



# THE ERIE COUNTY LEGISLATURE

Session No. 22  
November 16, 2006

Lynn M. Marinelli  
*Chairman*

Maria R. Whyte  
*Majority Leader*

Barry A. Weinstein  
*Minority Leader*

Robert M. Graber  
*Clerk of the Legislature*

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## ROLL CALL

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INVOCATION – Pastor Roderick L. Hennings, Zion Dominion Global Ministries

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PLEDGE OF ALLEGIANCE – Mr. Smith

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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

MILLS	Congratulating Kevin Kawahara Upon the Occasion of Achieving the Rank of Eagle Scout
MILLS	Congratulating Zachary Eye Upon the Occasion of Achieving the Rank of Eagle Scout
WHYTE	Honoring Catherine Lannen on the Occasion of Her Retirement from the Erie County Sheriff's Department
WHYTE	Honoring the 30th Anniversary of Neighborhood Legal Services
MARINELLI	Honoring Jeffrey Todd Upon Reaching the Worthy Rank of Eagle Scout - Troop 202
SMITH & HOLT	Honoring the Community Chaplaincy Workshop
KONST	In Memory of Nicholas Condrell

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## LOCAL LAWS

## REFERENCE

LL INT 7-1 3/30/2005	SMITH	The Local Law To Retain Jobs in NYS	
LL INT 12-1 10/19/2005	MARINELLI	A LL Amending the EC Charter & EC Administrative Code as Amended, in Relation to the Titles and Positions of Deputy Commissioner and Deputy Director	Government Affairs
LL INT 4-1 6/12/2006	KONST, IANNELLO & LOCKLEAR	A Charter Law to Reforming County Government by Limiting the Terms of Office of Elected County Legislators	

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LL INT 5-1 6/16/2006	KONST, IANNELLO & LOCKLEAR	A Charter Law to Reforming County Government by Limiting the Terms of Office of Elected County Executive
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LL INT 6-1 7/19/2006	LOCKLEAR, KONST, RANZENHOFER, MILLS & WEINSTEIN	A LL Amending Article III of the EC Charter to Redefine the Positions of County Executive and Deputy County Executive in the Spirit of Charter Revision Commission Recommendations
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LL INT 8-1 9/11/2006	RANZENHOFER, WEINSTEIN, MILLS	A LL Requiring Businesses to Verify that their Employees are Legally Eligible to be Employed in the USA & EC
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LL INT. 10-1 11/9/2006	SMITH, IANNELLO, MAZUR, HOLT, WHYTE, REYNOLDS, KENNEDY & LOUGHRAN	A LL in Relation to a Mandatory Notification Requirement for Commercial and Residential Lawn Pesticide Applications.
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**COMMITTEE REPORTS**

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REPORT NO. 14	GOVERNMENT AFFAIRS COMMITTEE
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REPORT NO. 15	ECONOMIC DEVELOPMENT COMMITTEE
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REPORT NO. 12	PUBLIC SAFETY COMMITTEE
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REPORT NO. 16	ENERGY & ENVIRONMENT COMMITTEE
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**LEGISLATOR RESOLUTIONS:**

**REFERENCE**

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INTRO 22-1	MINORITY CAUCUS	Support of Revisions to General Municipal Law §239-n
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**COMMUNICATIONS DISCHARGED FROM COMMITTEE:**

**SUSPENSION OF THE RULES:**

**COMMUNICATIONS FROM ELECTED OFFICIALS:**

**REFERENCE**

COMM. 22E-1	COMPTROLLER	Interim Financial Report - For the Nine Months Ended 9/30/06	Finance & Management
COMM. 22E-2	MARINELLI	2006 Committee Assignments - Revised 11/8/06	RFP
COMM. 22E-3	MARINELLI	Calling Special Meeting on November 28, 2006	R&F
COMM. 22E-4	COMPTROLLER	Comptroller's Review of the County Executive's Proposed 2007 Budget and Four-Year Financial Plan	Finance & Management
COMM. 22E-5	MARINELLI	Copy of Letter to Clerk of the Legislature Re: Erie County Charter Working Group	RFP
COMM. 22E-6	MARINELLI	Copy of Letter to Charter Revision Commission Chair Re: Erie County Charter Working Group	RFP
COMM. 22E-7	MARINELLI	Copy of Letter to County Executive Re: Erie County Charter Working Group	RFP
COMM. 22E-8	MARINELLI	Copy of Letter to Minority Leader Re: Erie County Charter Working Group	RFP
COMM. 22E-9	MARINELLI	Copy of Letter to Comptroller Re: Erie County Charter Working Group	RFP
COMM. 22E-10	MARINELLI	Copy of Letter to County Attorney Re: Erie County Charter Working Group	RFP
COMM. 22E-11	MARINELLI	Copy of Letter to Budget Director Re: Erie County Charter Working Group	RFP
COMM. 22E-12	MARINELLI	Calling Special Meeting	RFP
COMM. 22E-13	COUNTY EXECUTIVE	Fact-Finding Report Between COE and AFSCME Local 1095	Government Affairs

COMM. 22E-14	COUNTY EXECUTIVE	Health - Public Health Preparedness/Response to Bioterrorism 8/31/06 - 8/30/07	Health
COMM. 22E-15	COUNTY EXECUTIVE	ECSD Nos. 3 & 8 - Village of East Aurora - Amended Intermunicipal Agreement and Resolution	Energy & Environment
COMM. 22E-16	COUNTY EXECUTIVE	Health - Youth Tobacco Use & Prevention Act - 10/1/06 - 9/30/07 SAP Title 127YTOB0607	Health
COMM. 22E-17	COUNTY EXECUTIVE	CPS - Local Enhanced Wireless 911 Program	Public Safety
COMM. 22E-18	COUNTY EXECUTIVE	Health - Personnel Adjustment - Division of Public Health Laboratories, Epidemiology & Environmental Health	Health
COMM. 22E-19	COUNTY EXECUTIVE	ECSD No. 6 - Emergency Repair - Warsaw St. Sinkhole Repair	Energy & Environment
COMM. 22E-20	COUNTY EXECUTIVE	Appointment to ECSD #3 Board of Managers	Energy & Environment
COMM. 22E-21	COUNTY EXECUTIVE	Reappointment to the ECMC Board of Directors	Health
COMM. 22E-22	COUNTY EXECUTIVE	Appointments/Reappointments to Erie County Commission on the Status of Women	Community Enrichment
COMM. 22E-23	COUNTY EXECUTIVE	Sewerage Management - Personnel Request	Energy & Environment
COMM. 22E-24	COUNTY EXECUTIVE	Health - Lease Agreement for Women, Infants and Children's (WIC) Program Distribution Sites	Health
COMM. 22E-25	COUNTY EXECUTIVE	DEP - City of Buffalo Recycling Education and Outreach Education Program Contract with The Kallus Opornments	Energy & Environment
COMM. 22E-26	COUNTY EXECUTIVE	Mental Health - Request for Interfund Transfer of \$5,000 from Mental Health to District Attorney to Support the STEPS/RtR Program	Health
COMM. 22E-27	COUNTY EXECUTIVE	ECSD Nos. 1-6 & 8 - User Charges - 2007	Energy & Environment
COMM. 22E-28	COUNTY EXECUTIVE	CPS - Forensic Laboratory 2006-2007 - DNA Capacity Enhancement Program Formula Grant	Public Safety
COMM. 22E-29	COUNTY EXECUTIVE	ECSD Nos. 3 & 8 - Town of Aurora - Amended Intermunicipal Agreement and Resolution	Energy & Environment

COMM. 22E-30	COUNTY EXECUTIVE	Senior Services - Authorization to Establish the AAA Transportation Grant	Human Services
COMM. 22E-31	COUNTY EXECUTIVE	Health - Transfer of Funds	
COMM. 22E-32	COUNTY EXECUTIVE	CPS - Forensic Laboratory 2006-2007 - Forensic Casework DNA Backlog Reduction Program Formula Grant	Public Safety
COMM. 22E-33	COUNTY EXECUTIVE	Health - Respirator Fit Testing Program - 12/1/06 - 11/30/07 - SAP: 127RFT0607	Health
COMM. 22E-34	COUNTY EXECUTIVE	ECSD No. 2 - Capacity Analysis	Energy & Environment
COMM. 22E-35	COUNTY EXECUTIVE	ECSD No. 1 - Parsons Engineering Science - Engineering Agreement Close-Out - A/E Agreement Dated 11/27/02	Energy & Environment
COMM. 22E-36	COUNTY EXECUTIVE	ECSTSTA - Stearns & Wheler, LLC - Engineering Agreement Close-Out - A/E Agreement Dated 3/1/99	Energy & Environment
COMM. 22E-37	COUNTY EXECUTIVE	Notice of Adoption - Erie County Sewer Districts - 2007 Assessment Rolls	Energy & Environment
COMM. 22E-38	COUNTY EXECUTIVE	Private Sale of 2006 County Tax Sale Certificates	Finance & Management

**COMMUNICATIONS FROM THE DEPARTMENTS:**

**REFERENCE**

COMM. 22D-1	COUNTY ATTORNEY	Transmittal of New Claims Against Erie County	R&F
COMM. 22D-2	ECC	Notice of Board of Trustees Meeting Held 11/6/06	R&F
COMM. 22D-3	DEP - SEWERAGE MANAGEMENT	Public Hearing - 2007 Assessment Rolls - ECSD Nos. 1-8	R&F
COMM. 22D-4	DEP - SEWERAGE MANAGEMENT	ECSD No. 4 - Lancaster Town Districts No. 1 & 2	R&F
COMM. 22D-5	DEP - SEWERAGE MANAGEMENT	ECSD No. 3 - Hamburg Town District Extensions	R&F
COMM. 22D-6	CLERK OF THE LEGISLATURE	Special Meeting Notice	RFP

**COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES:**

**REFERENCE**

COMM. 22M-1	ECWA	Preliminary 2007 Budget	Energy & Environment
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COMM. 22M-2	NFTA	17A Report and the Capital Expenditures Report for the 2nd Quarter of FY Ending 3/31/07	R&F
COMM. 22M-3	ECFSA	Certified Resolutions 06-49, 06-50 and 06-51	R&F
COMM. 22M-4	NYS BOARD OF REAL PROPERTY SERVICES	Certificate of County Equalization Rates for 2006 Assessment Rolls for Municipalities	R&F
COMM. 22M-5	NFTA	Actual/Projected Cash Flow for the Period 4/1/06 - 3/31/07 and the Projected Cash Flor for the Period 10/1/06 - 9/30/07	R&F
COMM. 22M-6	ECMC	Reappointment of Ronald A. Chapin - Voting Member, ECMCC Board of Directors	Health
COMM. 22M-7	TROUT UNLIMITED - WNY CHAPTER	DEC Parking Lot for Fisherman in Hamburg, NY	Energy & Environment
COMM. 22M-8	AMHERST COUNCILMAN DAN WARD	Mismanagement of Erie County Forest Preserve	R&F
COMM. 22M-9	RONALD A. CHAPIN	Reappointment to ECMCC Board of Directors	Health
COMM. 22M-10	CLARENCE TOWN BOARD	In Support of Separate IDA's	R&F

**MEMORIAL RESOLUTIONS:**

**ADJOURNMENT:**