



THE ERIE COUNTY LEGISLATURE

Session No. 3
February 4, 2010

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. Fudoli

PLEDGE OF ALLEGIANCE – Ms. Marinelli

TABLED ITEMS

ITEMS FOR RECONSIDERATION FROM PREVIOUS MEETING

MINUTES OF PREVIOUS MEETING

PUBLIC HEARING

MISCELLANEOUS RESOLUTIONS:

MILLER-WILLIAMS	Congratulating and Commending the Buffalo Police Reserves Upon the Occasion of Their Centennial Anniversary
MILLS	Congratulating Brendan O’Hara on Becoming an Eagle Scout
MILLS	Congratulating Austin Corbett on Becoming an Eagle Scout
MILLS	Recognizing Daniel R. Gernatt Sr. on the Occasion of His Birthday
WALTER, RATH & LOUGHRAN	Honoring Colleen DiPirro on Receiving an Interclub Council of Western New York Susan B. Anthony Award
WALTER	Honoring Thomas Yaiko on Receiving the Clarence Chamber of Commerce Lifetime Achievement Award
WALTER	Congratulating the Erie and Niagara Insurance Association on Receiving the Clarence Chamber of Commerce Business of the Year Award
WALTER	Congratulating the Clarence-Newstead Meals on Wheels Task Force, Inc. on Receiving the Clarence Chamber of Commerce Organization of the Year Award
WALTER	Honoring David M. Bissonette on Receiving the Clarence Chamber of Commerce Citizen of the Year Award
MILLS, RATH, WALTER, DIXON, FUDOLI & HARDWICK	Honoring Our Local Olympic Athletes for Representing the United States of America in the 2010 Winter Olympic Games in Vancouver
MILLS, RATH, WALTER, DIXON, FUDOLI & HARDWICK	Congratulating Charlie Sickler on Being Named the American Public Works Association 2010 Public Works Leader of the Year

LOCAL LAWS:

REFERENCE:

LL INT. 4-1 6/5/2009	KENNEDY	A LL in relation to reducing the size of the Erie County Legislature and changing the term of office for members of the Erie County Legislature	Government Affairs
LL INT. 5-1 6/9/2009	MILLS, RATH & WALTER	A LL in relation to reducing the size of the Erie County Legislature	Government Affairs
LL INT. 6-1 6/9/2009	MILLS, RATH & WALTER	A LL in relation to limiting the terms of office of Erie County elected officials	Government Affairs
LL INT. 7-1 6/11/2009	KONST & IANNELLO	A LL to Reform the Erie County Charter by Limiting the Term of Office that an Elected County Legislator Can Hold	Government Affairs
LL INT. 9-1 7/06/2009	LOUGHRAN	A LL in relation to reducing the size of the Erie County Legislature	Government Affairs
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	

COMMITTEE REPORTS:

REPORT NO. 1 HEALTH & HUMAN SERVICES COMMITTEE

LEGISLATOR RESOLUTIONS:

REFERENCE:

INTRO 3-1	MARINELLI	Extension & Sharing of Additional 1% Sales and Compensating Use Tax	
INTRO 3-2	MARINELLI, WHYTE, KOZUB, GRANT, MAZUR & LOUGHRAN	Seeking Countywide Requirements of Secondhand Dealers and Pawnbrokers for Consumer Protection and Law Enforcement Assistance	
INTRO 3-3	WHYTE, MARINELLI, GRANT, MAZUR, KOZUB & LOUGHRAN	Child Care Subsidies	
INTRO 3-4	WHYTE, GRANT, KOZUB, LOUGHRAN, MARINELLI & MAZUR	Cultural Funding	
INTRO 3-5	MILLS	Reappointment of Calvin Kohn to the EC Soil and Water Conservation District Board of Directors	

INTRO 3-6	RATH	Requesting Changes to the Governor's Proposed "Excelsior Jobs" Program
INTRO 3-7	MILLS, RATH, WALTER, DIXON & FUDOLI	Convening the Citizens Budget Review Commission and Lowering the Salary of EC Legislators
INTRO 3-8	KENNEDY, BOVE & MILLS	Appointment to County Jury Board

COMMUNICATIONS DISCHARGED FROM COMMITTEE:

SUSPENSION OF THE RULES:

<u>COMMUNICATIONS FROM ELECTED OFFICIALS:</u>			<u>REFERENCE:</u>
COMM. 3E-1	COUNTY COMPTROLLER	Suggested Bond Resolution on Behalf of the Department of Environmental and Planning, Division of Sewerage Management for Consideration and Approval	Energy & Environment
COMM. 3E-2	KOZUB	Letter to Commissioner Sentz from the Department of Public Works in Regards to the East Concord Highway Vehicle Storage Facility	Economic Development
COMM. 3E-3	COUNTY COMPTROLLER	Letter Regarding Information Concerning Funding for Health Clinics Owned and Operated by EC	Health & Human Services
COMM. 3E-4	GRANT	Lease for Legislative Office Space	
COMM. 3E-5	COUNTY COMPTROLLER	EC 2010 Consolidation Bond Resolution	
COMM. 3E-6	COUNTY COMPTROLLER	Potential Impact of EC Medical Center Agreement	Health & Human Services
COMM. 3E-7	COUNTY EXECUTIVE	Agreement with the Town of Cheektowaga and a Personal Services Contract with NYS Certified Assessor	
COMM. 3E-8	COUNTY EXECUTIVE	Preparation of the City of Tonawanda Tax Rolls & Bills	RFP
COMM. 3E-9	COUNTY EXECUTIVE	Preparation of Village Tax Rolls & Bills	RFP
COMM. 3E-10	COUNTY EXECUTIVE	Preparation of School District Tax Rolls & Bills	RFP
COMM. 3E-11	COUNTY EXECUTIVE	ECSD No. 3 Engineer Term Agreement - Greenman-Pederson, Inc.	Energy & Environment
COMM. 3E-12	COUNTY EXECUTIVE	Supplemental Agreement with NYSDOT Youngs Road and Aero Drive Intersection Improvements Town of Cheektowaga Erie County	Economic Development
COMM. 3E-13	COUNTY EXECUTIVE	Technical Amendments to Personal Services Items in 2010 Budget	Finance & Management
COMM. 3E-14	COUNTY EXECUTIVE	Appointment to EC Emergency Services Steering Committee	Public Safety
COMM. 3E-15	COUNTY EXECUTIVE	ECSD No. 1 & 4 Engineer Term Agreement - Liro Engineers, Inc.	Energy & Environment
COMM. 3E-16	COUNTY EXECUTIVE	ECSD No. 2 & 6 Engineer Term Agreement - Dinato Associates	Energy & Environment
COMM. 3E-17	COUNTY EXECUTIVE	Semi-Annual Attendance Records - Boards of Managers - ECSD	Energy & Environment

COMM. 3E-18	COUNTY EXECUTIVE	Revise ARRA Congregate Dining Program Grant Budget	Health & Human Services
COMM. 3E-19	SHERIFF	EC Sheriff's Office - Personnel Adjustments	Public Safety
COMM. 3E-20	SHERIFF	EC Sheriff's Office - Asset Forfeiture Funded Program SAFS	Public Safety
COMM. 3E-21	COUNTY COMPTROLLER	Payment of Retirement Bill & Amortized Components - 2010 Budget Impact	Finance & Management
COMM. 3E-22	WHYTE	Letter to Chair Miller-Williams Concerning Items in GA Committee	R&F
COMM. 3E-23	WHYTE	Request of Public Hearing on LL Intro 1-1	R&F

COMMUNICATIONS FROM THE DEPARTMENTS:

REFERENCE:

COMM. 3D-1	COUNTY ATTORNEY	Transmittal of New Claims Against Erie County	Government Affairs
COMM. 3D-2	COUNTY ATTORNEY	Transmittal of New Claim Against Erie County	Government Affairs
COMM. 3D-3	COUNTY ATTORNEY	Transmittal of New Claims Against Erie County	Government Affairs
COMM. 3D-4	ENVIRONMENT & PLANNING COMMISSIONER	Copy of Completion Memos and Supporting Documentation Relating to the State Environmental Quality Reviews of the 2010 Capital Budget Projects	Energy & Environment
COMM. 3D-5	COUNTY ATTORNEY	Transmittal of New Claims Against Erie County	Government Affairs

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES:

REFERENCE:

COMM. 3M-1	BUFFALO & EC PUBLIC LIBRARY	Agenda Items for Meeting Held 1/21/10	Community Enrichment
COMM. 3M-2	MARTIN HOUSE RESTORATION CORP.	EC Legislature Budget Accountability Act - 2009 Close-Out Report	Community Enrichment
COMM. 3M-3	IRISH CLASSICAL THEATRE COMPANY	EC Legislature Budget Accountability Act - 2009 Close-Out Report	Community Enrichment
COMM. 3M-4	BALLET ARTISTS OF WNY INC.	EC Legislature Budget Accountability Act - 2009 Close-Out Report	Community Enrichment

COMM. 3M-5	ARTS STUDIOS OF WNY	EC Legislature Budget Accountability Act - 2009 Close- Out Report	Community Enrichment
COMM. 3M-6	CORNELL COOPERATIVE EXTENSION OF EC	EC Legislature Budget Accountability Act - 2009 Close- Out Report	Community Enrichment
COMM. 3M-7	BUFFALO PHILHARMONIC ORCHESTRA	EC Legislature Budget Accountability Act - 2009 Close- Out Report	Community Enrichment
COMM. 3M-8	GRAYCLIFF CONSERVANCY, INC.	EC Legislature Budget Accountability Act - 2009 Close- Out Report	Community Enrichment
COMM. 3M-9	HAMBURG NATURAL HISTORY SOCIETY, INC./PENN DIXIE	EC Legislature Budget Accountability Act - 2009 Close- Out Report	Community Enrichment
COMM. 3M-10	AMERICAN LEGION BAND OF TONAWANDAS	EC Legislature Budget Accountability Act - 2009 Close- Out Report	Community Enrichment
COMM. 3M-11	US DEPARTMENT OF ENERGY	West Valley Demonstration Project - Final Environmental Impact Statement	Energy & Environment
COMM. 3M-12	THEODORE ROOSEVELT INAUGURAL SITE FOUNDATION	EC Legislature Budget Accountability Act - 2009 Close- Out Report	Community Enrichment
COMM. 3M-13	GOVERNOR PATERSON	Acknowledgement of Receipt of Certified Resolutions	R&F
COMM. 3M-14	NYS DEPARTMENT OF AGRICULTURE & MARKETS	Letter of Notice to Initiate the Review of Agricultural District No. 12	Energy & Environment
COMM. 3M-15	EC BAR ASSOC. - ASSIGNED COUNSEL PROGRAM	Financial Report for the Period 7/1/09 - 12/31/09, Along With List of Attorneys Who Are Currently on the Panel	Government Affairs
COMM. 3M-16	EC BAR ASSOC. - ASSIGNED COUNSEL PROGRAM	Quarterly Report of the Assigned Counsel Program for the 4th Quarter of 2009	Government Affairs
COMM. 3M-17	THE ARTS IN EDUCATION INSTITUTE OF WNY, INC.	EC Legislature Budget Accountability Act - 2009 Close- Out Report	Community Enrichment
COMM. 3M-18	VOICE - BUFFALO	Statement Regarding Day Care Subsidies	Health & Human Services
COMM. 3M-19	NYS OFFICE OF CHILDREN & FAMILY SERVICES	Letter Confirming that the NYS Office of Children and Family Services will be Conducting a Review of the Child Care Subsidy Program in EC	Health & Human Services

COMM. 3M-20	CEPA GALLERY	EC Legislature Budget Accountability Act - 2009 Close- Out Report	Community Enrichment
COMM. 3M-21	SPRINGVILLE CENTER FOR THE ARTS	EC Legislature Budget Accountability Act - 2009 Close- Out Report	Community Enrichment
COMM. 3M-22	NFTA	Copy of the Minutes from the NFTA Board Meeting Held on 12/17/09	Economic Development
COMM. 3M-23	ERIE COUNTY WATER AUTHORITY	Copy of Erie County Water Authorities Unaudited Comparative Financial Statements for the Years Ended 12/31/09 & 08	Energy & Environment
COMM. 3M-24	THE WNY ARTISTS GROUP, INC.	EC Legislature Budget Accountability Act - 2009 Close- Out Report	Community Enrichment
COMM. 3M-25	ERIE COUNTY RESIDENTS	Petition to Restore Day Care Subsidies in EC	Health & Human Services
COMM. 3M-26	BUFFALO NIAGARA CONVENTION & VISITORS BUREAU	EC Legislature Budget Accountability Act - 2009 Close- Out Report	Community Enrichment
COMM. 3M-27	BUFFALO NIAGARA CONVENTION CENTER	EC Legislature Budget Accountability Act - 2009 Close- Out Report	Community Enrichment
COMM. 3M-28	THE BUFFALO TRANSPORTATION/PIERCE - ARROW MUSEUM	EC Legislature Budget Accountability Act - 2009 Close- Out Report	Community Enrichment
COMM. 3M-29	BUFFALO & EC HISTORICAL SOCIETY	EC Legislature Budget Accountability Act - 2009 Close- Out Report	Community Enrichment
COMM. 3M-30	ZOOLOGICAL SOCIETY OF BUFFALO	2010 Budget Accountability Act Submission	Community Enrichment
COMM. 3M-31	MUSICAL FARE THEATRE	EC Legislature Budget Accountability Act - 2009 Close- Out Report	Community Enrichment
COMM. 3M-32	BIG ORBIT GALLERY	EC Legislature Budget Accountability Act - 2009 Close- Out Report	Community Enrichment
COMM. 3M-33	LANCASTER OPERA HOUSE, INC.	EC Legislature Budget Accountability Act - 2009 Close- Out Report	Community Enrichment
COMM. 3M-34	EXPLORE & MORE CHILDREN'S MUSEUM	EC Legislature Budget Accountability Act - 2009 Close- Out Report	Community Enrichment

COMM. 3M-35	EC PRISONERS' RIGHTS COALITION	Request to Address the Public Safety Committee Concerning EC Holding Center & Correctional Facility	Public Safety
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ANNOUNCEMENTS:

MEMORIAL RESOLUTIONS:

ADJOURNMENT: