

**ERIE COUNTY LEGISLATURE
MEETING NO. 13
JULY 8, 2010**

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

All members present.

An Invocation was held, led by Mr. Rath, who read a short prayer.

The Pledge of Allegiance was led by Ms. Grant.

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 12 from 2010. MR. KOZUB seconded.

CARRIED UNANIMOUSLY.

Item 4 – No Public Hearings.

MISCELLANEOUS RESOLUTIONS

Item 5 – MR. KOZUB presented a resolution Commending Se Trata for their Efforts to Educate, Empower & Protect the Citizens of Puerto Rico from the Tragedy of Human Trafficking.

Item 6 – MR. HARDWICK presented a resolution Honoring M. Scott Stallard as 2009-2010 Youth Ambassador Scholarship Winner for Grand Island.

Item 7 – MR. HARDWICK presented a resolution Honoring Susan Head as 2009-2010 Youth Ambassador Scholarship Winner for Grand Island.

Item 8 – MR. MAZUR presented a Memorial Resolution Honoring the Life of William C. Curtin, Sr.

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

CARRIED UNANIMOUSLY.

MS. WHYTE moved to amend the above four items by including Et Al Sponsorship. MR. KOZUB seconded.

CARRIED UNANIMOUSLY.

MS. WHYTE moved for approval of the above four items as amended. MR. KOZUB seconded.

CARRIED UNANIMOUSLY.

LOCAL LAWS

Item 9 – CHAIR MILLER-WILLIAMS directed that Local Law No. 4 (Print #1) 2009 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 10 – CHAIR MILLER-WILLIAMS directed that Local Law No. 6 (Print #1) 2009 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 11 – CHAIR MILLER-WILLIAMS directed that Local Law No. 7 (Print #1) 2009 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 12 – 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 13 – CHAIR MILLER-WILLIAMS directed that Local Law No. 2 (Print #1) 2010 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 14 – CHAIR MILLER-WILLIAMS directed that Local Law No. 3 (Print #1) 2010 remain on the table and in the PUBLIC SAFETY COMMITTEE.

GRANTED.

Item 15 – CHAIR MILLER-WILLIAMS directed that Local Law No. 4 (Print #1) 2010 remain on the table and in the PUBLIC SAFETY COMMITTEE.

GRANTED.

Item 16 – MS. WHYTE moved that the agenda be taken out of order and the next item to be considered would be COMM. 13E-5. MR. MILLS seconded.

CARRIED UNANIMOUSLY.

MS. WHYTE presented the following resolution and moved for immediate consideration, and further moved to amend the item. MR. MILLS seconded.

CARRIED UNANIMOUSLY.

Attach the Following to the Placeholder in its Entirety:

RESOLUTION NO. 157

RE: 2010 Revenue Anticipation Notes
Resolution
(COMM. 13E-5)

RESOLUTION NO. 157-2010

RESOLUTION DELEGATING TO THE COUNTY COMPTROLLER THE POWERS TO AUTHORIZE THE ISSUANCE OF \$65,000,000 REVENUE ANTICIPATION NOTES OF THE COUNTY OF ERIE, NEW YORK, OR SO MUCH THEREOF AS MAY BE NECESSARY, IN ANTICIPATION OF THE RECEIPT OF CERTAIN REVENUES FOR THE FISCAL YEAR ENDING DECEMBER 31, 2010, AND TO PRESCRIBE THE TERMS, FORM AND CONTENTS, AND PROVIDE FOR THE SALE AND CREDIT ENHANCEMENT OF SUCH NOTES. RESOLVED BY THE LEGISLATURE OF THE COUNTY OF ERIE, NEW YORK, AS FOLLOWS:

Section 1. Pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"), the power to authorize the issuance of Revenue Anticipation Notes (herein called "Notes") of the County of Erie, in the State of New York (the "County" and "State", respectively), in the aggregate principal amount of not to exceed \$65,000,000, and any notes in renewal thereof, is hereby delegated to the County Comptroller, as chief fiscal officer of the County.

Section 2. The Notes shall be issued in anticipation of the collection or receipt of revenues due to the County in the 2010 fiscal year from (i) State Social Services aid, (ii) Social Services aid from the United States government, and (iii) the collection or receipt of revenues due and payable to the County in the 2010 fiscal year from sales and compensating use taxes; and the proceeds of such Notes shall be used only for the purposes of paying the current expenses of the County for said fiscal year payable from the revenues in anticipation of which they are issued.

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

Section 4. Subject to the provisions of this resolution and the Law, and pursuant to Sections 50.00, 56.00, 60.00, and 168.00 of the Law, inclusive, the powers to prescribe the terms, form and contents, and all other powers or duties pertaining or incidental to the sale and issuance of the Notes authorized pursuant hereto, or any renewals thereof, including the power to determine the respective amounts of Notes to be issued in anticipation of said respective revenues specified in

Section 2 hereof, and the power to enter into agreements for credit enhancement for the Notes, are hereby delegated to the Comptroller, as chief fiscal officer of the County.

Section 5. This resolution shall take effect immediately.

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

CARRIED UNANIMOUSLY.

CHAIR MILLER-WILLIAMS directed that the agenda return to Committee Reports.

GRANTED.

COMMITTEE REPORTS

Item 17 – MR. MAZUR presented the following report and moved for immediate consideration and approval. MR. WALTER seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 158

June 29, 2010	HEALTH & HUMAN SERVICES COMMITTEE REPORT NO. 8
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ALL MEMBERS PRESENT.

CHAIR MILLER-WILLIAMS PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 9E-6 (2010)
COMPTROLLER: “Salary Increases for EC Health Commissioner”
(6-0)
 - b. COMM. 12D-6 (2010)
MEDICAL DIRECTOR: “Agenda Items for Board of Health Meeting to be Held 7/15/10”
(6-0)
 - c. COMM. 12D-9 (2010)
EC YOUTH BUREAU DIRECTOR: “Letter to Legislature from EC Youth Bureau Director
Concerning Primetime 2010 Funding”
(6-0)
2. COMM. 12E-19 (2010)
COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Health received a grant award from Komen for the Cure in the amount of \$40,000 for the purpose of funding breast cancer screening and diagnostics for low income, underserved women aged 18 – 39 years old for the period 4/1/10 – 3/31/11; and

WHEREAS, the Erie County Partners for Prevention is made up of a coalition of concerned community agencies and health care providers, funded by grants from the New York State Health Department, Health Research, Inc. and Komen for the Cure; and

WHEREAS, these dollars will be used to pay for services for clients enrolled in Partners for Prevention; and

WHEREAS, the Erie County Health Department is the fiscal intermediary for this project.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to accept the grant award from Komen for the Cure to be budgeted as follows:

Komen for the Cure
4/1/10 – 3/31/11
127KOMEN1011

<u>SAP</u>	<u>REVENUE</u>	<u>BUDGET</u>
479100	Other Contributions	<u>\$40,000</u>
	Total	<u>\$40,000</u>
	<u>EXPENSES</u>	
516020	Contractual Clinical Services	<u>\$40,000</u>
	Total	<u>\$40,000</u>

and be it further

RESOLVED, that certified copies of this resolution be forwarded to the County Executive, the Office of the Comptroller, the Division of Budget and Management, the Department of Law and to Dr. Anthony J. Billittier, IV, Commissioner in the Erie County Health Department, 9th Floor, Rath Building.

(6-0)

3. COMM. 12E-21 (2010)
COUNTY EXECUTIVE

WHEREAS, the Department of Senior Services (Department), the Center for Transportation Excellence, LLC (CTE), and Rural Transit Services partnered to submit a grant application for New Freedom Mobility Project funds under the Federal Transit Administration to increase transportation options for older adults and the disabled; and

WHEREAS, the Greater Buffalo-Niagara Regional Transportation Council (GBNRTC) and the Niagara Frontier Transportation Authority (NFTA) have informed the Department that we have been awarded two New Freedom allocations to conduct a demonstration Mobility Project; and

WHEREAS, the grant funds are available for a three-year time period, September 30, 2010 to September 29, 2013; and

WHEREAS, these funds are to be utilized for the purpose of increasing transportation options for elderly and disabled persons; and

WHEREAS, the Department desires to contract with the Center for Transportation Excellence, LLC (CTE) to provide mobility management to elderly and disabled persons under the New Freedom Mobility Project grant program; and

WHEREAS, the New Freedom Mobility Project grant allows the Department to cover a portion of one of the Dispatchers' salary and fringe benefits costs (approximately 20%); and

WHEREAS, the New Freedom Mobility Project grant budgets needs to be established; and

WHEREAS, the Department has identified transportation costs in the Community Services for the Elderly, New York Connects and State Transportation Program state grants for the required local match.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be and hereby is authorized to accept Federal Transit Administration funds and enter into contract with the Niagara Frontier Transportation Authority (NFTA) to conduct a New Freedom Mobility Project to increase transportation options for elderly and disabled persons for the period September 30, 2010 to September 29, 2013; and further

RESOLVED, that the County Executive be and is hereby authorized to contract with CTE to provide the related transportation services for the period September 30, 2010 to September 29, 2013, at an amount not to exceed \$107,380; and be it further

RESOLVED, that the budget for the New Freedom Mobility Project grant, 163FREEDOM1013, be established as follows:

REVENUES		INITIAL BUDGET
Account	Description	
414000	Federal Aid	\$115,620
	TOTAL REVENUE	<u>\$115,620</u>

APPROPRIATIONS		
500000	Full Time Salaries	\$5,760
502000	Fringe Benefits	2,480

516020	Professional Services & Fees	<u>107,380</u>
	TOTAL	
	APPROPRIATIONS	<u><u>\$115,620</u></u>

and be it further

RESOLVED, that certified copies of this resolution be forwarded to the County Executive's Office, the Division of Budget and Management, the County Attorney's Office, the Comptroller's Office and the Department of Senior Services.
(6-0)

THOMAS J. MAZUR
CHAIR

Item 18 – MS. WHYTE presented the following report and moved for immediate consideration and approval. MS. BOVE seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 159

June 29, 2010	FINANCE & MANAGEMENT COMMITTEE REPORT NO. 6
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ALL MEMBERS PRESENT.
CHAIR MILLER-WILLIAMS PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 7E-14 (2010)
COUNTY EXECUTIVE: "2009 Year-End Reserve Fund for Payment of Bonded Indebtedness"
(6-0)
 - b. COMM. 7E-15 (2010)
COUNTY EXECUTIVE: "2009 Year-End Tax Stabalization Reserve Fund"
(6-0)
 - c. COMM. 12E-6 (2010)
MILLER-WILLIAMS: "Letter to County Executive Concerning Mid-Year Budget Hearings"
(6-0)
 - d. COMM. 12D-7 (2010)
DIRECTOR OF BUDGET & MANAGEMENT: "Letter to Legislature Concerning FMAP Funding"

(6-0)

- e. COMM. 12M-9 (2010)
CONGRESSWOMAN SLAUGHTER: “Copy of Letter to County Executive Concerning American Recovery & Reinvestment Act Medicaid Funding”
(6-0)

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

Item 19 – MR. MAZUR presented the following report and moved for immediate consideration and approval. MR. KOZUB seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 160

June 29, 2010	GOVERNMENT AFFAIRS COMMITTEE REPORT NO. 5
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ALL MEMBERS PRESENT.
CHAIR MILLER-WILLIAMS PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
- a. INTRO 19-7 (2009)
IANNELLO: “A Resolution to Amend the EC Legislature Rules of Order to Establish Evening Sessions of the EC Legislature”
(4-1) Legislator Walter voted in the negative. Legislator Whyte did not vote.
- b. COMM. 12D-1 (2010)
COUNTY ATTORNEY: “Transmittal of New Claim Against EC”
(6-0)
- c. COMM. 12D-2 (2010)
COUNTY ATTORNEY: “Transmittal of New Claims Against EC”
(6-0)
- d. COMM. 12M-1 (2010)
INTERCOUNTY ASSOC. OF WNY: “Agenda Items for Meeting Held 6/18/10”
(6-0)

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

LEGISLATOR RESOLUTIONS

Item 20 – MS. WHYTE presented the following resolution and moved for immediate consideration. MR. KOZUB seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 161

RE: Standard Work Day for Elected
& Appointed Officials for
Retirement Reporting Purposes
(INTRO 13-1)

**A RESOLUTION TO BE SUBMITTED BY
LEGISLATOR MILLER-WILLIAMS**

WHEREAS, the New York State and Local Employees' Retirement System requires that a standard work day be established for retirement credit purposes.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the Clerk of the Legislature:

<u>Title</u>	<u>Name</u>	<u>Standard Work Day</u>	<u>Term Begins/Ends</u>	<u>Participates in Employer's Time Keeping System</u>	<u>Days/ Month (Based on Record of Activities)</u>
<u>ELECTED OFFICIALS:</u>					
Comptroller	Mark C. Poloncarz	7	01/01/2010 – 12/31/2013	N	22.14
County Clerk	Kathleen C. Hochul	7	04/16/2007 – 12/31/2010	N	30.64
Legislator	Daniel M. Kozub	6	01/01/2010 – 12/31/2011	N	24.49
Legislator	Timothy M. Kennedy	6	01/01/2010 – 12/31/2011	N	29.29
Legislator	Raymond W. Walter	6	01/01/2010 – 12/31/2011	N	15.64
Legislator	Dino J. Fudoli	6	01/01/2010 – 12/31/2011	N	14.11
Legislator	Betty Jean Grant	6	01/01/2010 – 12/31/2011	N	31.39
Legislator	Christina W. Bove	6	01/01/2010 – 12/31/2011	N	26.33
Legislator	Kevin R. Hardwick	6	01/01/2010 – 12/31/2011	N	17.22
Legislator	Lynn M. Marinelli	6	01/01/2010 – 12/31/2011	N	21.86
Legislator	Lynne M. Dixon	6	01/01/2010 – 12/31/2011	N	25.03
Legislator	John J. Mills	6	01/01/2010 – 12/31/2011	N	18.53
Legislator	Thomas A. Loughran	6	01/01/2010 – 12/31/2011	N	22.56
Legislator	Edward A. Rath III	6	01/01/2010 – 12/31/2011	N	17.61

APPOINTED OFFICIAL:

Counsel Jennifer C. Persico 4 N/A Y 13.29

and be it further

RESOLVED, that a certified copy of this resolution be posted on the Legislature's website pursuant to rules promulgated by the New York State Comptroller, and a copy shall be transmitted by the Clerk of the Legislature to the Erie County Commissioner of Personnel and the State Comptroller.

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

CARRIED UNANIMOUSLY.

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

**A RESOLUTION TO BE SUBMITTED BY
LEGISLATOR MILLER-WILLIAMS**

WHEREAS, the New York State and Local Employees' Retirement System requires that a standard work day be established for retirement credit purposes.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the Clerk of the Legislature:

<u>Title</u>	<u>Name</u>	<u>Standard Work Day</u>	<u>Term Begins/Ends</u>	<u>Participates in Employer's</u>	<u>Days/ Month (Based on Time Keeping System of Activities)</u>
<u>ELECTED OFFICIALS:</u>					
County Executive	Chris Collins	7	01/01/2008 – 12/31/2011	N	27.82
Comptroller	Mark C. Poloncarz	7	01/01/2010 – 12/31/2013	N	22.14
County Clerk	Kathleen C. Hochul	7	04/16/2007 – 12/31/2010	N	30.64
District Attorney	Frank A. Sedita III	7	01/01/2009 – 12/31/2012	N	32.29
Legislator	Daniel M. Kozub	6	01/01/2010 – 12/31/2011	N	24.49
Legislator	Timothy M. Kennedy	6	01/01/2010 – 12/31/2011	N	29.29
Legislator	Barbara Miller-Williams	6	01/01/2010 – 12/31/2011	N	13.36
Legislator	Raymond W. Walter	6	01/01/2010 – 12/31/2011	N	15.64
Legislator	Dino J. Fudoli	6	01/01/2010 – 12/31/2011	N	14.11
Legislator	Maria R. Whyte	6	01/01/2010 – 12/31/2011	N	29.28
Legislator	Betty Jean Grant	6	01/01/2010 – 12/31/2011	N	31.39
Legislator	Christina W. Bove	6	01/01/2010 – 12/31/2011	N	26.33

Legislator	Kevin R. Hardwick	6	01/01/2010 – 12/31/2011	N	17.22
Legislator	Lynn M. Marinelli	6	01/01/2010 – 12/31/2011	N	21.86
Legislator	Lynne M. Dixon	6	01/01/2010 – 12/31/2011	N	25.03
Legislator	John J. Mills	6	01/01/2010 – 12/31/2011	N	18.53
Legislator	Thomas A. Loughran	6	01/01/2010 – 12/31/2011	N	22.56
Legislator	Edward A. Rath III	6	01/01/2010 – 12/31/2011	N	17.61

APPOINTED OFFICIAL:

Counsel	Jennifer C. Persico	4	N/A	Y	13.29
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and be it further

RESOLVED, that a certified copy of this resolution be posted on the Legislature’s website pursuant to rules promulgated by the New York State Comptroller, and a copy shall be transmitted by the Clerk of the Legislature to the Erie County Commissioner of Personnel and the State Comptroller.

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

CARRIED UNANIMOUSLY.

Item 21 – MS. WHYTE presented the following resolution and moved for immediate consideration. MS. BOVE seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 162

RE: Supporting a Temporary
Extension of Enhanced Federal
Medicaid Matching Funds
Provided Under the American
Recovery and Reinvestment Act
(ARRA)
(INTRO 13-2)

**A RESOLUTION TO BE SUBMITTED BY
LEGISLATORS MILLER-WILLIAMS, MILLS, BOVE & MARINELLI**

WHEREAS, Medicaid is a federal, state and local health care program whose costs and administration represents the largest component of the state and local fiscal relationship in New York, currently totaling over \$51 billion annually; and

WHEREAS, since the program’s inception, counties across the state have struggled to fund the growth of the Medicaid local share and even with local budget austerity measures the program’s cost have resulted in higher property taxes, higher sales taxes, and a decline in county services; and

WHEREAS, while a local government Medicaid “cap” has been implemented in New York in an effort to provide some budget stability and help shield local taxpayers from the impact of

excessive Medicaid growth, counties remain concerned with the future sustainability of the Medicaid program, the effect on other state and local budget priorities, and the overall outlook for New York's economic competitiveness; and

WHEREAS, Congress has provided an increase in Federal Medicaid matching funds, set to expire on December 31, 2010, to all states under the American Recovery and Reinvestment Act in recognition of the recent fiscal crisis; and

WHEREAS, in addition to providing fiscal relief to the State of New York, this increase also provides direct fiscal relief to local governments in New York State which helps ease the local property and sales tax burdens for all New Yorkers; and

WHEREAS, the U.S. Senate, House and the President all support a six-month extension of this critical temporary enhanced Medicaid assistance through June 30, 2011 because of the continued fiscal pressures experienced by state and local governments due to further declines in tax revenues and increased demand for public services stemming from the recession; and

WHEREAS, New York and twenty-three other states have included a six-month extension of this enhanced funding in their budgets for the coming year, it is imperative that Congress enact a six-month extension of enhanced Medicaid assistance payments as soon as possible, to allow states to finalize their budgets without having to fill even larger budget holes with tax increases or service cuts that would be necessary in the absence of this federal funding.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature goes on record as strongly supporting a six-month extension of the enhanced Federal Medical Assistance Percentage (FMAP) as established under the American Recovery and Reinvestment Act (ARRA), and be it further

RESOLVED, that copies of this certified resolution be sent to Sen. Charles Schumer, Sen. Kirsten Gillibrand, Representative Brian Higgins, Representative Louise Slaughter and Representative Christopher Lee.

MS. WHYTE moved to amend the resolution by adding MS. WHYTE and MR. KENNEDY as Co-Sponsors. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

Item 22 – MS. WHYTE presented the following resolution and moved for immediate consideration. MR. KOZUB seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 163

RE: Supporting the Orchard Park

Fire District & the Angola Fire
Control 2010 AFG Regional
Communications Grant
Applications
(INTRO 13-3)

**A RESOLUTION TO BE SUBMITTED BY
LEGISLATORS KOZUB, MILLS, BOVE, MARINELLI & DIXON**

WHEREAS, Erie County Emergency Services has secured funding through the Public Safety Interoperable Communications Grant to construct a new 400mhz infrastructure for radio communications between firefighters and first responders; and

WHEREAS, while Erie County is funding the infrastructure, volunteer fire departments will be responsible for the purchase and maintenance of equipment that can be used on the new 400mhz communications system; and

WHEREAS, a total of 10 volunteer fire departments in the Orchard Park Fire District and the Angola Fire Control have applied for a 2010 AFG Regional Communications Grant with the federal government; and

WHEREAS, the grant applications request \$208,216 for the Orchard Park Fire District and \$630,761 for the Angola Fire Control, in funding to purchase interoperable and standardized radio equipment, specifically 400mhz digital capable mobile radios, portable radios and pagers; and

WHEREAS, the purchase of this equipment will be used to improve communications among the 490 active volunteer firefighters and first responders in the Orchard Park and Angola Fire Control; and

WHEREAS, this equipment will bring the partner agencies into statutory compliance with FCC P25 narrow-banding requirements; and

WHEREAS, these organizations protect an area comprising 103 square miles of suburban and rural communities in Erie County; and

WHEREAS, target hazards in the area served by the Orchard Park Fire District include a suburban community with rural areas, a 1200 acre County Park and an NFL stadium and in the Angola Fire Control there are major transportation lines including the New York State Thruway (I-90), two NY State Roads (NYS Route 5 and U.S. Route 20) and 15 miles of CSX and Norfolk rail lines that transport various materials including fuel, lumber and chemicals; and

WHEREAS, the organizations applying for the grants do not have the resources to purchase this 400mhz radio equipment.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature supports the Orchard Park Fire District and the Angola Fire Control 2010 AFG Regional Communications Grant Applications; and be it further

RESOLVED, that the Erie County Legislature asks the assistance of our federal representatives to help secure this grant funding that will assure the safety and reliability of the communications systems between firefighters and first responders throughout the region; and be it further

RESOLVED, that copies of this certified resolution be sent to Sen. Charles Schumer, Sen. Kirsten Gillibrand, Representative Brian Higgins, Representative Louise Slaughter and Representative Christopher Lee.

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

COMMUNICATIONS DISCHARGED FROM COMMITTEE

Item 23 – MS. WHYTE moved to discharge the ENERGY & ENVIRONMENT COMMITTEE of further consideration of COMM. 10E-6 (2010). MR. MILLS seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 164

RE: ECSD No. 4 - Vanderbilt Pumping Station, Depew Pumping Station & Overflow Retention Facility Upgrades Project
(COMM. 10E-6, 2010)

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

CARRIED UNANIMOUSLY.

Attach the Following to the Placeholder in its Entirety:

WHEREAS, the Erie County Department of Environment and Planning has received the following lowest responsible bids for the Erie County Sewer District No. 4, Contract Nos. EC-7A and EC-7D at 2:00 P.M. on June 22, 2010.

<u>Contract</u>	<u>Low Bidder</u>	<u>Amount</u>
Contract EC-7A General Mechanical	Nichols, Long & Moore Construction Corp. 149 Gunnville Road Lancaster, N.Y. 14086	\$3,044,905.00

Contract EC-7D Electrical	Weydman Electric, Inc. 747 Young Street Tonawanda, N.Y. 14150	\$314,865.00
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and

WHEREAS, the aforementioned lowest responsible bidders have successfully performed similar work in Erie County; and

WHEREAS, there is available cash in Erie County Sewer District No. 4 Capital Reserve Account C.00034; and

WHEREAS, the Division of Sewerage Management wants to utilize the cash balance in Capital Reserve Account C.00034 to partially fund the contracts.

NOW, THEREFORE, BE IT

RESOLVED, that the Vanderbilt Pumping Station, Depew Pumping Station and Overflow Retention Facility, Contract EC-7A General Mechanical and Contract EC-7D Electrical be awarded as follows:

<u>Contract</u>	<u>Low Bidder</u>	<u>Amount</u>
Contract EC-7A General Mechanical	Nichols, Long & Moore Construction Corp. 149 Gunnville Road Lancaster, N.Y. 14086	\$3,044,905.00
Contract EC-7D Electrical	Weydman Electric, Inc. 747 Young Street Tonawanda, N.Y. 14150	\$314,865.00

and be it further

RESOLVED, that the County Executive be, and hereby is, authorized to execute the Contracts with the aforementioned lowest responsible bidders subject to approval as to form by the County Attorney and certification of availability of funds by the Comptroller's Office; and be it further

RESOLVED, that the Erie County Comptroller and Director of Budget be authorized to establish budgets as necessary and directed to transfer \$900,00.00 from Erie County Sewer District No. 4 Capital Reserve Account C.00034 to Erie County Sewer District No. 4 Capital Account C.00063; and be it further

RESOLVED, that the Erie County Comptroller and Director of Budget be authorized and directed to increase the estimated revenue and appropriations in Erie County Sewer District No. 4 Capital Account C.00063 by \$900,000.00; and be it further

RESOLVED, that the Erie County Comptroller be authorized and directed to allocate \$3,359,770.00 from Erie County Sewer District No. 4, Capital Account C.00063 for this project; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send one certified copy each of this resolution to the County Executive, Director of Budget, 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.

SUSPENSION OF THE RULES

Item 24 - MS. WHYTE moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 13E-25 from the COUNTY EXECUTIVE Re: Declaration of Need - 2010 Revenue Anticipation Notes

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

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

AYES: MS. DIXON, MR. FUDOLI, MR. HARDWICK, MR. MILLS, MR. RATH, MR. WALTER, MS. BOVE, MS. GRANT, MR. KENNEDY, MR. KOZUB, MR. LOUGHRAN, MS. MARINELLI, MR. MAZUR, CHAIR MILLER-WILLIAMS and MS. WHYTE. NOES: None. (AYES: 15; NOES: 0)

CARRIED UNANIMOUSLY.

RESOLUTION NO. 165

RESOLVED, the Erie County Legislature hereby approves the following Declaration of Need:

DECLARATION OF NEED

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

1. A need for financing assistance, as described in Section 3961(1) of the Act, is hereby determined and declared to exist. The amounts of the Financeable Costs hereby requested to be undertaken is \$65,000,000 for cash flow needs of the County.
2. The County represents and affirms that the foregoing financing of Financeable Costs by the Authority is authorized by the Act and is consistent with the current adopted County budget and that such Financeable Costs meet the requirements of Section 4.01(f) of the Agreement, as applicable.
3. The County reaffirms the provisions of the Agreement, including but not limited to each of the covenants, agreements and indemnities therein and agrees herein to provide prompt notice of any fact or circumstances which would with the passage of time or otherwise give rise to any violation or contravention of the terms of this Declaration of Need, the Agreement or any financial plan submitted to or approved by the Authority.
4. Pursuant to the Act, the financing plan reflected in this Declaration of Need and the Agreement, the Authority is hereby requested to finance, in whole or in part, the Financeable Costs set forth herein. In no event shall the amount of such financing in any fiscal year exceed the amount of the Declaration of Need for such year, as it may be amended from time to time by an amended Declaration of Need.
5. The County understands and agrees to provide the Authority with any supporting data, descriptions or materials which the Authority requests in connection with any Financeable Costs referred to in this Declaration of Need.

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

IN WITNESS WHEREOF, I have set my hand this ____ day of _____, 2010.

CHRIS COLLINS
County Executive
County of Erie

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

Clerk of the Erie County Legislature

Item 25 - MS. WHYTE moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 13M-11 from the ECFSA EXECUTIVE DIRECTOR Re: Letter to Chair of the Legislature Concerning the Revenue Anticipation Note

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

COMMUNICATIONS FROM ELECTED OFFICIALS

FROM THE COMPTROLLER

Item 26 – (COMM. 13E-1) NYS Early Retirement Incentive

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE SHERIFF

Item 27 – (COMM. 13E-2) EC Sheriff's Office - Personnel Adjustments - Consistent with Department of Justice Settlement

Received and Filed.

FROM THE COMPTROLLER

Item 28 – (COMM. 13E-3) Effects of NYS Budget Impasse on EC

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

Item 29 – (COMM. 13E-4) Copy of the Apportionment & Distribution of Net Collections from the Local 4.75% Sales & Compensating Use Tax for EC for the Months 3/10, 4/10 & 5/10

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE SHERIFF

Item 30 – MS. WHYTE presented the following resolution and moved for immediate consideration and approval. MR. KOZUB seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 166

RE: EC Sheriff's Office –
Personnel Adjustment
(COMM. 13E-6)

WHEREAS, the Erie County Sheriff is responsible for the provision of Suicide Prevention and Related Mental Health Issues at the Erie County Correctional Facility and the Erie County Holding Center;
and

WHEREAS, the creation of a new position of First Deputy Superintendent in the Erie County Sheriff's Office, Jail Management Division, is required by the terms of the Stipulated Settlement Agreement and Order between the United States of America and Erie County, New York entered on June 22, 2010 in the United States District Court, Western District of New York; and

WHEREAS, this position is required in order to allow the County of Erie to come into substantial compliance with the Stipulated Settlement Agreement and Order; and

WHEREAS, funding for this position will be offset by the avoidance of further expense, disruption and uncertainty of litigation, without admitting any liability by settling on the limited issues of suicide prevention and related mental health treatment.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the creation of an additional First Deputy Superintendent, Jail Management Division, Job Group XV as indicated on B100 #5587; and be it further

RESOLVED, that the Director of Budget and Management is hereby authorized to establish funding for said position as follows:

Fund Center 140	
Countywide Accounts Monitored by Budget	
Revenue	Increase
400010 Exemption Removal	\$65,643

Fund Center 116	
Jail Management 2010 Budget	
Appropriations	
500000 Full Time Salaries	\$46,560
500340 Line-up pay	2,793
502000 Fringe Benefits	<u>16,290</u>
	\$65,643
Net Change	0

and be it further

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

FROM THE COUNTY EXECUTIVE

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 167

RE: Acceptance of 2010-2011
Occupational Safety & Health
Training & Education Grant
Program
(COMM. 13E-7)

WHEREAS, Erie County has embarked upon an aggressive risk management and safety program; and

WHEREAS, Erie County has applied for and been awarded \$37,837 from the NYS Occupational Safety and Health Hazard Abatement Board to provide safety training; and

WHEREAS, the training provided will assist the workforce in identifying potential hazards, and train employees to prevent injuries in the work area; and

WHEREAS, upon acceptance of these funds the Personnel Department will issue an RFP and select a vendor to provide the safety training in accordance with County policies and procedures.

NOW, THEREFORE, BE IT

RESOLVED, that this Honorable Body authorizes the County Executive to enter into contract with the NYS Occupational Safety and Health Hazard Abatement Board to accept these funds for safety training; and be it further

RESOLVED, that the Erie County Legislature does hereby provide authorization to establish a NYS Occupational Safety and Health Hazard Abatement Board Grant within the Department of Personnel as follows:

NYS OSHA Hazard Abatement Board Grant
August 1, 2010 – July 31, 2011
Fund: 281 Cost Center: 16110 Personnel

Grant: 161OSHATraining1011

Revenues	
409000 State Revenue	\$37,837
Appropriations	
516020 Pro Ser Cont & Fees	\$37,837

and be it further

RESOLVED, that certified copies of this resolution be forwarded to the County Executive, the Division of Budget and Management, the Department of Personnel, the Office of the Comptroller, and the Department of Law.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 168

RE: Authorization to Allow the EC
Department of Mental Health to Add

Four Positions to Forensic Mental
Health Services
(COMM. 13E-8)

MS. GRANT moved to send the item to committee for further consideration. MS. WHYTE seconded.

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

AYES: MS. GRANT, MS. MARINELLI, MR. MAZUR and MS. WHYTE. NOES: MS. DIXON, MR. FUDOLI, MR. HARDWICK, MR. MILLS, MR. RATH, MR. WALTER, MS. BOVE, MR. KENNEDY, MR. KOZUB, MR. LOUGHRAN and CHAIR MILLER-WILLIAMS. (AYES: 4; NOES: 11)

FAILED.

CHAIR MILLER-WILLIAMS moved the previous question.

CARRIED UNANIMOUSLY.

WHEREAS, the Erie County Department of Mental Health is responsible for the delivery of a comprehensive range of mental health services for the residents of Erie County; and

WHEREAS, the Erie County Department of Mental Health Forensic Mental Health Service is responsible for the provision of behavioral health services to the Erie County Holding Center and the Erie County Correctional Facility; and

WHEREAS, over the past six months, there have been several changes in policy and service delivery practice that have directly impacted on the work load of Forensic Mental Health staff at the Erie County Holding Center and the Erie County Correctional Facility; and

WHEREAS, there is a projected increase of 25%-35% in mental health referrals and assessments at the Erie County Holding Center and Erie County Correctional Facility as a result of these changes in practice and an increasing mentally ill/chemical abuse (MICA) population; and

WHEREAS, the historic Forensic Mental Health staffing pattern is insufficient to address the increased mental health referrals and assessments at the Erie County Holding Center and Erie County Correctional Facility; and

WHEREAS, the Erie County Department of Mental Health has identified sufficient New York State Office of Mental Health State Aid dollars that will be reallocated to support the addition of four positions to the Forensic Mental Health Service to enhance clinical staffing at the Erie County Holding Center and the Erie County Correctional Facility.

NOW, THEREFORE, BE IT

RESOLVED, that the following four staff positions be added to the Erie County Department of Mental Health Forensic Mental Health Service (FMH):

FMH Community Discharge Planner	Job Grade 8	(B-100 Control #5551)
Two (2) - FMH Specialist I (RPT)	Job Grade 10	(B-100 Control #5553)
FMH MICA Specialist	Job Grade 12	(B-100 Control #5552)

in order to address the increased critical daily supervision and screening and risk assessment capacity to ensure quality services and the safety of incarcerated individuals at the Erie County Holding Center and the Erie County Correctional Facility; and be it further

RESOLVED, that the appropriation be increased in the accounts of the Department of Mental Health Forensic Mental Health Service (GL#500000 and GL#500020), the source of these funds being New York State Office of Mental Health State Aid dollars (GL#406830).

Fund Center Mental Health 12420

			INCREASE
APPROPRIATION	GL#	500000	\$46,765
Personal Services	GL #	500020	\$37,994
Lines	GL#	502000	\$35,600
TOTAL			\$120,359
REVENUE	GL#	406830	\$120,359
State Aid Revenue			=====
			\$ 0.00

and be it further

RESOLVED, that certified copies of this resolution be furnished to the Office of the County Executive, the Department of Mental Health, the Office of the Comptroller, the Division of Budget, Management and Finance and the Commissioner of Personnel.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 169

RE: Personnel Adjustments - Correctional Health Services - Department of Health (COMM. 13E-9)

WHEREAS, the Erie County Sheriff is responsible for the health care at the Erie County Correctional Facility and the Erie County Holding Center; and

WHEREAS, the Erie County Department of Health provides medical oversight and staff who provide health care at the Erie County Correctional Facility and Erie County Holding Center under an Interdepartmental Agreement with the Erie County Sheriff; and

WHEREAS, in 2008 a task force was formed to review the provision of health and mental health care in the two facilities overseen by the Sheriff; and

WHEREAS, in 2008 the Sheriff's Office, the Department of Law, the Departments of Health and Mental Health requested that the National Commission of Correctional Health Care provide technical assistance regarding health services at the facilities. Using nationally accepted standards, the purpose was to assess the state of health service delivery and make recommendations for improvement. This undertaking was funded by a grant from the New York State Division of Criminal Justice Services; and

WHEREAS, as a result of this assessment a comprehensive plan was prepared which included specific steps to be taken to improve the delivery of medical services as outlined in the report of the National Commission of Correctional Health; and

WHEREAS, Phase II of said plan also calls for the creation of two full time positions of Physician Assistant – Health, JG XVI, Step 0 and three part time positions of Mid-Level Practitioner, JG XVII, Step 1; and

WHEREAS, the cost to implement these staffing changes in the 2010 Budget is estimated to be \$104,946; 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 the Erie County Legislature hereby authorizes the creation of the following positions within Fund 110, Fund Center 12700 – Health Division, as indicated on the B-100's indicated below:

- Two full time positions of Physician Assistant – Health, JG XVI, Step 0, B100# 5558
- Three part time positions of Mid-Level Practitioner, JG XVII, Step 1, B100# 5559

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	
Revenue	Increase
400040 Other Payments in Lieu of Taxes	<u>\$104,946</u>
Fund Center 12700 - Health Division	

Expense		
500000	Full Time Salaries	46,710
500010	Part-Time Wages	38,785
502000	Fringe Benefits	19,451
912700	ID Billing Health Services	<u>(104,946)</u>
	Total Health Division	0
Fund Center 116 - Jail Management		
912700	ID Billing Health Services	<u>104,946</u>
	Total Jail Management	104,946
	Net Revenue/Expense	0

and be it further

RESOLVED, that certified copies of this resolution will be forwarded to the Erie County Sheriff, the County Executive, the Office of the Comptroller, the Department of Personnel, the Division of Budget and Management, the Department of Law and to Dr. Anthony J. Billittier, IV, Commissioner, in the Erie County Department of Health, 9th Floor, Rath Building.

Item 34 – (COMM. 13E-10) Allocation of Capital Funds to the Buffalo & EC Public Library for the Central Library Space Assessment

Item 35 – (COMM. 13E-11) Contract with NYS Affordable Housing Corporation (AHC) - Housing Rehabilitation - City of Lackawanna & Town of Evans

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 36 – (COMM. 13E-12) Probation Preventative Service Program - Personnel Adjustment

Received and referred to the PUBLIC SAFETY COMMITTEE.

Item 37 – (COMM. 13E-13) Weekend Frozen Meals Pilot Project

Item 38 – (COMM. 13E-14) Disproportionate Minority Representation - Diversity STAT Contract

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

Item 39 – (COMM. 13E-15) Labor Relations Re-Organization

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

Item 40 – (COMM. 13E-16) Holtz Drive & Aero Drive Intersection Improvements - Town of Cheektowaga

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 41 – (COMM. 13E-17) Department of Social Services Extension of Lease at 43 Court Street

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

Item 42 – (COMM. 13E-18) ECC - North Campus - Primary Electrical Service Upgrade

Item 43 – (COMM. 13E-19) Emery Park - 2010 - Ski Lodge Roof Replacement

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

Item 44 – (COMM. 13E-20) Department of Social Services Employee Education & Training

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

Item 45 – (COMM. 13E-21) EC Correctional Facility - Kitchen Renovation & Equipment Replacement Project

Item 46 – (COMM. 13E-22) NYS Building Code - Chapter 17 - Special Testing, Requirements & Inspection

Item 47 – (COMM. 13E-23) 2010 EC Capital Bridge & Culvert Projects - Consultant Design - Award of Design Agreements - Consultant Approvals

Item 48 – (COMM. 13E-24) Rehabilitation of George Urban Boulevard Bridge - Town of Cheektowaga

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

COMMUNICATIONS FROM THE DEPARTMENTS

FROM THE DIRECTOR OF BUDGET & MANAGEMENT

Item 49 – (COMM. 13D-1) Budget Monitoring Report (BMR) for the Period Ending 5/31/10

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 50 – (COMM. 13D-2) Vacancy Report as of 6/24/10

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE COUNTY ATTORNEY

Item 51 – (COMM. 13D-3) Transmittal of New Claims Against EC

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE CLERK OF ENERGY & ENVIRONMENT COMMITTEE

Item 52 – (COMM. 13D-4) Letters to Legislature in Relation to Supporting Renewable Energy in EC

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE COMPTROLLER'S OFFICE

Item 53 – (COMM. 13D-5) 2010 EC Legislature Mid-Year Budget Hearings - Written Response

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES

FROM THE PRESBYTERY OF WNY

Item 54 – (COMM. 13M-1) Letter to Legislature Concerning the Community Corrections Advisory Board

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM ECMCC

Item 55 – (COMM. 13M-2) Minutes from Meeting Held 6/1/10

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

FROM THE LOCKPORT TOWN ATTORNEY

Item 56 – (COMM. 13M-3) Notice of Public Hearing for the Proposed Amendment to the Zoning Code

Received and Filed.

FROM THE NYSDEC

Item 57 – (COMM. 13M-4) Fish & Wildlife Monthly Highlights 4/16/10 - 5/15/10

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE NFTA

Item 58 – (COMM. 13M-5) Copy of Financial Statements for Fiscal Year Ended 3/31/10

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM THE NYSDEC

Item 59 – (COMM. 13M-6) Report on Environmental Investigation & Cleanup Activities at Niagara Transformer Site

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE NFTA

Item 60 – (COMM. 13M-7) Minutes of Meeting Held 5/24/10

Item 61 – (COMM. 13M-8) Copy of Annual PARIS Report

Item 62 – (COMM. 13M-9) Copy of Annual 17A Report

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

FROM DORETHA FANNING

Item 63 – (COMM. 13M-10) Letter to Legislature Concerning Budget Cuts to Hospitals

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

ANNOUNCEMENTS

Item 64 – CHAIR MILLER-WILLIAMS announced that the committee schedule for upcoming meetings has been distributed.

Item 65 – LEGISLATOR GRANT announced that the Erie County Prisoner's Rights Coalition will be present at the upcoming Community Enrichment Committee to update the Legislature concerning the Erie County Holding Center and Correctional Facility.

Item 66 – LEGISLATOR LOUGHRAN announced that on Monday, July 12, 2010, the 16th Annual Buffalo Alumni Rally 5K Run & Wellness Walk will be held to benefit Children's Hospital Lung Unit.

Item 67 – CHAIR MILLER-WILLIAMS announced that people should consider venturing to North Parade Avenue to see the wonderful community initiative taking place for the Front Yard Garden Competition.

MEMORIAL RESOLUTIONS

Item 68 – Legislator Mazur requested that when the Legislature adjourns, it do so in memory of Ronald H. Fleming, founder of the Fine Print Newspaper in Buffalo.

Item 69 – Legislator Grant requested that when the Legislature adjourns, it also do so in memory of Ronald H. Fleming.

Item 70 – Legislator Kennedy requested that when the Legislature adjourns, it do so in memory of John J. ‘Jack’ Mulderig, William C. Curtin and Daniel F. Kubera.

Item 71 – Legislator Whyte requested that when the Legislature adjourns, it do so in memory of Victor L. Peterson Sr.

Item 72 – Legislator Rath requested that when the Legislature adjourns, it do so in memory of Andrew Brinkman.

Item 73 – Legislator Kozub requested that when the Legislature adjourns, it do so in memory of Julia Beato Gloss and William C. Curtin.

Item 74 – Legislator Dixon requested that when the Legislature adjourns, it do so in memory of Martin F. Spengler and Karen A. Bauman.

ADJOURNMENT

Item 75 - 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 22, 2010 at 2:00 p.m. Eastern Standard Time. MR. WALTER seconded.

CARRIED UNANIMOUSLY.

CHAIR MILLER-WILLIAMS declared the Legislature adjourned until Thursday, July 22, 2010 at 2:00 p.m. Eastern Standard Time.

ROBERT M. GRABER
CLERK OF THE LEGISLATURE