



THE ERIE COUNTY LEGISLATURE

Session No. 7

April 11, 2013

Betty Jean Grant
Chair

Thomas J. Mazur
Majority Leader

John J. Mills
Minority Leader

Robert M. Graber
Clerk of the Legislature

ROLL CALL

INVOCATION – Mr. Mazur

PLEDGE OF ALLEGIANCE – Mr. Mills

TABLED ITEMS

ITEMS FOR RECONSIDERATION FROM PREVIOUS MEETING

MINUTES OF PREVIOUS MEETING

PUBLIC HEARING

MISCELLANEOUS RESOLUTIONS:

LORIGO

[Proclamation Recognizing UNYTS as a Leader in Organ, Tissue, Eye & Blood Donation Services to the WNY Community During National Donate Life Month](#)

MAZUR & MARINELLI

Honoring the Leadership, Integrity & Service of Former Long-Time Lancaster Town Supervisor Stanley Jay Keysa

MAZUR

Memorial Resolution Honoring the Life of Mildred Keith Harder

GRANT & HOGUES

A Proclamation Honoring John Johnson, William (Bill) House, Carl Johnson, Ron Peoples & the Late General Bass for Their Dedication & Commitment to the Neighborhood House

GRANT

Congratulating "It Takes a Village Committee" on the Success of Their Awards Banquet

GRANT

Extolling Much Praise & Commendation Upon Nia Badger - Guest Singer at Praise Party 2013

GRANT

In Memory of Gerald Balone

GRANT

Congratulating Patricia Edwards on Her CD Release & on Her Performance at Praise Party 2013

HARDWICK

[Honoring Teresa Hooper as the Erie County Legislature's Citizen of the Month for April, 2013](#)

LOUGHRAN

[Congratulating Tyler Joseph Schmitt on Achieving the Rank of Eagle Scout](#)

LOUGHRAN

[Congratulating Francisco Vida Quebral on Achieving the Rank of Eagle Scout](#)

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| LOUGHRAN | Congratulating Brandon Nicholas Blatz on Achieving the Rank of Eagle Scout |
| LOUGHRAN | Congratulating Robert Paul Quebral on Achieving the Rank of Eagle Scout |
| MARINELLI | Congratulating Housing Opportunities Made Equal (HOME) on Its 50th Anniversary |
| DIXON | Congratulating McKay's Clothing for Celebrating 40 years in Business |
| LORIGO | Proclamation Honoring The Marilla Free Library on Its 100th Year of Service |
| DIXON | Congratulating Samuel Koch on Receiving the SUNY Chancellor's Award for Student Excellence |
| GRANT & HOGUES | A Memorial Proclamation in Memory of Paul William Jeter, Sr. |
| GRANT & HOGUES | A Memorial Proclamation in Memory of Major Henry S. Williams, Jr. |
| GRANT | In Memory of Benjamin Townsend |
| GRANT | Honoring Melanie Marshall from FELA |

LOCAL LAWS:

REFERENCE:

| | | | |
|--|--|--|-------------------------|
| LL INT. 1-1 3/27/2012 | McCRACKEN, GRANT, MAZUR, HOGUES, MARINELLI & LOUGHRAN | A LL to Establish "An Animal Abuse Registry in EC" | Energy & Environment |
| LL INT. 3-1 10/9/2012 | HARDWICK, MARINELLI & HOGUES | A LL to Provide Predictable Funding for the Buffalo & EC Library | Community Enrichment |
| LL INT. 1-1 2/8/2013 | McCRACKEN, GRANT, MAZUR, MARINELLI, LOUGHRAN & HOGUES | A LL to Establish "An Animal Abuse Registry in EC" | Energy & Environment |
| LL INT. 2-1 3/19/2013 | LORIGO | A LL Establishing a Residency Requirement for Employees of EC | Government Affairs |

COMMITTEE REPORTS:

[REPORT NO. 5](#) ENERGY & ENVIRONMENT COMMITTEE

[REPORT NO. 6](#) COMMUNITY ENRICHMENT COMMITTEE

[REPORT NO. 5](#) HEALTH & HUMAN SERVICES COMMITTEE

[REPORT NO. 6](#)

ECONOMIC DEVELOPMENT COMMITTEE

[REPORT NO. 3](#)

MINORITY & WOMEN BUSINESS ENTERPRISE COMMITTEE

[REPORT NO. 5](#)

PUBLIC SAFETY COMMITTEE

LEGISLATOR RESOLUTIONS:

REFERENCE:

[INTRO 7-1](#)

RATH

Demanding an End to Federal
Government Sugar Subsidies

[INTRO 7-2](#)

DIXON, MILLS, RATH,
HARDWICK, LORIGO,
GRANT, MAZUR,
HOGUES, MARINELLI &
LOUGHRAN

Supporting Increased Maintenance of
Properties in Foreclosure

[INTRO 7-3](#)

MAZUR, GRANT,
HOGUES & MARINELLI

Calling on NYS to Reinvest Savings
from Medicaid Redesign into the
Community Mental Health System

[INTRO 7-4](#)

HARDWICK, GRANT &
HOGUES

Calling on the NFTA to Grant the
Greater Buffalo Sports &
Entertainment Complex, LLC a Nine
to Twelve Month Land Option on the
Buffalo Outer Harbor for Exploration
& Development of Proposed
Downtown Stadium

[INTRO 7-5](#)

GRANT

Conveying the EC Legislature's
Support for Keeping the Buffalo Bills
in EC

[INTRO 7-6](#)

MARINELLI

Supporting State Investment in
Niagara Falls Reservation State Park
to Enable the Maid of the Mist to
Continue Operating from the U.S.
Side of the Falls

COMMUNICATIONS DISCHARGED FROM COMMITTEE:

SUSPENSION OF THE RULES:

| <u>COMMUNICATIONS FROM ELECTED OFFICIALS:</u> | | | <u>REFERENCE:</u> |
|--|----------------------|---|--------------------------|
| <u>COMM. 7E-1</u> | GRANT | Appropriation Breakdown of Sheriff's Jail Management Division Telephone Revenue Funds | Public Safety |
| <u>COMM. 7E-2</u> | COMPTROLLER | Apportionment & Distribution of Net Collections from the Local 4.75% Sales & Compensating Use Tax for EC for the Months of December 2012, January & February 2013 | Finance & Management |
| <u>COMM. 7E-3</u> | COMPTROLLER | EC's 1% Sales & Compensating Use Tax (Sales Tax) Revenue Sharing with Local Governments | Finance & Management |
| <u>COMM. 7E-4</u> | DIXON, RATH & LORIGO | Letter to Chair of Government Affairs Committee Concerning Lawsuit Against the Federal National Mortgage Association & the Federal Home Loan Mortgage Corporation | R&F |
| <u>COMM. 7E-5</u> | COUNTY EXECUTIVE | Response Letter to Assemblywoman Corwin Concerning Retention of Buffalo Bills in EC | Economic Development |
| <u>COMM. 7E-6</u> | COUNTY EXECUTIVE | Home Rule Request - Extension of Additional 1% & .75% Sales Tax | |
| <u>COMM. 7E-7</u> | COUNTY EXECUTIVE | 1815 Eggert Road, Amherst, NY - Temporary Incidence of Ownership | Energy & Environment |
| <u>COMM. 7E-8</u> | COUNTY EXECUTIVE | Acceptance of FY 2012 Hazmat Grant | Energy & Environment |
| <u>COMM. 7E-9</u> | COUNTY EXECUTIVE | Proposed Agreement with Citymade, Inc. | Energy & Environment |
| <u>COMM. 7E-10</u> | COUNTY EXECUTIVE | Reappointment to the Buffalo & EC Public Library Board of Trustees | Community Enrichment |
| <u>COMM. 7E-11</u> | COUNTY EXECUTIVE | ECC, City Campus - 2013 - 45 Oak Street Roof Replacement | Economic Development |
| <u>COMM. 7E-12</u> | COUNTY EXECUTIVE | EC Utilities Aggregation - Management Contract - Fluent Energy | Economic Development |
| <u>COMM. 7E-13</u> | COUNTY EXECUTIVE | Construction Contract Award & Engineering & Construction Inspection Services Contract - Reconstruction of Zoar Valley Road - Town of Concord | Economic Development |
| <u>COMM. 7E-14</u> | COUNTY EXECUTIVE | Authorization to Contract with Health Research Incorporated | Health & Human Services |

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| COMM. 7E-15 | COUNTY EXECUTIVE | Authorization to Enter into Agreement with the NYS Department of Health for Early Intervention Program | Health & Human Services |
| COMM. 7E-16 | COUNTY EXECUTIVE | Modification of Fee-for-Service Rate for Pharmacy Consultant | Health & Human Services |
| COMM. 7E-17 | COUNTY EXECUTIVE | ECSD No. 3 - Change Order No. 1 - Dewatered Sludge Pump Replacement | Energy & Environment |
| COMM. 7E-18 | COUNTY EXECUTIVE | ECSD No. 3 - Contract Close Out - Weydman Electric, Inc. | Energy & Environment |
| COMM. 7E-19 | COUNTY EXECUTIVE | ECSD No. 3 - Contract Close Out - STC Construction, Inc. | Energy & Environment |
| COMM. 7E-20 | COUNTY EXECUTIVE | ECSD Nos. 3 & 8 - Engineer Term Contract Agreement - DiDonato Associates | Energy & Environment |
| COMM. 7E-21 | COUNTY EXECUTIVE | ECSD No. 4 - General Contract Close Out - Nichols, Long & Moore Construction Corp. | Energy & Environment |
| COMM. 7E-22 | COUNTY EXECUTIVE | Personal Services Adjustment - Forensic Chemist II | Public Safety |
| COMM. 7E-23 | COUNTY EXECUTIVE | Personal Services Adjustment - Forensic Biologist II | Public Safety |
| COMM. 7E-24 | SHERIFF | Worker's Compensation Clerk - PT | Public Safety |
| COMM. 7E-25 | SHERIFF | Aviation Reserve Fund Transfer | Public Safety |

COMMUNICATIONS FROM THE DEPARTMENTS:

REFERENCE:

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|----------------------------|--|---|----------------------|
| COMM. 7D-1 | COMPTROLLER'S OFFICE | Letter to Commissioner of Public Works Concerning Audit of Fleet Services | Economic Development |
| COMM. 7D-2 | COMPTROLLER'S OFFICE | Letter to Commissioner of Central Police Services Concerning Audit of DNA Backlog Reduction Grant | Public Safety |
| COMM. 7D-3 | COMMISSIONER OF ENVIRONMENT & PLANNING | Letter to Chair of Legislature Concerning Transfer of Parkland to the Town of Newstead - Skyline Drive, Town of Newstead & Village of Akron | Energy & Environment |
| COMM. 7D-4 | DIRECTOR OF EC PROBATION DEPARTMENT | Letter to Chair of EC Community Corrections Advisory Board Concerning EC Conditional Release Program | Public Safety |

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| COMM. 7D-5 | CLERK, MBE/WBE COMMITTEE | Various Executive Orders from Certain State Governors & a City Mayor Concerning Minority & Women Business Enterprise Utilization | Minority & Women Business Enterprise |
| COMM. 7D-6 | COUNTY ATTORNEY | Transmittal of New Claims Against EC | Government Affairs |
| COMM. 7D-7 | COMPTROLLER'S OFFICE | Letter to Commissioner of Social Services Concerning Performance Audit of the Eligibility & Recertification Process Within the Public Assistance Unit of DSS | Health & Human Services |
| COMM. 7D-8 | DIRECTOR OF BUDGET & MANAGEMENT | Letter to Legislature & Comptroller Concerning U.S. Department of Homeland Security, Office of Inspector General - Revised October 2006 Storm Audit | Finance & Management |
| COMM. 7D-9 | DIRECTOR OF BUDGET & MANAGEMENT | Letter to Legislature Concerning Budget Status Update for January & February 2013 | Finance & Management |
| <u>COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES:</u> | | | <u>REFERENCE:</u> |
| COMM. 7M-1 | NY FARM BUREAU | Letter to Legislature Concerning Animal Abuse Registry in EC | Energy & Environment |
| COMM. 7M-2 | YOUNG CITIZENS FOR ECC | E-Mail Transmission to Chair of Legislature Concerning the Future of Compass East | Health & Human Services |
| COMM. 7M-3 | ECMCC | 2012 Annual Report | Health & Human Services |
| COMM. 7M-4 | NYSDEC | Fact Sheet: Tecumseh Update - Remedy Proposed for Site Contamination; Public Comment Period Announced | Energy & Environment |
| COMM. 7M-5 | ASSEMBLY MEMBER CORWIN | Copy of Letter to County Executive Concerning Buffalo Bills Lease Agreement | Economic Development |
| COMM. 7M-6 | NFTA | Copy of Five Year Capital Plan for Fiscal Years Ending 3/31/2014-2018 & Annual Operating Budget for Fiscal Year Ending 2014 | Economic Development |
| COMM. 7M-7 | NYSDEC | Public Notice: Inactive Hazardous Waste Disposal Site - Delist Notice for Site Known as Ramco Steel | Energy & Environment |

[COMM. 7M-8](#)

NYSDEC

Fact Sheet: 154 S. Ogden Update -
Interim Remedial Measure Proposed;
Public Comment Period Announced

Energy &
Environment

ANNOUNCEMENTS:

MEMORIAL RESOLUTIONS:

ADJOURNMENT: