



THE ERIE COUNTY LEGISLATURE

Session No. 2
January 29, 2009

Lynn M. Marinelli
Chair

Maria R. Whyte
Majority Leader

John J. Mills
Minority Leader

Robert M. Graber
Clerk of the Legislature

ROLL CALL

INVOCATION – Ms. Miller-Williams

PLEDGE OF ALLEGIANCE – Mr. Walter

TABLED ITEMS

ITEMS FOR RECONSIDERATION FROM PREVIOUS MEETING

MINUTES OF PREVIOUS MEETING

PUBLIC HEARING

MISCELLANEOUS RESOLUTIONS:

IANNELLO	Congratulating Kevin Koch on Election as Grand Island Deputy Fire Chief
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IANNELLO & MARINELLI	Congratulating Chief Michael R. Iannello, Ellwood Volunteer Fire Co.
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IANNELLO & MARINELLI	Congratulating 1st Assistant Chief Jamie Olson, Ellwood Volunteer Fire Co.
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IANNELLO & MARINELLI	Congratulating 2nd Assistant Chief Gary Stuff, Ellwood Volunteer Fire Co.
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IANNELLO & MARINELLI	Congratulating Captain Steve Stirling, Ellwood Volunteer Fire Co.
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IANNELLO & MARINELLI	Congratulating Captain Brian Nigro, Ellwood Volunteer Fire Co.
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MARINELLI	Honoring the Life and Contributions of Rev. James P. Higgins
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MARINELLI, KOZUB, KENNEDY, MAZUR, WROBLEWSKI & MILLS	Congratulating Three-Time Grammy Nominees Jerry Darlak & The Touch
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IANNELLO	Honoring the Life of Margaret W. Peterangelo
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MARINELLI & GRANT	Congratulating Buffalo on its Designation as One of America's 2009 Dozen Distinctive Destinations by the National Trust for Historic Preservation
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IANNELLO	Congratulating Greg Butcher on Election as Grand Island Fire Chief
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REYNOLDS	Honoring Klispie Sales and Service on Their 75th Years of Doing Business in the Town of Hamburg and Erie County
IANNELLO	Congratulating Matt Osinski on Election as Grand Island First Assistant Fire Chief
IANNELLO	Congratulating Chris Soluri on Election as Grand Island Second Assistant Fire Chief
KONST	Recognizing Paul Welker on His 50 Years of Service to the Lancaster Ambulance Corps
KOZUB	Celebrating the Centennial of the City of Lackawanna (1909 - 2009)
RATH	Celebrating 100 Years of Nichols Hockey
MILLER-WILLIAMS	Congratulating June W. Hoeflich on Her Retirement as President and Chief Executive Officer of Sheehan Health Network
REYNOLDS	Honoring Aileen Hoak for Being Recognized as the Buffalo News Women's Runner of the Year for 2008
REYNOLDS	Honoring Town of Eden Chief Patrick Howard for the Exemplary Standard of Service that He Has Exhibited in Both His Personal and Professional Life and Wishes Him a Long and Happy Retirement
IANNELLO & MARINELLI	Honoring the Life of Alessio Alagna

<u>LOCAL LAWS:</u>			<u>REFERENCE:</u>
LL INT. 2-1 3/18/2008	RANZENHOFER, MILLS & RATH	A LL Requiring Businesses to Verify that Employees are Legally Eligible to be Employed in the US and Erie County	Economic Development
LL INT. 3-2 4/4/2008	IANNELLO, KONST, REYNOLDS, MILLS, GRANT & LOUGHRAN	Tax Payer Protection Law	Government Affairs
LL INT. 5-1 6/10/2008	MILLS	A LL to Change the Name of the Department of Environment and Planning to the Department of Economic Development, Environment and Planning and Update Position Titles	Energy & Environment
LL INT. 8-1 11/21/2008	KENNEDY, WHYTE, REYNOLDS, KOZUB, LOUGHRAN, IANNELLO, MILLER-WILLIAMS & GRANT	A LL to Strengthen and Encourage Lowest Responsible Bidder Requirements for Erie County Contracts	Economic Development

COMMITTEE REPORTS:

REPORT NO. 1 HEALTH & HUMAN SERVICES COMMITTEE

REPORT NO. 1 COMMUNITY ENRICHMENT COMMITTEE

REPORT NO. 1 PUBLIC SAFETY COMMITTEE

REPORT NO. 1 ENERGY & ENVIRONMENT COMMITTEE

REPORT NO. 1 GOVERNMENT AFFAIRS COMMITTEE

REPORT NO. 1 FINANCE & MANAGEMENT COMMITTEE

REPORT NO. 1 ECONOMIC DEVELOPMENT COMMITTEE

LEGISLATOR RESOLUTIONS:

REFERENCE:

INTRO 2-1	KONST, REYNOLDS, MARINELLI, WHYTE, KOZUB, KENNEDY, MILLER-WILLIAMS, GRANT, MAZUR, WROBLEWSKI, IANNELLO & LOUGHRAN	Requesting the State Comptroller to Resolve the Capital Borrowing Deadlock Between the Erie County Administration and the Erie County Fiscal Stability Authority
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INTRO 2-2	MILLS	Transfer of Surplus Furniture to Village of Orchard Park
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INTRO 2-3	WALTER, MILLS & RATH	Requesting the State Comptroller to Conduct a Performance Review of the Erie County Fiscal Stability Authority to Determine its Effectiveness and to Make Recommendations Regarding the Fiscal Impact of Any Proposed Financing Assistance to Erie County
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INTRO 2-4	RATH, MILLS & WALTER	STAR Programs Application in Erie County & the Role of the Local State Delegation
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INTRO 2-5	LOUGHRAN, MARINELLI, WHYTE, MILLS, MILLER-WILLIAMS, WALTER, GRANT, REYNOLDS & RATH	Support for the UB 2020 Flexibility and Economic Growth Act
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INTRO 2-6	KENNEDY, KOZUB, GRANT & IANNELLO	In Support of the Holy Family Senior Housing Project
INTRO 2-7	KONST, WROBLEWSKI, MARINELLI, REYNOLDS, WHYTE, IANNELLO, GRANT, KOZUB, KENNEDY, MILLER- WILLIAMS, LOUGHRAN & MAZUR	Initiating a Legislative Investigation into Erroneous 2009 Property Tax Bills Issued by the Director of Real Property Tax Services
INTRO 2-8	WHYTE, MARINELLI, REYNOLDS, IANNELLO, MAZUR, KOZUB, KENNEDY, MILLER- WILLIAMS, KONST, GRANT, WROBLEWSKI & LOUGHRAN	The Erie Niagara Framework for Regional Growth and the Strategic Development Act to Establish an Erie County Planning Board

COMMUNICATIONS DISCHARGED FROM COMMITTEE:

SUSPENSION OF THE RULES:

<u>COMMUNICATIONS FROM ELECTED OFFICIALS:</u>			<u>REFERENCE:</u>
COMM. 2E-1	KENNEDY	Letter to County Executive Regarding Federal Economic Stimulus Package	Economic Development
COMM. 2E-2	COMPTROLLER	Letter to Budget Director - RE: Closing-Out Capital Projects	Finance & Management
COMM. 2E-3	COMPTROLLER	Letter to ECFSA Chair - RE: EC Borrowing Request - Failure to Act - Violation of Statute	Finance & Management
COMM. 2E-4	COMPTROLLER	Audit of the EC Division of Purchase for the Period 7/1/06 to 6/30/08	Government Affairs
COMM. 2E-5	COUNTY EXECUTIVE	Appointment to the EC Citizens Budget Review Commission	RFP
COMM. 2E-6	WALTER	Resignation from EC Legislature 21st Century Commission	RFP
COMM. 2E-7	MARINELLI	Lease for Legislative Office Space	
COMM. 2E-8	COUNTY EXECUTIVE	Shoreline Trail - Riverwalk Section - Signage and Park Furnishings System	Energy & Environment
COMM. 2E-9	COUNTY EXECUTIVE	Solid Waste Responsibilities to be Incorporated into the EC Integrated Pest Management (IPM) Project	Energy & Environment
COMM. 2E-10	COUNTY EXECUTIVE	2009 Annual Action Plan for Community Development Block Grant, Emergency Shelter Grant, and Home Investment Partnership Program	Energy & Environment
COMM. 2E-11	COUNTY EXECUTIVE	CPS 2008 - 2009	Public Safety
COMM. 2E-12	COUNTY EXECUTIVE	Traffic Safety Program Grant 2009	Public Safety
COMM. 2E-13	COUNTY EXECUTIVE	Preparation of City of Tonawanda Tax Rolls & Bills	Finance & Management
COMM. 2E-14	COUNTY EXECUTIVE	Preparation of City of Lackawanna Tax Rolls & Bills	Finance & Management
COMM. 2E-15	COUNTY EXECUTIVE	Preparation of School District Tax Rolls & Bills	Finance & Management
COMM. 2E-16	COUNTY EXECUTIVE	Preparation of Village Tax Rolls & Bills	Finance & Management
COMM. 2E-17	COUNTY EXECUTIVE	EC Sewer Dist. Nos. 2, 3, 4 & 6 - O'Brien & Gere Engineers - Engineering Services Agreement - Contract Close Out	Energy & Environment
COMM. 2E-18	COUNTY EXECUTIVE	EC Sewer Districts - Engineering Agreement Close-Out (Inspection) - Greenman-Pederson, Inc.	Energy & Environment

COMM. 2E-19	COUNTY EXECUTIVE	EC Sewer Districts - Engineering Agreement Close-Out (Design) - Greenman-Pederson, Inc.	Energy & Environment
COMM. 2E-20	IANNELLO	Letter to Chair Marinelli Regarding Establishment of Green Actions Community Subcommittee	Energy & Environment
COMM. 2E-21	COUNTY EXECUTIVE	EC Sewer Districts - Engineering Agreement Close-Out (Design) - Malcolm Pirnie, Inc.	Energy & Environment
COMM. 2E-22	COUNTY EXECUTIVE	Black Rock Canal Park - NYS Canal Corp. Funding Agreement	Energy & Environment
COMM. 2E-23	WHYTE	Letter to President Obama - RE: Request for Financial Assistance	Economic Development
COMM. 2E-24	COUNTY EXECUTIVE	Authorization to Reclassify Forensic Mental Health Specialist I Position (EC Dept. of Mental Health) from RPT to FT Position	
COMM. 2E-25	COUNTY EXECUTIVE	Child Passenger Safety Program 2009	Public Safety
COMM. 2E-26	COUNTY EXECUTIVE	Semi-Annual Attendance Records - Board of Managers - EC Sewer Districts	Energy & Environment
COMM. 2E-27	MARINELLI	Letter to Legislature Clerk Establishing Green Actions Community Subcommittee	RFP
COMM. 2E-28	MILLS	Lease for Legislative Office Space - 2008	
COMM. 2E-29	COUNTY EXECUTIVE	Project ACCESS - Office for the Disabled	Health & Human Services
COMM. 2E-30	MILLS	Minority Appointment to EC Legislature 21st Century Commission	RFP
COMM. 2E-31	SHERIFF	Erie County Sheriff's Office - Asset Forfeiture Funded Program SAFS	Public Safety
COMM. 2E-32	MILLS	Lease for Legislative Office Space - 2009	
COMM. 2E-33	WROBLEWSKI	Letter to Legislature Clerk Concerning Abstention on COMM. 26E-11 (2008) - Economic Development Committee, Report No. 1	RFP
COMM. 2E-34	MILLER-WILLIAMS	Letter Concerning Economic Development Committee Absence for 1/22/09 Meeting	R&F

COMMUNICATIONS FROM THE DEPARTMENTS:

REFERENCE:

COMM. 2D-1	COMMISSIONER OF SENIOR SERVICES	Designation in the Event of Vacancy, Absence or Inability	R&F
COMM. 2D-2	COMMISSIONER OF LABOR RELATIONS	Designation in the Event of Vacancy, Absence or Inability	R&F
COMM. 2D-3	COMMISSIONER OF DEPARTMENT OF PUBLIC WORKS	Designation in the Event of Vacancy, Absence or Inability	R&F
COMM. 2D-4	DIRECTOR OF THE DEPARTMENT OF REAL ESTATE AND ASSET MANAGEMENT	Designation in the Event of Vacancy, Absence or Inability	R&F
COMM. 2D-5	COUNTY ATTORNEY	Letter to County Executive Concerning Amendments to the 2009 Adopted Budget	Finance & Management
COMM. 2D-6	COMMISSIONER OF LABOR RELATIONS	Designation in the Event of Vacancy, Absence or Inability - Updated	R&F
COMM. 2D-7	DIRECTOR OF SIX SIGMA	Six Sigma Quarterly Status Report	Finance & Management
COMM. 2D-8	DEPUTY COUNTY EXECUTIVE	Letter to NYS Dept. of Probation and Correctional Alternatives - RE: EC Probation Director Position	Public Safety

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES:

REFERENCE:

COMM. 2M-1	CORNELL COOPERATIVE EXTENSION OF ERIE COUNTY	Legislature Budget Accountability Act - 2008 Close-Out Report	Government Affairs
COMM. 2M-2	LEGAL AID BUREAU OF BUFFALO, INC.	Monthly Report and Monthly Activity Report for December 2008	Government Affairs
COMM. 2M-3	ASSEMBLYMAN SCHIMMINGER	Letter to County Executive and Legislature Chair Concerning Sales Tax Home Rule Requests	Finance & Management
COMM. 2M-4	BUFFALO & ERIE COUNTY PUBLIC LIBRARY	Agenda Items for Board of Trustees Meeting Held 1/15/09	Community Enrichment
COMM. 2M-5	LIPSITZ GREEN SCIME CAMBRIA	Copy of Judicial Order with Notice of Entry - RE: Marinelli v. Collins, et al	Finance & Management

COMM. 2M-6	TOWN OF TONAWANDA	Copy of Town Board Resolution - RE: Request the County of Erie to Make Direct Payment to the Town of the Town's Portion of the Sales Tax Revenue	Finance & Management
COMM. 2M-7	CENTER FOR TRANSPORTATION EXCELLENCE	EC Mobility Manager Services: Year End Report (8/1/08 - 12/31/08)	Economic Development
COMM. 2M-8	NFTA	Board Minutes for Meeting Held 12/22/08	Economic Development
COMM. 2M-9	NYS PUBLIC SERVICE COMMISSION	Notice Soliciting Informal Written Comments	Economic Development
COMM. 2M-10	NYS DEPARTMENT OF HEALTH	Acknowledgement of Receipt of, and Comments Offered, Concerning EC Legislature Resolution Concerning Medicaid Payments to ECMCC	Finance & Management
COMM. 2M-11	VIVE INC.	Legislature Budget Accountability Act - 2008 Close-Out Report	Government Affairs
COMM. 2M-12	FRANK B. MESIAH	Letter Requesting Consideration for Appointment to ECMCC Board of Directors	Health & Human Services

ANNOUNCEMENTS:

MEMORIAL RESOLUTIONS:

ADJOURNMENT: