



THE ERIE COUNTY LEGISLATURE

Session No. 11

June 11, 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 – Mr. Mazur

PLEDGE OF ALLEGIANCE – Ms. Grant

TABLED ITEMS

ITEMS FOR RECONSIDERATION FROM PREVIOUS MEETING

MINUTES OF PREVIOUS MEETING

PUBLIC HEARING

MISCELLANEOUS RESOLUTIONS:

IANNELLO	Congratulating Benjamin Soos for Being Named a 2009 Student Ambassador for Grand Island
IANNELLO	Congratulating Lauren Fermoile for Being Named a 2009 Student Ambassador for Grand Island
WROBLEWSKI	Honoring Monsignor William J. Gallagher on the 40th Anniversary of His Ordination to the Priesthood
WROBLEWSKI	Congratulating Terry Siuta on Her Retirement as Principal of St. John Vianney School
MILLS	Recognizing Alan Kawahara on Achieving the Rank of Eagle Scout
MILLS	Recognizing R.J. Graber on Achieving the Rank of Eagle Scout
RATH	Congratulating Tom Barnett on Receiving the First Mark Messier Youth Leadership Award
MILLS	Congratulating Laurie Cichocki on Earning a 2009 Time Warner Cable National Teacher Award
IANNELLO	Honoring the Memory of Victoria A. 'Vicky' Eikenburg
IANNELLO	Congratulating James McDonald on Being Selected to Serve as a Consultant from the Boys & Girls Clubs of the Northtowns at the European Conference in Germany Later this Month
IANNELLO	Congratulating Ray Ertel on Being Selected to Serve as a Consultant from the Boys & Girls Clubs of the Northtowns at the European Conference in Germany Later this Month
MARINELLI & WHYTE	Congratulating Muriel A. Howard, Ph. D. on Her Retirement as President of Buffalo State College

MILLS	Congratulating Sara Wach on Her Team's Erie County Envirothon Championship and 5th Place Finish at the New York State Envirothon
MILLS	Congratulating Stacie Zwolski on Her Team's Erie County Envirothon Championship and 5th Place Finish at the New York State Envirothon
MILLS	Congratulating Amanda Wach on Her Team's Erie County Envirothon Championship and 5th Place Finish at the New York State Envirothon
MILLS	Congratulating Chelsea Zalikowski on Her Team's Erie County Envirothon Championship and 5th Place Finish at the New York State Envirothon
MILLS	Congratulating Krista Kellner on Her Team's Erie County Envirothon Championship and 5th Place Finish at the New York State Envirothon
WHYTE	Honoring Hispanics United of Buffalo's 2009 "Nuestro Orgullo Latino" Award Winners
WHYTE	Recognizing the STAR Program at Concerned Ecumenical Ministries (CEM)
KONST	Honoring All of the Winners of the Depew-Lancaster Sertoma Club 2009 Freedom in America Poster & Essay Contest
KONST	Congratulating Bradley Orcutt on Winning First Place in the Depew-Lancaster Sertoma Club 2009 Freedom in America Essay Contest
KONST	Congratulating Danielle DiGiacomo on Winning First Place in the Depew-Lancaster Sertoma Club 2009 Freedom in America Poster Contest

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. 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. 2-1 5/26/2009	GRANT, MAZUR, MILLER-WILLIAMS, REYNOLDS & MARINELLI	A LL providing for the sale of a 2.15 acre portion of the real property known as 462 Grider Street, Buffalo to Community Health Center of Buffalo, Inc., and the conveyance of a easement over the access road	Health & Human Services

LL INT. 3-1 6/5/2009	MARINELLI, WHYTE, MILLER-WILLIAMS, KOZUB, REYNOLDS, GRANT, IANNELLO, KONST, WROBLEWSKI & MAZUR	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
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
LL INT. 5-1 6/9/2009	MILLS, RATH & WALTER	A LL in relation to reducing the size of the Erie County Legislature
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

COMMITTEE REPORTS:

REPORT NO. 8 ENERGY & ENVIRONMENT COMMITTEE

REPORT NO. 8 FINANCE & MANAGEMENT COMMITTEE

REPORT NO. 8 HEALTH & HUMAN SERVICES COMMITTEE

REPORT NO. 8 COMMUNITY ENRICHMENT COMMITTEE

REPORT NO. 7 ECONOMIC DEVELOPMENT COMMITTEE

REPORT NO. 7 GOVERNMENT AFFAIRS COMMITTEE

LEGISLATOR RESOLUTIONS:

REFERENCE:

INTRO 11-1	LOUGHRAN	Expressing Support of Maintaining the Effectiveness of the SWAT Program
INTRO 11-2	IANNELLO	Calling for Residents of East River Road, Grand Island, to Meet with the Economic Development Committee Regarding Repeated Requests for Repairs to Sections of East River Road, Grand Island

INTRO 11-3	WHYTE, KONST, IANNELLO & REYNOLDS	Assessing the Impact of Health Permit Fees on the Ability of Not-for- Profit Veterans Organizations to Provide Services to Veterans
INTRO 11-4	WALTER	Opposing NYS Assembly Bills A.1093, A.1275, A.2884 - Which Infringe Upon NYS Residents' Right to Bear Arms
INTRO 11-5	WHYTE	Domestic Partnership Benefits for Erie County Employees
INTRO 11-6	IANNELLO, MARINELLI, WHYTE, KONST & REYNOLDS	Supporting the Reopening of Docket #FD-33388

COMMUNICATIONS DISCHARGED FROM COMMITTEE:

SUSPENSION OF THE RULES:

<u>COMMUNICATIONS FROM ELECTED OFFICIALS:</u>			<u>REFERENCE:</u>
COMM. 11E-1	COUNTY CLERK	NYS Mortgage Tax Semi-Annual Report	Finance & Management
COMM. 11E-2	COUNTY EXECUTIVE	ECC 2009-2010 Budget	Community Enrichment
COMM. 11E-3	IANNELLO & MARINELLI	Copy of Letter to Congress - CSX Disinvesting in its Buffalo Facility	Community Enrichment
COMM. 11E-4	COMPROLLER	Copies of Audited Financial Statements and Management Letter for ECC Fiscal Year Ending 8/31/08	Community Enrichment
COMM. 11E-5	REYNOLDS	Notice of Absence From Legislative Session to be Held June 11, 2009	RFP
COMM. 11E-6	GRANT	Copy of Letter to Commissioner of the Env. & Planning - Requesting Attendance at the Community Enrichment Committee Meeting to be Held June 18, 2009	Community Enrichment
COMM. 11E-7	COUNTY EXECUTIVE	ECSD #2 - Lake St. & Point Breeze Pumping Station - Bid Opening	Energy & Environment
COMM. 11E-8	COUNTY EXECUTIVE	Appointment to Senior Services Advisory Board	Health & Human Services
COMM. 11E-9	COUNTY EXECUTIVE	Appointment of Probation Director	Public Safety
COMM. 11E-10	COUNTY EXECUTIVE	Authorization to Renew Lease - 438 Main St., Buffalo	Government Affairs
COMM. 11E-11	COUNTY EXECUTIVE	Emery Park - 2009 - Ski Lodge Roof Replacement	Economic Development
COMM. 11E-12	COUNTY EXECUTIVE	Chestnut Ridge Park - 2009 - Casino Building Roof & Facade Improvements	Economic Development
COMM. 11E-13	COUNTY EXECUTIVE	Buffalo & Erie County Botanical Gardens - 2009 - New Growing House	Economic Development
COMM. 11E-14	COUNTY EXECUTIVE	Rath Building - 2009 - Parking Garage Improvements	Economic Development
COMM. 11E-15	COUNTY EXECUTIVE	Rath Building - Low Rise Elevator Modernization - Architectural/Engineering Fee	Economic Development
COMM. 11E-16	COUNTY EXECUTIVE	Establish ARRA Congregate Dining & Home Delivery Meals Programs Grant Budgets	Health & Human Services
COMM. 11E-17	COUNTY EXECUTIVE	Right of Way Acquisition - Cemetery Rd., Bridge Replacement - Lancaster	Economic Development

COMM. 11E-18	COMPTROLLER	2009 Revenue Anticipation Notes Resolution ("RAN")	Finance & Management
COMM. 11E-19	COUNTY EXECUTIVE	Erie County Correctional Facility - 2009 - Roof, Exterior and Security Improvements	Economic Development
COMM. 11E-20	COUNTY EXECUTIVE	Dr. Gajewski Human Services Center - 2009 - Roof Replacement	Economic Development
COMM. 11E-21	COUNTY EXECUTIVE	Buffalo Niagara Convention Center - 2009 - Exhibit Hall & Kitchen Improvements - Architectural/Engineering Fee	Economic Development
COMM. 11E-22	COUNTY EXECUTIVE	Old County Hall - 2009 - Clock Tower & Exterior Window Improvements - Architectural/Engineering Fee	Economic Development
COMM. 11E-23	COUNTY EXECUTIVE	Erie County Court Building - 2009 - Roof Replacement	Economic Development
COMM. 11E-24	COUNTY EXECUTIVE	Grant Programs - Authorization to Contract	Finance & Management
COMM. 11E-25	COUNTY EXECUTIVE	Transfer of Fleet Mechanics Positions to Division of Highways	Government Affairs
COMM. 11E-26	COUNTY EXECUTIVE	Chestnut Ridge Park - 2008 - Toboggan Run Tower Improvements	Economic Development
COMM. 11E-27	COUNTY EXECUTIVE	Personnel Adjustment - Health Dept. - Special Needs Division	Health & Human Services
COMM. 11E-28	DISTRICT ATTORNEY	Professional Fees Appropriations - Forensic Accounting Services	
<u>COMMUNICATIONS FROM THE DEPARTMENTS:</u>			<u>REFERENCE:</u>
COMM. 11D-1	COUNTY ATTORNEY	Transmittal of New Claims Against Erie County	Government Affairs
COMM. 11D-2	COMMISSIONER OF ENVIRONMENT & PLANNING	State Environmental Quality Review - Sanitary Sewer Service to 7584 Boston State Rd.	Energy & Environment
COMM. 11D-3	COUNTY ATTORNEY	Transmittal of New Claims Against Erie County	Government Affairs
COMM. 11D-4	DIRECTOR OF BUDGET AND MANAGEMENT	Budget Monitoring Report for Period Ending 4/30/09	Finance & Management
COMM. 11D-5	COMMISSIONER OF PUBLIC WORKS	Copy of Letter from Town of Holland Supervisor - Serious Road Erosion on Certain Holland Roads	Economic Development

COMM. 11D-6	DEPUTY COMMISSIONER, ENVIRONMENT & PLANNING	State Environmental Quality Review - Botanical Gardens Cistern Installation Project	Economic Development
COMM. 11D-7	DEPUTY COMMISSIONER, ENVIRONMENT & PLANNING	State Environmental Quality Review - Erie County Highways Cistern Installation Project	Economic Development
COMM. 11D-8	COUNTY ATTORNEY	Freedom of Information Law ("FOIL") Request	Community Enrichment
COMM. 11D-9	ENVIRONMENT REVIEW COORDINATOR, ENVIRONMENT & PLANNING	State Environmental Quality Review - South Main St. Waterline Improvements - Village of Angola	Energy & Environment
COMM. 11D-10	EC HISTORIAN	Progress Report for Projects Completed or In-Progress - May 25, 2009	Community Enrichment
<u>COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES:</u>			<u>REFERENCE:</u>
COMM. 11M-1	BUFFALO & ERIE COUNTY PUBLIC LIBRARY	Audubon Branch Library - Agenda Items for Meeting Held Thursday 5/21/09	Community Enrichment
COMM. 11M-2	ECIDA	Letter Requesting Confirmation of Attendance at Meeting to be Held June 8, 2009	R&F
COMM. 11M-3	NFTA	Cash Flow Statements for 4/1/08 - 3/31/09 and 4/1/09 - 3/31/10	Economic Development
COMM. 11M-4	TOWN CLERK - TOWN OF ALDEN	Copy of Town Board Resolution Opposing the Establishment of a County Planning Board - Local Law Intro 1-1, "The Strategic Development Act"	Energy & Environment
COMM. 11M-5	MUSICAL FARE	Letter Thanking Legislature for its Support of Musical Fare Theatre and Other Organizations in its 2009 Budget	Community Enrichment
COMM. 11M-6	STATE OF NY PUBLIC SERVICE COMMISSION	Notice Soliciting Comments - Re: Proceedings to Evaluate a Standardized Facility & Equipment Transfer Program (SAFE-T)	Economic Development
COMM. 11M-7	BUFFALO & ERIE COUNTY PUBLIC LIBRARY	Public Access Computer Statistics - April 2009	Community Enrichment

COMM. 11M-8	NYSDEC	Fact Sheet - NYSDEC Modifies Cleanup Plan for Spaulding Fibre Site, Tonawanda	Energy & Environment
COMM. 11M-9	TOWN CLERK - TOWN OF WEST SENECA	Unanimously Adopted Resolution in Support of Renaming Ridge Rd., "Father Baker Boulevard"	Energy & Environment
COMM. 11M-10	MICHAEL H. HOFFERT - PRES., BUFFALO AFL-CIO LABOR COUNCIL	Letter Requesting Consideration for Appointment to ECMCC Board of Directors	Health & Human Services
COMM. 11M-11	1199 SEIU - UNITED HEALTHCARE WORKERS EAST	Elimination of Kaleida Health Early Childhood Program (ECP)	Health & Human Services
COMM. 11M-12	SENATOR VOLKER	Letter Acknowledging Receipt of Certified Resolutions	R&F
COMM. 11M-13	NFTA	Minutes from NFTA Board Meeting Held April 27, 2009	Economic Development
COMM. 11M-14	COLUCCI & GALLAHER, P.C.	ECMCC Agenda Items for Board of Directors Meeting Held 5/27/09	Health & Human Services
COMM. 11M-15	MEALS ON WHEELS FOUNDATION OF WNY	Copy of Letter to Legislator Whyte Regarding Update on Meals on Wheels Commissary Project	Finance & Management
COMM. 11M-16	ERIE CANAL HARBOR DEVELOPMENT CORP.	Copy of Letter to Chair Marinelli Inviting Legislature to Attend Meeting Scheduled for 6/16/09 - Draft Coordination Plan/Initial Project Meeting	Economic Development
COMM. 11M-17	NYS DEC	Fact Sheet - Environmental Cleanup Plan for 200 Ship Canal - Parkway Site - Available for Public Comment	Energy & Environment
COMM. 11M-18	SOUTH BUFFALO DEVELOPMENT, LLC	Copy of Letter Informing the Public that the Cleanup & Redevelopment of the Buffalo Color Site Has Begun	Economic Development
COMM. 11M-19	NYS DEC	Copy of Notice of Public Meeting to be Held 6/12/09 - Tonawanda Community Air Quality Study	Energy & Environment

ANNOUNCEMENTS:

MEMORIAL RESOLUTIONS:

ADJOURNMENT: