



# THE ERIE COUNTY LEGISLATURE

Session No. 21  
November 15, 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 – Ms. Locklear

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PLEDGE OF ALLEGIANCE – Ms. Iannello

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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

MILLS

Congratulating Ed Vidler Upon Reception of the East Aurora Lifetime Community Achievement Award

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IANNELLO

Congratulating George H. Trautman, Jr. for 2007 Distinguished Alumni Award from Tonawanda High School

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IANNELLO

Congratulating Dr. Richard M. Waterstrat for 2007 Distinguished Alumni Award from Tonawanda High School

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IANNELLO

Congratulating Donna Burgio as the 2007 Citizen of the Year for the Chamber of Commerce of the Tonawandas

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IANNELLO

Congratulating Partners in Art as the 2007 Business of the Year for the Chamber of Commerce of the Tonawandas

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IANNELLO

Congratulating Russell G. Knapp, Jr. MD, PC for 2007 Distinguished Alumni Award from Tonawanda High School

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IANNELLO

Congratulating Joseph Stefinak on Receiving NYS Conspicuous Service Star and the NYS Medal for Merit

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IANNELLO

Congratulating Riverview Elementary School on Their 50th Anniversary

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IANNELLO

Congratulating Walter Wigdorski on Receiving NYS Conspicuous Service Star and the NYS Medal for Merit

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MARINELLI

Honoring Kenmore Mayor John Beaumont Upon His Retirement

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WHYTE

Honoring Luis F. Reyes

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REYNOLDS

In Memory of Michael V. Walters

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KOZUB

Honoring Corpus Christi Church

MARINELLI

Honoring the Gay & Lesbian Youth Services of WNY 24th Anniversary Gayla on 11/15/07

**LOCAL LAWS**

**REFERENCE**

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. 3-2 6/28/2007	IANNELLO, MARINELLI, REYNOLDS, KONST, LOUGHRAN, LOCKLEAR, RANZENHOFER, MILLS and WEINSTEIN	A LL Amending Article II, Section 202 of Local Law No. 7-2007, Known as the Erie County Charter	Government Affairs
LL INT. 8-1 7/18/2007	IANNELLO, KONST, REYNOLDS & MILLS	Taxpayer Protection Law	Government Affairs
LL INT. 9-1 10/4/2007	RANZENHOFER	Repeal of LL No. 2-2006	Economic Development

**COMMITTEE REPORTS**

REPORT NO. 15	FINANCE & MANAGEMENT COMMITTEE
REPORT NO. 12	PUBLIC SAFETY COMMITTEE
REPORT NO. 14	GOVERNMENT AFFAIRS COMMITTEE
REPORT NO. 15	ENERGY & ENVIRONMENT COMMITTEE

**LEGISLATOR RESOLUTIONS:**

**REFERENCE**

INTRO 21-1	MARINELLI, REYNOLDS AND IANNELLO	Membership of the Erie County Agricultural and Farmland Protection Board
INTRO 21-2	IANNELLO	Requesting the NYS Thruway Authority Take Action to Exempt the Residents of Grand Island From All Tolls and Fees on the South and North Grand Island Bridges
INTRO 21-3	IANNELLO	Requesting the DISS and Office of the Comptroller Conduct and Investigation and Report to the Legislature Regarding the Status of Surplus Computers and Related Equipment
INTRO 21-4	MILLER-WILLIAMS, MARINELLI, WHYTE & KOZUB	Requesting Information About the Sheriff's Current Policy Towards Holding Center Detainees Who Have Health Insurance
INTRO 21-5	MARINELLI	Supporting Full Funding for the Workforce Investment Act
INTRO 21-6	IANNELLO, REYNOLDS & KONST	Changes in the Commission on the Status of Women
INTRO 21-7	WHYTE, REYNOLDS, KONST, IANNELLO, MAZUR, GRANT & LOUGHRAN	Allegations of ECFSA Misconduct
INTRO 21-8	MARINELLI, LOUGHRAN & IANNELLO	Reaffirming NYS and Local Support for Upgrades to the Huntley Plant

**COMMUNICATIONS DISCHARGED FROM COMMITTEE:**

**SUSPENSION OF THE RULES:**

<b><u>COMMUNICATIONS FROM ELECTED OFFICIALS:</u></b>			<b><u>REFERENCE</u></b>
COMM. 21E-1	COMPTROLLER	Requesting ECFSA Approval of Erie County General Obligation Borrowing	Finance & Management
COMM. 21E-2	KENNEDY	Copy of Letter to Buffalo Bills Re: Economic Development Committee Meeting	Economic Development
COMM. 21E-3	COMPTROLLER	Financial Report for the Nine (9) Months Ended 9/30/07	Finance & Management
COMM. 21E-4	MILLER-WILLIAMS	Absence During Week of November 12, 2007	RFP
COMM. 21E-5	COUNTY EXECUTIVE	Capital Borrowing by ECFSA	
COMM. 21E-6	COUNTY EXECUTIVE	Authorization for County Executive to Negotiate and Enter into a Development and Funding Agreement for Memorial Auditorium	Economic Development
COMM. 21E-7	COUNTY EXECUTIVE	ECSD No. 2 - Herr Rd., Buffalo Beach & Shorecliff - PS Modification Project - Contract No. 61-PS-A - Change Order No. 1	Energy & Environment
COMM. 21E-8	COUNTY EXECUTIVE	DPW - Como Park Blvd. (CR 523) Reconstruction - Town of Cheektowaga - Request to Accept Federal, State, and Town Funding and to Increase the Project Budget	Economic Development
COMM. 21E-9	COUNTY EXECUTIVE	Senior Services - Authorization to Amend the WRAP - DSS Budget	Human Services
COMM. 21E-10	COUNTY EXECUTIVE	Senior Services - Authorization to Establish the Medicare Extra Help Enrollment Program Grant	Human Services
COMM. 21E-11	COUNTY EXECUTIVE	CPS - Forensic Lab 2007-2008 - Paul Coverdell Forensic Science Improvement Act Grant	Public Safety
COMM. 21E-12	COUNTY EXECUTIVE	Mental Health - Authorization to Increase the 2007 Appropriation, Contract and Funds Reservation for Living Opportunities of Depaul, Inc.	Health
COMM. 21E-13	COUNTY EXECUTIVE	Mental Health - Authorization to Increase the 2007 Appropriation, Contract and Funds Reservation for Spectrum Human Services, Inc.	Health
COMM. 21E-14	COUNTY EXECUTIVE	Sale Approval - County-Owned Properties Sold at Public Auction 10/3/07	Finance & Management

COMM. 21E-15	COUNTY EXECUTIVE	Purchase of 2007 Tax Sale Certificates	Finance & Management
COMM. 21E-16	COUNTY EXECUTIVE	Open Item - Sewer District Bond Authorization	Energy & Environment
COMM. 21E-17	COUNTY EXECUTIVE	Social Services - Audits of Self Employed Applicants for Medicaid	Human Services
COMM. 21E-18	COUNTY EXECUTIVE	ECC Request to Further Utilize Capital Chargeback Funds	Community Enrichment
COMM. 21E-19	COUNTY EXECUTIVE	ECSD Nos. 1-6 & 8 - User Charge Rates	Energy & Environment
COMM. 21E-20	COUNTY EXECUTIVE	ECSD Nos. 1-6 & 8 - User Charges - 2008	Energy & Environment
COMM. 21E-21	COUNTY EXECUTIVE	ECSD No. 3 - Engineer Term Agreement - Work Order: MPI-7	Energy & Environment
COMM. 21E-22	COUNTY EXECUTIVE	Accepting Efficiency Grant Funds for the Purpose of Conducting Risk Management Gap Analysis and Related Training	Government Affairs
COMM. 21E-23	COUNTY EXECUTIVE	Authorization for Empire Zone Sales Tax Exemptions	
COMM. 21E-24	COUNTY EXECUTIVE	DPW - Como Park Boulevard (CR 523) Reconstruction - Town of Cheektowaga - Request to Enter Into An Agreement With The ECWA and Accept Funds From The ECWA	Economic Development
COMM. 21E-25	COUNTY EXECUTIVE	ECSD No. 3 - Engineer Term Agreement - Work Order GP-2, Legislative Comm. 25E-21	Energy & Environment
COMM. 21E-26	COUNTY EXECUTIVE	Increase in College Purchase Order to Stievater and Associates, Inc. and Advanced Architect and Planning	Community Enrichment
COMM. 21E-27	COUNTY EXECUTIVE	ECC Request to Further Utilize Capital Chargeback Funds	Community Enrichment
COMM. 21E-28	SHERIFF	Human Trafficking Victims Grant - Transfer of Funds	Public Safety
<b><u>COMMUNICATIONS FROM THE DEPARTMENTS:</u></b>			<b><u>REFERENCE</u></b>
COMM. 21D-1	BUDGET, MANAGEMENT & FINANCE	BMR for Period Ending 9/30/07	Finance & Management
COMM. 21D-2	COUNTY ATTORNEY	Transmittal of New Claims Against Erie County	R&F
COMM. 21D-3	BUDGET, MANAGEMENT & FINANCE	Reply to 31 Questions Regarding Budget	Finance & Management

<b><u>COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES:</u></b>			<b><u>REFERENCE</u></b>
COMM. 21M-1	NFTA	NFTA Board Minutes for Meeting Held 9/24/07	R&F
COMM. 21M-2	CITY COURT OF BUFFALO	Erie County Warrant Squad	Public Safety
COMM. 21M-3	ECC	Community College Chargeback Rates	Community Enrichment
COMM. 21M-4	TOWN OF CONCORD AND VILLAGE OF SPRINGVILLE	Joint Resolution Re: Opposing the Turning Over of the Rt. 219 Bridge to Erie and Cattaraugus Counties	R&F
COMM. 21M-5	SENATOR RATH	Receipt of Certified Resolutions	R&F
COMM. 21M-6	ECIDA	Notice of Meeting To Be Held 11/19/07	R&F
COMM. 21M-7	ECMC	Board Minutes for Meeting Held 10/25/07	Health
COMM. 21M-8	AFSCME LOCAL 1095	ECC Dormitories Work	Government Affairs
COMM. 21M-9	BUFFALO ZOO	Funding for Buffalo Zoo Project	Finance & Management
COMM. 21M-10	ECC	Problems at ECC's Heating Plant	Finance & Management
COMM. 21M-11	ECFSA	Initial Borrowing Analysis	Finance & Management
COMM. 21M-12	ECWA	Copy of Advertisement Appearing in 9/12/07 Buffalo News	Energy & Environment
COMM. 21M-13	ASSEMBLYMAN SAM HOYT	NRG Huntley Site Project	Energy & Environment
COMM. 21M-14	NFTA	Actual/Projected Cash Flow for the Period 4/1/07 - 3/31/08 and Projected Cash Flow for the Period 10/1/07 - 9/30/08	Economic Development

**MEMORIAL RESOLUTIONS:**

**ADJOURNMENT:**