



THE ERIE COUNTY LEGISLATURE

Session No. 4
February 19, 2009

Lynn M. Marinelli
Chair

Maria R. Whyte
Majority Leader

John J. Mills
Minority Leader

Robert M. Graber
Clerk of the Legislature

ROLL CALL

INVOCATION – Ms. Grant

PLEDGE OF ALLEGIANCE – Mr. Mazur

TABLED ITEMS

ITEMS FOR RECONSIDERATION FROM PREVIOUS MEETING

MINUTES OF PREVIOUS MEETING

PUBLIC HEARING

MISCELLANEOUS RESOLUTIONS:

MILLER-WILLIAMS	Saluting the National Association for the Advancement of Colored People (NAACP) for Ninety-Nine Years of Service and Outstanding Contributions to and on the Behalf of All the Citizens of Our Community
KONST	Honoring George Gertz, Volunteer Firefighter and Marilla Supervisor, for His Heroism
MILLER-WILLIAMS & GRANT	Honoring the Memory of Carolyn B. Thomas
MARINELLI	Honoring the Life of Roy Frankel
MARINELLI	Honoring the Memory of Keith Crippen
WALTER	Honoring the Victims of Flight 3407 and the First Responders to the Accident Site
REYNOLDS	Congratulating Kevin Egan for the Exemplary Standard of Service that He Has Exhibited and Wishes Him a Long and Happy Retirement
REYNOLDS	Congratulations to Lee Widmer-Wick on Being Named the Evans/Brant Chamber of Commerce “Citizen of the Year”
MARINELLI	Honoring Lillian Emma (Meiler) Nichter of Kenmore, New York Upon Celebrating Her 100th Birthday on January 26, 2009
KONST	Congratulating Christopher Blattner on Achieving the Rank of Eagle Scout
KONST	Congratulating Jacob Radder on Achieving the Rank of Eagle Scout
KONST	Celebrating 50 Years of Service to the Wales Center Women’s Auxiliary

MARINELLI & IANNELLO	Honoring Robert Carncross Upon the Occasion of Being Honored for 50 Years of Active Volunteer Fire Service
IANNELLO	Memorial Resolution for John Fiore of Grand Island on Flight 3407
IANNELLO	Memorial Resolution for Thomas Toy
MILLS	Congratulating Kathy Hall-Zientek on Receiving the Susan B. Anthony Award from the Interclub Council of WNY
WHYTE, MARINELLI, KOZUB, KENNEDY, MILLER-WILLIAMS & GRANT	“The Presidential Impact Essay Contest”
MAZUR	Honoring the Memory of Valerie DeBenedetti, Mother of Former Legislator Albert DeBenedetti

LOCAL LAWS:

REFERENCE:

LL INT. 2-1 3/18/2008	RANZENHOFER, MILLS & RATH	A LL Requiring Businesses to Verify that Employees are Legally Eligible to be Employed in the US and Erie County	Economic Development
LL INT. 3-2 4/4/2008	IANNELLO, KONST, REYNOLDS, MILLS, GRANT & LOUGHRAN	Tax Payer Protection Law	Government Affairs
LL INT. 5-1 6/10/2008	MILLS	A LL to Change the Name of the Department of Environment and Planning to the Department of Economic Development, Environment and Planning and Update Position Titles	Energy & Environment
LL INT. 8-1 11/21/2008	KENNEDY, WHYTE, REYNOLDS, KOZUB, LOUGHRAN, IANNELLO, MILLER-WILLIAMS & GRANT	A LL to Strengthen and Encourage Lowest Responsible Bidder Requirements for Erie County Contracts	Economic Development

COMMITTEE REPORTS:

REPORT NO. 2 HEALTH & HUMAN SERVICES COMMITTEE

REPORT NO. 2 COMMUNITY ENRICHMENT COMMITTEE

REPORT NO. 2 ECONOMIC DEVELOPMENT COMMITTEE

REPORT NO. 2 PUBLIC SAFETY COMMITTEE

REPORT NO. 2

ENERGY & ENVIRONMENT COMMITTEE

REPORT NO. 2

GOVERNMENT AFFAIRS COMMITTEE

REPORT NO. 3

FINANCE & MANAGEMENT COMMITTEE

LEGISLATOR RESOLUTIONS:

REFERENCE:

INTRO 4-1	MARINELLI & REYNOLDS	Legislature Personnel Adjustment, District Office Staff, 12th District
INTRO 4-2	KONST	Allowing the Sale of Wine at Supermarkets and Convenience Stores in New York State
INTRO 4-3	IANNELLO	Resolution in Support of Governor Paterson's Proposed Fix to the Chronic Issues Counties Face with Indigent Legal Services Fund Maintenance of Effort Provision
INTRO 4-4	MILLER-WILLIAMS	Opposition to the County Executive's Proposed Termination of Erie County's Role in the Special Supplemental Nutrition Program for Women, Infants and Children (WIC)
INTRO 4-5	MARINELLI	Requiring that the Administration Submit the Patricia Lynch & Associates Proposed Contract for Approval by the Erie County Legislature as Required by Section 2702 of the Erie County Charter
INTRO 4-6	RATH	Allowing DASNY to Finance Construction of Residence Halls at SUNY Community Colleges
INTRO 4-7	WALTER, RATH, MILLS, WHYTE, KONST, MARINELLI, KOZUB, GRANT, MAZUR & IANNELLO	The Need for Erie County to Undertake Capital Borrowing
INTRO 4-8	MARINELLI, MILLS, KOZUB, MILLER- WILLIAMS, WALTER, KONST, GRANT, MAZUR, IANNELLO & RATH	Opposing Changes to the NYS Empire Zone Program in the 2009- 2010 Executive Budget as Proposed by the Governor

INTRO 4-9	MARINELLI, WHYTE, MILLS, KOZUB, MILLER- WILLIAMS, WALTER, KONST, GRANT, MAZUR, IANNELLO, REYNOLDS, LOUGHRAN & RATH	Urging New York's Federal and State Representatives to Ensure Stimulus Funds Help Local Road and Bridge Projects
INTRO 4-10	MARINELLI, WHYTE, MILLS, KOZUB, MILLER- WILLIAMS, WALTER, KONST, MAZUR, IANNELLO, REYNOLDS, LOUGHRAN & RATH	Urging the Governor and State Legislature to Prioritize, Preserve and Protect the Local Health Department Emergency Preparedness Program
INTRO 4-11	KOZUB	Supporting the Donation of a 1998 Senior Citizens' Van
INTRO 4-12	MARINELLI, WHYTE, MILLS, KOZUB, MILLER- WILLIAMS, WALTER, KONST, MAZUR, IANNELLO, REYNOLDS & RATH	Urging the Governor and State Legislature to Reject the Shift of Local Social Services Administrative Costs to the Flexible Fund for Family Services
INTRO 4-13	MARINELLI, MILLS, WALTER, KONST, IANNELLO & RATH	Supporting the Creation of a New Pension Tier with the NYS and Local Public Employee Retirement System
INTRO 4-14	IANNELLO	Resolution Urging the State Legislature and the Governor to Take Appropriate Action to Relieve Counties from the Staggering Expenses Associated with Housing Parole Violators in County Jails

COMMUNICATIONS DISCHARGED FROM COMMITTEE:

SUSPENSION OF THE RULES:

COMMUNICATIONS FROM ELECTED OFFICIALS:

REFERENCE:

COMM. 4E-1	COMPTROLLER	State Authorization for the Private Sale of Bonds by Negotiated Agreement	Finance & Management
COMM. 4E-2	MARINELLI, WHYTE, KONST, RATH & WALTER	Copy of Letter to NYS Comptroller Concerning Capital Borrowing in Erie County	Finance & Management
COMM. 4E-3	KOZUB	Letter to Chair Marinelli Concerning Absence for Legislature Committee Meetings Held 2/12/09	R&F
COMM. 4E-4	COMPTROLLER	Copy of Letter to NYS Health Commissioner RE: Request for Delay in Payment of Disproportionate Share Payment by Erie County	Finance & Management
COMM. 4E-5	COUNTY EXECUTIVE	Public Health Preparedness/Response to Bioterrorism	Health & Human Services
COMM. 4E-6	COUNTY EXECUTIVE	Accepting Efficiency Grant Funds for the Purpose of Implementing a Radio Frequency Identification (RFID) System at the Buffalo/Erie County Public Library	Community Enrichment
COMM. 4E-7	COUNTY EXECUTIVE	EC Sewer District Nos. 3 & 6 - Engineer Term Agreement	Energy & Environment
COMM. 4E-8	COUNTY EXECUTIVE	HOME Investment Partnership Program - Community Housing Development Organization Contracts	Economic Development
COMM. 4E-9	COUNTY EXECUTIVE	DWI Victim Impact Panel Fee	Public Safety
COMM. 4E-10	COUNTY EXECUTIVE	Amend CSE Grant Budget and Related Contracts	Health & Human Services
COMM. 4E-11	COUNTY EXECUTIVE	Contract with H. Sicherman & Company, Inc. for Preparation of the 2010-2014 CDBG	Economic Development
COMM. 4E-12	COUNTY EXECUTIVE	Solid Waste Responsibility to be Incorporated Into the EC Integrated Pest Management Project	Energy & Environment

COMM. 4E-13	COUNTY EXECUTIVE	A Partnership for Youth Program	Health & Human Services
COMM. 4E-14	COUNTY EXECUTIVE	Copy of Letter of CVB Concerning Appointments to the CVB Board of Directors	Community Enrichment
COMM. 4E-15	DISTRICT ATTORNEY	Motor Vehicle Theft & Insurance Fraud Grant Budget	
COMM. 4E-16	WROBLEWSKI	Lease for Legislative Office Space	
COMM. 4E-17	LOUGHRAN	Lease for Legislative Office Space	
COMM. 4E-18	COUNTY EXECUTIVE	Extension of Additional .75% Sales & Compensating Use Tax	
COMM. 4E-19	SHERIFF	Asset Forfeiture Funded Program SAFS	Public Safety
COMM. 4E-20	SHERIFF	Selective Traffic Enforcement Program	Public Safety
COMM. 4E-21	SHERIFF	Personnel Adjustments	Government Affairs
COMM. 4E-22	SHERIFF	Holding Center & Correctional Facility - Digital TV Conversion	Public Safety
COMM. 4E-23	GRANT	Lease for Legislative Office Space	

REFERENCE:

COMMUNICATIONS FROM THE DEPARTMENTS:

COMM. 4D-1	COMMISSIONER OF HEALTH	Letter to Chair Marinelli Concerning Legislative Appointment to the Erie County Board of Health	Health & Human Services
COMM. 4D-2	COMMISSIONERS OF BOARD OF ELECTIONS	Request Authorization to Enter Into Contracts	
COMM. 4D-3	COUNTY ATTORNEY	Transmittal of New Claims Against Erie County	Government Affairs
COMM. 4D-4	DIRECTOR OF REAL PROPERTY TAX SERVICES	NYS Grant Funded Study of Centralized Property Tax Administration	Finance & Management

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES:

REFERENCE:

COMM. 4M-1	NYS DEC	Public Meeting Notice Regarding Spaulding Composites Site, Tonawanda City Hall	Energy & Environment
COMM. 4M-2	COLUCCI & GALLAHER, P.C.	Agenda Materials for Board of Directors Meeting Held 1/29/09	Health & Human Services

COMM. 4M-3	CITY OF BUFFALO COMMON COUNCIL	Copy of Resolution Entitled, “Establishing A Special Committee of the Common Council to Address Parks Issues”	Energy & Environment
COMM. 4M-4	NYS DEC	Public Meeting Notice Regarding Union Ship Canal Public Open Space, Valley Community Center, Buffalo	Energy & Environment
COMM. 4M-5	EC COUNTY BAR ASSOCIATION AID TO INDIGENT PRISONERS SOCIETY	Quarterly Report of Assigned Counsel Program for 4th Quarter of 2008	Government Affairs
COMM. 4M-6	BUFFALO NIAGARA CONVENTION & VISITORS BUREAU	Legislature Budget Accountability Act - 2008 Close-Out Report	Government Affairs
COMM. 4M-7	BUFFALO NIAGARA CONVENTION CENTER	Legislature Budget Accountability Act - 2008 Close-Out Report	Government Affairs
COMM. 4M-8	CITY OF BUFFALO COMMON COUNCIL	Copy of Resolution Entitled, “Removal of 190 from Waterfront”	Economic Development
COMM. 4M-9	ALTERNATIVE CARE SERVICES OF WNY, INC.	Legislature Budget Accountability Act - 2008 Close-Out Report	Government Affairs
COMM. 4M-10	EMPIRE STATE DEVELOPMENT	Information Materials Concerning Canal Side Project, Buffalo & Scoping Meeting Notice for 2/25/09	Economic Development
COMM. 4M-11	NYS DEC	Goals for 2010: Ecosystem Protection	Energy & Environment
COMM. 4M-12	ASSEMBLYMAN SAM HOYT	"Why I Support an Erie County Planning Board"	Energy & Environment

ANNOUNCEMENTS:

MEMORIAL RESOLUTIONS:

ADJOURNMENT: