



THE ERIE COUNTY LEGISLATURE

Session No. 6
March 15, 2007

Lynn M. Marinelli
Chairperson

Maria R. Whyte
Majority Leader

John J. Mills
Minority Leader

Robert M. Graber
Clerk of the Legislature

ROLL CALL

INVOCATION – Mr. Reynolds

PLEDGE OF ALLEGIANCE – Mr. Mills

TABLED ITEMS – Comm. 5M-9 from the Charter Working Group Re: Erie County Charter

ITEMS FOR RECONSIDERATION FROM PREVIOUS MEETING

MINUTES OF PREVIOUS MEETING

PUBLIC HEARING

MISCELLANEOUS RESOLUTIONS

WHYTE, MARINELLI, MILLER-
WILLIAMS, KONST, GRANT,
LOCKLEAR & IANNELLO

Honoring Everywoman Opportunity Center, Inc. Upon the
Occasion of Their 30th Anniversary Celebration

REYNOLDS

Honoring and Congratulating Jack Kuebler as he Receives the
Evans-Brant Chamber of Commerce Citizen of the Year Award

KONST

Honoring the Town of Elma Upon the Occasion of Its
Sesquicentennial Celebration

GRANT & MILLER-WILLIAMS

Congratulating Rev. Daris Dixon Clark as the New Pastor at
Friendship Baptist Church

GRANT & MILLER-WILLIAMS

Recognizing 3/10/07 as Harriet Ross Tubman Day in Erie County

GRANT & MILLER-WILLIAMS

Congratulating Rev. Johnathan Ruben Staples on His Installation
as the Seventh Pastor of First Shiloh Baptist Church

KONST

Honoring Father Joe Upon His 50th Birthday Celebration

REYNOLDS

Recognizing March 25-31 as National Boys and Girls Club Week

REYNOLDS

Recognizing April 29 - May 5 as Municipal Clerk Week

KENNEDY

Honoring and Congratulating John P. Morrison for His Service
and Nomination as the 2007 St. Patrick Day Parade Grand
Marshal

KENNEDY

Honoring the Memory of Susanne "Susie" Felschow, Her Service
to the Valley and Old 1st Ward Communities and the Dedication
of the 14th Annual "Old Neighborhood" St. Patrick's Day in Her
Honor

KENNEDY Honoring Charlotte McGuire Misuraca for Her Service to the Valley Community and Congratulating Her on Becoming the 14th Annual "Old Neighborhood" St. Patrick's Day Parade Grand Marshal

KENNEDY Honoring the Memory of Margaret "Peg" Sullivan, Her Service to Her Community and the Dedication of the 14th Annual "Old Neighborhood" St. Patrick's Day in Her Honor

IANNELLO In Memory of Stuart M. Farmer

LOCAL LAWS

REFERENCE

LL INT 4-1 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 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 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 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 MILLS, RANZENHOFER & WEINSTEIN A LL Requiring Elected Officials to Resign From Office Upon Being Convicted of a Misdemeanor or Felony Personnel

LL INT. 2-1 KENNEDY, WHYTE, REYNOLDS, IANNELLO, KONST, MARINELLI, LOUGHRAN, KOZUB, MAZUR & GRANT A LL Providing for the Lease of New School 84 to the Buffalo Board of Education Economic Development

LL INT. 3-1 IANNELLO, MARINELLI, REYNOLDS, KONST & LOUGHRAN A LL Amending Article II, Section 202 of the Erie County Charter

COMMITTEE REPORTS

REPORT NO. 4	FINANCE & MANAGEMENT COMMITTEE
REPORT NO. 4	PERSONNEL COMMITTEE
REPORT NO. 4	HUMAN SERVICES COMMITTEE
REPORT NO. 3	COMMUNITY ENRICHMENT COMMITTEE
REPORT NO. 5	ECONOMIC DEVELOPMENT COMMITTEE
REPORT NO. 5	ENERGY & ENVIRONMENT COMMITTEE
REPORT NO. 4	PUBLIC SAFETY COMMITTEE
REPORT NO. 4	GOVERNMENT AFFAIRS COMMITTEE

LEGISLATOR RESOLUTIONS:

REFERENCE

INTRO 6-1	LOCKLEAR	Endorsing Resolution for Transportation Bond Act Projects for Buffalo Airfield
INTRO 6-2	KENNEDY, LOUGHRAN & MAZUR	Erie County's Support of NYS Legislation Rejecting the Commission on Health Care Facilities Recommendation to Close St. Joseph Hospital
INTRO 6-3	KONST, KOZUB, MILLER-WILLIAMS, MILLS, WHYTE, MARINELLI, RANZENHOFER, REYNOLDS, LOUGHRAN, MAZUR, KENNEDY, GRANT & LOCKLEAR	Appointment of Commissioner for the Office of Public Advocacy
INTRO 6-4	LOUGHRAN	Donation of Equipment
INTRO 6-5	KONST	Memorializing the NYS Legislature to Approve an Act to Authorize Erie County to Transfer Certain Parkland to Shelley Brown, a Private Citizen, to be Maintained as Residential Property
INTRO 6-6	MARINELLI, IANNELLO & LOUGHRAN	Supporting Senator Clinton's "Strategic Energy Fund" and Resulting Investment in CR Huntley Station
INTRO 6-7	MILLS & KONST	Opposing Construction of Billboards on County Owned Property in Orchard Park
INTRO 6-8	WEINSTEIN, MILLS, RANZENHOFER & LOCKLEAR	Supporting the Proposed Changes to the NYS Real Property Tax Law

INTRO 6-9	KONST & IANNELLO	The Office of Public Advocacy and Its Relationship with Its Various Divisions and the Advisory Groups Associated with The Office
INTRO 6-10	WHYTE	Change to the Judiciary Law
INTRO 6-11	WHYTE	Opposition to Increase in User Fees and Unreasonable Restrictions in Olmsted Parks
INTRO 6-12	LOUGHRAN, IANNELLO & KONST	Proper Upkeep of ECC Facilities

COMMUNICATIONS DISCHARGED FROM COMMITTEE:

SUSPENSION OF THE RULES:

<u>COMMUNICATIONS FROM ELECTED OFFICIALS:</u>			<u>REFERENCE</u>
COMM. 6E-1	KENNEDY	Copy of Letter to County Executive Re: Public Hearing on School #84	R&F
COMM. 6E-2	COMPTRROLLER	Copy of Letter to County Attorney Re: Retention of Joseph Passafiume	Finance & Management
COMM. 6E-3	COMPTRROLLER	Notice of Completion of Sale of \$50 Million of General Obligation Bonds	Finance & Management
COMM. 6E-4	MARINELLI	2007 Committee Assignments	RFP
COMM. 6E-5	COUNTY EXECUTIVE	Copy of Letter to ECFSA Chair Re: Sale of County's Tax Liens	Finance & Management
COMM. 6E-6	COMPTRROLLER	State Authorization for the Private Sale of Bonds by Negotiated Agreement	Finance & Management
COMM. 6E-7	LOUGHRAN	Copy of Letter to County Attorney Re: Advertisement on Golf Cards	Energy & Environment
COMM. 6E-8	COMPTRROLLER	Audit of Erie County Homeland Security Grant Funds Received From the NYS Office of Homeland Security	Public Safety
COMM. 6E-9	COUNTY EXECUTIVE	Extension of Erie County's Additional .75% Sales Tax Authority; Home Rule Request Resolution for Senate Bill No. S.3212 and Assembly Bill No. A.5985	
COMM. 6E-10	COUNTY EXECUTIVE	Health - NYSDEC Water Quality Management Planning Contract 4/1/04 - 3/31/09	Health
COMM. 6E-11	COUNTY EXECUTIVE	Senior Services - Authorization to Establish the POMP Grant Budget and to Amend the LTCIEOP and RSVP Grant Budgets	Human Services
COMM. 6E-12	COUNTY EXECUTIVE	Senior Services - Authorization to Contract with a Dietetic Technician	Personnel
COMM. 6E-13	COUNTY EXECUTIVE	ECSD No. 6 - Cooperative Agreement Between EC/ECSD No. 6/ECWA	Energy & Environment
COMM. 6E-14	COUNTY EXECUTIVE	DEP - Erie County Community Development - Commercial Center Improvement Program - Consultant Center Improvement Program - Consultant Services	Energy & Environment
COMM. 6E-15	COUNTY EXECUTIVE	DEP - Rebuild WNY Initiative	Energy & Environment
COMM. 6E-16	COUNTY EXECUTIVE	DEP - WNY Stormwater Coalition Local Ordinance Project	Energy & Environment

COMM. 6E-17	COUNTY EXECUTIVE	ECSD No. 2 - Engineering Agreement Dated 8/29/02 - URS Corp. - Change Order No. 6	Energy & Environment
COMM. 6E-18	COUNTY EXECUTIVE	Sewerage Management - Engineering Service Agreement - URS-7, Leg. Comm. 21E-33	Energy & Environment
COMM. 6E-19	COUNTY EXECUTIVE	Sewerage Management - Engineering Service Agreement - URS-8, Leg. Comm. 21E-33	Energy & Environment
COMM. 6E-20	COUNTY EXECUTIVE	ECSD No. 3 - Professional Services Agreement w/ CRA Infrastructure and Engineering, Inc.	Energy & Environment
COMM. 6E-21	COUNTY EXECUTIVE	Grant Programs - Authorization to Contract	Finance & Management
COMM. 6E-22	COUNTY EXECUTIVE	DEP/DISS - Project Preparation and Business Blueprint Development Services SAP Plant Maintenance Implementation	Government Affairs
COMM. 6E-23	COUNTY EXECUTIVE	Joint Appointment to the Erie County Records Commission	Government Affairs
COMM. 6E-24	MILLS	Temporary Utilization of Scoby Dam Park by the NYSDOT as Part of the US Route 219 Expressway Project - Town of Concord	
COMM. 6E-25	IANNELLO	Copy of Letter to Buffalo Bisons General Manager Re: Declination of 'Gift'	R&F
COMM. 6E-26	IANNELLO	Copy of Letter to NEGLIA Ballet Artists Executive Director Re: Declination of 'Gift'	R&F
COMM. 6E-27	WHYTE	Blueprint Buffalo	Government Affairs
COMM. 6E-28	SHERIFF	Sale of Surplus Helicopter Parts	Public Safety
<u>COMMUNICATIONS FROM THE DEPARTMENTS:</u>			<u>REFERENCE</u>
COMM. 6D-1	COUNTY ATTORNEY	Transmittal of New Claims Against Erie County	Government Affairs
COMM. 6D-2	BUDGET, MANAGEMENT & FINANCE	Letter to Locklear Re: Reply to Comm. 5E-2	Health
COMM. 6D-3	PUBLIC WORKS	Comm. 18E-11 (2006) - Ticor Building Renovations for County Attorney's Office	Economic Development

COMM. 6D-4	BUDGET, MANAGEMENT & FINANCE	BMR for FY2006 w/ Year to Date Results Through 12/31	Finance & Management
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COMM. 6D-5	BECPL	Proposed Agenda for 3/15/07 Board of Trustees Meeting	R&F
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<u>COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES:</u>	<u>REFERENCE</u>
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COMM. 6M-1	NFTA	Minutes for Board of Directors Meeting Held 1/22/07	R&F
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COMM. 6M-2	STATE SENATOR VOLKER	Notice of Introduction of An Act to Amend the Local Finance Law	Finance & Management
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COMM. 6M-3	BUFFALO COMMISSIONER OF DEPT. OF ASSESSMENT & TAXATION	Certified Resolution - Sale of Erie County Tax Liens	Finance & Management
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COMM. 6M-4	ECIDA	Notice of Board of Directors Meeting Held 3/12/07	R&F
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COMM. 6M-5	ASSOCIATE JUDGE EUGENE F. PIGOTT	Copy of Letter to County Attorney Re: Court of Appeals Lease	Government Affairs
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COMM. 6M-6	ERIE COUNTY DIRECTOR - WESTERN REGION OTB	Request to Present Western Region OTB Update to Legislature	Government Affairs
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COMM. 6M-7	LEGAL AID BUREAU	Monthly Reports and Monthly Activity Reports for 1/07 - 2/07	R&F
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COMM. 6M-8	PARTNERS FOR A LIVEABLE WESTERN NEW YORK	Recommendation of Support for Erie Niagara Framework for Regional Growth	Government Affairs
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COMM. 6M-9	ERIE COUNTY BAR ASSN. - AID TO INDIGENT PRISONERS SOCIETY INC. - ASSIGNED COUNSEL PROGRAM	Financial Report for the Period 7/1/06 - 12/31/06	R&F
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COMM. 6M-10	ALDEN TOWN COUNCIL	Certified Resolution - Sheriff Levels	Public Safety
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COMM. 6M-11	PETER A. REESE	Performance Based Budgeting	Finance & Management
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COMM. 6M-12	NYS BOARD OF REAL PROPERTY SERVICES	List of Certified 2007 State Equalization Rates	R&F
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COMM. 6M-13	ASSEMBLYMAN MIKE COLE	Receipt of Certified Resolution	R&F
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COMM. 6M-14	ECFSA	Certified Resolution 07-09 Amending the Process for Approving Contracts Settlements, or Other Obligations Binding or Purporting to Bind Erie County	Finance & Management
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COMM. 6M-15	BUFFALO COMMON COUNCIL	Notice of Special Meeting for the Community Development Committee	R&F
COMM. 6M-16	GERALD E. KELLY & PETER A. REESE	Performance Based Budgeting	Finance & Management
COMM. 6M-17	ECFSA	Sale of Tax Liens	Finance & Management
COMM. 6M-18	NYS FISH & WILDLIFE MANAGEMENT BOARD	Minutes of 3/1/07 Board Meeting	R&F
COMM. 6M-19	ASSOCIATE JUDGE EUGENE F. PIGOTT	Lease of Space for Court of Appeals Chambers	Government Affairs

MEMORIAL RESOLUTIONS:

ADJOURNMENT: