



# THE ERIE COUNTY LEGISLATURE

Session No. 12

June 23, 2016

John J. Mills  
*Chair*

Joseph C. Lorigo  
*Majority Leader*

Thomas A. Loughran  
*Minority Leader*

Karen M. McCarthy  
*Clerk of the Legislature*

## ROLL CALL

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### INVOCATION – Mr. Morton

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### PLEDGE OF ALLEGIANCE – Mr. Rath

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### TABLED ITEMS

			<b><u>REFERENCE:</u></b>
<a href="#">INTRO. 10-1</a>	MILLS	Erie County Charter Revision Commission Recommendation No. 1	Approved
<a href="#">INTRO. 10-2</a>	MILLS	Erie County Charter Revision Commission Recommendation No. 2	Approved
<a href="#">INTRO. 10-3</a>	MILLS	Erie County Charter Revision Commission Recommendation No. 3	Approved
<a href="#">INTRO. 10-4</a>	MILLS	Erie County Charter Revision Commission Recommendation No. 4	Failed
<a href="#">INTRO. 10-5</a>	MILLS	Erie County Charter Revision Commission Recommendation No. 5	Approved
<a href="#">INTRO. 10-6</a>	MILLS	Erie County Charter Revision Commission Recommendation No. 6	Approved
<a href="#">INTRO. 10-7</a>	MILLS	Erie County Charter Revision Commission Recommendation No. 7	Approved
<a href="#">INTRO. 10-8</a>	MILLS	Erie County Charter Revision Commission Recommendation No. 8	Approved
<a href="#">INTRO. 10-9</a>	MILLS	Erie County Charter Revision Commission Recommendation No. 9	Failed
<a href="#">INTRO. 10-10</a>	MILLS	Erie County Charter Revision Commission Recommendation No. 10	Approved
<a href="#">INTRO. 10-11</a>	MILLS	Erie County Charter Revision Commission Recommendation No. 11	Approved
<a href="#">INTRO. 10-12</a>	MILLS	Erie County Charter Revision Commission Recommendation No. 12	Approved
<a href="#">INTRO. 10-13</a>	MILLS	Erie County Charter Revision Commission Recommendation No. 13	Approved
<a href="#">INTRO. 10-14</a>	MILLS	Erie County Charter Revision Commission Recommendation No. 14	Approved
<a href="#">INTRO. 10-15</a>	MILLS	Erie County Charter Revision Commission Recommendation No. 15	Approved

<a href="#">INTRO. 10-16</a>	MILLS	Erie County Charter Revision Commission Recommendation No. 16	Approved
<a href="#">INTRO. 10-17</a>	MILLS	Erie County Charter Revision Commission Recommendation No. 17	Approved
<a href="#">INTRO. 10-18</a>	MILLS	Erie County Charter Revision Commission Recommendation No. 18	Approved
<a href="#">INTRO. 10-19</a>	MILLS	Erie County Charter Revision Commission Recommendation No. 19	Approved
<a href="#">INTRO. 10-20</a>	MILLS	Erie County Charter Revision Commission Recommendation No. 20	Approved
<a href="#">INTRO. 10-21</a>	MILLS	Erie County Charter Revision Commission Recommendation No. 21	Approved
<a href="#">INTRO. 10-22</a>	MILLS	Erie County Charter Revision Commission Recommendation No. 22	Approved
<a href="#">INTRO. 10-23</a>	MILLS	Erie County Charter Revision Commission Recommendation No. 23	Failed
<a href="#">INTRO. 10-24</a>	MILLS	Erie County Charter Revision Commission Recommendation No. 24	Approved
<a href="#">INTRO. 10-25</a>	MILLS	Erie County Charter Revision Commission Recommendation No. 25	Approved
<a href="#">INTRO. 10-26</a>	MILLS	Erie County Charter Revision Commission Recommendation No. 26	Approved
<a href="#">INTRO. 10-27</a>	MILLS	Erie County Charter Revision Commission Recommendation No. 27	Failed
<a href="#">INTRO. 10-28</a>	MILLS	Erie County Charter Revision Commission Recommendation No. 28	Failed
<a href="#">INTRO. 10-29</a>	MILLS	Erie County Charter Revision Commission Recommendation No. 29	Approved
<a href="#">INTRO. 10-30</a>	MILLS	Erie County Charter Revision Commission Recommendation No. 30	Approved
<a href="#">INTRO. 10-31</a>	MILLS	Erie County Charter Revision Commission Recommendation No. 31	Approved
<a href="#">INTRO. 10-32</a>	MILLS	Erie County Charter Revision Commission Recommendation No. 32	Approved
<a href="#">INTRO. 10-33</a>	MILLS	Erie County Charter Revision Commission Recommendation No. 33	Approved
<a href="#">INTRO. 10-34</a>	MILLS	Erie County Charter Revision Commission Recommendation No. 34	Approved
<a href="#">INTRO. 10-35</a>	MILLS	Erie County Charter Revision Commission Recommendation No. 35	Approved

<a href="#">INTRO. 10-36</a>	MILLS	Erie County Charter Revision Commission Recommendation No. 36	Approved
<a href="#">INTRO. 10-37</a>	MILLS	Erie County Charter Revision Commission Recommendation No. 37	Approved
<a href="#">INTRO. 10-38</a>	MILLS	Erie County Charter Revision Commission Recommendation No. 38	Approved
<a href="#">INTRO. 10-39</a>	MILLS	Erie County Charter Revision Commission Recommendation No. 39	Approved
<a href="#">INTRO. 10-40</a>	MILLS	Erie County Charter Revision Commission Recommendation No. 40	Approved
<a href="#">INTRO. 10-41</a>	MILLS	Erie County Charter Revision Commission Recommendation No. 41	Approved
<a href="#">INTRO. 10-42</a>	MILLS	Erie County Charter Revision Commission Recommendation No. 42	Approved
<a href="#">INTRO. 10-43</a>	MILLS	Erie County Charter Revision Commission Recommendation No. 43	Approved
<a href="#">INTRO. 10-44</a>	MILLS	Erie County Charter Revision Commission Recommendation No. 44	Approved
<a href="#">INTRO. 10-45</a>	MILLS	Erie County Charter Revision Commission Recommendation No. 45	Approved
<a href="#">INTRO. 10-46</a>	MILLS	Erie County Charter Revision Commission Recommendation No. 46	Approved
<a href="#">INTRO. 10-47</a>	MILLS	Erie County Charter Revision Commission Recommendation No. 47	Approved
<a href="#">INTRO. 10-48</a>	MILLS	Erie County Charter Revision Commission Recommendation No. 48	Failed
<a href="#">INTRO. 10-49</a>	MILLS	Erie County Charter Revision Commission Recommendation No. 49	Approved
<a href="#">INTRO. 10-50</a>	MILLS	Erie County Charter Revision Commission Recommendation No. 50	Approved
<a href="#">INTRO. 10-51</a>	MILLS	Erie County Charter Revision Commission Recommendation No. 51	Approved
<a href="#">INTRO. 10-52</a>	MILLS	Erie County Charter Revision Commission Recommendation No. 52	Approved
<a href="#">INTRO. 10-53</a>	MILLS	Erie County Charter Revision Commission Recommendation No. 53	Approved
<a href="#">INTRO. 10-54</a>	MILLS	Erie County Charter Revision Commission Recommendation No. 54	Approved
<a href="#">INTRO. 10-55</a>	MILLS	Erie County Charter Revision Commission Recommendation No. 55	Approved

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<a href="#">INTRO. 10-56</a>	MILLS	Erie County Charter Revision Commission Recommendation No. 56	Approved
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**ITEMS FOR RECONSIDERATION FROM PREVIOUS MEETING**

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**MINUTES OF PREVIOUS MEETING** - [Session No. 11](#)

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**PUBLIC HEARING**

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**MISCELLANEOUS RESOLUTIONS:**

MILLER-WILLIAMS	<a href="#">Congratulating Miss Barbara's School of Dance on 50 Years of Excellence</a>
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MILLS, LORIGO, LOUGHRAN, DIXON, HARDWICK, MORTON, RATH, BURKE, GRANT, MILLER-WILLIAMS & SAVAGE	<a href="#">Honoring Sister Denise Roche on Upon Her Retirement from D'Youville College After 36 Years as its President</a>
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MILLS	<a href="#">Honoring Paul F. Salzler for His Dedication and Service to the Town of Concord</a>
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RATH	<a href="#">Honoring Eugene Peter Forrestel II as the Erie County Legislature's Citizen of the Month for June 2016</a>
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**LOCAL LAWS:**

**REFERENCE:**

<a href="#">LL INTRO. 2-4 6/6/2016</a>	BURKE & LORIGO	A LL Preventing Head Trauma from Concussions in Youth Sports	Approved
<a href="#">LL INTRO. 3-1 2/29/2016</a>	BURKE	A LL Entitled, "SPRAWL PREVENTION ACT" Otherwise Known as "MUNICIPAL AND REGIONAL INTERESTS ACT" for the Creation of an Erie County Planning Board	Finance & Management
<a href="#">LL INTRO. 4-2 3/14/2016</a>	SAVAGE, LOUGHRAN & BURKE	A LL in the Relation to Prohibiting the Sale of Tobacco Products and Electronic-Cigarettes in Licensed Health Care Institutions, Pharmacies and Retail Establishments Containing Pharmacies in Erie County	Health & Human Services
<a href="#">LL INTRO. 5-1 3/8/2016</a>	LORIGO	A LL Increasing Governmental Transparency	Government Affairs
<a href="#">LL INTRO. 6-1 3/8/2016</a>	LORIGO	A LL Requiring Publication of Ethical and Financial Disclosure Information	Government Affairs

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<a href="#">LL INTRO. 7-1 3/14/2016</a>	LOUGHRAN	A LL Repealing the Erie County Code of Ethics Established by Local Law Number Ten of Nineteen Hundred Eighty-Nine as Amended by Erie County Local Law Number Four of Nineteen Hundred Ninety-Four and Erie County Local Law Number Four of Two Thousand and Fifteen, and Establishing a New Erie County Code of Ethics	Government Affairs
<a href="#">LL INTRO. 8-1 4/11/2016</a>	MILLER-WILLIAMS & GRANT	A LL in the Relation to Prohibiting the Asking of Questions Regarding or Pertaining to an Applicant's Prior Criminal Convictions on Preliminary Employment	Government Affairs

**COMMITTEE REPORTS:**

<a href="#">REPORT NO. 10</a>	HEALTH & HUMAN SERVICES COMMITTEE		
<a href="#">REPORT NO. 4</a>	COMMUNITY ENRICHMENT COMMITTEE * Item #3 separated from the report and sent back to committee		
<a href="#">REPORT NO. 9</a>	GOVERNMENT AFFAIRS COMMITTEE		
<a href="#">REPORT NO. 10</a>	FINANCE & MANAGEMENT COMMITTEE		
<a href="#">REPORT NO. 11</a>	ENERGY & ENVIRONMENT COMMITTEE		
<a href="#">REPORT NO. 11</a>	ECONOMIC DEVELOPMENT COMMITTEE		
<a href="#">REPORT NO. 9</a>	PUBLIC SAFETY COMMITTEE		

**LEGISLATOR RESOLUTIONS:**

**REFERENCE:**

<a href="#">INTRO. 12-1</a>	MILLS	Erie County Charter Revision Commission Recommendation A	Approved
<a href="#">INTRO. 12-2</a>	MILLS	Erie County Charter Revision Commission Recommendation B	Approved
<a href="#">INTRO. 12-3</a>	MILLS	Erie County Charter Revision Commission Recommendation C	Approved
<a href="#">INTRO. 12-4</a>	MILLER-WILLIAMS & LORIGO	Status of Unclaimed Surplus Funds Resulting from Foreclosure Sales	Finance & Management
<a href="#">INTRO. 12-5</a>	MILLER-WILLIAMS & LORIGO	Support for Direct Deposit Payments to Child Care Providers in Erie County	Finance & Management

**COMMUNICATIONS DISCHARGED FROM COMMITTEE:**

**REFERENCE:**

*From the Community Enrichment Committee:*

<a href="#">COMM. 11E-5 AS AMENDED</a>	COUNTY EXECUTIVE	Proposed 2016-2017 Erie Community College Budget	Approved
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*From the Energy & Environment Committee:*

<a href="#">COMM. 10E-16</a>	COUNTY EXECUTIVE	Akron Falls & Wendt Beach Parks Easement Request	Approved
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*From the Public Safety Committee:*

<a href="#">COMM. 9E-14</a>	SHERIFF	Use of Medical Specialists to Review Work Related Injury Cases	Approved
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**SUSPENSION OF THE RULES:**

<a href="#">COMM. 12E-28</a>	RATH	Communications Regarding Opposition to Proposed Changes to EC Charter Regarding Advisory Boards	R&F
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<a href="#">COMM. 12E-29</a>	COUNTY EXECUTIVE	Funds for the Buffalo & EC Workforce Development Consortium for Summer Youth Programs	Finance & Management
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<a href="#">COMM. 12E-30</a>	COUNTY EXECUTIVE	Department of Senior Services - MIPPA/ADRC 2015-2016 Grant - Technical Change to Contract Agency Name	Health & Human Services
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<a href="#">COMM. 12E-31</a>	COUNTY EXECUTIVE	Rath Building – 2016 Social Services 7th Floor Renovations	Economic Development
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<a href="#">COMM. 12M-6</a>	ZDARSKY, SAWICKI & AGOSTINELLI LLP	Letter Regarding ECC STEM Building Award of Bid	Community Enrichment
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**COMMUNICATIONS FROM ELECTED OFFICIALS:**

**REFERENCE:**

<a href="#">COMM. 12E-1</a>	COUNTY EXECUTIVE	Red Jacket and 61 Smith St Shoreline Habitat Park Restoration Project	Approved
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<a href="#">COMM. 12E-2</a>	COUNTY EXECUTIVE	Bailey Peninsula Natural Habitat Park Restoration Project	Approved
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<a href="#">COMM. 12E-3</a>	COUNTY EXECUTIVE	Lead Hazard Reduction Demonstration Grant	Approved
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<a href="#">COMM. 12E-4</a>	DISTRICT ATTORNEY	Justice Court Notifications	Finance & Management
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<a href="#">COMM. 12E-5</a>	SHERIFF	Human Trafficking Grant Training Expenditures	Approved
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<a href="#">COMM. 12E-6</a>	COUNTY EXECUTIVE	Appointments to the Erie Arts and Cultural Advisory Board	RFP
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<a href="#">COMM. 12E-7</a>	MILLS	Letter Clerk of the Legislature Calling a Public Hearing Regarding LL Intro. 2-4 (2016)	RFP
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<a href="#">COMM. 12E-8</a>	MILLS	Letter to County Attorney Regarding Invitation to Attend Informational Session Concerning Status of Legislator Lorigo	R&F
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<a href="#">COMM. 12E-9</a>	COUNTY EXECUTIVE	Maple Rd Joint Rehabilitation, Town of Amherst - Amend Engineering Design & Construction Inspection Contract	Economic Development
<a href="#">COMM. 12E-10</a>	COUNTY EXECUTIVE	Agreement with NYSDOT and Award of Construction Locally Administered Federal Aid Project for Bridge Deck Sealing, Various Towns	Economic Development
<a href="#">COMM. 12E-11</a>	COUNTY EXECUTIVE	Agreement to Install and Maintain Wheelchair Ramps on County Roads, Town of Cheektowaga	Economic Development
<a href="#">COMM. 12E-12</a>	COUNTY EXECUTIVE	Agreement to Construct & Maintain Sidewalks on a County Road, Town of Holland	Economic Development
<a href="#">COMM. 12E-13</a>	COUNTY EXECUTIVE	2016 New Storage Building and Gas Pump Relocation - Ellicott Creek Park	Economic Development
<a href="#">COMM. 12E-14</a>	COUNTY EXECUTIVE	Chestnut Ridge Park - 2016 Reconstruction of Shelter No. 23	Economic Development
<a href="#">COMM. 12E-15</a>	COUNTY EXECUTIVE	Asbestos Abatement Project - Rath Building 6th Floor Employee Fitness Center	Economic Development
<a href="#">COMM. 12E-16</a>	COUNTY EXECUTIVE	Contract with the ECIDA for Administration of EC Foreign Trade Zone No. 23	Economic Development
<a href="#">COMM. 12E-17</a>	COUNTY EXECUTIVE	Black Rock Canal Park - Phase 3 Design - Amendment 1	Energy & Environment
<a href="#">COMM. 12E-18</a>	COUNTY EXECUTIVE	Department of Health Medical Examiner's Office - Capital Project Supplement	Finance & Management
<a href="#">COMM. 12E-19</a>	COUNTY EXECUTIVE	EC Public Health Lab - Revised Testing Schedule	Finance & Management
<a href="#">COMM. 12E-20</a>	MILLS	Letter to County Executive Regarding Appointment of Executive Director of the Commission on the Status of Women	Finance & Management
<a href="#">COMM. 12E-21</a>	COUNTY EXECUTIVE	Appointment of Executive Director of the Commission on the Status of Women	Finance & Management
<a href="#">COMM. 12E-22</a>	COMPTROLLER	Risk Retention Report for May 2016	Finance & Management
<a href="#">COMM. 12E-23</a>	COMPTROLLER	Update on County Finances	Finance & Management
<a href="#">COMM. 12E-24</a>	LORIGO	Request for Mid-Year Budget Hearing Information	Finance & Management



<a href="#">COMM. 12E-25</a>	COUNTY EXECUTIVE	WNY Peace Center Anti-Violence Mentoring Program	Health & Human Services
<a href="#">COMM. 12E-26</a>	COUNTY EXECUTIVE	Acceptance of FY16 Hazardous Materials Emergency Preparedness Grant	Public Safety
<a href="#">COMM. 12E-27</a>	SHERIFF	Authorization to Extend Contracts with Existing Providers of Inmate Communication Services and Commissary Services	Public Safety

**COMMUNICATIONS FROM THE DEPARTMENTS:**

**REFERENCE:**

<a href="#">COMM. 12D-1</a>	CLERK OF THE LEGISLATURE	Notice of Public Hearing Regarding LL Intro. 2-4 (2016)	R&F
<a href="#">COMM. 12D-2</a>	CLERK OF THE LEGISLATURE	Comments Received Regarding LL Intro. 2-4 (2016)	R&F
<a href="#">COMM. 12D-3</a>	CLERK OF THE LEGISLATURE	Comments Received Regarding Proposed Recommendations to Revise the EC Charter	R&F
<a href="#">COMM. 12D-4</a>	CLERK OF THE LEGISLATURE	Comments Received Regarding the Zika Virus	R&F
<a href="#">COMM. 12D-5</a>	CLERK OF THE LEGISLATURE	Notice of Public Hearing Regarding Proposed Extension of EC Sewer District No. 1	R&F
<a href="#">COMM. 12D-6</a>	CLERK OF THE LEGISLATURE	Notice of Public Hearing Regarding Proposed Extension of EC Sewer District No. 2	R&F
<a href="#">COMM. 12D-7</a>	CLERK OF THE LEGISLATURE	Notice of Public Hearing Regarding Proposed Extension of EC Sewer District No. 3	R&F
<a href="#">COMM. 12D-8</a>	CLERK OF THE LEGISLATURE	Notice of Public Hearing Regarding Proposed Extension of EC Sewer District No. 4	R&F
<a href="#">COMM. 12D-9</a>	CLERK OF THE LEGISLATURE	Notice of Public Hearing Regarding Proposed Extension of EC Sewer District No. 5	R&F
<a href="#">COMM. 12D-10</a>	CLERK OF THE LEGISLATURE	NYS DEC Documents Received	R&F
<a href="#">COMM. 12D-11</a>	COMMISSIONER, DEPARTMENT OF ENVIRONMENT & PLANNING	Information Regarding EC Parks System - Retention of Consultant to Update the Parks Master Plan	Energy & Environment
<a href="#">COMM. 12D-12</a>	COUNTY ATTORNEY	Response to Chair Mills Letter Regarding Appointment of Executive Director of Commission on the Status of Women	Finance & Management



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<a href="#">COMM. 12D-13</a>	COMMISSIONER, DEPARTMENT OF SOCIAL SERVICES	Comm. 12E-34 Compliance Report - May - CPS Caseloads	Health & Human Services
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**COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES:**

**REFERENCE:**

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<a href="#">COMM. 12M-1</a>	EC FIRE DISTRICT OFFICERS ASSOCIATION	Opposition to Proposed Changes to EC Charter Regarding Advisory Boards	R&F
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<a href="#">COMM. 12M-2</a>	TOWN OF LANCASTER	Town Resolution Regarding Head Trauma from Concussions in Youth Sports	R&F
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<a href="#">COMM. 12M-3</a>	NYS DEPARTMENT OF PUBLIC SERVICE	Notice of Public Hearings Regarding Proposed Increases for National Fuel Gas Distribution Corp. Gas Delivery Rates	R&F
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<a href="#">COMM. 12M-4</a>	BUFFALO & EC PUBLIC LIBRARY	Jun. 16, 2016 Board of Trustees Agenda	R&F
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<a href="#">COMM. 12M-5</a>	SUSAN LOOBY	Response Letter to Chair Mills Regarding The Sheldon's Complaint Against Buffalo Urban League	Finance & Management
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**ANNOUNCEMENTS:**

**MEMORIAL RESOLUTIONS:**

**ADJOURNMENT:**