



# THE ERIE COUNTY LEGISLATURE

Session No. 22  
November 6, 2008

Lynn M. Marinelli  
*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. Wroblewski

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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:

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MILLER-WILLIAMS Honoring "Uncle" Sonny Means

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IANNELLO Honoring the Memory of Diane M. Wilcox

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IANNELLO Congratulating Donna Bartolone for Receiving the Nurse Practitioner of the Year Award from the Nurse Practitioner Association New York State, Western New York

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IANNELLO Congratulating Kate Weeks for Receiving the Tonawanda News 2008 Women of Distinction Award

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IANNELLO Recognizing H. David Myers as the Father of Vikings Athletics in the Grand Island Central School District

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IANNELLO Congratulating Christopher Gallant for Receiving the Young Alumnus Award from Buffalo State College

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REYNOLDS Recognizing November 10, 2008 as Cornell Cooperative Extension Day in Erie County

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MARINELLI Congratulating Rick Swenson on His Retirement from WKBW-TV

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## LOCAL LAWS:

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

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## REFERENCE:

Government  
Affairs

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
LL INT. 2-1 3/18/2008	RANZENHOFER, MILLS & RATH	A LL Requiring Businesses to Verify that Employees are Legally Eligible to be Employed in the US and Erie County	Economic Development
LL INT. 3-2 4/4/2008	IANNELLO, KONST, REYNOLDS, MILLS, GRANT & LOUGHRAN	Tax Payer Protection Law	Government Affairs
LL INT. 5-1 6/10/2008	MILLS	A LL to Change the Name of the Department of Environment and Planning to the Department of Economic Development, Environment and Planning and Update Position Titles	Energy & Environment
LL INT. 6-1 10/16/2008	KOZUB, MARINELLI, WHYTE, MILLS, KENNEDY, MILLER- WILLIAMS, RANZENHOFER, KONST, GRANT, MAZUR, WROBLEWSKI, IANNELLO, REYNOLDS, LOUGHRAN & RATH	A LL in Relation to Enacting an Exemption from Real Property Taxes for Cold War Veterans as Authorized by Section 458-b of the Real Property Tax Law	Government Affairs

**COMMITTEE REPORTS:**

REPORT NO. 11

GOVERNMENT AFFAIRS COMMITTEE

**LEGISLATOR RESOLUTIONS:**

INTRO 22-1  
KENNEDY, MARINELLI,  
WHYTE, MILLS, KOZUB,  
MILLER-WILLIAMS,  
KONST, GRANT, MAZUR,  
WROBLEWSKI,  
IANNELLO, REYNOLDS,  
LOUGHRAN & RATH

**REFERENCE:**

Citizens' Budget Review  
Commission, Erie County Legislature  
Appointment

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INTRO 22-2	KENNEDY, WHYTE, REYNOLDS, IANNELLO, KOZUB, MILLER- WILLIAMS & GRANT	Strengthening Lowest Responsible Bidder Requirements for Erie County Contracts
INTRO 22-3	MARINELLI, KONST, REYNOLDS, WHYTE, MILLS, KOZUB, KENNEDY, MILLER- WILLIAMS, RANZENHOFER, WROBLEWSKI, IANNELLO & RATH	Resolution Urging the Governor and State Legislature to Reduce State Spending Without Shifting Costs to County Government

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**COMMUNICATIONS DISCHARGED FROM COMMITTEE:**

**SUSPENSION OF THE RULES:**

**COMMUNICATIONS FROM ELECTED OFFICIALS:**

**REFERENCE:**

COMM. 22E-1	COMPTROLLER	Public Nursing Home Supplemental Medicaid Upper Payment Limit \$16 Million Payment to NYS	Finance & Management
COMM. 22E-2	COMPTROLLER	2008 Third Quarter Financial Report	Finance & Management
COMM. 22E-3	COMPTROLLER	Review of the County Executive's Proposed 2009 Budget and 4-Year Financial Plan	Finance & Management

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COMM. 22E-4	COUNTY EXECUTIVE	CPS - 2008-2010 DNA Lab Backlog Reduction Grant	Public Safety
COMM. 22E-5	COUNTY EXECUTIVE	Roof Repair - Emergency Response Services - All County-owned Buildings - Contract Allowance Increase	Economic Development
COMM. 22E-6	COUNTY EXECUTIVE	Acceptance of a Donated Security X-Ray Machine	Public Safety
COMM. 22E-7	COUNTY EXECUTIVE	Request Authorization to Accept Efficiency Grant Funds - GPS Systems	Government Affairs
COMM. 22E-8	COUNTY EXECUTIVE	Rath Building - 2008 - 1st & 16th Floor Renovations	Economic Development
COMM. 22E-9	COUNTY EXECUTIVE	Community Development Block Grant - 2008 Accounting Services	Energy & Environment
COMM. 22E-10	COUNTY EXECUTIVE	EC Sewer Dist No. 3 - Proposed Modifications of Plans - EC Sewer Agency Report	Energy & Environment

**COMMUNICATIONS FROM THE DEPARTMENTS:**

**REFERENCE:**

COMM. 22D-1	DEPUTY COMPTROLLER - AUDIT & CONTROL	Audit of the Department of Probation	Public Safety
COMM. 22D-2	BUFFALO & ERIE COUNTY PUBLIC LIBRARY	Agenda Items for Board of Trustees Meeting Held 10/23/08	Community Enrichment
COMM. 22D-3	COUNTY ATTORNEY	Transmittal of New Claims Against Erie County	Government Affairs
COMM. 22D-4	DIRECTOR OF BUDGET & MANAGEMENT	Public Nursing Home Supplemental Medicaid Upper Payment Limit	Finance & Management
COMM. 22D-5	COUNTY ATTORNEY	Transmittal of New Claims Against Erie County	Government Affairs
COMM. 22D-6	COUNTY ATTORNEY	Transmittal of New Claims Against Erie County	Government Affairs
COMM. 22D-7	OFFICE OF VETERANS SERVICES	Letter to Legislator Konst Concerning Tentative 2009 EC Budget	Finance & Management

**COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES:**

**REFERENCE:**

COMM. 22M-1	NIAGARA ERIE REGIONAL COALITION	Agenda Items for Meeting Held 10/24/08	Government Affairs
COMM. 22M-2	EC BAR ASSOCIATION	Quarterly Report - Assigned Counsel Program - 3rd Quarter	Government Affairs

COMM. 22M-3	LEGAL AID BUREAU OF BUFFALO, INC.	Monthly Report/Monthly Activity Report for September 2008	Government Affairs
COMM. 22M-4	CHAUTAUQUA COUNTY PLANNING BOARD	Letter to Legislator Whyte Supporting Establishment of an EC Regional Planning Board	Energy & Environment
COMM. 22M-5	SOUTHERN TIER WEST - REGIONAL PLANNING & DEVELOPMENT BOARD	Letter to Legislator Whyte Supporting Establishment of an EC Regional Planning Board	Energy & Environment
COMM. 22M-6	WYOMING COUNTY PLANNING & DEVELOPMENT	Letter to Legislator Whyte Supporting Establishment of an EC Regional Planning Board	Energy & Environment
COMM. 22M-7	GOVERNOR PATERSON	Acknowledgement of Receipt of Certified Resolution	R&F
COMM. 22M-8	NFTA	Copies of 17A Report and Capital Expenditure Reports for Second Quarter Ending 3/31/09	Economic Development
COMM. 22M-9	TOWN OF EDEN	Copy of Resolution Opposing Changes Consolidating Local Registrars of Vital Statistics	Government Affairs
COMM. 22M-10	FEDERAL ENERGY REGULATORY COMMISSION	Response to EC Legislature Resolution Concerning Electricity Consumers Being Overcharged in NYS	Economic Development
COMM. 22M-11	COLUCCI & GALLAHER, P.C.	ECMCC Agenda Items for Board of Directors' Meeting Held 10/23/08	Health & Human Services
COMM. 22M-12	ECIDA	Board of Directors' Meeting Notice for 11/10/08	Economic Development
COMM. 22M-13	ASSOCIATION OF ERIE COUNTY GOVERNMENTS	Copy of Certified Resolution Concerning Restoration of Funding for Cooperative Extension 4H and EC Soil & Water Conservation District	Finance & Management
COMM. 22M-14	NIAGARA ERIE REGIONAL COALITION	10 Year Anniversary Celebration - 1998 - 2008	Government Affairs
COMM. 22M-15	TOWN OF NEWSTEAD	Copy of Resolution Supporting Restoration of Funding for EC Soil & Water Conservation District & Cooperative Extension	Finance & Management
COMM. 22M-16	NYS DEPT. OF ENVIRONMENTAL CONSERVATION	Fact Sheet Concerning Cleanup Activities - Business Park Site in Lackawanna	Energy & Environment
COMM. 22M-17	CITY OF NIAGARA FALLS	Copy of Certified Resolution in Opposition to Adding Any Hazardous Waste Land Disposal Capacity in NYS	Energy & Environment

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COMM. 22M-18	NYS DEPT. OF ENVIRONMENTAL CONSERVATION	NYS Fish, Wildlife & Marine Resource Goals for 2010 - Ecosystem Protection	Energy & Environment
COMM. 22M-19	ERIE COUNTY FARM BUREAU INC.	Letter to Legislator Reynolds Concerning Resolutions Passed at Annual Farm Bureau Membership Meeting	Finance & Management

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**ANNOUNCEMENTS:**

**MEMORIAL RESOLUTIONS:**

**ADJOURNMENT:**