ERIE COUNTY LEGISLATURE
MEETING NO. 27
December 19, 1997

The Legislature was called to order by Chairman SWANICK.

All Members present.

A moment of silent was held.

The Pledge of Allegiance was led by Mr. MARSHALL

The Minutes of the previous meeting were APPROVED.

MISCELLANEOUS RESOLUTIONS

ITEM 1 - MESSRS. SWANICK, KUWIK & Ms.PEOPLES presented a resolution of Congratulations Honoring Undersheriff Gerald Mack on his Accomplishments. Mr. MARSHALL seconded.

CARRIED UNANIMOUSLY.

ITEM 2 - Mr. MARSHALL presented a resolution of Congratulations Honoring Mr. Richard Kennedy Upon His Retirement. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

ITEM 3 - MESSRS. SWANICK, MARSHALL, MS. PEOPLES & ET AL presented a resolution Honoring Legislator Randi Cohen Kennedy for Her Service to the Residents & Taxpayers of the Town of Amherst & the County of Erie. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

ITEM 4 - Mr. SWANICK & Et Al presented a resolution of Congratulations Honoring Richard Horner for all his hard work and dedication. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

ITEM 5 - Mr. SWANICK presented a resolution of Congratulations to David Swarts for His gift to the Erie County Legislature. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

LOCAL LAWS:

ITEM 6 - Chairman SWANICK directed that the following Local Laws remain on the table:

Local Law Intro. No. 10 (Print #1) - 1997
Local Law Intro. No. 11 (Print #1) - 1997

COMMITTEE REPORTS

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 465

DECEMBER 9, 1997

FINANCE AND MANAGEMENT COMMITTEE
REPORT NO. 11

ALL MEMBERS PRESENT.

1. **RESOLVED**, that the following items are hereby received and filed:

Item Page -1996 (Comm. 27E-2)
a. **MARSHALL:** Republican Budget Amendments to 1997 Proposed County Budget.
(4-1) Legislator Ranzenhofer in the negative.

Item Page -1997 (Comm. 5D-21)
b. **ERIE COUNTY MEDICAL CENTER:** Response to Research & Study Audit.
(5-0)

Item Page -1997 (Comm. 5E-21)
c. **COUNTY EXECUTIVE:** Analysis of Governor Pataki's Proposed New York State Budget.
(5-0)

Item Page -1997 (Comm. 11D-3)
d. **BUDGET, MANAGEMENT & FINANCE:** Copy of Letter Re: Comptroller's "Unfilled Vacant Positions" Report.
(5-0)

Item Page -1997 (Comm. 11D-8)
e. **BUDGET, MANAGEMENT & FINANCE:** Budget Monitoring Report for Period Ending 3/31/97.
(5-0)

Item Page -1997 (Comm. 11M-14)
f. **NEW YORK STATE BOARD OF REAL PROPERTY SERVICES:** 1996 State Equalization Rates.
(5-0)

Item Page -1997 (Int. 13-12)
g. **SWANICK & PEOPLES:** Support for Proposal to Raise Penalty Rate on Delinquent Erie County Property Tax Payments.
(5-0)

Item Page -1997 (Comm. 14D-8)
h. **BUDGET, MANAGEMENT & FINANCE:** Minutes of Capital Projects Meeting Held 6/25/97.
(5-0)

Item Page -1997 (Comm. 19D-4)
i. **BUDGET, MANAGEMENT & FINANCE:** Budget Monitoring Report for the Period Ending 7/31/97.
(5-0)

Item Page -1997 (Comm. 19E-3)
j. **COMPTROLLER:** State Funding for CHIPS Program.
(5-0)

Item Page -1997 (Comm. 20E-1)
k. **COMPTROLLER:** Unfilled Vacant Positions 9/13/97.
(5-0)

Item Page -1997 (Comm. 20E-2)
l. **COMPTROLLER:** County of Erie Annual Financial Report Update Document for Year Ended 12/31/96.
(5-0)

Item Page -1997 (Comm. 20E-6)
m. **COMPTROLLER:** Quarterly Investment Report 4/1/97-6/30/97.
(5-0)

Item Page -1997 (Comm. 22M-5)
n. **ERIE COUNTY CULTURAL RESOURCE ADVISORY BOARD:** 1998 Cultural Funding Recommendations for Erie County.
(5-0)

Item Page -1997 (Comm. 22M-10)
o. **THE FRANCISCAN CENTER:** Copy of Letter Re: Erie County Youth Board & County Support for the Franciscan Center.
(5-0)

Item Page -1997 (Comm. 22M-11)
p. **EC BAR ASSOCIATION AID TO INDIGENT PRISONERS SOCIETY INC.:** 1998 Budget Appropriation.
(5-0)

Item Page -1997 (Comm. 23E-3)
q. **COMPTROLLER:** Audit of Parents Anonymous of Buffalo & Erie County for 12 Month Period Ending 12/31/96.
(5-0)

Item Page -1997 (Comm. 23E-4)
r. **COMPTROLLER:** Audit of ECMC Lease Transactions 1/1/96-12/31/96.
(5-0)

Item Page -1997 (Comm. 23M-4)
s. **GOVERNMENTAL RESEARCH INSTITUTE OF WNY, INC.:** Abridged Recommendations on 1998 Erie County Budget.
(5-0)

Item Page -1997 (Comm. 23M-5)
t. **BLIND ASSOCIATION OF WNY:** Funding for the Blind Association's Capital Campaign.
(5-0)

Item Page -1997 (Comm. 26E-3)
u. **COMPTROLLER:** County of Erie Tentative Budget - 1998.
(5-0)

Item Page -1997 (Comm. 26E-4)
v. **COMPTROLLER:** Sales Tax Receipts for the Six Month Period Ended June 30, 1997.
(5-0)

Item Page -1997 (Comm. 26E-6)
w. **COMPTROLLER:** Quarterly Investment Report 7/1/97 Through 9/30/97.
(5-0)

OPEN ITEM
Item Page -1997 (Comm. 1D-19A)
2. **BUDGET, MANAGEMENT & FINANCE:**
(A) WHEREAS, the Erie County Director of Real Property Tax Services has received applications for corrected tax billings and/or refunds for taxes previously paid in accordance with New York State Real Property Tax Law sections 554 and 556, and

WHEREAS, the Director has investigated the validity of such applications (see listing below) now, therefore be it,

RESOLVED, that Petitions numbered **258** through **258** inclusive, be hereby approved or denied based upon the recommendation of the Director of Real Property Services and be charged back to the applicable Towns and/or Cities.

Petition No. 258/1996 - ASSESSOR - Refund - $119.84
SBL No. 226.03-1-12 - TOWN OF BOSTON
Acct. No. 112 - 73.61
Acct. No. 132 - 46.23

Charge to:	TOWN OF BOSTON	27.41
	BOSTON FIRE PROTECTION	14.69
	EC#3 BOSTON VALLEY	4.13

REFUND - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. ASSESSMENT WAS 14,900 IT SHOULD BE 7,100. RPTL 550(2)A. CHECK IN FAVOR OF: CHARLES CLARK.
(5-0)

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(B) WHEREAS, the Erie County Director of Real Property Tax Services has received applications for corrected tax billings and/or refunds for taxes previously paid in accordance with New York State Real Property Tax Law sections 554 and 556, and

WHEREAS, the Director has investigated the validity of such applications (see listing below) now, therefore be it,

RESOLVED, that Petitions numbered **S-129** through **S-140** inclusive, be hereby approved or denied based upon the recommendation of the Director of Real Property Services and be charged back to the applicable Towns and/or Cities.

Petition No. S-129/9798 - ASSESSOR - Cancel $316.50
SBL No. 316.02-1-32 - TOWN OF NORTH COLLINS
Acct. No. 112 - 0.00
Acct. No. 132 - 316.60

Charge to: NORTH COLLINS CENT 316.50

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. ASSESSMENT WAS 61,600 IT SHOULD BE 41,600. RPTL 550(2)A.

Petition No. S-130/9798 - ASSESSOR - Cancel $692.18
SBL No. 41.57-1-18 - TOWN OF AMHERST
Acct. No. 112 - 0.00
Acct. No. 132 - 692.18

Charge to: WILLIAMSVILLE CENT 692.18

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. ASSESSMENT WAS 100,000 IT SHOULD BE 72,000. RPTL 550(2)A.

Petition No. S-131/9798 - ASSESSOR - Refund $5,018.72
SBL No. 54.04-2-27.1 - TOWN OF AMHERST
Acct. No. 112 - 0.00
Acct. No. 132 - 5,018.72

Charge to: SWEET HOME CENTRAL 5,018.72

REFUND - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. ASSESSMENT WAS 3,499,100 IT SHOULD BE 3,300,000. RPTL 550(2)A. CHECK IN FAVOR OF: TRIAD BUILDING ASSOC.

Petition No. S-132/9798 - ASSESSOR - Cancel $1,681.01
SBL No. 56.19-6-28 - TOWN OF AMHERST
Acct. No. 112 - 0.00
Acct. No. 132 - 1,681.01

Charge to: WILLIAMSVILLE CENT 1,681.01
CANCEL - CLERICAL ERROR, THIS PARCEL IS INCLUDED IN 56.19-6-28.2. RPTL 550(2)F.

S-133

Petition No. 3469 / 9798 - ASSESSOR - Refund - $146.74

SBL No. 81.09-4-4 - TOWN OF AMHERST

Acct. No. 112 - $ 0.00

Acct. No. 132 - $ 146.74

Charge to : WILLIAMSVILLE CENT 146.74

REFUND - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTL ON THE TAX ROLL. THE ASSESSMENT WAS 90,000 IT SHOULD BE 84,400. RPTL 550(2)A.
CHECK IN FAVOR OF: ABRAM & TERRY ELIJAH JR

S-134

Petition No. 3470 / 9798 - ASSESSOR - Cancel - $6.95

SBL No. 57.16-2-3 - TOWN OF CLARENCE

Acct. No. 112 - $ 0.00

Acct. No. 132 - $ 6.95

Charge to : CLARENCE CENTRAL 6.95

CANCEL - CLERICAL ERROR, THIS PARCEL IS OWNED BY THE COUNTY OF ERIE MAKING IT EXEMPT FROM SCHOOL TAX. THE EXEMPTION WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C.

S-135

Petition No. 3471 / 9798 - ASSESSOR - Cancel - $771.24

SBL No. 70.20-3-14 - TOWN OF CLARENCE

Acct. No. 112 - $ 0.00

Acct. No. 132 - $ 771.24

Charge to : CLARENCE CENTRAL 771.24

CANCEL - CLERICAL ERROR, THIS PARCEL IS OWNED BY THE COUNTY OF ERIE MAKING IT EXEMPT FROM SCHOOL TAX. THE EXEMPTION WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C.

S-136

Petition No. 3472 / 9798 - ASSESSOR - Refund - $261.25

SBL No. 71.05-1-22 - TOWN OF CLARENCE

Acct. No. 112 - $ 0.00

Acct. No. 132 - $ 261.25

Charge to : CLARENCE CENTRAL 261.25

REFUND - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. THE ASSESSMENT WAS 205,800 IT SHOULD BE 187,000. RPTL 550(2)A
CHECK IN FAVOR OF: THOMAS & MARGARET STEFFAN

S-137

Petition No. 3473 / 9798 - ASSESSOR - Refund - $1,389.62

SBL No. 82.01-1-5 - TOWN OF CLARENCE

Acct. No. 112 - $ 0.00

Acct. No. 132 - $ 1,389.62

Charge to : CLARENCE CENTRAL 1,389.62

REFUND - CLERICAL ERROR, THE ASSESSMENT WAS ENTERED INCORRECTLY ON THE TAX ROLL. THE ASSESSMENT WAS 119,900 IT SHOULD BE 19,900.

CHECK IN FAVOR OF:JAMES M CULLIGAN

S-138

Petition No. ~~3474~~ / 9798 - ASSESSOR - Cancel - $312.86

SBL No. 223.18-1-39 - TOWN OF EDEN

Acct. No. 112 - $ 0.00

Acct. No. 132 - $ 312.86

Charge to : EDEN CENTRAL 312.86

REFUND - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 23,850 THAT THIS PARCEL WAS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C.
CHECK IN FAVOR OF: EUGENE HERZOG

Petition No. S-139/9798 - ASSESSOR - Cancel $322.67
SBL No.205.00-4-22 - TOWN OF EVANS
Acct. No. 112 - 0.00
Acct. No. 132 - 322.67

Charge to: LAKE SHORE CENTRAL 322.67

CANCEL - CLERICAL ERROR, THIS PARCEL HAS BEEN SUB-DIVIDED. RPTL 550(2)F.

Petition No. S-140/9798 - ASSESSOR - Cancel $1,726.36
SBL No.170.12-4-1./A - TOWN OF HAMBURG
Acct. No. 112 - 0.00
Acct. No. 132 - 1,726.36

Charge to: FRONTIER CENTRAL 1,726.36

CANCEL - UNLAWFUL ENTRY, THIS PARCEL IS OWNED BY NEW YORK STATE MAKING IT EXEMPT FROM TAXES. THIS IS THE HOPEVALE FACILITIES. RPTL 550(7)A.
(5-0)

Item Page -1997 (Comm. 20E-9)

3. **COUNTY EXECUTIVE:**

WHEREAS, the Division of Budget, Management and Finance must maintain property tax receivables and Hotel Occupancy Tax receivables, and

WHEREAS, the Division of Budget, Management and Finance has been maintaining Hotel Occupancy Tax receivables on a PC-based system and Property Tax receivables on a Govern Software, Inc. network system, and

WHEREAS, the Office of the Comptroller recently completed an audit of the Hotel Occupancy Tax with various findings and recommendations that can be best addressed by moving the Hotel Occupancy Tax receivable system to the Govern Software, Inc. tax receivable module, and

WHEREAS, the Govern Software, Inc. Tax Receivable module requires various modifications to accommodate the Hotel Occupancy Tax receivables as well as other modifications to accommodate various changes in property tax accounting, and

WHEREAS, Govern Software, Inc. is the sole vendor chosen by the County to provide a tax receivable module and is capable of doing the modifications to the system to accommodate all of these changes, and

WHEREAS, the Director of Budget & Management has determined that adequate funding is available in the Division of Budget, Management & Finance budget to fund a contract to perform these changes.

NOW, THEREFORE, BE IT

RESOLVED, that the Director of Budget & Management is hereby authorized to transfer $30,000 from the Division of Budget, Management & Finance, Account 810-Office Supplies to the Division of Budget, Management & Finance, Account 830-Contractual Expense, and be it further

RESOLVED, that the County Executive is authorized to enter into a contract with Govern Software, Inc. to accomplish these modifications at a cost not to exceed $30,000, and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the Director of Budget & Management, the Director of Information & support Services and the Director of Purchasing.
(5-0)

Item Page -1997 (Comm. 21D-12)
4. **BUDGET, MANAGEMENT & FINANCE:**
RESOLVED, that the following described parcel of land be sold without Public Auction pursuant to Article 14, Section 14-1.0 of the Erie County Tax Act to: Brian and Martha Townson, 1153 East Main Street, East Aurora, New York 14052 for the sum of Four Hundred and 00/100 Dollars ($400.00).

All That Tract or Parcel of Land, situate in the Town of Aurora, County of Erie and State of New York being part of Farmlot 17, Township 9, Range 6;

Further described on Erie County Tax Maps as Section, Block and Lot No. 176.000-1-2 (Big Tree Road) LL 280.00 x 100 IRR;

Intending to convey all land acquired by Erie County as Serial No. 1235 in the County In Rem Tax Foreclosure Action No. 138, and be it further

RESOLVED, that the Erie County Executive is hereby authorized and directed to execute a quit claim deed conveying the interest of the County of Erie in the above described property to the aforesaid purchaser, and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Division of Budget, Management and Finance and the County Attorney's Office.
(5-0)

Item Page -1997 (Comm. 21D-13)
5. **BUDGET, MANAGEMENT & FINANCE:**
RESOLVED, that the following described parcel of land be sold without Public Auction pursuant to Article 14, Section 14-1.0 of the Erie County Tax Act to: Frank E. Hejmanowski, 3890 Cornell Street, Hamburg, New York 14075 for the sum of One Hundred and 00/100 Dollars ($100.00).

All That Tract or Parcel of Land, situate in the Town of Hamburg, County of Erie and State of New York being part of Farmlot 13, Township 9, Range 8, Sublot 2040, Block 20, Map Cover 712;

Further described on Erie County Tax Maps as Section, Block and Lot No. 170.760-4-15 (Cornell Street) 28.00 x 118.00;

Intending to convey all land acquired by Erie County as Serial No. 626 in the County In Rem Tax Foreclosure Action No. 137, and be it further

RESOLVED, that the Erie County Executive is hereby authorized and directed to execute a quit claim deed conveying the interest of the County of Erie in the above described property to the aforesaid purchaser, and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Division of Budget, Management and Finance and the County Attorney's Office.
(5-0)

Item Page -1997 (Comm. 22D-15)
6. **BUDGET, MANAGEMENT & FINANCE:**
RESOLVED, that pursuant to Article VII of the Erie County Tax Act, the Acting Erie County Deputy Commissioner of Finance be, and hereby is authorized to purchase on behalf of Erie County, any and all Tax Sale Certificates for real property in the County of Erie on which 1997 taxes as defined in said Act, have not been paid, and be it further

RESOLVED, that certified copies of this resolution be transmitted to the Director of Budget, Management and Finance.
(5-0)

Item Page -1997 (Comm. 22D-16)
7. **BUDGET, MANAGEMENT & FINANCE:**
RESOLVED, that the following described parcel of land be sold without Public Auction pursuant to Article 14, Section 14-1.0 of the Erie County Tax Act to: Edward A. Jarczyk, 90 A Garden Village Drive, Apt. 1, Cheektowaga, New York 14227 for the sum of Two Hundred and 00/100 Dollars ($200.00).

All That Tract or Parcel of Land, situate in the Town of West Seneca, County of Erie and State of New York being part of Farmlot 325, Township 10, Range 7, Block S, Sublot 599 as filed under Map Cover 1481;

Further described on Erie County Tax Maps as Section, Block and Lot No. 125.650-12-31 (D'Angelo Street 30.00 x 100.00) and

Intending to convey all land acquired by Erie County as Serial No. 996 in the County In Rem Tax Foreclosure Action No. 148, and be it further

RESOLVED, that the Erie County Executive is hereby authorized and directed to execute a quit claim deed conveying the interest of the County of Erie in the above described property to the aforesaid purchaser, and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Division of Budget, Management and Finance and the County Attorney's Office.
(5-0)

Item Page -1997 (Comm. 22D-17)
8. **BUDGET, MANAGEMENT & FINANCE:**
RESOLVED, that the following described parcel of land be sold without Public Auction pursuant to Article 14, Section 14-1.0 of the Erie County Tax Act to: Edward A. Jarczyk, 90 A Garden Village Drive, Apt. 1, Cheektowaga, New York 14227 for the sum of Two Hundred and 00/100 Dollars ($200.00).

All That Tract or Parcel of Land, situate in the Town of West Seneca, County of Erie and State of New York being part of Farmlot 325, Township 10, Range 7, Block S, Sublot 600 as filed under Map Cover 1481;

Further described on Erie County Tax Maps as Section, Block and Lot No. 125.650-12-32 (D'Angelo Street 30.00 x 100.00) and

Intending to convey all land acquired by Erie County as Serial No. 997 in the County In Rem Tax Foreclosure Action No. 148, and be it further

RESOLVED, that the Erie County Executive is hereby authorized and directed to execute a quit claim deed conveying the interest of the County of Erie in the above described property to the aforesaid purchaser, and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Division of Budget, Management and Finance and the County Attorney's Office.
(5-0)

Item Page -1997 (Comm. 22D-18)
9. **BUDGET, MANAGEMENT & FINANCE:**
RESOLVED, that the following described parcel of land be sold without Public Auction pursuant to Article 14, Section 14-1.0 of the Erie County Tax Act to: Edward A. Jarczyk, 90 A Garden Village Drive, Apt. 1, Cheektowaga, New York 14227 for the sum of Two Hundred and 00/100 Dollars ($200.00).

All That Tract or Parcel of Land, situate in the Town of West Seneca, County of Erie and State of New York being part of Farmlot 325, Township 10, Range 7, Block S, Sublot 602 as filed under Map Cover 1481;

Further described on Erie County Tax Maps as Section, Block and Lot No. 125.650-12-1 (Chestnut Street 25.00 x 100.00) and

Intending to convey all land acquired by Erie County as Serial No. 1583 in the County In Rem Tax Foreclosure Action No. 152, and be it further

RESOLVED, that the Erie County Executive is hereby authorized and directed to execute a quit claim deed conveying the interest of the County of Erie in the above described property to the aforesaid purchaser, and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Division of Budget, Management and Finance and the County Attorney's Office.
(5-0)

Item Page -1997 (Comm. 26D-10)
10. **BUDGET, MANAGEMENT & FINANCE:**
WHEREAS, the Erie County budget for the year 1998 has been adopted.

NOW, THEREFORE, BE IT

RESOLVED, that the amounts in said County budget that are required to be raised by taxes by this Legislature, are hereby levied upon and shall be collected from the taxable property situated within the County of Erie and liable therefore, effective January 1, 1998, and be it further

RESOLVED, that the Director of Budget and Management and/or successor to the Commissioner of Finance is hereby directed to apportion said taxes to be raised for such budget against the taxable property liable therefore, as provided by law, and be it further

RESOLVED, that certified copies of this resolution be transmitted to the Director of Budget, Management and Finance and the County Attorney.
(5-0)

CRYSTAL DAVIS PEOPLES
Chairperson

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

CARRIED UNANIMOUSLY.

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ITEM 8 - Mr. FITZPATRICK presented the following and moved for immediate consideration. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 466

DECEMBER 9, 1997 ECONOMIC DEVELOPMENT COMMITTEE REPORT NO. 11

ALL MEMBERS PRESENT.

1. **RESOLVED**, that the following items are hereby received and filed:

Item Page -1997 (Comm. 21M-1)
a. **NFTA:** Cash Flow Statements, 10/1/97 - 9/30/98 & 4/1/97 - 3/31/98.
(5-0)

Item Page -1997 (Comm. 22D-10)
b. **DPW:** Signature Authorization for Supplier Transportation, and Balancing Aggregation.
(5-0)

Item Page -1997 (Comm. 22D-11)
c. **DPW:** ECC - North Campus - Building "C" Food Lab Renovations.
(5-0)

Item Page -1997 (Comm. 22D-12)
d. **DPW:** Supplemental Agreement to General A/E Contract, Project Initiation Report - Demolition & Abatement, E.J. Meyer Site Buildings.
(5-0)

Item Page -1997 (Comm. 22D-19)
e. **DPW:** Supplemental Agreement to General A/E Contract & Construction Authorization for Dialysis Relocation & Critical Care Expansion - ECMC.
(5-0)

Item Page -1997 (Comm. 22D-20)
f. **DPW:** Supplemental Agreement to General A/E Contract, Renovations to OB/GYN Clinic ECMC.
(5-0)

Item Page -1997 (Comm. 22M-1)
g. **NFTA:** Minutes of Meeting Held 9/15/97.
(5-0)

Item Page -1997 (Comm. 22M-12)
h. **ECIDA:** Notice of Meeting to be Held 11/12/97.
(5-0)

Item Page -1997 (Comm. 23D-4)
i. **DPW:** Agreement with NYSDOT - Construction Phase Two Rod Road Bridge 547-2 Over Cayuga Creek BIN 1-04650-0, Town of Alden.
(5-0)

Item Page -1997 (Comm. 23D-5)
j. **DPW:** Agreement with NYSDOT - Preliminary Engineering, Construction & Construction Inspection - Springville Boston Road Bridge 228-8, Concord.
(5-0)

Item Page -1997 (Comm. 23D-7)
k. **DPW:** Agreement with NYSDOT - Construction & Construction Inspection Phases Clarence Center Road Bridge 217-2, Town of Clarence.
(5-0)

Item Page -1997 (Comm. 23M-3)
l. **NFTA:** Letter to Chairman Swanick Re: Response to National Federation of the Blind.
(5-0)

Item Page -1997 (Comm. 23M-8)
m. **NFTA:** Copies of the 17A Report & Capital Expenditure Reports for

the Second Quarter of Fiscal Year Ending 3/31/98.
(5-0)

Item Page -1997 (Comm. 26D-13)
n. **DPW:** Supplemental Agreement to A/E Contract, New Helipad - ECMC.
(5-0)

Item Page -1997 (Comm. 26M-2)
o. **NFTA:** Minutes of Meeting Held 10/20/97.
(5-0)

Item Page -1997 (Comm. 26M-6)
p. **ECIDA:** Notice of Meeting to be Held 12/10/97.
(5-0)

Item Page -1997 (Comm. 12D-28)
2. **DPW:**

WHEREAS, the Department of Public Works desires to engage the services of an Energy Conservation Engineering firm to effectively reduce the cost of the County's utilities through the proper identification and utilization of mechanical retrofits, fuel selection and operational procedures, and

WHEREAS, the Department of Public Works solicited proposals from eight local engineering firms, and

WHEREAS, after careful review of each firm's capabilities, the Consultant Review and Selection Committee selected the firm of C.J. Brown Energy, P.C., 4245 Union Road, Suite 204, Cheektowaga, New York, 14225, to provide the required services,

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into an agreement with the firm of C.J. Brown Energy, P.C., 4245 Union Road, Suite 204, Cheektowaga, New York, 14225 to provide energy conservation engineering services and fuel procurement management services to the County of Erie, and be it further

RESOLVED, that the sum of Forty-five Thousand Dollars ($45,000.00) be allocated for said energy conservation engineering firm's fees to be paid on a project-by-project basis with the amount of each project's fee being determined by the Department of Public Works, and be it further

RESOLVED, that the Comptroller's Office be authorized to make payments for all of the approved work from the 1997 Energy and Conservation Capital Bond Account, SFG No. 810, Fund 410, and be it further

RESOLVED, that two (2) certified copies of this resolution be sent to the Department of Public Works, Office of the Commissioner.
(5-0)

Item Page -1997 (Comm. 20D-12)
3. DPW:
WHEREAS, the Department of Public Works received bids on September 26, 1997 for the Rich Stadium - Re-roof Ticket Booths and Gate Houses, and

WHEREAS, the Department of Public Works is recommending award to the lowest responsible bidder,

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be authorized to enter into a contact for the Rich Stadium - Re-roof Ticket Booths and Gate Houses as follows:

ROOFING WORKING

Sahlem's Roofing & Siding, Inc.

Base Bid $111,420.00

and be it further,

RESOLVED, that the sum of $12,000.00 be allocated to a construction contingency fund with authorization for the Commissioner of Public Works to approve change orders not to exceed the amount of the contingency, and be it further

RESOLVED, that deduct change orders will result in these funds being returned to the contingency account, and be it further

RESOLVED, that the Comptroller's Office be authorized to make payment for all the above from the 1997 Rich Stadium Improvements capital budget, SFG 803, Fund 410, and be it further

RESOLVED, that certified copies of this resolution be sent to the Department of Public Works, Office of the Commissioner.
(5-0)

Item Page -1997 (Comm. 20D-17)

4. DPW:

WHEREAS, the Department of Public Works received bids on September 26, 1997 for the Rich Stadium - Administration Building - Cooling Tower Replacement, and

WHEREAS, the Department of Public Works and the Consultant are recommending award to the lowest responsible bidder,

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be authorized to enter into a contract for Rich Stadium - Administration Building - Cooling Tower Replacement as follows:

MECHIANICAL WORK

Northeast Mechanical, Inc.
Base Bid $57,027.00

and be it further,

RESOLVED, that the sum of $6,000.00 be allocated to a construction contingency fund with authorization for the Commissioner of Public Works to approve change orders not to exceed the amount of the contingency, and be it further

RESOLVED, that deduct change orders will result in these funds being returned to the contingency account, and be it further

RESOLVED, that the Comptroller's Office be authorized to make payment for all of the above from the 1997 Rich Stadium Improvements Capital Budget, SFG 803, Fund 410, and be it further

RESOLVED, that certified copies of this resolution be sent to the Department of Public Works, Office of the Commissioner.
(5-0)

Item Page -1997 (Comm. 21D-14)

5. DPW:

WHEREAS, design services are required for a Project Initiation Report on Jail Expansion Options, and

WHEREAS, the firm of Kideney Architects presently has a General Engineering contract with the County of Erie to provide design services, and

WHEREAS, the firm of Kideney Architects provided the Architectural/Engineering Services for Erie County Correctional Facility and Erie County Holding Center Improvements, Phases I and II,

NOW, THEREFORE, BE IT

RESOLVED, that the Commissioner of Public Works be authorized to enter into a supplemental agreement with Kideney Architects, 200 John James Audubon Parkway, West Amherst, New York, on a time and material basis, not-to-exceed $135,000.00, including testing, reimbursable, and miscellaneous expenses relative to the design services required for the Project Initiation Report on Jail
Expansion Options, and be it further

RESOLVED, that the $135,000.00 fee allocation be taken from the 1997 EC Holding Center Improvement & Rehabilitation Bond Account, SFG No. 809, Fund 410, and be it further

RESOLVED, that certified copies of this resolution be sent to the Department of Public Works, Office of the Commissioner.
(5-0)

Item Page -1997 (Comm. 22D-9)
6. **DPW:**
WHEREAS, some developer projects necessitate that the County Department of Public Works expend current or future road funds on mitigation efforts, such as road widening, strengthening, etc., and

WHEREAS, wherever practical, it is desirable to have the developer share in the cost of said mitigation efforts, and

WHEREAS, Zaepfel Development is proposing a project in the vicinity of the Wehrle-Youngs Intersection, and

WHEREAS, Zaepfel Development has agreed to contribute $50,000.00 to offset mitigation efforts,

NOW, THEREFORE, BE IT

RESOLVED, that the Comptroller be authorized to accept $50,000.00 from Zaepfel Development to offset mitigation costs as the result of the College Park Development, and be it further

RESOLVED, that the Comptroller establish and deposit said amount in a capital account for highway improvements, and be it further

RESOLVED, that one certified copy of this resolution be sent to the Commissioner of Public Works and one certified copy to the Comptroller.
(5-0)

Item Page -1997 (Comm. 22D-13)
7. **DPW:**
WHEREAS, Architectural/Engineering Design Services are required in order to implement the Fire Training Academy, Miscellaneous Improvements project, and

WHEREAS, the firm of Stievater & Associates, Architects presently has a General Engineering contract to provide design services,

NOW, THEREFORE, BE IT

RESOLVED, that the Commissioner of Public Works be authorized to issue a supplemental agreement to Stievater & Associates: Architects for Architectural/Engineering Services for Fire Training Academy, Miscellaneous Improvements project, for a fee, in an amount not to exceed $37,000.00, and be it further

RESOLVED, that the Comptroller's Office be authorized to make payments for all of the above from the 1994 Fire Training Academy Bond funds, SFG 669, Fund 410, and be it further

RESOLVED, that two certified copies of this resolution be sent to the Department of Public Works, Office of the Commissioner.
(5-0)

Item Page -1997 (Comm. 23D-13)
8. **DPW:**
WHEREAS, a project for the rehabilitation of Two Rod Road Bridge 547-2, over Cayuga Creek, BIN 1-04659-0, Town of Alden, Erie County, PIN 5754.02.321 funded for in Title 23, U.S. Code, as amended, calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal funds ($924,800.00) and 20% ($231,200.00) non-Federal funds, and

WHEREAS, the County of Erie desires to advance the above project by making a commitment of the 100% of the non-Federal share ($231,200.00) of Erie County costs of replacement of Two Rod Road Bridge 547-2, over Cayuga Creek in supplement to Resolution dated May 15, 1997, Communication Number 9D-16 authorizing the County of Erie to participate to the extent of the local share of the cost of Construction for a Federal Aid Highway project not on the State highway system, and

WHEREAS, that Resolution authorized the County Executive to execute all necessary agreements on behalf of the County providing for the County's participation in the cost of the local share of the subject project, and

WHEREAS, it has been found necessary to increase the amount of the commitment of the County for the local share of the project.

NOW, THEREFORE, the Legislature duly convened does hereby

RESOLVE, that this authorization shall commit the County of Erie to an amount not to exceed $231,200.00 for the cost of Preliminary Engineering and Construction for this project, and be it further

RESOLVED, that the additional sum of $7,000 is hereby appropriated to cover the cost of its participation in the above phases of the project, and the County Executive of the County of Erie is hereby directed to deposit such sum with the State Comptroller prior to award of the contract, and be it further

RESOLVED, that this authorization shall commit the County to an additional amount not to exceed $7,000 for the local share of the cost of Preliminary Engineering and Construction work incurred for the above subject project, and be it further

RESOLVED, that the additional money be allocated from the 1996 Federal Aid Program for the above noted purpose, and be it further

RESOLVED, that the Clerk of the Legislature forward ten (10) certified copies of this Resolution to the Deputy Commissioner, Highways, to be filed with the New York State Commissioner of Transportation, it being understood that upon completion of the above project, the Commissioner shall transmit to the County a statement showing the actual costs and expenses of such work and shall notify the County of Erie of the amount, if any, to be returned to the County of Erie.

(5-0)

Item Page -1997 (Comm. 23D-14)

9. **DPW:**

WHEREAS, the County Legislature approved a project for the replacement of Clarence Center Road Bridge 217-2, Over Ransom Creek, BIN 3-32644-0, P.I.N. 5754.04, Town of Clarence, Erie County, funded for in Title 23, U.S. Code, as amended, calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal funds and 20% non-Federal funds on April 17, 1997, Meeting Number 8, Communication Number 7D-15, and

WHEREAS, the County of Erie desires to advance the above project by making a commitment of the 100% of the non-Federal share of the costs of construction and construction inspection work for the project or portion thereof, with the Federal share of such costs to be applied directly by the New York State Department of Transportation (NYSDOT) pursuant to Agreement, and

WHEREAS, the project construction, construction inspection and contingency costs are now estimated to be $744,935.00 of which $148,987.00 is the non-Federal share representing an increase of $11,987.00 in the County share, and

WHEREAS, the County desires to advance the above project by making a commitment of the 100% of the non-Federal share of costs of this phase of the project or portions thereof, with the Federal share of such costs to be applied directly by the New York State Department of Transportation (NYSDOT) pursuant to Agreement, and

NOW, THEREFORE, the Legislature duly convened does hereby

RESOLVE, that the County Legislature of the County of Erie, hereby approves the above subject project, and be it further

RESOLVED, that the County Legislature of the County of Erie, hereby, authorizes the County of Erie to pay in the first instance the full non-Federal share of the cost of construction and construction inspection work for the subject project or portions thereof, and be it further

RESOLVED, that the contract sum of $148,987.00 is hereby appropriated from the 1996 and 1997 Federal Aid Projects Program and made available to cover the cost of the County of Erie's participation in the above phase of the above noted project; and be it further

RESOLVED, that in the event the full non-Federal share costs of these phases of the project exceeds the amount deposited with the Comptroller, the County of Erie shall deposit said excess amount immediately upon the direction of the Department of Transportation, and be it further

RESOLVED, that the County Executive of the County of Erie be and is, hereby, authorized to execute all necessary agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the County of Erie with the New York State Department of Transportation in connection with the advancement or approval of the project and providing for the administration of the project and the municipality's first instance funding of the non-Federal share of project costs and permanent funding of the local share of Federal-aid and State-aid eligible project costs and all project costs within appropriations therefor that are not so eligible; and be it further

RESOLVED, that the Clerk of the Legislature forward ten (10) certified copies of this Resolution to the Deputy Commissioner, Highways, to be filed with the New York State Commissioner of Transportation, it being understood that upon completion of the above project, the Commissioner shall transmit to the County a statement showing the actual costs and expenses of such work and shall notify the County of Erie of the amount, if any, to be returned to the County of Erie.

(5-0)

Item Page -1997 (Comm. 23D-15)

10. **DPW:**

WHEREAS, the Department of Public Works received bids on October 31, 1997 for the Erie Community College - North Campus, Rehabilitation of Food Services Lab and Spring Student Center, and

WHEREAS, the Architect/Engineer and the Department of Public Works are recommending award to the lowest responsible bidders, and,

WHEREAS, the lowest bidder for the HVAC Work is BH Mechanical Services, Inc., and

WHEREAS, this company is currently under investigation for twelve alleged willful violations of the Prevailing Wage Rate Law and,

WHEREAS, the New York State Department of Labor has informed the County that this company has been fined for eight violations of said law in an approximate total amount of $47,900.00, and

WHEREAS, based on this information, the Commissioner of Public Works cannot certify that BH Mechanical Services, Inc. is the lowest responsible bidder,

NOW, THEREFORE, BE IT,

RESOLVED, that the County Executive be authorized to enter into the following contracts for the Erie Community College - North Campus, Rehabilitation of Food Services Lab and Spring Student Center:

GENERAL CONSTRUCTION WORK

Delsan Construction		
Base Bid	$135,520.00	
Alt. Bid C6	$(9,050.00)	
		$126,470.00

HVAC WORK

Buffalo Sheet Metals, Inc.		
Base Bid		$158,300.00

ELECTRICAL WORK

Goodwin Electric Corp.

Base Bid	$ 48,906.00

PLUMBING WORK

MKS Plumbing Corp.

Base Bid	$ 14,444.00
Total for all contracts:	$348,120.00

RESOLVED, that the sum of $43,380.00 be allocated to a construction contingency fund and DPW overhead, with authorization for the Commissioner of Public Works to approve change orders not to exceed the amount of the contingency, and be it further,

RESOLVED, that deduct change orders will result in these funds being returned to the contingency account, and be it further,

RESOLVED, that the amount of $4,000.00 be allocated to cover the maximum amount of a bonus/penalty to the contractors permitted by the contracts, and be it further,

RESOLVED, that the Comptroller's Office be authorized to make payments for the project from the following:

-- 1997 Rehabilitation of Food Service Lab and Spring Student Center, SFG 811, Fund 480	$167,000.00
NYS matching funds, Spring Student Center	$100,000.00
-- 1995 ECC HVAC Improvements, SFG 682, Fund 480	$ 53,500.00
-- 1997 ECC Electrical Improvements, SFG 813, Fund 480	$ 25,000.00
NYS matching funds, 1997 Electrical Improvements	$ 25,000.00
-- ECC Statler Grant transferred into DPW accounts	$ 25,000.00

in the total amount of $395,500.00, and be it further,

RESOLVED, that two certified copies of this resolution be sent to the Department of Public Works, Office of the Commissioner, and one copy to Erie Community College.
(5-0)

Item Page -1997 (Comm. 26D-11)
11. **DPW:**
WHEREAS, the firm of Kideney Architects was engaged by Erie County to design the Erie County Sheriff's Department, Secure Storage Facility for Chestnut Ridge Park, EOC, and

WHEREAS, the contract was on a time and material basis, not to exceed $22,160.00, and

WHEREAS, the Department of Public Works directed Kideney Architects to make various revisions to the construction documents prior to advertisement for bids, and

WHEREAS, the additional design work was billed for on a time and material basis,

NOW, THEREFORE, BE IT,

RESOLVED, that the Commissioner of Public Works is authorized to issue a supplemental agreement to Kideney Architects in an amount not to exceed $3,700.00, and be it further,

RESOLVED, the funding for this supplemental agreement shall be from the E.C. Sheriff's Air Handling Units - Chestnut Ridge E.O.C. Capital Project account, SFG No. 552, Fund 410, and be it further,

RESOLVED, that two certified copies of this letter be sent to the Department of Public Works, Office of the Commissioner.
(5-0)

Item Page -1997 (Comm. 26D-12)
12. **DPW:**
WHEREAS, The County of Erie, pursuant to Section 12 of the Highway Law, relating to control of snow and ice on State highways in towns and incorporated villages, has heretofore entered into an agreement with the State of New York for such purposes, and

WHEREAS, Sections 7 and 10 of the said agreement respectively provide a method of modification of the map of affected State highways and of annually updating the estimated expenditure, and

WHEREAS, It would be in the best interests of Erie County to extend the agreement as modified and updated, for an additional one year period,

NOW, THEREFORE BE IT

RESOLVED, That the Erie County Legislature hereby authorizes such extension of the said Snow and Ice Agreement for a period of one year, to expire June 30, 1999, and be it further

RESOLVED, That the County Executive of the County of Erie is hereby authorized and directed on behalf of Erie County to execute an agreement effecting such extension and modification, and be it further

RESOLVED, That the Clerk of this Legislature is hereby directed to transmit three (3) certified copies of the foregoing resolution to Deputy Commissioner, Division of Highways.
(5-0)

Item Page -1997 (Comm. 26D-14)

13. **DPW:**

WHEREAS, Niagara International Transportation Technology Coalition (NITTEC) is an organization of agencies in the Niagara Frontier of New York and the Niagara Region of Ontario; and

WHEREAS, NITTEC is a multi-agency consortium created to provide support for a successful partnership of regional transportation and governmental agencies, and a means of establishing a regional cooperative approach to transportation management; and

WHEREAS, the agencies listed herein desire that there be sufficient resources to continue NITTEC and agree to assist NITTEC in any way they can; and

WHEREAS, NITTEC, through the NYSDOT, will establish and administer a Mobility Improvement for Transportation Revolving Loan Fund utilizing Federal and other funds to expedite implementation of priority projects that will improve regional mobility;

NOW, THEREFORE BE IT,

RESOLVED, that the County Executive be authorized and is hereby directed to execute the NITTEC supplemental Memorandum of Understanding on behalf of Erie County and the Department of Public Works shall participate in NITTEC committee as required.
(5-0)

MICHAEL A. FITZPATRICK
Chairman

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

CARRIED UNANIMOUSLY.

ITEM 9 - Mr. HOLT presented the following and moved for immediate consideration. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 467

DECEMBER 9, 1997 SOCIAL SERVICES COMMITTEE REPORT NO. 9

ALL MEMBERS PRESENT.

1. **RESOLVED**, that the following items are hereby received and filed:

Item Page -1997 (Comm. 12M-2)
a. **JAMES M. MORRISSEY:** Copy of Letter to Assemblyman Eve Re: Some Comparisons of the Gorski Pataki and Assembly Welfare Reforms.
(5-0)

Item Page -1997 (Comm. 19M-12)
b. **GREATER UPSTATE LAW PROJECT INC.:** The ABC's of New York's New Welfare System.
(5-0)

Item Page -1997 (Comm. 21D-1)
c. **SOCIAL SERVICES:** Mandatory Landlord Notices.
(5-0)

Item Page -1997 (Comm. 21D-6)
d. **SOCIAL SERVICES:** Changes in Day Care Reimbursement for Public Assistance Clients.
(5-0)

Item Page -1997 (Comm. 21E-7)
2. **COUNTY EXECUTIVE:**
WHEREAS, the Department of Social Services has been notified of the consolidation of existing child care funding streams into a single block grant allocation, and

WHEREAS, these day care grant funds will enable additional numbers of low-income parents to have access to quality and affordable day care for their children, and

WHEREAS, these child care funds will enable public assistance clientele access to day care to enable their participation in job search, job club, training and workfare assignments, and

WHEREAS, it is necessary to transfer existing, available appropriations, revenues and staff from numerous grants and the operating budget in order to consolidate non-Title XX District child care program expenses into this new block grant.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive and the Commissioner of Social Services are hereby authorized to transfer existing, available appropriations and revenues to a newly designated Child Care Block Grant, and be it further

RESOLVED, that the following budget is hereby established in Fund 280 Department 200 for the Child Care Block Grant for the period October 1, 1997 through September 30, 1998:

ACCOUNT	ACCOUNT TITLE	INCREASE/ (DECREASE)
800	Personal Services	$615,036
850	Fringe Benefits	168,581
850	Child Care-DSS Only	23,002,734
880-2006	Allocated Indirect Expense	54,687
	Total Appropriations	$23,841,038
551	State Aid	16,224,014
86-2000	Interfund-Social Services	7,617,024
	Total Revenue	$23,841,038

and be it further

RESOLVED, that the following positions are hereby transferred from the Comprehensive Employment Division Programs - 1997 grant, Project 742, Fund 280, Department 200 to the Child Care Block Grant effective October 1, 1997:

No.	Title	JG
1	Day Care Program Coordinator	11
1	Head Social Welfare Examiner	10
4	Senior Caseworker	9
1	Caseworker	7
7	Senior Social Welfare Examiner	7
3	Social Welfare Examiner	6
1	Social Welfare Examiner - Spanish	6
1	Social Services Team Worker	5
19	Total Positions Transferred	

and be it further

RESOLVED, that the following budget amendments are hereby authorized in the Comprehensive Employment Programs-1997 grant, Project 742, Fund 280, Department 200, to reflect the transfer of nineteen (19) positions to the Child Care Block Grant effective October 1, 1997:

ACCOUNT	ACCOUNT TITLE	INCREASE/ DECREASE
800	Personal Services	$(148,607)
805	Fringe Benefits	(40,734)
883-2009	Interdept-DSS Employment Grants	189,341
	Total Appropriation	-0-

and be it further

RESOLVED, that the following budget amendments are hereby authorized in the Job Opportunities and Basic Skills (JOBS)-TANF grant, Project 739, Fund 280, Department 200 to reflect the transfer of salary and fringe charges and transitional child care expenses to the Child Care Block Grant effective October 1, 1997:

ACCOUNT	DESCRIPTION	INCREASE/ DECREASE
882-2009	Interdept-Master Grant Salary and Fringe Charges	$(139,587)
850	Child Care-DSS Only	(458,168)
	Total Appropriation	$(597,755)
608	State Aid	$(149,439)
657	Federal Aid	(298,878)
886-2000	Interfund-Social Services	(149,438)
Total Revenues		$(597,755)

and be it further

RESOLVED, that the following budget amendments are hereby authorized in the WORK NOW grant, Project 763, Fund 280, Department 200 to reflect the transfer of salary and fringe charges to the Child Care Block Grant effective October 1, 1997:

ACCOUNT	DESCRIPTION	INCREASE/ DECREASE
882-2009	Interdept-Master Grant Salary and Fringe Charges	$(49,754)
	Total Appropriations	$(49,754)
652	Federal Aid	(49,754)
	Total Revenues	$(49,754)

and be it further

RESOLVED, that the following budget amendments are hereby authorized in the At Risk Low Income Child Care (ARLICC) grant, Project 735, Fund 280, Department 200 to reflect the transfer of child care expenses to the Child Care Block Grant effective October 1, 1997:

ACCOUNT	DESCRIPTION	INCREASE/ DECREASE
850	Child Care-DSS Only	$(935,473
	Total Appropriations	$(935,473
551	State Aid	$(467,736
640	Federal Aid	(467,737)
	Total Revenues	$(935,473

and be it further

RESOLVED, that the following budget amendments are hereby authorized in the Low Income Day Care grant, Project 737, Fund 280, Department 200 to reflect the transfer of child care expenses to the Child Care Block Grant effective October 1, 1997:

ACCOUNT	DESCRIPTION	INCREASE/ DECREASE
850	Child Care-DSS Only	$(416,261
	Total Appropriations	$(416,261
551	State Aid	$(416,261
	Total Revenues	$(416,261

and be it further

RESOLVED, that the following budget amendments are hereby authorized in the Federal Child Care Development Block Grant (CCDBG), Project 738, Fund 280, Department 200 to reflect the transfer of child care expenses to the Child Care Block Grant effective October 1, 1997:

ACCOUNT	DESCRIPTION	INCREASE/ (DECREASE)
850	Child Care-DSS Only	$(2,304,141
	Total Appropriations	$(2,304,141
640	Federal Aid	$(2,304,141
	Total Revenues	$(2,304,141

and be it further

RESOLVED, that the following budget amendments are hereby authorized in the 1997 Adopted Budget of the Department of Social Services, Fund 120, Department 200 to reflect the establishment of the Child Care Block Grant and the transfer of TANF related child care expenses to that grant effective October 1, 1997:

ACCOUNT	DESCRIPTION	INCREASE/ (DECREASE)
842	Temporary Assistance to Needy Families (TANF)	$ (800,000)
850	Child Care-DSS Only	(3,143,462)
886-2009	Interfund-DSS Grants	7,467,586
	Total Appropriations	$ 3,524,124
595	State Aid-TANF	$(200,000)
607	State Aid-TANF Day Care	(785,866)
656	Federal Aid-TANF Day Care	(1,571,731)
648	Federal Aid-TANF	531,248
649	Federal Aid-Social Services Admin	4,817,913
650	Federal Aid-Social Services Admin A-87	693,131
651	Federal Aid-Food Stamps Program Admin	39,429
	Total Revenues	$3,524,124

and be it further

RESOLVED, that the budget and personnel amendments authorized herein shall be carried forward and shall be reflected in the 1998 budget as appropriate, and be it further

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

(5-0)

Item Page -1997 (Comm. 22E-14)

3. COUNTY EXECUTIVE:

WHEREAS, respite services are sometimes required for foster parents who have foster children in their care, and

WHEREAS, at the time of budget development at mid year 1996, there were service authorization delays which made it appear that this program was under utilized, and

WHEREAS, it now is clear that full utilization of the 1996 contract was achieved, and

WHEREAS, the 1997 appropriated amount for respite services purchased from Gateway-Longview is insufficient and funds in the amount of $25,000 are available for transfer from the Outcome-Based Initiatives account to address this shortfall, and

WHEREAS, there is no fiscal impact to this resolution.

NOW, THEREFORE, BE IT

RESOLVED, that the 1997 contract with Gateway-Longview for respite services shall be amended to reflect increased funding in the amount of $25,000, and be it further

RESOLVED, that the following changes are hereby authorized in the 1997 Adopted Budget of the Department of Social Services:

SFG Account	Title	Increase/(Decrease)
830 0252	Gateway Longview (Respite Services)	$25,000
830 0880	Outcome Based Funding	($25,000)
		-0-

and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the Department of Social Services and the Division of Budget, Management and Finance.
(5-0)

Item Page -1997 (Comm. 23E-11)
4. **COUNTY EXECUTIVE:**
WHEREAS, the Erie County Legislature has already appropriated funds for the Retired Volunteer Program (RSVP) grants for the period July 1, 1996 to June 30, 1997 and July 1, 1997 to June 30, 1998, and

WHEREAS, the Department of Senior Services desires to revise the above grant budgets to reflect the actual needs of the grants,

NOW, THEREFORE, BE IT

RESOLVED, that the budget for the RSVP grant for the period July 1, 1996 to June 30, 1997, Project 594, be revised as follows:

APPROPRIATIONS		CURRENT BUDGET	CHANGES	AMENDED BUDGET
Account	Description			
822	Rental Charges	$ 2,000	$+2,455	$ 4,455
824	Local Travel	39,276	-2,455	36,821
	TOTAL CHANGE TO APPROPRIATIONS		-0-	

and be it further

RESOLVED, that the budget for the RSVP grant for the period July 1, 1997 to June 30, 1998, Project 710, be revised as follows:

APPROPRIATIONS		CURRENT BUDGET	CHANGES	AMENDED BUDGET
Account	Description			
812	Food Supplies	$ 462	$ -237	$ 225
822	Rental Charges	2,000	+2,500	4,500
824	Local Travel	37,638	-795	36,843
825	Out of Area	800	-200	600
826	Other Expenses	10,500	+50	10,550
933	Technical Equip.	1,318	-1,318	-0-
TOTAL CHANGE TO APPROPRIATIONS			$ 0	

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 Senior Services.
(5-0)

Item Page -1997 (Comm. 23E-13)

5. **COUNTY EXECUTIVE:**

WHEREAS, the Youth Best Awards Program is approaching its 4th year of honoring students, age 5 to 15, who have demonstrated the ideals of personal conduct and perseverance, representing the best in youth in our society, and

WHEREAS, the Youth Best Awards Program has in the past received monetary donations to cover the program cost, and

WHEREAS, the Youth Best Awards Program is anticipating donations of a car, computer, televisions, and items up to $20,000 in value, suitable for an auction, and

WHEREAS, the Erie County Youth Services Department is proposing to sponsor a "Silent Auction" at the Buffalo Convention Center on Friday, May 15, 1998 from 5:30 p.m. - 10:30 p.m., and

WHEREAS, the proceeds of the auction will be used to continue funding the Youth Best Awards Program and Scholarship Fund at an area college,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature allow Erie County Department of Youth Services, via the Youth Best Awards Program, permission to accept donations, of goods, merchandise and items up to $20,000 in value with anticipated donations of a car, computer, television, etc. and to conduct an auction, under the Youth Best "Silent Auction" title for scholarship and sponsorship purposes, and

RESOLVED, that the Erie County Executive is hereby authorized to accept donations to pay for supplies and other expenses of the Erie County Youth Services Department's Youth Best Awards Program, "Live Your Dreams" Parent/Youth Conference and "Silent Auction", and other expenses resulting from the youth recognition and presentation program, and be it further

RESOLVED, that authorization is hereby provided to deposit proceeds from the auction, into a trust and agency account in the Office of the Comptroller, and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Erie County Department of Youth Services, the Erie County Comptroller's Office, and the Division of Budget, Management and Finance.
(5-0)

Item Page -1997 (Comm. 23E-16)
6. **COUNTY EXECUTIVE:**
WHEREAS, the Department of Youth Services has an established general fund subsidy for the Early Intervention Grant that will not be fully utilized in 1997, but is needed in the Department of Youth Services-Youth Division's 1997 regular operating budget to cover the cost of contracting with not-for-profit youth service agencies providing Youth Development and Delinquency Prevention Programs, and

WHEREAS, the Erie County Legislature has approved funding for YDDP Advance Programs in the 1997 regular operating budget, and

WHEREAS, the County will be reimbursed for 50%, or $2,626 of the expenditures by the New York State Office of Children and Family Services.

NOW, THEREFORE, BE IT

RESOLVED, that Department of Youth Services is authorized to transfer $5,252 from the Services to Children with Special Needs Division into the Youth Division, Project 946, Account 830, sub-account 0562 YDDP Advance Programs, to enable the County to fund agencies approved by the Legislature in the 1997 budget, and be it further

RESOLVED, that the source of funds is $5,252 from the Services to Children with Special Needs Division - Fund 110, Project 948, Account 886, Sub-account 2509, 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.
(5-0)

Item Page -1997 (Comm. 26E-8)
7. **COUNTY EXECUTIVE:**
WHEREAS, the New York State Division for Youth has $5,560 in additional state aid eligibility that requires no county matching funds, and

WHEREAS, the Erie County Youth Board has reviewed and recommended funding for the E.P.I.C. (Every Parent Influences Children) agency program.

NOW, THEREFORE, BE IT

RESOLVED, that $5,560 is hereby appropriated to Account 830, sub-account 0563 Contractual Services in the Department of Youth Services-Youth Division's 1997 regular operating budget, to cover the cost of contracting with the above listed agency, and be it further

RESOLVED, that the source of funds is $5,560 in state aid from the New York State Office of Children & Family Services, to increase Account 620, sub-account 0101 State Aid for YDDP Reimbursement, 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 the above listed agency, 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 must be provided immediately and have been approved by the Erie County Youth Board, and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Division of Budget and Management and the Department of Youth Services.
(5-0)

Item Page -1997 (Comm. 26E-10)
8. **COUNTY EXECUTIVE:**
WHEREAS, the Erie County Legislature has already appropriated funds for the Area Agency on Aging (AAA), the Community Services Coordinator (CSC), and the Hope for Elderly Independence (HOPE) grants for the period January 1, 1997 to December 31, 1997, and

WHEREAS, additional funds have been identified in the AAA grant, and

WHEREAS, Niagara Mohawk has notified the Department of Senior Services that the remaining funds from the 1994 and 1995 Weatherization Referral and Packaging Programming (WRAP-SOFA) grants can be used in 1997 and 1998, and

WHEREAS, the Department of Senior of Services desires to revise the above grant budgets to reflect the actual needs of the grants,

NOW, THEREFORE, BE IT

RESOLVED, that the budget for the AAA grant for the period January 1, 1997 to December 31, 1997, Project 703, be revised as follows:

REVENUES		CURRENT BUDGET	CHANGES	AMENDED BUDGET
Account	Description			
664	Federal Aid	$1,486,672	$+2,116	$1,488,788
	TOTAL CHANGE		$ 2,116	
APPROPRIATIONS				
933	Lab & Tech	$ 15,000	$+4,598	$ 19,598
930	Motor Vehicles	72,000	-2,482	69,518
	TOTAL CHANGE TO APPROPRIATIONS		$ 2,116	

and be it further

RESOLVED, that the budget for the CSC grant for the period January 1, 1997 to December 31, 1997, Project 702, be revised as follows:

APPROPRIATIONS		CURRENT BUDGET	CHANGES	AMENDED BUDGET
Account	Description			
800	Personal Services	$ 94,801	$-4,093	$ 90,708
805	Fringe Benefits	23,966	+1,949	25,915
810	Office Supplies	500	+ 177	677
824	Local Travel	733	+1,967	2,700
	TOTAL CHANGE TO APPROPRIATIONS		$ -0-	

and be it further

RESOLVED, that the HOPE grant for the period January 1, 1997 to December 31, 1997, Project 718, be revised as follows:

APPROPRIATIONS		CURRENT BUDGET	CHANGES	AMENDED BUDGET
Account	Description			
800	Personal Services	$ 37,596	$+ 188	$ 37,784
805	Fringe Benefits	9,504	+ 794	10,298
824	Local Travel	1,200	+ 130	1,330
830	Contractual Svs.	150,000	-1,112	148,888
	TOTAL CHANGE TO APPROPRIATIONS		$ -0-	

and be it further

RESOLVED, that the WRAP-SOFA grants be revised as follows:

REVENUES		CURRENT BUDGET	CHANGES	AMENDED BUDGET
Account	Description			
	PROJECT 216			
444	Local Revenue	$ 5,000	$ - 368	$ 4,632
	PROJECT 372			
444	Local Revenue	$ 5,000	$ - 931	$ 4,069
	PROJECT 716			
444	Local Revenue	$ 0	$ +1,299	$ 1,299
APPROPRIATIONS				
	PROJECT 716			
444	Local Revenue	$ 0	$ +1,299	$ 1,299

APPROPRIATIONS
PROJECT 716

826	Other Expenses	$ 28,537	$ +1,299	$ 29,836

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 Senior Services.
(5-0)

Item Page -1997 (Comm. 26E-11)
9. **COUNTY EXECUTIVE:**
WHEREAS, the New York State Office for the Aging (SOFA) has notified the Department of Senior Services that funding is available in the 1997-1998 State budget for three grant programs, and

WHEREAS, SOFA has made available $13,158 for the Retired Senior Volunteer (RSVP-NYS) Program and $42,000 for the Social Security Initiative (SSI) Outreach Program for the period April 1, 1997 to March 31, 1998, and $17,000 for the Health Care Anti-Fraud, Waste and Abuse (Operation Restore Trust) Program for the period October 1, 1997 to September 30, 1998, and

WHEREAS, the Department of Senior Services desires to create a part-time Community Service Aide position to carry out the RSVP-NYS program, and

WHEREAS, the Department will require a full-time Case Manager to coordinate the supportive services of the SSI program, and

WHEREAS, no additional County funds are required,

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be and is hereby authorized to accept from SOFA $13,158 for the RSVP-NYS program, $42,000 for the SSI Outreach program and $17,000 for the Operation Restore Trust program, and be it further

RESOLVED, that the part-time Community Service Aide, job group 1, is hereby created effective December 1, 1997 for the RSVP-NYS program, and be it further

RESOLVED, that the position of Case Manager, job group 7, step 5, is hereby created effective April 1, 1997 for the SSI Outreach program, and be it further

RESOLVED, that the RSVP-NYS budget be established for the period April 1, 1997 to March 31, 1998, as follows:

REVENUES		INITIAL BUDGET
Account	Description	
551	State Aid	$13,158
	TOTAL REVENUES	$13,158

APPROPRIATIONS		
800	Personal Services	$ 2,790
805	Fringe Benefits	336
810	Office Supplies	850
812	Food Supplies	200
821	Dues & Fees	200
824	Local Mileage	1,000
826	Other Expenses	2,375
880	Interfund-DISS	2,307
933	Lab & Technical Equipment	3,100
	TOTAL APPROPRIATIONS	$13,158

and be it further

RESOLVED, that the SSI Outreach Grant budget for the period April 1, 1997 to March 31, 1998, be established as follows:

REVENUES		INITIAL BUDGET
Account	Description	
551	State Aid	$42,000
	TOTAL REVENUES	$42,000

APPROPRIATIONS		
800	Personal Services	$31,433
805	Fringe Benefits	7,420
810	Office Supplies	200
824	Local Travel	2,000
826	Other Expenses	947
	TOTAL APPROPRIATIONS	$42,000

and be it further

RESOLVED, that the Operation Restore Trust Grant budget for the period October 1, 1997 to September 30, 1998 be established as follows:

REVENUES

Account	Description	INITIAL BUDGET
443	In-Kind/Subcontract Funds	$ 5,667
664	Federal Aid for Aging	17,000
	TOTAL REVENUES	$22,667

APPROPRIATIONS

810	Office Supplies	90
812	Food Supplies	100
821	Dues & Fees	200
822	Rentals	200
826	Other Expenses	9,060
830	Contractual Services	10,667
880	Interfund-DISS	2,350
	TOTAL APPROPRIATIONS	$22,667

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 Senior Services.
(5-0)

Item Page -1997 (Comm. 26E-14)

10. **COUNTY EXECUTIVE:**

WHEREAS, the New York State Office of Children & Family Services has $50,000 in additional state aid eligibility that requires no additional county matching funds, and

WHEREAS, the New York State Office of Children & Family Services has specifically designated this funding for Runaway and Homeless Youth Service Programs in Erie County.

NOW, THEREFORE, BE IT

RESOLVED, that $25,000 is hereby appropriated to Account 830, sub-account 0778 Runaway Reimbursement in the Department of Youth Services-Youth Division's, 1997 regular operating budget, to cover the cost of increasing the 1997 Franciscan Center contract, and that $25,000 is hereby appropriated to Account 830, sub-account 0779 Homeless Reimbursement in the Department of Youth Services-Youth Division's, 1997 regular operating budget, to cover the cost of increasing the 1997 Compass House contract, and be it further

RESOLVED, that the source of funds is $50,000 in state aid from the New York State Office of Children & Family Services, 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 the above listed agencies, 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 services must be specifically provided by the Franciscan Center and Compass House, and the Erie County Department of Youth Services has reviewed and approved the aforementioned agency and program proposals, 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.
(5-0)

GEORGE A. HOLT, Jr.
Chairman

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

CARRIED UNANIMOUSLY.

ITEM 10 - Ms. COHEN KENNEDY presented the following and moved for immediate consideration. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 468

DECEMBER 10, 1997 COMMUNITY ENRICHMENT COMMITTEE REPORT NO. 12

ALL MEMBERS PRESENT EXCEPT LEGISLATOR LARSON. CHAIRMAN SWANICK PRESENT AS EX-OFFICIO MEMBER.

1. **RESOLVED**, that the following items are hereby received and filed:

Item Page -1997 (Int. 11-25)
a. **CHASE, GREENAN, LARSON, RANZENHOFER & MARSHALL**: Opposition to Proposed ECC Tuition Increase.
(5-0) Chairman Swanick present as ex-officio member.

Item Page -1997 (Comm. 12E-4)
b. **COHEN KENNEDY & MARINELLI:** ECC's Response to Intro, 7-15.
(5-0) Chairman Swanick present as ex-officio member.

Item Page -1997 (Comm. 13D-1)
c. **ECC CHILD CARE CENTER/LAB:** Proposed Elimination of ECC Child Care Center/Lab.
(5-0) Chairman Swanick present as ex-officio member.

Item Page -1997 (Comm. 18E-2)
d. **COUNTY EXECUTIVE:** Summary of 1997-98 ECC Budget Appropriations & Revenues.
(5-0) Chairman Swanick present as ex-officio member.

Item Page -1997 (Comm. 18E-11)
e. **COUNTY EXECUTIVE:** 1997-1998 ECC Adopted Budget.
(5-0) Chairman Swanick present as ex-officio member.

Item Page -1997 (Comm. 18E-30)
f. **COUNTY EXECUTIVE:** ECC - Protective Fence Around South Campus Athletic Track.
(5-0) Chairman Swanick present as ex-officio member.

Item Page -1997 (Comm. 18M-20)
g. **VILLAGE OF GOWANDA:** Funding for the Gowanda Free Library.
(5-0) Chairman Swanick present as ex-officio member.

Item Page -1997 (Comm. 19E-7)
h. **COHEN KENNEDY:** Letter to Senator LaValle Re: Adoption of ECC's Budget.
(5-0) Chairman Swanick present as ex-officio member.

Item Page -1997 (Comm. 21D-4)
i. **ERIE COMMUNITY COLLEGE:** Notice of Meetings Held 10/21/97 & 10/22/97.
(5-0) Chairman Swanick present as ex-officio member.

Item Page -1997 (Comm. 21D-5)
j. **BUFFALO & ERIE COUNTY PUBLIC LIBRARY:** Notice of Meeting Held 10/16/97 & Minutes of Meeting Held 9/18/97.
(5-0) Chairman Swanick present as ex-officio member.

Item Page -1997 (Comm. 21D-10)
k. **ERIE COMMUNITY COLLEGE:** Notice of Meeting Held 10/22/97.
(5-0) Chairman Swanick present as ex-officio member.

Item Page -1997 (Comm. 21M-6)
l. **LORI A. FALLON:** Letter to Leg. Re: Closing of Child Care Center at ECC City Campus.
(5-0) Chairman Swanick present as ex-officio member.

Item Page -1997 (Comm. 22D-5)
m. **ERIE COMMUNITY COLLEGE:** Notice of Meeting Held 10/29/97.
(5-0) Chairman Swanick present as ex-officio member.

Item Page -1997 (Comm. 22D-7)
n. **ERIE COMMUNITY COLLEGE:** Minutes of Meeting Held 9/17/97.
(5-0) Chairman Swanick present as ex-officio member.

Item Page -1997 (Comm. 22D-8)
o. **ERIE COMMUNITY COLLEGE:** Minutes of Meeting Held 10/16/97.
(5-0) Chairman Swanick present as ex-officio member.

Item Page -1997 (Comm. 23D-11)
p. **BUFFALO & ERIE COUNTY PUBLIC LIBRARY:** Minutes of Meeting Held 10/16/97 & Notice of Meeting to be Held 11/20/97.
(5-0) Chairman Swanick present as ex-officio member.

Item Page -1997 (Comm. 26D-1)
q. **ERIE COMMUNITY COLLEGE:** Notice of Meeting Held 11/19/97.
(5-0) Chairman Swanick present as ex-officio member.

2. **RESOLVED**, that the following items are hereby received, filed and referred to the **PUBLIC SAFETY COMMITTEE:**

Item Page -1997 (Comm. 11E-12)
a. **COHEN KENNEDY:** Copy of Letter to County Attorney Re: Regulation of Pawn Shops.
(5-0) Chairman Swanick present as ex-officio member.

Item Page -1997 (Comm. 23M-12)
b. **TOWN OF WEST SENECA POLICE DEPARTMENT:** Sale of Stolen Property.
(5-0) Chairman Swanick present as ex-officio member.

RANDI COHEN KENNEDY
Chairperson

Mr. MARSHALL moved to separate Resolve No. 1a.

GRANTED.

Ms. COHEN KENNEDY moved the balance of the report. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

Chairman SWANICK directed that Resolve No. 1a be referred back to committee.

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ITEM 11 - Mr. DUSZA presented the following and moved for immediate consideration. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 469

DECEMBER 11, 1997 GOVERNMENT AFFAIRS COMMITTEE REPORT NO. 7

ALL MEMBERS PRESENT EXCEPT LEGISLATOR HOLT. CHAIRMAN SWANICK PRESENT AS EX-OFFICIO MEMBER.

1. **RESOLVED**, that the following items are hereby received and filed:

Item Page -1997 (Comm. 18M-11)
a. **OTB:** Minutes of Meeting Held 6/26/97.
(5-0) Chairman Swanick present as ex-officio member.

Item Page -1997 (Comm. 19E-1)
b. **COUNTY EXECUTIVE:** Position Change Report.
(5-0) Chairman Swanick present as ex-officio member.

Item Page -1997 (Comm. 19E-2)
c. **COUNTY EXECUTIVE:** Position Change Report.
(5-0) Chairman Swanick present as ex-officio member.

Item Page -1997 (Comm. 19E-6)
d. **COUNTY EXECUTIVE:** Position Change Report.
(5-0) Chairman Swanick present as ex-officio member.

Item Page -1997 (Comm.19M-4)
e. **OTB:** Minutes of Meeting Held 7/23/07 & 7/24/97.
(5-0) Chairman Swanick present as ex-officio member.

Item Page -1997 (Comm. 20D-1)
f. **COMMISSION ON THE STATUS OF WOMEN:** Minutes of Meeting Held 9/10/97 & Notice of Change of October Meeting to 10/9/97.
(5-0) Chairman Swanick present as ex-officio member.

Item Page -1997 (Comm. 20E-4)
g. **MARINELLI:** Summary for Presentation Domestic Violence Summit Held 7/22/97.
(5-0) Chairman Swanick present as ex-officio member.

Item Page -1997 (Comm. 20E-5)
h. **COUNTY EXECUTIVE:** Position Change Report.
(5-0) Chairman Swanick present as ex-officio member.

Item Page -1997 (Comm. 20M-6)
i. **OTB:** Minutes of Meeting Held 8/28/97.
(5-0) Chairman Swanick present as ex-officio member.

Item Page -1997 (Int. 20-12)
j. **DEBENEDETTI:** New York State Constitutional Convention.
(5-0) Chairman Swanick present as ex-officio member.

Item Page -1997 (Comm. 21D-11)
k. **COUNTY ATTORNEY:** Notices of Claim.
(5-0) Chairman Swanick present as ex-officio member.

Item Page -1997 (Comm. 21E-3)
l. **COUNTY EXECUTIVE:** Position Change Report, PP#22.
(5-0) Chairman Swanick present as ex-officio member.

Item Page -1997 (Comm. 22D-1)
m. **COMMISSION ON THE STATUS OF WOMEN:** Minutes of Meeting Held 9/24/97 & Notice of Meeting Held 10/29/97.
(5-0) Chairman Swanick present as ex-officio member.

Item Page -1997 (Comm. 22D-2)
n. **COUNTY ATTORNEY:** Notices of Claim.
(5-0) Chairman Swanick present as ex-officio member.

Item Page -1997 (Comm. 22D-6)
o. **COMMISSION ON THE STATUS OF WOMEN:** Minutes of Meeting Held 10/9/97.
(5-0) Chairman Swanick present as ex-officio member.

Item Page -1997 (Comm. 22E-4)
p. **COUNTY EXECUTIVE:** Position Change Report.
(5-0) Chairman Swanick present as ex-officio member.

Item Page -1997 (Comm. 22E-6)
q. **COUNTY EXECUTIVE:** Filling Vacant Positions.
(5-0) Chairman Swanick present as ex-officio member.

Item Page -1997 (Comm. 22E-8)
r. **COUNTY EXECUTIVE:** Filling Vacant Positions.
(5-0) Chairman Swanick present as ex-officio member.

Item Page -1997 (Comm. 22M-4)
s. **OTB:** Minutes of Meeting Held 9/25/97.
(5-0) Chairman Swanick present as ex-officio member.

Item Page -1997 (Comm. 23E-5)
t. **COUNTY EXECUTIVE:** Position Change Report, PP#24.
(5-0) Chairman Swanick present as ex-officio member.

Item Page -1997 (Comm. 26D-4)
u. **COUNTY ATTORNEY:** Notices of Claim.
(5-0) Chairman Swanick present as ex-officio member.

Item Page -1997 (Comm. 19E-4)
2. **COUNTY CLERK:**

WHEREAS, the Vehicle and Traffic Law designates the County Clerk in 51 counties as the agent for the Commissioner of Motor Vehicles, a partnership which has endured for 42 years, and

WHEREAS, since 1935, county run departments have provided motor vehicles services for millions of New York citizens, and

WHEREAS, in the last year, Erie County Auto Bureau staff members have performed over 2.5 million customer service transactions, and

WHEREAS, County motor vehicle operations provide New York State with $236 million in Statewide gross revenue annually, and

WHEREAS, the Erie County Auto Bureau grossed over $34 million in 1996, and retained $2.2 million, returning nearly $32 million to New York State, and

WHEREAS, the State in 1989 mandated a two-year registration policy for all motorists in New York State and upon surrender of license plates motorists with more than a year left on the registration were allowed a credit for the remaining time, and

WHEREAS, the State in 1990, because of public outcry, added a procedure which gave motorist who surrendered their license plates with more than one year left on their registration a choice of a refund or credit, and

WHEREAS, 81% of eligible motorists in Erie County over the past 12 months have chosen the refund, and

WHEREAS, State law was changed effective September 1, 1997, to eliminate that refund policy to eligible motorists, and

WHEREAS, the cost of the "no refund" policy to Erie County motorists is estimated at $850,000 a year and in the millions of dollars Statewide, and

WHEREAS, New York State motorists should be entitled to a refund, if eligible, when taking their car off the road, NOW, THEREFORE,

BE IT RESOLVED, that the Erie County Legislature realizing the importance of this issue and the financial hardship it places on individuals and families, requests that the Governor instruct the Commissioner of Motor Vehicles to halt this policy, and

BE IT FURTHER RESOLVED, that the Erie County Legislature call upon the New York State Legislature to repeal this law included within the 1997-98 State Budget as soon as possible, and

BE IT FURTHER RESOLVED, that a certified copy be sent to: Honorable George Pataki, Governor, Honorable Joseph Bruno, Senate Majority Leader, Honorable Sheldon Silver, Speaker of the Assembly, Patricia A. Woodworth, Director of Budget, Richard Jackson, Jr., Commissioner of Motor Vehicles, Honorable Anthony Nanula, Honorable William Stachowski, Honorable Dale Volker, Honorable Mary Lou Rath, Honorable Sandra Lee Wirth, Honorable Richard J. Keane, Honorable Thomas Reynolds, Honorable Richard Anderson, Honorable Robin Schimminger, Honorable Arthur Eve, Sr., Honorable Sam Hoyt, Honorable Paul Tokasz and Honorable Richard Smith.

(5-0) Chairman Swanick present as ex-officio member.

RAYMOND K. DUSZA
Chairman

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 470

DECEMBER 11, 1997

ENERGY AND ENVIRONMENT
COMMITTEE
REPORT NO. 13

ALL MEMBERS PRESENT.

1. **RESOLVED**, that the following items are hereby received and filed:

Item Page -1997 (Comm.13M-3)
a. **ERIE COUNTY WATER AUTHORITY:** 1996 Annual Report.
(4-0) Legislator Greenan absent.

Item Page -1997 (Comm. 19M-5)
b. **MELINDA HOLLAND, CLEAN SITES:** Notice of Meeting Held 9/16/97 & Summary of Meeting Held 9/3/97.
(4-0) Legislator Greenan absent.

Item Page -1997 (Comm. 20E-25)
c. **COUNTY EXECUTIVE:** Contract with Town of West Seneca for Sale of Madison Wire Works Property.
(4-0) Legislator Greenan absent.

Item Page -1997 (Comm. 21M-8)
d. **MELINDA HOLLAND, CLEAN SITES:** Notice of Meeting Held 10/1/97 & Notice of Meeting Held 10/21/97.
(4-0) Legislator Greenan absent.

Item Page -1997 (Comm. 21M-11)
e. **EC ENVIRONMENTAL MANAGEMENT COUNCIL:** Notice of Meeting Held 10/21/97 & Minutes of Meeting Held 9/16/97.
(4-0) Legislator Greenan absent.

Item Page -1997 (Comm. 22M-3)
f. **NYSDEC:** Fact Sheet Re: ARO Corporation - Hazardous Waste Site.
(4-0) Legislator Greenan absent.

Item Page -1997 (Comm. 22M-7)
g. **MELINDA HOLLAND, CLEAN SITES:** Summary of Meeting Held 10/21/97 & Notice of Meeting Held 11/5/97.
(4-0) Legislator Greenan absent.

Item Page -1997 (Comm. 23D-12)
h. **DEP:** SEQR - Solicitation for Lead Agency Status - ECSD Nos. 1-6, Southtowns Sewage Treatment Agency & Subscriber Districts.
(5-0)

Item Page -1997 (Comm. 23E-10)
i. **COUNTY EXECUTIVE:** ECSD Nos. 1-6 User Charge Rates.
(5-0)

Item Page -1997 (Comm. 23M-9)
j. **MELINDA HOLLAND, CLEAN SITES:** Summary of Meeting Held 11/5/97 & Notice of Meeting Held 11/18/97.
(4-0) Legislator Greenan absent.

Item Page -1997 (Comm. 26D-2)
k. **DEP:** SEQR - Solicitation for Lead Agency Status Unlisted Action Child Care Center - ECC North Campus.
(4-0) Legislator Greenan absent.

Item Page -1997 (Comm. 26M-1)
l. **EC ENVIRONMENTAL MANAGEMENT COUNCIL:** Minutes of Meeting Held 10/21/97.
(4-0) Legislator Greenan absent.

Item Page -1997 (Comm. 26M-3)
m. **NYSDEC:** Fact Sheet Re: Wegmans Food Market, Inc. Voluntary Cleanup Completed.
(4-0) Legislator Greenan absent.

Item Page -1997 (Comm. 26M-5)
n. **NYSDEC:** Fact Sheet Re: GM-Saginaw Site.
(4-0) Legislator Greenan absent.

Item Page -1997 (Comm. 26M-7)
o. **NYSDEC:** Fact Sheet Re: Allied Signal - Buffalo Research Facility.
(4-0) Legislator Greenan absent.

Item Page -1997 (Comm. 26M-8)
p. **MELINDA HOLLAND, CLEAN SITES:** Summary of Meeting Held 11/18/97 & Notice of Meeting Held 12/3/97.
(4-0) Legislator Greenan absent.

Item Page -1997 (Comm. 26M-10)
q. **EC ENVIRONMENTAL MANAGEMENT COUNCIL:** Notice of Meeting Held 11/18/97.
(4-0) Legislator Greenan absent.

OPEN ITEM

Item Page -1997 (Comm. 2E-9)

2. **COUNTY EXECUTIVE:**

BOND RESOLUTION AUTHORIZING THE ISSUANCE OF $2,800,000 BONDS OF THE COUNTY OF ERIE, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF AN INCREASE AND IMPROVEMENT OF FACILITIES FOR ERIE COUNTY SEWER DISTRICT NO. 5; STATING THE ESTIMATED MAXIMUM COST THEREOF IS $2,800,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF $2,800,000 BONDS HEREIN AUTHORIZED; PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS; AND PROVIDING FOR REIMBURSEMENT BY ERIE COUNTY SEWER DISTRICT NO. 5 TO SAID COUNTY.

(Introduced) January 23, 1997
(Adopted) December 18, 1997

WHEREAS, pursuant to proceedings had and taken in accordance with the provisions of Article 5A of the County Law and more particularly resolutions of the County Legislature dated September 11, 1997 and October 9, 1997, and the order of the State Comptroller dated October 27, 1997, an increase and improvement of facilities for Sewer District No. 5 has been approved at an estimated maximum cost of $2,800, 000, and

WHEREAS, it is now desired to provide for the financing of said cost. NOW, THEREFORE BE IT

RESOLVED BY THE COUNTY LEGISLATURE OF THE COUNTY OF ERIE, NEW YORK (by the affirmative vote of not less than two-thirds of the voting strength of said Legislature), AS FOLLOWS:

Section 1. Pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York, as amended (the "Law"), and to the provisions of other laws applicable thereto, $2,800,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost of an increase and improvement of facilities for Erie County Sewer District No. 5 in the County of Erie, New York, consisting of construction of a new gravity sewer and related improvements to provide a connection to the Amherst Pumping Station, construction of a new gravity sewer on Bridlewood Drive and Hidden Oaks Drive, construction of new sewer connections for Transit Road crossings, and related facilities, and the total estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and to the financing thereof, is $2,800,000.

The plan of financing includes the issuance of $2,800,000 bonds herein authorized and any bond anticipation notes issued in anticipation of the sale of such bonds, and the levy of a tax to pay the principal of and interest on said bonds and notes, the said principal and interest to be reimbursed to the County by the assessment and levy on the real property in Erie County Sewer District No. 5.

Section 2. The period of probable usefulness for the specific object or purpose for which said $2,800,000 bonds herein authorized to be issued, within the limitations of Section 11.00 a. 4. of the law, is forty (40) years.

Section 3. Current funds are not required to be provided as a down payment prior to the issuance of the $2,800,000 bonds authorized herein, or any bond anticipation notes issued in anticipation thereof, pursuant to Section 107.00 d.3. of said Law.

Section 4. The County intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which $2,800,000 bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the County, pursuant to this Bond Resolution, in the maximum amount of bonds herein authorized. This Resolution is declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 5. Subject to the provisions of this Resolution and of said Local Finance Law, and pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and of Sections 50.00 and 56.00 to 60.00 of said Law, the power and duties of the County Legislature relative to authorizing the issuance of any notes in anticipation of the sale of the bonds herein authorized, or the renewals thereof, and relative to providing for substantially level or declining debt service, prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any notes issued in anticipation of the sale of said bonds or the renewals of said notes, as well as to executing agreements for credit enhancement, are hereby delegated to the County Comptroller, as the chief fiscal officer of the County.

Section 6. Each of the bonds authorized by this Resolution and any bond anticipation notes issued in anticipation of the sale thereof shall contain the recital of validity prescribed by Section 52.00 of said Local Finance Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the County of Erie, payable as to both principal and interest by general tax upon all the taxable real property within the County without limitation as to rate or amount. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and provision shall be made annually in the budgets of the County by appropriation for (a) the amortization and redemption of the notes and bonds to mature in such year and (b) the payment interest to be due and payable in such year.

Section 7. The validity of the bonds authorized by this Resolution and any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of this Resolution or summary hereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This Resolution shall take effect immediately upon approval by the County Executive.
(5-0)

AS AMENDED

Item Page -1997 (Comm. 14E-6)

3. **COUNTY EXECUTIVE:**

WHEREAS, the Erie County Legislature had awarded the Borden/Seneca Creek Road Interceptor and Force Main to Cimato Brothers Construction, Inc., and

WHEREAS, the Erie County Division of Sewerage Management has advised the Legislature that all scheduled improvements are now completed; and

WHEREAS, the Erie County Department of Environment and Planning has recommended the final acceptance of the Borden/Creek Road Interceptor and Force Main in the amount of $362,230.05 which includes Change Order No. 2 (Final) a decrease of $61,184.95, and Payment No. 6 (Final) in the amount of $27,024.46, and be it further

NOW, THEREFORE, BE IT

RESOLVED, that the Borden/Seneca Creek Road Interceptor and Force Main between the County of Erie and Cimato Brothers Constructions, Inc., 9220 Transit Road, East Amherst, New York 14051 be accepted in the amount of $362,230.05, which includes Change Order No. 2 (Final) a decrease of $61,184.95, and Payment No. 6 (Final) in the amount of $27,024.46, and be it further

RESOLVED, that the Erie County Comptroller is hereby authorized and directed to finalize the Borden/Seneca Creek Road Interceptor and Force Main in the amount of $362,230.05 and make final payment from Sewer Capital Account SD #1, Fund No. No. 430, Project No. 694, Department No. 810, Object No. 973, Sewer Construction Expenditures, Subobject No. 200, between the County of Erie and Cimato Brothers Construction, Inc. and return the unused portion of $61,184.95 to unallocated object 891, and be it further

RESOLVED, that the Clerk of the Legislature be directed to send two (2) certified copies of this resolution to Charles J. Alessi, P.E., Department of Environment and Planning and one certified copy to the Erie County Comptroller's Office and Richard J. Schecter, Assistant County Attorney.
(5-0)

AS AMENDED
Item Page -1997 (Comm. 14E-7)

4. **COUNTY EXECUTIVE:**

WHEREAS, the Erie County Legislature had awarded the Overflow Retention Facility, Contract No. 2 to Frontier Asphalt, Inc.; and

WHEREAS, the Erie County Division of Sewerage Management has advised the Legislature that all scheduled improvements are now completed; and

WHEREAS, the Erie County Department of Environment and Planning has recommended the final acceptance of Contract No. 2 in the amount of $2,064,272.14 which includes Change Order No. 3 (final) a decrease of $115,548.36 and Final Payment No. 14 in the amount of $54,801.57,

NOW, THEREFORE, BE IT

RESOLVED, that the Overflow Retention Facility, Contract No. 2 between the County of Erie and Frontier Asphalt, Inc. 5701 Transit Road, Depew, New York 14043, be accepted in the amount of $2,064,272.14 which includes Change Order No. 3 (final) a decrease of $115,548.36, and Payment NO. 14 (final) in the amount of $54,801.57,a nd be it further

RESOLVED, that the Erie County Comptroller is hereby authorized and directed to finalize Contract No. 2 in the amount of $2,064,272.14 and make final payment from Sewer Capital Account SD #1, Fund No. 430, Project No. 694, Department No. 810, Object No. 973, Sewer Construction Expenditures, Subobject No. 200, between the County of Erie and Frontier Asphalt, Inc. and return the unused portion $115,548.36 to Unallocated Object 891, and be it further

RESOLVED, that the Clerk of the Legislature be directed to send two (2) certified copies of this resolution to Charles J. Alessi, P.E., Department of Environment and Planning and one certified copy to the Erie County Comptroller's Office and Richard J. Schecter, Assistant County Attorney.
(5-0)

Item Page -1997 (Comm. 18E-52)
5. **COUNTY EXECUTIVE:**
WHEREAS, the 1998 Assessment Rolls for Erie County Sewer District Nos. 1-6 describing each lot or parcel of land have been prepared by the Division of Sewerage Management; and

WHEREAS, the Division of Sewerage Management has also assessed the estimate of expenditures and proportioned them to the lots and parcels of land as nearly as may be to the benefit which each lot or parcel will derive therefrom; and

WHEREAS, the Clerk of the Legislature had a Notice of Public Hearing published in the official County newspapers at least five (5) days prior to the date of the Public Hearing which informed the public that the Assessment Rolls would be open for public inspection on and after the first day of October, 1997; and

WHEREAS, said Public Hearing was held in the Chamber of the Erie County Legislature, 25 Delaware Avenue, Buffalo, New York, at 1:30 p.m., local time on October 23, 1997 and that all persons desiring to be heard were duly heard and that all objections have been heard and considered; and

WHEREAS, said Assessment Roll, estimate of expenditures, and Public Hearing were carried out in accordance with Article 5A, Sections 270 and 271 of County Law.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby affirm and adopt the 1998 Assessment Rolls for Erie County Sewer District Nos. 1, 2, 3, 4, 5 and 6; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send a certified copy of this resolution to Richard Schechter, Assistant County Attorney and Charles J. Alessi, Deputy Commissioner of Sewerage Management, Department of Environment and Planning.
(5-0)

AS AMENDED
Item Page -1997 (Comm. 21E-4)

6. **COUNTY EXECUTIVE:**

WHEREAS, a Project for the Riverwalk Phase II, from Riverside Park to Sheridan Drive, P.I.N. 5050.61.121, funded for in Title 23 U.S. Code, as amended, calls for the apportionment of the costs of such program to be borne at the ratio of 75% Federal funds and 25% non-Federal funds; and

WHEREAS, the County of Erie desires to advance the above project by making a commitment of 100% for the non-Federal share of the costs of final design, construction, and related services;

NOW, THEREFORE, the County Legislature, duly convened does hereby

RESOLVE, that the Legislature hereby approves the above subject project; and it hereby further

RESOLVED, that the Legislature hereby authorizes the County of Erie to pay 100% of the non-federal share of the cost of work for the subject project or portions of the subject project that are not on the State Highway System provided said amount does not exceed $620,000; and be it further

RESOLVED, that this Authorization shall commit the County of Erie to an amount not to exceed $620,000 for the non-federal share of the final design, construction, and related services portion of PIN 5050.61.121 and the County of Erie is hereby authorized to deposit an amount not to exceed $620,000 with the State Comptroller prior to the award of the contract; and be it further

RESOLVED, that the County Executive of the County of Erie be and is hereby authorized to execute all necessary Agreements on behalf of the County of Erie with the New York State Department of Transportation and the New York State Thruway Authority approving of the above-subject project and providing for the Municipality's participation in the cost of the non-federal share of the subject project; and be it further

RESOLVED, that a copy of this resolution be filed with the New York State Commissioner of Transportation, it being understood that upon completion of the above project, the Commissioner shall transmit to the County a statement showing the actual costs and expenses of such work and shall notify the County of Erie of the amount if any to be returned to the County of Erie; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Commissioner of the Department of Environment and Planning.
(5-0)

Item Page -1997 (Comm. 21E-11)
7. **COUNTY EXECUTIVE:**
WHEREAS, the United States Environmental Protection Agency Great Lakes National Program Office (EPA-GLNPO) granted the Erie County Department of Environment and Planning a grant titled "Buffalo River Fish and Wildlife Habitat Restoration Demonstration Project" in the amount of $1,250,000, and

WHEREAS, the Erie County Legislature previously approved resolutions authorizing the County Executive to enter into agreement with the EPA-Great Lakes National Program Office and to establish a budget for the above mentioned grant program, and

WHEREAS, it is necessary to amend the existing grant budget established for the project in order that the Department of Environment and Planning can find a sampling program in the amount of $19,230 of the Cazenovia Creek/Buffalo River watershed with available federal funding resources.

NOW, THEREFORE, BE IT

RESOLVED, that the budget established for the Buffalo River Fish & Wildlife Habitat Restoration Demonstration Project (SFG 194) be revised, and be it further

RESOLVED, that $19,230 is hereby transferred within the budget of the Buffalo River Fish & Wildlife Habitat Restoration Demonstration Grant, SFG Project #194, from Account 880 6200 Interfund Payments, Environment and Planning to Account 880 2720, Public Health Lab to fund a sampling program needed to complete project tasks, and be it further

RESOLVED, that certified copies of this resolution be sent to the Director of Budget and Management, Commissioner of Environment and Planning, and the County Attorney.

(4-0) Legislator Greenan absent.

Item Page -1997 (Comm. 21E-12)

8. **COUNTY EXECUTIVE:**

RESOLVED, that Dennis T. Gorski, County Executive of the County of Erie, be authorized to enter into an Agreement with GIS Resource Group of East Aurora, N.Y. for digitizing services. This Agreement has a total cost of $1,566.00, and be it further

RESOLVED, that in compliance with General Municipal Law, Section 104.b., the Department of Environment and Planning solicited three bids for proposed services, and be it further

RESOLVED, that the Clerk of the Legislature be directed to send certified copies of this resolution to the Commissioner of the Department of Environment and Planning.

(4-0) Legislator Greenan absent.

Item Page -1997 (Comm. 22E-5)

9. **COUNTY EXECUTIVE:**

WHEREAS, there are insufficient funds presently available in the Sewer capital Bond Account #430 694 to complete planned improvements; and

WHEREAS, transferring of funds from the Operating Fund to the Sewer District Capital Fund will eliminate the need to borrow additional funds from the State Revolving Fund thus, eliminating additional debt service to the Sewer District.

NOW, THEREFORE , BE IT

RESOLVED, that $700,000 be transferred to adequately provide monies for the completion of the planned capital improvements in Sewer District No. 1 as follows:

The transfer of $700,000.00 from the Sewer District No. 1 Operating Fund Balance Account #220 851 299 to Use of Fund Balance Account #220 851 811 698 105 (Use of Fund Balance) and 220 851 810 886 8108 (Interfund Transfer Out) in the Sewer Operating Fund and 430 694 810 686 8100 Interfund Transfer In and Account 430 694 810 891 Unallocated in the Sewer District No. 1 Capital Fund;

and be it further

RESOLVED, that the Clerk of the Legislature be directed to send (2) certified copies of this resolution to Charles J. Alessi, P.E., Deputy Commissioner, Department of Environment and Planning and one certified copy to the Erie County Comptroller's Office and Richard J. Schechter, Assistant County Attorney.
(5-0)

Item Page -1997 (Comm. 22E-10)
10. **COUNTY EXECUTIVE:**
WHEREAS, the Erie County Legislature has secured the services of Pratt & Huth Associates to complete a Cultural Resource Survey for the Valley Circle Pumping Station Project, and

WHEREAS, the Erie County Division of Sewerage Management has advised the Legislature that all engineering services are now complete, and

WHEREAS, the Erie County Division of Sewerage Management has recommended the formal close-out of the A/E Agreement dated June 20, 1996 with Pratt & Huth Associates at the final contract amount of $2,100.00.

NOW, THEREFORE, BE IT

RESOLVED, that the A/E Agreement dated June 20, 1996 between the County of Erie and Pratt & Huth Associates be formally closed-out in the final contract amount of $2,100.00, and be it further

RESOLVED, that the Erie County Comptroller is hereby authorized and directed to close-out the contract encumbrances in Sewer District No. 3, Fund No. 430, Project No. 514, Department No. 830, Object No. 973, Sewer Construction Expenditures, Subobject No. 100 between the County of Erie and Pratt and Huth Associates and return the unused portion, $7,900.00 to Unallocated Object 891, and be it further

RESOLVED, that the Clerk of the Legislature be directed to send two (2) certified copies of this resolution to Charles J. Alessi, P.E., Department of Environment and Planning and one certified copy to the Erie County Comptroller's Office and Richard J. Schecter, Assistant County Attorney.
(5-0)

Item Page -1997 (Comm. 22E-11)
11. **COUNTY EXECUTIVE:**
WHEREAS, Erie County Sewer District No. 6 needs to replace its unreliable and aged sewage sludge dewatering centrifuge with a plate and frame press; and must replace its existing sodium hypochlorite storage tank in order to meet new state regulations on hazardous materials storage, and

WHEREAS, funds need to be allocated from the District's bond account in order to obtain the sludge filter press and the underground storage tank, and

WHEREAS, the Board of Managers and the Department of Environment and Planning recommend the replacement of the sewage sludge drying equipment and the sodium hypochlorite storage systems.

NOW, THEREFORE, BE IT

RESOLVED, that the Comptroller be authorized and directed to allocate a total of $580,000 from Erie County Sewer District No.6 Capital Account Fund No. 430, Project No. 519, Department No. 840, Account No. 891 Unallocated to Fund No. 430, Project No. 517, Department No. 840, Account 973 Sewer Construction Expenditures, and be it further

RESOLVED, that the Clerk of the Legislature be directed to send a certified copy of this resolution to Charles J. Alessi, P.E., Deputy Commissioner, Department of Environment and Planning and one certified copy to Richard J. Schecter, Assistant County Attorney.
(5-0)

Item Page -1997 (Comm. 22E-12)
12. **COUNTY EXECUTIVE:**
WHEREAS, the Erie County Sewer District No. 2, 6 and Southtowns Agency desire to install electric power conditioning units at each treatment plant to achieve guaranteed savings, and

WHEREAS, funds need to be allocated from the appropriate bond accounts in order to procure the Power Conditioned Equipment, and

WHEREAS, the Boards of Managers and the Department of Environment and Planing recommend the installation of the power conditioning units.

NOW, THEREFORE, BE IT

RESOLVED, that the Comptroller be authorized and directed to allocate a total of $90,000.00 from Erie County Sewer District No. 2 Capital Fund No. 430, Project No. 517, Department No. 820, Account 891 Unallocated to Fund No. 430, Project No. 517, Department No. 820, Account No. 973 Sewer Construction Expenditures; and be it further

RESOLVED, that the Comptroller be authorized and directed to allocate a total of $50,000.00 from the Erie County Sewer District No. 6 Capital Account Fund No. 430, Project No. 519, Department No. 840, Account No. 891 Unallocated to Fund No. 430, Project No. 517, Department No. 840, Account 973 Sewer Construction Expenditures; and be it further

RESOLVED, that the Comptroller be authorized and directed to allocate a total of $140,000.00 from Southtowns Treatment Agency Capital Account Fund No. 430, Project No. 514, Department No. 830, Account 891 Unallocated to Fund No. 430, Project No. 514, Department No. 830, Account 973 Sewer Construction Expenditures; and be it further

RESOLVED, that the Clerk of the Legislature send a certified copy of the resolution to Charles J. Alessi, P.E., Deputy Commissioner, Department of Environment and Planning, and Richard J. Schechter, Assistant County Attorney.
(5-0)

Item Page -1997 (Comm. 22E-13)

13. **COUNTY EXECUTIVE:**

WHEREAS, the Erie County Legislature has secured the services of Stearns & Wheler, LLC to complete the Capital Improvement Plan and Preventive Maintenance Program Evaluation for the Erie County/Southtowns Advanced Wastewater Treatment Facility; and

WHEREAS, the Erie County Division of Sewerage Management has advised the Legislature that all engineering services are complete; and

WHEREAS, the Erie County Division of Sewerage Management has recommended the formal close-out of the A/E Agreement dated March 13, 1996 with Stearns & Wheler, LLC at the final contract amount of $46,900.00.

NOW, THEREFORE, BE IT

RESOLVED, that the A/E Agreement dated March 13, 1996 between the County of Erie and Stearns & Wheler, LLC be formally closed out in the final amount of $46,900.00; and be it further

RESOLVED, that Erie County Comptroller is hereby authorized and directed to close out the contract encumbrances in Erie County Sewer District No. 3, Fund #430, Project #514, Department #830, Account #830, Contractual Services; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send (2) certified copies of this resolution to Charles J. Alessi, P.E., Deputy Commissioner, Department of Environment and Planning and one certified copy to the Erie County Comptroller's Office and Richard J. Schecter, Assistant County Attorney.
(5-0)

Item Page -1997 (Comm. 23E-9)
14. **COUNTY EXECUTIVE:**
WHEREAS, the conveyance of land formerly occupied by the now abandoned Beech Meadow Pumping Station, SBL #44.09-1-16.2 as originally contemplated in the subdivision plan has been requested, and

WHEREAS, the Department of Environment and Planning recommends the transfer of this property to return it to a taxable status with the understanding that a fifteen feet (15) wide permanent frontage easement on this parcel be granted to Erie County Sewer District No. 5, and

WHEREAS, this property transfer will have no negative effect on the ability of Erie County Sewer District No. 5 personnel to operate and maintain the district's sanitary sewer system, and

WHEREAS, the Advisory Review Committee has reviewed this matter and recommends the parcel SBL #44.09-1-16.2 be deeded to the original owner, Carmelo Cimato, based on there being no public purpose or need for the parcel which is too small for a building lot and is surrounded by land owned by the original owner, and

WHEREAS, the Board of Managers of Erie County Sewer District No. 5 recommends this action;

NOW, THEREFORE, BE IT

RESOLVED, that parcel #SBL 44.09-1-16.2 be deeded to Carmelo Cimato conditioned on granting a fifteen feet (15) wide permanent frontage easement on to Erie County Sewer District No. 5; and be it further

RESOLVED, that the County Executive be, and hereby is, authorized to sign said deed subject to approval by the County Attorney and the Department of Environment and Planning; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send one (1) certified copy of this Resolution to Charles J. Alessi, P.E., Department of Environment and Planning and one (1) certified copy of Richard J. Schechter, Assistant County Attorney.
(5-0)

Item Page -1997 (Comm. 26E-12)
15. **COUNTY EXECUTIVE:**
RESOLVED, that the County Executive is hereby authorized to execute a no cost "Copyright License Agreement" with New York State Department of Transportation relating to the maintenance and distribution thereof of the Erie County Base Map (1990 Edition); and

BE IT FURTHER

RESOLVED, that certified copies of this resolution be sent to the Division of Budget, Management and Finance, the Commissioner of the Department of Environment and Planning and the Erie County Attorney.
(4-0) Legislator Greenan absent.

Item Page -1997 (Comm. 26E-13)
16. **COUNTY EXECUTIVE:**
RESOLVED, that this Honorable Body does hereby authorize the transfer of $30,000 from the County-Wide Accounts Budget, (Fund 110, Project 923 Dept. 310, Account 893, County Contingency) to the Erie County Department of Environment and Planning (Fund 110, Dept. 620, Project 945, Account 830-764, Sport Fishery Promotion Program) for continuation of the Erie County Sport Fishing Promotion Program, and be it further

RESOLVED, that the Erie County Executive is hereby authorized to execute an amendatory agreement with Northeast Outdoors, Inc. increasing the authorized contract amount from $90,000 to $120,000, and be it further

RESOLVED, that said agreement shall be for the purpose of continuing the Erie County Sport Fishing Promotion Program initiated in 1996 in Erie County, and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Commissioner of the Department of Environment and Planning and Director of Budget, Management and Finance.
(5-0)

Item Page -1997 (Int. 26-5)
17. **SWANICK, MARSHALL ET AL:**
WHEREAS, the Marilla Agricultural District (#5), was initially created December 14, 1973; and

WHEREAS, Article 25AA of the New York State Agricultural and Markets Law, Section 303.8, specifies that the County Legislative body shall review any agricultural district created under this section eight years after the date of its creation and every eight years thereafter; and

WHEREAS, pursuant to a resolution on September 11, 1997, the Erie County Legislature directed the Clerk of the Legislature to publish a public notice of the district's review; and

WHEREAS, the district was duly referred to the Erie County Division of Planning and to the Agricultural and Farmland Protection Board (formerly the Agricultural District Advisory Committee) of this Legislature for review of the district; and

WHEREAS, on the 10th day of November, 1997, pursuant to public notice, a public hearing was held within the agricultural district at the Marilla Town Hall; and

WHEREAS, various matters were brought before the public hearing, discussed and considered, including the Town of Marilla's farmland protection efforts and Right-to-Farm local law to protect farmers conducting agricultural practices; and

WHEREAS, the following modifications (additions and deletions) were made to the Marilla Agricultural District as follows:

Additions - Total of 126± acres

1. Property of Frank Zlotnick, 11646 Parker Road - 19± acres (SBL 148.00-8-26.12 and 37)

2. Property of Ronald & Janice Luber, 1406 Two Rod Road - 28± acres (SBL 139.00-2-9.11)

3. Property of Hubert Kutter, 12655 Williston Road - 65± acres (SBL 149.00-2-15.11)

4. Property of Dennis Weber, 1301 Four Rod Road - 14± acres (SBL 139.00-5-4.12)

Deletions - Total of 30± acres

1. Property of Russo Development, Renee Court Subdivision, Two Rod Rd. - 30± acres (SBL148.00-12-1 thru 30)

WHEREAS, in accordance with the New York State Environmental Quality Review Act of 1975 and in accordance with adopted review procedures and the criteria set forth in Part 617, this agricultural district and the modifications have been reviewed and determined to have no significant effect on the environment (Exhibit A).

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature concurs in the recommendations and findings made by the Agricultural and Farmland Protection Board and the Department of Environment and Planning and does hereby approve and reaffirm the existing Marilla Agricultural District and its modifications and the Negative Declaration, and be it further

RESOLVED, that the Erie County Legislature applauds the farmland protection efforts of the Town of Marilla to provide an environment conducive to continuing agricultural practices in the Town and protect its town character, and which efforts can serve as a model to other communities, and be it further

RESOLVED, that upon the adoption of this resolution, the Clerk of the Legislature be directed to forward the necessary documentation to the appropriate officials of the State of New York in accordance with the Agricultural and Markets Law and that copies of this resolution be sent to the Town of Marilla and to the Erie County Department of Environment and Planning (Chet Jandzinski).

(4-0) Legislator Greenan absent.

GREGORY B. OLMA
Chairman

Mr. OLMA requested that Resolve No. 2 be separated.

GRANTED.

Mr. OLMA moved the balance of the report. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

Mr. OLMA moved the adoption of Resolve No. 2. Ms. PEOPLES seconded.

Chairman SWANICK directed that a Roll Call be taken.

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

CARRIED UNANIMOUSLY.

LEGISLATORS RESOLUTIONS:

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 471 Re: Support for Erie County's Participation in New York's Sales Tax Exemption on Clothing Week in January, 2798 (Int.27-1)

WHEREAS, the State of New York will once again eliminate its sales tax on clothing and footwear for one week in January, 1998, and will allow counties throughout the state to eliminate local portions of sales tax for that week as well, and

WHEREAS, similar elimination of sales tax in 1997 was very successful for local retailers, buoying sales of clothing and other items throughout the sales tax free periods, and

WHEREAS, Governor George Pataki and Assembly Speaker Sheldon Silver will announce the state's plans to eliminate the sales tax today, allowing county governments an opportunity to opt-in to the sales tax free week, and

WHEREAS, this Legislature approved legislation earlier this year to opt-in to a sales tax free week in early September, and may also do so for the upcoming sales tax free week, scheduled for January 17 through January 23, and

WHEREAS, this resolution will express the sense of the Legislature as to this issue, and will precipitate approval of final legislation to be sent to the State Department of Taxation and Finance to fully enact the sales tax free week in January,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby announce its intention to opt-in to New York State's upcoming sales tax free week for clothing and footwear, thereby providing an additional economic boost for local retailers and other merchants at the outset of the calendar year, and be it further

RESOLVED, that this Honorable Body does hereby direct the Director of the Division of Budget, Management and Finance to secure from the State Department of Taxation and Finance specific language for counties to enact legislation to eliminate local sales taxes on clothing and footwear consistent with the state's elimination thereof, and be it further

RESOLVED, that certified copies of this resolution be sent to County Executive Dennis T. Gorski and Budget Director Kenneth Kruly.

Fiscal Impact: Positive for Erie County's Local Economy.

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

Ms. PEOPLES offered an amendment as follows:

DELETE all WHEREAS and RESOLVE clauses in their entirety and replace with the following:

RESOLUTION OF THE ERIE COUNTY LEGISLATURE

To Enact

One-Week Sales and Use Tax Clothing and Footwear Exemption
Be it enacted by the Erie County Legislature as follows:

Section one. The local legislative body of this jurisdiction

hereby expresses its intent that receipts from sales of and consideration given or contracted to be given for purchases of clothing and footwear exempt from state sales and compensating use taxes pursuant to paragraph 30 of subdivision (a) of section 1115 of the tax law during the period commencing January 17, 1998, and ending January 23, 1998, should also be exempt from sales and compensating use taxes imposed in this jurisdiction.

Section two. This resolution shall take effect immediately and shall apply to sales made and uses occurring during such period, although made or occurring under a prior contract.

Ms. PEOPLES moved the adoption of the amendment. Mr. KUWIK 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. MARSHALL seconded.

CARRIED UNANIMOUSLY.

.....

ITEM 14 - Mr. DEBENEDETTI presented the following resolution and moved to RECEIVE & FILE. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

Int. 27-2. From: Leg. DeBenedetti Re: Eliminating the Local Sales Tax on Clothing.

.....

ITEM 15 - Mr. OLMA presented the following resolution and requested it be referred to the FINANCE & MANAGEMENT COMMITTEE.

GRANTED.

Int. 27-3 From Leg. Olma. Re: Rescinding the Sale of Leo Place in the Town of Cheektowaga.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 472 Re: Support for the Increase in State Aid for Tourism. (Int.27-4)

WHEREAS, according to a study released by a coalition of tourism groups, the Niagara Frontier Hotel Industry has plummeted since 1990 due to economic hard times and a reduction in New York State's efforts to promote tourism, and

WHEREAS, the deterioration of tourism has caused a loss of 25 percent or 1,591 jobs in our region's lodging business, and

WHEREAS, the 25 percent drop in lodging jobs is the worst of any industry in the state as compared with the overall averaage of 8.8 percent, and

WHEREAS, the lodging and tourism industry are vital to Western New York economy, and

WHEREAS, New York State has successfully cut spending, reduced and enacted welfare reform, and

WHEREAS, these accomplishments have helped create new jobs and investment in other sector of the econmy but, money needs to be used to promote tourism for all of New York State,

NOW, THEREFORE, BE IT

RESOLVED, that Erie County Legislature does hereby express concern for the loss of jobs in the tourism industry and the loss in revenues due to the decrease in tourists, and be it further

RESOLVED, that this Honorable Body does hereby recommend that the New York State Legislature and Governor Pataki increase the appropriation of funds for tourism promotion, including I Love NY ads and matching grants for local tourist offices, and be it further

RESOLVED, that certified copies of this resolution be forwarded to Governor George Pataki, and all members of New York State Delegation.

Fiscl Impact: to be determined.

JOHN W. GREENAN JEANNE Z. CHASE DALE W. LARSON
MICHAEL H. RANZENHOFER FREDERICK J. MARSHALL

Ms. PEOPLES offered an amendment as follows:

ADD the following to the fourth RESOLVE clause:

...and the New York State Department of Economic Development, Division of Tourism (PO Box 2603, Albany, NY 12220).

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

CARRIED UNANIMOUSLY.

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

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

CARRIED UNANIMOUSLY.

.....

ITEM 17 - Ms. MARINELLI presented the following resolution and moved for immediate consideration. Ms. COHEN KENNEDY seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 473 Re: County Human Services "Easy Access Directory" (Int.27-5)

WHEREAS, Erie County has the responsibility of providing the most extensive array of human services programs offered by any local government unit in Western New York, including youth and senior services, as well as state and federally mandated social services, and

WHEREAS, Regardless of whether the aforementioned service programs are mandated or discretionary, it is vitally important that citizens know of their availability and know how to most directly access these programs should it become necessary, and

WHEREAS, In an environment of rapidly changing program requirements and qualifications, particularly in the area of Medicaid managed care and welfare reform, there are new qualifying factors that citizens should be aware of when considering what county services may be available to them, and

WHEREAS, Erie County must continue to strive for the most open, cost-effective and accountable means of delivering human service programs, and

WHEREAS, The development of a County Human Services "Easy Access Directory" would helpful to citizens in knowing what county programs are available, including specific program qualifications, as well as instructions on how to most directly apply for and access these programs, and

NOW, THEREFORE, BE IT

RESOLVED, That the Erie County Legislature does hereby request that the County Department of Information and Support Services report to this Honorable Body on the feasibility of developing a County Human Services "Easy Access Directory" to help inform citizens of what county programs are available and the most direct means of accessing these programs, and be it further

RESOLVED, that a certified copy of this resolution be forwarded to County Information and Support Services Director Les A. Hoffman.

Fiscal Impact: To Be Determined.

LYNN M. MARINELLI

Chairman Swanick directed that Et Al be added to the sponsorship.

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 474 Re: Authorizing 1997 County Consolidation Funding for the City of Lackawanna. (Int.27-6)

WHEREAS, the 1997 county budget includes $3 million for regionalism and consolidation initiatives as recommended by the County Municipal Consolidation Committee, and

WHEREAS, the aforementioned regionalism and consolidation funding includes $150,000 for each of the cities of Lackawanna and Tonawanda, and

WHEREAS, the City of Lackawanna and Tonawanda have submitted proposals outlining their plans for the use of county consolidation funding, and

WHEREAS, the City of Lackawanna proposes to use their allocation for a city road reconstruction project to include the "mill and overlay" of a two-mile stretch of Electric Avenue, and

WHEREAS, the City of Lackawanna has provided the county with an estimate of$265,000 in total project costs, with Erie County providing $150,000 of said project costs, and

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize the release of $150,000 from the 1997 countywide contingency for the City of Lackawanna as the county's contribution to the Electric Avenue road reconstruction, including the "mill and overlay" extending approximately two miles, and be it further

RESOLVED, that said funding be transferred to the County Department of Public Works capital projects account and subsequently dispersed, by contract, to the City of Lackawanna as said project work evolves, and be it further

RESOLVED, that certified copies of this resolution be forwarded to the County Budget Director Kenneth Kruly, County Public Works Commissioner John C. Loffredo and Lackawanna City Mayor Kathleen M. Staniszewski.

FISCAL IMPACT: $150,000 from 1997 Countywide Contingency.

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

CARRIED.

Legislators DeBenedetti and Marshall in the negative.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 475 Re: 1997 County Consolidation Funding for the City of Tonawanda. (Int.27-7)

WHEREAS, the 1997 county budget includes $3 million for consolidation and regionalism initiatives as recommended by the Municipal Consolidation Committee, and

WHEREAS, the aforementioned consolidation funding is earmarked for the City of Buffalo ($2.7 million) and the Cities of Tonawanda and Lackawanna ($150,000 each), and

WHEREAS, the City of Tonawanda submitted a proposal for the use of $150,000, including $100,000 for a water delivery system feasibility study and funding for use of the County's Employee Assistance Program (EAP), and

WHEREAS, Erie County recently signed a three-year contract with a private company to provide EAP services to county employees and their families, and

WHEREAS, the County consolidation and regionalism funding could underwrite the costs associated with amending the County's EAP contract to include City of Tonawanda employees, and

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize the release of $150,000 from the 1997 countywide contingency for the City of Tonawanda water delivery system feasibility study and for EAP services for City of Tonawanda employees, and be it further

RESOLVED, that certified copies of this resolution be forwarded to the County Budget Director Kenneth Kruly, County Personnel Commissioner Leonard Lenihan, County Environment and Planning Commissioner Richard Tobe and Tonawanda City Mayor Alice A. Roth.

Fiscal Impact: $150,000 in 1997 Countywide Contingency.

CHARLES M. SWANICK

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

CARRIED.

Legislators DeBenedetti, Larson and Marshall in the negative.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 476 Re: Outcomes Based Budgeting Funding for County Public Benefits Agencies. (Int.27-8)

WHEREAS, There are approximately 1400 certified not-for-profit organizations in Erie County, and

WHEREAS, County Public Benefit funding provides supplemental financial assistance to not-for-profit organizations and agencies, thereby supporting human and community service delivery in Erie County, and

WHEREAS, While Erie County currently requires considerable documentation to justify program and agency funding, the changing nature of not-for-profit funding requires regular review of the county's public benefit funding program to insure maximum accountability, efficiency and outcomes evaluation, and

WHEREAS, Today's not-for-profit organizations need to exchange ideas and share resources in order to promote an understanding of the unique and important role of not-for-profits in advancing regional economic growth and well being, and

WHEREAS, To that end, the United Way of Buffalo and Erie County in 1996 adopted a "outcomes based investments" criteria for funding member agencies, and

WHEREAS, Unlike the traditional ways the United Way reviewed an agency's funding application, independently, and on an individual basis, the "outcomes based investments" concept encourages agency collaboration, thereby promoting maximum accountability and service outcomes, and

WHEREAS, For example, under the "outcomes based investments," United Way funding is in generally categorized into several human service areas, including Basic Needs and Economic Opportunity, Family Support and Safety, Neighborhood Based Services and Wellness Programs, and

WHEREAS, The "outcomes based investments" criteria promotes collaboration and evaluates funding requests on an applicant's ability to work cooperatively, with other United Way agencies, to produce program outcomes effectively and efficiently, and

NOW, THEREFORE, BE IT

RESOLVED, That the Erie County Legislature does hereby request that the County Budget Director report on the feasibility of instituting the "outcomes based investments" criteria, or a variation of the same, for Erie County public benefit agency funding, and be it further

RESOLVED, That this Honorable Body does hereby reaffirm its support for continuing to explore ways of insuring that county funded public benefit agencies are held accountable for stated program outcomes, as outlined in their funding contract with Erie County, and be it further

RESOLVED, that a certified copy of this resolution be forwarded to County Budget Director Kenneth Kruly.

Fiscal Impact: To Be Determined.

LYNN M. MARINELLI

Chairman SWANICK directed that the names of Legislators Swanick, Peoples, Kuwik, Fitzpatrick, Holt, Fisher, Olma, DeBenedetti, Dusza, Cohen Kennedy, Chase, Greenan, Larson and Pauly be added as co-sponsors.

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

CARRIED UNANIMOUSLY.

ITEM 21 - Ms. PEOPLES presented the following resolution and moved for immediate consideration. Ms. COHEN KENNEDY seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 477 Re: Revitalization of Border Communities Between the Core City and Inner Ring Suburbs. (Int.27-9)

WHEREAS, The health of the overall region depends on the strength of its urban core and inner ring suburbs, coupled with sustainable development of the edge suburbs, and

WHEREAS, One damaging trend of urban sprawl is the exodus of population from the aging housing stock of the core and inner rings outward to new housing on the edge, leaving vacant and dilapidated housing in its wake, and

WHEREAS, Regionalist David Rusk, in his presentation at the Legislature on August 1, 1997 stated, "The First Rule of Urban Sprawl: The greater the rate of sprawl (relative to population growth), the greater the rate of abandonment of core communities (i.e. central cities and many older suburbs)," and

WHEREAS, The aforementioned abandoning of housing weakens the property values and livability of these neighborhoods until critical mass is reached where demolition of these properties is necessary, and

WHEREAS, The demolition of these properties helps to prevent further decline of the neighborhoods by removing havens for criminal activity, as well as by eliminating one reason for others still in the neighborhoods to leave as well, and

WHEREAS, Once these properties have been demolished there is land available for new housing to be constructed, thereby providing an up-to-date, market-rate alternative to locating in the edge communities, and

WHEREAS, This inward redirection of development plays a role in stemming the tide of sprawl by effectively reusing brownfield land within the region instead of constructing on greenspace at the region's edge, and

WHEREAS, This demolition and neighborhood development is especially helpful in neighborhoods which border two municipalities, as the problems of urban blight are not limited by jurisdictional boundaries, and

WHEREAS, For all these reasons the demolition of properties and subsequent neighborhood development within the central city both benefits the urban core, the inner ring suburbs, and the edge communities, therefore making it a truly regional plan, and

WHEREAS, The City of Buffalo has undertaken an effort to demolish properties and build new, market rate housing, and

WHEREAS, The Erie County Legislature was briefed on this project in the December 9, 1997 Finance and Management Committee meeting by Buffalo Department of Community Development Commissioner Alan DeLisle, and

WHEREAS, The County Municipal Consolidation Committee determined that collaboration between the County of Erie and the City of Buffalo to demolish 71 properties within a one-mile perimeter along the Buffalo, Cheektowaga, Sloan and West Seneca municipal borders at a cost to the county of $600,000 would be an appropriate use for a portion of the funds allocated by this Honorable Body for consolidation efforts between the County of Erie and the City of Buffalo, and

WHEREAS, Douglas Henton of the firm Collaborative Economics correctly noted at the Chautauqua Conference of Regional Governance that consolidation can be a part of collaboration, and that "a region's total assets are maximized through collaboration,"

NOW, THEREFORE, BE IT

RESOLVED, That the Erie County Legislature, following review of the City of Buffalo's housing demolition and neighborhood development plan, does hereby authorize the use of $600,000 from 1997 County budgeted appropriations, with said funds to be drawn from the countywide contingency (DAC:110923310893), and be it further

RESOLVED, That this Honorable Body does hereby authorize Erie County Executive Dennis Gorski to enter into contractual agreement on behalf of the County of Erie with the City of Buffalo to effectuate this transfer of funds, and be it further

RESOLVED, That certified copies of this resolution be forwarded to Erie County Executive Dennis Gorski, Erie County Budget Director Kenneth Kruly, City of Buffalo Mayor Anthony Masiello, City of Buffalo Community Development Commissioner Alan DeLisle, and City of Buffalo Clerk Charles Michaux III.

Fiscal Impact: $600,000 allocation of 1997-budgeted funds.

CHARLES M. SWANICK **CRYSTAL S. PEOPLES**

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

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

Chairman SWANICK directed that a Roll Call be taken.

Ayes - Greenan, Pauly, Dusza, Fisher, Fitzpatrick, Holt, Cohen Kennedy, Kuwik, Marinelli, Olma, Peoples, Swanick - 12. Noes - Chase, Larson, Marshall, Ranzenhofer, DeBenedetti - 5.

CARRIED.

ITEM 22 - Mr. MARSHALL presented the following resolution and moved to RECEIVE & FILE. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

Int. 27-10. From: Republican Majority Re: County Sales Tax Exemption for Purchases of Clothing and Footwear Between 1.17/98 and 1/23/98.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 478 Re: Opposition to Niagara Mohawk Plans to Auction Huntley Power Station in the Town of Tonawanda. **(Int.27-11)**

WHEREAS, the Niagara Mohawk Power Corporation (NiMo) operates fossil-fuel and hydroelectric power generating facilities in several communities throughout New York State, and

WHEREAS, one such plant is operational in the Town of Tonawanda, the Huntley Station, and

WHEREAS, the Huntley Station is one of five plants statewide that NiMo is seeking state authorization to sell at auction under its *Power Choice* settlement; the settlement plan including the plan to sell these power station, is currently before the state Public Service Commission (PSC) for review, and

WHEREAS, the impact of the decision to sell these plants, including Huntley, is far-reaching and difficult to predict, considering the fact that hundreds of local residents are employed at Huntley, and that NiMo is a significant contributor to local and county property tax levies in the Town of Tonawanda and the County of Erie, and

WHEREAS, NiMo pays tens of millions of dollars in property taxes at the Huntley site, the burden for which may fall on local homeowners, should the Huntley station be sold and new investors attempt to establish themselves through a variety of tax loopholes, such as through Industrial Development Agencies (IDA's), and

WHEREAS, this Legislature may wish to admonish the Public Service Commission to fully and completely examine the impact of any decision to sell the Huntley station upon local homeowners, businesses, and residents in the Town of Tonawanda and the County of Erie in advance of any final decision on the *Power Choice* settlement,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby express its concern with regard to plans on the part of the Niagara Mohawk Power Corporation to sell its Huntley Power Station as a part of its *Power Choice* settlement agreement, and be it further

RESOLVED, that this Honorable Body does hereby call upon the New York State Public Service Commission (PSC) to carefully examine the impact of the proposed settlement on local residents and real property taxpayers, particularly with respect to plans to sell the Huntley Power Station in the Town of Tonawanda, and the impact that action may have on the respective real property tax bases of the town, county, and local school districts, and be it further

RESOLVED, that this Honorable Body does hereby call upon the PSC to delay any action with respect to NiMo's *Power Choice* settlement proposal unless and until all of questions concerning the future of the Huntley Station and the delivery of electricity and other services to local residents have been fully and completely reviewed, and be it further

RESOLVED, that certified copies of this resolution be sent to the New York State Public Service Commission, the Niagara Mohawk Power Corporation, Erie County Executive Dennis T. Gorski, and to Tonawanda Town Supervisor Carl Calabrese.

Fiscal Fiscal Impact: Impact of Sale of Huntley Station is Potentially Detrimental to Local Property Taxpayers.

CHARLES M. SWANICK **LYNN M. MARINELLI**

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 479 Re: Supporting Continued State Funding of Mental Health Services Costs. (Int.27-12)

WHEREAS, The State has historically been responsible for the full nonfederal costs of certain mental health services and the costs of services provided to persons with mental disabilities who are eligible for Medicaid as a result of such disabilities, including those receiving community services and newer treatment modalities and those who would otherwise receive their care in state mental health facilities, and

WHEREAS, Various legislative proposals have been made, and are being implemented by state agencies, to reduce the share of state funding for mental health services and the costs of services provided to persons with mental disabilities, including former and current SSI recipients, former mental health in-patients, persons residing in the community in their own homes or in state facilities, persons participating in community based "waiver" programs, and others, and to shift some or all of the costs thereof to the counties,

NOW, THEREFORE, BE IT

RESOLVED, That the Erie County Legislature opposes any action by the State which would shift any costs of providing services to persons with mental disabilities from the State to local government, and be it further

RESOLVED, That this Honorable Body supports the continued State funding of the full nonfederal share of Medicaid costs for mental health services for persons with mental disabilities, and be it further

RESOLVED, That certified copies of this resolution be forwarded to Governor George E. Pataki, the Western New York Delegation of the New York State Legislature and Erie County Mental Health Commissioner Ellen E. Grant Bishop, PhD.

Fiscal Impact: To be determined

CHARLES M. SWANICK **CRYSTAL D. PEOPLES**

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

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

CARRIED UNANIMOUSLY.

ITEM 25 - Ms. PEOPLES presented the following resolution and moved for immediate consideration. Mr. KUWIK seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 480 Re: Supporting Youth and Community Organizations. (Int.27-13)

WHEREAS, The State of New York recently has enacted significant welfare reform measures pursuant to the federal welfare reform enacted in 1996, and

WHEREAS, Federal welfare reform requires states to dramatically increase the number of individuals that must be involved in work activities, and

WHEREAS, The failure to meet designated federal work participation standards can result in serious financial sanctions against the state, and

WHEREAS, New York State requires counties to operate the work placement programs, and has enacted reform measure which force counties to face serious sanctions in the event that they fail to meet the federal work placement requirements, and

WHEREAS, The counties of New York State including Erie County will be required to expend considerable funds and devote considerable resources in meeting these new standards, including expanding job training and placement efforts, expanding child care, and increasing transportation, and providing additional support services,

NOW, THEREFORE, BE IT

RESOLVED, That the Erie County Legislature supports removal of the State limitations on local administration costs and a reasonable application of the federal limitation to county costs, and be it further

RESOLVED, That this Honorable Body supports targeted financial support for new administrative activities to be carried out by local governments under federal and state welfare reform proposals, in order that counties may achieve state and national goals, and be it further

RESOLVED, That the Erie County Legislature opposes any sanctions, especially sanctions as a result of circumstances beyond county control, such as a poor economy and high unemployment rates, small caseloads limiting ability to economize on administration costs, and other 'good cause', and be it further

RESOLVED, That certified copies of this resolution be forwarded to Governor George E. Pataki, the Western New York Delegation of the New York State Legislature, and Erie County Department of Social Services Commissioner Deborah A. Merrifield.

Fiscal Impact: To be determined

CHARLES M. SWANICK **CRYSTAL D. PEOPLES**

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

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

CARRIED UNANIMOUSLY.

ITEM 26 - Ms. PEOPLES presented the following resolution and requested it be referred to the HEALTH COMITTEEE.

GRANTED.

Int. 27-14. From: Leg. PEOPLES Re: Health Benefits of Rail Expansion.

ITEM 27 - Ms. PEOPLES presented the following resolution and requested it be referred to the ENERGY & ENVIRONMENT COMMITTEE.

GRANTED.

Int. 27-15. From: Leg. PEOPLES Re: Health Benefits of Light Rail Expansion.

ITEM 28 - Ms. PEOPLES presented the following resolution and requested it be referred to the ECONOMIC DEVELOPMENT COMMITTEE.

GRANTED.

Int. 27-16 From: Leg. PEOPLES Re: Economic Benefits of Light Rail Expansion.

ITEM 29 - Ms. PEOPLES presented the following resolution and moved for immediate consideration. Ms. MARINELLI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 481 Re: Supporting State Takeover of Medicaid Costs. (**Int.27-17**)

WHEREAS, New York is one of a few states which mandated that local governmental entities share in the nonfederal costs of the Medicaid program, and

WHEREAS, The State has obtained a federal Medicaid waiver which would mandate that the majority of Medicaid recipients obtain medical care from managed care providers, and

WHEREAS, Under the federal Medicaid waiver, the state and federal governments would be assuming a larger role in the administration of the Medicaid program, assuring the availability of quality care under the Medicaid program to eligible persons, and monitoring the provision of such care, and

WHEREAS, Under the federal Medicaid waiver, the State anticipates an overall reduction in the costs of the Medicaid program and the receipt of new federal funding for the Home Relief population, and

WHEREAS, The State of New York previously has made commitments to the counties and the local property tax payers that the State would assume a greater portion of the Medicaid costs incurred, including the costs of long-term care services, services for the mentally ill and mentally disabled, and managed care services,

NOW, THEREFORE, BE IT

RESOLVED, That the Erie County Legislature supports a state take over of the nonfederal share of Medicaid costs such that the state immediately would assume all nonfederal share costs for persons receiving long-term care services, and be it further

RESOLVED, That this Honorable Body fully supports a phased-in take over of the nonfederal share of all other Medicaid costs over a five year period, and be it further

RESOLVED, That certified copies of this resolution be forwarded to Governor George E. Pataki, the Western New York Delegation of the New York State Legislature, and Erie County Social Services Commissioner Deborah A. Merrifield.

Fiscal Impact: To be determined

CHARLES M. SWANICK **CRYSTAL D. PEOPLES**

Chairman Swanick directed that Et Al be added to the sponsorship.

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

CARRIED UNANIMOUSLY.

ITEM 30 - Mr. OLMA presented the following resolution and moved for immediate consideration. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 482 Re: In Support of Establishing a Telephone Call Center (TCC) in Western New York. (**Int.27-18**)

WHEREAS, the New York State Department of Labor is contemplating closing several local offices in Western New York and transferring jobs to TCC offices in Troy, New York City, and possibly Binghampton, and

WHEREAS, no TCC is scheduled to be located in Western New York, the second largest population center in the state, and

WHEREAS, many Western New York residents who utilize Department of Labor facilities are non-English speaking, educationally disadvantaged, or physically challenged who would benefit from the presence of a full service TCC to help them apply for services and benefits, and

WHEREAS, Western New York already has a trained and dedicated staff of department of Labor employees who have an intimate knowledge of local employment and economic conditions and who are well qualified to give assistance to area residents, and

WHEREAS, without a TCC located in Western New York, it may be difficult for employers, residents, and local and state legislators to contact Department of Labor staff to resolve pressing unemployment insurance and employment issues, and

WHEREAS, Western New York already is suffering from an exodus of good paying, stable jobs, and

WHEREAS, by not locating a TCC in Western New York the result can possibly be the loss of approximately 100 to 200 good-paying jobs over the next several years, and

WHEREAS, the County Executive has written the Governor requesting that a TCC be located in Western New York, and

WHEREAS, representatives from the New York State Legislature have urged the Governor to establish a TCC in the area.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature supports the establishment of a TCC in Western New York, and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Governor, New York State Labor Commissioner, and the local state legislative and Congressional delegations.

Fiscal Impact: None for resolution.

GREGORY B. OLMA

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

CARRIED UNANIMOUSLY.

ITEM 31 - Mr. DEBENEDETTI resented the following resolution and moved for immediate consideration. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

Int. 27-19. From: Leg. DeBenedetti. Re: Naming Rights at Rich Stadium.

Chairman SWANICK directed that the names of Legislators Chase, Greenan, Larson, Marshall, Pauly, Ranzenhofer and Olma be added as co-sponsors.

Chairman SWANICK directed that Int. 27-19 be referred to the FINANCE AND MANAGEMENT COMMITTEE.

Mr. DEBENEDETTI 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, Fitzpatrick, Holt, Cohen Kennedy, Kuwik, Marinelli, Olma, Peoples, Swanick - 10.

DEFEATED.

Subsequently, Int. 27-19 was referred to the FINANCE AND MANAGEMENT COMMITTEE.

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ITEM 32 - Ms. PEOPLES presented the following resolution and moved for immediate consideration. Mr. KUWIK seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 483 Re: Preventing the Sale of Stolen Property. (Int.27-20)

WHEREAS, Persons committing crimes of burglary and larceny seek to sell their stolen goods, oftentimes turning to pawn shops, jewelry stores, antique collectors and other local purchasers of used goods, and

WHEREAS, If such a transaction occurs, it becomes increasingly difficult for law enforcement officials to track these stolen goods, and for their rightful owner to recover them, and

WHEREAS, Some method of recording the identity of the seller of goods to the aforementioned stores may be a tool for law enforcement agencies to use in the tracking of stolen goods, and

WHEREAS, While the City of Buffalo has such an ordinance in place, the suburban communities of Erie County do not, and

WHEREAS, The West Seneca Department of Police has expressed interest in seeing such an ordinance implemented countywide,

NOW, THEREFORE, BE IT

RESOLVED, That the Erie County Legislature does hereby reaffirm its strong commitment to assisting local law enforcement agencies in whatever way possible, and be it further

RESOLVED, That this Honorable Body does hereby request that a representative from the West Seneca Police Department, the Erie County Department of Central Police Services, and the Erie County Association of Chiefs of Police appear at a future meeting of the Legislature's Public Safety Committee to discuss the issue of recording the identity of sellers to used goods stores, and be it further

RESOLVED, That certified copies of this resolution be forwarded to Lt. Allen F. Scioli (West Seneca Police Department - Juvenile Bureau, Room 207, Municipal Building, 1250 Union Rd. West Seneca, NY 14224), Erie County Department of Central Police Services Commissioner John Cardarelli, and Erie County Association of Chiefs of Police President William Nye (Chief of Police, Village of East Aurora, 547 Main St. East Aurora, NY 14052).

Fiscal Impact: None for resolution.

EDWARD J. KUWIK CHARLES M. SWANICK CRYSTAL D. PEOPLES
MICHAEL A. FITZPATRICK GEORGE A. HOLT, Jr. GREGORY B. OLMA
ALBERT DEBENEDETTI LYNN M. MARINELLI

Chairman Swanick directed the names of Legislators Fisher, Dusza, Cohen Kennedy, Chase and Greenan be added as co-sponsors.

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

CARRIED UNANIMOUSLY.

ITEM 33 - Mr. MARSHALL presented the following resolution and moved for immediate consideration. Mr.GREENAN seconded.

Int. 27-21. From: Legs. Marshall, Chase, Greenan, Larson & Ranzenhofer. Re: Funding for Buffalo Bills Lease Without Need for a New Tax.

Chairman SWANICK directed that Int. 27-21 be referred to the FINANCE AND MANAGEMENT COMMITTEE.

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, Fitzpatrick, Holt, Cohen Kennedy, Kuwik, Marinelli, Olma, Peoples, Swanick - 10.

DEFEATED.

Subsequently, Int. 27-21 was referred to the FINANCE AND MANAGEMENT COMMITTEE.

ITEM 34 - Mr. MARSHALL presented the following resolution and moved for immediate consideration. Mr. GREENAN seconded.

Int. 27-22. From: Leg. Marshall, Chase, Greenan, Larson & Ranzenhofer. Re: Funding for Buffalo Bills Lease Without Need for $78 Million "Sin Tax".

Chairman SWANICK directed that Int. 27-22 be referred to the FINANCE AND MANAGEMENT COMMITTEE.

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 - 6. Noes - DeBenedetti, Noes - Dusza, Fisher, Fitzpatrick, Holt, Cohen Kennedy, Kuwik, Marinelli, Olma, Peoples, Swanick - 11.

DEFEATED.

Subsequently, Int. 27-22 was referred to the FINANCE AND MANAGEMENT COMMITTEE.

ITEM 35 - Mr. OLMA presented the following resolution and moved for immediate consideration. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 484 Re: Improving Environmental Practices Under Deregulated New York State Electric Industry (Int. 27-23)

WHEREAS, The New York State electric industry is now in the process of deregulation or restructuring which is intended to introduce competition into the sale of generated and distributed electricity, and

WHEREAS, Electricity is an essential, basic service required by all members of the community and while the production of electricity by fossil fuels produces emissions which cause smog, acid rain and global warming, energy efficiency and renewable energy technologies can meet energy needs without damaging the environment and threatening public health, and

WHEREAS, The Niagara Mohawk settlement provides only $15 million a year in funding for energy efficiency programs, compared to the up-to $65 million which Niagara Mohawk spends annually, and

WHEREAS, Proposed spending in the Niagara Mohawk settlement for wind and solar renewable energy resources is inadequate to assist the United States in making the kind of carbon dioxide emission reductions necessary to allow our country to join the international community in signing an effective Global Climate Change Treaty in Kyoto, Japan this month (December 1997),

NOW, THEREFORE, BE IT

RESOLVED, That the Erie County Legislature does hereby memorialize the New York State Governor George Pataki, the New York State Legislature, and the New York State Public Service Commission to conduct the electric industry restructuring process in an open manner with full public participation so that the following objectives are met:

(1) continuation of conservation and weatherization programs which are needed by the elderly and low income populations; (2) reduced air emissions to improve air quality; (3) strengthening of energy conservation and efficiency incentives; (4) aggressive development of clean renewable energy resources; (5) disclosure of fuel types and emissions profiles of all electric power generators and marketers selling power in New York State, and be it further

RESOLVED, That representatives from the Erie County Environmental Management Council, Buffalo North District Councilman Alfred Coppola, and representatives from Niagara Mohawk Power Corporation appear at a future meeting of the Legislature's Energy and Environment Committee to discuss both the environmental and economic implications of the New York State electric industry deregulation and restructuring process, and be it further

RESOLVED, That certified copies of this resolution be forwarded to New York State Governor George Pataki, all members of the Western New York delegation to the New York State Legislature, New York State Public Service Commission Chair John O'Mara, Buffalo North District Common Councilman Alfred Coppola, Niagara Mohawk Power Corporation Chief Executive Officer William Davis (535 Washington St. Buffalo, NY 14203), and Peter Warm, Walter Simpson and Joan Bozer of the Erie County Environmental Management Council.

Fiscal Impact: None for resolution.

GREGORY B. OLMA EDWARD J. KUWIK RAYMOND K. DUSZA
LYNN M. MARINELLI AL DEBENEDETTI

Chairman SWANICK directed that the names of Legislators Swanick, Peoples, Holt, Fisher, Cohen Kennedy, Pauly, Greenan, Larson, Ranzenhofer & Chase be added as Co-sponsors.

Mr. OLMA moved the adoption of the resolution as amended. Ms. COHEN KENNEDY seconded.

CARRIED UNANIMOUSLY.

ITEM 36 - Ms. PEOPLES presented the following resolution and moved for immediate consideration. Mrs. FISHER seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 485 Re: Fostering Partnerships Between UB's Comprehensive Health Science Education Center and ECMC (Int. 27-24)

WHEREAS, The State University of New York at Buffalo's South Campus Master Planning Process identified the unification of UB's five medical departments in order to improve training as a major priority, and

WHEREAS, To that end the Departments of Medicine, Dental Medicine, Nursing, Pharmacy, and Health-Related Professions will be brought together in a renovated Farber Hall and feature computerized training, clinical research facilities, and on-campus ambulatory sites, and

WHEREAS, The design phase for this project has been completed and it is currently in the architectural phase, with construction still to come and a scheduled opening in 2001, and

WHEREAS, Currently medical students receive their "hands-on" training in area hospitals, including the Erie County Medical Center, and

WHEREAS, ECMC is indeed a "teaching hospital," and if a positive relationship is not fostered between ECMC and the Comprehensive Health Science Education Center the real possibility exists for competition that will harm both public entities, and

WHEREAS, According to UB Medical School Associate Dean for Research and Graduate Studies Dr. Bruce Holm, the scope of partnership possibilities for the Comprehensive Health Science Education Center has not yet been determined,

NOW, THEREFORE, BE IT

RESOLVED, That the Erie County Legislature does hereby go on record in support of more advanced and comprehensive medical training for our area's students, and be it further

RESOLVED, That this Honorable Body does hereby request that representatives from the UB Medical School and Erie County Medical Center appear at a future meeting of the Legislature's Health/Mental Health Committee to discuss the dynamics of the UB Comprehensive Health Science Education Center, as well as possible partnerships between the Center and ECMC, and be it further

RESOLVED, That certified copies of this resolution be forwarded to UB Medical School Associate Dean for Research and Graduate Studies Dr. Bruce Holm and Erie County Medical Center Chief Executive Officer Paul Candino.

Fiscal Impact: None for resolution.

CRYSTAL D. PEOPLES

Chairman Swanick directed that Et Al be added to the sponsorship.

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

CARRIED UNANIMOUSLY.

.....

ITEM 37 - Mrs. FISHER presented the following resolution and moved for immediate consideration. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 486 Re: Support for the Patient's Fair Appeals Act. (Int.27-25)

WHEREAS, Currently in New York State patients are dying because their insurance company refuses to pay for the experimental treatments and drugs that their doctors are recommending, and

WHEREAS, Insurance companies are not required to cover reasonable experimental treatments even when no conventional remedy exists or when doctors conclude it is the only chance of extending a person's life, and

WHEREAS, Certain treatments such as bone marrow transplants and some forms of chemotherapy are still classified as experimental and denied by insurance companies, and

WHEREAS, Presently a patient's only right of appeal is to the very health plan that is denying care, and

WHEREAS, Patients end up spending precious time involved in a lengthy appeals process rather than devoting their time to treatment which may lead to a cure, and

WHEREAS, California recently enacted a safeguard for seriously ill patients in which a patient, who has been denied insurance coverage for a treatment recommended by their doctor, has the right to appeal to an experimental/investigational review panel consisting of three expert doctors with no financial stake in the decision, and

WHEREAS, The New York State Senate has proposed the Fair Appeals Act to protect patient rights in situations such as this, and

WHEREAS, Under the Fair Appeals Act, patients would be guaranteed an appeal within two weeks and if a majority of the doctors on the review panel determine that the treatment should be covered, the insurer will be bound by the panels decision, and

WHEREAS, Insurance companies argue this will cost them too much money, however studies show the increase would be only one-half of one percent,

NOW, THEREFORE, BE IT

RESOLVED, That the Erie County Legislature does hereby proclaim its support for "The Patients' Fair Appeals Act" (New York State Senate Bill 2887) to establish statewide health insurance standards for experimental and investigational drugs, devices, and treatments prescribed by physicians for patients with life-threatening, degenerative or permanently disabling conditions, and to establish a fair appeal process outside the patients health plan, and be it further

RESOLVED, That this Honorable Body does hereby memorialize the New York State Senate to pass Bill 2887, the New York State Assembly to adopt similar legislation and Governor Pataki to sign these bills into law, and be it further

RESOLVED, That certified copies of this resolution be forwarded to the entire Western New York Delegation of State Representatives, Governor George E. Pataki, Lieutenant Governor Betsy McCaughey Ross, and State Health Commissioner Dr. Barbara A. DeBuono.

Fiscal Impact: None for resolution

CRYSTAL D. PEOPLES **JUDITH P. FISHER**

Chairman Swanick directed that Et Al be added to the sponsorship.

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

CARRIED UNANIMOUSLY.

.....

ITEM 38 - Mr. HOLT presented the following resolution and moved for immediate consideration. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 487 Re: Newburgh Community Block Club Neighborhood Crime Program. (Int.27-26)

WHEREAS, the Newburgh community, a one hundred block neighborhood located in the Northeast section of the City of Buffalo (Eggert/Langfield), is officially registered as a block club; and

WHEREAS, the officials of the Newburgh Community Block Club have accepted the responsibility for the improvement of its community neighborhoods; and

WHEREAS, these officials have come forth to let it be known that the Newburgh Community is plagued with an excessive increase in crime, due to the activities of drug peddlers in the neighborhoods; and

WHEREAS, the officials of the Newburgh Community Block Club are seeking funds to enable them to rid the Newburgh community of drug peddlers through the institution of a viable crime watch program in the area; and

WHEREAS, the requested funds will provide the equipment which will establish an effective crime watch program in the Newburgh neighborhoods; and

WHEREAS, it has been estimated that the funds needed to purchase safety vests, radios and headsets involves the expenditure of $4,676.35; and

WHEREAS, the County has an available funding source for the establishment of this neighborhood crime watch program through the Asset Forfeiture Funds.

NOW, THEREFORE, BE IT

RESOLVED, that the Legislative Body support the efforts of the Newburgh Community Block Club by approving the expenditure of funds provided through the Assets Forfeiture Funds to purchase the necessary equipment to effectively combat drug peddling and the resultant crime in their neighborhoods; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Erie County Legislative body.

Fiscal Impact:To be determined.

GEORGE A. HOLT, Jr.

Mr. HOLT presented an amendment as follows:

DELETE the final RESOLVE clause in its entirety and replace with the following:

RESOLVED, that certified copies of this resolution be sent to County Executive Dennis T. Gorski, Sheriff Thomas Higgins, and Budget Director Kenneth Kruly.

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

CARRIED UNANIMOUSLY.

Chairman SWANICK directed that the names of Legislators Peoples & Olma be added to the sponsorship.

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

CARRIED UNANIMOUSLY.

COMUNICATIONS DISCHARGED FROM COMMITTEE

ITEM 39 - Mrs. FISHER moved to discharge the HEALTH COMMITTEE from further consideration of Comm. 21E-14. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 488 Re: Request for Legislative Action to Increase the Appropriation to Restoration Society, Inc. by $125,000 in 100% New York State Office of Mental Health State Aid Dollars.

WHEREAS, the Erie County Department of Mental Health is responsible for the delivery of a comprehensive range of mental health services for the residents of the City of Buffalo, and

WHEREAS, the Erie County Department of Mental Health has reviewed and approved programs of mental health services for persons receiving mental health treatment from Restoration Society, Inc., and

WHEREAS, the Erie County Legislature has already authorized the County and the Department of Mental Health to contract with Restoration Society, Inc. in the amount not to exceed $1,060,844, and

WHEREAS, additional funds of $125,000 in 100% NYS Office of Mental Health State Aid dollars are available to continue providing psychosocial club services to mental health service recipients in the City of Buffalo,

NOW, THEREFORE, BE IT

RESOLVED, that the 1997 appropriation for Restoration Society, Inc. be increased by a total $125,000, the source of these funds being 100% NYS Office of Mental Health State Aid dollars, and be it further

RESOLVED, that the County Executive be authorized to amend and increase the 1997 contract with Restoration Society, Inc. for the period January 1, 1997 through December 31, 1997 to an amount not to exceed $1,185,844, and be it further

RESOLVED, that certified copies of this resolution be furnished to the Department of Mental Health and the Division of Budget, Management and Finance.

Mrs. FISHER offered the following amendment:

DELETE the second RESOLVE clause in its entirety and replace with the following:

RESOLVED, that the County Executive be authorized to amend and increase the 1997 contract with the Restoration Society, Inc. for the period January 1, 1997 through December 31, 1997 to an amount not to exceed $1,185,844, with the Legislature reserving the authority to cancel said contract with thirty (30) days notice, and be it further

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

.....

ITEM 40 - Mrs. FISHER moved to discharge the HEALTH COMMITTEE from further consideration of Comm. 26E-15. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 489 Re: Department of Health - Division of Health Transfer of Funds.

WHEREAS, the Department of Health has analyzed its accounts within the Division of Health and has determined that in Accounts 824, Mileage, and 933 Lab & Technical Equipment, and 880-4000 Interfund - ECMC, expenditures will exceed a appropriations by $49,500, and

WHEREAS, failure to approve the above transfer of funds will result in the interruption of vital public health services to the residents of Erie County, and

WHEREAS, a transfer of funds must be made in order to continue the provision of vital public health services for the remainder of the 1997 fiscal year.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby approves the following transactions within the accounts of the Department of Health, Division of Health:

Increase	-	Account 824 Mileage	$10,000
Increase	-	Account 933 Lab & Technical Equipment	4,500
Increase	-	Account 880-4000 Interfund-ECMC	35,000
			$49,500
Decrease	-	Account 821 - Dues and Fees	$49,500
		Net Increase	$ 0

and be it further

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

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

CARRIED UNANIMOUSLY.

ITEM 41 - Mrs. FISHER moved to discharge the HEALTH COMMITTEE from further consideration of Comm. 26E-16. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 490 Re: Department of Health Healthy Heart Grant.

WHEREAS, the Erie County Department of Health has been awarded a Healthy Heart Grant totaling $25,000 for the purpose of promoting physical activity in our community, and

WHEREAS, the Erie County Department of Health has joined with the Wellness Institute of Greater Buffalo and Western New York Inc.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to accept a grant award funded 100% by the New York State Health Department which is budgeted as follows:

REVENUE

SFG	DESCRIPTION	AMOUNT
553	State Aid	$25,000

EXPENSE

830	Contractual Services	$25,000

and be it further

RESOLVED, that the County Executive is hereby authorized to enter into a subcontract with the Wellness Institute of Greater Buffalo and Western New York, Inc., for a sum not to exceed $25,000 to fulfill the workplan of the project, and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Department of Health, the Division of Budget, Management and Finance and the County Attorney's Office.

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

CARRIED UNANIMOUSLY.

ITEM 42 - Mrs. FISHER moved to discharge the HEALTH COMMITTEE from further consideration of Comm. 26E-9. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 491 Re: Health Department Youth Tobacco Enforcement & Prevention Program 10/1/97-9/30/98

WHEREAS, the Erie County Department of Health has received a grant from the New York State Health Department in the amount of $86,000 which creates one full time position of Sr.Public Health Technician, and

WHEREAS, over 300,000 people in the die of causes directly related to smoking, and

WHEREAS, nonsmokers start using tobacco before the age of eighteen (18), and

WHEREAS, the Health Department's Environmental Health Unit will conduct an informational campaign targeted toward merchants, informing them of the New York State Law prohibiting the sale of tobacco products to persons under the age of eighteen (18), and

WHEREAS, the County desires to subcontract with the all Po9lice Departments in Erie County to conduct compliance checks of merchants by using underage operatives who will attempt to purchase tobacco products

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to enter into a contract with the New York State Health Department to be budgeted as follows":

Youth Tobacco Enforcement and Prevention Program
10/1/97 - 9/30/98

REVENUE

SFG Account	Description	Amount
553	Penalties & Fines	$ 16,500
428	State Aid	86,000
	TOTAL REVENUE	$102,500

APPROPRIATIONS

SFG Account	Description	Amount
800	Personal Services	$ 38,083
805	Fringe Benefits	10,282
810	Office/Computer Supplies	6,000
821	Dues & Fees	100
830	Contractual Payments	38,000
824	Travel & Mileage	2,400
825	Out of Area Expenses	1,000
826	Other Expenses	1,000
880-5100	Inter-Fund - DISS	1,635
932	Office Equipment	1,500
933	Lab & Technical Equipment	2,500
	TOTAL APPROPRIATIONS	$102,500

The following personnel detail is hereby submitted:

TITLE: Sr. Public Health Technician FUNDING: 100% State reim bursement
STEP: 5 CIVIL SERVICE: Yes
JG: IX
ANNUAL SALARY: $38,083
ANNUAL BENEFITS: $10,282

NOW, THEREFORE, BE IT

RESOLVED, That one full time position of Sr. Public Health Technician, JG IX, is hereby created, and be it further

RESOLVED, that the County Executive is hereby authorized to subcontract with the Erie County Sheriff's Department and other police agencies in an amount not to exceed $38,000 to conduct compliance checks of merchants by using underage operatives to attempt to purchase tobacco products to carry out this project, and be it further

RESOLVED, that police agencies will be reimbursed at the rate of $30.00 per compliance check, and be it further

RESOLVED, that one half of the fines collected by the Health Department will be returned to the police agencies for educational programs designed to prevent adolescents from smoking as provided in Article 13-Fof the New York State Health Law, and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Department of Health, the Department of Personnel, the Division of Budget, Management and Finance and the County Attorney's Office.

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

CARRIED UNANIMOUSLY.

ITEM 43 - Mrs. FISHER moved to discharge the HEALTH COMMITTEE from further consideration of Comm. 22E-15. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 492 Re: Department of Health Revised Immunization Action Plan November 1, 1997-October 31,1998.

WHEREAS, the Erie County Department of Health administers programs for immunization, and

WHEREAS, polio, diphtheria, tetanus, pertussis, measles, mumps, rubella, Haemophilus influenzae type B and hepatitis B all can cause significant morbidity among children. However, they all are preventable with appropriate vaccination.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to accept a revised grant award which is funded 100% from the New York State Health Department which includes budgetary adjustments as follows:

IMMUNIZATION ACTION PLAN
11/1/97-10/31/98
PROJECT #684

SFG	REVENUE	CURRENT BUDGET	CHANGES	REVISED BUDGET
584	STATE AID	$163,241	$ -1	$163,240
	TOTAL	$163,241	$ -1	$163,240
	EXPENSES			
800	PERS. SERVICES	$ 93,629	$ 32,225	$125,854
805	FRINGES	24,063	10,434	34,497
810	OFFICE SUPPLIES	1,000	-950	50
814	MEDICAL SUPPLIES	100	- 50	50
821	DUES & FEES	100	-100	0
823	REPAIRS & MAINT.	250	-250	0
824	TRAVEL-LOCAL	5,000	-3,000	2,000
825	TRAVEL-CONF.	2,000	-1,500	500
826	OTHER EXPENSES	0	50	50
830	CONTRACTUAL	27,949	-27,949	0
932	OFFICE FURNITURE	1,000	-950	50
933	LAB & TECH EQUIP	7,500	-7,450	50
880-5100	DISS	650	-511	139
	TOTAL	$163,241	$ (1)	$163,240

and be it further

RESOLVED, that one position of Immunization Specialist, JG XI, is hereby created and one vacant position of Public Health Educator, JG VIII, is hereby deleted. The following personnel detail is hereby submitted:

TITLE: Immunization Specialist
JG: N2
STEP: 7
FRINGE BENEFITS: $11,575
ANNUAL SALARY: $42,228

CIVIL SERVICE: Yes
FUNDING: 100% State Reimbursed

and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Department of Health, the Department of Personnel, the Division of Budget, Management and Finance and the County Attorney's Office.

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

CARRIED UNANIMOUSLY.

ITEM 44 - Mrs. FISHER moved to discharge the HEALTH COMMITTEE from further consideration of Int. 22-7. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 493 Re: Support for A.08007 to Repeal Surcharge on Clinical Laboratory Services.

WHEREAS, a surcharge of 8.18 percent on clinical laboratory services was enacted in 1996 a part of New York State's Health Care Reform Act to support general hospital indigent care and public health initiatives, and

WHEREAS, this surcharge inordinately affects consumers of laboratory services who have high deductibles or lack insurance coverage for lab services, and

WHEREAS, as a result, individual consumers of clinical lab services bear a disproportionate share of the burden of financing hospital indigent care and public health initiatives, and

WHEREAS, to rectify this situation and make the financing of hospitals indigent care and public health initiatives more equitable the New York State Assembly introduced and passed A 08007, which would repeal the aforementioned surcharge and replace that revenue with money generated by increasing the covered lives assessment paid by insurers, and

WHEREAS, under this plan a broader base would share the cost of funding hospital indigent care and public health initiatives, and current levels of funding would be maintained, and

WHEREAS, this bill now awaits action by the New York State Senate,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby express its support for A.08007 to make the funding of hospital indigent care and public health initiatives in New York State more equitable, and be it further

RESOLVED, that this Honorable Body does hereby memorialize the New York State Senate to pass and New York State Governor George Pataki to sign into law the aforementioned legislation, and be it further

RESOLVED, that certified copies of this resolution be forwarded to New York State Governor George Pataki, the local delegation of the New York State Senate and Assembly and Erie County Commissioner of Health Dr. Arnold Lubin.

Fiscal Impact: None for resolution.

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

CARRIED UNANIMOUSLY.

ITEM 45 - KUWIK moved to discharge the PUBLIC SAFETY COMMITTEE from further consideration of Comm. 23E-14. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 494 Re: Erie County Sheriff's Office - Transfer of Funds.

WHEREAS, Account 823 - Repairs and Maintenance in the Sheriff's Division has been projected to exhaust its appropriation balance prior to the end of 1997 due to higher than anticipated costs, and

WHEREAS, funds are available within Account 811 - Clothing Supplies, Account 814 - Medical Supplies, Account 821 - Dues & Fees, Account 822 - Rental Charges, Account 824 - Travel and Mileage and Account 933 - Technical Equipment to transfer into the aforementioned code.

NOW, THEREFORE, BE IT

RESOLVED, that the following budget amendments are hereby authorized:

SHERIFF'S DIVISION:

Appropriation	Decrease
811 - Clothing Supplies	$10,000
814 - Medical Supplies	$ 1,500
821 - Dues & Fees	$ 5,000
822 - Rental Charges	$ 2,500
824 - Travel & Mileage	$ 1,500
933 - Technical Equipment	$ 9,500
Total Decrease	$30,000

Appropriation	Increase
823 - Repairs & Maintenance	$30,000
NET IMPACT	$ -0-

and be it further

RESOLVED, that certified copies be forwarded to the Division of Budget, Management and Finance and the Office of the Sheriff for implementation.

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

CARRIED UNANIMOUSLY.

ITEM 47 - KUWIK moved to discharge the PUBLIC SAFETY COMMITTEE from further consideration of Comm. 23E-8. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 495 Re: Erie County Sheriff's Office - Transfer of Funds.

WHEREAS, the Erie County Sheriff's Office has identified a need for additional supervisory personnel to assist in the smooth running of the Criminal Division, and

WHEREAS, the Erie County Sheriff's Office is requesting the addition of a Lieutenant in the Sheriff's Division, Job Group X, to be assigned to supervise employees of the Criminal Division, and

WHEREAS, funding for this position is available in the general fund of the Erie County Sheriff's Office 1997 Budget,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Sheriff's Office be authorized to create the position of Lieutenant, Job Group X, and be it further

RESOLVED, that certified copies forwarded to the Division of Budget, Management, and Finance; Erie County Comptroller; the Personnel Department; and the Office of the Sheriff for implementation.

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

CARRIED UNANIMOUSLY.

SUSPENSION OF THE RULES

ITEM 47 - Ms. PEOPLES moved for a suspension of the rules to include and item not on the agenda. Ms. COHEN KENNEDY seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 496 Re: Re-Appointments to the Erie County Soil & Water Conservation District Board of Directors. (27E-22)

WHEREAS, the County Personnel Department is in need of an equipment upgrade for the processing of personnel records, and

WHEREAS, the current system is outdated and has limited capability in that it only reads microfiche and microfilm records, and

WHEREAS, the new equipment, a Canon Micro-90 model system, will read and print both microfiche and microfilm records, and

WHEREAS, the budgeted revenue in Fund 110, Project 923, Department 310, Account 304 - Payment in Lieu of Taxes has been realized,

NOW, THEREFORE, BE IT

RESOLVED, that Erie County Legislature does hereby authorize the appropriation of $5,795 in revenue from the General fund Budget 110, Project 923, Department 310, countywide Account 304 - Payment in Lieu of Taxes to Fund 110, Project 910, Department 610 (Personnel), Account 933, lab and Technical Equipment, and be it further

RESOLVED, that certified copies of this resolution be forwarded to County Budget Director Kenneth C. Kruly and County Personnel Commissioner Leonard Lenihan.

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

CARRIED UNANIMOUSLY.

ITEM 48 - Ms. PEOPLES moved for a suspension of the rules to include an item not on the agenda.

GRANTED.

Comm. 27D-17 From: Board of Elections Re: Apportionment of Expenses

Chairman SWANICK directed that Comm. 27D-17 be referred to the FINANCE AND MANAGEMENT COMMITTEE.

ITEM 49 - Mr. RANZENHOFER moved for a suspension of the rules to include and item not on the agenda. Mr. GREENAN seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 497 Re: Lease Agreement for Legislative Office Space. (Comm. **27E-23**)

RESOLVED, that the Erie County Executive is hereby authorized to sign a Lease Agreement between **RUSSELL D. SCHIDT, 25 Ernst Place, East Aurora, NY 14052** and Erie County Legislator **FREDERICK J. MARSHALL** for Legislative Office Space.

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

CARRIED.

Legislator Marshall abstained.

ITEM 50 - Mr. MARSHALL moved for a suspension of the rules to include an item not on the agenda. Mr. GREENAN seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 498 Re: Lease Agreement for Legislative Office Space (**Comm. 27E-24**)

RESOLVED, that the Erie County Executive is hereby authorized to sign a Lease Agreement between **JAY POHLMAN & THOMAS M. ANSUINI, 3993 South Park Ave, Blasdell, NY 14219** and Erie County Legislator **JEANNE Z. CHASE** for Legislative Office Space.

Mr. MARSHALL moved the adoption. Mr. GREENAN seconded.

CARRIED.

Legislator Chase abstained.

ITEM 51 - Ms. PEOPLES moved for a suspension of the rules to include an item not on the agenda. Mr. LARSON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 500 Re: Re-Appointments to the Erie County Soil & Water Conservation District Board of Directors (**Int. 27-27**)

WHEREAS, pursuant to Soil & Water Conservation District Law, Article II, Section 6, the County Legislature has the authority to appoint members of the Erie County Soil and Water Conservation District Board of Directors, and

WHEREAS, Calvin Kohn, of 11640 New Oregon Rd., North Collins NY 14111, has served as a member of that Board for several years, and

WHEREAS, the Erie County Pomona Grange #6 has recommended re-appointment of Mr. Kohn to a three-year term, and

WHEREAS, two Erie County Legislators, one each from the Majority and Minority Caucuses, serve on that board for one year terms, and

WHEREAS, Legislator Frederick J. Marshall has served on that board for several years and is willing to serve again in 1998, and

WHEREAS, the majority's appointment to this board will be made at a later date,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby reappoint **Calvin Kohn, of 11640 New Oregon Rd., North Collins NY 14111**, to a three-year term commencing January 1, 1998, of service on the Erie County Soil and Water Conservation District Board of Directors, and be it further

RESOLVED, that this Honorable Body further approve the reappointment of Legislators Frederick J. Marshall and Charles M. Swanick to respective a one-year terms of service commencing January 1, 1998, and be it further

RESOLVED, that certified copies of this resolution be sent to County Executive Dennis T. Gorski, Environment and Planning Commissioner Richard Tobe, Calvin Kohn, and to LuAnn Freeman, Executive Secretary/Treasurer, Erie County Soil and Water Conservation District Board of Directors.

Fiscal Impact: None.

CRYSTAL D. PEOPLES

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

CARRIED UNANIMOUSLY.

COMUNICATIONS FROM ELECTED OFFICIALS

FROM THE COUNTY EXECUTIVE

ITEM 52 - Comm. 27E-1) Position Change Report.

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE COMPTROLLER

ITEM 53 - Comm. 27E-2) County of Erie - Interim Financial Reports for the Nine Months Ended 9/30/97.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE COUNTY EXECUTIVE

ITEM 54 - Comm. 27E-3) 1998 Erie County Budget.

RECEIVE, FILE & PRINT.

Honorable Members,

I am accepting as amended the 1998 budget. I want to thank you for the important role you played in crafting this budget. It is a document that not only freezes taxes, but also spends money on important programs including crime fighting, job creation, revitalizing downtown Buffalo, and further reducing our welfare rolls.

Your unanimous, bi-partisan support of the budget is much appreciated. As you know, I have pledged to freeze County property taxes in 1999 and 2000 as well.

I look forward to working with you in the years ahead to continue our work of making our County a more competitive place to live and work. I'm proud of the work that we've already done which has earned Erie County its well-deserved reputation of being the most cost-efficient and effective urban County government in New York State.

I am committed, as I know you are, to continuing to work each and every day to provide needed services at the lowest cost possible to our 960,000 residents.

Sincerely,
DENNIS T. GORSKI

RECEIVED, FILED & PRINTED.

FROM LEGISLATORS SWANICK & PEOPLES

ITEM 55 - (Comm. 27E-4) Notice Canceling Session Scheduled for Tuesday 12/9/97.

RECEIVE, FILE & PRINT.

TO: ALL ERIE COUNTY LEGISLATORS
FROM: Charles M. Swanick, Chairman
Crystal D. Peoples, Majority Leader

Be advised that County Executive Dennis T. Gorski has filed a communication with the Legislature stating that he did not object to any one or more of the added or increased items adopted by this body at Meeting No. 25 held on Novemeber 26, 1997.

Since there are no items to override, I am canceling the previously scheduled session of Tuesday, December 9, 1997.

Copies of the County Executive's communication will be made available to all legislators.

RECEIVED, FILED & PRINTED.

FROM THE COMPTROLLER

ITEM 56 - (Comm. 27E-5) Sales Tax Receipts for Month of September.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM LEGISLATOR LARSON

ITEM 57 - (Comm. 27E-6)

Mr. MARSHALL moved for immediate consideration. Mr. RANZENHOFER seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 501 Re: Lease for Legislative Office Space.

RESOLVED, that the Erie County Executive is hereby authorized to sign a Lease Agreement between **JOHN BESCH, 5580 Broadway, Lancaster, NY 14086** and Erie County Legislator **DALE W. LARSON** for Legislative Office Space.

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

CARRIED.

Legislator Larson abstained.

FROM LEGISLATOR SWANICK

ITEM 58 - (Comm. 27E-7)

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 502 Re: Lease for Legislative Office Space

RESOLVED, that the Erie County Executive is hereby authorized to sign a Lease Agreement between **ZIEHM REAL ESTATE, INC., 1693 Grand Island Blvd., Grand Island, NY 14072** and Erie County Legislator **CHARLES M. SWANICK** for Legislative Office Space.

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

CARRIED.

Legislator Swanick abstained.

ITEM 59 - (Comm. 27E-8)

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 503 Re: Lease for Legislative Office Space

RESOLVED, that the Erie County Executive is hereby authorized to sign a Lease Agreement between **KENMORE-TOWN OF TONAWANDA UNION FREE SCHOOL DISTRICT, 1500 Colvin Blvd., Town of Tonawanda, NY 14150** and Erie County Legislator **CHARLES M. SWANICK** for Legislative Office Space.

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

CARRIED.

Legislator Swanick abstained.

FROM LEGISLATOR KUWIK

ITEM 60 - (Comm. 27E-9)

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 504 Re: Lease for Legislative Office Space

RESOLVED, that the Erie County Executive is hereby authorized to sign a Lease Agreement between **PBS CONSULTANTS CORP., 659 Ridge Road, Lackawanna, NY 14218** and Erie County Legislator **EDWARD J. KUWIK** for Legislative Office Space.

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

CARRIED.

Legislator Kuwik abstained.

FROM THE COUNTY EXECUTIVE

ITEM 60 - (Comm. 27E-10) Position Change Report PP#26.

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM CHAIRMAN SWANICK

ITEM 61 - (Comm. 27E-11) 1998 Schedule of Legislative Sessions.

RECEIVE, FILED PRINT.

TO: Laurie A. Manzella, Clerk
FROM: Charles M. Swanick,
RE: 1998 SCHEDULE OF LEGISLATIVE SESSIONS

JANUARY
8
22

FEBRUARY
5
19

MARCH
6
19

APRIL
2
30

MAY
7
28

JUNE
4
18

JULY
2
16

AUGUST
RECESS

SEPTEMBER
10
24

OCTOBER
8
22

NOVEMBER
5
19

DECEMBER
1 BUDGET
3
8 OVERRIDE
17

RECEIVED, FILED & PRINTED.

FROM THE COUNTY EXECUTIVE

ITEM 62 - (Comm. 27E-12) Sale tax Holiday.

RECEIVED & FILED.

ITEM 63 - (Comm. 27E-13) Appointments to Board Of Managers at ECMC.

Received and referred to the HEALTH COMMITTEE.

ITEM 64 - (Comm. 27E-14) Senior Services - Authorization to Enter Into Subcontracts.

Received and referred to the SOCIAL SERVICES COMMITTEE.

ITEM 65 - (Comm. 27E-15) Mercury Pollution Prevention Education Program.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

ITEM 66 - (Comm. 27E-16)

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 505 Re: NYSEG Permanent Easement Across Erie County Highway Garage Property 1080 Harlem Road, Town of Cheektowaga.

RESOLVED, that the County Executive is authorized to execute, and amend as necessary a permanent easement with General Motors Corporation, for an amount not to exceed $60,000, the source of funds being $48,000 in Federal Funds available from the Federal Highway Administration and $12,000 in County Funds from the Capital Projects Fund (SFG Project 758), and be it further

RESOLVED, that said permanent easement is necessary to obtain partial property rights to the parcel(s) generally identified on Attachment A for the purposes of constructing, operating, and maintaining the Erie County Riverwalk, and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Commissioner of the Department of Environment and Planning.

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

CARRIED UNANIMOUSLY.

FROM THE COUNTY EXECUTIVE

ITEM 67 - (Comm. 27E-17) ECSD No. 5 Easement Acquisitions & Fee Taking SBL No. 43.07-2-44 - Town of Clarence.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

ITEM 68 - (Comm. 27E-18) Contract with ECIDA for Administration of Erie County's Foreign Trade Zone Program.

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

ITEM 69 - (Comm. 27E-27) Authorization & Funding of County Contract with the Firm Bolton-St. Johns, Inc.

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

ITEM 70 - (Comm. 27E-20) Local Government Pollution Prevention Grant Program.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

ITEM 71 - (Comm. 27E-21) Social Services Optical Imaging Project Amendments.

Received and referred to the SOCIAL SERVICES COMMITTEE.

COMMUNICATIONS FROM THE DEPARTMENTS

FROM EC COMMISSION ON THE STATUS OF WOMEN

ITEM 72 - (Comm. 27D-1) Minutes of Meeting Held 11/12/97 & Notice of Special Meeting Held 12/17/97.

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM LAW

ITEM 73 - (Comm. 27D-2) Notices of Claim.

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE ERIE COUNTY MORGUE

ITEM 74 - (Comm. 27D-3) Monies & Other Property Found on Deceased Persons.

Received and referred to the HEALTH COMMITTEE.

FROM ERIE COMMUNITY COLLEGE

ITEM 75 - (Comm. 27D-4) Notice of Meeting Held 12/17/97

RECEIVED & FILED.

FROM LAW

ITEM 76 - (Comm. 27D-5) Notices of Claims.

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE CLERK OF THE LEGISLATURE

ITEM 77 - (Comm. 27D-6) Copy of Letter to Joseph DiCenzo Re: Freedom of Information Law.

RECEIVED & FILED.

FROM ERIE COUNTY MEDICAL CENTER

ITEM 78 - (Comm. 27D-7) Minutes of Meeting Held 11/3/97 & Notice of Meting Held 12/11/97.

Received and referred to the HEALTH COMMITTEE.

FROM BUFFALO & ERIE COUNTY PUBLIC LIBRARY

ITEM 79 - (Comm. 27D-8) Minutes of Meeting Held 11/20/97 & Notice of Meeting Held 12/18/97.

FROM ERIE COMMUNITY COLLEGE

ITEM 80 - (Comm. 27D-9) Notice of Meeting Held 12/17/97.

Received & referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM DPW

ITEM 81 - (Comm. 27D-10)

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 506 Re: NYSEG Permanent Easement Across Erie County Highway Garage Property 1080 Harlem Road, Town Cheektowaga.

WHEREAS, New York State Electric and Gas Corporation has asked the County to grant a utility easement across County owned property at 1080 Harlem Road in the Town of Cheektowaga, and

WHEREAS, that property is used by the Erie County Department of Public Works as a highway garage, and

WHEREAS, said easement is sought to permit New York State Electric and Gas to provide electric power to the NYSERNET 2000 fiber-optic utility line now being constructed on the New York State Thruway Authority's right-of-way, and

WHEREAS, the NYSERNET fiber optic cable will connect major research universities in the State, including the University at Buffalo, by a faster, more powerful computer link than offered by the Internet, and

WHEREAS, the value of the easement has been appraised at $5,600,

NOW, THEREFORE, BE IT RESOLVED, that the Legislature has considered the environmental impact review conducted by the Department of Environment and Planning, and concludes that this is a Type II action as defined by Section 617.5(c) extension of utility distribution facilities, under the State Environmental Quality Review provisions of the New York State Environmental Conservation Law, and be it further

RESOLVED, that the County Executive is hereby authorized to deliver to New York State Electric and Gas Corporation, in consideration of receipt of the sum of $5,600, a permanent easement for construction of electric utility lines to serve the MFS NYSERNET fiber optic network at the Public Works garage at 1080 Harlem Road in the Town of Cheektowaga, New York. Said easement shall be no more than 20 feet in width, and lying as follows:

> The center line of said easement and right-of-way is to enter Grantor's (County's) lands at a point in the westerly bounds of Harlem Road, said point being approximately 55 feet south from Grantor's northeasterly property line, thence said centerline extends in a northwesterly direction across Grantor's lands approximately 50 feet to a point being 10 feet south from Grantor's northerly property line, thence said center line extends in a westerly direction across Grantor's lands approximately 418 feet to Grantor's westerly property line,

and be it further

RESOLVED, that the Clerk of the Legislature provide certified copies of this resolution to the Commissioner of Public Works, the Director of Budget, Management and Finance and the County Attorney.

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

CARRIED UNANIMOUSLY.

FROM BUDGET, MANAGEMENT & FINANCE

ITEM 82 - (Comm. 27D-11)

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 506 Re: Downtown Pedestrian/Transit mall Special District: Adoption of Mall District Service Charge Roll for 1998.

WHEREAS, on November 6, 1997, after a public hearing, the Erie County Legislature determined that the total amount to be raised by mall district service charges for 1998 for the downtown pedestrian/transit mall special district shall be the sum of $1,176,983.00, and

WHEREAS, the 1998 Mall District Budget requires that the amount to be raised by Mall District payments in lieu for 1998 for the downtown pedestrian/transit mall special district shall be the sum of $18,000.00, and

WHEREAS, the Director of Budget and Management has established the 1998 mall district service charge and payment in lieu roll apportioning the amount to be raised and has transmitted such roll to the Erie County Legislature for adoption.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby adopt the mall district service charge and payment in lieu roll established by the Director of Budget and Management for the purpose of assessing 1998 service charges for the downtown pedestrian/transit mall special district, and be it further

RESOLVED, that 1998 mall district service charges and payment in lieu shall be assessed, due and a lien on benefitted properties within the downtown pedestrian/transit mall special district on and as of January 2, 1998 and shall be payable to the Director of Budget and Management as provided in Erie County Local Law No. 8-1984, and be it further

RESOLVED, that late fees shall be collected on payments made after the dates provided in Erie County Local Law No. 8-1984, and an interest budget line of $10,000 shall be added to the Mall Budget for collection of these late fees, and be it further

RESOLVED, that the Director of Budget and Management is hereby authorized to make adjustments and modifications as he deems appropriate, and be it further

RESOLVED, that certified copies of this resolution be transmitted to the Director of Budget, Management, Erie County Finance Department and the County Attorney.

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

CARRIED UNANIMOUSLY.

FROM BUDGET, MANAGEMENT & FINANCE

ITEM 83 - (Comm. 27D-12)

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 507 Re: Abstracts of the Town Budgets & Special District: Adoption of Mall District Service Charge Roll for 1998.

RESOLVED, that the following abstracts of the adopted Town Budgets and Special District Budgets for the year 1998, as certified and presented to this Legislature by the appropriate Town Officers, be printed by the Clerk in the minutes of the proceedings of this Legislature, and be it further

RESOLVED, that the amounts in said budgets that are required to be raised by taxes are hereby levied upon, and shall be collected from, the taxable property situated in the respective Towns and Districts and liable therefore, and be it further

RESOLVED, that the Director of Budget and Management and/or successor to the Commissioner of Finance is hereby directed to spread said taxes to be so raised for such budgets against the taxable property liable therefore as provided by Article VI of the Erie County Tax Act, as amended, and be it further

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

(SEE ADDENDUM)

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

CARRIED UNANIMOUSLY.

ADDENDUM

RESOLVED that the following abstracts of the adopted town budgets for the ensuing year, as certified and presented to this Legislature by the appropriate town officers, be printed by the Clerk in the minutes of the proceedings of this Legislature, and be it further

RESOLVED that the amounts in said budgets that are required to be raised by taxes are hereby levied upon, and shall be collected from, the taxable property situated in the respective Towns and liable therefore, and be it further

RESOLVED that the Commissioner of Finance is hereby directed to spread said taxes to be raised for such budgets against the taxable property liable therefore provided by law :

ALDEN FOR THE YEAR 1998	APPROPRIATION	ESTIMATED REVENUES	TAX LEVY
GENERAL FUND TOWNWIDE	$1,105,768.00	$554,399	$551,369.00
GENERAL FUND-TOWN ONLY	$132,981.00	$132,981	$0.00
HIGHWAY TOWN ONLY	$515,397.00	$515,397	$0.00
TOTAL TOWN & HIGHWAY	$1,754,146.00	$1,202,777	$551,369.00
SEWER DISTRICT #1	$36,245.00	$100	$36,145.00
SEWER DISTRICT #2	$46,415.00	$12,625	$33,790.00
WATER DISTRICT #1	$7,400.00	$50	$7,350.00
WATER DISTRICT #2	$11,150.00	$1,450	$9,700.00
WATER DISTRICT #3	$238,975.00	$500	$238,475.00
WATER DISTRICT #4	$150,610.00	$2,000	$148,610.00
FIRE PROTECTION DST	$575,885.00	11,500	$564,385.00
LIGHT DISTRICTS	$99,900.00	$2,000	$97,900.00
DELINQUENT WATER	$176.00	$0	$176.00
GARBAGE DISTRICT	$319,000.00	$43,200	$275,800.00
TOTAL SPECIAL DISTRICT	$1,488,756.00	$73,425	$1,412,331.00
GRAND TOTALS	$3,239,902.00	$1,276,202	$1,963,700.00

year, as certified and presented to this Legislature by the appropriate town officers, be printed by the Clerk in the minutes of the proceedings of this Legislature, and be it further

RESOLVED that the amounts in said budgets that are required to be raised by taxes are hereby levied upon, and shall be collected from, the taxable property situated in the respective Towns and liable therefore, and be it further

RESOLVED that the Commissioner of Finance is hereby directed to spread said taxes to be raised for such budgets against the taxable property liable therefore provided by law :

AMHERST FOR THE YEAR 1998	APPROPRIATION	ESTIMATED REVENUES	TAX LEVY
GENERAL FUND TOWN ONLY	$32,888,374.00	$19,665,156	$13,223,218.00
GENERAL FUND VILLAGE ONLY	$1,652,158.00	$429,017	$1,223,141.00
GENERAL FUND-OUTSIDE VILLAGE	$2,865,575.00	$830,000	$2,035,575.00
HIGHWAY FUNDS	$7,615,270.00	$954,725	$6,660,545.00
CENTRAL ALARM	$837,458.00	$180,745	$656,713.00
COMMUNITY DEVELOPMENT	$753,000.00	$753,000	$0.00
TOTAL TOWN & HIGHWAY	$46,611,835.00	$22,812,643	$23,799,192.00
FIRE DISTRICTS	$1,756,783.00	$0	$1,756,783.00
SANITARY SEWERS DISTRICT	$18,925,471.00	$3,277,000	$15,648,471.00
FIRE PROTECTION DIST.	$3,690,540.00	$6,835	$3,683,705.00
STORM SEWER DISTRICTS	$4,216,303.00	$294,000	$3,922,303.00
WATER DISTRICTS	$1,073,844.00	$40,000	$1,033,844.00
TOTAL SPECIAL DISTRICTS	$29,662,941.00	$3,617,835.00	$26,045,106.00
SPECIAL ASMT SANITARY SEWER	$41,882.00	$0	$41,882.00
SPECIAL ASMT STORM SEWER	$10,882.00	$0	$10,882.00
SPECIAL ASMT WATER DISTRICT	$31,987.00	$0	$31,987.00
H.C.M.E.	$859,000.00	$859,000	$0.00
SPECIAL ASMT LIGHT DISTRICT	$3,391,176.00	$530,637	$2,860,539.00
SPECIAL ASMT GARBAGE	$6,789,020.00	$995,000	$5,794,020.00
DELINQUENT WATER - EDWA	$12,845.71	$0	$12,845.71
DELINQUENT [illegible] RENTAL	[illegible]	$0	$1,235.58
DELINQUENT SEWER - VILLAGE	$1,108.45	$0	$1,108.45
PRETREATMENT SURCHARGE	$244,543.00	$0	$244,543.00
DELINQUENT CENTRAL ALARM	$110.00	$0	$110.00
CODE VIOLATIONS	$805.06	$0	$805.06
DEMOLITION CHARGE	$0	$0	$0.00
SIDEWALK REPLACEMENT	$0	$0	$0.00
TOTAL SPECIAL ASSESSMENT	$11,384,894.80	$2,384,637	$8,999,957.80
GRAND TOTAL	$87,659,670.80	$28,815,115	$58,844,255.80

RESOLVED that the following abstracts of the adopted town budgets for the ensuing year, as certified and presented to this Legislature by the appropriate town officers, be printed by the Clerk in the minutes of the proceedings of this Legislature, and be it further

RESOLVED that the amounts in said budgets that are required to be raised by taxes are hereby levied upon, and shall be collected from, the taxable property situated in the respective Towns and liable therefore, and be it further

RESOLVED that the Commissioner of Finance is hereby directed to spread said taxes to be raised for such budgets against the taxable property liable therefore provided by law :

AURORA FOR THE YEAR 1998	APPROPRIATION	ESTIMATED REVENUES	TAX LEVY
GENERAL FUND TWNWDE	$1,676,914.00	$767,465	$909,449.00
GENERAL FUND-TOWN	$677,725.00	$533,000	$144,725.00
HIGHWAY - TOWN	$779,704.00	$518,000	$261,704.00
RISK RETENTION	$0	$0	$0
SPECIAL GRANTS FUND	$80,000.00	$80,000	$0.00
TOTAL TOWN & HWY	$3,214,343.00	$1,898,465	$1,315,878.00
WATER DISTRICTS	$482,177.00	$186,225	$295,952.00
CENTRAL FIRE ALARM	$0	$0	$0
FIRE PROTECTION	$176,000.00	$6,500	$169,500.00
RUBBISH COLLECTION	$427,500.00	$27,288	$400,212.00
LIGHTING DISTRICTS	$17,550.00	$1,000	$16,550.00
SEWER DISTRICTS	$113,447.00	$90,165	$23,282.00
AURORA-GOLDEN FIRE	$166,444.58	$0	$166,444.58
AURORA-WALES FIRE	$90,475.28	$0	$90,475.28
DELINQUENT GARBAGE	$343.88	$0	$343.88
DELINQUENT WATER	$0	$0	$0
TOTAL SPECIAL DIST	$1,473,937.74	$311,178	$1,162,759.74
GRAND TOTALS	$4,688,280.74	$2,209,643	$2,478,637.74

RESOLVED that the following abstracts of the adopted town budgets for the ensuing year, as certified and presented to this Legislature by the appropriate town officers, be printed by the Clerk in the minutes of the proceedings of this Legislature, and be it further

RESOLVED that the amounts in said budgets that are required to be raised by taxes are hereby levied upon, and shall be collected from, the taxable property situated in the respective Towns and liable therefore, and be it further

RESOLVED that the Commissioner of Finance is hereby directed to spread said taxes to be raised for such budgets against the taxable property liable therefore provided by law :

BOSTON FOR THE YEAR 1998	APPROPRIATION	ESTIMATED REVENUES	TAX LEVY
GENERAL FUND TOWNWIDE	$1,091,130.00	$911,300	$179,830.00
HIGHWAY FUNDS	$843,518.00	$312,800	$530,718.00
TOTAL TOWN & HIGHWAY	$1,934,648.00	$1,224,100	$710,548.00
FIRE PROTECTION	$501,124.00	$6,124	$495,000.00
AMBULANCE	$96,039.00	$7,000	$89,039.00
REFUSE & GARBAGE	$361,178.00	$35,978	$325,200.00
SEWER DISTRICT	$1,211.00	$0	$1,211.00
WATER DISTRICTS	$316,583.00	$194,000	$122,583.00
IN LIEU OF TOWN TAX	$7,000.00	$0	$7,000.00
LIGHTING DISTRICTS	$23,554.00	$3,054	$20,500.00
ECSD PREM ASSMNT	$3,000.00	$0	$3,000.00
UNPAID WATER	$595.59	$0	$595.59
DEMOLITION CHARGES	$11,000.00	$0	$11,000.00
TOTAL SPECIAL DISTRICT	$1,321,284.59	$246,156	$1,075,128.59
GRAND TOTALS	$3,255,932.59	$1,470,256	$1,785,676.59

RESOLVED that the following abstracts of the adopted town budgets for the ensuing year, as certified and presented to this Legislature by the appropriate town officers, be printed by the Clerk in the minutes of the proceedings of this Legislature, and be it further

RESOLVED that the amounts in said budgets that are required to be raised by taxes are hereby levied upon, and shall be collected from, the taxable property situated in the respective Towns and liable therefore, and be it further

RESOLVED that the Commissioner of Finance is hereby directed to spread said taxes to be raised for such budgets against the taxable property liable therefore provided by law :

BRANT FOR THE YEAR 1998	APPROPRIATION	ESTIMATED REVENUES	TAX LEVY
GENERAL FUND TOWNWIDE	$458,718.00	$184,024	$274,694.00
GENERAL FUND-TOWN ONLY	$169,771.00	$169,771	$0.00
HIGHWAY TOWNWIDE	$110,550.00	$70,550	$40,000.00
HIGHWAY - TOWN ONLY	$60,885.00	$60,885	$0.00
TOTAL TOWN & HIGHWAY	$799,924.00	$465,680.00	$314,694.00
FIRE PROTECTION DIST.	$92,053.00	$2,100	$89,953.00
LIGHT DISTRICTS	$30,000.00	$3,000	$27,000.00
LOTUS BAY SEWER	$63,150.00	$1,950	$61,200.00
WATER DIST #1	$33,100.00	$0	$33,000.00
BRANT-FARNHAM SWF	$111,700.00	$4,200	$107,500.00
TOTAL SPECIAL DISTRICT	[illegible]	$11,250	$318,653.00
GRAND TOTALS	$1,129,607.00	$476,930	$633,347.00

RESOLVED that the following abstracts of the adopted town budgets for the ensuing year, as certified and presented to this Legislature by the appropriate town officers, be printed by the Clerk in the minutes of the proceedings of this Legislature, and be it further

RESOLVED that the amounts in said budgets that are required to be raised by taxes are hereby levied upon, and shall be collected from, the taxable property situated in the respective Towns and liable therefore, and be it further

RESOLVED that the Commissioner of Finance is hereby directed to spread said taxes to be raised for such budgets against the taxable property liable therefore provided by law :

CHEEKTOWAGA FOR THE YEAR 1998	APPROPRIATION	ESTIMATED REVENUES	TAX LEVY
GENERAL FUND TOWNWIDE	$26,057,613.00	$6,891,607	$19,166,006.00
GENERAL FUND-TOWN ONLY	$583,520.00	$583,520	$0.00
RISK RETENSION FUND	$1,311,000.00	$1,311,000	$0.00
HIGHWAY FUNDS - TOWN ONLY	$6,473,661.00	$6,473,661	$0.00
GEN FUND - SPEC ASSMNT	$112,586.00	$0	$112,586.00
TOTAL TOWN & HIGHWAY	$34,538,380.00	$15,259,788.00	$19,278,592.00
CONSOLIDATED GARBAGE	$6,978,505.00	$555,000	$6,423,505.00
GENERAL LIGHT	$2,310,609.00	$40,000	$2,270,609.00
WATER DISTRICT	$44,951.00	$24,050	$20,901.00
LEGAL SANITARY SEWER	$623.00	$0	$623.00
STORM SEWER	$375,464.00	$23,358	$352,106.00
SANITARY SEWER	$10,141,120.00	$3,374,322	$6,766,798.00
HYDRANT DISTRICT	$454,131.00	$0	$454,131.00
FIRE DISTRICTS	$5,186,724.00	$165,189	$5,021,535.00
CURBING	$20,663.89	$0	$20,663.89
SIDEWALK [illegible]	[illegible]	$0	$25,094.63
SIDEWALKS	$14,249.22	$0	$14,249.22
DELINQUENT GARBAGE	$445.68	$0	$445.68
DELINQUENT WATER	$332.88	$0	$332.88
CLEAN UP DEBRIS	$15,483.00	$0	$15,483.00
TOTAL SPECIAL ASSESSMENT	$25,568,396.30	$4,181,919	$21,386,477.30
GRAND TOTAL	[illegible]	$19,441,707	$40,665,069.30

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CLARENCE FOR THE YEAR 1998	APPROPRIATION	ESTIMATED REVENUES	TAX LEVY
GENERAL FUND TOWNWIDE	$6,562,839.00	$5,207,000	$1,355,839.00
HIGHWAY FUNDS	$2,371,391.00	$950,350	$1,421,041.00
TOTAL TOWN & HIGHWAY	$8,934,230.00	$6,157,350	$2,776,880.00
FIRE DISTRICT	$467,619.00	$0	$467,619.00
FIRE PROTECTION	$1,102,957.00	$0	$1,102,957.00
CENTRAL ALARM SYSTEM	$119,510.00	$0	$119,510.00
DRAINAGE DISTRICT	$14,240.00	$0	$14,240.00
WATER DISTRICT	$3,731,133.00	$3,116,020	$615,113.00
SEWER DISTRICT NO.2	$270,978	$0	$270,978.00
WASTEWATER DISTRICT	$189,655	$155,900	$33,755.00
SPECIAL ASSESSMENTS	$285.00	$0	$285.00
DELINQUENT	$68,543.59	$0	$68,543.59
SEWER DISTRICT NO.7	$8,000.00	$0	$8,000.00
LIGHTING DISTRICTS	[illegible]	$0	$9,450.00
OMITTED TAX	[illegible]	$0	$0
TOTAL SPECIAL DISTRICT	$5,981,[illegible].59	$3,271,920	$2,710,450.59
GRAND TOTALS	$14,916,[illegible].59	$9,429,270	$5,487,330.59

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COLDEN FOR THE YEAR 1998	APPROPRIATION	ESTIMATED EVENUES	TAX LEVY
GENERAL FUND TOWNWIDE	$497,882.00	$480,410	$17,472.00
HIGHWAY FUNDS	$443,114.00	$45,691	$397,423.00
TOTAL TOWN & HIGHWAY	$940,996.00	$526,101	$414,895.00
AURORA-COLDEN FIRE	$17,105.42	$0	$17,105.42
COLDEN FIRE DISTRICT	$310,925.00	$0	$310,925.00
REFUSE DISTRICT	$156,994.00	($128)	$157,122.00
COMMUNITY DEV FUND	$83,000.00	$83,000	$0
LIGHTING DISTRICTS	$28,000.00	$700	$27,300.00
TOTAL SPECIAL DISTRICT	$596,024.42	$83,572	$512,452.42
GRAND TOTALS	$1,537,020.42	$609,673	$927,347.42

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COLLINS FOR THE YEAR 1998	APPROPRIATION	ESTIMATED REVENUES	TAX LEVY
GENERAL FUND TOWNWIDE	$501,714.00	$200,348.00	$301,366.00
GENERAL FUND-TOWN ONLY	$143,192.00	$143,192.00	$0.00
HIGHWAY TOWNWIDE	$0	$0	$0
HIGHWAY - TOWN ONLY	$566,094.00	$409,325.00	$156,769.00
TOTAL TOWN & HIGHWAY	$1,211,000.00	$752,865	$458,135.00
FIRE PROT DIST	$97,058.00	$62,073.00	$34,985.00
COLLINS FIRE DIST	$111,437.00	$0	$111,437.00
LIGHT DISTRICTS	$15,500.00	$0	$15,500.00
REFUSE & GARBAGE	$69,102.00	$52,700.00	$16,402.00
LIBRARY FUND	$7,000.00	$0	$7,000.00
WATER DISTRICT	$241,877.00	$172,416	$69,461.00
DELINQUENT WATER	$7,548.75	$0	$7,548.75
OMITTED TAX	$0	$0	$0
DEMOLITION	$0	$0	$0
TOTAL SPECIAL DISTRICT	$549,522.75	$287,189	$262,333.75
GRAND TOTALS	$1,760,522.75	$1,040,054	$720,468.75

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CONCORD FOR THE YEAR 1998	APPROPRIATION	ESTIMATED EVENUES	TAX LEVY
GENERAL FUND TOWNWIDE	$827,459.00	$396,000	$431,459.00
GENERAL FUND-TOWN ONLY	$486,563.00	$486,563	$0.00
HIGHWAY FUND - TOWN ONLY	$1,015,359.00	$557,757	$457,602.00
HIGHWAY FUNDS TOWNWIDE - BRIDGES	$32,000.00	$0	$32,000.00
JOINT PROJECTS	$86,700.00	$86,700	$0.00
COMMUNITY DEVELOP	$10,000.00	$10,000	$0.00
TOTAL TOWN & HIGHWAY	$2,458,081.00	$1,537,020	$921,061.00
LIBRARY	$5,600.00	$5,600	$0.00
FIRE PROTECTION DIST.	$216,940.00	$12,000	$204,940.00
LIGHTING DISTRICTS	$26,000.00	$0	$26,000.00
SEWER DISTRICT	$81,500.00	$0	$81,500.00
OMITTED TAX	$135.28	$0	$135.28
KISS BROO WATER DIST	$6,579.00	$0	$6,579.00
KISS BROO SEWER DIST	$14,000.00	$0	$14,000.00
TOTAL SPECIAL DISTRICT	$350,754.28	$17,600	$333,154.28
GRAND TOTALS	$2,808,835.28	$1,554,620	$1,254,215.28

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EDEN FOR THE YEAR 1998	APPROPRIATION	ESTIMATED REVENUES	TAX LEVY
GENERAL FUND TOWNWIDE	$1,464,636.00	$1,078,840	$385,796.00
HIGHWAY FUNDS	$900,507.00	$217,800	$682,707.00
TOTAL TOWN & HIGHWAY	$2,365,143.00	$1,296,640	$1,068,503.00
WATER DISTRICT	$87,337.00	$0	$87,337.00
FIRE PROTECTION DIST.	$181,928.00	$15,000	$166,928.00
LIGHTING DISTRICTS	$66,500.00	$3,000	$63,500.00
REFUSE & GARBAGE	$431,518.00	$11,938	$419,580.00
HAMBURG WATER IMPV	$2,694.39	$0	$2,694.39
DELINQUENT WATER	$2,443.52	$0	$2,443.52
OMITTED TAX	$222.00	$0	$222.00
AGRIC PENALTY	$0	$0	$0
DELINQUENT GARBAGE	$270.73	$0	$270.73
TOTAL SPECIAL DISTRICT	[illegible],913.64	$29,938	$742,975.64
GRAND TOTALS	$3,138,056.64	$1,326,578	$1,811,478.64

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ELMA FOR THE YEAR 1998	APPROPRIATION	ESTIMATED REVENUES	TAX LEVY
GENERAL FUND TOWNWIDE	$1,473,473.00	$1,473,473	$0.00
HIGHWAY FUNDS	$668,611.00	$435,350	$233,261.00
TOTAL TOWN & HIGHWAY	$2,142,084.00	$1,908,823	$233,261.00
WATER DISTRICTS O&M	$1,275,296.00	$1,275,296	$0.00
WATER DIST. CAP IMP.	$37,000.00	$0	$37,000.00
FIRE PROTECTION DIST.	$497,002.00	$15,360	$481,642.00
DRAINAGE DIST.	$950.00	$0	$950.00
LIGHTING DISTRICTS	$47,003.00	$0	$47,003.00
SEWER DISTRICTS	$139,122.00	$9,917	$129,205.00
SPRINGBROOK AWARD	$0	$0	$0
TFPD SEPT AWARD	$117,000.00	$0	$117,000.00
DELIN. [illegible]	[illegible]	$0	$616.25
TRUST & AGENCY (SPRINGBR CR FIRE	[illegible]	$8,000	$321,700.00
TOTAL SPECIAL DISTRICT	$2,443,689.25	$1,308,573	$1,135,116.25
GRAND TOTALS	$4,585,773.25	$3,217,396	$1,368,377.25

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EVANS FOR THE YEAR 1998	APPROPRIATION	ESTIMATED REVENUES	TAX LEVY
GENERAL FUND TOWNWIDE	$2,945,61	$1,0045,81 0	$1,799,807 00
GENERAL FUND-TOWN ONLY	$2,558,650 00	$1,469,53 6	$1,089,114 00
HIGHWAY FUNDS - TOWN ONLY	$1,720,453 00	$467,200	$1,253,253 00
DEBT SERVICE	$597,705 00	$597,705	$0 00
COMMUNITY DEVELOPMENT	$200,000 00	$200,000	$0 00
RISK RETEN/INS RESERVE	$275,000 00	$275,000	$0
HIGHWAY FUNDS - TOWNWIDE	$25,000 00	$200	$24,800 00
TOTAL TOWN & HIGHWAY	$8,322,425 00	$4,155,45 1	$4,166,974 00
REFUSE & GARBAGE COLLECTION	$979,980 00	$273,130	$706,850 00
STREET LIGHTING	$263,055 00	$7,500	$255,555 00
FIRE PROTECTION	$666,010 00	$10,150	$655,860 00
HYDRANT	$4,810 00	$75	$4,735 00
WATER DISTRICTS	$2,132,380 00	$2,069,36 1	$63,019 00
DEMOLITION	$4,335 10	$0	$4,335 10
FIRE DISTRICTS	$586,488 00	$45,528	$540,960 00
DELINQUENT WATER	$175,449 56	$0	$175,449 56
OMITTED TAX	$0	$0	$0 00
TOTAL SPECIAL DISTRICT	$4,812,507 66	$2,405,74 4	$2,406,763 66
GRAND TOTALS	$13,134,932 6 6	$6,561,19 5	$6,573,737 66

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GRAND ISLAND FOR THE YEAR 1998	APPROPRIATION	ESTIMATED REVENUES	TAX LEVY
GENERAL FUND TOWNWIDE	$4,535,952.00	$3,141,069	$1,394,883.00
HIGHWAY FUNDS	$1,515,706.00	$352,368	$1,163,338.00
DEBT SERVICE	$2,081,463.00	$2,081,463	$0.00
TOTAL TOWN & HIGHWAY	$8,133,121.00	$5,574,900	$2,558,221.00
WATER DISTRICTS	$2,273,684.00	$1,594,838	$678,846.00
FIRE PROTECTION DIST.	$567,326.00	$0	$567,326.00
GARBAGE	$770,960.00	$32,000	$738,960.00
LIGHTING DISTRICTS	$139,694.00	($2,502)	$142,196.00
SEWER DISTRICTS	$2,315,817.00	$1,827,703	$488,114.00
DELINQUENT	$450,524.14	$0	$450,524.14
OMITTED TAX	$0	$0	$0
MISCELLANEOUS	$0	$0	$0
TOTAL SPECIAL DISTRICT	$6,518,005.14	$3,452,039	$3,065,966.14
GRAND TOTALS	$14,651,126.14	$9,026,939	$5,624,187.14

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HAMBURG FOR THE YEAR 1998	APPROPRIATION	ESTIMATED REVENUES	TAX LEVY
GENERAL FUND TOWNWIDE	$9,261,508.00	$3,191,508	$6,070,000.00
GENERAL FUND-TOWN ONLY	$7,325,695.00	$4,875,695	$2,450,000.00
HIGHWAY FUNDS - TOWN ONLY	$3,379,811.00	$504,811	$2,875,000.00
HIGHWAY FUNDS TOWNWIDE	$15,000.00	$8,000	$7,000.00
GOLF COURSE	$477,543.00	$477,543	$0.00
DEBT SERVICE	$2,161,392.00	$2,161,392	$0.00
COMMUNITY DEVELOPMENT	$674,901.00	$674,901	$0.00
INSURANCE RESERVE	$1,003,600.00	$1,003,600	$0.00
SUNDANCE PARK	$0	$0	$0
TOTAL TOWN & HIGHWAY	$24,299,450.00	$12,897,450	$11,402,000.00
LIBRARY DEBT SERVICE	$3	$3	$0.00
STREET LIGHTING	$987,150.00	$92,150	$895,000.00
TOWN HYDRANT	$260,163.00	$80,163	$180,000.00
FIRE PROTECTION	$2,815,858.00	$49,358	$2,766,500.00
SEWER DISTRICTS	$3,234,636.00	$610,759	$2,623,877.00
WATER DISTRICTS	$1,474,713.00	$263,913.00	$1,210,800.00
RAVENWOOD DRAINAGE	$16,352.00	$852	$15,500.00
RAVENWOOD PL IMP	$83,763.00	$3,763	$80,000.00
DELINQUENT WATER	$13,130.74	$0	$13,130.74
UNPAID SEWER	[illegible]	$0	$172.80
DEMOLITION	[illegible]	$0	$5,500.00
ECC #3 SPECIAL ASSESSMENTS	$[illegible]	$0	$0
TOTAL SPECIAL DISTRICT	[illegible],441.54	$1,100,961	$7,790,480.54
LAKE VIEW FIRE DISTRICT	$564,750.00	$88,200	$476,550.00
GRAND TOTALS	[illegible],755,441.54	$14,086,611	$19,669,030.54

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HOLLAND FOR THE YEAR 1998	APPROPRIATION	ESTIMATED REVENUES	TAX LEVY
GENERAL FUND TOWNWIDE	$539,974.00	$359,028	$180,946.00
HIGHWAY FUNDS	$556,596.00	$165,304	$391,292.00
TOTAL TOWN & HIGHWAY	$1,096,570.00	$524,332	$572,238.00
WATER DISTRICT	$135,300.00	$135,300	$0.00
HOLLAND FIRE DISTRICT	$174,985.00	$7,900	$167,085.00
STRYKERSVILLE FIRE PROTECTION DIST.	$2,987.00	$0	$2,987.00
CHERRYRIDGE HIGHWAY	$0	$0	$0
DELINQUENT WATER	$6,770.38	$0	$6,770.38
LIGHTING DISTRICTS	$24,000.00	$0	$24,000.00
AGRIC PENALTY	$0	$0	$0
GARBAGE DIST	$174,991.30	$5,000	$169,991.30
TOTAL SPECIAL DISTRICT	[illegible]	$148,200	$370,833.68
GRAND TOTALS	$1,615,603.68	$672,532	$943,071.68

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LANCASTER FOR THE YEAR 1998	APPROPRIATION	ESTIMATED REVENUES	TAX LEVY
GENERAL FUND TOWNWIDE	$5,430,513.00	$1,697,228	$3,733,285.00
GENERAL FUND-TOWN ONLY	$3,451,991.00	$2,631,394	$820,597.00
HIGHWAY TOWNWIDE	$75,226.00	$39,050	$36,176.00
HIGHWAY PART TOWN	$1,870,101.00	$288,100	$1,582,001.00
COMMUNITY DEVELOP	$0	$0	$0
RISK RETENTION	$0	$0	$0
TOTAL TOWN & HIGHWAY	$10,827,831.00	$4,655,772	$6,172,059.00
GARBAGE COLLECTION	$1,583,259.00	$242,000	$1,341,259.00
LIGHTING DISTRICT	$276,707.00	$41,000	$235,707.00
FIRE PROTECTION	$1,755,065.00	$12,500	$1,742,565.00
SEWER DISTRICTS	$164,397.00	$0	$164,397.00
WATER DISTRICTS	$170,596.00	$81,000	$89,596.00
DELINQUENT WATER ECWA	$2,853.37	$0	$2,853.37
TOTAL SPECIAL DISTRICT	$3,952,877.37	$376,500	$3,576,377.37
GRAND TOTALS	$14,780,708.37	$5,032,272	$9,748,436.37

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MARILLA FOR THE YEAR 1998	APPROPRIATION	ESTIMATED REVENUES	TAX LEVY
GENERAL FUND TOWNWIDE	$797,325.00	$797,325.00	$0.00
HIGHWAY FUNDS	$287,400.00	$211,610.00	$75,790.00
COMMUNITY DEVELOP	$100.00	$100.00	$0.00
TOTAL TOWN & HIGHWAY	$1,084,825.00	$1,009,035.00	$75,790.00
WATER DISTRICT	$345,436.00	$46,702.00	$298,734.00
FIRE DISTRICT	$188,195.00	$100.00	$188,095.00
LIGHTING DISTRICTS	$3,300.00	$300.00	$3,000.00
TOTAL SPECIAL DISTRICT	$536,931.00	$47,102.00	$489,829.00
GRAND TOTALS	$1,621,756.00	$1,056,137.00	$565,619.00

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NEWSTEAD FOR THE YEAR 1998	APPROPRIATION	ESTIMATED REVENUES	TAX LEVY
GENERAL FUND TOWNWIDE	$777,143.00	$311,100	$466,043.00
GENERAL FUND-TOWN ONLY	$106,736.00	$106,736	$0.00
HIGHWAY FUND TOWNWIDE	$8,805.00	$4,000	$4,805.00
HIGHWAY FUND-TOWN ONLY	$567,562.00	$567,562	$0.00
TOTAL TOWN & HIGHWAY	$1,460,246.00	$989,398	$470,848.00
WATER DISTRICT	$332,301.00	$172,020	$160,281.00
REFUSE/GARBAGE	$235,179.00	$47,226	$187,953.00
FIRE PROTECTION DIST.	$242,101.00	$3,000	$239,101.00
DELINQUENT WATER	$4,408.23	$0	$4,408.23
DELINQUENT REFUSE	$220.00	$0	$220.00
OMITTED TAX	$0	$0	$0
SEWER DISTRICT	$13,200.00	$13,200	$0.00
TOTAL SPECIAL DISTRICT	$827,409.23	$235,446	$591,963.23
GRAND TOTALS	$2,287,655.23	$1,224,844	$1,062,811.23

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NORTH COLLINS FOR THE YEAR 1998	APPROPRIATION	ESTIMATED REVENUES	TAX LEVY
GENERAL FUND TOWNWIDE	$474,780.00	$104,684	$370,096.00
GENERAL FUND-TOWN ONLY	$102,962.00	$8,723	$94,239.00
HIGHWAY TOWNWIDE	$48,642.00	$500	$48,142.00
HIGHWAY - TOWN ONLY	$312,237.00	$212,561	$99,676.00
CAPITAL PROJECTS	$21,200.00	$21,200	$0.00
TOTAL TOWN & HIGHWAY	$959,821.00	$347,668	$612,153.00
FIRE PROTECTION DIST.	$117,675.00	$0	$117,675.00
GARBAGE & REFUSE	$116,500.00	$0	$116,500.00
OMITTED TAX	$440.03	$0	$440.03
TOTAL SPECIAL DISTRICT	$234,615.03	$0	$234,615.03
GRAND TOTALS	$1,194,436.03	$347,668	$846,768.03

RESOLVED that the following abstracts of the adopted town budgets for the ensuing year, as certified and presented to this Legislature by the appropriate town officers, be printed by the Clerk in the minutes of the proceedings of this Legislature, and be it further

RESOLVED that the amounts in said budgets that are required to be raised by taxes are hereby levied upon, and shall be collected from, the taxable property situated in the respective Towns and liable therefore, and be it further

RESOLVED that the Commissioner of Finance is hereby directed to spread said taxes to be raised for such budgets against the taxable property liable therefore provided by law :

ORCHARD PARK FOR THE YEAR 1998	APPROPRIATION	ESTIMATED REVENUES	TAX LEVY
GENERAL FUND TOWNWIDE	$6,970,312.00	$3,599,000	$3,371,312.00
GENERAL FUND-TOWN ONLY	$284,304.00	$284,304.00	$0.00
HIGHWAY FUNDS	$2,339,650.00	$374,000	$1,965,650.00
GENERAL SPEC ASSESSMENTS	$53,892.00	$0	$53,892.00
HIGHWAY - BRIDGES	$0	$0	$0
DEBT SERVICE FUND	$1,050,857.00	$1,050,857	$0.00
TOTAL TOWN & HIGHWAY	$10,699,015.00	$5,308,161	$5,390,854.00
CONSOLIDATE GARBAGE	$1,099,144.00	$10,100	$1,089,044.00
GENERAL LIGHTING	$296,696.00	$40,000	$256,696.00
FIRE DISTRICT #1	$936,505.00	$0	$936,505.00
HYDRANT DISTRICTS	$7,200.00	$0	$7,200.00
WATER DISTRICTS	$1,241,577.00	$622,942	$618,635.00
DELINQUENT WATER ACCNTS	$12,056.92	$0	$12,056.92
DELINQUENT SEWER	$0	$0	$0
DELINQUENT REFUSE & GARB	$70.32	$0	$70.32
DELINQ. SANITARY DIST	[illegible]	$0	$0
SANITARY SEWER	[illegible]	$61,313	$875,445.00
STUB DEARCH	$550.00	$0	$550.00
TOTAL SPECIAL DISTRICT	$4,530,557.24	$734,355	$3,796,202.24
GRAND TOTAL	$15,229,572.24	$6,042,516	$9,187,056.24

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SARDINIA FOR THE YEAR 1998	APPROPRIATION	ESTIMATED REVENUES	TAX LEVY
GENERAL FUND TOWNWIDE	$422,670.00	$282,858	$139,812.00
SPECIAL REVENUE	$0	$0	$0
HIGHWAY FUNDS	$348,796.00	$202,692	$146,104.00
TOTAL TOWN & HIGHWAY	$771,466.00	$485,550	$285,916.00
FIRE PROTECTION	$116,285.00	$7,650	$108,635.00
LIGHT DISTRICTS	$19,755.00	$1,353	$18,402.00
AGRIC PENALTY	$78.78	$0	$78.78
TOTAL SPECIAL DISTRICT	$136,118.78	$9,003	$127,115.78
GRAND TOTALS	$907,584.78	$494,553	$413,031.78

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RESOLVED that the Commissioner of Finance is hereby directed to spread said taxes to be raised for such budgets against the taxable property liable therefore provided by law :

TONAWANDA FOR THE YEAR 1998	APPROPRIATION	ESTIMATED REVENUES	TAX LEVY
GENERAL FUND TOWNWIDE	$19,227,977.00	$9,629,261	$9,598,716.00
GENERAL FUND-TOWN ONLY	$12,724,062.00	$8,177,619	$4,546,443.00
HIGHWAY FUNDS - TOWN ONLY	$5,045,550.00	$1,016,723	$4,028,827.00
TOTAL TOWN & HIGHWAY	$36,997,589.00	$18,823,603.00	$18,173,986.00
WATER ACQUISITION	$6,080,341.00	$6,080,341	$0.00
WATER CONSOLIDATION DST	$391,270.00	$325,000	$66,270.00
FIRE PROTECTION DIST.	$547,731.00	$20,000	$527,731.00
REFUSE & GARBAGE COLLECTION	$5,355,711.00	$950,000	$4,405,711.00
LIGHTING DISTRICTS	$1,452,683.00	$105,000	$1,347,683.00
SEWER DISTRICTS	$9,907,024.00	$5,302,092	$4,604,932.00
DRAINAGE CONSOLID	$509,711.00	$110,100	$399,611.00
TOTAL SPECIAL DISTRICT	$24,244,471.00	$12,892,533.00	$11,351,938.00
HIGHWAY PAVING	$60,376.50	$0	$60,376.50
SEWER CONSOLIDATION DST	$13,221.00	$0	$13,221.00
DRAINAGE CONSOLIDATION	$29,265.00	$0	$29,265.00
HIGHWAY CLEANUP	$10,461.31	$0	$10,461.31
DELINQUENT WATER	$0	$0	$0.00
OMITTED TAX	$0	$0	$0.00
FIRE DISTRICTS	$1,886,739.25	$0	$1,886,739.25
TOTAL SPECIAL ASSESS	$2,000,063.06	$0	$2,000,063.06
GRAND TOTALS	$63,242,123.06	$31,716,136.00	$31,525,987.06

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WALES FOR THE YEAR 1998	APPROPRIATION	ESTIMATED REVENUES	TAX LEVY
GENERAL FUND TOWNWIDE	$410,128.32	$365,420.00	$44,708.32
HIGHWAY FUNDS	$269,946.16	$171,271.80	$98,674.36
TOTAL TOWN & HIGHWAY	$680,074.48	$536,691.80	$143,382.68
FIRE PROTECTION	$87,000.00	$0	$87,000.00
AURORA WALES FIRE DST	$60,324.72	$0	$60,324.72
LIGHT DISTRICT #1	$4,400.00	$0	$4,400.00
LIGHT DISTRICT #2	$3,080.00	$0	$3,080.00
AGRIC PENALTY	$0	$0	$0
REFUSE DISTRICT	$132,179.00	$0	$132,179.00
TOTAL SPECIAL DISTRICT	$286,983.72	$0	$286,983.72
GRAND TOTALS	$967,058.20	$536,691.80	$430,366.40

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RESOLVED that the Commissioner of Finance is hereby directed to spread said taxes to be raised for such budgets against the taxable property liable therefore provided by law :

WEST SENECA FOR THE YEAR 1998	APPROPRIATION	ESTIMATED REVENUES	TAX LEVY
GENERAL FUND TOWNWIDE	$15,437,561.00	$7,972,765	$7,464,796.00
HIGHWAY FUNDS	$6,222,235.00	$776,008	$5,446,227.00
HIGHWAY BRIDGES	$7,000.00	$0	$7,000.00
TOTAL TOWN & HIGHWAY	$21,666,796.00	$8,748,773	$12,918,023.00
WATER DISTRICTS	$181,201.00	$29,628	$151,573.00
FIRE DISTRICTS	$2,410,736.00	$15,764	$2,394,972.00
GAS LIGHT DIST.	$108,020.00	$10,550	$97,470.00
GEN LIGHT DIST	$0	$0	$0.00
ELEC LIGHT DIST	$85,541.00	$1,145	$84,396.00
SAN & RECYCLE	$0	$0	$0.00
SEWER DISTRICTS	$3,961,189.00	$1,353,132	$2,608,057.00
DRAINAGE DIST	$21,962.00	$0	$21,962.00
SPECIAL ASSMNT	[illegible]	$0	$219,422.00
ACCTS RECEIVABLE	$0	$0	$0.00
DELINQUENT WATER	$2,991.52	$0	$2,991.52
OMITTED TAX	$0	$0	$0.00
TOTAL SPECIAL DISTRICT	$6,991,062.52	$1,410,219	$5,580,843.52
GRAND TOTALS	$28,657,858.52	$10,158,992	$18,498,866.52

FROM ERIE COUNTY MEDICAL CENTER

ITEM 84 - (Comm. 27D-13) Lease Audit for 1/1/96 - 12/31/96

Received and referred to the HEALTH COMMITTEE.

FROM DPW

ITEM 85 - (Comm. 27D-14) Agreement with NYSDOT - Preliminary Engineering (Phase I-VI) McKinley Parkway (CR204), Bayview Road (CR162) Intersection.

ITEM 86 - (Comm. 27D-15) Increase to NYS Agreement for Preliminary Engineering New Road Bridge 186-2 Over Ransom Creek, Town of Amherst.

ITEM 87 - (Comm. 27D-16) NYSDOT Reconstruction Project Niagara Falls Boulevard - Eggert Road to I-290 - Storm Drainage Improvements, Town of Amherst.

The above three (3) items were received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES

FROM THE ERIE COUNTY WATER AUTHORITY

ITEM 88 - (Comm. 27M-1) ECWA's 1998 Operating & Maintenance Budget & 2998 Capital Budget.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM VALU HOME CENTERS

ITEM 89 - (Comm. 27M-2) Letter to Legislator Fisher Re: The New "1998 Erie County Item Pricing Law".

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM NEW YORK STATE DEPARTMENT OF TAXATION AND FINANCE

ITEM 90 - (Comm. 27M-3) The Temporary Clothing Exemption "Analysis of the Exemption on Clothing Sales in New York State"

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM WESTERN NEW YORK INTERNATIONAL TRADE COUNCIL

ITEM 91 - (Comm. 27M-4) 1997-98 World Market Directory

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM JOSEPH DICENZO

ITEM 92 - (Comm. 27M-5) Letter to Legislature Re: Freedom of Information Law

RECEIVED & FILED.

FROM VALU HOME CENTERS

ITEM 93 - (Comm. 27M-6) Letter to Legislature Re: 1998 erie County Item Pricing Law

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM EC ENVIRONMENTAL MANAGEMENT COUNCIL

ITEM 94 - (Comm. 27M-7) Minutes of Meeting Held 11/18/97 & Notice of Meeting Held 12/16/97

Received and referred to the ENERGY AND ENVIRONMENT COMMITTEE.

FROM NEW YORK STATE DEPARTMENT OF HEALTH

ITEM 95 - (Comm. 27M-8) Response to Erie County's Employee Workplace Assistance Program

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FROM THE GREATER BUFFALO PARTNERSHIP

ITEM 96 - (Comm. 27M-9) Recommendation Regarding Erie County's Share of the Buffalo Bills Lease Agreement.

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

FROM NYS ASSEMBLYMAN SCHIMMINGER

ITEM 97 - (Comm. 27M-10) Letter to Legislature Re: Urging Erie County to Adopt a Tenant Responsibility Agreement.

Received and referred to the SOCIAL SERVICES COMMITTEE.

FROM ACTION FOR MENTAL HEALTH

ITEM 98 - (Comm. 27M-11) Letter to Legislature RE: in Support of Restoration Societies' House Move to Genesee & Michigan Streets.

Received and referred to the HEALTH COMMITTEE.

FROM ECIDA

ITEM 99 - (Comm. 27M-12) 1998 Proposed ECIDA Budget.

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM PARENTS ANONYMOUS OF BUFFALO & ERIE COUNTY

Item 100 - Compliance Audit of Three Contracts Between Parents Anonymous & Social Services.

Received and referred to the SOCIAL SERVICES COMMITTEE.

MEMORIAL RESOLUTIONS:

Item 101 - Ms. PEOPLES moved that when this Legislature adjourn, it do so out of respect to the memory of **ELIZABETH "PENNY"DAKIN**, deceased. Mr. MARSHALL seconded.

CARRIED UNANIMOUSLY.

Item 102 - Ms. PEOPLES moved that when this Legislature adjourn, it do so out of respect to the memory of **MARY SABARINO**, deceased. Mr. MARSHALL seconded.

CARRIED UNANIMOUSLY.

Item 103 - Ms. PEOPLES moved that when this Legislature adjourn, it do so out of respect to the memory of **LEON PAXON**, deceased. Mr. MARSHALL seconded.

CARRIED UNANIMOUSLY.

ADJOURNMENT:

ITEM 104 - 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, **January 8, 1998**. Mr. MARSHALL seconded.

CARRIED UNANIMOUSLY.

The Chairman declared the Legislature adjourned until Thursday, **January 8, 1998** at 2:00 P.M., Eastern Standard Time.

LAURIE A. MANZELLA
Clerk