

ERIE COUNTY LEGISLATURE  
MEETING NO. 2  
January 23, 1997

The Legislature was called to order by Chairman SWANICK.

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All Members Present.

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The Invocation was delivered by Matthew Herdzik, First Baptist Church of Marilla, New York.

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The Pledge of Allegiance was led by Mr. Ranzenhofer.

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The Minutes of the previous meeting were approved.

ITEMS ON THE TABLE:

ITEM 1 - Ms. PEOPLES moved to take the Minutes of Meetings 27-29, 1996 from the table for immediate consideration. Mr. MARSHALL seconded.

CARRIED UNANIMOUSLY.

Ms. PEOPLES moved the adoption. Mr. MARSHALL seconded.

CARRIED UNANIMOUSLY.

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ITEM 2 - Chairman SWANICK directed that the designation of the Newspapers for the Democratic Majority for 1997 be RECEIVED, FILED & PRINTED.

January 23, 1997

Dear Madame Clerk:

RESOLVED, that pursuant to Section 214, Subdivision 2 of the County law as Amended, the following newspaper, VIZ: **FRONT PAGE**, published in Lackawanna, New York, having a general circulation in the County of Erie, is hereby designated as the official newspaper for the publication of all local laws, notices and other matters required by law to be published for the County of Erie, effective January 1, 1997:

EDWARD J. KUWIK  
GEORGE A. HOLT, Jr.  
GREGORY B. OLMA  
CRYSTAL D. PEOPLES  
CHARLES M. SWANICK  
RANDI COHEN KENNEDY

MICHAEL A. FITZPATRICK  
JUDITH P. FISHER  
ALBERT DEBENEDETTI  
RAYMOND K. DUSZA  
LYNN M. MARINELLI

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January 23, 1997

Dear Madame Clerk:

We, the undersigned, a Majority of the members of the Erie County Legislature representing the Demorcratic Party, which is one of the principal political parties into which the people of the county are divided, do hereby designate the **TONAWANDA NEWS**, published in Tonawanda, New York, and fairly representating the political party to which we belong, to publish the Concurrent Resolutions of the New York State Legislature required by law to be published for the year 1997.

EDWARD J. KUWIK  
GEORGE A. HOLT, Jr.  
GREGORY B. OLMA  
CRYSTAL D. PEOPLES  
CHARLES M. SWANICK  
RANDI COHEN KENNEDY

MICHAEL A. FITZPATRICK  
JUDITH P. FISHER  
ALBERT DEBENEDETTI  
RAYMOND K. DUSZA  
LYNN M. MARINELLI

RECEIVED, FILED & PRINTED.

MISCELLANEOUS RESOLUTIONS:

ITEM 3 - Mr. LARSON presented a resolution of congratulations Honoring the New York Chiropractic Council and the Food Bank for H.O.P.E. Day (Helping Other People Eat). Mr. MARSHALL seconded.

CARRIED UNANIMOUSLY.

ITEM 4 - Mr. PAULY presented a resolution of congratulations to New York Chiropractic Council & Food Bank. Mr. MARSHALL seconded.

CARRIED UNANIMOUSLY.

ITEM 5 - Mr. VILLARINI presented a resolution of congratulations to David B. Burke, Sr. - "Citizen of the Year", Evans-Brant Chamber of Commerce. Mr. MARSHALL seconded.

CARRIED UNANIMOUSLY.

LEGISLATORS RESOLUTIONS:

ITEM 6 - Mr. MARSHALL presented the following resolution and moved for immediate consideration. Mr. GREENAN seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 10      Re:    Support for ECMC Proposal for Hospital &  
                                 Physician Care for Inmates in Western  
                                 New York    (Int. 2-1)

**WHEREAS**, in August, 1996, the ECMC responded to a RFP for Hospital and Physician Specialty Care for Inmates in WNY (Hub 8) issued by the New York State Department of Correctional Services (NYS DOCS) and

WHEREAS, ECMC was one of nine respondents to the RFP, and

**WHEREAS**, ECMC is the current provider for the majority of hospital, physician and specialty care for NYS DOCS and had established a relationship with the State of New York for the past ten years, and

WHEREAS, one of the major requirements of the RFP was for the respondents to outline a network of hospitals and specialty physicians along with the designation of a tertiary hospital and that ECMC does, in fact, meet this requirement as it is only one of three tertiary care providers in Western New York, and

WHEREAS, in October, 1996, ECMC was advised that its proposal had not been selected, but rather the proposal of Correctional Physician Services, Inc. (CPS) of Blue Bell, Pennsylvania, was chosen, and

WHEREAS, it has come to the attention of ECMC that CPS is experiencing difficulty in putting together a network of physicians and health care institutions necessary to fulfill the requirements of its proposal,

NOW, THEREFORE, BE IT

RESOLVED, that this Honorable Body requests the NYS DOCS to determine if CPS can, in fact, fulfill the requirements of its proposal, and be it further

RESOLVED, that this Honorable Body requests the NYS DOCS, if upon determining that CPS cannot fulfill its proposal or has so amended its proposal as to constitute a new proposal, reject its proposal and permit the other respondents to submit amended or enhanced proposals, and be it further

RESOLVED, that this Honorable Body strongly supports the proposal of ECMC as being the best-suited and most cost-effective for the NYS DOCS and state taxpayers, and be it further

RESOLVED, that a copy of this resolution be transmitted Governor George Pataki, members of the Western New York State Delegation and the Commissioner of the NYS Department of Correctional Services, and Paul Candino, Chief Executive Office, ECMC.

FREDERICK J. MARSHALL

Chairman SWANICK directed that Et al be added to the sponsorship.

Mr. MARSHALL moved the adoption of the resolution as amended. Mr. GREENAN seconded.

CARRIED UNANIMOUSLY.

ITEM 7 - Mr. DEBENEDETTI presented the following resolution and moved for immediate consideration. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 11 Re: Section 8 Housing (Int. 2-2)

WHEREAS, The Belmont Shelter Corporation has a contract with Erie County to administer the local share of the Department of Housing and Urban Development's Section 8 subsidized housing program, and

WHEREAS, The Rental Assistance Center administers HUD's Section 8 program in the City of Buffalo, and

WHEREAS, A City of Buffalo resident recently complained to a Federal judge that she was the victim of racial discrimination at the hands of the Belmont Shelter Corporation, and

WHEREAS, The complainant alleged that the Belmont Shelter Corp. refused to provide her with a list of suburban apartments that are available for Section 8 participants, and

WHEREAS, Officials at Belmont supposedly refused the client a list of available suburban properties because, due to her current address, she was a client of the Rental Assistance Center, and

WHEREAS, There is a seven-year-old public housing discrimination lawsuit in U.S. Federal Court involving the Belmont Shelter Corp. and the Department of Housing and Urban Development, and

WHEREAS, The lawsuit claims that minorities with HUD subsidies have been "steered" to city dwellings, while whites had an easier time securing suburban apartments, and

WHEREAS, The Buffalo metropolitan area is the fourth most segregated area in the country, and

WHEREAS, Erie County's suburbs are 95% white, and

WHEREAS, 6,976 families in Erie County receive government assistance to rent private apartments under HUD's Section 8 program, and

WHEREAS, Though 21% of applicants for suburban vouchers were black, only 3% of those getting suburban apartments were minorities, and

WHEREAS, HUD has announced that the Belmont Shelter Corp. is changing its policy so that anyone who qualifies for federal rent subsidies can receive a list of suburban properties, regardless of current address.

NOW, THEREFORE, BE IT

RESOLVED, That the Erie County Legislature believes that every resident of Erie County should have access to any housing which is subsidized by the federal government, and be it further

RESOLVED, That this Body invites the Belmont Shelter Corp. to meet with this Legislative Body to discuss a) the specific incident mentioned above, b) the ongoing federal lawsuit, and c) the possibility of merging with the Rental Assistance Center so that there is one agency administering Section 8 funds in the City of Buffalo and Erie County, and be it further

RESOLVED, That certified copies of this resolution be forwarded to the Belmont Shelter Corp.; the Rental Assistance Center; Judge John Curtin; Sharon Smith; James Morrissey, director of the Western New York Law Center; Ellen Yacknin, the Greater Upstate Law Project; and the Western New York offices of the Department of Housing and Urban Development.

Fiscal Impact: None for resolution

ALBERT DEBENEDETTI

JUDITH P. FISHER

Mr. DEBENEDETTI offered an amendment as follows:

Delete the 2nd RESOLVE clause and replace with the following RESOLVE Clause to read as follows:

RESOLVED, That this Body does hereby invite representatives of the Belmont Shelter Corp. to a future meeting of the Legislature's Energy and Environment Committee to discuss the specific incident mentioned above, the ongoing federal litigation, and the possible merging with the Rental Assistance Center so, that there is one agency administering Section 8 funds in the City of Buffalo and Erie County, and be it further

Mr. DEBENEDETTI moved the adoption of the amendment. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

Chairman SWANICK directed that the names of Legislators Kuwik, Fitzpatrick, Holt, Olma, Peoples, Dusza, Swanick, Marinelli and Cohen Kennedy be added as co-sponsors.

Mr. DEBENEDETTI moved the adoption of the resolution as amended. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

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ITEM 8 - Mr. LARSON presented the following resolution and requested that it be referred to the PUBLIC SAFETY COMMITTEE.

GRANTED.

Int. 2-3 From: Legs. Larson, Greenan, Marshall, Ranzenhofer & Villarini Re: Crime Victims Advisory Panel

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IREM 9 - Ms. PEOPLES presented the following resolution and moved for immediate consideration. Mr. MARSHALL seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 12 Re: Argicultural Districts (Int. 2-4)

WHEREAS, the Erie County Legislature has received notification of the eight-year review requirement of the Eden Valley (#2), Eden Boston (#3) and Eden Langford (#4) Agricultural Districts which were created in 1973 and recertified every 8 years thereafter, and

WHEREAS, a copy of these three (3) Agricultural Districts maps are on file in the County Clerk's office and the Eden, Hamburg, Orchard Park, and Boston Town Halls and North Collins Municipal Office.

NOW, THEREFORE, BE IT

RESOLVED, that the Clerk of the Legislature be directed to publish a public notice in a newspaper having general circulation within the area of the above agricultural districts, that notice be posted in at least five conspicuous places within the districts, and that notice also be sent to the affected municipalities, being the Towns of Eden, Hamburg, Orchard Park, Boston and North Collins, and be it further

CHARLES M. SWANICK

CARRIED UNANIMOUSLY.

CARRIED UNANIMOUSLY.

WHEREAS, a major component of the Greenway is a Plaza planned for the Inner Harbor that will serve the needs generated by the three main spokes of the Greenway System--the Buffalo River Greenway, the Riverwalk, and the Outer Harbor Greenway--and which will include lockers, rest rooms, water fountains, bicycle racks, and concession stands, and



WHEREAS, the Buffalo Greenway System promises to benefit the City of Buffalo and Erie County in many ways, among them: increased access to the waterfront, reduced traffic congestion, recreational opportunities, more green space, linkage of local attractions on the waterfront, integration of recreational sites including the Olmsted Parks which will be linked to the waterfront and to each other through the Greenway, educational opportunities through such elements as the Industrial Heritage Trail, historic markers, and linkage to the proposed Cobblestone Historic District in downtown Buffalo,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby go on record as strongly supporting the Buffalo Common Council's Ordinance Amendment Chapter 493--Waterfront Greenway System, which promises to greatly enhance the aesthetic, environmental and recreational vitality of a rejuvenated waterfront and urges the Buffalo Common Council to pass the Amendment as soon as possible, and be it further

RESOLVED, that certified copies of this resolution be sent to Erie County Executive Dennis T. Gorski, City of Buffalo Mayor Anthony M. Masiello, Buffalo City Clerk Charles Michaux, United States Senators Alfonse D'Amato and Daniel Patrick Moynihan, United States Representatives John LaFalce, Bill Paxon and Jack Quinn and to the members of the Western New York delegations to the State Assembly and Senate.

Fiscal Impact: None for Resolution.

CHARLES M. SWANICK      CRYSTAL D. PEOPLES      EDWARD J. KUWIK  
MICHAEL A. FITZPATRICK      GEORGE A. HOLT, Jr.      JUDITH P. FISHER  
GREGORY B. OLMA      ALBERT DEBENEDETTI      RAYMOND K. DUSZA  
LYNN M. MARINELLI      RANDI COHEN KENNEDY

Chairman directed that Int. 2-5 be TABLED.

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ITEM 11 - Ms. PEOPLES presented the following resolution and moved for immediate consideration. Ms. COHEN KENNEDY seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 14      Re: Release of Funds from Legislature  
Contingency      (Int. 2-6)

WHEREAS, the Legislature set aside funds in the 1997 Erie County Budget for use by worthy community organizations and governmental agencies, and

WHEREAS, this funding may be provided by the County of Erie to local community based organizations and agencies for the purposes of assisting our youth or senior citizens, and to assist in crime fighting, emergency services, or other types of neighborhood based service delivery, and

WHEREAS, the Legislature must pass an enabling resolution such as this to effect this transfer of funds,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$50,000 from the legislative contingency (Countywide Contingency DAC: 110923310893) to Fund 110, Project 921, Department 301 Agency Payments & Grants - Public Benefit Services, (DAC: 110921301830), for paying the following agencies:

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
Polish	830/0362	\$ 50,000
Community Center		
<b>TOTAL</b>		<b>\$ 50,000</b>

and be it further

RESOLVED, that the County Executive is hereby authorized to enter into contract with the agency cited, and be it further

RESOLVED, that certified copies of this resolution be sent to County Executive Gorski, Budget Director Sheila Kee, First Assistant County Attorney Alan Gerstman, Budget Analyst Jackie Mullen, and to the Polish Community Center.

Fiscal Impact: Appropriation of 1997 budgeted funds.

CHARLES M. SWANICK

CRYSTAL DAVIS PEOPLES

Ms. PEOPLES moved the adoption. Ms. COHEN KENNEDY seconded.

CARRIED UNANIMOUSLY.

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ITEM 12 - Ms. PEOPLES presented the following resolution and moved for immediate consideration. Mr. HOLT seconded.

CARRIED UNANIMOUSLY.

Chairman SWANICK directed that Et al be added to the sponsorship.

Ms. PEOPLES moved the adoption of the resolution as amended.  
Mr. HOLT seconded.

CARRIED UNANIMOUSLY.

ITEM 16 - Mr. DUSZA presented the following resolution and moved for immediate consideration. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 16 Re: Release of Funds From Legislature  
Contingency (Int. 2-8)

WHEREAS, the Legislature set aside funds in the 1997 Erie County Budget for use by worthy community organizations and governmental agencies, and

WHEREAS, this funding may be provided by the County of Erie to local community based organizations and agencies for the purposes of assisting our youth or senior citizens, and to assist in crime fighting, emergency services, or other types of neighborhood based service delivery, and

WHEREAS, the Legislature must pass an enabling resolution such as this to effect this transfer of funds,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$3,000 from the legislative contingency (Countywide Contingency DAC: 110923310893) to Fund 110, Project 921, Department 301 Agency Payments & Grants - Public Benefit Services, (DAC: 110921301830), for paying the following agencies:

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
AFL-CIO	830/0256	\$ 3,000
Labor Day Parade		
<b>TOTAL</b>		<b>\$ 3,000</b>

and be it further

RESOLVED, that the County Executive is hereby authorized to enter into new or amended contracts with the agency cited, and be it further

RESOLVED, that certified copies of this resolution be sent to County Executive Gorski, Budget Director Sheila Kee, First Assistant County Attorney Alan Gerstman, Budget Analyst Jackie Mullen, and to John Kaczorowski, President, Buffalo AFL-CIO Council, 295 Main St., Room 532, Buffalo, NY 14203.

Fiscal Impact: Appropriation of 1997 budgeted funds.

RAYMOND K. DUSZA

Mr. DUSZA moved the adoption. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

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ITEM 14 - Ms. PEOPLES presented the following resolution and moved for immediate consideration. Mr. DEBENEDETTI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 17 Re: Funding for Erie County Household Hazardous Waste Drop-Off Days & For Indoor Air Quality (Int. 2-9)

WHEREAS, the Legislature set aside funds in the 1997 Erie County Budget for use by worthy community organizations and governmental agencies, and

WHEREAS, this funding may be provided by the County of Erie to local community based organizations and agencies for the purposes of assisting our youth or senior citizens, and to assist in crime fighting, emergency services, or other types of neighborhood based service delivery, and

WHEREAS, the County of Erie has routinely sponsored "Household Hazardous Waste Drop-Off Days" at locations throughout Erie County a few times each year to assist in the proper disposal of old paint, motor oil, and other substances damaging to our environment, and

WHEREAS, the County also makes available to the public Radon Testing kits, which are available through every legislator's district office, which serve to test for radon gas in people's homes, and

WHEREAS, \$15,000 was set aside in the Legislative Contingency to fund these two vitally important initiatives, and

WHEREAS, the Legislature must pass an enabling resolution such as this to effect this transfer of funds,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$15,000 from the legislative contingency (Countywide Contingency DAC: 110923310893) to the Department of Environment and Planning, Fund 110, Project 945, in the following manner:

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
Hazardous Waste Days	830/0270	\$12,000
Indoor Air Quality	830/0736	\$ 3,000
<b>TOTAL</b>		<b>\$ 15,000</b>

and be it further

RESOLVED, that the County Executive and the Budget Director are hereby authorized to complete any necessary steps to effectuate this line-item transfer of funds, and be it further

RESOLVED, that certified copies of this resolution be sent to County Executive Gorski, Budget Director Sheila Kee, First Assistant County Attorney Alan Gerstman, Budget Analyst Jackie Mullen, and to Environment and Planning Commissioner Richard Tobe.

Fiscal Impact: Appropriation of 1997 budgeted funds.

CHARLES M. SWANICK	CRYSTAL D. PEOPLES	EDWARD J. KUWIK
MICHAEL A. FITZPATRICK	GEORGE A. HOLT, Jr.	JUDITH P. FISHER
GREGORY B. OLMA	ALBERT DEBENEDETTI	RAYMOND K. DUSZA
	LYNN M. MARINELLI	RANDI COHEN KENNEDY

Ms. PEOPLES moved the adoption. Mr. DEBENEDETTI seconded.

CARRIED UNANIMOUSLY.

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ITEM 15 - Mr. FITZPATRICK presented the following resolution and moved for immediate consideration. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 18 Re: Release of Funds From Legislature  
Contingency (Int. 2-10)

WHEREAS, the Legislature set aside funds in the 1997 Erie County Budget for use by worthy community organizations and governmental agencies, and

WHEREAS, this funding may be provided by the County of Erie to local community based organizations and agencies for the purposes of assisting our youth or senior citizens, and to assist in crime fighting, emergency services, or other types of neighborhood based service delivery, and

WHEREAS, the Legislature must pass an enabling resolution such as this to effect this transfer of funds,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$55,000 from the legislative contingency (Countywide Contingency DAC: 110923310893) to Fund 110, Project 921, Department 301 Agency Payments & Grants - Public Benefit Services, (DAC: 110921301830), for paying the following agencies:

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
Valley Community Association	830/0239	\$ 20,000
Advisory Board - Lovejoy	n/a	
Elderly & Youth	830/0304	\$ 15,000
Cazenovia Park Hockey Association	n/a	\$ 10,000
South Buffalo Soccer Club	n/a	\$ 5,000
South Buffalo Community Table	n/a	\$ 2,500
South Buffalo Food Pantry	n/a	\$ 2,500
<b>TOTAL</b>		<b>\$ 55,000</b>

and be it further

RESOLVED, that the County Executive is hereby authorized to enter into contracts with the agencies cited, and be it further

RESOLVED, that certified copies of this resolution be sent to County Executive Gorski, Budget Director Sheila Kee, First Assistant County Attorney Alan Gerstman, Budget Analyst Jackie Mullen, and to the Valley Community Association, the Advisory Board - Lovejoy Elderly & Youth, the Cazenovia Park Hockey Association, the South Buffalo Soccer Club, the South Buffalo Community Table, and to the South Buffalo Food Pantry.

Fiscal Impact: Appropriation of 1997 budgeted funds.

MICHAEL A. FITZPATRICK

Mr. FITZPATRICK moved the adoption. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

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ITEM 16 - Ms. COHEN KENNEDY presented the following resolution and requested that it be referred to the COMMUNITY ENRICHMENT COMMITTEE.

GRANTED.

Int. 2-11 From: Leg. Cohen Kennedy Re: Enhancing Library Service in the Town of Amherst

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ITEM 17 - Mr. HOLT presented the following resolution and moved for immediate consideration. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 19 Re: Release of Funds From Legislature Contingency (Int. 2-12)

WHEREAS, the Legislature set aside funds in the 1997 Erie County Budget for use by worthy community organizations and governmental agencies, and

WHEREAS, this funding may be provided by the County of Erie to local community based organizations and agencies for the purposes of assisting our youth or senior citizens, and to assist in crime fighting, emergency services, or other types of neighborhood based service delivery, and

WHEREAS, the Legislature must pass an enabling resolution such as this to effect this transfer of funds,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$70,455 from the legislative contingency (Countywide Contingency DAC: 110923310893) to Fund 110, Project 921, Department 301 - Agency Payments & Grants - Public Benefit Services, (DAC: 110921301830), for paying the following agencies:



<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
YMCA/Wm. Emslie	830/0753	\$70,455
Agency Consortium		
<b>TOTAL</b>		<b>\$ 70,455</b>

and be it further

RESOLVED, that the County Executive is hereby authorized to enter into new or amended contracts with the agency cited, and be it further

RESOLVED, that certified copies of this resolution be sent to County Executive Gorski, Budget Director Sheila Kee, First Assistant County Attorney Alan Gerstman, Budget Analyst Jackie Mullen, and to Larry Stitt of the William Emslie YMCA, 585 William St., Buffalo, NY 14206.

Fiscal Impact: Appropriation of 1997 budgeted funds.

GEORGE A. HOLT, Jr.

Mr. HOLT moved the adoption. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

ITEM 18 - Ms. MARINELLI presented the following resolution and moved for immediate consideration. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 20      Re:   Site Study - Grain Elevator  
Demolition & Rehabilitation of Site  
Town of Tonawanda    (Int. 2-13)

WHEREAS, the Legislature set aside funds in the 1997 Erie County Budget for use by worthy community organizations and governmental agencies, and

WHEREAS, this funding may be provided by the County of Erie to local community based organizations and agencies for the purposes of assisting our youth or senior citizens, and to assist in crime fighting, emergency services, or other types of neighborhood based service delivery, and

WHEREAS, located near Military Road in the town of Tonawanda sits an abandoned grain elevator that county and town officials have attempted to have demolished for several years, and

WHEREAS, the aforementioned grain elevator has long been a cause for concern due to the fact that people congregate around the site, often engaging in questionable conduct, posing a safety risk to people and property in the surrounding area, and

WHEREAS, a grant from the county in the amount of \$5,000 to the town's Development Corporation, the entity that has assisted in the development of plans to deal with the site, would continue past efforts on the town's part to work toward a reasonable resolution of this problem, and

WHEREAS, the Legislature must pass an enabling resolution such as this to effect this transfer of funds,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$5,000 from the legislative contingency (Countywide Contingency DAC: 110923310893) to Fund 110, Project 921, Department 301 Agency Payments & Grants - Public Benefit Services, (DAC: 110921301830), for paying the following agencies:

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
Town of Tonawanda Development Corporation	830/0746	\$ 5,000
<b>TOTAL</b>		<b>\$ 5,000</b>

and be it further

RESOLVED, that the County Executive is hereby authorized to enter into contracts with the agency cited, and be it further

RESOLVED, that certified copies of this resolution be sent to County Executive Gorski, Budget Director Sheila Kee, First Assistant County Attorney Alan Gerstman, Budget Analyst Jackie Mullen, and to Robert Dimmig, of the Town of Tonawanda Development Corporation, 2882 Delaware Ave., Kenmore, NY 14217.

Fiscal Impact: Appropriation of 1997 budgeted funds.

CHARLES M. SWANICK

LYNN M. MARINELLI

Ms. MARINELLI moved the adoption. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

ITEM 19 - Mrs. FISHER presented the following resolution and moved for immediate consideration. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 21 Re: Assisting Our Senior Citizens  
(Int. 2-14)

WHEREAS, the Legislature set aside funds in the 1997 Erie County Budget for use by worthy community organizations and governmental agencies, and

WHEREAS, this funding may be provided by the County of Erie to local community based organizations and agencies for the purposes of assisting our youth or senior citizens, and to assist in crime fighting, emergency services, or other types of neighborhood based service delivery, and

WHEREAS, the Legislature must pass an enabling resolution such as this to effect this transfer of funds,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$10,000 from the legislative contingency (Countywide Contingency DAC: 110923310893) to Fund 110, Project 921, Department 301 Agency Payments & Grants - Public Benefit Services, (DAC: 110921301830), for paying the following agencies:

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
Hispanics United of Buffalo - Senior Citizens	830/0220	\$ 10,000

<b>TOTAL</b>		<b>\$ 10,000</b>
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and be it further

RESOLVED, that the County Executive is hereby authorized to enter into contracts with the agency cited, and be it further

RESOLVED, that certified copies of this resolution be sent to County Executive Gorski, Budget Director Sheila Kee, First Assistant County Attorney Alan Gerstman, Budget Analyst Jackie Mullen, and to Hispanics United of Buffalo, 254 Virginia St., Buffalo, NY 14201.

Fiscal Impact: Appropriation of 1997 budgeted funds.

JUDITH P. FISHER

Mrs. FISHER moved the adoption. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

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ITEM 20 - Ms. PEOPLES presented the following resolution and moved for immediate consideration. Mr. DEBENEDETTI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 22 Re: Release of Funds From Legislature  
Contingency (Int. 2-15)

WHEREAS, the Legislature set aside funds in the 1997 Erie County Budget for use by worthy community organizations and governmental agencies, and

WHEREAS, this funding may be provided by the County of Erie to local community based organizations and agencies for the purposes of assisting our youth or senior citizens, and to assist in crime fighting, emergency services, or other types of neighborhood based service delivery, and

WHEREAS, the Legislature must pass an enabling resolution such as this to effect this transfer of funds,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$20,500 from the legislative contingency (Countywide Contingency DAC: 110923310893) to Fund 110, Project 921, Department 301 Agency Payments & Grants - Public Benefit Services, (DAC: 110921301830), for paying the following agencies:

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
Boys Club of the Tonawandas	n/a	\$ 12,500
Grand Island Chamber of Commerce	n/a	\$ 8,000
<b>TOTAL</b>		<b>\$ 20,500</b>

and be it further

RESOLVED, that the County Executive is hereby authorized to enter into contracts with the agency cited, and be it further

RESOLVED, that certified copies of this resolution be sent to County Executive Gorski, Budget Director Sheila Kee, First Assistant County Attorney Alan Gerstman, Budget Analyst Jackie Mullen, Michael Basehart, Executive Director of the Boys Club of the Tonawandas, 325 Franklin St., Tonawanda, NY 14150, and to Michael McDonough, President of the Grand Island Chamber of Commerce, 1763 Baseline Rd., Grand Island, NY 14072

Fiscal Impact: Appropriation of 1997 budgeted funds.

CHARLES M. SWANICK

Ms. PEOPLES moved the adoption. Mr. DEBENEDETTI seconded.

CARRIED UNANIMOUSLY.

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ITEM 21 - Mr. MARSHALL presented the following resolution and moved for immediate consideration. Mr. GREENAN seconded.

Int. 2-16 From: Legs. Marshall, Greenan & Larson Re: County's Non-Compliance with Civil Service Laws

Chairman SWANICK directed that Int. 2-16 be referred to the GOVERNMENT AFFAIRS COMMITTEE.

Mr. GREENAN moved to Challenge the Chair. Mr. MARSHALL seconded.

Chairman SWANICK directed that a Roll Call be taken.

Ayes - Greenan, Larson, Marshall, Pauly, Ranzenhofer, Villarini - 6. Noes - DeBenedetti, Dusza, Fisher, Fitzpatrick, Holt, Cohen Kennedy, Kuwik, Marinelli, Olma, Peoples, Swanick - 11.

DEFEATED.

Subsequently, Int. 2-16 was referred to the GOVERNMENT AFFAIRS COMMITTEE.

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ITEM 22 - Ms. PEOPLES presented the following resolution and requested that it be referred to the SOCIAL SERVICES COMMITTEE.

GRANTED.

Int. 2-17 From: Democratic Majority Re: Support for Victims of Domestic Violence

ITEM 23 - Mr. DUSZA presented the following resolution and moved for immediate consideration. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 23 Re: Release of Funds From Legislature  
Contingency (Int. 2-18)

RESOLVED, that 217 part-time (P.T.) hours at 10.60 per hour are hereby added to position # 001768 effective January 1, 1997, and be it further

RESOLVED, the Legislature does hereby create one new position of Sr Clk Typ Leg RPT, Job Group 4, Step 5 [800 hours at 11.775 per hour] effective April 1, 1997, and be it further

RESOLVED, that the Legislature does hereby approve the transfer of \$14,076.00 from the 1997 Legislative Contingency [Countywide Contingency DAC 110923310893] to the Legislature's 1997 Personal Services [DAC 110905100800], and be it further

RESOLVED, that the Clerk of the Legislature, the Department of Personnel and the Division of Budget, Management & Finance are hereby authorized to complete all necessary paperwork to effectuate these personnel changes which are effective January 1, 1997, and April 1, 1997, respectively, and be it further

RESOLVED, that certified copies of this resolution be sent to the Commissioner of Personnel, the Director of Budget, Management & Finance and to Alan Gerstman, First Assistant County Attorney.

FISCAL IMPACT: None. All funds necessary to effect this change are within the Legislature's 1997 adopted budget.

RAYMOND K. DUSZA

Mr. DUSZA moved the adoption. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

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ITEM 24 - Ms. PEOPLES presented the following resolution and moved for immediate consideration. Mr. DEBENEDETTI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 24    Re: County/City Consolidation Committee  
(Int. 2-19)

WHEREAS, in the 1997 County budget, the Erie County Legislature approved funding in the amount of \$3 million for the purposes of establishing a municipal service consolidation fund, and

WHEREAS, the County's municipal service consolidation fund was established for the purpose of exploring the feasibility of particular service sharing opportunities between Erie County and the County's three urban municipalities, including the Cities of Buffalo, Tonawanda and Lackawanna, and

WHEREAS, specifically, \$2.7 million is earmarked for service consolidation with the City of Buffalo, and \$150,000 each for the cities of Tonawanda and Lackawanna, and

WHEREAS, the 1997 County budget appropriation for consolidation is not intended to provide cash grants to the three aforementioned County municipalities but rather is intended exclusively to promote municipal service consolidation, and

WHEREAS, the County Legislature has determined that an ad hoc committee should be established for the purposes of advancing the service consolidation process toward developing final recommendations for consolidation between the City of Buffalo and Erie County, and

WHEREAS, to that end, any and all service consolidation plans that have been previously proposed should be referenced and on the table for discussion, including County Executive Gorski's April 1996 Comprehensive Plan for City Assistance and Fiscal Reform

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby establishes the County/City Consolidation Committee for the purposes of developing a service consolidation plan and implementation schedule, and be it further

RESOLVED, that County Executive Dennis T. Gorski and Buffalo City Mayor Anthony M. Masiello each appoint two (2) members to said consolidation committee, and be it further

RESOLVED, that the President of the Buffalo City Council appoint two (2) members to said consolidation committee, and be it further

RESOLVED, that the Chairman of the County Legislature appoint two (2) members to said consolidation committee, in addition to the Committee Chair, and be it further

RESOLVED, that the League of Women Voters, the Greater Buffalo Partnership and the University of Buffalo's Governance Project each appoint one (1) member to said consolidation committee, and be it further

RESOLVED, that the Chairman of the County Legislature does hereby appoint David P. Rutecki to serve as Chairman of the County/City Consolidation Committee, and be it further

RESOLVED, that each of the County/City Consolidation Committee appointments selected by the aforementioned organizations be filed with the Clerk of the Erie County Legislature no later than February 1, 1997, and be it further

RESOLVED, that the County/City Consolidation Committee commence with its work no later than February 15, 1997, and be further

RESOLVED, that committee members be prepared to meet regularly to consider proposals, develop recommendations and prepare a final consolidation and implementation plan no later than May 1, 1997, and be it further

RESOLVED, that said consolidation plan, including an implementation schedule, proposals be filed with the Clerk of the County Legislature, the Buffalo City Clerk, with copies to the offices of County Executive Gorski and Buffalo Mayor Masiello no later than May 1, 1997, and be it further

RESOLVED, that a sub-committee also be established concerning consolidation issues relating to the Cities of Tonawanda and Lackawanna, to include representatives from their respective governments, as well as representatives of this Honorable Body and the County Administration, and be it further

RESOLVED, that certified copies of this resolution be forwarded to County Executive Dennis T. Gorski, Buffalo Mayor Anthony M. Masiello, the Clerk of the County Legislature, the Buffalo City Clerk's office, the League of Women Voters, the Greater Buffalo Partnership, the University of Buffalo's Governance project.

Fiscal Impact: Consolidation initiatives are positive for all taxpayers.

CHARLES M. SWANICK    CRYSTAL D. PEOPLES    EDWARD J. KUWIK  
MICHAEL A. FITZPATRICK    GEORGE A. HOLT, Jr.    JUDITH P. FISHER  
GREGORY B. OLMA    ALBERT DEBENEDETTI    RAYMOND K. DUSZA  
LYNN M. MARINELLI    RANDI COHEN KENNEDY



Mr. MARSHALL offered an amendment as follows:

Delete the third WHEREAS clause and substitute with the following:

WHEREAS, the County of Erie and its surrounding towns and villages should also explore areas of consolidation,

Delete the fourth WHEREAS clause and substitute with the following:

WHEREAS, the 1997 County Budget appropriation for consolidation is not intended to provide cash grants to county municipalities but rather is intended exclusively to promote municipal service consolidations,

In the fifth WHEREAS clause substitute "municipalities of Erie County" for "City of Buffalo",

Amend all RESOLVES clauses by substituting "County/Municipal Consolidation Committee" for "County/City Consolidation Committee",

Add the following new RESOLVE clause to read as follows:

RESOLVED, that the Association of the Erie County Governments appoint two members to the committee, and be it further

In the sixth RESOLVE clause to provide that the appointments selected shall be filed with the Clerk of the Erie County Legislature no later than March 1, 1997

Amend the seventh RESOLVE clause to read as follows:

RESOLVED, that the County/Municipal Consolidation Committee commence with its work no later than March 15, 1997, and be it further

Amend the eighth RESOLVE clause to provide the final report shall be filed no later than June 1, 1997,

Amend the ninth RESOLVE clause to add that a copy of the report be filed with the Association of Erie County Governments,

Amend the eleventh RESOLVE clause that a certified copy of this resolution shall be sent to the Association of Erie County Governments.

Ms. PEOPLES moved to send to Committee. Mr. LARSON seconded.

Ms. PEOPLES withdrew her motion to Committee.

Ms. PEOPLES offered an amendment as follows:

Delete the 3rd WHEREAS clause and replace with the following:

WHEREAS, the County of Erie and its surrounding towns and villages should also explore areas of consolidation,

Amend the 5th WHEREAS clause by substituting the municipalities of Erie County" for the "City of Buffalo",

Amend all RESOLVE clauses wherever indicated to substitute "County/Municipal Consolidation Committee" for "County/City Consolidation Committee"

Amend the 10th RESOLVE clause to add that a copy of the report be filed with the Association of Erie County Governments

Amend the 11th RESOLVE clause to add that a certified copy of this resolution shall be sent to the Association of Erie County Governments.

Ms. PEOPLES moved the adoption of the amendment. Mr. DEBENEDETTI seconded.

Chairman SWANICK directed that a Roll Call be taken.

Ayes - Greenan, Larson, Marshall, Pauly, Ranzenhofer, Villarini, DeBenedetti, Dusza, Fisher, Fitzpatrick, Holt, Cohen Kennedy, Kuwik, Marinelli, Olma, Peoples, Swanick - 17. Noes -0.

CARRIED UNANIMOUSLY.

Mr. MARSHALL withdrew his original amendment and offered a new amendment as follows:

Delete the third WHEREAS clause and substitute with the following:

WHEREAS, the County of Erie and its surrounding towns and villages should also explore areas of consolidation,

Delete the fourth WHEREAS clause and substitute with the following:

WHEREAS, the 1997 County Budget appropriation for consolidation is not intended to provide cash grants to county municipalities but rather is intended exclusively to promote municipal service consolidations,

In the fifth WHEREAS clause substitute "municipalities of Erie County" for "City of Buffalo",

Amend all RESOLVES clauses by substituting "County/Municipal Consolidation Committee" for "County/City Consolidation Committee",

Add the following new RESOLVE clause to read as follows:

RESOLVED, that the Association of the Erie County Governments appoint two members to the committee, and be it further

In the sixth RESOLVE clause to provide that the appointments selected shall be filed with the Clerk of the Erie County Legislature no later than February 1, 1997

Amend the seventh RESOLVE clause to read as follows:

RESOLVED, that the County/Municipal Consolidation Committee commence with its work no later than February 15, 1997, and be it further

Amend the eighth RESOLVE clause to provide the final report shall be filed no later than May 1, 1997,

Amend the ninth RESOLVE clause to add that a copy of the report be filed with the Association of Erie County Governments,

Amend the eleventh RESOLVE clause that a certified copy of this resolution shall be sent to the Association of Erie County Governments.

Mr. MARSHALL moved the adoption of the amendment. Mr. LARSON seconded.

Chairman SWANICK directed that a Roll Call be taken.

Ayes - Greenan, Larson, Marshall, Pauly, Ranzenhofer, Villarini, Cohen Kennedy, Marinelli - 8. Noes - DeBenedetti, Dusza, Fisher, Fitzpatrick, Holt, Kuwik, Olma, Peoples, Swanick - 9.

DEFEATED.

Ms. PEOPLES moved the adoption of the resolution as amended. Mr. DEBENEDETTI seconded.

Chairman SWANICK directed that a Roll Call be taken.

Ayes - Greenan, Larson, Marshall, Pauly, Ranzenhofer, Villarini, DeBenedetti, Dusza, Fisher, Fitzpatrick, Holt, Cohen Kennedy, Kuwik, Marinelli, Olma, Peoples, Swanick - 17. Noes - 0.

CARRIED UNANIMOUSLY.



RESOLVED, that this Honorable Body does further establish a variable minimum for the position of Secretary - Commissioner of Elections, position number 049500, to the level of Job Group 8, Variable Minimum Step 5, retroactive to January 1, 1997, and be it further

RESOLVED, that sufficient funds to cover the cost of these adjustments may be found within the personal service budgets of the Department of Public Works, Division of Weights and Measures, and the Board of Elections, and be it further

RESOLVED, that the Director of the Division of Budget, Management, and Finance and the Commissioner of Personnel are hereby authorized to complete any and all necessary paperwork to effectuate these adjustments, and be it further

RESOLVED, that certified copies of this resolution be sent to Budget Director Sheila Kee, Personnel Commissioner Leonard Lenihan, Public Works Commissioner John Loffredo, and to Board of Elections Commissioners Laurence Adamczyk and Ralph Mohr.

Fiscal Impact:None. Funds to cover these adjustments will come from existing personnel appropriations.

CHARLES M. SWANICK

CRYSTAL D. PEOPLES

Ms. PEOPLES offered an amendment as follows:

Delete the 6th WHEREAS clause in it entirety.

Ms. PEOPLES withdrew her amendment.

Mr. RANZENHOFER offered an amendment as follows:

Amend the 6th WHEREAS clause to read as follows:

WHEREAS, the Board of Elections will maintain parity of pay scale between staff members, and

Mr. RANZENHOFER moved the adoption of the amendment. Mr. GREENAN seconded.

CARRIED UNANIMOUSLY.

Ms. PEOPLES moved the adoption of the resolution as amended. Mr. KUWIK seconded.

CARRIED UNANIMOUSLY.

ITEM 26 - Ms. PEOPLES presented the following resolution and requested that it be referred to the SOCIAL SERVICES COMMITTEE.

GRANTED.

Int. 2-21 From: Democratic Majority Re: Support for Increased  
Child Care Programming

COMMUNICATIONS DISCHARGED FROM COMMITTEE:

ITEM 27 - Mr. FITZPATRICK moved to discharge the ECONOMIC DEVELOPMENT COMMITTEE from further consideration of Comm. 29D-15. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 26      Re: Buffalo & Erie County Library Local  
Area Network for OPAC

WHEREAS, the Buffalo and Erie County Library has undertaken an online public access catalog project to improve services for library patrons, and

WHEREAS, one necessary component of the online public access catalog system is a local area network for the central library, and

WHEREAS, the firm of Wilson, Klaes, Brucker and Worden, P.C. has been chosen by the Department of Public Works and the Buffalo and Erie County Library to design the local area network,

NOW, THEREFORE, BE IT,

RESOLVED, that the County Executive is hereby authorized to enter into an agreement with Wilson, Klaes, Brucker and Worden, P.C. to provide engineering services as necessary to design a local area network for the library, and be it further,

RESOLVED, that the Comptroller's Office be authorized to make payments for the above in a total amount not to exceed \$35,000 from the 1995 Capital Bond Account Online Public Access Catalog Phase II Capital Project, SFG 663, and be it further,

RESOLVED, that two certified copies of the resolution be sent to the Department of Public Works, Office of the Commissioner.

Mr. FITZPATRICK moved the adoption. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

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ITEM 28 - Mr. HOLT moved to discharge the SOCIAL SERVICES COMMITTEE from further consideration of Comm. 1E-10. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 27     Re:   Department of Youth Services -  
   Authorization to Accept DCJS Grant Award  
   & Execute Fee-For-Service Contracts

WHEREAS, the New York State Division of Criminal Justice Services has awarded the Department of Youth Services \$13,317 in state aid for the IAHS (Intensive Alternative Home Services) Program that requires no county tax share, and

WHEREAS, the goal of the IAHS is to provide 85 Erie county Juveniles with alternatives to placement in non-secure Detention as outlined in the attached Appendix D Program Workplan.

NOW, THEREFORE, BE IT

RESOLVED, that \$13,317 is hereby appropriated to Account 821, Dues and Fees in the Department of Youth Services-Detention Division's 1997 regular operating budget, to cover the cost of contracting with community-based agencies on a fee-for-service basis to provide juvenile delinquents, petitioned to Family Court as PINS, with supervised activities that are part of the CASAP (Community After School Activity Program), and be it further

RESOLVED, that the source of funds is \$13,317 in state aid from the New York State Division of Criminal Justice Service, and be it further

RESOLVED, that the following agencies will expand their existing CASAP (Community After School Activity Programs) to service youth referred through the IHAS (Intensive Alternative Home Services) Program:

Bob Lanier Center for Educational, Physical & Cultural Development  
Father Vincent L. Belle Center  
William Emslie YMCA  
Friendship House

and be it further

RESOLVED, that the fee-for-service will be paid to the community based agencies at a rate of \$75.00 per week, per youth, and be it further

RESOLVED, that the Erie County Legislature hereby makes a finding that it is impracticable to follow the standard RFP procedure, and hereby waives the procedures outlined in section 19.08 of the Erie County Administrative Code, since these special services have been specified in the application approved by the State Division of Criminal Justice Services, since these special services are being provided by community-based agencies that are currently under contract to provide services through the CASAP (Community After School Activity Program) and since these special services must be provided immediately, and be it further

RESOLVED, that the County Executive is hereby authorized to enter into and execute any applications, contracts included therein, and amendments with the State of New York and community-based agencies, and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Division of Budget, Management and Finance and the Department of Youth Services.

Mr. HOLT moved the adoption. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

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ITEM 29 - Mr. DUSZA moved to discharge the GOVERNMENT AFFAIRS COMMITTEE from further consideration of Comm. 29E-10. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.



RESOLUTION NO. 28 Re: Pulaski Day Parade-Transfer of Funds

RESOLVED, the sum of \$1,400 is hereby transferred from Project 921, Department 301 - Agency Payments and Grants - Public Benefit Services, Account 830 Sub-Account 273 to Project 942, Department 640 - Department of Parks, Recreation and Forestry, Division of Parks, Administration 914, Account 821 - Dues & Fees Charges, to permit payment to the General Pulaski Association from the budget of the Parks, Recreation and Forestry, and be it further

RESOLVED, that the County Executive is hereby authorized to enter into a contract with General Pulaski Association for the purpose of providing an annual parade in honor of General Pulaski, and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the Division of Budget, Management and Finance and the Department of Parks, Recreation and Forestry.

Mr. DUSZA moved the adoption. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

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ITEM 30 - Ms. PEOPLES moved to discharge the FINANCE AND MANAGEMENT COMMITTEE from further consideration of Comm. 1E-17. Mr. DEBENEDETTI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 29 Re: Grant Programs - Authorization to Contract

WHEREAS, the following grant programs are included in Book B of the 1997 Adopted Budget.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into contracts with grantor agencies for the purposes of receiving grants, following review and approval by the Director of Budget and Management with respect to the availability of Federal, State, County and other local source funding for the following programs which commence on January 1, 1997:

<u>Department</u>	<u>Grant Program</u>	1997 Budget Book B <u>Page No.</u>
110-Co. Exec.	Community Coordinating Council on Children and Families	11
110-Co. Exec.	Office of Traffic Safety	11
600-Law	Ant-Drug Abuse Grant	21
650-Central Police Services	Arson Laboratory Improvement Program	59
150-Sheriff	Public Awareness is Prevention	72
150-Sheriff	COPS Domestic Violence	72
150-Sheriff	COPS Universal Hiring Grant	72
260-Probation	Juvenile Delinquent- Mental Health Diversion Prg.	99
270-Health	Maternity and Infant Care Program (MIC)	121
270-Health	HIV/STD Support Services	122
270-Health	Childhood Lead Poisoning Prevention Program	123
270-Health	Tuberculosis Control Program	124*
240-M. Health	Special Care Physician Case Management Program	169
240-M. Health	Juvenile Delinquent Mental Health Diversion Program	169
200-Social Svcs.	Homeless Prevention	186
200-Social Svcs.	Job Opportunities and Basic Skills (JOBS) - HR	187
200-Social Svcs.	Comprehensive Employment Division Program-1997	188

620-Env. & Plg.	Household Hazardous Waste Disposal	297
620-Env. & Plg.	Collins/Gowanda Master Plan	298
620-Env. & Plg.	Mercury/Clean Sweep Extension	298
250-Youth Svcs.	Juvenile Justice Delinquency Prevention Grant (JJDP)	316
250-Youth Svcs.	Runaway and Homeless Youth Coordinator Grant	316
250-Youth Svcs.	Special Delinquency Prevention Program Types A (Youth)	316
421-Library	Library Services to County Correctional Facilities	351
421-Library	Central Library Development Aid	351
421-Library	Coordinated Outreach Program	351
421-Library	Continuity of Service	352
421-Library	Regional Bibliographic Database	352
421-Library	New York State Library Automation Grant-Non Competitive	352

and be it further

RESOLVED, that the County Executive is hereby authorized to enter into subcontracts for the provision of domestic violence prevention services with Crisis Services Inc., in the amount of \$32,960 and with Haven House, a component of Child and Family Services, in the amount of \$32,730, as budgeted in the Sheriff's COPS Domestic Violence Grant in 1997, and be it further

RESOLVED, that certified copies of this resolution be forwarded to the following departments: County Executive, Central Police Services, Sheriff, Health, Probation, Mental Health, Social Services, Environment and Planning, Youth Services, the Department of Law, the Buffalo and Erie County Public Library and the Division of Budget, Management and Finance.

\*Begins on 2/1/97

Ms. PEOPLES moved the adoption. Mr. DEBENEDETTI seconded.

CARRIED UNANIMOUSLY.

RECONSIDERATION:

ITEM 31 - Ms. PEOPLES moved to reconsider Comm. 1E-17. Mr. DEBENEDETTI seconded.

CARRIED UNANIMOUSLY.

WHEREAS, the following grant programs are included in Book B of the 1997 Adopted Budget.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into contracts with grantor agencies for the purposes of receiving grants, following review and approval by the Director of Budget and Management with respect to the availability of Federal, State, County and other local source funding for the following programs which commence on January 1, 1997:

<u>Department</u>	<u>Grant Program</u>	1997 Budget Book B <u>Page No.</u>
110-Co. Exec.	Community Coordinating Council on Children and Families	11
110-Co. Exec.	Office of Traffic Safety	11
600-Law	Ant-Drug Abuse Grant	21
650-Central Police Services	Arson Laboratory Improvement Program	59
150-Sheriff	Public Awareness is Prevention	72
150-Sheriff	COPS Domestic Violence	72
150-Sheriff	COPS Universal Hiring Grant	72
260-Probation	Juvenile Delinquent- Mental Health Diversion Prg.	99

270-Health	Maternity and Infant Care Program (MIC)	121
270-Health	HIV/STD Support Services	122
270-Health	Childhood Lead Poisoning Prevention Program	123
270-Health	Tuberculosis Control Program	124*
240-M. Health	Special Care Physician Case Management Program	169
240-M. Health	Juvenile Delinquent Mental Health Diversion Program	169
200-Social Svcs.	Homeless Prevention	186
200-Social Svcs.	Job Opportunities and Basic Skills (JOBS) - HR	187
200-Social Svcs.	Comprehensive Employment Division Program-1997	188
620-Env. & Plg.	Household Hazardous Waste Disposal	297
620-Env. & Plg.	Collins/Gowanda Master Plan	298
620-Env. & Plg.	Mercury/Clean Sweep Extension	298
250-Youth Svcs.	Juvenile Justice Delinquency Prevention Grant (JJDP)	316
250-Youth Svcs.	Runaway and Homeless Youth Coordinator Grant	316
250-Youth Svcs.	Special Delinquency Prevention Program Types A (Youth)	316
421-Library	Library Services to County Correctional Facilities	351
421-Library	Central Library Development Aid	351

421-Library	Coordinated Outreach Program	351
421-Library	Continuity of Service	352
421-Library	Regional Bibliographic Database	352
421-Library	New York State Library Automation Grant-Non Competitive	352

and be it further

RESOLVED, that the County Executive is hereby authorized to enter into subcontracts for the provision of domestic violence prevention services with Crisis Services Inc., in the amount of \$32,960 and with Haven House, a component of Child and Family Services, in the amount of \$32,730, as budgeted in the Sheriff's COPS Domestic Violence Grant in 1997, and be it further

RESOLVED, that certified copies of this resolution be forwarded to the following departments: County Executive, Central Police Services, Sheriff, Health, Probation, Mental Health, Social Services, Environment and Planning, Youth Services, the Department of Law, the Buffalo and Erie County Public Library and the Division of Budget, Management and Finance.

\*Begins on 2/1/97

Ms. PEOPLES offered an amendment as follows:

Add the following new RESOLVE clause to read as follows:

RESOLVED, that a performance audit and/or contract compliance report concerning each of the aforementioned contract agencies be made available to this Honorable Body within thirty days of the approval of this resolution, and be it further

Ms. PEOPLES moved the adoption of the amendment. Mr. DEBENEDETTI seconded.

CARRIED UNANIMOUSLY.

Ms. PEOPLES moved the adoption of the resolution as amended. Mr. DEBENEDETTI seconded.

CARRIED UNANIMOUSLY.

CARRIED UNANIMOUSLY.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby go on record as strongly supporting the Buffalo Common Council's Ordinance Amendment Chapter 493--Waterfront Greenway System, which promises to greatly enhance the aesthetic, environmental and recreational vitality of a rejuvenated waterfront and urges the Buffalo Common Council to pass the Amendment as soon as possible, and be it further

RESOLVED, that certified copies of this resolution be sent to Erie County Executive Dennis T. Gorski, City of Buffalo Mayor Anthony M. Masiello, Buffalo City Clerk Charles Michaux, United States Senators Alfonse D'Amato and Daniel Patrick Moynihan, United States Representatives John LaFalce, Bill Paxon and Jack Quinn and to the members of the Western New York delegations to the State Assembly and Senate.

Fiscal Impact: None for Resolution.

CHARLES M. SWANICK	CRYSTAL D. PEOPLES	EDWARD J. KUWIK
MICHAEL A. FITZPATRICK	GEORGE A. HOLT, Jr.	JUDITH P. FISHER
GREGORY B. OLMA	ALBERT DEBENEDETTI	RAYMOND K. DUSZA
LYNN M. MARINELLI	RANDI COHEN KENNEDY	

Ms. PEOPLES moved the adoption. Mrs. FISHER seconded.

CARRIED UNANIMOUSLY.

SUSPENSION OF THE RULES:

ITEM 33 - Mr. MARSHALL moved for a suspension of the rules to include an item not on the agenda. Mr. GREENAN seconded.

Ms. PEOPLES objected.

Mr. MARSHALL moved for a suspension of the rules to include an item not on the agenda to go to committee.

GRANTED.

Int. 2-22 From: Legs. Greenan, Marshall, Larson, Ranzenhofer & Villarini Re: Sales Tax Exemption on Sale of Clothing

Chairman SWANICK directed that Int. 2-22 be referred to the FINANCE AND MANAGEMENT COMMITTEE.



ITEM 34 - Mr. DEBENEDETTI moved for a suspension of the rules to include an item not on the agenda.

GRANTED.

Int. 2-23 From: Legs. DeBenedetti & Olma Re: Eliminating the Sales Tax on Clothing

Chairman SWANICK directed that Int. 2-23 be referred to the FINANCE AND MANAGEMENT COMMITTEE.

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ITEM 35 - Ms. PEOPLES moved for a suspension of the rules to include an item not on the agenda.

GRANTED.

Comm. 2E-18 From: County Executive Re: ECSD No. 4 Contract 29L Approval of Change Order No. 1 and Transfer of Funds

Chairman SWANICK directed that Comm. 2E-18 be referred to the ENERGY AND ENVIRONMENT COMMITTEE.

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ITEM 36 - Ms. PEOPLES moved for a suspension of the rules to include an item not on the agenda.

GRANTED.

Comm. 2E-19 From: County Executive Re: ECMC Capital Lease With Hill-Rom Corporation

Chairman SWANICK directed that Comm. 2E-19 be referred to the HEALTH COMMITTEE.

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ITEM 37 - Mr. MARSHALL moved for a suspension of the rules to include an item not on the agenda.

GRANTED.

Comm. 2E-20 From: Leg. Marshal Re: 1997 Committee Assignment Amendment

Chairman SWANICK directed that Comm. 2E-20 be RECEIVED, FILED & PRINTED.

January 23, 1997

Dear Chairman Swanick:

I am submitting this letter as an amendment to my list of committee assignmeny for Republican legislators in 1997.

I would greatly appreciate these changes being implemented. Please substitute William Pauly for Michael H. Ranzenhofer as a member of the Governemnt Affairs Committee. Mr. Ranzenhofer will not receive a supplemental assignment.

Thank you for your attention to this letter.

Sincerely,  
**FREDERICK J. MARSHALL**  
Minority Leader

RECEVIED, FILED & PRINTED.

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ITEM 38 - Ms. PEOPLES moved for a suspension of the rules to include an item not on the agenda.

GRANTED.

Comm. 2D-10 From: County Attorney Re: Conrail Tax Assessment Litigation

Chairman SWANICK directed that Comm. 2D-10 be referred to the FINANCE AND MANAGEMENT COMMITTEE.

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Comm. 2D-11 From: County Attorney Re: Tobacco Litigation

Chairman SWANICK directed that Comm. 2D-11 be referred to the HEALTH COMMITTEE.

COMMUNICATIONS FROM ELECTED OFFICIALS:

FROM LEGISLATOR MARSHALL

ITEM 39 - (Comm. 2E-1) 1997 Republican Committee Assignments

RECEIVE, FILE & PRINT.

Dear Clerk Manzella:

The following is a list of the 1997 Republican caucus committee assignments. They are as follows:

COMMUNITY ENRICHMENT	Dale W. Larson William A. Pauly
ECONOMIC DEVELOPMENT	Michael H. Ranzenhofer Robert M. Villarini
ENERGY & ENVIRONMENT	John W. Greenan Frederick J. Marshall
FINANCE & MANAGEMENT	Michael H. Ranzenhofer Dale W. Larson
GOVERNMENT AFFAIRS	John W. Greenan Michael H. Ranzenhofer
HEALTH	William A. Pauly Frederick J. Marshall
MENTAL HEALTH	William A. Pauly Robert M. Villarini
PUBLIC SAFETY	John W. Greenan Dale W. Larson
SOCIAL SERVICES	Frederick J. Marshall Robert M. Villarini
TRANSPORTATION	John W. Greenan Frederick J. Marshall

If you have any questions, please do not hesitate to contact me.

Sincerely,  
**FREDERICK J. MARSHALL**  
Minority Leader  
Erie County Legislature

RECEIVED, FILED & PRINTED.

FROM THE COMPTROLLER

ITEM 40 - (Comm. 2E-2) Audit Certified Payroll PP#6 1996

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FROM THE COUNTY EXECUTIVE

ITEM 41 - (Comm. 2E-3) Position Change Report PP#2 1997

The above two items were received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

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FROM LEGISLATOR MARSHALL

ITEM 42 - (Comm. 2E-4) Copy of Letter to County Executive Requesting Copy of Contract with Erie County & ASI for Tax Map Conversion

Received and referred to the FINANCE AND MANAGEMENT COMMITTEE.

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FROM CHAIRMAN SWANICK

ITEM 43 - (Comm. 2E-5) 1997 Committee Assignments

RECEIVE, FILE & PRINT.

1997 COMMITTEE ASSIGNMENTS

COMMUNITY ENRICHMENT

Chairman: Randi Cohen Kennedy  
V. Chrmn.: Lynn M. Marinelli  
Members: Judith P. Fisher  
Dale W. Larson  
William A. Pauly

ECONOMIC DEVELOPMENT

Chairman: Michael A. Fitzpatrick  
V. Chrmn: George A. Holt, Jr.  
Members: Edward J. Kuwik  
Michael H. Ranzenhofer  
Robert M. Villarini

ENERGY & ENVIRONMENT

Chairman: Gregory B. Olma  
V. Chrmn: Edward J. Kuweik  
Members: Raymond K. Dusza  
John W. Greenan  
Frederick J. Marshall

FINANCE & MANAGEMENT-BUDGET

Chairman: Crystal D. Peoples  
V. Chrmn: Edward J. Kuwik  
Members: Michael A. Fitzpatrick  
Michael H. Ranzenhofer  
Dale W. Larson

GOVERNMENT AFFAIRS

Chairman: Raymond K. Dusza  
V. Chrmn: George A. Holt, Jr.  
Members: Lynn M. Marinelli  
John W. Greenan  
Michael H. Ranzenhofer

HEALTH

Chairman: Judith P. Fisher  
V. Chrmn: Crystal D. Peoples  
Members: Albert DeBenedetti  
William A. Pauly  
Frederick J. Marshall

PUBLIC SAFETY

Chairman: Edward J. Kuwik  
V. Chrmn: Raymond K. Dusza  
Members: Randi Cohen Kennedy  
John W. Greenan  
Dale W. Larson

SOCIAL SERVICES

Chairman: George A. Holt, JR.  
V. Chrmn: Gregory B. Olma  
Members: Judith P. Fisher  
Frederick J. Marshall  
Robert M. Villarini

RECEIVED, FILED & PRINTED.

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FROM THE COUNTY EXECUTIVE

ITEM 44 - (Comm. 2E-6) Youth Services - Staff Adjustments  
Received and referred to the SOCIAL SERVICES COMMITTEE.

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ITEM 45 - (Comm. 2E-7) NYS Aid to Localities - Laboratory Funding  
Received and referred to the PUBLIC SAFETY COMMITTEE.

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ITEM 46 - (Comm. 2E-8) Appointment to Board of Managers ECMC  
Received and referred to the HEALTH COMMITTEE.

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ITEM 47 - (Comm. 2E-9) Open Item: Sewer District Bond Accounts

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ITEM 48 - (Comm. 2E-10) Semi-Annual Attendance Records Board of  
Managers

ITEM 49 - (Comm. 2E-11) ECSD No. 6 - Eminent Domain Proceedings - Parcel 19 ST

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ITEM 50 - (Comm. 2E-12) ECSD NO. 1 - Eminent Domain Proceedings - Felber Lane Sewer Project Part 1

The above four items were received and referred to the ENERGY AND ENVIRONMENT COMMITTEE.

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ITEM 51 - (Comm. 2E-13) Senior Services - Authorization to Amend Grant & Add Subcontract Agency

Received and referred to the SOCIAL SERVICES COMMITTEE.

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ITEM 52 - (Comm. 2E-14) HEALTH - Rental Agreement for Well Child Clinic University Methodist Church

Received and referred to the HEALTH COMMITTEE.

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ITEM 53 - (Comm. 2E-15) 1997 Underfill & Trainee Appointment

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ITEM 54 - (Comm. 2E-16) 1997 Variable Minimums

The above two items were received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

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ITEM 55 - (Comm. 2E-17) Emergency Services - Memorandum of Understanding with Buffalo Fire Department

Received and referred to the PUBLIC SAFETY COMMITTEE.

COMMUNICATIONS FROM THE DEPARTMENTS

FROM ERIE COMMUNITY COLLEGE

ITEM 56 - (Comm. 2D-1) Notice of Marketing Committee Meeting Held 1/14/97 & Budget & Finance Committee Meeting Held 1/21/97

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

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FROM SENIOR SERVICES

ITEM 57 - (Comm. 2D-2) Response to Int. 27-1

Received and referred to the SOCIAL SERVICES COMMITTEE.

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FROM BUFFALO & ERIE COUNTY PUBLIC LIBRARY

ITEM 58 - (Comm. 2D-3) Notice of Meeting Held 1/16/97 & Minutes of Meeting Held 12/19/97

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

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FROM DPW

ITEM 59 - (Comm. 2D-4) Executed Contract East Creek Bridge Town of Wales

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

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FROM HEALTH

ITEM 60 - (Comm. 2D-5) Proposed Amendmemt to Erie County Sanitary Code & Notice of Pubic Hearing on 2/11/97

Received and referred to the HEALTH COMMITTEE.

FROM CENTRAL POLICE SERVICES

ITEM 61 - (Comm. 2D-6) Report on Usage of Statewide Automated Fingerprint Identification System (SAFIS)

Received and referred to the PUBLIC SAFETY COMMITTEE.

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FROM BUDGET, MANAGEMENT & FINANCE

ITEM 62 - (Comm. 2D-7) Budget Monitoring Report for the Period Ending 11/30/96

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ITEM 63 - (Comm. 2D-8) Sale of County Owned Inventory - West Seneca

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ITEM 64 - (Comm. 2D-9) Sale of County Owned Inventory - Lancaster

The above three items were received and referred to the FINANCE AND MANAGEMENT COMMITTEE.

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES:

FROM TOWN OF TONAWANDA

ITEM 65 - (Comm. 2M-1) Request for Direct Payment of Erie County Sales Tax to Town

Received and referred to the FINANCE AND MANAGEMENT COMMITTEE.

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FROM EC ENVIRONMENTAL MANAGEMENT COUNCIL

ITEM 66 - (Comm. 2M-2) Notice of Meeting Held 1/21/97

RECEIVED & FILED.



FROM ERIE COUNTY EMPLOYEES

ITEM 67 - (Comm. 2M-3) Request for Review of Non-Smoking Law  
Received and referred to the HEALTH COMMITTEE.

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FROM NIAGARA MOHAWK

ITEM 68 - (Comm. 2M-4) Support of New York State S.7827 & S.7826

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FROM NYSDEC

ITEM 69 - (Comm. 2M-5) Notice of Meeting to be Held 1/29/97 & Fact  
Sheet - Transit Valley Plaza Site

The above two items were received and referred to the ENERGY AND  
ENVIRONMENT COMMITTEE.

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FROM WILLIAMSVILLE CENTRAL SCHOOLS

ITEM 70 - (Comm. 2M-6) Thank You for Support of Kids Voting USA

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FROM LANCASTER CENTRAL SCHOOLS

ITEM 71 - (Comm. 2M-7) Thank You for Support of Kids Voting USA

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FROM MAPLE ELEMENTARY SCHOOL

ITEM 72 - (Comm. 2M-8) Thank You for Support of Kids Voting USA

The above three items were RECEIVED & FILED.

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FROM BEVERLY & JAMES HURLEY

ITEM 73 - (Comm. 2M-9) Notice of Claim

Received and referred to the COUNTY ATTORNEY.

FROM NFTA

ITEM 74 - (Comm. 2M-10) Minutes of Meeting Held 11/18/96 & 12/16/96  
Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

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FROM YATES COUNTY LEGISLATURE

ITEM 75 - (Comm. 2M-11) Copy of Resolution 31-97 Increase Rate of  
Reimbursement for Parole Violation Assigned Counsel

Received and referred to the PUBLIC SAFETY COMMITTEE.

**MEMORIAL RESOLUTIONS:**

ITEM 76 - Ms. COHEN KENNEDY moved that when this Legislature  
adjourns, it do so out of respect to the memory of **Albert M. Ranni**,  
deceased. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

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ITEM 77 - Mrs. FISHER moved that when this Legislature adjourns, it  
do so out of respect to the memory of **Jerry Lyons** and **John Davis**,  
deceased. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

**ADJOURNMENT:**

ITEM 78 - At this time, there being no further business to  
transact, the Chairman announced that the Chair would entertain a Motion  
to Adjourn.

Ms. PEOPLES moved that the Legislature adjourn until 2:00 P.M.,  
Thursday, February 6, 1997. Mr. MARSHALL seconded.

CARRIED UNANIMOUSLY.

The Chairman declared the Legislature adjourned until Thursday,  
February 6, 1997 at 2:00 P.M., Eastern Standard Time.

**LAURIE A. MANZELLA**  
Clerk