



# THE ERIE COUNTY LEGISLATURE

Session No. 21  
November 3, 2016

John J. Mills  
*Chair*

Joseph C. Lorigo  
*Majority Leader*

Thomas A. Loughran  
*Minority Leader*

Karen M. McCarthy  
*Clerk of the Legislature*

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## ROLL CALL

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INVOCATION – Mr. Morton

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PLEDGE OF ALLEGIANCE – Mr. Savage

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## TABLED ITEMS

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## ITEMS FOR RECONSIDERATION FROM PREVIOUS MEETING

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MINUTES OF PREVIOUS MEETING – Session No. 20

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## PUBLIC HEARING

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## MISCELLANEOUS RESOLUTIONS:

DIXON	<a href="#">Congratulating Jacob Clancy, Boy Scout Troop 4, on Attaining the Rank of Eagle Scout</a>
DIXON	<a href="#">Congratulating Christopher Janok on Attaining the Rank of Eagle Scout</a>
DIXON	<a href="#">Congratulating Jacob Roy, Boy Scout Troop 4, on Attaining the Rank of Eagle Scout</a>
HARDWICK	<a href="#">Congratulating James Fingerlow on Being Named the Chamber of Commerce of the Tonawandas' 2016 Citizen of the Year, and for his Dedication to the Community</a>
HARDWICK	<a href="#">Congratulating Erie-Niagara Sunrise Exchange Club and Tonawanda Exchange Club on Being Awarded the Chamber of Commerce of the Tonawandas' 2016 Volunteer of the Year Organizations Award, and for its Dedication and Commitment to the Tonawandas</a>
HARDWICK	<a href="#">Congratulating the Grand Island Lions Club on its 60th Anniversary</a>
HARDWICK	<a href="#">Congratulating Pane's Restaurant on Being Named the Chamber of Commerce of the Tonawandas' 2016 Business of the Year</a>
HARDWICK	<a href="#">Honoring Herschell Carrousel Factory Museum for Excellence to the Community, and the 100th Birthday of the Allen Herschell Number 1 Special Carrousel, and Being Named the Chamber of Commerce of the Tonawandas' 2016 Not-For-Profit Organization</a>
MILLER-WILLIAMS	<a href="#">Honoring Afro-American Police Association of Buffalo Inc on Hosting its Annual Community Awards Banquet and Welcoming CNN Legal Analyst Joey Jackson as the Keynote Speaker for the Event</a>
MILLER-WILLIAMS	<a href="#">Welcoming the Eastern Regional Conference of the Church Ushers Association of New York State to Erie County</a>

MILLER-WILLIAMS	<a href="#">Celebrating the 50th Anniversary of the Grammy Nominated Var-Son Community Choir Inc</a>
MILLS	<a href="#">Congratulating Zachary T. Brown, Boy Scout Troop 4, on Attaining the Rank of Eagle Scout</a>
MILLS	<a href="#">Congratulating Nathan Daniel McMillen, Boy Scout Troop 4, on Attaining the Rank of Eagle Scout</a>
MILLS	<a href="#">Honoring the Service Members from the Town of Boston and All Members of the Armed Forces on Veterans Day for their Service and Sacrifice to the Country and Community</a>
MORTON	<a href="#">Honoring Richard Bulman for 40 Years of Service to the Village of Lancaster</a>

**LOCAL LAWS:**

**REFERENCE:**

<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
<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

<a href="#">LL INTRO. 10-1 7/11/2016</a>	LOUGHRAN & HARDWICK	Requiring a Minority Business Utilization and Women-Owned Business Utilization Commitment by Persons or Firms Contracting with the County of Erie Law	Government Affairs
<a href="#">LL INTRO. 13-1 8/8/2016</a>	SAVAGE & HARDWICK	A LL to Amend LL Intro. 2-4 (2016): A LL Preventing Head Trauma from Concussions in Youth Sports	Health & Human Services
<a href="#">LL INTRO. 14-1 8/29/2016</a>	BURKE	Pharmaceutical Water Pollution Act	Energy & Environment
<a href="#">LL INTRO. 15-1 9/19/2016</a>	LORIGO	2016 Full Pay for Military Service: A LL Amending the Erie County Charter to Require Full Pay for Military Personnel on Leave	Finance & Management
<a href="#">LL INTRO. 16-1 9/29/2016</a>	LORIGO	A LOCAL LAW amending Local Law No. 1-1959, Constituting the Erie County Charter, as Amended, in Relation to Recommendations Made by the Erie County Charter Revision Commission, Duly Organized Pursuant to Local Law No. 5-2015	Government Affairs
<a href="#">LL INTRO. 17-1 9/29/2016</a>	LORIGO & 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

**COMMITTEE REPORTS:**

[REPORT NO. 16](#) HEALTH & HUMAN SERVICES COMMITTEE

[REPORT NO. 8](#) COMMUNITY ENRICHMENT COMMITTEE

[REPORT NO. 16](#) FINANCE & MANAGEMENT COMMITTEE

[REPORT NO. 17](#) ECONOMIC DEVELOPMENT COMMITTEE

[REPORT NO. 15](#) PUBLIC SAFETY COMMITTEE

**LEGISLATOR RESOLUTIONS:**

**REFERENCE:**

[INTRO. 21-1](#) MORTON, LORIGO & BURKE Support for State Action Regarding Living Organ Donation Government Affairs

[INTRO. 21-2](#) BURKE, MILLS, GRANT, HARDWICK, RATH & DIXON Support for the Proposed Reuse of the Central Terminal R&F

<a href="#">INTRO. 21-3</a>	MILLER-WILLIAMS	Support for the Development of a Modern Train Station at the Buffalo Central Terminal	Approved
<a href="#">INTRO. 21-4</a>	MILLS, LORIGO, RATH, HARDWICK, DIXON & MORTON	Legislature Recommendation to Governor for Appointment to the NFTA Board of Commissioners	Approved
<a href="#">INTRO. 21-5</a>	MILLS, LORIGO & MORTON	Amendment to the 2016 Rules of Order Regarding Time of Public Hearing	Approved
<a href="#">INTRO. 21-6</a>	RATH, LORIGO & MORTON	Opposition to Expansion of ECIDA Mission	Approved
<a href="#">INTRO. 21-7</a>	MILLER-WILLIAMS	Dialogue Concerning ECC's Relationship with Middle Early College	Community Enrichment

**COMMUNICATIONS DISCHARGED FROM COMMITTEE:**

**REFERENCE:**

*Economic Development Committee:*

<a href="#">COMM. 20E-7</a>	COUNTY EXECUTIVE	WNY Sustainable Business Roundtable (Oct. 1, 2016 - Dec. 31, 2018)	Approved
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**SUSPENSION OF THE RULES:**

**REFERENCE:**

<a href="#">COMM. 21E-21</a>	COUNTY EXECUTIVE	Department of Health – Authorization to Enter into Contract with WellCare of New York Inc	Health & Human Services
<a href="#">COMM. 21E-22</a>	COMPTROLLER	Interim Financial Report for Six-Month Period Ended Sept. 30, 2016	Finance & Management
<a href="#">COMM. 21E-23</a>	GRANT	Letter of Absence from Legislative Session	RFP
<a href="#">COMM. 21E-24</a>	COMPTROLLER	Department of Social Services - Cost Impact Analysis of Lease Options 10-12 Fountain Plz and 478 Main St	Finance & Management
<a href="#">COMM. 21D-6</a>	COMMISSIONER, DEPARTMENT OF PERSONNEL	Explanation of the Need for Pre-Employment Fingerprinting	Government Affairs

**COMMUNICATIONS FROM ELECTED OFFICIALS:**

**REFERENCE:**

<a href="#">COMM. 21E-1</a>	COUNTY EXECUTIVE	Department of Health Division of Emergency Services - Authorization to Enter into Contract with emsCharts Inc - Electronic Charting Software System	Approved
<a href="#">COMM. 21E-2</a>	COUNTY EXECUTIVE	Division of Information Support Services - Extension of Xerox Contract for Lease of Multi-Function Office Printer Fleet	Approved

<a href="#">COMM. 21E-3</a>	COUNTY EXECUTIVE	ECC - Authorization to Amend Existing Cell Tower Lease Agreement with T-Mobile	Community Enrichment
<a href="#">COMM. 21E-4</a>	MILLER-WILLIAMS	Letter to ECC President Regarding ECC's Relationship with Middle Early College	Community Enrichment
<a href="#">COMM. 21E-5</a>	COUNTY EXECUTIVE	Buffalo & EC Botanical Gardens - 2013 Houses 2 & 3 Renovation - A/E Additional Services During Construction	Economic Development
<a href="#">COMM. 21E-6</a>	COUNTY EXECUTIVE	Buffalo & EC Public Library - Main Library - New ADA Elevators Project - Asbestos Air Monitoring, Sampling & Testing	Economic Development
<a href="#">COMM. 21E-7</a>	COUNTY EXECUTIVE	Buffalo & EC Public Library - Main Library - 2016 Auditorium Renovations - Phase 1 - Construction Bids & Additional Engineering Fees	Economic Development
<a href="#">COMM. 21E-8</a>	COUNTY EXECUTIVE	Youth Detention Facility - 2016 Interior Housing Unit Renovations - Phase 1	Economic Development
<a href="#">COMM. 21E-9</a>	COUNTY EXECUTIVE	EC Sewer District No. 3 - Contract No. 47G Close Out - Elma Pumping Station Improvements	Energy & Environment
<a href="#">COMM. 21E-10</a>	COUNTY EXECUTIVE	EC Sewer District No. 6 - NYSEFC Capital Project Close Out - C.00064 Fund Transfer - Capital Reserve Fund	Energy & Environment
<a href="#">COMM. 21E-11</a>	COUNTY EXECUTIVE	EC Sewer District Nos. 1-6 & 8 - User Charges - 2017	Energy & Environment
<a href="#">COMM. 21E-12</a>	COUNTY EXECUTIVE	Real Property Tax Services - Purchase of 2016 Tax Lien Certificates	Finance & Management
<a href="#">COMM. 21E-13</a>	MILLS, LORIGO, RATH & MORTON	Letter to County Executive Regarding Opposition to Resolution Requesting Loans from Erie County	Finance & Management
<a href="#">COMM. 21E-14</a>	COMPTROLLER	Bond Resolution for ECMCC Capital Projects	Finance & Management
<a href="#">COMM. 21E-15</a>	COUNTY EXECUTIVE	Intergovernmental Transfer Payments - ECMCC	Finance & Management
<a href="#">COMM. 21E-16</a>	COUNTY EXECUTIVE	Letter to Department Heads Regarding Space Utilization for Department of Social Services	Finance & Management
<a href="#">COMM. 21E-17</a>	COMPTROLLER	Report for Apportionment and Distribution of Net Collections from the 4.75% Sales and Compensating Use Tax for Jun., Jul. and Aug. 2016	Finance & Management

<a href="#">COMM. 21E-18</a>	COUNTY EXECUTIVE	Department of Social Services Division of Family Wellness - Safe Harbor for Sexually Exploited Children - Increase in Funding Allocation	Health & Human Services
<a href="#">COMM. 21E-19</a>	COUNTY EXECUTIVE	Department of Social Services Division of Youth Services - Youth Bureau AmeriCorps VISTA	Health & Human Services
<a href="#">COMM. 21E-20</a>	COUNTY EXECUTIVE	Department of Social Services Division of Youth Services - Youth Bureau Contract Amendments	Health & Human Services

**COMMUNICATIONS FROM THE DEPARTMENTS:**

**REFERENCE:**

<a href="#">COMM. 21D-1</a>	CLERK OF THE LEGISLATURE	Notice of Public Hearing Regarding Proposed Erie County 2017 Budget	R&F
<a href="#">COMM. 21D-2</a>	CLERK OF THE LEGISLATURE	2017 Budget Hearing Documents	R&F
<a href="#">COMM. 21D-3</a>	CLERK OF THE LEGISLATURE	Notice of Public Hearing Regarding EC Sewer Districts - 2016 Assessment Rolls (2017 Levy)	R&F
<a href="#">COMM. 21D-4</a>	CLERK OF THE LEGISLATURE	NYS DEC Documents Received	R&F
<a href="#">COMM. 21D-5</a>	DEPARTMENT OF ENVIRONMENT & PLANNING	Completion of Environmental Review - ECMCC Emergency Department Modernization & Expansion	Finance & Management

**COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES:**

**REFERENCE:**

<a href="#">COMM. 21M-1</a>	ERIE COMMUNITY COLLEGE	ECC Excels - Oct. 2016 Report	R&F
<a href="#">COMM. 21M-2</a>	NYS AGRICULTURE AND MARKETS	Agricultural Districts Nos. 11 & 15 - Notice to Conduct Eight-Year Review	R&F
<a href="#">COMM. 21M-3</a>	NFTA	Sept. 29, 2016 Board Minutes	R&F
<a href="#">COMM. 21M-4</a>	PRESIDENT, ERIE COMMUNITY COLLEGE	Letter to Legislator Miller-Williams Regarding ECC's Relationship with Middle Early College	Community Enrichment
<a href="#">COMM. 21M-5</a>	AGRICULTURAL AND FARMLAND PROTECTION BOARD	2016 Report Regarding Recommendations in Inclusion Into Existing Agricultural Districts	Energy & Environment
<a href="#">COMM. 21M-6</a>	BUFFALO PLACE INC	2017 Budget and Supporting Documents	Finance & Management
<a href="#">COMM. 21M-7</a>	MEDICAL REVIEW BOARD, NYS COMMISSION OF CORRECTION	Transmittal Regarding EC Holding Center and David Liddick	Public Safety

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[COMM. 21M-8](#)

MEDICAL REVIEW  
BOARD, NYS  
COMMISSION OF  
CORRECTION

Transmittal Regarding EC Holding  
Center and Richard Metcalf

Public Safety

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**ANNOUNCEMENTS:**

**MEMORIAL RESOLUTIONS:**

**ADJOURNMENT:**