



THE ERIE COUNTY LEGISLATURE

Session No. 12

May 5, 2005

George A. Holt, Jr.
Chairman

Lynn M. Marinelli
Majority Leader

Michael H. Ranzenhofer
Minority Leader

Kevin M. Kelley
Clerk of the Legislature

ROLL CALL

INVOCATION – Mr. Dusza

PLEDGE OF ALLEGIANCE – Ms. Cusack

RULES OF THE LEGISLATURE FOR 2005

TABLED ITEMS

ITEMS FOR RECONSIDERATION FROM PREVIOUS MEETING

MINUTES OF PREVIOUS MEETING

PUBLIC HEARING

MISCELLANEOUS RESOLUTIONS

HOLT & SMITH	Recognizing National Children's Health Week Summit Day On May 4, 2005
DeBENEDETTI	Recognizing Ms. Gail Chapman Upon Her Retirement From ECMC After 37 Years of Service
MAJORITY CAUCUS	Recognizing The Week of May 3, 2005 As Armed Forces Week
HOLT & SMITH	In Memory of Juanita Silas Lewis
WROBLEWSKI	Honoring Evelyn Domnissey For 30 Years Of Dedicated Service To The Meals on Wheels Organization
DUSZA	Recognizing The Month Of May As Older Americans Month
DUSZA	Honoring Southwind Senior Complex in The Town Of Cheektowaga
McCARVILLE	Honoring The 2005 Orchard Park Chamber of Commerce Award Winners

LOCAL LAWS

REFERENCE

LL INT 10-1 7/8/2004	HOLT, MARINELLI, MINORITY CAUCUS, WROBLEWSKI	A LL Rel to Agreements for Management & Operation of Buffalo Zoological Gardens, Shea's, Kleinhans & Botanical Gardens	Community Services
LL INT 15-1 11/10/2004	McCARVILLE, MINORITY CAUCUS	A LL Defining Lobbyists & Their Retention by Erie County	

LL INT 17-1 11/17/2004	SMITH	A LL Defining How Large Retail Stores Will Be Regulated in Erie County
LL INT 18-2 1/5/2005	SMITH & KENNEDY	A LL to Prohibit the Possession and/or Use of "Photo Phones" in Private Areas.
LL INT 2-1 1/12/2005	KENNEDY	A LL in Relation To a Requirement for Worker Training Programs by Contractors & Subcontractors Under Contract With The County of Erie
LL INT 7-1 3/30/2005	SMITH	The Local Law To Retain Jobs in NYS
LL INT 8-1 5/3/2005	HOLT, SMITH, DeBENEDETTI, & MARINELLI	A LL In Relation To Minority-Owned Business and Women-Owned Business Utilization Commitment By Persons Or Firms Contracting With EC For Supplies, Materials Equipment, Insurance, Professional or Other Consultant Services.

COMMITTEE REPORTS

REPORT NO. 5	ENERGY & ENVIRONMENT
REPORT NO. 4	GOVERNMENT AFFAIRS
REPORT NO. 6	FINANCE & MANAGEMENT

LEGISLATOR RESOLUTIONS:

REFERENCE

INTRO 12-1	WEINSTEIN	The Erie County Charter Revision Commission Examining The Current Structure of the Erie County Legislature
INTRO 12-2	WEINSTEIN	Public Access To Meetings
INTRO 12-3	WEINSTEIN	Multiple County Services
INTRO 12-4	KENNEDY	Support For Creation of Buffalo Waterfront Development Corporation
INTRO 12-5	DeBENEDETTI	Re-Purposing The Road Repair Reserve Fund For 2005 Budget Uses
INTRO 12-6	DeBENEDETTI	Requesting Report on Erie County Personnel From The Erie County Personnel Commissioner
INTRO 12-7	HOLT, SMITH, MARINELLI, & DeBENEDETTI	Allocating Funding For All-High Stadium Project

INTRO 12-8	MARINELLI, KUWIK, DUSZA, DeBENEDETTI, SMITH, & KENNEDY	Calling On The Erie County Executive To Declare Any Additional 2005 Deficit & Report To The Legislature
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INTRO 12-9	SMITH	Opposition To The New Federal Bankruptcy Laws
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COMMUNICATIONS DISCHARGED FROM COMMITTEE:

SUSPENSION OF THE RULES:

COMMUNICATIONS FROM ELECTED OFFICIALS:

REFERENCE

COMM. 12E-1	COMPTRROLLER	Letter To Legislature Re: Bloomberg News Article Published 1/3/05	Finance & Management
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COMM. 12E-2	COMPTRROLLER	Copy of Letter to DSS Commissioner Re: 2004 Year-End Balances	Finance & Management
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COMM. 12E-3	COMPTRROLLER	Letter to Legislature Re: Availability of Fund Balance - Park Resolution	Finance & Management
COMM. 12E-4	COMPTRROLLER	Copy of Letter to Budget Director & Personnel Commissioner Re: Positions Deleted - Effect of Cash Flow	Finance & Management
COMM. 12E-5	COMPTRROLLER	Copy of Letter to Budget Director Re: Request for Information Regarding Need for 2004 Adjusting Journal Entries	Finance & Management
COMM. 12E-6	SMITH	Copy of Letter to Personnel Commissioner - Re: EC Employees earning more than \$100,000	Finance & Management
COMM. 12E-7	SMITH	Copy of Letter to Budget Director Re: Budget Monitoring Reports	Finance & Management
COMM. 12E-8	SMITH	Copy of Letter to Comptroller & Budget Director Re: 2004 County Deficit	Finance & Management
COMM. 12E-9	COMPTRROLLER	Letter to Legislature Re: 2004 Fund Balance	Finance & Management
COMM. 12E-10	COMPTRROLLER	Bond Reso - \$4,000,000 - Improvement of the Facilities at ECSD No. 6	Energy & Environment
COMM. 12E-11	COMPTRROLLER	Bond Reso - \$9,100,000 - Improvement of the Facilities at EC - Southtowns Sewage Treatment Agency	Energy & Environment
COMM. 12E-12	COMPTRROLLER	Letter to Smith Re: Comm. 12E-8	Finance & Management
COMM. 12E-13	COMPTRROLLER	Letter to Legislature Re: 2005 Budget	Finance & Management
COMM. 12E-14	COMPTRROLLER	Copy of Letter to County Attorney Re: Issuance of Bonds For the Purpose of Providing Funds For the County's Risk Retention Program	Finance & Management
COMM. 12E-15	COMPTRROLLER	Bond Reso - \$15,182,550 - ECMC Capital Program	Finance & Management
COMM. 12E-16	COMPTRROLLER	Interim Financial Statements for 3-Month Period Ending 3/31/05	Finance & Management
COMM. 12E-17	MARINELLI	Copy of Letter to Bar Association of EC President Re: Re-appointment to the Board of Directors of EC Bar Association Aid To Indigent Prisoners Society, Inc., Assigned Counsel Program	RFP

COMM. 12E-18	MARINELLI	Majority Caucus Appointment To The Citizen's Budget Review Commission	RFP
COMM. 12E-19	COMPROLLER	Country's Potential Borrowing Needs For The Remainder Of The Year	Finance & Management
COMM. 12E-20	CHASE	Letter to Comptroller Re: Comptroller's Lawsuit Against EC	Finance & Management
COMM. 12E-21	COUNTY EXECUTIVE	Health - Childhood Lead Poisoning Prevention - Program 1/1/04 - 12/31/04 Project #193 - SAP Title: 127CHILDLEAD2004	Community Services
COMM. 12E-22	COUNTY EXECUTIVE	Health - Provider Agreement - NYS Dept. of Health - Refugee Health Program	Community Services
COMM. 12E-23	COUNTY EXECUTIVE	PILOT Agreement For Cornerstone Manor	Finance & Management
COMM. 12E-24	COUNTY EXECUTIVE	DEP - NYS Quality Communities Application - Neighborhood Indicators Program	Energy & Environment
COMM. 12E-25	COUNTY EXECUTIVE	DPW - EC Courts Master Plan Implementation Renovations - Office of Court Administration Reimbursable	Economic Development
COMM. 12E-26	COUNTY EXECUTIVE	Reappointment to Central Police Services Board of Trustees	RFP
COMM. 12E-27	COUNTY EXECUTIVE	Appointment to the EC Fire Advisory Board	
COMM. 12E-28	COUNTY EXECUTIVE	DA - Victim/Witness Assistance	
COMM. 12E-29	COUNTY EXECUTIVE	Buffalo Brownfield Redevelopment Fund	Finance & Management
COMM. 12E-30	COUNTY EXECUTIVE	Construction Funding For Public Improvements In Connection With The Erie Canal Harbor Project in Cooperation With The Empire State Development Corporation and The City of Buffalo	Finance & Management
COMM. 12E-31	COUNTY EXECUTIVE	Funding For Construction Of The Erie Canal Harbor Project	Finance & Management
COMM. 12E-32	COUNTY EXECUTIVE	Capital Funding For ECMCC	Finance & Management
COMM. 12E-33	COUNTY EXECUTIVE	Funding For Reconstruction of All High Stadium	Finance & Management
COMM. 12E-34	COUNTY EXECUTIVE	NYS Electric & Gas Corporation Transmission Line Permit	Energy & Environment

COMM. 12E-35	COUNTY EXECUTIVE	Dry Fire Hydrant Permit In Sprague Brook Park	Energy & Environment
COMM. 12E-36	COUNTY EXECUTIVE	Health - Public Health Preparedness/Response To Bioterrorism - 8/31/04 - 8/30/05 - SAP TITLE: HS127BT0405	Community Services
COMM. 12E-37	COUNTY EXECUTIVE	DPW - Ralph Wilson Stadium - 2005 - Stadium Structural Repairs & Miscellaneous Work, Phase I	Economic Development
COMM. 12E-38	COUNTY EXECUTIVE	Homeland Security Enhancements, Rath/City Hall Security Systems [AB-05-1] - Supplemental Agreement To General Security Consulting Services Agreement	Economic Development
COMM. 12E-39	COUNTY EXECUTIVE	Issuance of Fluent Energy A Contract As Utility Technical Services Provider	Economic Development
COMM. 12E-40	COUNTY EXECUTIVE	DEP - Sewerage Management - Engineering Agreement Close-out - Agreement Dated 4/1/02 - Parsons Engineering Science, Inc.	Energy & Environment
COMM. 12E-41	COUNTY EXECUTIVE	Emergency Services - Hazardous Materials Transportation Uniform Safety Act - (HMTUSA Grant Phase VIII)	Public Safety
COMM. 12E-42	COUNTY EXECUTIVE	ECSD No. 2 - Herr Rd. - Buffalo Beach & Shorecliff - Pumping Station Modification Project - Contracts 61PS"A" - General/Mechanical - 61PS"B" - HVAC - 61PS"D" - Electrical - Contract Award	Energy & Environment
COMM. 12E-43	COUNTY EXECUTIVE	ECSD No. 6 - Bethlehem Park Phase II - Village of Hamburg Rt. 391	Energy & Environment
COMM. 12E-44	COUNTY EXECUTIVE	EC/Southtowns Sewage Treatment Agency - Southtowns Sand Filter Project - Contract No. 1ST-E - Change Order No. 1 - O'Connell Electric Company	Energy & Environment
COMM. 12E-45	COUNTY EXECUTIVE	ECSD No. 3 - Boston Town District Nos. 1,3, & 4 - Sanitary Sewer Replacement/Rehabilitation	Energy & Environment
COMM. 12E-46	COUNTY EXECUTIVE	Clean Air/Clean Water Bond Act of 1996 - Application to NYS Dept. of Environmental Conservation for Spaulding Fibre	Energy & Environment
COMM. 12E-47	COUNTY EXECUTIVE	Restoration of Positions Real Property Tax & Collections	Government Affairs

COMM. 12E-48	COUNTY EXECUTIVE	Emergency Services - Emergency Double Fill - Secretary To The Commissioner Of Emergency Services	
COMM. 12E-49	COUNTY EXECUTIVE	DPW - Temporarily Reinstating Two Positions in DPW From 6/1/05 - 12/05	Economic Development

COMMUNICATIONS FROM THE DEPARTMENTS:

REFERENCE

COMM. 12D-1	COUNTY ATTORNEY	Copy of Letter to Bolton St. John, Inc Re: EC Lobbying Efforts	Government Affairs
COMM. 12D-2	BECPL	Notice of Meeting & Proposed Agenda For Board of Trustees Meeting Held 4/21	R&F
COMM. 12D-3	COUNTY ATTORNEY	Transmittal of New Claims Against Erie County	Government Affairs
COMM. 12D-4	ECC	Notice of Board of Trustees Meeting Held 4/27	R&F
COMM. 12D-5	BUDGET, MANAGEMENT, & FINANCE	Copy of Memo to Deputy Comptroller Re: Lawrence W. Smith & Associates, Inc.	Finance & Management
COMM. 12D-6	COUNTY ATTORNEY	Notice of Public Hearing - LL Int. No. 6 - 2005	RFP
COMM. 12D-7	ECC	Agenda for Board of Trustees Meeting Held 4/27/05	R&F
COMM. 12D-8	PERSONNEL	Letter to Smith Re: Response to Inquiry Regarding Employees that make over \$100,000	Finance & Management
COMM. 12D-9	DPW	Month-End Closings	Economic Development
COMM. 12D-10	ECMCC	Minutes of Board of Directors Meeting Held 4/27/2005	R&F
COMM. 12D-11	ECC	Minutes of Board of Trustees Meeting Held 4/16/05	R&F
COMM. 12D-12	ECC	2005-2006 ECC Budget	Community Services

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES:

REFERENCE

COMM. 12M-1	BOARD OF HEALTH	Notice of Board Meeting to Be Held 5/19/05	R&F
COMM. 12M-2	EC BAR ASSOCIATION AID TO INDIGENT PRISONERS SOCIETY INC. - ASSIGNED COUNSEL PROGRAM	Letter to Chairman Re: Comm. 5E-24 (2004)	R&F

COMM. 12M-3	NFTA	Cashflow Statements	Economic Development
COMM. 12M-4	ECIDA	Notice of Board of Directors Meeting To Be Held 5/9/2005	R&F
COMM. 12M-5	TONAWANDA TOWN BOARD	Certified Resolution Re: Opposition to Merged Police Force	Public Safety
COMM. 12M-6	WILLIAM R. GREINER	Letter to Chairman, Majority & Minority Leaders Re: Charter Review Commission	Government Affairs
COMM. 12M-7	BUFFALO PUBLIC SCHOOLS	All High Stadium Reconstruction	Finance & Management
COMM. 12M-8	CSEA LOCAL 815, PROBATION SECTION	Letter to Kuwik Re: Current Status, Erie County Probation Dept.	Public Safety
COMM. 12M-9	BOARD OF HEALTH	Notice of Rescheduled Board Meeting From 5/19/05 To 5/26/05	R&F
COMM. 12M-10	NFTA	Notice of Proposed Rulemaking	R&F

MEMORIAL RESOLUTIONS:

ADJOURNMENT: