



THE ERIE COUNTY LEGISLATURE

Session No. 6

March 17, 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. Mazur

PLEDGE OF ALLEGIANCE – Ms. Bove

TABLED ITEMS

ITEMS FOR RECONSIDERATION FROM PREVIOUS MEETING

MINUTES OF PREVIOUS MEETING

PUBLIC HEARING

MISCELLANEOUS RESOLUTIONS:

FUDOLI	Honoring Jerren Myers, an Intermediate Emergency Medical Technician for the Lancaster Volunteer Ambulance Corps, for His Heroic Efforts in Saving the Life of Orchard Park Resident, Derek Garner
FUDOLI	Honoring Jason Kaese, a Paramedic for the Lancaster Volunteer Ambulance Corps, for His Heroic Efforts in Saving the Life of Orchard Park Resident, Derek Garner
MAZUR	Honoring the Life of Ricky Prather
MAZUR	Memorial Resolution Honoring Sylvia Lipowski
MAZUR	In Remembrance of Frances Swiatek
MAZUR	Honoring the Memory of Former EC Sheriff Deputy Joseph Elias Joseph & His Many Contributions to the Residents of EC
BOVE	Congratulating the West Seneca Food Pantry on its Award as the West Seneca Chamber of Commerce 2011 Community Service Organization of the Year
BOVE	Congratulating Certo Brothers Distribution Company as the West Seneca Chamber of Commerce 2011 Business of the Year
BOVE	Congratulating Dale McCabe as the West Seneca Chamber of Commerce 2011 Citizen of the Year
BOVE	Congratulating Thomas J. Shriver as the West Seneca Chamber of Commerce 2011 Educator of the Year
BOVE	Congratulating John Morrison as the West Seneca Chamber of Commerce 2011 Chamber Member of the Year

MILLER-WILLIAMS	Celebrating March as Women's History Month
MILLER-WILLIAMS	Congratulating SABAH (Skating Athletes Bold at Heart) on Their Annual 'Celebration On Ice' Show on 3/27/2011 at HSBC Arena
MARINELLI	Honoring Karen Eckert & Her Recognition by the Amherst Museum's Women's Interclub Council During National Women's History Month
MARINELLI	Honoring Irene Adamski & Her Recognition by the Amherst Museum's Women's Interclub Council During National Women's History Month
MAZUR	Remembering the Life of Arthur J. Blackowski Jr. & His Commitment to Our Community
MILLS	Congratulating Paul Volo of Troop No. 285, on Obtaining the Rank of Eagle Scout
MILLS	Congratulating Corbin Dzimian of Troop No. 285, on Obtaining the Rank of Eagle Scout
MILLS, WALTER, FUDOLI, HARDWICK, DIXON & RATH	Proclaiming Sunday, April 10, 2011 'Niagara Frontier Radio Reading Service Day' Celebrating 200,000 Hours of Radio Readings to the Blind
HARDWICK	Honoring the Tonawanda Warriors Varsity Basketball Team Winning of the ECIC Div 4 Section 6 Crown
HARDWICK	Honoring the Tonawanda Warriors Bowling Team Winning of the ECIC DIV 4 Section 6 Crown
HARDWICK	Honoring the Erie Niagara Sunrise Exchange Club on Its 25th Anniversary
HARDWICK	Honoring Cory McGregor & Jordan McGregor on Their Performance at NYS Public High School Athletic Association State Wrestling Championship
HARDWICK	Honoring Tonawanda High School Cheering Team for Its Dedication to the Sports Teams of Tonawanda High School
HARDWICK	Honoring Aubrey McCoy of Girl Scout Troop No. 1019 on Receiving the Girl Scout Silver Award
HARDWICK	Honoring James T. Klock on Selection as Grand Island High School Distinguished Alumni Award Recipient of 2010
HARDWICK	Honoring Russell Certo on Selection as Grand Island High School Distinguished Alumni Award Recipient of 2010
DIXON	Recognizing Gracie Isabella Joyce for Being Named the 2011 Variety Club Kids Telethon Celebrity Child
DIXON	Honoring Carmen A. Vacco for His Commitment to the Community
FUDOLI	Honoring Eric Burt, a Paramedic for the Lancaster Volunteer Ambulance Corps, for His Heroic Efforts in Saving the Life of Orchard Park Resident, Derek Garner

MILLS, WALTER, FUDOLI, HARDWICK, DIXON & RATH	Congratulating Ralph C. Lorigo for Receiving the Anthony M. Castiglia Achievement Award from the Italian American Leadership Council
MILLER-WILLIAMS	Congratulating the CAO Head Start Program at Memorial Temple During the Week of the Young Child Celebration
MILLER-WILLIAMS	Celebrating Harriet Tubman 300's Inc., During National Women's History Month
MILLER-WILLIAMS, BOVE, DIXON, FUDOLI, GRANT, HARDWICK, KOZUB, LOUGHRAN, MAZUR, MARINELLI, MILLS, RATH, WALTER, WHALEN & WHYTE	Celebrating the Life of Former Buffalo Sabre Rick Martin
RATH	Congratulating ECC Men's Hockey Team on Winning the National Junior College Athletic Association (NJCAA) National Title
RATH	Honoring ECC Men's Hockey Coach Gary Rost for Being Named the National Junior College Athletic Association (NJCAA) National Coach of the Year

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. 3 FINANCE & MANAGEMENT COMMITTEE

REPORT NO. 3 GOVERNMENT AFFAIRS COMMITTEE

REPORT NO. 4 PUBLIC SAFETY COMMITTEE

REPORT NO. 4 ECONOMIC DEVELOPMENT COMMITTEE

REPORT NO. 1 COMMUNITY ENRICHMENT COMMITTEE

REPORT NO. 4 HEALTH & HUMAN SERVICES COMMITTEE

REPORT NO. 3 ENERGY & ENVIRONMENT COMMITTEE

LEGISLATOR RESOLUTIONS:

REFERENCE:

INTRO 6-1	DIXON	Supporting NYS Senate Bill S. 3306, also known as 'Laura Cummings Law'
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INTRO 6-2	MILLER-WILLIAMS, BOVE & WHALEN	Opposition to the Usurpation of the Assests of Western Off-Track Betting Corporation
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INTRO 6-3	DIXON, MILLS, WALTER, FUDOLI, HARDWICK & RATH	Opposing NYS Assembly Bills A. 5429 & A. 5430, Which Would Impose Registration Fees for Bicycles
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INTRO 6-4	MILLER-WILLIAMS	Studying the Possibility of Partnering with a Local Federally Qualified Health Center for the Purpose of Lowering the Cost of Prescription Medications for Inmates at the EC Correctional Facilities
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INTRO 6-5	RATH, MILLS, WALTER, DIXON, FUDOLI & HARDWICK	Opposing NYS Surcharge for Spay & Neutering Dogs
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COMMUNICATIONS DISCHARGED FROM COMMITTEE:

SUSPENSION OF THE RULES:

COMMUNICATIONS FROM ELECTED OFFICIALS:

REFERENCE:

COMM. 6E-1	COMPTROLLER	EC Fund Balance & Extension of the One Percent Sales Tax	Finance & Management
COMM. 6E-2	WHYTE	Letter to Clerk of Legislature Concerning EC Reapportionment Commission	Government Affairs
COMM. 6E-3	COMPTROLLER	Proposed Bond Resolution to Amend a 2007 Bond Resolution	Finance & Management
COMM. 6E-4	COMPTROLLER	Proposed Bond Resolution to Amend a 2010 Bond Resolution	Finance & Management
COMM. 6E-5	COUNTY EXECUTIVE	Veto Message of Local Law Intro 1-2011	Finance & Management
COMM. 6E-6	GRANT	Notice of Absence from Special Meeting Held on 3/8/2011	RFP
COMM. 6E-7	BOVE	Lease Agreement for Legislative Office Space	
COMM. 6E-8	WHYTE	Copy of Letter from OTB President & CEO Concerning the OTB Consolidation	Government Affairs
COMM. 6E-9	FUDOLI	Letter to Legislator Mazur Concerning EC Agricultural & Farmland Protection Board Appearance at Energy & Environment Committee	Energy & Environment
COMM. 6E-10	COUNTY EXECUTIVE	Resolution Authorizing the County Clerk to Increase the Amount of the Change-Making Fund at the EC Clerk's Office	
COMM. 6E-11	COUNTY EXECUTIVE	Chestnut Ridge Conservancy MOU	Energy & Environment
COMM. 6E-12	COUNTY EXECUTIVE	FEMA DR-1857-NY - Project on New Oregon Road - Town of Eden	Economic Development

COMM. 6E-13	COUNTY EXECUTIVE	Professional Architectural & Engineering Services	Economic Development
COMM. 6E-14	COUNTY EXECUTIVE	Ralph Wilson Stadium - 2011 - Miscellaneous Improvements	Economic Development
COMM. 6E-15	COUNTY EXECUTIVE	Ralph Wilson Stadium - 2011 - Artificial Grass Field Replacement	Economic Development
COMM. 6E-16	COUNTY EXECUTIVE	Grant Funding - WNY Stormwater Coalition: Mapping Project	Energy & Environment
COMM. 6E-17	COUNTY EXECUTIVE	Amend CSE & EISEP Grant Budgets & Authorize Contracts	Health & Human Services
COMM. 6E-18	COUNTY EXECUTIVE	API Heat Transfer Contract for Engineering Feasibility Studies	Energy & Environment
COMM. 6E-19	COUNTY EXECUTIVE	Establish MIPPA/ADRC Grant Budgets	Health & Human Services
COMM. 6E-20	COUNTY EXECUTIVE	ECSM - Engineering Service Agreement	Energy & Environment
COMM. 6E-21	COUNTY EXECUTIVE	CPS/ECC Law Enforcement Training Academy	Public Safety
COMM. 6E-22	COUNTY EXECUTIVE	Mandated Preventive Respite Services	Health & Human Services
COMM. 6E-23	COUNTY EXECUTIVE	Handicapped Parking Education Fund	Health & Human Services
COMM. 6E-24	COUNTY EXECUTIVE	Event Fees & Sponsorships	Energy & Environment
COMM. 6E-25	COUNTY EXECUTIVE	Survey Technical Services Agreement County Wide - TVGA Consultants, Elma NY	Economic Development
COMM. 6E-26	SHERIFF	EC Sheriff's Office - Laborer Sheriff	Public Safety
COMM. 6E-27	WHYTE	Letter to Chairman of EC Reapportionment Commission Concerning the History of EC Reapportionment Commission	Government Affairs
COMM. 6E-28	WHYTE	Letter to ECFSA Chairman Concerning a Follow-Up to Meeting with the Legislature's Finance & Management Committee	Finance & Management
COMM. 6E-29	MILLS	Notice of Absence from Special Meeting Held on 3/8/2011	RFP

COMMUNICATIONS FROM THE DEPARTMENTS:

REFERENCE:

COMM. 6D-1	COUNTY ATTORNEY	Transmittal of New Claim Against EC	Government Affairs
COMM. 6D-2	DIRECTOR OF BUDGET & MANAGEMENT	Letter Concerning January Budget Monitoring Report	Finance & Management
COMM. 6D-3	COMPTROLLER'S OFFICE	Audit of the Buffalo Niagara Convention & Visitors Bureau, Inc. for the Period 1/1/2008 - 6/30/2010	Community Enrichment
COMM. 6D-4	BOARD OF ELECTIONS	Resolution Requesting Grant Contract Extensions	
COMM. 6D-5	DIRECTOR OF BUDGET & MANAGEMENT	Copy of EC 2011 Adopted Budget	Finance & Management
COMM. 6D-6	BOARD OF ELECTIONS	Letter to Legislature Concerning Special Election Being Held 5/24/2011 for NYS 26th Congressional District	Government Affairs

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES:

REFERENCE:

COMM. 6M-1	MARTIZA VEGA	Letter of Interest for EC Reapportionment Commission	R&F
COMM. 6M-2	CORNELL COOPERATIVE EXTENSION	2011 Budget Accountability Act Submission	Community Enrichment
COMM. 6M-3	BUFFALO & EC PUBLIC LIBRARY	Minutes of Meeting Held 2/17/2011	Community Enrichment
COMM. 6M-4	NYSDEC	Fact Sheet: Cleanup Action to Begin at Polymer Applications Site - Town of Tonawanda	Energy & Environment
COMM. 6M-5	BUFFALO GREENCODE	Notice of Public Meetings to be Held Throughout Buffalo	Economic Development
COMM. 6M-6	ALAN ISSELHARD	Letter to Legislature Concerning Renewable Energy	Energy & Environment
COMM. 6M-7	EC SOIL & WATER	2011 Budget Accountability Act Submission	Community Enrichment
COMM. 6M-8	GENESEE COUNTY CLERK	Copy of Resolution Concerning Opposition to the Usurpation of the Assets of the Western Off-Track Betting Corporation	Government Affairs
COMM. 6M-9	THOMAS MARKS	Letter to Legislature Concerning Renewable Energy	Energy & Environment
COMM. 6M-10	CLARENCE TOWN CLERK	Copy of Resolution Concerning Contract with EC Water Authority	Energy & Environment

COMM. 6M-11	BUFFALO URBAN DEVELOPMENT CORPORATION	Notice of Public Meeting Held 3/9/2011	Economic Development
COMM. 6M-12	BUFFALO COMMON COUNCIL	Copy of Resolution Concerning Opposition to the Usurpation of the Assets of the Western Off-Track Betting Corporation	Government Affairs
COMM. 6M-13	ORCHARD PARK TOWN CLERK	Copy of Resolution in Opposition to Spay/Neuter Surcharges for Altered Dogs	Health & Human Services
COMM. 6M-14	BARRY NELSON COVERT	Letter of Interest for EC Community Corrections Advisory Board	Public Safety
COMM. 6M-15	CHRIS G. TRAPP	Copy of the Rules & Regulations of the EC Board of Ethics	Government Affairs
COMM. 6M-16	ASSOCIATION OF EC GOVERNMENTS	Letter to Legislature Concerning the Formation of a Committee	Health & Human Services
COMM. 6M-17	CATTARAUGUS COUNTY DEPUTY CLERK	Copy of Resolution Concerning Intent to Abandon Old Route 219 Bridge Over Cattaraugus Creek if NYS Discontinues Maintenance of Same	Economic Development
COMM. 6M-18	DIRECTOR, WESTERN-REGION OFF-TRACK BETTING CORPORATION	Copy of Resolution Concerning Opposition to the Usurpation of the Assets of the Western Off-Track Betting Corporation	Government Affairs
COMM. 6M-19	PRESIDENT & CEO, WESTERN REGION OFF-TRACK BETTING CORPORATION	Letter to Chair Miller-Williams Concerning Proposed Consolidation of Regional OTB Corporations	Government Affairs
COMM. 6M-20	EDEN TOWN CLERK	Copy of Resolution Opposing Spay/Neuter Surcharges for Altered Dogs	Health & Human Services
COMM. 6M-21	NEWSTEAD TOWN CLERK	Copy of Resolution Concerning Appointment Qualifications for Erie County Water Authority Commissioners	Energy & Environment
COMM. 6M-22	STEUBEN COUNTY LEGISLATURE	Copy of Resolution Opposing State Takeover of WNY Off-Track Betting Corporation	Government Affairs
COMM. 6M-23	NFTA	NFTA Board Minutes for Meeting Held 1/24/11	Economic Development
COMM. 6M-24	INTERCOUNTY ASSOCIATION OF WNY	Meeting Schedule for 2011, and Agenda Items for Meeting to be Held 3/18/11	Government Affairs
COMM. 6M-25	ASSIGNED COUNSEL PROGRAM	Letter to Chair Miller-Williams Concerning Appointment to EC Community Corrections Advisory Board	Public Safety

COMM. 6M-26	ASSIGNED COUNSEL PROGRAM	Letter to Chair Miller-Williams Concerning Resignation from EC Community Corrections Advisory Board	Public Safety
COMM. 6M-27	LEAGUE OF WOMEN VOTERS OF BUFFALO/NIAGARA	Letter to Legislature Concerning Advisory Committee on Reapportionment	Government Affairs
COMM. 6M-28	LIVINGSTON CORRECTIONAL FACILITY, SUPERVISOR, INMATE GRIEVANCE PROGRAM	Letter of Support for Kenneth Colon	Public Safety
COMM. 6M-29	NIAGARA DISTRICT COUNCILMEMBER, HISPANIC COMMUNITY LEADERS	Letter to Legislature Endorsing the Appointment of Kenneth Colon to the EC Community Corrections Advisory Board	Public Safety
COMM. 6M-30	ECMCC	Agenda Materials for Meeting Held on 3/1/11	Health & Human Services
COMM. 6M-31	BLACK LEADERSHIP FORUM	Letter Requesting Appointment to the EC Community Corrections Advisory Board	Public Safety
COMM. 6M-32	BUFFALO & EC PUBLIC LIBRARY	Agenda Materials for Meeting to be Held on 3/17/11	Community Enrichment

ANNOUNCEMENTS:

MEMORIAL RESOLUTIONS:

ADJOURNMENT: