



THE ERIE COUNTY LEGISLATURE

Session No. 8

April 24, 2008

Lynn M. Marinelli
Chair

Maria R. Whyte
Majority Leader

John J. Mills
Minority Leader

Robert M. Graber
Clerk of the Legislature

ROLL CALL

INVOCATION – Mr. Kennedy

PLEDGE OF ALLEGIANCE – Mr. Kozub

TABLED ITEMS

ITEMS FOR RECONSIDERATION FROM PREVIOUS MEETING

MINUTES OF PREVIOUS MEETING

PUBLIC HEARING

MISCELLANEOUS RESOLUTIONS:

IANNELLO	Recognizing Carol J. Horrigan – Grand Island Chamber of Commerce Citizen of the Year for Education
IANNELLO	Recognizing Mary A. Dunbar-Daluisio – Grand Island Chamber of Commerce Citizen of the Year
IANNELLO	Recognizing Dolly D’Orazio – Grand Island Chamber of Commerce Citizen of the Year for Community Service
IANNELLO	Recognizing Sara Kurpiewski – On Being Named the Rotary/PTSA Student of the Month
IANNELLO	Recognizing Rich Karpie – On Being Named the Rotary/PTSA Student of the Month
IANNELLO	Recognizing Kristin Toellner – On Being Named the Rotary/PTSA Student of the Month
IANNELLO	Recognizing Amanda Rundgren – Ken-Ton Family YMCA Employee of the Year
IANNELLO	Recognizing Josh Kaplan – On Being Named the Rotary/PTSA Student of the Month
IANNELLO	Recognizing Bonnie Parsons – Zonta Rose Day Awards on Women’s Day March 7, 2007
IANNELLO	Recognizing Mary Dankovich – Zonta Rose Day Awards on Women’s Day March 7, 2007
IANNELLO	Recognizing Mary Hoffman – Zonta Rose Day Awards on Women’s Day March 7, 2007
IANNELLO	Recognizing Francis Warthling – 2007 Lackawana Area Chamber of Commerce Person of the Year

IANNELLO	Recognizing The Kenmore East Model United Nations Team
IANNELLO	Recognizing Genevieve Wright on Her 100th Birthday Celebrated on April 10, 2008
IANNELLO	Recognizing Vito Ferraro – Celebrating 100th Birthday on April 6th
IANNELLO	Recognizing Angeline Scalia on the Occasion of Her 100th Birthday
IANNELLO	Recognizing Cannon Design – Grand Island Chamber of Commerce Business of the Year
IANNELLO	Recognizing the Zonta Club of Grand Island – Grand Island Chamber of Commerce Organization of the Year
IANNELLO	Recognizing Anthony A. Brindisi – Grand Island Chamber of Commerce Business Person of the Year
MARINELLI	Congratulating Susan J. Grelick on Being Honored by Daemen College Associates
MAZUR & MARINELLI	April is Alcohol Awareness Month
KENNEDY	Recognizing All of the Rince Na Tiarna Irish Dancers, Their Supportive Families, Mary Kay Heneghan and the Rest of the Dance Instructors
LOUGHRAN	Ecology & Environment Earth Day 2008 Initiative – April 22, 2008
MARINELLI	Honoring Justice Ann T. Mikoll, Founder of the Kosciuszko Foundation, on Its 20th Anniversary
IANNELLO	Honoring Barry Arbogast for Saving the Lives of Brian Mahoney and Charles Faraci
IANNELLO	Honoring Cory Arbogast for Saving the Lives of Brian Mahoney and Charles Faraci
IANNELLO	Recognizing Beverly Kinney as the 2008 Ort Leadership Award/Woman of the Year
REYNOLDS	Congratulating the Patchin Fire Company and Ladies Auxiliary on Their 75 Years of Service
REYNOLDS	Proclaiming the Month of May 2008 as Motorcycle Awareness Month
REYNOLDS	Proclaiming April 28, 2008 as Workers' Memorial Day in the County of Erie
REYNOLDS	Raising Awareness to Improve Building Safety at Home and in the Community
REYNOLDS	Recognizing April 27 Through May 3, 2008 as Municipal Clerks' Week
MAZUR	Recognizing April as Cancer Control Month

MILLS	Recognizing Saint Aloysius School in Springville on its 125th Anniversary
IANNELLO	Honoring the Memory of Wilma Pohl
KONST	Congratulations on 75th Anniversary of the Founding of the Alden Ladies Auxiliary
MARINELLI, MILLS, WHYTE, KOZUB, KENNEDY, KONST, GRANT, MAZUR, WROBLEWSKI, IANNELLO, REYNOLDS and LOUGHRAN	Recognizing Erie County Comptroller's Office on Receiving the Bronze Knighton Award
MILLER-WILLIAMS	In Memory of Bishop LeRoy Anderson
MILLER-WILLIAMS	Honoring the 2008 Mary B. Talbert Civic and Cultural Club 35th Annual Scholarship Community Award Winners
LOUGHRAN	Daemen College Associates 2008 Community Service Award Winner Former Amherst Supervisor Susan Grelick

LOCAL LAWS:

REFERENCE:

LL INT. 1-1 1/16/2007	MILLS, RANZENHOFER & WEINSTEIN	A LL Requiring Elected Officials to Resign From Office Upon Being Convicted of a Misdemeanor or Felony	Government Affairs
LL INT. 3-2 6/28/2007	IANNELLO, MARINELLI, REYNOLDS, KONST, LOUGHRAN, LOCKLEAR, RANZENHOFER, MILLS and WEINSTEIN	A LL Amending Article II, Section 202 of Local Law No. 7-2007, Known as the Erie County Charter	Government Affairs
LL INT. 8-1 7/18/2007	IANNELLO, KONST, REYNOLDS & MILLS	Taxpayer Protection Law	Government Affairs
LL INT. 9-1 10/4/2007	RANZENHOFER	Repeal of LL No. 2-2006	Economic Development
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	

COMMITTEE REPORTS:

REPORT NO. 6 HEALTH & HUMAN SERVICES COMMITTEE

REPORT NO. 6 COMMUNITY ENRICHMENT COMMITTEE

REPORT NO. 6

ECONOMIC DEVELOPMENT COMMITTEE

REPORT NO. 6

FINANCE & MANAGEMENT COMMITTEE

REPORT NO. 4

ENERGY & ENVIRONMENT COMMITTEE

REPORT NO. 4

GOVERNMENT AFFAIRS COMMITTEE

LEGISLATOR RESOLUTIONS:

REFERENCE:

INTRO 8-1	IANNELLO, KONST, MARINELLI, GRANT, MILLER-WILLIAMS & WHYTE	Recognition of National Equal Pay Day
INTRO 8-2	KENNEDY	Supporting New York State's Legislation Relating to Insurance Coverage for the Cost of Hearing Aids
INTRO 8-3	KOZUB	Recruitment of Veterans for County Employment
INTRO 8-4	WROBLEWSKI	Purchase by the Buffalo City Cemetery, Inc. of the Assets of St. Matthew's Cemetery
INTRO 8-5	REYNOLDS	Reinstating The Legislative Journal
INTRO 8-6	REYNOLDS & KOZUB	The Potential Extension of the Town of Hamburg's Bike Path
INTRO 8-7	REYNOLDS	Opposition to the County Executive's Termination of a 100% State-Funded Grant to Provide Substance Abuse Services for At-Risk Families
INTRO 8-8	KONST	County Endorsing Resolution for Transportation Bond Act Projects for Buffalo-Lancaster Airport
INTRO 8-9	MARINELLI & KONST	Legislature Personnel Staffing Adjustment
INTRO 8-10	RANZENHOFER, MILLS & RATH	Supporting Efforts to Find More Effective Use of Substance Abuse Prevention Grant
INTRO 8-11	REYNOLDS	Amendment of Erie County Sales and Use Tax Resolution Which Imposes Taxes on Sales and Uses of Tangible Personal Property and on Certain Services, and on Occupancy of Hotel Rooms, Admissions Charges, and Club Dues

INTRO 8-12	MARINELLI	In Support of the Erie County SPCA, A Finalist in the Zootoo.com Competition for a Million Dollar Shelter Makeover
INTRO 8-13	GRANT, MILLER- WILLIAMS, KENNEDY, KOZUB & WHYTE	Support for the Buffalo Urban Arts Center
INTRO 8-14	IANNELLO & KONST	Cap on Gas and Diesel Motor Fuel
INTRO 8-15	IANNELLO, KONST & REYNOLDS	U.S. Cool Counties Climate Stabilization Declaration
INTRO 8-16	IANNELLO & KONST	Resolution to Reform the Erie County Charter by Limiting the Term of Office that an Elected County Legislator Can Hold and Changing the Term to Four Years with a Limit of Twelve Consecutive Years
INTRO 8-17	MILLS & RATH	Renegotiation of City and County Parks Agreement
INTRO 8-18	RANZENHOFER, MILLS & RATH	Supporting New York State Property Taxpayers Protection Act
INTRO 8-19	KOZUB, WHYTE, MAZUR & GRANT	Urging NYS Health Department's Immediate Approval of the Certificate of Need to Expand the Erie County Medical Center Emergency and Operating Rooms
INTRO 8-20	WHYTE	Support of the Chief Petty Officers' Club
INTRO 8-21	KENNEDY, WHYTE & LOUGHRAN	Smoke-Free Movies
INTRO 8-22	KENNEDY, KOZUB, WHYTE, GRANT, WROBLEWSKI & REYNOLDS	Resolution in Support of New York State A.6796 and S.3942 Amending the Occupational Therapy Practice Act
INTRO 8-23	WHYTE, KENNEDY, GRANT, MAZUR & LOUGHRAN	Creation of Restore Erie County Fund
INTRO 8-24	KENNEDY, WHYTE, GRANT & MAZUR	Capital Funds for Olmsted Parks
INTRO 8-25	IANNELLO	Support of the Committee on Open Governments and Its Findings Regarding the Commission on Health Care Facilities and Its Compliance with the Open Meetings Law

COMMUNICATIONS DISCHARGED FROM COMMITTEE:

SUSPENSION OF THE RULES:

COMMUNICATIONS FROM ELECTED OFFICIALS:

REFERENCE:

COMM. 8E-1	COMPTROLLER	Report Detailing the Apportionment and Distribution of 4.75% Sales and Compensating Use Tax for Period 1-1-08 to 3-31-08	Finance & Management
COMM. 8E-2	COMPTROLLER	Real Property Transfer Tax and Road Repair Reserve Fund	Finance & Management
COMM. 8E-3	COMPTROLLER	Appointment of Commissioner of Central Police Services	Public Safety
COMM. 8E-4	KOZUB	Letter to County Executive Concerning Position of Commissioner of Central Police Services	Public Safety
COMM. 8E-5	COUNTY EXECUTIVE	Letter to Legislator Kozub Concerning Position of Commissioner of Central Police Services	Public Safety
COMM. 8E-6	RATH	Letter to Chair Marinelli Concerning Absence from Committee Meetings Scheduled for April 17, 2008	R&F
COMM. 8E-7	SHERIFF	Erie County Sheriff's Office - Personnel Adjustments	Public Safety
COMM. 8E-8	SHERIFF	Erie County Sheriff's Office - Professional Services - Barber	Public Safety
COMM. 8E-9	MARINELLI	Quarterly Committee Chairs' & Liaisons' Meeting Report	R&F
COMM. 8E-10	COUNTY EXECUTIVE	ECSD No. 1 - Authorization of Easement Acquisition - Broadway West Pumping Station Elimination	Energy & Environment

COMM. 8E-11	COUNTY EXECUTIVE	Acceptance of Funds from Auction Proceeds to Individual Departmental Budgets	Government Affairs
COMM. 8E-12	COUNTY EXECUTIVE	Services Necessary for Acquisition of ROW - Tonawanda Creek Road Reconstruction - FEMA Disaster 1534-DR-NY - Town of Clarence	Economic Development
COMM. 8E-13	COUNTY EXECUTIVE	Approve ORT Grant, Amend RSVP and Add a Home Care Provider	Health & Human Services
COMM. 8E-14	COUNTY EXECUTIVE	Erie County Correctional Facility - 2008 - Roof Replacement	Economic Development
COMM. 8E-15	COUNTY EXECUTIVE	Position Transfers - Comptroller's Office to Department of Real Property Tax Services	Government Affairs
COMM. 8E-16	COUNTY EXECUTIVE	Award of Contract & Supplemental for Construction Inspection Services - Reconstruction of Freeman Road Bridge, Village of Orchard Park	Economic Development
COMM. 8E-17	COUNTY EXECUTIVE	Supplemental Agreement with NYSDOT - Reconstruction of Freeman Road Bridge - Village of Orchard Park	Economic Development
COMM. 8E-18	COUNTY EXECUTIVE	Award of Contract & Supplemental for Design and Construction Inspection Services - Reconstruction of Como Park Blvd., Town of Cheektowaga	Economic Development
COMM. 8E-19	COUNTY EXECUTIVE	Centralized Real Property Tax Administration Program	Finance & Management
COMM. 8E-20	COUNTY EXECUTIVE	Social Services - WNY United Against Drug & Alcohol Abuse - Full Services Schools Contract Increase	Health & Human Services
COMM. 8E-21	COUNTY EXECUTIVE	CPS - Forensic Laboratory: 2007-2008 Firearm Lab Capacity Enhancement Initiative	
COMM. 8E-22	COUNTY EXECUTIVE	Executive Appointments to the Board of Directors of the Buffalo Niagara Convention & Visitors Bureau	RFP
COMM. 8E-23	COUNTY EXECUTIVE	Senate/Assembly Home Rule Requests Pertaining to A-8345-C and S-6677-B	
COMM. 8E-24	COUNTY EXECUTIVE	Award of Construction Contract & Supplemental Agreement for Design, Right-Of-Way and Construction Inspection Services - Reconstruction of Wehrle Dr., Town of Amherst	Economic Development

COMM. 8E-25	COUNTY EXECUTIVE	Supplemental Agreement with NYSDOT - Wehrle Dr. Reconstruction from Bridge Over Ellicott Creek, Town of Amherst	Economic Development
COMM. 8E-26	IANNELLO	2008 Legislative Development Package	Government Affairs
COMM. 8E-27	COMPTRROLLER	Erie County 2008 Consolidated Bond Resolution	Finance & Management
COMM. 8E-28	MILLS	Re-Appointment of a Commissioner to the Erie County Water Authority	Energy & Environment

COMMUNICATIONS FROM THE DEPARTMENTS:

REFERENCE:

COMM. 8D-1	COUNTY ATTORNEY	County Attorney Memo of Succession	R&F
COMM. 8D-2	COUNTY ATTORNEY	Transmittal of New Claims Against Erie County	Government Affairs
COMM. 8D-3	COUNTY ATTORNEY	Transmittal of New Claims Against Erie County	Government Affairs
COMM. 8D-4	BUFFALO & ERIE COUNTY PUBLIC LIBRARY	Agenda & Minutes of Board of Trustees Meeting Held on April 17, 2008	Community Enrichment
COMM. 8D-5	COUNTY ATTORNEY	Letter to Comptroller Concerning Appointment of Commissioner of Central Police Services	Public Safety
COMM. 8D-6	COUNTY ATTORNEY	Transmittal of New Claims Against Erie County	Government Affairs

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES:

REFERENCE:

COMM. 8M-1	ASSEMBLYMAN QUINN	Acknowledgement of Receipt of Certified Resolution	R&F
COMM. 8M-2	ASSEMBLYMAN QUINN	Acknowledgement of Receipt of Certified Resolution	R&F
COMM. 8M-3	NFTA	NFTA Board Minutes for Meeting Held on February 25, 2008	Government Affairs
COMM. 8M-4	LEGAL AID BUREAU OF BUFFALO, INC.	Monthly Report and Monthly Activity Report for March 2008	Government Affairs
COMM. 8M-5	ECIDA	April 14, 2008 ECIDA Board Meeting(s) Change in Venue Notification	R&F

COMM. 8M-6	COLUCCI & GALLAHER, P.C.	Materials Distributed at the April 3, 2008 Regular Meeting of the Board of Directors of Erie County Medical Center Corporation	Health & Human Services
COMM. 8M-7	ASSEMBLYMAN QUINN	Acknowledgement of Receipt of Certified Resolution	R&F
COMM. 8M-8	ASSEMBLYMAN QUINN	Acknowledgement of Receipt of Certified Resolution	R&F
COMM. 8M-9	PROBATION OFFICER MICHAEL R. CANAZZI	Letter to Legislator Iannello Concerning Erie County Cell Phone Policy	Public Safety
COMM. 8M-10	STATE COMPTROLLER	Town of Boston - Extension No. 3 to Water District No. 2	Energy & Environment
COMM. 8M-11	TOWN OF HOLLAND	Notification of Support of the 8-Year Review of the Sardinia Agricultural District	Energy & Environment
COMM. 8M-12	SENATOR RATH	Acknowledgement of Receipt of Certified Resolution	R&F
COMM. 8M-13	ERIE COUNTY WATER AUTHORITY	Audited Financial Statements for the Year Ended December 31, 2008	Energy & Environment
COMM. 8M-14	TOWN OF EVANS	Notification of Support of the 8-Year Review of the Brant-Evans Agricultural District	Energy & Environment
COMM. 8M-15	PARTNERSHIP FOR THE PUBLIC FOOD	Greening Buffalo: What Local Governments Can Do	Energy & Environment
COMM. 8M-16	NYSDEC	Public Notice Concerning Brownfield Cleanup Program - Open Comment Period	Economic Development
COMM. 8M-17	BUFFALO COMMON COUNCIL	Certified Copy of Resolution Titled, "Support the City of Buffalo to Receive 100% of Casino Revenue from NYS"	Economic Development
COMM. 8M-18	ASSEMBLYMAN QUINN	Acknowledgement of Receipt of Certified Resolution	R&F
COMM. 8M-19	ECMCC	Financial Measures Disclosure Statement Certification for the Year Ended December 31, 2007	Health & Human Services
COMM. 8M-20	KELLY M. VACCO	Letter to Chair Marinelli Concerning Re-Appointment as a Commissioner of the Erie County Water Authority	Energy & Environment

MEMORIAL RESOLUTIONS:

ADJOURNMENT: