

**ERIE COUNTY LEGISLATURE
MEETING NO. 25
DECEMBER 3, 2009**

The Legislature was called to order by Chair Marinelli.

All members present, except Legislator Iannello.

An Invocation was held, led by Mr. Loughran, who requested a moment of silence.

The Pledge of Allegiance was led by Mr. Rath.

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 22 from 2009. MS. GRANT seconded.

CARRIED UNANIMOUSLY.

Item 4 – No Public Hearings.

MISCELLANEOUS RESOLUTIONS

Item 5 – MR. MAZUR presented a Memorial Resolution In Remembrance of the Life of Paul Joseph Krzystek.

Item 6 – MR. MAZUR presented a Memorial Resolution Honoring former N.Y.S. Senator Joseph A. Tauriello.

Item 7 – MR. MAZUR & MR. KENNEDY presented a Memorial Resolution In Memory of Anthony H. “Tony” Sisti Sr.

MS. WHYTE moved for consideration of the above three items. MR. MAZUR seconded.

CARRIED UNANIMOUSLY.

MS. WHYTE moved to amend the above three items by adding one for MS. GRANT, adding one for CHAIR MARINELLI & MR. LOUGHRAN, and also by including Et Al Sponsorship. MR. RATH seconded.

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

LOCAL LAWS

Item 8 – CHAIR MARINELLI directed that Local Law No. 2 (Print #1) 2008 remain on the table and in the ECONOMIC DEVELOPMENT COMMITTEE.

GRANTED.

Item 9 – CHAIR MARINELLI directed that Local Law No. 4 (Print #1) 2009 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 10 – CHAIR MARINELLI directed that Local Law No. 5 (Print #1) 2009 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 11 – CHAIR MARINELLI directed that Local Law No. 6 (Print #1) 2009 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 12 – CHAIR MARINELLI directed that Local Law No. 7 (Print #1) 2009 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 13 – CHAIR MARINELLI directed that Local Law No. 9 (Print #1) 2009 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 14 – CHAIR MARINELLI directed that Local Law No. 11 (Print #1) 2009 remain on the table and in the FINANCE & MANAGEMENT COMMITTEE.

GRANTED.

COMMITTEE REPORTS

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 308

Following Recess, Reconvened November 25, 2009	FINANCE & MANAGEMENT/BUDGET COMMITTEE REPORT NO. 1
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ALL MEMBERS PRESENT, EXCEPT LEGISLATOR WALTER.
CHAIR MARINELLI PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following item is hereby amended and tabled:
 - a. COMM. 19E-7 (2009)
COUNTY EXECUTIVE: "2010 Tentative Budget"
(6-1) Legislator Mills voted in the negative.
2. RESOLVED, the remaining items are hereby tabled.

**ROBERT B. REYNOLDS JR.
CHAIR**

LEGISLATOR RESOLUTIONS

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 309

RE: Supporting Federal Legislation (S.2794)
to Provide a Tax Benefit to Hunters
Who Donate Venison to Anti-Hunger
Programs
(INTRO 25-1)

A RESOLUTION TO BE SUBMITTED BY
LEGISLATORS TERRANOVA, MARINELLI, MILLS, KOZUB, WALTER,
GRANT, IANNELLO, REYNOLDS, LOUGHRAN & RATH

WHEREAS, nearly 700,000 New York State residents participate in deer hunting every year, contributing over \$1.5 billion to the state's economy, supporting thousands of job and helping to manage the state's overcrowded deer populations; and

WHEREAS, according to the New York State Department of Environmental Conservation, more than 220,000 deer were taken in New York State in 2008; and many hunters wish to donate game that they cannot utilize themselves; and organizations, such as the Venison Donation Coalition, pay for the processing of a deer (venison) that will be given to a program that feeds impoverished, hungry people; and

WHEREAS, two years ago, New York State funded the Venison Donation Coalition in the amount of \$100,000; however, due to the state's fiscal constraints, the funding for 2009-2010 stands at \$21,000, an astonishing 80% cut in a program that has helped curb deer overpopulation at the same time it provides a high-quality protein source to those served by anti-hunger organizations; and

WHEREAS, private donations to the Coalition and other anti-hunger organizations have also diminished during the current recession while the demand for food is on the rise; and

WHEREAS, U.S. Senate Bill S.2794, sponsored by Senator Charles E. Schumer would exempt any income a deer processor would receive if venison, the final product, would be donated to an anti-hunger organization, and would also allow the hunter to deduct the processing fee from his or her taxable income; and

WHEREAS, the donation of venison has gained importance during the recession, and thousands more individuals and families have been forced to turn to food pantries and soup kitchens for sustenance.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature go on record in support of federal legislation (S. 2794) to support a major economic engine in the state – hunters – by providing a tax incentive to hunters and processors who donate venison to anti-hunger programs; and be it further

RESOLVED, that copies of this resolution be conveyed to President Barack Obama, U.S. Senators Charles E. Schumer and Kirsten Gillibrand, the WNY Delegation to the United States House of Representatives, the Venison Donation Coalition and to all others deemed necessary and proper.

MS. WHYTE moved to amend the resolution by adding MS. WHYTE, MR. KENNEDY, MS. MILLER-WILLIAMS and MR. WROBLEWSKI as Co-Sponsors. MR. WROBLEWSKI seconded.

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

Item 17 – MS. WHYTE presented the following resolution and moved for immediate consideration. MS. GRANT seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 310

RE: Obtaining a Status Report on the
Distribution of Swine Flu Vaccine in

Erie County
(INTRO 25-2)

A RESOLUTION TO BE SUBMITTED BY
LEGISLATORS MAZUR, MARINELLI, MILLS, KOZUB, WALTER, TERRANOVA,
GRANT, IANNELLO, REYNOLDS, LOUGHRAN & RATH

WHEREAS, the general public continues to be concerned about the number of cases of swine flu reported in Erie County, as well as the deaths that have arisen from the infection within the last year; and

WHEREAS, constituents have contacted members of the Erie County Legislature to find out about the availability of swine flu clinics in Erie County, particularly following media reports of a mass vaccination that took place in Niagara County on November 21; and

WHEREAS, it is our understanding that the Erie County Department of Health has implemented a policy decision to prioritize the dissemination of flu vaccine to primary care providers in Erie County – particularly pediatricians and ob-gyn practices – so that high priority groups could receive vaccinations prior to the general public; and

WHEREAS, notwithstanding the fact that New York State has not received sufficient quantities of vaccine from the federal government to fill the pending orders from regions throughout the state, it is fitting and proper for Erie County Legislators, in their oversight role, to receive a thorough and up-to-date report from the Commissioner of Health for Erie County, Dr. Anthony J. Billittier IV, regarding Erie County's ability to obtain and distribute supplies of vaccine to meet the demand from health care practitioners and the general public, especially those at high risk; and

WHEREAS, legislators have an interest in being briefed on the county's distribution plan and amount of vaccine distributed thus far, as well as the Health Department's assessment of the manner by which individual schools have handled outbreaks and any other information about this public health matter deemed appropriate by the members of the Erie County Legislature.

NOW, THEREFORE, BE IT

RESOLVED, that the Commissioner of the Erie County Department of Health, Dr. Anthony J. Billittier IV, provide a comprehensive status report on the swine flu situation in the county at a future meeting of the Health & Human Services Committee of the Erie County Legislature; and be it further

RESOLVED, that certified copies of this resolution be conveyed to Dr. Anthony J. Billittier and all others deemed necessary and proper.

MS. WHYTE moved to amend the resolution by adding MS. WHYTE, MR. KENNEDY, and MS. MILLER-WILLIAMS as Co-Sponsors. MS. MILLER-WILLIAMS seconded.

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

Item 18 – MS. WHYTE presented the following resolution and moved for immediate consideration. MR. MAZUR seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 311

RE: Calling on the Federal Government to
Fund the Long-Planned Niagara River
Boardwalk
(INTRO 25-3)

A RESOLUTION TO BE SUBMITTED BY
LEGISLATORS MARINELLI, MILLS, KOZUB, WALTER, TERRANOVA,
GRANT, IANNELLO, REYNOLDS, LOUGHRAN & RATH

WHEREAS, the Niagara River is one of our region's greatest assets, one which residents throughout Erie County value and utilize; and

WHEREAS, people living in waterfront neighborhoods, from Southern to Northern Erie County, desire increased access to the waterfront for recreational activities such as fishing, boating and swimming; and

WHEREAS, several points of entrance to the Niagara River are located within the City of Buffalo, including those along Niagara Street, Porter Avenue and the Outer Harbor; and

WHEREAS, multiple projects are currently planned at these locations, projects that are designed to bring increased accessibility to the waterfront and recreational opportunities for residents and visitors alike; and

WHEREAS, a Niagara River Boardwalk would encourage increased utilization of our waterfront resource, including fishing, bird watching, walking, biking and running, and would offer a new venue for historical and educational displays about our rich river history; and

WHEREAS, plans for a Niagara River Boardwalk have been on the drawing board for years, and have garnered support from community leaders, elected officials, business owners and residents alike; and

WHEREAS, the Common Council of the City of Buffalo has, in the past, reviewed plans for a Niagara River Boardwalk and has similarly called for federal support for this important project; and

WHEREAS, with federal dollars flowing into our community from the Economic Stimulus Plan approved by Congress and the President earlier this year, the time may be right to tap into this federal revenue stream for the Niagara River Boardwalk project.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature go on record calling for federal funding for the creation of a Niagara River Boardwalk in the City of Buffalo; and be it further

RESOLVED, that certified copies of this resolution be conveyed to President Barack Obama, Senator Charles Schumer, Senator Kirsten Gillibrand and the WNY Delegation to the U.S. House of Representatives (Members of Congress Louise Slaughter, Brian Higgins and Chris Lee).

MS. WHYTE moved to amend the resolution by adding MS. WHYTE, MR. KENNEDY, MS. MILLER-WILLIAMS and MR. WROBLEWSKI as Co-Sponsors. MR. KOZUB seconded.

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 312

RE: Assessing the Impact of the June 1, 2009
Implementation of WHTI on Cross-
Border Tourism, Commerce and the
Regional Economy
(INTRO 25-4)

A RESOLUTION TO BE SUBMITTED BY
LEGISLATORS GRANT, MARINELLI, MILLS, KOZUB, WALTER,
TERRANOVA, IANNELLO, REYNOLDS, LOUGHRAN & RATH

WHEREAS, data collected by the Binational Tourism Alliance indicates that the implementation of the Western Hemisphere Travel Initiative may be contributing to a substantial reduction in business activity that is additionally affected by the global recession and fears about spread of the H1N1 (Swine Flu) virus; and

WHEREAS, New York State and Ontario share the greatest number of border points along the United States/Canada border, and consequently, are more vulnerable to a downturn in binational economic activity; and

WHEREAS, it is prudent for the Erie County Legislature to ascertain the impact of WHTI implementation, and other negative impacts, on Erie County's sales tax and bed tax collections, as well as their collective implications on the county budget; and

WHEREAS, this challenge presents an opportunity to explore innovative, local remedial actions that could be taken to address the tourism, travel and commercial repercussions of a more

security-conscious, post 9/11 environment in this binational region, which in 2012 will celebrate 200 years of peace and friendship between the United States and Canada.

NOW, THEREFORE, BE IT

RESOLVED, that representatives of the Binational Tourism Alliance and the Buffalo Niagara Convention & Visitors Bureau be invited to a future meeting of the Community Enrichment Committee of the Erie County Legislature to discuss the economic impact of reduced cross-border travel in the Erie-Niagara Regions of the United States and Canada, as well as explore local actions that could be taken to mitigate any negative impact; and be it further

RESOLVED, that certified copies of this resolution be conveyed to the Binational Tourism Alliance, the Buffalo Niagara Convention & Visitors Bureau and all others deemed necessary and proper.

MS. WHYTE moved to amend the resolution by adding MS. WHYTE, MR. KENNEDY, MS. MILLER-WILLIAMS and MR. MAZUR as Co-Sponsors. MS. GRANT seconded.

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

COMMUNICATIONS DISCHARGED FROM COMMITTEE

Item 20 – MS. WHYTE moved to discharge the ECONOMIC DEVELOPMENT COMMITTEE of further consideration of COMM. 20E-14 (2009). MR. KENNEDY seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 313

RE: Roof Repair - Emergency Response
Services - All County-owned Buildings,
Contract Allowance Increase
(COMM. 20E-14, 2009)

WHEREAS, funds were authorized and contracts were awarded by the Department of Public Works, Division of Real Estate and Asset Management for the Roof Repair – Emergency Response Services – All County-owned Buildings; and

WHEREAS, a contract was awarded to Grove Roofing Services, Inc., the total expenditure of which shall be based upon an as needed basis for each emergency response repair; and

WHEREAS, several emergency roof repairs have been needed and the contract allowance must be increased in order for the contractor to continue making emergency roof repairs.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be authorized to approve the work based upon NYS Department of Labor Prevailing Wage Rate Schedule for all materials furnished and installed for each emergency response repair; and be it further

RESOLVED, that the County Executive be authorized to execute a contract amendment with Grove Roofing Services, Inc. to increase their Roof Repair – Emergency Response Services – All County-owned Buildings – Contract by \$60,000.00 from \$335,000.00 to a not to exceed amount of \$395,000.00; and be it further

RESOLVED, that the Comptroller’s Office be authorized to make payment for all of the above from SAP Projects as follows:

A.00025	2001 – Code Compliance	Not to exceed \$ 5,475.85
A.00309	2007 – Code Compliance	Not to exceed <u>\$54,524.15</u>
Total Amount not to Exceed		\$60,000.00

and be it further

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

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

CARRIED UNANIMOUSLY.

SUSPENSION OF THE RULES

Item 21 – MS. WHYTE moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

INTRO 25-5 from LEGISLATOR TERRANOVA Re: Requesting the City of Buffalo to Put In a Demarcated Pedestrian Crosswalk on Franklin St. Between the Rath Building and Old County Hall

Received and referred to the PUBLIC SAFETY COMMITTEE.

Item 22 – MS. WHYTE moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

INTRO 25-6 from CHAIR MARINELLI and LEGISLATORS WHYTE, MILLER-WILLIAMS, KOZUB, GRANT, LOUGHRAN, KENNEDY & MAZUR Re: Requesting that the Commissioner of Parks, the Commissioner of Personnel and the County Attorney Appear at the next EE Committee Meeting Regarding Status of Transfer of City Parks, Related Equipment and City Personnel

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

COMMUNICATIONS FROM ELECTED OFFICIALS

FROM THE COUNTY EXECUTIVE

Item 23 – (COMM. 25E-1) Approval Notification Concerning LL Intro No. 10-2009

Received and Filed.

FROM THE COMPTROLLER

Item 24 – (COMM. 25E-2) City of Buffalo Cellblock Agreement - Renegotiation of Payment Amount

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM LEGISLATOR GRANT

Item 25 – (COMM. 25E-3) Copy of Letter to Environment & Planning Commissioner Requesting Attendance at an Upcoming Community Enrichment Committee Meeting

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM LEGISLATOR IANNELLO

Item 26 – (COMM. 25E-4) Notice of Absence From Legislative Session to be Held December 3, 2009

Received, Filed and Printed.

November 30, 2009

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

Dear Chair Marinelli,

I am writing this letter to give you proper notice that I will not be in attendance at the December 3rd legislative session. I will be going out of town on Wednesday, December 2nd and I will not return until the evening of December 7th.

Please forgive my absence. My assistant Jean Harmon will be attending the session on December 3rd.

Very truly yours,

Michele M. Iannello
Erie County Legislator

FROM LEGISLATOR WALTER

Item 27 – (COMM. 25E-5) Notice of Absence From Legislature Special Meeting Held
November 25, 2009

Received, Filed and Printed.

November 30, 2009

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

Dear Chair Marinelli,

I regret that I was unavoidably unable to attend the beginning of the special session on November 25, 2009. As you know, I was scheduled to be out of town on that date. I will be in attendance when the session reconvenes from recess on December 1, 2009.

Thank you.

Yours Truly,

Raymond W. Walter
Erie County Legislator – 4th District

cc: Robert M. Graber, Clerk
Erie County Legislature

FROM LEGISLATOR RATH

Item 28 – (COMM. 25E-6) Notice of Absence From Legislature Special Meeting Held
November 25, 2009

Received, Filed and Printed.

November 30, 2009

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

Dear Chair Marinelli,

I regret that I was unavoidably unable to attend the beginning of the special session on November 25, 2009. As you know, I was scheduled to be out of town on that date. I will be in attendance when the session reconvenes from recess on December 1, 2009.

Thank you.

Yours Truly,

Edward A. Rath III
Erie County Legislator – 15th District

cc: Robert M. Graber, Clerk
Erie County Legislature

FROM THE COUNTY EXECUTIVE

Item 29 – (COMM. 25E-7) Transfer of Funds - Health Division

Item 30 – (COMM. 25E-8) Amend the New York Connects Budgets

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

Item 31 – (COMM. 25E-9) ECSD No. 3 - Engineering Term Agreement - CHA

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 32 – (COMM. 25E-10) Authorization to Allow the EC Dept. of Mental Health to Enter Agreement with the Buffalo Fire Dept. to Accept Funds for EC Mental Health Emergency Planning Coordinator

Item 33 – (COMM. 25E-11) Medical Examiner's Div. - National Forensic Sciences Improvement Act

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

Item 34 – (COMM. 25E-12) Authorization to Donate Surplus County Vehicle to the Boy Scouts

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

Item 35 – (COMM. 25E-13) Youth Bureau Contract Increases

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

Item 36 – (COMM. 25E-14) ECSD No. 3 - Proposed Intermunicipal Agreement - Village of Hamburg

Item 37 – (COMM. 25E-15) ECSD No. 3 - Contract Close-Out - Tom Greenauer Development, Inc.

Item 38 – (COMM. 25E-16) ECSD No. 3 - Contract Close-Out - Paul Gallo Contracting, Inc.

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

Item 39 – (COMM. 25E-17) Social Services - International Institute Interpreter Services Contract

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

Item 40 – MS. WHYTE presented the following item and moved for immediate consideration and approval. MS. MILLER-WILLIAMS seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 314

RE: Verizon Business Services Contract
(COMM. 25E-18)

WHEREAS, in April 2009 Erie County sponsored an initiative to explore the possibility of selecting new providers for the following services: Local, Long Distance telephone services, Equipment Maintenance on Existing Nortel Systems (MACS), Point to Point Networks, Frame Relay Networks, POTS services, Special access services, Wireless Services, ISDN BRI services, ISDN PRI services, DID services, Dedicated Internet services, Toll Free Services; and

WHEREAS, the County is open to new technology that would help it gain efficiencies or streamline overall communications and billing processes; and

WHEREAS, Erie County conducted a four-month evaluation with several nationally recognized telecommunications providers, and based on the criteria prescribed by the RFP process, selected Verizon Business Service to be the single point of contact for all voice, data and wireless communication needs using a state-of-the-art, scalable architecture that can provide increasing bandwidth on demand; and

WHEREAS, this utility will be provided at mutually agreed upon service levels and at a lower cost than current services, for a contractual term of services of sixty (60) months, with an annual projected savings of \$ 180,000.

NOW, THEREFORE, BE IT

RESOLVED, that the County is hereby authorized to enter into the Verizon Business Services contract dated December 15, 2009; and be it further

RESOLVED, that funding for this Contract are available in the annual operating Budget, cost center 105 Division of Information and Support Services, Commitment Item 515000, Utility Charges; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the County Executive, County Comptroller, Director of Budget and Management, Director of Information and Support Services, Director of Purchase, and the County Attorney.

Item 41 – MS. WHYTE presented the following item and moved for immediate consideration and approval. MR. WROBLEWSKI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 315

RE: Traffic Safety Grant 2009-2010
(COMM. 25E-19)

WHEREAS, the New York Governor's Traffic Safety Committee has awarded Erie County a grant in the amount of \$60,432; and

WHEREAS, the grant will be used to establish a Traffic Safety Program and fund part-time instructors to make Driver Safety presentations at Erie County High Schools; and

WHEREAS, all expenses under the Traffic Safety Program are 100% reimbursable by New York State; and

WHEREAS, no local matching dollars are required to receive this grant.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into agreement with New York State to accept funding for the Traffic Safety Program; and be it further

RESOLVED, that the following transactions are authorized to establish a Traffic Safety Grant and amend the 2009 County Budget to reflect new revenue and expenses as follows:

CENTRAL POLICE SERVICES
HIGH SCHOOL TRAFFIC SAFETY EDUCATION
Cost Center #1650060 STOP-DWI/TRAFFIC SAFETY

GRANT #165HGHSCHTSEDU0910

<u>APPOPRIATIONS</u>	<u>AMOUNT</u>
ACCT. #500010 Part-Time Wages	45,817
10- PT- Traffic Safety Instructors, Job Grade 11-0, Maximum of 38 hrs/week to be shared by group	
ACCT. #502000 Fringe Benefits	3,665
ACCT. #505000 Office Supplies	800
ACCT. #510000 Local Mileage	3,000
ACCT. #510100 Out of Area Travel	2,000
ACCT. #530000 Other Expenses	1,400
ACCT. #980000 ID DISS Services	3,750
TOTAL	
APPROPRIATIONS	<u>60,432</u>

REVENUES

ACCT. #479100 Other Contributions	60,432
TOTAL REVENUES	<u>60,432</u>

and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Office of County Executive, the Office of the Comptroller, Division of Budget and Management, and the STOP-DWI Office.

Item 42 – MS. WHYTE presented the following item and moved for immediate consideration and approval. MS. GRANT seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 316

RE: Property Transfer to International
 Institute
 (COMM. 25E-20)

WHEREAS, the International Institute of Buffalo assists approximately 200 refugees each year resettle in Buffalo and establish new lives in America. Refugees have fled war and persecution in their native countries and in many cases have spent years, even decades, in refugee camps; and

WHEREAS, the Institute assists refugees with immediate critical needs like food, clothing, housing and medical care; help them overcome language and cultural barriers; and provide employment training, job placement services, and school advocacy; and

WHEREAS, life is far from easy for most refugees when they first come to Buffalo: the shock from what they have fled and what their new culture requires of them can be overwhelming, even with the friendly faces and material support that the Institute provides; and

WHEREAS, in partnership with volunteers and donors like Erie County, the Institute works to ensure that refugees quickly become self-sufficient, active members of our community; and

WHEREAS, the Director of Purchase is requesting authorization to transfer property of surplus items such as chairs and desks that Erie County has no use for to the International Institute when there are requests on an ongoing basis.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Purchasing Director is hereby authorized to transfer ownership of surplus items to the International Institute on an on-going basis; and be it further

RESOLVED, that certified copies of this resolution be delivered to Bridget Corcoran, Erie County Director of Purchasing and the Office of the Comptroller.

FROM THE COUNTY CLERK

Item 43 – MS. WHYTE presented the following item and moved for immediate consideration and approval. MR. LOUGHRAN seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 317

RE: Resolution to Approve Lease from Northtown Inc. as landlord to County of Erie for Northtown Auto Bureau (COMM. 25E-21)

WHEREAS, the Erie County Clerk's Office, as part of its duties and responsibilities, is charged with the operation of local Auto Bureaus; and

WHEREAS, the Erie County Clerk's Office / County of Erie has negotiated with Northtown Inc. for a certain lease for space to operate one of the Auto Bureaus in Erie County; and

WHEREAS, certain improvements and installations will be necessary to accommodate the operations of the Northtown Auto Bureau; and

WHEREAS, the 2009 County Budget and 2010 County Budget as amended and adopted made an appropriation for expenses associated with the operation of the Auto Bureaus in Erie County.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive enter into and sign an Agreement with Northtown Inc. as landlord of the Northtown Auto Bureau for 8,000 square footage at 3095A Sheridan Drive, Amherst, New York 14226 for a period of five (5) years and one 5-year option for renewal to commence on January 2, 2010 or as soon thereafter as practicable; and be it further

RESOLVED, that the Erie County Legislature hereby approves the following transfer of funds within the accounts of the Erie County Clerk's Office 2009 budget lines and the expenditure of funds to complete the necessary renovations and improvements to the Leased Premises:

SOURCE OF FUNDING	AMOUNT
County General Fund 110 County Clerk – Auto Bureau 1132020	\$52,000
BUDGET LINE	
Rental Charges 545000 to PROFESSIONAL SERVICES, CONTRACTS and FEES ACCOUNT 516020	\$52,000

and be it further

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

COMMUNICATIONS FROM THE DEPARTMENTS

FROM THE EC HISTORIAN

Item 44 – (COMM. 25D-1) Progress Report for Projects Completed or In-Progress - 11/15/09

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES

FROM THE NYSDEC

Item 45 – (COMM. 25M-1) Fish and Wildlife Monthly Highlights - 9/16/09 - 10/15/09

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM COLUCCI & GALLAHER, P.C.

Item 46 – (COMM. 25M-2) ECMCC Agenda Items for Board of Directors Meeting Held 10/29/09

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

FROM THE EVANS TOWN CLERK

Item 47 – (COMM. 25M-3) Copy of N. Evans Fire District Detailed Estimate of Sums Required for Use for 2010

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM THE NFTA

Item 48 – (COMM. 25M-4) PARIS Report for Fiscal Year Ending March 31, 2010

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM THE ECFSA

Item 49 – (COMM. 25M-5) 2010 Budget Recommendations

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE EXECUTIVE DIRECTOR - PUSH BUFFALO

Item 50 – (COMM. 25M-6) Copy of Letter Regarding 2010 Budget Appropriations

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM THE NYSDEC

Item 51 – (COMM. 25M-7) Fact Sheet - Cleanup Activities to Begin at Bengart & Memel Site - Buffalo

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM MICHAEL GWATHNEY

Item 52 – (COMM. 25M-8) Letter Regarding the Closing of EC Health Clinics

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

FROM THE NYS DEPT. OF TAXATION & FINANCE

Item 53 – (COMM. 25M-9) Semi-Annual Report - April-September 2009

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

ANNOUNCEMENTS

Item 54 – CHAIR MARINELLI announced that the Legislature will meet on Tuesday, December 8, 2009 at 11:00 A.M. to conduct the Budget Override Session. Should there be no need to conduct the session, legislators will be notified.

MEMORIAL RESOLUTIONS

Item 55 – Chair Marinelli requested that when the Legislature adjourns, it do so in memory of Richard J. Hooker, Legislature staff member Sherri Bagarozzo’s grandfather.

Item 56 – Legislator Kennedy requested that when the Legislature adjourns, it do so in memory of community advocate and Village of Sloan Trustee Anthony H. “Tony” Sisti Sr.

Item 57 – Legislator Loughran, and on behalf of Legislators Rath and Walter, requested that when the Legislature adjourns, it do so in memory of Maureen Blake DeSabio.

Item 58 – Legislator Reynolds requested that when the Legislature adjourns, it do so in memory of Robert John Schneider.

ADJOURNMENT

Item 59 - 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, December 17, 2009 at 2:00 P.M. Eastern Standard Time. MR. WROBLEWSKI seconded.

CARRIED UNANIMOUSLY.

CHAIR MARINELLI declared the Legislature adjourned until Thursday, December 17, 2009 at 2:00 P.M. Eastern Standard Time.

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