

APRIL 27, 2005

GOVERNMENT AFFAIRS COMMITTEE
REPORT NO. 4

ALL MEMBERS PRESENT.

1. RESOLVED, that the following item is hereby received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.
 - a. COMM. 10M-5 (2005)
NYPA: Letter to Chairman Holt Re: Comm. 8E-56, Erie County Niagara Project Relicensing Settlement Offer from NYPA
(5-0)
2. RESOLVED, that the following item is hereby received and referred to the ENERGY & ENVIRONMENT COMMITTEE.
 - a. INTRO 11-1 (2005)
DUSZA: Support For NYS Medicaid Fair Share Legislation
(5-0)
3. RESOLVED, that the following items are hereby received and filed.
 - a. COMM. 4M-6 (2005)
KEVIN P. GAUGHAN: "The Gaughan Plan" for EC & Buffalo Merger
(5-0)
 - b. INTRO 8-2 (2005)
WEINSTEIN: A 25% Legislator Salary Reduction Set Aside For Constituent Service
(5-0)
 - c. INTRO 8-9 (2005)
WEINSTEIN: 2005 District Office Adjustments
(5-0)
 - d. COMM. 10E-3 (2005)
COMPTROLLER: Copy of Letter to DISS Director Re: SAP Ownership/Proprietary Information
(5-0)
 - e. COMM. 10E-4 (2005)

COMPTROLLER: Copy of Letter to DISS Director Re: Comm. 10D-9
(5-0)

- f. COMM. 10E-12 (2005)
COMPTROLLER: Letter to Legislature Re: Finance Division Cashier Operations
(5-0)
- g. COMM. 10E-54 (2005)
COUNTY CLERK: Resolution Regarding 2005 Budget Appropriations for the Erie County Clerk's Office (Registrar & Auto Bureau)
(5-0)
- h. COMM. 10D-3 (2005)
COUNTY ATTORNEY: Copy of Letter to Budget Director Re: Void Resolution Reducing 2005 Budget Appropriation for NFTA; NFTA Appropriation Statutorily Required and Fully Encumbered
(5-0)
- i. COMM. 10D-7 (2005)
COUNTY ATTORNEY: Transmittal of New Claim Against EC
(5-0)
- j. COMM. 10D-8 (2005)
COUNTY ATTORNEY: Transmittal of New Claims Against EC
(5-0)
- k. COMM. 10D-9 (2005)
DISS: Memo to Comptroller Re: Response to SAP Ownership/Proprietary Information 3/17/2005
(5-0)
- l. COMM. 10D-15 (2005)
COUNTY ATTORNEY: Transmittal of New Claim Against EC
(5-0)
- m. COMM. 10M-2 (2005)
NYS SUPREME COURT: Suit against ECL Re: Probation Department Layoffs
(5-0)
- n. COMM. 10M-3 (2005)
MAYOR OF BUFFALO: Copy of Letter to NYPA Chair Re: Regional Cultural Asset Fund

- (5-0)
- o. COMM. 10M-6 (2005)
DAVE CORDERO: E-Mail sent to Legislators Re: Deputy Parks Commissioners
(5-0)
- p. COMM. 10M-10 (2005)
GLOBALQUEST SOLUTIONS INC.: Copy of Letter to Comptroller Re: Comm. 10E-3
(5-0)
- q. COMM. 10M-17 (2005)
ASSEMBLYMAN HOYT: Copy of Letter to NYPS Chair Re: Support of Regional Cultural Asset Fund
(5-0)
- r. COMM. 10M-23 (2005)
TOWN OF TONAWANDA TOWN BOARD: Copy of Certified Resolution Re: Opposition to Greiner Commission Recommendations
(5-0)
- s. INTRO 11-2 (2005)
MARSHALL: Opposition To Media Restrictions In ECL Chamber
(5-0)
- t. INTRO 11-11 (2005)
WEINSTEIN: Immediate Opening of Second Department of Motor Vehicles (DMV) Bureau
(5-0)
- u. INTRO 11-12 (2005)
WEINSTEIN: Addressing Delays in Registrar's Office
(5-0)
- v. COMM. 11E-1 (2005)
COUNTY CLERK: Letter to Holt Re: Restoration of Staff In Clerk's Office
(5-0)
- w. COMM. 11E-31 (2005)
COMPTROLLER: Letter to ECL Re: Accounts Payable Backlog
(5-0)

4. COMM. 6E-17 (2005)
COUNTY EXECUTIVE
WHEREAS, many Erie County Competitive and Non-Competitive Class Civil Service positions require specialized training and experience which is difficult to obtain or unavailable outside of County service, and

WHEREAS, in order to fill these Competitive Class and Non-Competitive Class positions, it is necessary to hire individuals and provide specialized training to them, and

WHEREAS, in order to facilitate the hiring of individuals to receive this specialized training and experience, certain County positions are filled on a trainee or underfill basis from trainee Civil Service lists or in the absence of a valid trainee list, on a provisional or temporary basis, and

WHEREAS, since the specific budget amendment authorizing the filling of County positions on a trainee or underfill basis was eliminated from the budget, departments will not be able to fill such positions which will then impair the departments ability to render services to the public,

NOW, THEREFORE, BE IT

RESOLVED, that effective January 1, 2005 funds appropriated for the Competitive and Non-Competitive Class positions listed below, may be used to pay a trainee or underfill a lesser amount until such employee becomes qualified to fill such positions:

Child Protective Worker
Computer Operator
Computer Programmer
Interne Personnel Specialist
Probation Officer
Probation Officer (Spanish Speaking)
Investigating Public Health Sanitarian
Sewage Treatment Plant Operator

and be it further

RESOLVED, that certified copies of this resolution be forwarded to the County Executive's Office, the Division of Budget, Management and Finance, the Department of Personnel and the Office of the Comptroller.

(5-0)

5. INTRO 8-11 (2005)

HOLT, KENNEDY, SWANICK, & CHASE

WHEREAS, at 641 miles, the Governor Thomas E. Dewey Thruway is the longest toll highway system in the United States, and

WHEREAS, the New York State Thruway Authority (NYSTA) is a public benefit corporation under the State of New York, whose three commissioners are appointed by the Governor, and

WHEREAS, under the original concept establishing NYSTA in 1950, once the original 40-year bonds for the construction of the Thruway were paid-off in 1996, the tolls across the Thruway system were intended to be eliminated, and

WHEREAS, since that time, the NYSTA and Governor Pataki have consistently refused to eliminate the tolls or to consider alternatives to the tolls, particularly for local residents and commuters who regularly or daily utilize the Thruway (Interstate 90 or Interstate 190) and

WHEREAS, in the immediate Buffalo area, the NYSTA maintains toll barriers at the North Grand Island Bridge, South Grand Island Bridge, Black Rock, Breckenridge/Buffalo City Line, Williamsville, Depew, Lackawanna, Blasdell, and Hamburg, and

WHEREAS, toll barriers have been likened to “commuter taxes” on persons or businesses traversing New York State for work or pleasure, and

WHEREAS, in early 2004, NYS Department of Transportation Commissioner Joseph Boardman suggested, in his testimony before a NYS Legislature fiscal panel, that the Department is examining the imposition of additional tolls on roads and highways in major trade corridors to offset losses in road funding dollars from the Federal government, and

WHEREAS, continued and additional tolls on other roads or highways in Erie County will only succeed in hurting the people and businesses in this area, further hampering any future economic development and adding to traffic congestion and delay in this area, and

WHEREAS, in recent years, many public officials, advocacy groups and taxpayers have forcefully and clearly expressed their opposition to, and desire that the toll barriers coming into the Buffalo area should be eliminated and/or relocated, and

WHEREAS, business and consumer groups alike oppose the tolls, with the Chair of Buffalo Place recently pointing out that Buffalo is the only city or metropolitan area in Upstate New York “where you need to pay tolls to access downtown,” and

WHEREAS, the Erie County Legislature would again like to state for the public record its opposition to continued tolls at Ogden, Breckenridge, North and South Grand Island Bridges, Williamsville, Depew, Lackawanna, Blasdell and Hamburg, and

WHEREAS, passenger cars pay \$0.50 each time to pass through the North Grand Island Bridge, South Grand Island Bridge, Black Rock, and Breckenridge/Buffalo City Line toll barriers, and pay \$0.15 to travel between the Williamsville and Depew barriers, \$0.15 to travel between the Lackawanna and Blasdell barriers, and \$0.25 to travel between the Lackawanna and Hamburg barriers, and

WHEREAS, for daily commuters and local residents these costs are considerable and unduly burdensome, and

WHEREAS, in partial response, the NYSTA offers special discount plans for Grand Island commuters and Grand Island residents allowing them to pay \$0.13 per trip (commuters) through the North and South Grand Island Bridges (as opposed to \$0.50 per trip) and allowing Grand Island residents to pay \$0.09 per trip, and

WHEREAS, no other special discount plan is offered to local residents and commuters for the Black Rock, Breckenridge/Buffalo City Line, Williamsville, Depew, Lackawanna, Blasdell, and Hamburg toll barriers, and

WHEREAS, NYSTA and E-Z Pass allow discount plans for commuters and residents who use the Thruway in the New York City region, but offer no such discounts in Western New York,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby express its opposition to the imposition of additional, higher tolls on roads and highways in New York State, and in particular, Western New York, and be it further

RESOLVED, that the Erie County Legislature does hereby reiterate its opposition to the continued use of the toll barriers located at Ogden, Breckenridge, North and South Grand Island Bridges, Williamsville, Depew, Lackawanna, Blasdell and Hamburg, and be it further

RESOLVED, that the Erie County Legislature calls on the New York State Legislature and the Governor, to use their statutory powers to compel the New York State Thruway Authority (NYSTA) to eliminate tolls and toll barriers on Interstate 190 – the North and South Grand Island Bridges and the Black Rock and Breckenridge/Buffalo City Line toll barriers, and the toll barriers at Williamsville, Depew, Lackawanna, Blasdell and Hamburg, and be it further

RESOLVED, that in the meantime, and in the likelihood that NYSTA will not remove those tolls, this Honorable Body calls on the New York State Legislature and Governor to compel NYSTA to provide a commuter/resident discount plan for local residents who daily use the Thruway and travel through the Black Rock, Breckenridge/Buffalo City Line, Willamsville, Depew, Lackawanna, Blasdell and Hamburg toll barriers, to allow those residents and commuters similar options to those residents/commuters who enjoy and participate in the Thruway Grand Island resident or commuter discount plans, and be it further

RESOLVED, that certified copies of this resolution be transmitted to the Governor, local delegation of the New York State Legislature, John Buono, Chairman of the NYSTA (200 Southern Boulevard, P.O. Box 189, Albany, NY 12201-0189), Hal Morse, Executive Director of the Greater Buffalo Niagara Regional Transportation Council (438 Main Street, Suite 503, Buffalo, NY 14202), Erie County Clerk David Swarts, and to the Supervisor or Mayor of every town, city and village in Erie County.

(5-0)

6. COMM. 11E-14
COUNTY EXECUTIVE

WHEREAS, the departments in the County of Erie are running at or below minimal staffing levels and will have a difficult time accomplishing necessary functions, and

WHEREAS, employees vacation and compensatory leave time banks are currently limited by a cap that could cause the employee to lose earned leave time, and

WHEREAS, it would be in the best interest of all parties to remove these time caps

NOW, THEREFORE, BE IT

RESOLVED, the caps be removed from Competitive Class MC employees vacation and compensatory time leave banks, and be it further

RESOLVED, that the employees that earn additional will be allowed to carry this time forward until they again get below the cap. The additional time over the cap must be used before separation from County service, this will allow for a cash-out payment limited to the current maximum limits, and be it further

RESOLVED, that the Commissioner of Personnel, in conjunction with the Director of Labor Relations, may on a case by case basis approve the lifting of time caps for employees in the interest of productivity.

(5-0)

LYNN M. MARINELLI
CHAIRPERSON