



THE ERIE COUNTY LEGISLATURE

Session No. 3
February 16, 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 – Ms. Marinelli

PLEDGE OF ALLEGIANCE – Mr. Mazur

TABLED ITEMS

- Rules of the Legislature for 2012

ITEMS FOR RECONSIDERATION FROM PREVIOUS MEETING

MINUTES OF PREVIOUS MEETING

PUBLIC HEARING

MISCELLANEOUS RESOLUTIONS:

MAZUR	Honoring the Memory of Lore Decker
MAZUR	Honoring the Memory of Frank Namel, Jr.
MILLS	Congratulating Gordon Holden, Boy Scout Troop No. 230, on Obtaining the Rank of Eagle Scout
GRANT	Honoring Carlanda Wilson for Her Years of Dedicated Service to the Community
GRANT	Honoring the Memory of Jannie McCarley
MAZUR	In Remembrance of Henry J. Wiechec, Owner of Wiechec's Restaurant in Kaisertown
MARINELLI & MAZUR	Honoring the Life & Memory of Dennis Alan Kahn
GRANT	Congratulating Eva M. Doyle, Nationally Recognized Educator & African American Historian, Upon Being Named the First Recipient of the EC Legislature's Citizen of the Month Award
GRANT	Honoring Eva M. Doyle for Her Many Contributions to EC's Celebration of Black History Month
MARINELLI, MAZUR & MILLS	Honoring Jerome C. Gorski, Distinguished Jurist, Upon His Retirement from the Appellate Division, Fourth Department, Supreme Court of the State of New York
LORIGO	Honoring Mary Feldmann for Being Named Chamber Member of the Year by the West Seneca Chamber of Commerce
LORIGO	Honoring Colleen Christmann for Being Named Educator of the Year by the West Seneca Chamber of Commerce

LORIGO	Honoring West Seneca C.E.R.T. for Being Named Community Service Organization of the Year by the West Seneca Chamber of Commerce
LORIGO	Honoring James Manley for Being Named Citizen of the Year by the West Seneca Chamber of Commerce
LORIGO	Honoring Financial Trust Federal Credit Union for Being Named Business of the Year by the West Seneca Chamber of Commerce
HARDWICK	Honoring Linda Foels on Her Retirement as Parks & Recreation Director for the City of Tonawanda
HARDWICK	Honoring Jesse Lalka for His Accomplishments on the Basketball Court at Tonawanda High School
HARDWICK	Honoring Timothy A. Ball on His Appointment as City of Buffalo Corporation Counsel
DIXON	Remembering & Honoring the Life of Henry "Hank" Pirowski
MILLS, HARDWICK, RATH, DIXON & LORIGO	Thanking Congresswoman Gabrielle Giffords for Her Service to this Country & Wishing Her a Full Recovery

LOCAL LAWS:

REFERENCE:

LL INT. 7-1 10/13/2011	WALTER & RATH	A LL to Prohibit Cyber-Bullying in EC	Public Safety
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. 10-1 11/23/2011	RATH	A LL to Prohibit Cyber-Bullying in EC	Public Safety
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

COMMITTEE REPORTS:

REPORT NO. 2 HEALTH & HUMAN SERVICES COMMITTEE

REPORT NO. 2 COMMUNITY ENRICHMENT COMMITTEE

REPORT NO. 2 ENERGY & ENVIRONMENT COMMITTEE

REPORT NO. 2 FINANCE & MANAGEMENT COMMITTEE

REPORT NO. 2 PUBLIC SAFETY COMMITTEE

REPORT NO. 2 GOVERNMENT AFFAIRS COMMITTEE

REPORT NO. 2 ECONOMIC DEVELOPMENT COMMITTEE

LEGISLATOR RESOLUTIONS:

REFERENCE:

INTRO 3-1	GRANT	Inclusion of Viable Agricultural Lands into an Agricultural District - 2011
INTRO 3-2	GRANT	Appointments to the EC Audit Committee
INTRO 3-3	GRANT	Appointment to the EC Audit Committee
INTRO 3-4	McCRACKEN	Opposition to Any State Legislative Action that Would Result in Three Primaries in New York State in 2012
INTRO 3-5	MAZUR	Re-Appointment to the EC Fisheries Advisory Board
INTRO 3-6	GRANT	Authorization of Discontinuance of Suit Without Costs
INTRO 3-7	GRANT	Authorization of Discontinuance of Suit Without Costs
INTRO 3-8	GRANT, MAZUR & MILLS	EC Soil & Water Conservation District Board of Directors
INTRO 3-9	GRANT	Establishing the EC Legislature's Citizen of the Month Award
INTRO 3-10	GRANT	Appointment to the EC Agricultural & Farmland Protection Board
INTRO 3-11	GRANT, MAZUR, HOGUES, MARINELLI, LOUGHRAN & McCRACKEN	Filling Vacancy in the Office of EC Comptroller
INTRO 3-12	LORIGO, MILLS, HARDWICK, RATH & DIXON	Re-Designating & Appropriating \$7.5 Million to ECC
INTRO 3-13	GRANT, MAZUR, HOGUES, LOUGHRAN & McCRACKEN	Calling for an Independent, Non-Partisan Redistricting Commission in NYS

INTRO 3-14	GRANT, MAZUR, HOGUES, LOUGHRAN & McCRACKEN	Conveying Support for Mandate Relief through the Timely & Effective Imposition of a Phased-In Hard Cap in Medicaid Local Share
INTRO 3-15	GRANT, MAZUR, MILLS, HOGUES, HARDWICK, LOUGHRAN, RATH, McCRACKEN, DIXON & LORIGO	Encouraging EC Homeowners to Test Their Homes for Radon Gas

COMMUNICATIONS DISCHARGED FROM COMMITTEE:

SUSPENSION OF THE RULES:

<u>COMMUNICATIONS FROM ELECTED OFFICIALS:</u>			<u>REFERENCE:</u>
COMM. 3E-1	SHERIFF	Letter to Chair Grant Concerning Designation of the Official Doctor for the EC Holding Center & the EC Correctional Facility	Public Safety
COMM. 3E-2	SHERIFF	Retraction of Letter Concerning Designation of the Official Doctor for the EC Holding Center & the EC Correctional Facility	Public Safety
COMM. 3E-3	GRANT	Lease Agreement for Legislative Office Space	
COMM. 3E-4	GRANT	2012 Schedule of Legislative Sessions - Invocation & Pledge Schedule	RFP
COMM. 3E-5	RATH	Letter to Chair Concerning the Process for Filling the Vacancy of EC Comptroller	R&F
COMM. 3E-6	RATH	Recommendation of David Shenk for Comptroller	R&F
COMM. 3E-7	MARINELLI	Letter Concerning Need for a Rational System of Dispensing Controlled Substances in NYS	Health & Human Services
COMM. 3E-8	COUNTY EXECUTIVE	Letter to President Quinn Concerning ECC North Campus Health Science Building	Community Enrichment
COMM. 3E-9	COUNTY EXECUTIVE	Letter to President & CEO of Buffalo & EC Botanical Gardens Society Concerning Operational Funding	Community Enrichment
COMM. 3E-10	DIXON	Copy of Responses Regarding Comptroller Qualifications	R&F
COMM. 3E-11	COUNTY EXECUTIVE	Appointments to ECSD No. 5 Board of Managers	Energy & Environment
COMM. 3E-12	COUNTY EXECUTIVE	Appointments to ECSD No. 3 Board of Managers	Energy & Environment
COMM. 3E-13	COUNTY EXECUTIVE	Appointments to ECSD No. 1 Board of Managers	Energy & Environment
COMM. 3E-14	COUNTY EXECUTIVE	Appointment/Reappointment to the EC Board of Health	Health & Human Services
COMM. 3E-15	COUNTY EXECUTIVE	Division of Public Health Laboratories & Environmental Health Programs - Creation of Part-Time Position	Health & Human Services
COMM. 3E-16	COUNTY EXECUTIVE	Goodwill Industries - Employment Services Contract	Health & Human Services

COMM. 3E-17	COUNTY EXECUTIVE	Authorization to Contract with People Inc. for Provision of Chore Services	Health & Human Services
COMM. 3E-18	COUNTY EXECUTIVE	Designation of Jail Physician for the EC Holding Center & Correctional Facility	Public Safety
COMM. 3E-19	COUNTY EXECUTIVE	Handicapped Parking Education Fund	
COMM. 3E-20	COUNTY EXECUTIVE	Appointments to ECSD No. 6 Board of Managers	Energy & Environment
COMM. 3E-21	COUNTY EXECUTIVE	Appointments to ECSD No. 8 Board of Managers	Energy & Environment
COMM. 3E-22	COUNTY EXECUTIVE	EC Holding Center - Second Floor Reception Housing Units	
COMM. 3E-23	COUNTY EXECUTIVE	OPEN/ITEM PLACEHOLDER - Land Bank Authorization	Government Affairs
COMM. 3E-24	DISTRICT ATTORNEY	Case Management System Upgrade	
COMM. 3E-25	SHERIFF	Asset Forfeiture Funded Program SAFS	

COMMUNICATIONS FROM THE DEPARTMENTS:

REFERENCE:

COMM. 3D-1	COUNTY ATTORNEY	Transmittal of New Claims Against EC	Government Affairs
COMM. 3D-2	COMPTROLLER'S OFFICE	Letter to Chair Concerning Appointment to the EC Audit Committee	R&F
COMM. 3D-3	COUNTY ATTORNEY	Notice of Claim	Government Affairs
COMM. 3D-4	COUNTY ATTORNEY	Designation in the Event of Vacancy, Absence or Inability	R&F
COMM. 3D-5	COUNTY ATTORNEY	Notice of Claim	Government Affairs
COMM. 3D-6	COUNTY ATTORNEY	Notice of Claim	Government Affairs
COMM. 3D-7	COMMISSIONER OF PUBLIC ADVOCACY & COMMISSIONER OF DPW	Letter to Legislature Concerning Outside Vendor/United Way Fundraiser	R&F
COMM. 3D-8	DEPARTMENT OF ENVIRONMENT & PLANNING	Black Rock Canal Park Improvements	Energy & Environment

COMM. 3D-9	COUNTY ATTORNEY	Transmittal of New Claims Against EC	Government Affairs
<u>COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES:</u>			<u>REFERENCE:</u>
COMM. 3M-1	ECC	Fiscal Year 2011-12 Revenues & Expenditures - Key Item Report	Community Enrichment
COMM. 3M-2	ECC	Fiscal Year 2010-11 Revenues & Expenditures - Key Item Report	Community Enrichment
COMM. 3M-3	EL MUSEO	2012 Cultural Organization Data Response Sheet	Community Enrichment
COMM. 3M-4	NFTA	Copies of the 17A Report & Capital Expenditure Reports for the Third Quarter of Fiscal Year	Economic Development
COMM. 3M-5	NFTA	Minutes of Meeting Held 12/19/11	Economic Development
COMM. 3M-6	LANCASTER OPERA HOUSE	2012 Cultural Organization Data Response Sheet	Community Enrichment
COMM. 3M-7	NYSDEC	Notice of Deletion of Site from Registry: Tiff Farm Nature Preserve	Energy & Environment
COMM. 3M-8	YOUNG CITIZENS FOR ECC	Copy of Letter to Governor Cuomo Concerning Health Science Building at ECC	Community Enrichment
COMM. 3M-9	BUFFALO ZOO	2012 Budget Accountability Act Submission	Community Enrichment
COMM. 3M-10	ROYCROFT CAMPUS CORPORATION	2012 Cultural Organization Data Response Sheet	Community Enrichment
COMM. 3M-11	CEPA GALLERY	2012 Budget Accountability Act Submission	Community Enrichment
COMM. 3M-12	CEPA GALLERY	2012 Cultural Organization Data Response Sheet	Community Enrichment
COMM. 3M-13	EC WATER AUTHORITY	Copy of Financial Report for the Years Ended 12/31/2011 & 2010	Energy & Environment
COMM. 3M-14	BUFFALO ARTS STUDIO	2012 Cultural Organization Data Response Sheet	Community Enrichment
COMM. 3M-15	CORNELL COOPERATIVE EXTENSION	2012 Cultural Organization Data Response Sheet	Community Enrichment
COMM. 3M-16	EC SOIL & WATER CONSERVATION DISTRICT	2012 Budget Accountability Act Submission	Community Enrichment

COMM. 3M-17	ASSIGNED COUNSEL PROGRAM	Copy of Financial Report for Period 7/1/11 - 12/31/11	Government Affairs
COMM. 3M-18	ASSIGNED COUNSEL PROGRAM	Copy of Quarterly Report for the 4th Quarter of 2011	Government Affairs
COMM. 3M-19	SPRINGVILLE CENTER FOR THE ARTS, INC.	2012 Cultural Organization Data Response Sheet	Community Enrichment
COMM. 3M-20	THE BUFFALO FINE ARTS ACADEMY/ ALBRIGHT KNOX ART GALLERY	2012 Cultural Organization Data Response Sheet	Community Enrichment
COMM. 3M-21	BUFFALO INNER CITY BALLET	2012 Cultural Organization Data Response Sheet	Community Enrichment
COMM. 3M-22	BUFFALO OLMSTED PARKS CONSERVANCY	2012 Cultural Organization Data Response Sheet	Community Enrichment
COMM. 3M-23	BUFFALO PHILHARMONIC CHORUS	2012 Cultural Organization Data Response Sheet	Community Enrichment
COMM. 3M-24	COMMUNITY MUSIC SCHOOL OF BUFFALO	2012 Cultural Organization Data Response Sheet	Community Enrichment
COMM. 3M-25	FOLKLORIC PRODUCTIONS DANCE CO INC.	2012 Cultural Organization Data Response Sheet	Community Enrichment
COMM. 3M-26	DAVID J. SHENK	Resume Submission to Fill Interim Comptroller Position	R&F
COMM. 3M-27	DANIEL J. WARD	Resume Submission to Fill Interim Comptroller Position	R&F
COMM. 3M-28	GEORGE F. HASIOTIS	Resume Submission to Fill Interim Comptroller Position	R&F
COMM. 3M-29	RICHARD C. PAWARSKI	Resume Submission to Fill Interim Comptroller Position	R&F
COMM. 3M-30	JOHN MALLOY	E-Mail Transmission Concerning the Citizen Search Committee's Choice for Interim Comptroller	RFP
COMM. 3M-31	NYS DEPARTMENT OF HEALTH	Letter to Clerk of Legislature Concerning VA WNY Healthcare System	Health & Human Services
COMM. 3M-32	SHAKESPEARE IN DELAWARE PARK	2012 Budget Accountability Act Submission	Community Enrichment
COMM. 3M-33	JUST BUFFALO LITERARY CENTER	2012 Budget Accountability Act Submission	Community Enrichment
COMM. 3M-34	ROAD LESS TRAVELED PRODUCTIONS	2012 Cultural Organization Data Response Sheet	Community Enrichment

COMM. 3M-35	IRISH CLASSICAL THEATRE COMPANY	2012 Cultural Organization Data Response Sheet	Community Enrichment
COMM. 3M-36	BUFFALO & EC HISTORICAL SOCIETY	2012 Cultural Organization Data Response Sheet	Community Enrichment
COMM. 3M-37	THEODORE ROOSEVELT INAUGURAL SITE	2012 Cultural Organization Data Response Sheet	Community Enrichment
COMM. 3M-38	AMERICAN LEGION BAND OF THE TONAWANDAS, INC.	2012 Cultural Organization Data Response Sheet	Community Enrichment
COMM. 3M-39	JEREMY A. COLBY	Letter to Chair of the Legislature Concerning Salary Structure of the EC Attorney's Office	Government Affairs
COMM. 3M-40	VISIT BUFFALO NIAGARA	2012 Budget Accountability Act Submission	Community Enrichment
COMM. 3M-41	BUFFALO NIAGARA CONVENTION CENTER MANAGEMENT CORPORATION	2012 Budget Accountability Act Submission	Community Enrichment
COMM. 3M-42	EC AUDIT COMMITTEE	Copy of Annual Report for the Year Ended 12/31/2010	Finance & Management
COMM. 3M-43	AFRICAN AMERICAN CULTURAL CENTER, INC.	2012 Cultural Organization Data Response Sheet	Community Enrichment
COMM. 3M-44	NYSDEC	Fact Sheet: Draft Remedial Investigation Work Plan Available for Public Comment - 300 Ohio Street Site, Buffalo, NY	Energy & Environment
COMM. 3M-45	MUSICALFARE THEATRE	2012 Budget Accountability Act Submission	Community Enrichment
COMM. 3M-46	LOCUST STREET NEIGHBORHOOD ART CLASSES, INC.	2012 Cultural Organization Data Response Sheet	Community Enrichment
COMM. 3M-47	ROAD LESS TRAVELED PRODUCTIONS	2012 Budget Accountability Act Submission	Community Enrichment
COMM. 3M-48	YOUNG AUDIENCES OF WNY	2012 Cultural Organization Data Response Sheet	Community Enrichment
COMM. 3M-49	VISIT BUFFALO NIAGARA	Copy of 4th Quarter Report for 2011	Community Enrichment
COMM. 3M-50	ECC	2012 Cultural Organization Data Response Sheet	Community Enrichment
COMM. 3M-51	HULL HOUSE FOUNDATION	Copy of Strategic Plan for 2011 - 2012	Community Enrichment

COMM. 3M-52	MUSICALFARE THEATRE	2012 Cultural Organization Data Response Sheet	Community Enrichment
COMM. 3M-53	CORNELL COOPERATIVE EXTENSION	2012 Budget Accountability Act Submission	Community Enrichment
COMM. 3M-54	BUFFALO & EC PUBLIC LIBRARY	Copy of Proposed Agenda for Meeting Held 2/16/2012	Community Enrichment

ANNOUNCEMENTS:

MEMORIAL RESOLUTIONS:

ADJOURNMENT: