

**ERIE COUNTY LEGISLATURE
MEETING NO. 20
OCTOBER 24, 2006**

The Legislature was called to order by Chairman Marinelli.

All members present except Legislator Reynolds.

A Moment of Silence was held.

The Pledge of Allegiance was led by Legislator Mazur.

Item 1- CHAIRMAN MARINELLI directed that the Nomination & Election of the Clerk be tabled.

Item 2 – No tabled items.

Item 3 – No items for reconsideration from previous meetings.

Item 4 – MS. WHYTE moved for the approval of the minutes of meetings 18 and 19 of 2006. MS. IANNELLO seconded.

CARRIED UNANIMOUSLY.

Item 5 - No Public Hearings.

MISCELLANEOUS RESOLUTIONS

Item 6 – MS. WHYTE presented a resolution Celebrating the 20th Anniversary of the Riverside Library.

Item 7 – MS. WHYTE presented a resolution Honoring the Greater Buffalo Savings Bank Upon the Grand Opening of a Branch on Tonawanda St.

Item 8 – MR. HOLT presented a resolution In Memory of Marion M. Whitfield.

LOCAL LAWS

Item 9 - CHAIRMAN MARINELLI directed that Local Law No. 7 (Print #1) 2005 remain on the table.

GRANTED.

Item 10 – CHAIRMAN MARINELLI directed that Local Law No. 12 (Print #1) 2005 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 11 - CHAIRMAN MARINELLI directed that Local Law No. 4 (Print #1) 2006 remain on the table.

GRANTED.

Item 12 - CHAIRMAN MARINELLI directed that Local Law No. 5 (Print #1) 2006 remain on the table.

GRANTED.

Item 13 - CHAIRMAN MARINELLI directed that Local Law No. 6 (Print #1) 2006 remain on the table.

GRANTED.

Item 14 - CHAIRMAN MARINELLI directed that Local Law No. 8 (Print #1) 2006 remain on the table.

GRANTED.

COMMITTEE REPORTS

Item 15 – MS. IANNELLO presented the following report and moved for immediate consideration and approval. MR. MILLS seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 303

OCTOBER 20, 2006

COMMUNITY ENRICHMENT COMMITTEE
 REPORT NO. 13

ALL MEMBERS PRESENT.

1. RESOLVED, the following items are hereby received and filed:
 - a. INTRO 11-1 (2006)
SMITH: Support for the Arts Council of Buffalo & Erie County
 (4-0)
 - b. INTRO 17-5 (2006)
HOLT: Ratification of the Collective Bargaining Agreement between COE, ECC and the Faculty Federation of ECC for the period between 9/1/05 though 8/31/09
 (4-0)
 - c. COMM. 17E-11 (2006)

COUNTY EXECUTIVE: Siemens Energy Performance - Contract at ECC
(4-0)

- d. COMM. 17D-7 (2006)
LABOR RELATIONS: Collective Bargaining Agreement between COE, ECC and the Faculty Federation of ECC
(4-0)
- e. COMM. 18D-3 (2006)
ECC: FFECC Contract
(4-0)

**MICHELE M. IANNELLO
CHAIRMAN**

LEGISLATOR RESOLUTIONS

Item 16 – MS. WHYTE presented the following resolution and moved for immediate consideration. MS. LOCKLEAR seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 304

RE: Support for the Creation of an Additional Tier in the NYS Retirement System (INTRO 20-1)

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

WHEREAS, local government on all levels within New York State face continuing increases in the cost of government including pension expenses; and

WHEREAS, the employer share of pension contributions in New York State have risen by more than three billion dollars in the last five years, placing an additional burden on taxpayers throughout New York State; and

WHEREAS, New York State has not established a new retirement tier since 1983; and

WHEREAS, several intervening events have directly impacted the earnings associated with the investment of New York State pension funds thereby increasing the costs imposed upon Erie County at a rate many times greater than the rate of inflation; and

WHEREAS, the Association of Erie County Governments has concluded that it is appropriate to consider creating a new tier in the New York State retirement system that would provide that the ten year employee member contributory period be extended to the entire length of the term of their municipal employment.

NOW THEREFORE BE IT

RESOLVED, that the Erie County Legislature requests that the Governor, the New York State Legislature and the State Comptroller amend the present New York State retirement system to require that the current ten year employee contribution period be extended to require that employees make a contribution throughout the entire period of their public employment; and be it further

RESOLVED, that copies of this resolution be forwarded to the Western New York Legislative Delegation, Governor George Pataki, and State Comptroller Alan Hevesi.

MS. WHYTE moved to amend the item. MR. RANZENHOFER SECONDED.

CARRIED UNANIMOUSLY.

ADD the following as Co-Sponsors:

MS. WHYTE, MR. WEINSTEIN, MR. HOLT, MS. IANNELLO, MS. KONST, MR. KOZUB, MS. LOCKLEAR, MR. LOUGHRAN, MR. MAZUR, MR. SMITH, MS. WHYTE, MR. MILLS and MR. RANZENHOFER.

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

CARRIED UNANIMOUSLY.

Item 17 – MS. WHYTE moved to receive and file the following item. MR. RANZENHOFER seconded.

CARRIED UNANIMOUSLY.

INTRO 20-2 from MARINELLI Re: Emergency Operations

Item 18 – MS. WHYTE presented the following item and moved for immediate consideration. MS. IANNELLO seconded.

CARRIED.

RESOLUTION NO. 305

RE: Opposing the Reduction of HAVA Funds
for NYS (INTRO 20-3)

**A RESOLUTION TO BE SUBMITTED BY
LEGISLATORS MARINELLI, WHYTE, HOLT, LOUGHRAN,
IANNELLO, KONST, LOCKLEAR, REYNOLDS, SMITH & MILLS**

WHEREAS, the federal government implemented the Help America Vote Act (HAVA) in 2002; and

WHEREAS, the State of New York received \$222 Million from the federal government to implement HAVA; and

WHEREAS, the State of New York may lose \$46.9 Million due to the fact that the State did not replace older voting machine equipment by the first federal election which took place on September 12, 2006; and

WHEREAS, should these funds be returned to the federal government, the State of New York will have to find these funds either within the state budget or by passing the fees on to each county; and

WHEREAS, should the State of New York be in a position of returning \$46.9 Million to the federal government and insist that each individual county pay their share to bring New York State up to HAVA standards, the County of Erie will have to pay over \$3.75 Million (\$3,752,000) dollars; and

WHEREAS, the County of Erie cannot afford to pay \$3,752,000.00 to upgrade our voting systems; and

WHEREAS, counties in upstate New York are struggling and will have a difficult time finding significant avenues of revenue to bring our voting systems to within HAVA requirements.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby request that both branches of Congress take into consideration the serious impact this reimbursement will have on both the State of New York and all counties within; and be it further

RESOLVED, that a certified resolution be sent to all members of the federal delegation and the New York State delegation.

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

CARRIED UNANIMOUSLY.

ADD the following as Co-Sponsors:

MR. WEINSTEIN and MR. KOZUB.

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

CARRIED UNANIMOUSLY.

Item 19 – MS. WHYTE presented the following item and moved for immediate consideration. MR. MAZUR seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 306

RE: Erie County Collaborative Tree Assessment
Restoration (INTRO 20-4)**A RESOLUTION TO BE SUBMITTED BY
LEGISLATORS KENNEDY, MARINELLI, WHYTE,
REYNOLDS AND KONST**

WHEREAS, our great Western New York region has always been known for the beauty of its forestry, specifically the City of Buffalo once recognized as the “City of Trees;” and

WHEREAS, due to the accrued devastation our region has suffered from the storm of October 12-13, 2006, leaving behind the legacy of permanent loss of natural beauty; and

WHEREAS, the total amount of fallen tree debris is expected to reach over 30 million tons and create a pile of mulch that will cover 25 acres; and

WHEREAS, some trees bare only a few branches, where others are not salvageable and must be cut down; and

WHEREAS, the tree population within many municipalities throughout Erie County has been devastated and will require a collective, collaborative and cooperative approach to ensure the tree population is restored to its original mature beauty in the future.

NOW, THEREFORE BE IT,

RESOLVED, that all municipalities in Erie County effected by the storm, should work collaboratively to develop a resolution to counter the devastation thousands of trees endured as a result of the recent October storm; and be it further

RESOLVED, leadership and representatives from such municipalities should come together and develop a plan to assess the condition of existing trees, the grooming of such trees, the removal of unsalvageable trees, and the planting of new trees; and be it further

RESOLVED, a committee shall be formed with representatives from town, city, county, state, and federal entities of government coordinated through the Erie County Department of Public Works, Chairmen of Erie County Legislature’s Environment & Planning and Economic Development committees; and be it further

RESOLVED, a certified copy of this resolution shall be sent to the following municipalities who had declared a state of emergency due to the impact of the October Storm: City of Buffalo, Town of Cheektowaga, Town of Amherst, Town of Tonawanda, City of Tonawanda, Town of Clarence, Town of Lancaster, Village of Lancaster, Town of Elma, Town of Orchard Park, Town of Hamburg, Village of Hamburg, Village of Williamsville, City of Lackawanna, Village of Depew, Town of West Seneca, Town of Marilla, Town of Aurora, Village of East Aurora, Town of Grand Island, Town of Alden, Village of Alden, Village of Blasdell, Town of Evans and the Town of Newstead.

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

CARRIED UNANIMOUSLY.

ADD the following as Co-Sponsors:

MR. MILLS, MR. HOLT, MS. IANNELLO, MR. KOZUB, MS. LOCKLEAR, MR. LOUGHRAN, MR. MAZUR and MR. SMITH.

MS. WHYTE moved to approve the item. MR. MAZUR seconded. MR. WEINSTEIN voted in the negative.

CARRIED (13-1).

COMMUNICATIONS DISCHARGED FROM COMMITTEE

Item 20 – MS. WHYTE moved to discharge the PUBLIC SAFETY COMMITTEE from further consideration of COMM. 18E-22. MR. KOZUB seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 307

RE: Probation and Youth Detention Services -
 NYS Division of Criminal Justice Services
 Juvenile Justice Formula Grant Project

WHEREAS, the Department of Probation and Youth Detention Services is responsible for providing services to address the needs of juveniles in the Juvenile Justice System and improve the quality of life in our community, and

WHEREAS, grant funds from the New York State Division of Criminal Justice Services will allow for enhancement of services to youths in the Juvenile Justice System.

NOW, THEREFORE, BE IT

RESOLVED, that authorization is hereby provided for the County Executive to enter into a contract with the New York State Division of Criminal Justice Services for the Juvenile Justice Formula Grant in an amount not to exceed \$15,000 from September 30, 2006 to March 31, 2008, and be it further

RESOLVED, that authorization is hereby provided to enter into a contract with the Research Foundation of the State University of New York in an amount not to exceed \$15,000 to provide data analysis, and be it further

RESOLVED, that authorization is hereby provided to budget those funds in the grant fund as follows:

ERIE COUNTY DEPARTMENT OF PROBATION AND YOUTH DETENTION
Department Code 650
Juvenile Justice Formula Grant
September 30, 2006 to March 31, 2008

<u>Acct.</u>	<u>Revenue</u>	<u>Amount</u>
409000	State Aid Revenues	<u>\$15,000</u>
	Total	<u>\$15,000</u>
<u>Appropriations</u>		
<u>Acct.</u>		
516020	Professional Services Contract/Fees	<u>\$15,000</u>
	Total	<u>\$15,000</u>

and be it further,

RESOLVED, that the Department of Probation and Youth Detention Services and the Division of Budget, Management and Finance are hereby authorized to make changes with the budget to comply with State requirements, and be it further

RESOLVED, that certified copies of this resolution be sent to the County Executive, the Department of Probation and Youth Detention Services, the County Comptroller and the Division of Budget, Management and Finance.

MS. WHYTE moved for approval. MR. KOZUB seconded.

CARRIED UNANIMOUSLY.

Item 21 – MS. WHYTE moved to discharge the HUMAN SERVICES COMMITTEE from further consideration of COMM. 18E-25. MR. MAZUR seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 308

RE: Senior Services - Authorization to Establish
the POE Grant

WHEREAS, the New York State Office for the Aging (SOFA) has awarded the Erie County Department of Social Services (Social Services) \$205,000 for the Long Term Care Point of Entry Program (POE) for the period October 1, 2006 to September 30, 2007, and

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WHEREAS, SOFA has designated the Department of Senior Services (Senior Services) as the lead agency to operate a Long Term Care Point of Entry that will serve the elderly, adults with disabilities, and children with disabilities requiring long term care services, and

WHEREAS, the Senior Services will use the POE funds in accord with the approved Program Work Plan, which consists of implementing a centralized point of entry; sustaining program operations and functions that meet NYSPOE standards; serving all long term care consumers through operation of the core functions in a manner that supports their independence and self-determination; evaluating the POE's effectiveness and impact on the long term care system; and implementing data collection efforts necessary for POE evaluation and required reporting, and

WHEREAS, the Senior Services desires to create a Long Term Care Coordinator position, job group 13, effective October 1, 2006, to achieve the above objectives, and

WHEREAS, this position is reflected in the SAP system on B-100 position authorization form, Control number 2414, and

WHEREAS, no County funds are required for the POE grant.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be and hereby is authorized to accept the \$205,000 grant from SOFA to operate the POE, for the period October 1, 2006 through September 30, 2007, and be it further

RESOLVED, that the County Executive be and hereby is authorized to have Social Services enter into a contract with Senior Services to administer and oversee the Point of Entry Services on an annual basis, and be it further

RESOLVED, that the Long Term Care Coordinator position be created in the Senior Services POE cost center 1632080, and be it further

RESOLVED, that the Social Services budget for the POE grant, 120POINTENTRY0607, for the period October 1, 2006 through September 30, 2007 be established as follows:

		INITIAL BUDGET
REVENUES		
Account	Description	
409000	State Aid	\$205,000
	TOTAL REVENUE	<u>\$205,000</u>
APPROPRIATIONS		
916300	ID Senior Services Services	\$205,000
	TOTAL APPROPRIATIONS	<u>\$205,000</u>

and be it further

RESOLVED, that the budget for the Senior Services POE cost center 1632080 for the period October 1, 2006 through December 31, 2006 be established as follows:

	INITIAL BUDGET
APPROPRIATIONS	
500000 Full Time Salaries	\$16,000
502000 Fringe Benefits	6,000
505000 Office Supplies	500
Local Mileage	
510000 Reimbursement	500
510100 Out of Area Travel	300
516020 Professional Services & Fees	1,000
530000 Other Expenses	1,000
561410 Lab & Tech Equipment	2,100
916300 ID Senior Services	<u>-27,400</u>
TOTAL	
APPROPRIATIONS	<u><u>\$0</u></u>

and be it further

RESOLVED, that the Senior Services balance of POE funds for the period January 1, 2007 to September 30, 2007 will be reflected in the 2007 budget, and be it further

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

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

CARRIED UNANIMOUSLY.

Item 22 – MS. WHYTE moved to discharge the COMMUNITY ENRICHMENT COMMITTEE from further consideration of COMM. 17E-10. MS. IANNELLO seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 309

RE: Instituting Energy Services Performance Program - Authorization to Enter Into Tax-Exempt Municipal Lease to Finance Construction Work at ECC

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WHEREAS, in a resolution being Communication No. 9E-34, dated May 9, 2002, the Erie County Legislature authorized entering into a contract with Seimens Building Technologies related to instituting a construction Performance Contract on the Erie Community College campus buildings, and

WHEREAS, a preliminary energy audit of their facilities has been completed at these facilities and a program has been developed that meets with the Commissioner of Public Works' directives, and

WHEREAS, the program's capital construction will be approximately \$8,450,000 with energy and other savings estimated at an average of approximately \$740,000 per year over the ten-year program, and

WHEREAS, DASNY will reimburse Erie County half of the construction value, or almost \$4,230,000 and NYSERDA is expected to reimburse the County for up to \$250,000 for the program if implemented, and

WHEREAS, a competitive bid was held in accordance with Article 9 of the Energy Law and M&T was found to be the lowest bidder, and

WHEREAS, as the annual cost of the tax-exempt municipal lease and the required Technical Services Program is guaranteed to be less than the energy savings, by ECC Board resolution, ECC will reimburse Erie County the annual cost of the tax-exempt municipal lease and the required Technical Services Program so there is zero net cost to Erie County, and

WHEREAS, this project is in compliance with ECC's approved five-year master plan, and

WHEREAS, a separate resolution was submitted to the Erie County Legislature for approval of the construction project, and

WHEREAS, Erie County must take the lead on this project, however, as the County owns the facility and to qualify for DASNY matching funds, and

WHEREAS, the Commissioner of Public Works recommends acceptance of the program, the construction, and financing, and

WHEREAS, the Comptroller's Office and the Budget Director have reviewed the proposal.

NOW, THEREFORE, BE IT,

RESOLVED, that the Erie County Legislature authorizes the County Executive to execute a tax exempt municipal lease Agreement with M&T in an amount not to exceed \$8,450,000 plus the reasonable cost of issuance at 0.8227% of the US Treasuries for fixed rate until July 24, 2006 and 0.83267% of the US Treasuries for an indexed rate after July 24, 2006 to finance the Energy Conservation Measures Program, with the DASNY reimbursement to be used toward debt service reduction, subject to DASNY/SUNY Construction Fund approval, Bond Counsel approval and receipt of the final ECC Board resolution, and be it further,

RESOLVED, that two certified copies of this resolution shall be forwarded to the Commissioner of Public Works, the Director of Budget, Management & Finance, the Office of the County Executive, and the Office of the Comptroller.

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

CARRIED UNANIMOUSLY.

WHEREAS, in a resolution being Communication No. 9E-34, dated May 9, 2002, the Erie County Legislature authorized entering into a contract with Seimens Building Technologies related to instituting a construction Performance Contract on the Erie Community College campus buildings, and

WHEREAS, a preliminary energy audit of their facilities has been completed at these facilities and a program has been developed that meets with the Commissioner of Public Works' directives, and

WHEREAS, the program's capital construction will be approximately \$8,450,000 with energy and other savings estimated at an average of approximately \$740,000 per year over the ten-year program, and

WHEREAS, DASNY will reimburse Erie County half of the construction value, or almost \$4,230,000 and NYSERDA is expected to reimburse the County for up to \$250,000 for the program if implemented, and

WHEREAS, a competitive bid was held in accordance with Article 9 of the Energy Law and M&T was found to be the lowest bidder, and

WHEREAS, as the annual cost of the tax-exempt municipal lease and the required Technical Services Program is guaranteed to be less than the energy savings, by ECC Board resolution, ECC will reimburse Erie County the annual cost of the tax-exempt municipal lease and the required Technical Services Program so there is zero net cost to Erie County, and

WHEREAS, this project is in compliance with ECC's approved five-year master plan, and

WHEREAS, a separate resolution was submitted to the Erie County Legislature for approval of the construction project, and

WHEREAS, Erie County must take the lead on this project, however, as the County owns the facility and to qualify for DASNY matching funds, and

WHEREAS, Erie County is responsible for fifty percent of this project and DASNY/SUNY Construction Fund is responsible for fifty percent of this project, and

WHEREAS, the Commissioner of Public Works recommends acceptance of the program, the construction, and financing, and

WHEREAS, the Comptroller's Office and the Budget Director have reviewed the proposal.

NOW, THEREFORE, BE IT,

RESOLVED, that the Erie County Legislature authorizes the County Executive to execute a tax exempt municipal lease Agreement with M&T in an amount not to exceed \$4,225,000 plus the reasonable cost of issuance, at 0.8227% of the US Treasuries for fixed rate until July 24, 2006 and 0.83267% of the US Treasuries for an indexed rate after July 24, 2006 to finance the Energy Conservation Measures Program, with the DASNY reimbursement to be used toward the reduction of the total value of this project, subject to DASNY/SUNY Construction Fund approval, Bond Counsel approval and receipt of the final ECC Board resolution, and be it further,

RESOLVED, that two certified copies of this resolution shall be forwarded to the Commissioner of Public Works, the Director of Budget, Management & Finance, the Office of the County Executive, and the Office of the Comptroller.

MS. WHYTE moved for the approval of the item as amended. MS. IANNELLO seconded.

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

AYES: MILLS, RANZENHOFER, WEINSTEIN, HOLT, IANNELLO, KENNEDY, KONST, KOZUB, LOCKLEAR, LOUGHRAN, MARINELLI, MAZUR, SMITH and WHYTE.
 NOES: None. (AYES: 14; NOES: 0)

Item 23 – MS. WHYTE moved to discharge the ECONOMIC DEVELOPMENT COMMITTEE from further consideration of COMM. 18E-13. MR. KENNEDY seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 310

RE: DPW - Financial Audit - Botanical Garden Grants (COMM. 18E-13)

WHEREAS, the Department of Public Works has four grants from the NYS Office of Parks, Recreation and Historic Preservation for work at the Botanical Gardens, and

WHEREAS, the Commissioner of Public Works desires to engage the services of a local auditing firm to perform a final audit on the four projects, and

WHEREAS, the Comptroller has engaged the firm of Deloitte & Touche to do auditing work for the Comptroller's office, and

WHEREAS, the Department of Public Works, must have a final audit performed on the four projects in order to receive approximately \$400,000 in Grant funds.

NOW, THEREFORE, BE IT,

RESOLVED, that the County Executive be authorized to enter into an agreement with Deloitte & Touche to perform final audit on the four Botanical Garden projects, and be it further

RESOLVED, that the sum of \$13,000 be allocated from SFG account number A.00234.7 for this purpose; and be it further,

RESOLVED, that because this special service must be provided immediately, the Erie County Administrative Code requirement in Section 19.08 for a Request for Proposals (RFP) is hereby waived, and be it further,

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

MS. WHYTE moved for approval. MR. MAZUR seconded.

CARRIED UNANIMOUSLY.

Item 24 – MS. WHYTE moved to discharge the ECONOMIC DEVELOPMENT COMMITTEE from further consideration of INTRO 17-4. MR. KENNEDY seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 311

RE: Niagara Frontier Transportation Authority

**A RESOLUTION TO BE SUBMITTED BY LEGISLATORS
MARINELLI and WHYTE**

WHEREAS, the New York State Public Authorities Law, Section 1299-C, provides that of the ten members of the NFTA Board of Commissioners, one shall be appointed upon the recommendation of the Erie County Legislature; and

WHEREAS, the term of office for the previous appointment of the Erie County Legislature to the NFTA has expired and the Legislature must act expeditiously to appoint a Commissioner to ensure that the Commissioner is approved by New York State Senate when it returns to session in October, 2006; and

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

CARRIED. (13-0-1)

ADD the following as sponsors:

Kennedy, Locklear, Konst, Loughran,
Mazur, Iannello, Smith, Holt and Mills

ADD the following after the SECOND WHEREAS Clause:

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WHEREAS, Cesar Cabrera has established a reputation for excellence in the field of work force development and would make an effective representative of the Legislature; and

WHEREAS, in order to assume the position of Commissioner of the NFTA, Mr. Cabrera must be appointed by Governor George Pataki and confirmed by the State Senate.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does respectfully call upon the Governor of the State of New York, George Pataki, to appoint Cesar Cabrera, 773 Colombus Parkway, Buffalo New York 14213 as a member of the Niagara Frontier Transportation Authority Board of Commissioners, to the balance of a five-year term ending June 30, 2011; and be it further

RESOLVED, that certified copies of this resolution be sent to Governor George Pataki, State Senate Majority Leader Joseph Bruno, and to the Secretary of the NFTA Board of Commissioners.

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

CARRIED. (13-0-1)

SUSPENSION OF THE RULES

None.

COMMUNICATIONS FROM ELECTED OFFICIALS

FROM LEGISLATOR WEINSTEIN

Item 25 – (COMM. 20E-1) Minority Appointment to Finance & Management/Budget Committee

Received, Filed and Printed.

October 12, 2006

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

Madam Chair,

I am respectfully requesting to be the Minority appointment on the Finance, Management and Budget Committee. Thank you for your consideration on this matter.

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Sincerely Yours,

Barry A. Weinstein, MD
Erie County Legislator, 15th District

BAW/bf

FROM LEGISLATOR SMITH

Item 26 – (COMM. 20E-2) Revised Schedule for Finance & Management/Budget Committee

Received, Filed and Printed.

October 9, 2006

Honorable Lynn M. Marinelli
Chair, Erie County Legislature
92 Franklin Street
Buffalo, New York 14202

Dear Chair Marinelli:

Attached please find a schedule for the Finance, Management and Budget Committee's review of the 2007 Proposed Budget. I recognize that this schedule is rather rigorous but I believe it is appropriate given the amount of material the committee must review prior to completion of the budgetary process. Please note that the schedule contains the opportunity for full budget presentations by the various department and units of county government as well as others impacted by the county budget, i.e. Buffalo Visitors and Convention Center, Arts and cultural organizations.

Thank you in advance for your continued support as the Erie County Legislature commences its detailed review of the Proposed 2007 Budget.

Sincerely,

Demone A. Smith
Chair, Finance, Management and Budget Committee

Cc: Honorable Joel A. Giambra, County Executive
Mr. James Hartman, Budget Director
Mr. Kenneth Vetter, Executive Director, Erie County Fiscal Stability Authority
Members of the Erie County Legislature

ERIE COUNTY LEGISLATURE
2007 BUDGET HEARING SCHEDULE

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ALL MEETINGS WILL BE HELD IN THE CHAMBERS OF THE ERIE COUNTY LEGISLATURE located at 92 FRANKLIN STREET, FOURTH FLOOR

MONDAY, OCTOBER 16, 2006

1:00 – 3:00 p.m. Budget Presentation by Mr. Jim Hartman

TUESDAY, OCTOBER 17, 2007

9:00 -10:00 a.m. Erie County Board of Elections

10:00 -11:00 a.m. District Attorney

11:00-12:00 p.m. Comptroller

**1:00- 2:00 p.m. County Clerk—Registrar
County Clerk—Auto**

2:00-3:00 p.m. Sheriff

WEDNESDAY, OCTOBER 18, 2006

9:00-9:30 a.m. County Executive

9:30-10:00 a.m. County Attorney

10:00-10:30 a.m. Personnel

10:30-11:00 a.m. Budget, Management and Finance

**11:00-12:00 p.m. Public Works
Commissioner’s Office
Buildings & Weights
Highway Division
Utility Fund**

1:00-2:00 p.m. DISS, Purchasing & Fleet Management

2:00-2:45 p.m. Environment & Planning

3:00-4:00 p.m. Library

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THURSDAY, OCTOBER 19, 2006

9:00-10:00 a.m.	Health—Health Division Public Health Medical Examiner Emergency Medical Services
10:00-10:30 a.m.	Labor Relations
10:30-11:00 a.m.	Office of Public Advocacy
11:00-12:00 p.m.	Probation
1:00-3:00 p.m.	Social Services (45 minutes) Senior Services (45 minutes) Mental Health (30 minutes) Administration Forensic
3:00-4:00 p.m.	Youth Services—Youth Youth Services—Detention Youth Special Needs

FRIDAY, OCTOBER 20, 2006

Committee Meetings (if necessary)

MONDAY, OCTOBER 23, 2006

9:00-10:00 a.m.	Parks, Recreation and Forestry
10:00-11:00 a.m.	Central Police Services
11:00-11:30a.m.	Cornell Cooperative Extension
11:30-12:00 p.m.	Soil & Water Conservation Districts
1:00-1:30 p.m.	Buffalo Visitors and Convention Center
1:30-2:15 p.m.	Arts Council of Buffalo & Erie County and other Community-Based Arts Groups
2:30-3:30 p.m.	Arts and Culture Buffalo Zoo Albright-Knox Art Gallery Buffalo Philharmonic Orchestra

**MEETING NO. 20
OCTOBER 24, 2006**

ERIE COUNTY LEGISLATURE

**Buffalo & Erie County Historical Society
Buffalo Museum of Science
Studio Arena Theatre
Buffalo-Niagara Film Commission**

Tuesday, OCTOBER 24, 2006

Committee Meetings (if necessary)

WEDNESDAY, OCTOBER 25, 2006

Call-backs (if necessary)

THURSDAY, OCTOBER 26, 2006

SESSION

FRIDAY, OCTOBER 27, 2006

Final Call-backs (if necessary)

FROM LEGISLATOR REYNOLDS

Item 27 – (COMM. 20E-3) Letter to Chairperson Re: Absence from 10/26/06 Session

Received, Filed and Printed.

October 16, 2006

The Hon. Lynn Marinelli, Chairwoman
Old County Hall
92 Franklin Street, Fourth Floor
Buffalo, New York 14202

Dear Chairwoman Marinelli:

I am requesting your permission to be absent from the Legislative Session on October 26, 2006. Regrettably, I will be unable to attend this session due to a previous out-of-town business meeting that is held every year at this time. I am sorry for any inconvenience that this may cause my fellow Legislators.

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

Sincerely,

Robert Reynolds

FROM THE COUNTY EXECUTIVE

Item 28 – (COMM. 20E-4) Erie County Probation Dept.

Received and referred to the PUBLIC SAFETY COMMITTEE.

Item 29 – (COMM. 20E-5) DEP - Variable Minimum

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 30 – (COMM. 20E-6) DSS - TANF Client Worksite Management Contract

Item 31 – (COMM. 20E-7) DSS - Mental Health Peer Connection Contract

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

Item 32 – MS. WHYTE presented the following item and moved for immediate consideration. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 312

RE: Payment to Employees for Overtime during
the October Emergency Operations (COMM.
20E-8)

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

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

AYES: MILLS, RANZENHOFER, WEINSTEIN, HOLT, IANNELLO, KENNEDY,
KONST, KOZUB, LOCKLEAR, LOUGHRAN, MARINELLI, MAZUR, SMITH and WHYTE.
NOES: none. (AYES: 14; NOES: 0)

WHEREAS, dedicated county employees have worked tireless hours to assist in the emergency operations to aid county taxpayers in this time of crisis, and

WHEREAS, as a result of the declared State of Emergency, county employees have been required to work extensive hours well in excess of regular overtime, and

WHEREAS, pursuant to the Stafford Act, CFR Title 44 eligible costs for reimbursement include overtime pay and per diem costs, and

WHEREAS, it is necessary to clarify our past practices, policies and procedures as they pertain to payment to employees during declared States of Emergency.

NOW, THEREFORE, BE IT

MEETING NO. 20
OCTOBER 24, 2006

ERIE COUNTY LEGISLATURE

RESOLVED, that all employee that works in excess of 40 hours per week during this or any future declared States of Emergency on rescue and recovery operations shall be compensated on a cash basis for that overtime, and be it further

RESOLVED, that only overtime incurred during any declared State of Emergency (including this time period of Thursday October 12, 2006 through the end of the Declaration by the County Executive) and any future time period will be reimbursed on a cash basis, and be it further

RESOLVED, that said compensation rates will be paid in accordance with current collective bargaining agreements and/or Erie County Policies and Procedures, and be it further

RESOLVED, that the purpose of this resolution is to codify the past practice and future intent to compensate on a cash basis for overtime incurred during declared States of Emergency, and be it further

RESOLVED, that the Erie County Personnel Department is directed to apply to FEMA for all applicable reimbursement for overtime expenditures, and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Erie County Commissioner of Personnel, Erie County Department of Emergency Services, Erie County Comptroller, Erie County Budget Department, and Erie County Executive.

MS. WHYTE moved to reconsider the amendment. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

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

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

AYES: MILLS, RANZENHOFER, WEINSTEIN, HOLT, IANNELLO, KENNEDY, KONST, KOZUB, LOCKLEAR, LOUGHRAN, MARINELLI, MAZUR, SMITH and WHYTE.
NOES: none. (AYES: 14; NOES: 0)

WHEREAS, dedicated county employees have worked tireless hours to assist in the emergency operations to aid county taxpayers in this time of crisis, and

WHEREAS, as a result of the declared State of Emergency, county employees have been required to work extensive hours well in excess of regular overtime, and

WHEREAS, pursuant to the Stafford Act, CFR Title 44 eligible costs for reimbursement include overtime pay and per diem costs, and

WHEREAS, it is necessary to clarify our past practices, policies and procedures as they pertain to payment to employees during declared States of Emergency.

NOW, THEREFORE, BE IT

RESOLVED, that all employee that works in excess of 40 hours per week during this or any future declared States of Emergency on rescue and recovery operations shall be compensated on a cash basis for that overtime, and be it further

RESOLVED, that only overtime incurred during any declared State of Emergency (including this time period of Thursday October 12, 2006 through the end of the Declaration by the County Executive) and any future time period will be reimbursed on a cash basis, and be it further

RESOLVED, that said compensation rates will be paid in accordance with current collective bargaining agreements and/or Erie County Policies and Procedures, and be it further

RESOLVED, that the purpose of this resolution is to codify the past practice and future intent to compensate on a cash basis for overtime incurred during declared States of Emergency, and be it further

RESOLVED, that the Erie County Personnel Department is directed to apply to FEMA for all applicable reimbursement for overtime expenditures, and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Erie County Commissioner of Personnel, Erie County Department of Emergency Services, Erie County Comptroller, Erie County Budget Department, and Erie County Executive.

MR. WEINSTEIN moved to amend the item. MR. RANZENHOFER seconded.

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

AYES: MILLS, RANZENHOFER, WEINSTEIN, HOLT, IANNELLO, KENNEDY, KONST, KOZUB, LOCKLEAR, LOUGHRAN, MARINELLI, MAZUR, SMITH and WHYTE.
 NOES: none. (AYES: 14; NOES: 0)

- **First RESOLVED is amended as follows:**

RESOLVED, that all employees except for Elected Officials, the Clerk of the Erie County Legislature, the Deputy County Executive, the Director of Budget & Management, the Purchasing Director, the Director of Labor Relations, the Director of Central Data Processing, the County Attorney, the Commissioner of Personnel, the Commissioner of Public Works, the Commissioners of the Board of Elections, the Executive Director of the Office of the Disabled, the Commissioner of Fire Safety, the Commissioner of Central Police Services, the Superintendent of the Correctional Facility, the Director of Probation, the Crime Control Coordinator, the Commissioner of Emergency Services, the Commissioner of Mental Health, the Commissioner of Health, the Assistant Director of Public Health (Laboratory), the Director of Erie County Medical Center, the Commissioner of Social Services, the Veterans Service Officer, the Commissioner of Senior Services, the Commissioner of Parks and Recreation, the Director of Buffalo and Erie County Public Library, the Commissioner of Youth Services and Detention, the President of Erie Community College, and the Director of Government Affairs that work an excess of 40 hours per week during this or any future

declared States of Emergency on rescue and recovery operations shall be compensated on a cash basis for that overtime; and be it further

- **The following RESOLVED is added:**

RESOLVED, The Erie County Comptroller is hereby directed to provide the Erie County Legislature a verified and certified audit of the payroll operations pertaining to the overtime pay for emergency operations for October storm funding in order to prevent waste, fraud, and abuse on a monthly basis commencing November 15, 2006 and each 30 day period thereafter; and be it further

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

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

AYES: MILLS, RANZENHOFER, WEINSTEIN, HOLT, IANNELLO, KENNEDY, KONST, KOZUB, LOCKLEAR, LOUGHRAN, MARINELLI, MAZUR, SMITH and WHYTE.
 NOES: none. (AYES: 14; NOES: 0)

CARRIED.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 313

RE: Budget Modifications for Emergency Operations (COMM. 20E-9)

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

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

AYES: MILLS, RANZENHOFER, WEINSTEIN, HOLT, IANNELLO, KENNEDY, KONST, KOZUB, LOCKLEAR, LOUGHRAN, MARINELLI, MAZUR, SMITH and WHYTE.
 NOES: none. (AYES: 14; NOES: 0)

CARRIED.

WHEREAS, on Thursday October 12, 2006 a massive lake effect snow storm descended upon our region, and

WHEREAS, the Federal Government has approved New York State's request and declared Erie County eligible for federal disaster assistance, and

WHEREAS, preliminary estimates of cost to be incurred by the County in regards to the October Storm will be approximately \$200 million.

NOW, THEREFORE, BE IT

RESOLVED, that authorization is hereby provided to establish funding in the amount of \$200 million in a special revenue fund in order to effectively track revenue and expenses related to the October Storm, and be it further

RESOLVED, that revenue will be budgeted in the amount of \$150 million of Federal Disaster Assistance and \$50 million in State Aid to offset this expense, and be it further

RESOLVED, that the Director of Budget, Management and Finance is hereby authorized to make any budgetary adjustments required to properly manage the expenses and revenue related to the October Storm response and recovery efforts, and be it further

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

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

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

AYES: MILLS, RANZENHOFER, WEINSTEIN, HOLT, IANNELLO, KENNEDY, KONST, KOZUB, LOCKLEAR, LOUGHRAN, MARINELLI, MAZUR, SMITH and WHYTE.
NOES: none. (AYES: 14; NOES: 0)

CARRIED.

Item 34 – (COMM. 20E-10) Mental Health - Authorization to Increase the 2006 Appropriation, Contract & Funds Reservations for Jewish Family Services

Received and referred to the HEALTH COMMITTEE.

Item 35 – (COMM. 20E-11) Open Item - Sewer District Bond Authorization

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 36 – (COMM. 20E-12) PILOT Agreement for Packard Building

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 37 – (COMM. 20E-13) DSS - Strengthening Families Program

Received and referred to the HUMAN SERVICES COMMITTEE.

Item 38 – (COMM. 20E-14) CPS/Emergency Services - Sole Justification - EC Radio Communications Equipment and Consulting

MEETING NO. 20
OCTOBER 24, 2006

ERIE COUNTY LEGISLATURE

Item 39 – (COMM. 20E-15) CPS/Emergency Services - Revision of Resolution for the Approval of an Addition and Deletion to the Prequalified List of Professionals and Approval of Fee for Services Contract for PSCIM, NIMS & ICS Course Instructors and Facilitators

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

Item 40 – (COMM. 20E-16) DEP - Appropriation of Unanticipated Gas Well Drill Rents (ESRI Software Maintenance Contract)

Item 41 – (COMM. 20E-17) ECSD No. 2 - Disinfection Improvements - Contract No. 66STP-A - Change Order No. 2 - STC Construction, Inc.

Item 42 – (COMM. 20E-18) ECSD No. 5 - Sanitary Sewer Merger Feasibility Studies

Item 43 – (COMM. 20E-19) ECSD No. 4 - Proposed Transfer of the Town of Lancaster Sewer District Nos. 1 & 2 - Sanitary Sewer Assets

Item 44 – (COMM. 20E-20) ECSD No. 3 - Proposed Transfer/Lease of the Town of Hamburg - Northern Sewer Districts Sanitary Sewer Assets

Item 45 – (COMM. 20E-21) ECSD No. 3 - Proposed Transfer/Lease of the Engel Drive District - Sanitary Sewer Assets

Item 46 – (COMM. 20E-22) ECSD Nos. 1 & 4 - Sanitary Sewer Merger Feasibility Studies

Item 47 – (COMM. 20E-23) DEP - No-Cost Budget Revision for the City of Buffalo Recycling Coordinator Grant

Item 48 – (COMM. 20E-24) DEP - No-Cost Budget Revision for the NYSDEC Recycling Program

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

Item 49 – (COMM. 20E-25) LL 2-2006 - "The Erie County Workforce Development and Diversification New York Certified Worker Training Program"

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM CHAIRMAN MARINELLI

Item 50 – (COMM. 20E-26) Appointment to the Finance & Management/Budget Committee

Received, Filed and Printed.

October 18, 2006

MEETING NO. 20
OCTOBER 24, 2006

ERIE COUNTY LEGISLATURE

Honorable David J. Swarts
Interim Clerk, Erie County Legislature
92 Franklin Street, 4th Floor
Buffalo, New York 14202

Dear Mr. Swarts:

Consistent with the Erie County Legislature's 2006 Rules of Order, specifically sections 1.01 and 3.02, I hereby appoint Legislator Barry A. Weinstein to serve as a member of the Finance, Management/ Budget Committee.

Sincerely,

Lynn M. Marinelli
Chair, Erie County Legislature

cc: Legislator Demone Smith
Chair, Finance, Management/ Budget Committee

Legislator Barry A. Weinstein

COMMUNICATIONS FROM THE DEPARTMENTS

FROM THE INTERIM CLERK OF THE LEGISLATURE

Item 51 – (COMM. 20D-1) Letter to Board of Elections Commissioners Re: Proposition for the November 7, 2006 General Election - Erie County LL INT 7-2006

Received, Filed and Printed.

September 25, 2006

Ralph M. Mohr, Commissioner
Erie County Board of Elections
134 West Eagle Street
Buffalo, New York 14202

RE: Proposition for the November 7, 2006 General Election
Erie County Local Law Intro. No. 7-2006

Dear Commissioner Mohr:

On July 27, 2006, the Erie County Legislature adopted Local Law Intro. No. 7 of 2006. This measure was approved by County Executive Joel A. Giambra on August 16, 2006, following a public hearing.

MEETING NO. 20
OCTOBER 24, 2006

ERIE COUNTY LEGISLATURE

This local law is subject to mandatory referendum in the general election to be held on Tuesday, November 7, 2006.

Enclosed are two certified copies of Erie County Local Law Intro. No. 7-2006, together with the proposition to be placed on the ballot and an abstract of the local law.

Please sign the enclosed receipt acknowledging your receipt of this packet of materials, and return the receipt to my attention as soon as possible. Thank you.

Very truly yours,

DAVID J. SWARTS
Erie County Clerk and
Interim Clerk, Erie County Legislature

Enc.

CC: Brian D. White, Assistant County Attorney (w/o enclosures)

September 25, 2006

Dennis E. Ward, Commissioner
Erie County Board of Elections
134 West Eagle Street
Buffalo, New York 14202

RE: Proposition for the November 7, 2006 General Election
Erie County Local Law Intro. No. 7-2006

Dear Commissioner Ward:

On July 27, 2006, the Erie County Legislature adopted Local Law Intro. No. 7 of 2006. This measure was approved by County Executive Joel A. Giambra on August 16, 2006, following a public hearing.

This local law is subject to mandatory referendum in the general election to be held on Tuesday, November 7, 2006.

Enclosed are two certified copies of Erie County Local Law Intro. No. 7-2006, together with the proposition to be placed on the ballot and an abstract of the local law.

Please sign the enclosed receipt acknowledging your receipt of this packet of materials, and return the receipt to my attention as soon as possible. Thank you.

Very truly yours,

DAVID J. SWARTS

**MEETING NO. 20
OCTOBER 24, 2006**

ERIE COUNTY LEGISLATURE

Erie County Clerk and
Interim Clerk, Erie County Legislature

Enc.

CC: Brian D. White, Assistant County Attorney (w/o enclosures)

FROM ERIE COMMUNITY COLLEGE

Item 52 – (COMM. 20D-2) Notice of Monthly Meeting of the Board of Trustees Held
10/18/06

Received and filed.

FROM THE BUDGET DIRECTOR

Item 53 – (COMM. 20D-3) Notice of Delay for Official Submission of the 2007 Executive
Budget

Received, Filed and Printed.

October 15, 2006

Honorable Lynn M. Marinelli
Chair, Erie County Legislature
92 Franklin Street
Buffalo, New York 14202

Dear Chair Marinelli:

Because of the State of Emergency which currently exists in Erie County, we have decided to delay official submission of the 2007 Executive Budget until 9 a.m. on Wednesday, October 18.

The County Executive will conduct a press briefing on Wednesday morning. I am available to work with you and the staff of the Legislature to reorganize the previously announced schedule of hearings regarding the Countywide overview and the individual departmental budgets.

Thank you for your cooperation.

Sincerely

James M. Hartman

cc. Joel A. Giambra

FROM THE HEALTH DEPARTMENT

MEETING NO. 20
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ERIE COUNTY LEGISLATURE

Item 54 – (COMM. 20D-4) Proposed Revisions to the Erie County Sanitary Code, Article I, Section 9

Received and referred to the HEALTH COMMITTEE.

FROM ERIE COMMUNITY COLLEGE

Item 55 – (COMM. 20D-5) Agenda of Monthly Meeting of the Board of Trustees Held 10/18/06

Received and filed.

FROM THE BUFFALO & ERIE COUNTY PUBLIC LIBRARY

Item 56 – (COMM. 20D-6) Proposed Agenda for 10/19/06 Board of Trustees Meeting

Received and filed.

FROM THE COUNTY ATTORNEY

Item 57 – (COMM. 20D-7) Transmittal of New Claims Against Erie County

Received and filed.

FROM ERIE COMMUNITY COLLEGE

Item 58 – (COMM. 20D-8) Minutes of Board of Trustees Meeting Held 9/27/06

Received and filed.

FROM THE BOARD OF ELECTIONS

Item 59 – (COMM. 20D-9) 2007 Proposed Budget

Received and filed.

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES

FROM THE REGION 9 FOREST PROTECTION BOARD

Item 60 – (COMM. 20M-1) Minutes of 9/28/06 Meeting

FROM THE CITY OF BUFFALO COMMON COUNCIL

Item 61 – (COMM. 20M-2) Certified Resolution Re: Immediate Establishment of the Parks Advisory Board

MEETING NO. 20
OCTOBER 24, 2006

ERIE COUNTY LEGISLATURE

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM HOPKINS, GARAS & SORGI, PLLC

Item 62 – (COMM. 20M-3) Request to Extend Sewer District No. 5 - Town of Clarence - 62.3 Acres - File No. 2090.1

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE ERIE COUNTY FISCAL STABILITY AUTHORITY

Item 63 – (COMM. 20M-4) Copy of Letter to ECC President Re: Labor Agreement

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM THE TOWN OF EVANS

Item 64 – (COMM. 20M-5) Certified Resolution Re: NYS Retirement System

Received and filed.

FROM THE TOWN OF HOLLAND

Item 65 – (COMM. 20M-6) Certified Resolution Re: NYS Retirement System

Received and filed.

FROM THE BUFFALO NIAGARA CONVENTION & VISITORS BUREAU

Item 66 – (COMM. 20M-7) Copy of Buffalo News Editorial Re: Restore Tourism Funding

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM THE NYS BOARD OF REAL PROPERTY SERVICES

Item 67 – (COMM. 20M-8) List of Certified 2006 Equalization Rates

Received and filed.

FROM THE ASSN. OF ERIE COUNTY GOVERNMENTS

Item 68 – (COMM. 20M-9) Certified Resolution Re: NYS Retirement System

Received and filed.

FROM THE NYS DEPT. OF STATE

Item 69 – (COMM. 20M-10) Receipt of ECIDA Appointment

Received and filed.

FROM THE ERIE COUNTY ENVIRONMENT MANAGEMENT COUNCIL

Item 70 – (COMM. 20M-11) Logging Operations at Erie County Forest

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE CITY OF BUFFALO MAYOR

Item 71 – (COMM. 20M-12) Copy of Letter to Governor Re: Approval of a Major Disaster Declaration

Received and referred to the PUBLIC SAFETY COMMITTEE.

MEMORIAL RESOLUTIONS

Item 72 – Ms. Marinelli requested that when the Legislature adjourns, it do so in memory of Robbielee Beaumont.

Item 73 – Ms. Marinelli requested that when the Legislature adjourns, it do so in memory of Carmen Brandy.

Item 74 – Mr. Holt requested that when the Legislature adjourns, it do so in memory of Marion Whitfield.

Item 75 – Mr. Kozub requested that when the Legislature adjourns, it do so in memory of Stanley J. Janus.

Item 76 – Mr. Kozub requested that when the Legislature adjourns, it do so in memory of those that passed during the October Storm.

Item 77 – Mr. Smith requested that when the Legislature adjourns, it do so in memory of those that passed during the October Storm.

ADJOURNMENT

Item 7 - At this time, there being no further business to transact, the Chairman announced that the Chair would entertain a Motion to Adjourn.

MS. IANNELLO moved that the Legislature adjourn until Thursday, November 2, 2006 at 2 p.m. Eastern Standard Time. MR. MAZUR seconded.

CARRIED UNANIMOUSLY.

MEETING NO. 20
OCTOBER 24, 2006

ERIE COUNTY LEGISLATURE

The Chairman declared the Legislature adjourned until Thursday, November 2, 2006 at 2 p.m. Eastern Standard Time.

DAVID J. SWARTS
INTERIM CLERK