

**ERIE COUNTY LEGISLATURE
MEETING NO. 4
FEBRUARY 25, 2010**

The Legislature was called to order by Chair Miller-Williams.

All members present, except Legislator Kozub.

An Invocation was held, led by Ms. Whyte, who invited to the Legislature Pastor Brek Cockrell from Renovation Church to conduct the Invocation.

The Pledge of Allegiance was led by Ms. Dixon.

Item 1 – No tabled items.

Item 2 – No items for reconsideration from previous meeting.

Item 3 – MS. WHYTE moved for the approval of the minutes for Meeting Number 3 from 2010. MS. GRANT seconded.

CARRIED UNANIMOUSLY.

Item 4 – No Public Hearings.

MISCELLANEOUS RESOLUTIONS

Item 5 – MS. MARINELLI presented a resolution Honoring Ramona Gallagher for Her Service to the Residents of EC as a Member of the ECIDA Board of Directors.

Item 6 – MR. MILLS presented a resolution Honoring Michael John Thomas Komenda II on Achieving the Rank of Eagle Scout.

Item 7 – MS. DIXON presented a resolution Commending Thomas Laski for His Contributions to the Senior Citizens of the Town of Brant.

Item 8 – CHAIR MILLER-WILLIAMS presented a memorial resolution In Memory of John E. Smith.

Item 9 – MR. LOUGHRAN presented a resolution Honoring James Robert Arnold Who Achieved the Highest Rank in Boy Scouting, the Rank of Eagle Scout.

Item 10 – CHAIR MILLER-WILLIAMS presented a memorial resolution In Memory of Mother Marie Davis.

Item 11 – MS. GRANT presented a resolution Honoring the 2010 Women's History Month Honorees.

Item 12 – MS. BOVE presented a resolution Honoring the 2010 West Seneca Chamber of Commerce Award Winners.

Item 13 – MS. GRANT presented a memorial resolution as a Tribute to Mrs. Ada Mae Dowell.

Item 14 – MR. KENNEDY presented a memorial resolution In Memory of the Life of Phyllis M. Tripi.

MS. WHYTE moved for consideration of the above ten items. MR. MAZUR seconded.

CARRIED UNANIMOUSLY.

MS. WHYTE moved to amend the above ten items by adding Et Al Sponsorship. MR. KENNEDY seconded.

CARRIED UNANIMOUSLY.

MS. WHYTE moved for approval of the above ten items as amended. MR. MILLS seconded.

CARRIED UNANIMOUSLY.

LOCAL LAWS

Item 15 – CHAIR MILLER-WILLIAMS directed that Local Law No. 4 (Print #1) 2009 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 16 – CHAIR MILLER-WILLIAMS directed that Local Law No. 5 (Print #1) 2009 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 17 – CHAIR MILLER-WILLIAMS directed that Local Law No. 6 (Print #1) 2009 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 18 – CHAIR MILLER-WILLIAMS directed that Local Law No. 7 (Print #1) 2009 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 19 – CHAIR MILLER-WILLIAMS directed that Local Law No. 9 (Print #1) 2009 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 20 – CHAIR MILLER-WILLIAMS directed that Local Law No. 1 (Print #1) 2010 remain on the table and in the HEALTH & HUMAN SERVICES COMMITTEE.

GRANTED.

Item 21 – CHAIR MILLER-WILLIAMS directed that Local Law No. 2 (Print #1) 2010 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

COMMITTEE REPORTS

Item 22 – MR. MAZUR presented the following report and moved for immediate consideration and approval. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 27

February 8, 2010	HEALTH & HUMAN SERVICES COMMITTEE REPORT NO. 2
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ALL MEMBERS PRESENT, EXCEPT LEGISLATOR WALTER.

1. COMM. 2E-7 (2010)
COUNTY EXECUTIVE

WHEREAS, the funding limit of the Imprest Fund in the Department of Social Services is not adequate to utilize this account for current payment processing needs; and

WHEREAS, the current practice of the Department utilizes antiquated check production hardware and software; and

WHEREAS, the payments made from the Imprest Account will be more properly recorded at the time of disbursement than current practice utilizing a Trust Account; and

WHEREAS, the Office of the Comptroller has been consulted with and has collaborated on the proper procedures and accounting for the Imprest Fund increase via journal entry and Imprest account replenishment; and

WHEREAS, Imprest transactions are continuously monitored and adequate fiscal controls are maintained through a post audit procedures; and

WHEREAS, there is no fiscal impact to this resolution.

NOW, THEREFORE, BE IT

RESOLVED, that in accordance with Section 2.06 of the Erie County Administration Code, a revolving Imprest Fund in the Department of Social Services is hereby increased by \$47,300 to a total of \$50,000; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the County Executive, the Commissioner of Social Services, the Erie County Comptroller and the Director of the Division of Budget and Management.

(4-0)

2. COMM. 3E-18 (2010)
COUNTY EXECUTIVE

WHEREAS, the Legislature has already appropriated funds for the ARRA Congregate Dining program grant for the period March 18, 2009 to December 31, 2009; and

WHEREAS, ARRA funds are expected to be fully utilized for the provision of meals to the elderly, with the goal of expansion of the current Older Americans Act Title III Nutrition programs into future grant periods; and

WHEREAS, the ARRA Congregate Dining grant budget needs to be revised; and

WHEREAS, the revisions will not change the required local match.

NOW, THEREFORE, BE IT

RESOLVED, that the budget for the ARRA Congregate Dining grant, 163ARRACONG2009, be revised as follows:

		CURRENT		AMENDED
		BUDGET	CHANGES	BUDGET
APPROPRIATIONS				
Account	Description			
516010	Town of Amherst	\$99,389	-\$10,262	\$89,127
516010	Salvation Army	47,785	-3,304	44,481
516020	Meal Preparation Services	85,240	+13,566	98,806
TOTAL APPROPRIATIONS			<u>\$0</u>	

and be it further

RESOLVED, that certified copies of this resolution be forwarded to the County Executive's Office, the Division of Budget and Management, the Comptroller's Office and the Department of Senior Services.

(4-0)

**THOMAS J. MAZUR
CHAIR**

Item 23 – MS. BOVE presented the following report, moved to separate item Number 4, and moved to approve the balance of the report. MR. KENNEDY seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 28

February 11, 2010	PUBLIC SAFETY COMMITTEE REPORT NO. 2
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ALL MEMBERS PRESENT.

CHAIR MILLER-WILLIAMS PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items is hereby received and filed:
 - a. COMM. 2M-3 (2010)
US CUSTOMS & BORDER PROTECTION: “Letter to Legislature Expressing Interest in Meeting EC Representatives”
(4-0) Chair Miller-Williams & Legislator Kozub not present for vote.
 - b. COMM. 3M-35 (2010)
EC PRISONERS' RIGHTS COALITION: “Request to Address the Public Safety Committee Concerning EC Holding Center & Correctional Facility”
(4-0) Chair Miller-Williams & Legislator Kozub not present for vote.
2. INTRO 3-2 (2010)
MARINELLI, WHYTE, KOZUB, GRANT, AS AMENDED
MAZUR, LOUGHRAN, MILLER-WILLIAMS,
MILLS, KOZUB, KENNEDY, WALTER, BOVE,
DIXON & RATH

WHEREAS, secondhand dealers engage in the purchase and/or sale of secondhand articles of various types. Pawnbrokers loan money on deposit or pledge of personal property other than securities or printed evidences of indebtedness on the condition of selling it back at a stipulated price; and

WHEREAS, the Erie County Legislature finds that secondhand dealers and pawnbrokers provide a valuable service to the residents of Erie County. The Legislature also finds that the businesses of pawnbrokers and secondhand dealers should operate in a uniform manner responsible to the public; and

WHEREAS, the Erie County Legislature finds that the City of Buffalo has had an effective law for several years, which assists law enforcement, yet there is no law for suburban areas, although some are interested in creating municipal requirements. The Legislature also recognizes that proper regulation of secondhand dealers and pawnbrokers requiring recordkeeping and other safeguards is of great assistance to law enforcement and the public at large; and

WHEREAS, local law enforcement has expressed a desire to enact countywide legislation providing for licensing and regulation of pawnbrokers and second hand dealers; and

WHEREAS, the residents of Erie County; secondhand dealers and pawnbrokers and law enforcement would benefit from such countywide regulation.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature shall draft legislation providing for the licensing and regulation of secondhand dealers and pawnbrokers which will apply throughout the County of Erie; and be it further

RESOLVED, that the Public Safety Committee of the Erie County Legislature should review and discuss this matter with affected individuals, businesses and local law enforcement officials; and be it further

RESOLVED, that certified copies of this resolution be sent to the Erie County Sheriff, the County Executive, the Commissioner of Emergency Services, local police chiefs, and the Office of the Comptroller.

(6-0)

3. COMM. 3E-14 (2010)
COUNTY EXECUTIVE

RESOLVED, the Erie County Legislature hereby confirms the appointment of Rev. John Gaglione to the Erie County Emergency Services Steering Committee.

(4-0) Chair Miller-Williams & Legislator Kozub not present for vote.

4. COMM. 3E-19 (2010)
SHERIFF

WHEREAS, Sheriff Howard due to recent retirements has reassigned duties within the ranks of his management staff; and

WHEREAS, the Sheriff wishes to upgrade the Chief of Technology & Technical Criminal Services and to downgrade the position of Chief Deputy – Civil to reflect these changes in responsibility; and

WHEREAS, the State Commission of Corrections requires a Superintendent to act as the chief officer in the Erie County Sheriff's Jail Management Division; and

WHEREAS, the Sheriff wishes to delete an existing First Deputy Superintendent position and create the position of Superintendent; and

WHEREAS, funding for these upgrades will be offset by the positions deleted and downgraded and savings from positions that have remained vacant in 2010, therefore requiring no additional county funds.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Sheriff's Office be authorized to upgrade the Chief of Technology & Criminal Services from Job Group XIV to XV; and be it further

RESOLVED, that the Erie County Sheriff's Office be authorized to downgrade the Chief Deputy – Civil from Job Group XV to XIV; and be it further

RESOLVED, that the Erie County Sheriff's Office be authorized to create the position of Superintendent, Job Group XVI; and be it further

RESOLVED, that the Erie County Sheriff's Office be authorized to delete the position of First Deputy Superintendent, Job Group XIV; and be it further

RESOLVED, that these pay adjustments be effective 01/02/10; and be it further

RESOLVED, that certified copies be forwarded to the Division of Budget and Management, Department of Personnel and the Office of the Sheriff.

(4-0) Chair Miller-Williams & Legislator Kozub not present for vote.

5. COMM. 3E-20 (2010)
SHERIFF

WHEREAS, procedures have been established by Resolution #Int. 23-3 adopted on December 1, 1994; and

WHEREAS, there are adequate funds available for distribution to the Sheriff's Office in the Asset Forfeiture Trust Account; and

WHEREAS, the Clarence Center Fire Department has two (2) specially equipped 2007 Ford Expeditions available for purchase below NADA value; and

WHEREAS, the Erie County Legislature has the authority, under Article III Section 07.b of the Erie County Administrative Code to waive bidding procedures when deemed impractical by a 2/3 vote of the Legislature; and

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

NOW, THEREFORE, BE IT

RESOLVED, that \$37,500 in available balances in the Asset Forfeiture Trust Fund is hereby transferred to the Erie County Sheriff's Office Asset Forfeiture Funded Program SAFS; and be it further

RESOLVED, that the following budgetary transactions are hereby authorized:

ERIE COUNTY SHERIFF'S OFFICE ASSET FORFEITURE FUNDED PROGRAM SAFS

<u>REVENUE</u>		<u>Increase</u>
421550	Forfeiture Crime Proceeds	<u>37,500</u>

	Total Revenue	<u>37,500</u>
<u>APPROPRIATION</u>		<u>Increase</u>
510100	Out of Area Travel	10,000
561440	Motor Vehicles	<u>27,500</u>
	Total Appropriations	<u>37,500</u>

and be it further

RESOLVED, that these expenditures meet the criteria established by the U.S. Department of Justice for the use of equitable shared funds; and be it further

RESOLVED, that the Sheriff and Erie County Purchasing are authorized to purchase used vehicles from the Clarence Center Fire Department without competitive bidding; and be it further

RESOLVED, that certified copies be forwarded to the Division of Budget and Management, the Erie County Comptroller, the Bureau of Purchase and the Office of the Sheriff for implementation.

(4-0) Chair Miller-Williams & Legislator Kozub not present for vote.

**CHRISTINA W. BOVE
CHAIR**

MS. BOVE moved to return item Number 4 to the Public Safety Committee for further consideration. MR. KENNEDY seconded.

CARRIED UNANIMOUSLY.

Item 24 – MS. WHYTE presented the following report, moved to separate item Number 2, and moved to approve the balance of the report. MR. MILLS seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 29

February 11, 2010	ENERGY & ENVIRONMENT COMMITTEE REPORT NO. 2
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ALL MEMBERS PRESENT.

CHAIR MILLER-WILLIAMS PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
 - a. INTRO 25-6 (2009)
MARINELLI, WHYTE, MILLER-WILLIAMS, KOZUB, GRANT, LOUGHRAN,
KENNEDY & MAZUR: “Requesting that the Commissioner of Parks, the Commissioner of

Personnel and the County Attorney Appear at the next EE Committee Meeting Regarding Status of Transfer of City Parks, Related Equipment and City Personnel”
(6-0)

- b. COMM. 2M-8 (2010)
EC SOIL & WATER CONSERVATION DISTRICT: “Letter to Chair Miller-Williams Concerning Board Appointments”
(6-0)
- c. COMM. 2M-11 (2010)
NYS DEC: “Fish and Wildlife Monthly Highlights”
(6-0)
- d. COMM. 2M-12 (2010)
NYS DEC: “Notice of Certification - Brownfield Cleanup Program”
(6-0)
- e. COMM. 3E-11 (2010)
COUNTY EXECUTIVE: “ECSD No. 3 Engineer Term Agreement - Greenman-Pederson, Inc.”
(6-0)
- f. COMM. 3E-15 (2010)
COUNTY EXECUTIVE: “ECSD No. 1 & 4 Engineer Term Agreement - Liro Engineers, Inc.” (6-0)
- g. COMM. 3E-16 (2010)
COUNTY EXECUTIVE: “ECSD No. 2 & 6 Engineer Term Agreement - Dinato Associates”
(6-0)
- h. COMM. 3E-17 (2010)
COUNTY EXECUTIVE: “Semi-Annual Attendance Records - Boards of Managers - ECSD”
(6-0)
- i. COMM. 3D-4 (2010)
ENVIRONMENT & PLANNING COMMISSIONER: “Copy of Completion Memos and Supporting Documentation Relating to the State Environmental Quality Reviews of the 2010 Capital Budget Projects”
(6-0)
- j. COMM. 3M-11 (2010)
US DEPARTMENT OF ENERGY: “West Valley Demonstration Project - Final Environmental Impact Statement”
(6-0)
- k. COMM. 3M-23 (2010)
ERIE COUNTY WATER AUTHORITY: “Copy of Erie County Water Authorities Unaudited Comparative Financial Statements for the Years Ended 12/31/09 & 08”

(6-0)

2. COMM. 3E-1 (2010)
COUNTY COMPTROLLER
RESOLUTION NO. ____-2010

BOND RESOLUTION DATED _____, 2010

BOND RESOLUTION AUTHORIZING THE ISSUANCE OF \$9,000,000 BONDS OF THE COUNTY OF ERIE, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF AN INCREASE AND IMPROVEMENT OF THE FACILITIES OF ERIE COUNTY SEWER DISTRICT NO. 4; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$9,000,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$9,000,000 BONDS HEREIN AUTHORIZED; PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS; AND PROVIDING FOR REIMBURSEMENT TO SAID COUNTY.

(Introduced) _____, 2010

(Adopted) _____, 2010

WHEREAS, pursuant to proceedings had and taken in accordance with the provisions of Article 5A of the County Law and more particularly a resolution of this County Legislature dated January 21, 2010, an increase and improvement of facilities for Sewer District No. 4 has been approved at a estimated maximum cost of \$9,000,000, and

WHEREAS, it is now desired to provide for the financing of said costs, NOW THEREFORE BE IT

RESOLVED BY THE COUNTY LEGISLATURE OF THE COUNTY OF ERIE, NEW YORK (by the affirmative vote of not less than two-thirds of the voting strength of said Legislature), 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, as amended (the "Law"), and to the provisions of other laws applicable thereto, \$9,000,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost of an increase and improvement of facilities for Erie County Sewer District No. 4, consisting of the replacement of lateral, interceptor and trunk sewers, infrastructure improvements to various pump stations and the reconstruction of various other sewers in and for the District, all as more fully described in the report and estimate of cost approved by the Board of Managers of said District on September 2, 2009, and filed with the County Legislature pursuant to Section 268 of the County Law. The estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and to the financing thereof, is \$9,000,000. The plan of financing includes the issuance of \$9,000,000 bonds herein authorized and any bond anticipation notes issued in anticipation of the sale of such bonds, and the levy of a tax to pay the principal of and interest on said bonds and notes, the said principal and interest to be reimbursed to the County by the assessment and levy on the real property in Erie County Sewer District No. 4, as well as the contracting communities including Erie County Sewer District No. 1, West Seneca District No. 6, Cheektowaga Sewer District No. 3, and Lancaster town sewer districts, all in accordance with their respective proportionate shares of equalized assessed value in the District.

Section 2. The period of probable usefulness for the specific objects or purposes for which said \$9,000,000 bonds herein authorized to be issued, within the limitations of Section 11.00 a. 4. of the Law, is forty (40) years.

Section 3. Current funds are not required to be provided as a down payment prior to the issuance of the \$9,000,000 bonds authorized herein, or any bond anticipation notes issued in anticipation thereof, pursuant to Section 107.00 d. 3. of said Law.

Section 4. The County intends to finance, and the Comptroller of the County is hereby authorized to advance such amounts as are necessary to pay the costs of the object or purpose described in Section 1 hereof prior to the issuance of the bonds or bond anticipation notes authorized out of any available funds of the County, on an interim basis, which amounts are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the County, pursuant to this Resolution, in the maximum amount of bonds herein authorized. This Resolution is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 5. Subject to the provisions of this Resolution and of the Law, and pursuant to the provisions of §21.00 relative to providing for substantially level or declining annual debt service, §30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and of §§50.00, 56.00 to 60.00 and 168.00 of said Law, the powers and duties of the County Legislature relative to authorizing the issuance of any notes in anticipation of the sale of the respective amounts of bonds herein authorized, or the renewals thereof, relative to prescribing the terms, form and contents and as to the sale and issuance of the respective amounts of bonds herein authorized, and of any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and relative to executing agreements for credit enhancement, are hereby delegated to the Comptroller of the County, as the chief fiscal officer of the County.

Section 6. Each of the bonds authorized by this Resolution and any bond anticipation notes issued in anticipation of the sale thereof shall contain the recital of validity prescribed by Section 52.00 of said Local Finance Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the County of Erie, payable as to both principal and interest by general tax upon all the taxable real property within the County without limitation as to rate or amount. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and provision shall be made annually in the budgets of the County by appropriation for (a) the amortization and redemption of the notes and bonds to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 7. The validity of the bonds authorized by this Resolution and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of this Resolution, or a summary hereof, are not substantially complied with, and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This Resolution shall take effect immediately upon approval by the County Executive.
(6-0)

**DANIEL M. KOZUB
CHAIR**

MS. WHYTE moved to approve item Number 2. MS. MARINELLI seconded.

CHAIR MILLER-WILLIAMS directed that a roll-call vote be taken.

AYES: MS. DIXON, MR. FUDOLI, MR. HARDWICK, MR. MILLS, MR. RATH, MR. WALTER, MS. BOVE, MS. GRANT, MR. KENNEDY, MR. LOUGHRAN, MS. MARINELLI, MR. MAZUR, CHAIR MILLER-WILLIAMS and MS. WHYTE. NOES: None. (AYES: 14; NOES: 0)

CARRIED UNANIMOUSLY.

Item 25 – MR. LOUGHRAN presented the following report and moved for immediate consideration and approval. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 30

February 11, 2010	COMMUNITY ENRICHMENT COMMITTEE REPORT NO. 1
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ALL MEMBERS PRESENT.

CHAIR MILLER-WILLIAMS PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 9E-37 (2009)
MARINELLI, WHYTE, GRANT, IANNELLO, MILLER-WILLIAMS, MAZUR & KENNEDY: “Copy of Letter to County Attorney Regarding 2009 Cultural Funding Contracts”
(5-0) Chair Miller-Williams not present for vote.
 - b. COMM. 10D-3 (2009)
MAJORITY COUNSEL, EC LEGISLATURE: “Copy of Letter to County Attorney Regarding Request for Documents Relating the Annual Review of Cultural Funding Requests”
(5-0) Chair Miller-Williams not present for vote.
 - c. COMM. 10D-7 (2009)
COUNTY ATTORNEY: “Erie County Cultural Resources Advisory Board”
(5-0) Chair Miller-Williams not present for vote.

- d. COMM. 11D-8 (2009)
COUNTY ATTORNEY: "Freedom of Information Law ("FOIL") Request"
(5-0) Chair Miller-Williams not present for vote.
- e. COMM. 12E-1 (2009)
MARINELLI, WHYTE & GRANT: "Copy of Letter to County Attorney - Reminder -
Opinion of the Term "Ex Officio""
(5-0) Chair Miller-Williams not present for vote.
- f. COMM. 12D-2 (2009)
COUNTY ATTORNEY: "Copy of Letter to Legislature Chair Concerning 2009 Cultural
Funding Contracts"
(5-0) Chair Miller-Williams not present for vote.
- g. COMM. 17D-9 (2009)
MAJORITY COUNSEL: "Copy of Letter to County Attorney Concerning FOIL Requests"
(5-0) Chair Miller-Williams not present for vote.
- h. COMM. 17D-11 (2009)
MAJORITY COUNSEL: "FOIL Request - Notice of Appeal"
(5-0) Chair Miller-Williams not present for vote.
- i. COMM. 17D-19 (2009)
COUNTY ATTORNEY: "Freedom of Information Law Request"
(5-0) Chair Miller-Williams not present for vote.
- j. INTRO 19-8 (2009)
MARINELLI, WHYTE & GRANT: "Recognizing the Important History of Buffalo & Black
Rock in the Promotional Efforts for the 200th Anniversary Celebration of the War of 1812"
(5-0) Chair Miller-Williams not present for vote.
- k. COMM. 19E-19 (2009)
GRANT, MARINELLI & REYNOLDS: "Letter to Environment & Planning Commissioner
Concerning ECCRAB 2010 Tentative Budget Determinations"
(5-0) Chair Miller-Williams not present for vote.
- l. COMM. 21E-22 (2009)
GRANT: "Letter to Commissioner of Environment & Planning Requesting Attendance at
Next Community Enrichment Committee Meeting"
(5-0) Chair Miller-Williams not present for vote.
- m. COMM. 21D-1 (2009)
ENVIRONMENT & PLANNING COMMISSIONER: "Response to Letter Regarding
Funding for Cultural Organizations in the Proposed 2010 EC Budget"
(5-0) Chair Miller-Williams not present for vote.
- n. COMM. 22M-13 (2009)

- BUFFALO & EC PUBLIC LIBRARY: “Agenda Items for Meeting Held 11/19/09 & Minutes from Meeting Held 10/15/09”
(5-0) Chair Miller-Williams not present for vote.
- o. COMM. 25E-3 (2009)
GRANT: “Copy of Letter to Environment & Planning Commissioner Requesting Attendance at an Upcoming Community Enrichment Committee Meeting”
(5-0) Chair Miller-Williams not present for vote.
- p. COMM. 25D-1 (2009)
EC HISTORIAN: “Progress Report for Projects Completed or In-Progress - 11/15/09”
(5-0) Chair Miller-Williams not present for vote.
- q. COMM. 27M-4 (2009)
NIAGARA ERIE REGIONAL COALITION: “Agenda Items for Meeting Held 12/11/09, and Minutes from Meeting Held 10/02/09”
(5-0) Chair Miller-Williams not present for vote.
- r. COMM. 1M-1 (2010)
BUFFALO & EC PUBLIC LIBRARY: “Agenda Items for Meeting Held 12/17/09 & Minutes from Meeting Held 11/19/09”
(5-0) Chair Miller-Williams not present for vote.
- s. COMM. 2M-1 (2010)
BUFFALO ZOO: “EC Legislature Budget Accountability Act - 2009 Close-Out Report”
(5-0) Chair Miller-Williams not present for vote.
- t. COMM. 2M-4 (2010)
ALLEYWAY THEATRE: “EC Legislature Budget Accountability Act - 2009 Close-Out Report”
(5-0) Chair Miller-Williams not present for vote.
- u. COMM. 2M-7 (2010)
SHAKESPEARE IN DELAWARE PARK: “EC Legislature Budget Accountability Act - 2009 Close-Out Report”
(5-0) Chair Miller-Williams not present for vote.
- v. COMM. 2M-9 (2010)
BURCHFIELD PENNEY ART CENTER: “EC Legislature Budget Accountability Act - 2009 Close-Out Report”
(5-0) Chair Miller-Williams not present for vote.
- w. COMM. 2M-10 (2010)
BUFFALO FINE ARTS ACADEMY DBA ALBRIGHT-KNOX ART GALLERY: “EC Legislature Budget Accountability Act - 2009 Close-Out Report”
(5-0) Chair Miller-Williams not present for vote.
- x. COMM. 2M-13 (2010)

- JUST BUFFALO LITERACY CENTER, INC.: "EC Legislature Budget Accountability Act - 2009 Close-Out Report"
(5-0) Chair Miller-Williams not present for vote.
- y. COMM. 3M-1 (2010)
BUFFALO & EC PUBLIC LIBRARY: "Agenda Items for Meeting Held 1/21/10"
(5-0) Chair Miller-Williams not present for vote.
- z. COMM. 3M-2 (2010)
MARTIN HOUSE RESTORATION CORP.: "EC Legislature Budget Accountability Act - 2009 Close-Out Report"
(5-0) Chair Miller-Williams not present for vote.
- aa. COMM. 3M-3 (2010)
IRISH CLASSICAL THEATRE COMPANY: "EC Legislature Budget Accountability Act - 2009 Close-Out Report"
(5-0) Chair Miller-Williams not present for vote.
- bb. COMM. 3M-4 (2010)
BALLET ARTISTS OF WNY INC.: "EC Legislature Budget Accountability Act - 2009 Close-Out Report"
(5-0) Chair Miller-Williams not present for vote.
- cc. COMM. 3M-5 (2010)
ARTS STUDIOS OF WNY: "EC Legislature Budget Accountability Act - 2009 Close-Out Report"
(5-0) Chair Miller-Williams not present for vote.
- dd. COMM. 3M-6 (2010)
CORNELL COOPERATIVE EXTENSION OF EC: "EC Legislature Budget Accountability Act - 2009 Close-Out Report"
(5-0) Chair Miller-Williams not present for vote.
- ee. COMM. 3M-7 (2010)
BUFFALO PHILHARMONIC ORCHESTRA: "EC Legislature Budget Accountability Act - 2009 Close-Out Report"
(5-0) Chair Miller-Williams not present for vote.
- ff. COMM. 3M-8 (2010)
GRAYCLIFF CONSERVANCY, INC.: "EC Legislature Budget Accountability Act - 2009 Close-Out Report"
(5-0) Chair Miller-Williams not present for vote.
- gg. COMM. 3M-9 (2010)
HAMBURG NATURAL HISTORY SOCIETY, INC./PENN DIXIE: "EC Legislature Budget Accountability Act - 2009 Close-Out Report"
(5-0) Chair Miller-Williams not present for vote.

- hh. COMM. 3M-10 (2010)
AMERICAN LEGION BAND OF TONAWANDAS: "EC Legislature Budget
Accountability Act - 2009 Close-Out Report"
(5-0) Chair Miller-Williams not present for vote.
- ii. COMM. 3M-12 (2010)
THEODORE ROOSEVELT INAUGURAL SITE FOUNDATION: "EC Legislature Budget
Accountability Act - 2009 Close-Out Report"
(5-0) Chair Miller-Williams not present for vote.
- jj. COMM. 3M-17 (2010)
THE ARTS IN EDUCATION INSTITUTE OF WNY, INC.: "EC Legislature Budget
Accountability Act - 2009 Close-Out Report"
(5-0) Chair Miller-Williams not present for vote.
- kk. COMM. 3M-20 (2010)
CEPA GALLERY: "EC Legislature Budget Accountability Act - 2009 Close-Out Report"
(5-0) Chair Miller-Williams not present for vote.
- ll. COMM. 3M-21 (2010)
SPRINGVILLE CENTER FOR THE ARTS: "EC Legislature Budget Accountability Act -
2009 Close-Out Report"
(5-0) Chair Miller-Williams not present for vote.
- mm. COMM. 3M-24 (2010)
THE WNY ARTISTS GROUP, INC.: "EC Legislature Budget Accountability Act - 2009
Close-Out Report"
(5-0) Chair Miller-Williams not present for vote.
- nn. COMM. 3M-26 (2010)
BUFFALO NIAGARA CONVENTION & VISITORS BUREAU: "EC Legislature Budget
Accountability Act - 2009 Close-Out Report"
(5-0) Chair Miller-Williams not present for vote.
- oo. COMM. 3M-27 (2010)
BUFFALO NIAGARA CONVENTION CENTER: "EC Legislature Budget Accountability
Act - 2009 Close-Out Report"
(5-0) Chair Miller-Williams not present for vote.
- pp. COMM. 3M-28 (2010)
THE BUFFALO TRANSPORTATION/PIERCE - ARROW MUSEUM: "EC Legislature
Budget Accountability Act - 2009 Close-Out Report"
(5-0) Chair Miller-Williams not present for vote.
- qq. COMM. 3M-29 (2010)
BUFFALO & EC HISTORICAL SOCIETY: "EC Legislature Budget Accountability Act -
2009 Close-Out Report"
(5-0) Chair Miller-Williams not present for vote.

- rr. COMM. 3M-30 (2010)
ZOOLOGICAL SOCIETY OF BUFFALO: "2010 Budget Accountability Act Submission"
(5-0) Chair Miller-Williams not present for vote.
- ss. COMM. 3M-31 (2010)
MUSICAL FARE THEATRE: "EC Legislature Budget Accountability Act - 2009 Close-Out Report"
(5-0) Chair Miller-Williams not present for vote.
- tt. COMM. 3M-32 (2010)
BIG ORBIT GALLERY: "EC Legislature Budget Accountability Act - 2009 Close-Out Report"
(5-0) Chair Miller-Williams not present for vote.
- uu. COMM. 3M-33 (2010)
LANCASTER OPERA HOUSE, INC.: "EC Legislature Budget Accountability Act - 2009 Close-Out Report"
(5-0) Chair Miller-Williams not present for vote.
- vv. COMM. 3M-34 (2010)
EXPLORE & MORE CHILDREN'S MUSEUM: "EC Legislature Budget Accountability Act - 2009 Close-Out Report"
(5-0) Chair Miller-Williams not present for vote.

**THOMAS A. LOUGHRAN
CHAIR**

LEGISLATOR RESOLUTIONS

Item 26 – MS. WHYTE presented the following resolution and moved for immediate consideration. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 31

RE: Asking State Government to Except
Municipal & Public Benefit
Corporations from Community Ratings
with Regards to Purchasing Health
Insurance
(INTRO 4-1)

**A RESOLUTION TO BE SUBMITTED BY
LEGISLATORS KOZUB, WHYTE, MARINELLI,
GRANT, MAZUR & LOUGHRAN**

WHEREAS, according to the New York State Comptroller's 2007 Annual Report on Local Government, spending by local government is increasing by more than double the rate of inflation; and

WHEREAS, one of the main reasons for this increase is due to the high cost of employee benefits, and that health insurance comprises about 50% of the spending on employee benefits; and

WHEREAS, municipalities are attempting to control the high cost of health insurance by taking advantage of economies of scale and developing shared insurance plans with neighboring municipalities; and

WHEREAS, many larger municipalities have joined multiple employer or similar trusts to jointly purchase health insurance plans; and

WHEREAS, by joining multiple employer and similar trusts and spreading the risk across a larger pool of the insured, these municipalities have lowered health insurance costs by such things as reducing administrative costs through negotiating power, amortizing costs across similar risk pools and risk sharing, all in an effort to stabilize health claims cost; and

WHEREAS, small municipalities with 50 or fewer employees are unable to take advantage of these cost savings due to New York's community rating laws; and

WHEREAS, since 1992, New York has required that individual and small group health insurance policies, those insuring groups of 50 or fewer, be community rated; and

WHEREAS, under community rating the premium is determined by the collective claims experience of all insured in a particular community pool, without regard to age, sex, health status or occupations. Conversely, premiums for groups with more than 50 members are developed using experience rating methodology which determines the premium based upon a portion of all of the group's specific claims experience; and

WHEREAS, small municipalities have not been allowed to join multiple employer or similar trusts and cannot share in the cost savings benefits associated with these experience rate trusts; and

WHEREAS, Assembly Bill A2246 and Senate Bill S5080 would allow small municipalities to join multiple employer or similar trusts that are experience rated so they may share in the health insurance cost savings of these trusts.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature goes on record as supporting the Association of Erie County Governments, and the municipalities that the Association represents, to call upon the Governor and the New York State Legislature to change the present insurance law by excepting from community rating requirements group health insurance policies issued to trusts consisting of municipal corporations and public health benefit corporations; and be it further

RESOLVED, that the Erie County Legislature forward certified copies of this resolution to Governor David Paterson, the Western New York State Legislative Delegation, Senate Majority Leader Pedro Espada, Jr., Assembly Speaker Sheldon Silver, and County Executive Chris Collins.

MS. WHYTE moved to amend the resolution by adding Et Al Sponsorship. MR. HARDWICK seconded.

CARRIED UNANIMOUSLY.

MS. WHYTE moved to approve the resolution as amended. MR. MAZUR seconded.

CARRIED UNANIMOUSLY.

Item 27 – MS. MARINELLI presented the following resolution and moved for immediate consideration and approval. MS. WHYTE seconded.

MR. KENNEDY moved to send the resolution to the FINANCE & MANAGEMENT COMMITTEE for further consideration. MR. MILLS seconded.

CHAIR MILLER-WILLIAMS directed that a roll-call vote be taken.

AYES: MS. DIXON, MR. FUDOLI, MR. HARDWICK, MR. MILLS, MR. RATH, MR. WALTER, MS. BOVE, MR. KENNEDY, MR. LOUGHRAN and CHAIR MILLER-WILLIAMS. NOES: MS. GRANT, MS. MARINELLI, MR. MAZUR and MS. WHYTE. (AYES: 10; NOES: 4)

CARRIED.

INTRO 4-2 from MARINELLI. Continued Imposition & Sharing of Additional 1% Sales Tax; Need for Introduction & Enactment of State Authorization Legislation.

Item 28 – CHAIR MILLER-WILLIAMS directed that the following item be referred to the FINANCE & MANAGEMENT COMMITTEE.

GRANTED.

INTRO 4-3 from KOZUB. Urging the Governor to Withdraw Consideration of Delaying Payment of Tax Refunds to Individuals.

Item 29 – CHAIR MILLER-WILLIAMS directed that the following item be referred to the ECONOMIC DEVELOPMENT COMMITTEE.

GRANTED.

INTRO 4-4 from MARINELLI. In Opposition to the IDA Tax Imposed on All Local Industrial Development Agencies by NYS as a Means to Help Close the State's Budget Deficit.

Item 30 – CHAIR MILLER-WILLIAMS directed that the following item be referred to the PUBLIC SAFETY COMMITTEE.

GRANTED.

INTRO 4-5 from WALTER, MILLS, RATH, DIXON, FUDOLI & HARDWICK.
Supporting NYS Assembly Bills A. 4444, A. 2204 & A. 4569 & Senate Bills S. 528, S. 2944 & S. 543, Which Provide Assistance for Disabled First Responders.

Item 31 – MS. WHYTE presented the following resolution and moved for immediate consideration. MR. RATH seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 32

RE: Opposing NYS Funding Cuts to
Community Colleges
(INTRO 4-6)

**A RESOLUTION TO BE SUBMITTED BY
LEGISLATORS RATH, MILLS, WALTER,
DIXON, FUDOLI & HARDWICK**

WHEREAS, Erie Community College is an important asset to the Western New York community, providing quality education to graduating high school students, as well as non-traditional students seeking to expand their skill sets or seeking training after a job loss; and

WHEREAS, Erie Community College has seen record enrollments, with the student population increasing 5% over the 2008-2009 academic year and nearly 50% over the past decade; and

WHEREAS, Erie Community college recently sustained a midyear budget cut of \$130 per FTE under the New York State Deficit Reduction Plan adopted in December 2009, which resulted in a loss of state base aid to ECC of \$1.3 million; and

WHEREAS, the Executive Budget for FY 2010-2011 proposes an additional cut of \$285 per FTE in base aid, which, when taken together with the midyear cuts, represents a total reduction of \$415 per FTE in funding resulting in a \$2.5 million loss in aid to ECC for 2010-2011, a total reduction of \$4 million over one year, and a return to base funding levels of a decade ago; and

WHEREAS, such cuts, if adopted, will dramatically undermine the efforts of Erie Community College, as well as all 30 community colleges in the SUNY system, to adequately meet the growing needs of their communities for quality, affordable, and accessible higher education, and which could result in limitations on student enrollment and elimination of programs, as well as staff layoffs.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby opposes additional cuts to state base aid for community colleges, including Erie Community College; and be it further

RESOLVED, that the Erie County Legislature strongly urges the Governor and the New York State Legislature to maintain base aid funding at \$2,545 per FTE; and be it further

RESOLVED, that a certified copy of this resolution be forwarded to Governor David Paterson, Assembly Speaker Sheldon Silver, Senate Majority Leader Pedro Espada Jr. and the local delegation to the New York State Legislature.

MS. MARINELLI moved to amend the resolution by adding Et Al Sponsorship. MR. RATH seconded.

CARRIED UNANIMOUSLY.

MS. WHYTE moved to approve the resolution as amended. MR. RATH seconded.

CARRIED UNANIMOUSLY.

Item 32 – MS. WHYTE presented the following resolution and moved for immediate consideration. MR. MAZUR seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 33

RE: Compliance with 2010 Adopted as Amended EC Legislature Budget (INTRO 4-7)

**A RESOLUTION TO BE SUBMITTED BY
LEGISLATORS MARINELLI, WHYTE, GRANT & MAZUR**

WHEREAS, the 2010 Erie County budget was adopted, as amended, 12-3, with the following:

Budget Resolution - Amendment N

ADD the following BUDGET RESOLUTION after the last BUDGET RESOLUTION:

RESOLVED, that the Commissioner of Personnel and the Director of Budget & Management are directed to file monthly reports with the Clerk of the Erie County Legislature identifying all vacant funded positions and such reports shall include the length of time each position has been vacant, the salary for each position, the source of funding for each vacant position and the County's share of the funding for each position; and

WHEREAS, the County Executive indicated the cultural organizations and other not-for-profit groups that are to receive funds added by the Erie County Legislature would not receive the additional allocations until March 2011 due to the use of the turnover account; a decision that this Honorable Body does not concur, but which makes the vacancy, hiring and separations reporting necessary; and

WHEREAS, it is therefore important for groups who are to receive funds by contract, as well as for appropriate monitoring of the 2010 adopted, as amended Erie County Budget, and on behalf of the public for accountability and transparency.

NOW, THEREFORE, BE IT

RESOLVED, the Erie County Legislature calls upon the Commissioner of Personnel and the Director of Budget & Management to comply with Budget Resolution Amendment N; and be it further

RESOLVED, that certified copies of this resolution shall be sent to the County Executive, the County Commissioner of Personnel, the County Director of Budget & Management, the Erie County Comptroller, and members of the Erie County Fiscal Stability Authority.

MS. WHYTE moved to amend the resolution by adding CHAIR MILLER-WILLIAMS, MR. KENNEDY, MS. BOVE and MR. LOUGHRAN as Co-Sponsors. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

MS. WHYTE moved to approve the resolution as amended. MS. MARINELLI seconded. MS. DIXON, MR. FUDOLI, MR. MILLS, MR. RATH and MR. WALTER voted in the negative.

CARRIED. (9-5)

Item 33 – MS. WHYTE presented the following resolution and moved for immediate consideration. MR. RATH seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 34

RE: Calling Upon NYS and the Federal Government to Support Funding for Daycare Services for Working Families Earning Up to 200% of the Poverty Level
(INTRO 4-8)

**A RESOLUTION TO BE SUBMITTED BY
LEGISLATORS RATH, MAZUR & WHYTE**

WHEREAS, due to funding cuts by New York State, Erie County changed its eligibility guidelines for providing day care services for families, making families who earn in excess of 125% of the poverty level but less than 200% ineligible for daycare services while the parents work; and

WHEREAS, twenty-four counties currently receive monies sufficient to fund daycare programs for families earning up to 200% of the poverty level; and

WHEREAS, Monroe County receives New York State funding which enables it to fund daycare for families earning up to 165% of the poverty level; and

WHEREAS, the change in eligibility guidelines in Erie County has the potential to impact the families of approximately 1,500 Erie County children; and

WHEREAS, Erie County needs help from New York State and from the federal government to continue funding the program for families up to 200% of the poverty level and still maintain a balanced budget into the future without increasing taxes; and

WHEREAS, this legislature feels that imposing additional taxes on Erie County residents during these difficult economic times is unduly burdensome and counterproductive to economic recovery; and

WHEREAS, this legislature does not believe that it is prudent to risk forcing individuals to leave gainful employment and force their families to seek welfare assistance, solely because they cannot afford day care for their children while they are at work; and

WHEREAS, assistance from New York State is needed to prevent working mothers from leaving gainful employment and instead seek welfare assistance, due to an inability to afford daycare for their children while they are at work.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature respectfully requests that the New York State Legislature and Governor continue to provide funding to Erie County sufficient to provide daycare services for those making less than 200% of the poverty level and ensure that working parents in Erie County remain in the workforce; and be it further

RESOLVED, that the Erie County Legislature respectfully request support from the Federal Government to continue providing day care subsidies; and be it further

RESOLVED, that a certified copy of this resolution be forwarded to Governor David Paterson, Assembly Speaker Sheldon Silver, Senate Majority Leader Pedro Espada Jr., the local delegation to the New York State Legislature, the WNY Congressional delegation, and Senators Schumer and Gilibrand.

MS. WHYTE moved to amend the resolution by adding Et Al Sponsorship. MR. KENNEDY seconded.

CARRIED UNANIMOUSLY.

MS. WHYTE moved to approve the resolution as amended. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

Item 34 – MS. WHYTE presented the following resolution and moved for immediate consideration. MR. KENNEDY seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 35

RE: Requesting Google Fiber Broadband
Testing in EC
(INTRO 4-9)

**A RESOLUTION TO BE SUBMITTED BY
LEGISLATORS KENNEDY, MILLER-WILLIAMS, WHYTE,
MILLS, WALTER, MAZUR, DIXON & RATH**

WHEREAS, Google, in anticipation of the Federal Communications Commission (FCC) National Broadband Plan mandated by the American Recovery and Reinvestment Act (ARRA) of 2009, has put out a Request For Information (RFI) from communities with a population cap between 50,000 to 500,000 to test a new broadband fiber ultra high speed network; and

WHEREAS, Google's RFI has asked local government agencies to provide the necessary information that would determine how a collaboration could develop, including the support that has been established within the local community, local weather conditions, and any regulatory issues that may arise; and

WHEREAS, this new network will deliver Internet speed 100 times faster to Americans with 1 gigabit per second with fiber-to-the-home connections at a competitive price; and

WHEREAS, Google will test ways to build fiber networks, work with community resources, and develop new deployment techniques; and

WHEREAS, Google's new network will work in conjunction with service providers such as Time Warner and Verizon, making it an open access network that provides transparency; and

WHEREAS, this broadband fiber network will provide faster speeds in order to drive innovation among small business and the medical and educational communities, which will provide better services to communities; and

WHEREAS, this broadband fiber network will aid in the development of next generation applications that will further innovation among its users; and

WHEREAS, several studies from multiple organizations such as the Brookings Institute, MIT, and the World Bank, among others, have concluded that small increases in broadband adoption can yield hundreds of thousands of new jobs; and

WHEREAS, Google's experiment has already received support from local and Congressional political leaders, including Senator Charles Schumer, who recognize this opportunity as beneficial to communities among New York state both in terms of internet accessibility and economic growth; and

WHEREAS, Yahoo Inc. committed to so many jobs in the WNY region in 2009 and this investment from Google would be in line with their competitor's commitment to this region.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature recognize and support this endeavor, which would secure Erie County as one of the test communities for Google's broadband fiber network, by completing the Google RFI; and be it further

RESOLVED, that this RFI be sent to the appropriate entities, including County Engineers, for completion and submission.

MS. WHYTE moved to amend the resolution by adding Et Al Sponsorship. MS. BOVE seconded.

CARRIED UNANIMOUSLY.

MS. WHYTE moved to approve the resolution as amended. MR. KENNEDY seconded.

CARRIED UNANIMOUSLY.

Item 35 – CHAIR MILLER-WILLIAMS directed that the following item be referred to the PUBLIC SAFETY COMMITTEE.

GRANTED.

INTRO 4-10 from WHYTE, GRANT & MAZUR. Suicide at EC Holding Center.

Item 36 – CHAIR MILLER-WILLIAMS directed that the following item be referred to the ECONOMIC DEVELOPMENT COMMITTEE.

GRANTED.

INTRO 4-11 from WHYTE, GRANT, MAZUR, KOZUB & MARINELLI. Canal Side Development Project.

COMMUNICATIONS DISCHARGED FROM COMMITTEE

Item 37 – MS. WHYTE moved to discharge the GOVERNMENT AFFAIRS COMMITTEE of further consideration of COMM. 17E-33 (2009). MR. WALTER seconded. MS. WHYTE voted in the negative.

CARRIED. (13-1)

RESOLUTION NO. 36

RE: Transfer of Funds for Furthering Swipe
Card System200
(COMM. 17E-33, 2009)

WHEREAS, the swipe card system has been installed in the entire Rath Building; and

WHEREAS, the new swipe card system is working effectively to record employees' time while eliminating the need for paper timesheets and manual data entry; and

WHEREAS, it is now the desire of Erie County to expand the swipe card system to locations outside the Rath Building including Youth Detention, Social Services (various sites) and the Health Department (various sites); and

WHEREAS, in order to expand the system, funds need to be moved into the Professional Services accounts of Buildings & Grounds to pay U&S Services for the installation under a current State contract.

NOW, THEREFORE, BE IT

RESOLVED, the Erie County Legislature authorizes funds in the amount of \$280,000 to be moved from Bond Anticipation Interest #550800 Fund 110 Fund Center 17000 to SAP Account Fund 110, Fund Center 12220, Account 516020 Professional Services; and be it further

RESOLVED, that two certified copies of this resolution be sent to the Department of Personnel and the Department of Public Works, Division of Real Estate & Asset Management, and one copy each to the Office of the County Executive, the Department of Budget and Management and the Office of the Comptroller.

MS. WHYTE moved to amend the item. MR. WALTER seconded.

CARRIED UNANIMOUSLY.

Delete the Resolution in its Entirety and Insert the Following:

WHEREAS, the swipe card system has been installed in the entire Rath Building; and

WHEREAS, the new swipe card system is working effectively to record employees' time while eliminating the need for paper timesheets and manual data entry; and

WHEREAS, it is now the desire of Erie County to expand the swipe card system to locations outside the Rath Building including Youth Detention, Social Services (various sites) and the Health Department (various sites); and

WHEREAS, in order to expand the system, funds need to be moved into the Professional Services accounts of Buildings & Grounds to pay U&S Services for the installation under a current State contract.

NOW, THEREFORE, BE IT

RESOLVED, the Erie County Legislature authorizes funds in the amount of \$244,256 to be moved from Bond Anticipation Interest #550800 Fund 110 Fund Center 17000 to SAP Account Fund 110, Fund Center 12220, Account 516020 Professional Services; and be it further

Account 561420 Office Equipment \$46,000

and be it further

RESOLVED, that the Director of Budget and Management and Comptroller's Office are hereby authorized to make necessary budget and accounting entries; and be it further

RESOLVED, that two (2) certified copies of this resolution be forwarded to the Board of Elections, one (1) certified copy be forwarded to the Division of Budget and Management, the Office of the Comptroller, the County Attorney's Office and the Division of Purchase.

MS. WHYTE moved to approve the item. MS. GRANT seconded.

CARRIED UNANIMOUSLY.

Item 39 – MS. WHYTE moved to discharge the FINANCE & MANAGEMENT COMMITTEE of further consideration of COMM. 1E-25 (2010). MR. MAZUR seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 38 RE: OPEN ITEM - Finance & Management Committee - Correction of Errors/NYS Real Property Tax Law (COMM. 1E-25, 2010)

MS. WHYTE moved to amend the item. MR. WALTER seconded.

CARRIED UNANIMOUSLY.

Insert the Following Resolution:

WHEREAS, the Erie County Director of Real Property Tax Services has received applications for corrected tax billings and / or refunds for taxes previously paid in accordance with New York State Real Property Tax Law sections 554 and 556; and

WHEREAS, the Director has investigated the validity of such applications (see attached listing).

NOW, THEREFORE, BE IT

RESOLVED, that petitions numbered 209324 through 209332, and 210001 through 210092, inclusive be hereby approved or denied based upon the recommendation of the Director of Real Property Tax Services and be charged back to the applicable towns and/or cities:

FISCAL YEAR	2009	Petition No. 209,324.00
ASSESSOR	Refund	\$1,264.85

S-B-L 66.43-1-35 146489 TONAWANDA

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$1,264.85	Town/SpecialDist/School
<u>Charge To :</u>	146489 TONAWANDA	\$1,264.85	
	Relevy School	\$1,264.85	146401 KEN-TON UNION FREE

RPTL 550(2): THE ENHANCED STAR WAS REMOVED IN ERROR
REFUND TO BE ISSUED TO: ELIZABETH HUCKABONE

FISCAL YEAR	2009	Petition No.	209,325.00
	ASSESSOR	Refund	\$468.98

S-B-L 250.08-4-49 144489 EVANS

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$468.98	Town/SpecialDist/School
<u>Charge To :</u>	144489 EVANS	\$468.98	
	Relevy School	\$468.98	144401 LAKE SHORE CENTRAL

RPTL 550(2): BASIC STAR WAS REMOVED IN ERROR
REFUND TO BE ISSUED TO: SOPHIA SCHRADER

FISCAL YEAR	2007	Petition No.	209,326.00
	ASSESSOR	Refund	\$296.64

S-B-L 128.00-4-10 145289 LANCASTER

	Acct. No. 112	\$143.83	County
	Acct. No. 132	\$152.81	Town/SpecialDist/School
<u>Charge To :</u>	145289 LANCASTER	\$152.81	

RPTL 550(2): ADJUSTMENT NOT MADE FOR A PARAPLEGIC EXEMPTION
REFUND TO BE ISSUED TO: STANLEY KANDEFER

FISCAL YEAR	2008	Petition No.	209,327.00
	ASSESSOR	Refund	\$309.25

S-B-L 128.00-4-10 145289 LANCASTER

	Acct. No. 112	\$152.51	County
	Acct. No. 132	\$156.74	Town/SpecialDist/School
<u>Charge To :</u>	145289 LANCASTER	\$156.74	

RPTL 550(2): ADJUSTMENT NOT MADE FOR A PARAPLEGIC EXEMPTION
REFUND TO BE ISSUED TO: STANLEY KANDEFER

FISCAL YEAR 2009 Petition No. 209,328.00

ASSESSOR Refund \$317.92

S-B-L 128.00-4-10 145289 LANCASTER

Acct. No. 112 \$157.79 County
Acct. No. 132 \$160.13 Town/SpecialDist/School

Charge To : 145289 LANCASTER \$160.13

RPTL 550(2): ADJUSTMENT NOT MADE FOR A PARALEGIC EXEMPTION
REFUND TO BE ISSUED TO: STANLEY KANDEFER

FISCAL YEAR 2008 Petition No. 209,329.00

ASSESSOR Refund \$454.53

S-B-L 128.00-4-10 145289 LANCASTER

Acct. No. 112 \$0.00 County
Acct. No. 132 \$454.53 Town/SpecialDist/School

Charge To : 145289 LANCASTER \$454.53
Relevy School \$454.53 144201 IROQUOIS CENTRAL

RPTL 550(2): ADJUSTMENTS NOT MADE FOR A PARAPLEGIC EXEMPTION
REFUND TO BE ISSUED TO: STANLEY KANDEFER

FISCAL YEAR 2007 Petition No. 209,330.00

ASSESSOR Refund \$437.96

S-B-L 128.00-4-10 145289 LANCASTER

Acct. No. 112 \$0.00 County
Acct. No. 132 \$437.96 Town/SpecialDist/School

Charge To : 145289 LANCASTER \$437.96
Relevy School \$437.96 144201 IROQUOIS CENTRAL

RPTL 550(2): ADJUSTMENT NOT MADE FOR A PARAPLEGIC EXEMPTION
REFUND TO BE ISSUED TO: STANLEY KANDEFER

FISCAL YEAR 2009 Petition No. 209,331.00

ASSESSOR Refund \$470.55

S-B-L 128.00-4-10 145289 LANCASTER

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$470.55	Town/SpecialDist/School
<u>Charge To :</u>	145289 LANCASTER	\$470.55	
	Relevy School	\$470.55	144201 IROQUOIS CENTRAL

RPTL 550(2): ADJUSTMENT NOT MADE FOR A PARAPLEGIC EXEMPTION
REFUND TO BE ISSUED TO: STANLEY KANDEFER

FISCAL YEAR	2009	Petition No.	209,332.00
	ASSESSOR	Refund	\$1,146.65

S-B-L 114.16-7-16 143089 CHEEKTOWAGA

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$1,146.65	Town/SpecialDist/School
<u>Charge To :</u>	143089 CHEEKTOWAGA	\$1,146.65	
	Relevy School	\$1,146.65	143007 DEPEW UNION-CHEEK

RPTL 550(2): REMOVED AN AGED STAR IN ERROR
REFUND TO BE ISSUED TO: LORRAINE PIKUZINSKI

FISCAL YEAR	2009	Petition No.	209,333.00
	ASSESSOR	Refund	\$814.75

S-B-L 113.62-5-13 143089 CHEEKTOWAGA

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$814.75	Town/SpecialDist/School
<u>Charge To :</u>	143089 CHEEKTOWAGA	\$814.75	
	Relevy School	\$814.75	143009 SLOAN UNION #9

RPTL 550(2): FAILED TO APPLY A BASIC STAR EXEMPTION
REFUND TO BE ISSUED TO: GREGORY & CRYSTAL GUZEK

FISCAL YEAR	2009	Petition No.	209,334.00
	ASSESSOR	Refund	\$573.19

S-B-L 270.00-6-9 145801 NORTH COLLINS

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$573.19	Town/SpecialDist/School
<u>Charge To :</u>	145801 NORTH COLLINS	\$573.19	
	Relevy School	\$573.19	145801 NORTH COLLINS CENT

RPTL 550(2): FAILED TO APPLY A BASIC STAR EXEMPTION
REFUND TO BE ISSUED TO: MICHAEL FYOCK

FISCAL YEAR 2009 Petition No. 209,335.00

 ASSESSOR Cancel \$939.52

S-B-L 252.00-3-13 144489 EVANS

 Acct. No. 112 \$0.00 County
 Acct. No. 132 \$939.52 Town/SpecialDist/School
Charge To : 144489 EVANS \$939.52
 Relevy School \$939.52 144401 LAKE SHORE CENTRAL

RPTL 550(2): FAILED TO APPLY A ENHANCED STAR EXEMPTION
NEW TAX BILL TO BE ISSUED TO: CHESTER SALVA

FISCAL YEAR 2009 Petition No. 210,001.00

 ASSESSOR Refund \$169.78

S-B-L 124.00-7-5.2/201 146800 WEST SENECA

 Acct. No. 112 \$65.44 County
 Acct. No. 132 \$104.34 Town/SpecialDist/School
Charge To : 146800 WEST SENECA \$104.34

RPTL 550(2): FAILED TO APPLY A VET EXEMPTION
REFUND TO BE ISSUED TO: DONALD J. GUAY

FISCAL YEAR 2009 Petition No. 210,002.00

 ASSESSOR Refund \$554.25

S-B-L 81.08-3-12 142289 AMHERST

 Acct. No. 112 \$0.00 County
 Acct. No. 132 \$554.25 Town/SpecialDist/School
Charge To : 142289 AMHERST \$554.25
 Relevy School \$554.25 142203 WILLIAMSVILLE CENT

RPTL 550(2): FAILED TO APPLY A BASIC STAR EXEMPTION
REFUND TO BE ISSUED TO: JAMES E & DENISE M O'DONNELL

FISCAL YEAR 2010 Petition No. 210,004.00

 ASSESSOR Cancel \$328.46

S-B-L 128.00-4-10 145289 LANCASTER

Acct. No. 112	\$161.67	County
Acct. No. 132	\$166.79	Town/SpecialDist/School
52002 2009 COMM COLLEGE	\$0.94	
<u>Charge To :</u>	145289 LANCASTER	\$165.85

RPTL 550(2): FAILED TO APPLY A DISABILITY EXEMPTION
NEW TAX BILL TO BE ISSUED TO: STANLEY KANDEFER

FISCAL YEAR 2010	Petition No.	210,005.00
ASSESSOR	Cancel	\$6,729.39

S-B-L 28.13-2-50 142289 AMHERST

Acct. No. 112	\$3,732.95	County
Acct. No. 132	\$2,996.44	Town/SpecialDist/School
52002 2009 COMM COLLEGE	\$64.72	
<u>Charge To :</u>	142289 AMHERST	\$2,931.72

RPTL 550(2): PARCEL SHOULD HAVE BEEN TAX EXEMPT FOR COUNTY
NEW TAX BILL TO BE ISSUED TO: HOPKINS COURT ASSOC. LP A NY CORP.

FISCAL YEAR 2010	Petition No.	210,006.00
ASSESSOR	Cancel	\$42.17

S-B-L 79.12-4-23 142289 AMHERST

Acct. No. 112	\$23.39	County
Acct. No. 132	\$18.78	Town/SpecialDist/School
52002 2009 COMM COLLEGE	\$0.41	
<u>Charge To :</u>	142289 AMHERST	\$18.37

RPTL 550(2): FAILED TO APPLY AN AGED EXEMPTION
NEW TAX BILL TO BE ISSUED TO: MARY ANNE VAN DYKE

FISCAL YEAR 2010	Petition No.	210,007.00
ASSESSOR	Cancel	\$61.36

S-B-L 107.04-1-17.1 142089 ALDEN

Acct. No. 112	\$31.71	County
Acct. No. 132	\$29.65	Town/SpecialDist/School
52002 2009 COMM COLLEGE	\$1.00	

Charge To : 142089 ALDEN \$28.65

RPTL 550(2): DUPLICATE PARCEL UNDER DIFFERENT SBL NUMBER
NEW TAX BILL TO BE ISSUED TO: KENNETH D BONTRAGER

FISCAL YEAR 2009 Petition No. 210,008.00

ASSESSOR Refund \$374.99

S-B-L 40.08-1-11 142289 AMHERST

Acct. No. 112 \$0.00 County
Acct. No. 132 \$374.99 Town/SpecialDist/School

Charge To : 142289 AMHERST \$374.99
Relevy School \$374.99 142207 SWEET HOME CENTRAL

RPTL 550(2): FAILED TO APPLY A ENHANCED STAR
REFUND TO BE ISSUED TO: HAZEL PFALZER

FISCAL YEAR 2010 Petition No. 210,009.00

ASSESSOR Cancel \$172.45

S-B-L 252.00-3-13 144489 EVANS

Acct. No. 112 \$172.45 County
Acct. No. 132 \$0.00 Town/SpecialDist/School

Charge To : 144489 EVANS \$0.00

RPTL 550(2): FAILED TO APPLY A SENIOR STAR EXEMPTION
NEW TAX BILL TO BE ISSUED TO: CHESTER SALVA

FISCAL YEAR 2010 Petition No. 210,010.00

ASSESSOR Cancel \$155.58

S-B-L 117.00-1-26.153 145289 LANCASTER

Acct. No. 112 \$0.00 County
Acct. No. 132 \$155.58 Town/SpecialDist/School

Charge To : 145289 LANCASTER \$155.58

RPTL 550(2): REFUSE AND WATER CHARGED IN ERROR
NEW TAX BILL TO BE ISSUED TO: ANTOINETTE BOSSE

FISCAL YEAR 2010 Petition No. 210,011.00

ASSESSOR Cancel \$1,185.21

S-B-L 153.12-3-8.1A 146089 ORCHARD PARK

Acct. No. 112	\$219.54	County
Acct. No. 132	\$965.67	Town/SpecialDist/School
52002 2009 COMM COLLEGE	\$0.51	
60141 ERIE CO SEW DST 3	\$26.52	
<u>Charge To :</u> 146089 ORCHARD PARK		\$938.64
Relevy School	\$760.09	146001 ORCH PARK CENTRAL

RPTL 550(2): ASSESSMENT SHOULD HAVE BEEN \$0
NEW TAX BILL TO BE ISSUED TO: ELEANOR G. NERRETER

FISCAL YEAR 2009 Petition No. 210,012.00

ASSESSOR Refund \$1,092.81

S-B-L 80.10-6-26 142289 AMHERST

Acct. No. 112	\$0.00	County
Acct. No. 132	\$1,092.81	Town/SpecialDist/School
<u>Charge To :</u> 142289 AMHERST		\$1,092.81
Relevy School	\$1,092.81	142201 AMHERST CENTRAL

RPTL 550(2): ASSESSED VALUE LOWERED THROUGH REVIEW MISSED TAX ROLL
REFUND TO BE ISSUED TO: JAMES PRIMERANO

FISCAL YEAR 2010 Petition No. 210,013.00

ASSESSOR Cancel \$719.59

S-B-L 80.10-6-26 142289 AMHERST

Acct. No. 112	\$308.41	County
Acct. No. 132	\$411.18	Town/SpecialDist/School
52002 2009 COMM COLLEGE	\$5.34	
<u>Charge To :</u> 142289 AMHERST		\$405.84

RPTL 550(2): ASSESSMENT WAS LOWERED, MISSED COMPUTER IN ERROR
NEW TAX BILL TO BE ISSUED TO: JAMES PRIMERANO

FISCAL YEAR 2010 Petition No. 210,014.00

ASSESSOR Cancel \$451.21

S-B-L 196.09-6-20.11 144889 HAMBURG

	Acct. No. 112	\$214.21	County
	Acct. No. 132	\$237.00	Town/SpecialDist/School
48608	EC #3 VILL HAM	\$25.21	
48609	EC #3 VILL HAM	\$109.50	
52002	2009 COMM COLLEGE	\$1.37	
<u>Charge To :</u>	144889 HAMBURG		\$100.92

RPTL 550(2): PROPERTY IS STATE OWNED SHOULD HAVE BEEN WHOLLY EXEMPT.
NEW TAX BILL TO BE ISSUED TO: PEOPLE OF THE STATE OF NEW YORK

FISCAL YEAR	2010	Petition No.	210,015.00
	ASSESSOR	Cancel	\$97.02

S-B-L 181.11-4-19 144889 HAMBURG

	Acct. No. 112	\$96.40	County
	Acct. No. 132	\$0.62	Town/SpecialDist/School
52002	2009 COMM COLLEGE	\$0.62	
<u>Charge To :</u>	144889 HAMBURG		\$0.00

RPTL 550(2): FAILED TO APPLY A VET EXEMPTION
NEW TAX BILL TO BE ISSUED TO: GARY & ELIZABETH MARCHINKOWSKI

FISCAL YEAR	2010	Petition No.	210,016.00
	ASSESSOR	Cancel	\$95.68

S-B-L 69.06-3-6 142289 AMHERST

	Acct. No. 112	\$62.09	County
	Acct. No. 132	\$33.59	Town/SpecialDist/School
52002	2009 COMM COLLEGE	\$1.08	
<u>Charge To :</u>	142289 AMHERST		\$32.51

RPTL 550(2): FAILED TO APPLY A VETERANS EXEMPTION
NEW TAX BILL TO BE ISSUED TO: ROBERT E & JOYCE J MENTH

FISCAL YEAR	2010	Petition No.	210,017.00
	ASSESSOR	Cancel	\$2,701.50

S-B-L 56.06-1-27 142289 AMHERST

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$2,701.50	Town/SpecialDist/School
<u>Charge To :</u>	142289 AMHERST		\$2,701.50

RPTL 550(2): INCORRECT NUMBER OF SEWER UNITS CHARGED
NEW TAX BILL TO BE ISSUED TO: JUDITH PERELSTEIN

FISCAL YEAR 2010 Petition No. 210,018.00

 ASSESSOR Cancel \$218.09

S-B-L 26.19-1-1 142289 AMHERST

 Acct. No. 112 \$0.00 County
 Acct. No. 132 \$218.09 Town/SpecialDist/School
Charge To : 142289 AMHERST \$218.09

RPTL 550(2): SAN SEWER CHARGED INCORRECTLY
NEW TAX BILL TO BE ISSUED TO: MICHAEL J. COUGHLIN

FISCAL YEAR 2010 Petition No. 210,019.00

 ASSESSOR Cancel \$64.83

S-B-L 113.42-2-18 143089 CHEEKTOWAGA

 Acct. No. 112 \$64.35 County
 Acct. No. 132 \$0.48 Town/SpecialDist/School
 52002 2009 COMM COLLEGE \$0.48
Charge To : 143089 CHEEKTOWAGA \$0.00

RPTL 550(2): FAILED TO APPLY A VET EXEMPTION
NEW TAX BILL TO BE ISSUED TO: JOHN & PATRICIA SKWARA

FISCAL YEAR 2010 Petition No. 210,020.00

 ASSESSOR Cancel \$219.71

S-B-L 103.05-9-28 143089 CHEEKTOWAGA

 Acct. No. 112 \$0.00 County
 Acct. No. 132 \$219.71 Town/SpecialDist/School
 30035 EXEMPTION REMOVAL \$219.71
Charge To : 143089 CHEEKTOWAGA \$0.00

RPTL 550(2): RPTL 520 CHARGED IN ERROR
NEW TAX BILL TO BE ISSUED TO: ELEANOR PILARSKI

FISCAL YEAR 2010 Petition No. 210,021.00

 ASSESSOR Cancel \$821.45

S-B-L 101.60-8-24 143089 CHEEKTOWAGA

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$821.45	Town/SpecialDist/School
<u>Charge To :</u>	143089 CHEEKTOWAGA	\$821.45	

RPTL 550(2): PARCEL WAS CHARGED A DEBRIS REMOVAL CHARGE IN ERROR
NEW TAX BILL TO BE ISSUED TO: TOWN OF CHEEKTOWAGA

FISCAL YEAR	2010	Petition No.	210,022.00
	ASSESSOR	Cancel	\$442.76

S-B-L 92.09-4-2 143089 CHEEKTOWAGA

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$442.76	Town/SpecialDist/School
<u>Charge To :</u>	143089 CHEEKTOWAGA	\$442.76	

RPTL 550(2): DEBRIS REMOVAL CHARGED IN ERROR
NEW TAX BILL TO BE ISSUED TO: JOSEPH S. MATUSZEWSKI

FISCAL YEAR	2010	Petition No.	210,023.00
	ASSESSOR	Cancel	\$642.84

S-B-L 91.09-6-24 143089 CHEEKTOWAGA

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$642.84	Town/SpecialDist/School
<u>Charge To :</u>	143089 CHEEKTOWAGA	\$642.84	

RPTL 550(2): DEBRIS REMOVAL CHARGED IN ERROR
NEW TAX BILL TO BE ISSUED TO: FEDERAL NATIONAL MORTGAGE ASSOCIATION

FISCAL YEAR	2010	Petition No.	210,024.00
	ASSESSOR	Cancel	\$2,165.53

S-B-L 90.84-1-14 143089 CHEEKTOWAGA

	Acct. No. 112	\$268.10	County
	Acct. No. 132	\$1,897.43	Town/SpecialDist/School
	52002 2009 COMM COLLEGE	\$2.01	
<u>Charge To :</u>	143089 CHEEKTOWAGA	\$1,895.42	
	Relevy School	\$877.52	143001 CHEEKTO. CENTRAL

RPTL 550(2): PARCEL IS OWNED BY THE TOWN OF CHEEKTOWAGA
NEW TAX BILL TO BE ISSUED TO: TOWN OF CHEEKTOWAGA

FISCAL YEAR 2010 Petition No. 210,025.00

 ASSESSOR Cancel \$324.15

S-B-L 90.68-5-14 143089 CHEEKTOWAGA

 Acct. No. 112 \$0.00 County
 Acct. No. 132 \$324.15 Town/SpecialDist/School
Charge To : 143089 CHEEKTOWAGA \$324.15

RPTL 550(2): DEBRIS REMOVAL CHARGED IN ERROR
NEW TAX BILL TO BE ISSUED TO: JEFFREY C. BORDERS

FISCAL YEAR 2010 Petition No. 210,026.00

 ASSESSOR Cancel \$923.12

S-B-L 80.19-3-29 143089 CHEEKTOWAGA

 Acct. No. 112 \$0.00 County
 Acct. No. 132 \$923.12 Town/SpecialDist/School
Charge To : 143089 CHEEKTOWAGA \$923.12

RPTL 550(2): DEBRIS REMOVAL CHARGED IN ERROR
NEW TAX BILL TO BE ISSUED TO: MICHAEL J SULCE

FISCAL YEAR 2010 Petition No. 210,027.00

 ASSESSOR Cancel \$515.39

S-B-L 195.11-3-6.2 144889 HAMBURG

 Acct. No. 112 \$85.69 County
 Acct. No. 132 \$429.70 Town/SpecialDist/School
48148 EC#3 BOSTON VALLEY \$10.09
52002 2009 COMM COLLEGE \$0.55
Charge To : 144889 HAMBURG \$419.06
 Relevy School \$308.83 144801 HAMBURG CENTRAL

RPTL 550(2): PROPERTY IS OWNED BY THE STATE OF NEW YORK
NEW TAX BILL TO BE ISSUED TO: THE PEOPLE OF THE STATE OF NEW YORK

FISCAL YEAR 2010 Petition No. 210,028.00

ASSESSOR Cancel \$474.15

S-B-L 195.11-3-3.1 144889 HAMBURG

Acct. No. 112 \$78.83 County
Acct. No. 132 \$395.32 Town/SpecialDist/School
48148 EC#3 BOSTON VALLEY \$9.28
52002 2009 COMM COLLEGE \$0.50
Charge To: 144889 HAMBURG \$385.54
Relevy School \$284.13 144801 HAMBURG CENTRAL

RPTL 550(2): PROPERTY IS OWNED BY THE STATE OF NEW YORK
NEW TAX BILL TO BE ISSUED TO: THE PEOPLE OF THE STATE OF NEW YORK

FISCAL YEAR 2010 Petition No. 210,029.00

ASSESSOR Cancel \$267.50

S-B-L 142.61-3-34 140900 LACKAWANNA

Acct. No. 112 \$0.00 County
Acct. No. 132 \$267.50 Town/SpecialDist/School
9992 ECSD#6 SAN SEWER \$267.50
Charge To: 140900 LACKAWANNA \$0.00

RPTL 550(2): INCORRECT NUMBER OF SEWER UNITS CHARGED TO THE TAX ROLL
NEW TAX BILL TO BE ISSUED TO: GREGORY NOWICKI

FISCAL YEAR 2009 Petition No. 210,030.00

ASSESSOR Refund \$452.49

S-B-L 250.13-1-17 144489 EVANS

Acct. No. 112 \$240.21 County
Acct. No. 132 \$212.28 Town/SpecialDist/School
Charge To: 144489 EVANS \$212.28

RPTL 550(2): ERROR IN THE COMPUTATION OF A VETERANS EXEMPTION
REFUND TO BE ISSUED TO: MICHAEL J FRANEY

FISCAL YEAR 2010 Petition No. 210,031.00

ASSESSOR Cancel \$103,847.78

S-B-L 555.00-12-2.1 144489 EVANS

Acct. No. 112 \$0.00 County
Acct. No. 132 \$103,847.78 Town/SpecialDist/School

Charge To : 144489 EVANS \$103,847.78
 Relevy School \$103,847.7 144401 LAKE SHORE CENTRAL

RPTL 550(3): ERROR IN ESSENTIAL FACT ASSESSMENT EXCEEDS CERIFICATE
NEW TAX BILL TO BE ISSUED TO: NATIONAL GRID

FISCAL YEAR 2010 Petition No. 210,032.00

 ASSESSOR Cancel \$6,684.04

S-B-L 192.15-1-13 144489 EVANS

 Acct. No. 112 \$1,184.79 County
 Acct. No. 132 \$5,499.25 Town/SpecialDist/School
 44072 ERIE CO SEW DST 2 \$275.48
Charge To : 144489 EVANS \$5,223.77
 Relevy School \$2,988.41 144401 LAKE SHORE CENTRAL

RPTL 550(2): UNFINISHED HOME WAS ASSESSED AT FULL VALUE IN ERROR
NEW TAX BILL TO BE ISSUED TO: FULVIO & BRUNO STAMPONE

FISCAL YEAR 2010 Petition No. 210,033.00

 ASSESSOR Cancel \$160.00

S-B-L 234.19-2-68 144489 EVANS

 Acct. No. 112 \$0.00 County
 Acct. No. 132 \$160.00 Town/SpecialDist/School
Charge To : 144489 EVANS \$160.00

RPTL 550(2): INCORRECT SPECIAL DISTRICTS CHARGED TO THE TAX ROLL
NEW TAX BILL TO BE ISSUED TO: JOHN & ANNMARIE LALLY

FISCAL YEAR 2010 Petition No. 210,034.00

 ASSESSOR Cancel \$8,258.27

S-B-L 69.14-5-14.1 142289 AMHERST

 Acct. No. 112 \$4,581.06 County
 Acct. No. 132 \$3,677.21 Town/SpecialDist/School
 52002 2009 COMM COLLEGE \$79.42
Charge To : 142289 AMHERST \$3,597.79

RPTL 550(2): ERROR IN THE COMPUTATION OF A 485B EXEMPTION
NEW TAX BILL TO BE ISSUED TO: MCGMKL1LLC

Charge To : 143089 CHEEKTOWAGA \$50.56

RPTL 550(2): FAILED TO APPLY A VETERANS EXEMPTION
REFUND TO BE ISSUED TO: JEROME J & RITA PECK

FISCAL YEAR 2010 Petition No. 210,039.00

ASSESSOR Cancel \$83.02

S-B-L 103.09-7-17 143089 CHEEKTOWAGA

Acct. No. 112 \$30.09 County
Acct. No. 132 \$52.93 Town/SpecialDist/School

52002 2009 COMM COLLEGE \$0.22

Charge To : 143089 CHEEKTOWAGA \$52.71

RPTL 550(2): FAILED TO APPLY A VETERANS EXEMPTION
NEW TAX BILL TO BE ISSUED TO JEROME J & RITA PECK

FISCAL YEAR 2010 Petition No. 210,040.00

ASSESSOR Cancel \$200.00

S-B-L 114.19-2-91 143089 CHEEKTOWAGA

Acct. No. 112 \$0.00 County
Acct. No. 132 \$200.00 Town/SpecialDist/School

30300 ERIE CO SEW DST 1 \$200.00

Charge To : 143089 CHEEKTOWAGA \$0.00

RPTL 550(2): INCORRECT NUMBER OF SEWER UNITS CHARGED
NEW TAX BILL TO BE ISSUED TO: LOUIS & NADIA SEBASTIAN

FISCAL YEAR 2009 Petition No. 210,041.00

ASSESSOR Refund \$592.12

S-B-L 78.21-3-27 146489 TONAWANDA

Acct. No. 112 \$0.00 County
Acct. No. 132 \$592.12 Town/SpecialDist/School

Charge To : 146489 TONAWANDA \$592.12
Relevy School \$592.12 146401 KEN-TON UNION FREE

RPTL 550(2): FAILED TO APPLY A ENHANCED STAR EXEMPTION
REFUND TO BE ISSUED TO: RICHARD SASS

FISCAL YEAR 2010 Petition No. 210,042.00

ASSESSOR Cancel \$2,668.55

S-B-L 250.00-1-9 144489 EVANS

Acct. No. 112 \$433.90 County
Acct. No. 132 \$2,234.65 Town/SpecialDist/School
Charge To : 144489 EVANS \$2,234.65
Relevy School \$1,423.39 144401 LAKE SHORE CENTRAL

RPTL550(2): INCORRECT ASSESSEMENT APPLIED TO THE TAX ROLL
NEW TAX BILL TO BE ISSUED TO: ESTATE OF PORTIA R HICKS

FISCAL YEAR 2010 Petition No. 210,043.00

ASSESSOR Cancel \$266.40

S-B-L 103.08-14-36 143089 CHEEKTOWAGA

Acct. No. 112 \$168.12 County
Acct. No. 132 \$98.28 Town/SpecialDist/School
52002 2009 COMM COLLEGE \$1.25
Charge To : 143089 CHEEKTOWAGA \$97.03

RPTL 550(2): FAILED TO APPLY AN AGED EXEMPTION
NEW TAX BILL TO BE ISSUED TO: THERESA ZYLKA

FISCAL YEAR 2009 Petition No. 210,044.00

ASSESSOR Refund \$122.04

S-B-L 80.08-5-14 142289 AMHERST

Acct. No. 112 \$0.00 County
Acct. No. 132 \$122.04 Town/SpecialDist/School
Charge To : 142289 AMHERST \$122.04
Relevy School \$122.04 142203 WILLIAMSVILLE CENT

RPTL 550(2): INCORRECT ASSESSMENT APPLIED TO THE TAX ROLL
NEW TAX BILL TO BE ISSUED TO: CLAUDIA CARDINO & ROBERT M DINIUS

FISCAL YEAR 2010 Petition No. 210,045.00

ASSESSOR Cancel \$152.92

S-B-L 80.08-5-14 142289 AMHERST

Acct. No. 112 \$84.35 County

Acct. No. 132 \$68.57 Town/SpecialDist/School
52002 2009 COMM COLLEGE \$1.47
Charge To : 142289 AMHERST \$67.10

RPTL 550(2): INCORRECT ASSESSED VALUE APPLIED TO THE TAX ROLL
NEW TAX BILL TO BE ISSUED TO: CLAUDIA CARDINO & ROBERT M DONIUS

FISCAL YEAR 2009 Petition No. 210,046.00
ASSESSOR Refund \$1,923.55

S-B-L 93.13-10-1.11 143089 CHEEKTOWAGA

Acct. No. 112 \$0.00 County
Acct. No. 132 \$1,923.55 Town/SpecialDist/School
Charge To : 143089 CHEEKTOWAGA \$1,923.55
Relevy School \$1,923.55 145201 LANCASTER CENTRAL

RPTL 550(2): INCORRECT ASSESSED VALUE APPLIED TO THE TAX ROLL
REFUND TO BE ISSUED TO: RMF HOLDINGS INC.

FISCAL YEAR 2010 Petition No. 210,047.00
ASSESSOR Cancel \$2,688.53

S-B-L 93.13-10-1.11 143089 CHEEKTOWAGA

Acct. No. 112 \$703.97 County
Acct. No. 132 \$1,984.56 Town/SpecialDist/School
52002 2009 COMM COLLEGE \$5.27
Charge To : 143089 CHEEKTOWAGA \$1,979.29

FISCAL YEAR 2009 Petition No. 210,048.00
ASSESSOR Refund \$626.51

S-B-L 69.07-5-3 142289 AMHERST

Acct. No. 112 \$0.00 County
Acct. No. 132 \$626.51 Town/SpecialDist/School
Charge To : 142289 AMHERST \$626.51
Relevy School \$626.51 142203 WILLIAMSVILLE CENT

RPTL 550(2): INCORRECT ASSESSED VALUE APPLIED TO THE TAX ROLL
REFUND TO BE ISSUED TO: JAMES KANUTSU

FISCAL YEAR 2010 Petition No. 210,049.00

ASSESSOR Cancel \$402.73

S-B-L 69.07-5-3 142289 AMHERST

Acct. No. 112 \$188.88 County
Acct. No. 132 \$213.85 Town/SpecialDist/School
52002 2009 COMM COLLEGE \$3.28
Charge To : 142289 AMHERST \$210.57

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

FISCAL YEAR 2010 Petition No. 210,050.00

ASSESSOR Cancel \$210.00

S-B-L 171.12-1-30 144889 HAMBURG

Acct. No. 112 \$0.00 County
Acct. No. 132 \$210.00 Town/SpecialDist/School
48115 ERIE CO SEW DST 3 \$210.00
Charge To : 144889 HAMBURG \$0.00

RPTL 550(2): INCORRECT SPECIAL DISTRICTS APPLIED TO THE TAX ROLL
NEW TAX BILL TO BE ISSUED TO: PARKER COMMONS LLC

FISCAL YEAR 2010 Petition No. 210,051.00

ASSESSOR Cancel \$210.00

S-B-L 171.12-1-29 144889 HAMBURG

Acct. No. 112 \$0.00 County
Acct. No. 132 \$210.00 Town/SpecialDist/School
48115 ERIE CO SEW DST 3 \$210.00
Charge To : 144889 HAMBURG \$0.00

RPTL 550(2): INCORRECT SPECIAL DISTRICTS APPLIED TO THE TAX ROLL
NEW TAX BILL TO BE ISSUED TO: PARKER COMMONS LLC

FISCAL YEAR 2010 Petition No. 210,052.00

ASSESSOR Cancel \$210.00

S-B-L 171.12-1-37 144889 HAMBURG

Acct. No. 112 \$0.00 County
Acct. No. 132 \$210.00 Town/SpecialDist/School

48115 ERIE CO SEW DST 3 \$210.00
Charge To : 144889 HAMBURG \$0.00

RPTL 550(2): INCORRECT SPECIAL DISTRICTS APPLIED TO THE TAX ROLL
NEW TAX BILL TO BE ISSUED TO: PARKER COMMONS LLC

FISCAL YEAR 2010 Petition No. 210,060.00

 ASSESSOR Refund \$150.00

S-B-L 250.00-1-27 144489 EVANS

 Acct. No. 112 \$0.00 County
 Acct. No. 132 \$150.00 Town/SpecialDist/School
44101 EC2 FOOTAGE \$150.00
Charge To : 144489 EVANS \$0.00

RPTL 550(2): INCORRECT FOOTAGE APPLIED TO THE TAX ROLL
REFUND TO BE ISSUED TO: GERALD WEISEDEL

FISCAL YEAR 2009 Petition No. 210,061.00

 ASSESSOR Refund \$506.36

S-B-L 80.08-5-37 142289 AMHERST

 Acct. No. 112 \$0.00 County
 Acct. No. 132 \$506.36 Town/SpecialDist/School
Charge To : 142289 AMHERST \$506.36
 Relevy School \$506.36 142201 AMHERST CENTRAL

RPTL 550(2): INCORRECT ASSESSED VALUE APPLIED TO THE TAX ROLL
REFUND TO BE ISSUED TO: GARY HERBOLD

FISCAL YEAR 2010 Petition No. 210,062.00

 ASSESSOR Cancel \$298.03

S-B-L 80.08-5-37 142289 AMHERST

 Acct. No. 112 \$152.66 County
 Acct. No. 132 \$145.37 Town/SpecialDist/School
52002 2009 COMM COLLEGE \$2.65
Charge To : 142289 AMHERST \$142.72

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

	Acct. No. 112	\$49.85	County
	Acct. No. 132	\$13.81	Town/SpecialDist/School
<u>Charge To :</u>	145689 NEWSTEAD		\$13.81

RPTL 550(2): DUPLICATE PARCEL UNDER DIFFERENT SBL NUMBER
DELETE ENTIRE PARCEL FROM THE TAX ROLL

FISCAL YEAR 2010 Petition No. 210,067.00

ASSESSOR Cancel \$566.39

S-B-L 61.00-4-47 145689 NEWSTEAD

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$566.39	Town/SpecialDist/School
<u>Charge To :</u>	145689 NEWSTEAD		\$566.39

RPTL 550(2): ERROR IN THE COMPUTATION OF A REFUSE FEE
NEW TAX BILL TO BE ISSUED TO: DOUGLAS CEISNER

FISCAL YEAR 2010 Petition No. 210,068.00

ASSESSOR Cancel \$872.49

S-B-L 15.00-1-27.112 142289 AMHERST

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$872.49	Town/SpecialDist/School
<u>Charge To :</u>	142289 AMHERST		\$872.49
	Relevy School	\$872.49	142203 WILLIAMSVILLE CENT

RPTL 550(2): SCHOOL RELEVY APPLIED TO THE TAX ROLL IN ERROR
NEW TAX BILL TO BE ISSUED TO: NIAGARA MOHAWK NATIONAL GRID COMPANY

FISCAL YEAR 2010 Petition No. 210,069.00

ASSESSOR Cancel \$1,551.84

S-B-L 250.17-1-10 144489 EVANS

	Acct. No. 112	\$500.24	County
	Acct. No. 132	\$1,051.60	Town/SpecialDist/School
	44070 ERIE CO SEW DST 2	\$116.31	
<u>Charge To :</u>	144489 EVANS		\$935.29

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

FISCAL YEAR 2010 Petition No. 210,070.00

ASSESSOR Cancel \$18.58

S-B-L 61.00-5-1.2/64 145689 NEWSTEAD

Acct. No. 112 \$9.68 County
Acct. No. 132 \$8.90 Town/SpecialDist/School

56010 WATER TANK \$0.21

Charge To : 145689 NEWSTEAD \$8.69

RPTL 550(2): INCORRECT ASSESSED VALUE APPLIED TO THE TAX ROLL
NEW TAX BILL TO BE ISSUED TO: GOLDEN POND ESTATES/MAROONE,BETTY

FISCAL YEAR 2008 Petition No. 210,071.00

ASSESSOR Cancel \$1,223.06

S-B-L 269.19-5-4 145889 NORTH COLLINS

Acct. No. 112 \$0.00 County
Acct. No. 132 \$1,223.06 Town/SpecialDist/School

Charge To : 145889 NORTH COLLINS \$1,223.06

Relevy Village \$1,223.06 Village of NORTH COLLINS

RPTL 550(2): PURCHASED IN DEC. 29,2008 @ ETCC FORCLOSURE 2007 VILLAGE
NEW TAX BILL TO BE ISSUED TO: DONALD KING
SHOULD HAVE BEEN CANCELED

FISCAL YEAR 2010 Petition No. 210,072.00

ASSESSOR Refund \$165.00

S-B-L 104.70-2-17 145289 LANCASTER

Acct. No. 112 \$0.00 County
Acct. No. 132 \$165.00 Town/SpecialDist/School

52800 EC#4 SS DEPEW LANC \$165.00

Charge To : 145289 LANCASTER \$0.00

RPTL 550(2): INCORRECT SEWER UNITS CHARGED IN ERROR
REFUND TO BE ISSUED TO: ST JOHN EVG LUTH CH REC PARSONAGE

FISCAL YEAR 2010 Petition No. 210,073.00

ASSESSOR Cancel \$187.46

S-B-L 85.00-1-11 145689 NEWSTEAD

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$187.46	Town/SpecialDist/School
<u>Charge To :</u>	145689 NEWSTEAD		\$187.46

RPTL 550(2): INCORRECT REFUSE CHARGED FOR VACANT LAND
NEW TAX BILL TO BE ISSUED TO: MYRON G PRYSTAJKO

FISCAL YEAR 2010 Petition No. 210,074.00

ASSESSOR Cancel \$47.29

S-B-L 61.00-5-1.2/107 145689 NEWSTEAD

	Acct. No. 112	\$30.71	County
	Acct. No. 132	\$16.58	Town/SpecialDist/School
56010 WATER TANK		\$0.29	
<u>Charge To :</u>	145689 NEWSTEAD		\$16.29

RPTL 550(2): INCORRECT ASSEMENT APPLIED TO THE TAX ROLL
NEW TAX BILL TO BE ISSUED TO: JAMES COLLINS - GOLDEN POND ESTATES

FISCAL YEAR 2007 Petition No. 210,075.00

ASSESSOR Refund \$189.92

S-B-L 269.00-6-10.21 145889 NORTH COLLINS

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$189.92	Town/SpecialDist/School
<u>Charge To :</u>	145889 NORTH COLLINS		\$189.92
	Relevy School	\$189.92	145801 NORTH COLLINS CENT

RPTL 550(2): INCORRECT ASSESSED VALUE APPLIED TO THE TAX ROLL
REFUND TO BE ISSUED TO: ANNETTE OGINBENE

FISCAL YEAR 2008 Petition No. 210,076.00

ASSESSOR Refund \$194.98

S-B-L 269.00-6-10.21 145889 NORTH COLLINS

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$194.98	Town/SpecialDist/School
<u>Charge To :</u>	145889 NORTH COLLINS		\$194.98
	Relevy School	\$194.98	145801 NORTH COLLINS CENT

RPTL 550(2): INCORRECT ASSESSED VALUE APPLIED TO THE TAX ROLL

REFUND TO BE ISSUED TO: ANNETTE OGNIBENE

FISCAL YEAR 2009 Petition No. 210,077.00

 ASSESSOR Refund \$191.07

S-B-L 269.00-6-10.21 145889 NORTH COLLINS

 Acct. No. 112 \$0.00 County
 Acct. No. 132 \$191.07 Town/SpecialDist/School
Charge To : 145889 NORTH COLLINS \$191.07
 Relevy School \$191.07 145801 NORTH COLLINS CENT

RPTL 550(2): INCORRECT ASSESSED VALUE APPLIED TO THE TAX ROLL
REFUND TO BE ISSUED TO: ANNETTE OGNIBENE

FISCAL YEAR 2008 Petition No. 210,078.00

 ASSESSOR Refund \$129.41

S-B-L 269.00-6-10.21 145889 NORTH COLLINS

 Acct. No. 112 \$51.41 County
 Acct. No. 132 \$78.00 Town/SpecialDist/School
Charge To : 145889 NORTH COLLINS \$78.00

RPTL 550(2): INCORRECT ASSESSED VALUE APPLIED TO THE TAX ROLL
REFUND TO BE ISSUED TO: ANNETTE OGNIBENE

FISCAL YEAR 2009 Petition No. 210,079.00

 ASSESSOR Refund \$130.98

S-B-L 269.00-6-10.21 145889 NORTH COLLINS

 Acct. No. 112 \$52.19 County
 Acct. No. 132 \$78.79 Town/SpecialDist/School
Charge To : 145889 NORTH COLLINS \$78.79

RPTL 550(2): INCORRECT ASSESSED VALUE APPLIED TO THE TAX ROLL
REFUND TO BE ISSUED TO: ANNETTE OGNIBENE

FISCAL YEAR 2010 Petition No. 210,087.00

 ASSESSOR Refund \$331.17

S-B-L 67.06-3-5./792 142289 AMHERST

Acct. No. 112	\$183.71	County
Acct. No. 132	\$147.46	Town/SpecialDist/School
52002 2009 COMM COLLEGE	\$3.19	
<u>Charge To :</u> 142289 AMHERST		\$144.27

RPTL 550(2): FAILED TO APPLY AN AGED EXEMPTION
REFUND TO BE ISSUED TO: BARBARA E. KRIGSTIN

FISCAL YEAR 2010	Petition No.	210,088.00
ASSESSOR	Cancel	\$2,729.92

S-B-L 79.08-3-32 142289 AMHERST

Acct. No. 112	\$0.00	County
Acct. No. 132	\$2,729.92	Town/SpecialDist/School
<u>Charge To :</u> 142289 AMHERST		\$2,729.92

RPTL 550(2): FAILED TO APPLY A CREDIT FOR A LEAK ALLOWANCE
NEW TAX BILL TO BE ISSUED TO: MADISON HOLDINGS LLC

FISCAL YEAR 2010	Petition No.	210,089.00
ASSESSOR	Refund	\$385.93

S-B-L 69.12-5-5 142289 AMHERST

Acct. No. 112	\$0.00	County
Acct. No. 132	\$385.93	Town/SpecialDist/School
<u>Charge To :</u> 142289 AMHERST		\$385.93

RPTL 550(2): CODE VIOLATION CHARGED IN ERROR
REFUND TO BE ISSUED TO: GWENDOLYN WATKINS

FISCAL YEAR 2010	Petition No.	210,090.00
ASSESSOR	Cancel	\$79.81

S-B-L 284.00-1-18.4 142889 BRANT

Acct. No. 112	\$79.81	County
Acct. No. 132	\$0.00	Town/SpecialDist/School
<u>Charge To :</u> 142889 BRANT		\$0.00

RPTL 550(2): AN AGED EXEMPTION WAS CALCULATED INCORRECTLY IN ERROR
NEW TAX BILL TO BE ISSUED TO: ROSE F PINKER

FISCAL YEAR 2010	Petition No.	210,091.00
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ASSESSOR Cancel \$2,090.94

S-B-L 220.02-1-34.1 144489 EVANS

Acct. No. 112	\$674.01	County
Acct. No. 132	\$1,416.93	Town/SpecialDist/School
44093 ERIE CO SEW DST 2	\$156.72	
<u>Charge To :</u>	144489 EVANS	\$1,260.21

RPTL 550(2): NEW BUILD WAS ASSESSED AT FULL VALUE IN ERROR
NEW TAX BILL TO BE ISSUED TO: ELIZABETH SCHIEDEL

FISCAL YEAR 2010 Petition No. 210,092.00

ASSESSOR Refund \$133.38

S-B-L 250.13-3-55 144489 EVANS

Acct. No. 112	\$53.70	County
Acct. No. 132	\$79.68	Town/SpecialDist/School
<u>Charge To :</u>	144489 EVANS	\$79.68

RPTL 550(2): FAILED TO APPLY A DISABLED VETERANS EXEMPTION
REFUND TO BE ISSUED TO: WAYNE G & JEANNE E FRACCICA

RESOLVED, that certified copies of this resolution be forwarded to the Director of Real Property Tax Services.

MS. WHYTE moved to approve the item as amended. MR. WALTER seconded.

CARRIED UNANIMOUSLY.

Item 40 – MS. WHYTE moved to discharge the FINANCE & MANAGEMENT COMMITTEE of further consideration of COMM. 3E-13 (2010). MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 39 RE: Technical Amendments to Personal Services Items in 2010 Budget (COMM. 3E-13, 2010)

WHEREAS, the Adopted 2010 Erie County Budget contains several changes to personnel lines within the Erie County Clerk – Registrar and Department of Public Works, Division of Buildings and Grounds; and

WHEREAS, these changes were not in alignment with original departmental budget requests; and

WHEREAS, corrective action will provide both departments the assignment of personal services that matches their original departmental budget request.

NOW, THEREFORE, BE IT

RESOLVED, that authorization is granted to delete three (3) Document Clerk Grade 5 within the County Clerk – Registrar, Fund Center 11310, Account No. 1331010; and be it further

RESOLVED, that authorization is granted to create (3) three Senior Document Clerk Grade 6 within the County Clerk – Registrar, Fund Center 11310, Account No. 1331010; and be it further

RESOLVED, that sufficient funds exist within the County Clerk – Registrar Budget to effectuate this change; and be it further

RESOLVED, that authorization is granted to delete (1) Construction Project Manager (Buildings), Grade 14 within the Department of Public Works, Division of Buildings and Grounds, Fund Center 12220, Account No. 122015; and be it further

RESOLVED, that authorization is granted to create (1) Supervisor of Buildings and Grounds, Grade 12, within the Department of Public Works, Division of Buildings and Grounds, Fund Center 12220, Account No. 1222015; and be it further

RESOLVED, that any savings generated from this action shall be deposited in Buildings and Grounds, Professional Services Contracts, Fund Center 12220, Account No. 516020; and be it further

RESOLVED, that Erie County Clerk and Commissioner of Public Works will obtain the proper B-100s to properly process this legislative action; and be it further

RESOLVED, that certified copies of this resolution will be forwarded to the County Clerk, Division of Budget and Departments of Personnel and Public Works, and that appropriate paperwork will be completed to make personnel adjustments in SAP.

MS. WHYTE moved to amend the item. MS. MARINELLI seconded.

CHAIR MILLER-WILLIAMS directed that a roll-call vote be taken.

AYES: MS. GRANT, MR. KENNEDY, MR. LOUGHRAN, MS. MARINELLI, MR. MAZUR and MS. WHYTE. NOES: MS. DIXON, MR. FUDOLI, MR. HARDWICK, MR. MILLS, MR. RATH, MR. WALTER, MS. BOVE and CHAIR MILLER-WILLIAMS. (AYES: 6; NOES: 8)

FAILED.

MR. MILLS moved to approve the item. MR. WALTER seconded.

CHAIR MILLER-WILLIAMS directed that a roll-call vote be taken.

AYES: MS. DIXON, MR. FUDOLI, MR. HARDWICK, MR. MILLS, MR. RATH, MR. WALTER, MS. BOVE, MR. LOUGHRAN, MR. MAZUR and CHAIR MILLER-WILLIAMS. NOES: MS. GRANT, MR. KENNEDY, MS. MARINELLI and MS. WHYTE. (AYES: 10; NOES: 4)

CARRIED.

Item 41 – MS. WHYTE moved to discharge the HEALTH & HUMAN SERVICES COMMITTEE of further consideration of INTRO 3-3 (2010). MS. MARINELLI seconded. MR. WALTER voted in the negative.

CARRIED. (13-1)

RESOLUTION NO. 40

RE: Child Care Subsidies
(INTRO 3-3, 2010)

**A RESOLUTION TO BE SUBMITTED
BY LEGISLATORS WHYTE, MARINELLI, GRANT,
MAZUR, KOZUB & LOUGHRAN**

WHEREAS, in previous years families earning up to 200 percent of the poverty level could still have their day care expenses subsidized by Erie County; and

WHEREAS, the child care subsidy program has helped parents move off welfare or avoid welfare and still make ends meet in low-paying jobs; and

WHEREAS, County Executive Chris Collins has decided the government can no longer provide childcare subsidies to so many low-income recipients in and around the nation's third-poorest major city; and

WHEREAS, the Collins Administration has ruled out families earning more than 125 percent above the federal poverty level, a change which will affect approximately 1,500 children; and

WHEREAS, Erie County's Department of Social Services sent out notices in late December telling hundreds of families that their eligibility for childcare subsidies would end; and

WHEREAS, despite a meeting of the Erie County Legislature's Health and Human Services Committee on December 31, 2009 in which the Social Service Commissioner appeared, the Erie County Legislature was not informed of this decision; and

WHEREAS, New York State Law provides that individuals who are denied certain social services be provided with a fair hearing to appeal the denial; and

WHEREAS, in the weeks following this decision by the Collins' Administration, many questions have been raised about the funding sources for the program, including the local share, the management of the funds for the program, and the County's use of NYS "roll over" money; and

WHEREAS, Legislators have received so many calls from families expressing a serious concern about the decreasing eligibility of the child care subsidy program that the Democratic Majority has organized a public hearing on Wednesday, January 20, 2010 at 6:00 p.m at the Delevan Grider Community Center.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature again go on record as opposed to the curtailing of the childcare subsidy; and be it further

RESOLVED, that the Administration, including the Budget Director, expeditiously meet with members of the Erie County Legislature in a collaborative fashion, to identify funding for the 90 day extension; and be it further

RESOLVED, that certified copies of this resolution be sent to the County Executive, the Commissioner of Social Services, the Comptroller, the WNY State Delegation, and the State Commissioner of the Office of Children and Family Services.

MS. WHYTE moved to amend the resolution. MS. MARINELLI seconded. MS. DIXON, MR. FUDOLI, MR. HARDWICK, MR. MILLS, MR. RATH and MR. WALTER voted in the negative.

CARRIED. (8-6)

Delete the Second Resolved Clause and Replace With the Following:

RESOLVED, that the Erie County Legislature, based on written and verbal communication from the Erie County Comptroller indicating the fiscal prudence of such an action, call upon the County Executive to immediately send over a technical budget amendment in which the County funds a 90 day extension of the child care subsidy program with the use of 2009 undesignated surplus; and be it further

RESOLVED, that the Erie County Legislature acknowledge receipt of written communication from Senator Kirsten Gillibrand in which she states that federal funding for child care subsidies by April 1, 2010 is a high priority of the Obama Administration and urges Erie County to use local share dollars to close the gap in funding until that time; and be it further

MS. WHYTE moved to further amend the resolution by adding CHAIR MILLER-WILLIAMS, MR. KENNEDY, MS. GRANT, MS. BOVE and MR. LOUGHRAN as Co-Sponsors. MR. KENNEDY seconded.

CARRIED UNANIMOUSLY.

MS. WHYTE moved to approve the resolution as amended. MS. GRANT seconded. MS. DIXON, MR. FUDOLI, MR. HARDWICK, MR. MILLS, MR. RATH and MR. WALTER voted in the negative.

CARRIED. (8-6)

SUSPENSION OF THE RULES

Item 42 - MS. WHYTE moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 4E-27 from the COUNTY COMPTROLLER Re: State Authorization for the Private Sale of Bonds by Negotiated Agreement

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 43 - MS. WHYTE moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 4M-62 from SENATOR GILLIBRAND Re: Letter to County Executive in Relation to Day Care Subsidies

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

Item 44 - MS. WHYTE moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 4E-28 from the COUNTY EXECUTIVE Re: Copy of Letter to ECFSA Including Revised 2010-2013 Erie County Four Year Plan

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

COMMUNICATIONS FROM ELECTED OFFICIALS

FROM LEGISLATOR KOZUB

Item 45 – (COMM. 4E-1) Letter Concerning Absence for Session No. 4, 2/25/10

Received, Filed & Printed.

February 9, 2010

Robert M. Graber, Clerk
Erie County Legislature
92 Franklin Street, 4th Floor

Buffalo, N.Y. 14202

Dear Mr. Graber,

I write to you today to inform you that I will be unable to attend a regular meeting of the Erie County Legislature scheduled for Thursday, February 25, 2010.

Unfortunately, my absence will be unavoidable in that a long-planned scheduling conflict prevents me from attending this session.

Thank you.

Sincerely,

Daniel M. Kozub
Erie County Legislator - 1st District

FROM THE COUNTY EXECUTIVE

Item 46 – (COMM. 4E-2) Revised 2010 - 2013 EC Four Year Plan

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE COUNTY COMPTROLLER

Item 47 – (COMM. 4E-3) Letter to Legislator Whyte in Relation to a 90 Day Extension of Child Care Subsidy

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

FROM THE COUNTY EXECUTIVE

Item 48 – (COMM. 4E-4) Declaration of Need - County Capital Borrowing

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM LEGISLATOR DIXON

Item 49 – (COMM. 4E-5) Letter to Legislator Bove Concerning 2010 EC Holding Center Jail Expansion (Buffalo) - Capital Project

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM THE DISTRICT ATTORNEY

Item 50 – MS. WHYTE presented the following resolution and moved for immediate consideration and approval. MR. FUDOLI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 41

RE: District Attorney's Office - Asset
Forfeiture Appropriations
(COMM. 4E-6)

WHEREAS, the Erie County District Attorney's Office maintains its City Court and Domestic Violence bureaus on a portion of the 4th floor of the Buffalo City Court Building located at 50 Delaware; and whereas this office space was in serious need of renovations due to an overall dated and unsafe working environment; and

WHEREAS, the District Attorney's Office needed to contract with the City of Buffalo, owner of said space in order to reimburse them for costs relating to carpentry work, painting and wiring; and

WHEREAS, funds are required provide for technological updates that will benefit the entire office, including, but not limited to, computers, wireless routers and software upgrades; and

WHEREAS, the source of funds for the above mentioned renovations and technology will be paid from the District Attorney's asset forfeiture proceeds, and it is necessary to transfer funds from the Erie County District Attorney's Asset Forfeiture Trust Fund prior to their being expended.

NOW, THEREFORE, BE IT

RESOLVED, that \$ 97,000 in available balances in the Erie County District Attorney's Assets Forfeiture Trust Fund are hereby transferred to the District Attorney's Assets Forfeiture Program, Funded Program "SAFDA"; and be it further

RESOLVED, that the following budgetary transactions are hereby authorized:

DISTRICT ATTORNEY ASSET FORFEITURE PROGRAM	
BUSINESS AREA: 114	
COST CENTER: 1140010	
FUNDED PROGRAM /WBS ELEMENT: SAFDA	
	Increase /
<u>Revenue</u>	<u>(Decrease)</u>
421550 Forfeiture Crime Proceeds	\$ 97,000
Total Revenue	<u>\$ 97,000</u>
<u>Appropriation</u>	
516010 Contractual Payments	\$64,000
516020 Professional Fees	23,000
561410 Lab & Technical Equipment	<u>10,000</u>
Total Appropriations	<u>\$ 97,000</u>

and be it further

RESOLVED, that the County Executive is hereby authorized to enter into a contract with the City of Buffalo in the amount of \$63,773.60; and be it further

RESOLVED, that the contract with the City of Buffalo is for special services which must be provided immediately and therefore, the Request for Proposal (RFP) procedure required under Section 19.08 of the Erie County Administrative Code is hereby waived; and be it further

RESOLVED, that the Director of Budget and Finance is hereby authorized to adjust SAFDA budgets as necessary during the year in order for the District Attorney's Office to enhance its investigative, surveillance and prosecutorial efforts, as the forfeiture regulations dictate; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Erie County District Attorney, the Erie County Comptroller and the Director of Budget, Management and Finance.

FROM THE COUNTY COMPTROLLER

Item 51 – (COMM. 4E-7) County Executive's Declaration of Need - County Capital Borrowing

Item 52 – (COMM. 4E-8) Bond Resolution - Demolition of Properties at EC Medical Center Corporation Campus

Item 53 – (COMM. 4E-9) Bond Resolution - Demolition of 120 / 134 West Eagle Street for the EC Holding Center Jail Expansion Project

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

FROM THE COUNTY EXECUTIVE

Item 54 – MR. MAZUR presented the following resolution and moved for immediate consideration and approval. MR. MILLS seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 42

RE: Property Transfer to Cell Phones for
Soldiers
(COMM. 4E-10)

WHEREAS, Cell Phones for Soldiers was founded in April of 2004 by Robbie and Brittany Bergquist (then 12 and 13) with \$21 of their own money. In 2008, this 501C3 organization provided over 30 million minutes of calling time to US Soldiers serving overseas; and

WHEREAS, the U.S. has over 200K troops stationed overseas and some soldiers are forced to spend thousands of dollars keeping in contact with loved ones and this organization's goal is to mitigate this expense for soldiers; and

WHEREAS, every year, over 130 million cell phones are decommissioned in the U.S. alone. These phones contain numerous hazardous chemicals and heavy metals. Reuse and recycling of these phones can have significant environmental benefits. Recycling for Cell Phones for Soldiers is provided through ReCellular. Re Cellular has a Strict zero landfill policy, is ISO 14001 and exceeds all laws and regulations regarding the export of electronic waste; and

WHEREAS, the Director of Purchase is requesting authorization to transfer property of surplus cell phone items that Erie County no longer has use for to the Cell Phones for Soldiers Program on an ongoing basis.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Purchasing Director is hereby authorized to transfer ownership of surplus cell phone items to the Cell Phones for Soldiers Program on an on-going basis; and be it further

RESOLVED, that certified copies of this resolution be delivered to the Office of the County Executive, Bridget Corcoran, Erie County Director of Purchasing and the Office of the Comptroller.

Item 55 – (COMM. 4E-11) State Aid for Snowmobile Development, 2009-2010

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 56 – (COMM. 4E-12) 2010 Annual Action Plan for the Community Development, Emergency Shelter & HOME Investment Partnership Programs

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 57 – MS. WHYTE presented the following resolution and moved for immediate consideration and approval. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 43

RE: Department of Central Police Services –
2009-2010 Grant - Regional Crime
Analysis Center Grant
(COMM. 4E-13)

WHEREAS, Erie County Central Police Services has been awarded a Regional Crime Analysis Center grant in the amount of \$210,000 to be administered by the New York State Division of Criminal Justice Services; and

WHEREAS, the Regional Crime Analysis Center provides a centrally located unit which is responsible for conducting in depth analysis of all county crime incident data; and

WHEREAS, the compilation of this data allows law enforcement agencies to make more informed decisions about strategic planning and tactical deployment; and

WHEREAS, Erie County has accepted this grant for this purpose in the past.

NOW, THEREFORE, BE IT

RESOLVED, that authorization is hereby provided for the County Executive to enter into a contract and accept funding in the amount of \$210,000 from the New York State Division of Criminal Justice Services; and be it further

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

Grant Fund-SAP#165 RCAC0910
Central Police Services
09/01/09 to 06/30/10

<u>Revenue</u>	<u>Increase</u>
409000 State Aid	\$210,000

<u>Appropriation</u>	<u>Increase</u>
516010 Contractual – Non Profit	\$210,000

Total Appropriation	\$210,000
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and be it further

RESOLVED, that authorization is hereby provided for the County Executive to enter into a contract with The Research Foundation of SUNY on behalf of the University at Buffalo to provide the Regional Crime Analysis Center with four full-time Crime Analysts at a cost of \$210,000; and be it further

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

RESOLVED, that certified copies of this resolution be forwarded to the Erie County Executive, the Division of Budget and Management, the Office of the Comptroller and the Department of Central Police Services, c/o Kathy Gumulak.

Item 58 – (COMM. 4E-14) ECC Request to Utilize the Capital Chargeback Account for North Campus Academic Lab Improvements in Addition to the Amount Originally Authorized

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 59 – MS. WHYTE presented the following resolution and moved for immediate consideration and approval. MS. GRANT seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 44

RE: Department of Central Police Services –

2009-2011 EC Crime Analysis Center –
Supplemental Grant
(COMM. 4E-15)

WHEREAS, the Erie County Central Police Services has been awarded a Erie Crime Analysis Center grant in the amount of \$256,797 to be administered by the New York State Division of Criminal Justice Services; and

WHEREAS, the Regional Crime Analysis Center provides a centrally located unit which is responsible for conducting in depth analysis of all county crime incident data; and

WHEREAS, the compilation of this data allows law enforcement agencies to make more informed decisions about strategic planning and tactical deployment; and

WHEREAS, Erie County has accepted this grant for this purpose in the past.

NOW, THEREFORE, BE IT

RESOLVED, that authorization is hereby provided for the County Executive to enter into a contract and accept funding in the amount of \$256,797 from the New York State Division of Criminal Justice Services; and be it further

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

Grant Fund-SAP#165 ECACSUP0911
Central Police Services
11/01/09 to 10/31/11

<u>Revenue</u>	<u>Increase</u>
409000 State Aid	\$256,797

<u>Appropriation</u>	<u>Increase</u>
516010 Contractual – Non Profit	\$256,797

Total Appropriation	\$256,797
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and be it further

RESOLVED, that authorization is hereby provided for the County Executive to enter into a contract with The Research Foundation of SUNY on behalf of the University at Buffalo to provide the Erie Crime Analysis Center with a Senior Analyst and an Administrative Assistant at a cost of \$256,797; and be it further

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

RESOLVED, that certified copies of this resolution be forwarded to the Erie County Executive, the Division of Budget and Management, the Office of the Comptroller and the Department of Central Police Services, c/o Kathy Gumulak.

Item 60 – MS. WHYTE presented the following resolution and moved for immediate consideration and approval. MR. MAZUR seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 45

RE: Property Transfer to Boys & Girls Club
of the Northtowns
(COMM. 4E-16)

WHEREAS, the Boys and Girls Club of the Northtowns works with youth to provide computers to families within the community who cannot afford to purchase them; and

WHEREAS, the Boys and Girls Club teaches youth how to refurbish computers and then assists families within Erie County who could not otherwise afford to have computers in their homes; and

WHEREAS, The Director of Purchase is requesting authorization to transfer property of surplus computer items that Erie County no longer has use for to the Boys and Girls Club of Northtowns when there are requests on an ongoing basis.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Purchasing Director is hereby authorized to transfer ownership of surplus computer items to the Boys and Girls Club of Northtowns on an on-going basis; and be it further

RESOLVED, that certified copies of this resolution be delivered to the Office of the County Executive, Bridget Corcoran, Erie County Director of Purchasing, and the Office of the Comptroller.

Item 61 – (COMM. 4E-17) Personnel Adjustments - Correctional Health Services - Department of Health

Received and referred to the PUBLIC SAFETY COMMITTEE.

Item 62 – (COMM. 4E-18) Mortgage Agreement for Academy Place Housing - Village of Gowanda

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 63 – (COMM. 4E-19) Department of Central Police Services - Justice Assistance 2009 Grant

Received and referred to the PUBLIC SAFETY COMMITTEE.

Item 64 – (COMM. 4E-20) Appointments to the Board of Managers for EC Sewer District Nos. 3, 5 & 8

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 65 – MS. WHYTE presented the following resolution and moved for immediate consideration and approval. MR. MAZUR seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 46

RE: Property Transfer to Town of Collins
(COMM. 4E-21)

WHEREAS, Earlier this month the Town of North Collins approached Erie County to ask for assistance in furnishing the town's new Town Hall; and

WHEREAS, County Executive Chris Collins offered the North Collins Town Council Members the opportunity to visit the Purchasing Department's surplus furniture warehouse to determine if the County had any unused equipment or furniture that would be of use to the town; and

WHEREAS, because these items no longer serve a purpose for the County of Erie, the County has agreed to transfer the following items to the Town of Collins.

NOW, THEREFORE, BE IT

RESOLVED, that ownership of the following items:

Item	Quantity
Chair	3
Table	8
File Cabinet	4
Cabinet	1
Stool	1
Desk	2

is hereby transferred from the County of Erie to the Town of Collins for the purpose of furnishing their Town Hall; and be it further

RESOLVED, that none of these items are to be used for a purpose other than furnishing the Collins Town Hall; and be it further

RESOLVED, that certified copies of this resolution be sent to the Department of Purchase, the County Executive's Office, and the Town of Collins Supervisor.

Item 66 – (COMM. 4E-22) Request Authorization to Accept Efficiency Grant Funds - AFSCME Retroactive Bonus Payments

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

MS. WHYTE challenged the ruling of the Chair. MS. MARINELLI seconded.

***CHAIR MILLER-WILLIAMS directed that the Legislature enter into recess at 3:57 P.M.

***CHAIR MILLER-WILLIAMS declared the Legislature reconvened at 4:15 P.M.

All members present.

CHAIR MILLER-WILLIAMS moved the previous question and directed that a roll-call vote be taken.

AYES: MS. GRANT, MS. MARINELLI and MS. WHYTE. NOES: MS. DIXON, MR. FUDOLI, MR. HARDWICK, MR. MILLS, MR. RATH, MR. WALTER, MS. BOVE, MR. KENNEDY, MR. LOUGHRAN, MR. MAZUR and CHAIR MILLER-WILLIAMS. (AYES: 3; NOES: 11)

FAILED.

The item is referred to the GOVERNMENT AFFAIRS COMMITTEE.

Item 67 – (COMM. 4E-23) Amended CSE & III-B Grant Budgets

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

FROM LEGISLATOR WHYTE

Item 68 – MS. MARINELLI presented the following resolution and moved for immediate consideration and approval. MR. MAZUR seconded. MS. WHYTE abstained.

CARRIED. (13-0-1)

RESOLUTION NO. 47

RE: Lease for Legislative Office Space
(COMM. 4E-24)

RESOLVED, the Erie County Executive is hereby authorized to sign a Two (2) Year Lease Agreement with Concerned Ecumenical Ministries for Legislative office space for Maria R. Whyte, located at 286 Lafayette Ave., Buffalo, New York for a monthly rate of \$675.

FROM LEGISLATOR WALTER

Item 69 – MS. WHYTE presented the following resolution and moved for immediate consideration and approval. MR. KENNEDY seconded. MR. WALTER abstained.

CARRIED. (13-0-1)

RESOLUTION NO. 48

RE: Lease for Legislative Office Space

(COMM. 4E-25)

RESOLVED, the Erie County Executive is hereby authorized to sign a Two (2) Month Lease Agreement with P&R Casilio Enterprises, Inc. for Legislative office space for Raymond W. Walter, located at 8180 Main St., Williamsville, New York for a monthly rate of \$700.

FROM LEGISLATOR KENNEDY

Item 70 – MS. WHYTE presented the following resolution and moved for immediate consideration and approval. MR. MAZUR seconded. MR. KENNEDY abstained.

CARRIED. (13-0-1)

RESOLUTION NO. 49

RE: Lease for Legislative Office Space
(COMM. 4E-26)

RESOLVED, the Erie County Executive is hereby authorized to sign a Two (2) Year Lease Agreement with Frank Green for Legislative office space for Timothy M. Kennedy, located at 1928 South Park Ave., North Office, Buffalo, New York for a monthly rate of \$699.

COMMUNICATIONS FROM THE DEPARTMENTS

FROM THE COMPTROLLER'S OFFICE

Item 71 – (COMM. 4D-1) Letter to Legislature Concerning Appointments to the EC Audit Committee

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE DEPARTMENT OF HEALTH

Item 72 – (COMM. 4D-2) Copy of Proposed Revisions to the EC Sanitary Code

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

FROM THE COMPTROLLER'S OFFICE

Item 73 – (COMM. 4D-3) Letter to Board of Ethics Chair Concerning EC Comptroller Review - Annual Financial Statements, EC Code of Ethics & EC Board of Ethics

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE COUNTY ATTORNEY

Item 74 – (COMM. 4D-4) Transmittal of New Claims Against EC

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE DEPARTMENT OF SOCIAL SERVICES

Item 75 – (COMM. 4D-5) Designation in the Event of Vacancy, Absence or Inability

Received and Filed.

FROM THE COMPTROLLER'S OFFICE

Item 76 – (COMM. 4D-6) Audit of the Payment in Lieu of Tax "Pilot" Process for the Period 1/1/2006 - 12/31/2008

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM THE COUNTY ATTORNEY

Item 77 – (COMM. 4D-7) Transmittal of New Claims Against EC

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE COMPTROLLER'S OFFICE

Item 78 – (COMM. 4D-8) Letter to Board of Ethics Chair & Department of Personnel Commissioner Concerning EC Comptroller Review - Annual Financial Statements, EC Code of Ethics & EC Board of Ethics

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES

FROM THE BUFFALO ARTS STUDIO

Item 79 – (COMM. 4M-1) 2010 Budget Accountability Act Submission

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM EL MUSEO

Item 80 – (COMM. 4M-2) 2010 Budget Accountability Act Submission

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM THE NYS DEPARTMENT OF HEALTH

Item 81 – (COMM. 4M-3) Letter Concerning Legislature Resolution Expressing Opposition to Decision of County Executive to Stop Participating in WIC Program

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

FROM THE BUFFALO OLMSTED PARKS CONSERVANCY

Item 82 – (COMM. 4M-4) EC Legislature Budget Accountability Act - 2009 Close-Out Report

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM ROYCROFT CAMPUS CORP.

Item 83 – (COMM. 4M-5) 2010 Budget Accountability Act Submission

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM THE MARTIN HOUSE RESTORATION CORP.

Item 84 – (COMM. 4M-6) 2010 Budget Accountability Act Submission

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM THE KENMORE - TOWN OF TONAWANDA CHAMBER OF COMMERCE

Item 85 – (COMM. 4M-7) Letter Concerning 2010 Budget Accountability Act

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM THE NYS DEC

Item 86 – (COMM. 4M-8) Notice of Certification - Brownfield Cleanup Program - NOCO #S41 BCP Site

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE WNY ARTISTS GROUP, INC.

Item 87 – (COMM. 4M-9) 2010 Budget Accountability Act Submission

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM MUSICALFARE THEATRE

Item 88 – (COMM. 4M-10) 2010 Budget Accountability Act Submission

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM THE EC WATER AUTHORITY

Item 89 – (COMM. 4M-11) Copy of Letter to Buffalo Council Member Concerning Resolution to Merge the Buffalo Water Authority with the EC Water Authority

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM SQUEAKY WHEEL / BUFFALO MEDIA RESOURCES

Item 90 – (COMM. 4M-12) EC Legislature Budget Accountability Act - 2009 Close-Out Report

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM YOUNG AUDIENCES OF WNY

Item 91 – (COMM. 4M-13) EC Legislature Budget Accountability Act - 2009 Close-Out Report

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM THE VILLAGE OFFICIALS ASSOCIATION OF EC

Item 92 – (COMM. 4M-14) Copy of Resolution Concerning EMP (Electromagnetic Pulse) Event

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE EMPIRE STATE DEVELOPMENT CORP.

Item 93 – (COMM. 4M-15) Canal Side Project - NYS Environmental Quality Review Act and Final Generic Environmental Impact Statement

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM JUST BUFFALO LITERARY CENTER

Item 94 – (COMM. 4M-16) 2010 Budget Accountability Act Submission

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM THE CITIZENS' REGIONAL TRANSIT CORPORATION

Item 95 – (COMM. 4M-17) Letter to Legislature Requesting Presentation to the Economic Development Committee Regarding Plans for the Extension of Metro Rail to the Airport

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM MUSIC IS ART

Item 96 – (COMM. 4M-18) 2010 Budget Accountability Act Submission

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM THE ARTS IN EDUCATION INSTITUTE

Item 97 – (COMM. 4M-19) Letter to the EC Legislature Inviting Members to the Annual Legislators' Breakfast Meeting

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM HAUPTMAN - WOODWARD

Item 98 – (COMM. 4M-20) 2010 Budget Accountability Act Submission

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM THE BUFFALO NIAGARA CONVENTION & VISITORS BUREAU

Item 99 – (COMM. 4M-21) 2010 Budget Accountability Act Submission

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM THE BUFFALO NIAGARA CONVENTION CENTER

Item 100 – (COMM. 4M-22) 2010 Budget Accountability Act Submission

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM THE IRISH CLASSICAL THEATRE COMPANY

Item 101 – (COMM. 4M-23) 2010 Budget Accountability Act Submission

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM THE ALBRIGHT-KNOX ART GALLERY

Item 102 – (COMM. 4M-24) 2010 Budget Accountability Act Submission

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM THE BUFFALO CITY BALLET

Item 103 – (COMM. 4M-25) 2010 Budget Accountability Act Submission

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM THE LOCUST STREET NEIGHBORHOOD ART CLASSES

Item 104 – (COMM. 4M-26) EC Legislature Budget Accountability Act - 2009 Close-Out Report

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM THE NIAGARA ERIE REGIONAL COALITION

Item 105 – (COMM. 4M-27) 2010 Budget Accountability Act Submission

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM EXPLORE & MORE

Item 106 – (COMM. 4M-28) 2010 Budget Accountability Act Submission

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM YOUNG AUDIENCES WNY

Item 107 – (COMM. 4M-29) 2010 Budget Accountability Act Submission

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM LOCUST STREET NEIGHBORHOOD ART CLASSES

Item 108 – (COMM. 4M-30) 2010 Budget Accountability Act Submission

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM THE BUFFALO PHILHARMONIC ORCHESTRA

Item 109 – (COMM. 4M-31) 2010 Budget Accountability Act Submission

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM UJIMA COMPANY, INC.

Item 110 – (COMM. 4M-32) 2010 Budget Accountability Act Submission

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM THE THEODORE ROOSEVELT INAUGURAL SITE FOUNDATION

Item 111 – (COMM. 4M-33) 2010 Budget Accountability Act Submission

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM THE BUFFALO TRANSPORTATION / PIERCE-ARROW MUSEUM

Item 112 – (COMM. 4M-34) 2010 Budget Accountability Act Submission

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM THE WNY SOUTHTOWNS SCENIC BYWAY

Item 113 – (COMM. 4M-35) 2010 Budget Accountability Act Submission

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM THE GRAND ISLAND CHAMBER OF COMMERCE

Item 114 – (COMM. 4M-36) 2010 Budget Accountability Act Submission

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM UJIMA COMPANY, INC.

Item 115 – (COMM. 4M-37) 2010 Budget Accountability Act Submission

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM ALLEYWAY THEATRE, INC.

Item 116 – (COMM. 4M-38) 2010 Budget Accountability Act Submission

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM THE NYS DEC

Item 117 – (COMM. 4M-39) Notice of Certification - Brownfield Cleanup Program -
Niagara Street & Pennsylvania Avenue

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM NYSERDA

Item 118 – (COMM. 4M-40) Copy of West Valley Decommissioning Final Environmental
Impact Statement

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM COOPERATIVE EXTENSION

Item 119 – (COMM. 4M-41) 2010 Budget Accountability Act Submission

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM THE COMMUNITY MUSIC SCHOOL OF BUFFALO

Item 120 – (COMM. 4M-42) EC Legislature Budget Accountability Act - 2009 Close-Out Report

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM FOLKLORIC PRODUCTIONS DANCE CO., INC.

Item 121 – (COMM. 4M-43) 2010 Budget Accountability Act Submission

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM THE NIAGARA ERIE REGIONAL COALITION

Item 122 – (COMM. 4M-44) EC Legislature Budget Accountability Act - 2009 Close-Out Report

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM THE BUFFALO & EC PUBLIC LIBRARY BOARD OF TRUSTEES

Item 123 – (COMM. 4M-45) Minutes of Meeting Held on 2/18/2010

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM RICHARD L. TACZKOWSKI

Item 124 – (COMM. 4M-46) Proposals to Downsize the Legislature

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE BUFFALO PUBLIC SCHOOLS

Item 125 – (COMM. 4M-47) Letter in Relation to the Buffalo Public Schools Health Related Services Department Supporting Calorie Posting

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

FROM THE NFTA

Item 126 – (COMM. 4M-48) EC Legislature Budget Accountability Act - 2009 Close-Out Report

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM THE BUFFALO PHILHARMONIC CHORUS

Item 127 – (COMM. 4M-49) Letter in Relation to the BPC Not Receiving County Funding in 2010

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM THE NYS FISH & WILDLIFE MANAGEMENT BOARD

Item 128 – (COMM. 4M-50) Minutes of the Meeting Held 2/4/2010

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE AMERICAN LEGION BAND OF THE TONAWANDAS, POST 264

Item 129 – (COMM. 4M-51) 2010 Budget Accountability Act Submission

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM GRAYCLIFF CONSERVANCY, INC.

Item 130 – (COMM. 4M-52) 2010 Budget Accountability Act Submission

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM THE EC SOIL & WATER CONSERVATION DISTRICT

Item 131 – (COMM. 4M-53) EC Legislature Budget Accountability Act - 2009 Close-Out Report & 2010 Budget Accountability Act Submission

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM THE BOTANICAL GARDENS

Item 132 – (COMM. 4M-54) 2010 Budget Accountability Act Submission

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM THE LAW OFFICES OF JOSEPH G. MAKOWSKI, L.L.C.

Item 133 – (COMM. 4M-55) Agreement Between EC Medical Center Corporation & HLM Holdings, L.L.C.

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

FROM THE NYS DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Item 134 – (COMM. 4M-56) Fish & Wildlife Monthly Highlights - 12/16/2009 - 1/15/2010

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE ARTS IN EDUCATION INSTITUTE

Item 135 – (COMM. 4M-57) 2010 Budget Accountability Act Submission

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM THE TOWN OF ALDEN

Item 136 – (COMM. 4M-58) Copy of Resolution Concerning EMP (Electromagnetic Pulse)
Event

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM KRISTIN SCHUH

Item 137 – (COMM. 4M-59) Letter to the EC Legislature Concerning Cuts to Child Care
Subsidy ProgramsC.

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

FROM THE US ENVIRONMENTAL PROTECTION AGENCY

Item 138 – (COMM. 4M-60) Tonawanda Community Air Quality Study & Evaluation of
Tonawanda Coke Facility

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE ASSOCIATION OF EC GOVERNMENTS

Item 139 – (COMM. 4M-61) Copy of Resolution Concerning EMP (Electromagnetic Pulse)
Event

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

ANNOUNCEMENTS

Item 140 – MR. MAZUR announced that the Health & Human Services Committee will hold
an informational meeting on Tuesday, March 2, 2010.

Item 141 – MR. LOUGHRAN announced that the Community Enrichment Committee will
tentatively hold its next meeting at ECC City Campus on Monday, March 15, 2010.

Item 142 – MS. BOVE announced that the Public Safety Committee will meet on Monday,
March 1, 2010.

Item 143 – CHAIR MILLER-WILLIAMS announced recognition of March as Women’s History Month.

MEMORIAL RESOLUTIONS

Item 144 – Legislator Bove requested that when the Legislature adjourns, it do so in memory of Stranton Switzer, who service as a volunteer firefighter for over 80 years.

Item 145 – Legislator Kennedy requested that when the Legislature adjourns, it do so in memory of Phyllis M. Tripi.

Item 146 – Chair Miller-Williams requested that when the Legislature adjourns, it do so in memory of John E. Smith, Mother Marie Davis, Joanne Workman and Mr. Huntley.

ADJOURNMENT

Item 147 - At this time, there being no further business to transact, CHAIR MILLER-WILLIAMS announced that the Chair would entertain a Motion to Adjourn.

MR. KENNEDY moved that the Legislature adjourn until Thursday, March 4, 2010 at 2:00 p.m. Eastern Standard Time. MR. MAZUR seconded.

CARRIED UNANIMOUSLY.

CHAIR MILLER-WILLIAMS declared the Legislature adjourned until Thursday, March 4, 2010 at 2:00 p.m. Eastern Standard Time.

ROBERT M. GRABER
CLERK OF THE LEGISLATURE