



THE ERIE COUNTY LEGISLATURE

Session No. 4
February 25, 2010

Barbara Miller-Williams
Chair

Maria R. Whyte
Majority Leader

John J. Mills
Minority Leader

Robert M. Graber
Clerk of the Legislature

ROLL CALL

INVOCATION – Ms. Whyte

PLEDGE OF ALLEGIANCE – Ms. Dixon

TABLED ITEMS

ITEMS FOR RECONSIDERATION FROM PREVIOUS MEETING

MINUTES OF PREVIOUS MEETING

PUBLIC HEARING

MISCELLANEOUS RESOLUTIONS:

MARINELLI	Honoring Ramona Gallagher for Her Service to the Residents of EC as a Member of the ECIDA Board of Directors
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MILLS	Honoring Michael John Thomas Komenda II on Achieving the Rank of Eagle Scout
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DIXON	Commending Thomas Laski for His Contributions to the Senior Citizens of the Town of Brant
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MILLER-WILLIAMS	In Memory of John E. Smith
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LOUGHRAN	Honoring James Robert Arnold Who Achieved the Highest Rank in Boy Scouting, the Rank of Eagle Scout
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MILLER-WILLIAMS	In Memory of Mother Marie Davis
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GRANT	Honoring the 2010 Women's History Month Honorees
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BOVE	Honoring the 2010 West Seneca Chamber of Commerce Award Winners
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GRANT	Tribute to Mrs. Ada Mae Dowell
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KENNEDY	In Memory of the Life of Phyllis M. Tripi
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LOCAL LAWS:

LL INT. 4-1
6/5/2009

KENNEDY

A LL in relation to reducing the size of the Erie County Legislature and changing the term of office for members of the Erie County Legislature

REFERENCE:

Government
Affairs

LL INT. 5-1 6/9/2009	MILLS, RATH & WALTER	A LL in relation to reducing the size of the Erie County Legislature	Government Affairs
LL INT. 6-1 6/9/2009	MILLS, RATH & WALTER	A LL in relation to limiting the terms of office of Erie County elected officials	Government Affairs
LL INT. 7-1 6/11/2009	KONST & IANNELLO	A LL to Reform the Erie County Charter by Limiting the Term of Office that an Elected County Legislator Can Hold	Government Affairs
LL INT. 9-1 7/06/2009	LOUGHRAN	A LL in relation to reducing the size of the Erie County Legislature	Government Affairs
LL INT. 1-1 1/19/2010	MAZUR, WHYTE, KENNEDY & MILLER-WILLIAMS	A LL in relation to requiring chain food service establishments to display calorie content values for menu items	Health & Human Services
LL INT. 2-1 1/25/2010	MARINELLI & WHYTE	A LL in relation to reducing the size of the Erie County Legislature	Government Affairs

COMMITTEE REPORTS:

REPORT NO. 2 HEALTH & HUMAN SERVICES COMMITTEE

REPORT NO. 2 PUBLIC SAFETY COMMITTEE

REPORT NO. 2 ENERGY & ENVIRONMENT COMMITTEE

REPORT NO. 1 COMMUNITY ENRICHMENT COMMITTEE

LEGISLATOR RESOLUTIONS:

REFERENCE:

INTRO 4-1	KOZUB, WHYTE, MARINELLI, GRANT, MAZUR & LOUGHRAN	Asking State Government to Except Municipal & Public Benefit Corporations from Community Ratings with Regards to Purchasing Health Insurance
INTRO 4-2	MARINELLI	Continued Imposition & Sharing of Additional 1% Sales Tax; Need for Introduction & Enactment of State Authorization Legislation
INTRO 4-3	KOZUB	Urging the Governor to Withdraw Consideration of Delaying Payment of Tax Refunds to Individuals

INTRO 4-4	MARINELLI	In Opposition to the IDA Tax Imposed on All Local Industrial Development Agencies by NYS as a Means to Help Close the State's Budget Deficit
INTRO 4-5	WALTER, MILLS, RATH, DIXON, FUDOLI & HARDWICK	Supporting NYS Assembly Bills A. 4444, A. 2204 & A. 4569 & Senate Bills S. 528, S. 2944 & S. 543, Which Provide Assistance for Disabled First Responders
INTRO 4-6	RATH, MILLS, WALTER, DIXON, FUDOLI & HARDWICK	Opposing NYS Funding Cuts to Community Colleges
INTRO 4-7	MARINELLI, WHYTE, GRANT & MAZUR	Compliance with 2010 Adopted as Amended EC Legislature Budget
INTRO 4-8	RATH, MAZUR & WHYTE	Calling Upon NYS and the Federal Government to Support Funding for Daycare Services for Working Families Earning Up to 200% of the Poverty Level
INTRO 4-9	KENNEDY, MILLER-WILLIAMS, WHYTE, MILLS, WALTER, MAZUR, DIXON & RATH	Requesting Google Fiber Broadband Testing in EC
INTRO 4-10	WHYTE, GRANT & MAZUR	Suicide at EC Holding Center
INTRO 4-11	WHYTE, GRANT, MAZUR, KOZUB & MARINELLI	Canal Side Development Project

COMMUNICATIONS DISCHARGED FROM COMMITTEE:

SUSPENSION OF THE RULES:

COMMUNICATIONS FROM ELECTED OFFICIALS:

REFERENCE:

COMM. 4E-1	KOZUB	Letter Concerning Absence for Session No. 4, 2/25/10	RFP
COMM. 4E-2	COUNTY EXECUTIVE	Revised 2010 - 2013 EC Four Year Plan	Finance & Management
COMM. 4E-3	COUNTY COMPTROLLER	Letter to Legislator Whyte in Relation to a 90 Day Extension of Child Care Subsidy	Health & Human Services
COMM. 4E-4	COUNTY EXECUTIVE	Declaration of Need - County Capital Borrowing	
COMM. 4E-5	DIXON	Letter to Legislator Bove Concerning 2010 EC Holding Center Jail Expansion (Buffalo) - Capital Project	R&F
COMM. 4E-6	DISTRICT ATTORNEY	District Attorney's - Office Asset Forfeiture Appropriations	
COMM. 4E-7	COUNTY COMPTROLLER	County Executive's Declaration of Need - County Capital Borrowing	Finance & Management
COMM. 4E-8	COUNTY COMPTROLLER	Bond Resolution - Demolition of Properties at EC Medical Center Corporation Campus	
COMM. 4E-9	COUNTY COMPTROLLER	Bond Resolution - Demolition of 120 / 134 West Eagle Street for the EC Holding Center Jail Expansion Project	
COMM. 4E-10	COUNTY EXECUTIVE	Property Transfer to Cell Phones for Soldiers	
COMM. 4E-11	COUNTY EXECUTIVE	State Aid for Snowmobile Development, 2009-2010	Energy & Environment

COMM. 4E-12	COUNTY EXECUTIVE	2010 Annual Action Plan for the Community Development, Emergency Shelter & HOME Investment Partnership Programs	Economic Development
COMM. 4E-13	COUNTY EXECUTIVE	Department of Central Police Services - 2009-2010 Grant - Regional Crime Analysis Center Grant	
COMM. 4E-14	COUNTY EXECUTIVE	ECC Request to Utilize the Capital Chargeback Account for North Campus Academic Lab Improvements in Addition to the Amount Originally Authorized	Economic Development
COMM. 4E-15	COUNTY EXECUTIVE	Department of Central Police Services - 2009-2011 EC Crime Analysis Center - Supplemental Grant	
COMM. 4E-16	COUNTY EXECUTIVE	Property Transfer to Boys & Girls Club of the Northtowns	
COMM. 4E-17	COUNTY EXECUTIVE	Personnel Adjustments - Correctional Health Services - Department of Health	
COMM. 4E-18	COUNTY EXECUTIVE	Mortgage Agreement for Academy Place Housing - Village of Gowanda	Economic Development
COMM. 4E-19	COUNTY EXECUTIVE	Department of Central Police Services - Justice Assistance 2009 Grant	Public Safety
COMM. 4E-20	COUNTY EXECUTIVE	Appointments to the Board of Managers for EC Sewer District Nos. 3, 5 & 8	Energy & Environment
COMM. 4E-21	COUNTY EXECUTIVE	Property Transfer to Town of Collins	
COMM. 4E-22	COUNTY EXECUTIVE	Request Authorization to Accept Efficiency Grant Funds - AFSCME Retroactive Bonus Payments	Government Affairs
COMM. 4E-23	COUNTY EXECUTIVE	Amended CSE & III-B Grant Budgets	Health & Human Services
COMM. 4E-24	WHYTE	Lease Agreement for Legislative Office Space	
COMM. 4E-25	WALTER	Lease Agreement for Legislative Office Space	
COMM. 4E-26	KENNEDY	Lease Agreement for Legislative Office Space	

COMMUNICATIONS FROM THE DEPARTMENTS:

REFERENCE:

COMM. 4D-1	COMPTROLLER'S OFFICE	Letter to Legislature Concerning Appointments to the EC Audit Committee	Government Affairs
COMM. 4D-2	DEPARTMENT OF HEALTH	Copy of Proposed Revisions to the EC Sanitary Code	Health & Human Services
COMM. 4D-3	COMPTROLLER'S OFFICE	Letter to Board of Ethics Chair Concerning EC Comptroller Review - Annual Financial Statements, EC Code of Ethics & EC Board of Ethics	Government Affairs
COMM. 4D-4	COUNTY ATTORNEY	Transmittal of New Claims Against EC	Government Affairs
COMM. 4D-5	DEPARTMENT OF SOCIAL SERVICES	Designation in the Event of Vacancy, Absence or Inability	R&F
COMM. 4D-6	COMPTROLLER'S OFFICE	Audit of the Payment in Lieu of Tax "Pilot" Process for the Period 1/1/2006 - 12/31/2008	Economic Development
COMM. 4D-7	COUNTY ATTORNEY	Transmittal of New Claims Against EC	Government Affairs
COMM. 4D-8	COMPTROLLER'S OFFICE	Letter to Board of Ethics Chair & Department of Personnel Commissioner Concerning EC Comptroller Review - Annual Financial Statements, EC Code of Ethics & EC Board of Ethics	Government Affairs

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES:

REFERENCE:

COMM. 4M-1	BUFFALO ARTS STUDIO	2010 Budget Accountability Act Submission	Community Enrichment
COMM. 4M-2	EL MUSEO	2010 Budget Accountability Act Submission	Community Enrichment
COMM. 4M-3	NYS DEPARTMENT OF HEALTH	Letter Concerning Legislature Resolution Expressing Opposition to Decision of County Executive to Stop Participating in WIC Program	Health & Human Services
COMM. 4M-4	BUFFALO OLMSTED PARKS CONSERVANCY	EC Legislature Budget Accountability Act - 2009 Close-Out Report	Community Enrichment
COMM. 4M-5	ROYCROFT CAMPUS CORP.	2010 Budget Accountability Act Submission	Community Enrichment
COMM. 4M-6	MARTIN HOUSE RESTORATION CORP.	2010 Budget Accountability Act Submission	Community Enrichment

COMM. 4M-7	KENMORE - TOWN OF TONAWANDA CHAMBER OF COMMERCE	Letter Concerning 2010 Budget Accountability Act	Community Enrichment
COMM. 4M-8	NYS DEC	Notice of Certification - Brownfield Cleanup Program - NOCO #S41 BCP Site	Energy & Environment
COMM. 4M-9	THE WNY ARTISTS GROUP, INC.	2010 Budget Accountability Act Submission	Community Enrichment
COMM. 4M-10	MUSICALFARE THEATRE	2010 Budget Accountability Act Submission	Community Enrichment
COMM. 4M-11	EC WATER AUTHORITY	Copy of Letter to Buffalo Council Member Concerning Resolution to Merge the Buffalo Water Authority with the EC Water Authority	Energy & Environment
COMM. 4M-12	SQUEAKY WHEEL / BUFFALO MEDIA RESOURCES	EC Legislature Budget Accountability Act - 2009 Close-Out Report	Community Enrichment
COMM. 4M-13	YOUNG AUDIENCES OF WNY	EC Legislature Budget Accountability Act - 2009 Close-Out Report	Community Enrichment
COMM. 4M-14	VILLAGE OFFICIALS ASSOCIATION OF EC	Copy of Resolution Concerning EMP (Electromagnetic Pulse) Event	Energy & Environment
COMM. 4M-15	EMPIRE STATE DEVELOPMENT CORP.	Canal Side Project - NYS Environmental Quality Review Act and Final Generic Environmental Impact Statement	Energy & Environment
COMM. 4M-16	JUST BUFFALO LITERARY CENTER	2010 Budget Accountability Act Submission	Community Enrichment
COMM. 4M-17	CITIZENS' REGIONAL TRANSIT CORPORATION	Letter to Legislature Requesting Presentation to the Economic Development Committee Regarding Plans for the Extension of Metro Rail to the Airport	Economic Development
COMM. 4M-18	MUSIC IS ART	2010 Budget Accountability Act Submission	Community Enrichment
COMM. 4M-19	ARTS IN EDUCATION INSTITUTE	Letter to the EC Legislature Inviting Members to the Annual Legislators' Breakfast Meeting	Community Enrichment
COMM. 4M-20	HAUPTMAN - WOODWARD	2010 Budget Accountability Act Submission	Community Enrichment
COMM. 4M-21	BUFFALO NIAGARA CONVENTION & VISITORS BUREAU	2010 Budget Accountability Act Submission	Community Enrichment
COMM. 4M-22	BUFFALO NIAGARA CONVENTION CENTER	2010 Budget Accountability Act Submission	Community Enrichment

COMM. 4M-23	IRISH CLASSICAL THEATRE COMPANY	2010 Budget Accountability Act Submission	Community Enrichment
COMM. 4M-24	ALBRIGHT-KNOX ART GALLERY	2010 Budget Accountability Act Submission	Community Enrichment
COMM. 4M-25	BUFFALO CITY BALLET	2010 Budget Accountability Act Submission	Community Enrichment
COMM. 4M-26	LOCUST STREET NEIGHBORHOOD ART CLASSES	EC Legislature Budget Accountability Act - 2009 Close-Out Report	Community Enrichment
COMM. 4M-27	NIAGARA ERIE REGIONAL COALITION	2010 Budget Accountability Act Submission	Community Enrichment
COMM. 4M-28	EXPLORE & MORE	2010 Budget Accountability Act Submission	Community Enrichment
COMM. 4M-29	YOUNG AUDIENCES WNY	2010 Budget Accountability Act Submission	Community Enrichment
COMM. 4M-30	LOCUST STREET NEIGHBORHOOD ART CLASSES	2010 Budget Accountability Act Submission	Community Enrichment
COMM. 4M-31	BUFFALO PHILHARMONIC ORCHESTRA	2010 Budget Accountability Act Submission	Community Enrichment
COMM. 4M-32	UJIMA COMPANY, INC.	2010 Budget Accountability Act Submission	Community Enrichment
COMM. 4M-33	THEODORE ROOSEVELT INAUGURAL SITE FOUNDATION	2010 Budget Accountability Act Submission	Community Enrichment
COMM. 4M-34	THE BUFFALO TRANSPORTATION / PIERCE-ARROW MUSEUM	2010 Budget Accountability Act Submission	Community Enrichment
COMM. 4M-35	WNY SOUTHTOWNS SCENIC BYWAY	2010 Budget Accountability Act Submission	Community Enrichment
COMM. 4M-36	GRAND ISLAND CHAMBER OF COMMERCE	2010 Budget Accountability Act Submission	Community Enrichment
COMM. 4M-37	UJIMA COMPANY, INC.	2010 Budget Accountability Act Submission	Community Enrichment
COMM. 4M-38	ALLEYWAY THEATRE, INC.	2010 Budget Accountability Act Submission	Community Enrichment
COMM. 4M-39	NYS DEC	Notice of Certification - Brownfield Cleanup Program - Niagara Street & Pennsylvania Avenue	Energy & Environment

COMM. 4M-40	NYSERDA	Copy of West Valley Decommissioning Final Environmental Impact Statement	Energy & Environment
COMM. 4M-41	COOPERATIVE EXTENSION	2010 Budget Accountability Act Submission	Community Enrichment
COMM. 4M-42	COMMUNITY MUSIC SCHOOL OF BUFFALO	EC Legislature Budget Accountability Act - 2009 Close-Out Report	Community Enrichment
COMM. 4M-43	FOLKLORIC PRODUCTIONS DANCE CO., INC.	2010 Budget Accountability Act Submission	Community Enrichment
COMM. 4M-44	NIAGARA ERIE REGIONAL COALITION	EC Legislature Budget Accountability Act - 2009 Close-Out Report	Community Enrichment
COMM. 4M-45	BUFFALO & EC PUBLIC LIBRARY BOARD OF TRUSTEES	Minutes of Meeting Held on 2/18/2010	Community Enrichment
COMM. 4M-46	RICHARD L. TACZKOWSKI	Proposals to Downsize the Legislature	Government Affairs
COMM. 4M-47	BUFFALO PUBLIC SCHOOLS	Letter in Relation to the Buffalo Public Schools Health Related Services Department Supporting Calorie Posting	Health & Human Services
COMM. 4M-48	NFTA	EC Legislature Budget Accountability Act - 2009 Close-Out Report	Community Enrichment
COMM. 4M-49	BUFFALO PHILHARMONIC CHORUS	Letter in Relation to the BPC Not Receiving County Funding in 2010	Community Enrichment
COMM. 4M-50	NYS FISH & WILDLIFE MANAGEMENT BOARD	Minutes of the Meeting Held 2/4/2010	Energy & Environment
COMM. 4M-51	AMERICAN LEGION BAND OF THE TONAWANDAS, POST 264	2010 Budget Accountability Act Submission	Community Enrichment
COMM. 4M-52	GRAYCLIFF CONSERVANCY, INC.	2010 Budget Accountability Act Submission	Community Enrichment
COMM. 4M-53	EC SOIL & WATER CONSERVATION DISTRICT	EC Legislature Budget Accountability Act - 2009 Close-Out Report & 2010 Budget Accountability Act Submission	Community Enrichment
COMM. 4M-54	BOTANICAL GARDENS	2010 Budget Accountability Act Submission	Community Enrichment
COMM. 4M-55	LAW OFFICES OF JOSEPH G. MAKOWSKI, L.L.C.	Agreement Between EC Medical Center Corporation & HLM Holdings, L.L.C.	Health & Human Services

COMM. 4M-56	NYS DEPARTMENT OF ENVIRONMENTAL CONSERVATION	Fish & Wildlife Monthly Highlights - 12/16/2009 - 1/15/2010	Energy & Environment
COMM. 4M-57	ARTS IN EDUCATION INSTITUTE	2010 Budget Accountability Act Submission	Community Enrichment
COMM. 4M-58	TOWN OF ALDEN	Copy of Resolution Concerning EMP (Electromagnetic Pulse) Event	Energy & Environment
COMM. 4M-59	KRISTIN SCHUH	Letter to the EC Legislature Concerning Cuts to Child Care Subsidy Programs	Health & Human Services
COMM. 4M-60	US ENVIRONMENTAL PROTECTION AGENCY	Tonawanda Community Air Quality Study & Evaluation of Tonawanda Coke Facility	Energy & Environment
COMM. 4M-61	ASSOCIATION OF EC GOVERNMENTS	Copy of Resolution Concerning EMP (Electromagnetic Pulse) Event	Energy & Environment

ANNOUNCEMENTS:

MEMORIAL RESOLUTIONS:

ADJOURNMENT: