



# THE ERIE COUNTY LEGISLATURE

Session No. 2  
January 24, 2008

Lynn M. Marinelli  
*Chairperson*

Maria R. Whyte  
*Majority Leader*

John J. Mills  
*Minority Leader*

Robert M. Graber  
*Clerk of the Legislature*

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## ROLL CALL

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INVOCATION – Ms. Miller-Williams

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PLEDGE OF ALLEGIANCE – Mr. Ranzenhofer

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RULES OF THE LEGISLATURE FOR 2008

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DESIGNATION OF NEWSPAPERS

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TABLED ITEMS

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ITEMS FOR RECONSIDERATION FROM PREVIOUS MEETING

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MINUTES OF PREVIOUS MEETING

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PUBLIC HEARING

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## MISCELLANEOUS RESOLUTIONS

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KOZUB	In Memory of Pearl C. Wonsiensi of Blasdell, N.Y.
MARINELLI	In Memory of Eda Valli Quigley of Kenmore
MARINELLI	Honoring Donna M. Fernandes, Recipient of the 2008 Susan B. Anthony Award
RANZENHOFER	Commending Rock Oak Estates
RANZENHOFER	Commending C. Douglas Kohler
RANZENHOFER	Commending the Clarence Concert Association on its 50th Anniversary
RANZENHOFER	Commending Bob Fogelsonger for His Lifelong Dedication to Clarence Center
IANNELLO	Honoring Cal Champlin on His Retirement and Service to the Town of Tonawanda
IANNELLO	In Memory of Eda Quigley for Her Service to Erie County Government
KONST	Honoring Timothy J. Dwan Upon His Retirement as Lancaster Town Justice
REYNOLDS	Honoring the Boston Fire Company as it Celebrates "A Century of Service" in 2008

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<b><u>LOCAL LAWS</u></b>			<b><u>REFERENCE</u></b>
LL INT. 1-1 1/16/2007	MILLS, RANZENHOFER & WEINSTEIN	A LL Requiring Elected Officials to Resign From Office Upon Being Convicted of a Misdemeanor or Felony	Government Affairs
LL INT. 3-2 6/28/2007	IANNELLO, MARINELLI, REYNOLDS, KONST, LOUGHRAN, LOCKLEAR, RANZENHOFER, MILLS and WEINSTEIN	A LL Amending Article II, Section 202 of Local Law No. 7-2007, Known as the Erie County Charter	Government Affairs
LL INT. 8-1 7/18/2007	IANNELLO, KONST, REYNOLDS & MILLS	Taxpayer Protection Law	Government Affairs
LL INT. 9-1 10/4/2007	RANZENHOFER	Repeal of LL No. 2-2006	Economic Development

**COMMITTEE REPORTS**

REPORT NO. 1	HEALTH & HUMAN SERVICES COMMITTEE
REPORT NO. 1	COMMUNITY ENRICHMENT COMMITTEE
REPORT NO. 1	FINANCE & MANAGEMENT COMMITTEE
REPORT NO. 1	PUBLIC SAFETY COMMITTEE
REPORT NO. 1	ENERGY & ENVIRONMENT COMMITTEE
REPORT NO. 1	ECONOMIC DEVELOPMENT COMMITTEE

**LEGISLATOR RESOLUTIONS:**

**REFERENCE**

INTRO 2-1	KONST & MAZUR	The Name of the New Federal Courthouse
INTRO 2-2	IANNELLO & WHYTE	Rules of the Erie County Legislature for 2008
INTRO 2-3	KONST	Home Rule Request - Senate - Sale of Parklands
INTRO 2-4	KONST	Home Rule Request - Assembly - Sale of Parkland
INTRO 2-5	IANNELLO, REYNOLDS & LOUGHRAN	Changes To The Sharing Formula Of The 1% Sales Tax With Cities, Towns And Villages
INTRO 2-6	MARINELLI	Adjustments to the Erie County Legislature's 2008 Budget
INTRO 2-7	MILLS, RANZENHOFER & RATH	Replenishing The Real Property Tax Stabilization Reserve Fund

**COMMUNICATIONS DISCHARGED FROM COMMITTEE:**

**SUSPENSION OF THE RULES:**

**COMMUNICATIONS FROM ELECTED OFFICIALS:**

**REFERENCE**

COMM. 2E-1	MAZUR	Lease Agreement for Legislative Office Space	
COMM. 2E-2	REYNOLDS	Lease Agreement for Legislative Office Space	
COMM. 2E-3	MARINELLI	2008 Schedule of Legislative Sessions (Revised)	RFP
COMM. 2E-4	WROBLEWSKI	Lease Agreement for Legislative Office Space	
COMM. 2E-5	DISTRICT ATTORNEY	Victim Witness Assistance Grant	Public Safety
COMM. 2E-6	COMPTROLLER	Management Letter for Erie County for Year Ended 12/31/06	Finance & Management
COMM. 2E-7	SHERIFF	Law Enforcement Terrorism Prevention Program (LETPP) for Bomb Squads	Public Safety
COMM. 2E-8	MARINELLI	Lease Agreement for Legislative Office Space	
COMM. 2E-9	COUNTY EXECUTIVE	Extension of Additional 1% Sales Tax	
COMM. 2E-10	MARINELLI	Reassignment of Personnel Committee Items	RFP
COMM. 2E-11	MARINELLI	2008 Legislature Invocation and Pledge of Allegiance Schedule	RFP
COMM. 2E-12	COUNTY EXECUTIVE	Appointment of Erie County Representative to the Erie County Greenway Fund Standing Committee	R&F

COMM. 2E-13	COUNTY EXECUTIVE	Appointments to Local Early Intervention Coordinating Council	RFP
COMM. 2E-14	COUNTY EXECUTIVE	2008 Technical Budget Adjustment - Deputy Commissioner of Emergency Medical Services	
COMM. 2E-15	COUNTY EXECUTIVE	Appointment to Central Police Services Board of Trustees	RFP
COMM. 2E-16	COUNTY EXECUTIVE	Emergency Services - Homeland Security Grant Adjustment	Public Safety
COMM. 2E-17	COUNTY EXECUTIVE	Emergency Services - Position Adjustment for Homeland Security	
COMM. 2E-18	COUNTY EXECUTIVE	WNY AmeriCorps Fund - 20 School Street Project	Energy & Environment
COMM. 2E-19	COUNTY EXECUTIVE	Social Services - Safety Net Assistance Project Grant	Health & Human Services
COMM. 2E-20	COUNTY EXECUTIVE	Youth Bureau - A Partnership for Youth Grant	Health & Human Services
COMM. 2E-21	COUNTY EXECUTIVE	Health - Public Health Campaign TB - 3/31/07 - 3/30/08 - SAP: 127PHCTB0708	Health & Human Services
COMM. 2E-22	COUNTY EXECUTIVE	DEP - Illicit Connection Trackdown and Evaluation Project	Energy & Environment
COMM. 2E-23	COUNTY EXECUTIVE	ECSD Nos. 3 & 6 - Engineer Term Agreement - Work Order: MPI-8	Energy & Environment
COMM. 2E-24	COUNTY EXECUTIVE	DEP - ECSD Nos. 1, 2, 3, 4, 5 & 6 - Engineer Term Agreement - DiDonato Associates - Change Order No. 2	Energy & Environment
COMM. 2E-25	COUNTY EXECUTIVE	ECSD No. 4 - Vanderbilt Pumping Station Upgrade - ORF - Chlorine Chamber Influent Weir Modifications and Depew Pumping Station - Forcemains Valve Replacements	Energy & Environment
COMM. 2E-26	COUNTY EXECUTIVE	ECSD No. 8 - NYS DOT Proposed Agreement	
COMM. 2E-27	COUNTY EXECUTIVE	Authorization to Amend the III-C-1, III-D and WRAP-SOFA Grant Budgets	Health & Human Services
COMM. 2E-28	COUNTY EXECUTIVE	Traffic Safety Program Grant 2008	Public Safety
COMM. 2E-29	COUNTY EXECUTIVE	Open Item - Sewer District Bond Authorization	Energy & Environment

<b><u>COMMUNICATIONS FROM THE DEPARTMENTS:</u></b>			<b><u>REFERENCE</u></b>
COMM. 2D-1	THOMAS J. WHETHAM, P.E. - DEPUTY COMMISSIONER OF DEP	Copy of Letter to DEP Commissioner Re: Letter of Resignation	R&F
COMM. 2D-2	BRYAN FIUME - LEGISLATURE MINORITY STAFF	Letter of Resignation	R&F
COMM. 2D-3	CLERK OF THE LEGISLATURE	Changing Dates of Legislature Sessions	RFP
COMM. 2D-4	DEPARTMENT OF LAW	Transmittal of New Claims Against Erie County	R&F
COMM. 2D-5	CLERK OF THE GOVERNMENT AFFAIRS COMMITTEE	Refiling of the Fact-Finding Report Between Erie County and AFSCME Local 1095	Government Affairs
<b><u>COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES:</u></b>			<b><u>REFERENCE</u></b>
COMM. 2M-1	ECIDA	Notice of Rescheduling of January Board Meeting(s)	R&F
COMM. 2M-2	ERIE CANAL HARBOR DEVELOPMENT CORPORATION	Memorial Auditorium and Donovan Office Building - Segmentation Findings and Determination of No Significant Effect on the Environment	Economic Development
COMM. 2M-3	COLUCCI & GALLAHER, P.C.	Erie County Medical Center Corporation	Health & Human Services
COMM. 2M-4	CATTARAUGUS COUNTY	Copy of Certified Resolution Re: Supporting Completion of Route 219 Project	R&F
COMM. 2M-5	MEALS ON WHEELS FOR WNY	Reply to Comm. 1E-4	Health & Human Services
COMM. 2M-6	NYS DEC	Appointments to the Region 9 Fish and Wildlife Management Board	Energy & Environment
COMM. 2M-7	NYS COMPTROLLER	Establishment of the EC Sewer District No. 8	Energy & Environment
COMM. 2M-8	OPERATION PETS	Reply to Comm. 1E-2	Health & Human Services
COMM. 2M-9	TOWN OF TONAWANDA TOWN BOARD	Requesting Direct Payment of Erie County Sales Tax to the Town	Finance & Management
COMM. 2M-10	BUFFALO NIAGARA CONVENTION & VISITORS BUREAU	Reply to Comm. 1E-11 and Comm. 1E-9	Community Enrichment
COMM. 2M-11	BUFFALO NIAGARA CONVENTION CENTER	Reply to Comm. 1E-10	Community Enrichment

COMM. 2M-12	LEGAL AID BUREAU OF BUFFALO, INC.	Monthly Report and Monthly Activity Report for December 2007	R&F
COMM. 2M-13	NYS DEC	Roblin Steel (formerly Wickwire Spencer) - Site No. 915056	R&F
COMM. 2M-14	ERIE COUNTY SOIL & WATER CONSERVATION DISTRICT	Reply to Comm. 1E-6	Energy & Environment
COMM. 2M-15	ALTERNATIVE CARE SERVICES OF WNY (ALDEN'S MEALS ON WHEELS)	Reply to Comm. 1E-7	Health & Human Services
COMM. 2M-16	NIAGARA ERIE REGIONAL COALITION	Reply to Comm. 1E-12	Government Affairs
COMM. 2M-17	CORNELL UNIVERSITY COOPERATIVE EXTENSION	Reply to Comm. 1E-3	Energy & Environment
COMM. 2M-18	VIVE - LA CASA	Reply to Comm. 1E-8	Health & Human Services

**MEMORIAL RESOLUTIONS:**

**ADJOURNMENT:**