



# THE ERIE COUNTY LEGISLATURE

Session No. 9

May 3, 2007

Lynn M. Marinelli  
*Chairperson*

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. Mills

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## PLEDGE OF ALLEGIANCE – Ms. Konst

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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 & GRANT	Recognizing Children's Mental Health Awareness Day on 5/8/07
MILLER-WILLIAMS & GRANT	Recognizing the 8th Judicial District Committee to Promote Public Trust and Confidence in the Court Annual Law Day - 5/8/07
MILLER-WILLIAMS & GRANT	Honoring St. John's Baptist Church Upon Celebrating Their 80th Anniversary
MILLER-WILLIAMS & GRANT	In Memory of Daniel S. Workman Jr.
MARINELLI	Honoring St. Joe's Jazz Band Upon Winning the 2007 Disney World High School Jazz Ensemble Competition
WEINSTEIN & RANZENHOFER	Honoring Lougen, Valenti, Bookbinder & Weintraub Upon Reception of the Amherst Chamber of Commerce 2007 Zenith Award
WEINSTEIN & RANZENHOFER	Honoring Angie Kleeh Upon Reception of the Amherst Chamber of Commerce 2007 Small Business Person of the Year Award
WEINSTEIN & RANZENHOFER	Honoring Vaspian LLC Upon Reception of the Amherst Chamber of Commerce 2007 At Your Service Award
WEINSTEIN & RANZENHOFER	Honoring John Chmarney Upon Reception of the Amherst Chamber of Commerce 2007 Champion Award
WEINSTEIN & RANZENHOFER	Honoring Dr. Laurel White Upon Reception of the Amherst Chamber of Commerce 2007 Innovation Award
WEINSTEIN & RANZENHOFER	Congratulating the Amherst Senior Center Volunteers for Providing Responsible and Comprehensive Services to the Senior Citizens of Our Community
MILLER-WILLIAMS & GRANT	In Memory of Annie M. Hunter

MILLER-WILLIAMS & GRANT	In Memory of Rev. Whitfield Washington Jr.
WHYTE	Honoring Journey's End Refugee Service
REYNOLDS	In Memory of Edwin R. Winter
REYNOLDS	In Memory of David C. Brinkerhoff
MARINELLI	Honoring Jonathan Benamoz, Charles Johnston and Andrew Wielgas of Troop 58 Upon Reaching the Rank of Eagle Scout
MARINELLI	Honoring May 2007 as National Block Club Month in Erie County
KENNEDY	Recognizing Jack Donohue's Leadership and Service To The Community by Naming the Former South Side Track to the Jack Donohue Memorial Track
REYNOLDS	Recognizing May 2007 as National Motorcycle Month in Erie County

<b><u>LOCAL LAWS</u></b>			<b><u>REFERENCE</u></b>
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
LL INT. 3-1 3/13/2007	IANNELLO, MARINELLI, REYNOLDS, KONST & LOUGHRAN	A LL Amending Article II, Section 202 of the Erie County Charter	Government Affairs

**COMMITTEE REPORTS**

REPORT NO. 7	FINANCE & MANAGEMENT COMMITTEE
REPORT NO. 5	HEALTH COMMITTEE
REPORT NO. 7	HUMAN SERVICES COMMITTEE
REPORT NO. 5	COMMUNITY ENRICHMENT COMMITTEE
REPORT NO. 8	ECONOMIC DEVELOPMENT COMMITTEE

**LEGISLATOR RESOLUTIONS:**

**REFERENCE**

INTRO 9-1	MARINELLI, WHYTE, LOUGHRAN, MILLER- WILLIAMS, IANNELLO, KENNEDY, GRANT, REYNOLDS, KONST, MAZUR & KOZUB	ECFSA Approval of the Sale of Tax Liens
INTRO 9-2	KENNEDY & WHYTE	Renewable Energy Purchasing
INTRO 9-3	WHYTE & KENNEDY	Green Standards for Public Buildings
INTRO 9-4	KENNEDY & WHYTE	Bringing the Production of Renewable Energy to Erie County
INTRO 9-5	KENNEDY & WHYTE	Traffic Lights
INTRO 9-6	KENNEDY & WHYTE	Government Vehicles
INTRO 9-7	WHYTE & KENNEDY	Purchase of Energy Efficient Products
INTRO 9-8	MARINELLI, WHYTE, GRANT, KONST, MAZUR, IANNELLO & REYNOLDS	In Support of the NYS Fair Pay Act
INTRO 9-9	MARINELLI, WHYTE, MAZUR, REYNOLDS, GRANT & KONST	Commission on Local Government Efficiency and Competitiveness
INTRO 9-10	MILLER-WILLIAMS, MARINELLI, WHYTE, MAZUR, REYNOLDS and GRANT	Urging the Protection of the Regions Trees
INTRO 9-11	IANNELLO, MARINELLI, WHYTE, MAZUR, REYNOLDS and GRANT	Support for the Burchfield-Penney Art Center
INTRO 9-12	MARINELLI	Erie County Finances
INTRO 9-13	IANNELLO & KONST	Amending the Language for Efficiency Grants

**COMMUNICATIONS DISCHARGED FROM COMMITTEE:**

**SUSPENSION OF THE RULES:**

**COMMUNICATIONS FROM ELECTED OFFICIALS:**

**REFERENCE**

COMM. 9E-1	LOCKLEAR	Mold Testing: Erie County Family Court Building	Health
COMM. 9E-2	COMPTROLLER	Management Letter for Erie County for FY Ending 12/31/05	Finance & Management
COMM. 9E-3	MARINELLI	Appointment of Public Information Officer	RFP
COMM. 9E-4	COMPTROLLER	Financial Report of COE for Three (3) Months Ended 3/31/07	Finance & Management
COMM. 9E-5	COMPTROLLER	External Quality Review - Erie County Comptroller's Office Division of Audit and Control	Finance & Management
COMM. 9E-6	COUNTY EXECUTIVE	ECSD No. 5 - Proposed Modifications of Plans - Erie County Sewer Agency Report	Energy & Environment
COMM. 9E-7	COUNTY EXECUTIVE	Real Property Tax Services - Addition of a Secretary	Personnel
COMM. 9E-8	COUNTY EXECUTIVE	Open Item - 2006 Year End Budget Balancing Amendments	Finance & Management

COMM. 9E-9	COUNTY EXECUTIVE	Sewerage Management - Personnel Request	Personnel
COMM. 9E-10	COUNTY EXECUTIVE	District Attorney's Office - Recruitment and Retention Grant	Personnel
COMM. 9E-11	COUNTY EXECUTIVE	ECSDs/WNY Council on Occupational Safety & Health Proposed Agreement	Energy & Environment
COMM. 9E-12	COUNTY EXECUTIVE	Social Services - Enhanced Case Management Program	Human Services
COMM. 9E-13	COUNTY EXECUTIVE	ECSDs No. 2 and No. 6 - Preliminary Design Activities for Energy and Efficiency Upgrades at Wastewater Treatment Facilities	Energy & Environment
COMM. 9E-14	COUNTY EXECUTIVE	ECSD No. 3 - NYSDOT - Request for Additional Funding - Comm. 11E-19	Energy & Environment
COMM. 9E-15	COUNTY EXECUTIVE	Appropriation of Funds for the Queen City Farm Planning Group	Economic Development
COMM. 9E-16	COUNTY EXECUTIVE	DPW - Supplemental Agreement with NYSDOT Pin 575.86 - Design, Signal Replacement - Town of Tonawanda	Economic Development
COMM. 9E-17	COUNTY EXECUTIVE	Health - Acceptance of Donated Equipment and Supplies from the NYS Health Dept.	Health
COMM. 9E-18	COUNTY EXECUTIVE	Senior Services - Authorization to Amend the Title VII Grant Budget	Human Services
COMM. 9E-19	COUNTY EXECUTIVE	Budget & Management - Position Transfer	Personnel

**COMMUNICATIONS FROM THE DEPARTMENTS:**

**REFERENCE**

COMM. 9D-1	BOARD OF ELECTIONS	Grant Contracts #1 - #3	Government Affairs
COMM. 9D-2	COUNTY ATTORNEY	Transmittal of New Claims Against Erie County	Government Affairs
COMM. 9D-3	ECMCC	Annual Audit Report Certification	Health
COMM. 9D-4	BUDGET, MANAGEMENT & FINANCE	BMR with Financial Results as of 3/31/07	Finance & Management

<b><u>COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES:</u></b>			<b><u>REFERENCE</u></b>
COMM. 9M-1	ERIE COUNTY BAR ASSN. - ASSIGNED COUNSEL PROGRAM	Quarterly Report of the Assigned Counsel Program for the 1st Quarter of 2007	R&F
COMM. 9M-2	ECWA	Management Letter for FY Ending 3/31/06	Energy & Environment
COMM. 9M-3	AUDIT COMMITTEE FOR ERIE COUNTY	Annual Report of FY Ended 3/31/04	Finance & Management
COMM. 9M-4	GREENE COUNTY LEGISLATURE	Medicaid County Protection County Act of 2007	R&F
COMM. 9M-5	SENATOR VOLKER	Receipt of Certified Resolution	R&F
COMM. 9M-6	AMHERST TOWN BOARD	Certified Resolution Re: Acquisition of Erie County Fire Training Facility at Smith and New Roads by the Town of Amherst	Public Safety
COMM. 9M-7	COLDEN TOWN BOARD	Erie County Roads in the Town of Colden in Need of Repair	R&F
COMM. 9M-8	BUFFALO URBAN DEVELOPMENT CORPORATION	2006 Annual Report	Government Affairs
COMM. 9M-9	TOWN OF ELMA	Certified Resolutions Re: St. Joseph Hospital	R&F
COMM. 9M-10	NYS DEPARTMENT OF ENVIRONMENTAL CONSERVATION	Notice of Availability - Record of Decision - Former Gastown MGP	R&F
COMM. 9M-11	CRAIG F. MARLATT	Appointment as ECWA Commissioner for 2007-2010	R&F
COMM. 9M-12	NYSAC	NYS Commission on Local Government Efficiency & Competitiveness	Government Affairs
COMM. 9M-13	BUFFALO PLACE	2006 Buffalo Place Annual Report	Economic Development

**MEMORIAL RESOLUTIONS:**

**ADJOURNMENT:**