

**ERIE COUNTY LEGISLATURE  
MEETING NO. 18  
OCTOBER 25, 2012**

The Legislature was called to order by Chair Grant.

All members present.

An Invocation was held, led by Mr. McCracken, who requested a moment of silence, in remembrance of those who lost their lives in conflicts overseas.

The Pledge of Allegiance was led by Mr. Hogues.

Item 1 – No tabled items.

Item 2 – No items for reconsideration from previous meeting.

Item 3 – MR. MAZUR moved for the approval of the minutes for Meeting Number 17 from 2012. MR. McCRACKEN seconded.

CARRIED UNANIMOUSLY.

Item 4 – No Public Hearings.

**MISCELLANEOUS RESOLUTIONS**

Item 5 – MR. HARDWICK presented a resolution Honoring Lawrence Deneff as the Chamber of Commerce of the Tonawandas' Citizen of the Year 2012.

Item 6 – MR. HARDWICK presented a resolution Honoring Claire Ermer For Her Accomplishments in the Dog Show Arena.

Item 7 – MR. HARDWICK presented a resolution Honoring Painters Plus Home Decorating, Inc. as the Chamber of Commerce of the Tonawandas' Business of the Year 2012.

Item 8 –MR. MILLS presented a resolution honoring Pioneer Cemetery, Town of Evans, Registered as National & State Historic Site.

Item 9 – MS. DIXON presented a resolution Honoring Hamburg Development Companies & Michael Barrett for Being Honored by the Hamburg Chamber of Commerce.

Item 10 – CHAIR GRANT, MR. MILLS and MS. MARINELLI presented a resolution Congratulating Visit Buffalo Niagara on Its Great Success in Hosting the 2012 Ontario Motor Coach Association Marketplace in Buffalo from October 20 - 24, 2012.

Item 11 – MS. DIXON presented a resolution Celebrating the 50th Anniversary of the Dudley Branch Library.

MR. MAZUR moved for consideration of the above seven items. MR. HOGUES seconded.

CARRIED UNANIMOUSLY.

MR. MAZUR moved to amend the above seven items by adding one for MS. MARINELLI, and by including Et Al Sponsorship. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

MR. MAZUR moved for approval of the above eight items as amended. MR. McCRACKEN seconded.

CARRIED UNANIMOUSLY.

### **LOCAL LAWS**

Item 12 – CHAIR GRANT directed that Local Law No. 8 (Print #1) 2011 remain on the table and in the ENERGY & ENVIRONMENT COMMITTEE.

GRANTED.

Item 13 – CHAIR GRANT directed that Local Law No. 11 (Print #1) 2011 remain on the table and in the PUBLIC SAFETY COMMITTEE.

GRANTED.

Item 14 – CHAIR GRANT directed that Local Law No. 1 (Print #1) 2012 remain on the table and in the ENERGY & ENVIRONMENT COMMITTEE.

GRANTED.

Item 15 – CHAIR GRANT directed that Local Law No. 3 (Print #1) 2012 remain on the table and in the COMMUNITY ENRICHMENT COMMITTEE.

GRANTED.

### **COMMITTEE REPORTS**

Item 16 – MR. MAZUR presented the following report and moved for immediate consideration and approval. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 231

October 16, 2012	HEALTH & HUMAN SERVICES COMMITTEE REPORT NO. 13
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ALL MEMBERS PRESENT.

1. RESOLVED, the following item is hereby received and filed:
  - a. COMM. 17M-1 (2012)  
PRESIDENT, EC BOARD OF HEALTH: "Letter to Legislature Concerning Board of Health Meeting to be Held 10/16/2012"  
(5-0)
2. COMM. 17E-5 (2012)  
COUNTY EXECUTIVE  
WHEREAS, the Medical Examiner's Forensic Toxicology laboratory is tasked with performing analytical testing of blood and urine for the presence of prescription and non-prescription drugs and to determine their concentration; and

WHEREAS, these samples are submitted to the Medical Examiner's laboratory by law enforcement agencies when a person is apprehended for driving while impaired by alcohol and/or drugs; and

WHEREAS, testing for drugs requires the laboratory to use certified reference materials purchased from reliable sources to perform this work; and

WHEREAS, this certified reference material is very expensive as the cost to manufacture and certify the identity and purity is very high; and

WHEREAS, the Medical Examiner's Division has been awarded a grant in the amount of \$15,000 to participate in the New York State Department of Motor Vehicles Highway Safety Program whose goal is to reduce the number of crashes, injuries and deaths on New York State's roads; and

WHEREAS, funding will be used for the purchase of certified reference material.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Executive is hereby authorized to accept a grant award in the amount of \$15,000 from the New York State Department of Motor Vehicles Highway Safety Program to be budgeted as follows:

New York State Department of Motor Vehicles  
HIGHWAY SAFETY GRANT 2013  
127DMVTOX1213  
10/1/12 – 9/30/13

<u>SAP</u>	<u>Description</u>	<u>Amount</u>
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	REVENUE	
409000	State Aid	<u>\$15,000</u>
	TOTAL	<u>\$15,000</u>
	EXPENSES	
505800	Medical Supplies	<u>\$15,000</u>
	TOTAL	<u>\$15,000</u>

and be it further

RESOLVED, that certified copies of this resolution will be forwarded to the Erie County Executive, the Office of the Comptroller, the Division of Budget and Management, the Department of Law and to Dr. Gale R. Burstein, Commissioner, in the Erie County Department of Health, 9th Floor, Rath Building.

(5-0)

3. COMM. 17E-10 (2012)  
COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Health's Division Health currently contracts for correctional nursing services; and

WHEREAS, Erie County requires the services of highly competent, certified LPNs and RNs to provide healthcare at the Erie County Holding Center and the Erie County Correctional Facility; and

WHEREAS, Supplemental Nursing has a proven record of providing affordable high quality contract nursing; and

WHEREAS, Supplemental Nursing has been certified as a Delaware corporation; and

WHEREAS, the hourly cost for an RN is \$52.00 and the hourly cost for an LPN is \$34.00; and

WHEREAS, funds are available in the Department of Health's Division of Health, Account 516020 Professional Service Contracts and Fees.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into a contract with Supplemental Health Care; and be it further

RESOLVED, that the term of this contract shall be October 15, 2012 through October 30, 2013 with funds coming from existing appropriations in account 516020 within the Health Department; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the County Executive, the Office of the Comptroller, the Division of Budget and Management, the Department of Law, and to Dr. Gale R. Burstein, Commissioner of Health.  
(5-0)

**THOMAS J. MAZUR**  
**CHAIR**

Item 17 – MS. MARINELLI presented the following report and moved for immediate consideration and approval. MR. MAZUR seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 232

October 16, 2012	COMMUNITY ENRICHMENT COMMITTEE REPORT NO. 11
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ALL MEMBERS PRESENT.  
CHAIR GRANT PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
  - a. COMM. 17M-3 (2012)  
WNY BOOK ARTS COLLABORATIVE: “Letter to Commissioner of Environment & Planning Concerning Capital Funding from 2011 - Receipts”  
(6-0)
  - b. COMM. 17M-4 (2012)  
AMHERST SYMPHONY ORCHESTRA ASSOCIATION: “Letter to Legislature Concerning 2012 Capital Funding”  
(6-0)
  - c. COMM. 17M-10 (2012)  
THEATRE OF YOUTH: “Letter to Clerk of Legislature Concerning Capital Funding from 2011 - Receipts”  
(6-0)
  - d. COMM. 17M-12 (2012)  
AFRICAN AMERICAN CULTURAL CENTER, INC.: “Letter to Clerk of Legislature Concerning Capital Funding from 2011 - Receipts”  
(6-0)
  - e. COMM. 17M-13 (2012)  
IRISH CLASSICAL THEATRE COMPANY: “Letter to Clerk of Legislature Concerning Capital Funding from 2011 - Receipts”  
(6-0)

- f. COMM. 17M-14 (2012)  
GRAYCLIFF CONSERVANCY, INC.: “Letter to Clerk of Legislature Concerning Capital Funding from 2011 - Receipts”  
(6-0)
- g. COMM. 17M-18 (2012)  
SHAKESPEARE IN DELAWARE PARK: “Letter to Clerk of Legislature Concerning Capital Funding from 2011 - Receipts”  
(6-0)

**LYNN M. MARINELLI  
CHAIR**

Item 18 – MR. MAZUR presented the following report and moved for immediate consideration and approval. MR. McCracken seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 233

October 16, 2012	GOVERNMENT AFFAIRS COMMITTEE REPORT NO. 11
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ALL MEMBERS PRESENT.  
CHAIR GRANT PRESENT AS EX-OFFICIO MEMBER.

- 1. RESOLVED, the following item is hereby received and filed:
  - a. COMM. 17D-1 (2012)  
COUNTY ATTORNEY: “Transmittal of New Claims Against EC”  
(6-0)
- 2. COMM. 17E-11 (2012)  
COUNTY EXECUTIVE

WHEREAS, the Department of Social Services is developing alternate applications for computer functions currently operated on the County UNISYS mainframe computer; and

WHEREAS, this mainframe computer requires that month-to-month licensing be paid to secure rights of access to this proprietary system; and

WHEREAS, due to complexity of programming, the software conversion has taken longer than was anticipated at the time of development of the 2012 budget, and an extension of licensing is needed through year end 2012; and

WHEREAS, this resolution authorizes a transfer from funds available in another account for the payment of licensing fees for the balance of the year; and

WHEREAS, there is no fiscal impact to this resolution.

NOW, THEREFORE, BE IT

RESOLVED, that the following changes are made in the 2012 budget:

Department of Social Services, Department 120, Fund 110

<u>ACCOUNT</u>	<u>DESCRIPTION</u>	<u>INCREASE/ (DECREASE)</u>
530000	Other Expenses	(\$15,000)
516030	Maintenance Contracts	<u>15,000</u>
Total Expenditure		<u>-0-</u>

and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the County Executive, the Commissioner of Social Services, the Erie County Comptroller and the Director of the Division of Budget and Management.

(6-0)

**THOMAS J. MAZUR  
CHAIR**

Item 19 – MR. LOUGHRAN presented the following report and moved for immediate consideration and approval. MR. HOGUES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 234

October 16, 2012	ECONOMIC DEVELOPMENT COMMITTEE REPORT NO. 11
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ALL MEMBERS PRESENT, EXCEPT LEGISLATORS HOGUES & RATH.  
CHAIR GRANT PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following item is hereby received and filed:
  - a. COMM. 17M-9 (2012)  
NFTA: “Minutes from Meeting Held 8/27/2012”  
(4-0)
2. COMM. 17E-4 (2012)

COUNTY EXECUTIVE

WHEREAS, your Honorable Body has previously authorized the County Executive to enter into a General Architectural/Engineering Services Agreement with Trautman Associates for providing professional design services on Erie County projects; and

WHEREAS, the existing highway maintenance building at the Department of Public Works' Division of Highways district facility on Cemetery Road in Lancaster was demolished as part of a current bridge and road construction project on Cemetery Road and to maintain current facility operations, sanitary and site utility improvements are required; and

WHEREAS, Trautman Associates has the necessary expertise and manpower to provide professional design services for the utilities relocation.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to execute an Agreement Amendment with the firm of Trautman Associates for providing professional Architectural/Engineering Services for relocating the site utilities at the Erie County Lancaster Highway Facility for an amount not to exceed \$22,000.00; and be it further

RESOLVED, that the Comptroller's office be authorized to make payment for all the above from SAP Project Account B.11002.3 – Countywide Highway Facility Building Improvements for an amount not to exceed \$22,000.00; and be it further

RESOLVED, that two certified copies of this resolution be sent to the Department of Public Works, and one copy each to the Office of the County Executive, the Division of Budget and Management, and the Office of the Comptroller.

(4-0)

3. COMM. 17E-9 (2012)

COUNTY EXECUTIVE

WHEREAS, the Federal Aid Bridge Painting Project, Four (4) Bridges, BINs 3326850, 3327860, 3328110, and 3328430, in the Towns of Alden, Evans, Aurora, and Concord, in Erie County, PIN 5760.27 (the Project) is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal funds and 20% Non-Federal funds; and

WHEREAS, the County of Erie desires to advance the Project by making a commitment of 100% of the Non-Federal share of the costs of the Preliminary Engineering (Design I-VI) phase of the project, PIN 5760.27; and

WHEREAS, the total Project is \$50,000 and the County is required to provide the local share portion for the Project in the amount of \$10,000; and

WHEREAS, a contract must be negotiated with LiRo Engineers, of Buffalo, New York, for engineering design services.

NOW, THEREFORE, BE IT



RESOLVED, that the Erie County Legislature hereby approves the Department of Public Works' Federal aid bridge painting project; and be it further

RESOLVED, that the County Legislature hereby authorizes the County to pay in the first instance 100% of the Federal and Non-Federal shares of the cost of the Preliminary Engineering (Design I-VI) phase of the Project or portions thereof; and be it further

RESOLVED, that the Project Fund B.20909, 2009 Bridge Painting Design Program, fund center 123, fund 420, be increased by the anticipated Federal revenue in the amount of \$40,000 as follows:

		CURRENT	INCREASE/ DECREASE	REVISED
REVENUES		BUDGET		BUDGET
Account	Description			
414000	Federal Aid	\$40,000	\$40,000	\$80,000
475000	Gen Oblig Bond Proc	<u>\$24,484</u>	<u>\$0</u>	<u>\$24,484</u>
TOTAL REVENUES		<u>\$64,484</u>	<u>\$40,000</u>	<u>\$104,484</u>
APPROPRIATIONS				
Capital Projects	Capital Project Exp	<u>\$64,484</u>	<u>\$40,000</u>	<u>\$104,484</u>
TOTAL APPROPRIATIONS		<u>\$64,484</u>	<u>\$40,000</u>	<u>\$104,484</u>

and be it further

RESOLVED, that the estimated total sum of the design phase of the Project, \$50,000, is hereby appropriated from B.20909.2, 2009 Bridge Painting Design Program and made available to cover the cost of participation in the above phase of the Project; and be it further

RESOLVED, that in the event the amount required to pay in the first instance 100% of the Federal and Non-Federal shares of the cost of the projects' Preliminary Engineering (Design I-VI) phase exceeds \$50,000 the County of Erie shall convene its Legislature as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof; and be it further

RESOLVED, that the County Executive of the County of Erie is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid on behalf of the County of Erie, (subject to the County Attorney's approval as to form and content), with the New York State Department of Transportation in connection with the advancement or approval of the project identified in the State/Local Agreement; and providing for the administration

of the Project and the Municipality's first instance funding of project costs and permanent funding of the local share of Federal Aid eligible Project costs and all Project costs within appropriations therefor that are not so eligible; and be it further

RESOLVED, that the County Executive be authorized to execute a negotiated contract in an amount not to exceed the allowable project design amount between the County and project engineers LiRo Engineers of Buffalo, New York, to provide design services for the Federal Aid Bridge Painting Project; and be it further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation, by attaching it to any necessary Agreement in connection with the Project; and be it further

RESOLVED, that ten (10) certified copies of this resolution be forwarded 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, the Office of the County Attorney, and the Office of the Comptroller.

(4-0)

**THOMAS A. LOUGHRAN  
CHAIR**

Item 20 – MR. MAZUR presented the following report and moved for immediate consideration and approval. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 235

October 16, 2012	MINORITY & WOMEN BUSINESS ENTERPRISE COMMITTEE REPORT NO. 6
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ALL MEMBERS PRESENT, EXCEPT LEGISLATORS MILLS & DIXON.

1. RESOLVED, the following item is hereby received and filed:
  - a. COMM. 17E-13 (2012)  
COUNTY EXECUTIVE: "Appointments to the MBE/WBE Utilization Advisory Board"  
(3-0)

**BETTY JEAN GRANT  
CHAIR**

Item 21 – MR. McCracken presented the following report and moved for immediate consideration and approval. MR. MAZUR seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 236

October 18, 2012	ENERGY & ENVIRONMENT COMMITTEE REPORT NO. 12
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ALL MEMBERS PRESENT.

1. RESOLVED, the following items are hereby received and filed:
  - a. COMM. 17E-12 (2012)  
COUNTY EXECUTIVE: “ECSD No. 2 - Engineer Term Contract Agreement - DiDonato Associates”  
(5-0)
  - b. COMM. 17M-2 (2012)  
BUILDING SUSTAINABLE COMMUNITIES: “Agenda for Meeting Held 9/26/2012”  
(5-0)

2. INTRO 15-2 (2012)  
LORIGO & RATH

WHEREAS, Erie County affirms its commitment to environmental stewardship and the protection of our natural resources, and recognizes the need to harmonize municipal programs and services with the legislative intent and objectives of the Clean Water Act (CWA); and

WHEREAS, the CWA was not intended to protect ditches and other channels through which water flows intermittently nor was it intended to capture seeps, wet areas, isolated man-made ponds and other structures not currently subject to the CWA; and

WHEREAS, the Environmental Protection and Agency (EPA) and the United States Corps of Engineers (Corps) have developed draft guidance on Identifying Waters Protected by the Clean Water Act (draft guidance) to clarify the EPA and Corps’ understanding and definition of the CWA that will inform all of EPA’s regulatory programs and policy actions; and

WHEREAS, this draft guidance creates uncertainty, confusion and would now capture a significant number of public works activities and transportation infrastructure that will now be subject to the CWA and its costly and time-consuming permitting and regulatory protocols; and

WHEREAS, the draft guidance greatly expands the number of projects subject to jurisdictional determination or CWA permitting which do not currently require such oversight at great expense to the taxpayers of Erie County with little, if any, environmental benefit while diverting scarce resources from other programs that do provide environmental protection and conservation benefits; and

WHEREAS, the financial impact of the draft guidance to Erie County will be significant, raising the cost of roadside ditch projects and ongoing maintenance to Erie County citizens due to the need for jurisdictional determinations by the Corps or CWA permitting; and

WHEREAS, Erie County believes that it is improper to so significantly change the scope of the Clean Water Act without legislative authorization by the U.S. Congress or through the formal rulemaking process to allow public and stakeholder comments on this critically important and complex issue.

NOW, THEREFORE, BE IT

RESOLVED, the Erie County Legislature urges the EPA and the Corps to withdraw the draft CWA guidance immediately and work collaboratively with states and local governments to enforce the current scope of the CWA while respecting the authority of state and local governments in ensuring the protection of our water resources; and be it further

RESOLVED, that the Erie County Legislature supports federal legislation consistent with the above recommendations and urges its Congressional and State representatives to intercede with EPA and request that EPA report to them on their response and adaptations regarding the aforementioned concerns; and be it further

RESOLVED, that copies of this resolution be forwarded to the local delegation of the United States Congress, the local delegation of the New York State Legislature, Governor Andrew Cuomo and Commissioner of Environment and Planning Maria Whyte.  
(5-0)

**TERRENCE D. McCracken  
CHAIR**

Item 22 – MR. HOGUES presented the following report and moved for immediate consideration and approval. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 237

October 18, 2012	PUBLIC SAFETY COMMITTEE REPORT NO. 11
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ALL MEMBERS PRESENT, EXCEPT LEGISLATOR RATH.  
CHAIR GRANT PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following item is hereby received and filed:
  - a. COMM. 17M-7 (2012)  
EC COMMUNITY CORRECTIONS ADVISORY BOARD: “Copy of Letter to Acting Superintendent of the EC Corrections Facilities Concerning Questions Regarding Inmate Suicide”  
(5-0)
2. COMM. 17E-8 (2012)

COUNTY EXECUTIVE AS AMENDED

WHEREAS, the Department of Homeland Security has agreed to provide funding in the amount of \$135,935 in federal assistance to be utilized to acquire the Wescam Camera System for the Erie County Sheriff's Office Air Support Unit to improve areas of concern along the Port of Buffalo; and

WHEREAS, authorization is required from the Erie County Legislature for the County Executive to enter into a contract and accept \$135,935 in federal resources to provide funding for the purchase of this camera system to enhance the ability of Air One to provide a tactical advantage in dealing with security/surveillance missions, detecting IEDs, catastrophic events and terrorist attacks.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize the County Executive to enter into contract with the Department of Homeland Security to receive \$135,935 in grant funding for the Department of Emergency Services; and be it further

RESOLVED, that said funds will be utilized to enhance the ability of Erie County to manage emergency and disaster situations; and be it further

RESOLVED, that authorization is hereby provided to the Division of Budget and Management to establish funding in the Grant Fund 281, as follows:

Erie County Department of Emergency Services  
FY 2012 Port Security Grant Program

Revenue	Increase
Account 414000 Federal Aid	\$ 135,935
Appropriations	Increase
Account 561410 Equipment (Lab & Tech)	<u>\$ 135,935</u>
Total Appropriations	\$ 135,935

and be it further

RESOLVED, that the Director of Budget and Management is hereby authorized to establish and adjust budgets as required to comply with federal approved funding levels; and be it further

RESOLVED, that certified copies of this resolution be sent to the County Executive's Office, the Division of Budget and Management, the Department of Emergency Services c/o Melissa Calhoun, the County Comptroller, and the County Attorney.  
(5-0)

3. COMM. 17D-4 (2012)  
COMMISSIONER OF HEALTH

RESOLVED, the Erie County Legislature hereby confirms the appointment of the following individual to the EC Community Corrections Advisory Board, to complete an unexpired term through 2/15/2015.

David Marciniak  
Edward Rath Bldg.  
95 Franklin St.  
Buffalo, NY 14202

(5-0)

**TIMOTHY R. HOGUES**  
**CHAIR**

Item 23 – MR. HOGUES presented the following report and moved for immediate consideration and approval. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 238

October 18, 2012	FINANCE & MANAGEMENT COMMITTEE REPORT NO. 11
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ALL MEMBERS PRESENT, EXCEPT LEGISLATOR HARDWICK.  
CHAIR GRANT PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
  - a. COMM. 17E-1 (2012)  
COMPTROLLER: “Letter of Response Concerning 2012 Capital Borrowing - Proceeds & Costs of Issuance”  
(5-0)
  - b. COMM. 17E-2 (2012)  
COMPTROLLER: “Copy of Apportionment & Distribution of the Net Collections from the Local 4.75% Sales & Compensating Use Tax for EC for the Months of June, July & August 2012”  
(5-0)
  - c. COMM. 17D-2 (2012)  
DIRECTOR OF BUDGET & MANAGEMENT: “Budget Monitoring Report for the Period Ending August 2012”  
(5-0)
2. COMM. 1D-7 (2012)  
EC REAL PROPERTY TAX SERVICES AS AMENDED

WHEREAS, the Erie County Director of Real Property Tax Services has received applications for corrected tax billings and /or refunds for taxes previously paid in accordance with New York State Real Property Tax Law sections 554 and 556; and

WHEREAS, the Director has investigated the validity of such applications (see attached listing).

NOW, THEREFORE, BE IT

RESOLVED, that petitions numbered 212229 through 212252, inclusive be hereby approved or denied based upon the recommendation of the Director of Real Property Tax Services and be charged back to the applicable towns and/or cities.

FISCAL YEAR 2012                      Petition No.                      212,229.00

ASSESSOR                      Cancel                      \$2,398.97

S-B-L 182.15-13-22                      144889 HAMBURG

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$2,398.97	Town/SpecialDist/School
<u>Charge To :</u>	144889 HAMBURG	\$2,398.97	
	Relevy School	\$2,398.97	144801 HAMBURG CENTRAL

RPTL 550(2): INCORRECT ASSESSED VALUE APPLIED TO THE TAX ROLL  
NEW TAX BILL TO BE ISSUED TO: COUNTRY MEADOWS LLC

FISCAL YEAR 2012                      Petition No.                      212,230.00

ASSESSOR                      Cancel                      \$2,398.97

S-B-L 182.15-13-21                      144889 HAMBURG

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$2,398.97	Town/SpecialDist/School
<u>Charge To :</u>	144889 HAMBURG	\$2,398.97	
	Relevy School	\$2,398.97	144801 HAMBURG CENTRAL

RPTL 550(2): INCORRECT ASSESSED VALUE APPLIED TO THE TAX ROLL  
NEW TAX BILL TO BE ISSUED TO: COUNTRY MEADOWS LLC

FISCAL YEAR 2012                      Petition No.                      212,231.00

ASSESSOR                      Cancel                      \$1,088.70

S-B-L 47.20-1-7.1                      145689 NEWSTEAD

Acct. No. 112                      \$0.00      County

Charge To : Acct. No. 132 \$1,088.70 Town/SpecialDist/School  
145689 NEWSTEAD \$1,088.70  
Relevy School \$1,088.70 145601 AKRON CENTRAL

RPTL 550(2): FAILED TO APPLY AN AGED EXEMPTION  
NEW TAX BILL TO BE ISSUED TO: SHIRLEY STANLEY

FISCAL YEAR 2012 Petition No. 212,232.00  
ASSESSOR Cancel \$6,896.92

S-B-L 33.00-2-38.11 145689 NEWSTEAD

Charge To : Acct. No. 112 \$0.00 County  
Acct. No. 132 \$6,896.92 Town/SpecialDist/School  
145689 NEWSTEAD \$6,896.92  
Relevy School \$6,896.92 145601 AKRON CENTRAL

RPTL 550(2): FAILED TO APPLY A GREEN HOUSE EXEMPTION  
NEW TAX BILL TO BE ISSUED TO: STEVEN & MARYJO BEDFORD

FISCAL YEAR 2012 Petition No. 212,233.00  
ASSESSOR Cancel \$34.00

S-B-L 47.49-1-65 145689 NEWSTEAD

Charge To : Acct. No. 112 \$0.00 County  
Acct. No. 132 \$34.00 Town/SpecialDist/School  
145689 NEWSTEAD \$34.00  
Relevy School \$34.00 145601 AKRON CENTRAL

RPTL 550(2): PROPERTY IS TOWN OWNED

FISCAL YEAR 2012 Petition No. 212,234.00  
ASSESSOR Cancel \$856.27

S-B-L 166.04-1-5 146600 WALES

Charge To : Acct. No. 112 \$0.00 County  
Acct. No. 132 \$856.27 Town/SpecialDist/School  
146600 WALES \$856.27  
Relevy School \$856.27 144201 IROQUOIS CENTRAL

RPTL 550(2): FAILED TO APPLY A RELIGIOUS EXEMPTION  
NEW TAX BILL TO BE ISSUED TO: WALES CENTER COMMUNITY BAPTIST CHURCH



FISCAL YEAR 2012                      Petition No.                      212,235.00

                                 ASSESSOR                      Cancel                      \$1,105.00

S-B-L 254.00-3-14.11                      144000 EDEN

<u>Charge To :</u>	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$1,105.00	Town/SpecialDist/School
	144000 EDEN		\$1,105.00
	Relevy School	\$1,105.00	144001 EDEN CENTRAL

RPTL 550(2): FAILED TO APPLY A ENHANCED STAR EXEMPTION  
NEW TAX BILL TO BE ISSUED TO: JIMMY L THOMAS & KRISTIN H KENT

FISCAL YEAR 2012                      Petition No.                      212,236.00

                                 ASSESSOR                      Cancel                      \$551.00

S-B-L 223.18-1-39                      144000 EDEN

<u>Charge To :</u>	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$551.00	Town/SpecialDist/School
	144000 EDEN		\$551.00
	Relevy School	\$551.00	144001 EDEN CENTRAL

RPTL 550(2): FAILED TO APPLY A BASIC STAR EXEMPTION  
NEW TAX BILL TO BE ISSUED TO: GENEVIEVE HERZOG LIFE ESTATE

FISCAL YEAR 2012                      Petition No.                      212,237.00

                                 ASSESSOR                      Cancel                      \$3,396.23

S-B-L 224.00-2-31.2                      144000 EDEN

<u>Charge To :</u>	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$3,396.23	Town/SpecialDist/School
	144000 EDEN		\$3,396.23
	Relevy School	\$3,396.23	144001 EDEN CENTRAL

RPTL 550(2): INCORRECT ASSESSED VALUE APPLIED TO THE TAX ROLL  
NEW TAX BILL TO BE ISSUED TO: NATHAN T. & DARLENE L MALL

FISCAL YEAR 2012                      Petition No.                      212,238.00

                                 ASSESSOR                      Cancel                      \$166.80

S-B-L 208.00-3-10.1                      144000 EDEN

<u>Charge To :</u>	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$166.80	Town/SpecialDist/School
	144000 EDEN		\$166.80
	Relevy School	\$166.80	144001 EDEN CENTRAL

RPTL 550(2): INCORRECT ASSESSED VALUE APPLIED TO THE TAX ROLL  
NEW TAX BILL TO BE ISSUED TO: JOHN A. & DOROTHY M. BAUER

FISCAL YEAR 2012                      Petition No.                      212,239.00

ASSESSOR                      Cancel                      \$551.00

S-B-L 210.05-2-10    144000 EDEN

<u>Charge To :</u>	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$551.00	Town/SpecialDist/School
	144000 EDEN		\$551.00
	Relevy School	\$551.00	144001 EDEN CENTRAL

RPTL 550(2): FAILED TO APPLY A BASIC STAR EXEMPTION  
NEW TAX BILL TO BE ISSUED TO: RICHARD KRUGER

FISCAL YEAR 2012                      Petition No.                      212,240.00

ASSESSOR                      Cancel                      \$369.60

S-B-L 55.16-3-7.1/854    142289 AMHERST

<u>Charge To :</u>	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$369.60	Town/SpecialDist/School
	142289 AMHERST		\$369.60
	Relevy School	\$369.60	142203 WILLIAMSVILLE CENT

RPTL 550(2): FAILED TO APPLY A ENHANCED STAR EXEMPTION  
NEW TAX BILL TO BE ISSUED TO: MARCIA NASCA

FISCAL YEAR 2012                      Petition No.                      212,241.00

ASSESSOR                      Cancel                      \$548.00

S-B-L 56.20-4-3    142289 AMHERST

<u>Charge To :</u>	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$548.00	Town/SpecialDist/School
	142289 AMHERST		\$548.00
	Relevy School	\$548.00	142203 WILLIAMSVILLE CENT

RPTL 550(2): FAILED TO APPLY A BASIC STAR EXEMPTION



S-B-L 55.08-10-3

142289 AMHERST

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$1,123.14	Town/SpecialDist/School
<u>Charge To :</u>	142289 AMHERST	\$1,123.14	
	Relevy School	\$1,123.14	142203 WILLIAMSVILLE CENT

RPTL 550(2): FAILED TO APPLY A SENIOR EXEMPTION  
NEW TAX BILL TO BE ISSUED TO: ANCILLA M. KLAMUT

FISCAL YEAR	2012	Petition No.	212,246.00
	ASSESSOR	Cancel	\$829.00

S-B-L 40.68-1-36.11A

142289 AMHERST

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$829.00	Town/SpecialDist/School
<u>Charge To :</u>	142289 AMHERST	\$829.00	
	Relevy School	\$829.00	142207 SWEET HOME CENTRAL

RPTL 550(2): FAILED TO APPLY A ENHANCED STAR EXEMPTION  
NEW TAX BILL TO BE ISSUED TO: DENNIS VECCHIO

FISCAL YEAR	2012	Petition No.	212,247.00
	ASSESSOR	Cancel	\$199.40

S-B-L 108.00-2-12.111

142089 ALDEN

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$199.40	Town/SpecialDist/School
<u>Charge To :</u>	142089 ALDEN	\$199.40	
	Relevy School	\$199.40	142001 ALDEN CENTRAL

RPTL 550(2): INCORRECT ASSESSED VALUE APPLIED TO THE TAX ROLL  
NEW TAX BILL TO BE ISSUED TO: SAMUEL P. JR. & JANE GUIDA

FISCAL YEAR	2012	Petition No.	212,248.00
	ASSESSOR	Cancel	\$551.00

S-B-L 129.01-2-13.11

142089 ALDEN

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$551.00	Town/SpecialDist/School
<u>Charge To :</u>	142089 ALDEN	\$551.00	
	Relevy School	\$551.00	142001 ALDEN CENTRAL



S-B-L MULTIPLE

145689 NEWSTEAD

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$43,156.23	Town/SpecialDist/School
<u>Charge To :</u>	145689 NEWSTEAD	\$43,156.23	
	Relevy School	\$43,156.23	145601 AKRON CENTRAL

RPTL 550(2): FAILED TO APPLY A ENHANCED STAR EXEMPTION  
NEW TAX BILL TO BE ISSUED TO: MULTIPLE PROPERTY OWNERS

and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Director of Real Property Tax Services.  
(5-0)

3. COMM. 17E-7 (2012)  
COUNTY EXECUTIVE

WHEREAS, pursuant to Section 7-6.0 of the Erie County Tax Act, as well as specific direction of resolutions adopted by the Erie County Legislature in each of the past fifty -two (52) years, the County of Erie, each November, bids for and purchases every available Tax Certificate upon real estate for which current year real property taxes then remain unpaid; and

WHEREAS, the collection of delinquent real property taxes under this procedure has been satisfactory, potentially leading, absent redemption, to the commencement of an in rem tax foreclosure action against the affected properties by the County; and

WHEREAS, it is recommended that your Honorable Body direct the Director of Real Property Tax Services to bid and purchase for the County of Erie, its bid being preferred over all other offers, every 2012 Tax Certificate upon real estate for which current year real property taxes remain unpaid as of November 23, 2012, the scheduled tax sale date for 2011 Tax Certificates.

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Article VII of the Erie County Tax Act, the Director of Real Property Tax Services be, and hereby is, authorized to bid for and purchase, on behalf of the County of Erie, all Tax Certificates upon real estate in Erie County for which 2011 real property taxes have not been paid; and be it further

RESOLVED, that certified copies of this resolution be transmitted to the County Executive, Joseph L. Maciejewski, Director of Real Property Tax Services, the Director of Budget and Management, the County Comptroller and Assistant County Attorney Gregory Kammer.  
(5-0)

**TIMOTHY R. HOGUES  
CHAIR**

**LEGISLATOR RESOLUTIONS**

Item 24 – MR. MAZUR presented the following resolution and moved for immediate consideration and approval. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 239

RE: Re-Appointment of Commissioners of  
the EC Board of Elections  
(INTRO 19-1)

**A RESOLUTION TO BE SUBMITTED BY  
CHAIR GRANT, and LEGISLATORS MAZUR, MILLS, HOGUES, MARINELLI,  
HARDWICK, LOUGHRAN, RATH, McCRACKEN, DIXON & LORIGO**

WHEREAS, on October 3, 2012, pursuant to Election Law § 3-204 (2), the Erie County Democratic Committee filed with the Clerk of the Erie County Legislature a Certificate of Party Recommendation, recommending the appointment of Dennis E. Ward, residing at 210 Capen Blvd., Amherst, New York 14226 for appointment to the office of Democratic Commissioner of Elections for a full four-year term; and

WHEREAS, on October 5, 2012, pursuant to Election Law § 3-204 (2), the Erie County Republican Committee filed with the Clerk of the Erie County Legislature a Certificate of Party Recommendation, recommending the appointment of Ralph M. Mohr, residing at 5622 Broadway Street, Lancaster, New York 14086, for appointment to the office of Republican Commissioner of Elections for a full four-year term; and

WHEREAS, said appointments are to commence January 1, 2013.

NOW, THEREFORE, BE IT

RESOLVED, that in accordance with New York State Election Law, the Erie County Legislature hereby appoints Dennis E. Ward, residing at 210 Capen Blvd., Amherst, New York 14226, as Democratic Commissioner of Elections for a full four-year term commencing January 1, 2013; and be it further

RESOLVED, that in accordance with New York State Election Law, the Erie County Legislature hereby appoints Ralph M. Mohr, residing at 5622 Broadway Street, Lancaster, New York 14086, as Republican Commissioner of Elections for a full four-year term commencing January 1, 2013; and be it further

RESOLVED, that certified copies of this resolution be sent to the Commissioners of the Erie County Board of Elections; and pursuant to Election Law § 3-210, a certificate of appointment of Commissioners Dennis E. Ward and Ralph M. Mohr shall be filed in the Erie County Clerk's Office and the New York State Board of Elections.

**COMMUNICATIONS DISCHARGED FROM COMMITTEE**

None.

**SUSPENSION OF THE RULES**

Item 25 – MR. MAZUR moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 18E-20 from the COUNTY CLERK Re: Renewal of Software Maintenance Agreement - New Vision

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

Item 26 – MR. MAZUR moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

INTRO 18-2 from LEGISLATORS MILLS & McCracken Re: Appointment to the Grange Position on the Board of Directors for the EC Soil & Water Conservation District

MR. MAZUR moved for immediate consideration and approval. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 240

**A RESOLUTION TO BE SUBMITTED BY  
LEGISLATOR MILLS & McCracken**

WHEREAS, the Erie County Legislature has received notice that legislative action is warranted for appointment to the Erie County Soil and Water Conservation District Board of Directors; and

WHEREAS, the proper functioning of the Soil and Water Conservation District on behalf of and directly for the County of Erie is necessary for the operation of many services and programs; and

WHEREAS, pursuant to New York State Conservation District Law, of the seven-member District Board, two members are representatives of the County Legislature, one member represents the Grange, one member represents the Farm Bureau and three serve as At-Large Members; and



WHEREAS; in further accordance with New York State Law, the Erie County Legislature shall appoint members to the District Board, where presently the current District Board member representing the Pomona Grange has resigned; and

WHEREAS, the Erie County Pomona Grange held a regularly scheduled meeting and voted to recommend a replacement to represent the Grange.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby appoint Mr. David Mosher residing at 9155 Meadow Lane, Angola, NY 14006 to the Grange position on the Board of Directors for the Erie County Soil and Water Conservation District for a 3-year term; and be it further

RESOLVED, that the aforementioned appointment shall be effective immediately and shall expire on December 31, 2015; and be it further

RESOLVED, that certified copies of this resolution be sent to the Erie County Soil and Water Conservation District (50 Commerce Way, East Aurora, NY 14052) and Mr. David Mosher (9155 Meadow Lane, Angola, NY 14006).

**COMMUNICATIONS FROM ELECTED OFFICIALS**

**FROM THE COMPTROLLER**

Item 27 – (COMM. 18E-1) Review of Poloncarz Administration's 2013 Tentative Budget Revenue & Expense Projections

Received and referred to the FINANCE & MANAGEMENT/BUDGET COMMITTEE.

Item 28 – (COMM. 18E-2) Finalized Certificate of Determination by the County Comptroller Relative to Revenue Anticipation Note

Received and Filed.

**FROM THE COUNTY EXECUTIVE**

Item 29 – (COMM. 18E-3) 2013 Tentative EC Budget

Received and referred to the FINANCE & MANAGEMENT/BUDGET COMMITTEE.

**FROM CHAIR GRANT**

Item 30 – (COMM. 18E-4) Letter to Clerk of Legislature Concerning Appointments to Finance & Management/Budget Committee

Received, Filed and Printed.

October 16, 2012

Robert M. Graber, Clerk  
Erie County Legislature  
92 Franklin St., 4th Floor  
Buffalo, NY 14202

Dear Mr. Graber:

Please be advised that pursuant to the provisions of the 2012 Rules of Order for the Erie County Legislature, Section 3.02, I hereby appoint Majority Leader Thomas J. Mazur and Legislator Joseph C. Lorigo to serve as members of the Finance & Management/Budget Committee.

Thank you.

Sincerely,

BETTY JEAN GRANT  
Chair of the Erie County Legislature  
2nd District Legislator

Cc: Honorable Thomas J. Mazur  
Honorable Joseph C. Lorigo

Item 31 – (COMM. 18E-5) Budget Hearing Schedule for 2013 Tentative EC Budget

Received, Filed and Printed.

October 16, 2012

Robert M. Graber, Clerk  
Erie County Legislature  
92 Franklin St., 4th Floor  
Buffalo, NY 14202

Dear Mr. Graber:

Attached please find the budget hearing schedule for the 2013 tentative Erie County budget, to be conducted by the Legislature's Finance & Management/Budget Committee, November 13 to 16, 2012.

Also included on this schedule are the dates for the legislative public hearing on the tentative budget, and the date scheduled for the Annual Budget Meeting for a vote of the full Legislature.

Please place these dates on the calendar of the Legislature and make the appropriate notifications.

Thank you for your assistance with this matter.

Sincerely,

BETTY JEAN GRANT  
Chair of the Erie County Legislature  
2nd District Legislator

**BUDGET HEARING SCHEDULE - 2013 TENTATIVE ERIE COUNTY BUDGET**

Conducted by the Erie County Legislature Finance & Management/Budget Committee

All meetings will be held in the Chambers of the Erie County Legislature,  
located at 92 Franklin St., 4<sup>th</sup> Floor, Buffalo, NY 14202

TUESDAY, NOVEMBER 13, 2012

9:00 AM - 11:00 AM	Budget Presentation: Dr. Timothy Callan, PhD, Deputy Director of Budget and Management
11:00 AM - 11:30 AM	Board of Elections
11:30 AM - 12 NOON	Comptroller
	LUNCH
1:00 PM - 2:30 PM	Social Services

WEDNESDAY, NOVEMBER 14, 2012

9:00 AM - 9:30 AM	County Clerk
9:30 AM - 10:15 AM	Environment & Planning
10:15 AM - 11:00 AM	Health/Emergency Medical Services
11:00 AM - 12 NOON	District Attorney
	LUNCH
1:00 PM - 1:45 PM	Sheriff
1:45 PM - 2:15 PM	Probation
2:15 PM - 2:45 PM	Central Police Services
2:45 PM - 3:15 PM	Emergency Services

THURSDAY, NOVEMBER 15, 2012

9:00 AM - 9:45 AM	County Executive/Budget & Management
9:45 AM - 10:15 AM	County Attorney
10:15 AM - 11:00 AM	Public Works
11:00 AM - 11:30 AM	Parks, Recreation & Forestry
	LUNCH
12:30 PM - 1:15 PM	Buffalo & Erie County Public Library
1:15 PM - 1:45 PM	Senior Services
1:45 PM - 2:15 PM	Personnel/Labor Relations
2:15 PM - 2:45 PM	DISS

FRIDAY, NOVEMBER 16, 2012

Reserved for Call-Backs

Monday, November 19, 2012  
PUBLIC HEARING at 5:00 PM  
Chambers of Erie County Legislature

Tuesday, December 4, 2012  
ANNUAL BUDGET MEETING

FROM THE COUNTY EXECUTIVE

Item 32 – (COMM. 18E-6) Ratification of First Amendment to the Settlement Agreement Between EC & ECMCC

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM LEGISLATOR RATH

Item 33 – (COMM. 18E-7) Letter to Chair of Legislature Concerning 2013 Tentative Budget Hearing Schedule

Received and referred to the FINANCE & MANAGEMENT/BUDGET COMMITTEE.

FROM THE COUNTY CLERK

Item 34 – (COMM. 18E-8) Replenishment of E-Z Pass Tags

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE COUNTY EXECUTIVE

Item 35 – (COMM. 18E-9) ECSD Nos. 1-6 & 8 - Engineering Term Agreements

Item 36 – (COMM. 18E-10) ECSD No. 2 - Lake Street & Point Breeze Pumping Stations Project - Contract Closeout

Item 37 – (COMM. 18E-11) Solid Waste Management Board - Memorandum of Understanding

Item 38 – (COMM. 18E-12) State Assistance Application & Contract Execution - Household Hazardous Waste Collection Program

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

Item 39 – (COMM. 18E-13) Sale of Tax Certificates - 70 Meadowbrook Drive, Elma, NY

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 40 – (COMM. 18E-14) Rodgers Road Quiet Zone - Town of Hamburg

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 41 – (COMM. 18E-15) ECSD Nos. 3 & 6 - Revised State Pollutant Discharge Elimination System (SPDES) Permits

Item 42 – (COMM. 18E-16) Reaffirming the Name "Sgt. Mark A. Rademacher Memorial Park/Hunter's Creek Park"

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

Item 43 – (COMM. 18E-17) Intersection Improvements Project - Stickler Road - Town of Clarence

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

**FROM THE SHERIFF**

Item 44 – (COMM. 18E-18) Letter of Response to Comptroller Concerning Review of the Sheriff's Office Commissary Fund & Follow-Up of the 2007 Operations Audit - 1/1/2011 - 5/31/2012

Received and referred to the PUBLIC SAFETY COMMITTEE.

**FROM LEGISLATOR LOUGHRAN**

Item 45 – MR. MAZUR presented the following resolution and moved for immediate consideration and approval. MR. HOGUES seconded. MR. LOUGHRAN abstained.

CARRIED. (10-0-1)

RESOLUTION NO. 241

RE: Lease Agreement for Legislative Office  
Space  
(COMM. 18E-19)

RESOLVED, the Erie County Executive is hereby authorized to sign a Fifteen (15) Month Lease Agreement with 3d Partners, LLC for Legislative office space for Thomas A. Loughran, located at 4549 Main St., Suite 203, Amherst, New York for a monthly rate of \$750.

**COMMUNICATIONS FROM THE DEPARTMENTS**

**FROM THE COMMISSIONER OF CENTRAL POLICE SERVICES**

Item 46 – (COMM. 18D-1) Letter to Legislator Hogues Concerning Tour of Public Safety Campus Located at 45 Elm Street, Buffalo, NY

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM THE COUNTY ATTORNEY

Item 47 – (COMM. 18D-2) Transmittal of New Claims Against EC

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE COMMISSIONER OF ENVIRONMENT & PLANNING

Item 48 – (COMM. 18D-3) Corrected - 2011 EC Funding for Cultural Organizations Capital Projects

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES

FROM ANNETTE COLE, ELLEN MOSACK & MARTI KOVACH

Item 49 – (COMM. 18M-1) Letter to Chair of Legislature Concerning Senior Services Support Program Support Specialist

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

FROM THE HOMELESS ALLIANCE OF WNY

Item 50 – (COMM. 18M-2) Copy of Executive Summary

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

FROM THE NYSDEC

Item 51 – (COMM. 18M-3) Fact Sheet: Fish Consumption Advisory Injury Determination

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM 710 MAIN STREET INC.

Item 52 – (COMM. 18M-4) Letter to Clerk of Legislature Concerning Capital Funding from 2011 - Receipts

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM THE LANCASTER OPERA THEATER HOUSE

Item 53 – (COMM. 18M-5) Letter to Clerk of Legislature Concerning Capital Funding from 2011 - Receipts

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM THE SPRINGVILLE CENTER FOR THE ARTS

Item 54 – (COMM. 18M-6) Letter to Clerk of Legislature Concerning Capital Funding from 2011 - Receipts

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM THE EC COMMUNITY CORRECTIONS ADVISORY BOARD

Item 55 – (COMM. 18M-7) Copy of Letter to County Executive Concerning Restoration of Full-Time Chaplain Position at the EC Holding Center

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM THE AMHERST SYMPHONY  
ORCHESTRA ASSOCIATION

Item 56 – (COMM. 18M-8) Request for 2013 Operating Funds

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM THE LOCUST STREET  
NEIGHBORHOOD ART CLASSES, INC.

Item 57 – (COMM. 18M-9) Letter to Clerk of Legislature Concerning Capital Funding from 2011 - Receipts

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM THE NYSDOT

Item 58 – (COMM. 18M-10) Surplus Property - Proposed Disposal of NYSDOT - Controlled Land - Multiple Parcels

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 59 – (COMM. 18M-11) Order Concerning Kenmore Avenue & Sheridan Drive Intersections

Received and Filed.

FROM THE BUFFALO & EC PUBLIC LIBRARY

Item 60 – (COMM. 18M-12) Agenda for Meeting Held 10/18/2012

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

**FROM THE NYSDOT**

Item 61 – (COMM. 18M-13) Surplus Property - Proposed Sale of NYSDOT Land to BTC Block 1/21, Inc. - Elm Street at NY Route 33/Expressway Off Ramp - City of Buffalo

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

**FROM THE NYSDEC**

Item 62 – (COMM. 17M-14) Public Notice: Inactive Hazardous Waste Disposal Site Classification Notice - 5565 River Road Site - Tonawanda, NY

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

**ANNOUNCEMENTS**

Item 63 – CHAIR GRANT announced that the schedule of upcoming committee meetings has been distributed.

**MEMORIAL RESOLUTIONS**

Item 64 – Legislator Mazur requested that when the Legislature adjourns, it do so in memory of Joseph P. Ostempowski.

Item 65 – Legislator Dixon requested that when the Legislature adjourns, it do so in memory of Katherine Hawes.

Item 66 – Legislator Rath requested that when the Legislature adjourns, it do so in memory of Howard B. and Barbara A. Vahue, and Paul Kurtz.

Item 67 – Legislator Marinelli requested that when the Legislature adjourns, it do so in memory of Ruth J. Chadwick, Father Joe Moreno, Jerome K. Praetzel, James H. Pries, Fred Kubus, and all those affected by domestic violence.

**ADJOURNMENT**

Item 68 – At this time, there being no further business to transact, CHAIR GRANT announced that the Chair would entertain a Motion to Adjourn.



MR. MAZUR moved that the Legislature adjourn until Thursday, November 8, 2012 at 2:00 p.m. Eastern Standard Time. MR. HOGUES seconded.

CARRIED UNANIMOUSLY.

CHAIR GRANT declared the Legislature adjourned until Thursday, November 8, 2012 at 2:00 p.m. Eastern Standard Time.

**ROBERT M. GRABER**  
**CLERK OF THE LEGISLATURE**