



# THE ERIE COUNTY LEGISLATURE

Session No. 3  
February 1, 2007

Lynn M. Marinelli  
*Chairman*

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. Konst

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PLEDGE OF ALLEGIANCE – Ms. Whyte

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RULES OF THE LEGISLATURE FOR 2007

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TABLED ITEMS – INTRO 2-7

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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

IANNELLO	Honoring Christopher Louis for Attaining the Rank of Eagle Scout
RANZENHOFER	Honoring and Congratulating Dr. Fred. Friedman for His Service as the Consol of Austria
MILLS	Congratulating 5-Year Old LanieBelle Masset for Her Efforts in Rescuing her Grandmother
WEINSTEIN & RANZENHOFER	Welcoming Waterford Village Bank
MAJORITY & MINORITY CAUCUSES	Honoring Chairperson Marinelli Upon Reception of the Reception of the "Susan B. Anthony Award"
IANNELLO, MARINELLI, LOUGHRAN	Honoring Town of Tonawanda Chief Lawrence A. Hoffman III Upon His Retirement
RANZENHOFER	Congratulating Elizabeth Pllizay Upon Being Named Akron Postmaster

## LOCAL LAWS

## REFERENCE

LL INT 4-1 6/12/2006	KONST, IANNELLO & LOCKLEAR	A Charter Law to Reforming County Government by Limiting the Terms of Office of Elected County Legislators	Government Affairs
LL INT 5-1 6/16/2006	KONST, IANNELLO & LOCKLEAR	A Charter Law to Reforming County Government by Limiting the Terms of Office of Elected County Executive	Government Affairs

LL INT 6-1 7/19/2006	LOCKLEAR, KONST, RANZENHOFER, MILLS & WEINSTEIN	A LL Amending Article III of the EC Charter to Redefine the Positions of County Executive and Deputy County Executive in the Spirit of Charter Revision Commission Recommendations	Government Affairs
LL INT 8-1 9/11/2006	RANZENHOFER, WEINSTEIN, MILLS	A LL Requiring Businesses to Verify that their Employees are Legally Eligible to be Employed in the USA & EC	Economic Development
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	Personnel

**COMMITTEE REPORTS**

COMMITTEE REPORT NO. 1	GOVERNMENT AFFAIRS COMMITTEE
COMMITTEE REPORT NO. 1	PERSONNEL COMMITTEE
COMMITTEE REPORT NO. 1	HEALTH COMMITTEE
COMMITTEE REPORT NO. 2	ECONOMIC DEVELOPMENT COMMITTEE
COMMITTEE REPORT NO. 1	HUMAN SERVICES COMMITTEE
COMMITTEE REPORT NO. 1	FINANCE & MANAGEMENT COMMITTEE
COMMITTEE REPORT NO. 1	PUBLIC SAFETY COMMITTEE
COMMITTEE REPORT NO. 2	ENERGY & ENVIRONMENT COMMITTEE

**LEGISLATOR RESOLUTIONS:**

**REFERENCE**

INTRO 3-1	MARINELLI, WHYTE & MILLS	Legislature Re-Appointments to the Erie County Audit Committee
INTRO 3-2	RANZENHOFER, WEINSTEIN & MILLS	Calling on Governor Spitzer to Allow Already Appropriated Funds to be Used to Tear Down Memorial Auditorium
INTRO 3-3	LOUGHRAN	Dedication of Erie County Forest Preserves as Erie County Parklands
INTRO 3-4	RANZENHOFER & MILLS	In Support of NYSAC Recommendations Regarding the Taylor Law
INTRO 3-5	RANZENHOFER & MILLS	In Support of NYSAC Recommendations Regarding the Office of Children and Family Services

INTRO 3-6	RANZENHOFER & MILLS	In Support of NYSAC Recommendations Regarding Relief of Elimination of Unnecessary State Requirements
INTRO 3-7	RANZENHOFER & MILLS	In Support of NYSAC Recommendations Regarding Shared Services and Consolidation Efforts
INTRO 3-8	MARINELLI, WHYTE, KONST, KOZUB & MAZUR	Erie Community College Expansion and Bond Resolution
INTRO 3-9	KONST, MARINELLI, WHYTE, KOZUB, MAZUR & REYNOLDS	Support for the Buffalo-Lancaster Airport
INTRO 3-10	MARINELLI, WHYTE, KONST, KOZUB, MAZUR & REYNOLDS	Unclaimed County Funds Held by the NYS Comptroller
INTRO 3-11	MARINELLI, WHYTE, KONST, KOZUB, MAZUR, REYNOLDS & RANZENHOFER	Investing in Erie County Employees
INTRO 3-12	WHYTE	The Framework for Regional Growth
INTRO 3-13	MARINELLI, WHYTE, KONST, KOZUB, MAZUR & REYNOLDS	Progress of Countystat Matrix Initiative

**COMMUNICATIONS DISCHARGED FROM COMMITTEE:**

**SUSPENSION OF THE RULES:**

<b><u>COMMUNICATIONS FROM ELECTED OFFICIALS:</u></b>			<b><u>REFERENCE</u></b>
COMM. 3E-1	MARINELLI	Lease Agreement for Legislative Office Space	
COMM. 3E-2	HOLT	Lease Agreement for Legislative Office Space	Government Affairs
COMM. 3E-3	MAZUR	Lease Agreement for Legislative Office Space	
COMM. 3E-4	LOUGHRAN	Lease Agreement for Legislative Office Space	
COMM. 3E-5	KONST	Lease Agreement for Legislative Office Space	
COMM. 3E-6	COMPTROLLER	ECFSA Resolution No. 07-04 - Control Period for 2007	Finance & Management
COMM. 3E-7	COMPTROLLER	Appointment to the Audit Committee	
COMM. 3E-8	IANNELLO	Request to be Appointed to the Buffalo Niagara Convention & Visitors Bureau	R&F
COMM. 3E-9	MARINELLI	Majority Caucus Appointment to the Board of Directors of the Buffalo Niagara Convention & Visitors Bureau	RFP
COMM. 3E-10	KENNEDY	Lease Agreement for Legislative Office Space	
COMM. 3E-11	MARINELLI	Policies and Procedures	R&F
COMM. 3E-12	MARINELLI	2007 Committee Assignments	RFP
COMM. 3E-13	MILLS	Notice of Absence	RFP
COMM. 3E-14	MILLS	Appointment to the Erie County Audit Committee	RFP
COMM. 3E-15	WHYTE	At Taxpayer's Expense: How Government Policies Encourage Sprawl in Erie and Niagara Counties	Government Affairs
COMM. 3E-16	COMPTROLLER	Review of City of Buffalo Cellblock Agreement with Erie County	R&F
COMM. 3E-17	COUNTY EXECUTIVE	Health - Bathing Beach Water Quality Monitoring and Notification Program 10/1/06 - 9/30/07	Health
COMM. 3E-18	COUNTY EXECUTIVE	CPS - Transfer of Law Enforcement Training Academy to ECC	Personnel
COMM. 3E-19	COUNTY EXECUTIVE	CPS/Emergency Services - Disaster Preparedness Division Proposed Revision of Resolution Comm. 5E-32 Dated 3/1/06	

COMM. 3E-20	COUNTY EXECUTIVE	Social Services - Daycare Registration Grant Amendment	Human Services
COMM. 3E-21	COUNTY EXECUTIVE	Social Services - Joan A. Male Family Support Center - Full Services Schools Contract Increase	Human Services
COMM. 3E-22	COUNTY EXECUTIVE	Social Services - Foster Boarding Home Cost of Living Allowance	Human Services
COMM. 3E-23	COUNTY EXECUTIVE	Charter Changes - Office of Public Advocacy	Personnel
COMM. 3E-24	COUNTY EXECUTIVE	Semi-Annual Attendance Records - Board of Managers - ECSDs	Energy & Environment
COMM. 3E-25	COUNTY EXECUTIVE	ECSD No. 2 - Contract No. 66STP-D, Electrical Contract Close Out - O'Connell Electrical Company	Energy & Environment
COMM. 3E-26	COUNTY EXECUTIVE	DEP - Erie County Sherwood Greenway Trail - NYS Thruway Authority Occupancy Permit	Energy & Environment
COMM. 3E-27	COUNTY EXECUTIVE	DEP - State Assistance Application for the NYSDEC Municipal Waste Reduction and Coordination/Education Program	Energy & Environment
COMM. 3E-28	COUNTY EXECUTIVE	DPW - Award of Contract - Construction Inspection Services - Rehabilitation of North French Road (CR 299)	Economic Development
COMM. 3E-29	COUNTY EXECUTIVE	DPW - Reuse of Ticor Building for NYS - Office of Court Administration - Appellate Division	Economic Development
COMM. 3E-30	COUNTY EXECUTIVE	DPW - Request to Receive Funds from Niagara County - Emergency Repairs for Cedar Street (Foote Rd.) Over Tonawanda Creek - BR 261-4, BIN 3326600	Economic Development
COMM. 3E-31	COUNTY EXECUTIVE	Health - Pandemic Influenza Public Health Planning & Response	Health
COMM. 3E-32	COUNTY EXECUTIVE	Charter Changes - Department of Real Property Tax Services	Personnel
COMM. 3E-33	COUNTY EXECUTIVE	Appointment of Director of Real Property Tax Services	Government Affairs
COMM. 3E-34	COUNTY EXECUTIVE	Re-Levy of Erroneous Taxes for Property Located in the City of Buffalo Known as the Bed of Fulton Street and Owned by the Seneca Gaming Corporation	Finance & Management

COMM. 3E-35	COUNTY EXECUTIVE	Legislative Adoption of the Erie-Niagara Counties Framework for Regional Growth	Government Affairs
COMM. 3E-36	COUNTY EXECUTIVE	Appointment/Reappointment to Erie County Traffic Safety Advisory Board	RFP
COMM. 3E-37	COUNTY EXECUTIVE	Dedication of Hotel Room Occupancy Tax Revenues in Support of Convention, Visitor and Tourism Services	Finance & Management
COMM. 3E-38	COUNTY EXECUTIVE	Health - Division of the Medical Examiner - Personnel Adjustments - Associate Chief Medical Examiners	Personnel
COMM. 3E-39	COUNTY EXECUTIVE	Health - Division of the Medical Examiner - Personnel Adjustments - Deputy Chief Medical Examiner	Personnel
COMM. 3E-40	COMPROLLER	Erie County 2007 Consolidated Bond Resolution	Finance & Management
COMM. 3E-41	SHERIFF	Sheriff's Office - Asset Forfeiture Funded Program SAFS	Public Safety
COMM. 3E-42	SHERIFF	Sheriff's Office - Patrol Vehicles	Public Safety
COMM. 3E-43	SHERIFF	Sheriff's Office - "Selective Traffic Enforcement" Program (STEP)	Public Safety
COMM. 3E-44	SHERIFF	Sheriff's Office - Personnel Adjustment	Personnel
<b><u>COMMUNICATIONS FROM THE DEPARTMENTS:</u></b>			<b><u>REFERENCE</u></b>
COMM. 3D-1	BUDGET DIRECTOR	Copy of Letter to ECFSA Chair Re: Response to Resolution	Finance & Management
COMM. 3D-2	COUNTY ATTORNEY	Transmittal of New Claims Against Erie County	Government Affairs
COMM. 3D-3	BECPL	Proposed Agenda for 1/18/07	R&F
COMM. 3D-4	COUNTY ATTORNEY	Erie County Mandatory Pesticide Notification Act - Local Law No. 1-2007	RFP
COMM. 3D-5	COUNTY ATTORNEY	Local Law No. 2-2007	RFP
COMM. 3D-6	COUNTY ATTORNEY	Letter to Marinelli Re: Legal Opinion of Legislator Pleading Guilty to Two Misdemeanor Charges Resulting in Office Being Vacated	RFP

COMM. 3D-7	REAL PROPERTY - BUDGET, MANAGEMENT & FINANCE	Re-Levy of Erroneous Taxes for Property Located in the City of Buffalo Known as the Bed of Fulton Street and Owned by the Seneca Gaming Corporation	Finance & Management
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**COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES:** **REFERENCE**

COMM. 3M-1	ERIE COUNTY ENVIRONMENTAL MANAGEMENT COUNCIL	EC EMC Meeting Notice & Agenda for Meeting Held 1/16/07	Energy & Environment
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COMM. 3M-2	NFTA	NFTA Board Minutes for Meeting Held 12/18/06	Economic Development
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COMM. 3M-3	NFTA	17A Report and Capital Expenditure Report for 3rd Quarter of FY ending 3/31/07	Economic Development
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COMM. 3M-4	RATH	Receipt of Certified Resolution	R&F
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COMM. 3M-5	Erie-Niagara Regional Partnership	Agenda for 2/2/07 Meeting & Minutes for 12/8/06 Meeting	Economic Development
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COMM. 3M-6	LEGAL AID BUREAU OF BUFFALO, INC.	Annual Report and Annual Activity for 2006	R&F
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COMM. 3M-7	BUFFALO-NIAGARA FRAMEWORK FOR REGIONAL GROWTH	Final Report - 2006	Government Affairs
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**MEMORIAL RESOLUTIONS:**

**ADJOURNMENT:**