



THE ERIE COUNTY LEGISLATURE

Session No. 21
October 23, 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 – Ms. Grant

PLEDGE OF ALLEGIANCE – Mr. Mazur

TABLED ITEMS

ITEMS FOR RECONSIDERATION FROM PREVIOUS MEETING

MINUTES OF PREVIOUS MEETING

PUBLIC HEARING

MISCELLANEOUS RESOLUTIONS:

WROBLEWSKI	Congratulating the West Seneca Senior Center on Its 30th Anniversary
MAZUR	Memorial Resolution Honoring the Life of Kenneth J. “Uncle Kenny” Wesolek
RATH	Recognizing Douglas Baker for Receiving the NYS Department of Health EMS Bureau Harriet C. Weber EMS Leadership Award
MILLS	Celebrating the 103rd Birthday of Loretta Snyder
RANZENHOFER	Honoring Derek Andrews on Being Selected the Sports Illustrated Kids' 2008 Kid of the Year
RATH & RANZENHOFER	Honoring the Life of Herbert E. Zimmerman
RATH & RANZENHOFER	Honoring the Life of Mary R. Miller
WHYTE	Honoring the 10 Year Anniversary Celebration of the Niagara Erie Regional Coalition
MAZUR	Honoring the Life of John A. Hanzlian
KONST	Congratulating Carl Meyers on the Occasion of his 50th Anniversary with the Bowmansville Volunteer Fire Association
MILLER-WILLIAMS, MARINELLI, WHYTE, KENNEDY, KONST, GRANT, MAZUR, IANNELLO, REYNOLDS, LOUGHRAN & RATH	Red Ribbon Week (October 23-31, 2008)

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	Government Affairs
LL INT. 5-1 6/10/2008	MILLS	A L L 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. 6-1 10/16/2008	KOZUB, MARINELLI, WHYTE, MILLS, KENNEDY, MILLER- WILLIAMS, RANZENHOFER, KONST, GRANT, MAZUR, WROBLEWSKI, IANNELLO, REYNOLDS, LOUGHRAN & RATH	A LL in Relation to Enacting an Exemption from Real Property Taxes for Cold War Veterans as Authorized by Section 458-b of the Real Property Tax Law	

COMMITTEE REPORTS:

REPORT NO. 15 HEALTH & HUMAN SERVICES COMMITTEE

REPORT NO. 15 ECONOMIC DEVELOPMENT COMMITTEE

REPORT NO. 10 GOVERNMENT AFFAIRS COMMITTEE

LEGISLATOR RESOLUTIONS:

REFERENCE:

INTRO 21-1	MILLER-WILLIAMS & MARINELLI	Mall District Special Charges for Downtown Pedestrian/Transit Mall Special District
INTRO 21-2	MARINELLI, WHYTE, MILLS, KOZUB, KENNEDY, MILLER- WILLIAMS, GRANT, MAZUR, WROBLEWSKI, REYNOLDS, LOUGHRAN & RATH	Re-Appointments of Board of Elections' Commissioners
INTRO 21-3	WHYTE	Ontario Street Boat Launch Black Rock Canal Park
INTRO 21-4	IANNELLO, WROBLEWSKI, MILLS, MARINELLI, MILLER- WILLIAMS, REYNOLDS & RATH	Resolution Urging the State to Partner with Counties in the Development of a Comprehensive Statewide Interoperable Communications Network
INTRO 21-5	IANNELLO, WROBLEWSKI, MILLS, REYNOLDS & RATH	Resolution Calling on the Governor and the State Legislature to Assume Full State Responsibility of All Public Defense Programs
INTRO 21-6	IANNELLO, WROBLEWSKI, MILLS, MARINELLI, MILLER-WILLIAMS, REYNOLDS & RATH	Resolution Requesting Legislative Authority to Assess Administrative Fees Upon Certain Non-DWI Probationers
INTRO 21-7	MARINELLI, MILLER- WILLIAMS, WHYTE, KENNEDY, KONST, GRANT, MAZUR, IANNELLO & LOUGHRAN	Opposing the Proposed Fare Increase for NFTA Metro

COMMUNICATIONS DISCHARGED FROM COMMITTEE:

SUSPENSION OF THE RULES:

COMMUNICATIONS FROM ELECTED OFFICIALS:

REFERENCE:

COMM. 21E-1	COMPTROLLER	4.75% Sales & Compensating Use Tax Apportionment/Distribution for June through August, 2008	Finance & Management
COMM. 21E-2	COMPTROLLER	County of Erie Federal Financial Assistance Audit Report for 2007	Finance & Management
COMM. 21E-3	RANZENHOFER, MILLS & RATH	Designation of Official Newspaper for 2008 Concurrent Resolutions	RFP
COMM. 21E-4	COUNTY EXECUTIVE	Projected Fuel Shortage	R&F
COMM. 21E-5	COMPTROLLER	2009 Proposed Budget Estimates	Finance & Management
COMM. 21E-6	COMPTROLLER	Review of Preliminary Expenditures/Revenues for the Proposed 2009 EC Budget	Finance & Management
COMM. 21E-7	REYNOLDS	Letter of Absence for Special Session - 10/17/08	RFP
COMM. 21E-8	REYNOLDS	Letter to Town of Clarence Supervisor Concerning Farmland Protection	Energy & Environment
COMM. 21E-9	COMPTROLLER	Erie County Sales Tax Collections	Finance & Management
COMM. 21E-10	COUNTY EXECUTIVE	EC Sewer Dist. Nos. 1,3,4 & 5 Engineering Term Agreement	Energy & Environment
COMM. 21E-11	COUNTY EXECUTIVE	MJW Corporation, Inc. Contract	Public Safety
COMM. 21E-12	COUNTY EXECUTIVE	Supplemental Agreement No. 2 with NYSDOT - Right-of-Way Acquisition, Cemetery Rd., Town of Lancaster	Economic Development
COMM. 21E-13	COUNTY EXECUTIVE	EC Sewer District 3 - Intermunicipal Agreement with Town of Orchard Park	Energy & Environment
COMM. 21E-14	COUNTY EXECUTIVE	Proposed Fee Increases	Finance & Management

COMM. 21E-15	COUNTY EXECUTIVE	EC Sewer Dist. No. 3 - Greenmeadow Subtruck Sanitary Sewer Project - Bid Opening	Energy & Environment
COMM. 21E-16	COUNTY EXECUTIVE	EC Sewer Dist. Nos. 3 & 6 - Energy Performance Contract	Energy & Environment
COMM. 21E-17	COUNTY EXECUTIVE	Purchase of 2008 Tax Lien Certificates	Finance & Management
COMM. 21E-18	COUNTY EXECUTIVE	Emergency Services - Accepting Reimbursement for Use of Emergency Services Training Facilities by Outside Organizations	Public Safety
COMM. 21E-19	COUNTY EXECUTIVE	CPS - 2008-2009 DNA Lab Capacity Enhancement Grant	Public Safety
COMM. 21E-20	COUNTY EXECUTIVE	CPS - Professional Services Authorization	Public Safety
COMM. 21E-21	COUNTY EXECUTIVE	Dept. of Health - Fee Schedule Revision	Finance & Management
COMM. 21E-22	COUNTY EXECUTIVE	Amend Title VII Grant Budget & Amend Related Contract	Health & Human Services
COMM. 21E-23	COUNTY EXECUTIVE	Amend CSE & EISEP Budgets & Extend Senior Employment Contract	Health & Human Services
COMM. 21E-24	COUNTY EXECUTIVE	Juvenile Accountability Block Grant Award from NYS DCJS	
COMM. 21E-25	COUNTY EXECUTIVE	"Be-Safe" Grant	
COMM. 21E-26	COUNTY EXECUTIVE	Probation Preventive Service Program - Account Adjustment	
COMM. 21E-27	WHYTE	Black Rock Canal Park	Energy & Environment
COMM. 21E-28	COUNTY EXECUTIVE	Real Property Tax Services - Corrections of Errors	

COMMUNICATIONS FROM THE DEPARTMENTS:

REFERENCE:

COMM. 21D-1	COUNTY ATTORNEY	Transmittal of New Claims Against Erie County	Government Affairs
COMM. 21D-2	SENIOR SERVICES COMMISSIONER	Response to Comptroller's Audit of Protective Services for Adults Program	Health & Human Services
COMM. 21D-3	DIRECTOR OF INTERGOVERNMENTAL AFFAIRS	Government Affairs Committee Request	Government Affairs

COMM. 21D-4	DEPUTY COMPTROLLER - AUDIT & CONTROL	Sewerage Mgt. & EC Sewer Dist. No. 3 - Report for Period 1/1/07 to 5/31/08	Energy & Environment
COMM. 21D-5	DIRECTOR OF BUDGET & MANAGEMENT	Response Letter to Comptroller Concerning 2009 Proposed Budget Estimates	Finance & Management
COMM. 21D-6	DEPUTY COMPTROLLER - AUDIT & CONTROL	EC Comptroller's Office Audit of Bureau of Purchase	Government Affairs
COMM. 21D-7	ACTING COMMISSIONER, ENVIRONMENT & PLANNING	Comments Concerning Comptroller's Audit of EC Sewer Dist. No. 3	Energy & Environment

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES:

REFERENCE:

COMM. 21M-1	BUFFALO CENTRAL LABOR COUNCIL	Citizens' Budget Review Commission Candidates	
COMM. 21M-2	TOWN OF BRANT	Resolution Concerning Registrars of Vital Statistics	Government Affairs
COMM. 21M-3	TOWN OF TONAWANDA	Resolution Concerning Registrars of Vital Statistics	Government Affairs
COMM. 21M-4	ERIE COUNTY FISCAL STABILITY AUTHORITY	Copies of Resolutions Passed at Meeting Held 9/15/08	Government Affairs
COMM. 21M-5	ERIE COUNTY FISCAL STABILITY AUTHORITY	Copies of Resolution Passed at Meeting Held 9/29/08	Finance & Management
COMM. 21M-6	TOWN OF ALDEN	Resolution Concerning Registrars of Vital Statistics	Government Affairs
COMM. 21M-7	NYS DEPT. OF AGRICULTURE & MARKETS	Required Review of EC Agricultural Dist. No. 11	Energy & Environment
COMM. 21M-8	TOWN OF HAMBURG	Resolution Concerning EC Recycling Coordinator Position	Energy & Environment
COMM. 21M-9	NYS NURSES ASSOCIATION	Letter Concerning Fact Finder's Report	Government Affairs
COMM. 21M-10	TOWN OF PEMBROKE	Public Hearing Notice Concerning Zoning Local Law Amendment	R&F
COMM. 21M-11	TOWN OF NEWSTEAD	Resolution Concerning EC Recycling Coordinator Position	Energy & Environment
COMM. 21M-12	BUFFALO NIAGARA PARTNERSHIP	Citizens' Budget Review Commission Candidates	

ANNOUNCEMENTS:

MEMORIAL RESOLUTIONS:

ADJOURNMENT: