

**ERIE COUNTY LEGISLATURE**  
**MEETING NO. 6**  
**MARCH 29, 2012**

The Legislature was called to order by Chair Grant.

All members present.

An Invocation was held, led by Mr. Rath, who read a short prayer.

The Pledge of Allegiance was led by Mr. Lorigo.

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 5 from 2012. MR. MILLS seconded.

CARRIED UNANIMOUSLY.

Item 4 – No Public Hearings.

**MISCELLANEOUS RESOLUTIONS**

Item 5 – MR. McCRACKEN presented a resolution Congratulating Donald E. Kwak on His Retirement from the Saturday Basketball Program of Lancaster Recreation Department & Thanking Him for His 50 Years of Service to Our Youth.

Item 6 – MR. McCRACKEN presented a resolution Congratulating Robert J. Rondina on His Retirement from the Saturday Basketball Program of the Lancaster Recreation Department & Thanking Him for His 40 Years of Service to Our Youth.

Item 7 – MR. HOGUES presented a resolution Congratulating Mustafa Ersoy, Director of Buffalo Academy of Science Charter School, on the Outstanding Student Accomplishments & Faculty Guidance During the NYS Invitational Red Creek Science Olympiad Tournament.

Item 8 – MR. HOGUES presented a resolution Congratulating Buffalo Academy of Science Charter School on Their Outstanding Accomplishments During the NYS Invitational Red Creek Science Olympiad Tournament.

Item 9 – MR. HOGUES presented a resolution Congratulating the Teachers of Buffalo Academy of Science Charter School on The Outstanding Accomplishments of Their Students During the NYS Invitational Red Creek Science Olympiad Tournament.

Item 10 – MR. HOGUES presented a resolution Congratulating the Buffalo Academy of Science Charter School Students Aluk Akuey, Rafael Dip, Abdullah Mohammad, Neil Squires,

Tamia Fluellen & Latrisha McClary for Outstanding Accomplishments Placing First and/or Second, Winning Gold and/or Silver Awards in the Red Creek Science Olympiad Tournament; Brandon Andrew, Jalandra Jackson, Matthew Jeffries, Michael Carr Johnson, Lawren Killian, Lanise Mathias & Erika Parmer for Their Steadfast Participation.

Item 11 – MR. HOGUES presented a resolution Congratulating the Buffalo Academy of Science Charter School Teachers, Mr. Yucel Aydos, Mr. Dogen Karatas & Mr. Atalay Kesli & Mr. Mustafa Ersoy, Director, for the Leadership & Guidance Provided to the Student Winners & Participants in the Red Creek Science Olympiad Tournament.

Item 12 – MR. MILLS, MR. HARDWICK, MR. RATH, MS. DIXON & MR. LORIGO presented a resolution Recognizing April as National Child Abuse Prevention Month in Erie County.

Item 13 – MR. MILLS presented a resolution Congratulating Zachary Steever on Receiving the Gowanda Area Chamber of Commerce Excellence in Youth Award for 2012.

Item 14 – MR. MILLS presented a resolution Congratulating Heaven Scent/Copy Central on Receiving the Gowanda Area Chamber of Commerce Business Award for 2012.

Item 15 – MR. MILLS presented a resolution Congratulating Doris Jones on Receiving the Gowanda Area Chamber of Commerce Community Service Award for 2012.

Item 16 – CHAIR GRANT, MR. MAZUR, MR. MILLS, MR. HOGUES, MS. MARINELLI, MR. HARDWICK, MR. LOUGHRAN, MR. RATH, MR. McCRACKEN, MS. DIXON & MR. LORIGO presented a resolution Commemorating March 30, 2012 as "Welcome Home Vietnam Veterans Day" in EC.

MR. MAZUR moved for consideration of the above twelve items. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

MR. MAZUR moved to amend the above twelve items by adding three for MS. DIXON, and also by including Et Al Sponsorship. MR. McCRACKEN seconded.

CARRIED UNANIMOUSLY.

MR. MAZUR moved for approval of the above fifteen items as amended. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

### **LOCAL LAWS**

Item 17 – CHAIR GRANT directed that Local Law No. 8 (Print #1) 2011 remain on the table and in the ENERGY & ENVIRONMENT COMMITTEE.

GRANTED.

Item 18 – CHAIR GRANT directed that Local Law No. 11 (Print #1) 2011 remain on the table and in the PUBLIC SAFETY COMMITTEE.

GRANTED.

Item 19 – CHAIR GRANT directed that Local Law No. 1 (Print #1) 2012 remain on the table and in the ENERGY & ENVIRONMENT COMMITTEE.

GRANTED.

**COMMITTEE REPORTS**

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 79

March 20, 2012	HEALTH & HUMAN SERVICES COMMITTEE REPORT NO. 4
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ALL MEMBERS PRESENT, EXCEPT LEGISLATOR MILLS.

1. RESOLVED, the following items are hereby received and filed:
  - a. COMM. 22M-6 (2011)  
CONGRESSWOMAN SLAUGHTER: “Letter to Legislator Marinelli Concerning the Low Income Home Energy Assistance Program (LIHEAP)”  
(4-0)
  - b. COMM. 1E-9 (2012)  
MARINELLI: “Letter of Congratulations to Dr. Gale R. Burstein on Being Appointed to the Position of EC Health Commissioner”  
(4-0)
  - c. COMM. 5D-3 (2012)  
HEALTH DEPARTMENT: “Copy of Proposed Agenda for Board of Health Meeting to be Held 3/27/2012”  
(4-0)
2. COMM. 5E-14 (2012)  
COUNTY EXECUTIVE

WHEREAS, the 2012 Erie County Budget includes funds appropriated for the 163WRAP-SOFA1213 grant, for the period April 1, 2012 to March 31, 2013, including funding for one Outreach Aide and two Case Manager positions; and

WHEREAS, the Department of Senior Services has been informed by the New York State Office for the Aging (NYSOFA) that funding for the 163WRAP-SOFA1213 grant is being eliminated; and

WHEREAS, the Department wants to retain the three current employees, Case Manager positions (nos. 870 and 871) and Outreach Aide position (no. 51009769) who were to be funded by the 163WRAP-SOFA1213 grant; and

WHEREAS, the Department has identified two vacant positions in other Senior Services grants, which if deleted, will allow the two Case Managers and one Outreach Aide to be transferred into and funded by these other grants; and

WHEREAS, the elimination of the vacant Data Entry Operator position (no. 2237) in the 163IIC-12012 grant would allow for the transfer of Outreach Aide position (no. 51009769) into the 163III-C12012 grant for the period April 1, 2012 to December 31, 2012; and

WHEREAS, the elimination of the vacant Long Term Care Coordinator position (no. 51003751) in the 163CONNECTS1112 grant would allow for the transfer of both Case Manager positions (no. 870 & 871) into the 163CONNECTS1112 grant for the period April 1, 2012 to September 30, 2012; and

WHEREAS, the elimination of the vacant Long Term Care Coordinator position (no. 51003751) in the 163CONNECTS1213 grant would allow for the transfer of Case Manager position (no. 871) into the 163CONNECTS1213 grant for the period October 1, 2012 to September 30, 2013; and

WHEREAS the determination of the funding source, after September 30, 2012, for the Case Manager position (no. 870) will be addressed via another resolution after reviewing mid-year department staffing levels; and

WHEREAS the two positions to be eliminated have budgeted salary and fringe benefit appropriations in excess of the positions they are to be replaced with, thereby allowing for a reduction of the budgeted salary and fringe benefit lines in the 163CONNECTS1112, 163CONNECTS1213 and 163III-C12012 grants and an increase in these same grants' account #916390 - ID Senior Services Grant Services; and

WHEREAS, the 163CONNECTS1112, 163CONNECTS1213 and 163III-C12012 grant budgets are in need of revision.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to delete the Data Entry Operator position (no. 2237) in the 163III-C12012 grant effective January 1, 2012, the Long Term Care Coordinator position (no. 51003751) in the 163CONNECTS1112 grant effective October 1,

2011, and the Long Term Care Coordinator position (no 51003751) in the successor 163CONNECTS1213 grant effective October 1, 2012; and be it further

RESOLVED, that effective April 1st, 2012, the Outreach Aide position (no 51009769) be transferred to the 163III-C12012 grant, and Case Manager positions (no. 870 & 871) be transferred to the 163CONNECTS1112 grant and, effective October 1, 2012, Case Manager position (no. 870) be transferred to the successor 163CONNECTS1213 grant (reference B-100 #6823); and be it further

RESOLVED, that the budget for the 163WRAP-SOFA1213 grant, be revised as follows:

		CURRENT		AMENDED
		BUDGET	CHANGES	BUDGET
<b>REVENUES</b>				
Account	Description			
414000	Federal Aid	\$303,863	-\$303,863	-0-
<b>APPROPRIATIONS</b>				
Account	Description			
500000	Full Time Salaries	\$153,215	-\$153,215	-0-
502000	Fringe Benefits	90,368	-90,368	-0-
505000	Office Supplies	1,000	-1,000	-0-
510000	Local Mileage Reimbursement	7,500	-7,500	-0-
510100	Out of Area Travel	1,000	-1,000	-0-
530000	Other Expenses	67,331	-67,331	-0-
916390	ID Senior Services Grant Services	-21,551	21,551	-0-
980000	ID DISS Services	<u>5,000</u>	<u>-5,000</u>	<u>-0-</u>
	<b>TOTAL APPROPRIATIONS</b>	<b>303,863</b>	<b>-303,863</b>	<b>-0-</b>

and be it further

RESOLVED, that the budget for the 163III-C12012 grant, be revised as follows:

		CURRENT		AMENDED
		BUDGET	CHANGES	BUDGET
<b>APPROPRIATIONS</b>				
Account	Description			
500000	Full Time Salaries	\$548,368	-\$5,613	542,755
502000	Fringe Benefits	345,237	-8,714	336,523
916390	ID Senior Services Grant Services	-11,689	<u>+14,327</u>	2,638
	<b>TOTAL CHANGE</b>		<b>\$0</b>	

and be it further

RESOLVED, that the budget for the 163CONNECTS1112 grant, be revised as follows:

APPROPRIATIONS		CURRENT	CHANGES	AMENDED
Account	Description	BUDGET		BUDGET
500000	Full Time Salaries	\$129,511	-\$6,778	\$122,733
502000	Fringe Benefits	70,957	-3,558	67,399
916390	ID Senior Services Grant Services	-36,777	<u>+10,336</u>	-26,441
	TOTAL CHANGE		\$0	

and be it further

RESOLVED, that the budget for the 163CONNECTS1213 grant, be revised as follows:

APPROPRIATIONS		CURRENT	CHANGES	AMENDED
Account	Description	BUDGET		BUDGET
500000	Full Time Salaries	\$137,850	-\$5,233	132,617
502000	Fringe Benefits	85,326	-2,576	82,750
916390	ID Senior Services Grant Services	-38,743	<u>+7,809</u>	-30,934
	TOTAL CHANGE		\$0	

and be it further

RESOLVED, that certified copies of this resolution be forwarded to the County Executive's Office, the Division of Budget and Management, the Comptroller's Office, and the Departments of Law, Personnel, and Senior Services.

(4-0)

3. COMM. 5E-18 (2012)  
COUNTY EXECUTIVE

WHEREAS, the 2012 Erie County Budget includes funds appropriated for the 163RSVP1213 grant, for the period July 1, 2012 to June 30,2013; and

WHEREAS, the grantor has changed the 163RSVP1213 grant year to the period April 1, 2012 to March 21, 2013; and

WHEREAS, the Department applied for and was awarded \$2,200 in funding from the National Senior Corps Association to conduct "Diabetes 101" classes as part of RSVP's University Express lifelong learning program; and

WHEREAS, the “Diabetes 101” classes, to be held at various sites during the spring and fall of 2012, will provide Erie County seniors with information about symptoms, risks, and management of diabetes, the importance of early screening to prevent complications, and the availability of the free diabetes screening benefit through Medicare; and

WHEREAS, the 163RSVP1213 grant budget is in need of revision.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be and hereby is authorized to accept the \$2,200 award from the National Senior Corps Association to fund the RSVP’s “Diabetes 101” classes; and be it further

RESOLVED, that 163RSVP1213 grant be for the period April 1, 2012 to March 31, 2013 and the budget for the grant, be revised as follows:

		CURRENT BUDGET	CHANGES	AMENDED BUDGET
REVENUES				
Account	Description			
417060	Other Income	\$0	+\$2,200	\$2,200
APPROPRIATIONS				
Account	Description			
510000	Local Mileage	\$28,350	+\$540	\$28,890
530000	Other Expenses	\$470	+320	790
980000	ID DISS Services	\$1,000	<u>+1,340</u>	2,340
	TOTAL APPROPRIATIONS CHANGE		\$2,200	

and be it further

RESOLVED, that certified copies of this resolution be forwarded to the County Executive’s Office, the Division of Budget and Management, the Comptroller’s Office, and the Departments of Law, Personnel, and Senior Services.

(4-0)

4. COMM. 5E-23 (2012)  
COUNTY EXECUTIVE

RESOLVED, the Erie County Legislature hereby confirms the appointments/reappointments of the following individuals to the Youth Services Board for a term expiring 12/31/2012:

Jeff Bagel  
96 Wickham Drive

David Caywood  
25 Delaware Avenue

Williamsville, NY 14221

Buffalo, NY 14202

Cindy Horrigan  
795 Main Street  
Buffalo, NY 14203

Jillian Gorman-King  
296 Barbados Drive  
Cheektowaga, NY 14227

Kathy O'Brien  
268 Forbes Avenue  
Tonawanda, NY 14150

Mike Randall  
35 Stepping Stone Lane  
Orchard Park, NY 14127

Yessica Amezquita  
399 Highgate Ave.  
Buffalo, NY 14215

Sherman Webb  
124 Davidson Ave  
Buffalo, NY 14215

Suzanne Donovan  
46 Trentwood Trail North  
Lancaster, NY 14086  
(4-0)

5. COMM. 5E-25 (2012)  
COUNTY EXECUTIVE

RESOLVED, the Erie County Legislature hereby confirms the appointments of the following individuals to the Local Early Intervention Coordinating Council for a term expiring 12/31/2013:

Maryann Stry  
Program Manager  
Early Intervention Program  
2128 Elmwood Ave  
Buffalo, NY 14207

Kimberlee L. Kuzara  
Director of Community Based Professional  
Services Supervisor of the Speech  
Language Pathology Dept. Pathology  
Dept. Child Pro  
697 Ridge Road  
Lackawanna, NY 14218

Gari Sue Navarro  
331 Alberta Drive, Suite 110  
Amherst, NY 14226

Vickie Rubin  
Early Childhood Direction Center  
3131 Sheridan Drive, People Inc Building  
Amherst, NY 14226

Lisa J. Skora  
4807 John Michael Way  
Hamburg, NY 14075

Lynn Czemerynski  
Director of Special Education  
Orchard Park Central Schools  
3330 Baker Road  
Orchard Park, NY 14127

Kathy Ralabate Doody  
Instructor, Exceptional Education  
Department  
State University College at Buffalo  
1300 Elmwood Avenue

Mary Martin, Director  
Erie County Health Department  
Special Needs Division  
95 Franklin Street Room 834  
Buffalo, NY 14202



Ketchum 205  
Buffalo, NY 14222

Ann Orlando-Parker  
Coordinator of Youth Services  
PEDS ECMC  
Early Intervention Program  
4242 Ridge Lea Suite 2  
Amherst, NY 14226

William O'Meara  
Early Intervention Manager  
Erie County Health Department  
Special Needs Division  
95 Franklin Street, Room 828  
Buffalo, NY 14202

Kristit Moscato  
15 Schultz Road  
Orchard Park, New York 14127  
(4-0)

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

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 80

March 20, 2012	COMMUNITY ENRICHMENT COMMITTEE REPORT NO. 4
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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. 3M-40 (2012)  
VISIT BUFFALO NIAGARA: “2012 Budget Accountability Act Submission”  
(6-0)
  - b. COMM. 3M-41 (2012)  
BUFFALO NIAGARA CONVENTION CENTER MANAGEMENT CORPORATION:  
“2012 Budget Accountability Act Submission”  
(6-0)
  - c. COMM. 3M-49 (2012)  
VISIT BUFFALO NIAGARA: “Copy of 4th Quarter Report for 2011”  
(6-0)
  - d. COMM. 5E-2 (2012)

MARINELLI: "Letter to Deputy County Executive Concerning the ECC Task Force & for Participating at the Community Enrichment Committee Meeting"  
(6-0)

- e. COMM. 5D-5 (2012)  
CLERK, COMMUNITY ENRICHMENT COMMITTEE: "2012 Cultural Organization Data Response Sheet Submissions"  
(6-0)
- f. COMM. 5M-15 (2012)  
BUFFALO & EC PUBLIC LIBRARY: "Copy of Proposed Agenda for Meeting to be Held 3/15/2012"  
(6-0)
- 2. COMM. 5E-22 (2012)  
COUNTY EXECUTIVE  
RESOLVED, the Erie County Legislature hereby confirms the reappointment of Douglas Kohler as the EC Historian for a term expiring 12/31/2013  
(6-0)

**LYNN M. MARINELLI**  
**CHAIR**

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 81

March 20, 2012	GOVERNMENT AFFAIRS COMMITTEE REPORT NO. 4
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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. 5E-4 (2012)  
COUNTY EXECUTIVE: "Issuance of Executive Order Nos. 7-9"  
(6-0)
  - b. COMM. 5D-2 (2012)  
COUNTY ATTORNEY: "Transmittal of New Claims Against EC"  
(6-0)
  - c. COMM. 5M-13 (2012)

ESSEX COUNTY BOARD OF SUPERVISORS: "Copy of Resolution Calling on All Counties to Unite to Bring About Real & Meaningful Mandate Relief in NYS"  
(6-0)

2. COMM. 3E-23 (2012)  
COUNTY EXECUTIVE AS AMENDED

WHEREAS, Erie County, and other municipalities have recognized the need to address the growing region-wide issue of tax delinquent, vacant, abandoned, and foreclosed properties; and

WHEREAS, the Erie County Executive, the Department of Environment and Planning, and the Department of Real Property Tax Services are working collaboratively with the City of Buffalo and other Municipalities to address this issue; and

WHEREAS, in July 2011 in recognition of the growing vacant property problem, New York State passed the Land Bank Act, as Article 16 of the New York State Not-for-Profit Corporation Law, which authorizes any foreclosing governmental unit (FGU) to create a land bank to return tax delinquent, vacant, abandoned, and foreclosed properties to productive use; and

WHEREAS, the Land Bank Act allows FGUs and municipalities to enter into a partnership to create a land bank; and

WHEREAS, pursuant to the Land Bank Act, it is necessary to adopt a resolution authorizing the County Executive of the County of Erie to execute an Intergovernmental Cooperation Agreement with other foreclosing government units within Erie and Niagara Counties for the creation and operation of a Land Bank.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive of the County of Erie is hereby authorized to execute an Intergovernmental Cooperation Agreement with other foreclosing government units within Erie and Niagara Counties for the creation and operation of a Land Bank, known as the Buffalo Erie Niagara Land Improvement Corporation, and to execute and file such other documents necessary to establish said Land Bank; and be it further

RESOLVED, that the Articles of Incorporation for said Land Bank are attached to this resolution and that said Articles shall be filed with the Secretary of State in accordance with the New York State Land Bank Act; and be it further

RESOLVED, that the initial Board of Directors shall consist of eleven (11) members; and be it further

RESOLVED, that the initial individuals to serve as members of the board of directors are as follows:

1. Brendan R. Mehaffy, Executive Director of Strategic Planning of the City of Buffalo 920 City Hall Buffalo, New York 14202

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| 2. Timothy A. Ball<br>Corporation Counsel of the City of<br>Buffalo  | 1100 City Hall<br>Buffalo, NY 14202   |
| 3. James Comerford, Jr.<br>Commissioner of Permit and Inspection<br>Services of the City of Buffalo                | 324 City Hall<br>Buffalo, NY 14202  |
| 4. Janet Penksa<br>Commissioner of Administration,<br>Finance, Policy and Urban Affairs for<br>the City of Buffalo | 203 City Hall<br>Buffalo, NY 14202  |
| 5. David P. Comerford<br>General Manager, Buffalo Sewer<br>Authority   | 1038 City Hall<br>Buffalo, NY 14202   |
| 6. Maria R. Whyte<br>Commissioner of Erie County<br>Department of Environment and<br>Planning                      | Edward A. Rath Building<br>95 Franklin Street, 10th Floor<br>Buffalo, New York 14202          |
| 7. Joseph L. Maciejewski<br>Director, Erie County Department of<br>Real Property Tax Services                      | Edward A. Rath Building<br>95 Franklin Street, 1st floor, Room 100<br>Buffalo, New York 14202 |
| 8. Michael A. Siragusa, County Attorney<br>Erie County Department of Law   | Edward A. Rath Building<br>95 Franklin Street, Suite 1634<br>Buffalo, New York 14202          |
| 9. Frank E. Krakowski, City Assessor-<br>City of Lackawanna  | Lackawanna City Hall<br>714 Ridge Road<br>Lackawanna, New York 14218                          |
| 10. Joseph M. Hogenkamp<br>City Treasurer<br>City of Tonawanda   | City of Tonawanda<br>200 Niagara Street<br>Tonawanda, New York 14150                          |
| 11. Christina Orsi<br>Empire State Development – Western<br>New York Regional Director                             | 95 Perry Street<br>Suite 500<br>Buffalo, New York 14203                                       |

and be it further

RESOLVED, that as indicated in the Certificate of Incorporation and the NY Land Bank Act, the board may consist of eleven directors. The qualification and manner of appointment of the Board of Directors shall be as follows:

1. The Executive Director of Strategic Planning of the City of Buffalo;
2. The Corporation Counsel of the City of Buffalo;
3. The Commissioner of Permit and Inspection Services of the City of Buffalo
4. The Commissioner of Administration, Finance, Policy and Urban Affairs for the City of Buffalo;
5. General Manager, Buffalo Sewer Authority;
6. The Commissioner of Erie County Department of Environment and Planning;
7. Director, Erie County Department of Real Property Tax Services;
8. The Erie County Attorney (Erie County Department of Law);
9. The City Assessor of the City of Lackawanna;
10. The City Treasurer of the City of Tonawanda;
11. Western New York Regional Director, Empire State Development Corporation.

and be it further

RESOLVED, that members of the Board of Directors shall serve by virtue of office and they shall serve so long as he or she shall hold the office. For those members of the Board of Directors appointed by the Members of the Corporation, they will serve until the conclusion of the next annual meeting of the Members of the Corporation, or until his or her successor shall have been duly appointed and qualified; and be it further

RESOLVED, that all members of the Board of the Land Bank shall be residents of the County of Erie except such member who serves as an officer of foreclosing governmental units located outside of Erie County shall be residents of the County in which the foreclosing governmental unit is located; and be it further

RESOLVED, that the intergovernmental agreement shall include provisions for dissolution of such land bank; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the Erie County Executive; the Commissioner of the Erie County Department of Environment and Planning; and the Erie County Director of the Department of Real Property Tax Services.

**CERTIFICATE OF INCORPORATION OF  
BUFFALO ERIE NIAGARA LAND IMPROVEMENT CORPORATION**

Under Section 402 of the Not-for-Profit Corporation Law

The undersigned incorporator, being over the age of eighteen years, for the purpose of forming a corporation pursuant to Section 402 of the Not-for-Profit Corporation Law of New York, does hereby certify:

1. The name of the Corporation is Buffalo Erie Niagara Land Improvement Corporation.
2. The Corporation is a corporation as defined in subparagraph (a) (5) of Section 102 of the Not-for-Profit Corporation Law.

3. The Corporation shall be a Type C corporation under Sections 201 and 1603 (f) of the Not-for-Profit Corporation Law.

4. The purposes for which the Corporation is formed are exclusively charitable, scientific or educational within the meaning of Section 501 (c) (3) of the United States Internal Revenue Code, as it may be amended from time to time (the "Code"). Subject to that limitation and the limitations stated in subsequent paragraphs of this Certificate, its purposes shall include the following:

(a) To confront and alleviate the problems caused by vacant, abandoned, tax-delinquent, and tax foreclosed properties and to turn vacant spaces into vibrant places in Erie County and Western New York.

(b) To lessen the burdens on the governments of Erie County and Western New York of acquiring and maintaining vacant, abandoned, tax-delinquent, and tax-foreclosed properties.

(c) To combat community deterioration and urban decay caused by vacant, abandoned, tax-delinquent, and tax foreclosed properties by taking remedial action to eliminate the physical, economic, and social causes of such deterioration.

(d) To serve as a land bank pursuant to Article 16 (the Land Bank Act) of the Not-for-Profit Corporation Law.

(e) To demonstrate the feasibility of a land bank and to encourage both other foreclosing governmental units and non-foreclosing municipalities and school districts to enter into intergovernmental cooperative agreements with the foreclosing governmental units in Erie County and/or the Corporation when they determine it to be in the interest of their residents to do so.

(f) To pursue and to cooperate with and assist other organizations to pursue any one or more of the above-mentioned purposes.

(g) Any other purpose which shall assist the Corporation in the furtherance of the above-stated purposes which can be performed by a corporation as defined by subparagraph (a) (5) of Section 102 of the Not-for-Profit Corporation Law.

5. The lawful public objectives which each purpose of the Corporation will serve are to lessen the burdens of government and combat community deterioration by performing those functions permissible under the New York Land Bank Act.

6. Notwithstanding any other provision of this Certificate, the purposes of the Corporation do not extend to or include any of the purposes mentioned in Section 404 of the Not-for-Profit Corporation Law.

7. Notwithstanding any other provision of this Certificate, the purpose and powers of the Corporation shall be limited as follows:

(a) The Corporation shall not engage, otherwise than as an insubstantial part of its activities, in activities which in themselves are not in furtherance of one or more exempt purposes within the meaning of Section 501 (c) (3) of the Code.

(b) The Corporation shall not devote more than an insubstantial part of its activities to attempting to influence legislation by propaganda or otherwise.

(c) The Corporation shall not directly or indirectly participate in, or intervene in (including the publishing or distributing of statements), any political campaign on behalf of or in opposition to any candidate for public office.

(d) Upon dissolution of the Corporation, its assets shall be distributed for one or more exempt purposes within the meaning of Section 501 (c) (3) of the Code, and none of the assets shall be distributed to any non-exempt person or organization.

(e) No part of the net earnings of the corporation shall inure to the benefit of any member, trustee, director, officer of the corporation, or any private individual (except that reasonable compensation may be paid for services rendered to or for the corporation) and no member, director, officer of the corporation or any private individual shall be entitled to share in the distribution of any of the corporate assets on dissolution of the corporation.

(f) The Corporation shall not carry on any other activities not permitted to be carried on (i) by a corporation exempt from federal income tax under Section 501 (c) (3) of the Code or (ii) by a corporation, contributions to which are deductible under Section 170 (c) (2) of the Code.

(g) If at any time or times the corporation is a private foundation within the meaning of Section 509 of the Code, then during such time or times:

(1) The corporation shall distribute its income for each taxable year at such time and in such manner as not to subject the corporation to tax under Section 4842 of the Code;

(2) The corporation shall not engage in any act of self-dealing, as defined in Section 4941 (d) of the Code;

(3) The corporation shall not retain any excess business holdings, as defined in Section 4943 (c) of the Code;

(4) The corporation shall not make any investments in such manner as to subject the corporation to tax under Section 4944 of the Code; and

(5) The corporation shall not make any taxable expenditures as defined in Section 4945 (d) of the Code.

8. The duration of the Corporation is perpetual.

9. The office of the Corporation is to be located in Erie County, New York.

10. The Corporation may be authorized by resolution of the Board of Directors to accept subventions from members or non-members on terms and conditions not inconsistent with the Not-for-Profit Corporation Law, and to issue certificates therefor.

11. The names and addresses of the persons constituting the initial Board of Directors of the Corporation are:

- |  |   |
|--|---|
| 1. Brendan R. Mehaffy, Executive Director of Strategic Planning of the City of Buffalo                       | 920 City Hall<br>Buffalo, New York 14202  |
| 2. Timothy A. Ball<br>Corporation Counsel of the City of Buffalo   | 1100 City Hall<br>Buffalo, NY 14202   |
| 3. James Comerford, Jr.<br>Commissioner of Permit and Inspection Services of the City of Buffalo             | 324 City Hall<br>Buffalo, NY 14202  |
| 4. Janet Penksa<br>Commissioner of Administration, Finance, Policy and Urban Affairs for the City of Buffalo | 203 City Hall<br>Buffalo, NY 14202  |
| 5. David P. Comerford<br>General Manager, Buffalo Sewer Authority  | 1038 City Hall<br>Buffalo, NY 14202   |
| 6. Maria R. Whyte<br>Commissioner of Erie County Department of Environment and Planning                      | Edward A. Rath Building<br>95 Franklin Street, 10th Floor<br>Buffalo, New York 14202          |
| 7. Joseph L. Maciejewski<br>Director, Erie County Department of Real Property Tax Services                   | Edward A. Rath Building<br>95 Franklin Street, 1st floor, Room 100<br>Buffalo, New York 14202 |



- 8. Michael A. Siragusa, County Attorney      Edward A. Rath Building  
Erie County Department of Law      95 Franklin Street, Suite 1634  
Buffalo, New York 14202
  
- 9. Frank E. Krakowski – City Assessor      Lackawanna City Hall  
City of Lackawanna      714 Ridge Road  
Lackawanna, New York 14218
  
- 10. Joseph M. Hogenkamp      City of Tonawanda  
City Treasurer      200 Niagara Street  
City of Tonawanda      Tonawanda, New York 14150
  
- 11. Christina Orsi      95 Perry Street, Suite 500  
Empire State Development – Western      Buffalo, New York 14203  
New York Regional Director

12. The Secretary of State of the State of New York is designated as agent of the Corporation upon whom process against the Corporation may be served. The post office address to which the Secretary shall mail a copy of any process against it served upon him or her is:

The County Executive of Erie County  
Edward A. Rath Building  
95 Franklin Street  
Buffalo, New York 14202

IN WITNESS WHEREOF, I have signed this Certificate this \_\_\_ day of March, 2012.

\_\_\_\_\_  
Mark C. Poloncarz, County Executive  
County of Erie  
Edward A. Rath Building  
95 Franklin Street  
Buffalo, New York 14202

STATE OF NEW YORK    )  
  ) ss.:  
COUNTY OF ERIE        )

On this \_\_\_\_\_ day of March, 2012, before me personally came MARK C. POLONCARZ, to me known and known to me to be the person described in and who executed the foregoing Certificate of Incorporation, and he duly acknowledged to me that he executed the same.

Notary Public

**THOMAS J. MAZUR  
CHAIR**

Item 23 – MR. LOUGHRAN presented the following report and moved for immediate consideration and approval. MR. LORIGO seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 82

March 20, 2012	ECONOMIC DEVELOPMENT COMMITTEE REPORT NO. 4
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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. 5M-1 (2012)  
NYS DOT: “Copy of Letter to Sardinia Town Clerk Concerning Repairs to Route 219 Bridge over Cattaraugus Creek”  
(6-0)
  - b. COMM. 5M-3 (2012)  
NFTA: “Minutes of Meeting Held 1/23/2012”  
(6-0)

2. COMM. 5E-12 (2012)  
COUNTY EXECUTIVE  
WHEREAS, the Erie County Department of Public Works’ Division of Buildings and Grounds administers the County’s physical plant and all building construction; and

WHEREAS, in 2010, the prior architect resigned and left the County and the prior administration subsequently deleted the architect title from the 2011 Budget; and

WHEREAS, in addition, the position of supervisor of design, a position requiring a PE license, is vacant and the County is having severe difficulties in recruiting for the position given the pay scale; and

WHEREAS, DPW has a critical need to have the services of an in-house architect to provide critical architectural work and to reduce the County’s dependence on expensive outside consultants; and

WHEREAS, this architect will provide critical assistance in the County’s negotiations on improvements at Ralph Wilson Stadium with the Buffalo Bills; and

WHEREAS, the Department of Public Works requests creation of an architect position to with no new County share expense beyond that provided for in the Adopted 2012 County Budget due to vacancy control savings.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the creation of one position of Architect, job group 15, in the Department of Public Works' Division of Buildings and Grounds, B-100 # 6809; and be it further

RESOLVED, that the Division of Budget and Management is hereby authorized to adjust the Adopted 2012 Budget of the Division of Buildings and Grounds for this position, with the position covered by offsetting vacancy control savings and partial federal and state aid; and be it further

RESOLVED, that certified copies of this resolution will be forwarded to the County Executive, the Office of the Comptroller, the Department of Personnel, the Division of Budget and Management, and the Department of Public Works.

(6-0)

3. COMM. 5E-16 (2012)  
COUNTY EXECUTIVE

WHEREAS, a project for reconstruction of the intersections of Harris Hill Road (CR276) at Wehrle Drive (CR275) and Pleasant View Drive (CR161) in the Towns of Clarence and Lancaster, Erie County, PIN 5756.47 (the "Project") was authorized by this Honorable Body on July 9, 2009 via Communication 12E-19; and

WHEREAS, in order to facilitate the reconstruction of the intersections, it will be necessary for the County to acquire a parcel by temporary easement, portions of real property in the vicinity of the intersections;

PORTIONS OF TAX MAP SBL NUMBERS

TOWNSHIP

SBL 82.11-1-3

Clarence

such property to be acquired by the County is herein referred to as the "Subject Property"; and

WHEREAS, in order to acquire the temporary easement parcel for the Project, it will be necessary for the County and the Town of Clarence to agree that the property shall be conveyed as a donation and that the payment be One Dollar (\$1.00), payment waived; and

WHEREAS, the acquisition of the portion of the Subject Property is de minimis in nature so that the public interest will not be prejudiced by the reconstructed road and other general improvements to the subject section of Pleasant View Drive (CR161).

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby approves the above subject actions; and be it further

RESOLVED, that the sum of One Dollar (\$1.00) shall be waived, as payment for the temporary easement; and be it further

RESOLVED, that the County of Erie is authorized to acquire easement title to the aforementioned Subject Property for the purpose of reconstructing and improving the aforementioned Harris Hill Road Intersections at Wehrle Drive and Pleasant View Drive Project; and be it further

RESOLVED, that the Commissioner of Public Works, or his authorized representatives, are authorized to act on behalf of the County of Erie in connection with the acquisition of the portions of the aforementioned Subject Property; and be it further

RESOLVED, that based upon the factors previously set forth herein, it is the determination of this County Legislature that such acquisitions of portions of the aforementioned Subject Properties are de minimis in nature; and be it further

RESOLVED, that the County Attorney shall prepare and the County Executive shall execute all appropriate documents relating to acquiring fee and/or easement interests in the Subject Properties; and be it further

RESOLVED, that the Clerk of the Legislature forward three (3) certified copies of this resolution to the Department of Public Works, Office of the Commissioner, to be forwarded to the New York State Department of Transportation and also 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. 5E-17 (2012)  
COUNTY EXECUTIVE

WHEREAS, the park currently known as the Black Rock Canal Park is within the City of Buffalo and is bounded by the Niagara River and New York State I-190; and

WHEREAS, the only access to the Park is over a City street and New York State right-of-way; and

WHEREAS, the County is embarking on a \$1.8 million improvement project to Black Rock Canal Park; and

WHEREAS, the County would like to have permanent public access to the Black Rock Canal Park; and

WHEREAS, the project Advisory Committee is now looking to add improvements to the southern end of the Park as part of Phase 1, which results in a need to increase our contract with the design firm.

NOW, THEREFORE, BE IT

RESOLVED, that Erie County desires to have permanent access to the County Park known as Black Rock Canal Park; and be it further

RESOLVED, that the Erie County Executive is authorized to enter into easements and land agreements with the City of Buffalo, the New York State Thruway Authority, and the State of New York and its appropriate agencies to obtain permanent public access and implement the park improvements project; and be it further

RESOLVED, that the Department of Environment and Planning design contingency fund be increased from \$10,762 (COMM. 10E-21, 2011) to \$20,000 with authorization for the County Executive to approve contract amendments with Nussbaumer and Clark, Inc., not to exceed \$20,000, said funds to be allocated from SAP account A.21016; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the County Executive; the Commissioner of the Department of Environment and Planning; the Commissioner of Parks, Recreation & Forestry; the Deputy Commissioner of Real Property Tax; the Comptroller's Office; the Division of Budget & Management and the County Attorney.  
(6-0)

5. COMM. 5E-19 (2012)  
COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Environment and Planning has the responsibility for carrying out the federal Community Development Block Grant (CDBG) and HOME Investment Partnership Programs; and

WHEREAS, said Programs require financial oversight, budget integration between federal and County monetary operations, and coordination with the U.S. Department of Housing and Urban Development's Integrated Disbursement Information System; and

WHEREAS, said Programs have an annual budget of over \$6.0 million; and

WHEREAS, the execution of a personal services contract with the retired Coordinator, Grants and Program Administration provides an opportunity to perform necessary administrative functions as required by the grant to insure proper compliance with all federal grant reporting requirements during the 2012/13 Program Year.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to execute a Personal Services Agreement with Linda Halt, residing at 11 Danbury Lane, Kenmore, New York 14217 for the purpose of training personnel to administer grant management services within the federally funded Community Development Block Grant and HOME Investment Partnership Program; and be it further

RESOLVED, that the agreement shall be for one year, terminable upon written notice to Linda Halt, and include an authorized contract amount not to exceed \$18,000; and be it further

RESOLVED, that the requirement for request for proposals in Section 19.08 of the Erie County Administrative Code is hereby waived since the engagement is a continuation of work activities undertaken through the original County service of Linda Halt as a Coordinator, Grant and Program Administration; and be it further

RESOLVED, that the source of funds shall be funds available within the 2011 Erie County Community Development Block Grant Budget, in Project J.00511, WBS elements J.00511.1.9 and J.00511.1.11; 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.

(6-0)

**THOMAS A. LOUGHRAN  
CHAIR**

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 83

March 20, 2012	MINORITY & WOMEN BUSINESS ENTERPRISE COMMITTEE REPORT NO. 2
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ALL MEMBERS PRESENT, EXCEPT LEGISLATOR MILLS.

1. RESOLVED, all items are hereby tabled.

**BETTY JEAN GRANT  
CHAIR**

Item 25 – MR. McCracken presented the following report and moved for immediate consideration and approval. MR. MAZUR seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 84

March 22, 2012	ENERGY & ENVIRONMENT COMMITTEE REPORT NO. 4
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ALL MEMBERS PRESENT, EXCEPT LEGISLATORS MILLS & LORIGO.  
CHAIR GRANT PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
  - a. COMM. 5E-20 (2012)  
COUNTY EXECUTIVE: "ECSD No. 4 - Contract No. EC-7D - Change Order No. 1"  
(4-0)
  - b. COMM. 5E-21 (2012)  
COUNTY EXECUTIVE: "ECSD No. 6 - Contract No. 44SA - Change Order No. 1"  
(4-0)
  - c. COMM. 5D-7 (2012)  
DEPARTMENT OF ENVIRONMENT & PLANNING: "Aurora North Pump Station  
Elimination Project - SEQR Notification"  
(4-0)
  - d. COMM. 5M-2 (2012)  
WNY ENVIRONMENTAL ALLIANCE: "Disc Golf Course at Chestnut Ridge Park"  
(4-0)
  - e. COMM. 5M-6 (2012)  
NYSDEC: "Fact Sheet: Cleanup Action Completed at Brownfield Site - Site Known as 330  
Maple Road - Final Engineering Report Under Review"  
(4-0)
  - f. COMM. 5M-10 (2012)  
CHAIR, EC WATER AUTHORITY: "Letter to Chair of Legislature Concerning  
Reappointment to the Board of Commissioners of the EC Water Authority"  
(4-0)

**TERRENCE D. McCRACKEN**  
**CHAIR**

Item 26 – MR. HOGUES presented the following report and moved for immediate consideration and approval. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 85

March 22, 2012	PUBLIC SAFETY COMMITTEE REPORT NO. 4
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ALL MEMBERS PRESENT, EXCEPT LEGISLATOR RATH.  
CHAIR GRANT PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
  - a. COMM. 5E-6 (2012)  
COUNTY EXECUTIVE: "Letter to Legislature Concerning Local Law Intro No. 10-2011 - Cyberbullying Law"  
(5-0)
  - b. COMM. 5M-5 (2012)  
ASSOCIATION OF EC GOVERNMENTS: "Copy of Resolution Concerning NYS Vehicle & Traffic Law Section 1104"  
(5-0)
  - c. COMM. 5M-12 (2012)  
TOWN OF SARDINIA, TOWN BOARD: "Copy of Resolution in Support of Emergency Responders in Recent Decision of Kabir v. County of Monroe"  
(5-0)

2. COMM. 5E-11 (2012)  
SHERIFF

WHEREAS, Correction Officer Randy Ratajczak's partner Rocky was purchased in the year 2003 with seized asset funds and was trained in drug detection with Officer Ratajczak as his handler exclusively since that date; and

WHEREAS, he is now nine (9) years old and given the extended length of time that Rocky has been assigned to one handler it would not be possible to reassign him to another handler, therefore ending his ability to function as a drug detection K-9; and

WHEREAS, Correction Officer Randy Ratajczak has agreed to sign an agreement to assume full responsibility for said dog and to hold the County of Erie/Erie County Sheriff's Office harmless against any and all liability; and

WHEREAS, the Sheriff's Office conferred with the Comptroller's Office and the County Attorney to determine that by Legislative Resolution the transfer of ownership could occur.

NOW, THEREFORE, BE IT

RESOLVED, that at the time of the K-9's retirement, his long time handler will be allowed to retain possession of his K-9 partner, Rocky; and be it further

RESOLVED, that the Office of the Sheriff is hereby authorized to enter into purchase agreement with Correction Officer Ratajczak for the consideration of one (1) dollar for the transfer of ownership of Rocky. Correction Officer Ratajczak shall assume full responsibility for the dog under such agreement and shall further hold the County of Erie and Erie County Sheriff's Office harmless against any and all liability; and be it further

RESOLVED, that certified copies be forwarded to the Erie County Comptroller, the County Attorney and the Office of the Sheriff for implementation.  
(5-0)



3. COMM. 5E-15 (2012)  
COUNTY EXECUTIVE

WHEREAS, the County of Erie received bids for the Erie County Correctional Facility- Video Systems Upgrade on January 19, 2012; and

WHEREAS, the lowest responsible bidder is Weydman Electrical, Inc; and

WHEREAS, the Erie County Department of Public Works, along with the Architect, is recommending award of the contract to the lowest bidder.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter into a contract with the lowest responsible bidder for the Erie County Correctional Facility- Video System Upgrade as follows:

Electrical Construction Work

Weydman Electrical, Inc.	Base Bid:	\$198,900.00
Total Award of Construction Contracts		\$198,900.00

and be it further

RESOLVED, that the sum of \$19,890.00 be allocated to a Construction Contingency Fund with authorization for the County Executive, to approve change orders in an amount not to exceed the Contingency Fund; and be it further

RESOLVED, that deduct change orders will result in these funds being returned to the Construction Contingency Fund; and be it further

RESOLVED, that the Comptroller's Office be authorized to make payment for all the above from SAP project accounts as follows:

A.00330 – 2008 Video & Surveillance Upgrade- Corr Fac	\$158,282.42
A.11007 – 2011 Video & Door Control Upgrades- CF &HC	\$60,507.58
Total:	\$218,790.00

and be it further

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

(5-0)

**TIMOTHY R. HOGUES**

CHAIR

Item 27 – MR. HOGUES presented the following report and moved for immediate consideration and approval. MR. McCracken seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 86

March 22, 2012	FINANCE & MANAGEMENT COMMITTEE REPORT NO. 4
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ALL MEMBERS PRESENT, EXCEPT LEGISLATOR MILLS.  
CHAIR GRANT PRESENT AS EX-OFFICIO MEMBER.

1. 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 212043 through 212100, 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.	212,043.00
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ASSESSOR	Cancel	\$8,180.22
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S-B-L	70.17-2-40	142289 AMHERST
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Acct. No. 112	\$0.00	County
Acct. No. 132	\$8,180.22	Town/SpecialDist/School

22574 EC CONS SEWER A/CSSD	\$8,180.22
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Charge To :	142289 AMHERST	\$0.00
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RPTL 550(2): INCORRECT WATER CONSUMPTION CHARGED TO THE TAX ROLL  
NEW TAX BILL TO BE ISSUED TO: RAYMOND & DIANE SIELSKI

FISCAL YEAR	2012	Petition No.	212,044.00
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ASSESSOR	Cancel	\$1,626.32
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S-B-L 28.17-1-3.12 142289 AMHERST

Acct. No. 112	\$0.00	County
Acct. No. 132	\$1,626.32	Town/SpecialDist/School
22574 EC CONS SEWER A/CSSD	\$1,626.32	
<u>Charge To :</u>	142289 AMHERST	\$0.00

RPTL 550(2): INCORRECT WATER CONSUMPTION CHARGED TO THE TAX ROLL  
NEW TAX BILL TO BE ISSUED TO: CHONGGUANG & SHAOHUA ZHANG TAO

FISCAL YEAR 2012	Petition No.	212,045.00
ASSESSOR	Cancel	\$54.94

S-B-L 68.14-7-3.1/419G 142289 AMHERST

Acct. No. 112	\$25.97	County
Acct. No. 132	\$28.97	Town/SpecialDist/School
22021 SNYDER # 7 FIRE DISTRICT	\$5.23	
22573 ERIE COUNTY CONS SEWER A/CSSD	\$1.14	
22745 EC CONS DRAIN DIST/CDD	\$0.95	
<u>Charge To :</u>	142289 AMHERST	\$21.65

RPTL 550(2): INCORRECT ASSESSED VALUE APPLIED TO THE TAX ROLL  
NEW TAX BILL TO BE ISSUED TO: PAUL R CHIMERA

FISCAL YEAR 2012	Petition No.	212,046.00
ASSESSOR	Cancel	\$1,367.46

S-B-L 111.55-10-15 140200 BUFFALO

Acct. No. 112	\$0.00	County
Acct. No. 132	\$1,367.46	Town/SpecialDist/School
2005 ERIE COUNTY EXEMPTION REMOVAL	\$1,367.46	
<u>Charge To :</u>	140200 BUFFALO	\$0.00

RPTL 550(2): INCORRECT RPTL 520 APPLIED TO THE TAX ROLL  
NEW TAX BILL TO BE ISSUED TO: STETRON INTERNATIONAL, INC.

FISCAL YEAR 2012	Petition No.	212,047.00
ASSESSOR	Cancel	\$1,032.94

S-B-L 67.20-5-46 142289 AMHERST

Acct. No. 112	\$458.25	County
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Acct. No. 132 \$574.69 Town/SpecialDist/School  
22021 SNYDER # 7 FIRE DISTRICT \$92.28  
Charge To : 142289 AMHERST \$482.41

RPTL 550(2): INCORRECT ASSESSED VALUE APPLIED TO THE TAX ROLL  
NEW TAX BILL TO BE ISSUED TO: CHARLES J GUGINO JR.

FISCAL YEAR 2012 Petition No. 212,048.00  
ASSESSOR Cancel \$705.00

S-B-L 152.06-5-1.11 146800 WEST SENECA

Acct. No. 112 \$0.00 County  
Acct. No. 132 \$705.00 Town/SpecialDist/School  
68295 ERIE CO SEW DIST 3 \$630.00  
68299 ERIE COUNTY 3 FOOTAGE O&M \$75.00  
Charge To : 146800 WEST SENECA \$0.00

RPTL 550(2): INCORRECT SEWER UNITS CHARGED TO THE TAX ROLL  
NEW TAX BILL TO BE ISSUED TO: B/B CIRCLE INC C/O MITCHELL MATUSICK

FISCAL YEAR 2012 Petition No. 212,049.00  
Cancel \$1,119.86

S-B-L 55.20-3-9 142289 AMHERST

Acct. No. 112 \$0.00 County  
Acct. No. 132 \$1,119.86 Town/SpecialDist/School  
22574 EC CONS SEWER A/CSSD \$1,119.86  
Charge To : 142289 AMHERST \$0.00

RPTL 550(2): INCORRECT WATER CONSUMPTION CHARGED TO THE TAX ROLL  
NEW TAX BILL TO BE ISSUED TO: PAUL & NITA NANDWANI

FISCAL YEAR 2012 Petition No. 212,050.00  
ASSESSOR Refund \$653.09

S-B-L 40.10-6-21 142289 AMHERST

Acct. No. 112 \$311.73 County  
Acct. No. 132 \$341.36 Town/SpecialDist/School  
22026 AMHERST # 9 FIRE PROTECTION \$54.73  
Charge To : 142289 AMHERST \$286.63

RPTL 550(2): INCORRECT ASSESSED VALUE APPLIED TO THE TAX ROLL

REFUND TO BE ISSUED TO: BOULEVARD SHOPS ASSOCIATES LLC

FISCAL YEAR 2012                      Petition No.                      212,051.00

ASSESSOR                      Cancel                      \$3.98

S-B-L 555.00-20-10.1                      145801 NORTH COLLINS

Acct. No. 112                      \$2.34      County  
Acct. No. 132                      \$1.64      Town/SpecialDist/School

Charge To :                      145801 NORTH COLLINS                      \$1.64

RPTL 550(2): INCORRECT ASSESSED VALUE APPLIED TO THE TAX ROLL  
NEW TAX BILL TO BE ISSUED TO: QWEST COMMUNICATIONS CORP.

FISCAL YEAR 2012                      Petition No.                      212,052.00

ASSESSOR                      Cancel                      \$25.12

S-B-L 555.00-20-10                      145889 NORTH COLLINS

Acct. No. 112                      \$11.77      County  
Acct. No. 132                      \$13.35      Town/SpecialDist/School

Charge To :                      145889 NORTH COLLINS                      \$13.35

RPTL 550(2): FAILED TO APPLY A SPECIAL FRANCHISE  
NEW TAX BILL TO BE ISSUED TO: QWEST COMMUNICATIONS CORP

FISCAL YEAR 2012                      Petition No.                      212,053.00

ASSESSOR                      Cancel                      \$297.57

S-B-L 287.00-2-5                      145889 NORTH COLLINS

Acct. No. 112                      \$124.40      County  
Acct. No. 132                      \$173.17      Town/SpecialDist/School

58019 NO COLLINS FIRE DIST                      \$32.12  
Charge To :                      145889 NORTH COLLINS                      \$141.05

RPTL 550(2): INCORRECT ASSESSED VALUE APPLIED TO THE TAX ROLL  
NEW TAX BILL TO BE ISSUED TO: CLAUDE E & ARLENE FOX

FISCAL YEAR 2011                      Petition No.                      212,054.00

ASSESSOR                      Refund                      \$247.65

S-B-L 86.00-1-41                      145689 NEWSTEAD

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$247.65	Town/SpecialDist/School
<u>Charge To :</u>	145689 NEWSTEAD	\$247.65	
	Relevy School	\$247.65	145601 AKRON CENTRAL

RPTL 550(2): INCORRECT RPTL520 APPLIED TO THE TAX ROLL  
REFUND TO BE ISSUED TO: KEVIN STOLDT

FISCAL YEAR	2012	Petition No.	212,055.00
	ASSESSOR	Cancel	\$373.11

S-B-L	86.00-1-41	145689 NEWSTEAD	
	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$373.11	Town/SpecialDist/School
	56165 EXEMPTION REMOVAL	\$373.11	
<u>Charge To :</u>	145689 NEWSTEAD	\$0.00	

RPTL 550(2): EXEMPTION REMOVAL CHARGED TO THE TAX ROLL IN ERROR  
NEW TAX BILL TO BE ISSUED TO: KEVIN STOLDT

FISCAL YEAR	2012	Petition No.	212,056.00
	ASSESSOR	Cancel	\$125.15

S-B-L	21.00-3-16	145689 NEWSTEAD	
	Acct. No. 112	\$99.75	County
	Acct. No. 132	\$25.40	Town/SpecialDist/School
<u>Charge To :</u>	145689 NEWSTEAD	\$25.40	

RPTL 550(2): FAILED TO APPLY A VETERANS EXEMPTION  
NEW TAX BILL TO BE ISSUED TO: PAUL & PATRICK MORGAN

FISCAL YEAR	2012	Petition No.	212,057.00
	ASSESSOR	Cancel	\$703.00

S-B-L	207.00-1-18	144000 EDEN	
	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$703.00	Town/SpecialDist/School
	40046 WATER DISTRICT 5 A	\$703.00	
<u>Charge To :</u>	144000 EDEN	\$0.00	

RPTL 550(2): SPECIAL DISTRICT CHARGED IN ERROR  
NEW TAX BILL TO BE ISSUED TO: NORTH EVANS CEMETERY



Acct. No. 132 \$74.53 Town/SpecialDist/School  
Charge To : 145689 NEWSTEAD \$74.53

RPTL 550(2): FAILED TO APPLY AN AGRICULTURAL EXEMPTION  
NEW TAX BILL TO BE ISSUED TO: DAVID HOWARD

FISCAL YEAR 2010 Petition No. 212,065.00  
ASSESSOR Refund \$195.81

S-B-L 125.10-9-14 143089 CHEEKTOWAGA

Acct. No. 112 \$47.78 County  
Acct. No. 132 \$148.03 Town/SpecialDist/School  
52002 2009 COMM COLLEGE \$0.35  
Charge To : 143089 CHEEKTOWAGA \$147.68

RPTL 550(2): FAILED TO APPLY A VETERANS EXEMPTION  
REFUND TO BE ISSUED TO: LUCILLE & EDWIN GORSKI

FISCAL YEAR 2011 Petition No. 212,066.00  
ASSESSOR Refund \$229.32

S-B-L 125.10-9-14 143089 CHEEKTOWAGA

Acct. No. 112 \$75.40 County  
Acct. No. 132 \$153.92 Town/SpecialDist/School  
Charge To : 143089 CHEEKTOWAGA \$153.92

RPTL 550(2): FAILED TO APPLY A VETERANS EXEMPTION  
REFUND TO BE ISSUED TO: LUCILLE & EDWIN GORSKI

FISCAL YEAR 2012 Petition No. 212,067.00  
ASSESSOR Refund \$227.44

S-B-L 125.10-9-14 143089 CHEEKTOWAGA

Acct. No. 112 \$75.84 County  
Acct. No. 132 \$151.60 Town/SpecialDist/School  
Charge To : 143089 CHEEKTOWAGA \$151.60

RPTL 550(2): FAILED TO APPLY A VETERANS EXEMPTION  
REFUND TO BE ISSUED TO: LUCILLE & EDWIN GORSKI

FISCAL YEAR 2012 Petition No. 212,068.00



ASSESSOR Cancel \$16,020.00

S-B-L 92.04-1-18.2 143089 CHEEKTOWAGA

Acct. No. 112 \$0.00 County  
Acct. No. 132 \$16,020.00 Town/SpecialDist/School

30201 CONSOLIDATED SEWER EXEMPT \$16,020.00

Charge To : 143089 CHEEKTOWAGA \$0.00

RPTL 550(2): INCORRECT SPECIAL DISTRICT CHARGED TO THE TAX ROLL  
NEW TAX BILL TO BE ISSUED TO: ERIE COUNTY IND. DEV. AGENCY ATTN: GARR  
ATTN: GARRETT LLC

FISCAL YEAR 2010 Petition No. 212,069.00

ASSESSOR Refund \$88.46

S-B-L 125.07-4-6 143089 CHEEKTOWAGA

Acct. No. 112 \$0.00 County  
Acct. No. 132 \$88.46 Town/SpecialDist/School

Charge To : 143089 CHEEKTOWAGA \$88.46

RPTL 550(2): FAILED TO APPLY A DISABILITY EXEMPTION  
REFUND TO BE ISSUED TO: ELIZABETH J PETERS

FISCAL YEAR 2011 Petition No. 212,070.00

ASSESSOR Refund \$557.71

S-B-L 64.07-1-41 144600 GRAND ISLAND

Acct. No. 112 \$0.00 County  
Acct. No. 132 \$557.71 Town/SpecialDist/School

Charge To : 144600 GRAND ISLAND \$557.71  
Relevy School \$557.71 144601 GRND ISLN CENTRAL

RPTL 550(2): FAILED TO APPLY A ENHANCED STAR EXEMPTION  
REFUND TO BE ISSUED TO: BRUCE G SR. & ROSEMARY WOJICK

FISCAL YEAR 2011 Petition No. 212,071.00

ASSESSOR Refund \$407.00

S-B-L 40.11-2-12.2 142289 AMHERST

Acct. No. 112 \$0.00 County  
Acct. No. 132 \$407.00 Town/SpecialDist/School

Charge To : 142289 AMHERST \$407.00  
Relevy School \$407.00 142207 SWEET HOME CENTRAL

RPTL 550(2): FAILED TO APPLY A ENHANCED STAR EXEMPTION  
REFUND TO BE ISSUED TO: JAMES C PUGLISI

FISCAL YEAR 2012 Petition No. 212,072.00  
ASSESSOR Refund \$31.27

S-B-L 28.00-1-55.11/A 142289 AMHERST

Acct. No. 112 \$0.00 County  
Acct. No. 132 \$31.27 Town/SpecialDist/School  
22574 EC CONS SEWER A/CSSD \$31.27  
Charge To : 142289 AMHERST \$0.00

RPTL 550(2): INCORRECT NUMBER OF SEWER UNITS CHARGED TO THE TAX ROLL  
REFUND TO BE ISSUED TO: TOWN OF AMHERST IDA

FISCAL YEAR 2012 Petition No. 212,073.00  
ASSESSOR Refund \$24.33

S-B-L 70.09-1-10.11 142289 AMHERST

Acct. No. 112 \$0.00 County  
Acct. No. 132 \$24.33 Town/SpecialDist/School  
22574 EC CONS SEWER A/CSSD \$24.33  
Charge To : 142289 AMHERST \$0.00

RPTL 550(2): INCORRECT SEWER CONSUMPTION CHARGED IN ERROR  
REFUND TO BE ISSUED TO: TOWN OF AMHERST IDA

FISCAL YEAR 2012 Petition No. 212,074.00  
ASSESSOR Refund \$2,067.64

S-B-L 40.04-2-75 142289 AMHERST

Acct. No. 112 \$0.00 County  
Acct. No. 132 \$2,067.64 Town/SpecialDist/School  
22574 EC CONS SEWER A/CSSD \$2,067.64  
Charge To : 142289 AMHERST \$0.00

RPTL 550(2): INCORRECT SEWER CONSUMPTION CHARGED IN ERROR  
REFUND TO BE ISSUED TO: JOHN G MEDWID



Acct. No. 112 \$0.00 County  
Acct. No. 132 \$78.90 Town/SpecialDist/School  
Charge To : 145689 NEWSTEAD \$78.90

RPTL 550(2): INCORRECT SPECIAL DISTRICTS CHARGED TO THE TAX ROLL  
NEW TAX BILL TO BE ISSUED TO: CZESLAWA MCDONALD

FISCAL YEAR 2011 Petition No. 212,080.00  
ASSESSOR Cancel \$471.00

S-B-L 20.03-1-10 145689 NEWSTEAD

Acct. No. 112 \$0.00 County  
Acct. No. 132 \$471.00 Town/SpecialDist/School  
Charge To : 145689 NEWSTEAD \$471.00  
Relevy School \$471.00 145601 AKRON CENTRAL

RPTL 550(2): FAILED TO APPLY A SENIOR EXEMPTION  
NEW TAX BILL TO BE ISSUED TO: RONALD DAVIDSON

FISCAL YEAR 2012 Petition No. 212,081.00  
ASSESSOR Refund \$31.60

S-B-L 46.00-3-33.2 145689 NEWSTEAD

Acct. No. 112 \$25.19 County  
Acct. No. 132 \$6.41 Town/SpecialDist/School  
Charge To : 145689 NEWSTEAD \$6.41

RPTL 550(2): FAILED TO APPLY A DISABLED VETERANS EXEMPTION  
REFUND TO BE ISSUED TO: JEFFREY MARBLE

FISCAL YEAR 2012 Petition No. 212,082.00  
ASSESSOR Cancel \$157.57

S-B-L 268.00-1-13 142889 BRANT

Acct. No. 112 \$72.45 County  
Acct. No. 132 \$85.12 Town/SpecialDist/School  
28020 BRANT FIRE PROTECTION \$26.63  
Charge To : 142889 BRANT \$58.49

RPTL 550(2): DUPLICATE PARCEL UNDER DIFFERENT SBL#  
NEW TAX BILL TO BE ISSUED TO: GEORGE J CASTLE II  
DELETE ENTIRE PARCEL FROM THE TAX ROLL

FISCAL YEAR 2012                      Petition No.                      212,083.00

ASSESSOR                      Cancel                      \$176.39

S-B-L 268.00-1-14                      142889 BRANT

Acct. No. 112                      \$81.10      County

Acct. No. 132                      \$95.29      Town/SpecialDist/School

28020 BRANT FIRE PROTECTION                      \$29.81

Charge To :                      142889 BRANT                      \$65.48

RPTL 550(2): DUPLICATE PARCEL UNDER DIFFERENT SBL#  
NEW TAX BILL TO BE ISSUED TO: GEORGE J CASTLE II  
DELETE ENTIRE PARCEL FROM THE TAX ROLL

FISCAL YEAR 2012                      Petition No.                      212,084.00

ASSESSOR                      Cancel                      \$2,116.03

S-B-L 91.09-6-36                      3241 HARLEM RD                      143089 CHEEKTOWAGA

Acct. No. 112                      \$479.03      County

Acct. No. 132                      \$1,637.00      Town/SpecialDist/School

30025 FIRE # 6 CLEVELAND HILL                      \$161.98

Charge To :                      143089 CHEEKTOWAGA                      \$1,475.02

RPTL 550(2): PROPERTY SHOULD BE WHOLLY EXEMPT OWNED BY THE STATE  
NEW TAX BILL TO BE ISSUED TO: THE PEOPLE OF THE STATE OF NEW YORK

FISCAL YEAR 2012                      Petition No.                      212,085.00

ASSESSOR                      Cancel                      \$259.06

S-B-L 223.00-1-34                      144000 EDEN

Acct. No. 112                      \$136.21      County

Acct. No. 132                      \$122.85      Town/SpecialDist/School

40019 FIRE PROTECTION                      \$20.92

Charge To :                      144000 EDEN                      \$101.93

RPTL 550(2): INCORRECT ASSESSED VALUE APPLIED TO THE TAX ROLL  
NEW TAX BILL TO BE ISSUED TO: JACOB & AMANDA WILLIAMS

FISCAL YEAR 2012                      Petition No.                      212,086.00

ASSESSOR                      Refund                      \$40.00

S-B-L 134.56-2-51 146800 WEST SENECA

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$40.00	Town/SpecialDist/School
<u>Charge To :</u>	146800 WEST SENECA		\$40.00

RPTL 550(2): INCORRECT SPECIAL DISTRICTS CHARGED IN ERROR  
REFUND TO BE ISSUED TO: WIMBELDON VILLAGE HOMEOWNERS ASSOC. INC.

FISCAL YEAR 2012 Petition No. 212,087.00

ASSESSOR Refund \$537.90

S-B-L 143.18-5-22 146800 WEST SENECA

	Acct. No. 112	\$198.47	County
	Acct. No. 132	\$339.43	Town/SpecialDist/School
68022 W SENECA FIRE D#3		\$27.55	
68294 ERIE CO SEW DST 3		\$2.34	
68295 ERIE CO SEW DIST 3		\$25.74	
<u>Charge To :</u>	146800 WEST SENECA		\$283.80

RPTL 550(2): INCORRECT ASSESSED VALUE APPLIED TO THE THE TAX ROLL  
REFUND TO BE ISSUED TO: THE MARRANO/ MARC EQUITY CORP.

FISCAL YEAR 2012 Petition No. 212,088.00

ASSESSOR Refund \$264.10

S-B-L 70.09-2-14.13 142289 AMHERST

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$264.10	Town/SpecialDist/School
22574 EC CONS SEWER A/CSSD		\$264.10	
<u>Charge To :</u>	142289 AMHERST		\$0.00

RPTL 550(2): INCORRECT SEWER CHARGES CHARGED TO THE TAX ROLL  
REFUND TO BE ISSUED TO: SHERIDAN MEADOW OFFICE PARK PARTNERSHIP

FISCAL YEAR 2012 Petition No. 212,089.00

ASSESSOR Refund \$215.45

S-B-L 70.09-2-1.1 142289 AMHERST

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$215.45	Town/SpecialDist/School
22574 EC CONS SEWER A/CSSD		\$215.45	

Charge To : 142289 AMHERST \$0.00

RPTL 550(2): INCORRECT SEWER CHARGES CHARGED TO THE TAX ROLL  
REFUND TO BE ISSUED TO: SHERIDAN MEADOWS OFFICE PARK PARTNERSHIP

FISCAL YEAR 2012 Petition No. 212,090.00

ASSESSOR Refund \$93.82

S-B-L 70.09-2-14.121 142289 AMHERST

Acct. No. 112 \$0.00 County  
Acct. No. 132 \$93.82 Town/SpecialDist/School

22574 EC CONS SEWER A/CSSD \$93.82

Charge To : 142289 AMHERST \$0.00

RPTL 550(2): INCORRECT SEWER CHARGES CHARGED TO THE TAX ROLL  
REFUND TO BE ISSUED TO: SHERIDAN MEADOWS OFFICE PARK PARTNERSHIP

FISCAL YEAR 2012 Petition No. 212,091.00

ASSESSOR Refund \$93.82

S-B-L 70.09-2-4.1 142289 AMHERST

Acct. No. 112 \$0.00 County  
Acct. No. 132 \$93.82 Town/SpecialDist/School

22574 EC CONS SEWER A/CSSD \$93.82

Charge To : 142289 AMHERST \$0.00

RPTL 550(2): INCORRECT SEWER CHARGES CHARGED TO THE TAX ROLL  
REFUND TO BE ISSUED TO: SHERIDAN MEADOWS OFFICE PARK PARTNERSHIP

FISCAL YEAR 2012 Petition No. 212,092.00

ASSESSOR Cancel \$200.66

S-B-L 142.12-3-39 140900 LACKAWANNA

Acct. No. 112 \$0.00 County  
Acct. No. 132 \$200.66 Town/SpecialDist/School

9992 ECSD#6 SAN SEWER \$200.66

Charge To : 140900 LACKAWANNA \$0.00

RPTL 550(2): INCORRECT SPECIAL DISTRICTS CHARGED  
NEW TAX BILL TO BE ISSUED TO: RIDGEWOOD VILLAGE CO-OP C/O PAT GAPPEN

FISCAL YEAR 2011 Petition No. 212,093.00

ASSESSOR Refund \$995.71

S-B-L 65.84-4-14 146489 TONAWANDA

Acct. No. 112 \$0.00 County  
Acct. No. 132 \$995.71 Town/SpecialDist/School  
Charge To : 146489 TONAWANDA \$995.71  
Relevy School \$995.71 146401 KEN-TON UNION FREE  
RPTL 550(2): FAILED TO APPLY A ENHANCED STAR, LOW INCOME SENIOR EXEMP  
REFUND TO BE ISSUED TO: DOROTHY HEWSON

FISCAL YEAR 2012 Petition No. 212,094.00

ASSESSOR Cancel \$71.89

S-B-L 336.00-1-7 146200 SARDINIA

Acct. No. 112 \$71.89 County  
Acct. No. 132 \$0.00 Town/SpecialDist/School  
Charge To : 146200 SARDINIA \$0.00

RPTL 550(2): ERROR IN THE COMPUTATION OF A SENIOR EXEMPTION  
NEW TAX BILL TO BE ISSUED TO: ROBERT D CHURCH

FISCAL YEAR 2012 Petition No. 212,095.00

ASSESSOR Cancel \$381.09

S-B-L 326.06-1-35.1 146200 SARDINIA

Acct. No. 112 \$363.99 County  
Acct. No. 132 \$17.10 Town/SpecialDist/School  
Charge To : 146200 SARDINIA \$17.10

RPTL 550(2): FAILED TO APPLY A SENIOR EXEMPTION  
NEW TAX BILL TO BE ISSUED TO: ELIZABETH CALVERLEY

FISCAL YEAR 2011 Petition No. 212,096.00

ASSESSOR Refund \$537.00

S-B-L 56.20-9-27 142289 AMHERST

Acct. No. 112 \$0.00 County  
Acct. No. 132 \$537.00 Town/SpecialDist/School  
Charge To : 142289 AMHERST \$537.00  
Relevy School \$537.00 142203 WILLIAMSVILLE CENT



RPTL 550(2): FAILED TO APPLY A BASIC STAR EXEMPTION  
REFUND TO BE ISSUED TO: BRIAN D LANGENFELD

FISCAL YEAR 2012	Petition No.	212,097.00
ASSESSOR	Refund	\$1,150.23

S-B-L 80.11-11-48 142289 AMHERST

<u>Charge To:</u>	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$1,150.23	Town/SpecialDist/School
	142289 AMHERST		\$1,150.23
	Relevy School	\$1,150.23	

RPTL 550(2): INCORRECT SEWER CHARGES CHARGED TO THE TAX ROLL  
REFUND TO BE ISSUED TO: TRACY M MASSE

and be it further

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

2. COMM. 5E-13 (2012)  
COUNTY EXECUTIVE

WHEREAS, without admitting or denying liability, the prior County administration signed a Consent Decree with the US Department of Justice in 2011 settling litigation filed against the County by the United States of America involving alleged violations of the Resource Conservation and Recovery Act and the Clean Water Act; and

WHEREAS, the Consent Decree was certified by the federal judge overseeing the case on March 4, 2012 and the civil penalty requires the County remit the payment via electronic funds transfer by April 4, 2012; and

WHEREAS, the civil penalty totals \$155,000 for the Clean Water Act, and the civil penalty totals \$120,000 for the Resource Conservation Recovery Act; and

WHEREAS, the Consent Decree was signed by then-County Attorney Jeremy Colby in 2011; and

WHEREAS, this settlement shall post as a 2011 expense of the County, based on the 2011 agreement; and

WHEREAS, funding is available within the 2011 budget of the Department of Public Works' Division of Buildings and Grounds.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the payment of the \$275,000 civil penalty in this matter and the Division of Budget and Management is hereby authorized to adjust the Adopted 2011 Budget of the Division of Buildings and Grounds as follows:

Fund Center 12220

Appropriation

Decrease

Account 516010, Contractual Payments-Nonprofit Purchase of Services	\$175,000
Account 516050, Departmental Payments to ECMCC	\$100,000

Appropriation

Increase

Account 530000, Other Expenses	\$275,000
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and be it further

RESOLVED, that the Division of Buildings and Grounds is authorized to make payment from Fund Center 12220, Account 530000 in the amount of \$275,000 and the Office of Comptroller is authorized to make the electronic funds transfer payments before April 4, 2012; and be it further

RESOLVED, that certified copies of this resolution will be forwarded to the County Executive, the Office of the Comptroller, the Department of Law, the Division of Budget and Management, and the Department of Public Works.

(5-0)

**TIMOTHY R. HOGUES  
CHAIR**

**LEGISLATOR RESOLUTIONS**

Item 28 – MR. MAZUR presented the following resolution and moved for immediate consideration and approval. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 87

RE: Requesting that the City of Buffalo Put  
in Place a Pedestrian Crosswalk  
Between the Rath Building & Old  
County Hall  
(INTRO 6-1)

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

WHEREAS, a dangerous traffic situation exists for pedestrians who cross Franklin Street directly between Old Erie County Hall, 92 Franklin Street, and the Rath Building, 95 Franklin Street; and

WHEREAS, a substantial amount of business is conducted between the employees and general public who traverse these two buildings, and beyond to the Erie County Family Court Building across from the Rath Building on Eagle Street, as well as the County Hall Annex at 25 Delaware Avenue; and

WHEREAS, the pedestrian traffic crossing Franklin Street is composed of the general public; justices, employees, attorneys, litigants and jurors for the Erie County Court, New York State Supreme Court and Surrogate's Court; Erie County legislators and their staffs; employees of the Erie County Clerk's Office, Sheriff's Office, Probation Department and others; and

WHEREAS, there is an urgent need for a demarcated pedestrian crosswalk on Franklin Street that clearly establishes that pedestrians have the right-of-way, and having a clearly marked crosswalk and other traffic safety measures called for at that location are in the best interests of both pedestrians and motorists alike; and

WHEREAS, there are a number of model examples of mid-street pedestrian crosswalks on high-traffic thoroughfares in other communities throughout Erie County; and

WHEREAS, it is fitting and proper for this Honorable Body to initiate an open public discussion about this situation and to seek redress from the City of Buffalo, which has jurisdiction over Franklin Street; and

WHEREAS, the Erie County Legislature unanimously approved a resolution to achieve that goal, Intro 25-5 (2009), on December 17, 2009, yet this dangerous situation still exists.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature request that representatives from the City of Buffalo attend a future meeting of the Public Safety Committee to discuss the concerns of county and state employees, as well as the general public, regarding the need for a demarcated pedestrian crosswalk on Franklin Street to provide safe passage directly between the Rath Building at 95 Franklin Street and Old County Hall at 92 Franklin Street in Buffalo; and be it further

RESOLVED, that a certified copy of this resolution be forwarded to the Mayor of the City of Buffalo, the Honorable Byron W. Brown; the Buffalo Common Council; and to Steven Stepniak, Commissioner of Public Works, Parks and Streets in the City of Buffalo.

Item 29 – MR. MAZUR presented the following resolution and moved for immediate consideration. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 88

RE: Transfer of Surplus Property to the  
Town of West Seneca

(INTRO 6-2)

**A RESOLUTION TO BE SUBMITTED BY  
LEGISLATOR LORIGO**

WHEREAS, officials from the Town of West Seneca recently visited the County's surplus warehouse to select needed furnishings for their town hall; and

WHEREAS, the Town of West Seneca has identified several items, currently unused by Erie County, that would be of great value to the town; and

WHEREAS, because these items no longer serve a purpose for the County of Erie, I am pleased to sponsor this resolution to transfer the following items to the Town of West Seneca.

NOW, THEREFORE, BE IT

RESOLVED, that ownership of the following items:

Item	County ID
Computer table	277930
Six 3ft by 4ft cubicles	

is hereby transferred from the County of Erie to the Town of West Seneca for the purpose of furnishing their Town Hall; and be it further

RESOLVED, that none of these items are to be used for a purpose other than official business by the Town of West Seneca; and be it further

RESOLVED, that certified copies of this resolution be sent to the Department of Purchase, the County Executive's Representative for Intergovernmental Affairs and Town of West Seneca Supervisor Sheila Meegan.

MR. MAZUR moved to amend the resolution by including Et Al Sponsorship. MR. RATH seconded.

CARRIED UNANIMOUSLY.

MR. MAZUR moved to approve the resolution as amended. MR. RATH seconded.

CARRIED UNANIMOUSLY.

Item 30 – CHAIR GRANT directed that the following resolution be referred to the PUBLIC SAFETY COMMITTEE.

GRANTED.

INTRO 6-3 from RATH. Encouraging Utilization of Firefighter Training Grant.

Item 31 – CHAIR GRANT directed that the following resolution be referred to the ENERGY & ENVIRONMENT COMMITTEE.

GRANTED.

INTRO 6-4 from RATH. Calling on Congress to Repeal a Portion of the Universal Service Fund Act.

**COMMUNICATIONS DISCHARGED FROM COMMITTEE**

Item 32 – MR. MAZUR moved to discharge the GOVERNMENT AFFAIRS COMMITTEE of further consideration of COMM. 4E-13 (2012) AS AMENDED. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 89

RE: Personnel Adjustments - EC  
Correctional Health Services  
(COMM. 4E-13, 2012)  
AS AMENDED

WHEREAS, the Erie County Sheriff is responsible for health care at the Erie County Correctional Facility and the Erie County Holding Center; and

WHEREAS, the Erie County Department of Health provides medical oversight and medical staffing to provide health care at the Erie County Correctional Facility and Erie County Holding Center under an Interdepartmental Agreement with the Erie County Sheriff; and

WHEREAS, the availability of Physician Assistants and Nurse Practitioners, Registered Nurses and Medical Aides (Licensed Practical Nurses) locally, is very competitive, thus we must offer a competitive salary commensurate with the responsibilities of the position and in line with community standards, to attract a qualified candidate in Correctional Health Services; and

WHEREAS, in order to reduce contractual services and recruit and retain additional qualified professional staff for the Correctional Health Services, it is necessary to establish variable minimums for thirty (30) medical service positions; and

WHEREAS, the Department of Health also requests the creation of one full time position of a Registered Nurse, JG 8, Step 1 (\$43,073) in the NYSNA bargaining unit, as indicated on B-100 #6821; and

WHEREAS, funding for the implementation of this restructuring is built into the Health Department's 2012 Budget and is also available from vacancy savings and there is no negative 2012 budgetary impact.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the establishment of variable minimum hiring levels in order to facilitate the recruitment of medical personnel for the Health Department's Correctional Health Services Division as follows:

Number of Positions	Bargaining Unit	Title	Job Group	Current Budgeted Step	New Step Variable Minimum	New Annual Salary	2012 Budgeted Annual Salary
8	Teamsters	Registered Nurse/Holding Center	8	Step E	Step 5	45,042	50,355
4	CSEA	Correctional Facility/Medical Aide	6	Step 3	Step 5	35,841	33,077
18	Teamsters	Holding Center/Medical Aide	7	Step 3	Step 2	36,057	37,958

and be it further

RESOLVED, that the Erie County Legislature hereby authorizes the creation of one full time position of Registered Nurse, JG 8, Step 1 (\$43,073) in the NYSNA bargaining unit, as indicated on B-100 #6821; and be it further

RESOLVED, that while there is additional expense due to the new positions and variable minimums (\$149,806), due to vacancy savings from the above-mentioned positions being vacant throughout the first two months of 2012, as well as the fact that most of these positions will require several weeks to effectuate new hires (estimated savings of \$579,176), there is no additional 2012 budgetary impact above the adopted budget for the Department of Health from any of these adjustments; and be it further

RESOLVED, that certified copies of this resolution will be forwarded to the Erie County Sheriff, the County Executive, the Office of the Comptroller, the Department of Personnel, the Director of Labor Relations, the Division of Budget and Management, the Department of Law and to Commissioner Gale R. Burstein in the Erie County Department of Health.

MR. MAZUR moved to amend the item. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

Delete the Resolution in its Entirety and Replace with the Following:

WHEREAS, the Erie County Sheriff is responsible for health care at the Erie County Correctional Facility and the Erie County Holding Center; and

WHEREAS, the Erie County Department of Health provides medical oversight and medical staffing to provide health care at the Erie County Correctional Facility and Erie County Holding Center under an Interdepartmental Agreement with the Erie County Sheriff; and

WHEREAS, the availability of Physician Assistants and Nurse Practitioners, Registered Nurses and Medical Aides (Licensed Practical Nurses) locally, is very competitive, thus the County must offer a competitive salary commensurate with the responsibilities of the position and in line with community standards, to attract qualified candidates in Correctional Health Services; and

WHEREAS, in order to reduce contractual services and recruit and retain additional qualified professional staff for the Correctional Health Services, it is necessary to establish variable minimums for several medical service positions; and

WHEREAS, the Department of Health also requests the creation of one full time position of a Registered Nurse, JG 8, Step 1 (\$43,073) in the NYSNA bargaining unit, as indicated on B-100 #6821; and

WHEREAS, funding for the implementation of this restructuring is built into the Health Department's 2012 Budget and is also available from vacancy savings and there is no negative 2012 budgetary impact.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the establishment of variable minimum hiring levels in order to facilitate the recruitment of medical personnel for the Health Department's Correctional Health Services Division as follows:

Number of Positions	Bargaining Unit	Title	Job Group	Current Budgeted Step	New Step Variable Minimum	New Annual Salary	2012 Budgeted Annual Salary
4	CSEA	Correctional Facility/Medical Aide	6	Step 3	Step 5	35,841	33,077

and be it further

RESOLVED, that the Erie County Legislature hereby authorizes the creation of one full time position of Registered Nurse, JG 8, Step 1 (\$43,073) in the NYSNA bargaining unit, as indicated on B-100 #6821; and be it further

RESOLVED, that while there is additional expense due to the new positions and variable minimums, due to vacancy savings from the above-mentioned positions being vacant throughout the first two months of 2012, as well as the fact that most of these positions will require several weeks to effectuate new hires, there is no additional 2012 budgetary impact above the adopted budget for the Department of Health from any of these adjustments; and be it further

RESOLVED, that certified copies of this resolution will be forwarded to the Erie County Sheriff, the County Executive, the Office of the Comptroller, the Department of Personnel, the Director of Labor Relations, the Division of Budget and Management, the Department of Law and to Commissioner Gale R. Burstein in the Erie County Department of Health.

MR. MAZUR moved to approve the item as amended. MR. HOGUES seconded.

CARRIED UNANIMOUSLY.

Item 33 – MR. MAZUR moved to discharge the FINANCE & MANAGEMENT COMMITTEE of further consideration of COMM. 5E-9 (2012). MR. McCracken seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 90

RE: 2012 Consolidated Bond Resolution  
(COMM. 5E-9, 2012)

RESOLUTION NO. 90-2012

BOND RESOLUTION DATED MARCH 29, 2012

BOND RESOLUTION OF THE COUNTY OF ERIE, NEW YORK, AUTHORIZING VARIOUS CAPITAL PROJECTS INCLUDED IN THE 2012 CAPITAL BUDGET OF THE COUNTY, STATING THE TOTAL ESTIMATED MAXIMUM COST OF SUCH PROJECTS IS \$36,230,973, APPROPRIATING SAID AMOUNT THEREFOR, INCLUDING THE EXPENDITURE OF \$15,330,682 EXPECTED TO BE RECEIVED IN STATE OR FEDERAL AID, AND AUTHORIZING THE ISSUANCE OF \$20,900,291 BONDS OF THE COUNTY TO FINANCE THE BALANCE OF SAID APPROPRIATION; AND FURTHER AUTHORIZING ANY AMOUNTS RECEIVED FROM THE UNITED STATES OF AMERICA AND/OR THE STATE OF NEW YORK TO BE EXPENDED TOWARDS THE COST OF CERTAIN OF SUCH CAPITAL PROJECTS AS INDICATED HEREIN, OR REDEMPTION OF ANY NOTES AND BONDS ISSUED THEREFOR OR TO BE BUDGETED AS AN OFFSET TO THE TAXES FOR PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SAID NOTES AND BONDS.

(Introduced) March 29, 2012

(Adopted) March 29, 2012

RESOLVED BY THE COUNTY LEGISLATURE OF THE COUNTY OF ERIE, NEW YORK (by the affirmative vote of not less than two thirds of the voting strength of said Legislature), AS FOLLOWS:

Section 1. The County of Erie, New York (herein called “County”), is hereby authorized to undertake the various capital projects as described in column A of the attached schedule, each as more fully described in column G of the attached schedule and the duly adopted 2012 Capital Budget for the County. To the extent that the details set forth in this resolution are inconsistent with any details set forth in the 2012 Capital Budget of the County, such Budget shall be deemed and is hereby amended. For each of the specific objects or purposes, classes of objects or purposes and combinations of objects or purposes, as specified in column A-1 of the attached



schedule, the respective estimated maximum costs, including preliminary costs and costs incidental thereto and to the financing thereof, are set forth in column B of the attached schedule, and said respective amounts are hereby appropriated therefor pursuant to the duly adopted 2012 Capital Budget for the County. The plan of financing includes the expenditure of \$15,330,682 in State and Federal aid expected to be received, and the issuance of \$20,900,291 aggregate principal amount of bonds of the County to finance the balance of said appropriations, the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds and the interest thereon as the same shall become due and payable. Any amounts received by the County from the United States of America and/or the State of New York are hereby authorized to be expended towards the cost of the applicable specific objects or purposes, classes of objects or purposes or combinations of objects or purposes or the redemption of any notes and bonds issued therefor or to be budgeted as an offset to the taxes for the repayment of the principal of and interest on said notes and bonds.

Section 2. Bonds of the County in the respective principal amounts set forth in column C of the attached schedule are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law") to finance said appropriations.

Section 3. The respective periods of probable usefulness for said specific objects or purposes, classes of objects or purposes and combinations of objects or purposes for which said \$20,900,291 bonds herein authorized are to be issued, within the limitations of §11.00 a. of the Law, is set forth in column F of the attached schedule.

Section 4. The County intends to finance, and the Comptroller of the County is hereby authorized to advance such amounts as are necessary to pay the costs of the respective specific objects or purposes, classes of objects or purposes and combinations of objects or purposes described in Section 1 hereof, prior to the issuance of the bonds or bond anticipation notes herein authorized, out of any available funds of the County on an interim basis, which respective amounts are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the County pursuant to this Resolution, in the respective maximum amounts of bonds herein authorized. This Resolution is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 5. Subject to the provisions of this Resolution and of the Law, and pursuant to the provisions of §21.00 relative to the issuance of bonds having substantially level or declining annual debt service, §30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and of §§50.00, 56.00 to 60.00 and 168.00 of said Law, the powers and duties of the County Legislature relative to authorizing the issuance of any notes in anticipation of the sale of the respective amounts of bonds herein authorized, or the renewals thereof, relative to providing for substantially level or declining annual debt service, relative to prescribing the terms, form and contents and as to the sale and issuance of the respective amounts of bonds herein authorized, and of any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and relative to executing agreements for credit enhancement, are hereby delegated to the Comptroller of the County, as the chief fiscal officer of the County.

Section 6. Each of the bonds authorized by this Resolution and any bond anticipation notes issued in anticipation of the sale thereof shall contain the recital of validity prescribed by §52.00 of said Local Finance Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the County of Erie, payable as to both principal and interest by general tax upon all the taxable real property within the County. The faith and credit of the County

are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and provision shall be made annually in the budgets of the County by appropriation for (a) the amortization and redemption of the notes and bonds to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 7. The validity of the bonds authorized by this Resolution and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of this Resolution are not substantially complied with, and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or
- (c) such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This Resolution shall take effect immediately upon approval by the County Executive.

MR. MAZUR moved to amend the item. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

Delete the Resolution in its Entirety and Replace with the Attached:

RESOLUTION NO. 90-2012

BOND RESOLUTION DATED March 29, 2012

BOND RESOLUTION OF THE COUNTY OF ERIE, NEW YORK, AUTHORIZING VARIOUS CAPITAL PROJECTS INCLUDED IN THE 2012 CAPITAL BUDGET OF THE COUNTY, STATING THE TOTAL ESTIMATED MAXIMUM COST OF SUCH PROJECTS IS \$36,665,973, APPROPRIATING SAID AMOUNT THEREFOR, INCLUDING THE EXPENDITURE OF \$15,330,682 EXPECTED TO BE RECEIVED IN STATE OR FEDERAL AID, AND THE EXPENDITURE OF \$135,000 IN COUNTY CURRENT FUNDS AVAILABLE OR TO BE AVAILABLE, AND AUTHORIZING THE ISSUANCE OF \$21,200,291 BONDS OF THE COUNTY TO FINANCE THE BALANCE OF SAID APPROPRIATION; AND FURTHER AUTHORIZING ANY AMOUNTS RECEIVED FROM THE UNITED STATES OF AMERICA AND/OR THE STATE OF NEW YORK TO BE EXPENDED TOWARDS THE COST OF CERTAIN OF SUCH CAPITAL PROJECTS AS INDICATED HEREIN, OR REDEMPTION OF ANY NOTES AND BONDS ISSUED THEREFOR OR TO BE BUDGETED AS AN OFFSET TO THE TAXES FOR PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SAID NOTES AND BONDS.

(Introduced) March 29, 2012

(Adopted) March 29, 2012

RESOLVED BY THE COUNTY LEGISLATURE OF THE COUNTY OF ERIE, NEW YORK (by the affirmative vote of not less than two thirds of the voting strength of said Legislature), AS FOLLOWS:

Section 1. The County of Erie, New York (herein called "County"), is hereby authorized to undertake the various capital projects as described in column A of the attached schedule, each as more fully described in column G of the attached schedule and the duly adopted 2012 Capital Budget for the County. To the extent that the details set forth in this resolution are inconsistent with any details set forth in the 2012 Capital Budget of the County, such Budget shall be deemed and is hereby amended. For each of the specific objects or purposes, classes of objects or purposes and combinations of objects or purposes, as specified in column A-1 of the attached schedule, the respective estimated maximum costs, including preliminary costs and costs incidental thereto and to the financing thereof, are set forth in column B of the attached schedule, and said respective amounts are hereby appropriated therefor pursuant to the duly adopted 2012 Capital Budget for the County. The plan of financing includes the expenditure of \$15,330,682 in State and Federal aid expected to be received, the expenditure of \$135,000 County current funds available or to be available therefor, and the issuance of \$21,200,291 aggregate principal amount of bonds of the County to finance the balance of said appropriations, the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds and the interest thereon as the same shall become due and payable. Any amounts received by the County from the United States of America and/or the State of New York are hereby authorized to be expended towards the cost of the applicable specific objects or purposes, classes of objects or purposes or combinations of objects or purposes or the redemption of any notes and bonds issued therefor or to be budgeted as an offset to the taxes for the repayment of the principal of and interest on said notes and bonds.

Section 2. Bonds of the County in the respective principal amounts set forth in column C of the attached schedule are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law") to finance said appropriations.

Section 3. The respective periods of probable usefulness for said specific objects or purposes, classes of objects or purposes and combinations of objects or purposes for which said \$21,200,291 bonds herein authorized are to be issued, within the limitations of §11.00 a. of the Law, is set forth in column F of the attached schedule.

Section 4. The County intends to finance, and the Comptroller of the County is hereby authorized to advance such amounts as are necessary to pay the costs of the respective specific objects or purposes, classes of objects or purposes and combinations of objects or purposes described in Section 1 hereof, prior to the issuance of the bonds or bond anticipation notes herein authorized, out of any available funds of the County on an interim basis, which respective amounts are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the County pursuant to this Resolution, in the respective maximum amounts of bonds herein authorized. This Resolution is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 5. Subject to the provisions of this Resolution and of the Law, and pursuant to the provisions of §21.00 relative to the issuance of bonds having substantially level or declining annual debt service, §30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and of §§50.00, 56.00 to 60.00 and 168.00 of said Law, the powers and duties of the County Legislature relative to authorizing the issuance of any notes in anticipation of the sale

of the respective amounts of bonds herein authorized, or the renewals thereof, relative to providing for substantially level or declining annual debt service, relative to prescribing the terms, form and contents and as to the sale and issuance of the respective amounts of bonds herein authorized, and of any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and relative to executing agreements for credit enhancement, are hereby delegated to the Comptroller of the County, as the chief fiscal officer of the County.

Section 6. Each of the bonds authorized by this Resolution and any bond anticipation notes issued in anticipation of the sale thereof shall contain the recital of validity prescribed by §52.00 of said Local Finance Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the County of Erie, payable as to both principal and interest by general tax upon all the taxable real property within the County. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and provision shall be made annually in the budgets of the County by appropriation for (a) the amortization and redemption of the notes and bonds to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 7. The validity of the bonds authorized by this Resolution and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of this Resolution are not substantially complied with, and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or
- (c) such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This Resolution shall take effect immediately upon approval by the County Executive.

MR. MAZUR moved to approve the item as amended. MR. McCRACKEN seconded.

CHAIR GRANT directed that a roll-call vote be taken.

AYES: MS. DIXON, MR. HARDWICK, MR. LORIGO, MR. MILLS, MR. RATH, CHAIR GRANT, MR. HOGUES, MR. LOUGHRAN, MS. MARINELLI, MR. MAZUR and MR. McCRACKEN. NOES: None. (AYES: 11; NOES: 0)

CARRIED UNANIMOUSLY.

**See Attached “2012 Master Bond Resolution Chart of Component Projects,”  
2012 Consolidated Bond Resolution, COMM. 5E-9, 2012.**

**SUSPENSION OF THE RULES**

None.

**COMMUNICATIONS FROM ELECTED OFFICIALS**

**FROM LEGISLATOR McCracken**

Item 34 – (COMM. 6E-1) Letter to Clerk of Legislature Concerning Abstention from Comm. 4E-11 (2012) Vote on 3/6/2012, at the Meeting of the Energy & Environment Committee

Received, Filed and Printed.

March 15, 2012

Robert M. Graber, Clerk  
Erie County Legislature  
92 Franklin Street – 4<sup>th</sup> Floor  
Buffalo, NY 14202

Dear Mr. Graber:

RE: Erie County Energy & Environment Committee Meeting 3-6-2012  
Item: COMM 4E-11 (2012) Appointments to Erie County Sewer District No. 2  
Board of Managers for term expiring 12-31-2013

As required by the Erie County Code of Ethics [Local Law No. 10-1989, Section 5(b)], on March 6, 2012, at the meeting of the Energy & Environment Committee, I did abstain from voting on the above appointments. I am related to one of the proposed appointees and I abstained to avoid a conflict of interest and the appearance of a conflict of interest in the matter. My abstention is noted in Report # 3 of the 2012 meeting of the Energy & Environment Committee.

Please file this notice in the record of proceedings.

Thank you.

Sincerely,

Terrence D. McCracken  
8<sup>th</sup> District Legislator

**FROM THE COUNTY EXECUTIVE**

Item 35 – (COMM. 6E-2) Issuance of Executive Order No. 10

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

**FROM THE COMPTROLLER**

Item 36 – (COMM. 6E-3) State Authorization for the Private Sale of Bonds by Negotiated Agreement

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM CHAIR GRANT

Item 37 – MR. MAZUR presented the following resolution and moved for immediate consideration. MR. LOUGHRAN seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 91

RE: Letter to Clerk of Legislature  
Concerning Reappointment of  
Commissioner to the EC Water  
Authority  
(COMM. 6E-4)

March 26, 2012

Mr. Robert M. Graber, Clerk  
Erie County Legislature  
92 Franklin St., 4<sup>th</sup> Floor  
Buffalo, NY 14202

RE. Reappointment of Commissioner to the Erie County Water Authority

Dear Mr. Graber:

On March 12, 2012 I informed you that a term for a Commissioner of the Erie County Water Authority will expire on April 27, 2012 and requested that you send all notices required by Section 5.01 of the 2012 Rules of Order of the Erie County Legislature. You informed me that all required notices were distributed to the general public and each legislator in a timely manner and that interviews were conducted on March 22, 2012.

As all of the Rules of Order were followed, I am prepared to make an appointment of a Commissioner as required by Section 1053 of the Public Authorities Law. Therefore, I hereby re-appoint FRANCIS G. WARTHLING, 346 Willett Rd., Blasdell, NY 14219, to fill a three-year term commencing April 28, 2012 and expiring April 27, 2015.

Thank you for your cooperation in this matter.

Sincerely yours,

Betty Jean Grant, Chair  
Erie County Legislature

MR. MAZUR moved to amend the item. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

Attach the Following to COMM. 6E-4 (2012):

We, the undersigned, representing a majority of the members of the Erie County Legislature, do hereby nominate FRANCIS G. WARTHLING, 346 Willett Rd., Blasdell, NY 14219, for re-appointment as Commissioner of the Erie County Water Authority, to fill a three-year term commencing April 28, 2012 and expiring April 27, 2015.

Timothy R. Hogues  
1<sup>st</sup> District

Betty Jean Grant  
2<sup>nd</sup> District

Lynn M. Marinelli  
3<sup>rd</sup> District

Kevin R. Hardwick  
4<sup>th</sup> District

Thomas A. Loughran  
5<sup>th</sup> District

Edward A. Rath, III  
6<sup>th</sup> District

Thomas J. Mazur  
7<sup>th</sup> District

Terrence D. McCracken  
8<sup>th</sup> District

Lynne M. Dixon  
9<sup>th</sup> District

Joseph C. Lorigo  
10<sup>th</sup> District

John J. Mills  
11<sup>th</sup> District

RESOLVED, the Erie County Legislature does hereby confirm the re-appointment of FRANCIS G. WARTHLING, 346 Willett Rd., Blasdell, NY 14219, to the Erie County Water Authority for a three-year term commencing April 28, 2012 and expiring April 27, 2015.

MR. MAZUR moved to approve the item as amended. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

FROM THE COUNTY EXECUTIVE

Item 38 – (COMM. 6E-5) Preliminary Unaudited 2011 EC Financial Results

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 39 – MR. MAZUR presented the following resolution and moved for immediate consideration and approval. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 92

RE: DPW - ECC City Campus - Exterior  
Restoration Project - Alternate No. 2  
(COMM. 6E-6)

WHEREAS, the County of Erie received bids for the Erie Community College City Campus-  
Exterior Restoration Project on October 18, 2010; and

WHEREAS, your honorable body has previously approved a Construction Contract with  
Picone Construction Corporation in the amount of \$4,839,000.00, for the Erie Community City  
Campus, Exterior Restoration Project; and

WHEREAS, included within the bid proposal of Picone Construction Corporation is work  
defined under Alternate No.2 for the sum of \$1,610,000.00 for work to the public entries at the  
north, south and west elevations and the porte cochere at the east elevation; and

WHEREAS, at the time of award there were insufficient funds to include Alternate No. 2  
work in the contract of Picone Construction Corporation. Additional funds for this work are now  
available in the 2011 capital budget.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to issue a contract amendment to  
Picone Construction Corporation's contract for the Alternate No.2 work for the sum of  
\$1,610,000.00.

RESOLVED, that the Comptroller's Office be authorized to make payment for all the above  
from SAP project accounts as follows:

E.00065 - 2006 Exterior Building Renovation,	\$135,020.00
E.00068 - 2007 Exterior Building Renovation-ECC,	\$400,000.00
E.00069 - 2007 Exterior Building Restoration-ECC,	\$467,907.90
E.20902 - 2009 ECC Ext Bldg Renov & Restorations,	\$2,780.00
<u>E.11004- 2011 ECC Ext Bldg Renov &amp; Restorations,</u>	<u>\$604,292.10</u>

Total payments not to exceed: \$1,610,000.00

and be it further

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

Item 40 – MR. MAZUR presented the following resolution and moved for immediate  
consideration and approval. MS. DIXON seconded.



CARRIED UNANIMOUSLY.

RESOLUTION NO. 93

RE: DSS - Child Care Fraud Prevention  
Grant  
(COMM. 6E-7)

WHEREAS, new regulations from the New York State Office of Children and Family Services (OCFS) effective 10/5/2011 enable Erie County Department of Social Services (ECDSS) to defer payments to providers and clients when inaccuracies are discovered; and

WHEREAS, the DSS Special Investigating Division is backlogged with work and does not have the capacity to review additional cases; and

WHEREAS, the Office of Children and Family Services has awarded a grant of \$94,051 to ECDSS to reduce child care subsidy fraud for the period 4/1/2012 – 3/31/2013; and

WHEREAS, this grant is sufficient to fund one full-time employee and additional professional services; and

WHEREAS, there is no fiscal impact to this resolution as there is 100% reimbursement for this program with no local share.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to accept funds in the amount of \$94,051 for the “Child Care Fraud Prevention” grant program and to establish the grant project; and be it further

RESOLVED, that ECDSS is hereby authorized to create and fill a position of Special Investigator (B-100 #6852, Job Group 08); and be it further

RESOLVED, that ECDSS is hereby authorized to contract for data development, prevention materials development, and community facilitation; and be it further

RESOLVED, that the following appropriations are established in the Department of Social Services for the period of April 1, 2012 through March 31, 2013 for the Child Care Fraud Prevention grant:

Department of Social Services, Fund Center 120, Fund 281  
Grant 120CCFRAUDPREV1213

<u>ACCOUNT</u>	<u>DESCRIPTION</u>	<u>INCREASE</u>
500000	Full-Time Salaries	42,821
505000	Fringe Benefits	25,478
516020	Professional Services	15,000
912000	ID DSS Services	<u>10,752</u>

	Total Expenditure	<u>\$94,051</u>
409000	State Aid Grant Program	<u>\$94,051</u>
	Total Revenue	<u>\$94,051</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.

Item 41 – (COMM. 6E-8) Grant Programs - Authorization to Contract

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 42 – (COMM. 6E-9) ECSD Nos. 1, 3, 4 & 5 - Engineer Term Contract Agreement

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 43 – (COMM. 6E-10) DPW - NYSDOT Supplemental Agreement No. 2 - Reconstruction of Seneca Street Bridge - Town of West Seneca

Item 44 – (COMM. 6E-11) DPW - Federal-Aid Highway & Marchiselli-Aid - Local Project Supplemental Agreement with NYSDOT & Change Order for Engineering Design Services for the Reconstruction of Savage Road Bridge over Dry Creek - Town of Sardinia

Item 45 – (COMM. 6E-12) Department of Parks, Recreation & Forestry - State Aid for Snowmobile Development, 2011-2012

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

Item 46 – (COMM. 6E-13) DPW - Personnel Adjustment - Utility Fund

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

Item 47 – (COMM. 6E-14) Reappointments to the Fire Advisory Board

Received and referred to the PUBLIC SAFETY COMMITTEE.

Item 48 – (COMM. 6E-15) Membership Payment - NYS Association of Counties

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

**COMMUNICATIONS FROM THE DEPARTMENTS**

**FROM THE DEPARTMENT OF ENVIRONMENT & PLANNING**

Item 49 – (COMM. 6D-1) Rush Creek Interceptor & Elimination of Pumping Stations & Blasdell Wastewater Treatment Plant - SEQR Notification

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 50 – (COMM. 6D-2) Intermunicipal Agreement for the Creation of the Buffalo Erie Niagara Land Improvement Corporation

Item 51 – (COMM. 6D-3) By-Laws of Buffalo Erie Niagara Land Improvement Corporation

The above two items were received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

**FROM THE DIRECTOR OF BUDGET & MANAGEMENT**

Item 52 – (COMM. 6D-4) Budget Monitoring Reports - January & February 2012

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

**FROM THE DEPARTMENT OF ENVIRONMENT & PLANNING**

Item 53 – (COMM. 6D-5) Lease of USCG Property & Related Improvements - SEQR Notification

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

**COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES**

**FROM THE HAMILTON COUNTY BOARD OF SUPERVISORS**

Item 54 – (COMM. 6M-1) Copy of Resolution Calling on All Counties to Unite to Bring About Real & Meaningful Mandate Relief in NYS

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

**FROM THE SCHUYLER COUNTY LEGISLATURE**

Item 55 – (COMM. 6M-2) Copy of Resolution to Governor Cuomo & the NYS Legislature to Advance Funding & Expedite Completion of I-86 in Broome, Delaware, Sullivan & Orange Counties & Place Signage Recognizing the Designation of Daniel Patrick Moynihan Interstate Highway 86

Received and referred to the the ECONOMIC DEVELOPMENT COMMITTEE.

**FROM THE LANGSTON HUGHES INSTITUTE**

Item 56 – (COMM. 6M-3) 2012 Cultural Organization Data Response Sheet

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM THE VILLAGE OF SPRINGVILLE

Item 57 – (COMM. 6M-4) Copy of Resolution In Support for an EC Land Bank

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE AMHERST TOWN BOARD

Item 58 – (COMM. 6M-5) Copy of Resolution In Support for an EC Land Bank

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE CHEEKTOWAGA TOWN BOARD

Item 59 – (COMM. 6M-6) Copy of Resolution In Support for an EC Land Bank

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE VILLAGE OF HAMBURG

Item 60 – (COMM. 6M-7) Copy of Resolution In Support for an EC Land Bank

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE BURCHFIELD PENNEY ART CENTER

Item 61 – (COMM. 6M-8) 2012 Cultural Organization Data Response Sheet

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM THE CHENANGO COUNTY BOARD OF SUPERVISORS

Item 62 – (COMM. 6M-9) Copy of Resolution Calling on the Governor & NYS Legislature to Maintain the Current Success of the NYS Child Support Enforcement Unit by Maintaining a Commitment to a Strong State/Local Partnership

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

FROM THE ORCHARD PARK TOWN BOARD

Item 63 – (COMM. 6M-10) Copy of Resolution In Support for an EC Land Bank

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

**FROM THE SPORTS DIRECTOR, 1080AM WUFO RADIO**

Item 64 – (COMM. 6M-11) Letter to Legislature Concerning Buffalo Bills Lease to Play in Ralph Wilson Stadium

Received and referred to the the ECONOMIC DEVELOPMENT COMMITTEE.

**FROM THE COLORED MUSICIANS CLUB OF BUFFALO**

Item 65 – (COMM. 6M-12) 2012 Cultural Organization Data Response Sheet

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

**FROM THE LACKAWANNA COMMON COUNCIL**

Item 66 – (COMM. 6M-13) Copy of Resolution In Support for an EC Land Bank

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

**FROM THE NYSDEC**

Item 67 – (COMM. 6M-14) Public Notice: Inactive Hazardous Waste Disposal Site Delist Notice - Wide Beach Community, Brant, NY

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

**FROM THE SCHOHARIE COUNTY BOARD OF SUPERVISORS**

Item 68 – (COMM. 6M-15) Copy of Resolution Calling on All Counties to Unite to Bring About Real & Meaningful Mandate Relief in NYS

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

**FROM THE CHAIR, SUB-COMMITTEE ON PRISON REFORM, SOCIAL JUSTICE FROM ST. JOSEPH'S UNIVERSITY PARISH**

Item 69 – (COMM. 6M-16) Letter to Chair of Legislature in Support of EC Community Corrections Advisory Board's Request for an Ombudsman to be Appointed to the EC Holding Center

Received and referred to the PUBLIC SAFETY COMMITTEE.

**FROM THE POLISH ARTS CLUB OF BUFFALO**

Item 70 – (COMM. 6M-17) 2012 Cultural Organization Data Response Sheet

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM THE NYSDEC

Item 71 – (COMM. 6M-18) Public Notice: Inactive Hazardous Waste Disposal Site Delist Notice - 110 Fuhmann Blvd., Buffalo, NY

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE NYS DEPARTMENT OF AGRICULTURE & MARKETS

Item 72 – (COMM. 6M-19) Letter to Legislature Concerning Receipt of Resolution Regarding a Report & Plan to Modify EC Agricultural District No. 2

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM CORNELL COOPERATIVE EXTENSION

Item 73 – (COMM. 6M-20) Copy of Program Goals for 2012

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM THE AMHERST TOWN BOARD

Item 74 – (COMM. 6M-21) Copy of Resolution Regarding Working with the Amherst Industrial Development Agency

Received and referred to the the ECONOMIC DEVELOPMENT COMMITTEE.

FROM THE EDEN TOWN BOARD

Item 75 – (COMM. 6M-22) Copy of Resolution In Support for an EC Land Bank

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE LANCASTER TOWN BOARD

Item 76 – (COMM. 6M-23) Copy of Resolution Concerning Hydrofracking

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM NYS SENATOR GALLIVAN

Item 77 – (COMM. 6M-24) Letter to Legislature Concerning Receipt of Resolution Concerning NYS Electrical Transmission Line Infrastructure & Stabilizing Employment at Existing Power Plants

Received and Filed.

**ANNOUNCEMENTS**

Item 78 – CHAIR GRANT announced that the next session of the Legislature will be Thursday, April 5, 2012.

Item 79 – MR. MAZUR announced that April is Autism Awareness Month, and that in recognition of autism awareness the Legislature will have a special presentation at the April 5<sup>th</sup> session, and also extended appreciation to the artists of paintings hanging in the Legislature lobby that had been painted by autistic artists.

Item 80 – CHAIR GRANT announced that “We are Women Warriors” will present “Our Two Martins – Martin Luther King and Trayvon Martin,” and discuss their impact on the civil rights movement, the country and the world. The event will take place on Wednesday, April 4, 2012, from 5:30 P.M. to 7:45 P.M., at the Frank E. Merriweather Library, 1324 Jefferson Ave., Buffalo. The event is free and open to the public.

**MEMORIAL RESOLUTIONS**

Item 81 – Legislator Hardwick requested that when the Legislature adjourns, it do so in memory of Brenda Carey, Paula E. Amand, Raymond J. Young, Jeffrey A. Buck, John T. Gendron Sr., Joanne Hartman, June A. Marble, Elizabeth A. Brinda, Peter W. Prince, Peter McHugh and Ralph H. Livingston.

Item 82 – Legislator Rath requested that when the Legislature adjourns, it do so in memory of Pendennis B. Fitzgerald and U.S. Army Sergeant William Wilson III.

Item 83 – Legislator Dixon requested that when the Legislature adjourns, it do so in memory of Robert G. Williams Sr. and Clair F. McMullen Jr.

Item 84 – Legislator Marinelli requested that when the Legislature adjourns, it do so in memory of Joseph A. “Joe Buff” Bonfante.

Item 85 – Legislator Hogues requested that when the Legislature adjourns, it do so in memory of Rodney Payne.

Item 86 – Legislator McCracken requested that when the Legislature adjourns, it do so in memory of James J. O’Rourke.

**ADJOURNMENT**

Item 87 - 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, April 5, 2012 at 2:00 p.m. Eastern Standard Time. MR. HOGUES seconded.

CARRIED UNANIMOUSLY.

CHAIR GRANT declared the Legislature adjourned until Thursday, April 5, 2012 at 2:00 p.m. Eastern Standard Time.

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



2012 Master Bond Resolution Chart  
of Component Projects

ATTACHMENT B:		2012 CAPITAL BUDGET BOND RESOLUTION - PROJECT COMPONENTS								
COLUMN #	SAP PROJ. NO.	A	A-1	B	C	D	E	F	G	
LINE NO.		PROJECT DESCRIPTION (object or purpose)	SPECIFIC OR CLASS	ESTIMATED MAXIMUM COST	AMOUNT OF BONDS AUTHORIZED	STATE or FEDERAL AID EXPECTED	LOCAL SOURCE REVENUE	PPU Sec. 11.00a reference	CAPITAL BUDGET PAGE REFERENCE	PROJECT DETAILS
1	A.12001	2012 REHABILITATION OF RALPH WILSON STADIUM (ORCHARD PARK)	S	\$ 2,900,000	\$ 2,900,000			15 yrs. Para 19(c)	B-111, 113 &120	The County must provide annual capital maintenance and repairs to the County owned stadium facilities pursuant to the terms of the Lease Agreement between the Erie County Stadium Corporation and the Buffalo Bills. The current Lease Agreement expires 7/30/2013. Funding in the 2012 Capital Budget continues the rehabilitation program at the Stadium.
2	A.12002	2012 BUFFALO NIAGARA CONVENTION CENTER REHABILITATION	S	\$ 500,000	\$ 500,000			15 yrs. para 12(a)(2)	B-111, 113 &120	This project will continue capital improvements to the Convention Center. These renovations are part of an ongoing cooperative effort to attract more events and allow the Convention Center to remain a regional asset.
3	A.12003	2012 COUNTYWIDE CODE AND ENVIRONMENTAL COMPLIANCE (COUNTYWIDE)	C	\$ 1,500,000	\$ 1,500,000			15 yrs. para 12(a)(2)	B-111, 113 &120	This project will include funding for the design and construction for building code compliance issues to ensure the County's facilities are safe. This includes testing and abatement of asbestos containing materials, testing and abatement of mold containing materials, building code issues, building deficiencies, and other environmental concerns.
4	A.12004	2012 COUNTYWIDE ROOF REPLACEMENT & EXTERIOR WATERPROOFING (COUNTYWIDE)	C	\$ 500,000	\$ 500,000			15 yrs. para 12(a)(2)	B-111, 113 &120	Many of the County's buildings are in need of exterior renovations in order to keep them in a water-tight condition. This project will address areas such as caulking, waterproofing, mason repointing and miscellaneous work to maintain and preserve the building exteriors.
5	A.12005	2012 COUNTYWIDE MECHANICAL ELECTRICAL & PLUMBING IMPROVEMENT (COUNTYWIDE)	C	\$ 1,000,000	\$ 1,000,000			10 yrs. para 13	B-111, 114 &120	The existing HVAC, plumbing, fire detection, fire protection and electrical systems in various buildings are well beyond their useful lives. This project will address those issues.
6	A.12006	2012 PUBLIC SAFETY CAMPUS-REDUNDANT A/C FOR 911 SYSTEM (BUFFALO)	S	\$ 200,000	\$ 200,000			10 yrs. para 13	B-111, 114 &120	Currently there is no back-up air conditioning unit for the public safety server room located in the CPS Public Safety Building. This project will provide a redundant air conditioning system to prevent disruption of critical 911 services.
7		2012 BRIDGE AND ROAD RECONSTRUCTION PROJECTS - FEDERAL AID PROGRAM (COUNTYWIDE)	COMBO	\$ 14,100,000	\$ 2,820,000	\$ 11,280,000		15 yrs., para 91	B-111, 114 &120	This project provides \$2,820,000 to finance the County share of various road and bridge projects which are eligible for State and Federal aid. The State and Federal share of this project totals \$11,280,000. Total project cost is \$14,100,000. Roads and bridges scheduled include: East Robinson and N. French Roads, Lake Avenue Bridge and Savage Road Bridge.
7-A	B.12001	2012 EAST ROBINSON AND N. FRENCH ROADS RECONSTRUCTION - FEDERAL AID PROGRAM	C	\$ 12,000,000	\$ 2,400,000	\$ 9,600,000		15 yrs. para 20(c)	B-111, 114 &120	This project provides \$2,820,000 to finance the County share of various road and bridge projects which are eligible for State and Federal aid. The State and Federal share of this project totals \$11,280,000. Total project cost is \$14,100,000. Roads and bridges scheduled include: East Robinson and N. French Roads, Lake Avenue Bridge and Savage Road Bridge.
7-B	B.12002	2012 LAKE AVENUE BRIDGE RECONSTRUCTION - FEDERAL AID PROGRAM	C	\$ 1,100,000	\$ 220,000	\$ 880,000		15 yrs. para 91	B-111, 114 &120	This project provides \$2,820,000 to finance the County share of various road and bridge projects which are eligible for State and Federal aid. The State and Federal share of this project totals \$11,280,000. Total project cost is \$14,100,000. Roads and bridges scheduled include: East Robinson and N. French Roads, Lake Avenue Bridge and Savage Road Bridge.
7-C	B.12003	2012 SAVAGE ROAD BRIDGE RECONSTRUCTION - FEDERAL AID PROGRAM	C	\$ 1,000,000	\$ 200,000	\$ 800,000		15 yrs. para 91	B-111, 114 &120	This project provides \$2,820,000 to finance the County share of various road and bridge projects which are eligible for State and Federal aid. The State and Federal share of this project totals \$11,280,000. Total project cost is \$14,100,000. Roads and bridges scheduled include: East Robinson and N. French Roads, Lake Avenue Bridge and Savage Road Bridge.
8	B.12004	2012 FEMA ROAD RECONSTRUCTION (COUNTYWIDE)	C	\$ 5,032,235	\$ 1,594,735	\$ 3,437,500		15 yrs. para 20(c)	B-111, 115 &120	This project will provide the local County share match to funds supplied by FEMA. Work will consist of repairs to damaged infrastructure due to declared disasters. State, Federal and Other previously approved funds for these projects totals \$3,437,500. Total project cost is \$5,032,235. Funds will be used on infrastructure including but not limited to: New Oregon Road, Vermont Street and Zoar Valley Road.
9	B.12005	2012 FEMA PROJECTS/ROAD DESIGN (COUNTYWIDE)	S	\$ 740,306	\$ 127,124	\$ 613,182		5 yrs. para 62(2nd)	B-111, 115 &120	This will fund engineering design services for projects previously damaged by severe storms: Zoar Valley Road Sites - PW 868, PW 751, PW 644, and PW 907. The State and Federal share of these projects is \$613,182. Total project cost is \$740,306.
10	B.12006	2012 FEMA PROJECTS/ROAD RIGHT-OF-WAY (COUNTYWIDE)	C	\$ 70,000	\$ 70,000			30 yrs. para 21	B-111, 115 &120	This project will fund Right of Way acquisition for five (5) projects eligible for federal aid: New Oregon Road and Zoar Valley Road Sites - PW 667, PW 644, PW 751 and PW 907.
11	B.12007	2012 PRESERVATION OF ROADS CONSTRUCTION (COUNTYWIDE)	C	\$ 2,000,000	\$ 2,000,000			15 yrs. para 20(c)	B-111, 115 &120	This is the fifth year of a fifteen year program to maintain our 1,187 centerline miles of roads. The plan is to rebuild or rehabilitate various roads throughout the County based on pavement condition rating needs. Roads have been evaluated and ranked based on conditions with specific estimates developed per road to address concerns.
12	B.12008	2012 PRESERVATION OF BRIDGES AND CULVERTS CONSTRUCTION (COUNTYWIDE)	C	\$ 608,432	\$ 608,432			20 yrs. para 10	B-111, 115 &120	This is the fifth year of a fifteen year program to maintain the 295 bridges greater than 20' on County highways and 461 small bridges with a span greater than 5' to 20' that have to be maintained and/or replaced.
13		2012 DAM SAFETY AND PRESERVATION RECONSTRUCTION (COUNTYWIDE)	C	\$ 750,000	\$ 750,000			5 yrs. para 35	B-111, 116 &120	This project will fund the reconstruction of the ten dams that are owned by the County. Inspections would be done on an as needed basis and repairs made to meet the NYSDEC guidelines. Presently, the County owns one high hazard dam and one medium hazard dam with the remaining being low hazard dams.
13-A	B.12009	2012 DAM SAFETY AND PRESERVATION RECONSTRUCTION-DESIGN (COUNTYWIDE)	C	\$ 600,000	\$ 600,000			5 yrs. para 62 (2nd)	B-111, 116 &120	This project will fund the design phase of the reconstruction of the ten dams that are owned by the County. Inspections would be done on an as needed basis and repairs made to meet the NYSDEC guidelines. Presently, the County owns one high hazard dam and one medium hazard dam with the remaining being low hazard dams.
13-B	B.12010	2012 DAM SAFETY AND PRESERVATION RECONSTRUCTION-CONSTRUCTION (COUNTYWIDE)	C	\$ 150,000	\$ 150,000			5 yrs. para 35	B-111, 116 &120	This project will fund the construction phase of the reconstruction of the ten dams that are owned by the County. Inspections would be done on an as needed basis and repairs made to meet the NYSDEC guidelines. Presently, the County owns one high hazard dam and one medium hazard dam with the remaining being low hazard dams.
14	B.12011	2012 BURDICK ROAD RIGHT-OF-WAY (TOWN OF NEWSTEAD)	S	\$ 20,000	\$ 20,000			30 yrs. para 21	B-111, 116 &120	This roadway has experienced numerous slope failures and problems resulting in hazardous travel for vehicles. Funds are available for design and construction, however, right-of-way needs to be acquired for roadway realignment, drainage and slope protection.
15	B.12012	2012 COUNTYWIDE HIGHWAY FACILITY BUILDING IMPROVEMENT (COUNTYWIDE)	C	\$ 500,000	\$ 500,000			15 yrs. para 12(a)(2)	B-111, 116 &120	The County's highway buildings were mainly constructed from 1930 to 1950. All are in serious need of rehabilitation for energy efficiencies and reduced maintenance costs. Building deficiencies include, but are not limited to, weather related damage, accessibility, security, communications and energy consumption. If the buildings are not brought up to current standards and they continue to deteriorate, in some cases the buildings may have to be closed.
16	B.12013	2012 LARGE VEHICLE REPLACEMENT PROGRAM (COUNTYWIDE)	C	\$ 900,000	\$ 900,000			15 yrs. para 28	B-111, 116 &120	The County's large vehicle fleet is aging to the point where major repairs are needed.
17	A.12007	2012 COUNTYWIDE PARKS IMPROVEMENTS AND EQUIPMENT (COUNTYWIDE)	C	\$ 1,100,000	\$ 1,100,000			15 yrs. para 19(c)	B-111, 117 &121	The Erie County Parks System Master Plan provides direction for repair, restoration and development of the Erie County Parks. This is a multi-year/multi-phase plan. The work of this project is in accordance with the recommendations in the Master Plan and will provide for the purchase of parks equipment and improvements to, but not necessarily limited to, electric upgrades, shelter upgrades, new picnic tables, new play structures and fall zone protection materials meeting current safety guidelines, and demolition and removal of structures.
18	A.12008	2012 AKRON FALLS VALLEY SERVICE ROAD BRIDGE REPLACEMENT (AKRON)	S	\$ 750,000	\$ 750,000			20 yrs. para 10	B-111 &121	This project includes the demolition, removal and replacement of existing 1950 bridge crossing Murder Creek. Failing to replace this bridge will necessitate the closing of a section of the park.
19	A.12009	2012 SHELTER, BUILDING AND COMFORT STATION REPLACEMENT (COUNTYWIDE)	C	\$ 400,000	\$ 400,000			15 yrs. para 12(a)(2)	B-111, 117 &121	This is an ongoing rehabilitation effort that includes building and shelter roof replacement, refurbishing comfort stations, replacement of windows, doors and siding.
20	A.12010	2012 ROADS, PATHWAYS AND PARKING LOT REPAIR (COUNTYWIDE)	C	\$ 360,000	\$ 360,000			10 yrs. para 20(f)	B-111, 117 &121	This project will include the resurfacing and rebuilding of various roads, pathways and parking lots within the County park system.
21	A.12011	2012 ERIE COUNTY MORGUE AND TOXICOLOGY IMPROVEMENTS (BUFFALO)	S	\$ 500,000	\$ 500,000			10 yrs. para 90	B-112, 118 &122	The Erie County Medical Examiner and Toxicology divisions have infrastructure which has not been updated to current standards and needs. This project will improve the facilities for autopsies and x-rays, heating, cooling and ventilating systems and security.
22	E.12001	2012 ERIE COMMUNITY COLLEGE EQUIPMENT (COUNTYWIDE)	C	\$ 1,800,000	\$ 1,800,000			5 yrs. para 89	B-112, 119 &122	This project provides for the acquisition of various pieces of equipment. This includes vehicle buildings and grounds equipment, laboratory and technical equipment as well as furniture and fixtures for all three campuses.

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COLUMN #		A	A-1	B	C	D	E	F	G	
LINE NO.	SAP PROJ. NO.	PROJECT DESCRIPTION (object or purpose)	SPECIFIC OR CLASS	ESTIMATED MAXIMUM COST	AMOUNT OF BONDS AUTHORIZED	STATE or FEDERAL AID EXPECTED	LOCAL SOURCE REVENUE	PPU Sec. 11.00a reference	CAPITAL BUDGET PAGE REFERENCE	PROJECT DETAILS
23	A.12012	2012 BLACK ROCK CANAL PARK IMPROVEMENTS (BUFFALO)	S	\$ 435,000	\$ 300,000		\$ 135,000	15 yrs, para 19(c)	B-112, 118 & 121	This project, formerly known as Ontario Street Boat Launch, is a multi-phased project that includes design and construction improvements to the boat launch, riverwall, access and egress system, parking, lighting and other enhancements to the Black Rock Canal Park. This represents Phase I. Partial funding for 2012 will come from the New York Power Authority/Greenway Funding.
<b>TOTALS</b>				\$ 36,665,973	\$ 21,200,291	\$ 15,330,682	\$ 135,000			
										Date
										Commissioner of Public Works
										Director of Budget
										Deputy Comptroller