



THE ERIE COUNTY LEGISLATURE

Session No. 8

April 14, 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 – Ms. Dixon

PLEDGE OF ALLEGIANCE – Mr. Mills

TABLED ITEMS

ITEMS FOR RECONSIDERATION FROM PREVIOUS MEETING

MINUTES OF PREVIOUS MEETING

PUBLIC HEARING

MISCELLANEOUS RESOLUTIONS:

MAZUR	Honoring the Memory of Adolph J. "Al" Wiercioch
BOVE	Congratulating Winchester Elementary on Being Named a 2011 Champion of Character School by the Academy for Character Education
MAZUR	Congratulating Ms. Edith Brown Upon the Occasion of Her 80th Birthday on 4/15/2011
MILLS	Congratulating Andrew Colton Nason of Troop No. 524, on Obtaining the Rank of Eagle Scout
MAZUR	In Remembrance of Anna M. Palisano
MILLS & DIXON	Honoring Keith Ayers, 1st Assistant Chief, North Collins Volunteer Fire Company for His Heroism & Risking His Life Battling a Fire in Morton's Corners
WHYTE	Welcoming Ms. Cecilia Zarate-Laun to EC for the WNY Peace Center's Latin American Solidarity Committee's 30th Annual Latin American Event
WHYTE	Recognizing the Niagara Frontier Radio Reading Service's "200,000 Hours of Radio Readings" Milestone
RATH	Honoring Main-Transit Fire Department on 75 Years of Service to the Community
RATH	Congratulating the Williamsville Girl's Ice Hockey Team on Its Inaugural Season

MILLER-WILLIAMS, WHYTE, MILLS, KOZUB, WHALEN, WALTER, FUDOLI, GRANT, MAZUR, BOVE, HARDWICK, MARINELLI, DIXON, LOUGHRAN & RATH	Honoring the Life of Army Sgt. Michael S. Lammerts
HARDWICK	Honoring Jon Roth on Receiving the 2011 Athletic Administrator of the Year Award
HARDWICK & MARINELLI	Honoring the Town of Tonawanda on Its 175th Anniversary
HARDWICK	Honoring the Life of Trooper Kevin P. Dobson
HARDWICK	Honoring the Miracle League of Grand Island & WNY on Its Groundbreaking Celebration of Its Barrier Free Baseball Field
MAZUR	In Remembrance of Anna A. Anthony
MARINELLI	Celebrating National Library Week
MILLER-WILLIAMS	Congratulating the CAO Head Start Program at Memorial Temple During the Week of the Young Child Celebration
KOZUB	Honoring Judge Robert Russell for His Outstanding Leadership, Vision & Compassion in Creating the Veterans' Treatment Court
MAZUR	Congratulating & Expressing Heartfelt Appreciation to the 2011 Volunteer Honorees of Meals on Wheels for WNY, Inc.
FUDOLI & MAZUR	Congratulating Emily Law from Depew Middle School for Winning First Place in the "Freedom in America" Essay Contest Sponsored by the Lancaster-Depew Sertoma Club
FUDOLI & MAZUR	Congratulating Samantha Sosnowski from Depew Middle School for Winning First Place in the "Freedom in America" Poster Contest Sponsored by the Lancaster-Depew Sertoma Club
DIXON	Congratulating Trevor S. Schmidt, Troop No. 578 in Derby, for Earning the Rank of Eagle Scout
DIXON	Congratulating Benjamin J. Rutkowski, Troop No. 400 in Hamburg, for Earning the Rank of Eagle Scout
DIXON	Congratulating Michael J. Raab, Troop No. 400 in Hamburg, for Earning the Rank of Eagle Scout
DIXON	Congratulating Kevin W. Eisenried, Troop No. 400 in Hamburg, for Earning the Rank of Eagle Scout

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
LL INT. 2-1 4/12/2011	MILLS	A LL in Relation to Conservation Easement Agreement Exemptions in the Town of Orchard Park	

COMMITTEE REPORTS:

REPORT NO. 4 FINANCE & MANAGEMENT COMMITTEE

REPORT NO. 4 GOVERNMENT AFFAIRS COMMITTEE

REPORT NO. 6 HEALTH & HUMAN SERVICES COMMITTEE

REPORT NO. 4 ENERGY & ENVIRONMENT COMMITTEE

LEGISLATOR RESOLUTIONS:

REFERENCE:

INTRO 8-1	MILLER-WILLIAMS	Expressing Support for the City of Buffalo Providing Funding to Cultural Groups in the City of Buffalo	
INTRO 8-2	MILLER-WILLIAMS, BOVE & WHALEN	Establish a Salary for the County Attorney	
INTRO 8-3	BOVE	Home Rule Request to the WNY Delegation of the NYS Legislature	
INTRO 8-4	HARDWICK, MILLS & DIXON	Supporting NYS Senate Bills S. 3900 & S. 3901 & Assembly Bills A. 6617 & A. 6285, Regulating Protests at Funerals	
INTRO 8-5	MILLER-WILLIAMS	Standard Work Day for Retirement Reporting Purposes - Filling of Vacancy	
INTRO 8-6	MILLS	Orchard Park Conservation Easement "Add Back"	

INTRO 8-7

DIXON

Transfer of Surplus Property to the
Town of Boston

COMMUNICATIONS DISCHARGED FROM COMMITTEE:

SUSPENSION OF THE RULES:

<u>COMMUNICATIONS FROM ELECTED OFFICIALS:</u>			<u>REFERENCE:</u>
COMM. 8E-1	COUNTY EXECUTIVE	2010 Year-End Designations	Finance & Management
COMM. 8E-2	COMPTROLLER	Copy of Apportionment & Distribution of Net Collection from the 4.75% Sales & Compensating Use Tax for EC for the Months of 12/2010, 1/2011 & 2/2011, as Received from the State of NY	Finance & Management
COMM. 8E-3	WHYTE	Copy of Buffalo Central Terminal Master Plan 2011	Economic Development
COMM. 8E-4	WHYTE	Letter to Clerk of Public Safety Concerning Toolkit for Jail Reentry	Public Safety
COMM. 8E-5	WHYTE	Letter to Community Corrections Advisory Board Concerning Toolkit for Jail Reentry	Public Safety
COMM. 8E-6	DISTRICT ATTORNEY	M/C Extended Sick Leave Exemption	
COMM. 8E-7	DISTRICT ATTORNEY	Asset Forfeiture Appropriations	
COMM. 8E-8	COMPTROLLER	2011 Consolidated Bond Resolution	Finance & Management
COMM. 8E-9	COUNTY EXECUTIVE	Ontario Street Boat Launch/Black Rock Canal Park - Multi-Modal Funding Agreement	Economic Development
COMM. 8E-10	COUNTY EXECUTIVE	Federal-Aid Highway & Marchiselli-Aid Local Project Agreement with NYSDOT & Contract for Engineering Design Services for the Reconstruction of Savage Road Bridge over Dry Creek - Town of Sardinia	Economic Development
COMM. 8E-11	COUNTY EXECUTIVE	DISS - Transfer of Funds - SAP Consultant Services	Government Affairs
COMM. 8E-12	COUNTY EXECUTIVE	Department of Health - Division of the Medical Examiner - Establishment of a Variable Minimum	Health & Human Services
COMM. 8E-13	COUNTY EXECUTIVE	Appointment to the EC Fisheries Advisory Board for the Term Ending 12/31/2011	Energy & Environment
COMM. 8E-14	COUNTY EXECUTIVE	Appointments to the EC Council on the Disabled for the Terms Ending 12/31/2012	Health & Human Services
COMM. 8E-15	COUNTY EXECUTIVE	Right-of-Way Acquisition - Harris Hill Road Intersections at Wehrle Drive & Pleasant View Drive - Towns of Clarence & Lancaster	Economic Development

COMM. 8E-16	COUNTY EXECUTIVE	Chestnut Ridge Park Casino Building - Heating System Renovation Project	Energy & Environment
COMM. 8E-17	COUNTY EXECUTIVE	Grant Programs - Authorization to Contract	Finance & Management
COMM. 8E-18	COUNTY EXECUTIVE	Authorization to Hold a Public Auction for Sale of County Owned Real Estate	Government Affairs
COMM. 8E-19	COUNTY EXECUTIVE	ECSD No. 6 - Bethlehem Steel - Property Assessment Lawsuit Settlement	Energy & Environment
COMM. 8E-20	COUNTY EXECUTIVE	ECSD No. 1, 4 & 5 - Engineering Term Agreement - LiRo Engineers, Inc.	Energy & Environment
COMM. 8E-21	COUNTY EXECUTIVE	FEMA - Geotechnical Engineering Services Project on Zoar Valley Road - Town of Concord	Energy & Environment

COMMUNICATIONS FROM THE DEPARTMENTS:

REFERENCE:

COMM. 8D-1	COUNTY ATTORNEY	Transmittal of New Claims Against EC	Government Affairs
COMM. 8D-2	COMPTROLLER'S OFFICE	Copy of Letter Concerning Waste, Fraud & Abuse Tip Line Communication	Public Safety
COMM. 8D-3	COMPTROLLER'S OFFICE	Review of EC Six Sigma Program	Government Affairs
COMM. 8D-4	DIRECTOR OF BUDGET & MANAGEMENT	Copy of February Budget Monitoring Report	Finance & Management
COMM. 8D-5	COUNTY ATTORNEY	Transmittal of New Claim Against EC	Government Affairs
COMM. 8D-6	BOARD OF ELECTIONS	Letter to Legislature Concerning Reapportionment	Government Affairs
COMM. 8D-7	EC MEDICAL DIRECTOR	Minutes of Meeting Held 1/13/2011 & Agenda for a Meeting to be Held 4/28/2011	Health & Human Services

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES:

REFERENCE:

COMM. 8M-1	LAVONNE E. ANSARI, PH.D.	Letter of Interest in Serving as a Member of the EC Community Corrections Advisory Board	Public Safety
COMM. 8M-2	CONCORD TOWN BOARD	Copy of Resolution Concerning Opposing Dog License Surcharge of \$1.00 for Spayed/Neutered Dogs	Government Affairs

COMM. 8M-3	AMHERST TOWN BOARD	Copy of Resolution Concerning Appointments of Commissioners of the EC Water Authority	Energy & Environment
COMM. 8M-4	FULTON COUNTY LEGISLATURE	Copy of Resolution Urging Governor Cuomo to Reject the 2011 NYS Mandate Relief Redesign Team Report	Government Affairs
COMM. 8M-5	ECMCC	Copy of Annual Report (2010)	Health & Human Services
COMM. 8M-6	NFTA	Minutes of Meeting Held 2/28/2011	Economic Development
COMM. 8M-7	BUFFALO NIAGARA CONVENTION & VISITORS BUREAU	Letter of Response to Comptroller's Audit of Buffalo Niagara Convention & Visitors Bureau	Economic Development
COMM. 8M-8	RICHARDSON CENTER CORPORATION	Copy of Final Generic Environmental Impact Statement for Richardson Olmsted Complex Civic & Land Use Improvement Project	Economic Development
COMM. 8M-9	SOPHIE I. FEAL	Letter of Interest in Serving as a Member of the EC Community Corrections Advisory Board	Public Safety
COMM. 8M-10	ROBERT J. REDEN	Letter of Interest in Serving as a Member of the EC Community Corrections Advisory Board	Public Safety
COMM. 8M-11	KENNETH COLON	Letter of Interest in Serving as a Member of the EC Community Corrections Advisory Board	Public Safety
COMM. 8M-12	NFTA	Copy of Five Year Capital Plan & Annual Operating Budget for Fiscal Year Ending 2012	Economic Development
COMM. 8M-13	DEPUTY NYS COMPTROLLER	Letter to Majority Leader Whyte Concerning Report Entitled "Federal Stimulus Program - Claims Processing Procedures in the Western Region of NYS"	Government Affairs
COMM. 8M-14	BLACK LEADERSHIP FORUM	Letter of Interest in Serving as a Member of the EC Community Corrections Advisory Board	Public Safety
COMM. 8M-15	SENATOR GALLIVAN	Letter to Legislature Concerning the Receipt of Resolution Dated 3/17/2011 Opposing State Consolidation of Regional Off Track Betting Corporations	Government Affairs
COMM. 8M-16	RICHARD L. TACZKOWSKI	Letter of Interest in Serving as a Member of the EC Community Corrections Advisory Board	Public Safety

COMM. 8M-17	ECIDA	Copy of 2010 Annual Audited Financial Statements & Management Letter & 2010 Public Authorities Report	Economic Development
COMM. 8M-18	NFTA	Copy of Revised Five Year Capital Plan & Annual Operating Budget for Fiscal Year Ending 2012	Economic Development
COMM. 8M-19	ORLEANS COUNTY LEGISLATURE	Copy of Letter to Senator Schumer Asking for Support on House Bill H.R. 104 & Senate Bill S. 412, thus Providing Continuing Maintenance of Our Small Federal Harbors Throughout the Great Lakes	Energy & Environment
COMM. 8M-20	KENNETH E. MROZIK	Letter of Interest in Serving as a Member of the EC Community Corrections Advisory Board	Public Safety

ANNOUNCEMENTS:

MEMORIAL RESOLUTIONS:

ADJOURNMENT: