

**ERIE COUNTY LEGISLATURE
MEETING NO. 4
FEBRUARY 21, 2008**

The Legislature was called to order by Chair Marinelli.

All members present.

An Invocation was held, led by Ms. Grant, who requested a moment of silence.

The Pledge of Allegiance was led by Mr. Mazur.

Item 1 - CHAIR MARINELLI directed that the Rules of the Legislature for 2008 be tabled.

Item 2 - No tabled items.

Item 3 – No items for reconsideration from previous meetings.

Item 4 - Minutes of previous meeting were tabled.

Item 5 - No Public Hearings.

MISCELLANEOUS RESOLUTIONS

Item 6 - MR. REYNOLDS presented a resolution Recognizing February 17-23, 2008 as "National Future Farmers of America Week."

Item 7 – MS. MARINELLI presented a resolution Honoring the Memory of David H. Gruen.

Item 8 – MS. MARINELLI presented a resolution Honoring the Memory of Mary Pat Burke.

Item 9 – MR. MILLS presented a resolution Honoring Orchard Park Police Chief Samuel McCune Upon His Retirement.

MS. WHYTE moved for consideration of the above four items. MS. GRANT seconded.

CARRIED UNANIMOUSLY.

MS. WHYTE moved to amend the above four items by including Et Al Sponsorship and adding one from CHAIR MARINELLI. MR. KENNEDY seconded.

CARRIED UNANIMOUSLY.

MS. WHYTE moved for approval of the above five items as amended. MR. REYNOLDS seconded.

CARRIED UNANIMOUSLY.

LOCAL LAWS

Item 10 - CHAIR MARINELLI directed that Local Law No. 1 (Print #1) 2007 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 11 - CHAIR MARINELLI directed that Local Law No. 3 (Print #2) 2007 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 12 - CHAIR MARINELLI directed that Local Law No. 8 (Print #1) 2007 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 13 - CHAIR MARINELLI directed that Local Law No. 9 (Print #1) 2007 remain on the table and in the ECONOMIC DEVELOPMENT COMMITTEE.

GRANTED.

Item 14 – MR. KENNEDY moved to take Local Law No. 1 (Print #1) 2008 off the table. MR. KOZUB seconded.

CARRIED UNANIMOUSLY.

MR. KENNEDY moved to approve the following item, Local Law No. 1 (Print #1) 2008. MR. KOZUB seconded.

COUNTY OF ERIE
 LOCAL LAW INTRO. NO. 1 - 2008
 LOCAL LAW NO. - 2008

A LOCAL LAW amending Local Law No. 1-1959, constituting the Erie County Charter, as last amended by Local Law No. 3-2006, in relation to the county veterans' service agency.

BE IT ENACTED BY THE LEGISLATURE OF THE COUNTY OF ERIE AS FOLLOWS:

Section 1.

LEGISLATIVE INTENT. For the past 81 years, the Veterans Service Agency has been in operation for the benefit of the veterans of Erie County, their widows and dependents.

The agency, which was the first of its kind in the State of New York, was originated in 1926 by the American Legion of Erie County under a special appropriation to an American Legion Committee from the then Erie County Board of Supervisors. Due to a steadily increasing demand for services

provided, which was accelerated by World War II, and the resulting growth of the office, on January 1, 1945, the Agency became part of the county Government structure as a stand alone agency. The Service Agency functions under the provisions of state and county laws which specify the services to be rendered to all veterans, their widows and dependents who are residents of Erie County. The Agency Director operates under the immediate jurisdiction of the County Executive and also reports to the Erie County Legislature and the Government Affairs Committee of that Honorable Body.

Reestablishing the stand alone Erie County Office of Veterans Services will result in:

The Director once again will report and be responsible to the Erie County Executive.

The Director will be once again responsible for the Budget request and formulation.

The staffing will once again consist of a Director and the appropriate staff to serve Erie County's Veteran population.

We presently have over 80,000 veterans in Erie County; more than any other County outside of New York City. Every day we are seeing the return of more veterans from Iraq & Afghanistan who will increase the number of veterans needing to be served.

The Action on the part of the Legislature will once again establish the Erie County Office of Veterans Services as a stand alone Agency and enable the Office to adequately care for our veterans who have sacrificed so much for our country.

Section 2.

Article 11-F of the Erie County Charter is hereby amended to read as follows:

Article 11-F. Office of public advocacy.

Section 11-F-01 Office of public advocacy
 11-F-01 Division of equal employment opportunity
 11-F-03 Advisory board to division of equal employment opportunity
 11-F-04 Division on the status of women
 11-F-05 Advisory commission to division on the status of women
~~11-F-06 Division of veterans services~~
 11-F-076 Division for the disabled
 11-F-087 Advisory board to division for the disabled
 11-F-098 Consumer protection committee

Section 11-F-01. Office of public advocacy. There shall be an office of public advocacy, the head of which shall be the commissioner. The commissioner of said office shall be appointed from among the division directors by, and shall serve at the pleasure of, the county executive, subject to approval of the County Legislature. The commissioner of the office shall:

1. Serve in the capacity of countywide public advocate for all residents of Erie County, overseeing the day-to-day operations of the division of equal employment opportunity, division on the status of women, ~~division of veterans services~~, division for the disabled and consumer protection committee;
2. Report to the county executive, county manager and the Legislature on an annual basis on all activities related to fulfilling the obligations of the office of public advocacy.

Section 11-F-02. Division of equal employment opportunity. There shall be a division of equal employment opportunity, the head of which shall be the director. The director of said office shall be appointed by and shall serve at the pleasure of the commissioner.

The division shall:

1. Direct and be responsible for all equal employment activities of the county and establish a county affirmative action plan and policies and assist in their execution;
2. Monitor personnel changes and procedures, file annual reports with the equal employment opportunity commission (EEOC), ensure Affirmative Action compliance in all County contracts, assist minority/women owned business enterprises in the certification procedures, process complaints of discrimination and sexual harassment and conduct EEO/AA training for Erie county personnel.

Section 11-F-03. Advisory board to division of equal employment opportunity. There shall be established an advisory board to the division of equal employment opportunity.

Section 11-F-04. Division on the status of women. There shall be a division on the status of women. It is hereby declared to be the policy of Erie County, New York, to eliminate discrimination in any form that may exist on account of gender; to fully utilize the potential of each citizen, regardless of gender, in order to preserve our democratic way of life; and to provide equal opportunities to all citizens, regardless of gender, in employment, education, health and mental health, housing, senior and social services, and before the law. The director of said division shall be appointed by and shall serve at the pleasure of the commissioner. The division shall:

1. Work to ensure that the women of Erie County participate fully in matters that have an impact on their lives.
2. Develop an information system for services relating to the needs of women, and develop other networks and referral programs as necessary;
3. Investigate and analyze resources and services available for women within county government and programs funded by the county and recommend measures to coordinate, consolidate or expand those resources and services to provided maximum efficiency;
4. Submit an annual report of its activities and recommendations to the county executive and County Legislature.

Section 11-F-05. Advisory commission to division on the status of women. There shall be an advisory commission. The commission shall consist of nine to fifteen members to be appointed by the county executive subject to confirmation by the county Legislature. The county executive shall appoint to the commission at least two persons recommended by each of the majority and minority leaders of the Legislature.

Nominations for the remaining positions shall be actively solicited from groups which represent and are active in the area of women's concerns. The departments of health, mental health, senior services, social services, youth services, and the equal employment opportunity office shall each designate one person to serve as an ex-officio non-voting member of the commission. The membership of the commission shall reflect the diversity of women and their concerns in Erie county.

No member may serve more than two terms, except that those members who are initially appointed to complete the unexpired term of a member may also be eligible to serve two subsequent terms of three years each.

The commission shall annually designate one member to serve as commission chairperson. In the event of a vacancy occasioned other than by expiration of the term of office of the chairperson, the commission shall appoint a successor to that office from the commission's membership.

The county executive shall require any county department, division, board, council, committee, authority or agency, or other unit to provide such facilities, assistance and data as will enable the commission to properly effectuate its powers and duties under this article.

~~Section 11 F 06. — Division of veterans services. There shall be a division of veterans services, the head of which shall be the director. The director of said division shall be appointed by and serve at the pleasure of the commissioner. The division shall:~~

- ~~1. Advocate for the benefit of veterans in accordance with New York state executive law section 357;~~
- ~~2. Assist veterans and their families with job searches and placement, education, vocational rehabilitation, disability and pension claims, death benefits, medical needs and indigent burials.~~

Section 11-F-076. Division for the disabled. There shall be a division for the disabled, the head of which shall be the director. The director of said office shall be appointed by and shall serve at the pleasure of the commissioner. The division shall:

1. Evaluate and provide reasonable accommodations to county employees under the Americans with Disabilities ACT (ADA) or New York Executive Law in conjunction with the county attorney's office, labor relations department and the unions;
2. Advocate the benefits and services which disabled persons are entitled to under the law and represent the disabled in various area of concern affecting their rights as citizens;
3. Identify and recommend to public and private agencies and organizations which serve the disabled, to the county Legislature and to the county executive appropriate sources of state, federal and private financial assistance for purposes of comprehensively expanding services and programs for the disabled;
4. Act as the county administrative officer for planning and coordinating services for the disabled in cooperation with the county executive, county Legislature, county departments and public and private agencies and organizations which serve the disabled;
5. Submit an annual report in accordance with the Americans with Disabilities ACT (ADA) of activities and recommendations to the county manager and county Legislature.

Section 11-F-087. Advisory board to division for the disabled. There shall be established an advisory board to the division for the disabled.

Section 11-F-098. Consumer protection committee. There shall be a consumer protection committee. The committee shall:

1. Undertake activities to encourage business and industry within the county to maintain high standards of honesty and fair business practices, and to act responsibly in the production, promotion and sale of consumer goods and services, in the extension of credit and in the collection of consumer debts;
2. Investigate and analyze resources and services available to consumers within the departments of Erie county government and programs funded by Erie county and shall recommend measures to coordinate, consolidate or expand these resources and services to provide maximum efficiency and effectiveness;
3. Increase consumer awareness and competence through the development of educational programs emphasizing preventive education, the creation and distribution of publications, the use of communications media and a speakers bureau;
4. Submit an annual report of its activities and recommendations to the county executive and county Legislature;
5. Have a minimum of four public meetings each year at which meetings the business of the committee shall be conducted.

To effectuate the purpose of this section, the commissioner and the county executive shall require any county department, division, board, council, committee or agency to provide such facilities, assistance and data as will enable the committee to properly effectuate its powers and duties.

The number of members on the committee, the procedure for appointing them, the length of their terms, and the functioning of the committee shall be as specified in section 1607 on advisory boards, with the exception that the county executive shall designate the chairperson from among the members of the committee.

A staff person from the office of the county executive, or other county department or division as designated by the county executive, shall serve as liaison between the committee and office of the county executive. The liaison shall attend committee meetings, secure meeting space, assign clerical assistance as needed and assign storage for documents of the committee.

Section 3.

Article 3 of the Erie County Charter is hereby amended by adding a new Section 311, to read follows:

Section 311 Veterans' service agency. There shall be in the office of the county executive a county veterans' service agency, headed by a director of veterans' services who shall be appointed by and serve at the pleasure of the county executive. Except as otherwise provided in this charter, the director of the county veterans' service agency shall have all the powers and duties of a county director and a county service officer, as those terms are used in article 17 of the NYS executive law and section 800 of the NYS county law, in relation to veterans' affairs generally and, in conjunction with the division of military and naval affairs and other responsible state agencies, in providing information, support and assistance to members of the armed forces, including members of the reserve components thereof and members of the organized militia ordered into active duty, and veterans, who are residents of this state, and their families, with respect to (1) matters pertaining to educational training and retraining services and facilities, (2) health, medical and

rehabilitation services and facilities, (3) provisions of federal, state and local laws and regulations affording special rights and privileges to members of the armed forces and war veterans and their families, (4) employment and re-employment services, and (5) obtaining any benefits and awards to which they may be entitled under any federal, state or local legislation. The director shall perform such additional and related duties as may be prescribed by law, by the county executive or by resolution of the county legislature.

Section 4.

EFFECTIVE DATE. This Local Law shall take effect immediately.

Section 5.

SEVERABILITY. If any clause, sentence, paragraph, subdivision, section or part of this Local Law or the application thereof, to any person, individual, corporation, firm, partnership, entity or circumstance, shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional such order of judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this Local Law or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such judgment or order shall be rendered.

TIMOTHY M. KENNEDY
 BARBARA MILLER-WILLIAMS
 KATHY KONST
 BETTY JEAN GRANT
 TIMOTHY M. WROBLEWSKI
 LYNN M. MARINELLI
 JOHN J. MILLS
 EDWARD A. RATH III

DANIEL M. KOZUB
 MICHAEL H. RANZENHOFER
 MARIA R. WHYTE
 THOMAS J. MAZUR
 MICHELE M. IANNELLO
 ROBERT B. REYNOLDS JR.
 THOMAS A. LOUGHRAN

CHAIR MARINELLI directed that a roll-call vote be taken.

AYES: MILLS, RANZENHOFER, RATH, GRANT, IANNELLO, KENNEDY, KONST, KOZUB, LOUGHRAN, MARINELLI, MAZUR, MILLER-WILLIAMS, REYNOLDS, WHYTE and WROBLEWSKI. NOES: None. (AYES: 15, NOES: 0)

CARRIED UNANIMOUSLY.

COMMITTEE REPORTS

None.

LEGISLATOR RESOLUTIONS

Item 15 - MS. WHYTE presented the following resolution and moved for immediate consideration. MR. RATH seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 53

RE: Combating the Exploitation of
 Children in the Internet Age
 (INTRO 4-1)

**A RESOLUTION TO BE SUBMITTED BY
 LEGISLATORS RATH, MARINELLI, MILLS, RANZENHOFER, IANNELLO,
 KENNEDY, KONST, KOZUB & WROBLEWSKI**

WHEREAS, the molestation and sexual exploitation of children has been identified as a major public health issue; and

WHEREAS, one in four girls and at least one in ten boys are sexually abused in some way by the age of eighteen; and

WHEREAS, it is estimated that there are between 100,000 and 300,000 children sexually exploited annually through prostitution and pornography in the United States; and

WHEREAS, recent advances in computer technology have been aiding sexual predators, stalkers, child pornographers, child traffickers and others with the intent of exploiting children to commit their acts; and

WHEREAS, Internet bulletin boards, chat rooms, private web sites and peer-to-peer networks are being used daily by pedophiles to meet unsuspecting children; and

WHEREAS, a growing number of teenagers today are using the Internet daily and many enter chat rooms, post personal information about themselves on bulletin boards and establish their own websites; and

WHEREAS, possession and distribution of child pornography is growing at an alarming rate, fueled largely by the capabilities of the Internet and modem technologies; and

WHEREAS, statistics show that child pornography is the fastest-growing of all Internet businesses, estimated to bring in several billion dollars per year; and

WHEREAS, research funded by the National Center for Missing and Exploited Children found that forty percent of child pornography possessors were "dual offenders," meaning they had also sexually victimized children; and

WHEREAS, the New York State Senate Codes Committee held a public hearing in Buffalo on January 31, 2008 to receive testimony and relevant information on the issue of "Child Pornography in the Internet Age" and discuss steps that New York State can take to strengthen its laws in order to combat Internet predators who use modern technology to create and distribute child pornography and who use child pornography in order to lure children into sexually abusive relationships; and

WHEREAS, the New York State Senate is currently addressing the issues discussed through two bills currently before the Senate.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature is hereby in support of New York State Senate Bill Number S6875A, which enacts the electronic security and targeting of online predators act, protects people who use the Internet from convicted sex offenders, enables Internet entities to prescreen or remove sex offenders from its services and allows as a sentencing condition the imposition of a reasonable limitation of Internet use by sex offenders; and be it further

RESOLVED, that the Erie County Legislature is hereby in support of New York State Senate Bill Number S6747, which enacts the "child sexual abuse and exploitation prevention act," relates to prostitution offenses and creating the crime of sexual exploitation of a child, relates to computer sex crimes against children and relates to the safe harbor for exploited children act; and be it further

RESOLVED, that certified copies of this resolution be forwarded to Governor Eliot Spitzer, Assembly Speaker Sheldon Silver, Majority Leader Joseph Bruno, Attorney General Andrew Cuomo, the local delegation to the New York State Legislature and County Executive Christopher Collins.

MS. WHYTE moved to amend the item by adding MS. MILLER-WILLIAMS, MS. WHYTE, MS. GRANT, MR. MAZUR, MR. REYNOLDS and MR. LOUGHRAN as Co-Sponsors. MR. RATH seconded.

CARRIED UNANIMOUSLY.

MR. MILLS moved to further amend the item by attaching New York State Senate Bill Number S6747 to the item. MS. WHYTE seconded.

CARRIED UNANIMOUSLY.

MS. WHYTE moved to approve the item as amended. MR. RATH seconded.

CARRIED UNANIMOUSLY.

Item 16 - CHAIR MARINELLI directed that the following item be referred to the HEALTH & HUMAN SERVICES COMMITTEE.

GRANTED.

INTRO 4-2 from KONST Re: Personal Needs Allowance for Residents of Skilled Nursing Facilities.

Item 17 - CHAIR MARINELLI directed that the following item be referred to the ENERGY & ENVIRONMENT COMMITTEE.

GRANTED.

INTRO 4-3 from REYNOLDS & MILLS Re: Erie County Forestland Resource Management Proposal.

Item 18 - CHAIR MARINELLI directed that the following item be referred to the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

INTRO 4-4 from LOUGHRAN Settlement of Fact-Finder's Report of September 5, 2006.

Item 19 - CHAIR MARINELLI directed that the following item be referred to the ECONOMIC DEVELOPMENT COMMITTEE.

GRANTED.

INTRO 4-5 from KONST Urging A Greater Commitment by NYS in Maintaining the Safety and Integrity of Local Highways and Bridges.

Item 20 - CHAIR MARINELLI directed that the following item be referred to the FINANCE & MANAGEMENT COMMITTEE.

GRANTED.

INTRO 4-6 from KONST Urging Job-Creating Investment in NY's Aviation Industry and Rejection of Taxes on Aircraft.

Item 21 - CHAIR MARINELLI directed that the following item be referred to the FINANCE & MANAGEMENT COMMITTEE.

GRANTED.

INTRO 4-7 from REYNOLDS Establishment of Distressed Real Property Task Force.

Item 22 - CHAIR MARINELLI directed that the following item be referred to the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

INTRO 4-8 from MARINELLI Erie County Legislature 2008 Personal Services Budget.

Item 23 - CHAIR MARINELLI directed that the following item be referred to the FINANCE & MANAGEMENT COMMITTEE.

GRANTED.

INTRO 4-9 from RATH, MARINELLI, MILLS, KONST & RANZENHOFER
 Implementation of Performance Based Budgeting as Required by the Erie County Charter.

Item 24 - MS. WHYTE presented the following resolution and moved for immediate consideration. MR. MAZUR seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 54

RE: Opposing Juvenile Detention
 Cost-Shifting in the 2008-09 NYS
 Proposed Executive Budget
 (INTRO 4-10)

**A RESOLUTION TO BE SUBMITTED BY
 LEGISLATORS MARINELLI, KONST & IANNELLO**

WHEREAS, in an unprecedented break in the state/local partnership of sharing the costs associated with court-ordered juvenile detention, the Governor proposed in his 2008-09 Budget that counties will assume the full cost of youth placed by the Family Court in secure and non-secure detention facilities, effective April 1, 2008; and

WHEREAS, the state currently reimburses counties fifty (50) percent of the costs for secure and non-secure detention; and

WHEREAS, the savings that will be accrued to New York State following this burdensome cost-shifting to counties is projected to be \$35.4 million; and

WHEREAS, the cost-shifting of 100 percent of the costs of juvenile detention to counties will not result in a net benefit to state taxpayers in the form of tax relief, but rather will place an added, onerous burden upon property taxpayers of Erie County and the other counties across the state; and

WHEREAS, in addition to the unfair cost-shifting of this proposal, the proposal's silence on the issue of reform of the current juvenile detention system is a matter of grave concern to county legislators and the taxpayers we represent; and

WHEREAS, the Governor's 2008-09 Budget recommends that counties find, "alternative diversion programs for these youth, such as community-based solutions"; and

MEETING NO. 4
FEBRUARY 21, 2008

ERIE COUNTY LEGISLATURE

WHEREAS, the Governor's 2008-09 Budget makes no fiscal or policy commitment to actual juvenile justice policy reform, to wit the Alternative to Detention program is flatly-funded and there is only a meager increase in the state's Residential Diversion fund; and

WHEREAS, there is no proposal in the Governor's 2008-09 Budget to recommend clarification on sentencing guidelines for juveniles and/or alternatives to placement for Family Court Judges – further demonstrating that this proposal simply imposes an additional expense to Erie County which was unanticipated when this Legislature approved its 2008 operating budget; and

WHEREAS, the state's failure to increase its support of community-based detention alternatives will substantially limit the opportunity for the diversion of youths from secure detention facilities to community-based detention programs and thus prevent counties from accruing any savings through the use of the community-based diversion alternatives; and

WHEREAS, the New York State Association of Counties (NYSAC) reports that the Governor's 2008-09 Budget projects a net loss to counties of \$13.7 million in 2008 and \$27.4 million in 2009, and NYSAC asserts that these cost projections are far lower than the actual cost counties will absorb if the Governor's Budget proposal is adopted unchanged; and

WHEREAS, New York State currently reimburses Erie County \$4.5 million, an amount representing fifty (50) percent of the operational costs of youth detention/incarceration; and

WHEREAS, shifting 100 percent of juvenile detention costs to Erie County was not anticipated when the 2008 Erie County Budget was approved, and would result in a negative variance in the county budget.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature joins with the New York State Association of Counties (NYSAC) to urge the State Legislature to amend the Executive Budget proposal regarding juvenile detention cost-shifting to counties and to hold counties harmless while New York State is developing a juvenile detention reform policy that involves greater investment in community-based diversion programs; and be it further

RESOLVED, that the Clerk of the Erie County Legislature will forward certified copies of this resolution to Governor Eliot Spitzer, Senate Majority Leader Joseph Bruno, Assembly Speaker Sheldon Silver, the Western New York Delegation to the State Legislature and County Executive Chris Collins.

MS. WHYTE moved to amend the item for Et Al Sponsorship. MS. MILLER-WILLIAMS seconded.

CARRIED UNANIMOUSLY.

MS. WHYTE moved to approve the item as amended. MR. MAZUR seconded.

CARRIED UNANIMOUSLY.

Item 25 – MS. WHYTE presented the following resolution and moved for immediate consideration. MS. MILLER-WILLIAMS seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 55

RE: 2008 Capital Borrowing
(INTRO 4-11)

**A RESOLUTION TO BE SUBMITTED BY
LEGISLATORS MARINELLI, WHYTE, MILLS, MILLER-WILLIAMS,
RANZENHOFER, KONST, REYNOLDS & RATH**

WHEREAS, the 2008 Erie County Budget which was approved in December, 2007 calls for the borrowing of \$58,505,000 to finance several projects, including

Eight general projects	\$ 12.2 million
Thirteen road & bridge projects	\$ 19.130 million
Seven Sheriff's projects	\$ 7.325 million
One Central Police Services' project	\$ 1.4 million
Five DISS' projects	\$ 2 million
Parks project	\$ 900,000.00
Health projects	\$ 1.1 million
Emergency Services project	\$ 2 million
Library projects	\$ 2.38 million
Environment & Planning projects	\$ 4.52 million
Board of Elections	\$ 500,000.00
Erie Community College	\$ 4.95 million
County Clerk	\$ 100,000.00; and

WHEREAS, the Legislature has modified both the 2006 and 2007 capital budgets to continue our efforts to stabilize Erie County's finances; and

WHEREAS, the Legislature must approve all bond resolutions by at least a super-majority vote upon receipt of the County Executive proposed borrowing from the Comptroller; and

WHEREAS, the Erie County Fiscal Stability Authority must approve any capital borrowing proposal approved by the Erie County Legislature; and

WHEREAS, the Erie County Legislature, the Office of the Comptroller and the Office of Budget and Management have furthered improved the capital budget systems in Erie County, namely with better prioritizing, tracking, close-out reporting and debt service payments; and

WHEREAS, the Legislature recognizes the need for further deliberations on behalf of the community we are elected to serve and the need to further enhance the county's credit rating with the Wall Street community.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature requests that the County Executive prepare and submit a preliminary list of projects which will be included in the Administration's 2008 capital borrowing request by clock-in March 4, 2008, to be sent to the Finance and Management Committee of the Legislature for the purpose of public discussion and a determination of a total borrowing amount for 2008 capital projects; and be it further

RESOLVED, that certified copies of this resolution be transmitted to the County Executive, the Erie County Comptroller, the County Attorney, the Budget Director, the President of Erie County Community College, the Chief Executive Officer of Erie County Medical Center Corporation and the Erie County Fiscal Stability Authority.

MS. WHYTE moved to amend the item. MS. KONST seconded.

CARRIED UNANIMOUSLY.

Delete the first Resolve Clause in its entirety and replace with the following:

RESOLVED, that the Erie County Legislature requests that the County Executive prepare and submit a preliminary list of projects which will be included in the Administration's 2008 capital borrowing request by clock-in March 4, 2008, to be sent to the Finance & Management Committee of the Legislature for the purpose of public discussion and a determination of a total borrowing amount for 2008 capital projects; and be it further

MS. WHYTE moved to further amend the item by adding MR. KOZUB, MR. KENNEDY, MS. GRANT and MR. WROBLEWSKI as Co-Sponsors. MS. KONST seconded.

CARRIED UNANIMOUSLY.

MS. WHYTE moved to approve the item as amended. MR. REYNOLDS seconded.

CARRIED UNANIMOUSLY.

COMMUNICATIONS DISCHARGED FROM COMMITTEE

Item 26 – MS. WHYTE moved to discharge the ENERGY & ENVIRONMENT COMMITTEE from further consideration of COMM. 12E-35. MS. GRANT seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 56

RE: ECSD No. 5 - Replacement of Asbestos
 Cement Pipe Along Transit Road –
 Bid Opening
 (COMM. 12E-35)

MS. WHYTE moved to amend the item. MS. GRANT seconded

CARRIED UNANIMOUSLY.

Insert the following Resolution:

WHEREAS, the Erie County Department of Environment and Planning has received the following lowest responsible bid for the Erie County Sewer District No. 5, Transit Road Sanitary Sewer Rehabilitation, Contract No. 16, at 2:00 P.M. on January 24, 2008.

<u>Contract</u>	<u>Lowest Responsible Bidder</u>	<u>Amount Bid</u>
Contract 16	Kandey Company, Inc. 19 Ransier Drive West Seneca, New York 14224	\$485,357.00

and

WHEREAS, the aforementioned lowest responsible bidder has successfully performed similar work in Erie County.

NOW, THEREFORE, BE IT

RESOLVED, that the Transit Road Sanitary Sewer Rehabilitation Project, Contract No. 16, be awarded to Kandey Company, Inc., 19 Ransier Drive, West Seneca, New York 14224, in the not-to-exceed amount of \$485,357.00; and be it further

RESOLVED, that the County Executive be, and hereby is, authorized to execute the Contract with the aforementioned lowest responsible bidder subject to approval as to form by the County Attorney and certification of availability of funds from the Project Fund Balance or an authorized advance from the General Fund by the Comptroller's Office, and be it further

RESOLVED, that the Comptroller is authorized and directed to allocate \$485,357.00 from Sewer Capital, Erie County Sewer District No. 5, Account C.00035 for Contract No. 16; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send one certified copy each of this Resolution to the County Executive; Director of Budget; Erie County Comptroller's Office; Gregory Dudek, Assistant County Attorney and two (2) certified copies to Michael J. Quinn, P.E., Department of Environment and Planning.

MS. WHYTE moved to approve the item as amended. MR. KOZUB seconded.

CARRIED UNANIMOUSLY.

Item 27 – MS. WHYTE moved to discharge the ENERGY & ENVIRONMENT COMMITTEE from further consideration of COMM. 12E-22. MR. REYNOLDS seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 57

RE: ECSD No. 6 - Holland Ave. – Sewer
 Replacement - Bid Opening
 (COMM. 12E-22)

MS. WHYTE moved to amend the item. MR. KOZUB seconded

CARRIED UNANIMOUSLY.

Insert the following Resolution:

WHEREAS, the Erie County Department of Environment and Planning has received the following lowest responsible bid for the Erie County Sewer District No. 6, Holland Avenue and Wilmuth Avenue Sanitary Sewer Rehabilitation/Erie County Water Authority Holland Avenue Water System Improvements, Contract No. 34SA, at 2:00 P.M. on February 8, 2008,

<u>Contract</u>	<u>Lowest Responsible Bidder</u>	<u>Amount Bid</u>
Contract 34SA	Visone Construction, Inc. 79 Sheldon Avenue Depew, New York 14043	\$1,110,429.50

and

WHEREAS, the aforementioned lowest responsible bidder has successfully performed similar work in Erie County; and

WHEREAS, Erie County on behalf of Erie County Sewer District No. 6 has entered into a Cooperative Agreement with the Erie County Water Authority to include water system improvements, as part of the District's rehabilitation of sanitary sewers on Holland Avenue, to take advantage of economies of scale and to also reduce disturbance to the affected neighborhood; and

WHEREAS, the Erie County Water Authority has agreed to reimburse Erie County Sewer District No. 6 \$409,712.50, for the water system improvements portion of the contract with Visone Construction, Inc.

NOW, THEREFORE, BE IT

RESOLVED, that the Holland Avenue and Wilmuth Avenue Sanitary Sewer Rehabilitation/Erie County Water Authority Holland Avenue Water System Improvements, Contract No. 34SA, be awarded to Visone Construction, Inc., 79 Sheldon Avenue, Depew, New York 14043, in the not-to-exceed amount of \$1,110,429.50; and be it further

RESOLVED, that the County Executive be, and hereby is, authorized to execute the Contract with the aforementioned lowest responsible bidder subject to approval as to form by the County

MEETING NO. 4
FEBRUARY 21, 2008

ERIE COUNTY LEGISLATURE

Attorney and certification of availability of funds from the Project Fund Balance or an authorized advance from the General Fund by the Comptroller's Office; and be it further

RESOLVED, that the Comptroller is authorized and directed to allocate \$1,110,429.50 from Sewer Capital, Erie County Sewer District No. 6, Account C.00064 for Contract No. 34SA; and be it further

RESOLVED, that the Comptroller's office and the Director of Budget is authorized to increase appropriations and estimated revenues in Capital Account C.00064 by \$409,712.50, to fund the Erie County Water Authority's portion of this project; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send one certified copy each of this Resolution to the County Executive; Director of Budget; Erie County Comptroller's Office; Gregory Dudek, Assistant County Attorney and two (2) certified copies to Michael J. Quinn, P.E., Department of Environment and Planning.

MS. WHYTE moved to approve the item as amended. MR. KOZUB seconded.

CARRIED UNANIMOUSLY.

Item 28 – MS. WHYTE moved to discharge the ENERGY & ENVIRONMENT COMMITTEE from further consideration of COMM. 26E-13. MR. KOZUB seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 58

RE: ECSD No. 1 - Contract No. 32 –
 Broadway West Pump Station
 Elimination Project
 (COMM. 26E-13)

MS. WHYTE moved to amend the item. MS. GRANT seconded

CARRIED UNANIMOUSLY.

Insert the following Resolution:

WHEREAS, the Erie County Department of Environment and Planning has received the following lowest responsible bid for the Erie County Sewer District No. 1, Broadway West Pump Station Elimination Project, Contract No. 32, at 2:00 P.M. on January 17, 2008.

<u>Contract</u>	<u>Lowest Responsible Bidder</u>	<u>Amount Bid</u>
Contract 32	Milherst Construction, Inc. 2601 Millersport Highway Getzville, New York 14068	\$109,144.00

and

MEETING NO. 4
FEBRUARY 21, 2008

ERIE COUNTY LEGISLATURE

WHEREAS, the aforementioned lowest responsible bidder has successfully performed similar work in Erie County.

NOW, THEREFORE, BE IT

RESOLVED, that the Broadway West Pump Station Elimination Project, Contract No. 32, be awarded to Milherst Construction, Inc. 2601 Millersport Highway, Getzville, New York 14068, in the not-to-exceed amount of \$109,144.00; and be it further

RESOLVED, that the County Executive be, and hereby is, authorized to execute the Contract with the aforementioned lowest responsible bidder subject to approval as to form by the County Attorney and certification of availability of funds from the Project Fund Balance or an authorized advance from the General Fund by the Comptroller's Office, and be it further

RESOLVED, that the Comptroller is authorized and directed to allocate \$109,144.00 from Sewer Capital, Erie County Sewer District No. 1, Account C.00057 for Contract No. 32; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send one certified copy each of this Resolution to the County Executive; Director of Budget and Management; Erie County Comptroller's Office; Gregory Dudek, Assistant County Attorney and two (2) certified copies to Michael J. Quinn, P.E., Department of Environment and Planning.

MS. WHYTE moved to approve the item as amended. MR. KOZUB seconded.

CARRIED UNANIMOUSLY.

Item 29 – MS. WHYTE moved to discharge the ECONOMIC DEVELOPMENT COMMITTEE from further consideration of INTRO 26-6. MR. KENNEDY seconded. MR. RANZENHOFER, MS. GRANT, MR. MAZUR, MR. MILLS, MR. LOUGHRAN and MR. RATH voted in the negative.

CARRIED. (9-6)

RESOLUTION NO. 59

RE: Requesting the County Executive
to Appropriate Funds for Road
Improvements in the City of Buffalo
AS AMENDED
(INTRO 26-6)

**A RESOLUTION TO BE SUBMITTED BY
 LEGISLATORS KENNEDY, WHYTE, GRANT, KOZUB AND MILLER-WILLIAMS**

WHEREAS, the County Executive will propose a capital projects budget for the 2008 fiscal year; and

MEETING NO. 4
FEBRUARY 21, 2008

ERIE COUNTY LEGISLATURE

WHEREAS, road and infrastructure improvements throughout Erie County are funded through the capital projects budget; and

WHEREAS, the City of Buffalo is the economic center of our county with over 1600 lane miles; and

WHEREAS, a disparity exists in funding for county road projects outside the city limits as compared to within; and

WHEREAS, the City of Buffalo continues to invest in infrastructure improvements within the downtown corridor and throughout the City in general in an attempt to revive the urban core as a regional destination.

NOW, THEREFORE, BE IT

RESOLVED, that this honorable body, the Erie County Legislature, goes on record requesting the Erie County Executive include an appropriation of at least \$500,000 in the Proposed 2008 Capital Projects Budget to be used for right of way and road improvements in the City of Buffalo, and be it further

RESOLVED, that these funds, upon inclusion in the 2008 Proposed Capital Projects Budget and approval by the Erie County Legislature, shall be utilized solely for right of way and road improvements in the City of Buffalo, with the location and specific projects to be determined by the City of Buffalo, and be it further

RESOLVED, that certified copies of this resolution be forwarded to Erie County Executive Chris Collins, City of Buffalo Mayor Byron Brown, the Erie County Department of Public Works and the Commissioner and the City of Buffalo Public Works Commissioner.

MS. WHYTE moved to amend the item. MR. KENNEDY seconded. MR. LOUGHRAN voted in the negative.

CARRIED. (14-1)

Delete the second Resolve Clause in its entirety.

MS. WHYTE moved to approve the item as amended. MR. KENNEDY seconded.

CHAIR MARINELLI directed that a roll-call vote be taken.

AYES: GRANT, KENNEDY, KOZUB, MARINELLI, MILLER-WILLIAMS, REYNOLDS, WHYTE and WROBLEWSKI. NOES: MILLS, RANZENHOFER, RATH, IANNELLO, KONST, LOUGHRAN and MAZUR. (AYES: 8, NOES: 7)

CARRIED. (8-7)

SUSPENSION OF THE RULES

MEETING NO. 4
FEBRUARY 21, 2008

ERIE COUNTY LEGISLATURE

Item 30 - MS. WHYTE moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 4E-14 from REYNOLDS Re: Letter regarding absence from Legislative Committee Meetings for the week of February 25th thru February 22, 2008.

Received, Filed and Printed.

February 20, 2008

Honorable Lynn Marinelli, Chair
Erie County Legislature
Old County Hall
92 Franklin Street, Fourth Floor
Buffalo, New York 14202

Dear Chair Marinelli:

I am notifying you as to my absence from the Legislative Committee Meetings for the week of February 25th thru February 22, 2008. Regrettably, I will be unable to attend these meetings as I have already committed my attendance to an out-of-town event. I am sorry for any inconvenience that this may cause my fellow Legislators.

Thank you for your time and consideration. Please let me know if you need any further information.

Sincerely,

Robert B. Reynolds

cc: Robert M. Graber, Clerk of the Legislature

Item 31 - MS. WHYTE moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 4E-15 from the COMPTROLLER Re: Comptroller's Review of Proposed 2008-2009 New York State Executive Budget.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

COMMUNICATIONS FROM ELECTED OFFICIALS

MEETING NO. 4
FEBRUARY 21, 2008

ERIE COUNTY LEGISLATURE

FROM LEGISLATOR WHYTE

Item 32 – (COMM. 4E-1) Letter Concerning Meeting Absence

Received, Filed and Printed.

Mr. Robert M. Graber
 Erie County Legislature Clerk
 92 Franklin Street - 4th Floor
 Buffalo, NY 14202

Dear Mr. Graber,

On Thursday, February 14th, 2008 I will not be able to attend Committee meetings between 11:30 and 1:30 due to a previous commitment in my district that cannot be rescheduled. Please advise Committee Chairs of my absence. They may contact me through my district office if need be. Thank you for your timely attention to this matter. I appreciate your assistance.

Sincerely,

Maria R. Whyte
 Erie County Legislator – 6th District

FROM LEGISLATOR KONST

Item 33 – MS. WHYTE presented to following resolution and moved for immediate consideration and approval. MS. GRANT seconded. MS. KONST abstained.

CARRIED. (14-0-1)

RESOLUTION NO. 60

RE: Lease Agreement for
 Legislative Office Space
 (COMM. 4E-2)

RESOLVED, the Erie County Executive is hereby authorized to sign a Two (2) Year Lease Agreement with the Lancaster Area Chamber of Commerce for Legislative office space for Kathy Konst, located at 41 Central Ave., Lancaster, NY 14086 for a monthly rate of \$550.

FROM THE COUNTY CLERK

Item 34 – (COMM. 4E-3) County Clerk's Recording Page Concerning EC Sewer District No. 8

Received & Filed.

FROM THE COUNTY EXECUTIVE

MEETING NO. 4
FEBRUARY 21, 2008

ERIE COUNTY LEGISLATURE

Item 35 – (COMM. 4E-4) Department of Environment & Planning - Variable Minimum

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 36 – (COMM. 4E-5) County Attorney - Variable Minimum Change

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

Item 37 – (COMM. 4E-6) Appointment to Erie County Fisheries Advisory Board

Item 38 – (COMM. 4E-7) EC Sewer District No. 6 - Intermunicipal Agreement

The above two items were received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 39 – (COMM. 4E-8) EC Dept. of Public Works - Division of Highways - Response to NYDOT Bridge Inspections Concerning County Bridges

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 40 – (COMM. 4E-9) EC Dept. of Senior Services - Authorization to Revise the III-C-1 Grant Budget

Item 41 – (COMM. 4E-10) EC Dept. of Senior Services - Authorization to Amend the CSE, EISEP and HIICAP Grant Budgets

The above two items were received and referred to the HEALTH & HUMAN SERVICE COMMITTEE.

FROM LEGISLATOR LOUGHRAN

Item 42 – MS. WHYTE presented to following resolution and moved for immediate consideration and approval. MR. REYNOLDS seconded. MR. LOUGHRAN abstained.

CARRIED. (14-0-1)

RESOLUTION NO. 61

RE: Lease Agreement for
 Legislative Office Space
 (COMM. 4E-11)

RESOLVED, the Erie County Executive is hereby authorized to sign a One (1) Year Lease Agreement with 3rd Partners L.L.C. for Legislative office space for Thomas A. Loughran, located at 7 Bernhardt Drive, Amherst, NY 14226 for a monthly rate of \$650.

FROM LEGISLATOR RATH

MEETING NO. 4
FEBRUARY 21, 2008

ERIE COUNTY LEGISLATURE

Item 43 – MS. WHYTE presented to following resolution and moved for immediate consideration and approval. MS. MILLER-WILLIAMS seconded. MR. RATH abstained.

CARRIED. (14-0-1)

RESOLUTION NO. 62

RE: Lease Agreement for
 Legislative Office Space
 (COMM. 4E-12)

RESOLVED, the Erie County Executive is hereby authorized to sign a Two (2) Year Lease Agreement with Center Associates for Legislative office space for Edward A. Rath, III, located at 5500 Main Street, Suite #1, Williamsville, NY 14221 for a monthly rate of \$690.

FROM THE COUNTY CLERK

Item 44 – MS. WHYTE presented to following resolution and moved for immediate consideration. MR. KENNEDY seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 63

RE: County Clerk Enhanced
 Drivers Licenses
 (COMM. 4E-13)

MS. WHYTE moved to amend the item. MR. KENNEDY seconded.

CARRIED UNANIMOUSLY.

Insert the following Resolution:

WHEREAS, the Erie County Clerk is mandated by State law to provide auto bureau services, including the processing of enhanced licenses beginning in 2008 on a date to be determined, and

WHEREAS, the enhanced licensing process is much more time-consuming and labor intensive, processing time will be prolonged to a volume which is scheduled to exceed four (4) times our monthly average, beginning for renewals in April, 2009, and

WHEREAS, Enhanced licenses are an improved form of personal identification for residents of Erie County, which will be acceptable to border agents in Canada and Mexico, and

WHEREAS, the 2008 Budget did not anticipate the processing of enhanced licenses since the NYS Department of Motor Vehicles only recently released projected volume estimates of individuals who will obtain an enhanced license, which is expected to be 173,300 customers, and

WHEREAS, the County Clerk has developed plans to further enhance revenue and improve service and operations, and

MEETING NO. 4
FEBRUARY 21, 2008

ERIE COUNTY LEGISLATURE

WHEREAS, the Clerk requires the assistance of a higher grade management position to accomplish the service and revenue enhancements, and

WHEREAS, the NYS Department of Motor Vehicles allows counties to retain 30% of the additional fee for enhanced drivers licenses, and

WHEREAS, it is anticipated that in 2008 Erie County will generate sufficient funds to match the additional expense required to implement this new program and also fund the upgrade in the Registrar Division.

NOW, THEREFORE, BE IT

RESOLVED, that authorization is hereby provided to add 15 positions of Motor Vehicle Rep RPT to the budget of the Auto Bureau in order to assist in the implementation of the Enhanced Drivers License Program and to upgrade the title of Administrative Secretarial Assistant to the County Clerk job group 10 to job group 16, in the Registrars Division in order to assist in department wide revenue and service enhancements, and be it further

RESOLVED, that authorization is hereby provided to add 15 positions of Motor Vehicle Rep RPT to the budget of the Auto Bureau in order to assist in the implementation of the Enhanced Drivers License Program, and be it further

RESOLVED, that authorization is hereby provided to the Division of Budget to adjust the 2008 Budget of the County Clerk as follows:

County Clerk Auto Bureau Fund Center 11320	
Revenue	Increase
Enhanced Drivers License Fee	754,110
Expense	
Acct 500000 Regular Part Time	283,432
Acct 502000 Fringe Benefits	116,207
545000 Rent/ Expansion of Existing Space	75,000
516020 Professional Services	4,000
561410 Lab and Technical Eqp	154,000
561420 Office Eqp	<u>105,000</u>
Total Auto Bureau Expense Increase	737,639
County Clerk Registrar Fund Center 11310	
Acct 500000 Full time Salaries	14,706
Acct 502000 Fringe Benefits	<u>1,765</u>
Total Registrar Expense Increase	16,471
Total County Clerk Increase	754,110
Net Change	0

and be it further

RESOLVED, that the Erie County Clerk is encouraged to seek efficiency grant funding from the Erie County Fiscal Stability Authority for these purposes, and be it further

RESOLVED, that certified copies of this resolution be sent to the County Executive, the County Clerk, the County Comptroller, the County Attorney, the Personnel Commissioner, Erie County Fiscal Stability Authority and the Director of Budget and Management.

MS. WHYTE moved to further amend the item. MR. RATH seconded.

CARRIED UNANIMOUSLY.

After the third Resolved Clause, insert the following:

RESOLVED, that the Erie County Clerk provide a cost per unit of service assessment to the Erie County Legislature Finance & Management Committee, Erie County Budget Director and Erie County Comptroller quarterly, beginning March 31, 2009, to analyze the efficiency and necessity of the additional requested positions, and be it further

MS. WHYTE moved to approve the item as amended. MS. IANNELLO seconded.

CARRIED UNANIMOUSLY.

COMMUNICATIONS FROM THE DEPARTMENTS

FROM THE COUNTY ATTORNEY

Item 45 – (COMM. 4D-1) Transmittal of New Claims Against Erie County

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES

FROM CHRISTOPHER DUQUIN, ET AL

Item 46 – (COMM. 4M-1) Letter to County Executive Concerning Budget Compliance with Erie County Charter

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE NFTA

Item 47 – (COMM. 4M-2) Copies of 17A and Capital Expenditure Reports for First Quarter of Fiscal Year 2008

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM CULTURAL CONCERT INTERNATIONAL

Item 48 – (COMM. 4M-3) International All-Star Sports Council - Morality in Sports and Elsewhere

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM THE MAYOR OF BUFFALO

Item 49 – (COMM. 4M-4) Buffalo and Erie County Public Library Board of Trustees Apointments

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM ECMCC

Item 50 – (COMM. 4M-5) Minutes of Meeting Held on February 7, 2008

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

FROM KEVIN P. GAUGHAN

Item 51 – (COMM. 4M-6) Letter Concerning Addressing Legislature on His Study of Local Government

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE LEGAL AID BUREAU OF BUFFALO, INC

Item 52 – (COMM. 4M-7) Monthly Report and Monthly Activity Report for January 2008

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE TOWN OF EVANS

Item 53 – (COMM. 4M-8) Town of Evans Veterans' Committee

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

FROM THE TOWN OF ELMA

Item 54 – (COMM. 4M-9) Copy of Resolution to Retain School Resource Officer Assignments of NYS Police

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM NYS SENATOR RATH

Item 55 – (COMM. 4M-10) Acknowledgment of Receipt of Certified Resolution

Received and Filed.

MEMORIAL RESOLUTIONS

Item 56 – Chair Marinelli requested that when the Legislature adjourns, it do so in memory of Mary Pat Bruke and David H. Gruen.

Item 57 - Legislator Kennedy requested that when the Legislature adjourns, it do so in memory of James Patrick Sheehan.

Item 58 - Legislator Mazur requested that when the Legislature adjourns, it do so in memory of James D. Tasa.

Item 59 - Legislator Iannello requested that when the Legislature adjourns, it do so in memory of Leon David Carr.

ADJOURNMENT

Item 60 - At this time, there being no further business to transact, CHAIR MARINELLI announced that the Chair would entertain a Motion to Adjourn.

MR. KOZUB moved that the Legislature adjourn until Thursday, March 6, 2008 at 2:00 p.m. Eastern Standard Time. MR. MAZUR seconded.

CARRIED UNANIMOUSLY.

CHAIR MARINELLI declared the Legislature adjourned until Thursday, March 6, 2008 at 2:00 p.m. Eastern Standard Time.

**ROBERT M. GRABER
CLERK OF THE LEGISLATURE**