



THE ERIE COUNTY LEGISLATURE

Session No. 5
March 13, 2014

John J. Mills
Chair

Joseph C. Lorigo
Majority Leader

Betty Jean Grant
Minority Leader

Scott W. Kroll
Clerk of the Legislature

ROLL CALL

INVOCATION – Mr. Morton

PLEDGE OF ALLEGIANCE – Mr. Burke

TABLED ITEMS

ITEMS FOR RECONSIDERATION FROM PREVIOUS MEETING

MINUTES OF PREVIOUS MEETING

PUBLIC HEARING

MISCELLANEOUS RESOLUTIONS:

BURKE

[Memorializing Erie County Sheriff Deputy Daniel Scott McParlane of West Seneca for a Life of Dedicated Service and Civic Responsibility](#)

MILLER-WILLIAMS

[Honoring the Historical Contributions of Women Past and Present on the Occasion of National Women's History Month](#)

MILLER-WILLIAMS

[Congratulating the Buffalo Academy of Science Charter School Robotics Team Wolverine on Their Accomplishments and Wish them Luck in Their Upcoming Competition](#)

LOUGHRAN

[Honoring the Life of Daniel J. McCue, M.D.](#)

MORTON

[Proclaiming the period of March 10-13, 2014 "Safety Week" in Erie County](#)

DIXON & HARDWICK

[Honoring Chris Laffler on Being Elected United Irish American Association Grand Marshal for 2014 Saint Patrick's Day Parade](#)

HARDWICK

[Honoring The Island Dispatch on its 75th Anniversary](#)

DIXON, GRANT & MILLER-WILLIAMS

[Honoring Myrna F. Young for her Dedication to the Everywoman Opportunity Center](#)

MILLS, LORIGO, HARDWICK, RATH,
MORTON, DIXON, MILLER-
WILLIAMS, GRANT, BURKE &
LOUGHRAN

[Erie County goes "Blue4Ben" to honor and support Ben Sauer and his family](#)

MILLS, LORIGO, HARDWICK, RATH,
MORTON, DIXON, MILLER-
WILLIAMS, GRANT & LOUGHRAN

[Honoring Sheriff Timothy B. Howard and the Erie County Sheriff's Jail Management Division for their Veteran Housing Unit winning the New York State Sheriff's Association Institute's 2014 "Innovative Program Award"](#)

LOCAL LAWS:

REFERENCE:

[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. 1-1](#)
[2/4/2014](#)

DIXON, RATH, MILLS &
MORTON

A LL Providing for Penalties Against
Private Land Holders for Allowing
Consumption of Alcohol by Minors,
other than Dependents of the Land
Holders, on Said Property

Health & Human
Services

[LL INT. 2-1](#)
[3/6/2014](#)

DIXON

A LL, amending Local Law No. 1-
1959, as amended by Local Law No.
3-2006, known as the Erie County
Charter, amending Article 22, Section
22-C in relation to the Erie County
Community Coordinating Council on
Children and Families

COMMITTEE REPORTS:

REPORT NO. 4

[HEALTH & HUMAN SERVICES COMMITTEE](#)

REPORT NO. 4

[ENERGY & ENVIRONMENT COMMITTEE](#)

REPORT NO. 3

[GOVERNMENT AFFAIRS COMMITTEE](#)

LEGISLATOR RESOLUTIONS:

REFERENCE:

[INTRO. 5-1](#)

HARDWICK, LORIGO,
DIXON, MILLS, MORTON
& RATH

Opposition to Free Collegiate
Education for Incarcerated Individuals

[INTRO. 5-2](#)

HARDWICK, LORIGO,
MILLS, MORTON, RATH
& LOUGHRAN

Supporting Necessary Reforms to
New York Labor Law § 240 and § 241

<u>INTRO. 5-3</u>	LORIGO, RATH, MILLS, HARDWICK & MORTON	Denying the State the Use of the County Seal or Name on any Document Enforcing the SAFE Act
<u>INTRO. 5-4</u>	GRANT & BURKE	Encouraging the Charitable Use of Empire State Development Corporation's "I Love New York" Suite at Ralph Wilson Stadium When Seats Go Unused
<u>INTRO. 5-5</u>	BURKE	Calling on Governor Cuomo to Increase State Funding to Higher Education and on the New York State Legislature to Grant Debt Relief to Students
<u>INTRO. 5-6</u>	GRANT	Exploring a Student Loan Program, Instead of a Taxpayer-Funded College Education, for the State's Prison Population in Order to Reduce Recidivism
<u>INTRO. 5-7</u>	MILLER-WILLIAMS & GRANT	Supporting Legislation to Strengthen Staff Qualifications for Caseworkers and Supervisors in Child Protective Services
<u>INTRO. 5-8</u>	BURKE	Calling on the ECIDA, the Buffalo Niagara Enterprise, and the State of New York to Seek Communication with Volkswagen America to Ascertain the Viability of Attracting Volkswagen to Western New York
<u>INTRO. 5-9</u>	RATH	Supporting State and Federal Efforts to Introduce High-Speed Internet to Rural Areas of Erie County
<u>INTRO. 5-10</u>	RATH	Support of State Initiatives to Incentivize Participation in Volunteer Firefighter Programs
<u>INTRO. 5-11</u>	MILLS	Requesting Commissioner of Agriculture and Markets to Extend Review Date of Sardinia Agricultural District No. 6
<u>INTRO. 5-12</u>	LORIGO	Transfer of Surplus Property to the Town of West Seneca

COMMUNICATIONS DISCHARGED FROM COMMITTEE:

SUSPENSION OF THE RULES:

COMMUNICATIONS FROM ELECTED OFFICIALS:

REFERENCE:

COMM. 5E-1	COUNTY EXECUTIVE	Akron Falls Park - Land Transfer Home Rule Request	
COMM. 5E-2	SHERIFF	Asset Forfeiture Funded Program SAFS	
COMM. 5E-3	SHERIFF	Contract Approval - Psychological Evaluations	
COMM. 5E-4	GRANT	Lease Agreement for Legislative Office Space	
COMM. 5E-5	COUNTY EXECUTIVE	Youth Bureau Funding	Community Enrichment
COMM. 5E-6	COUNTY EXECUTIVE	ECC Request for Authorization to Terminate Wireless Lease Agreement with Nextel WIP Lease Corp.	Community Enrichment
COMM. 5E-7	COUNTY EXECUTIVE	ECC Request for Authorization to Enter into Wireless Lease Agreement with Blue Wirelessco, LLC	Community Enrichment
COMM. 5E-8	COUNTY EXECUTIVE	ECC Request for Authorization to Hire Information Technology Consultant	Community Enrichment
COMM. 5E-9	COUNTY EXECUTIVE	Notice of Findings and Notice of Intent to Request Release of Funds for West Main Street in Village of Lancaster	Economic Development
COMM. 5E-10	COUNTY EXECUTIVE	Leasing of Erie County Owned Rail Lines to the Erie County Industrial Development Agency	Economic Development
COMM. 5E-11	COUNTY EXECUTIVE	Reconstruction of Penora Street (CR 23), Phase III - Bryan Street to Broadway Village of Depew	Economic Development
COMM. 5E-12	COUNTY EXECUTIVE	Conveyance of Excess Highway Right-of-Way North Forest Road (CR 294) Town of Amherst	Economic Development
COMM. 5E-13	COUNTY EXECUTIVE	Acceptance of Marchiselli Funds for Supplemental Agreement No. 1 with NYS DOT and Construction Change Order - Abbott Road Bridge Over Neuman Creek, Orchard Park	Economic Development

COMM. 5E-14	COUNTY EXECUTIVE	Amendments to Cooperation Agreements with Town of West Seneca and Town of Hamburg for HOME Investment Partnership Program Participation	Economic Development
COMM. 5E-15	COUNTY EXECUTIVE	Golf Course Equipment Rental Fees	Energy & Environment
COMM. 5E-16	COUNTY EXECUTIVE	Tree Inventory at Akron Falls and Como Lake Parks	Energy & Environment
COMM. 5E-17	COUNTY EXECUTIVE	EC Sewer Districts No. 3 and No. 6 Siemens Energy Performance Contract - Close Out	Energy & Environment
COMM. 5E-18	COUNTY EXECUTIVE	EC Sewer District No. 3 Engineer Term Agreement Work Order: ARC-2	Energy & Environment
COMM. 5E-19	COUNTY EXECUTIVE	EC Sewer Districts Engineering Agreement Close-out A/E Agreement Dated Feb. 3, 2011 LiRo Engineers	Energy & Environment
COMM. 5E-20	COUNTY EXECUTIVE	Appointment to Erie County Deferred Compensation Committee	Finance & Management
COMM. 5E-21	COMPTROLLER	2013 Sales Tax Revenue	Finance & Management
COMM. 5E-22	COUNTY EXECUTIVE	Preliminary, Unaudited 2013 Financial Results	Finance & Management
COMM. 5E-23	COUNTY CLERK	Pistol Permit Division - Software Modifications	Government Affairs
COMM. 5E-24	COUNTY CLERK	Verification Project Contract Award	Government Affairs
COMM. 5E-25	COUNTY EXECUTIVE	Appointment to the EC Local Early Intervention Coordinating Council	Health & Human Services
COMM. 5E-26	COUNTY EXECUTIVE	Department of Social Services Personal Services - Part-Time Child Protective Worker Positions	Health & Human Services
COMM. 5E-27	COUNTY EXECUTIVE	Authorization to Increase Subcontract Agencies 163EISEP1314 Grant Funding	Health & Human Services
COMM. 5E-28	COUNTY EXECUTIVE	EC Toxicology Laboratory - HVAC Upgrades Construction Contingency Increase	Health & Human Services
COMM. 5E-29	SHERIFF	FY 12 Operation Stonegarden	Public Safety
COMM. 5E-30	SHERIFF	WNY Enhanced Collaborative to Combat Human Trafficking	Public Safety

COMM. 5E-31	SHERIFF	Personnel Adjustment	Public Safety
COMM. 5E-32	SHERIFF	Air One Port Security Camera	Public Safety
COMM. 5E-33	SHERIFF	Donation of Equipment to the Niagara Frontier Search and Rescue Team	Public Safety
COMM. 5E-34	SHERIFF	Increase in Fee for Background Checks and Fingerprinting	Public Safety
COMM. 5E-35	COUNTY EXECUTIVE & SHERIFF	Purchase of Mattresses for the Jail Management Division	Public Safety

COMMUNICATIONS FROM THE DEPARTMENTS:

REFERENCE:

COMM. 5D-1	COMMISSIONER, DEPARTMENT OF SOCIAL SERVICES	2014 Summer Primetime Program - Budget Resolution No. 85	Community Enrichment
COMM. 5D-2	DEPARTMENT OF SOCIAL SERVICES	2013 YDP Funding for African American Cultural Center	Community Enrichment
COMM. 5D-3	COMPTROLLER'S OFFICE	Audit of the Buffalo and EC Public Library	Community Enrichment
COMM. 5D-4	DEPARTMENT OF ENVIRONMENT AND PLANNING	Bi-Monthly Report - ECC Academic Building	Community Enrichment
COMM. 5D-5	COMPTROLLER'S OFFICE	Audit of County Roads	Economic Development
COMM. 5D-6	COUNTY ATTORNEY	Transmittal of New Claims Against Erie County	Government Affairs
COMM. 5D-7	COMPTROLLER'S OFFICE	Review of the Erie County Legislature's Expenditures	Government Affairs
COMM. 5D-8	COMMISSIONER, DEPARTMENT OF SOCIAL SERVICES	Comptroller Investigation into Medicaid Recertification	Health & Human Services

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES:

REFERENCE:

COMM. 5M-1	ERIE COMMUNITY COLLEGE	Copy of ECC Fiscal Year 2013-2014 Revenues & Expenditures Report	Community Enrichment
COMM. 5M-2	BUFFALO & EC PUBLIC LIBRARY	Audit of the Buffalo & EC Public Library	Community Enrichment
COMM. 5M-3	WESTERN REGION OFF-TRACK BETTING CORPORATION	Future of Casino Gaming and Outlook for Gaming Industry	Economic Development
COMM. 5M-4	NFTA	Copy of NFTA Board Minutes	Economic Development

COMM. 5M-5	NYS DEPARTMENT OF ENVIRONMENTAL CONSERVATION	Copy of Public Comment Period and Public Meeting Announcement for Former Doro Dry Cleaners	Energy & Environment
COMM. 5M-6	NYS DEPARTMENT OF ENVIRONMENTAL CONSERVATION	Copy of Public Comment Announcement for Former Buffalo Forge	Energy & Environment
COMM. 5M-7	NYS DEPARTMENT OF ENVIRONMENTAL CONSERVATION	Copy of Public Notice Fact Sheet for 441 Ohio Street Site	Energy & Environment
COMM. 5M-8	NYS DEPARTMENT OF AGRICULTURE AND MARKETS	Notice to Review EC Agricultural District No. 6	Energy & Environment
COMM. 5M-9	DIANE D'ARRIGO	Nuclear Waste Issues Affecting EC	Energy & Environment
COMM. 5M-10	NYS DEPARTMENT OF AGRICULTURE AND MARKETS	Certification of the Modification of EC Agricultural Districts No. 2, No. 6, No. 13 and No. 14	Energy & Environment
COMM. 5M-11	EC ENVIRONMENTAL MANAGEMENT COUNCIL	2013 State of the Environment Report	Energy & Environment
COMM. 5M-12	EC BAR ASSOCIATION	Assigned Counsel Program - Resolution 233 of May 6, 1975	Government Affairs
COMM. 5M-13	EC BAR ASSOCIATION	Assigned Counsel Program - Erie County Legislature Resolution of March 4, 2004, Comm. 5E-24 (2004)	Government Affairs
COMM. 5M-14	PATRICK J. RUFFINO	Follow-Up to Letter of Interest in Vacant 3rd District Erie County Legislator Position	Government Affairs
COMM. 5M-15	SHELLY SCHRATZ	VIVE La Casa	Health & Human Services
COMM. 5M-16	FOOD BANK OF WNY	Request Assistance to Restore Funding in Governor's Proposed Budget	Health & Human Services

ANNOUNCEMENTS:

MEMORIAL RESOLUTIONS:

ADJOURNMENT: