

**ERIE COUNTY LEGISLATURE
MEETING NO. 10
MAY 23, 2013**

The Legislature was called to order by Chair Grant.

All members present.

An Invocation was held, led by Mr. Lorigo, who offered a short prayer reflecting on Memorial Day and those who paid the ultimate sacrifice in defense of our nation.

The Pledge of Allegiance was led by Mr. Hardwick.

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 9 from 2013. MR. RATH seconded.

CARRIED UNANIMOUSLY.

Item 4 – No Public Hearings.

MISCELLANEOUS RESOLUTIONS

Item 5 – MR. LOUGHRAN presented a resolution Congratulating Michael G. McGuire on Being Named EC Legislature Citizen of the Month for May 2013.

Item 6 – MS. MARINELLI presented a resolution Congratulating Buffalo Niagara Youth Chorus on Its 25th Anniversary.

Item 7 – MR. MAZUR presented a resolution Congratulating James Harrington on Receiving the Distinguished Alumni Award from the UB Law Alumni Association.

Item 8 – MS. MARINELLI presented a resolution Congratulating Debra Hogan on Her Retirement from the Position of Supervisor of Records for the EC Clerk's Office.

Item 9 – CHAIR GRANT presented a resolution Recognizing Buffalo Police Officer Darren Exum for His Community Involvement as Our Community Commemorates Police Week (May 12 - 18, 2013).

Item 10 – MR. RATH presented a resolution Recognizing & Acknowledging Clarence High School on Winning the 2013 Kenny Award for Best Musical.

Item 11 – CHAIR GRANT & MR. HOGUES presented a resolution Commending the "It Takes A Village Committee" for Their Dedication to the Staff of the Neighborhood House Association.

Item 12 – CHAIR GRANT presented a resolution Congratulating Above the Rest Motorcycle Club on Hosting Its 10th Annual Bike Blessing at Schiller Park Community Center on 5/11/2013.

Item 13 – MR. LORIGO presented a resolution Honoring Justin Hurlburt on Achieving the Rank of Eagle Scout.

Item 14 – MR. MILLS & MR. LORIGO presented a resolution Honoring the WNY Dairy/Agricultural Festival on Its 25th Anniversary.

Item 15 – MS. DIXON presented a resolution Honoring Shaun Lunz for Achieving the Rank of Eagle Scout.

Item 16 – MS. DIXON presented a resolution Honoring Tyler Hochadel for Achieving the Rank of Eagle Scout.

Item 17 – MS. DIXON presented a resolution Honoring T.E. Caulfield for Receiving the Community Service Award from Mount Mercy Academy and the South Buffalo Community.

Item 18 – MR. MILLS presented a resolution Congratulating Harold Greeley Jr. on 50 Years of Service with the Eden Fire Department No. 1.

Item 19 – MR. RATH presented a resolution Recognizing & Acknowledging Sister Janet DiPasquale & Teaching & Restoring Youth for Their Commitment & Service to At Risk Young Women in WNY.

Item 20 – MR. RATH presented a resolution Recognizing & Acknowledging Max & Katie Bichler as Participants on The Amazing Race & to Congratulate Them on Their Success in the Race Around the World.

Item 21 – CHAIR GRANT & MR. MAZUR presented a resolution Commending the VA WNY Healthcare System on Hosting the 27th National Veterans Golden Age Games in Buffalo from May 30 - June 4, 2013.

Item 22 – MR. MAZUR presented a resolution Congratulating the Red Cross on the 15th Anniversary of the Buffalo Red Cross Bash on June 7, 2013.

Item 23 – MR. MAZUR presented a memorial resolution Celebrating the Life of Carlos E. Villarini, M.D.

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

CARRIED UNANIMOUSLY.

MR. MAZUR moved to amend the above nineteen items by adding one for MR. MAZUR, adding one for MR. MILLS, replacing the 4th Miscellaneous Resolution sponsored by Legislator Marinelli with “Congratulating Jane D. Hewett on Her Retirement from the Position of Supervisor of Data Processing for the Erie County Clerk’s Office,” and also by including Et Al Sponsorship. MR. RATH seconded.

CARRIED UNANIMOUSLY.

MR. MAZUR moved for approval of the above twenty-one items as amended. MR. LORIGO seconded.

CARRIED UNANIMOUSLY.

LOCAL LAWS

Item 24 – CHAIR GRANT directed that Local Law No. 1 (Print #1) 2012 remain on the table and in the ENERGY & ENVIRONMENT COMMITTEE.

GRANTED.

Item 25 – CHAIR GRANT directed that Local Law No. 3 (Print #1) 2012 remain on the table and in the COMMUNITY ENRICHMENT COMMITTEE.

GRANTED.

Item 26 – CHAIR GRANT directed that Local Law No. 1 (Print #1) 2013 remain on the table and in the ENERGY & ENVIRONMENT COMMITTEE.

GRANTED.

Item 27 – CHAIR GRANT directed that Local Law No. 2 (Print #1) 2013 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

MR. LORIGO challenged the ruling of the chair. MR. HARDWICK seconded.

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

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

CARRIED.

MR. LORIGO moved to take Local Law No. 2 (Print #1) 2013 off the table. MR. RATH seconded. CHAIR GRANT, MR. HOGUES, MS. MARINELLI, MR. MAZUR and MR. McCRACKEN voted in the negative.

CARRIED. (6-5)

COUNTY OF ERIE

LOCAL LAW INTRO. NO. 2-2013

LOCAL LAW NO. _____-2013

A LOCAL LAW establishing a residency requirement for employees of Erie County.

BE IT ENACTED BY THE LEGISLATURE OF THE COUNTY OF ERIE AS FOLLOWS:

SECTION 1. TITLE.

This law shall be known as the “Erie County Employee Residency Requirement Act”

SECTION 2. INTENT.

Passage of this law will mandate that all employees of Erie County are residents of Erie County. Through its passage, the Erie County Legislature recognizes that employee residency:

1. Enhances the quality of employee performance, through greater personal knowledge of Erie County and its social, economic and municipal geography; and
2. Enhances the quality of services that the county provides to residents; and
3. Instills in county employees a greater personal stake in the condition and stability of the county.

SECTION 3. DEFINITIONS.

Whenever used in this Local Law, the following terms shall be defined as follows unless the context or subject matter otherwise requires:

- A. “County” shall refer to Erie County, New York.
- B. “Domicile” shall refer to an individual’s legal residence and the place where an individual primarily lives, eats, sleeps, is eligible to vote and maintains usual household effects, and where that individual returns to whenever temporarily absent.
- C. “Employee” shall refer to any individual who is employed by and directly works for any department, branch or division of Erie County, including department heads and discretionary/managerial confidential employees of elected officials, but excluding employees of Erie Community College or Erie County Medical Center Corporation.
- D. “Non-voluntary employment layoff” refers to the termination of county employment based solely on an act of the legislature or through passage of the annual county budget.
- E. “Re-employment” refers to an employee’s re-appointment to county service after a discharge.

F. "Resident" refers to a domiciliary of the County.

SECTION 4. ERIE COUNTY EMPLOYEE RESIDENCY POLICY

1. Each employee of Erie County shall be a resident of Erie County at the time of his or her appointment and during the entirety of his or her employment.
2. An employee's residence of record shall be his or her domicile.

SECTION 5. ENFORCEMENT AND PENALTIES.

1. This law shall be enforced by the Erie County Commissioner of Personnel. The Commissioner of Personnel is authorized to make the final determination and verification of an employee's compliance with this law. If an employee in good-standing is found to be in violation of this law, the Commissioner of Personnel shall inform the legislature in writing of the violation and the date of the impending termination.
2. The Erie County Comptroller shall on an annual basis confirm to the legislature that the county is compliant with the provisions set forth in this law.
3. An employee found in violation of the residency requirement of this law shall have his or her employment with the County terminated.
4. An employee terminated as the result of enforcement of this law shall not be eligible for re-employment with the County until a period of five years from the date of his or her termination has expired. After five years, re-employment consideration shall only be offered to individuals that have been county residents for one consecutive year or more.

SECTION 6. EXCEPTION CLAUSE.

This law shall not apply to employees appointed to their position before its effective date. However, no person shall remain an exception to this law if their employment with Erie County lapses for any reason, other than a non-voluntary employment layoff.

In the event it is deemed by the Commissioner of Personnel to be impossible to fill a vacancy with a current resident of Erie County, a super-majority vote of the legislature shall suspend the law for the purposes of an individual appointment. The non-resident candidate for employment shall establish residency within six months of his or her appointment. The request for the law's suspension shall come in writing from the independently elected official charged with executing the department for which the employment applicant will work, accompanied by the following signed statement from the Commissioner of Personnel:

"I hereby affirm that without a temporary suspension of the Erie County Employee Residency Requirement Act it is impossible to recruit the most qualified candidate to serve as JOB TITLE . Therefore, I support ELECTED OFFICIAL/TITLE 's request for suspension. I understand that, with your approval, this suspension is only applicable to this hire."

NAME

Erie County Commissioner of Personnel

SECTION 7. SEVERABILITY.

If any clause, sentence, paragraph, subdivision, section, or part of this Local Law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this law, or in its application to the person, individual corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

SECTION 8. EFFECTIVE DATE.

This Local Law shall take effect on the first day of the month immediately following its approval.

SPONSORED BY

LEGISLATOR JOSEPH C. LORIGO

MR. LORIGO moved to approve Local Law No. 2 (Print #1) 2013. MR. MILLS seconded.

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

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

CARRIED.

COMMITTEE REPORTS

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 116

May 14, 2013	HEALTH & HUMAN SERVICES COMMITTEE REPORT NO. 8
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ALL MEMBERS PRESENT.
CHAIR GRANT PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, all items are hereby tabled.

THOMAS J. MAZUR
CHAIR

Item 29 – MS. MARINELLI presented the following report and moved for immediate consideration and approval. MR. MAZUR seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 117

May 14, 2013	COMMUNITY ENRICHMENT COMMITTEE REPORT NO. 9
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ALL MEMBERS PRESENT, EXCEPT LEGISLATOR LORIGO.
CHAIR GRANT PRESENT AS EX-OFFICIO MEMBER.

1. INTRO 9-3 (2013)
MARINELLI AS AMENDED

WHEREAS, community colleges have emerged as one of the most important resources in Western New York for preparing our region's 21st century workforce by developing new, innovative and technologically advanced job training/retraining, degree and certificate programs; and

WHEREAS, New York State Education Law Article 126 provides the methodology for funding community colleges under the State University of New York; and

WHEREAS, the State of New York is required – under State Education Law – to assist in the financing of community college tuition costs; and

WHEREAS, over the course of time, New York State has reduced the amount of state aid contributions as the result of state fiscal challenges and, for some counties, the state aid share does not exceed 18 percent of the community college operating budget; and

WHEREAS, in State fiscal year 2007-08, the State Budget supported student base aid for SUNY and CUNY community colleges per full time student at \$2,675, yet the State fiscal year 2012-13 state budget included final base operating aid funding for community colleges at \$2,272 per full time student, representing a 15 percent reduction from prior state aid levels, not accounting for inflationary costs; and

WHEREAS, the final Budget agreement for 2013-14 added \$54 million for higher education funding above the Governor's proposal, with less than one-half of the additional funding (\$24

million) targeted to increase community college FTE state base aid – an increase of \$150 per FTE (for a total amount of \$2,422 per full time student); and

WHEREAS, the 2013-14 State Budget is moving final base operating aid in the right direction, however, the cumulative reduction in state aid perpetuates New York State's actions of imposing increasingly higher costs on county taxpayers and students in a manner that contradicts the intent of State Education Law; and

WHEREAS, New York State Association of Counties (NYSAC) has called on the Governor and State Legislature to gradually restore community college base operating aid to the levels envisioned under New York State Education Law in order to maintain academic excellence and affordability at our community colleges; and

WHEREAS, Erie County stands with its fellow counties in New York State that host a community college in asking that the chronic under-funding of base operating aid be resolved in a strategic manner for the benefit of the New York State economy; and

WHEREAS, in November 2011, the SUNY Board of Trustees included in the 2012-13 budget request to the Governor a five-year rational state aid policy calling for annual increases of \$205 per year; and

WHEREAS, Erie Community College received \$150 in 2012-13, thereby the SUNY request for 2013-14 was \$260 (\$205 for 2nd year of the five-year plan including the \$55 shortfall in the amount requested and received in 2012-13); and

WHEREAS, the request was called a rational state aid policy after the four-year SUNY schools were provided with a rational tuition policy of a \$300 increase per year for five years.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature voice its strong support for the planned and gradual restoration of base operating aid to community colleges in New York State in accordance with New York State Education Law; and be it further

RESOLVED, that certified copies of this resolution be conveyed to Governor Andrew Cuomo, Speaker of the Assembly Sheldon Silver, Leader of the Republican Conference of the New York State Senate Dean Skelos, Leader of the Independent Democrat Conference of the New York State Senate Jeff Klein, ECC President Jack Quinn and all others deemed necessary and proper.
(5-0)

LYNN M. MARINELLI
CHAIR

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 118

May 14, 2013	GOVERNMENT AFFAIRS COMMITTEE REPORT NO. 6
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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. 8D-1 (2013)
COUNTY ATTORNEY: "Notice of Claim"
(6-0)
 - b. COMM. 8M-2 (2013)
TIOGA COUNTY LEGISLATURE: "Copy of Resolution Opposing Proposed Amendments to the Election Law"
(6-0)
 - c. COMM. 9D-1 (2013)
COUNTY ATTORNEY: "Notice of Claims Against Erie County"
(6-0)
 - d. COMM. 9M-6 (2013)
ASSIGNED COUNSEL PROGRAM: "Quarterly Report for First Quarter of 2013"
(6-0)

2. INTRO 9-7 (2013)
MAZUR AS AMENDED
WHEREAS, it has come to the attention of the Erie County Legislature by the Erie County Director of Real Property Tax Services and the Erie County Assessors' Association that the New York State Office of Real Property Tax Services has utilized a recent judicial decision in the First Department of the Appellate Division of New York State; and

WHEREAS, in the case of RCN New York Communications versus City of New York, the First Department of the Appellate Division upheld a lower court decision to remove fiber optic cable from the Outside Plant assessment; and

WHEREAS, for more than 25 years, utilities, telecommunications companies and the NYS Office of Real Property Services have correctly viewed and included the value of fiber optic cable as part of the Outside Plant assessment; and

WHEREAS, communities across Upstate New York are outside the jurisdiction of the First Department of the Appellate Division, yet the NYS Office of Real Property Tax Services asserts that the aforementioned decision has statewide impact; and

WHEREAS, although fiber optic cable has remained in the Special Franchise assessment, the New York City court decision may open the door to continued and costly legal challenges to fiber optic cable assessments by mega-corporations (utilities and telecommunications companies); and

WHEREAS, statewide, there could be a potential loss of hundreds of millions of dollars in the real property tax assessments of utilities and telecommunications companies, shifting a greater real property tax burden onto homeowners and small businesses across New York State or, in the alternative, destabilizing the budgets of counties, cities, towns, villages and school districts – particularly in Upstate New York; and

WHEREAS, it is in the best interests of the taxpayers of New York State that the utility and telecommunications tax base be maintained as it has for nearly three decades in terms of properly assessing the value of fiber optic cable in both Outside Plant and Special Franchise Assessment.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature join with the Erie County Director of Real Property Tax Services and the Erie County Assessors' Association in calling for an immediate state legislative remedy for the potential loss of millions of dollars in assessed real property value as the result of the Appellate Division, First Department Decision in RCN New York Communications vs. City of New York; and be it further

RESOLVED, that this Honorable Body request that the NYS Office of Real Property Services recognize the limited jurisdiction (to wit, Manhattan and the Bronx) of the Appellate Division, First Department and allow all other communities in New York State to continue assessing fiber optic cable in a manner consistent with the practice of assessors for nearly three decades; and be it further

RESOLVED, that certified copies of this resolution be conveyed to Governor Andrew Cuomo; Speaker of the Assembly Sheldon Silver; Leader of the Republican Majority Conference of the State Senate Dean Skelos; Leader of the Independent Democrat Conference of the State Senate Jeff Klein; the WNY Delegation to the State Legislature, County Executive Mark Poloncarz; Joseph Maciejewski, Director of the Erie County Office of Real Property Services; the Erie County Assessors' Association and all others deemed necessary and proper.

(5-0) Legislator Rath not present for vote.

3. COMM. 9E-12 (2013)
COUNTY CLERK

WHEREAS, the Erie County Legislature previously authorized the Erie County Clerk to act as a retail sales agent for the NYS Thruway Authority in the sale of E-Z Pass Tags (Comm. 12E-17/2012); and

WHEREAS, the sale of these tags has been met with great enthusiasm from the public that visit the County Clerk's Auto Bureau and Clerk's Registrar Office; and

WHEREAS, the Erie County Clerk purchases E-Z Pass Tags at a unit price of \$21.00 and is authorized to sell them to the public at \$25.00 per tag, with the County retaining \$4.00 in revenue for every tag sold; and

WHEREAS, no additional resources are necessary to offer these tags for sale; and

WHEREAS, the Clerk's 2013 Budget needs to be adjusted to allow for the unanticipated increase in the sale of these tags.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize the following budgetary adjustment in the 2013 Budget:

Erie County Clerk's Office, Fund 110
Fund Center 11310

Revenue

415185 E-Z Pass Tag Sales \$8,400

Expense

507000 E-Z Pass Supplies \$8,400

and be it further

RESOLVED, that certified copies of this resolution be sent to the County Clerk, the Director of Budget and Management and the County Comptroller.

(6-0)

**THOMAS J. MAZUR
CHAIR**

Item 31 – MR. McCracken presented the following report, moved to separate item Number 3, and moved to approve the balance of the report. MR. HOGUES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 119

May 16, 2013	ENERGY & ENVIRONMENT COMMITTEE REPORT NO. 8
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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. 9M-9 (2013)
NYS DEPT. OF AGRICULTURE & MARKETS: "Letter to Legislature Granting Extension Requests for Erie County Agricultural District Nos. 2, 4 & 15"

(6-0)

2. INTRO 9-2 (2013)
McCRACKEN

WHEREAS, Erie County is in the process of consolidation of the County's fourteen Agricultural Districts into four; and

WHEREAS, Section 303-a of the Agricultural Districts Law allows counties with multiple districts with review dates in any 12-month period, to petition the Commissioner of Agriculture and Markets to approve for good cause, an extension of up to four years for a district review; and

WHEREAS, the review anniversary for Agricultural District 5 falls on December 4, 2013 and the review anniversary for Agricultural District 15 falls on December 21, 2013; and

WHEREAS, the County's Consolidation plan is to combine the lands of Agricultural District 15 that lie within the Towns of North Collins and Collins with Agricultural Districts 2, 4, 8, and 9; and

WHEREAS, the County's Consolidation plan is to combine the lands of Agricultural District 15 that lie within the Towns of Concord, Boston, and Colden with Agricultural Districts 6 and 11.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature petitions the Commissioner of Agriculture and Markets to extend the review date of Agricultural District 15 to begin on October 13, 2016, and end the 300-day review period (anniversary) on August 9, 2017; and

RESOLVED, that certified copies of this resolution shall be forwarded to the Commissioner of Erie County Department of Environment and Planning, and to Planner Rachel Chrostowski (95 Franklin Street, Room 1007).

(4-0) Chair Grant & Legislator Hogues not present for vote.

3. COMM. 9E-1 (2013)
COUNTY EXECUTIVE

WHEREAS, Erie County Department of Parks, Recreation and Forestry owns and operates two golf courses, Elma Meadows and Grover Cleveland Golf Courses; and

WHEREAS, it has been the longstanding policy of the County of Erie that the user fees collected at its golf courses be sufficient to pay for the cost of maintaining and operating the courses so that residents who do not utilize these facilities will be burdened with its costs; and

WHEREAS, the modest increase in user fees will help cover the cost of operating and maintaining the courses without burdening residents who do not utilize the golf courses; and

WHEREAS, golf course fees were last raised in 2009 and operating expenses have risen since then. The revenue the golf courses generate is now significantly less than the cost of maintaining and operating the courses; and

WHEREAS, the Commissioner of Parks, Recreation and Forestry is proposing a new fee schedule for Elma Meadows and Grover Cleveland Golf Courses in order to generate additional revenue; and

WHEREAS, the proposed fee schedule is in line with other comparable golf courses across the region; and

WHEREAS, the Commissioner of Parks, Recreation and Forestry plans on proposing a new fee schedule for season passes after the current golf season is complete.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature, by two-thirds affirmative vote, hereby approves the following schedule of golf fees, effective on and after June 1, 2013:

Fees	Current Fee	Proposed Fee
Club Rental	\$10.00	\$11.00
Pull Carts	\$4.00	\$5.00
Range Balls	\$4.00	\$5.00
Gas Golf Cart (18 holes)	\$24.00	\$25.00
Gas Golf Cart (9 holes)	\$13.00	\$14.00
Grover Weekday Greens Fee	\$16.00	\$18.00
Grover Weekend & Holiday Greens Fee	\$18.00	\$21.00
Elma Weekday Greens Fee	\$18.00	\$20.00
Elma Weekend & Holiday Greens Fee	\$21.00	\$24.00
Twilight Greens Fee	\$11.00	\$12.00
Senior/ Youth Greens Fee	\$11.00	\$12.00

and be it further

RESOLVED, that authorization is hereby provided, by a two-thirds affirmative vote of the Erie County Legislature, to increase the annual golf season permits starting with the 2014 season, as follows:

Golf Season Permit	Current Fee	Proposed Fee
Grover Cleveland Regular	\$270	\$300
Grover Cleveland Senior/ Youth	\$210	\$230
Grover Regular with Tee Time	\$310	\$340
Grover Senior/ Youth with Tee Time	\$250	\$275
Elma Meadows/ Grover Regular	\$380	\$420

Elma/ Grover Senior/ Youth	\$290	\$320
Elma/ Grover Regular with Tee Time	\$420	\$460
Elma/ Grover Senior/ Youth with Tee Time	\$330	\$365

and be it further

RESOLVED, that certified copies of this resolution be forwarded to the County Executive, Director of Budget & Management, County Attorney, Commissioner of Parks and Recreation and County Comptroller.

(6-0)

4. COMM. 9E-2 (2013)
COUNTY EXECUTIVE

RESOLVED, the Erie County Legislature hereby confirms the reappointments/appointments of the following individuals to the Environment Management Council for a term ending 5/31/ 2015:

AT-LARGE APPOINTMENTS

George Besch
39 Lake Avenue
Lancaster NY 14086

Lauren Makeyenko
115 Mariner Street
Buffalo, NY 14201

Don Stribick
147 Hybank Drive
West Seneca, NY 14224

Paul Fuhmann
Ecology and Environment, Inc.
368 Pleasant View Drive
Lancaster, NY 14086

Carrie Merrit
295 Auburn Avenue
Buffalo, New York 14213

Tim Vaeth
5985 Wexford Manor
Clarence Center, NY 14032

Rosa A. Gonzalez
8 Lakewood Drive
Orchard Park, NY 14127

James Simon
11 Chenango Street
Buffalo, NY 14213

Brenda Young
9402 Douglas Fir Ct.
Clarence Center, NY 14032

David Hahn-Baker
440 Lincoln Parkway
Buffalo New York 14216

Laurie Stillwell
484 Getzville Road
Amherst, NY 14226

Sarah Bishop
144 Allen Street
Buffalo New York 14201

MUNICIPAL APPOINTMENTS

Douglas Bartlebaugh
11830 Walden Avenue
Alden, N.Y. 14004

(T) Alden

Conn Keogh
22 Carriage Hill
Williamsville, NY 14221

(T) Amherst

Don Owens

(T) Aurora

1865 Hubbard Road
East Aurora, N.Y. 14052

Richard Lee (T) Boston
5975 Old Orchard Drive
Hamburg, N.Y. 14075

Leonard Pero (T) Brant
Supervisor
Town of Brant
P.O. Box 100
Brant, New York 14027

Dennis Sutton (C) Buffalo
Office of Strategic Planning
920 City Hall
Buffalo, NY 14202

Elizabeth Meunier (T) Clarence
4919 Ledge Lane
Williamsville, NY 14221

Ronald Fraser (T) Colden
7744 Center Street
West Falls, NY 14170

Mr. Lamont Beers (T) Eden
2880 Wood Spirit
Eden, NY 14057

Fred Streif (T) Elma
130 Streif Road
Elma, New York 14059

David Mosher (T) Evans
9155 Meadow Lange
Angola, NY 14006

Jere Hoisington (V) Farnham
570 Commercial
Farnham, NY 14061

Mr. Sam Akinbami (T) Grand Island
2227 West River Road
Grand Island, NY 14072

William Kolacki (T) Holland
9292 Savage Road
Holland, NY 14080

Ms. Melanie Hamilton (T) Hamburg
4277 Linwood Avenue
Hamburg, NY 14219

Adrienne Punturiero (V) Hamburg
11 Dudley Avenue
Hamburg, NY 14075

Mr. Ralph Miranda (C) Lackawanna
714 Ridge Road
Lackawanna, NY 14218

Mr. Julius McCann (T) Lancaster
33 Burwell Avenue
Lancaster, NY

Ms. Beth Ackerman (T) Marilla
11174 Bullis Rd
Marilla, NY14102

Mr. Lewis Tandy (T) Newstead
13678 Main Road
Akron, NY 14001

Ms. Anne Bergantz (T) Orchard Park
320 Stonehedge Drive
Orchard Park, NY 14127

Mr. Gene Parczyk (T) Sardinia
11203 Matteson Corners Road
Holland, NY 14080

Kevin Burd (T) Tonawanda
292 Knowlton Avenue
Tonawanda, N. Y. 14217

Mr. Peter M. Tarnawskyj (T) Wales
5716 Vermont Hill Road
South Wales, NY 14139

Ms. Evelyn Hicks (T) West Seneca
276 Seneca Creek Road
West Seneca, NY 14224
(6-0)

5. COMM. 9E-6 (2013)
COUNTY EXECUTIVE

WHEREAS, the County of Erie/Erie County Sewer District No. 4 initiated the rehabilitation of the existing sanitary sewers on Parkdale and Glendale Roads and Broadway located in the Town of Lancaster; and

WHEREAS, the Town of Lancaster requested that Erie County include its gravity sewer rehabilitation project within the Town's road rehabilitation of Glendale and Parkdale Roads; and

WHEREAS, per Legislative Communication 18E-8 (2009) Erie County/Erie County Sewer District No. 4 and the Town of Lancaster entered into an intermunicipal agreement to coordinate and facilitate the sanitary sewer rehabilitation project and the road rehabilitation project in order to achieve cost containment and efficiency and to minimize inconvenience to the public at a cost for Erie County Sewer District No. 4 not to exceed \$657,000; and

WHEREAS, the intermunicipal agreement with the Town of Lancaster states any increase or decrease to the projects total cost allocation may be amended only by a written instrument approved by the Town Board, Erie County Legislature and the Erie County Sewer District No. 4 Board of Managers; and

WHEREAS, final cost allocation for the gravity sewer portion of the agreement is \$629,757.98, a reduction of \$27,242.02; and

WHEREAS, the Department of Environment and Planning recommends closing out the intermunicipal agreement with the Town of Lancaster.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature approve an amendment of the intermunicipal agreement between the County of Erie/Erie County Sewer District No. 4 and the Town of Lancaster for rehabilitation of sanitary sewers and the roadway on Glendale and Parkdale Roads to decrease the cost share for Erie County Sewer District No. 4; and be it further

RESOLVED, that the agreement be closed out at a total cost for Erie County Sewer District No. 4 of \$629,757.98; and be it further

RESOLVED, that the Comptroller is authorized and directed to return the unused funds to Sewer Capital, Erie County Sewer District No. 4, Account C.00063; and be it further

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

6. COMM. 9E-11 (2013)
COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Environment and Planning (ECDEP) provides technical and administrative assistance to municipalities to facilitate compliance with New York State environmental regulations; and

WHEREAS, the ECDEP has previously been contracted by the County's two solid waste management boards (SWMB) to assist with compliance with the New York State Department of Environmental Conservation approved Solid Waste Management Plans (SWMP); and

WHEREAS, Erie County's two solid waste management boards have signed separate Memorandums of Understanding (MOU's) for the ECDEP to provide the necessary administrative, logistical and technical assistance and services to comply with the approved SWMP; and

WHEREAS, the MOU's with each Solid Waste Management Board were executed by Erie County according to the resolution COMM.18E-11 passed November 29, 2012; and

WHEREAS, execution of the MOU's provide \$40,500.00 in local source funding from the two Solid Waste Management Boards; and

WHEREAS, an appropriate and efficient use of these funds made available through the MOU's would require placement within the Waste Reduction and Recycling Coordination Grant budget established by resolution on February 21, 2013 (COMM. 3E-17).

NOW, THEREFORE, BE IT

RESOLVED, that the current budget for the Waste Reduction and Recycling Coordination Grant (162WRRCG-1215) be revised as follows:

<u>ACCOUNT</u>	<u>DESCRIPTION</u>	<u>BUDGET</u>		
<u>REVENUE</u>		Current	Revision	Revised
409000	State Aid Revenue	(\$290,820)	\$0	(\$290,820)
402499	Other Local Source Revenue	<u>\$0</u>	<u>(\$40,500)</u>	<u>(\$40,500)</u>
TOTAL REVENUE		(\$290,820)	(\$40,500)	(\$331,320)

APPROPRIATIONS

Account	Description	Current	Revision	Revised
5000000	Regular Full Time Wages	\$177,870	\$0	\$177,870
502000	Fringe Benefits	\$112,950	\$0	\$112,950
505000	Office Supplies	\$0	\$1,525	\$1,525
510000	Local Mileage Reimb	\$0	\$550	\$550
510100	Out of Area Travel	\$0	\$4,615	\$4,615
510200	Training	\$0	\$1,850	\$1,850

516020	Pro Svcs Cnt and Fees	<u>\$0</u>	<u>\$31,960</u>	<u>\$31,960</u>
TOTAL APPROPRIATIONS		\$290,820	\$40,500	\$331,320

and be it further

RESOLVED, that the Director of the Division of Budget and Management is hereby authorized to implement any budget adjustments to comply with Federal and State approved funding requirements; and be it further

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

TERRENCE D. McCRACKEN
CHAIR

MR. McCRACKEN moved to approve item Number 3. MR. MAZUR seconded.

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

AYES: MS. DIXON, MR. HARDWICK, MR. LORIGO, MR. MILLS, MR. RATH, CHAIR GRANT, MR. HOGUES, MR. MAZUR and MR. McCRACKEN. NOES: MR. LOUGHRAN and MS. MARINELLI. (AYES: 9; NOES: 2)

CARRIED.

Item 32 – MR. HOGUES presented the following report and moved for immediate consideration and approval. MR. MILLS seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 120

May 16, 2013	PUBLIC SAFETY COMMITTEE REPORT NO. 8
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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. 19E-1 (2012)
COMPTROLLER: “Review of the Sheriff’s Commissary Fund & Follow-Up of the 2007 Operations Audit - 1/1/2011 Through 5/31/2012”

(6-0)

- b. COMM. 6D-3 (2013)
DIRECTOR OF BUDGET & MANAGEMENT: “Letter to Comptroller Concerning Request for Audit of Sheriff Division & Jail Management Division Overtime”

(6-0)

- c. COMM. 6D-5 (2013)
COMPTROLLER'S OFFICE: “Reply to Request for Audit of Sheriff Division & Jail Management Overtime”

(6-0)

2. INTRO 9-1 (2013)

HOGUES

WHEREAS, several recent terrorist threats to Western New York and Southern Ontario have been discovered and thwarted; and

WHEREAS, the most recent example is the planned attack on a VIA passenger train that traverses the U.S. – Canadian border utilizing the Whirlpool Bridge in Niagara Falls; and

WHEREAS, Canadian authorities were successful in stopping this attack, which has brought to light the potential and continued vulnerability of our bi-national region; and

WHEREAS, in the wake of the Boston Marathon bombings, the aforementioned conspiracy that may be linked to the al-Qaida terrorist network in Iran, and the new, enhanced requirements to check the status of student visas at all international crossings into the U.S., securing a funding level commensurate with our need for counter-terrorism efforts in Western New York has become even more urgent; and

WHEREAS, the Niagara Frontier Transportation Authority (NFTA) has applied for homeland security funds for six new Transit Police Department Officers as well as the training, equipment and support they will need – including two explosive detection dogs – to better protect transit passengers; and

WHEREAS, the NFTA is also seeking funding for an Advanced Regional Counterterrorism Technology Innovation Center whose mission would be to identify and prevent terrorist activities in the various transportation modalities of Buffalo and Niagara Falls; and

WHEREAS, a third purpose for the funds would be to increase directed patrols during high threat holiday periods and during highly attended events in downtown Buffalo; and

WHEREAS, United States Senator Charles E. Schumer has communicated his keen interest in providing the NFTA with the added resources it needs from the Department of Homeland Security; and

WHEREAS, enhanced border security and robust anti-terrorism security measures are called for to protect the very important economic relationship and transportation infrastructure that exists

between the U.S. and Canada, as well as the millions of residents that call the GTA (Greater Toronto Area), the bi-national Niagara Region and Western New York home.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature convey its full support for the application submitted by the Niagara Frontier Transportation Authority (NFTA) for a Fiscal Year 2013 Transit Security Grant to be administered by the U.S. Department of Homeland Security; and be it further

RESOLVED, that copies of this resolution be conveyed to Janet Napolitano, Secretary of the Department of Homeland Security; U.S. Senators Charles E. Schumer and Kirsten Gillibrand; the WNY Congressional Delegation; Kimberly Minkel, Executive Director of the Niagara Frontier Transportation Authority (NFTA) and all others deemed necessary and proper.

(6-0)

3. INTRO 9-5 (2013)

DIXON

WHEREAS, New York State Assembly Bill 4995-A seeks to create a martial arts advisory commission to promulgate rules and regulations for amateur martial arts training and competitions; and

WHEREAS, in addition, it would amend Correction Law §168-w to prohibit employment of sex offenders for positions involving substantial contact with children; and

WHEREAS, such positions would include, but not be limited to, teachers, teacher-aides, administrators, assistants, cafeteria workers, janitors, or any other person working in a school that would have contact with a child attending the school; and

WHEREAS, also included would be child care workers, coaches, martial arts instructors, scout leader, camp counselor and lifeguards; and

WHEREAS, the list also includes any position in a park, playground, amusement park, pool, gymnasium, ice cream truck, sports or fitness center or martial arts facility where children have a propensity to inhabit; and

WHEREAS, this law would help keep our children out of harm's way.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature supports New York State Assembly Bill 4995-A, as well as any companion bill in the New York State Senate; and be it further

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

(6-0)

4. COMM. 9E-3 (2013)

COUNTY EXECUTIVE

WHEREAS, the Probation Department is mandated to supervise Probationers through the use of home visits; and also uses its vehicle for the Warrant Squad to pick up probation violators; and

WHEREAS, the Erie County Department of Probation is currently using a twelve year old Chevrolet Trail Blazer to conduct home visits, which has frequent break downs and has high maintenance costs; and

WHEREAS, the Erie County Probation department desires to replace this vehicle with a new lower maintenance more efficient vehicle; and

WHEREAS, the Probation Department also has over 145 computers, the majority of which are insufficient for current demands due to a combination of age, insufficient systems capability, and lack of processing speed. This situation is becoming progressively worse, and must be addressed, because it has both slowed and hindered departmental operations, and resulted in more than 300 calls to the Help Desk in 2012; and

WHEREAS, the Erie County Probation Department has 27 desk top and 20 lap top computers which need to be replaced immediately, because they are antiquated and failing to operate properly; and

WHEREAS, the County has available asset forfeiture funds of which a portion can be used to pay for both the replacement of the 12 year old vehicle, and the replacement of the most antiquated desk top and laptop computers; and

WHEREAS, there is no impact on the existing 2013 Erie County Adopted Budget.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature approves the appropriation of Asset Forfeiture Funds and authorizes the following budgetary transfers in the 2013 Budget of the Probation Department, cost center 1261010:

REVENUE	
421550 Forfeiture Crime Proceeds	<u>\$43,123</u>
REVENUE TOTAL:	\$43,123
APPROPRIATION	Increase
561440 Automobile Equipment	\$19,852
561410 Lab and Technical Equipment	<u>\$23,271</u>
APPROPRIATION TOTAL:	\$43,123

and be it further

RESOLVED, that these expenditures meet the criteria established by the US Department of Justice for use of equitable shared funds; 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 County Comptroller, the County Attorney and the Probation Department.

(6-0)

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

WHEREAS, the County of Erie received bids for the Erie County Correctional Facility – 2013 - Six Bay Security Upgrades project on March 27, 2013 and the lowest responsible bidder is New York State Fence, Inc.; and

WHEREAS, the Erie County Department of Public Works is recommending award of the contract to the lowest responsible bidder.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter into a contract with the lowest responsible bidder for the Erie County Correctional Facility – 2013 - Six Bay Security Upgrades project for an amount not to exceed as follows:

General Construction Work		
New York State Fence, Inc.	Base Bid A:	\$ 167,580.00
	<u>Alternate Alt-1:</u>	<u>\$ 13,880.00</u>
Total Award of Construction Contract:		\$181,460.00

and be it further

RESOLVED, that the sum of \$16,540.00 be allocated to a Construction Contingency Fund with authorization for the County Executive to approve change orders in an amount not to exceed the Contingency Fund; and be it further

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

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

A.00044 -2002 Existing Building Rehabilitation	\$25,000.00
A.00329-2008 ECCF Roof Patching	\$35,000.00
A.12005-2012 Countywide M, E, P & Misc. Improvements	\$20,000.00
A.12003.12.2-2012 Countywide Code & Environmental Compliance	<u>\$118,000.00</u>
Total Payments Not To Exceed:	\$198,000.00

and be it further

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

(6-0)

6. COMM. 9M-1 (2013)

PRESIDENT, TEAMSTERS LOCAL UNION NO. 264

RESOLVED, the Erie County Legislature hereby appoints the following individual as recommended by the President of Teamsters Local Union No. 264 to the EC Community Corrections Advisory Board for a term expiring on 5/23/2016:

Appointment

Deputy Neal Russo
EC Sheriff's Office
40 Delaware Avenue
Buffalo, NY 14202
(716) 858-4808
Neal.Russo@erie.gov

(6-0)

TIMOTHY R. HOGUES
CHAIR

Item 33 – MR. LOUGHRAN presented the following report and moved for immediate consideration and approval. MR. HOGUES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 121

May 20, 2013	ECONOMIC DEVELOPMENT COMMITTEE REPORT NO. 9
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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. 9D-3 (2013)

DEPUTY COUNTY EXECUTIVE: "Final Changes to Buffalo Bills Lease Document"

(6-0)

b. COMM. 9M-2 (2013)

ECIDA: "Financial Statements as of 12/31/12"

(6-0)

- c. COMM. 9M-3 (2013)
NFTA: "Annual Operating Budget for Fiscal Year Ending 3/31/14, and Revised Five-Year Capital Plan"
(6-0)
 - d. COMM. 9M-5 (2013)
ERWIN ZAFIR, MANAGING MEMBER, KEY SUCCESS, LLC: "Copy of Letter to Mayor Brown Concerning Future of Key Center at Fountain Plaza"
(6-0)
 - e. COMM. 9M-8 (2013)
NFTA: "NFTA Metro System, Inc. Actual Cash Flow (4/1/12 - 3/31/13) and Projected Cash Flow (4/1/13 - 3/31/14) Statements"
(6-0)
2. COMM. 9E-5 (2013)
COUNTY EXECUTIVE
WHEREAS, Erie County has undertaken a Commercial Center Improvement Program through the federally funded Community Development Block Grant; and

WHEREAS, the objective of the Program is to financially assist owners of commercial properties operating retail/business establishments within city, village, and hamlet retail centers located in Erie County Community Development Consortium communities; and

WHEREAS, in order to successfully carry out the Program professional architectural services are required to complete certain technical components of the Commercial Center Improvement Program; and

WHEREAS, an agreement with Clinton Brown Company Architecture, P.C. was executed on August 11, 2010 for an amount not to exceed \$45,000; and

WHEREAS, due to the high volume of commercial façade services within the Consortium municipalities since August, 2010 an increase to the authorized fee amount is necessary; and

WHEREAS, said increase will allow the Program to continue while a new Request for Proposal process is undertaken by the Department of Environment and Planning.

NOW, THEREFORE, BE IT

RESOLVED, that the source of funds is money available within the Erie County Department of Environment and Planning Budget, Project J.00510, Commercial Center Improvement Program; and be it further

RESOLVED, that the Erie County Executive is hereby authorized to increase the 8/11/2010 contract amount with Clinton Brown Company Architecture, P.C. for commercial façade architectural services from \$45,000 to an amount not to exceed \$60,000; and be it further

RESOLVED, that the Clerk of the Erie County Legislature be directed to forward certified copies of this resolution to the County Executive; the Commissioner of the Department of Environment and Planning; the Director of the Division of Budget and Management; the County Attorney; and the Erie County Comptroller.

(6-0)

3. COMM. 9E-8 (2013)
COUNTY EXECUTIVE

WHEREAS, a project for the reconstruction of Penora Street (CR 23) in the Town of Lancaster, Erie County; was authorized by this Honorable Body via Communication 24E-17 (2010); and

WHEREAS, in order to facilitate reconstruction of the roadway, it will be necessary for the County to acquire the parcel by fee, portions of real property in the vicinity of the roadway:

<u>PORTIONS OF TAX MAP SBL NUMBERS</u>	<u>TOWNSHIP</u>
SBL 115.06-4-32.2	Lancaster
SBL 115.06-4-31.121	Lancaster
SBL 115.06-4-19.1	Lancaster
SBL 115.06-4-20.11	Lancaster

such properties to be acquired by the County is herein referred to as the "Subject Properties"; and

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

WHEREAS, in order to advance the acquisition process, it will be necessary to retain the services of a ROW consultant and D&S Realty Consultants is an approved provider of such services; and

WHEREAS, the acquisition of the portion of the subject property is de minimis in nature so that the public interest will not be prejudiced by the reconstructed road and other general improvements to the section of Penora Street (CR 23); and

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

NOW, THEREFORE, BE IT

RESOLVED, that the County of Erie is authorized to acquire the necessary real property interests from the below Subject Properties for the purpose of reconstructing and improving the Penora Street project:

<u>PORTIONS OF TAX MAP SBL NUMBERS</u>	<u>TOWNSHIP</u>
SBL 115.06-4-32.2	Lancaster
SBL 115.06-4-31.121	Lancaster
SBL 115.06-4-19.1	Lancaster
SBL 115.06-4-20.11	Lancaster

and be it further

RESOLVED, that the sum of \$7,000.00 is made available from the purchase of permanent Right-of-Way, SAP B.00062, to cover the cost of Right-of-Way acquisition; and be it further

RESOLVED, that the County of Erie is authorized to enter into a contract with D & S Realty Consultants to provide the ROW services necessary for the acquisition of the required ROW; and be it further

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

RESOLVED, that the Commissioner of Public Works, or his authorized representatives, are hereby authorized to negotiate and offer just compensation amount to the owners of the subject properties for the purpose of acquiring the necessary real property interest in portions of their respective parcel of real property by permanent easement or temporary easement, for the Penora Street Reconstruction Project, Phase II; and be it further

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

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

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

RESOLVED, should one or more owners refuse to convey such portion of their real property to the County for an amount not to exceed the just compensation determined by the Commissioner

of Public Works, or his authorized representatives, the County is authorized to commence eminent domain procedures; and be it further

RESOLVED, that the Clerk of the Legislature forward three (3) certified copies of this resolution to the Department of Public Works, Office of the Commissioner and also one copy each to the Office of the County Executive, the Division of Budget and Management, and the Office of the Comptroller.

(6-0)

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

WHEREAS, long stretches of Stony Road have been susceptible to severe potholes and cracking in the winter months making the road difficult to drive in those months due to the condition of the roadway surface; and

WHEREAS, over the years, the Department of Public Works has been using oil and chip as a repair measure; and

WHEREAS, the only solution is to rehabilitate the road by strengthening it and repaving to make a smooth surface to drive on; and

WHEREAS, before construction can commence, this road is in need of design; and

WHEREAS, funds exist in SAP Project number B.00028 (2001 Various Roads Design Program) for work on Stony Road (CR 350); and

WHEREAS, the Department of Public Works desires to use these funds to begin design work on this roadway.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature authorizes the County Executive to enter into a contract for Engineering Services for the design of the Rehabilitation of Stony Road (CR 350), in the Town of Lancaster with Clark Patterson Lee for an amount not to exceed \$100,000.00; and be it further

RESOLVED, SAP Project B.00028, Various Roads Design Program, will be utilized to perform the necessary study and design of Stony Road (CR 350), in the Town of Lancaster; and be it further

RESOLVED, that the Clerk of the Legislature forward three (3) 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 34 – MR. HOGUES presented the following report, moved to separate item Number 2, and moved to approve the balance of the report. MR. MARINELLI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 122

May 20, 2013	FINANCE & MANAGEMENT COMMITTEE REPORT NO. 7
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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-5 (2013)
COMPTROLLER: “AS AMENDED - 2012 Year-End Financials Placeholder Request”
(6-0)
 - b. COMM. 9E-13 (2013)
COMPTROLLER: “Interim Financial Report for Three-Month Period Ending 3/31/13”
(6-0)
 - c. COMM. 9D-2 (2013)
DIRECTOR OF BUDGET & MANAGEMENT: “Budget Monitoring Report for Period Ending March 2013”
(6-0)

2. COMM. 8E-14 (2013)
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 2012 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, 2012 funding within the County Attorney’s Risk Retention Fund, Division of Buildings and Grounds, the County Clerk’s Registrar and Auto Bureau Divisions, the Bureau of Fleet Services, the Probation Department, Office of Disabled, the Sheriff Division, Department of Senior Services, the Buffalo and Erie County Public Library, and for the Department of Social Services, is designated for re-appropriation into 2012; and

WHEREAS, additional 2012 fund transfers are also requested in order to establish fund reservations which will be re-appropriated into 2013 to maintain a balanced 2013 budget, including an additional \$700,000 for the Department of Social Services’ Safety Net program, \$1,670,000 to

fund 2013 union-related costs including the previously approved Teamsters contract, \$200,000 for County share of Grants in various departments, and \$400,000 to continue the County's foreclosure program; and

WHEREAS, authorization is also requested to designate 2012 funds for Erie Community College Building Construction in the amount of \$7,400,000.

NOW, THEREFORE, BE IT

RESOLVED, that the Director of the Division of Budget and Management is hereby authorized to adjust the 2012 Budget in order to facilitate the completion of 2012 financial statements, based on the following schedule:

2013 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 from where the shortfall occurred.

2012 Budget Balancing Amendments

Department	Account	Increase/ (Decrease)
General Fund 110 -Expense Adjustments		
100	Legislature	
	500010 Part Time - Wages	10,470
	500020 Regular PT - Wages	20,577
	502000 Fringe Benefits	31,369
	516030 Maintenance Contracts	(11,736)
	545000 Rental Charges	(50,680)
	<u>Legislature Total</u>	<u>0</u>
105	DISS	
	500000 Full Time - Salaries	(31,939)
	501000 Overtime	13,558
	516030 Maintenance Contracts	18,381
	<u>DISS Total</u>	<u>0</u>
11510	Sheriff Division	
	500000 Full Time - Salaries	140,880
	500010 Part Time - Wages	(57,186)
	500300 Shift Differential	(3,616)
	500320 Uniform Allowance	(3,000)
	500330 Holiday Worked	19,465
	500340 Line-Up	14,484
	500350 Other Employee Payments	(7,428)
	501000 Overtime	916,156

	502000	Fringe Benefits	835,313
	505200	Clothing Supplies	(1,206)
	505600	Auto Tr & Hvy Eq Sup	(2,099)
	506200	Maintenance & Repair	(4,023)
	510000	Local Mileage Reimbursement	(162)
	510100	Out Of Area Travel	(10,277)
	510200	Training And Education	(527)
	515000	Utility Charges	(603)
	516030	Maintenance Contracts	(703)
	530000	Other Expenses	(382)
	545000	Rental Charges	(382)
	561410	Lab & Tech Eq	(5,625)
	561440	Motor Vehicles	(18,999)
	<hr/> Sheriff Division Total		1,810,080
116	Jail Management		
	500000	Full Time - Salaries	(328,155)
	500010	Part Time - Wages	(91,745)
	500020	Regular PT - Wages	(2,077)
	500300	Shift Differential	(35,511)
	500320	Uniform Allowance	(17,000)
	500330	Holiday Worked	(14,487)
	500340	Line-Up	(8,925)
	500350	Other Employee Payments	(21,925)
	501000	Overtime	2,505,485
	502000	Fringe Benefits	3,751,895
	505200	Clothing Supplies	(20,961)
	505400	Food & Kitchen Supplies	(3,371)
	506200	Maintenance & Repair	(5,705)
	510100	Out Of Area Travel	(2,582)
	516020	Pro Ser Cnt And Fees	(6,951)
	516030	Maintenance Contracts	(1,052)
	530000	Other Expenses	(2,416)
	561410	Lab & Tech Eq	(1,518)
	561440	Motor Vehicles	(20,402)
	<hr/> Jail Management Total		5,672,597
120	Department of Social Services		
	500000	Full Time - Salaries	(3,499,256)
	500010	Part Time - Wages	(71,238)
	500020	Regular PT - Wages	(37,017)
	500030	Seasonal Emp. Wages	(91,225)
	500300	Shift Differential	(2,203)
	500330	Holiday Worked	(41,444)
	500350	Other Employee Payments	92,956
	501000	Overtime	(367,768)

	502000	Fringe Benefits	114,599
	505000	Office Supplies	(112,378)
	506200	Maintenance & Repair	(5,305)
	510000	Local Mileage Reimbursement	32,388
	516020	Pro Ser Cnt And Fees	(541,636)
	516030	Maintenance Contracts	(1,967)
	516040	DSS Trng & Edu Pro	(994)
	525020	UPL Expense	6,567,456
	525040	Family Assistance-FA	(3,103,209)
	525050	CWS - Foster Care	(2,075,422)
	525091	Child Care-Title XX	323,536
	525092	Child Care - CCBG	1,747,349
	525140	HEAP Program Costs	46,979
	525150	DSH Expense	(3,884,436)
	530010	Chargebacks	(357,054)
	530030	Pivot Wage Subsidies	(270,244)
	545000	Rental Charges	(358,261)
	<u>DSS Total</u>		<u>(5,895,794)</u>
10810	Equal Employment Opportunity		
	500000	Full Time - Salaries	(15,815)
	502000	Fringe Benefits	15,815
	<u>Eq.Emp.Opportunity Total</u>		<u>0</u>
11200	Comptroller		
	500000	Full Time - Salaries	(12,681)
	516020	Pro Ser Cnt And Fees	12,681
	<u>Comptroller Total</u>		<u>0</u>
11310	Co Clerk Registrar		
	500000	Full Time - Salaries	(26,870)
	500010	Part Time - Wages	(7,818)
	502000	Fringe Benefits	144,904
	505000	Office Supplies	(339)
	506200	Maintenance & Repair	(867)
	561410	Lab & Tech Eqt	(3,292)
	561420	Office Furn & Fixt	(2,000)
	<u>Co Clerk Registrar Total</u>		<u>103,718</u>
11320	Co Clerk Auto Bureau		
	500000	Full Time - Salaries	96,714
	500010	Part Time - Wages	(57,043)
	500020	Regular PT - Wages	(42,074)
	500350	Other Employee Payments	(3,220)
	501000	Overtime	(276)
	502000	Fringe Benefits	245,606
	505000	Office Supplies	(1,786)
	516020	Pro Ser Cnt And Fees	(510)

	561410	Lab & Tech Eq	(1,936)
	561420	Office Furn & Fixt	(3,921)
	575040	I/F Expense-Utility	(16,515)
	Co Clerk Auto Bureau Total		215,039
12220	DPW Building & Grounds		
	502000	Fringe Benefits	1,066,001
	575040	I/F Expense-Utility	(1,066,001)
	DPW Building & Grounds Total		0
12410	Mental Health - Program Admin.		
	516010	Cnt Pmts-Non Pro Purchase of Service	(346,617)
	516050	Dept Payments-ECMCC	(228,666)
	517581	Court Ordered-MH Srv	575,283
	MH - Program Admin. Total		0
12420	Forensic Mental Health Services		
	500020	Regular PT - Wages	(17,680)
	502000	Fringe Benefits	17,680
	Forensic MH Services Total		0
12520	Youth Detention		
	500000	Full Time - Salaries	(358,086)
	500010	Part Time - Wages	12,060
	500020	Regular PT - Wages	22,179
	500300	Shift Differential	(13,077)
	500330	Holiday Worked	(25,647)
	500350	Other Employee Payments	(18,584)
	501000	Overtime	22,924
	502000	Fringe Benefits	398,067
	516020	Pro Ser Cnt And Fees	(39,836)
	Youth Detention Total		0
12610	Probation		
	500000	Full Time - Salaries	(115,471)
	500330	Holiday Worked	(1,000)
	500350	Other Employee Payments	106,804
	501000	Overtime	(17,668)
	502000	Fringe Benefits	220,899
	505000	Office Supplies	(6,940)
	506200	Maintenance & Repair	(4,148)
	510100	Out Of Area Travel	(1,848)
	510200	Training And Education	(1,358)
	516020	Pro Ser Cnt And Fees	(4,299)
	Probation Total		174,971
12700	Health Division		
	500000	Full Time - Salaries	51,242
	500010	Part Time - Wages	(20,830)

	500020	Regular PT - Wages	(86,119)
	500330	Holiday Worked	18,149
	501000	Overtime	662,199
	502000	Fringe Benefits	(138,345)
	505800	Medical & Health Supplies	157,105
	510000	Local Mileage Reimbursement	11,431
	516020	Pro Ser Cnt And Fees	214,759
	516050	Dept Payments-ECMCC	(303,177)
	Health Division Total		566,414
12720	Emergency Medical Services		
	502000	Fringe Benefits	22,625
	510100	Out Of Area Travel	(1,490)
	516020	Pro Ser Cnt And Fees	(11,954)
	Emergency Medical Services Total		9,181
12730	Public Health Lab		
	500000	Full Time - Salaries	(50,189)
	500010	Part Time - Wages	(11,706)
	502000	Fringe Benefits	114,357
	516030	Maintenance Contracts	(2,802)
	516050	Dept Payments-ECMCC	(49,660)
	Public Health Lab Total		0
12740	Medical Examiner		
	500000	Full Time - Salaries	(59,036)
	502000	Fringe Benefits	59,036
	Medical Examiner Total		0
12750	Special Needs		
	500000	Full Time - Salaries	(30,735)
	501000	Overtime	13,737
	502000	Fringe Benefits	67,774
	516050	Dept Payments-ECMCC	(457,203)
	528000	Svcs Spec Need Child	(168,906)
	Special Needs Total		(575,333)
14010	County-wide Accounts - Budget		
	504990	Reductions Per Srv	598,474
	511000	Control Board Exp.	83,820
	520070	Buffalo Bills Maintenance	(227,387)
	Cty-wide Acct Budget Total		454,907
14020	County-wide Inter-Fund		
	570020	Interfund - Road	(750,185)
	570040	Interfund - Debt Service	141,132
	Inter-Fund Total		(609,053)
14030	Community College		
	520020	Co Res Enrl Comm Col	(150,045)

	Community College Total	(150,045)
15000	Board of Elections	
	500000 Full Time - Salaries	(145,584)
	500010 Part Time - Wages	(89,572)
	500330 Holiday Worked	(14,242)
	501000 Overtime	33,574
	502000 Fringe Benefits	121,042
	505000 Office Supplies	(84,820)
	516020 Pro Ser Cnt And Fees	179,602
	Board of Elections Total	0
16110	Personnel	
	500000 Full Time - Salaries	(19,576)
	500010 Part Time - Wages	(442)
	502000 Fringe Benefits	33,729
	Personnel Total	13,711
16200	Environment & Planning	
	500000 Full Time - Salaries	(6,509)
	500010 Part Time - Wages	(1,222)
	500350 Other Employee Payments	(5,000)
	502000 Fringe Benefits	18,902
	516030 Maintenance Contracts	(6,171)
	Env.&Planning Total	0
16410	Parks	
	500000 Full Time - Salaries	(25,600)
	500010 Part Time - Wages	(14,549)
	500330 Holiday Worked	11,771
	500350 Other Employee Payments	(2,515)
	501000 Overtime	200,312
	502000 Fringe Benefits	49,816
	515000 Utility Charges	11,592
	575040 I/F Expense-Utility	(58,001)
	Parks Total	172,826
16500	Central Police Services	
	500000 Full Time - Salaries	(37,581)
	502000 Fringe Benefits	37,581
	Central Police Srvcs Total	0
16700	Emergency Services	
	500000 Full Time - Salaries	(22,703)
	501000 Overtime	22,703
	Emergency Services Total	0
	Total - General Fund 110 Expense Increase	1,963,219

Total - Additional Transfers for Reappropriations

General Fund 110 - Expense		Increase/ (Decrease)
120	Department of Social Services	
	525060 Safety Net Assist	700,000
	525130 State Training Schls	(458,712)
	<u>DSS Total</u>	<u>241,288</u>
14010	County-wide Account Budget	
	504992 Teamsters	1,670,000
	559000 County Share - Grants	200,000
	<u>Cty-wide Acct Budget Total</u>	<u>1,870,000</u>
	Law	
16010	Division	
	516042 Foreclosure Action	400,000
	<u>Law Division Total</u>	<u>400,000</u>
	<u>Total - Additional Budget for Reappropriation</u>	<u>2,551,288</u>
	<u>Total Fund 110 Expense Increases</u>	<u>4,474,507</u>

General Fund 110 - Revenue		Increase
116	Jail Management	
	420040 Jail Facil - Otr Gvs	941,178
	<u>Jail Management Total</u>	<u>941,178</u>
11310	County Clerk Registrar's Division	
	415150 Recording Fees	1,388,279
	<u>County Clerk Registrar's Division Total</u>	<u>1,388,279</u>
14010	Cty-wide Acct Budget	
	415360 Legal Settlements	984,367
	466280 Local Source - ECMCC	1,160,683
	<u>Cty-wide Acct Budget Total</u>	<u>2,145,050</u>
	<u>General Fund 110 - Total Revenue Increase</u>	<u>4,474,507</u>

<u>General Fund 110 - Net (Revenue less Expense)</u>		<u>0</u>
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Fund 220 - Sewer Fund Expense

18010	Sewerage Management	
	500000 Full Time - Salaries	(48,523)
	500350 Other Employee Payments	48,523
	<u>Sewerage Management Total</u>	<u>0</u>
18310	SD 3/Southtowns	
	506200 Maintenance & Repair	(166,687)
	516020 Pro Ser Cnt And Fees	166,687
	<u>SD 3/Southtowns Total</u>	<u>0</u>

Total - Fund 220 Expense Adjustments 0

Fund 230 E-911 - Expense Increase/
(Decrease)

	Sheriff		
11510	Division		
	500000	Full Time - Salaries	16,673
	501000	Overtime	16,567
	502000	Fringe Benefits	42,179
	Sheriff Division Total		75,419
12720	Emergency Medical Services		
	500000	Full Time - Salaries	(1,998)
	502000	Fringe Benefits	(73,421)
	Emergency Medical Services Total		(75,419)
	Total - Fund 230 E-911 Expense Adjustments		0

Increase/
(Decrease)

Fund 310 Debt Service - Expense

17200	General Debt		
	550810	Inter-Long Term Loan	5,477,655
	General Debt Total		5,477,655
	Total - Fund 310 Expense Increase		5,477,655

Fund 310 Debt Service - Revenue

17200	General Debt		
	445180	Interest-Long Term Loan Reimbursement	3,578,654
	466350	Principal-Long Term Loan Reimbursement	1,899,001
	General Debt Total		5,477,655
	Total - Fund 310 Revenue Increase		5,477,655

	Fund 310 Net (Revenue less Expense)	0
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and be it further

RESOLVED, that authorization is provided to re-appropriate available 2012 funding for the County Attorney's Risk Retention Fund in the amount of \$964,116, \$50,000 for Fleet Services fuel, \$15,000 for Buildings and Grounds equipment, \$32,022 Maintenance and Contractual services for the County Clerk Registrar Division, \$5,720.74 for equipment in the County Clerk Auto Bureau, \$134,486 for personnel costs resulting from the settlement of union grievances within the Auto Bureau, \$4,000 for Probation Department Maintenance and repairs, \$47,014 for Probation Grants, \$3,101 for Office of Disabled training, \$14,513 for Sheriff grants, \$115,140 for Senior Services Grants, \$30,000 for Parks Department personnel costs related to a union grievance, \$459,288 for the

Department of Social Services Safety Net Program, and \$124,471.69 in Social Services for various community agencies; and be it further

RESOLVED, that 2012 funds in the amount of \$278,103 is hereby re-appropriated for the Buffalo and Erie County Public Library; and be it further

RESOLVED, that authorization is provided to transfer available 2012 funding for additional designations and establish re-appropriations into 2013 as follows:

Designate \$700,000 for the Department of Social Services' Safety Net program
Designate and re-appropriate \$1,670,000 for the Teamsters Contract expense
Designate and re-appropriate \$200,000 for County share of grants, and
Designate and re-appropriate \$400,000 for foreclosure action; and be it further

RESOLVED, that authorization is provided to designate \$7,400,000 of year- end 2012 fund balance for Erie Community College Building Construction; and be it further

RESOLVED, that the Director of Budget and Management is hereby authorized to make any required 2013 budgetary adjustments from the County-wide Budget accounts to properly fund departmental union Contractual issues and county share of grant shortfalls up to the amounts designated as per above; and be it further

RESOLVED, that the Director of Budget and Management is authorized to make any further 2012 Budget adjustments that may be required based on inter-departmental budget balancing or 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.

(4-2) Legislators Mills & Hardwick voted in the negative.

3. COMM. 9E-7 (2013)
COUNTY EXECUTIVE

WHEREAS, on March 5, 2013, 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 \$5,750.00 were accepted on two (2) properties, as set forth on the list attached hereto.

NOW, THEREFORE, BE IT

RESOLVED, that as to those two (2) 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.

<u>TOWN</u>	<u>ADDRESS</u>	<u>SBL#</u>	<u>PURCHASE PRICE</u>
Holland	Hawks Hill	263.16-1-13	\$ 750.00
Hamburg (6-0)	Abbott Road	160.08-2-5	\$ 5,000.00

**TIMOTHY R. HOGUES
CHAIR**

MR. MILLS moved to amend item Number 2. MR. RATH 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.

MS. MARINELLI moved to approve item Number 2. MR. MAZUR seconded.

CARRIED UNANIMOUSLY.

LEGISLATOR RESOLUTIONS

Item 35 – CHAIR GRANT directed that the following resolution be referred to the ECONOMIC DEVELOPMENT COMMITTEE.

GRANTED.

INTRO 10-1 from MARINELLI. Supporting the Recently Announced Boost of State Investment in the I Love NY Marketing Campaign.

Item 36 – CHAIR GRANT directed that the following resolution be referred to the ENERGY & ENVIRONMENT COMMITTEE.

GRANTED.

INTRO 10-2 from HARDWICK. Calling Upon the U.S. Environmental Protection Agency & NYSDEC to Fund a Comprehensive Soil Study in Tonawanda, NY to Determine the Severity of the Pollution Caused by Tonawanda Coke Corporation & Other Industrial Facilities.

Item 37 – CHAIR GRANT directed that the following resolution be referred to the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

INTRO 10-3 from DIXON, MILLS, HARDWICK, RATH & LORIGO. Investigating the Careless Release of Confidential Information by the Department of Social Services.

Item 38 – CHAIR GRANT directed that the following resolution be referred to the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

INTRO 10-4 from RATH, HARDWICK & LORIGO. Opposing Repeal of Election Law S.6-120.

Item 39 – MS. MARINELLI presented the following resolution and moved for immediate consideration and approval. MR. MAZUR seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 123

RE: Opposing Federal Budget Proposals that
Would Eliminate State & Local Tax
Deductions
(INTRO 10-5)

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

WHEREAS, for more than 150 years, the deductibility of state and local taxes from federal income tax liability has been a long-standing law (Revenue Act of 1862) and tradition in the United States of America; and

WHEREAS, the deductibility of state and local taxes on federal tax forms prevents the double taxation of income; and

WHEREAS, it would be patently unfair for the federal government to levy income tax filers a second time on the same income, when taxpayers have already forwarded payment of their state income and local tax liabilities (primarily property taxes) to those respective levels of government; and

WHEREAS, elimination of the federal deduction for state and local taxes paid would result in a significant tax hike for many – if not most – taxpayers in New York State, increasing the federal tax liability of New York State residents by \$14.8 billion annually; and

WHEREAS, this alteration in liability could result in an increase of more than 30% in federal income taxes paid by New York State residents; and

WHEREAS, it is well documented that New York State is a net creditor to the federal government – a reality first uncovered by the late United State Senator Daniel Patrick Moynihan; and

WHEREAS, in essence, New York State taxpayers send more revenues to Washington, D.C. than the state's citizens receive back in the value of federal programs, including such items as federal highway aid; and

WHEREAS, the proposed repeal of the state and local tax deduction would further exacerbate this imbalance; and

WHEREAS, beyond the obvious unfairness to the taxpayers of New York State, repeal of the deductibility of state and local income taxes is projected to have a chilling impact on the housing industry, potentially causing the loss of thousands of jobs and many millions in the loss of gross state product, economic activity and personal income; and

WHEREAS, concern is heightened in New York State as several recent federal tax reform commissions, including the President's 2010 National Commission on Fiscal Responsibility and Reform – better known as the Simpson-Bowles Commission – have advanced so-called tax reform proposals that have included eliminating the deduction for state and local taxes; and

WHEREAS, with continued public attention and dialogue on the need to deal with the federal deficit, New York State taxpayers remain vulnerable to the threat of double taxation if the federal deduction for state and local taxes paid is eliminated in the future.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature support the continuation of the federal deduction for state and local taxes paid by New York State residents; and be it further

RESOLVED, that this Honorable Body recognize the positive impact on the state and local economy of maintaining the aforementioned deduction; and be it further

RESOLVED, that copies of this resolution be conveyed to U.S. Senators Charles Schumer and Kirsten Gillibrand, the WNY Delegation to the House of Representatives and all others deemed necessary and proper.

Item 40 – CHAIR GRANT directed that the following resolution be referred to the ECONOMIC DEVELOPMENT COMMITTEE.

GRANTED.

INTRO 10-6 from GRANT & HOGUES. Urging the Niagara Frontier Transportation Authority to Discontinue the Advertising of Alcoholic Beverages on the Exterior or Interior of Light Rail Train Cars & Buses.

Item 41 – CHAIR GRANT directed that the following resolution be referred to the ENERGY

& ENVIRONMENT COMMITTEE.

GRANTED.

INTRO 10-7 from GRANT, MAZUR, HOGUES & McCRACKEN. Supporting the Refunding of Overcharges by National Fuel Gas to Ratepayers.

COMMUNICATIONS DISCHARGED FROM COMMITTEE

None.

SUSPENSION OF THE RULES

Item 42 – MR. MAZUR moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 10E-26 from the COUNTY EXECUTIVE Re: Response to Audit Regarding FEMA Reimbursements from the "October Surprise Storm" in 2006

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 43 – MR. MAZUR moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 10E-27 from the COUNTY EXECUTIVE Re: 2011-2013 Current Year County Highway Spending

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 44 – MR. MAZUR moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 10M-6 from the GREATER BUFFALO NIAGARA REGIONAL TRANSPORTATION COUNCIL Re: Kenmore Avenue Improvement Project

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 45 – MR. MAZUR moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

INTRO 10-8 from LEGISLATOR LOUGHRAN Re: Review of EC Household Hazardous Waste Drop-Off Program

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

COMMUNICATIONS FROM ELECTED OFFICIALS

FROM THE COUNTY EXECUTIVE

Item 46 – (COMM. 10E-1) Copy of Letter to Comptroller Concerning Investigation into Medicaid Recertification Process

Item 47 – (COMM. 10E-2) Copy of Letter to Comptroller Concerning Subpoenas on Medicaid Recertification Process

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

FROM THE COMPTROLLER

Item 48 – (COMM. 10E-3) Letter to Legislature Concerning March 2013 Sales Tax

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM CHAIR GRANT

Item 49 – (COMM. 10E-4) Letter to Sheriff Concerning Telephone Funds Received, Deposited & Spent - Additional Follow-Up Document & Information Request Relating to COMM. 6E-24 (2013)

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM THE COMPTROLLER

Item 50 – (COMM. 10E-5) Letter to Deputy County Executive Concerning Department of Social Services Documents

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 124

RE: 2013 Revenue Anticipation Note

Resolution
(COMM. 10E-6)

RESOLUTION NO. 124-2013

RESOLUTION DELEGATING TO THE COUNTY COMPTROLLER THE POWERS TO AUTHORIZE THE ISSUANCE OF \$130,000,000 REVENUE ANTICIPATION NOTES OF THE COUNTY OF ERIE, NEW YORK, OR SO MUCH THEREOF AS MAY BE NECESSARY, IN ANTICIPATION OF THE RECEIPT OF CERTAIN REVENUES FOR THE FISCAL YEAR ENDING DECEMBER 31, 2013, AND TO PRESCRIBE THE TERMS, FORM AND CONTENTS, AND PROVIDE FOR THE SALE AND CREDIT ENHANCEMENT, OF SUCH NOTES.

RESOLVED BY THE LEGISLATURE OF THE COUNTY OF ERIE, NEW YORK, AS FOLLOWS:

Section 1. Pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"), the power to authorize the issuance of Revenue Anticipation Notes (herein called "Notes") of the County of Erie, in the State of New York (the "County" and "State", respectively), in the aggregate principal amount of not to exceed \$130,000,000, and any notes in renewal thereof, is hereby delegated to the County Comptroller, as chief fiscal officer of the County.

Section 2. The Notes shall be issued in anticipation of the collection or receipt of revenues due to the County in the 2013 fiscal year from (i) State Social Services aid, (ii) Social Services aid from the United States government, (iii) State Receivables Health, (iv) State Receivables Mental Health, (v) Erie County Medical Center Corporation, and (vi) the collection or receipt of revenues due and payable to the County in the 2013 fiscal year from sales and compensating use taxes; and the proceeds of such Notes shall be used only for the purposes of paying the current expenses of the County for said fiscal year payable from the revenues in anticipation of which they are issued.

Section 3. The Notes shall contain the recital of validity prescribed by Section 52.00 of the Law and shall be general obligations of the County, and the faith and credit of the County shall be pledged to the punctual payment of the principal of and interest on the Notes and, unless the Notes

are otherwise paid or payment provided for, an amount sufficient for such payment shall be inserted in the budget of the County a tax sufficient to provide for the payment thereof shall be levied and collected.

Section 4. Subject to the provisions of this resolution and the Law, and pursuant to Sections 50.00, 56.00, 60.00, and 168.00 of the Law, inclusive, the powers to prescribe the terms, form and contents, and all other powers or duties pertaining or incidental to the sale and issuance of the Notes authorized pursuant hereto, or any renewals thereof, including the power to determine the respective amounts of Notes to be issued in anticipation of said respective revenues specified in Section 2 hereof, and the power to enter into agreements for credit enhancement for the Notes, are hereby delegated to the Comptroller, as chief fiscal officer of the County.

Section 5. This resolution shall take effect immediately.

MR. MAZUR moved to amend the item. MR. McCRACKEN seconded.

CARRIED UNANIMOUSLY.

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

RESOLUTION NO. 124 -2013

RESOLUTION DELEGATING TO THE COUNTY COMPTROLLER THE POWERS TO AUTHORIZE THE ISSUANCE OF \$130,000,000 REVENUE ANTICIPATION NOTES OF THE COUNTY OF ERIE, NEW YORK, OR SO MUCH THEREOF AS MAY BE NECESSARY, IN ANTICIPATION OF THE RECEIPT OF CERTAIN REVENUES FOR THE FISCAL YEAR ENDING DECEMBER 31, 2013, AND TO PRESCRIBE THE TERMS, FORM AND CONTENTS, AND PROVIDE FOR THE SALE AND CREDIT ENHANCEMENT, OF SUCH NOTES.

RESOLVED BY THE LEGISLATURE OF THE COUNTY OF ERIE, NEW YORK, AS FOLLOWS:

Section 1. Pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"), the power to authorize the issuance of Revenue Anticipation Notes (herein called "Notes") of the County of Erie, in the State of

New York (the "County" and "State", respectively), in the aggregate principal amount of not to exceed \$130,000,000, and any notes in renewal thereof, is hereby delegated to the County Comptroller, as chief fiscal officer of the County.

Section 2. The Notes shall be issued in anticipation of the collection or receipt of revenues due to the County in the 2013 fiscal year from (i) State Social Services aid, (ii) Social Services aid from the United States government, (iii) State Receivables Health, (iv) State Receivables Mental Health, (v) Erie County Medical Center Corporation, and (vi) the collection or receipt of revenues due and payable to the County in the 2013 fiscal year from sales and compensating use taxes; and the proceeds of such Notes shall be used only for the purposes of paying the current expenses of the County for said fiscal year payable from the revenues in anticipation of which they are issued.

Section 3. The Notes shall contain the recital of validity prescribed by Section 52.00 of the Law and shall be general obligations of the County, and the faith and credit of the County shall be pledged to the punctual payment of the principal of and interest on the Notes and, unless the Notes are otherwise paid or payment provided for, an amount sufficient for such payment shall be inserted in the budget of the County a tax sufficient to provide for the payment thereof shall be levied and collected.

Section 4. Subject to the provisions of this resolution and the Law, and pursuant to Sections 50.00, 56.00, 60.00, and 168.00 of the Law, inclusive, the powers to prescribe the terms, form and contents, and all other powers or duties pertaining or incidental to the sale and issuance of the Notes authorized pursuant hereto, or any renewals thereof, including the power to determine the respective amounts of Notes to be issued in anticipation of said respective revenues specified in Section 2 hereof, and the power to enter into agreements for credit enhancement for the Notes, are hereby delegated to the Comptroller, as chief fiscal officer of the County.

Section 5. This resolution shall take effect immediately.

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

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

AYES: MS. DIXON, MR. HARDWICK, MR. LORIGO, MR. MILLS, MR. RATH, MR. LOUGHRAN, CHAIR GRANT, MR. HOGUES, MS. MARINELLI, MR. MAZUR and MR. McCRACKEN. NOES: None. (AYES: 11; NOES: 0)

CARRIED UNANIMOUSLY.

FROM THE COUNTY EXECUTIVE

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 125

RE: Declaration of Need for ECFS
Borrowing for 2013 EC Revenue
Anticipation Note
(COMM. 10E-7)

RESOLVED, the Erie County Legislature hereby approves the following Declaration of Need for the 2013 Consolidated Bond Resolution:

DECLARATION OF NEED

I, Mark C. Poloncarz, County Executive of the County of Erie (the “County”), a municipal corporation of the State of New York, acting pursuant to Title 3 of Article 10-D of the New York Public Authorities Law (the “Act”), and further pursuant to the Financing Agreement dated as of May 1, 2009 (the “Agreement”), as amended, between the Erie County Fiscal Stability Authority, a public benefit corporation of the State of New York (the “Authority”) and the County, HEREBY DETERMINE AND CERTIFY as follows:

1. A need for financing assistance, as described in Section 3961(1) of the Act, is hereby determined and declared to exist. The amount of the Financeable Costs hereby requested to be undertaken is \$130,000,000 to finance the cash flow needs of the County.

2. The County represents and affirms that the foregoing financing of Financeable Costs by the Authority is authorized by the Act and is consistent with the current adopted County budget

and that such Financeable Costs meet the requirements of Section 4.01(f) of the Agreement, as applicable.

3. The County reaffirms the provisions of the Agreement, including but not limited to each of the covenants, agreements and indemnities therein and agrees herein to provide prompt notice of any fact or circumstances which would, with the passage of time or otherwise, give rise to any violation or contravention of the terms of this Declaration of Need, the Agreement or any financial plan submitted to or approved by the Authority.

4. Pursuant to the Act, the financing plan reflected in this Declaration of Need and the Agreement, the Authority is hereby requested to finance, in whole or in part, the Financeable Costs set forth herein. In no event shall the amount of such financing in any fiscal year exceed the aggregate amount of the Declarations of Need for such year, as they may be amended from time to time by an amended Declaration of Need.

5. The County understands and agrees to provide the Authority with any supporting data, descriptions or materials which the Authority requests in connection with any Financeable Costs referred to in this Declaration of Need.

All terms in this Declaration of Need not otherwise defined herein shall have the meanings set forth in the Agreement.

IN WITNESS WHEREOF, I have set my hand this ____ day of May, 2013.

Mark C. Poloncarz
County Executive
County of Erie

I hereby certify that the form and substance of this Declaration of Need have been duly approved by the Erie County Legislature.

Robert M. Graber
Clerk of the Erie County Legislature

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 126

RE: Declaration of Need for ECFSA
Borrowing for Ralph Wilson Stadium
Improvements
(COMM. 10E-8)

RESOLVED, the Erie County Legislature hereby approves the following Declaration of Need for the 2013 Consolidated Bond Resolution:

DECLARATION OF NEED

I, Mark C. Poloncarz, County Executive of the County of Erie (the “County”), a municipal corporation of the State of New York, acting pursuant to Title 3 of Article 10-D of the New York Public Authorities Law (the “Act”), and further pursuant to the Financing Agreement dated as of May 1, 2009 (the “Agreement”), as amended, between the Erie County Fiscal Stability Authority, a public benefit corporation of the State of New York (the “Authority”) and the County, HEREBY DETERMINE AND CERTIFY as follows:

1. A need for financing assistance, as described in Section 3961(1) of the Act, is hereby determined and declared to exist. The amount of the Financeable Costs hereby requested to be undertaken is \$40,654,350 to finance improvements at Ralph Wilson Stadium.

2. The County represents and affirms that the foregoing financing of Financeable Costs by the Authority is authorized by the Act and is consistent with the current adopted County budget and that such Financeable Costs could be financed by the County by the issuance of bonds or notes as of the date of this Declaration of Need, there being in effect with respect to the improvements at Ralph Wilson Stadium (i) findings or other proceedings meeting the requirements of the State

Environmental Quality Review Act and (ii) all proceedings necessary under the County Charter and all other applicable State law necessary to authorize the appropriation and expenditure of County funds for such purpose.

3. The County reaffirms the provisions of the Agreement, including but not limited to each of the covenants, agreements and indemnities therein and agrees herein to provide prompt notice of any fact or circumstances which would with the passage of time or otherwise give rise to any violation or contravention of the terms of this Declaration of Need, the Agreement or any financial plan submitted to or approved by the Authority.

4. Pursuant to the Act, the financing plan reflected in this Declaration of Need and the Agreement, the Authority is hereby requested to finance, in whole or in part, the Financeable Costs set forth above. In no event shall the amount of such financing in any fiscal year exceed the aggregate amount set forth in the Declarations of Need for such year, as they may be amended from time to time by an amended Declaration of Need.

5. The County understands and agrees to provide the Authority with any supporting data, descriptions or materials which the Authority requests in connection with any Financeable Costs referred to in this Declaration of Need.

All terms in this Declaration of Need not otherwise defined herein shall have the meanings set forth in the Agreement.

IN WITNESS WHEREOF, I have set my hand this ____ day of May, 2013.

Mark C. Poloncarz
County Executive
County of Erie

I hereby certify that the form and substance of this Declaration of Need have been duly approved by the Erie County Legislature.

Robert M. Graber
Clerk of the Erie County Legislature

Item 54 – (COMM. 10E-9) Home Rule Message: Assembly Bill A.7245 & Senate Bill S.5167 - Buffalo Erie Niagara Land Improvement Corporation

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

Item 55 – (COMM. 10E-10) EC Youth Bureau - 2013 Summer Primetime Funding (Placeholder)

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

Item 56 – MR. MAZUR presented the following resolution and moved for immediate consideration and approval. MR. HOGUES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 127

RE: Reimbursement for the Use of
Emergency Services Equipment &
Personnel - 2013 Buffalo Marathon
(COMM. 10E-11)

WHEREAS, the Department of Emergency Services would like to accept reimbursement from the Buffalo Marathon Association to provide Emergency Services assets for the 2013 Buffalo Marathon on May 26, 2013, with staffing billed at \$40.00 per hour; and

WHEREAS, the use of the Emergency Services assets will allow for Emergency Services assisting in communication, traffic management and security for the thousands of runners and spectators who will attend the 2013 Buffalo Marathon.

NOW, THEREFORE, BE IT

RESOLVED, that the Legislature hereby authorizes the County Executive to execute an agreement wherein the Department of Emergency Services will receive reimbursement from the Buffalo Marathon Association for Emergency Services equipment and personnel deployed at the 2013 Buffalo Marathon with the estimated reimbursement to total no more than \$2,400; and be it further

RESOLVED, that the Division of Budget and Management and Department of Emergency Services are hereby authorized to make the necessary entries to accept the reimbursement from the Buffalo Marathon Association; 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 County Comptroller, and the County Attorney.

Item 57 – (COMM. 10E-12) Account Receivable - Buffalo Zoological Gardens Bridge Loan
Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

Item 58 – (COMM. 10E-13) EC Sewer Districts/WNY Council on Occupational Safety &
Health - Proposed Agreement

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 59 – (COMM. 10E-14) Supplemental Agreement with NYSDOT & Construction
Award - Abbott Road Bridge Over Neuman Creek - Town of Orchard Park, NY

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 60 – (COMM. 10E-15) Akron Falls Park - Intermunicipal Agreement with Town of
Newstead

Item 61 – (COMM. 10E-16) Proposed Agreement with Western Chapter, NYS Horse
Council

Item 62 – (COMM. 10E-17) ECSD Nos. 1,4 & 5 - Engineer Term Contract Agreement -
DiDonato Associates

Item 63 – (COMM. 10E-18) ECSD No. 3 - Amended License Agreement Between CSX
Transportation, Inc. & EC

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

Item 64 – (COMM. 10E-19) Darwin Martin House Interior Restoration - City of Buffalo

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

Item 65 – (COMM. 10E-20) EC Medical Mall-2013 - 1500 Broadway Renovations

Item 66 – (COMM. 10E-21) Buffalo & EC Public Library - Main - 2nd Floor West
Renovations

Item 67 – (COMM. 10E-22) Buffalo & EC Public Library - Main - New Elevator &
Escalator Renovations

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

Item 68 – (COMM. 10E-23) ECC 2013-2014 Budget

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM THE SHERIFF

Item 69 – (COMM. 10E-24) K9 Retirement

Received and referred to the PUBLIC SAFETY COMMITTEE.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 128

RE: Donated Furniture
(COMM. 10E-25)

WHEREAS, pursuant to County Law, all donations must be approved and accepted by the Erie County Legislature; and

WHEREAS, in recognition of the outstanding work the Erie County Sheriff's Office has done in the community, PepsiCo Inc. has donated furniture valued at \$10,000.00 and paid for the shipping costs in the amount of \$1,489.00 from their offices in Purchase, New York; and

WHEREAS, the Erie County Sheriff's Office is requesting to accept the following: 21 office desks, 10 four drawer file cabinets, 6 book cases, 4 sofas and 4 tables from PepsiCo Inc.; and

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

NOW, THEREFORE, BE IT

RESOLVED, that the Sheriff's Office is authorized to accept 21 office desks, 10 four drawer file cabinets, 6 book cases, 4 sofas and 4 tables; and be it further

RESOLVED, that the Sheriff's Office will inventory all items as required by the Capital Asset Inventory Policy: and be it further

RESOLVED, that certified copies be forwarded to the Director of Purchase, the Erie County Comptroller, and the Office of the Sheriff.

COMMUNICATIONS FROM THE DEPARTMENTS

FROM THE DEPUTY COUNTY EXECUTIVE

Item 71 – (COMM. 10D-1) Letter to Comptroller Concerning Department of Social Services Recycling & Comptroller Inquiry

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE COUNTY ATTORNEY

Item 72 – (COMM. 10D-2) Notice of Claim

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE COMMISSIONER OF LABOR RELATIONS

Item 73 – (COMM. 10D-3) Letter to Chair of Government Affairs Committee Concerning Fact Finder's Report Deliberations

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE COMMISSIONER OF CENTRAL POLICE SERVICES

Item 74 – (COMM. 10D-4) Letter to Legislature Concerning Receipt of Homeland Security & Emergency Services Grant

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM THE COMPTROLLER'S OFFICE

Item 75 – (COMM. 10D-5) Letter to Director of Budget & Management Concerning 2013 Cash Flow & Revenue Anticipation Note

Item 76 – (COMM. 10D-6) Letter to Director of Budget & Management Concerning 2013 Cash Flow

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

FROM THE DIRECTOR OF BUDGET & MANAGEMENT

Item 77 – (COMM. 10D-7) Response Letter to Comptroller Concerning 2013 Cash Flow & Revenue Anticipation Note

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE COUNTY ATTORNEY

Item 78 – (COMM. 10D-8) Response Letter to Chair Grant Concerning Minority & Women Business Enterprise Committee

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

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES

FROM THE PRESIDENT OF ECC

Item 79 – (COMM. 10M-1) Copy of ECC 2013-2014 Budget as Adopted by the ECC Board of Trustees

Received and Filed.

FROM THE BUFFALO & EC PUBLIC LIBRARY

Item 80 – (COMM. 10M-2) Proposed Agenda from Meeting Held 5/16/2013

Received and referred to the the COMMUNITY ENRICHMENT COMMITTEE.

FROM THE NYS PUBLIC SERVICE COMMISSION

Item 81 – (COMM. 10M-3) Public Notice: Proceeding on Motion of the Commission as to the Rates, Charges, Rules & Regulations of National Fuel Gas Distribution Corporation for Gas Service

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE NFTA

Item 82 – (COMM. 10M-4) Minutes from Meeting Held 3/28/2013

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM PAUL WOLF

Item 83 – (COMM. 10M-5) Copy of Article Titled "Where are the New Ideas in Erie County Government"

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

ANNOUNCEMENTS

Item 84 – CHAIR GRANT announced that the schedule of upcoming Legislature committee meetings has been distributed.

MEMORIAL RESOLUTIONS

Item 85 – Legislator Dixon requested that when the Legislature adjourns, it do so in memory of Richard Fierle, Ann Billittier, and Daniel J. Tomaka Sr.

Item 86 – Legislator Marinelli requested that when the Legislature adjourns, it do so in memory of Major William J. Soltis, and William ‘Billy’ Crehan

Item 87 – Legislator Lorigo requested that when the Legislature adjourns, it do so in memory of William ‘Billy’ Crehan, and Cathy McCarthy.

Item 88 – Legislator Loughran requested that when the Legislature adjourns, it do so in memory of Adam P. Orfanos.

Item 89 – Legislator Rath requested that when the Legislature adjourns, it do so in memory of Virginia Marie Rogers Forrestel.

Item 90 – Legislator Mazur requested that when the Legislature adjourns, it do so in memory of Dr. Carlos E. Villarini.

ADJOURNMENT

Item 91 – At this time, there being no further business to transact, CHAIR GRANT announced that the Chair would entertain a Motion to Adjourn.

MR. HOGUES moved that the Legislature adjourn until Thursday, June 6, 2013 at 2:00 p.m. Eastern Standard Time. MR. MAZUR seconded.

CARRIED UNANIMOUSLY.

CHAIR GRANT declared the Legislature adjourned until Thursday, June 6, 2013 at 2:00 p.m. Eastern Standard Time.

ROBERT M. GRABER
CLERK OF THE LEGISLATURE