



THE ERIE COUNTY LEGISLATURE

Session No. 20
November 29, 2012

Betty Jean Grant
Chair

Thomas J. Mazur
Majority Leader

John J. Mills
Minority Leader

Robert M. Graber
Clerk of the Legislature

ROLL CALL

INVOCATION – Mr. Lorigo

PLEDGE OF ALLEGIANCE – Mr. Hardwick

TABLED ITEMS

ITEMS FOR RECONSIDERATION FROM PREVIOUS MEETING

MINUTES OF PREVIOUS MEETING

PUBLIC HEARING

MISCELLANEOUS RESOLUTIONS:

MAZUR	Honoring the Memory of Raymond F. Bova Sr.
MAZUR	In Remembrance of the Life of Candace L. "Candy" Koehn
MILLS	Congratulating Boy Scout Noah Quinlan, Troop 491 on Obtaining the Rank of Eagle Scout
MAZUR	Congratulating Joseph L. Maciejewski on Receiving the Harry Dunks Memorial Award of the NYS Association of County Directors of Real Property Tax Services
MAZUR & MARINELLI	Honoring the Memory, Leadership & Community Advocacy Championed by Former North District Buffalo Common Council Member David P. Rutecki
MAZUR	Memorial Resolution Honoring Donald H. Cloudsley, Champion of the Buffalo & EC Public Library System
MAZUR	Honoring the Life of Irene B. Schunke
MAZUR	Remembering Ernest "Ernie" Warlick Upon His Passing
MAZUR	Congratulating Belle Walls Montree on Her Retirement from Child & Family Services
MARINELLI	Honoring the Life of Donald H. Cloudsley, "Library Lion" & Director of the Buffalo & EC Public Library from 1983-1995
LORIGO	Congratulating Boy Scout Matthew Walter, Troop 616 on Obtaining the Rank of Eagle Scout
HARDWICK	Honoring Bonnie P. Sciuk for Her Commitment to the Town of Grand Island

HARDWICK

[Honoring the Tonawanda High School Boys Soccer Team on Being the 2012 Class B2 Sectional Champions](#)

DIXON

[Recognizing & Honoring Walter & Mary Iwanenko as Erie County Citizens of the Month for November, 2012](#)

GRANT

In Memory of Blanche Thomas

LOCAL LAWS:

REFERENCE:

[LL INT. 8-1](#)
10/18/2011

KOZUB, MILLER-
WILLIAMS, BOVE &
WHALEN

A LL Entitled "Prohibiting the Use of Hydraulic Fracturing as a Method for Extraction of Natural Gas or Oil in EC" in Relation to Preventing the Use of Hydraulic Fracturing (Commonly Known as Hydro-Fracking within EC)

Energy &
Environment

[LL INT. 11-1](#)
12/29/2011

KOZUB

A LL to Create Exclusion Zones & Prohibition of Certain Employment-Related Activities by Sex Offenders in EC

Public Safety

[LL INT. 1-1](#)
3/27/2012

McCRACKEN, GRANT,
MAZUR, HOGUES,
MARINELLI &
LOUGHRAN

A LL to Establish "An Animal Abuse Registry in EC"

Energy &
Environment

[LL INT. 3-1](#)
10/9/2012

HARDWICK, MARINELLI
& HOGUES

A LL to Provide Predictable Funding for the Buffalo & EC Library

Community
Enrichment

COMMITTEE REPORTS:

[REPORT NO. 12](#)

COMMUNITY ENRICHMENT COMMITTEE

[REPORT NO. 15](#)

HEALTH & HUMAN SERVICES COMMITTEE

[REPORT NO. 14](#)

ENERGY & ENVIRONMENT COMMITTEE

[REPORT NO. 13](#)

PUBLIC SAFETY COMMITTEE

[REPORT NO. 13](#)

ECONOMIC DEVELOPMENT COMMITTEE

LEGISLATOR RESOLUTIONS:

REFERENCE:

[INTRO 20-1](#)

MARINELLI, GRANT,
MAZUR, HOGUES &
McCRACKEN

Expressing Opposition to Federal & State Budget Cuts that Would Impact Nutrition Programs for Senior Citizens

INTRO 20-2	McCRACKEN	Encouraging the NYS Legislature & Governor to Enact "Phoenix's Law" to Increase the Criminal Penalties for Animal Cruelty
----------------------------	-----------	---------------------------------------------------------------------------------------------------------------------------

INTRO 20-3	GRANT, MAZUR, HOGUES, LOUGHRAN & McCRACKEN	Legislature Recommendation to Governor Cuomo for Appointment to the NFTA Board of Commissioners
----------------------------	--------------------------------------------	-------------------------------------------------------------------------------------------------

COMMUNICATIONS DISCHARGED FROM COMMITTEE:

SUSPENSION OF THE RULES:

COMMUNICATIONS FROM ELECTED OFFICIALS:

REFERENCE:

COMM. 20E-1	COMPTROLLER	Letter to Chair of Public Safety Committee Concerning Further Clarification & Additional Information Regarding Commissary & Telephone Expenditures	Public Safety
-----------------------------	-------------	----------------------------------------------------------------------------------------------------------------------------------------------------	---------------

COMM. 20E-2	COMPTROLLER	Copy of EC Interim Financial Report for the Third Quarter Ended 9/30/2012	Finance & Management
-----------------------------	-------------	---------------------------------------------------------------------------	----------------------

COMM. 20E-3	COUNTY EXECUTIVE	Lake Avenue Bridge over Smokes Creek - Construction Award - Town of Orchard Park	Economic Development
-----------------------------	------------------	----------------------------------------------------------------------------------	----------------------

COMM. 20E-4	COUNTY EXECUTIVE	Design & Engineering for New Road & Other Public Infrastructure on Former Bethlehem Steel Site	
COMM. 20E-5	COUNTY EXECUTIVE	Supplemental Agreement with NYSDOT - Lake Avenue Bridge over Smokes Creek - Town of Orchard Park	Economic Development
COMM. 20E-6	COUNTY EXECUTIVE	2013 Stay Fit (Congregate) Dining Food Preparation & Delivery Contract	Health & Human Services
COMM. 20E-7	COUNTY EXECUTIVE	Downtown Pedestrian/Transit Mall Special District - Adoption of Mall District Service Charge Roll for 2013	
COMM. 20E-8	COUNTY EXECUTIVE	ECSD No. 2 - Modification of Plans (2012)	Energy & Environment
COMM. 20E-9	COUNTY EXECUTIVE	ECSD No. 3 - 2013 Budget Amendment - Mount Vernon Sewer District Operation & Maintenance Services	Energy & Environment
COMM. 20E-10	COUNTY EXECUTIVE	ECSD Nos. 1,3,4 & 5 - Engineering Agreement Close-Out - A/E Agreement Dated 11/20/2008 - Conestoga-Rovers & Associates	Energy & Environment
COMM. 20E-11	COUNTY EXECUTIVE	ECSDs Engineering Agreement Close-Out - A/E Agreement Dated 11/29/2007 - Greenman-Pederson, Inc. (GPI)	Energy & Environment
COMM. 20E-12	COUNTY EXECUTIVE	ECSDs Engineering Agreement Close-Out - A/E Agreement Dated 11/29/2007 - LiRo Engineers	Energy & Environment
COMM. 20E-13	COUNTY EXECUTIVE	ECSD Nos. 1-6 & 8 - User Charge Rates	Energy & Environment
COMM. 20E-14	COUNTY EXECUTIVE	Federal Aid Bridge Maintenance Projects: Bridge Washing (230 Bridges), Bridge Deck Sealing (18 Bridges) & Bridge Joint Replacement (3 Bridges) - Various Towns - with Consultant Design Engineer Services	Economic Development
COMM. 20E-15	COUNTY EXECUTIVE	Fuel Tank Replacement at the Angola & Collins Highway Facility	
COMM. 20E-16	COUNTY EXECUTIVE	Environmental Compliance - Phase 3	Economic Development
COMM. 20E-17	COUNTY EXECUTIVE	Angola/Collins/East Concord Highway Maintenance Facilities - 2012 Oil/Water Separator Improvements	Economic Development

COMM. 20E-18	COUNTY EXECUTIVE	EC Parks & Recreation - Wendt Beach Mansion Restoration Evaluation Report	Energy & Environment
COMM. 20E-19	COUNTY EXECUTIVE	Amend Community Services for the Elderly (CSE) Grant to Provide for Increased Transportation Dollars	
COMM. 20E-20	COUNTY EXECUTIVE	Department of Public Works - Transfer of Funds	Economic Development
COMM. 20E-21	COUNTY EXECUTIVE	Acceptance of FY12 State Homeland Security Program (SHSP) Funds	Public Safety
COMM. 20E-22	COUNTY EXECUTIVE	Payment in Lieu of Taxes (PILOT) Agreement for Massachusetts Avenue - Development Plan Project - Affordable Housing Development	Economic Development
COMM. 20E-23	COUNTY EXECUTIVE	Safe Harbor for Sexually Exploited Children	
COMM. 20E-24	COUNTY EXECUTIVE	Appointment of EC Commissioner of Mental Health	

COMMUNICATIONS FROM THE DEPARTMENTS:

REFERENCE:

COMM. 20D-1	COMMISSIONER OF ENVIRONMENT & PLANNING	Buffalo Erie Niagara Land Improvement Corporation Board of Directors Meeting Notice	R&F
COMM. 20D-2	COUNTY ATTORNEY	Copy of Letter to Regional Director, NYSDEC Region 9 Concerning 1815 Eggert Road, Town of Amherst - Environmental Restoration Investigation	Energy & Environment
COMM. 20D-3	CLERK OF LEGISLATURE	Written Testimony Submitted to Legislature at Public Hearing Concerning 2013 Tentative EC Budget	Finance & Management

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES:

REFERENCE:

COMM. 20M-1	EXECUTIVE DIRECTOR, ECFSA	Copy of Resolution Approving an Efficiency Grant for County Vehicles	Government Affairs
COMM. 20M-2	PRESIDENT & CEO, VISIT BUFFALO NIAGARA	Copy of 3rd Quarter Report for 2012	Community Enrichment
COMM. 20M-3	CATHERINE SCHWEITZER	Written Testimony Submitted to the Legislature at Community Enrichment Committee Meeting Held 11/9/2012	Community Enrichment

COMM. 20M-4	BUFFALO & EC PUBLIC LIBRARY	Proposed Agenda for Meeting Held 11/15/2012	Community Enrichment
COMM. 20M-5	ONE REGION FORWARD	Informational Packet Entitled "One Region Forward Towards a More Sustainable Buffalo Niagara"	Economic Development
COMM. 20M-6	JEFFREY M. CONRAD	Copy of Curriculum Vitae for Consideration as the Legislature's Recommendation for the Governor's Appointment to the NFTA Board of Commissioners	R&F
COMM. 20M-7	KEVIN E. CICHOCKI	Copy of Curriculum Vitae for Consideration as the Legislature's Recommendation for the Governor's Appointment to the NFTA Board of Commissioners	R&F
COMM. 20M-8	CHENANGO COUNTY BOARD OF SUPERVISORS	Copy of Resolution Calling for the Governor & State Legislature to Compensate Counties for State-Mandated District Attorney's Salaries	Government Affairs
COMM. 20M-9	ECC PRESIDENT	Letter to Chair of Legislature Concerning Additional Information Requested at the Community Enrichment Committee Meeting Held 10/16/2012	Community Enrichment
COMM. 20M-10	MARGARET A. MURPHY	Copy of Curriculum Vitae for Consideration as the Legislature's Recommendation for the Governor's Appointment to the NFTA Board of Commissioners	R&F
COMM. 20M-11	ECMCC SECRETARY	Copy of Resolution Approving the First Amendment to the 2009 Settlement Agreement with EC	Finance & Management
COMM. 20M-12	MAYOR, CITY OF LACKAWANNA	Copy of Resolution Opposing ECIDA Standard Pilot Agreements	Economic Development
COMM. 20M-13	RITA YELDA	Letter to Legislature Concerning Hydraulic Fracturing	Energy & Environment
COMM. 20M-14	IT TAKES A VILLAGE ACTION ORGANIZATION	Description of Organization Concerning Cultural Funding Request	Community Enrichment

ANNOUNCEMENTS:

MEMORIAL RESOLUTIONS:

ADJOURNMENT: