

MEETING NO. 5
FEBRUARY 28, 2002

ROLL CALL

INVOCATION - Ms. Cusack

PLEDGE OF ALLEGIANCE - Ms. Fisher

TABLED ITEMS: Comm. 13E-45 (2001)

MINUTES OF PREVIOUS MEETING

MISCELLANEOUS RESOLUTIONS:

CHASE

Honoring Hamburg Chamber
of Commerce First Annual
Student Star Awardees

MARINELLI

Honoring Bruno Pistrin
Upon His Retirement from
ECC

DUSZA

Honoring Captain John
Howlett Upon His
Retirement from
Cheektowaga Police Force

DUSZA

Commemorating Christine
Ziemba on Becoming the
First Female Chief of
Cheektowaga Police
Department

LOCAL LAWS:

REFERENCE

LL INT 5-1 OLMA & DEBENEDETTI
05/30/01

A LL Amd LL No.1-1959,
Constituting Erie County
Charter, As Amd, in Rel
to Composition of County
Legislative Districts

LL INT 5-2 OLMA & DEBENEDETTI
06/21/01

A LL Amd LL No.1-1959,
Constituting Erie County
Charter, As Amd, in Rel
to Composition of County
Legislative Districts

LL INT 5-3	OLMA & DEBENEDETTI	A LL Amd LL No.1-1959, Constituting Erie County Charter, As Amd, in Rel to Composition of County Legislative Districts	
07/05/01			
LL INT 9-1	McCARVILLE, GREENAN, LARSON, CHASE, WEINSTEIN & RANZENHOFER	A LL Amd LL No.1-1959, as Amd, to Prohibit Officers of Political Parties from the Board of ECMC	
08/31/01			
LL INT 9-2	McCARVILLE, GREENAN, LARSON, CHASE, WEINSTEIN & RANZENHOFER	A LL Amd LL No.1-1959, as Amd, to Prohibit Officers of Political Parties from Board of ECMC	HUMAN SERVICES
09/05/01			
LL INT 9-3	SWANICK & PEOPLES	A LL Amd LL No.1-1959, as Amd, to Prohibit Officers of Political Parties from Board of ECMC	HUMAN SERVICES
10/02/01			
LL INT 10-1	WEINSTEIN	A LL Req Certain Food Service Establishments to Employ at Least One Person who has Completed Food Service Training Certification Program	HUMAN SERVICES
10/02/01			
LL INT 1-1	SWANICK, KUWIK, SCHROEDER HOLT, FISHER, MARINELLI, DALE, PEOPLES & DUSZA	A LL Amd LL No.1-1959, Constituting EC Charter, as Amd, in Rel to Composition of County Legislative Districts	
02/05/02			
LL INT 1-2	SWANICK, KUWIK, SCHROEDER HOLT, FISHER, MARINELLI, DALE, PEOPLES & DUSZA	A LL Amd LL No.1 - 1959, Constituting EC Charter, As Amd, in Rel to the Composition of County Legislative Districts	
02/05/02			
LL INT 1-3	SWANICK, KUWIK, SCHROEDER HOLT, FISHER, MARINELLI, DALE, PEOPLES & DUSZA	A LL Amd LL No.1 - 1959, Constituting EC Charter, As Amd, in Rel to the Composition of County Legislative Districts	
02/06/02			
LL INT 1-4	SWANICK, KUWIK, SCHROEDER HOLT, FISHER, MARINELLI, DALE, PEOPLES & DUSZA	A LL Amd LL No.1 - 1959, Constituting EC Charter, As Amd, in Rel to the Composition of County Legislative Districts	
02/20/02			

LL INT 2-1 DEBENEDETTI, MAJORITY
CAUCUS
02/05/02

A LL Amd LL No.1 - 1959,
Constituting EC Charter,
as Amd, in Rel to
Composition of County
Legislative Districts

COMMITTEE REPORTS:

REPORT NO. 3 ECONOMIC DEVELOPMENT

REPORT NO. 3 FINANCE & MANAGEMENT

REPORT NO. 3 HUMAN SERVICES

REPORT NO. 3 COMMUNITY ENRICHMENT

REPORT NO. 3 GOVERNMENT AFFAIRS

REPORT NO. 3 REGIONALISM AD HOC

LEGISLATORS RESOLUTIONS:

REFERENCE

INTRO 5-1 DEBENEDETTI, MAJORITY
CAUCUS

Urging President Bush to
Declare Erie County a
Major Disaster Area in
Light of Snow Emergency
in EC from 12/24/01
through 12/28/01

INTRO 5-2 DUSZA

Calling Upon Congress to
Stand Firm on Its
Commitment to Protect
Americans with Type 2
Diabetes

INTRO 5-3	SWANICK, HOLT, DUSZA, KUWIK & FISHER	Support for Proposed State Anti-Terrorism Legislation
INTRO 5-4	SCHROEDER	Support for Uniting the "Old First Ward" Neighborhoods in the Erie County Legislature's 2nd Legislative District
INTRO 5-5	HOLT, PEOPLES, FISHER, SCHROEDER, DALE, KUWIK & MARINELLI	Urging Federal Government to Declare Erie County Eligible for FEMA Reimbursement for Decemeber 2001 Storm Damage
INTRO 5-6	KUWIK	Support for Protection of American Steel Industry
INTRO 5-7	CUSACK	Funding for Community Organizations
INTRO 5-8	CHASE	Funding for Community Organizations
INTRO 5-9	DALE	Support for the Broadway K-Mart
INTRO 5-10	DALE, SWANICK, HOLT & DUSZA	Support for Televised Legislative Sessions and Committee Meetings
INTRO 5-11	DEBENEDETTI, GREENAN, LARSON, McCARVILLE & RANZENHOFER	Funding for Community Group
INTRO 5-12	FISHER	Support for Community Initiatives

INTRO 5-13	PEOPLES	Funding for Youth Services
INTRO 5-14	HOLT, SWANICK, FISHER & PEOPLES	Support for Group Ministries
INTRO 5-15	SWANICK	Support for Community Events & Organizations
INTRO 5-16	SCHROEDER	Funding for Community Organizations
INTRO 5-17	MARINELLI & SWANICK	Funding for a Senior Service Organization
INTRO 5-18	MARINELLI	Funding for Emergency Services and a Community Organization
INTRO 5-19	HOLT	Reconstituting ECMC as a Public Benefit Corporation
INTRO 5-20	PEOPLES & SWANICK	Guaranteeing Flexibility and Accountability at ECMC
INTRO 5-21	RANZENHOFER	The Proposed Consolidation of Children's Hospital Into Other Facilities Operated by Kaleida Health System
INTRO 5-22	DEBENEDETTI, MAJORITY CAUCUS	Endorsing Local Law Intro No.2 - 2002 - Reapportionment of Legislative Districts
INTRO 5-23	KUWIK	Funding for Various Community Events & Organizations

INTRO 5-24 DALE

Funding for Community
Organizations

INTRO 5-25 MCCARVILLE, WEINSTEIN,
DEBENEDETTI, CHASE &
RANZENHOFER

Making County Purchase
Contracts Available on
Erie County Web Site

COMMUNICATIONS DISCHARGED FROM COMMITTEE:

SUSPENSION OF THE RULES:

COMMUNICATIONS FROM ELECTED OFFICIALS:

REFERENCE

5	E- 1	SWANICK	Letter to Clerk of Legislature Re: Reappointment to EC Fisheries Advisory Board	
5	E- 2	SWANICK	Letter to Clerk of Legislature Re: Schedule of Democratic Caucus's Meetings on Redistricting	R&F
5	E- 3	SCHROEDER & SWANICK	Copy of Letter to Mayor Masiello & Council President Pitts Re: Title of Property that ECMC is Located on	HUMAN SERVICES
5	E- 4	SWANICK	Copy of Letter to Chairman Re: Minority Caucus's Recommendation for Appointments to Erie- Niagara Regional Partnership (ENRP)	R&F

5	E- 5	COMPTRROLLER	Bond Resolution - \$72,600 - Additional Funds for Reconstruction of East Church Street Bridge	FINANCE & MANAGEMENT
5	E- 6	COMPTRROLLER	Bond Resolution - \$650,000 - Construction of Intersection/Signal Improvements at Intersection of William & Aurora Streets	FINANCE & MANAGEMENT
5	E- 7	COMPTRROLLER	Bond Resolution - \$8,000,000 - Construction of EC Secure Youth Detention Facility	FINANCE & MANAGEMENT
5	E- 8	SCHROEDER	Letter to Clerk Re: Attached Copy of Letter to County Executive on Project Labor Agreement for Phase II of County Courthouse Project	ECONOMIC DEVELOPMENT
5	E- 9	DEBENEDETTI	Letter to Legislator Greenan Re: Attached Letter from Robert Lichtenthal Concerning His Candidacy for ECWA's Board of Commissioners	ENERGY & ENVIRONMENT
5	E- 10	GREENAN	Letter to Robert Lichtenthal Re: Notice of Energy & Environment Meeting for Purpose of of Interveiw for ECWA's Board of Commissioners	ENERGY & ENVIRONMENT
5	E- 11	GREENAN	Reappointment to Erie County Fisheries Advisory Board	
5	E- 12	GREENAN	Memo to All Legislators Re: Informational Meeting to Interview a Candidate for Reappoint- ment to Board of Commissioners of ECWA	R&F
5	E- 13	SHERIFF	Sheriff's Office - Personnel Adjustments	

5	E- 14	SHERIFF	Government Payment Services	
5	E- 15	SHERIFF	Sheriff's Office - NYS Governor's Traffic Safety Committee Grant	PUBLIC SAFETY
5	E- 16	COUNTY EXECUTIVE	Independent Healthcare System Valuation Services	
5	E- 17	COUNTY EXECUTIVE	Appointment & Reappointments to NYS Region 9 Fish & Wildlife Management Board	
5	E- 18	COUNTY EXECUTIVE	Appointment to EC Environmental Management Council	R&F
5	E- 19	COUNTY EXECUTIVE	Reappointments to Equal Employment Opportunity Advisory Committee	RFP
5	E- 20	COUNTY EXECUTIVE	Appointment to ECSD Board No.3	
5	E- 21	COUNTY EXECUTIVE	Appointment to Erie County Cultural Resources Advisory Board	RFP
5	E- 22	COUNTY EXECUTIVE	Dispute Resolution Contract with Better Business Bureau Foundation of WNY	GOVERNMENT AFFAIRS
5	E- 23	COUNTY EXECUTIVE	Contract Amendment - Rural Van Transportation Service Van Replacements	
5	E- 24	COUNTY EXECUTIVE	Payment in Lieu of Taxes (PILOT) for 2982 Stony Point Road, Town of Grand Island	FINANCE & MANAGEMENT
5	E- 25	COUNTY EXECUTIVE	2002-2004 Housing Opportunities Made Equal Contract	GOVERNMENT AFFAIRS
5	E- 26	COUNTY EXECUTIVE	Hauptman-Woodward Medical Research Institute	HUMAN SERVICES

5	E- 27	COUNTY EXECUTIVE	ECSD No.3 - Holland Extension - Capital Project Close Out & Fund Transfer - Capital Reserve Fund	ENERGY & ENVIRONMENT
5	E- 28	COUNTY EXECUTIVE	ECSD No.3 - Armor - McKinley Extension Capital Project Close Out & Fund Transfer - Debt Service Fund	ENERGY & ENVIRONMENT
5	E- 29	COUNTY EXECUTIVE	ECSD No.2 - Paul Gallo Contracting - Contract No.37EV "A" Dispensation of Hours	ENERGY & ENVIRONMENT
5	E- 30	COUNTY EXECUTIVE	DEP - Budget Revision	GOVERNMENT AFFAIRS
5	E- 31	COUNTY EXECUTIVE	ECSD No.2 - 18 Mile Creek & Sweetland Road Pumping Station Modifications - Contract No.37EV "A" - General Change Order No.A-2 - Paul Gallo	ENERGY & ENVIRONMENT
5	E- 32	COUNTY EXECUTIVE	ECSD Nos. 2, 4 & 6 Contract No. 58PS - General Pumping Station Structural/Cathodic Protection Rehabilitation - Bid Opening	ENERGY & ENVIRONMENT
5	E- 33	COUNTY EXECUTIVE	ECSD No.5 - Swormsville Pumping Station Elimination - Contract No.11L Close Out - Cimato Brothers Construction	ENERGY & ENVIRONMENT
5	E- 34	COUNTY EXECUTIVE	ECSD No.2 - Contract No.44EV - Town of Evans - Change Order No.1	ENERGY & ENVIRONMENT
5	E- 35	COUNTY EXECUTIVE	ECSD No.4 - Increase Maximum (1974-1984) Capital Project Close Out & Fund Transfer - Debt Service Fund	ENERGY & ENVIRONMENT
5	E- 36	COUNTY EXECUTIVE	2002-2004 Housing Counseling Contracts	GOVERNMENT AFFAIRS

5	E- 37	COUNTY EXECUTIVE	Community Development Block Grant (CDBG) - Lead Based Paint Hazardous Inspection Services - Amendatory Agreement with Stohl Environmental	ENERGY & ENVIRONMENT
5	E- 38	COUNTY EXECUTIVE	Snow Plowing Reimbursement from NYSDOT	ECONOMIC DEVELOPMENT
5	E- 39	COUNTY EXECUTIVE	Allocation of FEMA Reimbursements	
5	E- 40	COUNTY EXECUTIVE	ECC North Campus - Dental Hygiene Lab Renovations	ECONOMIC DEVELOPMENT
5	E- 41	COUNTY EXECUTIVE	EC Main Library - Secure Storage & New ADA Elevator	ECONOMIC DEVELOPMENT
5	E- 42	COUNTY EXECUTIVE	Ralph Wilson Stadium - 2002 Improvements	ECONOMIC DEVELOPMENT
5	E- 43	COUNTY EXECUTIVE	Roof Repair - Emergency Response Services - All County Owned Buildings - Contract Allowance Increase	ECONOMIC DEVELOPMENT
5	E- 44	COUNTY EXECUTIVE	Increase to Construction Contract 2001 Overlay "B" Program Project No. CHIPS OP-01B - Various Towns	ECONOMIC DEVELOPMENT
5	E- 45	COUNTY EXECUTIVE	Grover Cleveland Park Water System Improvements Phase I	ECONOMIC DEVELOPMENT
5	E- 46	COUNTY EXECUTIVE	Amendment to Various 2002 Town & Special District Budgets	FINANCE & MANAGEMENT
5	E- 47	COUNTY EXECUTIVE	Authorization to Accept Gift of Golf Scorecards	ENERGY & ENVIRONMENT
5	E- 48	COUNTY EXECUTIVE	District Attorney - Internet Crimes Against Children Program Grant	PUBLIC SAFETY

5	E- 49	COUNTY EXECUTIVE	2002 Authorization of STOP-DWI GO SAFE Program	PUBLIC SAFETY
5	E- 50	COUNTY EXECUTIVE	ECC North Campus - Cell Tower Lease to Nextel Communications	COMMUNITY ENRICHMENT
5	E- 51	COUNTY EXECUTIVE	Twenty (20) Year Retirement Sheriffs Benevolent Association Members	
5	E- 52	COUNTY EXECUTIVE	Emergency Services - Acceptance of a Third Terrorism Consequences Grant from FEMA for \$11,000	PUBLIC SAFETY
5	E- 53	COUNTY EXECUTIVE	Senior Services - Authorization to Establish POMP Grant & Amend the HIICAP, NYSRSVP, CSE & EISEP Grants	HUMAN SERVICES
5	E- 54	COUNTY EXECUTIVE	Senior Services - Authorization to Amend Nutrition Grant Budgets	HUMAN SERVICES
5	E- 55	COMPTROLLER	State Authorization to Arrange for Underwriting & Private Sale of Bonds or Notes Through Negotiated Agreement	FINANCE & MANAGEMENT
5	E- 56	FISHER	Letter to Clerk of Legislature Re: Vote on Comm. 3E-16 (2002) as Amended to be Changed to No	
5	E- 57	DALE	Letter to Clerk of Legislature Re: Vote on Comm. 3E-16 (2002) As Amended to be Changed to No	
5	E- 58	SCHROEDER	Letter to Clerk of Legislature Re: Vote on Comm. 3E-16 (2002) as Amended to be Changed to No	

5 E- 59 SWANICK Letter to Clerk of
Legislature Re: Vote on
Comm. 3E-16 (2002) as
Amended to be Changed to
No

5 E- 60 PEOPLES Letter to Clerk of
Legislature Re: Vote on
Comm. 3E-16 (2002) as
Amended to be Changed to
No

5 E- 61 HOLT Letter to Clerk of
Legislature Re: Vote on
Comm. 3E-16 (2002) as
Amended to be Chnged to
No

COMMUNICATIONS FROM THE DEPARTMENTS:

REFERENCE

5 D- 1 ECMC Notice of JCC/Planning
Committe Meeting Held
2/26/02 R&F

5 D- 2 ECMC Notice of Finance
Committee Meeting Held
2/22/02 R&F

5 D- 3 ECMC Notice of Board of
Managers Meeting Held
2/14/02 R&F

5 D- 4 COUNTY ATTORNEY Notice of Claim GOVERNMENT
AFFAIRS

5 D- 5 ECC Notice of Budget &
Finance Meeting Held
2/11/02 R&F

5 D- 6 COUNTY ATTORNEY Notice of Claims GOVERNMENT
AFFAIRS

5 D- 7 COUNTY ATTORNEY Notice that Comm. 3E-16
Has Been Filed with NYS
Officials R&F

5 D- 8 ECC Minutes of Board of
Trustees Meeting Held
12/19/01 R&F

5	D- 9	COUNTY ATTORNEY	Notice of Claim	GOVERNMENT AFFAIRS
5	D- 10	COUNTY ATTORNEY	Notice that LL 1-2002 NYS Department of State Has Set 1/18/02 as Official Filing Date	R&F
5	D- 11	ECMC	Notice of Meeting Held 2/14/02 & Agenda & Minutes	R&F
5	D- 12	BUFFALO & ERIE COUNTY PUBLIC LIBRARY	Notice of Meeting Held 2/21/02 & Agenda	R&F
5	D- 13	ECMC	Notice that JCC/Planning Committee Meeting was Rescheduled from 2/26/02 to 2/27/02	R&F
5	D- 14	ECMC	Notice of Finance Committee Meeting Held 2/22/02 & Agenda & Minutes	R&F
5	D- 15	CLERK OF LEGISLATURE	Memo to All Members Re: Designation of Facsimile Numbers Pursuant to Rule No.2 - Special Meetings	RFP
5	D- 16	ECMC	Memo to All Legislators Re: Approved Resolution - Support for Converting ECMC Into a Not-for- Profit Public Benefit Corporation	HUMAN SERVICES
5	D- 17	ECC	Notice of Board of Trustees Meeting Held 2/27/02 & Agenda	R&F
5	D- 18	PROBATION	Letter to Legislator Weinstein Re: Restoration of State Mandated Positions	HUMAN SERVICES
5	D- 19	COUNTY ATTORNEY	Copy of Letter to Legislators Dale & Schroeder Re: Response to Letters in Regards to PLAs	ECONOMIC DEVELOPMENT

5	D- 20	BUDGET, MANAGEMENT & FINANCE	Letter to All Legislators Re: Response from DEP on Review of EC's Takeover of East Side Transfer Station as of 7/1/01	FINANCE & MANAGEMENT
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COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES:

REFERENCE

5	M- 1	TOWN OF ORCHARD PARK	Notice of Public Hearing Re: Billboards & Signs	R&F
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5	M- 2	NYSDEC	Notice of Meeting Held 2/26/02 Re: Remedial Plan for Buffalo Outer Harbor Property Brownfield Site	R&F
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5	M- 3	ASSEMBLYMAN BURLING	Receipt of Resolutions	R&F
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5	M- 4	ERIE COUNTY MENTAL HYGIENE COMMUNITY SERVICES BOARD	Notice of Meeting Held 2/21/02 & Agenda	R&F
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5	M- 5	NYSDOH	Update Fact Sheet Re: Chem-Trol Site, Town of Hamburg	R&F
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5	M- 6	TOWN OF ORCHARD PARK	Certified Resolution Re: Support for Unified Orchard Park in Redistricting	R&F
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5	M- 7	NYSDEC	Notice of Change of Meeting to New Location Held 2/26/02	R&F
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5	M- 8	NY POWER AUTHORITY	Copy of Memo Re: Niagara Power Project - Request to Utilize Alternative Licensing Procedures	ENERGY & ENVIRONMENT
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5	M- 9	CHARLES GILBERT	Letter to Legislators Weinstein & Cusack Re: Comments on Redistricting Plan	R&F
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5	M- 10	ASSEMBLYMAN BURLING	Receipt of Resolutions	R&F

5	M- 11	EC ENVIRONMENTAL MANAGEMENT COUNCIL	Notice of Meeting Held 2/19/02 & Agenda	R&F
5	M- 12	NFTA	17A Report & Capital Expenditures for 1st 3 Quarters of Fiscal Year Ending 3/31/02	R&F
5	M- 13	NYS DEPARTMENT OF AGRICULTURE	Letter to Clerk of Legislature Re: Compliance of EC Agricultural District No.11 with Agricultural District Laws	R&F
5	M- 14	MICHAEL KON	Letter to Chairman DeBenedetti Re: Comments on Redistricting Plan	R&F
5	M- 15	RECORD THEATRE	Letter to All Legislators Re: Opposition to EC Scanner Accuracy Law	GOVERNMENT AFFAIRS
5	M- 16	NYS DEPARTMENT OF TAXATION & FINANCE	Notice that EC's Extension of Additional 1% Sales Tax was Drafted in Accordance with NYS Tax Law	R&F
5	M- 17	ECIDA	Notice of Change of Meeting Date for Board of Directors Meeting from 3/13/02 to 3/20/02	R&F
5	M- 18	NYSDEC	Notice of Meeting to be Held 3/12/02 Re: Shenango Steel Mold Hazardous Waste Site	R&F
5	M- 19	NYSDEC	Notice of Meeting Held 2/14/02 Re: Marcon Erectors Site	R&F
5	M- 20	ROBERT LICHTENTHAL	Letter to Chairman DeBenedetti Re: Candidacy for ECWA Commissioner	ENERGY & ENVIRONMENT
5	M- 21	BOY SCOUTS OF AMERICA GREATER NIAGARA FRONTIER COUNCIL	Memo to Clerk of Legislature Re: 12/01 Financial & Membership Reports - 2001 Public Benefit Funding	R&F

5	M- 22	NYSDOH	Letter to Legislator Weinstein Re: Notice that Geneva B Scruggs Community Health Care Center Meets Acceptable Standards of Care	HUMAN SERVICES
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5	M- 23	GENEVA B SCRUGGS COMMUNITY HEALTH CARE	Medical Directors Report to Board of Directors	HUMAN SERVICES
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5	M- 24	GENEVA B SCRUGGS COMMUNITY HEALTH CARE	Letter to Legislator Weinstein Re: Notice of Revitalization Plan	HUMAN SERVICES
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MEMORIAL RESOLUTIONS:

ADJOURNMENT: