

ERIE COUNTY LEGISLATURE
MEETING NO. 18
SEPTEMBER 18, 2008

The Legislature was called to order by Chair Marinelli.

All members present.

An Invocation was held, led by Ms. Miller-Williams.

The Pledge of Allegiance was led by Mr. Ranzenhofer.

Item 1 – No tabled items.

Item 2 – No items for reconsideration from previous meeting.

Item 3 – MS. WHYTE moved for the approval of the minutes for Meeting Number 17 from 2008. MR. KENNEDY seconded.

CARRIED UNANIMOUSLY.

Item 4 - No Public Hearings.

MISCELLANEOUS RESOLUTIONS

Item 5 – MS. IANNELLO presented a resolution Congratulating Elnora Tiffany on Her 105th Birthday.

Item 6 – MS. IANNELLO presented a resolution Congratulating the Inter-Community Memorial Hospital Upon Their 50th Anniversary.

Item 7 – MS. IANNELLO presented a resolution Congratulating Barbara Cannon on Her 100th Birthday.

Item 8 – CHAIR MARINELLI presented a resolution Recognizing October 2008 as The Big Read Month in WNY.

Item 9 – CHAIR MARINELLI presented a resolution Welcoming the Participants of NYSAC's Fall Seminar to Buffalo Niagara, September 24-26, 2008.

Item 10 – CHAIR MARINELLI presented a resolution Celebrating Constitution Week - September 17-23, 2008.

Item 11 – MR. MILLS presented a resolution Honoring Robert Lowell Goller on Receiving the 2008 Mary and Gil Stott Award.

Item 12 – MR. MILLS presented a resolution Honoring Dan Gernatt, Jr. and the Gernatt Family of Companies for Receiving the Immaculata Academy's 2008 Mater Christi Award.

MS. WHYTE moved for consideration of the above eight items. MS. MILLER-WILLIAMS seconded.

CARRIED UNANIMOUSLY.

MS. WHYTE moved to amend the above eight items by adding one for MR. REYNOLDS and one for MR. KENNEDY, and also to include Et Al Sponsorship. MS. GRANT seconded.

CARRIED UNANIMOUSLY.

MS. WHYTE moved for approval of the above ten items as amended. MR. LOUGHRAN seconded.

CARRIED UNANIMOUSLY.

LOCAL LAWS

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

GRANTED.

Item 14 - CHAIR MARINELLI directed that Local Law No. 3 (Print #2) 2007 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 15 - CHAIR MARINELLI directed that Local Law No. 8 (Print #1) 2007 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 16 - CHAIR MARINELLI directed that Local Law No. 9 (Print #1) 2007 remain on the table and in the ECONOMIC DEVELOPMENT COMMITTEE.

GRANTED.

Item 17 - CHAIR MARINELLI directed that Local Law No. 2 (Print #1) 2008 remain on the table and in the ECONOMIC DEVELOPMENT COMMITTEE.

GRANTED.

Item 18 – CHAIR MARINELLI directed that Local Law No. 3 (Print #2) 2008 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 19 - CHAIR MARINELLI directed that Local Law No. 5 (Print #1) 2008 remain on the table and in the ENERGY & ENVIRONMENT COMMITTEE.

GRANTED.

COMMITTEE REPORTS

Item 20 - MR. KENNEDY presented the following report and moved for immediate consideration and approval. MR. KOZUB seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 295

SEPTEMBER 15, 2008	ECONOMIC DEVELOPMENT COMMITTEE REPORT NO. 13
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ALL MEMBERS PRESENT, EXCEPT LEGISLATOR KONST.

1. RESOLVED, the following items are hereby received and filed:
 - a. INTRO 14-7 (2007)
KENNEDY & WHYTE: Strengthening Lowest Responsible Bidder Requirements for Erie County Contracts
(4-0)
 - b. INTRO 7-6 (2008)
RATH & MILLS: Supporting Sharing Local Portion of Casino Revenue
(4-0)
 - c. INTRO 7-9 (2008)
KENNEDY, MILLER-WILLIAMS & GRANT: Supporting City of Buffalo Receiving 100% of the Host Community Share of Buffalo Creek Casino Revenue from NYS
(4-0)
 - d. COMM. 8M-17 (2008)
BUFFALO COMMON COUNCIL: Certified Copy of Resolution Titled, "Support the City of Buffalo to Receive 100% of Casino Revenue from NYS"
(4-0)
 - e. COMM. 17E-11 (2008)
REYNOLDS: Letter to The Oishei Foundation Supporting a Grant Application for the Buffalo Niagara Intelligence Network
(4-0)
 - f. COMM. 17E-12 (2008)

REYNOLDS: Letter to The Baird Foundation Supporting a Grant Application for the Buffalo Niagara Intelligence Network
(4-0)

- g. COMM. 17M-22 (2008)
NFTA: 17A Report & Capital Expenditure Reports for 2nd Quarter of Fiscal Year Ending 3/31/09
(4-0)
- h. COMM. 17M-39 (2008)
NFTA: NFTA Board Minutes for Meeting Held on July 28, 2008
(4-0)

TIMOTHY M. KENNEDY
CHAIR

Item 21 - MR. MAZUR presented the following report and moved for immediate consideration and approval. MR. RATH seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 296

SEPTEMBER 15, 2008	HEALTH & HUMAN SERVICES COMMITTEE REPORT NO. 13
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ALL MEMBERS PRESENT.

- 1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 17D-1 (2008)
SOCIAL SERVICES: Response to Comptroller Concerning DSS Audit Internal Controls Over Cash Receipts, Cash Disbursements and Near Cash Equivalents
(5-0)
 - b. COMM. 17D-10 (2008)
HEALTH: EC Sexuality Transmitted Diseases, HIV and Hepatitis C Statistics
(5-0)
 - c. COMM. 17M-10 (2008)
COLUCCI & GALLAHER, P.C.: ECMCC Board of Director Meeting Minutes for Meeting Held 7/24/2008
(5-0)
 - d. COMM. 17M-38 (2008)
COLUCCI & GALLAHER, P.C.: ECMCC Board of Director Meeting Minutes for Meeting Held 8/28/2008

(5-0)

- e. COMM. 17M-41 (2008)
EC BOARD OF HEALTH: Notice of Meeting Agenda for September Meeting & Minutes of Meeting Held 7/8/2008
(5-0)

2. COMM. 17E-38 (2008)
COUNTY EXECUTIVE

WHEREAS, the Erie County Legislature has already appropriated funds for the Community Services for the Elderly (CSE) grants for the periods April 1, 2007 to March 31, 2008 and April 1, 2008 to March 31, 2009; and the Area Agency on Aging (III-B) grant for the period January 1, 2008 to December 31, 2008; and

WHEREAS, the New York State Office for Aging (NYSOFA) issued a Technical Assistance Memorandum describing fiscal options available to local area agencies on aging to provide flexibility to deal with upcoming state fiscal cutback; and

WHEREAS, the Department of Senior Services (Department) was faced with the potential of under spending approximately \$115,600 in CSE funds for the grant year ending March 31, 2008 due to cluster agencies under spending and inability to secure the purchase of replacement vehicles for the going places transportation network within the CSE grant time frames due to the recently settled American Axle strike; and

WHEREAS, the Department identified \$106,920 in various III-B grant employees' salary, fringe benefits and local mileage costs that are allowable costs to transfer into the CSE grant for the last quarter of the grant period, January 1, 2008 to March 31, 2008; and

WHEREAS, one Cluster agency, Buffalo Federation of Neighborhood Centers, Inc., has requested the Department reconsider the previous reduction to its contract so that the agency can be reimbursed for the additional chore services performed during the April 1, 2007 to March 31, 2008 contract period for seniors in the cluster service area; and

WHEREAS, the Department desires to honor that request for the benefit of the seniors and so that the Department will then be able to fully use the State funds as recommended by the grantor; and

WHEREAS, several of the Cluster agencies reported match over and above the amount originally budgeted and the Department desires to record the additional match; and

WHEREAS, the Department analyzed grant objectives and staffing for the current CSE grant, and desires to delete the Community Services Aide position (No. 1801), currently vacant, and create a part time Community Service Aide as detailed on B-100 No. 00003905; effective September 1, 2008; and

WHEREAS, the CSE and III-B grant budgets are in need of revision; and

WHEREAS, there is no impact on County funds appropriated for these grants.

NOW, THEREFORE, BE IT

RESOLVED, that a portion of various Title III-B employees' salaries, fringe benefits and mileage costs that are allowable in the CSE grant be charged to the CSE grant for the last quarter of the grant period, January 1, 2008 to March 31, 2008; and be it further

RESOLVED, that the County Executive be and is hereby authorized to amend the contract with the Buffalo Federation of Neighborhood Centers, Inc. at the amount authorized herein; and be it further

RESOLVED, that the Community Services Aide position (No. 1801) be deleted and a part time Community Service Aide position be added, effective September 1, 2008; and be it further

RESOLVED, that the budget for the CSE grant, 163CSE0708, be revised as follows:

	CURRENT BUDGET	CHANGES	AMENDED BUDGET
REVENUES			
466320 Subcontractor Match	\$104,314	<u>\$11,575</u>	\$115,889
TOTAL REVENUES		<u>\$11,575</u>	
APPROPRIATIONS			
500000 Full Time - Salaries	\$195,227	\$68,965	\$264,192
502000 Fringe Benefits	83,735	20,746	104,481
516010 BFNC (cash and match)	93,618	8,904	102,522
516010 Schiller Park (cash and match)	168,325	-4,686	163,639
516010 Old First Ward (cash)	24,000	-4,078	19,922
516010 Amherst Senior Center (match)	16,420	3,319	19,739
Community Concern of WNY			
516010 (match)	55,162	2,892	58,054
Lt. Col. Matt Urban Center			
516010 (match)	152,236	1	152,237
North Buffalo Comm. Center			
516010 (match)	35,014	1,470	36,484
South Buffalo Comm. Center			
516010 (match)	89,251	200	89,451
561440 Motor Vehicles	86,158	<u>-86,158</u>	0
TOTAL APPROPRIATIONS		<u>\$11,575</u>	

and be it further

RESOLVED, that the budget for the III-B grant, 163III-B2008, be revised as follows:

	CURRENT BUDGET	CHANGES	AMENDED BUDGET
REVENUES			

414000	Federal Aid	\$1,466,529	<u>-\$18,686</u>	\$1,447,843
	TOTAL REVENUES		<u><u>-\$18,686</u></u>	
	APPROPRIATIONS			
500000	Full Time - Salaries	\$745,731	-\$71,600	\$674,131
502000	Fringe Benefits	323,710	-35,320	288,390
510100	Out of Area Travel	4,060	1,500	5,560
510200	Training & Education	9,500	1,000	10,500
	Other Expenses-Minor Residential			
530000	Repairs	71,839	45,644	117,483
561410	Lab & Technical Equipment	0	10,000	10,000
561440	Motor Vehicles	164,000	<u>30,090</u>	194,090
	TOTAL APPROPRIATIONS		<u><u>-\$18,686</u></u>	

and be it further

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

(5-0)

3. COMM. 17E-39 (2008)

COUNTY EXECUTIVE

WHEREAS, the Erie County Legislature has already appropriated funds for the Health Insurance Information, Counseling and Assistance Program (HIICAP) grant for the period April 1, 2008 to March 31, 2009 and for the Operation Restore Trust (ORT) grant for the period June 1, 2007 to May 31, 2008; and

WHEREAS, the New York State Office for Aging notified the Department of additional funding for the HIICAP grant, and an extension for the ORT grant year to September 30, 2008; and

WHEREAS, the Department contracts with the American Red Cross to administer the ORT program and the contract with the American Red Cross needs to be extended through September 30, 2008; and

WHEREAS, the County budget for the HIICAP grant needs to be revised; and

WHEREAS, neither grant requires County matching funds.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be and is hereby authorized to accept the additional HIICAP funds; and be it further

RESOLVED, that the ORT grant be extended to September 30, 2008; and be it further

RESOLVED, that the County Executive be and is hereby authorized to extend the contracts with the American Red Cross through September 30, 2008; and be it further

RESOLVED, that the budget for the HIICAP grant, 163HIICAP0809, be revised as follows:

		CURRENT BUDGET	CHANGES	AMENDED BUDGET
REVENUES				
Account	Description			
414000	Federal Aid	\$27,402	\$22,320	\$49,722
409000	State Aid	15092	-629	14,463
	TOTAL REVENUE		<u>\$21,691</u>	
APPROPRIATIONS				
505000	Office Supplies	\$400	-\$400	\$0
516020	Professional Services & Fees	3,000	-3,000	0
530000	Other Expenses	2,170	-2,170	0
916390	ID Senior Services Grant	34,424	27,261	61,685
	TOTAL APPROPRIATIONS		<u>\$21,691</u>	

and be it further

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

(5-0)

4. **COMM. 17E-40 (2008)**
COUNTY EXECUTIVE

WHEREAS, the Erie County Legislature has already appropriated funds for the Senior Aides and Senior Employment grants for the periods July 1, 2007 to June 30, 2008 and July 1, 2008 to June 30, 2009; and

WHEREAS, Senior Service America, Inc. notified the Department of Senior Services (Department) of increased funding for both grant years, and a one-month extension for the 2007/2008 grant year; and

WHEREAS, the New York State Office for Aging notified the Department of increased funding for the 2008/2009 grant year; and

WHEREAS, the Department contracts with Supportive Services Corp. to administer the Senior Aides and the Senior Employment programs; and

WHEREAS, the County budgets for these grants are in need of revision and the contracts with Supportive Services Corp. need to be amended; and

WHEREAS, Supportive Services Corp. will have sufficient funds available to cover the additional required match for the funding increases.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be and is hereby authorized to accept the additional Senior Aides and Senior Employment funds from the respective grantors; and be it further

RESOLVED, that the 0708 Senior Aides grant be extended to July 31, 2008; and be it further

RESOLVED, that the County Executive be and is hereby authorized to amend the contracts with Supportive Services Corp. at the amount authorized herein; and be it further

RESOLVED, that the budget for the Senior Aides grant, 163SRAIDES0708, be revised as follows:

		CURRENT		AMENDED
		BUDGET	CHANGES	BUDGET
REVENUES				
Account	Description			
414000	Federal Aid Revenue	\$985,090	<u>\$116,830</u>	\$1,101,920
	TOTAL CHANGE		<u><u>\$116,830</u></u>	
APPROPRIATIONS				
	Supportive Services			
516010	Corp.	\$1,113,841	<u>\$116,830</u>	\$1,230,671
	TOTAL CHANGE		<u><u>\$116,830</u></u>	

and be it further

RESOLVED, that the budget for the Senior Aides grant, 163SRAIDES0809, be revised as follows:

		CURRENT		AMENDED
		BUDGET	CHANGES	BUDGET
REVENUES				
Account	Description			
414000	Federal Aid Revenue	\$985,090	\$97,443	\$1,082,533
466320	Subcontractor Match	44,751	<u>13,905</u>	58,656
	TOTAL REVENUE		<u><u>\$111,348</u></u>	
APPROPRIATIONS				
516010	Supportive Services Corp.	\$1,113,841	<u>\$111,348</u>	\$1,225,189
	TOTAL APPROPRIATIONS		<u><u>\$111,348</u></u>	

and be it further

RESOLVED, that the budget for the Senior Employment grant, 163SREMP0809, be revised as follows:

CURRENT	AMENDED
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	BUDGET	CHANGES	BUDGET
REVENUES			
Account Description			
409000 State Aid Revenue	\$279,400	\$4,499	\$283,899
466320 Subcontractor Match	13,045	500	13,545
TOTAL REVENUE		<u>\$4,999</u>	
APPROPRIATIONS			
516010 Supportive Services Corp.	\$310,445	\$4,999	\$315,444
TOTAL APPROPRIATIONS		<u>\$4,999</u>	

and be it further

RESOLVED, that certified copies of this resolution be forwarded to the County Executive's Office, the Division of Budget and Management, the Comptroller's Office, the Department of Law and the Department of Senior Services
(5-0)

THOMAS J. MAZUR
CHAIR

Item 22 - MS. GRANT presented the following report and moved for immediate consideration and approval. MS. IANNELLO seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 297

SEPTEMBER 15, 2008	COMMUNITY ENRICHMENT COMMITTEE REPORT NO. 11
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ALL MEMBERS PRESENT, EXCEPT LEGISLATORS KENNEDY AND GRANT.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 13D-4 (2008)
COUNTY ATTORNEY: Notice of Public Hearing: LL Intro. 4-2008
(4-0)
 - b. COMM. 13D-10 (2008)
BUFFALO & ERIE COUNTY PUBLIC LIBRARY: Agenda & Minutes of Board of Trustees Meeting Held on June 19, 2008
(4-0)
 - c. COMM. 15D-2 (2008)

BUFFALO & ERIE COUNTY PUBLIC LIBRARY: Agenda & Minutes of Board of Trustees Meeting Held on July 17, 2008
(4-0)

BETTY JEAN GRANT
CHAIR

Item 23 - MS. MILLER-WILLIAMS presented the following report, moved to separate item Numbers 1a and 1p, and moved to approve the balance of the report. MS. WHYTE seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 298

SEPTEMBER 15, 2008	GOVERNMENT AFFAIRS COMMITTEE REPORT NO. 9
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ALL MEMBERS PRESENT. CHAIR MARINELLI PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
 - a. INTRO. 3-19 (2008)
RANZENHOFER, MILLS & RATH: Use of GPS Devices in Erie County Vehicles
(6-0)
 - b. COMM. 6M-11 (2008)
CITY OF BUFFALO LIVING WAGE COMMISSION: Annual Report 2007
(6-0)
 - c. COMM. 9M-4 (2008)
ERIE COUNTY FISCAL STABILITY AUTHORITY: Copy of Resolution 08-51 Concerning Proposed Payments to Current Active Members of AFSCME Local 1095
(6-0)
 - d. COMM. 11D-2 (2008)
DEPARTMENT OF LAW: Transmittal of New Claims Against Erie County
(6-0)
 - e. COMM. 11D-4 (2008)
COUNTY ATTORNEY: Revised Designation in the Event of Vacancy, Absence or Inability
(6-0)
 - f. COMM. 11D-5 (2008)
DEPARTMENT OF LAW: Transmittal of New Claims Against Erie County
(6-0)

- g. COMM. 11M-8 (2008)
PEOPLE FOR THE ETHICAL TREATMENT OF ANIMALS: Letter and DVD Concerning Elephant Abuse at Carson & Barnes Circus
(5-1) Legislator Reynolds voted in the negative.
- h. COMM. 11M-11 (2008)
LEGAL AID BUREAU OF BUFFALO, INC.: Monthly Report and Monthly Activity Report for May 2008
(6-0)
- i. COMM. 13E-6 (2008)
COUNTY CLERK: Letter Seeking Support for Efficiency Grant to Fund Relocation of Downtown Auto Bureau
(6-0)
- j. COMM. 13E-14 (2008)
COUNTY EXECUTIVE: Appointment to the Erie County Board of Ethics
(6-0)
- k. COMM. 13D-5 (2008)
COUNTY ATTORNEY: Transmittal of New Claims Against Erie County
(6-0)
- l. COMM. 13M-1 (2008)
TOWN OF NEWSTEAD CLERK: Certified Resolution Regarding Support for Amendments to GML Section 239-N
(6-0)
- m. COMM. 14D-3 (2008)
COUNTY ATTORNEY: Transmittal of New Claims Against Erie County
(6-0)
- n. COMM. 15D-1 (2008)
COUNTY ATTORNEY: Transmittal of New Claims Against Erie County
(6-0)
- o. COMM. 15M-2 (2008)
LEGAL AID BUREAU OF BUFFALO, INC.: Monthly Report and Monthly Activity Report for June 2008
(6-0)
- p. COMM. 15M-4 (2008)
STONEWALL DEMOCRATS OF WNY: Supporting the Institution of Domestic Partnership Benefits for Employees
(4-2) Legislators Whyte and Kozub voted in the negative.
- q. COMM. 17D-5 (2008)
COUNTY ATTORNEY: Transmittal of New Claims Against Erie County

(6-0)

- r. COMM. 17D-11 (2008)
COUNTY ATTORNEY: Transmittal of New Claims Against Erie County
(6-0)
- s. COMM. 17D-12 (2008)
COUNTY ATTORNEY: Transmittal of New Claims Against Erie County
(6-0)
- t. COMM. 17D-13 (2008)
COUNTY ATTORNEY: Transmittal of New Claims Against Erie County
(6-0)
- u. COMM. 17D-16 (2008)
COUNTY ATTORNEY: Transmittal of New Claims Against Erie County
(6-0)
- v. COMM. 17M-2 (2008)
ALBANY LAW REVIEW: Regionalism Revisited: The Effort to Streamline Governance in Buffalo and Erie County, NY
(6-0)

2. COMM. 17E-20 (2008)
DISTRICT ATTORNEY (DA OFFICE – BESAFE GRANT)
WHEREAS, the District Attorney through the BESAFE Grant provides needed services to the residents of Erie County; and

WHEREAS, the Erie County Legislature has already approved the District Attorney’s Grant Budgets in Book B for 2008; and

WHEREAS, the contract received from the United States Department of Justice authorizes funding levels different from the adopted budget.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby provide authorization to reallocate funds within the BESAFE Grant to match final federal authorized funding levels, to be adjusted as follows:

BESAFE GRANT
114BESAFE0809
October 1, 2008 – September 30, 2009

<u>Revenue</u>	<u>ORIGINAL</u>	<u>CHANGE</u>	<u>FINAL</u>
414000 Federal Revenue	\$ 285,592	\$ 154,343	\$ 439,935
Total Revenue	<u>\$ 285,592</u>	<u>\$ 154,343</u>	<u>\$ 439,935</u>

<u>Appropriation</u>	<u>ORIGINAL</u>	<u>CHANGE</u>	<u>FINAL</u>
500000 Full Time Salaries	\$ 160,337	\$ (4,462)	\$ 155,875
502000 Fringe Benefits	68,255	(1,899)	66,356
510100 Out of Area Travel	3,000	4,500	7,500
516010 Contractual	54,000	156,204	210,204
Family Justice Center (\$65,286)			
Haven House (\$56,930)			
Hispanics United (\$47,181)			
International Institute (\$40,807)			
Total Appropriations	<u>\$ 285,592</u>	<u>\$ 154,343</u>	<u>\$ 439,935</u>

and be it further

RESOLVED, that the County Executive is hereby authorized to enter into contracts with the Family Justice Center of Erie County, Haven House, Hispanics Untied of Buffalo and the International Institute; and be it further

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

(6-0)

3. COMM. 17E-21 (2008)

COUNTY CLERK

WHEREAS, The Erie County Clerk is mandated by State law to record, file and maintain records, documents and indices for use by taxpayers and the general public; and

WHEREAS, the Erie County Clerk's Office has submitted a grant application to the Local Government Records Management Improvement Fund [LFRMIF]; and

WHEREAS, the LGRMIF has approved a \$59,513.28 grant to the Erie County Clerk for the purpose of scanning Clerk Register books dated 1959 to 1993, which are deteriorating, and to provide quality control of the master film by an outside vendor; and

WHEREAS, the County Clerk, as Records Management Officer, must maintain the condition and integrity of county's records, which requires funding; and further

WHEREAS, the 2008 budget does not provide sufficient funding to the County Clerk for the scanning and maintenance of its records.

NOW, THEREFORE, BE IT

RESOLVED, that the County of Erie hereby adopts and accepts from the LGRMIF the \$59,513.28 grant that it has appropriated to the County Clerk for scanning of the county's records under such terms and conditions as stated in the grant; and be it

RESOLVED, that the County Executive execute the Grant Acceptance Form and such other documents as may be required for the county to receive the grant; and be it further

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

(6-0)

BARBARA MILLER-WILLIAMS
CHAIR

MS. MILLER-WILLIAMS moved to receive and file item Number 1a. MR. RANZENHOFER seconded.

CARRIED UNANIMOUSLY.

CHAIR MARINELLI directed that item Number 1p be returned to the GOVERNMENT AFFAIRS COMMITTEE for further consideration.

LEGISLATOR RESOLUTIONS

Item 24 – MS. WHYTE presented the following resolution and moved for immediate consideration. MS. GRANT seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 299

RE: Promoting Tourism in EC
(INTRO 18-1)

A RESOLUTION TO BE SUBMITTED BY
LEGISLATORS MARINELLI & GRANT

WHEREAS, the promotion, development and expansion of the tourist travel, report and vacation business are vital and necessary concerns to the citizens of Erie County, since such tourism business strengthens the county's vital and necessary opportunities, and promotes the general welfare of county residents; and

WHEREAS, the New York State Legislature, in 1977, recognizing the value of local and state involvement and assistance in tourism promotion, enacted the New York State Tourism Protection Act; and

WHEREAS, this Tourism Protection Act authorizes the state's Department of Commerce to initiate a program of matching state funds for non-profit tourist promotion agencies designated by county legislative bodies as agencies authorized to apply for and receive grants for recognized media advertising programs; and

WHEREAS, the Buffalo Niagara Convention and Visitors Bureau, a non-profit tourism promotion association, has begun to bring together many new segments of the county, servicing the tourism industry in a coordinated effort.

NOW, THEREFORE, BE IT

RESOLVED, that the Buffalo Niagara Convention and Visitors Bureau, having been designated as the authorized tourism promotion agency for Erie County in 1974, is hereby re-designated as such for 2008-2009; and be it further

RESOLVED, that this Honorable Body does hereby request that the Buffalo Niagara Convention and Visitors Bureau make the appropriate application to the Commissioner of the New York State Department of Commerce for state matching funds to assist said tourism promotion agency in the financing of a recognized media advertising program, as defined and set fourth in the New York State Tourism Protection Act; and be it further

RESOLVED, that officials of the Convention and Visitors Bureau are hereby requested to appear at a future meeting of the Legislature's Community Enrichment Committee to discuss the status of the aforementioned state matching fund grants and other matters relating to the furtherance of tourist activities within Erie County and Western New York; and be it further

RESOLVED, that certified copies of this resolution be sent to Charles Gargano, Commissioner of the New York State Department of Economic Development (30 South Pearl Street, Albany, NY 12245), Richard Geiger and David Lacki of the Buffalo-Niagara Convention and Visitors Bureau (617 Main Street, Suite 200, Buffalo, New York 14203-1496), State Assembly Tourism, Arts and Sports Development Committee Chairman Steve Englebright (LOB 712, Albany, NY 12248), State Senate Tourism, Recreation and Sports Development Committee Chairman Mary Lou Rath (LOB 310, Albany, NY 12248), and to Erie County Executive Chris Collins.

MS. WHYTE moved to amend the resolution by adding Et Al Sponsorship. MS. GRANT seconded.

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

Item 25 - MS. WHYTE presented the following resolution and moved for immediate consideration. MR. KENNEDY seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 300

RE: Seeking a Status Report on the Empire
State Development Upstate
Revitalization Fund
(INTRO 18-2)

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

WHEREAS, on April 28, 2008, the Director of the Western Region Office of Empire State Development made a presentation to the Erie County Legislature regarding the \$700 million Upstate Revitalization Fund that had been approved in the 2008-09 New York State Budget; and

WHEREAS, during the presentation, legislators were informed that the Upstate Revitalization Fund included the following components:

- Regional Blueprint Fund (\$120 million)
- City-by-City Investments (\$180 million, of which only \$30 million had not at the time been earmarked for specific projects)
- Upstate Housing Investments (\$100 million)
- Rebuilding State Parks (\$70 million)
- Agricultural Development Fund (\$40 million, of which \$20 million was directed to the Bronx, leaving \$20 million for all of Upstate)
- Upstate Infrastructure Improvements (\$30 million)
- Other initiatives (\$160 million); and

WHEREAS, at the time of this presentation, the rules and regulations regarding the application process for these various economic development initiatives were expected in August, 2008; and

WHEREAS, given the Special Session of the New York State Legislature that was called by the Governor in late August to address the anticipated state budget deficit by approving various cost-cutting measures, it is fitting that this Honorable Body ascertain whether any reductions in the aforementioned economic development programs took place; and

WHEREAS, at this juncture, it is also incumbent upon the Erie County Legislature to be briefed by a representative of the Western Region Office of Empire State Development regarding the status of the rules and regulations that were to be promulgated in August 2008; and

WHEREAS, in the words of Governor Paterson, “Especially in these difficult economic times, when families are feeling the effects of a likely recession, we must make the critical investments that will create jobs and expand opportunity for all New Yorkers.”

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature request a special update from the Western Region Office of Empire State Development on the status of the \$700 million Upstate Revitalization Fund, especially in view of state budget cuts that are being implemented to reduce the impact of New York State’s projected budget deficit in 2009-2010; and be it further

RESOLVED, that this Honorable Body also request a briefing on the rules and regulations that have been promulgated regarding the various components of the Upstate Revitalization Fund, so that legislators may inform the businesses within their respective districts of the economic development assistance that is available for firms in Erie County that are striving to become a strategic part of the economic growth and opportunity urgently needed in Upstate New York; and be it further

RESOLVED, that certified copies of this resolution be conveyed to Governor David A. Paterson; Robert Wilmers, Chair, Empire State Development Corporation; the Western Region Office of Empire State Development in Buffalo and the Western New York Delegation to the New York State Legislature.

MS. WHYTE moved to amend the resolution by adding Et Al Sponsorship. MS. KONST seconded.

CARRIED UNANIMOUSLY.

MS. WHYTE moved to approve the resolution as amended. MS. GRANT seconded.

CARRIED UNANIMOUSLY.

Item 26 - MS. WHYTE presented the following resolution and moved for immediate consideration. MR. WROBLEWSKI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 301

RE: Asking Governor Paterson to Prioritize
Funding Firefighter Training in the
Office of Fire Prevention & Control
Budget for 2009-2010
(INTRO 18-3)

**A RESOLUTION TO BE SUBMITTED BY
LEGISLATORS MARINELLI & WROBLEWSKI**

WHEREAS, just last week, Americans solemnly marked the seventh anniversary of the terrorist attacks of September 11th; and

WHEREAS, the heroism and sacrifice demonstrated by those who responded will be forever etched in our collective memory; and

WHEREAS, that infamous day changed our preconceived notions of what constitutes adequate training and preparedness for all first responders; and

WHEREAS, prior to 9/11, we could not have imagined a situation requiring specialized training for firefighters and other first responders to deal with an event of this magnitude; and

WHEREAS, professional and volunteer firefighters alike must now receive specialized training on responding to all manner of bombing incidents, or improvised explosive devices that could be detonated on our highways and bridges, or acts of bioterrorism, or other heretofore unimaginable carnage ready to be dispatched to any American community, at any time; and

WHEREAS, there is a centuries-old adage that public safety should be the first and utmost concern of government, and, indeed, is the most important function of government; and

WHEREAS, this legislative body is concerned that the financial constraints of the state, paired with corresponding cuts to many worthwhile programs, and voices this request that firefighter training be considered “first among equals” within the budget of the New York State Office of Fire Prevention and Control, which is currently being prepared and reviewed by the Paterson administration; and

WHEREAS, the Erie County Legislature has recognized that the primary responsibility of government is to protect the safety of the public by providing the resources necessary for those who are sworn to “serve and protect”; and

WHEREAS, on September 4, 2008, this Honorable Body approved an important contract that will result in a substantial capital investment in public safety; and

WHEREAS, this capital investment will provide for the replacement of Erie County’s antiquated fire training structure with a pre-engineered Live Burn Building; and

WHEREAS, Erie County continues to do its part to support public safety initiatives; however, local government is not in the financial position to fill in the gaps of insufficient state funding; and

WHEREAS, those of us serving in executive or legislative policymaking positions are called upon to provide the resources to equip and to train our firefighters to a level commensurate with the increasingly complex threats they face while protecting our lives, limbs and property; and

WHEREAS, we must train firefighters as though their lives and ours depend on it.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature ask Governor David A. Paterson to consider firefighter training “first among equals” within the budget of the New York State Office of Fire Prevention and Control currently being prepared and reviewed by the Paterson administration; and be it further

RESOLVED, that certified copies of this resolution be conveyed to Governor David A. Paterson, the New York State Office of Fire Prevention and Control, the Western New York Delegation to the New York State Legislature, County Executive Chris Collins and Commissioner Greg Skibitsky, Department of Emergency Services.

MS. WHYTE moved to amend the resolution by adding Et Al Sponsorship. MR. KENNEDY seconded.

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

Item 27 - MS. WHYTE presented the following resolution and moved for immediate consideration. MR. MAZUR seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 302

RE: Encouraging Governor Paterson to
Maintain the Buffalo Outreach Office
for the NYS Department of Civil Service
(INTRO 18-4)

**A RESOLUTION TO BE SUBMITTED BY
LEGISLATOR MAZUR**

WHEREAS, it has come to the attention of the Erie County Legislature that the potential exists for the closure of the Buffalo Outreach Office for the Department of Civil Service, given the financial constraints on the state budget; and

WHEREAS, at present, this office is staffed by only one full time equivalent position, to wit, the Director of Policy Analysis and Outreach Coordinator, and has shown a substantial return on investment and has been an effective vehicle for obtaining greater diversity in the workforce; and

WHEREAS, one example of the office's measurable results is its role in the Eighth Judicial District's partnership with the University at Buffalo's Educational Opportunity Center to provide no cost civil service preparation training for low-income candidates who were interested in taking New York State Court examinations; and

WHEREAS, the Eighth Judicial District further credits this office with securing a large and diverse pool of candidates for the position of Court Officer, thanks in large part to information outreach this office provides to area churches and local minority organizations; and

WHEREAS, the Buffalo Office also eases access to the Department of Civil Service to the Greater Buffalo area, Rochester, Syracuse and Niagara County; and

WHEREAS, this office is co-located with the Erie County Department of Personnel on the 6th floor of the Rath Building, and illustrates an intergovernmental collaboration that has been mutually beneficial; and

WHEREAS, Erie County provides this space to the New York State Department of Civil Service because we recognize the importance of effective examination recruitment as the first step to obtaining a workforce as diverse as our community.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature convey its support for the continuation of the Buffalo Outreach Office of the New York State Department of Civil Service, which is co-located and works collaboratively with the Erie County Department of Personnel; and be it further

RESOLVED, that this Honorable Body recognize the important work done by the Buffalo Outreach Office in terms of increasing the diversity of the state and county workforce by encouraging more minorities to take civil service examinations, augmenting the pool of applicants and helping them to prepare for these tests; and be it further

RESOLVED, that certified copies of this resolution be conveyed to Governor David A. Paterson, the Western New York Delegation to the New York State Legislature, the New York State Civil Service Commissioners and the Buffalo Outreach Office of the NYS Department of Civil Service.

MS. WHYTE moved to amend the resolution by adding MS. GRANT, MR. KENNEDY, MS. KONST, MR. KOZUB, CHAIR MARINELLI, MS. MILLER-WILLIAMS, MR. REYNOLDS, MS. WHYTE and MR. WROBLEWSKI as Co-Sponsors. MR. MAZUR seconded.

CARRIED UNANIMOUSLY.

MS. WHYTE moved to approve the resolution as amended. MR. MAZUR seconded. MR. RANZENHOFER voted in the negative.

CARRIED. (14-1)

COMMUNICATIONS DISCHARGED FROM COMMITTEE

Item 28 – MS. WHYTE moved to discharge the FINANCE & MANAGEMENT COMMITTEE from further consideration of COMM. 17D-2 (2007). MS. KONST seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 303

RE: OPEN ITEM: Correction of Errors on
Petitions
(COMM. 17D-2)

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

CARRIED UNANIMOUSLY.

Insert the following resolution:

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 208181 through 208201, inclusive be hereby approved or denied based upon the recommendation of the Director of Real Property Tax Services and be charged back to the applicable towns and/or cities:

FISCAL YEAR 2007 Petition No. 208,181.00
ASSESSOR Refund \$589.52
S-B-L 80.16-2-6.11/70 142289 AMHERST
Acct. No. 112 \$0.00 County
Acct. No. 132 \$589.52 Town/SpecialDist/School
Charge To : 142289 AMHERST \$589.52
Relevy School \$589.52 142203 WILLIAMSVILLE CENT

RPTL 550(2): FAILED TO APPLY BASIC STAR
REFUND TO BE ISSUED TO: MATTHEW R OPIPARE

FISCAL YEAR 2008 Petition No. 208,182.00
ASSESSOR Cancel \$358.00
S-B-L 235.15-5-3 144401 ANGOLA
Acct. No. 112 \$0.00 County
Acct. No. 132 \$358.00 Town/SpecialDist/School
Charge To : 144401 ANGOLA \$358.00

Relevy Village \$358.00 Village of ANGOLA
RPTL 550(2): INCORRECT GARBAGE UNITS CHARGED
NEW TAX BILL TO BE ISSUED TO: MARIA CARLSON

FISCAL YEAR 2008 Petition No. 208,183.00
ASSESSOR Cancel \$2.55
S-B-L 235.15-6-9 144401 ANGOLA
Acct. No. 112 \$0.00 County
Acct. No. 132 \$2.55 Town/SpecialDist/School
Charge To : 144401 ANGOLA \$2.55

Relevy Village \$2.55 Village of ANGOLA
RPTL 550(2): CHANGE FROM PRO RATE TO COMBAT VET
NEW TAX BILL TO BE ISSUED TO: DOMINIC J & ROSE SACK

FISCAL YEAR 2008 Petition No. 208,184.00
ASSESSOR Cancel \$78.16
S-B-L 347.07-1-8.1 143801 SPRINGVILLE
Acct. No. 112 \$0.00 County
Acct. No. 132 \$78.16 Town/SpecialDist/School
Charge To : 143801 SPRINGVILLE \$78.16

Relevy Village \$78.16 Village of SPRINGVILLE
RPTL 550(2): FAILED TO APPLY AGRICULTURAL EXEMPTION
NEW TAX BILL TO BE ISSUED TO: SCHICHEL'S NURSERY INC.

FISCAL YEAR 2008 Petition No. 208,185.00
ASSESSOR Cancel \$607.30
S-B-L 347.11-1-1 143801 SPRINGVILLE
Acct. No. 112 \$0.00 County
Acct. No. 132 \$607.30 Town/SpecialDist/School
Charge To : 143801 SPRINGVILLE \$607.30

Relevy Village \$607.30 Village of SPRINGVILLE
RPTL 550(2): FAILED TO APPLY AN AGRICULTURAL EXEMPTION
NEW TAX BILL TO BE ISSUED TO: SCHICHEL'S NURSERY INC

FISCAL YEAR 2008 Petition No. 208,186.00
ASSESSOR Cancel \$2,804.05
S-B-L 347.05-1-4.2 143801 SPRINGVILLE
Acct. No. 112 \$0.00 County
Acct. No. 132 \$2,804.05 Town/SpecialDist/School
Charge To : 143801 SPRINGVILLE \$2,804.05

Relevy Village \$2,804.05 Village of SPRINGVILLE
RPTL 550(2): FAILED TO APPLY A LABOR CAMP EXEMPTION
NEW TAX BILL TO BE ISSUED TO: SCHICHEL'S NURSERY INC

FISCAL YEAR 2008 Petition No. 208,187.00
ASSESSOR Cancel \$4,344.00
S-B-L 335.18-1-3.1 143801 SPRINGVILLE
Acct. No. 112 \$0.00 County
Acct. No. 132 \$4,344.00 Town/SpecialDist/School
Charge To : 143801 SPRINGVILLE \$4,344.00

Relevy Village \$4,344.00 Village of SPRINGVILLE
RPTL 550(2): FAILED TO APPLY A BUSINESS EXEMPTION
NEW TAC BILL TO BE ISSUED TO: SPRINGVILLE CENTER, LLC

FISCAL YEAR 2008 Petition No. 208,188.00
ASSESSOR Cancel \$179.00
S-B-L 235.19-2-2 144401 ANGOLA
Acct. No. 112 \$0.00 County
Acct. No. 132 \$179.00 Town/SpecialDist/School
Charge To : 144401 ANGOLA \$179.00

Relevy Village \$179.00 Village of ANGOLA
RPTL 550(2): INCORRECT NUMBER OF SPECIAL DISTRICT UNITS
CALCULATED
NEW TAX BILL TO BE ISSUED TO: MYRA MARTIN

FISCAL YEAR 2008 Petition No. 208,189.00
ASSESSOR Cancel \$766.72
S-B-L 66.70-3-47 146401 KENMORE

Acct. No. 112 \$0.00 County
Acct. No. 132 \$766.72 Town/SpecialDist/School
Charge To : 146401 KENMORE \$766.72

Relevy Village \$766.72 Village of KENMORE
RPTL 550(2): ERROR IN THE CALCULATION OF AN EXEMPTION
REMOVAL
NEW TAX BILL TO BE ISSUED TO: MATTHEW LANGENBACH

FISCAL YEAR 2008 Petition No. 208,190.00
ASSESSOR Cancel \$252.38
S-B-L 41.03-1-73 142289 AMHERST
Acct. No. 112 \$252.38 County
Acct. No. 132 \$0.00 Town/SpecialDist/School
Charge To : 142289 AMHERST \$0.00

RPTL 550(2): PARCEL WAS DELETED FROM THE TAX ROLL
NEW TAX BILL TO BE ISSUED TO: AUDUBON ASSOCIATION INC.

FISCAL YEAR 2008 Petition No. 208,191.00
ASSESSOR Cancel \$158.58
S-B-L 41.09-1-8 142289 AMHERST
Acct. No. 112 \$158.58 County
Acct. No. 132 \$0.00 Town/SpecialDist/School
Charge To : 142289 AMHERST \$0.00

RPTL 550(2): PARCEL WAS DELETED FROM THE TAX ROLL
NEW TAX BILL TO BE ISSUED TO: AUDUBON ASSOCIATION INC.

FISCAL YEAR 2008 Petition No. 208,192.00
ASSESSOR Cancel \$73.53
S-B-L 41.10-3-1 142289 AMHERST
Acct. No. 112 \$73.53 County
Acct. No. 132 \$0.00 Town/SpecialDist/School
Charge To : 142289 AMHERST \$0.00

RPTL 550(2): PARCEL WAS DELETED FROM THE TAX ROLL
NEW TAX BILL TO BE ISSUED TO: AUDUBON ASSOCIATION INC.

FISCAL YEAR 2008 Petition No. 208,193.00
ASSESSOR Cancel \$27.17
S-B-L 41.10-3-31 142289 AMHERST
Acct. No. 112 \$27.17 County
Acct. No. 132 \$0.00 Town/SpecialDist/School
Charge To : 142289 AMHERST \$0.00

RPTL 550(2): PARCEL WAS DELETED FROM THE TAX ROLL
NEW TAX BILL TO BE ISSUED TO: AUDUBON ASSOCIATION INC.

FISCAL YEAR 2008 Petition No. 208,194.00
ASSESSOR Cancel \$42.22
S-B-L 41.10-3-32 142289 AMHERST
Acct. No. 112 \$42.22 County
Acct. No. 132 \$0.00 Town/SpecialDist/School
Charge To : 142289 AMHERST \$0.00

RPTL 550(2): PARCEL WAS DELETED FROM THE TAX ROLL
NEW TAX BILL TO BE ISSUED TO: AUDUBON ASSOCIATION INC.

FISCAL YEAR 2008 Petition No. 208,195.00
ASSESSOR Cancel \$66.19
S-B-L 41.65-1-11 142289 AMHERST
Acct. No. 112 \$66.19 County
Acct. No. 132 \$0.00 Town/SpecialDist/School
Charge To : 142289 AMHERST \$0.00

RPTL 550(2): PARCEL WAS DELETED FROM THE TAX ROLL
NEW TAX BILL TO BE ISSUED TO: AUDUBON ASSOCIATION INC.

FISCAL YEAR 2008 Petition No. 208,196.00
ASSESSOR Cancel \$64.14
S-B-L 41.65-1-10.1 142289 AMHERST
Acct. No. 112 \$64.14 County
Acct. No. 132 \$0.00 Town/SpecialDist/School
Charge To : 142289 AMHERST \$0.00

RPTL 550(2): PARCEL WAS DELETED FROM THE TAX ROLL
NEW TAX BILL TO BE ISSUED TO: AUDUBON ASSOCIATION INC.

FISCAL YEAR 2008 Petition No. 208,197.00
ASSESSOR Refund\$32,283.16
S-B-L 347.06-3-1 143801 SPRINGVILLE
Acct. No. 112 \$0.00 County
Acct. No. 132 \$32,283.16 Town/SpecialDist/School
Charge To : 143801 SPRINGVILLE \$32,283.16

Relevy Village \$32,283.16 Village of SPRINGVILLE
RPTL 550(2): FAILED TO APPLY A BUSINESS EXEMPTION
REFUND TO BE ISSUED TO: LOWE'S HOME CENTERS INC.

FISCAL YEAR 2008 Petition No. 208,198.00
ASSESSOR Refund\$114.06
S-B-L 153.05-5-19 146800 WEST SENECA
Acct. No. 112 \$0.00 County
Acct. No. 132 \$114.06 Town/SpecialDist/School
Charge To : 146800 WEST SENECA \$114.06

RPTL 550(2): INCORRECT WATER UNITS CHARGED
REFUND TO BE ISSUED TO: ROBERT J BURCH

FISCAL YEAR 2008 Petition No. 208,199.00
ASSESSOR Refund \$358.00
S-B-L 235.20-2-12.2 144401 ANGOLA
Acct. No. 112 \$0.00 County
Acct. No. 132 \$358.00 Town/SpecialDist/School
44201 EC GARBAGE VILLAGE \$179.00
Charge To : 144401 ANGOLA \$179.00

Relevy Village \$179.00 Village of ANGOLA
RPTL 550(2): INCORRECT GARBAGE UNITS CHARGED
REFUND TO BE ISSUED TO: DANIEL DALE

FISCAL YEAR 2008 Petition No. 208,200.00
ASSESSOR Cancel \$9,778.63
S-B-L 251.00-1-18.1 144489 EVANS
Acct. No. 112 \$0.00 County
Acct. No. 132 \$9,778.63 Town/SpecialDist/School
Charge To : 144489 EVANS \$9,778.63
Relevy School \$9,778.63 144401 LAKE SHORE CENTRAL

RPTL 550(2): INCORRECT ASSESSED VALUE APPLIED TO THE TAX ROLL
NEW TAX BILL TO BE ISSUED TO: ACS ACQUISITION CORPORATION

FISCAL YEAR 2008 Petition No. 208,201.00
ASSESSOR Cancel \$4,765.30
S-B-L 163.05-1-16 146001 ORCHARD PARK
Acct. No. 112 \$0.00 County
Acct. No. 132 \$4,765.30 Town/SpecialDist/School
Charge To : 146001 ORCHARD PARK \$4,765.30
Relevy School \$4,765.30 146001 ORCH PARK CENTRAL

RPTL 550(1): DUPLICATE PARCEL UNDER DIFFERENT SBL
NEW TAX BILL TO BE ISSUED TO: AUSTIN KEVIN M & JODETTE A

and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Director of Real Property Tax Services.

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

CARRIED UNANIMOUSLY.

Item 29 – MS. WHYTE moved to discharge the ENERGY & ENVIRONMENT COMMITTEE from further consideration of COMM. 17E-33 (2008). MR. KOZUB seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 304

RE: Authorization to Enter Into Agreement
for Construction of Disc Golf Course
and To Accept Gift
(COMM. 17E-33)

WHEREAS, The Erie County Department of Parks, Recreation & Forestry (Parks) has been contacted by the Niagara Region Disc Golf League (League) concerning the construction of an 18 hole disc golf course at Emery Park; and

WHEREAS, the league has constructed disc golf courses at Chestnut Ridge Park and Como Lake Park; and

WHEREAS, the League proposes to construct and install an 18 hole disc golf course at Emery Park at its sole cost and expense of approximately \$8,000.00. The construction is limited to digging holes for the installation of posts for disc golf baskets and tee signs; and

WHEREAS, use of the course will be open to any persons who wish to use it free of charge; and

WHEREAS, the Parks Department desires to enter into an agreement with the League for construction and installation of the course; and

WHEREAS, pursuant to County Law, any gifts must be approved and accepted by the Erie County Legislature.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter into an agreement with the Niagara Region Disc Golf League for the construction and installation of a public 18 hole disc golf course, at the sole cost and expense of such League at Emery Park on acreage to be designated by the Commissioner of Parks, Recreation and Forestry; and be it further

RESOLVED, that such agreement shall provide that notwithstanding the construction and installation of the disc golf course by the League at its sole expense, that such disc golf course shall be open and free of charge to all persons; and be it further

RESOLVED, that the County Executive is authorized to accept, on behalf of the County, and its Department of Parks, Recreation & Forestry, from the Niagara Region Disc Golf League, a gift of a fully constructed and installed 18 hole disc golf course at Emery Park; and be it further

RESOLVED, that certified copies of this resolution be sent to the office of the Erie County Executive, James E. Hornung Sr. of the Department of Parks Recreation & Forestry, the Division of

transfer of fine revenue to the Erie County Sheriff's Office for the purpose of purchasing a vehicle to aid in handicapped parking violations enforcement and training; and

WHEREAS, funds are available in prior year reserves, Account 310030, Reserve-Handicapped Parking Education.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby provide authorization to appropriate funds from Account 310030, Reserve-Handicapped Parking Education, for this vehicle purchase as follows:

Office of Public Advocacy – Office for Disabled
Fund Center 1091040

ACCOUNT	REVENUE	Increase
406890	Handicapped Parking Surcharge	\$49,999
ACCOUNT	EXPENSE	
910900	ID Office of Public Advocacy	\$49,999

Sheriff's Department - Fund Center 11510

ACCOUNT	EXPENSE	
561440	Motor Vehicle Equipment	\$49,999
910900	ID Office of Public Advocacy	(\$49,999)

and be it further

RESOLVED, that the Erie County Legislature does hereby provide authorization to make the necessary budgetary adjustments as outlined above; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Erie County Executive, the Comptroller's Office, the Erie County Sheriff, the Director of the Office for the Disabled, and the Director of Budget and Management.

MS. WHYTE moved to approve the item. MS. MILLER-WILLIAMS seconded.

CARRIED UNANIMOUSLY.

SUSPENSION OF THE RULES

Item 33 - MS. WHYTE moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

INTRO 18-5 from MARINELLI Re: Striving for Property Tax Relief by Calling on the NYS Congressional Delegation to Support an Increase in the Federal Medical Assistance Percentage (FMAP)

RESOLUTION NO. 308

A RESOLUTION TO BE SUBMITTED
BY LEGISLATOR MARINELLI

WHEREAS, under Federal Law, local governments are not responsible for any portion of Medicaid funding; however, Congress has given states the ability to require local governments to share in financing the non-federal share of Medicaid costs; and

WHEREAS, data published by the United States Centers for Medicare & Medicaid Services demonstrate that no other state in the country financially burdens its localities like New York State; and

WHEREAS, Medicaid represents the largest single program expense in every county budget and siphons away the limited resources required to fund other critical budgetary needs at the county level; and

WHEREAS, the National Governor's Association (NGA), including Governor Paterson, have supported a proposal for a temporary increase in the federal medical assistance percentage (FMAP) as an economic stimulus option that would provide more federal funding for state Medicaid programs; and

WHEREAS, the NGA has indicated that this would help to both stimulate the nation's economy and shore up the safety net for low-income families; and

WHEREAS, this proposal would provide nearly \$1.6 billion in fiscal relief to New York State, including \$480 million in relief to county government; and

WHEREAS, this FMAP increase would reduce the local Medicaid burden, thereby providing immediate property tax relief to the residents of New York State.

NOW, THEREFORE, BE IT

RESOLVED, that the New York State Association of Counties (NYSAC) calls upon the New York Congressional Delegation to support an increase in the federal medical assistance percentage (FMAP) to provide New York's local property taxpayers with relief from the crushing financial burden of the Medicaid program; and be it further

RESOLVED, that a certified copy of this resolution be conveyed to the New York State Association of Counties in Albany; and be it further

RESOLVED, that the New York State Association of Counties will forward copies of this resolution to the New York State Congressional Delegation, Governor Paterson and all others deemed necessary and proper.

MS. WHYTE moved to amend the resolution by adding Et Al Sponsorship. MS. IANNELLO seconded.

CARRIED UNANIMOUSLY.

MS. WHYTE moved to approve the resolution as amended. MR. MILLS seconded.

CARRIED UNANIMOUSLY.

Item 34 - MS. WHYTE moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 18E-25 from WHYTE Re: Appointment to Women's Commission

Received, Files and Printed.

September 18, 2008

Robert Graber
Clerk, Erie County Legislature
92 Franklin St.
Buffalo, NY 14202

Re: Appt. to Commission on the Status of Women

Dear Mr. Clerk:

I am writing to notify you of the appointment of Stephanie Simeon to the Erie County Commission on the Status of Women. She will be replacing the appointment previously held by LuAnn Santiago, who recently notified me of her inability to continue her obligations to the Commission. Ms. Simeon's resume and contact information are attached.

Thank you for your attention to this matter.

Sincerely,

Maria R. Whyte

COMMUNICATIONS FROM ELECTED OFFICIALS

FROM THE COMPTROLLER

Item 35 – (COMM. 18E-1) EC 2008 Revenue Anticipate Note Submission to ECFSA

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM LEGISLATOR MILLS

Item 36 – (COMM. 18E-2) Minority Caucus Appointment to 21st Century Commission

Received, Filed and Printed.

September 9, 2008

Hon. Lynn M. Marinelli
Chair, Erie County Legislature
92 Franklin Street – 4th Floor
Buffalo, New York 14202

Dear Chair Marinelli:

The Minority Caucus of the Erie County Legislature wishes to put forth the name of Raymond W. Walter as our nominee to fill our available appointment on the 21st Century Commission. Mr. Walter's information is as follows:

Raymond Walter, Esq.
209 San Fernando Lane
East Amherst, New York 14051

rwalter@magavern.com

work telephone: (716) 856-3500 ext. 210

Thank you for your consideration on this matter.

Sincerely,

John J. Mills
Minority Leader

FROM CHAIR MARINELLI

Item 37 – (COMM. 18E-3) Appointments to 21st Century Commission of the EC Legislature

Received, Filed and Printed.

September 12, 2008

Robert M. Graber, Clerk
Erie County Legislature
92 Franklin Street

Buffalo, NY 14202

Dear Mr. Graber:

As per the Rules of the Erie County Legislature, I have appointed the following nine individuals to serve on the 21st Century Commission of the Erie County Legislature:

Appointees of the Chair

Martha Lamparelli, Chair
82 Larchmont Road
Buffalo, NY 14214
Non-categorical

Marian Deutschman, Ph.D.
4485 Arondale Road
Williamsville, NY 14221
Civic Engagement

Kevin Donovan
5235 Marie Court
Tonawanda, NY 14120
Non-categorical

Cheryl Howe
5848 Rush Creek Court
Hamburg, NY 14075
Business

Michael Pliszka
275 Forest Drive
West Seneca, NY 14224
Public Sector Union

Sister Denise Roche
285 Lakefront Blvd.
Buffalo, NY 14202
Academic

Appointee of the Majority Leader

Reverend Cathy Reilly-Goddard
378 Herkimer Street
Buffalo, NY 14213

Appointee of the Minority Leader

Raymond Walter, Esq.
209 San Fernando Lane
East Amherst, NY 14051

Appointee of the Chair of the Government Relations Committee

Ruth D. Bryant
466 Hickory Street
Buffalo, NY 14204

As was indicated in the attached paper, the terms will expire upon submission of the Commission's final report to the Erie County Legislature. It is expected that the report will be filed no later than the Board of Elections calendar deadline, which will allow the Legislature to process any items to be placed on the ballot for public referendum. This timeline is in keeping with the constitutionally mandated redistricting process Erie County will undertake in 2011.

It is a pleasure to have these fine, dedicated members of our community undertake this effort. I deeply appreciate their public service. Please place this letter and enclosure in the public record.

Sincerely,

Lynn M. Marinelli

Chair

Item 38 – (COMM. 18E-4) Appointment of Legislator Rath to F&M/Budget Committee

Received, Filed and Printed.

September 12, 2008

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

Dear Mr. Graber:

Please be advised that pursuant to and consistent with the provisions of the 2008 Rules of Order for the Erie County Legislature, Section 3.02, I appoint Legislator Edward A. Rath, III to serve as a member of the Finance & Management/Budget Committee.

Thank you.

Sincerely,

Lynn M. Marinelli
Chair, Erie County Legislature

Item 39 – (COMM. 18E-5) Appointment of Legislator Miller-Williams to F&M/Budget Committee

Received, Filed and Printed.

September 12, 2008

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

Dear Mr. Graber:

Please be advised that pursuant to and consistent with the provisions of the 2008 Rules of Order for the Erie County Legislature, Section 3.02, I appoint Legislator Barbara Miller Williams to serve as a member of the Finance & Management/Budget Committee.

Thank you.

Sincerely,

Lynn M. Marinelli
Chair, Erie County Legislature

FROM THE COUNTY EXECUTIVE

Item 40 – (COMM. 18E-6) EC/Town of Evans - Lake Erie Trail - Design Phase Agreement
- First Amendment

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 41 – (COMM. 18E-7) Appointments to the EC Council on the Disabled

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

Item 42 – (COMM. 18E-8) Appointments to the EC Commission on the Status of Women

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

Item 43 – (COMM. 18E-9) Appointments to the EC Environmental Management Council

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 44 – (COMM. 18E-10) Appointments to EC Youth Services Board

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

Item 45 – MS. WHYTE presented the following resolution and requested immediate
consideration. MR. KENNEDY seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 309

RE: Tonawanda Creek Road Slide Project –
Town of Clarence - Construction Bid
and Award
(COMM. 18E-11)

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

CARRIED UNANIMOUSLY.

Insert the following resolution:

WHEREAS, bids were taken for the Tonawanda Creek Road Reconstruction project, Erie
County Project No. 559-1-08, FEMA Project PW No. 87, in the Town of Clarence, on September
11, 2008, and the low bidder was Accadia Site Contracting, Inc. of Depew, New York at a low bid
amount of \$1,954,228.33; and

WHEREAS, a Contract was previously awarded for design and engineering services for the above noted project to the engineering firm of Greenman-Pedersen, Inc. of Buffalo, New York on November 18, 2004 at Meeting Number 25 of the Legislature of Erie County, Communication No. 25E-40, and it has been determined that the Contract must be increased to include construction phase and construction inspection services.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be authorized and is hereby directed to execute a Contract for Erie County Project No. 559-1-08, FEMA Project No. 87, for the Tonawanda Creek Road Reconstruction project, between the County of Erie and the low bidder, Accadia Site Contracting, Inc. of Depew, New York at a low bid amount of \$1,954,228.33; and be it further

RESOLVED, that an amount of \$1,954,228.33 be allocated from the 2008 Tonawanda Creek Reconstruction (SAP Account B.00198), and an additional amount of \$435,000.00 be allocated for a Department of Public Works, Division of Highways construction contingency fund with authorization for the County Executive to approve change orders in an amount not to exceed \$435,000.00 to be allocated from the 2008 Tonawanda Creek Reconstruction (SAP Account B.00198); and be it further

RESOLVED, that an amount of \$222,571.00 be allocated from the 2008 Tonawanda Creek Reconstruction (SAP Account B.00198) for a change order to the Contract with Greenman-Pedersen, Inc. to include construction phase and construction inspection services; and be it further

RESOLVED, that the Clerk of the Legislature be instructed to forward three (3) certified copies of this resolution to the Department of Public Works, Office of the Commissioner, and one copy each to the Office of the County Executive, the Office of Budget, Management and Finance, and the Office of the Comptroller.

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

CARRIED UNANIMOUSLY.

Item 46 – (COMM. 18E-12) CPS - Project Impact V Award

Received and referred to the PUBLIC SAFETY COMMITTEE.

Item 47 – (COMM. 18E-13) US HUD Grant for the Spaulding Fibre Site

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 48 – (COMM. 18E-14) EC Funding for the Zoological Society of Buffalo, Inc.

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

Item 49 – (COMM. 18E-15) CPS 2008-2009 Firearm Lab Capacity Enhancement Grant

Received and referred to the PUBLIC SAFETY COMMITTEE.

Item 50 – (COMM. 18E-16) DSS Employee Education and Training-Correction

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

Item 51 – (COMM. 18E-17) Construction Inspection Services - Donald Gallo Consultant Engineer, PC - Agreement Contract Close Out

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 52 – MS. WHYTE presented the following resolution and requested immediate consideration and approval. MR. MAZUR seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 310

RE: Home Energy Assistance Program
(HEAP)
(COMM. 18E-18)

WHEREAS, it is expected that the 2008-2009 heating season will result in a record number of requests for assistance and applications for program services; and

WHEREAS, the ever-increasing demand for energy assistance services has seriously strained the County's ability to provide timely grants; and

WHEREAS, four additional staff positions are needed immediately to expedite payments; and

WHEREAS, there is no fiscal impact to this resolution as the positions receive 100% Federal reimbursement.

NOW, THEREFORE, BE IT

RESOLVED, that the following budget amendments are hereby authorized in the 2008 Adopted Budget:

Department of Social Services Fund 110, Cost Center 1201050 HEAP

<u>Account</u>	<u>Description</u>	<u>Amount</u>
500000	Full Time Wages	\$152,405
502000	Fringe Benefits	73,322
561410	Lab & Tech Equipment	2,400
561420	Office Equipment	<u>14,000</u>

Total Expenditure \$242,127

<u>Account</u>	<u>Description</u>	<u>Amount</u>
411590	Federal Aid for Home Energy Assistance	<u>\$242,127</u>

Total Revenue \$242,127

**FORM OF COUNTY OF ERIE
DECLARATION OF NEED**

I, Chris Collins, County Executive of the County of Erie (the "County"), a municipal corporation of the State of New York, acting pursuant to Title 3 of Article 10-D of the New York Public Authorities Law (the "Act"), constituting the enabling act for the Erie County Fiscal Stability Authority, a public benefit corporation of the State of New York (the "Authority") HEREBY DETERMINE AND CERTIFY as follows:

1. A need for financing assistance, as described in Section 3961(1) of the Act, is hereby determined and declared to exist. The amount of the Financeable Costs hereby requested to be undertaken to finance cash flow needs of the County is \$75,000,000.
2. The County represents and affirms that the foregoing financing of Financeable Costs by the Authority is authorized by the Act and is consistent with the current adopted County budget and financial plan and that such Financeable Costs could be financed by the County by the issuance of its revenue anticipation notes as of the date of this Declaration of Need, there being in effect all proceedings necessary under the County Charter and all other applicable State law necessary to authorize the appropriation and expenditure of County funds for such purposes.
3. Pursuant to the Act, the Authority is hereby requested to finance, in whole or in part, Financeable Costs for the cash flow needs of the County in the amount of \$75,000,000. In no event shall the amount of such financing in any fiscal year exceed the amount of the Declaration of Need for such year, as it may be amended from time to time by an amended Declaration of Need.
4. The County understands and agrees to provide the Authority with any supporting data, descriptions or materials which the Authority requests in connection with any Financeable Costs referred to in this Declaration of Need.

All terms in this Declaration of Need not otherwise defined herein shall have the meanings set forth in the Financing Agreement to be entered into by the County and the Authority pursuant to the Act.

IN WITNESS WHEREOF, I have set my hand this _____ day of _____, 2008.

County Executive
County of Erie

I hereby certify that the form and substance of this Declaration of Need have been duly approved by the Erie County Legislature

Clerk of the Erie County Legislature

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

WHEREAS, the County Legislature of the County of Erie, New York, has heretofore duly authorized the issuance of its general obligation revenue anticipation notes for fiscal year 2008 cash flow financing needs in the amount of \$75,000,000 pursuant to the revenue anticipation note resolution adopted by the County Legislature on September 4, 2008 (said revenue anticipation notes being hereinafter referred to as the "County RANS"); and

WHEREAS, said County Legislature has heretofore received from the County Executive and approved on this date a Declaration of Need (Comm 18E-20) for cash flow financing assistance from the Erie County Fiscal Stability Authority ("ECFSA") necessary under the ECFSA enabling statute in order to authorize ECFSA to provide such financing assistance; and

WHEREAS, in order to implement the provision of financing assistance by ECFSA to the County, the ECFSA enabling statute authorizes the County and ECFSA to enter into agreements as to financing of costs by ECFSA, the application of revenues to secure the ECFSA BANS, and further assurances in respect of ECFSA's receipt of such revenues and the fiscal affairs of the County; such agreement to be executed by the County Executive after approval by the County Legislature; and

WHEREAS, financing plans have been structured through negotiations between the County and ECFSA and provide for: (i) the sale of the County BANS to the ECFSA and application of the proceeds from such sale to the financing of the County's 2007 and 2008 capital program and various other capital projects; (ii) the sale of the County RANS to the ECFSA and application of the proceeds from such sale to the financing of the County's 2008 cash flow needs; and (iii) negotiated sale by ECFSA of its bond anticipation notes (the "ECFSA BANS") in order to provide ECFSA with sufficient proceeds to purchase the County BANS and RANS (the "ECFSA Short-Term Financing Plan").

NOW, THEREFORE, BE IT

RESOLVED BY THE COUNTY LEGISLATURE OF THE COUNTY OF ERIE, NEW YORK AS FOLLOWS:

Section 1. The Financing Agreement between the ECFSA and the County, in substantially the form submitted to this meeting, is hereby approved and the County Executive is hereby authorized to enter into such agreement in order to implement the provision of short-term capital project and cash flow financing assistance by ECFSA to the County through the ECFSA Short-Term Financing Plan, subject to any technical changes as he shall approve, execution of such contract being conclusive evidence of such approval.

Section 2. This Resolution shall take effect immediately upon approval by the County Executive."

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

CHAIR MARINELLI directed that a roll call vote be taken.

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

CARRIED UNANIMOUSLY.

Item 56 – (COMM. 18E-22) BAN Financing Agreement

MS. WHYTE moved to receive and file the item. MS. KONST seconded.

CARRIED UNANIMOUSLY.

FROM THE SHERIFF

Item 57 – (COMM. 18E-23) EC Sheriff's Office - Sheriff's Dispatchers

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM LEGISLATOR RATH

Item 58 – (COMM. 18E-24) Explanation for Abstention on Intro 17-2 (2008)

Received, Filed and Printed.

September 15, 2008

Hon. Lynn M. Marinelli
Chair, Erie County Legislature
92 Franklin Street – 4th Floor
Buffalo, New York 14202

Dear Chair Marinelli:

Pursuant to the Rules of Order for the Erie County Legislature, please allow this letter to serve as my explanation for my abstention on the vote for Intro. 17-2.

Given my private-sector employment in the energy supply business, I felt it inappropriate to participate in the vote on the above-referenced item.

Should you have any further questions, please do not hesitate to ask.

Thank you.

Sincerely,

Edward A. Rath, III
Legislator – 15th District

COMMUNICATIONS FROM THE DEPARTMENTS

FROM THE EC LEGISLATURE MAJORITY COUNSEL

Item 59 – (COMM. 18D-1) Letter to ECFSA Regarding Comm. 15-6

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES

FROM THE NIAGARA COUNTY LEGISLATURE

Item 60 – (COMM. 18M-1) Letter Regarding NYSAC's 2008 Fall Seminar Being Held in Niagara Falls

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE TOWN OF NEWSTEAD

Item 61 – (COMM. 18M-2) Resolution Concerning the Consolidation of the Registrars of Vital Statistics to the County Level

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

FROM THE LEGAL AID BUREAU OF BUFFALO, INC.

Item 62 – (COMM. 18M-3) Monthly Report and Monthly Activity Report for August 2008

Received and Filed.

FROM THE BUFFALO & ERIE COUNTY PUBLIC LIBRARY

Item 63 – (COMM. 18M-4) Agenda & Minutes of Board of Trustees Meeting Held on September 18, 2008

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

ANNOUNCEMENTS

Item 64 – MR. KENNEDY announced the birth of his daughter, born at 2:50 P.M. yesterday (Wednesday, September 17, 2008), Eireann Bridie Kennedy.

Item 65 – CHAIR MARINELLI announced that the Legislature Committee Schedule has been distributed for upcoming committee meetings. Chair Marinelli also announced that the first meeting of the Erie County Legislature 21st Century Committee will be held on Thursday, September 25, 2008 in the legislative conference room. She also reminded the Legislature that the New York State Association of Counties will hold their fall seminar in Niagara Falls from Wednesday, September 24, 2008 to Friday, September 26, 2008.

Item 66 – MS. IANNELLO announced that at 11:00 A.M. tomorrow, September 19, 2008, the annual ‘State of the Library’ address is scheduled.

Item 67 – MS. GRANT announced the First Frank E. Merriweather Jr. Library Community Day, to be held on September 20, 2008 at 3:00 P.M., all are invited.

Item 68 – CHAIR MARINELLI also announced that the Western New York Library Resources Council will be recognizing the Erie County Legislature at an award winner at WNYLRC’s Annual Meeting of the Membership to be held on Wednesday, October 22, 2008 at Sean Patrick’s Restaurant on Millersport Highway in Amherst, beginning at 4:45 P.M.

MEMORIAL RESOLUTIONS

Item 69 – Chair Marinelli requested that when the Legislature adjourns, it do so in memory of Millard V. Lipp, a U.S. Navy Veteran of WW II and father of Robert H. Lipp. Chair Marinelli also requested that when the Legislature adjourns, it do so in memory of Joshua W. Nichols, who died on September 4, 2008.

Item 70 – Legislator Konst requested that when the Legislature adjourns, it do so in memory of Ann M. LoCicero, wife of Nicholas G. Locicero. Legislator Konst also requested that when the Legislature adjourns, it do so in memory of Lori LaFratta.

Item 71 – Legislator Reynolds requested that when the Legislature adjourns, it do so in memory of his neighbor, Laurie J. (Miller) Pitrola, who died suddenly at age 44. Legislator Reynolds also requested that when the Legislature adjourns, it do so in memory of Virginia M. ‘Gina’ Iafallo.

Item 72 – Legislator Mazur requested that when the Legislature adjourns, it do so in memory of Songwriter Norman Whitfield.

Item 73 – Legislator Grant requested that when the Legislature adjourns, it do so in memory of City of Lackawanna native Susan Elbaneh, who was killed in Yemen. Legislator Grant also requested that when the Legislature adjourns, it do so in memory of Cheryl Booker, who was killed in a shooting on Fillmore Avenue in Buffalo.

Item 74 – Legislator Kozub requested that when the Legislature adjourns, it do so in memory of former Lackawanna High School graduate Susan Elbaneh and her husband who were killed in a terrorist attack in Yemen.

Item 75 – Legislator Iannello requested that when the Legislature adjourns, it do so in memory of Katherine Kay Nirelli.

ADJOURNMENT

Item 76 - At this time, there being no further business to transact, CHAIR MARINELLI announced that the Chair would entertain a Motion to Adjourn.

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

CARRIED UNANIMOUSLY.

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

ROBERT M. GRABER
CLERK OF THE LEGISLATURE