

ERIE COUNTY LEGISLATURE
MEETING NO. 12
JUNE 24, 2010

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

All members present.

An Invocation was held, led by Mr. Loughran, who on behalf of Mr. Kozub, welcomed Father Joseph Bayne to the Legislature in order to conduct the Invocation.

The Pledge of Allegiance was led by Ms. Whyte.

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 11 from 2010. MR. MAZUR seconded.

CARRIED UNANIMOUSLY.

Item 4 – No Public Hearings.

MISCELLANEOUS RESOLUTIONS

Item 5 – MR. KENNEDY presented a Memorial Resolution for Karen Pawlik.

Item 6 – MR. KOZUB presented a resolution Thanking Father Joseph Bayne for His Considerable Work with Emergency Services & Homeless Youth.

Item 7 – MS. DIXON presented a resolution Honoring Eric Pyne & Urban Valet Cleaners for Cleaning the Prom Dresses for the 1st Annual Prom Dress Drive in District 12.

Item 8 – MR. MAZUR presented a Memorial Resolution Honoring the Life of Robert Miller.

Item 9 – MR. MAZUR presented a Memorial Resolution Honoring Barbara Rykse.

Item 10 – MS. DIXON, MR. RATH, MR. WALTER, MR. FUDOLI, MR. HARDWICK and MR. MILLS presented a resolution Honoring Booker Edgerson for His Dedication & Contributions to WNY and for His Selection as the 2010 Bills Wall of Fame Inductee.

Item 11 – MR. HARDWICK presented a resolution Honoring the Tonawanda High School Warriors Baseball Team for Winning the Section Six Class B Baseball Title.

Item 12 – MR. HARDWICK presented a resolution Honoring John Inavcic on His Appointment as Chief of Police in the City of Tonawanda.

Item 13 – MS. WHYTE presented a resolution Honoring Chris Brown.

Item 14 – MR. FUDOLI presented a Memorial Resolution Honoring Michael Stoldt.

Item 15 – MR. FUDOLI presented a resolution Recognizing Boy Scout Michael Gerber of Troop 468, for Achieving the Rank of Eagle Scout.

Item 16 – MR. FUDOLI presented a resolution Recognizing Boy Scout Christopher Dorminy of Troop 117, for Achieving the Rank of Eagle Scout.

Item 17 – MR. MILLS presented a resolution Congratulating Ted Gura on His Retirement After Serving 33 Years on the Town of Orchard Park Police Department.

Item 18 – MR. MILLS presented a resolution Congratulating Ernest Matthews on Receiving the Prestigious Fire Service Community Achievement Award.

Item 19 – MR. MILLS presented a resolution Congratulating Sean Hogan on Being Named Orchard Park Boys & Girls Club's Youth of the Year.

Item 20 – MS. MARINELLI presented a resolution Congratulating Nathan Vaughan Bell on His Achievement of the Rank of Eagle Scout.

Item 21 – MS. MARINELLI presented a resolution Congratulating Richard “Dick” Gallagher on His Retirement as the Chief Executive Officer of Alcohol and Drug Dependency Services.

Item 22 – CHAIR MILLER-WILLIAMS presented a resolution Congratulating Delaine Warring AME Church on Their Founders' Day Celebration.

Item 23 – MR. MILLS, MS. DIXON and MR. KOZUB presented a resolution Honoring Herb Darling on His Quest to Save the Beautiful American Chestnut Tree.

MS. WHYTE moved for consideration of the above nineteen items. MR. KENNEDY seconded.

CARRIED UNANIMOUSLY.

MS. WHYTE moved to amend the above nineteen items by adding one for MR. KENNEDY, and also by including Et Al Sponsorship. MR. KENNEDY seconded.

CARRIED UNANIMOUSLY.

MS. WHYTE moved for approval of the above twenty items as amended. MS. BOVE seconded.

CARRIED UNANIMOUSLY.

LOCAL LAWS

Item 24 – CHAIR MILLER-WILLIAMS directed that Local Law No. 4 (Print #1) 2009 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 25 – CHAIR MILLER-WILLIAMS directed that Local Law No. 6 (Print #1) 2009 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 26 – CHAIR MILLER-WILLIAMS directed that Local Law No. 7 (Print #1) 2009 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 27 – 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 28 – CHAIR MILLER-WILLIAMS directed that Local Law No. 2 (Print #1) 2010 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 29 – CHAIR MILLER-WILLIAMS directed that Local Law No. 3 (Print #1) 2010 remain on the table and in the PUBLIC SAFETY COMMITTEE.

GRANTED.

Item 30 – CHAIR MILLER-WILLIAMS directed that Local Law No. 4 (Print #1) 2010 remain on the table and in the PUBLIC SAFETY COMMITTEE.

GRANTED.

COMMITTEE REPORTS

Item 31 – MS. WHYTE presented the following report and moved for immediate consideration and approval. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 132

June 15, 2010	FINANCE & MANAGEMENT COMMITTEE
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REPORT NO. 5

ALL MEMBERS PRESENT EXCEPT, LEGISLATOR MARINELLI.
CHAIR MILLER-WILLIAMS PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 11D-1 (2010)
DIRECTOR OF BUDGET & MANAGEMENT: "Letter to Comptroller Requesting a Monthly Cash Flow Statement"
(5-0)
 - b. COMM. 11D-3 (2010)
DIRECTOR OF BUDGET & MANAGEMENT: "Copy of Vacancy Report"
(5-0)
 - c. COMM. 11D-4 (2010)
DIRECTOR OF BUDGET & MANAGEMENT: "Budget Monitoring Report for Period Ending 4/30/2010"
(5-0)
 - d. COMM. 11D-6 (2010)
COMPTROLLER'S OFFICE: "Letter to Budget Director Concerning 2009 Budget Balancing Amendments"
(5-0)
2. COMM. 8D-3 (2010)
EC REAL PROPERTY TAX SERVICES AS AMENDED
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 210162 through 210181, 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	2007	Petition No.	210,162.00
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ASSESSOR	Refund	\$84.16
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S-B-L	28.14-5-15	142289 AMHERST
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Acct. No. 112	\$0.00	County
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Charge To : 142289 AMHERST \$71.41

RPTL 550(2): EXTRA SEWER CHARGES CHARGED IN ERROR
REFUND TO BE ISSUED TO: DAVID J CASTERLINE & DANIELLE M VITO

FISCAL YEAR 2009 Petition No. 210,170.00

ASSESSOR Refund \$85.09

S-B-L 28.14-5-14 142289 AMHERST

Acct. No. 112 \$0.00 County
Acct. No. 132 \$85.09 Town/SpecialDist/School

Charge To : 142289 AMHERST \$85.09

RPTL 550(2): EXTRA SEWER CHARGES CHARGED IN ERROR
REFUND TO BE ISSUED TO: DAVID J CASTERLINE & DANIELLE M VITO

FISCAL YEAR 2010 Petition No. 210,171.00

ASSESSOR Refund \$76.82

S-B-L 28.14-5-14 142289 AMHERST

Acct. No. 112 \$0.00 County
Acct. No. 132 \$76.82 Town/SpecialDist/School

Charge To : 142289 AMHERST \$76.82

RPTL 550(2): EXTRA SEWER CHARGES CHARGED IN ERROR
REFUND TO BE ISSUED TO: DAVID J CASTERLINE & DANIELLE M VITO

FISCAL YEAR 2010 Petition No. 210,172.00

ASSESSOR Refund \$67.30

S-B-L 28.14-5-2 142289 AMHERST

Acct. No. 112 \$0.00 County
Acct. No. 132 \$67.30 Town/SpecialDist/School

Charge To : 142289 AMHERST \$67.30

RPTL 550(2): EXTRA SEWER CHARGES CHARGED IN ERROR
REFUND TO BE ISSUED TO: JAMES R & AMY L ARCHER

FISCAL YEAR 2010 Petition No. 210,173.00

ASSESSOR Cancel \$109.63

S-B-L 47.19-3-23.1 145601 AKRON

Acct. No. 112 \$0.00 County
Acct. No. 132 \$109.63 Town/SpecialDist/School
Charge To : 145601 AKRON \$109.63

Relevy Village \$109.63 Village of AKRON
RPTL 550(2): FAILED TO APPLY A COLD WAR VET EXEMPTIONS
NEW TAX BILL TO BE ISSUED TO: RONALD & DONNA HATCHER

FISCAL YEAR 2010 Petition No. 210,174.00

ASSESSOR Cancel \$167.48

S-B-L 80.08-5-14 142201 WILLIAMSVILLE

Acct. No. 112 \$0.00 County
Acct. No. 132 \$167.48 Town/SpecialDist/School
Charge To : 142201 WILLIAMSVILLE \$167.48

Relevy Village \$167.48 Village of WILLIAMSVILLE
RPTL 550(2): CHANGE IN ASSESSED VALUE MISSED THE COMPUTER IN ERROR
NEW TAX BILL TO BE ISSUED TO: CLAUDIA CARDINO

FISCAL YEAR 2007 Petition No. 210,175.00

ASSESSOR Refund \$230.60

S-B-L 262.12-1-4 145000 HOLLAND

Acct. No. 112 \$0.00 County
Acct. No. 132 \$230.60 Town/SpecialDist/School
Charge To : 145000 HOLLAND \$230.60
Relevy School \$230.60 145001 HOLLAND CENTRAL

RPTL 550(2): ERROR IN THE VALUATION OF PRIMESITE ON PARCEL
REFUND TO BE ISSUED TO: DAVID WILLIAMS

FISCAL YEAR 2008 Petition No. 210,176.00

ASSESSOR Refund \$148.57

S-B-L 262.12-1-4 145000 HOLLAND

Acct. No. 112 \$71.63 County
Acct. No. 132 \$76.94 Town/SpecialDist/School
50020 HOLLAND FIRE DIST #1 \$18.41
Charge To : 145000 HOLLAND \$58.53

RPTL 550(2): INCORRECT ASSESSED VALUE APPLIED
REFUND TO BE ISSUED TO: DAVID B & SHELLY WILLIAMS

FISCAL YEAR 2010 Petition No. 210,177.00

 ASSESSOR Cancel \$333.20

S-B-L 335.19-5-4 143801 SPRINGVILLE

 Acct. No. 112 \$0.00 County
 Acct. No. 132 \$333.20 Town/SpecialDist/School
Charge To : 143801 SPRINGVILLE \$333.20

 Relevy Village \$333.20 Village of SPRINGVILLE

RPTL 550(2): FAILED TO APPLY A SENIOR EXEMPTION
NEW TAX BILL TO BE ISSUED TO: JOHN J & MARCIA C NEUMANN

FISCAL YEAR 2009 Petition No. 210,178.00

 ASSESSOR Refund \$198.80

S-B-L 235.20-2-21 144401 ANGOLA

 Acct. No. 112 \$0.00 County
 Acct. No. 132 \$198.80 Town/SpecialDist/School
Charge To : 144401 ANGOLA \$198.80

 Relevy Village \$198.80 Village of ANGOLA

RPTL 550(2): FAILED TO APPLY A DISABLED VET EXEMPTION
REFUND TO BE ISSUED TO: WILLIAM L WATERSTRUSS

FISCAL YEAR 2010 Petition No. 210,179.00

 ASSESSOR Refund \$1,953.53

S-B-L 193.00-2-39.3 144489 EVANS

 Acct. No. 112 \$774.06 County
 Acct. No. 132 \$1,179.47 Town/SpecialDist/School
Charge To : 144489 EVANS \$1,179.47

RPTL 550(2): FAILED TO APPLY A COMBAT VET EXEMPTIONS
REFUND TO BE ISSUED TO: JAMES & MARIANNA MATTINA

FISCAL YEAR 2008 Petition No. 210,180.00

 ASSESSOR Refund \$103.75

S-B-L 81.13-1-31

142289 AMHERST

	Acct. No. 112	\$53.46	County
	Acct. No. 132	\$50.29	Town/SpecialDist/School
<u>Charge To :</u>	142289 AMHERST		\$50.29

RPTL 550(2): FAILED TO APPLY A COMBAT VET EXEMPTION
REFUND TO BE ISSUED TO: RICHARD G & DEBRA J BOSSERT

FISCAL YEAR 2009 Petition No. 210,181.00

ASSESSOR Refund \$96.24

S-B-L 81.13-1-31

142289 AMHERST

	Acct. No. 112	\$53.41	County
	Acct. No. 132	\$42.83	Town/SpecialDist/School
<u>Charge To :</u>	142289 AMHERST		\$42.83

RPTL 550(2): FAILED TO APPLY A COMBAT VET EXEMPTION
REFUND TO BE ISSUED TO: RICHARD G & DEBRA J BOSSERT

RESOLVED, that certified copies of this resolution be forwarded to the Director of Real Property Tax Services.
(5-0)

3. COMM. 11E-1 (2010)
 COUNTY CLERK

RESOLVED, the Erie County Legislature hereby acknowledges receipt of a Copy of NYS Mortgage Tax Semi-Annual Report of Receipts & Disbursements for Period of 10/2009 - 03/2010
(5-0)

BARBARA MILLER-WILLIAMS
AS CHAIR OF THE ERIE COUNTY LEGISLATURE

Item 32 – MS. WHYTE presented the following report and moved for immediate consideration and approval. MR. WALTER seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 133

June 17, 2010	GOVERNMENT AFFAIRS COMMITTEE REPORT NO. 4
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ALL MEMBERS PRESENT, EXCEPT LEGISLATOR FUDOLI.
CHAIR MILLER-WILLIAMS PRESENT AS EX-OFFICIO MEMBER.

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

a. INTRO 10-2 (2010)

DIXON, MILLS, RATH, WALTER, FUDOLI & HARDWICK: "Requesting that the EC Clerk's Office Cease Practice of Imposing Unwarranted Restrictions on Licenses to Carry Pistol"
(5-0)

2. INTRO 11-5 (2010)

WHYTE, KENNEDY, MAZUR,
MILLER-WILLIAMS & MARINELLI AS AMENDED

WHEREAS, Erie County currently has an equal employment opportunity policy that seeks to protect the county workforce from discrimination on the basis of race, sex, and religion; and

WHEREAS, such protections have come as the result of the ongoing struggle for equality in this country; and

WHEREAS, in the 21st Century the struggle for equality also includes protection from discrimination on the basis of sexual orientation and gender identity and expression; and

WHEREAS, many public and private sector employers, including the City of Buffalo, have updated their EEO policy to include sexual orientation and gender identity and expression; and

WHEREAS, Erie County is desirous of updating its EEO policy to properly reflect the struggle for equality in the 21st century.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Commissioner of Personnel, together with the County Attorney and the Erie County Legislature's Government Affairs Committee, be directed to update Erie County's EEO policy to include protection from discrimination on the basis of sexual orientation and gender identity and expression along with its definition; and be it further

RESOLVED, that the Personnel Commissioner then come before the Government Affairs Committee to discuss the updated policy; and be it further

RESOLVED, that certified copies of this resolution be sent to the County Executive, the Personnel Commissioner, the County Attorney, the City of Buffalo, OUTspoken for Equality, and the Empire State PRIDE Agenda.
(5-0)

3. COMM. 11E-3 (2010)

COUNTY EXECUTIVE

WHEREAS, Erie County Personnel's current Civil Service Exam System is no longer being technologically supported; and

WHEREAS, it is imperative that Erie County maintain civil service exam records in accordance with New York State Civil Service Law and Records Retention Law; and

WHEREAS, NEOGOV is a company which provides supported, secure and maintained services capable of hosting a Civil Service Exam System and is a sole source provider; and

WHEREAS, NEOGOV's service capabilities would allow for the expansion of Erie County's exam process to encompass electronic application submission, processing and communications; and

WHEREAS, the costs for 2010 to purchase and install this system is estimated to be \$70,000; and

WHEREAS, monies are available in the 2010 budget in a revenue account that has exceeded its annual budget.

NOW, THEREFORE, BE IT

RESOLVED, that this honorable body authorize the County Executive to enter into a contract with NEOGOV for the purposes of creating and maintaining a Civil Service Exam System for Erie County; and be it further

RESOLVED, that funding is authorized in an amount not to exceed \$70,000 in year one and in the amount of \$25,800 in years thereafter; and be it further

RESOLVED, that the Director of Budget and Management is authorized to make the following budget adjustments:

Fund 110, Fund Center 14010 County-Wide Budget Accounts

<u>Revenue</u>	<u>Increase</u>
Acct 400040 Other Payments in Lieu of Taxes	\$70,000

Fund 110, Fund Center 16110 Personnel

<u>Appropriations</u>	<u>Increase</u>
516020 Professional Services	\$70,000

and be it further

RESOLVED, that certified copies of this resolution be sent to the Office of the County Executive, the Director of Budget and Management, the Division of Information and Support Services, the Department of Personnel, the Director of Purchasing and the Office of the Comptroller.
(5-0)

**BARBARA MILLER-WILLIAMS
AS CHAIR OF THE ERIE COUNTY LEGISLATURE**

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 134

June 17, 2010	HEALTH & HUMAN SERVICES COMMITTEE REPORT NO. 7
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ALL MEMBERS PRESENT, EXCEPT LEGISLATOR FUDOLI.
CHAIR MILLER-WILLIAMS PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 4M-62 (2010)
SENATOR GILLIBRAND: “Letter to County Executive in Relation to Day Care Subsidies”
(5-0)
 - b. COMM. 6E-2 (2010)
WHYTE: “Letter to Legislator Mazur in Relation to WNY Women's Fund Research Initiative, "Pathways to Progress"”
(5-0)
 - c. COMM. 7M-2 (2010)
DORETHA FANNING: “Letter to Legislature Concerning Health Care Cuts & Sugar Tax”
(5-0)

2. COMM. 9E-14 (2010)
COUNTY EXECUTIVE

WHEREAS, the Department of Social Services requests variable minimum fill authorization for the vacant position of Assistant Commissioner / Administration to achieve continuous, experienced and comprehensive leadership under the direction of the Commissioner of Social Services consistent with Social Services Law governing the appointment of Deputy level positions within the Department; and

WHEREAS, this senior level leadership position will be responsible for administrative oversight of major programs and services including but not necessarily limited to Child Welfare and Adult and Family Services as well as maintain an advocacy and liaison role with all levels of government; and

WHEREAS, variable minimum approval at Step 3 Job group 16 is requested due to the need to recruit a highly qualified candidate based on a panel review process with the skills and experience commensurate with the rigorous demands of this position; and

WHEREAS, a recent retirement makes this position fill especially important, and

WHEREAS, there is no fiscal impact to the 2010 Adopted Budget based on this resolution.

NOW, THEREFORE, BE IT

RESOLVED, that authorization to fill the Job Group 16 position of Assistant Commissioner / Administration of Social Services (Position #51004527) on a variable minimum basis at Step 3 is granted; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the County Executive, the Commissioner of Social Services, the Commissioner of Personnel, the Erie County Comptroller and the Director of the Division of Budget and Management.
(5-0)

3. COMM. 11E-2 (2010)
COUNTY EXECUTIVE

RESOLVED, the Erie County Legislature hereby confirms the appointment/reappointment of the following individuals to the Local Early Intervention Coordinating Council for a term expiring December 31, 2011.

Appointments

Ms. Jessica Wagner
301 Travers Circle
Amherst, NY 14228

Ms. Patricia Migaj
ECMC – PEDS
4242 Ride Lea Road, Suite 2
Amherst, NY 14226

Ms. Stacie Ricioppo
Early Childhood Direction Center
936 Delaware Avenue
Buffalo, NY 14209

Ms. Kimberlee Kuzara
ChildPro
697 Ridge Road
Lackawanna, NY 14218

Ms. Mary Iwanenko
Monarch Little Learners Academy
1025 Ridge Road
Lackawanna, NY 14218

Ms. Melissa Goelpl
Independent Living of Niagara Co.
746 Portage Road
Niagara Falls, NY 14301

Ms. Mary Martin
Erie County EIP
Rath Building, Room 828
Buffalo, NY 14202

Ms. Carrie Racsummerger
101 Cochrane Street
Cheektowaga, NY 14206

Ms. Maryann Stry
People, Inc.
2128 Elmwood Avenue
Buffalo, NY 14207

Ms. Vickie Rubin
Early Childhood Direction Center
936 Delaware Avenue
Buffalo, NY 14209

Ms. Cecily Peinkofer

Ms. MaryAnne Furlani

WNYDDSO
110 W. Third Street
Jamestown, NY 14701

Hearing and Speech of WNY, PLLC
2545 Sheridan Drive
Tonawanda, NY 14150

Mr. Bill O'Meara
Erie County EIP
Rath Building, Room 828
Buffalo, NY 14202

Ms. Lynn Czemerynski
Orchard Park CPSE
3330 Baker Road
Orchard Park, NY 14127

Mr. Hans Schiffert
Summit Educational Resources
150 Stahl Road
Getzville, NY 14068

Ms. Mary Schuetz
72 Elm Street, Suite 5
East Aurora, NY 14052

Ms. Cynthia Sweet
105 Kelburn Street
Buffalo, NY 14206

Ms. Pauline DuFrane
Sophie's Club
11024 Blanchard Road
Holland, NY 14080

Ms. Tama Crowell
Baker Victory Services – ECP
51 St. John's Parkside
Buffalo, NY 14220

(5-0)

**THOMAS J. MAZUR
CHAIR**

Item 34 – MR. LOUGHRAN presented the following report and moved for immediate consideration and approval. MR. MAZUR seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 135

June 17, 2010	COMMUNITY ENRICHMENT COMMITTEE REPORT NO. 5
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ALL MEMBERS PRESENT.

CHAIR MILLER-WILLIAMS PRESENT AS EX-OFFICIO MEMBER.

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

a. COMM. 11M-4 (2010)

MAYOR BROWN: "Letter to Chair Miller-Williams Concerning Appointments to the Board of Trustees of the Buffalo & EC Public Library"

(6-0)

RESOLVED, that the Director of Budget and Management is authorized to make any further 2009 Budget adjustments that may be required based on adjusting entries identified by the Erie County Comptroller or the County's independent auditors, said adjustments would be made in conjunction with the Office of the Comptroller in preparation of their final financial statements and for no other purpose; and be it further

RESOLVED, that the Erie County Comptroller is authorized to establish designation of 2009 fund balance in the amount of \$1,500,000 to be used to fund the cost of labor union agreements; and be it further

RESOLVED, that the Director of Budget and Management in conjunction with the Office of the Comptroller is hereby authorized to make the appropriate budget and accounting entries to effectuate the above stated designation; and be it further

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

2009 Year End Budget Balancing Amendments

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

Fund 110 Expense Adjustments				
Fund Center	Department	Account	Increase/ (Decrease)	
100	Legislature	500000	Full Time - Salaries	10,225
		500010	Part Time - Wages	(10,225)
	Legislature Total			0
	105	DISS	500000	Full Time - Salaries
500020			Regular PT - Wages	14,498
DISS Total			0	
116		Jail Management	500000	Full Time - Salaries
	500010		Part Time - Wages	(210,020)
	500300		Shift Differential	(12,396)
	500320		Uniform Allowance	(18,250)
	500340		Line-Up	42,255
			Other Employee	
	500350		Pymts	(12,262)
	501000		Overtime	1,355,145
	502000		Fringe Benefits	(1,159,763)
	505400		Food & Kitchen Supp	10,430

Fund Center	Department	Account	Increase/ (Decrease)
	516020	Pro Ser Cnt And Fees	18,992
	516050	Dept Payments- ECMCC	585,780
	Jail Management Total		(1,007,035)
11510	Sheriff Division		
	500000	Full Time - Salaries	1,071,297
	500010	Part Time - Wages	(111,316)
	500300	Shift Differential	20,486
	500330	Holiday Worked	50,090
	500340	Line-Up Other Employee	15,686
	500350	Pymts	(29,376)
	501000	Overtime	749,693
	502000	Fringe Benefits	(734,522)
	506200	Maint & Repair	(25,003)
	Sheriff Division Total		1,007,035
120	DSS		
	500000	Full Time - Salaries	(4,431,350)
	500020	Regular PT - Wages	257,994
	500330	Holiday Worked	12,540
	501000	Overtime	1,071,071
	510000	Local Mileage Reimb MA - Gross Loc	82,252
	525030	Pymts	(1,919,321)
	525040	Family Assistance-FA	377,665
	525050	CWS - Foster Care	(3,327,577)
	525060	Safety Net Assist	377,189
	525070	Emer Assist To Adlts	279,414
	525080	Ed Handicapped Child	56,253
	525140	HEAP Program Costs	(1,768,962)
	525150	DSH Expense	5,024,021
	530010	Chargebacks	581,234
	DSS Total		(3,327,577)
163	Senior Services		
	500000	Full Time - Salaries	(20,168)
	500020	Regular PT - Wages	20,168
	Senior Services Total		0
500	ECMC		
	516050	Dept Payments- ECMCC	331,769
	ECMC Total		331,769

Fund Center	Department	Account	Increase/ (Decrease)
510	EC Home		
	502000	Fringe Benefits	(92,567)
	EC Home Total		(92,567)
10610	Bureau of Purchase		
	500000	Full Time - Salaries	15,226
	500020	Regular PT - Wages	(15,226)
	Bureau of Purchase Total		0
12210	DPW Commissioner		
	500000	Full Time - Salaries	19,784
	505000	Office Supplies	(3,220)
	DPW Commissioner Total		16,564
12220	DPW Building & Grounds		
	500000	Full Time - Salaries	(57,372)
	500020	Regular PT - Wages	(167,887)
	500330	Holiday Worked	18,224
	501000	Overtime	387,353
	502000	Fringe Benefits	(96,150)
	506200	Maint & Repair	(100,732)
	DPW Building & Grounds Total		(16,564)
12520	Youth Detention		
	500000	Full Time - Salaries	(27,392)
	501000	Overtime	27,392
	Youth Detention Total		0
12610	Probation Division		
	500000	Full Time - Salaries	(50,334)
	500020	Regular PT - Wages	26,645
	510000	Local Mileage Reimb	23,689
Probation Divn Total		0	
12700	Health Division		
	500000	Full Time - Salaries	(136,876)
	500020	Regular PT - Wages	39,824
	500330	Holiday Worked	12,782
	501000	Overtime	66,378
	516020	Pro Ser Cnt And Fees	17,892
Health Division Total		0	
12720	Emergency Medical Services		
	500010	Part Time - Wages	(14,310)

Fund Center	Department	Account	Increase/ (Decrease)
	501000	Overtime	14,310
	Emergency Medical Services Total		0
12730	Public Health Lab		
	500000	Full Time - Salaries	(72,998)
	500020	Regular PT - Wages	11,538
	501000	Overtime	55,481
	505800	Medical & Hlth Supp	(24,796)
	510000	Local Mileage Reimb	33,350
	516020	Pro Ser Cnt And Fees	(2,575)
	Public Health Lab Total		0
12740	Medical Examiner		
	500000	Full Time - Salaries	(9,552)
	500010	Part Time - Wages	11,177
	500330	Holiday Worked	12,642
	501000	Overtime	77,583
	502000	Fringe Benefits	(71,211)
	505800	Medical & Hlth Supp	(8,466)
	516020	Pro Ser Cnt And Fees	(12,173)
	Medical Examiner Total		0
16700	Emergency Services		
	500010	Part Time - Wages	10,479
	501000	Overtime	33,787
	502000	Fringe Benefits	(13,988)
	Emergency Services Total		30,278
14010	Cty-wide Acct Budget		
	504990	Reductions Per Srv	2,805,000
	Cty-wide Acct Budget Total		2,805,000
14030	Community College		
	520020	Co Res Enrl Comm Col	253,097
	Community College Total		253,097
16010	Law Division		
	500000	Full Time - Salaries	(21,287)
	500020	Regular PT - Wages	21,287
	Law Division Total		0
16020	Risk Retention		
	555050	Insurance Premiums	2,100,000
	Risk Retention Total		2,100,000

Fund Center	Department	Account	Increase/ (Decrease)	
16110	Personnel	500000	Full Time - Salaries	(13,153)
		500020	Regular PT - Wages	13,153
	Personnel Total			0
	16410	Parks	500000	Full Time - Salaries
500020			Regular PT - Wages	72,909
501000			Overtime	33,620
515000			Utility Charges	13,614
Parks Total			0	
16440	Parks - Buffalo City Parks	500000	Full Time - Salaries	168,777
		500010	Part Time - Wages	(73,838)
		500020	Regular PT - Wages	10,450
		500030	Seasonal Emp. Wages	(105,389)
	Parks - Buffalo City Parks Total			0
16500	Central Police Srvcs	500000	Full Time - Salaries	(23,798)
		500020	Regular PT - Wages	23,798
	Central Police Srvcs Total			0
Total Fund 110 Expense Adjustments			2,100,000	
Fund 110 Revenue Adjustments				
14010	County wide Account - Budget			
	402000	Sales Tax Erie Co	2,100,000	
Total Fund 110 Revenue Adjustments			2,100,000	
Net Fund 110 Adjustment			0	
Fund 210 Adjustments				
Fund Center	Department	Account	Increase/ (Decrease)	
123	Highways	500000	Full Time - Salaries	184,575
		500020	Regular PT - Wages	18,443
		501000	Overtime	196,386
		506400	Highway Supplies	(399,404)
	Highways Total			0

Fund 220 Adjustments				
Fund Center	Department	Account	Increase/ (Decrease)	
18010	Sewer Management	500000	Full Time - Salaries	(797,443)
		500020	Regular PT - Wages	271,639
			Other Employ	
		500350	Payments	53,904
		980000	ID DISS Services	471,900
Sewer Total			0	

Fund 230 Adjustments				
Fund Center	Department	Account	Increase/ (Decrease)	
16500	E-911 Fund	515000	Utility Charges	13,047
		516030	Maintenance contracts	(13,047)
		E-911 Total		0

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

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

AYES: MS. BOVE, MS. GRANT, MR. KENNEDY, MR. KOZUB, MR. LOUGHRAN, MS. MARINELLI, MR. MAZUR, CHAIR MILLER-WILLIAMS and MS. WHYTE. NOES: MS. DIXON, MR. FUDOLI, MR. HARDWICK, MR. MILLS, MR. RATH and MR. WALTER.
 (AYES: 9; NOES: 6)

CARRIED.

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

WHEREAS, year end budget balancing amendments are necessary to close the County's books and prepare financial statements for review by the County's independent auditors for the 2009 fiscal year; and

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

WHEREAS, 2009 funding within the County Attorney's Risk Retention Fund, the County Clerk's Auto Bureau, the Department of Environment and Planning, the Library, the Department of Social Services, the Youth Bureau, and the Department of Senior Services, is designated for reappropriation into 2010; and

WHEREAS, a designation of 2009 fund balance is requested to offset the anticipated expense of labor union agreements with retroactive provisions.

NOW, THEREFORE, BE IT

RESOLVED, that the Director of the Division of Budget and Management is hereby authorized to adjust the 2009 Budget in order to facilitate the completion of 2009 financial statements, based on the following schedule:

2009 Year End Budget Balancing Amendments

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

Fund 110 Expense Adjustments			
Fund Center	Department	Account	Increase/ (Decrease)
100	Legislature	500000 Full Time - Salaries	10,225
		500010 Part Time - Wages	(10,225)
	Legislature Total		0
105	DISS	500000 Full Time - Salaries	(14,498)
		500020 Regular PT - Wages	14,498
	DISS Total		0
116	Jail Management	500000 Full Time - Salaries	(1,606,946)
		500010 Part Time - Wages	(210,020)
		500300 Shift Differential	(12,396)
		500320 Uniform Allowance	(18,250)
		500340 Line-Up	42,255
		Other Employee	
		500350 Pymts	(12,262)
		501000 Overtime	1,355,145
		502000 Fringe Benefits	(1,159,763)
		505400 Food & Kitchen Supp	10,430
		516020 Pro Ser Cnt And Fees	18,992
		Dept Payments-	
		516050 ECMCC	585,780
		Jail Management Total	
11510	Sheriff Division	500000 Full Time - Salaries	1,071,297
		500010 Part Time - Wages	(111,316)
		500300 Shift Differential	20,486
		500330 Holiday Worked	50,090
		500340 Line-Up	15,686
		500350 Other Employee	(29,376)

Fund Center	Department	Account	Increase/ (Decrease)
		Pymts	
		501000 Overtime	749,693
		502000 Fringe Benefits	(734,522)
		506200 Maint & Repair	(25,003)
	Sheriff Division Total		1,007,035
120	DSS		
		500000 Full Time - Salaries	(4,431,350)
		500020 Regular PT - Wages	257,994
		500330 Holiday Worked	12,540
		501000 Overtime	1,071,071
		510000 Local Mileage Reimb	82,252
		MA - Gross Loc	
		525030 Pymts	(1,919,321)
		525040 Family Assistance-FA	377,665
		525050 CWS - Foster Care	(3,327,577)
		525060 Safety Net Assist	377,189
		525070 Emer Assist To Adlts	279,414
		525080 Ed Handicapped Child	56,253
		525140 HEAP Program Costs	(1,768,962)
		525150 DSH Expense	5,024,021
		530010 Chargebacks	581,234
	DSS Total		(3,327,577)
163	Senior Services		
		500000 Full Time - Salaries	(20,168)
		500020 Regular PT - Wages	20,168
	Senior Services Total		0
500	ECMC		
		Dept Payments- 516050 ECMCC	331,769
	ECMC Total		331,769
510	EC Home		
		502000 Fringe Benefits	(92,567)
	EC Home Total		(92,567)
10610	Bureau of Purchase		
		500000 Full Time - Salaries	15,226
		500020 Regular PT - Wages	(15,226)
	Bureau of Purchase Total		0
12210	DPW Commissioner		
		500000 Full Time - Salaries	19,784

Fund Center	Department	Account	Increase/ (Decrease)
		505000 Office Supplies	(3,220)
	DPW Commissioner Total		16,564
12220	DPW Building & Grounds		
	500000	Full Time - Salaries	(57,372)
	500020	Regular PT - Wages	(167,887)
	500330	Holiday Worked	18,224
	501000	Overtime	387,353
	502000	Fringe Benefits	(96,150)
	506200	Maint & Repair	(100,732)
	DPW Building & Grounds Total		(16,564)
12520	Youth Detention		
	500000	Full Time - Salaries	(27,392)
	501000	Overtime	27,392
	Youth Detention Total		0
12610	Probation Division		
	500000	Full Time - Salaries	(50,334)
	500020	Regular PT - Wages	26,645
	510000	Local Mileage Reimb	23,689
	Probation Divn Total		0
12700	Health Division		
	500000	Full Time - Salaries	(136,876)
	500020	Regular PT - Wages	39,824
	500330	Holiday Worked	12,782
	501000	Overtime	66,378
	516020	Pro Ser Cnt And Fees	17,892
	Health Division Total		0
12720	Emergency Medical Services		
	500010	Part Time - Wages	(14,310)
	501000	Overtime	14,310
	Emergency Medical Services Total		0
12730	Public Health Lab		
	500000	Full Time - Salaries	(72,998)
	500020	Regular PT - Wages	11,538
	501000	Overtime	55,481
	505800	Medical & Hlth Supp	(24,796)
	510000	Local Mileage Reimb	33,350
	516020	Pro Ser Cnt And Fees	(2,575)
	Public Health Lab Total		0

Fund Center	Department	Account	Increase/ (Decrease)
12740	Medical Examiner		
	500000	Full Time - Salaries	(9,552)
	500010	Part Time - Wages	11,177
	500330	Holiday Worked	12,642
	501000	Overtime	77,583
	502000	Fringe Benefits	(71,211)
	505800	Medical & Hlth Supp	(8,466)
	516020	Pro Ser Cnt And Fees	(12,173)
	Medical Examiner Total		0
16700	Emergency Services		
	500010	Part Time - Wages	10,479
	501000	Overtime	33,787
	502000	Fringe Benefits	(13,988)
	Emergency Services Total		30,278
14010	Cty-wide Acct Budget		
	504990	Reductions Per Srv	2,805,000
	Cty-wide Acct Budget Total		2,805,000
14030	Community College		
		Co Res Enrl Comm	
	520020	Col	253,097
	Community College Total		253,097
16010	Law Division		
	500000	Full Time - Salaries	(21,287)
	500020	Regular PT - Wages	21,287
	Law Division Total		0
16020	Risk Retention		
	555050	Insurance Premiums	2,100,000
	Risk Retention Total		2,100,000
16110	Personnel		
	500000	Full Time - Salaries	(13,153)
	500020	Regular PT - Wages	13,153
	Personnel Total		0
16410	Parks		
	500000	Full Time - Salaries	(120,143)
	500020	Regular PT - Wages	72,909
	501000	Overtime	33,620
	515000	Utility Charges	13,614
	Parks Total		0

Fund Center	Department	Account	Increase/ (Decrease)
16440	Parks - Buffalo City Parks		
		500000 Full Time - Salaries	168,777
		500010 Part Time - Wages	(73,838)
		500020 Regular PT - Wages	10,450
		500030 Seasonal Emp. Wages	(105,389)
	<u>Parks - Buffalo City Parks Total</u>		0
16500	Central Police Srvcs		
		500000 Full Time - Salaries	(23,798)
		500020 Regular PT - Wages	23,798
	<u>Central Police Srvcs Total</u>		0
Total Fund 110 Expense Adjustments			2,100,000
Fund 110 Revenue Adjustments			
14010	County wide Account - Budget		
		402000 Sales Tax Erie Co	2,100,000
Total Fund 110 Revenue Adjustments			2,100,000
Net Fund 110 Adjustment			0
Fund 210 Adjustments			
Fund Center	Department	Account	Increase/ (Decrease)
123	Highways		
		500000 Full Time - Salaries	184,575
		500020 Regular PT - Wages	18,443
		501000 Overtime	196,386
		506400 Highway Supplies	(399,404)
	<u>Highways Total</u>		0

Fund 220 Adjustments

Fund Center	Department	Account	Increase/ (Decrease)
18010	Sewer Management		
		500000 Full Time - Salaries	(797,443)
		500020 Regular PT - Wages	271,639
		Other Employ	
		500350 Payments	53,904
		980000 ID DISS Services	471,900
	<u>Sewer Total</u>		0

Fund 230 Adjustments

Fund Center	Department	Account	Increase/ (Decrease)
16500	E-911 Fund		
		515000 Utility Charges	13,047
		516030 Maintenance contracts	(13,047)
	E-911 Total		0

RESOLVED, that authorization is provided to designate available 2009 funding within the County Attorney's Risk Retention Fund in the amount of \$6,421,000, \$73,597 for the County Clerk's Auto Bureau, \$24,443 for various public benefit programs within the Department of Environment and Planning, \$210,793 for equipment at the Library, \$271,193 in the Department of Social Services, \$298,859 for the Youth Bureau, and \$1,919 in the Department of Senior Services; and be it further

RESOLVED, that the Director of Budget and Management is authorized to make any further 2009 Budget adjustments that may be required based on adjusting entries identified by the Erie County Comptroller or the County's independent auditors, said adjustments would be made in conjunction with the Office of the Comptroller in preparation of their final financial statements and for no other purpose; and be it further

RESOLVED, that the Legislature hereby notes and memorializes that it has previously authorized the following designations of 2009 surplus funds for appropriation in the 2010 fiscal year: (1) \$46,000 for the Board of Elections (Comm. 1E-12, February 25, 2010); (2) \$8,354,170 for the 2010 retirement amortization payoff (Comm. 7E-13, April 29, 2010); and (3) \$3,800,000 for 2010 ECFA bond interest expense (Comm. 7E-13, April 29, 2010); and be it further

RESOLVED, that the Legislature hereby approves and authorizes the designation of \$244,256 of 2009 surplus funds for the purposes of paying for the 2009 swipe card system (originally approved to be paid from other sources in Comm. 17E-33, February 25, 2010); and be it further

RESOLVED, that the Legislature hereby approves and authorizes the designation of \$70,000 of 2009 surplus funds for the purpose of funding the SWAT Program administered by the Department of Health and authorizes the transfer of \$70,000 into fund center 12730, account number 585800 (Medical & Health Supplies) for this purpose; and be it further

RESOLVED, that the Legislature hereby approves and authorizes the designation of \$3,774,336 of 2009 surplus funds for the purpose of fully funding the cultural organizations identified in fund center 1333020 in the 2010 Adopted Budget and authorizes the transfer into fund center 1333020 the specific amount per account as identified in attached schedule to the extent that those organizations have not received the funding as allocated, and that each organization shall receive an aggregate amount not to exceed the amount appropriated in the 2010 Adopted Budget; and be it further

RESOLVED, that the Legislature hereby approves and authorizes the designation of \$1,200,000 of 2009 surplus funds for the purpose of providing necessary funds to Erie Community College for: 1) the on-going Masonry Restoration Project-ECC Downtown Campus (\$500,000) and

authorizes the creation of a new capital account, if necessary, and authorizes the transfer of funds into the appropriate capital account as identified by the Comptroller for this purpose and 2) Equipment College-wide (\$700,000) (E.21001) and authorizes the transfer of funds into the appropriate capital accounts as identified by the Comptroller; and be it further

RESOLVED, that the Legislature hereby approves and authorizes the designation of \$3,000,000 of 2009 surplus funds for the purpose of providing the necessary funds for the Bethlehem Steel Site Redevelopment – Business Park Build-Out and authorizes the creation of a new capital account, if necessary, and the transfer of funds into the appropriate capital account as identified by the Comptroller for this purpose; and be it further

RESOLVED, that the Legislature hereby approves the designation of \$50,000 of 2009 surplus funds to the Buffalo Niagara Enterprise for the purpose of attracting new business investment that will strengthen the economy of Erie County and the Buffalo Niagara region; and be it further

RESOLVED, that the Legislature hereby approves the designation of \$50,000 of 2009 surplus funds to the Workforce Investment Board for the purpose of job training and development for those that are unemployed or underemployed in Erie County; and be it further

RESOLVED, that the Legislature hereby approves the designation of \$100,000 of 2009 surplus funds for the purpose of purchasing cameras and related equipment for use in increasing security in Erie County Parks; and be it further

RESOLVED, that the Legislature hereby approves and authorizes the designation of \$150,000 of 2009 surplus funds for the purpose of providing capital improvements for Wendt Beach and authorizes the creation of a new capital account, if necessary, and the transfer of funds into the appropriate capital account as identified by the Comptroller for this purpose; and be it further

RESOLVED, that the Legislature hereby approves and authorizes the designation of \$150,000 of 2009 surplus funds for the purpose of providing capital improvements for Bennett Beach and authorizes the creation of a new capital account, if necessary, and the transfer of funds into the appropriate capital account as identified by the Comptroller for this purpose; and be it further

RESOLVED, that the Legislature hereby approves and authorizes the designation of \$2,000,000 of 2009 surplus funds for the purpose of providing the necessary funds for the Riverview Commerce Park Industrial Roadway and authorizes the creation of a new capital account, if necessary, and the transfer of funds into the appropriate capital account as identified by the Comptroller for this purpose; and be it further

RESOLVED, that the Legislature hereby approves and authorizes the designation of \$1,800,000 of 2009 surplus funds for use by the Department of Public Works for the repaving and repair of roads throughout the County and authorizes the transfer of funds into the appropriate capital account (Preservation of Roads) as identified by the Comptroller; and be it further

RESOLVED, that the Erie County Comptroller is authorized to establish designation of 2009 fund balance in the amount of \$1,500,000 to be used to fund the cost of labor union agreements; and be it further

RESOLVED, that the Director of Budget and Management in conjunction with the Office of the Comptroller is hereby authorized to make the appropriate budget and accounting entries to effectuate the above stated designation; and be it further

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

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

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

AYES: MS. BOVE, MS. GRANT, MR. KENNEDY, MR. KOZUB, MR. LOUGHRAN, MS. MARINELLI, MR. MAZUR, CHAIR MILLER-WILLIAMS and MS. WHYTE. NOES: MS. DIXON, MR. FUDOLI, MR. HARDWICK, MR. MILLS, MR. RATH and MR. WALTER. (AYES: 9; NOES: 6)

CARRIED.

CHAIR MILLER-WILLIAMS directed that the agenda return to Legislator Resolutions.

GRANTED.

LEGISLATOR RESOLUTIONS

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

GRANTED.

INTRO 12-1 from WHYTE & LOUGHRAN. Credit Card Fees at the Erie County Holding Center.

Item 37 – MS. WHYTE presented the following resolution and moved for immediate consideration and approval. MR. LOUGHRAN seconded.

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

AYES: MS. DIXON, MR. FUDOLI, MR. HARDWICK, MR. MILLS, MR. RATH, MS. BOVE, MS. GRANT, MR. KENNEDY, MR. KOZUB, MR. LOUGHRAN, MS. MARINELLI, MR. MAZUR, CHAIR MILLER-WILLIAMS and MS. WHYTE. NOES: MR. WALTER. (AYES: 14; NOES: 1)

CARRIED.

RESOLUTION NO. 137

RE: Erie Community College 2010
Appropriation
(INTRO 12-2)

**A RESOLUTION TO BE SUBMITTED BY
CHAIR MILLER-WILLIAMS & LEGISLATORS WHYTE, BOVE, GRANT,
MAZUR, LOUGHRAN, KOZUB, MARINELLI & KENNEDY**

WHEREAS, in the 2010 Adopted Budget, the Legislature appropriated \$15,629,317 to Erie Community College for its fiscal year 2009-2010; and

WHEREAS, Erie Community College sent an invoice to the County of Erie for \$15,629,317 in March 2010 seeking disbursement of the duly appropriated funds for the fiscal year 2009-2010; and

WHEREAS, the Budget Director thereafter approved disbursement of only \$15,420,778 to Erie Community College and this amount was \$208,539 less than the amount appropriated in the 2010 Erie County Adopted Budget.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby directed to instruct the Budget Director to approve the payment of the remaining 2010 Erie Community College appropriation in the amount of \$208,539 by Tuesday July 6, 2010; and be it further

RESOLVED, that the Budget Director is hereby directed to approve the payment of the remaining 2010 Erie Community College appropriation in the amount of \$208,539 by Tuesday July 6, 2010; and be it further

RESOLVED, that the Budget Director is hereby directed to approve the payment of the remaining 2010 Erie Community College appropriation in the amount of \$208,539 by Tuesday July 6, 2010; and be it further

RESOLVED, that the Erie County Comptroller is hereby directed to issue payment to Erie Community College in the amount of \$208,539 as payment of the remainder of the funds appropriated in the 2010 Erie County Budget; and be it further

RESOLVED, that certified copies of this resolution be delivered to the County Executive, the Budget Director, the Erie County Comptroller, and the President of Erie Community College.

Item 38 – MS. WHYTE presented the following resolution and moved for immediate consideration. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 138

RE: County Employee Early

Retirement Incentive
(INTRO 12-3)

**A RESOLUTION TO BE SUBMITTED BY
LEGISLATORS WHYTE, MARINELLI, MILLER-WILLIAMS, KOZUB,
KENNEDY, MAZUR, BOVE, LOUGHRAN & GRANT**

WHEREAS, New York State recently passed a law authorizing municipal employers to offer early retirement incentives for certain employees who meet age and length of service minimums; and

WHEREAS, the Buffalo News recently reported that a number of Towns and Villages will participate in the early retirement incentive program, as well as the City of Lackawanna, the NFTA, and the SUNY system; and

WHEREAS, the Budget Director reported at a recent meeting of the Legislature's Finance and Management Committee that the County Executive had determined that sufficient financial benefits did not exist to justify Erie County's participation in the incentive program.

NOW, THEREFORE, BE IT

RESOLVED, that the Budget Director provide the Legislature with copies of the financial analysis on which the County Executive relied to make the determination to opt out of the incentive program; and be it further

RESOLVED, that the financial analysis be made publicly available and be filed with the Clerk of the Legislature; and be it further

RESOLVED, that certified copies of this resolution be sent to the County Executive, the Budget Director, the Comptroller, and the WNY State Delegation.

MS. WHYTE moved to amend the resolution by adding MS. GRANT as a Co-Sponsor. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

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

CARRIED. (10-5)

Item 39 – CHAIR MILLER-WILLIAMS directed that the following item be referred to the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

INTRO 12-4 from DIXON, MILLS, RATH, WALTER & FUDOLI. Supporting NYS Senate Bill S.5247, Which Would Exclude Overtime Compensation in Pension Computation.

COMMUNICATIONS DISCHARGED FROM COMMITTEE

Item 40 – MS. WHYTE moved to discharge the PUBLIC SAFETY COMMITTEE of further consideration of COMM. 9E-28 (2010). MR. KENNEDY seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 139

RE: Child Passenger Safety Program 2010
(COMM. 9E-28, 2010)

WHEREAS, the New York Governor’s Traffic Safety Committee has awarded Erie County a grant in the amount of \$12,000; and

WHEREAS, the grant will be used to purchase and distribute materials and cars seats at Child Passenger Safety Awareness Events; and

WHEREAS, all expenses under the Child Passenger Safety Program are 100% reimbursable by New York State; and

WHEREAS, no local matching dollars are required to receive this grant.

NOW, THEREFORE, BE IT

RESOLVED, that authorization is provided to the County Executive to accept funding from the New York Governor’s Traffic Safety Committee and that the following transactions are authorized to establish a Child Passenger Safety Seat Grant as follow:

CENTRAL POLICE SERVICES
CHILD PASSENGER SAFETY PROGRAM
Cost Center #1650060 STOP-DWI/TRAFFIC SAFETY
GRANT #165CHLDCARSEAT0910

<u>APPOPRIATIONS</u>		<u>AMOUNT</u>
ACCT. #505000	Office Supplies	250
ACCT. #505400	Food & Kitchen Supplies	900
ACCT. #505800	Medical & Health Supplies	7,500
ACCT. #506200	Maintenance & Repair Supplies	850
ACCT. #510200	Training & Education	850
ACCT. #530000	Other Expense	<u>1,650</u>
	TOTAL APPORPRIATIONS	<u>12,000</u>

REVENUES

506200	Maintenance & Repair	45,000
510100	Out of Area Travel	12,000
516020	Professional Services & Fees	1,500
561410	Lab & Technical Equipment	<u>3,500</u>
	Total Appropriations	<u>72,000</u>

and be it further

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

MS. WHYTE moved to approve the item. MR. RATH seconded.

CARRIED UNANIMOUSLY.

Item 42 – MS. WHYTE moved to discharge the PUBLIC SAFETY COMMITTEE of further consideration of COMM. 10E-11 (2010). MR. MAZUR seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 141

RE: Asset Forfeiture Funded Program SAFS
(COMM. 10E-11, 2010)

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, there will be no impact on county tax dollars.

NOW, THEREFORE, BE IT

RESOLVED, that \$87,500 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>87,500</u>
	Total Revenue	<u>87,500</u>

RESOLVED, that authorization is hereby provided to establish a grant and budget those funds as follows:

LETPP 2010 Bomb Squad Grant – Fund Center 11510

<u>REVENUE</u>	<u>Increase</u>
SAP Account 409000 – State Aid Revenues	<u>120,000</u>
TOTAL REVENUE	<u>120,000</u>
<u>APPROPRIATIONS</u>	<u>Increase</u>
SAP Account 561410 – Lab & Technical Equipment	120,000
TOTAL APPROPRIATIONS	<u>120,000</u>

and be it further

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

MS. WHYTE moved to approve the item. MR. KOZUB seconded.

CARRIED UNANIMOUSLY.

Item 44 – MS. WHYTE moved to discharge the ENERGY & ENVIRONMENT COMMITTEE of further consideration of COMM. 9E-16 (2010). MS. DIXON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 143

RE: ECSD No. 3 Contract - Boston Valley Pumping Station Generator Replacement & Flood Mitigation - Bid Opening (COMM. 9E-16, 2010)

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

CARRIED UNANIMOUSLY.

Insert the Following Resolution:

WHEREAS, the Erie County Department of Environment and Planning has received the following lowest responsible bid for the Erie County Sewer District No. 3, Boston Valley Pumping Station Generator Replacement and Flood Mitigation, Contract 42PS at 2:00 P.M. on June 3, 2010:

<u>Contract</u>	<u>Lowest Responsible Bidder</u>	<u>Amount Bid</u>
Contract 42PS	O’Connell Electric Company, Inc.	\$239,800.00

929B Ransom Road
Lancaster, N.Y. 14214

and

WHEREAS, the aforementioned lowest responsible bidder has successfully performed similar work in Erie County.

NOW, THEREFORE BE IT

RESOLVED, that the Boston Valley Pumping Station Generator Replacement and Flood Mitigation, Contract 42PS be awarded to O'Connell Electric Company, Inc., in the not-to-exceed amount of \$239,800.00; and be it further

RESOLVED, that the County Executive be, and is hereby authorized to execute the Contract with the aforementioned lowest, responsible bidder subject to approval as form by the County Attorney and certification of availability of funds; and be it further

RESOLVED, that the Comptroller and Director of Budget is authorized and directed to establish a capital project with a budget of \$239,800.00, and to establish additional budget to Facilitate a transfer of funds from Fund 220 to Sewer Capital as follows.

<u>Fund</u>	<u>Business Area</u>	<u>Account</u>	<u>Description</u>	<u>Amount</u>
220	183	402190	Use of Fund Balance	\$100,000.00
220	183	570000	Transfer Out	\$100,000.00
430	183	516020	Professional Services	\$239,800.00
430	183	486000	Transfer In	\$100,000.00
430	183	412540	Federal Aid FEMA	\$120,000.00
430	183	405150	State Aid SEMO	\$19,800.00

RESOLVED, that the Clerk of the Legislature be directed to send two (2) certified copies of this resolution to Michael J. Quinn, P.E., Department of Environment and Planning and one certified copy to the County Executive, the Erie County Comptroller, the Director of Budget and Management and Eric Ziobro, Assistant County Attorney.

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

CARRIED UNANIMOUSLY.

Item 45 – MS. WHYTE moved to discharge the ENERGY & ENVIRONMENT COMMITTEE of further consideration of COMM. 9E-18 (2010). MR. KOZUB seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 144

RE: ECSD No. 3 - Contract No. 23 - Bid
Opening
(COMM. 9E-18, 2010)

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

CARRIED UNANIMOUSLY.

Insert the Following Resolution:

WHEREAS, the Erie County Department of Environment and Planning has received the following lowest responsible bid for the Erie County Sewer District No. 3, Pinecrest Terrace/Valley Circle Lane Sanitary Sewer Replacement/Boston St. Road Extension Project, Contract No. 23, at 3:00 p.m. on June 9, 2010:

<u>Contract</u>	<u>Lowest Responsible Bidder</u>	<u>Amount Bid</u>
Contract No. 23	Visone Construction, Inc. 79 Sheldon Avenue Depew, New York 14043	\$1,881,151.10

and

WHEREAS, there is a cash balance of \$636,503.55, as of May 31, 2010, in Erie County Sewer District No. 3 Debt Service Account C.00019; and

WHEREAS, all outstanding debt for borrowing related to the Erie County Sewer District No. 3 Debt Service Account C.00019 has been paid in full; and

WHEREAS, the Division of Sewerage Management wants to utilize the cash balance in Debt Service to Account C.00019 to partially fund, Contract No. 23; and

WHEREAS, the aforementioned lowest responsible bidder has successfully performed similar work in Erie County.

NOW, THEREFORE, BE IT

RESOLVED, that the Pinecrest Terrace/Valley Circle Lane Sanitary Sewer Replacement/Boston St. Road Extension Project, Contract No. 23 be awarded to the lowest responsible bidder as follows:

<u>Contract</u>	<u>Lowest Responsible Bidder</u>	<u>Amount Bid</u>
Contract No. 23	Visone Construction, Inc. 79 Sheldon Avenue Depew, New York 14043	\$1,881,151.10

and be it further

RESOLVED, that the County Executive be, and hereby is, authorized to execute a Contract with the aforementioned lowest responsible bidder subject to approval as to form by the County Attorney and certification of availability of funds; and be it further

RESOLVED, that the Erie County Comptroller and Director of Budget is authorized and directed to transfer the entire cash balance of \$630,000.00, as of May 31, 2010, from Debt Service Account C.00019 into Erie County Sewer District No. 3 Capital Project Account C.00019; and be it further

RESOLVED, that the Erie County Comptroller and Director of Budget is authorized and directed to allocate \$1,881,151.10, \$427,229.84 in Erie County Sewer District No. 3 Capital Project C.00062 and \$1,453,921.26 in Erie County Sewer District No. 3, Capital Project Account C.00019 and to establish any budgetary balances necessary to facilitate the transfer of funds as follows:

- \$630,000.00 transfer from Sewer Debt Service Account C.00019
- The balance of \$823,921.26 to be provided by available cash in Erie County Sewer District No. 3 Capital Project Account C.00019

and be it further

RESOLVED, that the Clerk of the Legislature be directed to send one (1) certified copy of this resolution to the County Executive, the Director of Budget, the Comptroller's Office, Eric Ziobro - Assistant County Attorney, and two (2) certified copies to Michael J. Quinn, P.E., Department of Environment and Planning, Rath Building, 10th Floor.

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

CARRIED UNANIMOUSLY.

Item 46 – MS. WHYTE moved to discharge the ENERGY & ENVIRONMENT COMMITTEE of further consideration of COMM. 9E-23 (2010). MR. KOZUB seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 145

RE: ECSD No. 6 Contract No. 45 - Bid
Opening
(COMM. 9E-23, 2010)

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

CARRIED UNANIMOUSLY.

Insert the Following Resolution:

WHEREAS, the Erie County Department of Environment and Planning has received the following lowest responsible bid for the Erie County Sewer District No. 6, Michelle Drive Pumping Station and Forcemain Upgrade, Contract 45 at 2:00 P.M. on June 17, 2010:

<u>Contract</u>	<u>Lowest Responsible Bidder</u>	<u>Amount Bid</u>
Contract 45	Milherst Construction, Inc. 2601 Millersport Highway P.O. Box 631	\$151,330.01

Getzville, New York 14068-0631

and

WHEREAS, the aforementioned lowest responsible bidder has successfully performed similar work in Erie County.

NOW, THEREFORE, BE IT

RESOLVED, that the Michelle Drive Pumping Station and Forcemain Upgrade, Contract 45 be awarded to Milherst Construction, Inc., in the not-to-exceed amount of \$151,330.01; and be it further

RESOLVED, that the County Executive be, and is hereby authorized to execute the Contract with the aforementioned lowest, responsible bidder subject to approval as form by the County Attorney and certification of availability of funds; and be it further

RESOLVED, that the Comptroller and Director of Budget is authorized and directed to allocate \$151,330.01 from Erie County Sewer District No. 6 Capital Project C.00064. for this project; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send two (2) certified copies of this resolution to Michael J. Quinn, P.E., Department of Environment and Planning and one certified copy to the County Executive, the Erie County Comptroller, the Director of Budget and Management and Eric Ziobro, Assistant County Attorney.

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

CARRIED UNANIMOUSLY.

Item 47 – MS. WHYTE moved to discharge the ENERGY & ENVIRONMENT COMMITTEE of further consideration of COMM. 11E-8 (2010). MR. KOZUB seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 146

RE: ECSD No. 4 - Town of Lancaster –
Glendale & Parkdale & Broadway Ave.
- Intermunicipal Agreement Amendment
(COMM. 11E-8, 2010)

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

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

WHEREAS, the Erie County/Erie County Sewer District No. 4 and the Town of Lancaster has entered into an intermunicipal agreement to coordinate and facilitate the sanitary sewer rehabilitation project and the road rehabilitation project in order to achieve cost containment and efficiency and to minimize inconvenience to the public at a cost not to exceed \$577,000.00; and

WHEREAS, the Erie County Legislature approved the intermunicipal agreement under Communication 18E-8 (2009); and

WHEREAS, bids for the work were higher than the estimate and requires the not to exceed cost in the intermunicipal agreement to increase to \$657,000.00.

NOW, THEREFORE, BE IT

RESOLVED, that the intermunicipal agreement between the County, on behalf of Erie County Sewer District No. 4 and the Town of Lancaster to include the sanitary sewer rehabilitation of the existing sanitary sewer for Glendale and Parkdale Roads and Broadway within the Town of Lancaster be amended to increase the cost to \$657,000.00 is hereby approved; and be it further

RESOLVED, that the Comptroller is authorized and directed to allocate funds for the sanitary sewer portion of the work from Sewer Capital, Erie County Sewer District No. 4, Account C.00063; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send two (2) certified copies of this resolution to Michael J. Quinn, P.E., Department of Environment and Planning and one certified copy to the County Executive, the Erie County Comptroller, the Director of Budget and Management and Eric Ziobro, Assistant County Attorney.

MS. WHYTE moved to approve the item. MR. RATH seconded.

CARRIED UNANIMOUSLY.

Item 48 – MS. WHYTE moved to discharge the ECONOMIC DEVELOPMENT COMMITTEE of further consideration of COMM. 11E-6 (2010). MR. MAZUR seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 147

RE: Payment in Lieu of Taxes (PILOT)
Agreement for Holy Family Senior
Apartments - City of Buffalo
(COMM. 11E-6, 2010)

WHEREAS, Holy Family Housing Development Fund Company I, Inc. is developing housing for low and very low income households, pursuant to Article XI of the New York Private Housing Finance; and

WHEREAS, the Project, located at 920 Tiff Street in the City of Buffalo, New York, will contain 35 apartments for low and very low income persons 55 years of age and older; and

WHEREAS, in order to make the Project economically feasible for Holy Family Housing Development Fund Company I, Inc. to operate the apartment complex it is necessary to obtain tax relief from the County of Erie and the City of Buffalo.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to execute a Payment in Lieu of Taxes (PILOT) Agreement with Holy Family Housing Development Fund Company I, Inc., Holy Family Apartments L. P. and any other corporation/entity established to either own, manage, or develop said project; and be it further

RESOLVED, that said Agreement shall include an annual PILOT in the amount of taxes due as set forth on Schedule A attached hereto. Payment under the Agreement will be for fifteen (15) years with the County share of each annual payment being twenty-five (25) percent of the total amount; and be it further

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

SCHEDULE A

Holy Family Senior Housing Project
920 Tiff Street
Buffalo, New York

YEAR	CITY	COUNTY
1	\$4,577.54	\$1,525.85
2	\$4,714.87	\$1,571.63
3	\$4,856.31	\$1,618.77
4	\$5,002.00	\$1,667.34
5	\$5,152.06	\$1,717.36
6	\$5,306.62	\$1,768.88
7	\$5,465.82	\$1,821.94
8	\$5,629.80	\$1,876.60
9	\$5,798.69	\$1,932.90
10	\$5,972.65	\$1,990.89
11	\$6,151.83	\$2,050.61
12	\$6,336.39	\$2,112.13
13	\$6,526.48	\$2,175.50
14	\$6,722.27	\$2,240.76
15	\$6,923.94	\$2,307.99

MS. WHYTE moved to approve the item. MR. KENNEDY seconded.

CARRIED UNANIMOUSLY.

Item 49 – MS. WHYTE moved to discharge the ECONOMIC DEVELOPMENT COMMITTEE of further consideration of COMM. 11E-5 (2010). MR. MAZUR seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 148

RE: Award of Construction Contract –
Change Order for Engineering &
Construction Inspection Services –
Blakeley Corners Road - Town of
Aurora
(COMM. 11E-5, 2010)

WHEREAS, bids were taken for the Blakeley Corners Road (C.R. 85) Reconstruction and Culvert Replacements in the Town of Aurora, on May 20, 2010, and the low bidder was CATCO of Alden, New York at a low bid amount of \$544,455.00; and

WHEREAS, a contract was previously awarded for design and engineering services for the above noted project to the engineering firm of PB Americas, Inc. of Buffalo, New York on February 24, 2003, at the 4th session of the Legislature of Erie County, Communication No. 25E-15, and it has been determined that a Change Order must be executed to include design and construction inspection services.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be authorized and is hereby directed to execute a Contract for Erie County Project No. FM 085-1-09, FEMA PW No's 647 and 925, for the Blakeley Corners Road Reconstruction and Culvert Replacements, between the County of Erie and the low bidder, CATCO of Alden, New York at a low bid amount of \$544,455.00; and be it further

RESOLVED, that an amount of \$544,455.00 be allocated from SAP Account B.00136, 2004 FEMA Design & Construction, and an additional amount of \$54,445.00 be allocated for a Department of Public Works, Division of Highways construction contingency fund with authorization for the County Executive to approve change orders in an amount not to exceed \$54,445.00, to be allocated from SAP Account B.21001, 2010 Capital Road Program; and be it further

RESOLVED, that a Construction Inspection amount of \$51,496.22 be allocated from SAP Account B.00136, 2004 FEMA Design & Construction and a Design Engineering Services amount of \$62,182.78 be allocated from SAP Account B.00194, 2008 FEMA Design, Blakeley Corners for a change order to the Contract for engineering services and construction inspection with PB Americas of Buffalo, New York; and be it further

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

MS. WHYTE moved to approve the item. MR. KOZUB seconded.

CARRIED UNANIMOUSLY.

Item 50 – MS. WHYTE moved to discharge the ECONOMIC DEVELOPMENT COMMITTEE of further consideration of COMM. 11E-10 (2010). MR. MAZUR seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 149

RE: Right-of-Way Acquisition - Blakeley
Corners Road - Reconstruction and
Culvert Replacements - Town of Aurora
(COMM. 11E-10, 2010)

WHEREAS, Erie County through Communication 12E-18 of July 9, 2009 approved acquisition of the Right-of-Way required for the Blakeley Corners Road (C.R. 85) Reconstruction and Culvert Replacements (the “Project”); and

WHEREAS, in order to facilitate the construction of the Project, it will be necessary for the County to acquire by acquisition in permanent easement portions of the following real property in the vicinity of the Project:

PORTIONS OF

<u>TAX MAP SBL NUMBERS</u>	<u>TYPE OF TAKING</u>	<u>PRICE</u>	<u>TOWNSHIP</u>
188.00-02-8.1	Permanent Easement	\$200.00	Aurora
188.00-02-8.2	Permanent Easement	\$200.00	Aurora
188.00-02-7	Permanent Easement	\$200.00	Aurora

such property to be acquired by the County hereinafter referred to as the “Subject Properties”; and

WHEREAS, the total cost of acquisition of the Subject Properties is \$600.00.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby approves acquisition of the Subject Properties; and be it further

RESOLVED, that the sum of \$600.00 be appropriated from SAP - B.00062 – Purchase of Permanent Rights to fund acquisition of the Subject Properties; and be it further

RESOLVED, that the County Executive of the County of Erie is hereby authorized to execute all necessary agreements in connection with the acquisition of the Subject Properties; and be it further

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

RESOLUTION NO. 151

RE: 2010 Summer Primetime Contract
Awards
(COMM. 11E-12, 2010)

WHEREAS, the Department of Social Services is seeking approval to execute contracts with community providers for the 2010 Summer Primetime program; and

WHEREAS, the availability of local share funding provided in the 2010 Adopted Budget enable this program implementation; and

WHEREAS, Operation Primetime provides for an adult supervised environment for the ten-week school summer recess period, and program activities consist of structured recreation that prevent delinquency, increase socialization and foster respect for authority; and

WHEREAS, a Request for Proposals was distributed for this program and Youth Board panel recommendations were utilized to determine contract amount awards; and

WHEREAS, there is no additional local share necessary for these awards and there is no fiscal impact based on this resolution.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive and/or the Commissioner of Social Services are hereby authorized to execute contracts with the following providers:

Agency	Amount
Access of WNY Inc.	\$10,000
African American Cultural Center	\$10,000
African American Cultural Center (Detention on-site)	\$4,200
Be-A-Friend Program, Inc.	\$10,000
Boys and Girls Clubs of Buffalo	\$7,500
Boys and Girls Club of East Aurora	\$7,500
Boys and Girls Club of Holland	\$5,000
Boys and Girls Clubs of the Northtowns	\$7,500
Buffalo Museum of Science	\$10,000
Computers For Children	\$10,000
Computers For Children (Detention on-site)	\$3,600
CRUCIAL Human Services, Inc.	\$7,400
Elim Community Association	\$10,000
First Hand Learning	\$10,000
First Hand Learning (Detention on-site)	\$2,200
Jericho Road Ministries	\$7,500
Making Fishers of Men and Women	\$7,500
Matt Urban Community Center	\$7,500
Northwest Buffalo Community Center, Inc.	\$10,000
On the Job Ministries	\$3,000

Schiller Park Community Services	\$10,000
Seneca Street Community Development Corp.	\$5,000
University Heights Community Dev. Assoc.	\$7,500
Valley Community Association	\$10,000
West Side Community Services	\$10,000
WNY United Against Drug & Alcohol Abuse	\$7,100
	\$200,000

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.

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

CARRIED. (9-6)

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

WHEREAS, the Department of Social Services is seeking approval to execute contracts with community providers for the 2010 Summer Primetime program; and

WHEREAS, in the 2010 Adopted Budget the Erie County Legislature appropriated \$400,000 for Operation Primetime (Fund Center 12530, Account 517749); and

WHEREAS, the County Executive has requested that the Erie County Legislature authorize the execution of contracts with various providers in the total aggregate amount of \$200,000 which is only one half (1/2) of the amount appropriated in the 2010 Budget; and

WHEREAS, Operation Primetime provides for an adult supervised environment for the ten-week school summer recess period, and program activities consist of structured recreation that prevent delinquency, increase socialization and foster respect for authority; and

WHEREAS, a Request for Proposals was distributed for this program and Youth Board panel recommendations were utilized to determine contract amount awards; and

WHEREAS, there is no additional local share necessary for these awards and there is no fiscal impact based on this resolution.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive and/or the Commissioner of Social Services are hereby authorized to execute contracts with the following providers:

Agency	Amount
--------	--------

Access of WNY Inc.	\$10,000
African American Cultural Center	\$10,000
African American Cultural Center (Detention on-site)	\$4,200
Be-A-Friend Program, Inc.	\$10,000
Boys and Girls Clubs of Buffalo	\$7,500
Boys and Girls Club of East Aurora	\$7,500
Boys and Girls Club of Holland	\$5,000
Boys and Girls Clubs of the Northtowns	\$7,500
Buffalo Museum of Science	\$10,000
Computers For Children	\$10,000
Computers For Children (Detention on-site)	\$3,600
CRUCIAL Human Services, Inc.	\$7,400
Elim Community Association	\$10,000
First Hand Learning	\$10,000
First Hand Learning (Detention on-site)	\$2,200
Jericho Road Ministries	\$7,500
Making Fishers of Men and Women	\$7,500
Matt Urban Community Center	\$7,500
Northwest Buffalo Community Center, Inc.	\$10,000
On the Job Ministries	\$3,000
Schiller Park Community Services	\$10,000
Seneca Street Community Development Corp.	\$5,000
University Heights Community Dev. Assoc.	\$7,500
Valley Community Association	\$10,000
West Side Community Services	\$10,000
WNY United Against Drug & Alcohol Abuse	\$7,100
	\$200,000

and be it further

RESOLVED, that the County Executive and/or the Commissioner of Social Services are hereby authorized to execute contracts with the following providers:

Agency	Amount
Arts in Education	\$6,465.00
Blossom Garden	\$6,000.00
Bob Lanier	\$10,000.00
Boys and Girls Club - Orchard Park	\$6,000.00
Buffalo Community Center	
Cooperative	\$7,000.00
Buffalo Urban League	\$6,000.00
Community Action Organization	\$10,000.00
Concerned Ecumenical Ministry	\$10,000.00
Cradle Beach	\$6,000.00

Erie Regional Housing Deve. (Belle)	\$10,000.00
HEART Foundation	\$6,000.00
Lackawanna Soccer Club Sports	\$10,000.00
Literacy Volunteers	\$2,010.00
Metro Community Development Corp	\$10,000.00
MicroBiz Buffalo	\$3,084.00
N. Buffalo Community Develop	\$7,340.00
Old First Ward	\$9,091.00
Parkside Community Assoc	\$5,000.00
Police Athletic League	\$6,000.00
Seneca Babcock Comm. Assoc.	\$10,000.00
Town of Tonawanda Youth Bureau	\$10,000.00
United Way of Buffalo and Erie Co	\$6,000.00
Urban Christian Ministries	\$10,000.00
Willie Hutch Jones Sports and Education	\$10,000.00
YMCA Ellicott Masten Buffalo	
Niagara	\$10,000.00
Youth Leadership Erie Co	\$6,000.00
Literacy Volunteers (Detention Center	\$2,010.00
	\$200,000.00

and be it further

RESOLVED, that the Department of Social Services provide a copy of the Request for Proposals and all responses received with respect to 2010 Operation Primetime program to the Clerk of the Erie County Legislature on or before June 30, 2010; 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.

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

***MR. MAZUR left the Legislature Chambers at 4:03 P.M.

***MR. MAZUR entered the Legislature Chambers at 4:04 P.M.

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

AYES: MS. BOVE, MS. GRANT, MR. KENNEDY, MR. KOZUB, MR. LOUGHRAN, MS. MARINELLI, MR. MAZUR, CHAIR MILLER-WILLIAMS and MS. WHYTE. NOES: MS. DIXON, MR. FUDOLI, MR. HARDWICK, MR. MILLS, MR. RATH and MR. WALTER.
(AYES: 9; NOES: 6)

CARRIED.

Item 53 – MS. WHYTE moved to discharge the ECONOMIC DEVELOPMENT COMMITTEE of further consideration of COMM. 11E-11 (2010). MR. KOZUB seconded. MS. GRANT and MS. MARINELLI voted in the negative.

CARRIED. (13-2)

RESOLUTION NO. 152

RE: Slide Restoration & Roadway Design
Contracts
(COMM. 11E-11, 2010)

WHEREAS, a number of landslides have occurred in 2009 that have affected the roadways owned by Erie County; and

WHEREAS, it is important to begin engineering design studies as to the reasons for these slides and prevent future movement from further damaging the roadways; and

WHEREAS, Erie County has many roads that are wholly contained within a municipality and have low traffic volume; and

WHEREAS, it is to the County's advantage to turn these roadways back to the local municipalities; and

WHEREAS, there are several roadways which the local municipalities may be willing to take ownership of those roads; and

WHEREAS, before construction can commence, these roads are in need of design; and

WHEREAS, funds exist in SAP Project number B.00028 (2001 Various Road Design, Non-Federal Aid) for work on these roadways; and

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

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature authorizes the County Executive to enter into contracts as follows:

COUNTY ROAD	ENGINEER	COST
Tonawanda Creek Road (C.R. 2) – Slide	McMahon & Mann	\$32,000.00
South Street (C.R. 112) – Slide	McMahon & Mann	\$31,000.00
John Street/Bloomington Road (C.R. 573)	Liro, Inc.	\$200,000.00
East Avenue (C.R. 248)	Fisher Associates	\$213,000.00
Brighton Road (CR 196)	C&S Engineers	\$231,000.00
Duerr Road (C.R. 463)	Wendel Duchscherer	<u>\$219,000.00</u>
TOTAL OF ALL CONTRACTS		\$926,000.00

and be it further

RESOLVED, SAP Project B.00028, Various Road Design – Non-Federal Aid, will be utilized to perform the necessary study and design of roadways as listed above; and be it further

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

MS. WHYTE moved to approve the item. MR. KENNEDY seconded.

CARRIED UNANIMOUSLY.

SUSPENSION OF THE RULES

Item 54 - MS. WHYTE moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 12D-9 from the EC YOUTH BUREAU DIRECTOR Re: Letter to Legislature from EC Youth Bureau Director Concerning Primetime 2010 Funding

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

Item 55 - MS. WHYTE moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 12E-30 from CHAIR MILLER-WILLIAMS Re: Letter from Chair Miller-Williams to County Executive Concerning Appointment to the Erie County Board of Health

Received and Filed.

COMMUNICATIONS FROM ELECTED OFFICIALS

FROM THE COMPTROLLER

Item 56 – (COMM. 12E-1) Copy of Certificate of Determination

Received and Filed.

FROM LEGISLATOR MARINELLI

Item 57 – (COMM. 12E-2) Letter to Clerk of Legislature - Absence From Committee Meetings Held 6/15/2010

Received and Filed.

FROM THE COUNTY EXECUTIVE

Item 58 – (COMM. 12E-3) Designation Pursuant to EC Charter Section 304

Received and Filed.

Item 59 – (COMM. 12E-4) Designation Pursuant to EC Charter

Received and Filed.

FROM THE SHERIFF

Item 60 – (COMM. 12E-5) Erie County Sheriff's Office - Grant Budget Revision

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM CHAIR MILLER-WILLIAMS

Item 61 – (COMM. 12E-6) Letter to County Executive Concerning Mid-Year Budget Hearings

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE COMPTROLLER

Item 62 – (COMM. 12E-7) Copy of Certificate of Determination

Received and Filed.

FROM LEGISLATOR WHYTE

Item 63 – (COMM. 12E-8) Letter to President & CEO of Kaleida Health Concerning Proposed Closure of the Wettlaufer Eye Clinic at Buffalo General Hospital

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

FROM THE COUNTY EXECUTIVE

Item 64 – MS. WHYTE presented the following resolution and moved for immediate consideration and approval. MR. KENNEDY seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 153

RE: Construction Contract/Services –
Replacement of Duerr Rd. Bridge –
Town of Orchard Park
(COMM. 12E-9)

WHEREAS, bids were taken for the Capital Project for the Replacement of Duerr Road Bridge, in the Town of Orchard Park, on June 3, 2010, and the low bidder was Concrete Applied Technologies Corp. of Alden, New York at a low bid amount of \$325,587.19; and

WHEREAS, a Contract for construction services and construction inspection for the above noted project to the engineering firm of Foit-Albert Associates of Buffalo, New York is required at a cost not to exceed \$100,000.00.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be authorized and is hereby directed to execute a Contract for Erie County Project No. BR 463-1-10 for the Replacement of Duerr Road Bridge, between the County of Erie and the low bidder, Concrete Applied Technologies Corp. of Alden, New York at a low bid amount of \$325,587.19; and be it further

RESOLVED, that an amount of \$325,587.19 be allocated from 2010 Preservation of Bridges, Culverts and Dams Program (SAP Account B.21027), and an additional amount of \$35,000.00 be allocated for a Department of Public Works, Division of Highways construction contingency fund with authorization for the County Executive to approve change orders in an amount not to exceed \$35,000.00, also to be allocated from 2010 Preservation of Bridges Culverts and Dams Program (SAP Account B.21027); and be it further

RESOLVED, that an amount of \$100,000.00 be allocated from 2010 Preservation of Bridges, Culverts and Dams Program (SAP Account B.21027) for a Contract for construction design and construction inspection services with Foit-Albert Associates of Buffalo, New York; and be it further

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

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 154

RE: Construction Contract/Design &
Inspection Services - Replacement of
Alden-Crittenden Rd. Bridge - Town of
Alden
(COMM. 12E-10)

WHEREAS, bids were taken for the Capital Project for the Replacement of Alden-Crittenden Road Bridge, in the Town of Alden, on June 3, 2010, and the low bidder was Concrete Applied Technologies Corp. of Alden, New York at a low bid amount of \$576,684.00; and

WHEREAS, a Contract for design construction services for the above noted project to the engineering firm of Watts Architecture and Engineering, P.C. , of Buffalo, New York is required at a cost not to exceed \$5,000.00; and

WHEREAS, a Contract for construction inspection services for the above noted project to the engineering firm of FRA Engineering & Architecture, P.C. of Orchard Park, New York is required at a cost not to exceed \$95,000.00.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be authorized and is hereby directed to execute a Contract for Erie County Project No. BR 1-1-10 for the Replacement of Alden-Crittenden Road Bridge, between the County of Erie and the low bidder, Concrete Applied Technologies Corp. of Alden, New York at a low bid amount of \$576,684.00; and be it further

RESOLVED, that an amount of \$576,684.00 be allocated from 2010 Preservation of Bridges, Culverts and Dams Program (SAP Account B.21027), and an additional amount of \$60,000.00 be allocated for a Department of Public Works, Division of Highways construction contingency fund with authorization for the County Executive to approve change orders in an amount not to exceed \$60,000.00, also to be allocated from 2010 Preservation of Bridges Culverts and Dams Program (SAP Account B.21027); and be it further

RESOLVED, that an amount of \$5,000.00 be allocated from 2010 Preservation of Bridges, Culverts and Dams Program (SAP Account B.21027) for a Contract for design services during construction with Watts Architecture and Engineering, P.C., of Buffalo, New York; and be it further

RESOLVED, that an amount of \$95,000.00 be allocated from 2010 Preservation of Bridges, Culverts and Dams Program (SAP Account B.21027) for a Contract for construction inspection with FRA Engineering & Architecture, P.C. of Orchard Park, New York; and be it further

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

Item 66 – MS. WHYTE presented the following resolution and moved for immediate consideration and approval. MR. KOZUB seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 155

RE: Construction Contract/Design &
Inspection Services - Replacement of
Burdick Rd. Bridge - Town of Newstead
(COMM. 12E-11)

WHEREAS, bids were taken for the Capital Project for the Replacement of Burdick Road Bridge, in the Town of Newstead, on June 3, 2010, and the low bidder was Concrete Applied Technologies Corp. of Alden, New York at a low bid amount of \$290,955.84; and

WHEREAS, a Contract for design construction services for the above noted project to the engineering firm of FRA Engineering & Architecture, P.C. of Orchard Park, New York is required at a cost not to exceed \$5,000.00; and

WHEREAS, a Contract for construction inspection services for the above noted project to the engineering firm of Watts Architecture and Engineering, P.C., of Buffalo, New York is required at a cost not to exceed \$95,000.00.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be authorized and is hereby directed to execute a Contract for Erie County Project No. BR 258-1-10 for the Replacement of Burdick Road Bridge, between the County of Erie and the low bidder, Concrete Applied Technologies Corp. of Alden, New York at a low bid amount of \$290,955.84; and be it further

RESOLVED, that an amount of \$290,955.84 be allocated from 2010 Preservation of Bridges, Culverts and Dams Program (SAP Account B.21027), and an additional amount of \$35,000.00 be allocated for a Department of Public Works, Division of Highways construction contingency fund with authorization for the County Executive to approve change orders in an amount not to exceed \$35,000.00, also to be allocated from 2010 Preservation of Bridges Culverts and Dams Program (SAP Account B.21027); and be it further

RESOLVED, that an amount of \$5,000.00 be allocated from 2010 Preservation of Bridges, Culverts and Dams Program (SAP Account B.21027) for a Contract for design services during construction with FRA Engineering & Architecture, P.C. of Orchard Park, New York; and be it further

RESOLVED, that an amount of \$95,000.00 be allocated from 2010 Preservation of Bridges, Culverts and Dams Program (SAP Account B.21027) for a Contract for construction inspection with Watts Architecture and Engineering, P.C., of Buffalo, New York; and be it further

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

Item 67 – MS. WHYTE presented the following resolution and moved for immediate consideration and approval. MS. BOVE seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 156

RE: Construction Contract/Services –
Replacement of Center St. Culvert –

Town of Aurora
(COMM. 12E-12)

WHEREAS, bids were taken for the Capital Project for the Replacement of Center Street Culvert, in the Town of Aurora, on June 3, 2010, and the low bidder was Concrete Applied Technologies Corp. of Alden New York at a low bid amount of \$104,966.09; and

WHEREAS, a Contract for construction design and construction inspection service for the above noted project to the engineering firm of TVGA Consultants, Elma, New York is required at a cost not to exceed \$30,000.00.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be authorized and is hereby directed to execute a Contract for Erie County Project No. BR 33-1-10 for the Replacement of Center Street Culvert, between the County of Erie and the low bidder, Concrete Applied Technologies Corp. of Alden, New York at a low bid amount of \$104,966.09; and be it further

RESOLVED, that an amount of \$104,966.09 be allocated from 2010 Preservation of Bridges, Culverts and Dams Program (SAP Account B.21027), and an additional amount of \$15,000.00 be allocated for a Department of Public Works, Division of Highways construction contingency fund with authorization for the County Executive to approve change orders in an amount not to exceed \$15,000.00, also to be allocated from 2010 Preservation of Bridges Culverts and Dams Program (SAP Account B.21027); and be it further

RESOLVED, that an amount of \$30,000.00 be allocated from 2010 Preservation of Bridges, Culverts and Dams Program (SAP Account B.21027) for a Contract for construction design and construction inspection services with TVGA Consultants, Elma, New York; and be it further

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

Item 68 – (COMM. 12E-13) Appointment to Erie County Traffic Safety Advisory Board

Received and referred to the PUBLIC SAFETY COMMITTEE.

Item 69 – (COMM. 12E-14) Appointment to Erie Community College Board of Trustees

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

Item 70 – (COMM. 12E-15) State Aid for Snowmobile Development - 2009-2010

Item 71 – (COMM. 12E-16) Buffalo & Erie County Botanical Gardens - Foundation Restoration & Exterior Repairs at Houses #2 & #3

Item 72 – (COMM. 12E-17) ECSD No. 6 - Engineer Term Agreement - DiDonato Associates

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

Item 73 – (COMM. 12E-18) Lead Poisoning Primary Prevention - Pilot Program Grant

Item 74 – (COMM. 12E-19) Komen for the Cure

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

Item 75 – (COMM. 12E-20) Extension of Agreement with Various Local Municipalities for Snow & Ice Control on County Roads

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 76 – (COMM. 12E-21) Establish New Freedom Program Grant Budget

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

Item 77 – (COMM. 12E-22) Contracts Related to Preparation of an EC Agricultural Farmland Protection Plan

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 78 – (COMM. 12E-23) Ralph Wilson Stadium - 2010 - Phase III - Miscellaneous Improvements

Item 79 – (COMM. 12E-24) Old County Hall - Clock Tower Roof & Window Replacement

Item 80 – (COMM. 12E-25) ECC City Campus - Burt Flickinger Athletic Facility - Roof Replacement & HVAC Upgrade

Item 81 – (COMM. 12E-26) ECC North & South Campuses - Elevator Safety Upgrades

Item 82 – (COMM. 12E-27) Reallocation of Bond Proceeds - Erie Canal Harbor - Memorial Auditorium Demolition & Site Preparation

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

Item 83 – (COMM. 12E-28) Erie County Records Storage Center

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

Item 84 – (COMM. 12E-29) ECSD No. 4 - Professional Services Agreement with CRA Infrastructure & Engineering, Inc. - Vanderbilt Pumping Station, Depew Pumping Station & Overflow Retention Facility Upgrades - Change Order No. 3

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

COMMUNICATIONS FROM THE DEPARTMENTS

FROM THE COUNTY ATTORNEY

Item 85 – (COMM. 12D-1) Transmittal of New Claim Against EC

Item 86 – (COMM. 12D-2) Transmittal of New Claims Against EC

The above two items were received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE COMMISSIONER OF ENVIRONMENT & PLANNING

Item 87 – (COMM. 12D-3) State Environmental Quality Review Negative Declaration - 119 Ellicott Rd., West Falls, NY

Item 88 – (COMM. 12D-4) State Environmental Quality Review Negative Declaration - 9125 Sibley Rd., E. Concord, NY

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

FROM THE DEPUTY COMPTROLLER - AUDIT & CONTROL

Item 89 – (COMM. 12D-5) Review of Fire Protection Within Erie County

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM THE MEDICAL DIRECTOR

Item 90 – (COMM. 12D-6) Agenda Items for Board of Health Meeting to be Held 7/15/10

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

FROM THE DIRECTOR OF BUDGET & MANAGEMENT

Item 91 – (COMM. 12D-7) Letter to Legislature Concerning FMAP Funding

Item 92 – (COMM. 12D-8) Letter to Legislature Concerning 2009 Year-End Results Requested by the Finance & Management Committee

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

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES

FROM THE INTERCOUNTY ASSOC. OF WNY

Item 93 – (COMM. 12M-1) Agenda Items for Meeting Held 6/18/10

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

**FROM THE NYS DEC - DIVISION OF FISH,
WILDLIFE & MARINE RESOURCES, REGION 9**

Item 94 – (COMM. 12M-2) Region 9 Fish & Wildlife Monthly Highlights, 3/16 to 4/15

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE PARTNERSHIP FOR THE PUBLIC GOOD

Item 95 – (COMM. 12M-3) Testimony of Megan Connelly for the Energy & Environment Committee, Concerning EC Sustainability Planning: Urgent Need, Great Benefits

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE BUFFALO & EC PUBLIC LIBRARY

Item 96 – (COMM. 12M-4) Agenda Items for Meeting Held 6/17/2010

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM CHEEKTOWAGA SUPERVISOR HOLTZ

Item 97 – (COMM. 12M-5) Letter to Legislature Expressing Appreciation for Storm Sewer Construction Project

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE NYS DEC

Item 98 – (COMM. 12M-6) Fact Sheet Concerning Environmental Investigation & Cleanup Alternatives at Former Buffalo China Site (Brownfield Cleanup Program)

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE NYS FISH & WILDLIFE MANAGEMENT BOARD

Item 99 – (COMM. 12M-7) Region 9 FWMA Board Meeting Minutes for 6/3/10

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE ECFSA CHAIR

Item 100 – (COMM. 12M-8) Letter to Chair Miller-Williams Concerning Six-Year Summary of ECFSA Accomplishments

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM CONGRESSWOMAN SLAUGHTER

Item 101 – (COMM. 12M-9) Copy of Letter to County Executive Concerning American Recovery & Reinvestment Act Medicaid Funding

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

ANNOUNCEMENTS

Item 102 – CHAIR MILLER-WILLIAMS announced that the committee schedule for upcoming meetings has been distributed.

Item 103 – LEGISLATOR GRANT announced her intent to resubmit a resolution concerning the establishment of a community corrections advisory board, with interest in referring the resolution to the Community Enrichment Committee.

Item 104 – LEGISLATOR RATH announced that the Niagara Erie Regional Coalition (NERC) meeting scheduled for June 23, 2010 has been rescheduled for July 29, 2010, from 3:00 until 5:00 P.M., at Dick & Jenny's, located at 1270 Baseline Rd., Grand Island. Legislator Rath also said that significant reforms to NERC are being formulated.

MEMORIAL RESOLUTIONS

Item 105 – Legislator Marinelli requested that when the Legislature adjourns, it do so in memory of Martin D. 'Don' Spencer.

Item 106 – Legislator Rath requested that when the Legislature adjourns, it do so in memory of Marcia Pottle Reynolds.

Item 107 – Legislator Kozub requested that when the Legislature adjourns, it do so in memory of Ralph Palante and Adolf Bitka.

Item 108 – Legislator Dixon requested that when the Legislature adjourns, it do so in memory of Joseph Bartholomew Horan.

Item 109 – Legislator Kennedy requested that when the Legislature adjourns, it do so in memory of Karen Pawlik and Frank O’Brien.

Item 110 – Legislator Bove requested that when the Legislature adjourns, it do so in memory of Richard G. ‘Jerry’ Lajoie.

Item 111 – Legislator Mazur requested that when the Legislature adjourns, it do so in memory of Robert Miller and Barbara Rykse.

ADJOURNMENT

Item 112 - At this time, there being no further business to transact, CHAIR MILLER-WILLIAMS announced that the Chair would entertain a Motion to Adjourn.

MR. MAZUR moved that the Legislature adjourn until Thursday, July 8, 2010 at 2:00 p.m. Eastern Standard Time. MR. WALTER seconded.

CARRIED UNANIMOUSLY.

CHAIR MILLER-WILLIAMS declared the Legislature adjourned until Thursday, July 8, 2010 at 2:00 p.m. Eastern Standard Time.

ROBERT M. GRABER
CLERK OF THE LEGISLATURE