



THE ERIE COUNTY LEGISLATURE

Session No. 10

May 12, 2011

Barbara Miller-Williams
Chair

Maria R. Whyte
Majority Leader

John J. Mills
Minority Leader

Robert M. Graber
Clerk of the Legislature

ROLL CALL

INVOCATION – Mr. Whalen

PLEDGE OF ALLEGIANCE – Mr. Kozub

TABLED ITEMS

ITEMS FOR RECONSIDERATION FROM PREVIOUS MEETING

MINUTES OF PREVIOUS MEETING

PUBLIC HEARING

MISCELLANEOUS RESOLUTIONS:

WHYTE	Honoring the 35th Anniversary of Concerned Ecumenical Ministry's Senior Center
WHYTE	Honoring the 50th Anniversary of Communications Workers of America AFL-CIO Locals 1122 & 1117
MILLER-WILLIAMS	Proclaiming the Month of May 2011 as Law Enforcement Appreciation Month
BOVE	Declaring the Week of May 15-21, 2011 as Emergency Medical Services Week
MILLS	Congratulating Gowanda Police Officer Jen Alessi on Receiving the General Douglas MacArthur Youth Award
MILLS	Congratulating Aurora Adult Day Services on Its 20th Year of Operation
MAZUR	Honoring the Memory of James M. Kurdzdorder
DIXON	Honoring & Recognizing the Eden Police Department, During National Police Week, for Their Constant Commitment to Public Safety & Community Service
DIXON	Honoring & Recognizing the Evans Police Department, During National Police Week, for Their Constant Commitment to Public Safety & Community Service
DIXON	Honoring & Recognizing the Brant Police Department, During National Police Week, for Their Constant Commitment to Public Safety & Community Service
DIXON	Honoring & Recognizing the Town of Hamburg Police Department, During National Police Week, for Their Constant Commitment to Public Safety & Community Service

DIXON	Honoring & Recognizing the Village of Hamburg Police Department, During National Police Week, for Their Constant Commitment to Public Safety & Community Service
DIXON	Honoring & Recognizing the Village of North Collins Police Department, During National Police Week, for Their Constant Commitment to Public Safety & Community Service
FUDOLI	Honoring & Recognizing the Lancaster Police Department, During National Police Week, for Their Constant Commitment to Public Safety & Community Service
DIXON	Congratulating Mr. Ray Vanni on the Occasion of His 85th Birthday
DIXON	Congratulating the Eden Library on Their 100 Year Centennial Celebration
MILLS	Honoring & Recognizing the Village of Springville Police Department, During National Police Week, for Their Constant Commitment to Public Safety & Community Service
MILLS	Honoring & Recognizing the Village of Gowanda Police Department, During National Police Week, for Their Constant Commitment to Public Safety & Community Service
MILLS	Honoring & Recognizing the Village of East Aurora/Town of Aurora Police Department, During National Police Week, for Their Constant Commitment to Public Safety & Community Service
MILLS	Honoring & Recognizing the Orchard Park Police Department, During National Police Week, for Their Constant Commitment to Public Safety & Community Service
RATH & WALTER	Congratulating Janine Tramont for the Small Business Advocate of the Year Award from the Amherst Chamber of Commerce
RATH & WALTER	Congratulating Business First for the President's Award from the Amherst Chamber of Commerce
RATH & WALTER	Congratulating e3 Communications for the Small Business of the Year Award from the Amherst Chamber of Commerce
WALTER	Congratulating Virginia "Ginny" Close for 25 Years of Volunteer Service at the Clarence Public Library
RATH & WALTER	Congratulating the Irishman Pub & Eatery for the Revitalizing Award from the Amherst Chamber of Commerce
RATH & WALTER	Congratulating Russell Salvatore for the Award for Excellence from the Amherst Chamber of Commerce
RATH & WALTER	Congratulating Tactus Technologies for the Innovation Award from the Amherst Chamber of Commerce
RATH & WALTER	Congratulating Bocce Pizzeria for the Sponsor's Award from the Amherst Chamber of Commerce

RATH & WALTER	Honoring the Town of Amherst Police Department, During National Police Week to Remember & Recognize All Those Who Continue to Serve Our Community
MILLS, WALTER, FUDOLI, HARDWICK, DIXON & RATH	Honoring the EC Sheriff's Office During National Police Week for Its Public Service & Commitment to Our Community
MILLS, WALTER, FUDOLI, HARDWICK, DIXON & RATH	Honoring the NYS Police During National Police Week for Their Public Service & Commitment to Our Community
MILLS, WALTER, FUDOLI, HARDWICK, DIXON & RATH	Thanking Maxine Radosevich for Her Commitment to Our Community
RATH	Congratulating CCS Oncology for the Grand Opening of Their State of the Art Clinic in Williamsville, NY
RATH	Congratulations to Mr. & Mrs. Milton on Celebrating Their 60th Wedding Anniversary
RATH	Congratulations to Mr. & Mrs. Arthur Hufnagel on Celebrating Their 50th Wedding Anniversary
RATH	Congratulations to Mr. & Mrs. Gerald S. Kehoe on Celebrating Their 60th Wedding Anniversary
RATH	Congratulations to Mr. & Mrs. Leroy on Celebrating Their 65th Wedding Anniversary
RATH	Congratulations to Mr. & Mrs. Patrick Cunningham on Celebrating Their 50th Wedding Anniversary
HARDWICK	Honoring the Town of Grand Island Police Department During National Police Week
HARDWICK	Honoring the City of Tonawanda Police Department During National Police Week
HARDWICK	Honoring the Town of Tonawanda Police Department During National Police Week
HARDWICK	Honoring the Village of Kenmore Police Department During National Police Week
HARDWICK	Honoring the Historical Society of the Tonawandas on Its 25th Anniversary
HARDWICK	Honoring Matthew Bagilo on Attaining the Coveted Rank of Eagle Scout
HARDWICK	Honoring Alexander Fumerelle on Attaining the Coveted Rank of Eagle Scout
HARDWICK	Honoring Thomas Knab on Attaining the Coveted Rank of Eagle Scout
WALTER	Honoring the Village of Akron Police Department During National Police Week

LOCAL LAWS:

REFERENCE:

LL INT. 1-1 1/19/2010	MAZUR, WHYTE, KENNEDY & MILLER-WILLIAMS	A LL in relation to requiring chain food service establishments to display calorie content values for menu items	Health & Human Services
LL INT. 2-1 1/25/2010	MARINELLI & WHYTE	A LL in relation to reducing the size of the Erie County Legislature	Government Affairs
LL INT. 3-1 3/23/2010	MARINELLI, WHYTE, GRANT, LOUGHRAN, MILLER-WILLIAMS, MILLS, KENNEDY, MAZUR, BOVE, HARDWICK, DIXON & RATH	A LL Entitled The "Consumer Protection & Law Enforcement Assistance Act"	Public Safety
LL INT. 4-1 4/19/2010	BOVE, MILLER- WILLIAMS, MILLS, KOZUB, KENNEDY & DIXON	A LL Entitled "EC Community Corrections Advisory Board" in Relation to Establishing the Erie County Community Corrections Advisory Board	Public Safety

COMMITTEE REPORTS:

REPORT NO. 6 FINANCE & MANAGEMENT COMMITTEE

REPORT NO. 6 GOVERNMENT AFFAIRS COMMITTEE

REPORT NO. 7 PUBLIC SAFETY COMMITTEE

LEGISLATOR RESOLUTIONS:

REFERENCE:

INTRO 10-1 WALTER Opposing H.R. 1555 Which Would
Threaten Security in WNY

COMMUNICATIONS DISCHARGED FROM COMMITTEE:

SUSPENSION OF THE RULES:

COMMUNICATIONS FROM ELECTED OFFICIALS:

REFERENCE:

COMM. 10E-1	COMPTROLLER	Copy of EC Interim Financial Report for the Three-Month Period Ended 3/31/2011	Finance & Management
COMM. 10E-2	SHERIFF	Aviation Reserve Fund Transfer	Public Safety
COMM. 10E-3	COUNTY EXECUTIVE	EC Holding Center Medical Reception Housing	Public Safety
COMM. 10E-4	COUNTY EXECUTIVE	Appointment to ECSD No. 1 for Term Expiring on 12/31/2011	Energy & Environment
COMM. 10E-5	COUNTY EXECUTIVE	Beeman Creek Park Transfer	
COMM. 10E-6	COUNTY EXECUTIVE	WNY Southtowns Scenic Byway Funding Agreement	
COMM. 10E-7	COUNTY EXECUTIVE	ECSDs/WNY Council on Occupational Safety & Health Proposed Agreement	Energy & Environment
COMM. 10E-8	COUNTY EXECUTIVE	United States Dept. of Energy - Energy Efficiency & Conservation Block Grant	Energy & Environment
COMM. 10E-9	COUNTY EXECUTIVE	ECSD Nos. 1&3 - Mineral Springs Road Old Meter Station Demolition & Magnetic Meter Building Replacement - Bid Opening	Energy & Environment
COMM. 10E-10	COUNTY EXECUTIVE	ECSD No. 6 - Phase 3 Sanitary Sewer Rehabilitation Project - Bid Opening	Energy & Environment
COMM. 10E-11	COUNTY EXECUTIVE	Closing of Highway Capital Projects & Transfer of Cash to Existing Highway Capital Project	Economic Development
COMM. 10E-12	COUNTY EXECUTIVE	Cemetery Road Highway Facility - Building Addition & Utility Relocation Project	Economic Development

COMM. 10E-13	COUNTY EXECUTIVE	Seneca Street Bridge Reconstruction - Town of West Seneca	Economic Development
COMM. 10E-14	COUNTY EXECUTIVE	Maple Road Intersection Reconstruction - Town of Amherst	Economic Development
COMM. 10E-15	COUNTY EXECUTIVE	Greiner at Shimerville Intersection Improvements - Town of Clarence	Economic Development
COMM. 10E-16	COUNTY EXECUTIVE	Supplemental Agreement with NYSDOT - Seneca Street Bridge Reconstruction - Town of West Seneca	Economic Development
COMM. 10E-17	COUNTY EXECUTIVE	Supplemental Agreement with NYSDOT - Maple Road Intersection Reconstruction - Town of Amherst	Economic Development
COMM. 10E-18	COUNTY EXECUTIVE	ECC City Campus - HVAC Equipment, Controls, Lighting & Plumbing Renovations Project	Economic Development
COMM. 10E-19	COUNTY EXECUTIVE	EC Department of Public Works - Division of Highways Response to NYSDOT Bridge Inspections with Yellow & Red Flagged Conditions of County Bridges & Culverts	Economic Development
COMM. 10E-20	COUNTY EXECUTIVE	Acceptance of Lackawanna Treatment Court Award	Public Safety
COMM. 10E-21	COUNTY EXECUTIVE	Phase 1 Engineering Services - Black Rock Canal Park	Energy & Environment
COMM. 10E-22	COUNTY EXECUTIVE	Amend Senior Employment Program Grant Budget	Health & Human Services
<u>COMMUNICATIONS FROM THE DEPARTMENTS:</u>			<u>REFERENCE:</u>
COMM. 10D-1	COMPTROLLER'S OFFICE	Medicaid Fraud Project	Health & Human Services
COMM. 10D-2	COUNTY ATTORNEY	Transmittal of New Claim Against EC	Government Affairs
COMM. 10D-3	COUNTY ATTORNEY	Transmittal of New Claim Against EC	Government Affairs
COMM. 10D-4	DIRECTOR OF BUDGET & MANAGEMENT	Copy of Budget Monitoring Report for the Period Ending 3/31/2011	Finance & Management
COMM. 10D-5	COUNTY ATTORNEY	Designation in the Event of Vacancy, Absence or Inability	R&F
COMM. 10D-6	COUNTY ATTORNEY	Notice of Public Hearing - Local Law Intro. No. 2-2011	Government Affairs

COMM. 10D-7	DEPARTMENT OF SOCIAL SERVICES	Response to the Audit Conducted by the Comptroller's Office Concerning Social Services Special Investigations Division for the Period 1/1/2008 - 12/31/2009	Health & Human Services
COMM. 10D-8	COUNTY ATTORNEY	Transmittal of New Claims Against EC	Government Affairs
<u>COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES:</u>			<u>REFERENCE:</u>
COMM. 10M-1	BUFFALO COMMON COUNCIL	Copy of Resolution Entitled "Build Community College's Health Sciences Center for Excellence at ECC City Campus in Downtown Buffalo"	Community Enrichment
COMM. 10M-2	HAMBURG TOWN BOARD	Copy of Resolution Concerning Reapportionment of EC Legislative Districts	Public Safety
COMM. 10M-3	EGGERTSVILLE COMMUNITY ORGANIZATION, INC.	Letter to Legislator Loughran Concerning Reapportionment of EC Legislative Districts	Government Affairs
COMM. 10M-4	NFTA	Minutes of Meeting Held 3/28/2011	Economic Development
COMM. 10M-5	HOLLAND TOWN BOARD	Copy of Resolution Concerning Natural Gas Drilling	Energy & Environment
COMM. 10M-6	NFTA	Copy of NFTA Notice of Proposed Rulemaking - Text of Proposed Revisions	Economic Development
COMM. 10M-7	COLDEN TOWN BOARD	Copy of Resolution Concerning Spay/Neuter Surcharges for Altered Dogs	Government Affairs
COMM. 10M-8	NYSDEC	Fact Sheet - Brownfield Cleanup Program - Cleanup Activities Completed at 111 Hydraulic Street Site	Energy & Environment
COMM. 10M-9	JEFFREY S. EBERHARD, PH.D.	Letter of Interest in Serving as a Commissioner for the EC Water Authority	Energy & Environment
COMM. 10M-10	CHEEKTOWAGA TOWN BOARD	Copy of Resolution Concerning Reapportionment of EC Legislative Districts	Government Affairs
COMM. 10M-11	KURT FELGEMACHER	Letter of Interest in Serving as a Commissioner for the EC Water Authority	Energy & Environment
COMM. 10M-12	BLACK LEADERSHIP FORUM	Letter of Interest in Serving as a Member of the EC Community Corrections Advisory Board	Public Safety

COMM. 10M-13	ECIDA	Copy of 2010 Annual Audited Financial Statement Including Supplemental Schedules Listing Indebtedness, Lease Transactions & Notes	Economic Development
COMM. 10M-14	DAVID L. TRUMPFHELLER	Letter of Interest in Serving as a Commissioner for the EC Water Authority	Energy & Environment
COMM. 10M-15	CHRISTOPHER T. WEINERT	Letter of Interest in Serving as a Commissioner for the EC Water Authority	Energy & Environment
COMM. 10M-16	LAURA V. LEWIS	Letter of Interest in Serving as a Commissioner for the EC Water Authority	Energy & Environment
COMM. 10M-17	GRAND ISLAND TOWN BOARD	Copy of Resolution Concerning Reapportionment of EC Legislative Districts	Public Safety
COMM. 10M-18	LACKAWANNA CITY COUNCIL	Copy of Resolution Concerning Reapportionment of EC Legislative Districts	Government Affairs
COMM. 10M-19	ECC PRESIDENT	2011 - 2012 ECC Budget	Community Enrichment

ANNOUNCEMENTS:

MEMORIAL RESOLUTIONS:

ADJOURNMENT: