



THE ERIE COUNTY LEGISLATURE

Session No. 12
June 22, 2006

Lynn M. Marinelli
Chairman

Maria R. Whyte
Majority Leader

Barry A. Weinstein
Minority Leader

Kevin M. Kelley
Clerk of the Legislature

ROLL CALL

INVOCATION – Pastor Gary Beers – Eastern Hill Wesleyan Church

PLEDGE OF ALLEGIANCE – Mr. Reynolds

TABLED ITEMS

ITEMS FOR RECONSIDERATION FROM PREVIOUS MEETING

MINUTES OF PREVIOUS MEETING

PUBLIC HEARING

MISCELLANEOUS RESOLUTIONS

HOLT	In Memory of Jack Crumpton
MAJORITY CAUCUS	Honoring Ken Dyer Upon His Retirement After 35 Years of Service as Watch Attendant for Erie County Courthouse
MARINELLI	Honoring Members of the Erie County Charter Revision Commission for There Hardwork and Dedication
MARINELLI	Honoring the 60th Anniversary of Alexander & Florence Antkowiak June 29, 2006
MARINELLI	Recognizing the 90th Birthday of Clinton Johnson on June 29, 2006
KONST	Honoring Earl's Restaurant for Celebrating Their 50th Anniversary
KENNEDY	Honoring SUNY-Buffalo Institution for Non-Profits

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	

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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COMMITTEE REPORTS

REPORT NO. 9	HEALTH COMMITTEE
REPORT NO. 11	ENERGY & ENVIRONMENT COMMITTEE
REPORT NO. 8	PUBLIC SAFETY COMMITTEE
REPORT NO. 8	COMMUNITY ENRICHMENT COMMITTEE
REPORT NO. 10	GOVERNMENT AFFAIRS COMMITTEE
REPORT NO. 10	ECONOMIC DEVELOPMENT COMMITTEE
REPORT NO. 10	FINANCE & MANAGEMENT COMMITTEE
REPORT NO. 8	HUMAN SERVICES COMMITTEE

LEGISLATOR RESOLUTIONS:

REFERENCE

INTRO 12-1	MILLS, RANZENHOFER & WEINSTEIN	Transfer Tax & Highway Construction
INTRO 12-2	MARINELLI	Appointment to Fill Vacancies on the Erie County Audit Committee
INTRO 12-3	MARINELL, WHYTE, KOZUB, KENNEDY, HOLT,KONST, SMITH, MAZUR,LOCKLEAR, IANNELLO, REYNOLDS, LOUGHRAN, MILLS AND RANZENHOFER	Rate of Pay for Election Inspection for 2006 Elections
INTRO 12-4	MARINELLI, WHYTE & KENNEDY	Establishing a Citizens' Guide to the Parks
INTRO 12-5	MARINELLI, WHYTE, HOLT, KENNEDY, REYNOLDS & KOZUB	Elected Officials in Erie County & Terms of Office
INTRO 12-6	SMITH	Accurate Census Bureau Count of Incarcerated Persons in Erie County

COMMUNICATIONS DISCHARGED FROM COMMITTEE:

SUSPENSION OF THE RULES:

COMMUNICATIONS FROM ELECTED OFFICIALS: **REFERENCE**

COMM. 12E-1	SHERIFF	Copy of Letter to CX Re: Vacant Positions in the Sheriff's Division	R&F
COMM. 12E-2	COUNTY EXECUTIVE	Veto of Local Law Intro. No. 3-2006	
COMM. 12E-3	COMPTROLLER	Vulcan Street Agreement	R&F
COMM. 12E-4	COMPTROLLER	Certificate of Determination by the County Comptroller Relative to Authorization, Issuance From and Content, Sale and Award of a \$110 Million RAN - 2006A of the COE	RFP
COMM. 12E-5	WEINSTEIN	Copy of Letter to ECFSA Chairman Re: Home Nurse Visitation Program	R&F
COMM. 12E-6	WEINSTEIN	Notice of Absence from June 1 and June 15, 2006 Human Services Committee and June 22, 2006 Session	RFP
COMM. 12E-7	COMPTROLLER	Proposed "Capping" of Sales Taxes from Sale of Automotive Fuels	R&F

COMM. 12E-8	SMITH	Letter to County Executive Re: Mid-Year Budget Hearings	R&F
COMM. 12E-9	COMPTROLLER	Advising that the County is Scheduled to Close on a RAN During the Week of June 11, 2006	RFP
COMM. 12E-10	COMPTROLLER	Audited Financial Statements for ECC for the Fiscal Year Ended 8/31/05	R&F
COMM. 12E-11	COMPTROLLER	Vulcan Street Reconstruction Project	R&F
COMM. 12E-12	KONST	Letter to Comptroller Re: DPW Budget	Finance & Management
COMM. 12E-13	COUNTY EXECUTIVE	Board of Elections Reso on HAVA Expenses	Government Affairs
COMM. 12E-14	COUNTY EXECUTIVE	Office of County Executive - Valmark Contract: Market-Based Revenue Opportunities Initiative	Government Affairs
COMM. 12E-15	COUNTY EXECUTIVE	CPS - Acceptance of the Pilor Project with NYS Wireless or Its Representatives and Erie County, to Initiate the Statewide Wireless Network	
COMM. 12E-16	COUNTY EXECUTIVE	Institutional Energy Services Performance Contracting Program - Authorization to Enter into Financing Agreement	Community Enrichment
COMM. 12E-17	COUNTY EXECUTIVE	DPW - Acquisition of Property Right-of-Way - Reconstruction of Centerline Road Culvert (CR 175)	Economic Development
COMM. 12E-18	COUNTY EXECUTIVE	DPW - Rath Building - 2006 - 14th Floor Renovations, Funding Revisions	Economic Development
COMM. 12E-19	COUNTY EXECUTIVE	DPW - Roof Repair - Emergency Roofing Services - All County-Owned Buildings	Economic Development
COMM. 12E-20	COUNTY EXECUTIVE	Probation & CPS - Juvenile Accountability Block Grant Contract with the NYS Division of Criminal Justice	Public Safety
COMM. 12E-21	COUNTY EXECUTIVE	CPS - Site License Agreements with the NYS Wireless Network	Public Safety
COMM. 12E-22	COUNTY EXECUTIVE	CPS - Authorization to Enter into Memoranda of Understanding and Lease Agreements for Towers for the Simulcast Digital Alphanumeric Paging System	Public Safety

COMM. 12E-23	COUNTY EXECUTIVE	CPS/Emergency Services - Revision to the Resolution for the Approval of Additions to Prequalified List of Professionals and Approval of Fee for Services Contracts for PSCIM, NIMS and ICS Course Instructors and Facilitators	Public Safety
COMM. 12E-24	COUNTY EXECUTIVE	CPS - Emergency Response Training Center Grant - Transfer of Funds	Public Safety
COMM. 12E-25	COUNTY EXECUTIVE	CPS - Acceptance of Communications Grant Funding of \$2 Million	Public Safety
COMM. 12E-26	COUNTY EXECUTIVE	Conversion to Triennial Contracts for the STOP-DWI Office	Public Safety
COMM. 12E-27	COUNTY EXECUTIVE	Probation & Youth Detention Services - Adjustment in Personnel Budget	Public Safety
COMM. 12E-28	COUNTY EXECUTIVE	2005 Real Estate Transfer Tax - Surplus Revenue - Road Repair Reserve Fund	Economic Development
COMM. 12E-29	COUNTY EXECUTIVE	ECSD No. 5 - Sisters of St. Joseph - 10336 Main Street - Property Transfer	Energy & Environment
COMM. 12E-30	COUNTY EXECUTIVE	Senior Services - Authorization to Establish the POMP Grant Budget and to Amend the CSE, EISEP and SPAP Budgets	Human Services
COMM. 12E-31	COUNTY EXECUTIVE	Senior Services - Authorization to Amend the Title VII, LTCOP and RSVP Grant Budgets	Human Services
COMM. 12E-32	COUNTY EXECUTIVE	Social Services - Contract for Nursing Services	Human Services
COMM. 12E-33	COUNTY EXECUTIVE	Social Services - Employee Education and Training	Human Services
COMM. 12E-34	COUNTY EXECUTIVE	Health - Enhanced Drinking Water Protection Program - Grant Revision 127DRINWATER0405 and 127DRINWATER0607	Health
COMM. 12E-35	COUNTY EXECUTIVE	Request for Legislative Action to Increase the Erie County Dept. of Mental Health 2006 Appropriation by \$14,555	Health
COMM. 12E-36	COUNTY EXECUTIVE	DPW - Convention Center - Roof Replacement	Economic Development
COMM. 12E-37	COUNTY EXECUTIVE	DPW - Establishment of a Construction Inspector Position to Fulfill a Grievance	Government Affairs
COMM. 12E-38	COUNTY EXECUTIVE	Senior Services - Authorization to Revise the III-B, III-C-1, III-C-2 and III-E Grant Budgets	Human Services

COMM. 12E-39	COUNTY EXECUTIVE	ECSD No. 3 - Village of Blasdel - Proposed Amended Agreement	Energy & Environment
COMM. 12E-40	COUNTY EXECUTIVE	ECSD - Personnel Request	Energy & Environment
COMM. 12E-41	COUNTY EXECUTIVE	Buffalo River Water Trail Project, Grant Authorization	Energy & Environment
COMM. 12E-42	COUNTY EXECUTIVE	Probation & Youth Detention Services - Purchase of Equipment	Public Safety
COMM. 12E-43	COUNTY EXECUTIVE	Botanical Gardens - Remedial Structure Repairs	Economic Development
COMM. 12E-44	SHERIFF	Sheriffs Office - Personnel Adjustment	Public Safety
COMM. 12E-45	SHERIFF	Jail Management Division - Staffing Requirements	Public Safety

<u>COMMUNICATIONS FROM THE DEPARTMENTS:</u>			<u>REFERENCE</u>
COMM. 12D-1	COUNTY ATTORNEY	Transmittal of New Claims Against Erie County	R&F
COMM. 12D-2	ECC	Notice of ECC Board of Trustees Meeting to be Held 6/28/06	R&F
COMM. 12D-3	COUNTY ATTORNEY	Resolution Requesting Authorization to Enter Lease With Omnipoint Communications, Inc. for Space on Cess Tower at ECC South Campus	R&F
COMM. 12D-4	BECPL	Report on Cost-Saving Initiatives	Community Enrichment
COMM. 12D-5	ECC	State Education Law Which Define the Impact of a Reduction in Local Sponsor Support to ECC	Community Enrichment
COMM. 12D-6	ECC	Periodic Review Report for the Middle States Commission on Higher Education	R&F
COMM. 12D-7	ECC	ECC Budget Information	R&F
COMM. 12D-8	BECPL	Proposed Agenda for 6/1/06 Board of Trustees Meeting	R&F
COMM. 12D-9	ECMCC	Combined Statement of Activities & Changes in Net Assets for the Periods Ended 5/31/06	R&F
COMM. 12D-10	BOARD OF ELECTIONS	Request for a Supplemental Appropriation to the 2006 Budget	Government Affairs
COMM. 12D-11	DPW	Storm Water Annual Report Year 3	R&F

COMM. 12D-12	DPW	Construction Contingency Chart	Economic Development
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<u>COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES:</u>	<u>REFERENCE</u>
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COMM. 12M-1	ECWA	Comprehensive Annual Financial Report for the Year Ended 12/31/05	R&F
COMM. 12M-2	TOWN OF AMHERST	Certified Resolution Re: Removal of Toll Barriers	R&F
COMM. 12M-3	TOWN OF ELMA	Certified Resolution Re: Opposition of Erie County Legislature's Four (4) Year Plan for Erie County	R&F
COMM. 12M-4	ECFSA	Copy of Letter to County Attorney and Budget Director Re: County's Use of Leased Office Space	R&F
COMM. 12M-5	BUFFALO NIAGARA PARTNERSHIP	Letter to Marinelli Re: County Borrowing	R&F
COMM. 12M-6	TOWN OF MARINELLI	Certified Resolution Re: Sales Tax Sharing	R&F
COMM. 12M-7	ERIE COUNTY ENVIRONMENTAL MANAGEMENT COUNCIL	Notice & Agenda of Meeting for 6/20/06 Meeting	R&F
COMM. 12M-8	ECFSA	Copy of Three (3) Certified Resolutions	R&F
COMM. 12M-9	ECWA	Letter to Marinelli Re: Presentation to Energy & Environment Committee	Energy & Environment
COMM. 12M-10	ASSEMBLYMAN TOKASZ & SENATOR VOLKER	Notice That NYS Legislature did not Approve \$5 Fee on Certain Court Document Filings With the County Clerk's Office	Finance & Management
COMM. 12M-11	NYS ASSEMBLYMAN SCHIMMINGER	Copy of Letter to NYS Division of Parole Chairman and Erie County Social Services Commissioner Re: State Parole Move to 460 Main Street	R&F
COMM. 12M-12	TOWN OF EDEN	Certified Resolution Re: Opposition to Four Year Plan	R&F
COMM. 12M-13	TOWN OF BRANT	Certified Resolution Re: Opposition to Four Year Plan	R&F
COMM. 12M-14	ERIE COUNTY CHARTER REVISION COMMISSION	Final Recommendations	

MEMORIAL RESOLUTIONS:

ADJOURNMENT: