



# THE ERIE COUNTY LEGISLATURE

Session No. 6  
March 25, 2010

Barbara Miller-Williams  
*Chair*

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 – Mr. Mazur

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PLEDGE OF ALLEGIANCE – Mr. Loughran

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## TABLED ITEMS

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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:

MILLER-WILLIAMS	Honoring the 8th Anniversary Harriet Tubman Holiday Awardees
KOZUB	Congratulating Father Robert McArtney on the 50th Anniversary of His Ordination
DIXON	Honoring Sam's Lumber Company as the Eden-Brant Chamber of Commerce Small Business of the Year
DIXON	Honoring New Era Cap Company as the Eden-Brant Chamber of Commerce Large Business of the Year
DIXON	Honoring Frank C. Vail Jr. as the Eden-Brant Chamber of Commerce Citizen of the Year
DIXON	Honoring Neil I. Ross on his Retirement from the United States Navy
MILLER-WILLIAMS	In Memory of the Life of Dorothy J. Collier
BOVE	Congratulating Matthew D. Fabian Upon His Achievement of Earning the Rank of Eagle Scout, Boy Scout Troop #409
WHYTE	Congratulating Lashauna Jones, 2010 Woman of the Year - March 2010 Women's History Month
HARDWICK	Honoring Rossano Galante's Designation as Distinguished Alumni of Grand Island
HARDWICK	Honoring Dale Brown's Designation as Distinguished Alumni of Grand Island
WHYTE	Recognizing the Latin American Solidarity Committee & Dr. Christine Eber Upon 25 Years of Working with the Women's Cooperative in Chiapas, Mexico

WHYTE	Recognizing the 50th Anniversary of American Legion Post #13
BOVE	Thanking & Honoring Sharon Morreal, Erie Community College Student
DIXON	Honoring Carol A. Meissner on Her Retirement as Town Clerk After 32 Years of Service to the Town of Evans
MILLER-WILLIAMS	In Memory of Hardie Lockwood
RATH	Recognizing Williamsville North DECA & the Three 1st Place Winners in the NYS DECA Career Conference
RATH	Recognizing Williamsville South DECA and the Eleven 1st Place Winners in the NYS DECA Career Conference
FUDOLI	Congratulating Adam G. Page for Receiving a Gold Medal in Vancouver, Canada for USA Sled Hockey Team
FUDOLI	Congratulating Past Chief of the Depew Fire Department Mike Hehir for Receiving the Lancaster Fire Council President's Award
FUDOLI	Congratulating Mark J. Lawniczak of the Bowmansville Volunteer Fire Association for Receiving the Lancaster Fire Council Outstanding Leadership Award
FUDOLI	Congratulating R.J. Surowick of the Bowmansville Volunteer Fire Association for Receiving the Lancaster Fire Council Junior Firefighter of the Year Award
FUDOLI	Congratulating Christian Reed of the Twin District Fire Company for Receiving the Lancaster Fire Council Rookie of the Year Award
FUDOLI	Congratulating Craig Sponholz of the Crittendon Volunteer Fire Department for Receiving the Lancaster Fire Council Responder of the Year Award
FUDOLI	Congratulating Don Sutton of the Bowmansville Volunteer Fire Association for Receiving the Lancaster Fire Council Pump Operator/Driver of the Year Award
FUDOLI	Congratulating Bernard Uebelhoer of the Lancaster Volunteer Fire Department for Receiving the Lancaster Fire Council Fire Police of the Year Award
FUDOLI	Congratulating Larry Pohl of the Lancaster Volunteer Ambulance Corp., Inc. for Receiving the Lancaster Fire Council EMS Provider of the Year Award
FUDOLI	Congratulating the Alden Ladies Auxiliary of the Alden Hook & Ladder Fire Company for Receiving the Lancaster Fire Council Auxiliary Supporter of the Year Award
FUDOLI	Congratulating the Alden Fire Department for Receiving the Lancaster Fire Council Organization of the Year Award
FUDOLI	Congratulating the Crittendon Fire Department for Receiving the Lancaster Fire Council Organization of the Year Award

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FUDOLI  
Congratulating the Millgrove Fire Department for Receiving the Lancaster Fire Council Organization of the Year Award

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FUDOLI  
Congratulating the Townline Fire Department for Receiving the Lancaster Fire Council Organization of the Year Award

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**LOCAL LAWS:**

**REFERENCE:**

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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. 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. 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	Government Affairs
LL INT. 3-1 3/23/2010	MARINELLI, WHYTE, GRANT, LOUGHRAN, MILLER-WILLIAMS, MILLS, KENNEDY, MAZUR, BOVE, HARDWICK, DIXON & RATH	A LL Entitled The "Consumer Protection & Law Enforcement Assistance Act"	

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**COMMITTEE REPORTS:**

REPORT NO. 2 COMMUNITY ENRICHMENT COMMITTEE

REPORT NO. 3 HEALTH & HUMAN SERVICES COMMITTEE

REPORT NO. 2 ECONOMIC DEVELOPMENT COMMITTEE

REPORT NO. 1 FINANCE & MANAGEMENT COMMITTEE

**LEGISLATOR RESOLUTIONS:**

**REFERENCE:**

INTRO 6-1	MILLER-WILLIAMS, MILLS, BOVE & KENNEDY	Appointments to the EC Audit Committee
INTRO 6-2	HARDWICK & WHYTE	Supporting Continued Air Monitoring in Tonawanda
INTRO 6-3	KOZUB	A Resolution to Support Linta Design & Manufacturing in its Application for an Upstate Regional Blueprint Fund Grant
INTRO 6-4	MILLER-WILLIAMS	Legislature Appointments to the EC Soil & Water Conservation District Board of Directors
INTRO 6-5	MILLS, RATH, WALTER, FUDOLI & DIXON	Opposing Increases in Passport Fees & Supporting the Passport Relief Act of 2009
INTRO 6-6	FUDOLI, DIXON, MILLS, RATH & WALTER	Opposing NYS Assembly Bills A. 1093A, A. 2884, S. 1715A & S. 1712, Which Infringe Upon NYS Residents' Right to Bear Arms
INTRO 6-7	WHYTE & GRANT	Jail Commissary Funds
INTRO 6-8	MILLS	Urging the NYS Legislature to Support the State's Farmland Protection Program & Environment Protection Program

**COMMUNICATIONS DISCHARGED FROM COMMITTEE:**

**SUSPENSION OF THE RULES:**

<b><u>COMMUNICATIONS FROM ELECTED OFFICIALS:</u></b>			<b><u>REFERENCE:</u></b>
COMM. 6E-1	COMPTROLLER	2009 Preliminary Unaudited General Fund Operating Results	Finance & Management
COMM. 6E-2	WHYTE	Letter to Legislator Mazur in Relation to WNY Women's Fund Research Initiative, "Pathways to Progress"	Health & Human Services
COMM. 6E-3	WHYTE	Letter to Legislator Mazur in Relation to the John R. Oishei Foundation's Mobile Safety-Net Team	Health & Human Services
COMM. 6E-4	MILLER-WILLIAMS	Memo to Legislature Clerk Including Constituent Complaint Involving EC Sheriff Deputy	Public Safety
COMM. 6E-5	MILLER-WILLIAMS	Memo to Legislature Clerk Including Constituent Letter Involving Health Insurance Enrollment/Change Form	Health & Human Services
COMM. 6E-6	KOZUB	Lease Agreement for Legislative Office Space	
COMM. 6E-7	RATH	Lease Agreement for Legislative Office Space	
COMM. 6E-8	COUNTY EXECUTIVE	Award of Construction Contract, Engineering & Construction Inspection Services - Rehabilitation of Cayuga Creek Road Bridge - At William Street - Town of Cheektowaga	Economic Development
COMM. 6E-9	COUNTY EXECUTIVE	EC Sewer District No. 3 - Contract 36 - Change Order No. 1	Energy & Environment
COMM. 6E-10	COUNTY EXECUTIVE	929 South Park Avenue - NYS DMNA Depot	Economic Development
COMM. 6E-11	COUNTY EXECUTIVE	Memorialization of Additional 1% Sales Tax Rate	
COMM. 6E-12	COUNTY EXECUTIVE	Adoption of a Supplemental Action List to the NYS Environmental Quality Review - Type II Action List	Energy & Environment
COMM. 6E-13	COUNTY EXECUTIVE	EC Sewer District No. 4 - Contract 36 - Change Order No. 1	Energy & Environment
COMM. 6E-14	COUNTY EXECUTIVE	Approval of Settlement Agreement Between EC & ECMCC	
COMM. 6E-15	COUNTY EXECUTIVE	Department of Central Police Services - Jr. Programmer Analyst - Two Positions	Public Safety

COMM. 6E-16	COUNTY EXECUTIVE	Award of Construction Contract, Construction Inspection Services - Seneca Creek Road Culvert Replacement - Town of West Seneca	Economic Development
COMM. 6E-17	COUNTY EXECUTIVE	Department of Emergency Services - Partnership with ECC to Provide College Credit for Firefighter Training	Public Safety
COMM. 6E-18	COUNTY EXECUTIVE	Central Police Services Fiscal Year 2008 Aid to Lab Grant	Public Safety
COMM. 6E-19	COUNTY EXECUTIVE	CPTAP County Assessing Initiative Award	Finance & Management
COMM. 6E-20	COUNTY EXECUTIVE	Transfer of Homeland Security Vehicle to City of Buffalo	Public Safety
COMM. 6E-21	COUNTY EXECUTIVE	EC Sewer District No. 3 - Contract No. 1ST-G, General Contract Close Out	Energy & Environment
COMM. 6E-22	COUNTY EXECUTIVE	Award of Construction Contract, Design Construction Services & Construction Inspection Services - Replacement of Rapids Road Bridge Over Beeman Creek - Town of Clarence	Economic Development
COMM. 6E-23	SHERIFF	EC Sheriff's Office - Unified Court System Contract	Public Safety
COMM. 6E-24	SHERIFF	EC Sheriff's Office - Local Government Records Management Grant	Public Safety
COMM. 6E-25	SHERIFF	EC Sheriff's Office - Personnel Adjustments	Public Safety
COMM. 6E-26	SHERIFF	EC Sheriff's Office - K-9 Trust Account Transfer	Public Safety
<b><u>COMMUNICATIONS FROM THE DEPARTMENTS:</u></b>			<b><u>REFERENCE:</u></b>
COMM. 6D-1	COUNTY ATTORNEY	Transmittal of New Claims Against EC	Government Affairs
COMM. 6D-2	DIRECTOR OF REAL PROPERTY TAX SERVICES	Letter in Response to the "Audit of the Payment In Lieu of Tax "Pilot" Process for the Period 1/1/06 - 12/31/08"	Finance & Management
COMM. 6D-3	DEPARTMENT OF ENVIRONMENT & PLANNING	DPW - Demolition of Buildings at the ECMCC Grider Campus	Economic Development

COMM.6D-4	DIRECTOR OF BUDGET & MANAGEMENT	Letter to EC Legislature in Relation to the First Budget Monitoring Report	Finance & Management
COMM. 6D-5	EC BOARD OF ELECTIONS	Letter & Resolution - Acceptance of Elections Grant Contracts	
COMM. 6D-6	COUNTY ATTORNEY	Transmittal of New Claims Against EC	Government Affairs
<b><u>COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES:</u></b>			<b><u>REFERENCE:</u></b>
COMM. 6M-1	BUFFALO & EC NAVAL & MILITARY PARK	EC Legislature Budget Accountability Act - 2009 Close-Out Report	Community Enrichment
COMM. 6M-2	SHAKESPEARE IN DELAWARE PARK	2010 Budget Accountability Act Submission	Community Enrichment
COMM. 6M-3	NYSDEC	Notice of Certification - Brownfield Cleanup Program - Cleanup Activities to Begin at Union Ship Canal	Energy & Environment
COMM. 6M-4	BUFFALO ARTS STUDIO	EC Legislature Budget Accountability Act - 2009 Close-Out Report	Community Enrichment
COMM. 6M-5	BUFFALO & EC PUBLIC LIBRARY BOARD OF TRUSTEES	Minutes of Meeting Held 2/18/10	Community Enrichment
COMM. 6M-6	THE NATION	Article Entitled, "The Power of Transparency"	Finance & Management
COMM. 6M-7	AMERICA'S EDGE	Article Entitled, "Strengthening New York Businesses Through Investments in Early Care and Education"	Health & Human Services
COMM. 6M-8	PROFESSOR OF SOCIAL & PREVENTIVE MEDICINE, UB	Letter to Legislator Whyte Concerning Obesity	Health & Human Services
COMM. 6M-9	PRESIDENT & CEO OF GATEWAY-LONGVIEW FOUNDATION	Letter to Legislator Whyte Concerning Gateway-Longview's Residential Treatment Program	Health & Human Services
COMM. 6M-10	DIRECTOR, R.N., M.S.N., BUFFALO PUBLIC SCHOOLS	Letter to Legislator Whyte Concerning Calorie Posting	Health & Human Services
COMM. 6M-11	COMMUNITY COLLABORATION FOR QUALITY CHILD CARE IN DOWNTOWN BUFFALO, NY	Article Entitled, "Buffalo Child Care Means Business"	Health & Human Services
COMM. 6M-12	UNIVERSITY AT BUFFALO REGIONAL INSTITUTE	Article Entitled, "Playing an Insecure Hand"	Economic Development

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COMM. 6M-13

THOMAS MARKS

Letter to Legislator Rath Concerning  
Wind Turbine Projects

Energy &  
Environment

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**ANNOUNCEMENTS:**

**MEMORIAL RESOLUTIONS:**

**ADJOURNMENT:**