



# THE ERIE COUNTY LEGISLATURE

Session No. 9

May 8, 2008

Lynn M. Marinelli  
*Chair*

Maria R. Whyte  
*Majority Leader*

John J. Mills  
*Minority Leader*

Robert M. Graber  
*Clerk of the Legislature*

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## ROLL CALL

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INVOCATION – Mr. Ranzenhofer

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PLEDGE OF ALLEGIANCE – Ms. Miller-Williams

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## TABLED ITEMS

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## ITEMS FOR RECONSIDERATION FROM PREVIOUS MEETING

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## MINUTES OF PREVIOUS MEETING

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## PUBLIC HEARING

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## MISCELLANEOUS RESOLUTIONS:

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| IANNELLO  | Congratulating Sam Kilb Upon Receiving the 43rd Annual Thomas E. Hewitt Sports Award   |
| IANNELLO  | Congratulating Amber Hultgren Upon Receiving the 43rd Annual Thomas E. Hewitt Sports Award   |
| IANNELLO  | Congratulating Rose Max Upon Being Named the 2008 Employee of the Year by the Delaware Family YMCA                                 |
| IANNELLO  | Congratulating Timothy M. Robinson Upon Being Named an Eagle Scout in Boy Scout Troop 104 of the Greater Niagara Frontier Council  |
| IANNELLO  | Congratulating United States Marine Corps Veteran Jeremy Lepsch in Recognition of Your Bravery While Saving the Life of Jeff Wojik |
| KOZUB     | Honoring the Memory of William S. Kinder of Hamburg, NY  |
| MARINELLI | Honoring the Memory of Paul J. Maloney   |
| MARINELLI | Honoring the Memory of James M. Reddin   |
| MARINELLI | Honoring Helen Jacob, Women Veterans' Advocate and Community Leader, on Her 90th Birthday  |
| MARINELLI | Honoring Anthony J. Baynes, Recipient of the Leadership Buffalo Values Award for Service   |
| MARINELLI | Honoring Joseph J. Abdallah, Recipient of the Leadership Buffalo Values Award for Diversity  |
| MARINELLI | Honoring Gail E. Johnstone, Recipient of the Leadership Buffalo Values Award for Inclusion   |

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| MARINELLI           | Honoring Howard Zemsky, Recipient of the Leadership Buffalo Values Award for Openness to Change                                      |
| MARINELLI           | Honoring Danny and Colleen Wegman, Recipients of the Leadership Buffalo Values Award for Leadership Impact                           |
| WROBLEWSKI          | Commemorating National Police Week, May 11-17, 2008  |
| MARINELLI & KENNEDY | Celebrating the Life of Daniel J. Higgins, Sr.   |
| MARINELLI           | Commemorating the 75th Anniversary of the Ukrainian Famine (Holodomor)   |
| WHYTE & MAZUR       | May is Asthma & Allergy Awareness Month  |
| RATH                | Honoring Harry G. Meyer Upon the Occasion of His Election to the College of Real Estate Lawyers                                      |
| REYNOLDS            | Upon His Retirement, Congratulating Louis Obad, Jr. for the Exemplary Standard of Service in Both His Personal and Professional Life |
| GRANT               | Promoting the May 10, 2008 Mortgage Counseling Seminar "Operation: Protect Your Home"  |
| MILLS               | Commending Lieutenant Jeff Greene on His Cross Country Bicycle Ride to Help the Red Cross  |

**LOCAL LAWS:**

**REFERENCE:**

|                          |  |  |                      |
|--------------------------|--|--|----------------------|
| LL INT. 1-1<br>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<br>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<br>7/18/2007 | IANNELLO, KONST, REYNOLDS & MILLS  | Taxpayer Protection Law  | Government Affairs   |
| LL INT. 9-1<br>10/4/2007 | RANZENHOFER  | Repeal of LL No. 2-2006  | Economic Development |
| LL INT. 2-1<br>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<br>4/4/2008  | IANNELLO, KONST, REYNOLDS, MILLS, GRANT & LOUGHRAN   | Tax Payer Protection Law   | Government Affairs   |

**COMMITTEE REPORTS:**

REPORT NO. 7 HEALTH & HUMAN SERVICES COMMITTEE

REPORT NO. 7 COMMUNITY ENRICHMENT COMMITTEE

REPORT NO. 7 ECONOMIC DEVELOPMENT COMMITTEE

REPORT NO. 7 FINANCE & MANAGEMENT COMMITTEE

REPORT NO. 5 PUBLIC SAFETY COMMITTEE

REPORT NO. 5 ENERGY & ENVIRONMENT COMMITTEE

REPORT NO. 5 GOVERNMENT AFFAIRS COMMITTEE:

**LEGISLATOR RESOLUTIONS:**

**REFERENCE:**

|           |   |   |
|-----------|---|---|
| INTRO 9-1 | RANZENHOFER                                       | Opposing Increase of Tolls on the New York State Thruway  |
| INTRO 9-2 | RANZENHOFER                                       | Suspending Collection of Erie County's Share of Sales Tax on Gasoline and Diesel Motor Fuel                               |
| INTRO 9-3 | MARINELLI   | Seeking Relief from Congress and the Governor for Cuts to the Workforce Investment Act Program in Buffalo and Erie County |
| INTRO 9-4 | REYNOLDS  | 2007 30-Day Open Period Submission to NYS Dept. of Ag & Markets   |
| INTRO 9-5 | REYNOLDS  | 2-1-1 WNY, Central Referral Service, Inc.   |
| INTRO 9-6 | GRANT, KOZUB, KENNEDY, MILLER-WILLIAMS & LOUGHRAN | Opposition to Tuition Increases at Erie Community College   |
| INTRO 9-7 | RATH  | Encouraging Equitable Negotiations with Legacy Healthcare, LLC Regarding Berger Commission Report                         |
| INTRO 9-8 | RANZENHOFER                                       | The Necessity for Wicks Law Reform  |

INTRO 9-9            KONST, MARINELLI,  
                         MILLS, KOZUB,  
                         KENNEDY, MILLER-  
                         WILLIAMS,  
                         RANZENHOFER, MAZUR,  
                         WROBLEWSKI,  
                         IANNELLO, REYNOLDS,  
                         LOUGHRAN & RATH

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**COMMUNICATIONS DISCHARGED FROM COMMITTEE:**

**SUSPENSION OF THE RULES:**

**COMMUNICATIONS FROM ELECTED OFFICIALS:**

**REFERENCE:**

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|------------|------------------|--|----------------------------|
| COMM. 9E-1 | COMPTROLLER      | Copy of Letter to Ms. Jan Peters,<br>Buffalo Federation of Neighborhood<br>Centers, Inc.                     | Health & Human<br>Services |
| COMM. 9E-2 | COMPTROLLER      | Copy of Letter to County Executive<br>Concerning Emergency Audit of<br>Department of Central Police Services | Public Safety              |
| COMM. 9E-3 | COMPTROLLER      | Monthly Cash Flow Projection and<br>Cash Advance Update  | Finance &<br>Management    |
| COMM. 9E-4 | COUNTY EXECUTIVE | Budget Monitoring Report for First<br>Quarter of County Operations in<br>Fiscal Year 2008                    | Finance &<br>Management    |
| COMM. 9E-5 | COUNTY EXECUTIVE | Four-Year Financial Plan - Fiscal<br>Years 2008-2011   | Finance &<br>Management    |

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| COMM. 9E-6  | COMPTRROLLER     | Erie County 2008 Consolidated Bond Resolution  |                      |
| COMM. 9E-7  | COMPTRROLLER     | Proposed "Capping" of Sales Taxes from Sale of Automotive Fuels  | Finance & Management |
| COMM. 9E-8  | COMPTRROLLER     | New Reporting Mechanism for All New County Employees, Response to State Comptroller and State Attorney General   | Government Affairs   |
| COMM. 9E-9  | MILLER-WILLIAMS  | Letter of Absence for Session Scheduled May 8, 2008  | RFP                  |
| COMM. 9E-10 | COUNTY EXECUTIVE | 2007 Year End Budget Balancing Amendments  | Finance & Management |
| COMM. 9E-11 | COUNTY EXECUTIVE | Budget Revision - Planner Positions - Dept. of Environment & Planning  | Government Affairs   |
| COMM. 9E-12 | COUNTY EXECUTIVE | Acceptance of Funds for Veterans' Services   |                      |
| COMM. 9E-13 | COUNTY EXECUTIVE | 2008 Increase in CHIPS Funding   | Economic Development |
| COMM. 9E-14 | COUNTY EXECUTIVE | Roof Repair - Emergency Response Services - All County-Owned Buildings, Contract Allowance Increase              | Economic Development |
| COMM. 9E-15 | COUNTY EXECUTIVE | Appointments to NYS Region 9 Fish & Wildlife Management Board  |                      |
| COMM. 9E-16 | COUNTY EXECUTIVE | Appointment to Members of the Board of Managers for Erie County Sewer District No. 8                             | Energy & Environment |
| COMM. 9E-17 | COUNTY EXECUTIVE | Old County Hall and Erie County Court Building - 2008 - Exterior Site Work Improvements and Sidewalk Replacement | Economic Development |
| COMM. 9E-18 | COUNTY EXECUTIVE | Erie County Sewer Districts/WNY Council on Occupational Safety & Health - Proposed Agreement                     | Energy & Environment |
| COMM. 9E-19 | COUNTY EXECUTIVE | Erie County Sewer District No. 8 - NYS DOT - Request for Additional Funding                                      | Energy & Environment |
| COMM. 9E-20 | COUNTY EXECUTIVE | Beeman Creek Park - Intermunicipal Agreement with Town of Clarence   | Energy & Environment |
| COMM. 9E-21 | MARINELLI        | Letter to Legislator Kozub Concerning Appointment of Commissioner to the Erie County Water Authority             | Energy & Environment |

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| COMM. 9E-22 | MARINELLI | Letter to Legislature Clerk Concerning Appointment of Commissioner to the Erie County Water Authority | Energy & Environment |
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**COMMUNICATIONS FROM THE DEPARTMENTS:**

**REFERENCE:**

|            |                 |   |                    |
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| COMM. 9D-1 | COUNTY ATTORNEY | Transmittal of New Claims Against Erie County | Government Affairs |
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| COMM. 9D-2 | PERSONNEL COMMISSIONER & DIRECTOR OF EEO | Report Detailing Statistical Data Relative to the Diversity of Erie County Workforce, Pursuant to INTRO 7-8 (2008) | Government Affairs |
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| COMM. 9D-3 | CLERK OF LEGISLATURE | Copy of Letter to Majority & Minority Leaders Concerning Appointment of Commissioner to the Erie County Water Authority | Energy & Environment |
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**COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES:**

**REFERENCE:**

|            |                  |   |                      |
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| COMM. 9M-1 | TOWN OF SARDINIA | Copy of Certified Resolution Concerning 8-Year Review of the Sardinia Agricultural District | Energy & Environment |
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| COMM. 9M-2 | STATE COMPTROLLER | Acknowledgement and Update Concerning Receipt of Certified Resolution | Economic Development |
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| COMM. 9M-3 | NYS DEC | New York Fish, Wildlife & Marine Resource Goals for 2010 | Energy & Environment |
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| COMM. 9M-4 | ERIE COUNTY FISCAL STABILITY AUTHORITY | Copy of Resolution 08-51 Concerning Proposed Payments to Current Active Members of AFSCME Local 1095 | Government Affairs |
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| COMM. 9M-5 | CORNELL COOPERATIVE EXTENSION ERIE COUNTY | Copy of 2007 Annual Report | Community Enrichment |
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| COMM. 9M-6 | CITY OF BUFFALO COMMON COUNCIL | Copy of Certified Resolution Condemning Racially-Divisive Comments Concerning Public Leases, Requesting NYS Legislature Legislation | Government Affairs |
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| COMM. 9M-7 | KALEIDA HEALTH | Copy of Letter to Deputy EC Comptroller - Audit - Concerning Bus Tokens & Tickets | Government Affairs |
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| COMM. 9M-8 | ECIDA | Notice of ECIDA Board of Directors Meeting to be Held on May 12, 2008 | Government Affairs |
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| COMM. 9M-9 | BRANT TOWN CLERK | Copy of Certified Resolution Concerning 8-Year Review of the Evans Brant Agricultural District | Energy & Environment |
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| COMM. 9M-10 | SENATOR RATH                      | Acknowledgement of Receipt of Certified Resolution   | R&F                     |
| COMM. 9M-11 | NFTA                              | Materials from NFTA Board Meeting Held on March 31, 2008   | Government Affairs      |
| COMM. 9M-12 | COLUCCI & GALLAHER, P.C.          | Materials Distributed at the May 1, 2008 Regular Meeting of the Board of Directors of Erie County Medical Center Corporation | Health & Human Services |
| COMM. 9M-13 | STATE COMPTROLLER                 | Copy of Letter Concerning Erie County Public Administrator's Corrective Action Plan  | R&F                     |
| COMM. 9M-14 | LEGAL AID BUREAU OF BUFFALO, INC. | Annual Report for 2007   | Government Affairs      |

**MEMORIAL RESOLUTIONS:**

**ADJOURNMENT:**