legislature) RPT and one (1) Administrative Clerk (Legislature) PT, at the variable minimum JG 8 Step 4 in accordance with Erie County

Legislature Resolution #17 of 2012 (INTRO 2-6), to Fund Center 100, Cost Center 1005017 District Office Staff, also effective May 14, 2012;

and be it further

RESOLVED, that the Clerk of the Legislature is directed to forward certified copies of this resolution to the Director of the Division of Budget, Management & Finance and the Commissioner of the Department of Personnel.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 113

RE: EC Surplus Authorization, Buffalo &
EC Historical Society
(INTRO 9-6)

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

WHEREAS, the Buffalo and Erie County Historical Society has requested the transfer of Erie County surplus property to the Society for its use; and

WHEREAS, in as much as the Society is a community-wide cultural asset and non-profit organization tax exempt under Sec. 501(c)(3) of the IRS code, the transfer of Erie County surplus property to the Society is in accordance with policy promulgated by the Erie County Department of Purchase; and

WHEREAS, continued support of the Society is proper, as 13th President of the United States Millard Fillmore said, “let this institution be the grand repository of everything calculated to throw light on our history ... and let our citizens unite heart and hand in building up this Society,” in urging support for the Society as its founder and president from 1862 to 1867; and

WHEREAS, authorization of the Erie County Legislature is necessary in order to effectuate the transfer of Erie County surplus property.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature finds it both appropriate and cost-effective that the Buffalo and Erie County Historical Society has requested the transfer of Erie County surplus property to the Society, especially at a time of lean budget appropriations and reuse strategies to save money; and be it further

RESOLVED, that the Erie County Legislature does hereby provide authorization to transfer the following surplus items to the Buffalo and Erie County Historical Society:

- One (1) Credenza (I.D. unavailable)
- Six (6) Office partitions (I.D. unavailable)
- Two (2) Filing Cabinets (I.D. # 79732 and # 200664)
- One (1) Small Cabinet (I.D. unavailable)
- One (1) Coat Rack (I.D. unavailable)

and be it further

RESOLVED, that the Clerk of the Erie County Legislature be and hereby is directed to forward certified copies of this resolution to the County Executive, the Department of Purchase, and the Buffalo and Erie County Historical Society (25 Nottingham Ct., Buffalo, NY 14216).

Item 50 – MR. MAZUR presented the following resolution and moved for immediate consideration. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 114

RE: Conveying Support for the Federal JOLT Act (Jobs Originated Through Launching Travel) & Poland's Eligibility for the Visa Waiver Program (INTRO 9-7)

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

WHEREAS, Poland is the only member of the 25-nation Euro-zone whose citizens are not allowed to travel to the United States without a visa; and

WHEREAS, the global travel market is expected to double over the next decade, yet the United States continues to experience a decline in its market share of that industry; and

WHEREAS, the people of Poland have made substantial contributions to the security of the United States – from the vital roles played by Pulaski and Kosciuszko during America's War for Independence to present day NATO operations in Afghanistan; and

WHEREAS, the liberation of the nations held captive by the former Soviet Union, including Poland – birthplace of the Solidarity labor union movement -- has resulted in a huge influx of immigrants from Eastern Europe who have emigrated to the United States; and

WHEREAS, these new American citizens still have relatives and friends in their native countries wishing to visit family members who have made a new life in the United States of America; and

WHEREAS, Niagara Falls and New York City are “bookend” destinations that enjoy a favorable international brand and are key to attracting visitors from around the world to New York State and Western New York; and

WHEREAS, over the last decade, the tourist destination development of festivals and sites in and around Polonia positions Buffalo and Erie County well in the competition for market share of the growing demographic of citizens from Poland engaging in international travel; and

WHEREAS, the exclusion of Poland from the visa waiver program makes no strategic or economic sense, and unfairly discriminates against an enduring ally of the United States; and

WHEREAS, United States Senate Bill S.2233, known as the JOLT Act – sponsored by U.S. Senator Charles Schumer -- would amend the Immigration and Nationality act by (1) authorizing the Secretary of Homeland Security, in consultation with the Secretary of State, to designate program countries; (2) adjusting the criteria for visa refusal rates to permit entry into the program if a country has a low visa overstay rate; (3) setting a maximum 3% visa overstay rate for program countries; and, (4) revising probationary status and program termination provisions; and

WHEREAS, in addition, the JOLT Act calls for the Comptroller General to review the Department of Homeland Security's methods for tracking aliens entering and exiting the United States and for detecting visa overstays – thereby enhancing the security of the United States.

NOW, THEREFORE, BE IT

RESOLVED, that this Honorable Body convey its support for the JOLT Act – in particular the provisions that would tighten the tracking system for aliens, would better detect visa overstays and would allow Poland to enter the visa waiver program; and be it further

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

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

Item 51 – MR. MAZUR presented the following resolution and moved for immediate consideration. MR. HOGUES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 115

RE: Expressing Support for A.9488/S.6508 –
Jay J.'s Law - to Increase the Criminal
Penalty for Repeat Child Abusers
(INTRO 9-8)

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

WHEREAS, Jay J. Bolvin is a two-year-old boy who, as an infant, suffered a beating at the hands of his father that was so severe Jay J. suffered brain damage resulting in a seizure disorder and developmental delays; and

WHEREAS, for this horrific crime, Jay J.'s father received the maximum sentence allowed under New York State law – a mere 1 ½ to 4 years in prison -- which pales in comparison to the life sentence of challenges and limitations that will be faced by his son; and

WHEREAS, according to media reports, Jay J. suffered 11 separate fractures in his body from his father's beatings, indicating a long history of abuse perpetrated on this helpless little boy; and

WHEREAS, Jay J.'s father had previously been convicted of third-degree assault for breaking the arm of another son, just six months old, in 2006; and

WHEREAS, these tragedies cry out for justice for abused children and are the specific crimes that prompted Assemblyman Dennis Gabryszak and State Senator Timothy Kennedy to introduce Jay J.'s law (A.9488/S.6508), a two-house bill that merits approval during the current session of the State Legislature; and

WHEREAS, under this proposed law, an assault of a child by a defendant with a previous conviction for an assault or attempted assault of a child shall be an assault in the first degree, also known as aggravated assault, will be designated a class D felony if perpetrated against a child under 11 years of age, and will carry a potential penalty of a seven year maximum sentence; and

WHEREAS, this legislation would strengthen penalties against repeat violent offenders, including elevation of the assault charge to a class B felony if a third child abuse offense occurs, a felony that carries a maximum sentence of 25 years.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature go on record in full support of Assembly Bill 9488/Senate Bill 6508, known as Jay J.'s Law, which increases the penalties for individuals convicted of repeat child abuse; and be it further

RESOLVED, that the Clerk of the Legislature is hereby authorized to forward certified copies of this resolution to Governor Andrew Cuomo, Speaker of the Assembly Sheldon Silver, Majority Leader of the State Senate Dean Skelos, Assemblyman Dennis Gabryszak, Senator Timothy Kennedy & the WNY Delegation to the State Legislature, District Attorney Frank Sedita and County Executive Mark Poloncarz.

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

Item 52 – CHAIR GRANT directed that the following resolution be referred to the ENERGY & ENVIRONMENT COMMITTEE.

GRANTED.

INTRO 9-9 from MAZUR, HOGUES, LOUGHRAN, McCracken & LORIGO.
Establishing a Smoke-Free Policy for EC-Owned Parks, Playgrounds, Beaches, Golf Courses & Recreational Areas.

Item 53 – MR. MAZUR presented the following resolution and moved for immediate consideration. MR. HOGUES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 116

RE: Supporting Making Certain Permissions
Regarding Crossbows Permanent
(INTRO 9-10)

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

WHEREAS, in 2010, New York State permitted crossbow hunting under certain circumstances; and

WHEREAS, this permission allowed hunters an additional non-firearms option for hunting certain game; and

WHEREAS, although successful, these permissions are set to expire; and

WHEREAS, New York State Senate Bill 6747-A and Assembly Bill 9682 would make these permissions permanent.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature goes on record as supporting New York State Senate Bill 6747-A and Assembly Bill 9682; and be it further

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

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

Item 54 – CHAIR GRANT directed that the following resolution be referred to the ENERGY & ENVIRONMENT COMMITTEE.

GRANTED.

INTRO 9-11 from HARDWICK & MILLS. Supporting an Animal Abuse Registry in NYS.

COMMUNICATIONS DISCHARGED FROM COMMITTEE

Item 55 – MR. MAZUR moved to discharge the FINANCE & MANAGEMENT COMMITTEE of further consideration of COMM. 6E-3 (2012). MR. HOGUES seconded.

CHAIR GRANT directed that a roll-call vote be taken.

AYES: CHAIR GRANT, MR. HOGUES, MR. LOUGHRAN, MS. MARINELLI, MR. MAZUR and MR. McCracken. NOES: MS. DIXON, MR. HARDWICK, MR. LORIGO, MR. MILLS and MR. RATH. (AYES: 6; NOES: 5)

CARRIED.

RESOLUTION NO. 117

RE: State Authorization for the Private Sale
of Bonds by Negotiated Agreement
(COMM. 6E-3, 2012)

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, 2012; and

WHEREAS, Assembly Bill A.09355 and Senate Bill S.6606, 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, 2013;

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.09355, 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, 2012; and

WHEREAS, Senate Bill S.6606 and Assembly Bill A.09355, 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, 2013;

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.6606, 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 Senate.

MR. MAZUR moved to approve the item. MR. HOGUES seconded.

MR. HARDWICK moved to return the item to committee for further consideration. MS. DIXON seconded.

CHAIR GRANT directed that a roll-call vote be taken.

AYES: MS. DIXON, MR. HARDWICK, MR. LORIGO, MR. MILLS and MR. RATH.
NOES: CHAIR GRANT, MR. HOGUES, MR. LOUGHRAN, MS. MARINELLI, MR. MAZUR and MR. McCRACKEN. (AYES: 5; NOES: 6)

FAILED.

CHAIR GRANT moved to previous question, and directed that a roll-call vote be taken.

AYES: MS. DIXON, MR. MILLS, CHAIR GRANT, MR. HOGUES, MR. LOUGHRAN, MS. MARINELLI, MR. MAZUR and MR. McCRACKEN. NOES: MR. HARDWICK, MR. LORIGO and MR. RATH. (AYES: 8; NOES: 3)

CARRIED.

SUSPENSION OF THE RULES

Item 56 – MR. MAZUR moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

INTRO 9-12 from LEGISLATORS MILLS, McCRACKEN, MAZUR & MARINELLI Re: Legislature Appointment to the EC Soil & Water Conservation District

MR. MILLS moved to approve the resolution. MR. McCRACKEN seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 118

A RESOLUTION TO BE SUBMITTED BY LEGISLATORS MILLS, McCRACKEN, MAZUR & MARINELLI

WHEREAS, the Erie County Legislature has received notice that legislative action is warranted for appointment to the Erie County Soil and Water Conservation District Board of Directors; and

WHEREAS, the proper functioning of the Soil and Water Conservation District on behalf of and directly for the County of Erie is necessary for the operation of many services and programs; and

WHEREAS, pursuant to New York State Conservation District Law, of the seven-member District Board, two members are representatives of the County Legislature, one member represents the Grange, one member represents the Farm Bureau and three serve as At-Large Members; and

WHEREAS, in further accordance with New York State Law, the Erie County Legislature shall appoint members to the District Board, where presently there exists one At-Large vacancy.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby appoint Mrs. Kelly Monahan Frothingham residing at 21 Grosvenor Road, Tonawanda, NY 14223 to the At-Large position on the Board of Directors for the Erie County Soil and Water Conservation District for 3-year term; and be it further

RESOLVED, that the aforementioned appointment shall be effective immediately; and be it further

RESOLVED, that certified copies of this resolution be sent to the Erie County Soil and Water Conservation District (50 Commerce Way, East Aurora, NY 14052) and Mrs. Kelly Monahan Frothingham (21 Grosvenor Road, Tonawanda, NY 14223).

Item 57 – MR. MAZUR moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

INTRO 9-13 from LEGISLATOR DIXON Re: Transfer of County Property to the Hamburg Snowmobile Club

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 119

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

WHEREAS, the Hamburg Snowmobile Club (HSC) performs extensive volunteer service in terms of maintaining and improving recreational snowmobile trails within county parks; and

WHEREAS, Erie County Parks, Forestry and Recreation Commissioner Troy Schinzel and HSC Trail Director Pete Duchmann have identified 3, no longer operable, Kawasaki-Model: Mule 1000 utility carts formerly used by the parks department for trail maintenance; and

WHEREAS, the carts are no longer of any use to the county and there are no plans to make them operable; and

WHEREAS, the HSC has several members that are volunteer mechanics that are interested in restoring one of the carts to working order using parts from the other two; and

WHEREAS, once restored to an operable status the cart would be put to use by HSC members for the purpose of maintaining trails within county parks.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to transfer ownership of 3 Kawasaki-Model: Mule 1000 utility carts

Cart 1: Property Tag #50202, Asset #44001159-1993

Cart 2: Property Tag #56029, Asset #44001162-1993

Cart 3: Property Tag #2801196, Asset #43003269

to the Hamburg Snowmobile Club; and be it further

RESOLVED, that certified copies of this resolution be presented to the County Executive, the Commissioner of the Department of Parks, Recreation and Forestry, the Director of Purchase, and Peter Duchmann of the Hamburg Snowmobile Club, PO Box 102, Hamburg, NY 14075.

Item 58 – MR. MAZUR moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 9E-36 from the COUNTY EXECUTIVE Re: Re-Appointment to the Senior Services Advisory Board

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

COMMUNICATIONS FROM ELECTED OFFICIALS

FROM THE COUNTY EXECUTIVE

Item 59 – (COMM. 9E-1) Copy of Letter to Legislator Lorigo Concerning Bee News Column on Approved 2012-2015 Four-Year Financial Plan

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 60 – (COMM. 9E-2) Copy of Letter to President of ECC Concerning New Building for ECC North Campus

Item 61 – (COMM. 9E-3) Copy of Letter to Buffalo Common Council Concerning Proposed Construction of New Academic Building at ECC

The above two items were received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM CHAIR GRANT

Item 62 – (COMM. 9E-4) EC Legislature Policies & Procedures

Received, Filed and Printed.

TO: ALL MEMBERS OF THE ERIE COUNTY LEGISLATURE
FROM: BETTY JEAN GRANT, CHAIR
RE: POLICIES AND PROCEDURES
DATE: APRIL 24, 2012

Payroll Time Sheets - County Personnel Rules require that a daily time sheet be submitted for each employee (this does not include Legislators). Thus, each district office employee is required to submit, daily Via fax or hand delivery for district office personnel stationed downtown, a copy of the daily time sheet. The previous day's time sheet must be sent to: Paul Henderson @ 858-8429 each day by 11:00 A.M. If the time sheet is not received, Erie County Personnel Department employees cannot authorize compensation. On Monday of each week, district office employees must mail or deliver the originals of the previous week's time sheets to the attention of Mr. Henderson.

The Legislature simply does not have the central staff personnel to track down district office daily time sheets, so please make it a priority to have all personnel adhere to this important and simple daily task.

All County payroll records are the property of Erie County and must be stored for seven years. When a legislator leaves office, all payroll records must be submitted to the Clerk of the Legislature for storage.

District Office Salaries - Each Legislator is budgeted \$ 38,275 for district office personnel. No Legislator is authorized to exceed this amount. Legislators who employ both Regular Part-Time (RPT) and Part-Time (PT) employees must be conscious of the weekly hours budgeted to be sure not to exceed the amount of hours budgeted.

Employee Leave Request Forms - All district offices must maintain a file for each employee where Employee Leave Request Forms can be filed. Each employee who uses Vacation, Personal Leave, or Sick Time must complete this form for all leave time, and the District Legislator signs the form authorizing employee leave. Once the form is completed and signed by the District Legislator, one copy is retained by the employee, and the other is to be kept on file in the district office as stated above. District Office employees can show their Legislator their County check pay stub to verify that they have the hours banked for leave time. Central staff downtown are also required to submit employee leave request forms to the Clerk of the Legislature for authorization and filing of same.

Please note that the Employee Leave Request Form file for each employee is subject to an audit by the Erie County Comptroller's Office on a periodic basis. Therefore, it is important to properly complete this form and maintain a file at the district office and/or downtown.

Purchasing Procedures - All office supplies are available through the Clerk of the Legislature. The Clerk keeps a ready supply of most necessary office supplies. District offices are not authorized to independently purchase office supplies. All necessary office supplies are to be purchased by the Clerk and staff, as centralized purchasing allows this department to achieve necessary cost savings through discounts. If a district office needs supplies that are not available in-house, please make a request to the Clerk at Robert.Graber@erie.gov or Legislative Assistant Rebecca Brooks at Rebecca.Brooks@erie.gov.

Please make arrangements for picking up office supplies either when you are downtown for meetings, or when district office personnel are downtown. Curbside pick-up of office supplies is discouraged, unless heavy boxes (such as a case of copy paper) are involved. Please call Rebecca Brooks at 858-8815 in advance for such requests, and she can arrange for a staffer to be helpful.

Travel Reimbursement - Due to the current austerity budget there is no reimbursement for travel of any kind. Any extenuating circumstance requires authorization of the Legislature Chair.

District Office Rent Payments - Once your lease has been approved by the Legislature, the Comptroller's Office will forward your landlord rental payments on a timely basis, and according to the lease agreement. Please contact Rebecca Brooks should you have any questions concerning payment, or the lease process.

District Office Expenses - Each district office is provided telephone service and internet/e-mail access. Cable TV for district offices is not a reimbursable expense. Please remember to call the County Help Desk at 858-6715 for questions concerning computer and e-mail problems, and Rebecca Brooks at 858-8511 for billing concerns. Any additional request requires authorization of the Chair.

Cellular Telephone - Cellular telephones and other portable communication devices are not budgeted for 2012 and are not reimbursable expenses.

Subscriptions - Each district office is allocated a nominal budget for local weekly newspaper subscriptions or periodicals. Please determine what local newspapers or periodicals are located in your district, as well as their yearly subscription rate, and submit invoices for all such subscriptions directly to Rebecca Brooks with authorization from the Chair.

Petty Cash - The Legislature does not keep a petty cash account.

Postage - Each district office is allocated \$1,500 per year for postage, for incidental district office postage needs. A letter requesting district office postage must be submitted to Robert M. Graber with the dollar amount of postage needed. Once submitted, the Clerk will process your request and a check will be made payable to the Postmaster General, and delivered to you. Any additional postage needs authorization of the Legislature's Chair.

Item 63 – (COMM. 9E-5) Letter to Chair of Legislature Concerning Formal Complaint Regarding the EC Holding Center

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM LEGISLATOR MILLS

Item 64 – (COMM. 9E-6) Appointment to the EC Bar Association's Aid to Indigent Prisoners Society, Assigned Counsel Program Board of Directors

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM CHAIR GRANT

Item 65 – (COMM. 9E-7) Letter to Executive Director of Cornell Cooperative Extension Regarding Legislative Appointment to the Cornell Cooperative Extension's Board

Received, Filed and Printed.

April 26, 2012

Ms. Deborah Roberts
Executive Director
Cornell University Cooperative Extension
21 South Grove Street
East Aurora, New York 14052-2398

Dear Ms. Roberts:

I write to you today regarding the Cornell University Cooperative Extension Board of Directors legislative appointment.

As Chair of the Erie County Legislature, I hereby appoint Legislator Terrence D. McCracken to serve on the Cornell University Cooperative Extension Board of Directors. I believe Legislator McCracken has the knowledge and qualifications to serve on the board.

Thank you in advance for your cooperation.

Sincerely,

BETTY JEAN GRANT, Chair
Erie County Legislature

FROM LEGISLATOR MARINELLI

Item 66 – (COMM. 9E-8) Copy of Letter to President of ECC Concerning Planning & Specific Actions to be Taken to Enhance Student Enrollment & Retention

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM CHAIR GRANT

Item 67 – (COMM. 9E-9) Copy of E-Mail Transmission Concerning Latest News at Botanical Gardens

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM THE COMPTROLLER

Item 68 – (COMM. 9E-10) Copy of Audited Financial Statements & Management Letter for ECC for the Fiscal Year Ended 8/31/2011

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM LEGISLATOR MARINELLI

Item 69 – (COMM. 9E-11) Constituent Letter to Legislator Marinelli Concerning Medicine Abuse

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

FROM THE SHERIFF

Item 70 – MR. MAZUR presented the following resolution and moved for immediate consideration and approval. MR. LORIGO seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 120

RE: FY2010 Bomb Squad Grant
(COMM. 9E-12)

WHEREAS, the US Department of Homeland Security through the NYS Division of Homeland Security and Emergency Services has awarded \$81,250 to the Erie County Sheriff's Office in funding specifically allocated to agencies with established Bomb Squads Units; and

WHEREAS, authorization is required from the Erie County Legislature for the County Executive to enter into contract and accept \$81,250 in federal resources to provide funds for specialized training and equipment to protect the residents of Erie County and the State of New York from terrorist attacks involving explosive devices; and

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

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize the County Executive to enter into contract with the New York State Division of Homeland Security to receive \$81,250 in grant funding for the Erie County Sheriff's Office; and be it further

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

Erie County Sheriff's Office
FY 2010 Bomb Squad Grant
March 22, 2012 to July 31, 2013

<u>REVENUE</u>	<u>Increase</u>
Account 414000 – Federal Revenue	\$ 81,250
TOTAL REVENUE	<u>\$ 81,250</u>

<u>APPROPRIATIONS</u>	<u>Increase</u>
Account 510100 – Out of Area Travel	\$ 8,000
Account 510200 – Training and Education	\$ 30,000
Account 561410 – Lab & Technical Equipment	\$ 43,250
TOTAL APPROPRIATIONS	<u>\$ 81,250</u>

and be it further

RESOLVED, that the Director of Budget and Management is hereby authorized to establish and adjust budgets as required to comply with State and Federal approved funding levels; and be it further

RESOLVED, that certified copies be forwarded to the County Executive's Office, the County Attorney, the Division of Budget and Management, the Office of the Comptroller, and the Office of the Sheriff.

FROM THE COUNTY EXECUTIVE

Item 71 – MR. MAZUR presented the following resolution and moved for immediate consideration and approval. MR. HOGUES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 121

RE: CPS - Justice Assistance 2012 Grant
(COMM. 9E-13)

WHEREAS, the City of Buffalo has been awarded funding under the Justice Assistance Grant program through the U.S. Department of Justice; and

WHEREAS, the Buffalo Police Department seeks the assistance of Central Police Services to provide law enforcement software enhancements for its projects.

NOW, THEREFORE, BE IT

RESOLVED, that the authorization is hereby provided for the County Executive to enter into contract and accept grant funding from the City of Buffalo in the amount of \$10,810; and be it further

RESOLVED, that the authorization is hereby provided to establish the grants in the budget of the Department of Central Police Services as follows:

Grant Fund – SAP #165CPSJAG1115
Central Police Services
10/1/11 – 9/30/15

<u>Revenue</u>	<u>Increase</u>
414000 Federal Aid	\$10,810

<u>Appropriation</u>	<u>Increase</u>
516020 Professional Services Contracts	\$10,810

and be it further

RESOLVED, that the authorization is hereby provided to contract with Globalquest Solutions, Inc., a local WBE/New York State contract vendor, in the amount of \$10,810 to provide the professional technical staff for these projects; and be it further

RESOLVED, that the Director of Budget and Management is hereby authorized to establish and adjust budgets as required to comply with Federal approved funding levels; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Erie County Executive, the Division of Budget and Management, the Office of the Comptroller, and the Department of Central Police Services, attention: Carmen Walling.

Item 72 – MR. MAZUR presented the following resolution and moved for immediate consideration and approval. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 122

RE: Buffalo Niagara Convention Center –
Health & Safety Improvements
(COMM. 9E-14)

WHEREAS, this Honorable Body has previously authorized the County Executive to enter into a General Architectural/Engineering Services Agreement with DiDonato Engineering, Watts Architecture & Engineering and BHNT Architects for providing professional design and construction document services on Erie County projects; and

WHEREAS, the County Executive is requesting authorization from your honorable body to issue an Agreement Amendment to DiDonato Engineering for electrical service vault repairs; Watts Architecture & Engineering for the asbestos abatement project for removal of the carpeting, vinyl

tile and mastic in the meeting rooms on the north and south side of the facility; and BHNT Architects for the replacement of the existing flooring in the Ballroom.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to issue an Agreement Amendment to the following architectural/engineering firms for providing professional design and construction document services for the Buffalo Niagara Convention Center, health and safety issues, including reimbursement as follows:

<u>DiDonato Engineers</u> – electrical service vault repairs	\$18,500.00
<u>Watts Architectural & Engineering</u> – Asbestos Abatement project for removal of carpeting, vinyl tile and mastic and the meeting rooms on the north and south side of the facility	\$10,600.00
<u>BHNT Architects</u> – replacement of the existing flooring in the Ballroom;	<u>\$16,500.00</u>
For a total amount not to exceed; and be it further	\$45,600.00

and be it further

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

- A.21004 – 2010 – BNCC Rehabilitation \$16,500.00
 - A.11003 – 2011 – Countywide Code Compliance and Environmental Compliance; \$29,100.00
- For a total amount not to exceed; and be it further \$45,600.00

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

Item 73 – MR. MAZUR presented the following resolution and moved for immediate consideration and approval. MR. HOGUES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 123

RE: Acceptance of Donated Vehicle
(COMM. 9E-15)

WHEREAS, the Erie County Department of Health’s Division of Emergency Medical Services (EMS) operates a Specialized Medical Response Team (SMART); and

WHEREAS, University Emergency Medical Services (UEMS) is in receipt of a 2012 Chevrolet Tahoe, VIN: 1GNSK2E03CR276297; and

WHEREAS, UEMS intends to donate this vehicle and equipment to EMS’s Specialized Medical Assistance Response Team (SMART); and

WHEREAS, this vehicle has a value of \$27,763.05, extended warranty value of \$2,250.00 and equipment value of \$30,205.09.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Executive is hereby authorized to accept the 2012 Chevrolet Tahoe, VIN: 1GNSK2E03CR276297 from University Emergency Medical Services; and be it further

RESOLVED, that said vehicle shall be used by Erie County Department of Health's Division of Emergency Medical Services (EMS) Specialized Medical Response Team (SMART); and be it further

RESOLVED, that certified copies of this resolution will be forwarded to the County Executive, the Office of the Comptroller, the Division of Budget and Management, the Division of Public Works (Fleet Division), the Department of Law and to Dr. Gale R. Burstein, Commissioner, in the Erie County Department of Health, 9th Floor, Rath Building.

Item 74 – (COMM. 9E-16) DPW - Buffalo & EC Central Library 2nd Floor West - Asbestos Abatement Project

Item 75 – (COMM. 9E-17) DPW - ECC - 45 Oak Street - Roof Replacement

Item 76 – (COMM. 9E-18) 2012 Culvert Group 1 Construction Award - Construction Engineering & Construction Inspection Services - Towns of Orchard Park, Concord & Sardinia

Item 77 – (COMM. 9E-19) Eden-Evans Center Road/Beach Road - Design/Rehabilitation

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

Item 78 – (COMM. 9E-20) Personnel Adjustment - Commissioner of Senior Services

Item 79 – (COMM. 9E-21) Department of Senior Services - Revise AAATRAN1112 Grant Budget

Item 80 – (COMM. 9E-22) Revise AAATRAN1213 Grant & FREEDOM1013 Grant Budgets

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

Item 81 – (COMM. 9E-23) Acceptance of FY11 State Homeland Security Program Funds

Received and referred to the PUBLIC SAFETY COMMITTEE.

Item 82 – (COMM. 9E-24) ECSD/WNY Council on Occupational Safety & Health Proposed Agreement

Item 83 – (COMM. 9E-25) ECSD No. 4 - Professional Services Agreement with CRA - Infrastructure & Engineering, Inc. - Vanderbilt Pumping Station, Depew Pumping Station & Overflow Retention Facility Upgrades

Item 84 – (COMM. 9E-26) ECSD No. 3 - Charlotte, Sherburn & McKinley Pumping Station Elimination Project

Item 85 – (COMM. 9E-27) ECSD No. 4 - Aurora North Pumping Station Elimination Project

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

Item 86 – (COMM. 9E-28) EC Youth Bureau - 2012 Summer Primetime Funding

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

Item 87 – (COMM. 9E-29) Right of Entry Agreement - Time Warner Cable to ECC South Auto Bureau Office

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

Item 88 – (COMM. 9E-30) Appointments to the Youth Services Board

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

Item 89 – (COMM. 9E-31) Appointments to the EC Environmental Management Council

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE COUNTY CLERK

Item 90 – (COMM. 9E-32) Lease for Eastern Hills Satellite Auto Bureau

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE COMPTROLLER

Item 91 – (COMM. 9E-33) Update Comptroller's Recommended Policy for Managing Fund Balance Components Resulting from Implementation of GASB No. 54

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE LEGISLATORS RATH & DIXON

Item 92 – (COMM. 9E-34) Letter to County Attorney Concerning Opinion Request Regarding COMM. 19D-5 (2011)

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM THE COMPTROLLER

Item 93 – (COMM. 9E-35) Copy of Financial Report for Period Ended 3/31/2012

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

COMMUNICATIONS FROM THE DEPARTMENTS

FROM THE DIRECTOR OF EEO

Item 94 – (COMM. 9D-1) Letter to Chair of Legislature Concerning MBE/WBE Utilization
- Ralph Wilson Stadium, 2011 Phase 2 - Miscellaneous Improvements

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

**FROM THE CLERK OF MINORITY & WOMEN
BUSINESS ENTERPRISE COMMITTEE**

Item 95 – (COMM. 9D-2) Copy of E-Mail Transmission from County Executive's Liaison to
Chair of Legislature Concerning MBE Coordinator & EEO Investigator Positions in the Adopted
2012 Budget

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

FROM THE DIRECTOR OF BUDGET & MANAGEMENT

Item 96 – (COMM. 9D-3) Copy of Budget Monitoring Report for Period Ending March
2012

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE DEPARTMENT OF ENVIRONMENT & PLANNING

Item 97 – (COMM. 9D-4) Copy of SEQR Application for Site Known as USCG Property
Along the Buffalo River - 1 Fuhrman Boulevard, Buffalo, NY

Item 98 – (COMM. 9D-5) Geneva Road Sanitary Sewer Extension - SEQR Notification

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

FROM THE COUNTY ATTORNEY

Item 99 – (COMM. 9D-6) Transmittal of New Claims Against EC

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE DIRECTOR OF EC REAL PROPERTY TAX SERVICES

Item 100 – (COMM. 9D-7) Letter to Clerk of Legislature Concerning Persons with Disabilities & Limited Income

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE DEPARTMENT OF ENVIRONMENT & PLANNING

Item 101 – (COMM. 9D-8) Aurora Street Pump Station Elimination Project - SEQR Notification

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE BOARD OF ELECTIONS

Item 102 – MR. MAZUR presented the following resolution and moved for immediate consideration and approval. MR. HOGUES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 124

RE: Grant Contracts: HHS Voting Access for
Individuals with Disabilities - NYS
HAVA Operations Expenses by Board
of Elections
(COMM. 9D-9)

WHEREAS, the New York State Board of Elections has forwarded three grant extensions and two new 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 \$952,045.00 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, a new grant in the amount of \$5,697,914.64 in federal funds has been awarded to the Erie County Board of Elections by the State of New York for the purpose of purchasing, installing and maintaining equipment required for compliance with the Help America Vote Act (HAVA); 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 (C002539 -time extension),
- 2) HHS 2011 Voting Access for Individuals with Disabilities Polling Place Improvement Grant - \$40,628.00 (T003270 –new grant),
- 3) HHS 2007-2008 Voting Access for Individuals with Disabilities Polling Place Access Improvement Grant - \$35,713.00 (T002781 -time extension),
- 4) NYS Voting Access for Individuals with Disabilities Polling Place Access Improvement Grant - \$291,901.00 (C002655 -time extension),
- 5) NYS HAVA Operations Expenses by Boards of Elections Grant (C003220 –new grant),

and be it further

RESOLVED that all New York State grant reimbursements of eligible expenditures charged directly to the Board of Elections budget accounts will be deposited by the Erie County Comptroller back into same accounts; 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 CLERK OF ECONOMIC DEVELOPMENT

Item 103 – (COMM. 9D-10) Copy of Buffalo News Article Entitled "\$200 Million Ought to Buy Peace of Mind"

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES

FROM THE PRESIDENT OF AMERICAN LEGION RIDERS

Item 104 – (COMM. 9M-1) Letter of Thanks to the Legislature for Recognition Bestowed on the American Legion Riders, Post No. 567 for Working with Local Veterans

Received and Filed.

FROM THE BUFFALO & EC PUBLIC LIBRARY

Item 105 – (COMM. 9M-2) Proposed Agenda for Meeting Held 4/19/2012

Received and referred to the the COMMUNITY ENRICHMENT COMMITTEE.

FROM THE NYSDEC

Item 106 – (COMM. 9M-3) Fact Sheet: Draft Investigation Work Plan for Brownfield Site Known as 4630 River Road - Tonawanda, NY

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE HOMELESS ALLIANCE OF WNY

Item 107 – (COMM. 9M-4) 2011 Annual Report on the State of Homelessness in EC

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

FROM THE NYS DEPARTMENT OF AGRICULTURE & MARKETS

Item 108 – (COMM. 9M-5) Letter to Clerk of Legislature Concerning EC Agricultural District No. 14

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE ASSIGNED COUNSEL PROGRAM

Item 109 – (COMM. 9M-6) Copy of Quarterly Report for the 1st Quarter of 2012

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE NFTA

Item 110 – (COMM. 9M-7) Copy of Actual Cash Flow for Period 4/1/11-3/31/12 & Projected Cash Flow for Period 4/1/12-3/31/13

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM THE NYSDEC

Item 111 – (COMM. 9M-8) Fact Sheet: Cleanup Action Completed at State Superfund Site Known as Polymer Applications - Tonawanda, NY

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM ECMCC

Item 112 – (COMM. 9M-9) Proposed Agenda & Materials for Meeting Held 4/24/2012

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

FROM THE NFTA

Item 113 – (COMM. 9M-10) Minutes of Meeting Held 3/26/2012

Item 114 – (COMM. 9M-11) Notice of Proposed Rulemaking

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

FROM THE ECIDA

Item 115 – (COMM. 9M-12) Copy of 2011 Annual Audited Financial Statements

Item 116 – (COMM. 9M-13) Copy of 2011 Audited Financial Statements & 2011 Public Authorities Report

Item 117 – (COMM. 9M-14) Letter to Chair of Legislature Concerning PILOT Redistribution Agreement

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

FROM THE NYSDEC

Item 118 – (COMM. 9M-15) Fact Sheet: Draft Investigation Work Plan for Brownfield Site Known as 129 Holden Street Development, Buffalo, NY

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE ECFSA

Item 119 – (COMM. 9M-16) Copy of Analysis of the EC 2012-2015 Financial Plan

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE SPRINGVILLE CENTER FOR THE ARTS

Item 120 – (COMM. 9M-17) Copy of 2012-2017 Strategic Plan

Received and referred to the the COMMUNITY ENRICHMENT COMMITTEE.

FROM THE EC BAR ASSOCIATION

Item 121 – (COMM. 9M-18) Letter to Legislature Concerning Closing Room Dedicated in Memory of Joseph C. Vispi

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

ANNOUNCEMENTS

Item 122 – MR. DIXON announced happy 40th birthday wishes to Legislator Hogues.

Item 123 – CHAIR GRANT announced that the schedule of upcoming Legislature committee meetings has been distributed.

MEMORIAL RESOLUTIONS

Item 124 – Legislator Marinelli requested that when the Legislature adjourns, it do so in memory of Catherine M. (Moriarity) Higgins, Daniel Boody, and William A. “Billy” Delmont.

Item 125 – Legislator Lorigo requested that when the Legislature adjourns, it do so in memory of William A. “Billy” Delmont.

Item 126 – Legislator Rath requested that when the Legislature adjourns, it do so in memory of Lucille Michnik and James J. Ralabate.

Item 127 – Legislator Hardwick requested that when the Legislature adjourns, it do so in memory of Philomena L. Carpenter and Donald L. Creasey.

Item 128 – Legislator Dixon requested that when the Legislature adjourns, it do so in memory of Liam Wittmeyer.

Item 129 – Legislator McCracken requested that when the Legislature adjourns, it do so in memory of Bryce Bucholtz.

Item 130 – Legislator Hogues requested that when the Legislature adjourns, it do so in memory of Mark Pedigree.

Item 131 – Legislator Mazur requested that when the Legislature adjourns, it do so in memory of Margaret A. Hanzlian.

Item 132 – Chair Grant requested that when the Legislature adjourns, it do so in memory of Jimmie "Imari" Stewart.

ADJOURNMENT

Item 133 – 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, May 24, 2012 at 2:00 p.m. Eastern Standard Time. MR. HOGUES seconded.

CARRIED UNANIMOUSLY.

CHAIR GRANT declared the Legislature adjourned until Thursday, May 24, 2012 at 2:00 p.m. Eastern Standard Time.

ROBERT M. GRABER
CLERK OF THE LEGISLATURE