

ERIE COUNTY LEGISLATURE
MEETING NO. 23
November 20, 1997

The Legislature was called to order by Chairman SWANICK.

All Members present except Legislator Fitzpatrick.

The Invocation was delivered by Reverend A. Charles Ware, Pastore
of the Friendsip Baptist Church of Buffalo.

The Pledge of Allegiance was led by Ms. Cohen Kennedy.

The Minutes of the previous meeting were APPROVED.

MISCELLENOUS RESOLUTIONS:

ITEM 1 - Mr. HOLT presented a resolution of congratulations to the Senior Citizens receiving the Moot Center Senior Citizens Awards. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

ITEM 2 - Mr. HOLT presented a resolution of congratulations to Cameron D. Donaldson for his First Place Win in the Buffalo Bills Pass/Punt/Kick. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

ITEM 3 - Ms. PEOPLES presented a resolution of Proclaiming the Weekend of November 14-16 "Chosen Vessels Singles Weekend" - Calvary Baptist Church. Mr. MARSHALL seconded.

CARRIED UNANIMOUSLY.

ITEM 4 - Ms. PEOPLES & Mr. HOLT presented a resolution of congratulations to Officer Jimmy Patton on his retirement. Mr. MARSHALL seconded.

CARRIED UNANIMOUSLY.

ITEM 5 - MESSRS. LARSON & DUSZA presented a resolution of congratulations to Rick Marino on naming the Como Park Gazebo the "Rich Marino Gazebo". Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

ITEM 6 - Ms. MARINELLI & Mr. SWANICK presented a resolution of congratulations to Neil Hoffman on his retirement. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

LOCAL LAWS:

ITEM 7 - Mr. MARSHALL moved to take Local Law Intro. No. 10 (Print #1) - 1997 from the table for immediate consideration. Mr. GREENAN seconded.

Chairman SWANICK directed that Local Law Intro. No. 10 (Print #1) - 1997 remain on the table.

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

Chairman SWANICK directed that a Roll Call be taken.

Ayes - Chase, Greenan, Larson, Marshall, Pauly, Ranzenhofer, DeBenedetti - 7. Noes - Dusza, Fisher, Holt, Cohen Kennedy, Kuwik, Marinelli, Olma, Peoples, Swanick - 9.

DEFEATED.

Subsequently, Local Law Intro. No. 10 (Print #1) -1997 remain on the table.

ITEM 8 - Chairman SWANICK directed that Local Law Intro. No. 11 (print #1) -1997 remain on the table.

LEGISLATORS RESOLUTIONS:

ITEM 9 - Mr. RANZENHOFER presented the following resolution and requested that it be referred to the PUBLIC SAFETY COMMITTEE.

GRANTED.

Int. 23-1 From: Leg. Ranznehofer Re: The Consolidation of the Sheriff's Department and Correctional Facilities

ITEM 10 - Ms. PEOPLES presented the following resolution and moved for immediate consideration. Mrs. FISHER seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 440 Re: State Legislation Requiring Health Insurance to Apply Same Co-Payment to Self Injectable Drugs as Other Physician Prescribed Drugs (Int. 23-2)

WHEREAS, some health care insurers now require a 50% co-paymnet for certain self-injectable drugs, including medications prescribed for multiple sclerosis, chemotherapy for cancer patients and certain growth hormones for children, and

WHEREAS, the 50% co-payment for self-injectabke drugs has resulted in a high percentage of people seeking other locally available health insurance plans that do not assign such high co-payments for the aforemntioned drugs, and

WHEREAS, this situation resulted in a several health care insurers assuming a disproportionately higher share of the costs for patients who may require self-injectable drugs, consequently those same health insufrers to now force to require a higher than average co-payment for self-injectable drugs, and

WHEREAS, higher co-pays for self-injectable drugs has resulted in some families having to spend thousands of dollars each month in co-payments for oprescriptions that are determined to be necessary for a patients treatment, and

WHEREAS, a uniform policy requiring all health care insurers to provide the same co-payment for self-injectable drugs as for other physician prescribed drugs would level the playing field, thereby more fairly distributing the costs for all prescription drugs, and

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby memorialize the New York State Legislature to draft and approve legislation that would require the same co-payment for self-injection drugs as for other physician prescribed drugs, and be it further

RESOLVED, that this Honorable Body memorializes the New York State Insurance Department to promulgate regulatory policy addressing the disparity in co-payments for self-injection and other physician prescribed drugs, and be it further

RESOLVED, that the County Department of Personnel, Labor Relations and Budget and Management report on the feasibility of developing a county policy precluding health insurance vendors who do not offer co-payment parity for self-injection and other physician prescribed drugs, and be it further

RESOLVED, that certified copies of this resolution be forwarded to the members of the Western New York State delegation, the New York State Insurance Department, County Personnel Commissioner Leonard R. Lenihan, Labor Relations Director Michael A. Connors, and County Budget Director Kenneth Kruly.

Fiscal Impact: To Be Determined.

CHARLES M. SWANICK
RANDI COHEN KENNEDY

CRYSTAL D. PEOPLES
JUDITH P. FISHER

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

Ms. FISHER moved the adoption of the resolution as amended. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 441 Re: Continuing the Delivery of Human Services
in the City of Buffalo (Int. 23-3)

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 services 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 \$ 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 Community Center	830/0362	\$10,365
TOTAL		\$10,365

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 Dennis Gorski, Budget Director Kenneth C. Kruly, First Assistant County Attorney Alan Gerstman and to the Polish Community Center, 1081 Broadway, Buffalo, NY 14212.

Fiscal Impact: Appropriation of 1997 budgeted funds.

ALBERT DEBENEDETTI

Ms. PEOPLES offered an amendment as follows:

Delete the original resolution in its entirety and replace with the a new resolution to read as follows:

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 services 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 \$10,365 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 Community Center	830/0362	\$10,365
TOTAL		\$10,365

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 Dennis Gorski, Budget Director Kenneth C. Kruly, First Assistant County Attorney Alan Gerstman and to the Polish Community Center, 1081 Broadway, Buffalo, NY 14212.

Fiscal Impact: Appropriation of 1997 budgeted funds.

CHARLES M. SWANICK

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

CARRIED UNANIMOUSLY.

Ms. PEOPLES moved the adoption of the resolution as amended. Ms. MARINELLI seconded.

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 442 Re: Supporting Local Human Services Organizations (Int. 23-4)

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 services 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 \$7,500 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>
South Buffalo Community Assoc.	830/0611	\$ 5,000
St. Simon's Food Pantry	n/a	\$ 2,500
TOTAL		\$ 7,500

and be it further

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

RESOLVED, that certified copies of this resolution be sent to County Executive Dennis Gorski, Budget Director Kenneth C. Kruly, First Assistant County Attorney Alan Gerstman, Richard McFail, Executive Director, South Buffalo Community Association, 2219 South Park Avenue, Buffalo, NY 14220, and to Rev. Russell A. Newbert, Rector, St. Simon's, 200 Cazenovia St., Buffalo, NY 14210.

Fiscal Impact: Appropriation of 1997 budgeted funds.

MICHAEL A. FITZPATRICK

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

CARRIED UNANIMOUSLY.

ITEM 13 - Ms. PEOPLES presented the following resolution and moved for immediate consideration. Mr. DUSZA seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 443 Re: Concord Agricultural District 8-Year Review (Int. 23-5)

RESOLVED, that the Clerk of the Legislature is directed to hold a Public Hearing on December 9, 1997 at 7:30 p.m. at the Concord Town Hall, 86 Franklin St., P.O. Box 368, Springville, NY 14141 concerning the 8-year review of Concord Agricultural District, and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to publish said Notice of Public Hearing in the newspaper having general circulation within the Concord Agricultural District, to so notify the affected municipalities and the property owners affected by any proposed modifications (additions/deletions) to the Concord Agricultural District.

CHARLES M. SWANICK FREDERICK MARSHALL CRYSTAL D. PEOPLES
EDWARD J. KUWIK MICHAEL A. FITZPATRICK GEORGE A. HOLT, Jr.
JUDITH P. FISHER GREGORY B. OLMA ALBERT DEBENEDETTI
RAYMOND K. DUSZA JOHN W. GREENAN LYNN M. MARINELLI
JEANNE Z. CHASE WILLIAM A. PAULY RANDI COHEN KENNEDY
MICHAEL H. RANZENHOFER DALE W. LARSON

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

CARRIED UNANIMOUSLY.

COMMUNICATIONS DISCHARGED FROM COMMITTEE:

ITEM 14 - Mr. DUSZA moved to discharge the GOVERNMENT AFFAIRS COMMITTEE from further consideration of Int. 11-14. Mr. OLMA seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 444 Re: Request for State Legislation for
Retroactive Membership in New York
State Retirement System (Int. 11-14)

WHEREAS, Paul S. Zywiczyński entered Erie County service on October 21, 1975 as a Building Guard at the Buffalo and Erie County Public Library, and

WHEREAS, At that time Mr. Zywiczyński should have been enrolled as a Tier II member of the New York State Employee Retirement System, but was wrongly not offered the opportunity to join the system, and

WHEREAS, Mr. Zywiczyński was not covered under Chapter 437, Laws of 1993, Section 803 of the Retirement and Social Security Law,

NOW, THEREFORE, BE IT

RESOLVED, That the Erie County Legislature does hereby request the New York State Legislature to enact legislation authorizing local support for Paul S. Zywiczyński's claim to be afforded membership in the New York State Employee Retirement System retroactive to the date of his hiring, and be it further

RESOLVED, That certified copies of this resolution be forwarded to the entire Western New York delegation of the New York State Legislature.

Fiscal Impact: None for resolution.

GREGORY B. OLMA

Mr. DUSZA moved the adoption. Mr. OLMA seconded.

CARRIED UNANIMOUSLY.

ITEM 15 - Mr. LARSON moved to discharge the GOVERNMENT AFFAIRS COMMITTEE from further consideration of Int. 18-5. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 445 Re: Naming the Gazebo in Como Park - The Rich Marino Gazebo (Int. 18-5)

WHEREAS, construction was completed on the new gazebo at Como Park in Lancaster during this summer, and

WHEREAS, the gazebo adds a beautiful and peaceful place for residents to enjoy while visiting the park, and

WHEREAS, the gazebo was donated to the residents of Erie County by Burke Brothers Development, and

WHEREAS, the completion of the gazebo would have been difficult, if not impossible had it not been for the efforts of Rich Marino, and

WHEREAS, Rich Marino has been a great asset to Como Park as its superintendent, always keeping the park clean and well maintained,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby dedicate the Como Park Gazebo in honor of Rich Marino and names it the Rich Marino Gazebo, and be it further

RESOLVED, This Honorable Body requests that Erie County Executive Dennis T. Gorski and County Commissioner of Parks, Recreation and Forestry James J. Jankowiak take the necessary steps to implement the naming of the gazebo, and be it further

RESOLVED, that certified copies of this resolution be forwarded to the County Executive Dennis T. Gorski, County Commissioner of Parks, Recreation and Forestry James J. Jankowiak, and the Lancaster Town Board.

FISCAL IMPACT: None.

DALE W. LARSON

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

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

CARRIED UNANIMOUSLY.

SUSPENSION OF THE RULES:

ITEM 16 - Ms. PEOPLES moved for a suspension of the rules to include an item not on the agenda.

GRANTED.

Comm. 23E-20 From: Chairman Swanick Re: Calling Special Meeting

Chairman SWANICK directed Comm. 23E-20 be RECEIVED, FILED & PRINTED.

NOVEMBER 20, 1997

Ms. Laurie A. Manzella, Clerk
Erie County Legislature
25 Delaware Avenue - 7th Floor
Buffalo, New York 14202

Dear Madame Clerk:

Pursuant to Rule 2 of the Rules of Order of the Erie County Legislature, you are hereby directed to call a Special Meeting of the Erie County Legislature to be held on MONDAY, NOVEMBER 24, 1997 at 2:00 o'clock in the afternoon of that day in the Erie County Legislative Chambers, 25 Delaware Avenue, 7th Floor, Buffalo, New York.

The purpose of this meeting will be to accept the Report of the Budget Committee and to lay the 1998 Erie County Executive's Tentative Budget on the table of the Erie County Legislature.

BE FURTHER ADVISED that I have changed the date of the Session previously announced for Tuesday, December 2, 1997 to WEDNESDAY, NOVEMBER 26, 1997, at 2:00 O'CLOCK in the afternoon of that day in the Erie County Legislative Chambers, 25 Delaware Avenue, 7th Floor, Buffalo, New York.

The purpose of this meeting will be to vote on the 1998 Erie County Budget.

Thank you.

Sincerely yours,
CHARLES M. SWANICK
Chairman
Erie County Legislature

RECEIVED, FILED & PRINTED.

ITEM 17 - Ms. PEOPLES moved for a suspension of the rules to include an item not on the agenda.

GRANTED.

Comm. 23D-17 From: Clerk of the Erie County Legislature Re: Special Meeting Notice

Chairman SWANICK directed that Comm. 23D-17 be RECEIVED, FILED & PRINTED.

NOVEMBER 20, 1997

TO: ALL ERIE COUNTY LEGISLATORS
FROM: Laurie A. Manzella, Clerk of the Legislature
RE: SPECIAL MEETING NOTICE

PLEASE TAKE NOTICE that pursuant to Rule 2 of the Rules of Order of the Erie County Legislature and under the direction of Chairman Charles M. Swanick, there will be a SPECIAL MEETING of the Erie County Legislature on MONDAY, NOVEMBER 24, 1997 at 2:00 o'clock in the afternoon of that day in the Erie County Legislative Chambers, 25 Delaware Avenue, 7th Floor, Buffalo, New York.

The purpose of this meeting will be to accept the Report of the Budget Committee and to lay the 1998 Erie County Executive's Tentative Budget on the table of the Erie County Legislature.

PLEASE TAKE FURTHER NOTICE that I have changed the date of the Session previously announced for Tuesday, December 2, 1997 to WEDNESDAY, NOVEMBER 26, 1997, at 2:00 O'CLOCK in the afternoon of that day in the Erie County Legislative Chambers, 25 Delaware Avenue, 7th Floor, Buffalo, New York.

The purpose of this meeting will be to vote on the 1998 Erie County Budget.

This Session will replace the previously announced date of Tuesday, December 2, 1997.

Thank you.

LAURIE A. MANZELLA
Clerk
Erie County Legislature

RECEIVED, FILED & PRINTED.

ITEM 18 - Ms. PEOPLES moved for a suspension of the rules to include an item not on the agenda.

GRANTED.

Comm. 23M-12 From: Town of West Seneca Police Department Re: Sale of Stolen Property

Chairman SWANICK directed that Comm. 23M-12 be referred to the COMMUNITY ENRICHMENT COMMITTEE.

COMMUNICATIONS FROM ELECTED OFFICIALS

FROM THE COUNTY EXECUTIVE

ITEM 19 - (Comm. 23E-1) 1998 Erie County Budget Recommendation
Received and referred to the FINANCE AND MANAGEMENT COMMITTEE.

FROM LEGISLATOR DEBENEDETTI

ITEM 20 - (Comm. 23E-2) Copy of Letter to NFTA Re: Concerns with Funding for Opening Ceremonies

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM THE COMPTROLLER

ITEM 21 - (Comm. 23E-3) Audit of Parents Anonymous of Buffalo & Erie County for 12 Month Period Ending 12/31/96

ITEM 22 - (Comm. 23E-4) Audit of ECMC Lease Transactions 1/1/96 - 12/31/96

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

FROM THE COUNTY EXECUTIVE

ITEM 23 - (Comm. 23E-5) Position Change Report PP#24
Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE SHERIFF

ITEM 24 - (Comm. 23E-6) Humane Transfer of K-9 Dog.
Received & referred to the PUBLIC SAFETY COMMITTEE.

FROM THE COMPTROLLER

ITEM 25 - (Comm. 23E-7) Cost of Borrowing Report.
Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE SHERIFF

ITEM 26 - (Comm. 23E-8) Erie County Sheriff's Office Personnel Adjustment.

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM THE COUNTY EXECUTIVE

ITEM 27 - (Comm. 23E-9) ECSD No. 5 Conveyance of Property.

ITEM 28 - (Comm. 23E-10) ECSD Nos. 1 - 6 User Charge Rates.

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

RESOLVED, that the County Executive is hereby authorized to execute a PILOT Agreement between and among the Town of Aurora, Trinity Park Apartments, L.P. and the County of Erie relating to property located on Route 20A at Grover Road in the Town of Aurora, and all other agreements necessary to conclude this project; and

BE IT FURTHER

RESOLVED, that certified copies of this Resolution be sent to the Director of the Division of Budget, Management and Finance, the Commissioner of the Department of Environment and Planning and the Erie County Attorney.

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

CARRIED UNANIMOUSLY.

FROM THE COUNTY EXECUTIVE

ITEM 31 - (Comm. 23E-13) Erie County Youth Best "Silent Auction" - Request to Accept Donations from Sponsors & Co-Sponsors.

Received & referred to the SOCIAL SERVICES COMMITTEE.

ITEM 32 - (Comm. 23E-14) Sheriff's Office - Transfer of Funds

ITEM 33 - (Comm. 23E-15) Central Police Services - Appropriation for E-911 Funds.

The above two items were received & referred to the PUBLIC SAFETY COMMITTEE.

ITEM 34 - (Comm.23E-16) Youth Services - Authorization for Interdepartmental Transfer of Funds.

Received & referred to the SOCIAL SERVICES COMMITTEE.

ITEM 35 - (Comm.23E-17) Emergency Medical Services - Replacement Vehicles.

ITEM 36 - (Comm.23E-18) Correctional Facility - Transfer of Funds.

The above two items were received & referred to the PUBLIC SAFETY COMMITTEE.

ITEM 37 - (Comm.23E-19)

Ms. PEOPLES moved for immediate consideration. Mr. HOLT seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 447 Re: Erie County Board of Elections Information Systems Improvement Project.

WHEREAS, the Board of Elections currently performs numerous voter and election management functions using information systems and services provided by an outside vendor, and

WHEREAS, the current system has experienced numerous problems that have negatively impacted services to candidates, the media and the voting public, and

WHEREAS, the Board of Elections Information Systems Improvement Project represents an important opportunity to modernize the delivery of voter and election services to Erie County, and

WHEREAS, significant saving and efficiencies will be realized by implementing a new personal computer based information system for the Board of Elections, and

WHEREAS, the Board of Elections has issued a request for proposal pursuant to section 19.08 of the Erie County Administrative Code, and

WHEREAS, the evaluation committee reviewed and evaluated all proposals received, in consultation with the Division of Information and Support Services, and

WHEREAS, Business Records Corporation (BRC) has responded to the Board's request for proposal with a total solution including six years of service and maintenance, and

WHEREAS, that pursuant to the Erie County Administrative Code, Article 16.01, Section D, the decision of the Commissioners of the Board of Elections is to enter into contracts with Business Records Corporation for the elections information systems improvement project, said contracts to include systems integration services, hardware, software, data conversion, data communications, networking, installation, testing, training and other goods and services required to complete the project as delineated in the Board's request for proposal for information management services and the awarded vendor response to same, and

WHEREAS, that pursuant to the Erie County Administrative Code, Article 16.01, Section D, the decision of the Commissioners of the Board of Elections is to enter into contracts for third party software, services, equipment and maintenance as may be separately required to implement the Board's request for proposal information system.

NOW, THEREFORE, BE IT

RESOLVED, that the following transfer of funds is approved for the purpose of funding the Board of Elections information systems improvement project:

Appropriation Increase

Contractual 830 in Board of Elections Project 918, Department 500	+\$1,065,000
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Revenue Increase Payments in Lieu of Taxes Account, 304,

Countywide Accounts Budget, Project 923, Department 310	+\$1,065,000
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Annual budgeted Revenue already being received.

and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the Commissioners of the Board of Elections, the Director of Budget, Management and the Director of Information and Support Services.

Ms. PEOPLES offered an amendment as follows:

ADD the following new RESOLVE clause after the first RESOLVE clause to read as follows:

RESOLVED, that authorization for the Board of Elections to enter into this contractual agreement is hereby granted with the assurance that the Erie County Board of Elections will maintain a voter history database available for public inspection and retrieval of records on or before March 31,1999, and be it further

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

CARRIED UNANIMOUSLY.

Mr. MARSHALL requested permission of the floor for the Board of Elections Commissioners.

GRANTED.

Commissioner Ralph Mohr given permission of the floor.

Commissioner Larry Adamczyk given permission of the floor.

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

CARRIED.

Legislator DeBenedetti in the negative.

COMMUNICATIONS FROM THE DEPARTMENTS

FROM ERIE COUNTY MEDICAL CENTER

ITEM 38 - (Comm. 23D-1) Finance Committee 11/7/97 Financial Statements for 9/30/97.

Received & referred to the HEALTH COMMITTEE.

FROM ERIE COMMUNITY COLLEGE

ITEM 39 - (Comm. 23D-2) Notice of Meeting Held 11/19/97

ITEM 40 - (Comm. 23D-3) Notice of Meeting to be Held 11/7/97.

The above two items were RECEIVED & FILED.

FROM DPW

ITEM 41 - (Comm. 23D-4) Agreement with NYSDOT - Construction Phase Two Rod Road Bridge 547-2 Over Cayuga Creek BIN 1-044650-0, Town of Alden.

ITEM 42 - (Comm. 23D-5) Agreement with NYSDOT - Preliminary Engineering, Construction & Construction Inspection - Springville Boston Road Bridge 228-8, Concord.

The above two items were received & referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM ERIE COUNTY MEDICAL CENTER

ITEM 43 - (Comm. 23D-6) Notice of Meeting Held 11/13/97.

Received and referred to the HEALTH COMMITTEE.

FROM DPW

ITEM 44 - (Comm. 23D-7) Agreement with NYSDOT-Construction Inspection Phases Clarence Center Road Bridge 217-2, Town of Clarence.

Received & referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM BUDGET, MANAGEMENT & FINANCE

ITEM 45 - (Comm. 23D-8) Budget Monitoring Report for the Period Ending 9/30/97.

Received & referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM ERIE COMMUNITY COLLEGE

ITEM 46 - (Comm. 23D-9) Notice of Meetings Held 11/14/97 & 11/17/97.

RECEIVED & FILED.

ITEM 47 - (Comm. 23D-10) Update on ECC's Proposed Machine Tool Technology Program.

FROM BUFFALO & ERIE COUNTY PUBLIC LIBRARY

ITEM 48 -- (Comm. 23D-11) Minutes of Meeting Held 10/16/97 & Notice of Meeting to be Held 11/20/97.

The above two items were received & referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM DEP

ITEM 49 -- (Comm. 23D-12) SEQOR -- Solicitations for Lead Agency Status - ECSD Nos. 1-6, Southtowns Sewage Treatment Agency & Subscriber Districts.

Received & referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM DPW

ITEM 50 -- (Comm. 23D-13) Increase to Agreement With NYSDOT for Preliminary Engineering & Construction Phases Two Rod Road Bridge 547-2, Town of Alden.

ITEM 51 - (Comm. 23D-14) Increase to Agreement With NYSDOT Construction & Construction Inspection Phases Clarence Center Road Bridge 217-2, Town of Clarence

ITEM 52 -- (Comm. 23D-15) ECC -- North Campus, Rehabilitation of Food Services Lab & Spring Student Center.

The above three items were received & referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM BOARD OF ELECTIONS

ITEM 53 - (Comm. 23D-16) Transfer of Funds.

Received & referred to the GOVERNMENT AFFAIRS COMMITTEE.

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES

FROM CORTLAND COUNTY LEGISLATURE

ITEM 54 - (Comm. 23M-1) Copy of Resolution Re: In Support of New York State Legislature Organizing a "Dairy Summit" Concerning Milk Pricing.

Received and referred to the HEALTH COMMITTEE.

FROM ERIE COUNTY MORGUE

ITEM 55 - (Comm. 23M-2) Monies & Other Property Found on Deceased Persons.

RECEIVED & FILED.

FROM NFTA

ITEM 56 - (Comm. 23M-3) Letter to Chairman Swanick Re: Response to National Federation of the Blind.

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

GOVERNMENT RESEARCH INSTITUTE OF WNY, INC.

ITEM 57 - (Comm. 23M-4) Abridged Recommendations on 1998 Erie County Budget.

FROM BLOOD ASSOCIATION OF WNY

ITEM 58 - (Comm. 23M-5) Funding for the Blind Association's Capital Campaign.

The above two items were received & referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM NYS ASSEMBLYMAN REYNOLDS

ITEM 59 - (Comm. 23M-6) Acknowledgement of Receipt of Resolution.
RECEIVED & FILED.

FROM MENTAL HYGIENE COMMUNITY SERVICES BOARD

ITEM 60 -- (Comm. 23M-7) Notice of meeting to be Held 11/20/97.
Received and referred to the HEALTH COMMITTEE.

FROM NFTA

ITEM 61 -- (Comm. 23M-8) Copies of the 17A Report & Capital
Expenditure Reports for the Second Quarter of Fiscal Year Ending
3/31/98.

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM MELINDA HOLLAND, CLEAN SITES

ITEM 62 -- (Comm. 23M-9) Summary of Meeting Held 11/5/97 & Notice
of Meeting Held 11/18/97.

Received and referred to the ENERGY AND ENVIRONMENT COMMITTEE.

FROM GREATER BUFFALO COMMUNITY WELLNESS COUNCIL

ITEM 63 - (Comm. 23M-10) Minutes of Meeting Held 10/21/97.

Received & referred to the HEALTH COMMITTEE.

FROM ERIE COUNTY ENVIRONMENTAL MANAGEMENT COUNCIL

ITEM 64 - (Comm. 23M-11) Restructuring of Electrical Energy
Production & Distribution Industry.

Received & referred to the ENERGY & ENVIRONMENT COMMITTEE.

ADJOURNMENT:

ITEM 65 - 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, December 4, 1997. Mr. MARSHALL seconded.

CARRIED UNANIMOUSLY.

The Chairman declared the Legislature adjourned until Thursday, December 4, 1997 at 2:00 P.M., Eastern Standard Time.

LAURIE A. MANZELLA
Clerk