

**MEETING NO. 9**  
**MAY 3, 2007**

**ERIE COUNTY LEGISLATURE**

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**MEETING NO. 9**  
**MAY 3, 2007**

The Legislature was called to order by Chairman Marinelli.

All members present except Legislator Miller-Williams.

A Moment of Silence was held.

The Pledge of Allegiance was led by Legislator Konst.

Item 1 – No tabled items.

Item 2 – No items for reconsideration from previous meetings.

Item 3 – MS. WHYTE moved for the approval of minutes for Meeting 7 of 2007. MR. KOZUB seconded.

CARRIED UNANIMOUSLY.

Item 4 - No Public Hearings.

**MISCELLANEOUS RESOLUTIONS**

Item 5 – MILLER-WILLIAMS and GRANT presented a resolution Recognizing Children's Mental Health Awareness Day on 5/8/07.

Item 6 - MILLER-WILLIAMS and GRANT presented a resolution Recognizing the 8th Judicial District Committee to Promote Public Trust and Confidence in the Court Annual Law Day - 5/8/07.

Item 7 - MILLER-WILLIAMS and GRANT presented a resolution Honoring St. John's Baptist Church Upon Celebrating Their 80th Anniversary.

Item 8 - MILLER-WILLIAMS and GRANT presented a resolution In Memory of Daniel S. Workman Jr.

Item 9 – MS. MARINELLI presented a resolution Honoring St. Joe's Jazz Band Upon Winning the 2007 Disney World High School Jazz Ensemble Competition.

Item 10 – WEINSTEIN & RANZENHOFER presented a resolution Honoring Lougen, Valenti, Bookbinder & Weintraub Upon Reception of the Amherst Chamber of Commerce 2007 Zenith Award.

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Item 11 – WEINSTEIN & RANZENHOFER presented a resolution Honoring Angie Kleeh Upon Reception of the Amherst Chamber of Commerce 2007 Small Business Person of the Year Award.

Item 12 – WEINSTEIN & RANZENHOFER presented a resolution Honoring Vaspian LLC Upon Reception of the Amherst Chamber of Commerce 2007 At Your Service Award.

Item 13 – WEINSTEIN & RANZENHOFER presented a resolution Honoring John Chmarney Upon Reception of the Amherst Chamber of Commerce 2007 Champion Award.

Item 14 – WEINSTEIN & RANZENHOFER presented a resolution Honoring Dr. Laurel White Upon Reception of the Amherst Chamber of Commerce 2007 Innovation Award.

Item 15 – WEINSTEIN & RANZENHOFER presented a resolution Congratulating the Amherst Senior Center Volunteers for Providing Responsible and Comprehensive Services to the Senior Citizens of Our Community.

Item 16 – MILLER-WILLIAMS & GRANT presented a resolution In Memory of Annie M. Hunter.

Item 17 – MILLER-WILLIAMS & GRANT presented a resolution In Memory of Rev. Whitfield Washington Jr.

Item 18 – MS. WHYTE presented a resolution Honoring Journey's End Refugee Service.

Item 19 – MR. REYNOLDS presented a resolution In Memory of Edwin R. Winter.

Item 20 – MR. REYNOLDS presented a resolution In Memory of David C. Brinkerhoff.

Item 21 – MS. MARINELLI presented a resolution Honoring Jonathan Benamoz, Charles Johnston and Andrew Wielgas of Troop 58 Upon Reaching the Rank of Eagle Scout.

Item 22 – MS. MARINELLI presented a resolution Honoring May 2007 as National Block Club Month in Erie County.

Item 23 – MR. KENNEDY presented a resolution Recognizing Jack Donohue's Leadership and Service To The Community by Naming the Former South Side Track the Jack Donohue Memorial Track.

Item 24 – MR. REYNOLDS presented a resolution Recognizing May 2007 as National Motorcycle Month in Erie County.

MS. WHYTE presented the above twenty items and moved for immediate consideration. MR. KOZUB seconded.

CARRIED UNANIMOUSLY.

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MS. WHYTE moved to amend the above twelve items for Et Al Sponsorship. MR. KOZUB seconded.

CARRIED UNANIMOUSLY.

MS. WHYTE moved to approve the above twenty items as amended. MR. KENNEDY seconded.

CARRIED UNANIMOUSLY.

### **LOCAL LAWS**

Item 25 - CHAIRPERSON MARINELLI directed that Local Law No. 4 (Print #1) 2006 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 26- CHAIRPERSON MARINELLI directed that Local Law No. 5 (Print #1) 2006 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 27 - CHAIRPERSON MARINELLI directed that Local Law No. 6 (Print #1) 2006 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 28 - CHAIRPERSON MARINELLI directed that Local Law No. 8 (Print #1) 2006 remain on the table and in the ECONOMIC DEVELOPMENT COMMITTEE.

GRANTED.

Item 29 - CHAIRPERSON MARINELLI directed that Local Law No. 1 (Print #1) 2007 remain on the table and in the PERSONNEL COMMITTEE.

GRANTED.

Item 30 – CHAIRPERSON MARINELLI directed that Local Law No. 3 (Print #1) 2007 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

### **COMMITTEE REPORTS**

Item 31 - MR. REYNOLDS presented the following report and moved for immediate consideration and approval. MS. KONST seconded.

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CARRIED UNANIMOUSLY.

RESOLUTION NO. 122

APRIL 24, 2007

FINANCE & MANAGEMENT COMMITTEE  
 REPORT NO. 7

ALL MEMBERS PRESENT. CHAIRPERSON MARINELLI PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
  - a. COMM. 7E-3 (2007)  
**COMPTROLLER:** Copy of Letter to ECFSA Chair Re: Response to 3/26/07 ECFSA Board Discussion  
 (3-0)
  - b. COMM. 7E-28 (2007)  
**COUNTY EXECUTIVE:** Copy of Letter to ECFSA Chair Re: XSPAND Contract  
 (3-0)
  - c. COMM. 8E-1 (2007)  
**COUNTY EXECUTIVE:** Copy of Letter to ECFSA Chair Re: XSPAND Contract  
 (3-0)
  - d. COMM. 8M-3 (2007)  
**OFFICE OF NYS COMPTROLLER:** Draft Findings of Our Recent Examination of the Office of Public Administrator  
 (3-0)
  - e. COMM. 8M-7 (2007)  
**CHIEF COURT ATTORNEY - ERIE COUNTY SURROGATE'S COURT:** Copy of Letter to Associate Examiner of Municipal Affairs, NYS Comptroller Re: Comm. 8M-3  
 (3-0)
  - d. COMM. 8M-9 (2007)  
**NYSAC:** 2007-08 Enacted State Budget Impact on County Government  
 (3-0)
  - e. COMM. 8M-12 (2007)  
**ECFSA:** Xspand Contract  
 (3-0)
2. COMM. 2D-3 (2007) **AS AMENDED**  
**BUDGET, MANAGEMENT & FINANCE**

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**ERIE COUNTY LEGISLATURE**

WHEREAS, the Erie County Director of Real Property Tax Services has received applications for corrected tax billings and / or refunds for taxes previously paid in accordance with New York State Real Property Tax Law sections 554 and 556 and

WHEREAS, the Director has investigated the validity of such applications (see attached listing).

NOW, THEREFORE, BE IT

RESOLVED, that petitions numbered 207199 through 207253 inclusive be hereby approved based upon the recommendation of the Director of Real Property Services and be charged back to the applicable towns and / or cities.

FISCAL YEAR	2007	Petition No.	207199
	ASSESSOR	Cancel	\$155.91
S-B-L	223.20-2-9	144000 EDEN	
	Acct. No. 112	\$87.83	County
	Acct. No. 132	\$68.08	Town/SpecialDist/School
<u>Charge To :</u>	144000 EDEN	\$68.08	

CANCEL - CLERICAL ERROR, THE VETERAN'S EXEMPTION IN THE AMOUNT OF 12,600 WAS OMITTED FROM THE TAX ROLL IN ERROR. RPTL 550(2)C

FISCAL YEAR	2007	Petition No.	207200
	ASSESSOR	Refund	\$225.00
S-B-L	164.16-4-33.22	142289 AURORA	
	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$225.00	Town/SpecialDist/School
	24603 AURORA TOWN #8 ECSD	\$225.00	
<u>Charge To :</u>	142289 AURORA	\$0.00	

REFUND - CLERICAL ERROR, THE FRONTAGE FOR SEWER TAX DOES NOT APPLY THIS IS A PRIVATE STREET. RPTL 550(2)E  
 CHECK FOR: MARTIN A KUNTZ

FISCAL YEAR	2007	Petition No.	207201
	ASSESSOR	Refund	\$135.04

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**ERIE COUNTY LEGISLATURE**

S-B-L 67.78-7-18

146489 TONAWANDA

	Acct. No. 112	\$61.07	County
	Acct. No. 132	\$73.97	Town/SpecialDist/School
<u>Charge To :</u>	146489 TONAWANDA	\$73.97	

REFUND - CLERICAL ERROR, THE VETERAN'S EXEMPTION IN THE AMOUNT OF 6,270 WAS OMITTED FROM THE TAX ROLL IN ERROR. RPTL 550(2)C

CHECK FOR: JILL GRADLE

FISCAL YEAR 2007                      Petition No.                      207202

ASSESSOR                      Cancel                      \$38.40

S-B-L 167.00-1-16

146600 WALES

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$38.40	Town/SpecialDist/School
<u>Charge To :</u>	146600 WALES	\$38.40	

CANCEL - CLERICAL ERROR, PARCEL IS ENTITLED TO A 3 MONTH EXEMPTION ON THE REFUSE TAX. RPTL 550(2)E

FISCAL YEAR 2006                      Petition No.                      207203

ASSESSOR                      Refund                      \$664.21

S-B-L 123.12-1-1.1

146800 WEST SENECA

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$664.21	Town/SpecialDist/School
<u>Charge To :</u>	146800 WEST SENECA	\$664.21	
	Relevy School	\$664.21	143009 SLOAN UNION #9

REFUND - UNLAWFUL ENTRY , ASSESSED VALUE EXCEEDS THAT SET BY THE STATE BOARD ASSESSED VALUE WAS 82,296 SHOULD BE 70,328. RPTL 550(7)E  
 CHECK FOR: PENNSYLVANIA LINES % NORFOLK SOUTHERN

FISCAL YEAR 2007                      Petition No.                      207204

ASSESSOR                      Refund                      \$371.66

S-B-L 123.12-1-1.1

146800 WEST SENECA

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	Acct. No. 112	\$120.91	County
	Acct. No. 132	\$250.75	Town/SpecialDist/School
68020 W SENECA FIRE D #1		\$38.41	
<u>Charge To :</u>	146800 WEST SENECA		\$212.34

REFUND - UNLAWFUL ENTRY, SPECIAL FRANCHISE EXCEED VALUE SET BY STATE BOARD. THE ASSESSED VALUE WAS 82,296 AND SHOULD BE 70,328. RPTL 550(7)E  
 CHECK FOR: PENNSYLVANIA LINES % NORFOLK & SOUTHERN

FISCAL YEAR 2006                      Petition No.                      207205

ASSESSOR                      Refund

S-B-L 123.20-1-32.3/A                      146800 WEST SENECA

	Acct. No. 112	\$0.00	County
	Acct. No. 132		Town/SpecialDist/School
<u>Charge To :</u>	146800 WEST SENECA		
	Relevy School	\$397.95	146801 WEST SENECA CENT

REFUND - UNLAWFUL ENTRY, SPECIAL FRANCHISE EXCEEDS THE VALUE SET BY STATE BOARD. ASSESSED VALUE WAS 140,904 AND SHOULD BE 128,936. RPTL 550(7)E  
 CHECK FOR: PENNSYLVANIA LINES % NORFOLK & SOUTHERN

FISCAL YEAR 2006                      Petition No.                      207206

ASSESSOR                      Refund                      \$422.87

S-B-L 142.12-13-1.1/A                      146800 WEST SENECA

	Acct. No. 112	\$120.90	County
	Acct. No. 132	\$301.97	Town/SpecialDist/School
68022 W SENECA FIRE D#3		\$38.40	
68265 SA SEWER 6 MAIN		\$51.23	
<u>Charge To :</u>	146800 WEST SENECA		\$212.34

REFUND - UNLAWFUL ENTRY, SPECIAL FRANCHISE VALUE EXCEEDS THAT SET BY STATE BOARD. ASSESSED VALUE WAS 280,212 AND SHOULD BE 268,244. RPTL 550(7)E  
 REFUND - PENNSYLVANIA LINES % NORFOLK & SOUTHERN

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**ERIE COUNTY LEGISLATURE**

FISCAL YEAR 2006                      Petition No.                      207207

ASSESSOR                      Refund                      \$399.48

S-B-L 134.17-3-10    146800 WEST SENECA

Acct. No. 112	\$0.00	County
Acct. No. 132	\$399.48	Town/SpecialDist/School
<u>Charge To :</u> 146800 WEST SENECA	\$399.48	
Relevy School	\$399.48	146801 WEST SENECA CENT

REFUND - UNLAWFUL ENTRY, SPECIAL FRANCHISE EXCEEDS THAT SET BY STATE BOARD. ASSESSED VALUE WAS 165,904 AND SHOULD BE 153,890. RPTL 550(7)E  
CHECK FOR: PENNSYLVANIA LINES % NORFOLK & SOUTHERN

FISCAL YEAR 2007                      Petition No.                      207208

ASSESSOR                      Refund                      \$383.39

S-B-L 134.17-3-10    146800 WEST SENECA

Acct. No. 112	\$121.37	County
Acct. No. 132	\$262.02	Town/SpecialDist/School
68024 W SENECA FIRE D#5	\$48.86	
<u>Charge To :</u> 146800 WEST SENECA	\$213.16	

REFUND - UNLAWFUL ENTRY, SPECIAL FRANCHISE ASSESSED VALUE EXCEEDS THAT SET BY STATE BOARD. ASSESSED VALUE WAS 165,904 AND SHOULD BE 153,890. RPTL 550(7)E  
CHECK FOR: PENNSYLVANIA LINES % NORFOLK & SOUTHERN

FISCAL YEAR 2007                      Petition No.                      207209

ASSESSOR                      Refund                      \$451.65

S-B-L 142.12-13-1.1/A    146800 WEST SENECA

Acct. No. 112	\$120.91	County
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**ERIE COUNTY LEGISLATURE**

	Acct. No. 132	\$330.74	Town/SpecialDist/School
	68022 W SENECA FIRE D#3	\$19.75	
	68261 SA SEWER 5 EX ARE	\$98.65	
<u>Charge To :</u>	146800 WEST SENECA	\$212.34	

REFUND - UNLAWFUL ENTRY, SPECIAL FRANCHISE VALUE EXCEEDS THAT SET BY STATE BOARD. ASSESSED VALUE WAS 280,212 AND SHOULD BE 268,244. RPTL 550(7)E  
 REFUND - PENNSYLVANIA LINES % NORFOLK & SOUTHERN

FISCAL YEAR 2006                      Petition No.                      207210

ASSESSOR                      Refund                      \$397.94

S-B-L 142.12-13-1.1/A                      146800 WEST SENECA

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$397.94	Town/SpecialDist/School
<u>Charge To :</u>	146800 WEST SENECA	\$397.94	
	Relevy School	\$397.94	146801 WEST SENECA CENT

REFUND - UNLAWFUL ENTRY, SPECIAL FRANCHISE VALUE EXCEEDS THAT SET BY STATE BOARD. ASSESSED VALUE WAS 280,212 AND SHOULD BE 268,244. RPTL 550(7)E  
 CHECK FOR: PENNSYLVANIA LINES % NORFOLK & SOUTHERN

FISCAL YEAR 2007                      Petition No.                      207211

ASSESSOR                      Refund                      \$488.21

S-B-L 777.00-43-1                      146800 WEST SENECA

	Acct. No. 112	\$120.89	County
	Acct. No. 132	\$367.32	Town/SpecialDist/School
	68020 W SENECA FIRE D #1	\$28.12	
	68021 W SENECA FIRE D#2	\$17.44	
	68022 W SENECA FIRE D#3	\$8.55	
	68023 W SENECA FIRE D#4	\$14.81	
	68024 W SENECA FIRE D#5	\$75.41	
	68025 W SENECA FIRE #6	\$10.65	
<u>Charge To :</u>	146800 WEST SENECA	\$212.34	

UNLAWFUL ENTRY, SPECIAL FRANCHISE VALUE EXCEEDS THAT SET BY STATE BOARD. ASSESSED VALUE WAS 115,904 AND SHOULD BE 103,936. RPTL 550(7)E



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	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$397.94	Town/SpecialDist/School
<u>Charge To :</u>	146800 WEST SENECA	\$397.94	
	Relevy School	\$397.94	146801 WEST SENECA CENT

REFUND - UNLAWFUL ENTRY, SPECIAL FRANCHISE VALUE EXCEEDS THAT SET BY STATE BOARD. ASSESSED VALUE WAS 145,904 AND SHOULD BE 133,936.

RPTL 550(7)E

CHECK FOR: PENNSYLVANIA LINES % NORFOLK & SOUTHERN

FISCAL YEAR 2007                      Petition No.                      207215

ASSESSOR                      Refund                      \$103,193.1

S-B-L 777.00-43-3                      146800 WEST SENECA

	Acct. No. 112	\$120.89	County
	Acct. No. 132	\$103,072.28	Town/SpecialDist/School
68020	W SENECA FIRE D #1	\$24.85	
68021	W SENECA FIRE D#2	\$3.53	
68022	W SENECA FIRE D#3	\$0.85	
68023	W SENECA FIRE D#4	\$1.48	
68024	W SENECA FIRE D#5	\$2.10	
68025	W SENECA FIRE #6	\$102,827.13	
<u>Charge To :</u>	146800 WEST SENECA	\$212.34	

REFUND - UNLAWFUL ENTRY, SPECIAL FRANCHISE VALUE EXCEEDS THAT SET BY STATE BOARD. ASSESSED VALUE WAS 115,904 AND SHOULD BE 103,936.

RPTL 550(7)E

CHECK FOR: PENNSYLVANIA LINES % NORFOLK & SOUTHERN

FISCAL YEAR 2006                      Petition No.                      207216

ASSESSOR                      Refund                      \$397.95

S-B-L 777.00-43-3                      146800 WEST SENECA

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$397.95	Town/SpecialDist/School
<u>Charge To :</u>	146800 WEST SENECA	\$397.95	
	Relevy School	\$397.95	146801 WEST SENECA CENT

REFUND - UNLAWFUL ENTRY, SPECIAL FRANCHISE VALUE EXCEEDS THAT SET BY STATE BOARD. ASSESSED VALUE WAS 115,904 AND SHOULD BE 103,936. RPTL 550(7)E

CHECK FOR: PENNSYLVANIA LINES % NORFOLK & SOUTHERN



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S-B-L 777.00-43-5 146800 WEST SENECA

	Acct. No. 112	\$120.90	County
	Acct. No. 132	\$446.21	Town/SpecialDist/School
68020	W SENECA FIRE D #1	\$30.82	
68021	W SENECA FIRE D#2	\$29.34	
68022	W SENECA FIRE D#3	\$3.38	
68023	W SENECA FIRE D#4	\$27.46	
68024	W SENECA FIRE D#5	\$123.12	
68025	W SENECA FIRE #6	\$19.76	
<u>Charge To :</u>	146800 WEST SENECA	\$212.33	

REFUND - UNLAWFUL ENTRY, SPECIAL FRANCHISE VALUE EXCEEDS THAT SET BY STATE BOARD. ASSESSED VALUE WAS 65,904 AND SHOULD BE 53,936. RPTL 550(7)E CHECK FOR: PENNSYLVANIA LINES % NOROLK & SOUTHERN  
 FISCAL YEAR 2006 Petition No. 207220

ASSESSOR Refund \$397.95

S-B-L 777.00-43-5 146800 WEST SENECA

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$397.95	Town/SpecialDist/School
<u>Charge To :</u>	146800 WEST SENECA	\$397.95	
	Relevy School	\$397.95	146801 WEST SENECA CENT

REFUND - UNLAWFUL ENTRY, SPECIAL FRANCHISE VALUE EXCEEDS THAT SET BY STATE BOARD. ASSESSED VALUE WAS 65,904 AND SHOULD BE 53,936. RPTL 550(7)E CHECK FOR: PENNSYLVANIA LINES % NORFOLK & SOUTHERN

FISCAL YEAR 2007 Petition No. 207221

ASSESSOR Refund \$866.88

S-B-L 777.00-43-6 146800 WEST SENECA

	Acct. No. 112	\$120.90	County
	Acct. No. 132	\$745.98	Town/SpecialDist/School
68020	W SENECA FIRE D #1	\$98.23	
68021	W SENECA FIRE D#2	\$66.16	
68022	W SENECA FIRE D#3	\$50.02	
68023	W SENECA FIRE D#4	\$87.37	
68024	W SENECA FIRE D#5	\$168.25	
68025	W SENECA FIRE #6	\$63.61	
<u>Charge To :</u>	146800 WEST SENECA	\$212.34	



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	Acct. No. 112	\$120.90	County
	Acct. No. 132	\$1,433.24	Town/SpecialDist/School
68020	W SENECA FIRE D #1	\$166.84	
68021	W SENECA FIRE D#2	\$105.76	
68022	W SENECA FIRE D#3	\$85.70	
68023	W SENECA FIRE D#4	\$148.59	
68024	W SENECA FIRE D#5	\$609.08	
68025	W SENECA FIRE #6	\$104.93	
<u>Charge To :</u>	146800 WEST SENECA		\$212.34

REFUND - UNLAWFUL ENTRY, SPECIAL FRANCHISE VALUE EXCEEDS THAT SET BY STATE BOARD. ASSESSED VALUE WAS 182,427 AND SHOULD BE 170,459. RPTL 550(7)E  
 CHECK FOR: PENNSYLVANIA LINES % NORFOLK & SOUTHERN

FISCAL YEAR 2006                      Petition No.                      207225

ASSESSOR                      Refund                      \$397.94

S-B-L 777.00-43-8                      146800 WEST SENECA

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$397.94	Town/SpecialDist/School
<u>Charge To :</u>	146800 WEST SENECA		\$397.94
	Relevy School	\$397.94	146801 WEST SENECA CENT

REFUND-UNLAWFUL ENTRY, SPECIAL FRANCHISE VALUE EXCEEDS THAT SET BY STATE BOARD. ASSESSED VALUE WAS 118,581 AND SHOULD BE 106,613. RPTL 550(7)E  
 CHECK FOR: PENNSYLVANIA LINES & NORFOLK % SOUTHERN

FISCAL YEAR 2007                      Petition No.                      207226

ASSESSOR                      Refund                      \$934.57

S-B-L 777.00-43-8                      146800 WEST SENECA

	Acct. No. 112	\$120.87	County
	Acct. No. 132	\$813.70	Town/SpecialDist/School
68020	W SENECA FIRE D #1	\$50.57	
68021	W SENECA FIRE D#2	\$42.85	
68022	W SENECA FIRE D#3	\$26.00	
68023	W SENECA FIRE D#4	\$45.04	
68024	W SENECA FIRE D#5	\$404.48	





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S-B-L 777.00-43-10 146800 WEST SENECA

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$664.21	Town/SpecialDist/School
<u>Charge To :</u>	146800 WEST SENECA	\$664.21	
	Relevy School	\$664.21	143009 SLOAN UNION #9

REFUND - UNLAWFUL ENTRY, SPECIAL FRANCHISE VALUE EXCEEDS THAT SET BY STATE BOARD. ASSESSED VALUE WAS 207,709 AND SHOULD BE 195,741.

RPTL 550(7)E

CHECK FOR: PENNSYLVANIA LINES % NORFOLK & SOUTHERN

FISCAL YEAR 2007 Petition No. 207230

ASSESSOR Refund \$369.41

S-B-L 777.00-43-10 146800 WEST SENECA

	Acct. No. 112	\$120.91	County
	Acct. No. 132	\$248.50	Town/SpecialDist/School
68020	W SENECA FIRE D #1	\$3.70	
68021	W SENECA FIRE D#2	\$3.38	
68022	W SENECA FIRE D#3	\$1.90	
68023	W SENECA FIRE D#4	\$3.29	
68024	W SENECA FIRE D#5	\$21.53	
68025	W SENECA FIRE #6	\$2.36	
<u>Charge To :</u>	146800 WEST SENECA	\$212.34	

REFUND - UNLAWFUL ENTRY, SPECIAL FRANCHISE VALUE EXCEEDS THAT SET BY STATE BOARD. ASSESSED VALUE WAS 207,709 AND SHOULD BE 195,741. RPTL 550(7)E  
 CHECK FOR: PENNSYLVANIA LINES % NORFOLK & SOUTHERN

FISCAL YEAR 2006 Petition No. 207231

ASSESSOR Refund \$664.21

S-B-L 777.00-43-11 146800 WEST SENECA

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$664.21	Town/SpecialDist/School
<u>Charge To :</u>	146800 WEST SENECA	\$664.21	
	Relevy School	\$664.21	143009 SLOAN UNION #9

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REFUND- UNLAWFUL ENTRY, SPECIAL FRANCHISE VALUE EXCEEDS THAT SET BY STATE BOARD. ASSESSED VALUE 84,966 AND SHOULD BE 72,998. RPTL 550(7)E  
 CHECK FOR: PENNSYLVANIA LINES %NORFOLK & SOUTHERN

FISCAL YEAR 2007                      Petition No.                      207232

ASSESSOR                      Refund                      \$818.49

S-B-L 777.00-43-11                      146800 WEST SENECA

Acct. No. 112                      \$120.90                      County

Acct. No. 132                      \$697.59                      Town/SpecialDist/School

68020 W SENECA FIRE D #1                      \$75.69

68021 W SENECA FIRE D#2                      \$47.09

68022 W SENECA FIRE D#3                      \$38.92

68023 W SENECA FIRE D#4                      \$67.42

68024 W SENECA FIRE D#5                      \$207.63

68025 W SENECA FIRE #6                      \$48.51

Charge To :                      146800 WEST SENECA                      \$212.33

REFUND- UNLAWFUL ENTRY, SPECIAL FRANCHISE VALUE EXCEEDS THAT SET BY STATE BOARD. ASSESSED VALUE WAS 84,966 AND SHOULD BE 72,998. RPTL 550(7)E  
 CHECK FOR: PENNSYLVANIA LINES % NORFOLK & SOUTHERN

FISCAL YEAR 2006                      Petition No.                      207233

ASSESSOR                      Refund                      \$399.48

S-B-L 777.0-43-12                      146800 WEST SENECA

Acct. No. 112                      \$0.00                      County

Acct. No. 132                      \$399.48                      Town/SpecialDist/School

Charge To :                      146800 WEST SENECA                      \$399.48

Relevy School                      \$399.48                      146801 WEST SENECA CENT

REFUND - UNLAWFUL ENTRY, SPECIAL FRANCHISE VALUE EXCEEDS THAT SET BY STATE BOARD. ASSESSED VALUE WAS 190,867 AND SHOULD BE 178,853. RPTL 550(7)E  
 CHECK FOR: PENNSYLVANIA LINES % NORFOLK & SOUTHERN

FISCAL YEAR 2007                      Petition No.                      207234

**MEETING NO. 9**  
**MAY 3, 2007**

**ERIE COUNTY LEGISLATURE**

ASSESSOR Refund \$672.38

S-B-L 777.00-43-12 146800 WEST SENECA

	Acct. No. 112	\$121.39	County
	Acct. No. 132	\$550.99	Town/SpecialDist/School
68020	W SENECA FIRE D #1	\$37.08	
68021	W SENECA FIRE D#2	\$28.89	
68022	W SENECA FIRE D#3	\$19.36	
68023	W SENECA FIRE D#4	\$33.02	
68024	W SENECA FIRE D#5	\$195.72	
68025	W SENECA FIRE #6	\$23.76	

Charge To : 146800 WEST SENECA \$213.16

REFUND- UNLAWFUL ENTRY, SPECIAL FRANCHISE VALUE EXCEEDS THAT SET BY STATE BOARD. ASSESSED VALUE WAS 190,867 AND SHOULD BE 178,853. RPTL 550(7)E  
 CHECK FOR: PENNYSLVANIA LINES % NORFOLK SOUTHERN  
 FISCAL YEAR 2006 Petition No. 207235

ASSESSOR Refund \$397.94

S-B-L 777.00-43-13 146800 WEST SENECA

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$397.94	Town/SpecialDist/School
<u>Charge To :</u>	146800 WEST SENECA	\$397.94	
	Relevy School	\$397.94	146801 WEST SENECA CENT

REFUND- UNLAWFUL ENTRY, SPECIAL FRANCHISE VALUE EXCEEDS THAT SET BY STATE BOARD. ASSESSED VALUE WAS 55,845 AND SHOULD BE 43,877. RPTL 550(7)E  
 CHECK FOR: PENNSYLVANIA LINES % NORFLK SOUTHERN

FISCAL YEAR 2007 Petition No. 207236

ASSESSOR Refund \$776.23

S-B-L 777.00-43-13 146800 WEST SENECA

	Acct. No. 112	\$120.90	County
	Acct. No. 132	\$655.33	Town/SpecialDist/School
68020	W SENECA FIRE D #1	\$75.03	
68021	W SENECA FIRE D#2	\$18.54	
68022	W SENECA FIRE D#3	\$18.72	
68023	W SENECA FIRE D#4	\$32.43	
68024	W SENECA FIRE D#5	\$274.93	
68025	W SENECA FIRE #6	\$23.34	

**MEETING NO. 9**  
**MAY 3, 2007**

**ERIE COUNTY LEGISLATURE**

Charge To :                    146800 WEST SENECA                    \$212.34

REFUND - UNLAWFUL ENTRY, SPECIAL FRANCHISE VALUE EXCEEDS THAT SET BY STATE BOARD. ASSESSED VALUE WAS 55,845 AND SHOULD BE 43,877. RPTL 550(7)E  
 CHECK FOR: PENNSYLVANIA LINES % NOROLK & SOUTHERN

FISCAL YEAR 2007                    Petition No.                    207237

ASSESSOR                    Refund                    \$397.94

S-B-L 777.00-43-14                    146800 WEST SENECA

Charge To :                    Acct. No. 112                    \$0.00    County  
    Acct. No. 132                    \$397.94    Town/SpecialDist/School  
    146800 WEST SENECA                    \$397.94  
    Relevy School                    \$397.94    146801 WEST SENECA CENT

REFUND- UNLAWFUL ENTRY, SPECIAL FRANCHISE VALUE EXCEEDS THAT SET BY STATE BOARD. ASSESSED VALUE WAS 143,548 AND SHOULD BE 131,580. RPTL 550(7)E  
 CHECK FOR: PENNSYLVANIA LINES % NORFOLK SOUTHERN

FISCAL YEAR 2007                    Petition No.                    207238

ASSESSOR                    Refund                    \$333.23

S-B-L 777.00-43-14                    146800 WEST SENECA

Charge To :                    Acct. No. 112                    \$120.89    County  
    Acct. No. 132                    \$212.34    Town/SpecialDist/School  
    146800 WEST SENECA                    \$212.34

REFUND - UNLAWFUL ENTRY, SPECIAL FRANCHISE VALUE EXCEEDS THAT SET BY STATE BOARD. ASSESSED VALUE WAS 143,548 AND SHOULD BE 131,580. RPTL 550(7)E  
 CHECK FOR: PENNSYLVANIA LINES % NORFOLK SOUTHERN

FISCAL YEAR 2006                    Petition No.                    207239

ASSESSOR                    Refund                    \$397.95

**MEETING NO. 9**  
**MAY 3, 2007**

**ERIE COUNTY LEGISLATURE**

S-B-L 777.00-43-15 146800 WEST SENECA

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$397.95	Town/SpecialDist/School
<u>Charge To :</u>	146800 WEST SENECA	\$397.95	
	Relevy School	\$397.95	146801 WEST SENECA CENT

REFUND- UNLAWFUL ENTRY, SPECIAL FRANCHISE VALUE EXCEEDS THAT SET BY STATE BOARD. ASSESSED VALUE WAS 127,412 AND SHOULD BE 115,444. RPTL 550(7)E  
 CHECK FOR: PENNSYLVANIA LINES % NORFOLK & SOUTHERN

FISCAL YEAR 2007 Petition No. 207240

ASSESSOR Refund \$333.23

S-B-L 77.00-43-15 146800 WEST SENECA

	Acct. No. 112	\$120.89	County
	Acct. No. 132	\$212.34	Town/SpecialDist/School
<u>Charge To :</u>	146800 WEST SENECA	\$212.34	

REFUND - UNLAWFUL ENTRY, SPECIAL FRANCHISE VALUE EXCEEDS THAT SET BY STATE BOARD. ASSESSED VALUE WAS 127,412 AND SHOULD BE 115,444. RPTL 550(7)E  
 CHECK FOR: PENNSYLVANIA LINES % NORFOLK & SOUTHERN

FISCAL YEAR 2006 Petition No. 207241

ASSESSOR Refund \$397.95

S-B-L 777.00-43-16 146800 WEST SENECA

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$397.95	Town/SpecialDist/School
<u>Charge To :</u>	146800 WEST SENECA	\$397.95	
	Relevy School	\$397.95	146801 WEST SENECA CENT

REFUND- UNLAWFUL ENTRY, SPECIAL FRANCHISE VALUE EXCEEDS THAT SET BY STATE BOARD. ASSESSED VALUE WAS 119,100 AND SHOULD BE 107,132. RPTL 550(7)E  
 CHECK FOR: PENNSYLVANIA LINES % NORFOLK & SOUTHERN

**MEETING NO. 9**  
**MAY 3, 2007**

**ERIE COUNTY LEGISLATURE**

FISCAL YEAR 2007                      Petition No.                      207242

ASSESSOR                      Refund                      \$365.25

S-B-L 777.00-43-16                      146800 WEST SENECA

Acct. No. 112	\$120.91	County
Acct. No. 132	\$244.34	Town/SpecialDist/School
68020 W SENECA FIRE D #1	\$4.83	
68021 W SENECA FIRE D#2	\$2.46	
68022 W SENECA FIRE D#3	\$2.49	
68023 W SENECA FIRE D#4	\$4.31	
68024 W SENECA FIRE D#5	\$11.52	
68025 W SENECA FIRE #6	\$6.39	
<u>Charge To :</u>	146800 WEST SENECA	\$212.34

REFUND- UNLAWFUL ENTRY, SPECIAL FRANCHISE VALUE EXCEEDS THAT SET BY STATE BOARD. ASSESSED VALUE WAS 119,100 AND SHOULD BE 107,132.RPTL 550(7)E CHECK FOR:PENNSYLVANIA LINES % NORFOLK & SOUTHERN

FISCAL YEAR 2007                      Petition No.                      207243

ASSESSOR                      Refund                      \$397.95

S-B-L 777.00-43-17                      146800 WEST SENECA

Acct. No. 112	\$0.00	County
Acct. No. 132	\$397.95	Town/SpecialDist/School
<u>Charge To :</u>	146800 WEST SENECA	\$397.95
Relevy School	\$397.95	146801 WEST SENECA CENT

REFUND - UNLAWFUL ENTRY, SPECIAL FRANCHISE VALUE EXCEEDS THAT SET BY STATE BOARD. ASSESSED VALUE WAS 17,847 AND SHOULD BE 105,879. RPTL 550 CHECK FOR: PENNSYLVANIA LINES % NORFOLK & SOUTHERN

FISCAL YEAR 2007                      Petition No.                      207244

ASSESSOR                      Refund                      \$475.02

S-B-L 777.00-43-17                      146800 WEST SENECA

Acct. No. 112	\$120.89	County
Acct. No. 132	\$354.13	Town/SpecialDist/School
68020 W SENECA FIRE D #1	\$21.74	

**MEETING NO. 9**  
**MAY 3, 2007**

**ERIE COUNTY LEGISLATURE**

68021 W SENECA FIRE D#2	\$11.07	
68022 W SENECA FIRE D#3	\$11.18	
68023 W SENECA FIRE D#4	\$19.36	
68024 W SENECA FIRE D#5	\$64.51	
68025 W SENECA FIRE #6	\$13.93	
<u>Charge To :</u>	146800 WEST SENECA	\$212.34

REFUND- UNLAWFUL ENTRY, SPECIAL FRANCHISE VALUE EXCEEDS THAT SET BY STATE BOARD. ASSESSED VALUE WAS 117,847 AND SHOULD BE 105,879. RPTL 550(7)E  
CHECK FOR: PENNSYLVANIA LINES % NORFOLK & SOUTHERN

FISCAL YEAR 2006	Petition No.	207245
ASSESSOR	Refund	\$428.63

S-B-L 777.00-43-18 146800 WEST SENECA

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$428.63	Town/SpecialDist/School
<u>Charge To :</u>	146800 WEST SENECA	\$428.63	
	Relevy School	\$428.63	146801 WEST SENECA CENT

REFUND-UNLAWFUL ENTRY, SPECIAL FRANCHISE VALUE EXCEEDS THAT SET BY STATE BOARD. ASSESSED VALUE WAS 163,302 AND SHOULD BE 150,411. RPTL 550(7)E  
CHECK FOR: PENNSYLVANIA LINES % NORFOLK & SOUTHERN

FISCAL YEAR 2007	Petition No.	207246
ASSESSOR	Refund	\$1,570.39

S-B-L 777.00-43-18 146800 WEST SENECA

	Acct. No. 112	\$129.22	County
	Acct. No. 132	\$1,441.17	Town/SpecialDist/School
68020 W SENECA FIRE D #1	\$126.91		
68021 W SENECA FIRE D#2	\$64.63		
68022 W SENECA FIRE D#3	\$65.25		
68023 W SENECA FIRE D#4	\$113.02		
68024 W SENECA FIRE D#5	\$761.31		
68025 W SENECA FIRE #6	\$81.34		
<u>Charge To :</u>	146800 WEST SENECA	\$228.71	

REFUND - UNLAWFUL ENTRY, SPECIAL FRANCHISE VALUE EXCEEDS THAT SET BY STATE BOARD. ASSESSED VALUE WAS 163,302 AND SHOULD BE 150,411. RPTL 550(7)E  
CHECK FOR: PENNSYLVANIA LINES % NORFOLK & SOUTHERN

**MEETING NO. 9**  
**MAY 3, 2007**

**ERIE COUNTY LEGISLATURE**

FISCAL YEAR 2006                      Petition No.                      207247  
    ASSESSOR                      Refund                      \$1,805.57

S-B-L 130.00-10-6.1                      145400 MARILLA

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$1,805.57	Town/SpecialDist/School
41854	BASIC STAR EXEMPTION	\$1,805.57	
<u>Charge To :</u>	145400 MARILLA		\$0.00

REFUND- CLERICAL ERROR, THE BASIC STAR IN THE AMOUNT OF 983,700 SHOULD BE 1,036,400 ORIGINAL AMOUNT MISCALCULATED. RPTL 550(2)B  
 CHECK FOR: BUSH GARDENS

FISCAL YEAR 2007                      Petition No.                      207248  
    ASSESSOR                      Cancel                      \$278.12

S-B-L 133.35-3-1                      140200 BUFFALO

	Acct. No. 112	\$278.12	County
	Acct. No. 132	\$0.00	Town/SpecialDist/School
<u>Charge To :</u>	140200 BUFFALO		\$0.00

CANCEL - ERROR IN ESSENTIAL FACT, PARCEL IS VACANT LAND ONLY.  
 ASSESSED VALUE WAS 60,600 AND SHOULD BE 6,100. RPTL 550(3)B

FISCAL YEAR 2007                      Petition No.                      207249  
    ASSESSOR                      Cancel                      \$1,493.79

S-B-L 349.16-2-2                      143601 GOWANDA

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$1,493.79	Town/SpecialDist/School
<u>Charge To :</u>	143601 GOWANDA		\$1,493.79

Relevy Village                      \$1,493.79                      Village of GOWANDA

CANCEL - CLERICAL ERROR, THE VILLAGE RELEVY WAS PLACED ON THIS PARCEL  
 IN ERROR. THE CORRECT SBL IS 349.16-2-42 . RPTL 550(2)I

FISCAL YEAR 2007                      Petition No.                      207250



**MEETING NO. 9**  
**MAY 3, 2007**

**ERIE COUNTY LEGISLATURE**

ASSESSOR Cancel \$121.45

S-B-L 90.38-2-33 140200 BUFFALO

Acct. No. 112 \$121.45 County  
 Acct. No. 132 \$0.00 Town/SpecialDist/School

Charge To : 140200 BUFFALO \$0.00

CANCEL - ERROR IN ESSENTIAL FACT, PARCEL IS VACANT LAND ONLY. ASSESSED VALUE WAS 26,600 AND SHOULD BE 3,200. RPTL 550(3)B

FISCAL YEAR 2007 Petition No. 207251

ASSESSOR Cancel \$1,179.82

S-B-L 164.15-1-1 142401 EAST AURORA

Acct. No. 112 \$0.00 County  
 Acct. No. 132 \$1,179.82 Town/SpecialDist/School

Charge To : 142401 EAST AURORA \$1,179.82

Relevy Village \$1,179.82 Village of EAST AURORA

CANCEL - CLERICAL ERROR, THE RELEVY VILLAGE WAS PLACED ON THIS PARCEL IN ERROR. THE CORRECT SBL IS 164.15-2-38 AMOUNT TO GO ON AS AN OMITTED TAX FOR 2008 IS 1,179.82. RPTL 550(2)I

FISCAL YEAR 2007 Petition No. 207252

ASSESSOR Cancel \$2,815.84

S-B-L 111.71-3-27.12 140200 BUFFALO

Acct. No. 112 \$2,815.84 County  
 Acct. No. 132 \$0.00 Town/SpecialDist/School

Charge To : 140200 BUFFALO \$0.00

CANCEL - CLERICAL ERROR, THIS IS AN EXEMPT ORGANIZATION . THE EXEMPTION IN THE AMOUNT OF 199,400 WAS OMITTED FROM THE TAX ROLL IN ERROR. RPTL 550(2)C

FISCAL YEAR 2007 Petition No. 207253

**MEETING NO. 9**  
**MAY 3, 2007**

**ERIE COUNTY LEGISLATURE**

	ASSESSOR	Cancel	\$766.66	
S-B-L	82.03-1-54.1		145289 LANCASTER	
	Acct. No. 112		\$300.70	County
	Acct. No. 132		\$465.96	Town/SpecialDist/School
<u>Charge To :</u>		145289 LANCASTER		\$465.96

CANCEL - UNLAWFUL ENTRY, PARCEL IS OWNED BY NY STATE DOT AND IS WHOLLY EXEMPT FROM TAX EXCEPT WHERE THEY RECEIVE A DIRECT BENEFIT. THIS IS VACANT LAND ONLY. RPTL 550(7)E  
 (4-0)

3. COMM. 7E-2 (2007)

**COUNTY EXECUTIVE**

WHEREAS, the federal government requires that all counties prepare an annual cost allocation plan; and

WHEREAS, for the past 19 years Erie County has contracted with an outside provider to prepare the cost allocation plan; and

WHEREAS, the current contract will expire after the 2007 Full-Cost Plan is prepared; and

WHEREAS, the Comptroller's Office staff has issued an RFP so that these services will continue to be provided for the next six years; and

WHEREAS, the six proposals received have been evaluated by the committee consisting of Comptroller's Office staff; and

WHEREAS, the committee has unanimously selected MAXIMUS, Inc., for a six-year contract.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter into a contract with MAXIMUS, Inc. for a six-year period beginning with preparation of the Federal cost plan for the year 2006, at an annual cost of \$16,250, and be it further

RESOLVED, that certified copies of this resolution are to be forwarded to the County Executive, County Comptroller, County Attorney, and Director of Budget, Management, and Finance.

(4-0)

4. COMM. 7E-16 (2007)

**COUNTY EXECUTIVE**

**MEETING NO. 9**  
**MAY 3, 2007**

**ERIE COUNTY LEGISLATURE**

WHEREAS, it is essential that Erie County provide a sufficient level of appropriations in the Risk Retention Fund in order to meet estimated liability payments in 2007, and

WHEREAS, Erie County has received \$3,000,000 of unanticipated revenue from the Erie County Medical Center Corporation.

NOW, THEREFORE, BE IT

RESOLVED, that authorization is provided to appropriate unanticipated revenue in the 2007 General Fund for use in the Risk Retention Fund, as follows:

Department	Account		Increase
Revenue			
County Wide Budget Accounts			
	14010	466230 Local Source Revenue ECMCC	\$3,000,000
Expense			Increase
County Attorney Risk Retention Fund			
	16020	555000 General Liability	\$3,000,000
		Net Change	0

and be it further,

RESOLVED, that the Clerk of the Legislature be instructed to forward certified copies of this resolution to the County Executive, the County Attorney, the Office of the Comptroller, and the Division of Budget and Management.

(4-0)

**ROBERT B. REYNOLDS, JR.**  
**CHAIRPERSON**

Item 32 – MS. LOCKLEAR presented the following report and moved for immediate consideration and approval. MS. GRANT seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 123

APRIL 24, 2007

HEALTH COMMITTEE  
 REPORT NO. 5

ALL MEMBERS PRESENT EXCEPT LEGISLATOR WEINSTEIN. CHAIRPERSON MARINELLI PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following item is hereby received and filed:

**MEETING NO. 9**  
**MAY 3, 2007**

**ERIE COUNTY LEGISLATURE**

a. COMM. 6D-2 (2007)  
**BUDGET, MANAGEMENT & FINANCE:** Letter to Locklear Re: Reply to Comm. 5E-2 (4-0)

2. COMM. 8E-7 (2007)  
**COUNTY EXECUTIVE**

WHEREAS, the Erie County Department of Mental Health is responsible for the delivery of a comprehensive range of mental health services for the residents of Erie County, and

WHEREAS, the Erie County Department of Mental Health has been awarded \$353,800 over an eighteen-month period by the New York State Division of Criminal Justice Services (DCJS) to provide expanded reintegration and treatment services for returning offenders and parolees, and

WHEREAS, the Erie County Legislature has already authorized the County and the Department of Mental Health to contract in 2007 with Mid Erie Counseling and Treatment Services, Inc., and with Horizon Human Services, Inc., and

WHEREAS, Mid Erie Counseling and Treatment Services, Inc., currently operates a reentry coordination program and chemical dependency services for returning offenders and parolees within its 2007 contract with the Department of Mental Health, and

WHEREAS, Horizon Health Services, Inc., currently operates vocational services programs within its 2007 contract with the Erie County Department of Mental Health, and

WHEREAS, the Erie County Department of Mental Health will conduct a Request for Proposals (RFP) process to determine a community based provider to provide congregate and scattered site housing with case management services to returning offenders and parolees.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be hereby authorized to accept a Grant award from the New York State Division of Criminal Justice Services (DCJS) in the amount of \$353,800, to provide enhanced reintegration services for returning offenders and paroles in Erie County, and be it further

RESOLVED, that the County Executive be authorized to amend and increase the contract for the period January 1, 2007 through December 31, 2007 within its current appropriation, with Mid Erie Counseling and Treatment Services, Inc., (GL 516010) by an additional \$54,150, which represents the first twelve months of the eighteen month Grant period, in order to provide reintegration and chemical dependency treatment services for returning offenders and parolees, and be it further

RESOLVED, that the County Executive be authorized to amend and increase the contract for the period January 1, 2007 through December 31, 2007 within its current appropriation, with Horizon Human Services, Inc., (GL 516010) by an additional \$30,000, which represents the first twelve months of the eighteen month Grant period, in order to provide vocational services for returning offenders and parolees, and be it further

**MEETING NO. 9**  
**MAY 3, 2007**

**ERIE COUNTY LEGISLATURE**

RESOLVED, that the Erie County Department of Mental Health will conduct a Request for Proposals (RFP) process to determine a community based provider to allocate \$26,800 in congregate housing and \$118,764 in scattered site housing with case management services, which represents the first twelve months of the eighteen month Grant period, in order to provide housing services for returning offenders and parolees, and be it further

RESOLVED, that the actual grant period may be amended to coincide with the actual grantor award period, and be it further

RESOLVED, that certified copies of this resolution be furnished to the Office of the County Executive, the Department of Mental Health, the Office of the Comptroller, and the Division of Budget, Management and Finance.

(4-0)

3. COMM. 8E-10 (2007)

**COUNTY EXECUTIVE**

WHEREAS, the Erie County Department of Health has received a continuation grant award in the amount of \$10,000 from the Department of Health & Human Services through the National Association of County and City Health Officials (NACCHO) to provide funding for the coordination and recruitment for the SMART (Specialized Medical Assistance Response Team).

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter into a contract with National Association of County and City Health Officials (NACCHO) which is budgeted as follows:

**MEDICAL RESERVE CORPS**  
**01/01/07 – 12/31/07**  
**SAP TITLE: HS127MRC2007**

<b>SAP</b>	<b>REVENUE</b>	<b>BUDGET</b>
414000	FEDERAL AID	\$ 10,000
	<b>TOTAL</b>	<u>\$ 10,000</u>
	<b>EXPENSES</b>	
505800	MEDICAL SUPPLIES	\$ 4,000
510100	OUT OF AREA TRAVEL	2,000
530000	OTHER EXPENSES	4,000
	<b>TOTAL</b>	<u>\$ 10,000</u>

and be it further

**MEETING NO. 9**  
**MAY 3, 2007**

**ERIE COUNTY LEGISLATURE**

RESOLVED, that certified copies of this resolution be forwarded to the County Executive, the Department of Health, the Erie County Medical Center, the Office of the Comptroller, the Division of Budget, Management and Finance, and the Department of Law.  
 (4-0)

4. COMM. 8E-11 (2007)  
**COUNTY EXECUTIVE**

WHEREAS, the Erie County Department of Health has received a revised grant award from the United States Department of Housing & Urban Development (HUD), Office of Healthy Homes and Lead Hazard Control in the amount of \$3,000,000 for implementing LEADSAFE Erie County, and

WHEREAS, the Department of Housing and Urban Development has authorized a contract modification which requires the creation of one full-time position of Senior Investigating Public Health Sanitarian, JG X as indicated on the B100 # 2904.

NOW, THEREFORE BE IT

RESOLVED, that the County Executive is hereby authorized to enter into a revised contract with the U.S. Department of Housing & Urban Development (HUD), and be it further

RESOLVED, that one full-time position of Senior Investigating Public Health Sanitarian JG X is hereby created.

The following personnel detail is hereby submitted:

TITLE: Senior Investigating Public Health Sanitarian	
JG: X	FUNDING: 100% Federally Funded
STEP: 1	CIVIL SERVICE: Yes
ANNUAL SALARY: \$40,301	CIVIL SERVICE LIST: Yes
ANNUAL BENEFITS: \$16,584	

and be it further

RESOLVED, that certified copies of this resolution will be forwarded to the Office of the County Executive, the Department of Health, Department of Personnel, the Office of the Comptroller, the Division of Budget, Management and Finance and the Department of Law.  
 (4-0)

**CYNTHIA E. LOCKLEAR**  
**CHAIRMAN**

Item 33 – MR. MAZUR presented the following resolution and moved for immediate consideration and approval. MS. IANNELLO seconded.

CARRIED UNANIMOUSLY.

**MEETING NO. 9**  
**MAY 3, 2007**

**ERIE COUNTY LEGISLATURE**

RESOLUTION NO. 124

APRIL 26, 2007

HUMAN SERVICES COMMITTEE  
 REPORT NO. 7

ALL MEMBERS PRESENT.

1. COMM. 8E-12 (2007)  
**COUNTY EXECUTIVE**

WHEREAS, in order to avoid fiscal penalties the County must aggressively implement strategies to engage active Family Assistance recipients in activities that meet participation requirements as established by recent Federal Temporary Assistance to Needy Families (TANF) reauthorization as countable activities have been redefined to place increased emphasis on work and the number of hours required per week is increased to thirty, and

WHEREAS, public and not for profit worksites must be established and clients must be assigned to sites as daily monitoring of client attendance and activities is critical for client specific tracking and update of computer reporting requirements, and

WHEREAS, the Department of Social Services has conducted two separate requests for proposals in late 2006 to award funding for the purpose of client worksite placement management of TANF clients, and

WHEREAS, Goodwill Industries of Western New York was the sole respondent to one of the request for proposals and Mental Health Peer Connection was the sole respondent to the other request for proposal, and

WHEREAS, the RFP and contract award processes were not completed at the time of last year's budget development, so \$250,000 was budgeted in an undesignated contract line for this purpose in 2007, and this resolution designates these funds to the two agencies selected in the 2006 RFP process, and

WHEREAS, this resolution authorizes contracts with Goodwill and Mental Health Peer Connection each in the amount of \$125,000 and each to provide services to 300 clients, and

WHEREAS, there is no fiscal impact to this resolution.

NOW, THEREFORE, BE IT

RESOLVED, that the following budget amendments are hereby authorized in the 2007 Adopted Budget:

**Department of Social Services, Department 120, Fund 110**

**INCREASE/**

**MEETING NO. 9**  
**MAY 3, 2007**

**ERIE COUNTY LEGISLATURE**

<u>ACCOUNT</u>	<u>DESCRIPTION</u>	<u>(DECREASE)</u>
516010	Employment Participation Initiative	\$(250,000)
516010	Mental Health Peer Connection	125,000
516010	Goodwill Industries of Western New York	<u>125,000</u>
	Total Expenditure	<u>\$0</u>

and be it further

RESOLVED, that the County Executive and the Commissioner of Social Services are authorized to execute or amend program contracts and agreements as necessary, and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the County Executive, the Commissioner of the Department of Social Services, the Erie County Comptroller and the Director of the Division of Budget, Management and Finance.

(4-0)

**THOMAS J. MAZUR**  
**CHAIRMAN**

Item 34 – MS. IANNELLO presented the following report and moved for immediate consideration and approval. MS. GRANT seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 125

APRIL 26, 2007

COMMUNITY ENRICHMENT COMMITTEE  
 REPORT NO. 5

ALL MEMBERS PRESENT EXCEPT LEGISLATOR RANZENHOFER. CHAIRPERSON MARINELLI PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
  - a. INTRO 6-12 (2007)  
**LOUGHRAN, IANNELLO & KONST:** Proper Upkeep of ECC Facilities  
 (4-0)
  - b. COMM. 7E-6 (2007)  
**COUNTY EXECUTIVE:** Erie Community College  
 (4-0)
  - c. COMM. 7M-11 (2007)  
**BUFFALO COMMON COUNCIL:** Certified Resolution Re: Support for Expanding the Downtown ECC Campus  
 (4-0)

**MICHELE M. IANNELLO**



**MEETING NO. 9**  
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**ERIE COUNTY LEGISLATURE**

**CHAIRPERSON**

Item 35 – MR. KENNEDY presented the following resolution and moved for immediate consideration and approval. MR. KOZUB seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 126

APRIL 26, 2007

ECONOMIC DEVELOPMENT COMMITTEE  
 REPORT NO. 8

ALL MEMBERS PRESENT EXCEPT LEGISLATOR MILLS. LEGISLATOR MARINELLI PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
  - a. COMM. 7M-5 (2007)  
**BUFFALO COMMON COUNCIL:** Certified Resolution Re: Supporting Buffalo's Small Business in the Film Industry  
 (4-0)

2. COMM. 8E-13 (2007)  
**COUNTY EXECUTIVE**

WHEREAS, the Department of Social Services intends to undertake the concurrent move of a significant number of staff operations and equipment before end of Summer 2007 as this movement is necessitated by the consolidation of some operations into larger space and the move of smaller operations to make way for that consolidation, and

WHEREAS, movements are also planned to centralize public access to buildings where possible to centralize security and to enhance staff safety, and

WHEREAS, the volume and timing of the work to be accomplished requires special and immediate attention in the development of the County's space plan, and

WHEREAS, the need to plan for the detailed layout of office space including floor plan, wall removal and installation, cubicle build-out, electrical, phone and computer cabling is to be met through a \$10,000 professional services contract, and

WHEREAS, there is no fiscal impact to this resolution as this contract will be funded through the transfer of recent budget savings made available through the renegotiation with the landlord for the Social Services Department lease at 478 Main Street.

NOW, THEREFORE, BE IT

RESOLVED, that the following budget amendments are hereby authorized in the 2007 Adopted Budget:

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**MAY 3, 2007**

**ERIE COUNTY LEGISLATURE**

Department of Social Services, Department 120, Fund 110 Cost Center 1200000

<u>ACCOUNT</u>	<u>DESCRIPTION</u>	<u>INCREASE/ (DECREASE)</u>
545000	Rental Expense	\$(10,000)
912210	ID DPW Commissioner Services	<u>10,000</u>
		<u>-0-</u>

Department of Public Works, Department 122, Fund 110, Cost Center 1221010

<u>ACCOUNT</u>	<u>DESCRIPTION</u>	<u>INCREASE/ (DECREASE)</u>
516020	Professional Services	\$10,000
912210	ID DPW Commissioner Services	<u>(10,000)</u>
		<u>-0-</u>

and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the County Executive, the Commissioner of the Department of Social Services, the Commissioner Public Works, the Erie County Comptroller and the Director of the Division of Budget, Management and Finance.

(4-0)

3. COMM. 8E-14 (2007)

**COUNTY EXECUTIVE**

WHEREAS, six Locally Administered Federal Highway fund projects have been approved through the New York State Department of Transportation, including five County bridge projects and one County highway project, and

WHEREAS, the next step in progressing these projects is the selection of engineering consultant firms for Design & Construction Services, and

WHEREAS, the Department of Public Works conducted an extensive RFQ process that identified and executed Term Agreements with area consultants in 2006, and

WHEREAS, no contracts have been awarded, to date, using the existing Term Agreement list due to the limited number of new projects the Department of Public Works initiated in the last two years, and

WHEREAS, the Department of Public Works Project Selection Committee, using Federal and State guidelines, selected six Consultants from the existing Term Agreement list, and

WHEREAS, the State Department of Transportation has been notified and has approved the list of consultants selected and the process used in selecting them.

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NOW, THEREFORE, BE IT

RESOLVED, that the Commissioner of Public Works be authorized, and is hereby directed, to execute Engineering and Construction Services Contract Change Orders between the County of Erie and the following Engineering Consultant firms for the projects indicated, in the amount not to exceed, and from the appropriate Capital Bond Project as illustrated below:

<b>Engineering Firm</b>	<b>Project</b>	<b>Not to Exceed</b>	<b>SAP Project Fund</b>
LiRo Engineers	Elmwood Avenue, Kenmore to Sheridan PIN 5756.87	\$715,000.00	B.00125.3 2006 Elmwood Ave Corridor
Abate Associates	Cedar Street Bridge, over Tonawanda Creek PIN 5757.21	\$200,000.00	B.00158 2006 Cedar Street Bridge
Clough, Harbour, & Assoc.	Clarence Center Rd Bridge, over Got Creek PIN 5757.28	\$200,000.00	B.00159 2006 Clarence Center Rd Bridge
Erdman Anthony Assoc.	Swift Mills Rd Bridge, over Murder Creek PIN 5757.29	\$200,000.00	B.00160 2006 Swift Mills Rd Bridge
Foit-Albert Associates	Rapids Road Bridge, over Beeman Creek PIN 5757.30	\$150,000.00	B.00161 2006 Rapids Road Bridge
Watts Engineers	Mill Street Bridge, over Cattaraugus Creek PIN 5757.31	\$204,000.00	B.00162 2006 Mill Street Bridge

and be it further

RESOLVED, that since the current Term Agreement has not been used within the last year, that this Agreement for various engineering services including Bridge Design, Construction Inspection, Load Testing, and miscellaneous other work be extended through April 1, 2008, and be it further,

RESOLVED, that the Clerk of the Legislature be instructed to forward two (2) certified copies of this resolution to the Commissioner of Public Works and one (1) copy each to the Office of the County Executive, the Division of Budget, Management & Finance, the County Attorney and the Office of the Comptroller.

(4-0)

**TIMOTHY M. KENNEDY**  
**CHAIRMAN**

**LEGISLATOR RESOLUTIONS**

Item 36 – MS. WHYTE presented the following resolution and moved for immediate consideration. MR. KENNEDY seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 127

RE: ECFSA Approval of the Sale of Tax Liens  
 (INTRO 9-1)

**A RESOLUTION SUBMITTED BY**  
**LEGISLATORS MARINELLI, WHYTE,**  
**LOUGHRAN, MILLER-WILLIAMS, IANNELLO,**  
**KENNEDY, GRANT, REYNOLDS, KONST, MAZUR**  
**AND KOZUB**

WHEREAS, on February 13, 2007, the County Executive proposed the bulk sale/assignment of tax sale certificates for unpaid 2006 Erie County real property taxes and the bulk sale/assignment of tax sale certificates previously sold to the Erie Tax Certificate Corporation (2002-2005) to XSPAND; and

WHEREAS, the Erie County Legislature carefully vetted this proposal through the Finance and Management Committee and considered testimony and information provided by the Erie County Comptroller, the Director of Real Property Services, Budget Director and representatives of the Erie Tax Certificate Corporation; and

WHEREAS, after careful consideration of the fiscal and policy implications of the XSPAND proposal, the Erie County Legislature determined that the XSPAND proposal is in the best interest of Erie County's Finances and approved the resolution as amended by a vote of 12 to 3; and

WHEREAS, the sale of the 2006 Tax Liens would guarantee that Erie County receives 105% of the value of the Tax Liens – which would result in Erie County receiving \$13,947,580.49; and

WHEREAS, the sale of the portfolio of Tax Liens in possession of the Erie Tax Certificate Corporation would result in Erie County receiving 84.20% of the value of the Tax Liens, which would result in Erie County receiving \$22,433,185.63; and

WHEREAS, Erie County has not once collected an amount close to 105% of the value of Tax Liens as it would in the deal with XSPAND for the bulk sale/assignment of tax sale certificates for unpaid 2006 Erie County real property taxes; and

WHEREAS, the current Four-Year Plan assumes \$3,900,000 per year of residual income from the Tax Liens in possession of the Erie Tax Certificate Corporation in fiscal years 2008-2010.

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A total of \$11,700,000 of the net proceeds is planned to be put in a reserve fund to cover these amounts by pre-paying \$3,900,000 annually of debt service expense in these years; and

WHEREAS, the balance of the net proceeds, approximately \$26,145,603, will be used as a contingency fund to meet any unexpected budget events in 2007 and the remainder of these funds will be dedicated to restore the fund balance at the close of 2007; and

WHEREAS, according to its authorizing legislation, the Erie County Fiscal Stability Authority must authorize any contract in excess of \$50,000; thus, the ECFSA must authorize the XSPAND contract; and

WHEREAS, on March 5, 2007, Erie County formally requested that the Erie County Fiscal Stability Authority approve the XSPAND proposal; and

WHEREAS, the Erie County Fiscal Stability Authority did not meet until March 26, 2007, to consider this item but refused to approve the XSPAND proposal and instead requested more information; and

WHEREAS, even though the requested information was delivered to the Erie County Fiscal Stability Authority on April 2, 2007, the ECFSA failed to convene a meeting to discuss this important issue until April 19, 2007; and

WHEREAS, the Erie County Fiscal Stability Authority met on April 19, 2007, but recessed the meeting without approving the XSPAND proposal; and

WHEREAS, the Erie County Fiscal Stability Authority has yet to schedule a future meeting date.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature reiterates its support for the proposed sale of the Tax Liens as it is necessary to ensure that the Four-Year Plan remains on track and to increase Erie County's fund balance; and be it further

RESOLVED, that the Erie County Legislature does hereby call upon the Erie County Fiscal Stability Authority to reconvene forthwith and to immediately approve the XSPAND plan for the benefit of the residents of Erie County; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Erie County Fiscal Stability Authority, County Executive Joel Giambra, Erie County Comptroller Mark Poloncarz, Governor Eliot Spitzer, State Comptroller Thomas DiNapoli and the local delegation to the State Legislature.

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

CARRIED UNANIMOUSLY.

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ADD: Legislator Locklear as a co-sponsor.

DELETE: the final WHEREAS clause.

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

CARRIED UNANIMOUSLY.

Item 37 - CHAIRPERSON MARINELLI directed that the following resolution be referred to the ENERGY & ENVIRONMENT COMMITTEE.

GRANTED.

INTRO 9-2 from KENNEDY & WHYTE Re: Renewable Energy Purchasing

Intro 38 - CHAIRPERSON MARINELLI directed that the following resolution be referred to the ECONOMIC DEVELOPMENT COMMITTEE.

GRANTED.

INTRO 9-3 from WHYTE & KENNEDY Re: Green Standards for Public Buildings

Item 39 - CHAIRPERSON MARINELLI directed that the following resolution be referred to the ECONOMIC DEVELOPMENT COMMITTEE.

GRANTED.

INTRO 9-4 from KENNEDY & WHYTE Re: Bringing the Production of Renewable Energy to Erie County.

Item 40 - CHAIRPERSON MARINELLI directed that the following resolution be referred to the ENERGY & ENVIRONMENT COMMITTEE.

GRANTED.

INTRO 9-5 from KENNEDY & WHYTE Re: Traffic Lights

Item 41 - CHAIRPERSON MARINELLI directed that the following resolution be referred to the ENERGY & ENVIRONMENT COMMITTEE.

GRANTED.

INTRO 9-6 from KENNEDY & WHYTE Re: Government Vehicles

Item 42 - CHAIRPERSON MARINELLI directed that the following resolution be referred to the ECONOMIC DEVELOPMENT COMMITTEE.

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GRANTED.

INTRO 9-7 from WHYTE & KENNEDY Re: Purchase of Energy Efficient Products

Item 43 – MS. WHYTE presented the following resolution and moved for immediate consideration. MR. KENNEDY seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 128

RE: In Support of the NYS Fair Pay Act  
 (INTRO 9-8)

**A RESOLUTION SUBMITTED BY  
 LEGISLATOR MARINELLI, WHYTE,  
 GRANT, KONST, MAZUR,  
 IANNELLO AND REYNOLDS**

WHEREAS, after 44 years after the passage of the Equal Pay Act and Title VII of the Civil Rights Act, women and minorities continue to suffer the consequences of inequitable pay differentials; and

WHEREAS, wage differentials persist between women and men and between minorities and non-minorities in the same jobs and in jobs that are dissimilar but that require equivalent composites of skill, effort, responsibility and working conditions; and

WHEREAS, job titles disproportionately held by women and minorities have been undervalued and have been paid less than comparable jobs with the same level of skill and responsibility; and

WHEREAS, this wage differentials between job titles disproportionately held by women and minorities contributes to the higher poverty rates among female-headed and minority households; and

WHEREAS, legislation is pending in the New York State Legislature (S.3936) that will decrease the wage differentials by prohibiting against discrimination in wages by making the following employment practices unlawful:

- Paying wages to employees at a rate less than the rate paid to employees of the opposite sex or of a different race or national origin for work in equivalent jobs; and/or
- Paying wages to employees in a job that is dominated by employees of a particular sex, race or national origin at a rate less than the rate at which such employer pays to employees in another job that is dominated by employees of the opposite sex or of a different race or national origin, for work on equivalent jobs.

NOW, THEREFORE, BE IT

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RESOLVED, the Erie County Legislature does hereby express its support of the New York State Fair Pay Act; and be it further

RESOLVED, certified resolutions of this resolution are to be forwarded to the local delegation to the NYS Legislature, Governor Eliot Spitzer and the League of Women Voters.

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

CARRIED UNANIMOUSLY.

• **ADD THE FOLLOWING AS CO-SPONSORS:**

DANIEL M. KOZUB  
TIMOTHY M. KENNEDY  
CYNTHIA E. LOCKLEAR

• **ATTACH THE FOLLOWING LEGISLATION**

**STATE OF NEW YORK**

3936

2007-2008 Regular Sessions

**IN SENATE**

March 20, 2007

Introduced by Sen. C. JOHNSON -- read twice and ordered printed, and when printed to be committed to the Committee on Labor

AN ACT to amend the labor law, in relation to enacting the "New York state fair pay act"

**The People of the State of New York, represented in Senate and Assembly, do enact as follows:**

1 Section 1. The labor law is amended by adding a new article 21 to read  
2 as follows:

3 **ARTICLE 21**

4 **NEW YORK STATE FAIR PAY ACT**

5 **Section 750. Short title.**

6 **751. Findings and statement of purpose.**

7 **752. Definitions.**

8 **753. Prohibition against discrimination in wages.**

9 **754. Other prohibited acts.**

10 **755. Wage disclosure, recordkeeping, and reporting requirements.**

11 **756. Remedies and enforcement.**



12                   757. Regulations.  
 13        § 750. Short title. This act shall be known and may be cited as the  
 14 "New York state fair pay act".  
 15        § 751. Findings and statement of purpose. (a) The legislature finds  
 16 the following:  
 17        (1) Despite federal and state laws banning discrimination in employ-  
 18 ment and pay, in both the private and public sector, wage differentials  
 19 persist between women and men and between minorities and non-minorities  
 20 in the same jobs and in jobs that are dissimilar but that require equiv-  
 21 alent composites of skill, effort, responsibility and working condi-  
 22 tions;  
 23        (2) The existence of such wage differentials--  
 24        (A) depresses wages and living standards for employees necessary for  
 25 their health and efficiency;

EXPLANATION--Matter in italics (underscored) is new; matter in brackets  
 [-] is old law to be omitted.

LBD06637-01-7

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1        (B) reduces family incomes and contributes to the higher poverty rates  
 2 among female-headed and minority households;  
 3        (C) prevents the maximum utilization of the available labor resources;  
 4        (D) tends to cause labor disputes, thereby burdening, affecting, and  
 5 obstructing commerce;  
 6        (E) constitutes an unfair method of competition; and  
 7        (F) violates the state's public policy against discrimination;  
 8        (3) Discrimination in wage-setting practices has played a role in  
 9 depressing wages for women and minorities generally;  
 10       (4) Many individuals work in occupations that are dominated by indi-  
 11 viduals of their same sex, race, and/or national origin, and discrimi-  
 12 nation in hiring, job assignment and promotion has played a role in  
 13 establishing and maintaining segregated work forces;  
 14       (5) Eliminating discrimination in compensation based on sex, race and  
 15 national origin would have positive effects, including--  
 16        (A) providing a solution to problems in the economy created by discrimi-  
 17 natory wage differentials;  
 18        (B) reducing the number of working women and people of color earning  
 19 low wages, thereby lowering their incidence of poverty during normal  
 20 working years and in retirement; and  
 21        (C) promoting stable families by raising family incomes.  
 22        (b) It is the purpose of this article to correct and as rapidly as  
 23 practicable to eliminate discriminatory wage practices based on sex,  
 24 race and/or national origin.  
 25        § 752. Definitions. (a) The term "employ" shall mean to suffer or  
 26 permit to work.  
 27        (b) The term "employee" shall mean any person employed by an employer  
 28 and includes all of an employer's permanent employees, whether working  
 29 full-time or part-time, and any temporary employee employed by an  
 30 employer for a period of at least three months. "Employee" shall not  
 31 include any individual employed by his or her parents, spouse or child.  
 32        (c) The term "employer" shall mean any person who employs three or  
 33 more persons and includes the state and all political subdivisions ther-  
 34 eof.  
 35        (d) The term "equivalent jobs" means jobs or occupations that are  
 36 equal within the meaning of the Equal Pay Act of 1963, 29 U.S.C.  
 37 206(d), or jobs or occupations that are dissimilar but whose require-

38 ments are equivalent, when viewed as a composite of skills, effort,  
 39 responsibility and working conditions. Equivalency of skill, effort,  
 40 responsibility and working conditions shall be determined by utilizing  
 41 job comparison methodologies that do not ignore or undervalue the worth  
 42 of jobs where women and minorities are disproportionately represented.

43 (e) The term "person" shall mean one or more individuals, partner-  
 44 ships, associations, corporations, limited liability companies, legal  
 45 representatives, trustees, trustees in bankruptcy, receivers and the  
 46 state and all political subdivisions and agencies thereof.

47 (f) The term "labor organization" shall mean any organization that  
 48 exists for the purpose, in whole or part, of collective bargaining or of  
 49 dealing with employers concerning grievances, terms of conditions of  
 50 employment, or of other mutual aid or protection in connection with  
 51 employment.

52 (g) The term "market rates" shall mean the rates that employers within  
 53 a prescribed geographic area actually pay, or are reported to pay for  
 54 specific jobs, as determined by formal or informal surveys, wage  
 55 studies, or other means.

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1 (h) The term "wages" and wage "rates" shall include all compensation  
 2 in any form than an employer provides to employees in payment for work  
 3 done or services rendered, including but not limited to base pay, bonus-  
 4 es, commissions, awards, tips, or various forms of non-monetary compen-  
 5 sation if provided in lieu of or in addition to monetary compensation  
 6 and that have economic value to an employee.

7 § 753. Prohibition against discrimination in wages. (a) It shall be an  
 8 unlawful employment practice in violation of this article for an employ-  
 9 er to discriminate between employees on the basis of sex, race and/or  
 10 national origin by:

11 (1) paying wages to employees at a rate less than the rate paid to  
 12 employees of the opposite sex or of a different race or national origin  
 13 for work in equivalent jobs; and/or

14 (2) paying wages to employees in a job that is dominated by employees  
 15 of a particular sex, race or national origin at a rate less than the  
 16 rate at which such employer pays to employees in another job that is  
 17 dominated by employees of the opposite sex or of a different race or  
 18 national origin, for work on equivalent jobs.

19 (b) Notwithstanding the provisions of subdivision (a) of this section,  
 20 it shall not be an unlawful employment practice for an employer to pay  
 21 different wage rates to employees, where such payments are made pursuant  
 22 to:

23 (1) a bona fide seniority or merit system;

24 (2) a system that measures earnings by quantity or quality of  
 25 production, or

26 (3) any bona fide factor other than sex, race, or national origin,  
 27 provided, however, that wage differentials based on varying market rates  
 28 for equivalent jobs or the differing economic benefits to the employer  
 29 of equivalent jobs shall not be considered differentials based on bona  
 30 fide factors other than sex, race or national origin.

31 (c) An employer who is paying wages in violation of this section shall  
 32 not, in order to comply with the provisions of this section, reduce the  
 33 wage of any employee.

34 (d) No labor organization or its agents representing employees of an  
 35 employer having employees subject to any provision of this chapter shall  
 36 cause or attempt to cause such an employer to discriminate against an  
 37 employee in violation of subdivision (a) of this section.

38 (e) (1) The department shall promulgate regulations specifying the  
 39 criteria for determining whether a job is dominated by employees of a  
 40 particular sex, race, or national origin. Criteria shall include, but  
 41 not be limited to, factors such as whether the job has ever been formal-  
 42 ly classified as or traditionally considered to be a "male" or "female"  
 43 or "white" or "minority" job; whether there is a history of discrimi-  
 44 nation against women and/or people of color with regard to wages,  
 45 assignment or access to jobs, or other terms and conditions of employ-  
 46 ment; and the demographic composition of the work force in equivalent  
 47 jobs e.g., numbers or percentages of women, men, white persons and  
 48 people of color. The regulations shall not include a list of jobs.

49 (2) The department shall promulgate regulations specifying the method-  
 50 ology for determining equivalent skill, effort, responsibility and work-  
 51 ing conditions. Any methodology prescribed by the department shall  
 52 ensure that comparison systems do not ignore or undervalue the worth of  
 53 jobs where women and minorities are disproportionately represented.

54 (3) The equivalence of jobs dominated by employees of a particular  
 55 sex, race or national origin relative to jobs dominated by employees of  
 56 the opposite sex or of a different race or origin will be established

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1 through the application of a single job comparison system that does not  
 2 systematically ignore or undervalue the job content of traditionally  
 3 female and minority jobs.

4 § 754. Other prohibited acts. (a) It shall be an unlawful employment  
 5 practice in violation of this article for an employer:

6 (1) to take adverse actions or otherwise discriminate against any  
 7 individual because such individual has opposed any act or practice made  
 8 unlawful by this article, has sought to enforce rights protected under  
 9 this article, or has testified, assisted, or participated in any manner  
 10 in an investigation, hearing, or other proceeding to enforce this arti-  
 11 cle; or

12 (2) to discharge or in any other manner discriminate against, coerce,  
 13 intimidate, threaten, or interfere with any employee or any other person  
 14 because the employee inquired about, disclosed, compared, or otherwise  
 15 discussed the employee's wages or the wages of any other employee, or  
 16 because the employee exercised, enjoyed, aided, or encouraged any other  
 17 person to exercise or enjoy any right granted or protected by this arti-  
 18 cle.

19 § 755. Wage disclosure, recordkeeping, and reporting requirements. (a)  
 20 Upon commencement of an individual's employment and at least annually  
 21 thereafter, every employer subject to this article shall provide to each  
 22 employee a written statement sufficient to inform the employee of his or  
 23 her job title, wage rate, and how the wage is calculated. This notice  
 24 shall be supplemented whenever an employee is promoted or reassigned to  
 25 a different position with the employer, provided, however, that the  
 26 employer is not required to issue supplemental notifications for tempo-  
 27 rary reassignments that are no greater than three months in duration.

28 (b) Every employer subject to this article shall make and preserve  
 29 records that document the wages paid to employees and that document and  
 30 support the method, system, calculations, and other bases used to estab-  
 31 lish, adjust, and determine the wage rates paid to said employer's  
 32 employees. Every employer subject to this article shall preserve such  
 33 records for such periods of time and shall make such reports from the  
 34 records as shall be prescribed by regulation of the department.

35 (c) The regulations promulgated under this article, relating to the  
 36 form of reports required by subdivision (b) of this section, shall

37 provide for protection of the confidentiality of employees, and shall  
 38 expressly require that reports shall not include the names or other  
 39 identifying information from which readers could discern the identities  
 40 of employees. The regulations may also identify circumstances that  
 41 warrant a prohibition on disclosure of reports or information identify-  
 42 ing the employer.

43 (d) The department may use the information and data it collects pursu-  
 44 ant to subdivision (b) of this section for statistical and research  
 45 purposes, and may compile and publish such studies, analyses, reports,  
 46 and surveys based on the information and data, as it may consider appro-  
 47 priate.

48 § 756. Remedies and enforcement. (a) (1) In any action in which a  
 49 court or jury finds that an employer has engaged in acts in violation of  
 50 this article, the court or jury shall award to any affected employee or  
 51 employees monetary relief, including back pay in an amount equal to the  
 52 difference between the employee's actual earnings and what the employee  
 53 would have earned but for the employer's unlawful practices, and an  
 54 additional amount in compensatory and punitive damages, as appropriate.

55 (2) In any action in which a court or jury finds that an employer has  
 56 engaged in acts in violation of this article, the court shall enjoin the

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1 employer from continuing to discriminate against affected employees and  
 2 shall direct the employer to comply with the provisions of this article;  
 3 and may order the employer to take such additional affirmative steps as  
 4 are necessary, including reinstatement or reclassification of affected  
 5 workers, to ensure an end to unlawful discrimination.

6 (3) In any action in which an affected employee or employees prevail  
 7 in their claims against employers, the court shall, in addition to any  
 8 judgment awarded to the plaintiffs, allow a reasonable attorney's fee,  
 9 reasonable expert witness fees, and other costs of the action to be paid  
 10 by the employer.

11 (b) (1) An action to recover the damages or equitable relief  
 12 prescribed in subdivision (a) of this section may be maintained against  
 13 any employer in any court of competent jurisdiction by any one or more  
 14 employees or their representative for or on behalf of:

15 (A) the employees; or

16 (B) the employees and other employees similarly situated.

17 (2) (A) The department shall receive, investigate, and attempt to  
 18 resolve complaints of violations of this article.

19 (B) In the event the department is unable to reach a voluntary resolu-  
 20 tion of a complaint filed under this article, the department may bring  
 21 an action in any court of competent jurisdiction to recover the equita-  
 22 ble and monetary relief described in subdivision (a) of this section.

23 (C) Any sums recovered by the department pursuant to this paragraph  
 24 shall be paid directly to each employee affected by the employer's  
 25 unlawful acts.

26 § 757. Regulations. The department shall prescribe such regulations as  
 27 are necessary to carry out the provisions of this article not later than  
 28 one hundred twenty days after the effective date of this article.

29 § 2. This act shall take effect on the ninetieth day after it shall  
 30 have become a law; provided that the commissioner of labor shall promul-  
 31 gate rules and regulations necessary to effectuate the provisions of  
 32 this act prior to such effective date.

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MS. WHYTE moved to approve the item as amended. MR. REYNOLDS seconded. MR. RANZENHOFER voted in the negative.

CARRIED. (13-1)

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 129

RE: Commission on Local Government  
 Efficiency and Competitiveness (INTRO 9-9)

**A RESOLUTION SUBMITTED BY  
 LEGISLATORS MARINELLI, WHYTE, MAZUR,  
 REYNOLDS, GRANT AND KONST**

WHEREAS, Governor Eliot Spitzer issued an Executive Order creating a Commission on Local Government Efficiency and Competitiveness. The Commission will analyze and make recommendations on the measures to facilitate and expedite partnership among State and local governments to improve the effectiveness and efficiency of local governments; and

WHEREAS, Governor Spitzer asked local government leadership in each county to identify at least one major merger, consolidation, shared service or smart growth initiative that is either already under way or can be initiated in the year 2007; and

WHEREAS, Governor Spitzer directed every agency of State government with relevant jurisdiction and expertise to participate in the interagency task force and assist in the implementation of the chosen initiatives, including the Department of State, the Empire State Development Corporation, the Office of Real Property Services, the Governor's Office of Regulatory Reform, the Division of the Budget and the State Education Department. Comptroller Thomas DiNapoli also vowed to lend the support of his local government office in this effort; and

WHEREAS, the Executive Order Establishing the New York State Commission on Local Government Efficiency and Competitiveness stated that a comprehensive analysis is needed

1. To identify the barriers which inhibit more efficient local government, the merger, consolidation or regionalization of local government, partnering among local governments to more efficiently provide public services, adoption of smart growth practices, and the procurement and construction of regional transportation and other infrastructure which improves the efficiency, competitiveness and quality of life of New York's localities; and
2. To guide the formulation and development of tools to assist local governments to pursue and achieve these objectives; and

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WHEREAS, the Erie County Legislature, on April 5, 2007, unanimously approved the Framework for Regional Growth which establishes basic policies and principles to guide the future growth and development of the Region; and

WHEREAS, the following principles served as the primary foundation for the Framework for Regional Growth:

- A Vital Economy
- Sustainable Neighborhoods
- Strong Rural Communities
- Improved Access and Mobility
- Efficient Systems and Services
- Effective Regional Stewardship
- Conserved Natural and Cultural Assets;

and

WHEREAS, if the Commission on Local Government Efficiency and Competitiveness analyzed and made recommendations on how to better implement the Framework of Regional Growth, this smart-growth plan could be strengthened and would result in a better living environment for Erie County residents.

NOW, THEREFORE, BE IT

RESOLVED, the Erie County Legislature does hereby request the Commission on Local Government Efficiency and Competitiveness analyze and make recommendations on how to better implement the Framework for Regional Growth; and be it further

RESOLVED, certified copies of this resolution are to be forwarded to the County Executive, the Commissioner of Environment and Planning, NYS Governor, NYS Comptroller, the Executive and Legislative Head of each City/Town/Village in Erie County, the Niagara County Executive, Niagara County Legislature and the Board Members of the Commission on Local Government Efficiency and Competitiveness.

MS. WHYTE moved to amend the item for Co-Sponsorship. MR. KOZUB seconded.

ADD the following as Co-Sponsors:

MR. MILLS, MS. IANNELLO, MR. KENNEDY, MR. KOZUB, MS. LOCKLEAR, MR. LOUGHRAN, MR. RANZENHOFER and MR. WEINSTEIN.

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

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Item 45 – MS. WHYTE presented the following resolution and moved for immediate consideration. MS. GRANT seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 130

RE: Urging the Protection of the Region's Trees  
 (INTRO 9-10)

A RESOLUTION TO BE SUBMITTED BY LEGISLATORS  
 MILLER-WILLIAMS, MARINELLI, WHYTE,  
 MAZUR, REYNOLDS AND GRANT

WHEREAS, more than 30,000 trees were severely damaged and destroyed during the “Surprise October Storm”; and

WHEREAS, some trees cannot be salvaged and will have to be cut down, while others just need pruning and trimming; and

WHEREAS, a mature shade tree can usually survive the loss of major branches as long as the tree has some major limbs; and

WHEREAS, the storm provides a chance to reforest and revitalize our great city; and

WHEREAS, the National Arbor Day Foundation will donate small seedlings to area neighborhoods to help replace what we have lost.

NOW, THEREFORE, BE IT

RESOLVED, each damaged tree should be individually assessed to determine if it can recover from the damage inflicted by the October storm and re-grow before taking to drastic approach of removing the tree; and be it further

RESOLVED, the Erie County Legislature endorses the creative concept employed by several local organizations and individuals which turn large pieces of wood into sculptures that are then be auctioned off to help fund the reforesting efforts underway throughout Erie County; and be it further

RESOLVED, the Erie County Legislature encourages all parts of our community to implement the best ideas and use the best practices to reforest Buffalo and Erie County's Parkland; and be it further

RESOLVED, that certified copies of this resolution be sent to the City of Buffalo, County Executive Giambra, Commissioner of Parks and Recreation, the Olmsted Park Conservancy and the Buffalo Federation of Women's Clubs.

MS. WHYTE moved to amend the item for Co-Sponsorship. MR. MAZUR seconded.

CARRIED UNANIMOUSLY.

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ADD the following as Co-Sponsors:

MR. MILLS, MS. IANNELLO, MR. KENNEDY, MS. KONST, MS. LOCKLEAR and MR. LOUGHRAN

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

CARRIED UNANIMOUSLY.

Item 46 – MS. WHYTE presented the following resolution and moved for immediate consideration. MS. IANNELLO seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 131

RE: Support for the Burchfield-Penney Art Center (INTRO 9-11)

A RESOLUTION TO BE SUBMITTED BY  
 LEGISLATORS IANNELLO, MARINELLI, WHYTE,  
 MAZUR, REYNOLDS AND GRANT

WHEREAS, the Burchfield-Penney Art Center has been in existence for forty years as a museum dedicated to Western New York arts; and

WHEREAS, the Burchfield-Penney Art Center has been nationally recognized and obtained accreditation with the American Association of Art Museums; and

WHEREAS, as the result of a vigorous fundraising effort the Burchfield-Penney Art Center has raised over \$30.2 million in public and private sector donations for the new museum project; and

WHEREAS, construction of this magnificent facility is well under way and the first new museum to be built in Buffalo in the past 100 years is clearly taking shape; and

WHEREAS, the Burchfield-Penney Art Center and its Board of Trustees are in the final stages of fundraising for this project with the remaining \$3 million to raise; and

WHEREAS, that the new museum has adopted technologies and building methods to meet the rigorous standards of the U.S. Green Building Council and once certified will be one of the few museums in the country to achieve the status of a “Green Building” recognized for its energy efficiency and respect for the environment; and

WHEREAS, the new museum, expected to open in June 2008, will serve the citizens of Erie County and New York State for many generations to come.

NOW, THEREFORE, BE IT



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RESOLVED, Erie County Legislature applauds their efforts to date and endorse the importance of this museum dedicated to our artists and request that others support the project toward its completion; and be it further

RESOLVED, that the Erie County Legislature recognizes the value of the Burchfield-Penney Art Center to the community and has provided financial assistance to the Center; and be it further

RESOLVED, that the Erie County Legislature respectfully requests that the Federal Government provide financial assistance to help complete this vital project; and be it further

RESOLVED, that certified copies of this resolution be forwarded to Senator Charles Schumer, Senator Hillary Rodham Clinton, Congressman Brian Higgins, Congressman Tom Reynolds and Congresswoman Louise Slaughter.

MS. WHYTE moved to approve the item as amended for Et Al Sponsorship. MS. IANNELLO seconded.

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

Item 47 - CHAIRPERSON MARINELLI directed that the following resolution be referred to the FINANCE & MANAGEMENT COMMITTEE.

GRANTED.

INTRO 9-12 from MARINELLI Re: Erie County Finances

Item 48 - CHAIRPERSON MARINELLI directed that the following resolution be referred to the COMMUNITY ENRICHMENT COMMITTEE.

GRANTED.

INTRO 9-13 from IANNELLO & KONST Re: Amending the Language for Efficiency Grants

**COMMUNICATIONS DISCHARGED FROM COMMITTEE**

Item 49 – MS. WHYTE moved to discharge the ECONOMIC DEVELOPMENT COMMITTEE from further consideration of COMM. 8E-9. MR. KENNEDY seconded.

CARRIED UNANIMOUSLY.

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RESOLUTION NO. 132

RE: Buffalo & Erie County Library - Main  
Branch - Construction Contingency Increase for  
Rare Book Room Expansion

WHEREAS, on May 24, 2004 your Honorable Body awarded construction contracts and a construction contingency account for the Buffalo and Erie County Public Library – Main Branch, Phases I & II Renovation Work and

WHEREAS, the Library Board of Trustees has approved a 2,000 square foot expansion of the Rare Book Room for providing additional environmentally controlled storage, and

WHEREAS, the Library Board of Trustees applied for and received a 2006 New York State Library Construction Grant for this work, and

WHEREAS, the Library Board of Trustees has requested that the Department of Public Works proceed with the Rare Book Room expansion, and

WHEREAS, sufficient funds for the expanded Rare Book Room storage are available within the total \$1,000,000 of Library private funds allocated to Library renovations as approved by the Board of Trustees on February 20, 2003 in Resolution 2003-09, and

WHEREAS, the Library Board of Trustees further authorizes the Library Director, in cooperation with the Erie County Department of Public Works, to execute change orders to implement the Rare Book Room expansion at a cost not to exceed \$265,000.00.

NOW, THEREFORE, BE IT

RESOLVED, that the project construction contingency account be increased by \$265,000.00 from \$200,000.00 to \$465,000.00, and be it further,

RESOLVED, that the Commissioner of Public Works is hereby authorized to issue changes to the contractors in an amount not to exceed \$265,000.00 for the Rare Book Room expansion, and be it further,

RESOLVED, that deduct change orders will result in funds being returned to the contingency account, and be it further,

RESOLVED, that a revenue line be added in the Project F.00006 budget account, line 417030 Other Local Match, showing reimbursement from the Library Private Trust account in the amount of \$265,000.00, and be it further,

RESOLVED, that the Comptroller's Office be authorized to make payment for all the above from Project F.00006 – 2003 Central Library Renovations in an amount not to exceed \$265,000.00, and be it further,

RESOLVED, that two certified copies of this resolution be sent to the Department of Public Works, Office of the Commissioner, and one copy each to the Office of the County Executive, the Division of Budget, Management & Finance, the Office of the Comptroller, and the Library Board of Trustees.

MS. WHYTE moved to approve the item. MR. RANZENHOFER seconded.

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CARRIED UNANIMOUSLY.

**SUSPENSION OF THE RULES**

Item 50 - MS. WHYTE moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 9E-20 from MILLER WILLIAMS Re: Absence From May 3rd Session

May 1, 2007

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

RE Absence From May 3rd Session

Dear Mr. Graber:

As you may know, I am a member of the United States Army Reserve and during the week of April 30, 2007 I will be in Fort Dix, New Jersey to participate in mandatory annual training. Thus, I will not be able to attend the May 3, 2007 session.

Thank you for your attention to this matter.

Sincerely Yours,

Barbara Miller-Williams  
 3rd District Legislator

**COMMUNICATIONS FROM ELECTED OFFICIALS**

**FROM LEGISLATOR LOCKLEAR**

Item 51 – (COMM. 9E-1) Mold Testing: Erie County Family Court Building

Received and referred to the HEALTH COMMITTEE.

**FROM THE COMPTROLLER**

Item 52 – (COMM. 9E-2) Management Letter for Erie County for FY Ending 12/31/05

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

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FROM CHAIRPERSON MARINELLI

Item 53 – (COMM. 9E-3) Appointment of Public Information Officer

Received, Filed and Printed.

April 30, 2007

Robert M. Graber  
Clerk, Erie County Legislature  
92 Franklin Street  
Buffalo, New York 14202

RE: Appointment of Public Information Officer

Pursuant to the power vested in me by Section 1.01 (7) of the Erie County Legislature's 2007 Rules of Order and Section 202.4 of Article 2 of the Erie County Charter, I, Lynn M. Marinelli, Chair of the Erie County Legislature, do hereby appoint Legislator Kathy Konst to serve as Open Meetings Advisor for the Erie County Legislature.

Respectfully Submitted,

Lynn M. Marinelli  
Chair, Erie County Legislature

FROM THE COMPTROLLER

Item 54 – (COMM. 9E-4) Financial Report of COE for Three (3) Months Ended 3/31/07

Item 55 – (COMM. 9E-5) External Quality Review - Erie County Comptroller's Office  
Division of Audit and Control

The above two items were received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE COUNTY EXECUTIVE

Item 56 – (COMM. 9E-6) ECSD No. 5 - Proposed Modifications of Plans - Erie County  
Sewer Agency Report

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 57 – (COMM. 9E-7) Real Property Tax Services - Addition of a Secretary

Received and referred to the PERSONNEL COMMITTEE.

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Item 58 – (COMM. 9E-8) Open Item - 2006 Year End Budget Balancing Amendments

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 59 – (COMM. 9E-9) Sewerage Management - Personnel Request

Item 60 – (COMM. 9E-10) District Attorney's Office - Recruitment and Retention Grant

The above two items were received and referred to the PERSONNEL COMMITTEE.

Item 61 – (COMM. 9E-11) ECSDs/WNY Council on Occupational Safety & Health  
Proposed Agreement

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 62 – (COMM. 9E-12) Social Services - Enhanced Case Management Program

Received and referred to the HUMAN SERVICES COMMITTEE.

Item 63 – (COMM. 9E-13) ECSDs No. 2 and No. 6 - Preliminary Design Activities for  
Energy and Efficiency Upgrades at Wastewater Treatment Facilities

Item 64 – (COMM. 9E-14) ECSD No. 3 - NYSDOT - Request for Additional Funding -  
Comm. 11E-19

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

Item 65 – (COMM. 9E-15) Appropriation of Funds for the Queen City Farm Planning Group

Item 66 – (COMM. 9E-16) DPW - Supplemental Agreement with NYSDOT Pin 575.86 -  
Design, Signal Replacement - Town of Tonawanda

The above two items were received and referred to the ECONOMIC DEVELOPMENT  
COMMITTEE.

Item 67 – (COMM. 9E-17) Health - Acceptance of Donated Equipment and Supplies from  
the NYS Health Dept.

Received and referred to the HEALTH COMMITTEE.

Item 68 – (COMM. 9E-18) Senior Services - Authorization to Amend the Title VII Grant  
Budget

Received and referred to the HUMAN SERVICES COMMITTEE.

Item 69 – (COMM. 9E-19) Budget & Management - Position Transfer

Received and referred to the PERSONNEL COMMITTEE.

**COMMUNICATIONS FROM THE DEPARTMENTS**

**FROM THE BOARD OF ELECTIONS**

Item 70 – (COMM. 9D-1) Grant Contracts #1 - #3

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

**FROM THE COUNTY ATTORNEY**

Item 71 – (COMM. 9D-2) Transmittal of New Claims Against Erie County

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

**FROM THE ERIE COUNTY MEDICAL CENTER CORPORATION**

Item 72 – (COMM. 9D-3) Annual Audit Report Certification

Received and referred to the HEALTH COMMITTEE.

**FROM BUDGET, MANAGEMENT & FINANCE**

Item 73 – (COMM. 9D-4) BMR with Financial Results as of 3/31/07

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

**COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES**

**FROM THE ERIE COUNTY BAR ASSN. - ASSIGNED COUNSEL PROGRAM**

Item 74 – (COMM. 9M-1) Quarterly Report of the Assigned Counsel Program for the 1st Quarter of 2007

Received and filed.

**FROM THE ERIE COUNTY WATER AUTHORITY**

Item 75 – (COMM. 9M-2) Management Letter for FY Ending 3/31/06

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

**FROM THE AUDIT COMMITTEE FOR ERIE COUNTY**

Item 76 – (COMM. 9M-3) Annual Report of FY Ended 3/31/04

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE GREENE COUNTY LEGISLATURE

Item 77 – (COMM. 9M-4) Medicaid County Protection County Act of 2007

Received and filed.

FROM SENATOR DALE VOLKER

Item 78 – (COMM. 9M-5) Receipt of Certified Resolution

Received and filed.

FROM THE AMHERST TOWN BOARD

Item 79 – (COMM. 9M-6) Certified Resolution Re: Acquisition of Erie County Fire Training Facility at Smith and New Roads by the Town of Amherst

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM THE COLDEN TOWN BOARD

Item 80 – (COMM. 9M-7) Erie County Roads in the Town of Colden in Need of Repair

Received and filed.

FROM THE BUFFALO URBAN DEVELOPMENT CORPORATION

Item 81 – (COMM. 9M-8) 2006 Annual Report

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE TOWN OF ELMA

Item 82 – (COMM. 9M-9) Certified Resolutions Re: St. Joseph Hospital

Received and filed.

FROM THE NYS DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Item 83 – (COMM. 9M-10) Notice of Availability - Record of Decision - Former Gastown

MGP

Received and filed.

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FROM CRAIG F. MARLATT

Item 84 – (COMM. 9M-11) Appointment as ECWA Commissioner for 2007-2010

Received and filed.

FROM THE NEW YORK STATE ASSOCIATION OF COUNTIES

Item 85 – (COMM. 9M-12) NYS Commission on Local Government Efficiency & Competitiveness

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM BUFFALO PLACE

Item 86 – (COMM. 9M-13) 2006 Buffalo Place Annual Report

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

**MEMORIAL RESOLUTIONS**

Item 87 – Legislator Reynolds requested that when the Legislature adjourns, it do so in memory of Edwin Winter.

Item 88 – Legislator Reynolds requested that when the Legislature adjourns, it do so in memory of David Brinkerhoff.

Item 89 - Legislator Locklear requested that when the Legislature adjourns, it do so in memory of Arthur Lalonde.

Item 90 – Mr. Mazur requested that when the Legislature adjourns, it do so in memory of George Hanzlian.

Item 91 – Ms. Grant requested that when the Legislature adjourns, it do so in memory of Dan Workman, Jr.

Item 92 – Ms. Iannello requested that when the Legislature adjourns, it do so in memory of Eileen Crowley.

Item 93 – Ms. Iannello requested that when the Legislature adjourns, it do so in memory of Al Gorlowski.

Item 94 – Mr. Weinstein requested that when the Legislature adjourns, it do so in memory of Jacob Hyman

Item 95 – Mr. Weinstein requested that when the Legislature adjourns, it do so in memory of Roger Young.



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Item 96 – Ms. Iannello requested that when the Legislature adjourns, it do so in memory of Collette McCrea.

**ADJOURNMENT**

Item 97 - At this time, there being no further business to transact, the Chairman announced that the Chair would entertain a Motion to Adjourn.

MR. MILLS moved that the Legislature adjourn until Thursday, May 17, 2007, at 2 p.m. Eastern Standard Time. MS. KONST seconded.

CARRIED UNANIMOUSLY.

The Chairman declared the Legislature adjourned until Thursday, May 17, 2007, at 2 p.m. Eastern Standard Time.

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