

June 18, 2009

GOVERNMENT AFFAIRS COMMITTEE
REPORT NO. 8

ALL MEMBERS PRESENT.

CHAIR MARINELLI PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 10D-4 (2009)
CHAIR, 21ST CENTURY COMMISSION: “Final Report of the Commission”
(6-0)
 - b. COMM. 11E-29 (2009)
KENNEDY: “Letter to Chair Marinelli requesting a Public Hearing on Local Law Intro 4-1”
(6-0)
 - c. COMM. 11D-1 (2009)
COUNTY ATTORNEY: “Transmittal of New Claims Against Erie County”
(6-0)
 - d. COMM. 11D-3 (2009)
COUNTY ATTORNEY: “Transmittal of New Claims Against Erie County”
(6-0)
2. RESOLVED, the following item is hereby received, filed and referred to the Health & Human Services Committee:
 - a. INTRO 11-3 (2009)
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”
(6-0)
3. INTRO 11-4 (2009)
WALTER, MILLS, KOZUB, KONST, AS AMENDED
WROBLEWSKI AND REYNOLDS
WHEREAS, the Second Amendment to the Constitution of the United States clearly states that “the right of the people to keep and bear Arms, shall not be infringed;” and

WHEREAS, Article XII of the Constitution of the State of New York clearly states, “The defense and protection of the state and of the United States is an obligation of all persons within the state;” and

WHEREAS, Assembly Bill A. 1093 creates undue burdens on civilians renewing and applying for licenses and imposes extreme financial obligations on merchants who legally sell firearms; and

WHEREAS, Assembly Bills A.1275 and A. 2884, unfairly makes the otherwise legal sale of firearms a misdemeanor if the sales venue is located on public property; and

WHEREAS, the County of Erie is home to a thriving sporting industry, as evidenced by the presence of the Alden Rod & Gun Club, Allied Sportsmen of WNY, Bassmasters, Bison City Rod & Gun Club, Blasdell Rod & Gun Club, Boston Valley Conservation Society, Bow, Rod & Gun Conservation Club, Buffalo Bowhunter’s, Buffalo Rod & Gun Club, Collin’s Conservation Club, Crow’s Nest Fishing Club, Deer Search, Inc., Depew Rod & Gun Club, East Aurora Fish & Game Club, Inc., Eastern Lake Erie Charter Boat Association, Eden-North Collin's Gun Club, Elks Head Hunting & Fishing Club, Elma Conservation Club, Inc., Erie County Bassmaster's, Erie County Conservation Society, Erie County Trapper's, Erie Fish & Game Protective Association, Evan's Rod & Gun Club, Finger Lakes & WNY Waterfowl Association, Friends & Neighbors Rod & Gun Club, George Washington Fishing & Camping Club, Inc., Glen Coe Conservation Club, Hamburg Rod & Gun Club, Inc., Hawkeye Bowmen, Inc., Holland Rod & Gun Club, Inc., Horn & Fin Sportsmen, Lackawanna Conservation Club, Lake Shore Fire Co. Exempt's Sportsmen's Club, Leo's Archery, Mark IV Fishing & Hunting Club, Millgrove Sportsmen's Club, Mohawk Rifle & Pistol Club, Inc., Niagara Musky Association, Inc., Niagara River Angler's Association, Niagara River Station Fishing Club, NWTF-Niagara Chapter, New York Bowhunters, Inc., NY Walleye Association, Pheasant's Forever of WNY, Safari Club International, Inc., SCOPE - WNY Chapter, Simon Girty Long Rifles, Southtowns Walleye Association of W.N.Y. Inc., Springville Field & Stream, Trailblazer's R & D Club, West Falls Conservation Society, Inc., Winchester Rifle & Gun Club, Wincrest Sportsmen Association, WNY Bassmasters, WNY Sportsmen's Association, WNY Trout Unlimited, Wood & Brook Sportsman's Club, Inc, among others; and

WHEREAS, it is the right of the citizens of Erie County to take measures necessary to be secure in their homes against criminals and other dangerous trespassers, which may include the use of a firearm for protection.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby oppose the enactment of any legislation by the New York State Legislature that fundamentally alters or abridges the right to keep and bear arms; and be it further

RESOLVED, that the Erie County Legislature calls upon our elected representatives in New York State government to reject Assembly Bills 1093, 1275 and 2884, and any companion bills to the same in the New York State Senate; and be it further

RESOLVED, that a certified copy of this resolution be forwarded to Governor David Paterson, Assembly Speaker Sheldon Silver, Majority Leader Dean Skelos and the local delegation to the New York State Legislature.

(6-0)

4. COMM. 11E-10 (2009)
COUNTY EXECUTIVE

WHEREAS, the County Executive's office is seeking authorization to enter into a lease agreement and continue occupancy at 438 Main Street with Main Court LLC; and

WHEREAS, the New York State Judiciary Law requires the County in which an Associate Judge of the Court of Appeals is resident to provide local chambers for that Judge; and

WHEREAS, Judge Pigott has approved the County's entry into the lease for local chambers that meet his requirements and those of his staff and satisfy the many specifications of the New York State Office of Court Administration; and

WHEREAS, it is necessary to approve the County's entry into the lease with Main Court LLC, the landlord; and

WHEREAS, the proposed lease is a five year lease term with a termination option at the end of year three upon giving the Landlord 120 days written notice; and

WHEREAS, the base per square foot rental renewal amount is reduced compared to previous lease agreements; and

WHEREAS, there are no additional County funds required to renew this lease, as funding for this leased space is budgeted and is available in the 2009 Adopted Budget, with all expenditures being 100% reimbursed by New York State.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into a 5 year lease agreement with the Landlord proposed, Main Court LLC; and be it further

RESOLVED, due to the immediate need to continue occupancy, the requirement for Request for Proposals is waived; and be it further

RESOLVED, that the Erie County Executive and/or the Director of Real Estate are authorized to execute the lease for 438 Main Street; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the Erie County Executive, the Department of Public Works - Director of Real Estate, the Erie County Comptroller, Director of the Division of Budget and Management, and the Department of Law.

(6-0)

BARBARA MILLER-WILLIAMS
CHAIR