

**ERIE COUNTY LEGISLATURE
MEETING NO. 13
JUNE 16, 2011**

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

All members present.

An Invocation was held, led by Ms. Grant, who requested a moment of silence.

The Pledge of Allegiance was led by Ms. Whyte.

TABLED ITEMS

FROM CHAIR MILLER-WILLIAMS

Item 1 – MS. WHYTE moved to take COMM. 12E-1 (2011) off the table. MS. BOVE seconded.

CARRIED UNANIMOUSLY.

RE: Calling Special Meeting on 6/1/11

MS. WHYTE moved to receive and file the item. MS. BOVE seconded.

CARRIED UNANIMOUSLY.

FROM CLERK OF THE LEGISLATURE

Item 2 – MS. WHYTE moved to take COMM. 12D-1 (2011) off the table. MS. GRANT seconded.

CARRIED UNANIMOUSLY.

RE: Special Meeting Notice

MS. WHYTE moved to receive and file the item. MR. KOZUB seconded.

CARRIED UNANIMOUSLY.

Item 3 – No items for reconsideration from previous meeting.

Item 4 – MS. WHYTE moved for the approval of the minutes for Meeting Numbers 11 & 12 from 2011. MR. MILLS seconded.

CARRIED UNANIMOUSLY.

Item 5 – No Public Hearings.

MISCELLANEOUS RESOLUTIONS

Item 6 – MS. MARINELLI presented a resolution Congratulating Monsignor Frederick D. Leising, PhD. on the 40th Anniversary of His Ordination.

Item 7 – MR. MAZUR presented a Memorial Resolution In Remembrance of Kevin M. Glascott.

Item 8 – MR. MAZUR & MS. GRANT presented a Memorial Resolution Honoring the Life of Ira Watkins Jr.

Item 9 – CHAIR MILLER-WILLIAMS presented a resolution Congratulating Robert Kilduff on His Retirement After 26 Years in the EC Department of Economic Development, Environment & Planning.

Item 10 – MR. MILLS presented a resolution Congratulating Mark Simson, Boy Scout Troop No. 285, on Obtaining the Rank of Eagle Scout.

Item 11 – CHAIR MILLER-WILLIAMS presented a resolution Congratulating S&W Contracting on Being Named to Fortune Magazine's Inner City 100.

Item 12 – MR. MAZUR presented a Memorial Resolution Honoring the Life of Dennis M. Zimmerman.

Item 13 – MR. WALTER presented a resolution Congratulating Nabeel Rahman for Being One of Only 13 Finalists in the 2011 Scripps National Spelling Bee.

Item 14 – MR. WALTER presented a resolution Congratulating Akron Optical Shop on Being Named the 2011 Akron Chamber of Commerce Business of the Year.

Item 15 – MS. BOVE presented a resolution Congratulating Edward Bauerlein for His 50 Years of Service in the West Seneca Reserve Fire Company District No. 3.

Item 16 – MS. BOVE presented a resolution Congratulating Erwin "Joe" Hippert for His 50 Years of Service in the West Seneca Reserve Fire Company District No. 3.

Item 17 – MR. WALTER presented a resolution Congratulating William "Bill" Frey on Being Named the 2011 Akron Chamber of Commerce Citizen of the Year.

Item 18 – MR. WALTER presented a resolution Congratulating Hearts & Hands "Faith in Action" on Being Named the 2011 Akron Chamber of Commerce Organization of the Year.

Item 19 – MR. WALTER presented a resolution Congratulating the Clarence Senior Center on the 30th Anniversary of Its Grand Opening.

Item 20 – MR. HARDWICK presented a resolution Honoring Patricia Bacon on Her Retirement as City of Tonawanda Assessor.

Item 21 – MR. HARDWICK presented a resolution Honoring Jane Soluri on Receiving the Clara Barton Award from the American Red Cross.

Item 22 – MR. HARDWICK presented a resolution Honoring Robert H. Gregg on Receiving the Honorable Mention Award in the Watercolor Division at the 54th Annual Allentown Art Festival.

Item 23 – CHAIR MILLER-WILLIAMS presented a resolution Honoring Bennett High School Intern DeShawn Dozier for Outstanding Work This Semester at the EC District 3 Office.

Item 24 – CHAIR MILLER-WILLIAMS presented a resolution Honoring Bennett High School Intern Saaqua Rhodes for Outstanding Work This Semester at the EC District 3 Office.

Item 25 – CHAIR MILLER-WILLIAMS presented a resolution Honoring Bennett High School Intern Elzie Mayweather for Outstanding Work This Semester at the EC District 3 Office.

Item 26 – MS. DIXON presented a resolution Congratulating the Village of North Collins on Their Centennial Celebration.

Item 27 – MS. MARINELLI, CHAIR MILLER-WILLIAMS, MS. WHYTE, MR. MILLS, MR. KOZUB, MR. WHALEN, MR. WALTER, MR. FUDOLI, MS. GRANT, MR. MAZUR, MS. BOVE, MR. HARDWICK, MS. DIXON, MR. LOUGHRAN & MR. RATH presented a resolution Congratulating the Buffalo & EC Public Library Upon 175 Years of Outstanding Service to the Community.

Item 28 – MR. RATH presented a resolution Congratulating Ray Kollidas on the Grand Opening of Milos Restaurant in the Village of Williamsville.

Item 29 – MR. RATH presented a resolution Honoring Dr. Howard Smith on His Retirement As Superintendant of the Williamsville School District.

Item 30 – MS. MARINELLI presented a resolution Honoring Clarke Academy School of Dance Upon Their 25th Anniversary.

MS. WHYTE moved for consideration of the above twenty-five items. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

MS. WHYTE moved to amend the above twenty-five items by including Et Al Sponsorship. MR. RATH seconded.

CARRIED UNANIMOUSLY.

MS. WHYTE moved for approval of the above twenty-five items as amended. MR. KOZUB seconded.

CARRIED UNANIMOUSLY.

LOCAL LAWS

Item 31 – 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 32 – CHAIR MILLER-WILLIAMS directed that Local Law No. 2 (Print #1) 2010 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 33 – CHAIR MILLER-WILLIAMS directed that Local Law No. 3 (Print #1) 2010 remain on the table and in the PUBLIC SAFETY COMMITTEE.

GRANTED.

Item 34 – CHAIR MILLER-WILLIAMS directed that Local Law No. 4 (Print #1) 2010 remain on the table and in the PUBLIC SAFETY COMMITTEE.

GRANTED.

Item 35 – CHAIR MILLER-WILLIAMS directed that Local Law No. 3 (Print #1) 2011 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 36 – CHAIR MILLER-WILLIAMS directed that Local Law No. 4 (Print #1) 2011 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 37 – MS. WHYTE moved to take Local Law No. 5 (Print #1) 2011 off the table. MS. MARINELLI seconded. MS. DIXON, MR. FUDOLI, MR. HARDWICK, MR. MILLS, MR. RATH and MR. WALTER voted in the negative.

CARRIED. (9-6)

County of Erie
Local law No. _____
Local Law Int. No. 5-1 (2011)

A local law in relation to the reapportionment of legislative districts in the County of Erie.

BE IT ENACTED BY THE LEGISLATURE OF ERIE COUNTY AS FOLLOWS:

Article 1
ERIE COUNTY AND ITS GOVERNMENT

Erie County Local Law Number one of nineteen hundred fifty-nine, constituting the Erie County Charter as amended is hereby amended section one hundred five thereof, to read as follows:

Section 105. Legislative districts. The County of Erie is hereby divided into eleven districts, described as follows:

District No. 1

All of the towns of Hamburg, Eden, and Evans.

District No. 2

All of the Town of Orchard Park and City of Lackawanna and all that portion of the City of Buffalo bounded and enclosed in the following descriptions: beginning at the point of intersection of Amvets Drive and Porter Avenue, thence proceeding southerly along the centerline of Amvets Drive to the point of intersection of Jersey Street, thence proceeding easterly along the centerline of Jersey Street to the point of intersection of Interstate-190, thence proceeding southerly along the centerline of Interstate-190 to the point of intersection of West Genesee Street, thence proceeding northerly along the centerline of West Genesee Street to the point of intersection of Elmwood Avenue, thence proceeding northerly along the centerline of Elmwood Avenue to the point of intersection of 7th Street, thence proceeding northerly along the centerline of 7th Street to the point of intersection of West Mohawk Street, thence proceeding easterly along the centerline of West Mohawk Street to the point of intersection of Niagara Street, thence proceeding northerly along the centerline of Niagara Street to the point of intersection of Georgia Street, thence proceeding easterly along the centerline of Georgia Street to the point of intersection of Whitney Place, thence proceeding northerly along the centerline of Whitney Place to the point of intersection of Carolina Street, thence proceeding easterly along the centerline of Carolina Street to the point of intersection of Whitney Place, thence proceeding northerly along the centerline of Whitney Place to the point of intersection of Virginia Street, thence proceeding easterly along the centerline of Virginia Street to the point of intersection of West Avenue, thence proceeding northerly along the centerline of West Avenue to the point of intersection of Hudson Street, thence proceeding easterly along the centerline of Hudson Street to the point of intersection of Orton Place, thence proceeding northerly along the centerline of Orton Place to the point of intersection of Pennsylvania Street, thence proceeding easterly along the centerline of Pennsylvania Street to the point of intersection of Richmond Avenue, thence proceeding northerly along the centerline of Richmond Avenue to the point of intersection of Lexington Avenue, thence proceeding easterly along the centerline of Lexington Avenue to the point of intersection of Delaware Avenue, thence proceeding southerly along the centerline of Delaware Avenue to the point of intersection of Virginia Street, thence proceeding easterly along the centerline of Virginia Street to the point of intersection of Franklin Street, thence proceeding southerly along the centerline of Franklin Street to the point of intersection of Upper Terrace, thence proceeding southerly along the centerline of Upper Terrace to the point of intersection of Main Street, thence

proceeding southerly along the centerline of Main Street to the point of intersection of Buffalo River, thence proceeding easterly along the coastline of Buffalo River to the point of intersection of South Ogden Street, thence proceeding southerly along the centerline of South Ogden Street to the point of intersection of Mineral Springs Road, thence proceeding westerly along the centerline of Mineral Springs Road to the point of intersection of Seneca Street, thence proceeding southerly along the centerline of Seneca Street to the point of intersection of Newman Place, thence proceeding southerly along the centerline of Newman Place to the point of intersection of Maywood Place, thence proceeding westerly along the centerline of Maywood Place to the point of intersection of Beyer Place, thence proceeding southerly along the centerline of Beyer Place to the point of intersection of Willink Avenue, thence proceeding easterly along the centerline of Willink Avenue to the point of intersection of the City line, thence proceeding easterly along the City line to the point of intersection of Seneca Street, thence proceeding easterly along the centerline of Seneca Street to the point of intersection of the City line, thence proceeding southerly along the City line to the point of intersection of Potters Road, thence proceeding westerly along the centerline of Potters Road to the point of intersection of the City line, thence proceeding northerly along the City line to the point of intersection of Cazenovia Creek, thence proceeding southerly along the coastline of Cazenovia Creek to the point of intersection of Onondaga Avenue, thence proceeding southerly along the centerline of Onondaga Avenue to the point of intersection of Dorrance Avenue, thence proceeding westerly along the centerline of Dorrance Avenue to the point of intersection of Baltimore and Ohio Railroad, thence proceeding easterly along the centerline of Baltimore and Ohio Railroad to the point of intersection of South Park Avenue, thence proceeding southerly along the centerline of South Park Avenue to the point of intersection of Nason Parkway, thence proceeding westerly and northerly along the City line to the point of intersection of Lake Erie, thence proceeding northerly along the centerline of Lake Erie to the point of beginning.

District No. 3

All of the towns of Alden, Aurora, Boston, Brant (including the Erie County portion of the Cattaraugus Reservation), Colden, Collins, Concord, Holland, Newstead (including the Erie County portion of the Tonawanda Reservation), North Collins, Marilla, Sardinia, and Wales.

District No. 4

All of the towns of Elma and West Seneca and all that portion of the City of Buffalo bounded and enclosed in the following descriptions: beginning at the point of intersection of Franklin Street and Upper Terrace, thence proceeding northerly along the centerline of Franklin Street to the point of intersection of West Huron Street, thence proceeding easterly along the centerline of West Huron Street to the point of intersection of East Huron Street, thence proceeding easterly along the centerline of East Huron Street to the point of intersection of Washington Street, thence proceeding southerly along the centerline of Washington Street to the point of intersection of Clinton Street, thence proceeding easterly along the centerline of Clinton Street to the point of intersection of Oak Street, thence proceeding southerly along the centerline of Oak Street to the point of intersection of Swan Street, thence proceeding westerly along the centerline of Swan Street to the point of intersection of Oak Street, thence proceeding southerly along the centerline of Oak Street to the point of intersection of Exchange Street, thence proceeding easterly along the centerline of Exchange Street to the point of intersection of Griffin Street, thence proceeding northerly along the centerline of Griffin Street to the point of intersection of Seneca Street, thence proceeding easterly along the centerline of Seneca Street to the point of intersection of Fillmore Avenue, thence

proceeding northerly along the centerline of Fillmore Avenue to the point of intersection of Smith Street, thence proceeding northerly along the centerline of Smith Street to the point of intersection of Howard Street, thence proceeding easterly along the centerline of Howard Street to the point of intersection of Penn Central Railroad, thence proceeding northerly along the centerline of Penn Central Railroad to the point of intersection of Fillmore Avenue, thence proceeding northerly along the centerline of Fillmore Avenue to the point of intersection of Broadway, thence proceeding easterly along the centerline of Broadway to the point of intersection of the City line, thence proceeding southerly along the City line to the point of intersection of Willink Avenue, thence proceeding westerly along the centerline of Willink Avenue to the point of intersection of Beyer Place, thence proceeding northerly along the centerline of Beyer Place to the point of intersection of Maywood Place, thence proceeding easterly along the centerline of Maywood Place to the point of intersection of Newman Place, thence proceeding westerly along the centerline of Newman Place to the point of intersection of Seneca Street, thence proceeding westerly along the centerline of Seneca Street to the point of intersection of Mineral Springs Road, thence proceeding easterly along the centerline of Mineral Springs Road to the point of intersection of South Ogden Street, thence proceeding northerly along the centerline of South Ogden Street to the point of intersection of Buffalo River, thence proceeding westerly along the coastline of the Buffalo River to the point of intersection of Main Street, thence proceeding northerly along the centerline of Main Street to the point of intersection of Upper Terrace, thence proceeding westerly along the centerline of Upper Terrace to the point of beginning.

District No. 5

All that portion of the Town of Cheektowaga enclosed in the following descriptions: beginning at the point of intersection of Cochrane Street and Clinton Street, thence proceeding northerly along the Town line to the point of intersection of Walden Avenue, thence proceeding easterly along the centerline of Walden Avenue to the point of intersection of Pine Ridge Heritage Boulevard, thence proceeding northerly along the centerline of Pine Ridge Heritage Boulevard to the point of intersection of Kensington Expressway, thence proceeding easterly along the centerline of Kensington Expressway to the point of intersection of Harlem Road, thence proceeding northerly along the centerline of Harlem Road to the point of intersection of the Town line, thence proceeding easterly and southerly along the Town line to the point of intersection of Depew Village line, thence proceeding westerly and southerly along the Depew Village line to the point of intersection of Town line, thence proceeding southerly and westerly along the Town line to the point of beginning.

And also all that portion of the Town of Amherst enclosed in the following descriptions: beginning at the point of intersection of the Interstate-90 and Youngs Road, thence proceeding northerly along the centerline of Youngs Road to the point of intersection of Klein Road, thence proceeding easterly along the centerline of Klein Road to the point of intersection of Paradise Road, thence proceeding northerly along the centerline of Paradise Road to the point of intersection of Halston Parkway, thence proceeding easterly along the centerline of Halston Parkway to the point of intersection of Hobnail Drive, thence proceeding southerly along the centerline of Hobnail Drive to the point of intersection of Hunt Club Circle, thence proceeding easterly along the centerline of Hunt Club Circle to the point of intersection of Town line, thence proceeding southerly and westerly along the Town line to the point of beginning.

District No. 6

All of the towns of Clarence, Lancaster and all that portion of the Town of Amherst that is bounded and enclosed in the following descriptions: beginning at the point of intersection of Klein Road and Chapel Woods, thence proceeding northerly along the centerline of Chapel Woods to the point of intersection of Stony Brook Lane, thence proceeding northerly along the centerline of Stony Brook Lane to the point of intersection of Crown Point Lane, thence proceeding easterly along the centerline of Crown Point Lane to the point of intersection of Brandywine Drive, thence proceeding northerly along the centerline of Brandywine Drive to the point of intersection of Deer Run, thence proceeding easterly along the centerline of Deer Run to the point of intersection of Roxbury Park, thence proceeding northerly along the centerline of Roxbury Park to the point of intersection of Wellingwood Drive, thence proceeding easterly along the centerline of Wellingwood Drive to the point of intersection of Paradise Road, thence proceeding northerly along the centerline Paradise Road to the point of intersection of Casey Road, thence proceeding westerly along the centerline of Casey Road to the point of intersection of Mill Valley Drive, thence proceeding northerly along the centerline of Mill Valley Drive to the point of intersection of San Fernando Lane, thence proceeding northerly along the centerline of San Fernando Lane to the point of intersection of Vicente Lane, thence proceeding westerly along the centerline of Vicente Lane to the point of intersection of Crystal Springs Lane, thence proceeding northerly along the centerline of Crystal Springs Lane to the point of intersection of North French Road, thence proceeding easterly along the centerline of North French Road to the point of intersection of Autumn Creek Court, thence proceeding southerly along the centerline of Autumn Creek Court to the point of intersection of Running Brook Lane, thence proceeding southerly along the centerline of Running Brook Lane to the point of intersection of South Castlerock Lane, thence proceeding easterly along the centerline of South Castlerock Lane to the point of intersection of Deercreek Lane, thence proceeding easterly along the centerline of Deercreek Lane to the point of intersection of Town line, thence proceeding southerly along the Town line to the point of intersection of Hunt Club Circle, thence proceeding westerly along the centerline of Hunt Club Circle to the point of intersection of Hobnail Drive, thence proceeding northerly along the centerline of Hobnail Dive to the point of intersection of Halston Parkway, thence proceeding westerly along the centerline of Halston Parkway to the point of intersection of Paradise Road, thence proceeding southerly along the centerline of Paradise Road to the point of intersection of Klein Road, thence proceeding westerly along the centerline of Klein Road to the point of beginning.

And also that portion of The Village of Depew that is bounded and enclosed in the Town of Cheektowaga

District No. 7

All that portion of the City of Buffalo that is bounded and enclosed in the following descriptions: beginning at the point of intersection of Hertel Avenue and Colvin Avenue, thence proceeding easterly along the centerline of Hertel Avenue to the point of intersection of Starin Avenue, thence proceeding southerly along the centerline of Starin Avenue to the point of intersection of Huntington Avenue, thence proceeding easterly along the centerline of Huntington Avenue to the point of intersection of Parker Avenue, thence proceeding northerly along the centerline of Parker Avenue to the point of intersection of Hertel Avenue, thence proceeding easterly along the centerline of Hertel Avenue to the point of intersection of Shoshone Street, thence proceeding northerly along the centerline of Shoshone Street to the point of intersection of the Shoshone Street Bike Path, thence proceeding northerly along the centerline of the Shoshone Street Bike Path to the point of intersection of Erie-Lackawanna Railroad, thence proceeding westerly along the centerline of Erie-

Lackawanna Railroad to the point of intersection of Starin Avenue, thence proceeding northerly along the centerline of Starin Avenue to the point of intersection of City line, thence proceeding easterly and southerly along the City line to the point of intersection of Lebrun road, thence proceeding westerly along Lebrun road to Winspear Avenue, thence proceeding westerly along the centerline of Winspear Avenue to the point of intersection of Main Street, thence proceeding southerly along the centerline of Main Street to the point of intersection of Jewett Parkway, thence proceeding westerly along the centerline of Jewett Parkway to the point of intersection of Parkside, thence proceeding northerly along the centerline of Parkside to the point of intersection of Amherst Street, thence proceeding westerly along the centerline of Amherst Street to the point of intersection of Colvin Avenue, thence proceeding northerly along the centerline of Colvin to the point of beginning.

And also all that portion of the Town of Amherst that is bounded and enclosed in the following descriptions: beginning at the point of intersection, Kenmore Avenue, and Niagara Falls Boulevard, thence proceeding northerly along the centerline of Niagara Falls Boulevard to the point of intersection of Interstate-290, thence proceeding easterly along the centerline of Interstate-290 to the point of intersection of Interstate-990, thence proceeding easterly along the centerline of Interstate-990 to the point of intersection of Sweet Home Road, thence proceeding northerly along the centerline of Sweet Home Road to the point of intersection of North French Road, thence proceeding easterly along the centerline of North French Road to the point of intersection of Campbell Boulevard, thence proceeding southerly along the centerline of Campbell Boulevard to the point of intersection of Stahl Road, thence proceeding southerly along the centerline of Stahl Road to the point of intersection of North Forest Road, thence proceeding easterly along the centerline of North Forest Road to the point of intersection of West Klein Road, thence proceeding easterly along the centerline of West Klein Road to the point of intersection of Klein Road, thence proceeding easterly along the centerline of Klein Road to the point of intersection of Youngs Road, thence proceeding southerly along the centerline of Youngs Road to the point of intersection of Interstate-90, thence proceeding westerly along the centerline of Interstate-90 to the point of intersection of Town line, thence proceeding northerly and westerly along the Town line to the point of beginning.

District No. 8

All that portion of the City of Buffalo that is bounded and enclosed in the following descriptions: beginning at the intersection of the Peace Bridge Plaza and the Niagara River, thence proceeding northerly along the coastline of the Niagara River inclusive of Squaw Island to the point of intersection of City line at Vulcan Street, thence proceeding easterly along the City line to the point of intersection of the CSX Railroad, thence proceeding southerly along the centerline of the CSX Railroad to the point of intersection of the Penn Central Railroad, thence proceeding easterly along the centerline of the Penn Central Railroad to the point of intersection of Elmwood Avenue, thence proceeding southerly along the centerline of Elmwood Avenue to the point of intersection of the Scajaquada Expressway, thence proceeding westerly along the centerline of the Scajaquada Expressway to the point of intersection of Grant Street, thence proceeding southerly along the centerline of Grant Street to the point of intersection of Forest Avenue, thence proceeding easterly along the centerline of Forest Avenue to the point of intersection of Hoyt Street, thence proceeding southerly along the centerline of Hoyt Street to the point of intersection of West Ferry Street, thence proceeding easterly along the centerline of West Ferry Street to the point of intersection of Delaware Avenue, thence proceeding northerly along the centerline of Delaware Avenue around the western side of Gates Circle to the point of intersection of West Delavan Avenue, thence proceeding easterly

along the centerline of West Delavan Avenue to the point of intersection of Main Street, thence proceeding northerly along the centerline of Main Street to the point of intersection of Kensington Avenue, thence proceeding easterly along the centerline of Kensington Avenue to the point of intersection of Fillmore Avenue, thence proceeding southerly along the centerline of Fillmore Avenue to the point of intersection of Box Avenue, thence proceeding easterly along the centerline of Box Avenue to the point of intersection of Kehr Street, thence proceeding southerly along the centerline of Kehr Street to the point of intersection of Genesee Street, thence proceeding westerly along the centerline of Genesee Street to the point of intersection of Fillmore Avenue, thence proceeding southerly along the centerline of Fillmore Avenue to the point of intersection of the CSX Railroad, thence proceeding westerly along the centerline of the CSX Railroad to the point of intersection of Howard Street, thence proceeding westerly along the centerline of Howard Street to the point of intersection of Smith Street, thence proceeding southerly on the centerline of Smith Street to the point of intersection of Seneca Street, thence proceeding westerly along the centerline of Seneca Street to the point of intersection of Griffin Street, thence proceeding southerly along the centerline of Griffin Street to the point of intersection of Exchange Street, thence proceeding westerly along the centerline of Exchange Street to the point of intersection of Oak Street, thence proceeding northerly along the centerline of Oak Street to the point of intersection of Clinton Street, thence proceeding westerly along the centerline of Clinton Street to the point of intersection of Washington Street, thence proceeding northerly along the centerline of Washington Street to the point of intersection of East Huron Street, thence proceeding westerly along the centerline of East Huron Street to the point of intersection of West Huron Street, thence proceeding westerly along the centerline of West Huron Street to the point of intersection of Franklin Street, thence proceeding northerly along the centerline of Franklin Street to the point of intersection of Virginia Street, thence proceeding westerly along the centerline of Virginia Street to the point of intersection of Delaware Avenue, thence proceeding northerly along the centerline of Delaware Avenue to the point of intersection of Lexington Avenue, thence proceeding westerly along the centerline of Lexington Avenue to the point of intersection of Richmond Avenue, thence proceeding southerly along the centerline of Richmond Avenue to the point of intersection of Pennsylvania Street, thence proceeding westerly along the centerline of Pennsylvania Street to the point of intersection of Orton Place, thence proceeding easterly along the centerline of Orton Place to the point of intersection of Hudson Street, thence proceeding westerly along the centerline of Hudson Street to the point of intersection of West Avenue, thence proceeding easterly along the centerline of West Avenue to the point of intersection of Virginia Street, thence proceeding westerly along the centerline of Virginia Street to the point of intersection of Whitney Place, thence proceeding easterly on Whitney Place to the point of intersection of Carolina Street, thence proceeding westerly along the centerline of Carolina Street to the point of intersection of Whitney Place, thence proceeding easterly along the centerline of Whitney Place to the point of intersection of Georgia Street, thence proceeding westerly along the centerline of Georgia Street to the point of intersection of Niagara Street, thence proceeding southerly along the centerline of Niagara Street to the point of intersection of West Mohawk Street, thence proceeding westerly along the centerline of West Mohawk Street to the point of intersection of 7th Street, thence proceeding southerly along the centerline of 7th Street to the point of intersection of Elmwood Avenue, thence proceeding southerly along the centerline of Elmwood Avenue to the point of intersection of Virginia Street, thence proceeding westerly along the centerline of Virginia Street to the point of intersection of the Interstate- 190, thence proceeding northerly along the centerline of Interstate-190 to the point of intersection of Jersey Street, thence proceeding westerly along the centerline of Jersey Street to the point of intersection of Amvets Drive, thence proceeding northerly along the centerline of Amvets Drive to the point of intersection of Porter Avenue, thence proceeding westerly on the centerline of Porter Avenue to the point of

intersection of Niagara River, thence proceeding northerly along the coastline of Niagara River to the point of beginning.

District No. 9

All that portion of the City of Buffalo that is bounded and enclosed in the following descriptions: beginning at the intersection of Grant Street and the Squajaquada Expressway, thence proceeding easterly along the centerline of the Squajaquada Expressway to the point of intersection of Elmwood Avenue, thence along the centerline of Elmwood Avenue to the point of intersection of Forest Avenue, thence proceeding easterly along the centerline of Forest Avenue to the point of intersection of Delaware Avenue, thence proceeding northerly along the centerline of Delaware Avenue to the point of intersection of Hertel Avenue, thence proceeding easterly along the centerline of Hertel Avenue to the point of intersection of Colvin Avenue, thence proceeding southerly along the centerline of Colvin Avenue to the point of intersection of Amherst Street, thence proceeding easterly along the centerline of Amherst Street to the point of intersection of Parkside Avenue, thence proceeding southerly along the centerline of Parkside Avenue to the point of intersection of Jewett Parkway, thence proceeding easterly along the centerline of Jewett Parkway to the point of intersection of Main Street, thence proceeding northerly along the centerline of Main Street to the point of intersection of Winspear Avenue, thence proceeding easterly along the centerline of Winspear Avenue to the point of intersection of Lebrun Road, thence proceeding easterly along the centerline of Lebrun road to the City line, thence proceeding easterly and southerly along the City line to the point of intersection of Broadway, thence proceeding westerly along the centerline of Broadway to the point of intersection of Fillmore Avenue, thence proceeding northerly along the centerline of Fillmore Avenue to the point of intersection of Genesee Street, thence proceeding easterly along the centerline of Genesee Street to the point of intersection of Kehr Street, thence proceeding northerly along the centerline of Kehr Street to the point of intersection of Box Avenue, thence proceeding westerly along the centerline of Box Avenue to the point of intersection of Fillmore Avenue, thence proceeding northerly along the centerline of Fillmore Avenue to the point of intersection of Kensington Avenue, thence proceeding westerly along the centerline of Kensington Avenue to the point of intersection of Main Street, thence proceeding southerly along the centerline of Main Street to the point of intersection of West Delavan Avenue, thence proceeding westerly on the centerline of West Delavan Avenue to the point of intersection of Delaware Avenue, thence proceeding southerly along the centerline of Delaware Avenue around the western side of Gates Circle to the point of intersection of West Ferry Street, thence proceeding westerly along the centerline of West Ferry Street to the point of intersection of Hoyt Street, thence proceeding northerly along the centerline of Hoyt Street to the point of intersection of Forest Avenue, thence proceeding westerly along the centerline of Forest Avenue to the point of intersection of Grant Street, thence proceeding northerly along the centerline of Grant Street to the point of beginning.

And also all that portion of the Town of Cheektowaga bound and enclosed in the following descriptions: Beginning at the point of Walden Avenue and the western Town line, thence proceeding northerly and easterly along the Town line to the point of intersection of Harlem Road, thence proceeding southerly along the centerline of Harlem Road to the point of intersection of Kensington Expressway, thence proceeding westerly along the centerline of the Kensington Expressway to the point of intersection of Pine Ridge Heritage Boulevard, thence proceeding southerly along the centerline of Pine Ridge Heritage Boulevard to the point of intersection of Walden Avenue, thence proceeding westerly along Walden Avenue to the point of the beginning.

District No. 10

All of the Town of Grand Island and All of the City of Tonawanda, and all that portion of the Town of Tonawanda that is bounded and enclosed in the following descriptions: beginning at the intersection of Military Road and the Interstate-290, thence proceeding northerly along the centerline of Military Road to the point of intersection of the Town line, thence proceeding easterly and northerly along the Town line to the point of intersection of Tonawanda Creek, thence proceeding northerly along the coastline of the Tonawanda Creek to the point of intersection of the Town line, thence proceeding southerly along the Town line to the point of intersection of Glenalby Road, thence proceeding westerly along the centerline of Glenalby Road to the point of intersection of Rockland Road, thence proceeding southerly along the centerline of Rockland Road to the point of intersection of Eggert Road, thence proceeding northerly along the centerline of Eggert Road to the point of intersection of Twin Cities Memorial Highway, thence proceeding northerly along the centerline of Twin Cities Memorial Highway to the point of intersection of the Interstate-290, thence proceeding westerly along the centerline of the Interstate-290 to the point of beginning.

And also all that portion of the Town of Amherst that is bounded and enclosed in the following descriptions: Beginning at the intersection of the Tonawanda Creek and Tonawanda Creek Road, thence proceeding northerly and easterly along the coastline of Tonawanda Creek to the point of intersection of Town line, thence proceeding southerly along the Town line to the point of intersection of Deercreek Lane, thence proceeding westerly along the centerline of Deercreek Lane to the point of intersection of South Castlerock Lane, thence proceeding westerly along the centerline of South Castlerock Lane to the point of intersection of Running Brook Lane, thence proceeding northerly along the centerline of Running Brook Lane to the point of intersection of Autumn Creek Court, thence proceeding northerly along the centerline of Autumn Creek Court to the point of intersection of North French Road, thence proceeding westerly along the centerline of North French Road to the point of intersection of Crystal Springs Lane, thence proceeding southerly along the centerline of Crystal Springs Lane to the point of intersection of Vicente Lane, thence proceeding easterly along the centerline of Vicente Lane to the point of intersection of San Fernando Lane, thence proceeding southerly along the centerline of San Fernando Lane to the point of intersection of Mill Valley Drive, thence proceeding southerly along the centerline of Mill Valley Drive to the point of intersection of Casey Road, thence proceeding easterly along the centerline of Casey Road to the point of intersection of Paradise Road, thence proceeding southerly along the centerline of Paradise Road to the point of intersection of Wellingwood Drive, thence proceeding westerly along the centerline of Wellingwood Drive to the point of intersection of Roxbury Park, thence proceeding southerly along the centerline of Roxbury Park to the point of intersection of Deer Run, thence proceeding westerly along the centerline of Deer Run to the point of intersection of Brandywine Drive, thence proceeding southerly along the centerline of Brandywine Drive to the point of intersection of Crown Point Lane, thence proceeding westerly along the centerline of Crown Point Lane to the point of intersection of Stony Brook Lane, thence proceeding southerly along the centerline of Stony Brook Lane to the point of intersection of Chapel Woods, thence proceeding southerly along the centerline of Chapel Woods to the point of intersection of Klein Road, thence proceeding westerly along the centerline of Klein Road to the point of intersection of West Klein Road, thence proceeding westerly along the centerline of West Klein Road to the point of intersection of North Forest Road, thence proceeding northerly along the centerline of North Forest Road to the point of intersection of Stahl Road, thence proceeding northerly along the centerline of Stahl Road to the point of intersection of Campbell Boulevard, thence proceeding northerly along the centerline of Campbell Boulevard to the point of intersection of North French Road, thence

proceeding westerly along the centerline of North French Road to the point of intersection of Sweet Home Road, thence proceeding southerly along the centerline of Sweet Home Road to the point of intersection of Interstate-990, thence proceeding westerly along the centerline of Interstate-990 to the point of intersection of Interstate-290, thence proceeding northerly along the centerline of Interstate-290 to the point of intersection of Town line, thence proceeding northerly and westerly along the Town Line to the point of intersection of Tonawanda Creek, thence proceeding northerly along the coastline of Tonawanda Creek to the point of beginning.

DISTRICT NO. 11

All that portion of the Town of Tonawanda that is bounded and enclosed in the following descriptions: beginning at the point of intersection of Niagara River and Town line, thence proceeding easterly along the Town line to the point of intersection of Military Road, thence proceeding southerly along the centerline of Military Road to the point of intersection of Interstate-290, thence proceeding easterly along the centerline of Interstate-290 to the point of intersection of Twin Cities Memorial Highway, thence proceeding southerly along the centerline of Twin Cities Memorial Highway to the point of intersection of Eggert Road, thence proceeding southerly along the centerline of Eggert Road to the point of intersection of Rockland Road, thence proceeding northerly along the centerline of Rockland Road to the point of intersection of Glenalby Road, thence proceeding easterly along the centerline of Glenalby Road to the point of intersection of Town line, thence proceeding southerly and westerly along the Town line to the point of intersection of Niagara River, thence proceeding northerly along to the coastline of the Niagara River to the point of beginning.

And also that portion of the City of Buffalo that is bounded and enclosed in the following descriptions: beginning at the intersection of the CSX Railroad and the Penn Central Railroad, thence proceeding northerly along the centerline of the CSX Railroad to the point of intersection of the City line, thence proceeding easterly along the City line to the point of intersection of Starin Avenue, thence proceeding southerly along the centerline of Starin Avenue to the point of intersection of the Erie-Lackawanna Railroad, thence proceeding easterly along the centerline of the Erie-Lackawanna Railroad to the point of intersection of Shoshone Street Bike Path, thence proceeding southerly along the centerline of Shoshone Street Bike Path to the point of intersection of Shoshone Street, thence proceeding southerly along the centerline of Shoshone Street to the point of intersection of Hertel Avenue, thence proceeding westerly along the centerline of Hertel Avenue to the point of intersection of Parker Avenue, thence proceeding southerly along the centerline of Parker Avenue to the point of intersection of Huntington Avenue, thence proceeding westerly along the centerline of Huntington Avenue to the point of intersection of Starin Avenue, thence proceeding northerly along the centerline of Starin Avenue to the point of intersection of Hertel Avenue, thence proceeding westerly along the centerline of Hertel Avenue to the point of intersection of Delaware Avenue, thence proceeding southerly along the centerline of Delaware Avenue to the point of intersection of Forest Avenue, thence proceeding westerly along the centerline of Forest Avenue to the point of intersection of Elmwood Avenue, thence proceeding northerly along the centerline of Elmwood Avenue to the point of intersection of CSX Railroad, thence proceeding westerly along the centerline of CSX Railroad to the point of beginning.

Section 105 amended by local law No. 3-2006.
Section 105 amended by local law No. 4-2002.
Section 105 amended by local law No. 2 1991.

Section 105 amended by local law No. 3-1981.
Section 105 amended by local law No. 6-1971.
Section 105 amended by local law No. 1 1967.

Section 106. Legislative districts, continued. The fifteen legislative districts as previously bounded and described by local law No. 3-2006, shall continue as such for the limited purpose of continuing in office the legislators presently elected from said districts and shall cease to the point of intersection of exist as such on January 1, 2012. For the purpose of the general election of 2011 and all other purposes, except as herein before provided, the County of Erie is divided into eleven districts, described as contained in section one hundred five herein.

SPONSORS:

Legislator Betty Jean Grant
Legislator Maria R. Whyte
Legislator Thomas J. Mazur
Legislator Lynn Marinelli
Legislator Thomas A. Loughran
Legislator Daniel Kozub
Legislator Timothy J. Whalen
Legislator Christina W. Bove

MS. WHYTE moved to approve Local Law No. 5 (Print #1) 2011. MS. GRANT seconded.

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

AYES: MS. BOVE, MS. GRANT, MR. KOZUB, MR. LOUGHRAN, MS. MARINELLI, MR. MAZUR, MR. WHALEN and MS. WHYTE. NOES: MS. DIXON, MR. FUDOLI, MR. HARDWICK, MR. MILLS, MR. RATH, MR. WALTER and CHAIR MILLER-WILLIAMS.
(AYES: 8; NOES: 7)

CARRIED.

COMMITTEE REPORTS

Item 38 – MS. BOVE presented the following report and moved for immediate consideration and approval. MR. MILLS seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 97

June 9, 2011	FINANCE & MANAGEMENT COMMITTEE REPORT NO. 8
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ALL MEMBERS PRESENT.

1. RESOLVED, all items are hereby tabled.

**BARBARA MILLER-WILLIAMS
CHAIR**

Item 39 – MR. WHALEN presented the following report and moved for immediate consideration and approval. MS. BOVE seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 98

June 9, 2011	ECONOMIC DEVELOPMENT COMMITTEE REPORT NO. 8
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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-2 (2011)
NFTA: “Cash Flow Statements for the Period 4/1/10 - 3/31/11 & Projected Cash Flow Statements for the Period 4/1/11 - 3/31/12”
(6-0)

2. COMM. 12E-27 (2010)
COUNTY EXECUTIVE AS AMENDED
WHEREAS, in 2002 the County of Erie and the Empire State Development Corporation (ESDC) agreed to participate in a redevelopment plan for the Buffalo waterfront, including development of public amenities with the intent of supporting heritage tourism and economic development; and

WHEREAS, in 2005 ESDC created the Erie Canal Harbor Development Corporation (ECHDC) which has acted as the prime New York State entity in the development of the Buffalo waterfront; and

WHEREAS, the County of Erie has issued Fourteen Million Dollars (\$14,000,000) of general obligation bonds to assist in the development of public improvements related to the Buffalo waterfront development; and

WHEREAS, the County of Erie entered into a contract with the ECHDC on December 21, 2007 for the purpose of providing \$7 million in Erie County bond funds toward the removal of asbestos and hazardous materials from Memorial Auditorium; and

WHEREAS, in accordance with COMM 13E-12(2009) Erie County anticipated entering into a loan agreement with the ECHDC for the unexpended \$7 million in Erie County bond funds whereby the ECHDC would make annual debt service payments to Erie County; and

WHEREAS, ECHDC has advised that it is no longer interested in entering into said loan agreement with Erie County; and

WHEREAS, the Erie County Office of Budget & Management and Department of Public Works has identified certain capital projects for which such bond proceeds may be reallocated; and

WHEREAS, the reallocation of \$7 million in unexpended bond proceeds for the alternative capital projects requires State legislation.

NOW, THEREFORE, BE IT

RESOLVED, that the intended objects or purposes for which said bonds were issued was partially completed with the use of said bonds and the remainder will be carried out independently by the Erie Canal Harbor Development Corporation; and be it further

RESOLVED, that the County requests the enactment of special state legislation to authorize the expenditure of the \$7,000,000 unexpended proceeds of such bonds for alternative intended objects or purposes; and be it further

RESOLVED, that the Erie County Legislature hereby memorializes to the NYS Assembly and Senate, particularly those lawmakers who serve as Western New York's delegation in Albany, that immediate introduction of new State authorizing legislation is needed so that County may deem the objects or purposes for which certain bonds were issued by the County of Erie to be the Erie Canal Harbor waterfront development; the purchase of vehicles and heavy equipment; and bridge and road reconstruction projects and authorizing the expenditure of the proceeds from such bonds for such objects or purposes; and be it further

RESOLVED, that certified copies of this resolution be transmitted to the Honorable Dennis Gabryszak of the New York State Assembly and the Honorable Michael Ranzenhofer of the New York State Senate, together with the Office of Budget, the County Attorney, the County Comptroller, the Department of Environment and Planning and the Department of Public Works.
(6-0)

3. COMM. 11E-9 (2011)
COUNTY EXECUTIVE

WHEREAS, the portion of Hopkins Road along Ransom Creek between Schoelles Road and Tonawanda Creek Road has experienced embankment and roadway failure resulting in the road being reduced to one lane in several areas; and

WHEREAS, the County desires to address the problems in the subject portion of Hopkins Road to the extent possible with current funds (the Project); and

WHEREAS, your honorable body has previously authorized Greenman-Pedersen, Inc. as a qualified, Term Agreement General Architectural/Engineering firm via Comm.14E-19 of July 17, 2008; and

WHEREAS, it is desired to begin the Project as soon as possible.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized and directed to negotiate and execute all necessary contracts for the Project with engineering firm Greenman-Pedersen, Inc. for an aggregate amount not to exceed \$259,957.49; and be it further

RESOLVED, that funds in the amount of \$259,957.49 be allocated from SAP Account B.21001.1.8 – PAYG for the Project; and be it further

RESOLVED, that the County Executive is authorized and directed to bid and award all necessary construction contracts for the Project for an aggregate amount not to exceed \$1,931,720.77; and be it further

RESOLVED, that funds in the amount of \$1,011,720.77 be allocated from SAP account B.20919 – 2009 Hopkins Road/Ransom Creek Reconstruction and that funds in the amount of \$920,000.00 be allocated from SAP account B.21033 – 2010 Hopkins Road Reconstruction for the Project; and be it further

RESOLVED, that the total amount of all contracts, including the consulting contract and construction contract will not exceed \$2,191,678.26; and be it further

RESOLVED, that two certified copies of this resolution be sent 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.
(6-0)

4. COMM. 11E-10 (2011)
COUNTY EXECUTIVE

WHEREAS, the portion of Burdick Road along Tonawanda Creek between rapids Road and Tonawanda Creek Road has experienced embankment and roadway failure resulting in the road being reduced to one lane in the subject area; and

WHEREAS, the County desires to address the problems in the subject portion of Burdick Road (the Project); and

WHEREAS, your honorable body has previously authorized Greenman-Pedersen, Inc. as a qualified, Term Agreement General Architectural/Engineering firm via Comm.14E-19 of July 17, 2008; and

WHEREAS, it is desired to begin the Project as soon as possible.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized and directed to negotiate and execute all necessary contracts for the Project with engineering firm Greenman-Pedersen, Inc. for an aggregate amount not to exceed \$225,000.00; and be it further

RESOLVED, that funds in the amount of \$225,000.00 be allocated from SAP Account B.21031 – Burdick Road Design for the Project; and be it further

RESOLVED, that two certified copies of this resolution be sent 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.

(6-0)

TIMOTHY J. WHALEN
CHAIR

Item 40 – MR. LOUGHRAN presented the following report and moved for immediate consideration and approval. MR. KOZUB seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 99

June 9, 2011	COMMUNITY ENRICHMENT COMMITTEE REPORT NO. 2
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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. 1M-2 (2011)
CONCORD TOWN CLERK: “Copy of Resolution Concerning Funding to the Buffalo & EC Public Library System”
(5-0)
 - b. COMM. 1M-6 (2011)
BUFFALO & EC PUBLIC LIBRARY: “Letter to Chair Miller-Williams Concerning Funding to the Buffalo & EC Public Library System”
(5-0)
 - c. COMM. 4E-14 (2011)
COUNTY EXECUTIVE: “Appointment to Buffalo & EC Public Library Board of Directors”
(5-0)
 - d. COMM. 6M-2 (2011)
CORNELL COOPERATIVE EXTENSION: “2011 Budget Accountability Act Submission”
(5-0)
 - e. COMM. 6M-3 (2011)
BUFFALO & EC PUBLIC LIBRARY: “Minutes of Meeting Held 2/17/2011”
(5-0)

- f. COMM. 6M-7 (2011)
EC SOIL & WATER: "2011 Budget Accountability Act Submission"
(5-0)
- g. COMM. 6M-32 (2011)
BUFFALO & EC PUBLIC LIBRARY: "Agenda Materials for Meeting to be Held on 3/17/11"
(5-0)
- h. COMM. 9E-5 (2011)
COMPTROLLER: "Copies of Audited Financial Statements & Management Letter for ECC for the Fiscal Year Ended 8/31/2010"
(5-0)
- i. COMM. 9M-8 (2011)
BUFFALO & EC PUBLIC LIBRARY: "Proposed Agenda for Meeting to be Held 4/21/2011"
(5-0)
- j. COMM. 10M-1 (2011)
BUFFALO COMMON COUNCIL: "Copy of Resolution Entitled "Build Community College's Health Sciences Center for Excellence at ECC City Campus in Downtown Buffalo""
(5-0)
- k. COMM. 11M-5 (2011)
BUFFALO & EC PUBLIC LIBRARY: "Agenda for Meeting Held 5/19/11"
(5-0)

2. COMM. 9E-4 (2011)
COUNTY EXECUTIVE

WHEREAS, In December of 2008 the Library submitted an Efficiency Grant Application to the Erie County Fiscal Stability Authority (ECFSA) to fund the Buffalo and Erie County Public Library's (B&ECPL) implementation of Radio Frequency Identification (RFID) technology to make library material handling more efficient; and

WHEREAS, at the time of the award, the ECFSA requested that a mechanism be set up to ensure that some of the savings be returned to Erie County; and

WHEREAS, the B&ECPL Board of Trustees via Resolution 2009-5 directed that an annual payment to Erie County in the amount of \$250,000 be included in the Library's Budget beginning in 2010; and

WHEREAS, the Administration was, and is, supportive of the RFID initiative; and

WHEREAS, it is the County's desire that the B&ECPL be the beneficiary of any savings generated from implementation of the RFID Initiative; and

WHEREAS, the County supports reinvestment of those savings in the Library's Re-Imagine initiative or other areas as the Library Board of Trustees deems appropriate.

NOW, THEREFORE, BE IT

RESOLVED, that Erie County hereby expresses its intent to waive receipt of the annual \$250,000 payment; and that these monies are reinvested in Library initiatives as deemed appropriate by B&ECPL Board of Trustees; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Office of the County Executive, the Director of the Buffalo & Erie County Public Library, the Director of Budget and Management, the County Comptroller, and the County Attorney.

(5-0)

THOMAS A. LOUGHRAN
CHAIR

Item 41 – MR. MAZUR presented the following report and moved for immediate consideration and approval. MR. RATH seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 100

June 9, 2011	ENERGY & ENVIRONMENT COMMITTEE REPORT NO. 7
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ALL MEMBERS PRESENT.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 8E-2 (2010)
GRANT: "Article Entitled "The Power of Transparency""
(5-0)
 - b. COMM. 11E-11 (2011)
COUNTY EXECUTIVE: "ECSD No. 2 - Change Order No. 1"
(5-0)
 - c. COMM. 11M-4 (2011)
NYSDEC: "Fact Sheet: Remedial Soil Excavation Activities to Begin at Greif Site in Tonawanda"
(5-0)
2. COMM. 10E-9 (2011)
COUNTY EXECUTIVE

AS AMENDED

WHEREAS, the Erie County Department of Environment and Planning has received the following lowest responsible bid for the Erie County Sewer District No. 1 and 3, Mineral Springs Old Metering Building Demolition and Magnetic Metering Building Replacement Contract 65 at 2:00 P.M. on June 2, 2011;

<u>Contract</u>	<u>Lowest Responsible Bidder</u>	<u>Amount Bid</u>
Contract 65	Pinto Construction Services, Inc. 1 Babcock Street Buffalo, New York 14210	\$97,412.50

and

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

NOW, THEREFORE, BE IT

RESOLVED, that the Mineral Springs Old Metering Building Demolition and Magnetic Metering Building Replacement, Contract 65 be awarded to Pinto Construction Services, Inc. in the not-to-exceed amount of \$97,412.50; 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 to 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 \$28,365.00 from Erie County Sewer District No. 1 Capital Project C.00057 and \$69,047.50 from Erie County Sewer District No. 3 Capital Project C.00062 for a total of \$97,412.50 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 Joseph L. Fiegl, 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.

(5-0)

3. COMM. 11E-4 (2011)
COUNTY EXECUTIVE

WHEREAS, household hazardous waste is being generated by the residents of Erie County;
and

WHEREAS, improper disposal of household hazardous waste has the potential to contaminate the air, land and waters of Erie County; and

WHEREAS, continued storage of hazardous waste in the home constitutes a danger to the occupants and the community; and

WHEREAS, Erie County desires to partner with the Town of Amherst and the Northeast Southtowns Solid Waste Management Board (NEST) to hold two separate events in 2011, with both events open to all residents of Erie County; and

WHEREAS, the State of New York provides financial aid for household hazardous waste collections; and

WHEREAS, it is necessary for Erie County to submit a resolution authorizing the filing of an application and execution of an associated state assistance contract as part of the application package to apply for reimbursement of expenses associated with the collection and disposal of household hazardous waste.

NOW, THEREFORE, BE IT

RESOLVED, that authorization is hereby provided to the Director of Budget and Management to make the following adjustments to the 2011 Budget in order to support two household hazardous waste collection events in Erie County in 2011:

2011 Budget - Fund 110	
Fund Center 1331010 – Economic Development	
	Increase/(Decrease)
Appropriations	
Account 518092 Erie Niagara Regional Partnership	(\$16,000)

2011 Budget - Fund 110	
Department of Environment and Planning	
Fund Center 16200 – Division of Environment & Planning	
	Increase/(Decrease)
Appropriations	
Account 517629 Hazardous Waste Days	\$16,000

and be it further

RESOLVED, that the filing of an application for State assistance for the expenses associated with the collection and disposal of household hazardous waste in the form required by the State of New York in conformity with the applicable laws of the State of New York, including all understanding and assurances contained in said application is hereby authorized; and be it further

RESOLVED, that the County Executive is directed and authorized to enter into agreement and sign the resulting contract for partial reimbursement for expenses associated with the collection and disposal of household hazardous waste, if said application is approved by the State; and be it further

RESOLVED, that any revenues received from the State as reimbursement of expenses associated with household hazardous waste events will be recorded in Fund Center 162000, Account 409000, State Aid Revenue; and be it further

RESOLVED, that certified copies of this resolution be sent to the County Executive, Director of Budget and Management, Commissioner of Environment and Planning, the County Comptroller, and the County Attorney.

(5-0)

4. COMM. 11E-5 (2011)
COUNTY EXECUTIVE

WHEREAS, Erie County and its municipalities, businesses and residents can take advantage of incentives to invest in energy efficiency improvements to reduce energy use, realize cost savings and protect taxpayers and the environment from increased energy costs and pollution burdens; and

WHEREAS, Erie County residents and businesses that have previously paid taxes and Systems Benefit Charges on their utility bills will benefit from use of those incentives; and

WHEREAS, Erie County and its municipalities are well positioned to lead by example, invest in energy efficiency and provide information about energy efficiency and related incentives; and

WHEREAS, Erie County municipalities, residents and businesses can benefit from a web site that provides access to clean and renewable energy grants, incentives, credits and information; and

WHEREAS, Blue Spring Energy, LLC helps communities participate in clean energy programs; and

WHEREAS, Blue Spring Energy, LLC has established similar web sites for communities across New York State including Broome, Monroe, Onondaga, Ontario, Rockland, Wayne and Schenectady counties; and

WHEREAS, Blue Spring Energy, LLC has secured the domain name reneweriecounty.org and will design the web site and maintain and market content on the site for a three period at no cost to the County.

NOW, THEREFORE, BE IT

RESOLVED that the Erie County Executive is hereby authorized to enter into a three year no cost agreement with Blue Spring Energy, LLC to establish and maintain reneweriecounty.org; and be it further

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

(5-0)

5. COMM. 11E-6 (2011)
COUNTY EXECUTIVE

WHEREAS, beginning this summer, the Erie County Department of Health (ECDOH) has regulatory oversight of the operation of Woodlawn Beach by the Town of Hamburg; and

WHEREAS, the ECDOH has the responsibility to protect the health of bathers by assuring that the public beach is open only when conditions meet the standards of the New York State Department of Health Beach Sanitary Code; and

WHEREAS, at the request of the New York State Office of Parks, Recreation and Historic Preservation (NYSOPRHP), the Erie County Department of Health submitted a work plan to conduct stream sanitary survey of three streams (Blasdell Creek, Rush Creek and Foster Brook) that make major contributions to the bacterial contamination that is responsible for the frequent closing of swimming area at Woodlawn Beach State Park; and

WHEREAS, the NYSOPRHP has received a U.S. EPA GLRI Grant for the Woodlawn Beach Source Trackdown and Remediation Project including a sub-award contract with ECDOH for the stream sanitary surveys component of the project for three streams that impact Woodlawn Beach; and

WHEREAS, the ECDOH is under contract with the U.S. EPA GLRI Grant for Lake Erie Stream Sanitary Surveys Project that includes identical work on four streams that impact three of the public beaches that ECDOH regulates; and

WHEREAS, the concurrent implementation of both projects offers the ECDOH economies of scale and other efficiencies.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to enter into a contract for a sub-award from the New York State Office of Parks, Recreation and Historic Preservation for the period January 1, 2011 through May 31, 2014 to be budgeted as follows:

NYSOPRHP – Stream Sanitary Surveys Project
1/1/11 – 5/31/14

SAP	REVENUE	AMOUNT
409000	State Aid	<u>\$67,200</u>
	TOTAL	<u>\$67,200</u>
	EXPENSES	
516020	Prof. Services Contracts & Fees	\$54,960
561410	Lab and Technical Equipment	<u>\$12,240</u>
	TOTAL	<u>\$67,200</u>

and be it further

RESOLVED, that certified copies of this resolution be forwarded to the County Executive's Office, 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 Department of Health, 9th Floor, Rath Building.

(5-0)

6. COMM. 11E-12 (2011)
COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Environment and Planning administers Housing Programs for low/moderate income homeowners on behalf of the Erie County Community Development Block Grant Consortium and HOME Investment Partnership Consortium; and

WHEREAS, the federal Department of Housing and Urban Development has issued regulations pertaining to lead-based paint hazards in housing units assisted with federal funds; and

WHEREAS, said regulations were effective September 15, 2000 and require a variety of lead-based paint hazard assessments and clearance tests by federally certified inspectors on all housing units participating in the Erie County Housing Programs.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into a lead-based paint hazard inspection agreement for an amount not to exceed \$110,000, with Stohl Environmental, LLC, funds being available in the Federal Community Development Block Grant and the HOME Investment Partnership Programs; and be it further

RESOLVED, that the source of funds shall be money available within the Erie County Community Development Block Grant, in Project J.00511.1.6; and be it further

RESOLVED, that the Clerk of the Legislature be directed to forward certified copies of this resolution to the County Executive; the Commissioner of the Department of Environment and Planning; the Commissioner of the Department of Health; The County Comptroller; and the Director of the Division of Budget and Management.

(5-0)

7. COMM. 11E-13 (2011)
COUNTY EXECUTIVE

WHEREAS, a Project for Ontario Street Boat Launch/Black Rock Canal Park improvements was awarded \$135,000 in New York State Power Authority (Greenway) monies.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Executive is hereby authorized to accept \$135,000 in New York State Power Authority funding (Greenway) for improvements to the Ontario Street Boat Launch/Black Rock Canal Park; and be it further

RESOLVED, that authorization is hereby provided to complete the following budget adjustment to SAP Project #A.21016 within the Erie County Budget:

Increase Revenue/Appropriations totaling \$135,000 as follows:

Revenue

Commitment Item #409010 (Other Local Source Revenue) \$135,000

Appropriation

Commitment Item #516020 (Professional Services –
Contractual Fees) \$135,000

and be it further

RESOLVED, that the County Executive is hereby authorized to enter into any necessary agreement with the New York State Power Authority to accept these funds; and be it further

RESOLVED, that the Director of the Division of Budget and Management is hereby authorized to implement any budget adjustments as required to comply with Federal, State, and New York State Power Authority funding requirements; and be it further

RESOLVED, that certified copies of this resolution be sent to the County Executive's Office; the Comptroller's Office; the Director of the Division of Budget and Management; the County Attorney; and the Commissioner of the Department of Environment and Planning, Rath Building, 10th Floor.

(5-0)

**THOMAS J. MAZUR
CHAIR**

LEGISLATOR RESOLUTIONS

Item 42 – MS. WHYTE presented the following resolution and moved for immediate consideration and approval. MR. WALTER seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 101

RE: Endorsing Akron Airport Upgrade to
Fuel Farm
(INTRO 13-1)

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

WHEREAS, the County of Erie has received a request from Christian Airmen, Inc., applicant for Akron Airport, concerning the applicant's request for State grant funds under the NYS Transportation Bond Act Airport Improvement and Revitalization (AIR '99) grant program for the following project:

Upgrade the existing fuel farm with a 10,000 gallon avgas fuel tank and dispenser to improve the capacity and reliability of the existing system; and

WHEREAS, the New York State Department of Transportation, under Section 14-1 of the State Transportation Law, requires that project applications made by privately-owned airports be accompanied by a resolution from the governing body of the county in which the airport is located.

NOW, THEREFORE, BE IT

RESOLVED, that the County of Erie endorses the project identified above at the Akron Airport for the purpose of making the project eligible for State funding; and be it further

RESOLVED, that a certified copy of this resolution be sent to Christian Airmen, Inc.

Item 43 – CHAIR MILLER-WILLIAMS directed that the following resolution be referred to the ECONOMIC DEVELOPMENT COMMITTEE.

GRANTED.

INTRO 13-2 from MILLS, RATH, WALTER, DIXON, FUDOLI & HARDWICK. Supporting Increased Options for Public Entities Seeking Contracts for Public Improvements.

Item 44 – CHAIR MILLER-WILLIAMS directed that the following resolution be referred to the HEALTH & HUMAN SERVICES COMMITTEE.

GRANTED.

INTRO 13-3 from HARDWICK & WALTER. Supporting the Independent Senior Housing Resident Freedom of Choice Act.

Item 45 – CHAIR MILLER-WILLIAMS directed that the following resolution be referred to the HEALTH & HUMAN SERVICES COMMITTEE.

GRANTED.

INTRO 13-4 from FUDOLI, MILLS, RATH, DIXON & HARDWICK. Encouraging Measures to Prevent Head Injuries in Children.

Item 46 – MS. WHYTE presented the following resolution and moved for immediate consideration. MR. KOZUB seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 102

RE: Encouraging Elimination of Fees for
Public Safety Text Alerts
(INTRO 13-5)

A RESOLUTION TO BE SUBMITTED BY

LEGISLATORS DIXON, MILLS, RATH & HARDWICK

WHEREAS, cellular phones require bandwidth in order to function; and

WHEREAS, the Federal Communications Commission (FCC) allocates bandwidth used by a variety of communications equipment and first allocated bandwidth to cellular phone companies in 1968; and

WHEREAS, the bandwidth allocated to cellular phone companies has steadily increased over the years and continues to increase; and

WHEREAS, cellular telephones are a valuable public safety tool for users; and

WHEREAS, in addition to using cellular telephones to quickly report emergency conditions, users can also receive emergency notifications via their cellular phones; and

WHEREAS, public safety alerts are sent to cellular phone users who sign up for alerts via text message; and

WHEREAS, despite the importance of these alerts to public safety, many cellular phone users must pay for these text alerts; and

WHEREAS, the cost of these alerts is a disincentive to sign up for these valuable alerts; and

WHEREAS, eliminating the cost of these messages would encourage use of these alerts and improve public safety across the community; and

WHEREAS, the federal government, as the allocator of bandwidth to cellular phone companies, is in the best position to encourage measures to improve usage of public safety alerts via text message.

NOW, THEREFORE, BE IT

RESOLVED, that this body requests that the federal government take steps, including a requirement that emergency text alerts be at no cost to cellular phone users, to encourage the use of cellular phone public safety text alerts; and be it further

RESOLVED, that a certified copy of this resolution be sent to the local delegation of the United States Congress and the Erie County Commissioner of Emergency Services.

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

CARRIED UNANIMOUSLY.

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

30201 CONSOLIDATED SEWER EXEMPT \$17,250.00

Charge To : 143089 CHEEKTOWAGA \$0.00

RPTL 550(2): INCORRECT SPECIAL DISTRICT CHARGED TO THE TAX ROLL
NEW TAX BILL TO BE ISSUED TO: ECIDA ATTN: GARRETT LLC

FISCAL YEAR 2001 Petition No. 211,162.00

ASSESSOR Refund \$498.60

S-B-L 227.00-4-11 142600 BOSTON

Acct. No. 112 \$0.00 County
Acct. No. 132 \$498.60 Town/SpecialDist/School

Charge To : 142600 BOSTON \$498.60

RPTL 550(2): INCORRECT SPECIAL DISTRICTS CHARGED IN ERROR
REFUND TO BE ISSUED TO: ST MARTINS LUTHERAN CHURCH

FISCAL YEAR 2011 Petition No. 211,163.00

ASSESSOR Refund \$180.66

S-B-L 227.00-4-12 142600 BOSTON

Acct. No. 112 \$0.00 County
Acct. No. 132 \$180.66 Town/SpecialDist/School

Charge To : 142600 BOSTON \$180.66

RPTL 550(2): INCORRECT SPECIAL DISTRICTS CHARGED IN ERROR
REFUND TO BE ISSUED TO: ST MARTINS LUTHERAN CHURCH

FISCAL YEAR 2011 Petition No. 211,164.00

ASSESSOR Refund \$187.37

S-B-L 68.15-12-12 142289 AMHERST

Acct. No. 112 \$93.21 County
Acct. No. 132 \$94.16 Town/SpecialDist/School

Charge To : 142289 AMHERST \$94.16

RPTL 550(2): FAILED TO APPLY A WAR VET EXEMPTION
REFUND TO BE ISSUED TO: CAROL L. KLAFFKA

FISCAL YEAR 2011 Petition No. 211,165.00

ASSESSOR Refund \$325.12

S-B-L 151.08-8-25 140900 LACKAWANNA

Acct. No. 112	\$0.00	County
Acct. No. 132	\$325.12	Town/SpecialDist/School
9992 ECSD#6 SAN SEWER	\$325.12	
<u>Charge To :</u>	140900 LACKAWANNA	\$0.00

RPTL 550(2): INCORRECT SPECIAL DISTRICTS CHARGED IN ERROR
REFUND TO BE ISSUED TO: HEATHER L. GULAS-KARASZEWSKI

FISCAL YEAR 2011	Petition No.	211,166.00
ASSESSOR	Refund	\$62,346.51

S-B-L 135.10-3-2 146800 WEST SENECA

Acct. No. 112	\$0.00	County
Acct. No. 132	\$62,346.51	Town/SpecialDist/School
68010 PREMIUM ASSMNT	\$62,346.51	
<u>Charge To :</u>	146800 WEST SENECA	\$0.00

RPTL 550(2): INCORRECT SPECIAL DISTRICTS CHARGED IN ERROR
REFUND TO BE ISSUED TO: UPSTATE FARMS CO-OP INC

FISCAL YEAR 2009	Petition No.	211,167.00
ASSESSOR	Refund	\$643.92

S-B-L 206.00-5-7 144489 EVANS

Acct. No. 112	\$213.10	County
Acct. No. 132	\$430.82	Town/SpecialDist/School
44021 NORTH EVANS FIRE PROTECT	\$68.41	
44093 ERIE CO SEW DST 2	\$43.35	
<u>Charge To :</u>	144489 EVANS	\$319.06

RPTL 550(2): DUPLICATE PARCEL UNDER DIFFERENT SBL NUMBER
REFUND TO BE ISSUED TO: MICHAEL J AND TRESSA CREHAN
DELETE ENTIRE PARCEL FROM THE TAX ROLL

FISCAL YEAR 2010	Petition No.	211,168.00
ASSESSOR	Refund	\$654.67

S-B-L 206.00-5-7 144489 EVANS

Acct. No. 112	\$206.78	County
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Acct. No. 132	\$447.89	Town/SpecialDist/School
44021 NORTH EVANS FIRE PROTECT	\$73.91	
44093 ERIE CO SEW DST 2	\$49.10	
<u>Charge To :</u> 144489 EVANS		\$324.88

RPTL 550(2): DUPLICATE PARCEL UNDER DIFFERENT SBL NUMBER
REFUND TO BE ISSUED TO: MICHAEL J AND TRESSA CREHAN
DELETE ENTIRE PARCEL FROM THE TAX ROLL

FISCAL YEAR 2011	Petition No.	211,169.00
ASSESSOR	Refund	\$671.02

S-B-L 206.00-5-7 144489 EVANS

Acct. No. 112	\$210.36	County
Acct. No. 132	\$460.66	Town/SpecialDist/School
44021 NORTH EVANS FIRE PROTECT	\$77.60	
44093 ERIE CO SEW DST 2	\$49.96	
<u>Charge To :</u> 144489 EVANS		\$333.10

RPTL 550(2): DUPLICATE PARCEL UNDER DIFFERENT SBL NUMBER
REFUND TO BE ISSUED TO: MICHAEL J AND TRESSA CREHAN
DELETE ENTIRE PARCEL FROM THE TAX ROLL

FISCAL YEAR 2008	Petition No.	211,170.00
ASSESSOR	Refund	\$618.69

S-B-L 206.00-5-7 144489 EVANS

Acct. No. 112	\$0.00	County
Acct. No. 132	\$618.69	Town/SpecialDist/School
<u>Charge To :</u> 144489 EVANS		\$618.69
Relevy School	\$618.69	144401 LAKE SHORE CENTRAL

RPTL 550(2): DUPLICATE PARCEL UNDER DIFFERENT SBL NUMBER
REFUND TO BE ISSUED TO: MICHAEL J AND TRESSA CREHAN
DELETE ENTIRE PARCEL FROM THE TAX ROLL

FISCAL YEAR 2009	Petition No.	211,171.00
ASSESSOR	Refund	\$626.87

S-B-L 206.00-5-7 144489 EVANS

Acct. No. 112	\$0.00	County
Acct. No. 132	\$626.87	Town/SpecialDist/School

NOW, THEREFORE, BE IT

RESOLVED, that \$60,000 in available balances in the Appropriated Fund Balance (Reserve for Law Enforcement Purposes) is hereby transferred to the Erie County Sheriff's Office; and be it further

RESOLVED, that the following budgetary transactions are hereby authorized:

ERIE COUNTY SHERIFF'S OFFICE

<u>REVENUE</u>		<u>Increase</u>
402190	Appropriated Fund Balance (Reserve for Law Enforcement Purposes)	<u>60,000</u>
	Total Revenue	<u>60,000</u>
<u>APPROPRIATION</u>		<u>Increase</u>
505600	Auto, Truck & Heavy Equipment Supplies	10,000
506200	Maintenance & Repair	35,000
510100	Out of Area Travel	<u>15,000</u>
	Total Appropriations	<u>60,000</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; and be it further

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

CARRIED UNANIMOUSLY.

Insert the Following after the Third Resolved Clause:

RESOLVED, the County of Erie accepts the gift of equipment from United Rotorcraft Solutions, Inc. of Decatur, Texas.

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

CARRIED UNANIMOUSLY.

Item 49 – MS. WHYTE moved to discharge the COMMUNITY ENRICHMENT COMMITTEE of further consideration of COMM. 11E-1 (2011). MR. LOUGHRAN seconded.

CARRIED UNANIMOUSLY.

RE: Appointment to the Buffalo & EC Public

Library Board of Directors
(COMM. 11E-1, 2011)

RESOLVED, the Erie County Legislature hereby confirms the appointment of Mr. Greg Turner to the Buffalo & Erie County Public Library Board of Directors, for a term that expires on December 31, 2015.

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

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

AYES: MR. HARDWICK and MR. KOZUB. NOES: MS. DIXON, MR. FUDOLI, MR. MILLS, MR. RATH, MR. WALTER, MS. BOVE, MS. GRANT, MR. LOUGHRAN, MS. MARINELLI, MR. MAZUR, CHAIR MILLER-WILLIAMS, MR. WHALEN and MS. WHYTE. (AYES: 2; NOES: 13).

FAILED.

SUSPENSION OF THE RULES

Item 50 - MS. WHYTE moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 13E-31 from the COUNTY EXECUTIVE Re: Appointments to EC Environmental Management Council

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

COMMUNICATIONS FROM ELECTED OFFICIALS

FROM THE COUNTY EXECUTIVE

Item 51 – (COMM. 13E-1) ECC 2011-2012 Budget

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

**FROM LEGISLATORS WHYTE, KOZUB, WHALEN,
GRANT, MAZUR, BOVE, MARINELLI & LOUGHRAN**

Item 52 – (COMM. 13E-2) Letter to Chair of Legislature Concerning LL INT. 5-1 (2011)

Received and Filed.

FROM THE COMPTROLLER

Item 53 – (COMM. 13E-3) 2011 Revenue Anticipation Note Resolution

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM CHAIR MILLER-WILLIAMS

Item 54 – (COMM. 13E-4) Letter to County Executive Regarding Mid-Year Budget Hearings

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE COMPTROLLER

Item 55 – (COMM. 13E-5) Bond Resolution Refunding Series 2004B Bonds

Item 56 – (COMM. 13E-6) Spaulding Fibre Bond Resolution

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

FROM LEGISLATOR MILLS

Item 57 – (COMM. 13E-7) Re-Appointment to the EC Bar Association Aid to Indigent Prisoners Society, Assigned Counsel Program Board of Directors

Received, Filed and Printed.

Hon. Robert M. Graber
Clerk, Erie County Legislature
92 Franklin Avenue – 4th Floor
Buffalo, New York 14202

Re: Re-appointment of Emilio Colaiacovo to the Erie County Bar Association Aid to Indigent Prisoners Society, Assigned Counsel Program Board of Directors

Dear Clerk Graber:

As Minority Leader of the Erie County Legislature, I am honored to re-appoint Emilio Colaiacovo to the Board of Directors of the Erie County Bar Association Aid to Indigent Prisoners Society, Assigned Counsel Program.

Thank you.

Very Truly Yours,

John J. Mills
Erie County Legislature
13th District

cc: Robert D. Lonski, Esq.
Erie County Bar Association Aid to Indigent
Prisoners Society Assigned Counsel Program
170 Franklin Street, Suite 400
Buffalo, New York 14202-2412
Emilio Colaiacovo, Esq.
Bouvier, O'Connor
350 Main Street, Suite 1400
Buffalo, New York 14202

Scott M. Schwartz, Esq.
Bar Association of Erie County
438 Main Street, 6th Floor
Buffalo, New York 14202

Item 58 – MS. WHYTE presented the following resolution and moved for immediate consideration and approval. MS. BOVE seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 105

RE: District Attorney's Office Restructure
(COMM. 13E-8)

WHEREAS, in order for the Erie County District Attorney to retain the most experienced and high performing personnel to fill the most challenging positions within his office, it is important that they are compensated appropriately; and

WHEREAS, salaries for these positions were determined based on the County's respective Managerial Confidential and CSEA pay scales and have been prorated for the remaining twelve pay periods to reflect changes taking place as of July 1, 2011; and

WHEREAS, the Erie County District Attorney's staff reorganization and salary authorizations will require no additional cost to taxpayers and will be implemented while keeping within the District Attorney's adopted appropriations for 2011; and

WHEREAS, Section 2607 of the Erie County Charter states that independent elected officials, including the District Attorney, have the power to manage their departments within the parameters of their adopted budget.

NOW, THEREFORE, BE IT

RESOLVED, that one position of Confidential Criminal Investigator – Part Time, position # 51005727, is deleted from fund center 11400 (B100 #6363); and be it further

RESOLVED, that position of Assistant District Attorney IV (position #51003275) be changed from a JG15 to that of a JG16 in fund center 11400 (B100 #6364) and that a variable minimum step 4 be authorized for the new position; and be it further

RESOLVED, that two positions of Assistant District Attorney IV (position #51003871 and #464) be changed from a JG15 to that of a JG16 in fund center 11400 (B100 #6364); and be it further

RESOLVED, that one position of Assistant District Attorney II (position #407) be changed from a JG13 to that of a JG14 in fund center 11400 (B100 #6365); and be it further

RESOLVED, that the position of Target Crime Initiative Coordinator (position #51001962) be changed from a JG12 to that of a JG13 in fund center 11400 (B100 #6366); and be it further

RESOLVED, that advanced incremental step increases are authorized for the employees holding position #51004370 to a step 4 and #51003879 to a step 3; and be it further

RESOLVED, that authorization is hereby provided to reallocate funds within the 2011 District Attorney's General Fund as follows:

FUND CENTER 11400
Fund: 110

	<u>Increase/ (Decrease)</u>
500000 Full Time - Salaries	\$15,441
500010 Part Time – Salaries	(22,677)
502000 Fringe Benefits	2,910
559000 County Share Contribution	<u>4,326</u>
 Total Changes	 <u>\$ - 0 -</u>

and be it further

RESOLVED, that authorization is hereby provided to reallocate funds within the District Attorney's Aid to Prosecution and Motor Vehicle Theft Grant as follows:

AID TO PROSECUTION (ATP)
Fund: 281, Cost Center: 1140050, Grant: 114ATP1112

<u>Revenue</u>	<u>Increase</u>
479000 County Share Contribution	<u>\$ 5,151</u>
 <u>Appropriation</u>	
500000 Full Time Salaries	\$ 4,334
502000 Fringe Benefits	<u>817</u>
	<u>\$ 5,151</u>

MOTOR VEHICLE THEFT AND INSURANCE FRAUD PREVENTION (MVTIF)
Fund: 281, Cost Center: 1140050, Grant: 114MVTIF2011

<u>Revenue</u>	<u>Decrease</u>
479000 County Share Contribution	<u>\$ 825</u>
 <u>Appropriation</u>	
500000 Full Time Salaries	<u>\$ 825</u>

and be it further

RESOLVED, that the Director of Budget and the Commissioner of Personnel make any changes necessary to effectuate the implementation of this resolution effective July 1, 2011; and be it further

RESOLVED, certified copies of this resolution be forwarded to the Erie County District Attorney, the Erie County Executive, the Commissioner of Personnel and the Director of Budget and Management.

FROM THE COUNTY EXECUTIVE

Item 59 – (COMM. 13E-9) Consenting to ECMCC Borrowing Pursuant to the Guaranty Agreement for the 2004 ECMCC Bond Issue

Item 60 – (COMM. 13E-10) Declaration of Need - ECMCC

Item 61 – (COMM. 13E-11) Declaration of Need - 2004 Refinancing Borrowing

Item 62 – (COMM. 13E-12) Declaration of Need - 2011 Capital Projects New Money

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

Item 63 – (COMM. 13E-13) Appointment to the Board of Directors of Visit Buffalo Niagara for a Term Expiring 12/31/2011

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

Item 64 – (COMM. 13E-14) ECSD No. 3 - Dewatered Sludge Pump Replacement

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 65 – (COMM. 13E-15) 2011 Capital Budget Amendment

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 66 – (COMM. 13E-16) Award of Employee Training Services Contract

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

Item 67 – (COMM. 13E-17) Eden Center-Evans Road Reconstruction

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 68 – (COMM. 13E-18) Acceptance of NYS Unified Court System Assertive Adolescent & Family Treatment & the Erie Juvenile Treatment Court Grants

Received and referred to the PUBLIC SAFETY COMMITTEE.

Item 69 – (COMM. 13E-19) EC Holding Center - Second Floor Housing Renovation Project

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 70 – (COMM. 13E-20) GOVERN Tax Collection System

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

Item 71 – (COMM. 13E-21) Request for Proposals - Iroquois/Broadway East Pumping Station Improvements Project

Item 72 – (COMM. 13E-22) Green Innovation Grant Program - ECSD No. 2

Item 73 – (COMM. 13E-23) Division of Sewerage Management National Association of Clean Water Agencies Legal Challenge Sewage Sludge Incinerator Advocacy Coalition

Item 74 – (COMM. 13E-24) ECSD No. 6 Amended License Agreement Between CSX Transportation, Inc. & the County of Erie Original Agreements

Item 75 – (COMM. 13E-25) ECSD No. 2 Amended License Agreement Between CSX Transportation, Inc. & the County of Erie Original Agreement

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

Item 76 – (COMM. 13E-26) County Attorney's Office Staff Adjustment

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

Item 77 – (COMM. 13E-27) NYSDOT Federal Aid Bridge Deck Sealing Project - Twenty Bridges, Various Towns

Item 78 – (COMM. 13E-28) NYSDOT Federal Aid Bridge Painting Project - Six Bridges, Various Towns

Item 79 – (COMM. 13E-29) Supplemental Agreement with NYSDOT - Bridge Painting Project - Various Towns

Item 80 – (COMM. 13E-30) Bridge Painting Project Construction Award - Various Towns

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

COMMUNICATIONS FROM THE DEPARTMENTS

FROM THE DIRECTOR OF BUDGET & MANAGEMENT

Item 81 – (COMM. 13D-1) Copy of Budget Monitoring Report for the Period Ending 4/30/2011

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE COUNTY ATTORNEY

Item 82 – (COMM. 13D-2) Transmittal of New Claims Against EC

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE DIRECTOR OF BUDGET & MANAGEMENT

Item 83 – (COMM. 13D-3) Letter to Chair, EC Fiscal Stability Authority Concerning Revised Four-Year Plan 2011-2014

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES

FROM DIANA GUILD

Item 84 – (COMM. 13M-1) Letter to Legislature Concerning the Reapportionment of Legislative Districts in EC

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM EMPIRE STATE DEVELOPMENT

Item 85 – (COMM. 13M-2) Richardson Olmsted Complex Civic & Land Use Improvement Project - SEQR Notification

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

**FROM THE NYS DEPARTMENT
OF AGRICULTURE & MARKETS**

Item 86 – (COMM. 13M-3) EC Agricultural District No. 14 - Review Notice

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE NYSDEC

Item 87 – (COMM. 13M-4) Fact Sheet: Environmental Cleanup Activities to Begin at the 330 Maple Road Site

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM MARY HERBST

Item 88 – (COMM. 13M-5) Letter to Legislator Hardwick Concerning NFTA Police

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM ECMCC

Item 89 – (COMM. 13M-6) Packet of Materials from Meeting Held 6/7/2011

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

FROM BEVERLY HIESTAND & ELEANOR DORRITIE

Item 90 – (COMM. 13M-7) Letter to Majority Leader Whyte Concerning NFTA Police

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM THE BUFFALO & EC BOTANICAL GARDENS

Item 91 – (COMM. 13M-8) Copy of Letter to County Executive Requesting Funding for Capital Improvements

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

ANNOUNCEMENTS

Item 92 – CHAIR MILLER-WILLIAMS announced that the committee schedule has been distributed.

Item 93 – MR. LOUGHRAN announced that the Legislature's Community Enrichment Committee will hold an Informational Meeting on Tuesday, June 28, 2011 at 1:00 P.M. in the Legislature Chambers with members of the Buffalo & Erie County Public Library Board of Directors.

Item 94 – MS. GRANT announced that everyone is welcome to attend the upcoming Juneteenth Festival this weekend.

MEMORIAL RESOLUTIONS

Item 95 – Legislator Dixon requested that when the Legislature adjourns, it do so in memory of Mark Obenauer.

Item 96 – Legislator Hardwick requested that when the Legislature adjourns, it do so in memory of Donald H. Perry, Ronald D. Hanson Sr., Ronald B. Johnson, Russell E. Miller, Edward E. Walgate and Bryan E. Johnson.

Item 97 – Legislator Mazur requested that when the Legislature adjourns, it do so in memory of Dennis M. Zimmerman.

Item 98 – Legislator Whalen requested that when the Legislature adjourns, it do so in memory of Eugene W. “Gene” McCarthy.

ADJOURNMENT

Item 99 – 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, June 30, 2011 at 2:00 p.m. Eastern Standard Time. MR. WALTER seconded.

CARRIED UNANIMOUSLY.

CHAIR MILLER-WILLIAMS declared the Legislature adjourned until Thursday, June 30, 2011 at 2:00 p.m. Eastern Standard Time.

ROBERT M. GRABER
CLERK OF THE LEGISLATURE