

ERIE COUNTY LEGISLATURE
MEETING No. 8
April 17, 1997

The Legislature was called to order by the Chairman SWANICK.

A moment of silence was held.

The Pledge of Allegiance was led by Chairman SWANICK.

Minutes of the previous meeting were tabled.

MISCELLANEOUS RESOLUTIONS

ITEM 1 - Ms. MARINELLI presented a resolution of congratulations to Daemen College on the Occasion of Their Fiftieth Anniversary. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

ITEM 2 - Mr. SWANICK presented a resolution of congratulations in recognition of URS Greiner's 25 Years of Service to Upstate New York. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

ITEM 3 - MESDAMES PEOPLES, FISHER, COHEN KENNEDY, MARINELLI, & MESSRS. SWANICK, KUWIK, FITZPATRICK, HOLT, OLMA & DEBENEDETTI presented a resolution of congratulations in recognition of the City of Buffalo's 165th Birthday. Mr. MARSHALL seconded.

CARRIED UNANIMOUSLY.

ITEM 4 - Mr. DUSZA presented a resolution of congratulations to the Winners of the 25th Annual Depew Middle School Sertoma Club Poster and Essay Contests. Ms. PEOPLES Seconded.

CARRIED UNANIMOUSLY.

ITEM 5 - Mr. SWANICK presented a resolution of Congratulations to the 4-H County Government Day. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

ITEM 6 - Mr. Ranzenhofer presented a resolution of congratulations to Arlene Richardson for Receiving the Akron Chamber of Commerce's 1997 Citizen of the Year Award. Mr. MARSHALL seconded.

CARRIED UNANIMOUSLY.

ITEM 7 - Ms. CHASE & MESSRS. GREENAN, RANZENHOFER & MARSHALL presented a resolution of Congratulations to Delta Sonic for giving a \$2 Million Grant to Wiley Sports Pavilion. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

ITEM 8 - Mr. MARSHALL presented a resolution of congratulations to the Men & Women of the County's Volunteer Fire Companies. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

ITEM 9 - Mr. RANZENHOFER presented a resolution of congratulations to the Lions Club on its Fiftieth (50th) Anniversary. Mr. MARSHALL seconded.

CARRIED UNANIMOUSLY.

ITEM 10 - Ms. COHEN KENNEDY presented a resolution of congratulations to the Recipients of the 1997 Amherst Chamber of Commerce Business of the Year Awards: Education-Canisius College Center at Amherst; Health/Health Services-Northwoods Medical Center; Technology-ATTO Technology; Entrepreneurship-Village Glen Tennis & Fitness Club; Community Service-NYNEX; Human Resources-Ingram Micro and Community Revitalization-University Community Initiative. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

ITEM 11 - Ms. PEOPLES presented a resolution of congratulations to the Community Grief Center "Hope for Tomorrow" Award Recipients: Christine E. Mitchell, Wellington Reiche and Marleah Panel. Mr. MARSHALL seconded.

CARRIED UNANIMOUSLY.

ITEMS OUT OF ORDER:

LEGISLATORS RESOLUTIONS:

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 169 Re: Supporting the Regulation of Public Smoking in Erie County (Int. 8-4)

WHEREAS, tobacco use and smoking often leads to severe health problems and death thereby taking away a person's freedom and pursuit of happiness, and

WHEREAS, according to a recent *Buffalo News* article on the effects of second-hand smoke, approximately 400,000 deaths occur each year as a result of tobacco use, and

WHEREAS, some of these deaths may have resulted from the indirect use of tobacco, commonly referred to as second-hand smoke, and

WHEREAS, children are often harmed from too much exposure to the use of tobacco products, especially second-hand smoke, and

WHEREAS, deceptive advertising of tobacco products can

mislead people by creating a positive atmosphere about smoking, instead of accurately portraying its ill effects to the health of society, especially children, and

WHEREAS, recent governmental efforts and regulations, including the Federal Food & Drug Administration's (FDA) rules on restricting cigarette sales to youth, will help decrease the impact which peer pressure often has on influencing tobacco use and smoking by children, and

WHEREAS, said *Buffalo News* article reports that the health care costs to New York State taxpayers attributed directly to tobacco use is approximately \$4 billion per year,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby recognize the exceptional effort put forth by the Erie County 4-H County Government Program toward researching and formulating a strong message of support for the need to inform the citizens of Erie County of the severe threat to the public's health by exposure to tobacco use and smoke, and be it further

RESOLVED, that this Honorable Body does hereby support the continuation of governmental action in Erie County which endeavors to restrict tobacco use, particularly among children, and decrease the public health threat of tobacco use by informing the public of the devastating health effects and the tremendous expense associated with said use.

Fiscal Impact: None for Resolution

CHARLES M. SWANICK

CRYSTAL D. PEOPLES

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

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

CARRIED UNANIMOUSLY.

RECESS:

ITEM 13 - Chairman SWANICK directed that the Legislature recess.

The Legislature recessed at 2:30 P.M.

The Legislature reconvened at 3:10 P.M.

LOCAL LAWS:

ITEM 14 - Chairman SWANICK directed that Local Law Intro No. 5 (Print #1) - 1997 be referred to the COMMUNITY ENRICHMENT COMMITTEE.

ITEM 15 - Chairman SWANICK directed that Local Law Intro No. 6 (Print #1) - 1997 be referred to the GOVERNMENT AFFAIRS COMMITTEE.

COMMITTEE REPORTS

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

CARRIED UNANIMOUSLY.

RESOLUTION 170

APRIL 11, 1997

ECONOMIC DEVELOPMENT
COMMITTEE
REPORT NO. 4

ALL MEMBERS PRESENT. CHAIRMAN SWANICK PRESENT AS EX-OFFICIO MEMBER.

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

Item	Page	-1997	(Comm. 6D-12)
a. DEP:	Application for ISTEAFunding for Buffalo & Pittsburgh Rail Corridor Preservation & Intermodal Enhancement Project.		
	(5-0)		

- | | Item | Page | -1997 | (Comm. 6D-13) |
|----|------------------|---|-------|---------------|
| b. | DEP: | Testimony Re: Impacts of Possible Conrail Merger. | | |
| | | (5-0) | | |
| | Item | Page | -1997 | (Comm. 6D-18) |
| c. | DPW: | Renovations to the Cardiothoracic Department Building F - ECMC. | | |
| | | (5-0) | | |
| | Item | Page | -1997 | (Comm. 6M-3) |
| d. | GOVERNOR PATAKI: | Project Labor Agreements. | | |
| | | (5-0) | | |
| | Item | Page | -1997 | (Comm. 7D-1) |
| e. | DPW: | Preliminary Engineering & Right of Way Incidental Work Bailey Avenue - Town of Amherst. | | |
| | | (5-0) | | |
| | Item | Page | -1997 | (Comm. 7D-17) |
| f. | DPW: | EC Home Ambulance Entrance Roof Repair - For Information Only. | | |
| | | (5-0) | | |
| | Item | Page | -1997 | (Comm. 7M-4) |
| g. | NFTA: | Minutes of NFTA/NFT Metro System Board Meeting Held 2/10/97. | | |
| | | (5-0) | | |
| | Item | Page | -1997 | (Comm. 7M-20) |
| h. | ECIDA: | Notice of Meeting to be Held 4/16/97. | | |
| | | (5-0) | | |

AS AMENDED

Item Page -1997 (Int. 4-16)

2. **SWANICK, PEOPLES, KUWIK, FITZPATRICK, HOLT, FISHER, OLMA, DEBENEDETTI, DUSZA, MARINELLI, COHEN KENNEDY, GREENAN, LARSON, MARSHALL, PAULY, RANZENHOFER & VILLARINI:**

WHEREAS, Erie County is preparing to undertake one of the largest county sponsored public works projects in its history, and

WHEREAS, The County's Court facilities upgrade plan calls for the construction of a new family court building, as well as the renovation of old county hall under which all criminal courts will be consolidated, and

WHEREAS, The County's so-called Court Facilities Plan is slated to cost \$49.5 million and will be constructed over a period of several years, and

WHEREAS, During the construction of said court project several hundred people are expected to be employed from the local building and construction trades, and

WHEREAS, Agencies must determine whether use of a PLA is justified by meeting the state's competitive bidding laws. The court of Appeals has said that the goals of these statutes are (1) to obtain the best work possible at the lowest possible price and (2) to prevent favoritism, improvidence, fraud and corruption in the awarding of public contracts. If the requirements of New York's competitive bidding laws are not met, the contracting agency may not enter into a project labor agreement, and

WHEREAS, To ensure the best quality construction and overall cost effectiveness, the Erie County Legislature is supporting the establishment of a project labor agreement (PLA) for the Erie County Court Facilities Plan, and

NOW, THEREFORE, BE IT

RESOLVED, That the Erie County Legislature does hereby urge the County Department of Public Works to enter into a project labor agreement (PLA) which will allow for both union and non-union companies to bid on the construction of the County Court Facilities Plan, and will allow for union and non-union labor to work on the construction of the County Court Facilities Plan, and will allow for the awarding the contracts to any successful, low and responsible bidder, and be it further

RESOLVED, That after a PLA has been negotiated between all parties, that the final document be sent to the Erie County Legislature for final authorization, and be it further

RESOVLED, To ensure minority and women participation in the PLA, the spirit and clear intent of Local Law #1 must be strictly adhered to, and be it further

RESOLVED, That certified copies of this resolution be forwarded to County Executive Dennis T. Gorski, County Public Works Commissioner John Loffredo, as well as the President of the Western New York Building Trades Council Daniel Boody and the President of the AFL-CIO Buffalo Council John J. Kaczorowski.

(5-0)

Item	Page	-1997	(Comm. 6D-16)
3. DPW:			

WHEREAS, the New York State Thruway Authority proposes to rehabilitate the structure which carries Long Road, CR 310, over the New York State Thruway at Milepost N19.32 in Contract TAN 97-23B, and

WHEREAS, section 359, Subdivision 4, of the Thruway Act provides that the Municipality shall maintain and repair its municipal highways carried over the Thruway by Authority structures, and

WHEREAS, the parties hereto desire to come to a definite understanding regarding the statutory responsibilities of Authority and Municipality, respectively, for specific contract items on maintenance and repair, and the manner in which the bridge rehabilitation will be performed, and

WHEREAS, the Authority has agreed to be responsible for 100% of the cost of the rehabilitation contract.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be authorized and is hereby directed to enter into an agreement with the New York State Thruway Authority to continue to maintain and repair those items of the Long Road Bridge as required under the provisions of Section 359, Subdivision 4 of the Thruway Act, and be it further

RESOLVED, that the rehabilitation of the Long Road Bridge over the New York State Thruway shall be performed at no cost to the County of Erie, and be it further

RESOLVED, that the Clerk of the Legislature be instructed to forward ten (10) certified copies of this Resolution to the Deputy Commissioner, Highways.

(5-0)

	Item	Page	-1997	(Comm. 6D-19)
4.	DPW:			

WHEREAS, the New York State Department of Transportation proposes to replace the County Road 186 (New Road) Bridge (BIN 3-32636-0) over Ransom Creek in the Town of Amherst, Erie County, and

WHEREAS, in conformance with Section 42 of the New York State Highway Law, the New York State Department of Transportation proposes to utilize the following roads as detours during the period of construction:

1. County Road 299, North French Road
2. County Road 297, Smith Road

WHEREAS, the New York State Department of Transportation will provide a maintenance overlay on Smith Road (CR 297) in order to handle additional detour traffic.

NOW, THEREFORE, BE IT

RESOLVED, That the Legislature of the County of Erie does hereby authorize the New York State Department of Transportation to utilize the above mentioned County roads as detours during the period of construction, and be it further

RESOLVED, That the County of Erie will continue to provide routine maintenance on County Road 299 and County Road 297, including snow and ice control, and be it further

RESOLVED, that the Clerk of the Legislature forward seven (7) certified copies of this Resolution to the Deputy Commissioner, Highways, to be forwarded to the New York State Department of Transportation.

(5-0)

Item	Page	-1997	(Comm. 7D-15)
5. DPW:			

WHEREAS, 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 the apportionment of the costs of such program to be borne at the ratio of 80% Federal funds and 20% 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 of the costs of construction and construction inspection work for 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

WHEREAS, the project construction cost is estimated to be \$625,000 of which \$125,000 is the non-Federal share, 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 the right-of-way acquisition phase of work for 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 sum of \$125,000 is hereby appropriated from the 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 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 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 right-of-way acquisition phase of the subject project or portions thereof, if the cost of the non-Federal share exceeds \$5,000; and be it further

RESOLVED, that in the event the non-Federal share of the costs of the right-of-way phase increases to in excess of \$5,000, the County Legislature shall convene as soon as possible to appropriate the cost of participation in the above referenced phase of the project immediately upon the notification by the Department of Transportation thereof; 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.

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. 7D-16)
6. DPW:			

WHEREAS, a project for the rehabilitation of Ridge Road Bridge (BR 137-1), over Cazenovia Creek, BIN 3-32693-0, PIN 5754.11 (the "Project") Town of West Seneca, Erie County, funded under Title 23, U.S. Code, as amended, that calls for the apportionment of the costs, such program to be borne at the ratio of 80% Federal funds and 20% non-Federal funds, and

WHEREAS, the County of Erie desires to advance the above project by making a commitment of 100% of the non-Federal share of the costs of Construction and Construction Supervision of Inspection Phases of the Project.

NOW, THEREFORE, the Erie County 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 1005 of the non-Federal share of the cost of Construction and Construction Supervision and Inspection work, for the subject 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 be it further

RESOLVED, that sum of \$289,268.56 is hereby appropriated from the 1997 Federal Aid Program and made available to cover the cost of participation in the above phase of the project; and be it further

RESOLVED, that in the event the full non-Federal share costs of the project exceeds the amount appropriated above, the County of Erie shall seek legislative approval to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof; 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 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 funding of the local share of Federal-aid-eligible project costs and all project costs within appropriations therefore 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. 7D-18)
7. DPW:			

WHEREAS, engineering design services are required in order to replace the antiquated and non-energy efficient HVAC equipment in several buildings at the South Campus of Erie Community College, and

WHEREAS, the firm of Okie Engineering, P.C. presently has a General Engineering Contract with the County of Erie to provide design services,

NOW, THEREFORE, BE IT,

RESOLVED, that the Commissioner of Public Works be authorized to issue a change order to Okie Engineering, P.E., 356 Lakeshore Road, Hamburg, New York, on a time and material basis, not to exceed \$24,000.00, including testing, reimbursables, and miscellaneous expenses relative to the engineering design services required for the Bidding and Construction Phases of the replacement of antiquated and non-energy efficient HVAC equipment at the South Campus of Erie Community College, and be it further,

RESOLVED, that the \$24,000.00 fee allocation be taken from the Erie Community College - 1994 HVAC Reconstruction, SFG No. 673, Fund No. 480, and 1995 HVAC Improvements, SFG No. 682, Fund 480 Bond Accounts, 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. 7E-11)
8.	COUNTY EXECUTIVE:		

WHEREAS, the County Law Section 408-A specifically authorizes the County Legislature to allow municipalities to make purchases through the county bidding procedure; and

WHEREAS, the Cheektowaga Central School District has requested that the Director of Purchase be authorized to permit the School District to utilize County contracts for making purchases; and

WHEREAS, in most instances the provision of such services by the Erie County Purchasing Department will not create any additional cost or burdens upon said department but will serve to reduce the district's operating costs.

NOW, THEREFORE BE IT

RESOLVED, that pursuant to the provisions of the Erie County Administrative Code Section 3.06 (c) (9) the following are hereby established as the conditions upon which the Purchasing Director may make purchasing services available to the Cheektowaga Central School District.

1. When in the opinion of the Director of Purchase it will not create any burden or hardship upon the County and the anticipated prices will not be adversely affected thereby, the Director is authorized when he deems appropriate and as may be requested by the Cheektowaga Central School District to provide in any particular County bid specification that the participating municipalities in Erie County shall have the right to make purchases based upon the bids received by the County.

2. The County Purchasing Director, within the limits of his time and manpower, shall disseminate relevant contract information to the Cheektowaga Central School District.

3. The Cheektowaga Central School District participating in County contracts will issue purchase orders directly to vendors within the specified contract period referencing the County contract involved and be liable for any payments due on such purchase orders.
(5-0)

Item Page -1997 (Comm. 7E-22)
9. **COUNTY EXECUTIVE:**
 WHEREAS, Liberty Park Senior, L.P. (LPS) is developing a housing project (Project) for elderly persons of low income, pursuant to Article 5 of the Private Housing Finance Law; and

 WHEREAS, LPS is the owner of real property and buildings thereon located at 2911 William Street in the Town of Cheektowaga; and

 WHEREAS, in order to make this Project economically feasible for LPS, it is necessary to obtain tax relief from the Town of Cheektowaga (Town) and the County of Erie on the property improvements; and

 WHEREAS, LPS is requesting that the Town and County sign a PILOT Agreement pursuant to the Private Housing Finance Law; and

 WHEREAS, on August 8, 1996, the Planning Board of the Town, after a Public Hearing as contemplated by Section 114 of the Private Housing Finance Law, approved the plan of the Project; and

 WHEREAS, on August 19, 1996, the Town Board duly adopted a resolution approving the Project as to conformity with the provisions and purposes of Article 5 of the Private Housing Finance Law, granting a real property tax exemption to the property under Section 125 of the Private Housing Finance Law, and authorizing the Town Supervisor to enter into a PILOT Agreement with LPS providing for payments as set forth in such agreement.

NOW, THEREFORE BE IT

RESOLVED, that the County Executive is hereby authorized to execute a PILOT Agreement among the Town of Cheektowaga, the County of Erie and Liberty Park Senior, L.P. relating to property located at 2911 William Street in the Town of Cheektowaga, and be it further

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

(5-0)

MICHAEL A. FITZPATRICK
Chairman

Mr. FITZPATRICK requested that Resolve No. 1d and 2 be separated.

GRANTED.

Mr. FITZPATRICK moved the adoption of the balance of the report. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

Ms. FITZPATRICK offered an amendment to Resolve No. 1d as follows:

Add the following resolution to the original communication to read as follows:

WHEREAS, The Erie County Legislature has authorized the County Department of Public Works and other County agencies to collaborate in developing a draft project labor agreement (PLA) for the County Court House project, and

WHEREAS, The Legislature will take final action on whether or not to approve a PLA after reviewing and discussing the specific provisions found therein, as well as following careful consideration of statistics, narratives and other relevant data relative to the respective advantages and disadvantages for the County of entering into a PLA, and

WHEREAS, The County must and will adhere to the specifics provisions of any and all laws relating to MBE/WBE participation in the County Courthouse project, and should encourage innovative training and apprenticeship programs utilizing local schools and

community based organizations in an effort to extend employment opportunities to many segments of the Western New York community, and

WHEREAS, Additionally, as a matter of principle, it is in the public interest for the County of Erie to seek to exceed minimum requirements of the law with respect to MBE/WBE participation, and

NOW, THEREFORE, BE IT

RESOLVED, That the Erie County Legislature does hereby reaffirm its commitment to full MBE/WBE participation in County sponsored construction projects, in accordance with the law, and

RESOLVED, That this Honorable Body does hereby urge County officials involved in the drafting of said PLA to make every effort toward achieving enhanced MBE/WBE project participation goals over and above those minimum legal requirements for said participation, and be it further

RESOLVED, That County officials also maximize the use of vocational institutions and other apprentice programs as a vehicle to diversify and expand the workforce engaged in the construction of this public project, and be it further

Fiscal Impact: To Be Determined.

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

CARRIED UNANIMOUSLY.

Mr. FITZPATRICK moved the adoption of Resolve No. 1d as amended. Mr. HOLT seconded.

CARRIED. UNANIMOUSLY.

Mr. FITZPATRICK offered an amendment to Resolve No. 2 as follows:

Delete all RESOLVE clauses and replace with the following RESOLVE clauses to read as follows:

RESOLVED, that the Erie County Legislature wishes to investigate further the concept of Project Labor Agreements (PLA), which will allow for both union and non-union companies to bid on the construction of the County Court Facilities Plan, and will allow for union and non-union labor to work on the construction of the County Court Facilities Plan, and will allow for the awarding of the contracts to the lowest responsible bidder, and be it further

RESOLVED, that this Honorable Body does hereby authorize the Commissioner of Public Works, Director of the Division of Equal Employment Opportunity, and the County Attorney to negotiate and prepare a PLA for the aforesaid project, in accordance with appropriate rules, guidelines, and laws, including Local Laws Number 1 - 1972, Number 1 - 1983 and Number 1 - 1987, which establish minimum goals which can be exceeded, and including all provisions of the Court Facilities Project, pursuant to the agreement between the county and the State Office of Court Administration, and be it further

RESOLVED, that to ensure minority and women participation, should a PLA be entered into, this Honorable Body further urges the Department of Public Works to not only adhere to the spirit and clear intent of the above-referenced local laws, but also use this agreement as a historic opportunity to enhance minority and women participation, and be it further

RESOLVED, that said PLA should and must be accompanied by statistics, narratives, and other relevant data relative to the respective advantages and disadvantages for the county, should it enter into a PLA, and be it further

RESOLVED, that upon completion of negotiations and agreement, said PLA shall be submitted to this Honorable Body for final action, and be it further

RESOLVED, that certified copies of this resolution be sent to County Executive Dennis T. Gorski, Public Works Commissioner John C. Loffredo, Equal Employment Opportunity Director Ty Shaw, County Attorney Kenneth Schoetz, Western New York Building Trades Council President Dan Boody, Buffalo AFL-CIO Council President John Kaczorowski, and the Merit Construction Alliance.

Mr. FITZPATRICK moved to adopt the amendment. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

Mr. RANZENHOFER offered an amendment to Resolve No. 2 as follows:

Delete the name of Legislators Villarini and Ranzenhofer and add the name of Legislator Chase.

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

CARRIED UNANIMOUSLY.

Mr. RANZENHOFER offered another amendment as follows:

Add after the 1st RESOLVE clause a new RESOLVE clause to read as follows:

RESOLVED, that the parties to negotiate the PLA shall include, but are not limited to the Erie County Executive and administration staff, Western New York Building Trades Concil, AFL-CIO, and Merit Construction Alliance.

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

DEFEATED.

Legislators DeBenedetti, Dusza, Fisher, Fitzpatrick, Holt, Cohen Kennedy, Kuwik, Marinelli, Olma, Peoples and Swanick in the negative.

Mr. RANZENHOFER offered an additional amendment as follows:

ADD Before Final RESOLVE clause the following RESOLVE clause:

RESOLVED, that any hiring practices contained within a negotiated PLA which would limit or otherwise affect the number of non-union laborers to be employed by a contractor or subcontractor for work on the Erie County Court Facilities project must be subject to negotiation under the PLA as a separate and distinct item.

Mr. RANZENHOFER moved the adoption.

Amendment fails for lack of a second.

Mr. FITZPATICK moved the adoption of Resolve No. 2 as amended. Ms. PEOPLES seconded.

Chairman SWANICK directed that a Roll Call be taken.

Ayes - Chase, Greenan, Larson, Pauly, DeBenedetti, Dusza, Fisher, Fitzpatrick, Holt, Cohen Kennedy, Kuwik, Marinelli, Olma, Peoples, Swanick - 15. Noes - Marshall, Ranzenhofer - 2.

CARRIED.

ITEM 17 - Mrs. FISHER presented the following and moved for immediate consideration.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 171

APRIL 14, 1997

HEALTH/MENTAL HEALTH
COMMITTEE
REPORT NO. 4

ALL MEMBERS PRESENT EXCEPT LEGISLATOR DEBENEDETTI. CHAIRMAN SWANICK PRESENT AS OFFICIO MEMBER.

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

- | | | | |
|------|--|-------|---------------|
| Item | Page | -1997 | (Comm. 5D-9) |
| a. | ERIE COUNTY MEDICAL CENTER: Financial Statement for 12/31/97.
(3-0) Legislator Pauly absent. | | |
| Item | Page | -1997 | (Comm. 6D-1) |
| b. | ERIE COUNTY MORGUE: Monies & Other Properties Found on Deceased Persons.
(4-0) Legislator Pauly absent. Chairman Swanick present as ex-officio member. | | |
| Item | Page | -1997 | (Comm. 6D-2) |
| c. | ERIE COUNTY COUNCIL ON DISABLED: Notice of Meeting to be Held 3/21/97.
(4-0) Legislator Pauly absent. Chairman Swanick present as ex-officio member. | | |
| Item | Page | -1997 | (Comm. 6D-11) |
| d. | ERIE COUNTY COUNCIL ON DISABLED: Copy of Letter to Commissioner King Re: Jury Duty Access & Agenda of Meeting 3/21/97.
(4-0) Legislator Pauly absent. Chairman Swanick present as ex-officio member. | | |
| Item | Page | -1997 | (Comm. 7D-4) |
| e. | ERIE COUNTY MEDICAL CENTER: Notice of Finance Committee Meeting Held 4/4/97 & Revised 1997 Dates.
(4-0) Legislator Pauly absent. Chairman Swanick present as ex-officio member. | | |
| Item | Page | -1997 | (Comm. 7D-13) |
| f. | ERIE COUNTY MORGUE: Monies & Other Properties Found on Deceased Persons.
(4-0) Legislator Pauly absent. Chairman Swanick present as ex-officio member. | | |

Item Page -1997 (Comm. 7M-17)
g. **WELLNESS INSTITUTE:** Minutes of Meeting Held 3/20/97 & Notice of Meeting to be Held 4/25/97.
(4-0) Legislator Pauly absent. Chairman Swanick present as ex-officio member.

Item Page -1997 (Comm. 4E-19)
2. **COUNTY EXECUTIVE:**
WHEREAS, the HIV/STD Support Services Grant funds a Public Health Nurse who provides HIV testing, a VD Investigator who does STD Case Follow-up and reimburses the STD Clinic for participation in a Chlamydia Study, and

WHEREAS, the Erie County Health Department has received a continuing grant award in the amount of \$52,344 from the New York State Department of Health for the period 1/1/97 - 12/31/97, and

WHEREAS, the grant award funds the HIV Testing and Chlamydia Study for twelve months but reduces the STD Case Follow-up to three months.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to accept a contract with the New York State Department of Health for the purpose of receiving reimbursement for the HIV/STD Support Services Program and the Erie County Legislature hereby approves the revisions to the budget as follows:

HIV/STD SUPPORT SERVICES
1/1/97 - 12/31/97
PROJECT # 687

SFG	REVENUE	CURRENT BUDGET	CHANGES	BUDGET	REVISED
553	STATE AID	\$ 75,145	- 22,801	\$ 52,334	
388	LOCAL SOURCE	<u>2,468</u>	<u>5,345</u>	<u>7,813</u>	
	TOTAL	<u>\$ 77,613</u>	<u>- 17,456</u>	<u>\$ 60,157</u>	
	EXPENSES				
800	PERS SERVICES	\$ 67,950	- 20,147	\$ 47,803	
805	FRINGES	17,463	5,309	12,154	
880 5100	INTERFUND-DISS	200	0	0	
883 2700	INTERDEPT-HEALTH	<u>-8,000</u>	<u>8,000</u>	<u>0</u>	
	GRANTS				
	TOTAL	<u>\$ 77,613</u>	<u>- 17,456</u>	<u>\$ 60,157</u>	

and be it further

RESOLVED, that the position of VD Investigator, JG 6, is hereby deleted effective April 1, 1997, and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Department of Health, the Division of Personnel, the Division of Budget, Management and Finance and the County Attorney's Office.

(3-0) Legislator Pauly absent.

- | | | | |
|------|------|-------|---------------|
| Item | Page | -1997 | (Comm. 6E-18) |
|------|------|-------|---------------|
3. **COUNTY EXECUTIVE:**
WHEREAS, the Commissioner of Personnel has conducted a job audit/review of the duties and responsibilities of a Senior Clerk Typist, JG 4, assigned to the Commissioner of Health's Office, and

WHEREAS, the Commissioner of Personnel has determined that the duties and responsibilities of this position are appropriately classified as a Secretarial Typist, JG 6.

NOW, THEREFORE, BE IT

RESOLVED, that one position of Public Health Technician, JG 7, is hereby abolished and one position of Secretarial Typist, JG 6, is hereby created in the budget of the Department of Health, and be it further

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

(4-0) Legislator Pauly absent. Chairman Swanick present as ex-officio member.

- | | | | |
|------|------|-------|---------------|
| Item | Page | -1997 | (Comm. 7E-14) |
|------|------|-------|---------------|
4. **COUNTY EXECUTIVE:**
WHEREAS, the Erie County Department of Health wishes to enter into a contract with the New York State Department of Environmental Conservation (DEC) for the purpose of reviewing plans and specifications of wastewater systems for facilities handling less than 10,000 gallons per day, and

WHEREAS, the purpose of this contract is to consolidate these review activities that are currently being handled by three different agencies: New York State Department of Environmental Conservation, the Erie County Department of Environment & Planning (DEP) and the Erie County Department of Health, and

WHEREAS, this will allow private and commercial and institutional facilities to have a single agency handling these reviews and inspections, and

WHEREAS, the New York State Department of Environmental Conservation has agreed to fund the cost of plan review in the amount of \$2,664.

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 Department of Environmental Conservation to be budgeted as follows:

DEPARTMENT OF ENVIRONMENTAL QUALITY
PLAN REVIEW GRANT
4/1/97 - 3/31/98

<u>SFG</u> <u>ACCOUNT</u>	<u>REVENUE</u>	<u>BUDGET</u>
553	State Aid	<u>\$2,664</u>
	TOTAL	<u>\$2,664</u>
	<u>EXPENSES</u>	
825	Out of Area Travel	\$ 250
933	Lab & Technical Equipment	<u>2,414</u>
	TOTAL	<u>\$2,664</u>

and be it further

RESOLVED, that certified copies of this resolution be forwarded to the New York State Department of Environmental Conservation, the Erie County Department of Health, the Department of Environment & Planning, the Division of Budget, Management and Finance and the County Attorney's Office.

(4-0) Legislator Pauly absent. Chairman Swanick present as ex-officio member.

Item Page -1997 (Comm. 7E-15)
5. COUNTY EXECUTIVE:

WHEREAS, the Erie County Department of Health operates an Infant Child Health Assessment Program (ICHAP), and

WHEREAS, the Health Department has received a revised grant award from the New York State Department of Health in the amount of \$254,705 for 10/1/96 to 9/30/97, and

WHEREAS, the purpose of the grant is to continue the developmental screens on children at risk of developmental delay, per the expanded State eligibility criteria for the Infant Child Health Assessment Program (ICHAP).

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to enter into a revised agreement for the period October 1, 1996 through September 30, 1997 with the New York State Department of Health, to provide these services for county residents which are budgeted as follows:

DEPARTMENT OF HEALTH
Infant Child Health Assessment Program
10/1/96-9/30/97
PROJECT #558

<u>SFG</u>	<u>SUB</u>	<u>REVENUE</u>	<u>CURRENT BUDGET</u>	<u>CHANGES</u>	<u>REVISED BUDGET</u>
553		STATE AID	<u>\$245,817</u>	<u>8,888</u>	<u>\$254,705</u>
		TOTAL	<u>\$245,817</u>	<u>8,888</u>	<u>\$254,705</u>
		<u>EXPENSES</u>			
800		PERSONNEL SERVICES	\$185,637	9,473	\$195,110
805		FRINGES	46,000	2,778	48,778
810		OFFICE SUPPLIES	100	300	400
821		DUES & FEES	200	100	300
823		REPAIRS & MAINTENANCE	0	300	300
824		TRAVEL & MILEAGE	1,500	2,000	3,500
825		OUT OF AREA TRAVEL	400	100	500
826		OTHER EXPENSES	122	2,676	2,800
880	2700	DEPARTMENT OF HEALTH	7,950	-7,950	0
880	5100	INTERFUND-DISS	2,330	687	3,017
890		CONTRACTUAL SAL. RES.	<u>1,576</u>	<u>-1,576</u>	<u>0</u>
		TOTAL	<u>\$245,817</u>	<u>\$ 8,888</u>	<u>\$254,705</u>

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 County Attorney's Office.

(4-0) Legislator Pauly absent. Chairman Swanick present as ex-officio member.

Item Page -1997 (Comm. 7E-19)
6. COUNTY EXECUTIVE:

WHEREAS, the Public Health Campaign grant funds the Model Tuberculosis and the Sexually Transmitted Disease (STD) Programs in Erie County to reduce the incidence of Tuberculosis and STD, and

WHEREAS, the Erie County Department of Health has received written notice from the New York State Department of Health that the Public Health Campaign grant will continue for the period 4/1/96 through 3/31/97 so that Tuberculosis and STD Control Programs may continue.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature authorizes the County Executive to accept a revised grant award from the New York State Department of Health for this program to be budgeted as follows:

PUBLIC HEALTH CAMPAIGN
4/1/96 - 3/31/97
PROJECT # 553

<u>SFG</u> <u>ACCOUNT</u>	<u>REVENUE</u>	<u>CURRENT</u> <u>BUDGET</u>	<u>CHANGES</u>	<u>REVISED</u> <u>BUDGET</u>
553	STATE AID	<u>453,815</u>	<u>0</u>	<u>453,815</u>
	TOTAL	<u>453,815</u>	<u>0</u>	<u>453,815</u>
	EXPENSES			
800	PERS. SERVICES	331,905	0	331,905
805	FRINGES	83,795	0	83,795
810	OFFICE SUPPLIES	1,000	0	1,000
814	MEDICAL SUPPLIES	10,000	0	10,000
821	DUES & FEES	1,500	-400	1,100
823	REPAIRS & MAINT.	750	0	750
824	TRAVEL - LOCAL	9,851	3,600	13,451
825	TRAVEL - CONF.	1,000	0	1,000
826	OTHER EXPENSES	7,814	-2,000	5,814
830	CONTRACTUAL	1,200	-1,200	0
880-5100	DISS	<u>5,000</u>	<u>0</u>	<u>5,000</u>
	TOTAL	<u>453,815</u>		<u>453,815</u>

and be it further

(4-0) Legislator Pauly absent. Chairman Swanick present as ex-officio member.

Item	Page		
7. COUNTY EXECUTIVE:		-1997	(Comm. 7E-20)

WHEREAS, the Erie County Department of Health provides obstetrical services at various locations throughout Erie County, and

WHEREAS, many insurance plans reimburse providers of obstetrical services based on a global rate which covers prenatal, delivery and postpartum care, and

WHEREAS, the Erie County Department of Health wishes to contract with various obstetricians who are presently providing services in county-operated facilities,

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into contracts with various obstetricians for the purpose of reimbursing them the fee for delivery, when the Erie County Department of Health is reimbursed at the global rate, and be it further

RESOLVED, that the delivery fee shall be established based upon the rate approved by the various insurance companies and said fee shall be paid out of the revenue received by the County from the insurance companies, and be it further

RESOLVED, that the contracts with the obstetricians is an ongoing special service which must be provided immediately, and therefore the Request for Proposal procedure required under Erie County Local Law No. 6, Section 19.08 is hereby waived, 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.

(4-0) Legislator Pauly absent. Chairman Swanick present as ex-officio member.

Item Page -1997 (Comm. 7E-21)
8. COUNTY EXECUTIVE:

WHEREAS, the Erie County Public Health Lab is currently licensed under New York State Department of Health Division of Laboratories to conduct clinical laboratory analyses for the diagnosis of infectious diseases, and

WHEREAS, Becton Dickinson Microbiology Systems has developed a system to diagnose specific infectious diseases. This system requires prior Federal Drug Administration approval before the system is marketable as a diagnostic tool. The Erie County Public Health Lab currently maintains capabilities by which such an evaluation can take place and has been selected by Becton Dickinson Microbiology Systems as one of four clinical sites nationwide to perform this study, and

WHEREAS, Becton Dickinson Microbiology Systems will fully reimburse the County for its evaluation.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into a revised contract with Becton Dickinson Microbiology Systems to conduct clinical laboratory analyses for the diagnosis of infectious diseases to be budgeted in the Grant Fund for the Health Department as follows:

BECTON DICKINSON MICROBIOLOGY SYSTEMS				
1/1/96 - 06/30/97				
PROJECT # 629				
SFG ACCOUNT	REVENUE	CURRENT BUDGET	CHANGES	REVISED BUDGET
517	OTHER UNCLASSIFIED	<u>6,000</u>	1,404	<u>7,404</u>
	TOTAL	<u>6,000</u>	<u>1,404</u>	<u>7,404</u>
EXPENSES				
825	OUT OF AREA TRAVEL	5,000	2,304	7,304
826	OTHER EXPENSES	0	50	50
933	LAB & TECHNICAL EQUIP.	<u>1,000</u>	<u>-950</u>	<u>50</u>
	TOTAL	<u>6,000</u>	<u>1,404</u>	<u>7,404</u>

and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Department of Health, the County Attorney's Office, and the Erie County Division of Budget, Management and Finance.

(4-0) Legislator Pauly absent. Chairman Swanick present as ex-officio member.

Item	Page		
9. COUNTY EXECUTIVE:		-1997	(Comm. 7E-23)

WHEREAS, Erie County, through the Erie County Department of Social Services, contracts with various Managed Care Health Maintenance Organizations or Public Health Service Providers for the provision of Medicaid Managed Care services, and

WHEREAS, Paragraph 10.18 of said contracts requires the coordination of public health related activities with the Erie County Department of Health as described in Appendix U of the Medicaid Managed Care Contracts.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature authorizes the County Executive to enter into agreements with the various managed care organizations for the purpose of implementing Appendix U of the Medicaid Managed Care contracts, and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Department of Health, the Department of Social Services, the Division of Budget, Management and Finance and the County Attorney's Office.

(4-0) Legislator Pauly absent. Chairman Swanick present as ex-officio member.

Item	Page		
10. COUNTY EXECUTIVE:		-1997	(Comm. 7E-24)

WHEREAS, the Erie County Department of Health operates the Healthy Neighborhoods Program, and

WHEREAS, the purpose of this program is to provide preventive health services and to improve environmental health in the target area, and

WHEREAS, the Erie County Health Department has received a revised grant award from the New York State Department of Health in the amount of \$204,386

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 Department of Health to accept the revised grant which is budgeted as follows:

HEALTHY NEIGHBORHOOD GRANT
10/01/96 - 09/30/97
PROJECT # 557

<u>SFG</u>	<u>SUB</u>	<u>REVENUE</u>	<u>CURRENT BUDGET</u>	<u>CHANGES</u>	<u>REVISED BUDGET</u>
553		STATE AID	<u>197,839</u>	<u>6,547</u>	<u>204,386</u>
		TOTAL	<u><u>197,839</u></u>	<u><u>6,547</u></u>	<u><u>204,386</u></u>
		<u>EXPENSES</u>			
800		PERSONNEL	152,220	8,935	161,155
		SERVICES			
805		FRINGES	37,720	2,211	39,931
810		OFFICE SUPPLIES	0	50	50
811		CLOTHING SUPPLIES	0	400	400
824		TRAVEL & MILEAGE	0	1,550	1,550
825		OUT OF AREA TRAVEL	0	300	300
826		OTHER EXPENSES	0	500	500
880	5100	INTERFUND-DISS	118	382	500
890		CONTRACTUAL SAL. RES.	<u>7,781</u>	<u>-7,781</u>	<u>0</u>
		TOTAL	<u><u>197,839</u></u>	<u><u>6,547</u></u>	<u><u>204,386</u></u>

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.

(4-0) Legislator Pauly absent. Chairman Swanick present as ex-officio member.

Item Page -1997 (Comm. 7E-25)
11. COUNTY EXECUTIVE:

WHEREAS, the Erie County Health Department has joined with seven other local County Health Departments as the Western New York Public Health Coalition, and

WHEREAS, the Western New York Public Health Coalition has been awarded a Medicaid Managed Care Provider Grant totaling \$98,882 for the purpose of coordinating the integration of public health services into the Medicaid Managed Care Program being implemented in the eight counties of Western New York, and

WHEREAS, the Erie County Department of Health has been designated the lead agency for this grant, and the Department of Family Medicine at SUNY Buffalo has been designated the party who will provide these services, and

WHEREAS, the Department of Family Medicine at SUNY Buffalo has expertise in administering managed care programs and has conducted extensive research regarding medical care of disadvantaged populations.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to accept a grant award on behalf of the Western New York Public Health Coalition funded 100% by the New York State Health Department which is budgeted as follows:

MEDICAID MANAGED CARE PROVIDER GRANT
7/1/97 - 6/30/98

SFG

<u>ACCOUNT</u>	<u>REVENUE</u>	<u>NEW BUDGET</u>
553	State Aid Managed Care	<u>\$98,882</u>
	TOTAL	<u>\$98,882</u>
	<u>EXPENSES</u>	
830	Contractual - SUNY- Buffalo	<u>\$98,882</u>
	TOTAL	<u>\$98,882</u>

and be it further

RESOLVED, that the County Executive is hereby authorized to enter into a subcontract with the SUNY Buffalo Department of Family Medicine in the amount of \$98,882 to accomplish the goals 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.

(4-0) Legislator Pauly absent. Chairman Swanick present as ex-officio member.

JUDITH P. FISHER
Chairperson

Mrs. FISHER requested that Resolve Nos. 3 and 4 be separated.

GRANTED.

Mrs. FISHER moved the balance of the report. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

Mrs. FISHER moved the adoption of Resolve No. 3. Ms. PEOPLES seconded.

CARRIED.

Legislator Kuwik abstained.

Mrs. FISHER moved the adoption of Resolve No. 4. Ms. COHEN KENNEDY seconded.

CARRIED.

LEGISLATORS RESOLUTIONS:

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

CARRIED UNANIMOUSLY.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 172 Re: Support for Angelica Healthcare
Services Employees' Unionization
Efforts (Int. 8-1)

WHEREAS, Workers have the right to a safe workplace, fair wages for work performed, and to be treated with dignity and respect, and

WHEREAS, When workers' rights are being violated, these workers need to have an outlet through which they can voice their concerns and seek remedies to the problems which they face, and

WHEREAS, To that end, unions act as effective representation for workers, providing workers with resources to lobby for a safe, fair workplace which would otherwise not be available to them, and

WHEREAS, Workers at the Angelica HealthCare Services laundry in Buffalo have alleged several instances of mistreatment by the company; including working more than 40 hours per week with no overtime pay in violation of state labor law, persistent sexual harassment of female employees by their male bosses, regular worker injury by an overhead rail system, and violations of workplace safety regulations such as exposed asbestos, blocked fire exits, fire extinguishers and a sprinkler system which do not work despite regular fires at the plant, shocks which workers receive due to wet floors, and exposed hazardous hospital waste such as syringes, blood, and human body parts, and

WHEREAS, An in-house union currently in place at Angelica HealthCare Systems has proven ineffective, as they have failed to adequately represent workers' rights at the plant and have failed to get any significant improvements in working condition from the management of the plant, and

WHEREAS, In the face of illegal and immoral working conditions, coupled with an ineffective in-house union, the International Brotherhood of Teamsters has begun an unionization effort at Angelica HealthCare Systems, and

WHEREAS, The International Brotherhood of Teamsters has historically proven itself a champion for workers' rights, and has had numerous successes in improving working conditions in similar situations, and

WHEREAS, Ninety-eight percent of the 102 workers at Angelica HealthCare Systems have signed a petition approving affiliation with the International Brotherhood of Teamsters, thereby demonstrating their support for this effort, and

WHEREAS, These workers have taken a bold step in signing the petition, as they now potentially face repercussions from plant management for their efforts, further demonstrating the need for effective representation at the plant,

NOW, THEREFORE, BE IT

RESOLVED, That the Erie County Legislature does hereby reaffirm its support for a safe, fair workplace for all, and be it further

RESOLVED, That this Honorable Body does hereby demand that Angelica HealthCare Systems immediately rectify any and all activities and conditions in violation of state, county or local law, and be it further

RESOLVED, That this Honorable Body does hereby memorialize the New York State Department of Labor to fully investigate the charges levied against Angelica HealthCare Systems, and be it further

RESOLVED, That this Honorable Body does commend the workers at Angelica HealthCare Systems for their efforts to affiliate with the International Brotherhood of Teamsters, and does wholeheartedly support said effort, and be it further

RESOLVED, That certified copies of this resolution be forwarded to Michael Curcio of the International Brotherhood of Teamsters, management of Angelica HealthCare Systems, and the New York State Department of Labor.

Fiscal Impact: None for resolution.

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

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

CARRIED UNANIMOUSLY.

ITEM 19 - Ms. MARINELLI presented the following resolution and moved for immediate consideration. Ms. COHEN KENNEDY seconded.

CARRIED UNANIMOUSLY.

Int. 8-2 From: Leg. Marinelli Re: Support for Five Year Welfare Benefit Limit Exemption for Victims of Family Violence

Chairman SWANICK directed that the names of the Democratic Majority be added as co-sponsors.

Chairman SWANICK directed that Int. 8-2 be referred to the COMMUNITY ENRICHMENT COMMITTEE.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 173 Re: Take Your Daughters to Work Day
(Int. 8-3)

WHEREAS, Adolescent children need to be encouraged to do their best in school, reassured that they are valued for what they say, and think exposed to as many experiences as possible so as to aid them in planning their future options in life, and

WHEREAS, The aforementioned message is especially important for adolescent girls, as they too often receive misinformation in life from the media, their peers and other sources that as a female their physical appearance is the primary factor for success and happiness, and

WHEREAS, To help maintain and enhance self-esteem and confidence in girls and demonstrate through example the success they, as women, can achieve in life, the Ms. Foundation for Women created Take Our Daughters To Work Day, where parents, relatives, teachers and friends of families bring girls to their places of work, and

WHEREAS, Through Take Our Daughters To Work Day, these girls have the opportunity to see successful women in a work setting, learn about possible career choices, learn more about the person accompanying them, and receive a positive message about themselves and their abilities, and

WHEREAS, The Ms. Foundation for Women's Fifth Annual Take Our Daughters To Work Day will be celebrated Thursday, April 24,

NOW, THEREFORE, BE IT

RESOLVED, That the Erie County Legislature does hereby congratulate the Ms. Foundation for Women nationally and the Erie County Commission on the Status of Women locally, as well as the many other participating organizations, businesses and individuals, on their continuing commitment to the young women of our community, and be it further

RESOLVED, That this Honorable Body does fully support and participate in the Ms. Foundation for Women's Fifth Annual Take Our Daughters To Work Day, and be it further

RESOLVED, That this Honorable Body does hereby memorialize all county employees to participate in Take Our Daughters To Work Day on Thursday, April 24, 1997, and be it further

RESOLVED, That certified copies of this resolution be forwarded to Erie County Executive Dennis Gorski, Erie County Women's Commission Director Susan Curran Hoyt, and Ms. Foundation for Women President Marie Wilson.

Fiscal Impact: None for resolution.

LYNN M. MARINELLI
JUDITH P. FISHER

RANDI COHEN KENNEDY
CRYSTAL D. PEOPLES

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

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 174 Re: Assisting the Kenmore-Tonawanda
Libraries (Int. 8-5)

WHEREAS, the Erie County Legislature has consistently demonstrated a commitment to the Buffalo and Erie County Library system, through its budgetary process and through the implementation and support of programmatic initiatives that are beneficial to library patron, and

WHEREAS, four library branches in the Kenmore-Tonawanda system are in need of additional funds for furniture, computer equipment, and audio-visual materials and repair equipment, and

WHEREAS, funds for these purposes are routinely difficult to secure, and

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

WHEREAS, this funding may be provided by the County of Erie to local community based organizations and agencies for the purposes of assisting our youth or senior citizens, and to assist in cultural events, as well as educational and other types of neighborhood based service delivery, and

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

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$15,016 from the legislative contingency (Countywide Contingency DAC: 110923310893) to Fund 820, Project 973, Department 420 Buffalo & Erie County Public Library - Tonawanda Town, (DAC: 820973420001830174), for paying the following agencies:

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
Tonawanda Town	830/174	\$15,016
TOTAL		\$ 15,016

and be it further

RESOLVED, that the funds allocated above are to be distributed to individual branch libraries as follows:

Brighton Branch -	\$ 3,224
Greenhaven Branch -	\$ 3,500
Kenilworth Branch -	\$ 3,000
Kenmore Branch -	\$ 5,292
TOTAL	\$ 15,016

and be it further

RESOLVED, that the County Executive, the Director of Budget, Management, and Finance, the Clerk of the Legislature, and Director of the Buffalo and Erie County Public Libraries are hereby authorized complete any and all necessary paperwork to effectuate this transfer of funds, and be it further

RESOLVED, that certified copies of this resolution be sent to County Executive Gorski, Budget Director Kenneth C. Kruly, First Assistant County Attorney Alan Gerstman, Budget Analyst Jackie Mullen, Buffalo and Erie County Public Library Director Daniel Walters, and to Tonawanda Town Library Director Jeffrey P. Mahaney.

Fiscal Impact: Appropriation of 1997 budgeted funds.

LYNN M. MARINELLI

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

CARRIED UNANIMOUSLY.

ITEM 22 - Ms. COHEN KENNEDY presented the following resolution and moved for immediate consideration. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 175 Re: Youth & Community Based Initiatives
in the Town of Amherst (Int. 8-6)

WHEREAS, youth services programs help to keep kids off the streets and into educational, recreational, or other positively-motivated activities, and

WHEREAS, in 1997, the Legislature set aside for use by worthy community organizations and governmental agencies for such purposes, and

WHEREAS, several necessary programs and initiatives in the town of Amherst require a small investment on the part of the county to be full effectuated, and

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

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$10,500 from the legislative contingency (Countywide Contingency DAC: 110923310893) to Fund 110, Project 921, Department 301 Agency Payments & Grants - Public Benefit Services, (DAC: 110921301830), for paying the following agencies:

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
Amherst - Historic Preservation Comm.	n/a	\$ 2,000
Amherst - Park/Playground Committee	n/a	\$ 7,000
Spotlight on Youth	n/a	\$ 1,500
TOTAL		\$ 10,500

and be it further

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

RESOLVED, that certified copies of this resolution be sent to County Executive Gorski, Budget Director Kenneth C. Kruly, First Assistant County Attorney Alan Gerstman, Budget Analyst Jackie Mullen, and to the Amherst Historic Preservation Commission and the Amherst Parks & Playground Committee, c/o Hon. Margaret Santillo, Amherst Town Hall, 5583 Main St., Williamsville, NY 14221, and to Spotlight on Youth, c/o Joyce Irving, Manager, 66 Stanton Street, Williamsville, NY 14221.

Fiscal Impact: Appropriation of 1997 budgeted funds.

RANDI COHEN KENNEDY

Ms. COHEN KENNEDY offered an amendment as follows:

DELETE the first RESOLVED clause in its entirety and replace with the following:

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$10,500 from the legislative contingency (Countywide Contingency DAC: 110923310893) to Fund 110, Project 921,

Department 301 Agency Payments & Grants - Public Benefit Services, (DAC: 110921301830), for paying the following agencies:

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
Amherst-Historic Preservation	N/A	\$ 2,000
Comm.	N/A	\$ 7,000
Amherst-Park/Playground Committee	N/A	\$ 1,500
Spotlight on Youth		
		\$ 10,500
TOTAL		

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

ITEM 23 - Mrs. FISHER presented the following resolution and moved for immediate consideration. Mr. OLMA seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 176 Re: Programmatic Initiatives Within the City of Buffalo (Int. 8-7)

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

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

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

NOW, THEREFORE, BE IT

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

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
Junior League of Buffalo	830/0375	\$ 4,000
Martin House Restoration Corp.	n/a	\$ 2,500
Butler-Mitchell B & G Club	830/0537	\$ 8,000
Grassroots Gardens	n/a	\$ 2,000
Forever Elmwood	n/a	\$ 4,000
TOTAL		\$ 20,500

and be it further

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

RESOLVED, that certified copies of this resolution be sent to County Executive Gorski, Budget Director Kenneth C. Kruly, First Assistant County Attorney Alan Gerstman, Budget Analyst Jackie Mullen, and to Gayle Barton of the Junior League of Buffalo, 45 Elmwood Ave., Buffalo, NY 14201; to Susan Warren Russ of the Martin House Restoration Corporation Volunteer Task Force, 202 Wende Hall, 3435 Main St., Buffalo, NY 14214; to Dominic Bonafacio, Director, Butler-Mitchell Boys & Girls Club, 370 Massachusetts Ave., Buffalo, NY 14213; to Milton Zeckhauser of Grassroots Gardens, c/o Buffalo and Erie County Botanical Gardens, 2655 South Park Ave., Buffalo, NY 14218; and to Michael Attardo of Forever Elmwood, 576 Elmwood Ave., Buffalo, NY 14222.

Fiscal Impact: Appropriation of 1997 budgeted funds.

JUDITH P. FISHER

Mrs. FISHER moved the adoption. Mr. OLMA seconded.

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 177 Re: Supporting "A Week Without Violence"
in Erie County. (Int. 8-8)

WHEREAS, family violence continues as a serious problem plaguing American society, and

WHEREAS, officials on all levels of government must renew their commitment to promoting the safety and welfare of parents and children, seeking non-violent resolution to problems, and provide services for those in need of counseling or other forms of help, and

WHEREAS, the YWCA of Western New York will once again sponsor "A Week Without Violence," in accordance with national efforts occurring in other cities throughout America, and

WHEREAS, the week includes seminars, workshops, and other events where guest speakers, lecturers, and other participants discuss the problems associated with family violence and determine ways in which those problems may be better addressed by government, the private sector, and not-for-profit agencies, and

WHEREAS, Erie County has been requested to help support programs and materials to serve the public which will be utilized not only for this one week, but throughout the year, at the cost of \$2,500, and

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

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

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

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$2,500 from the legislative contingency (Countywide Contingency DAC: 110923310893) to Fund 110, Project 921, Department 301 Agency Payments & Grants - Public Benefit Services, (DAC: 110921301830), for paying the following agencies:

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
YWCA of Western New York	n/a	\$2,500
A Week Without Violence		
TOTAL		\$ 2,500

and be it further

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

RESOLVED, that certified copies of this resolution be sent to County Executive Gorski, Budget Director Kenneth C. Kruly, First Assistant County Attorney Alan Gerstman, Budget Analyst Jackie Mullen, and to Susan Gaska, Chief Executive Officer, YWCA of Western New York, 190 Franklin St., Buffalo, NY 14202-2482.

Fiscal Impact: Appropriation of 1997 budgeted funds.

LYNN M. MARINELLI

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 178 Re: Funding for Seniors & Youth
In Cheektowaga & Depew
(Int. 8-9)

WHEREAS, in 1997, the Legislature set aside funds for use by worthy community organizations and governmental agencies, funds which may be provided to local community based organizations and agencies for the purposes of assisting youth or senior citizens, and

WHEREAS, several organizations in the town of Cheektowaga and the village of Depew conduct and oversee programs that are beneficial to all segments of our community, but particularly our youth and senior citizens, and

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

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$31,000 from the legislative contingency (Countywide Contingency DAC: 110923310893) to Fund 110, Project 921, Department 301 Agency Payments & Grants - Public Benefit Services, (DAC: 110921301830), for paying the following agencies:

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
Cheektowaga Senior Center	830/0255	\$ 16,000
Depew-Lancaster Boys & Girls Club, Inc.	830/0533	\$ 15,000
TOTAL		\$ 31,000

and be it further

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

RESOLVED, that certified copies of this resolution be sent to County Executive Gorski, Budget Director Kenneth C. Kruly, First Assistant County Attorney Alan Gerstman, Budget Analyst Jackie Mullen, Patricia Wojcik, Director, Town of Cheektowaga Department of Senior Services, 3349 Broadway, Cheektowaga, NY 14227-1199, and to David A. Hoch, Executive Director, Depew-Lancaster Boys and Girls Club, Inc.

Fiscal Impact: Appropriation of 1997 budgeted funds.

RAYMOND K. DUSZA

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

CARRIED UNANIMOUSLY.

ITEM 26 - Ms. MARINELLI presented the following resolution and moved for immediate consideration. Ms. COHEN KENNEDY seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 179 Re: Assisting Women in Obtaining
Employment & Related Services
(Int. 8-10)

WHEREAS, employment opportunities for women in this community can be difficult to find, and

WHEREAS, in many cases, employment opportunities for men are more readily available than for women, or, considering the rise in female-headed households, women must enter all segments of the labor force, and

WHEREAS, due to these facts, it is necessary for women to have available to them the services and resources necessary to help in obtaining employment, and

WHEREAS, the Everywoman Opportunity Center (EWOC), located in the town of Tonawanda, has been dedicated to assisting women in becoming personally and economically self-sufficient since its inception in 1977, and

WHEREAS, EWOC is dedicated to ensuring that women have the skills and resources at their disposal to competitively enter the marketplace and compete with men for employment opportunities, and

WHEREAS, to assist in that effort, EWOC provides resume and cover letter assistance for job applicants, and

WHEREAS, computer equipment currently by EWOC is insufficient for the both EWOC's and its applicants' needs, and

WHEREAS, a small investment by the county in this regard will likely pay greater dividends, as persons who utilize EWOC's services may more easily find employment, become taxpayers, and thus be less potentially reliant on any additional government assistance,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$2,407 from the legislative contingency (Countywide Contingency DAC: 110923310893) to Fund 110, Project 921, Department 301 Agency Payments & Grants - Public Benefit Services, (DAC: 110921301830), for paying the following agencies:

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
Everywoman Opportunity Center	n/a	\$ 2,407
TOTAL		\$ 2,407

and be it further

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

RESOLVED, that certified copies of this resolution be sent to County Executive Gorski, Budget Director Kenneth C. Kruly, First Assistant County Attorney Alan Gerstman, Budget Analyst Jackie Mullen, and to Myrna F. Young, Executive Director, Everywoman Opportunity Center, 205 Yorkshire Road, Greenacres Building, Room 108, Tonawanda, NY 14150.

Fiscal Impact: Appropriation of 1997 budgeted funds.

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

CARRIED UNANIMOUSLY.

ITEM 27 - Mr. MARSHALL presented the following resolution and moved for immediate consideration. Mr. GREENAN seconded.

Int. 8-11 From: Legs. Greenan, Chase, Ranzenhofer. Marshall & Larson. Re: Filling of 9 Vacant Positions in Child Protection Registry/Child Protection Services.

Chairman SWANICK directed that Int. 8-11 be referred to the SOCIAL SERVICES 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, Dusza, Fisher, Fitzpatrick, Holt, Cohen Kennedy, Kuwik, Marinelli, Olma, Peoples, Swanick - 11.

DEFEATED.

Subsequently, Int. 8-11 was referred to the SOCIAL SERVICES COMMITTEE.

ITEM 28 - Mrs. FISHER presented the following resolution and moved for immediate consideration. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 180 Re: Providing Services for Youth in Local Communities (Int. 8-12)

WHEREAS, on the most effective means of keeping youths off the streets and out of potentially troublesome situations is to provide alternative, positive educational and recreational activities for these youths to engage in, and

WHEREAS, specialized programs targeting youths in our region have helped to reduce incidences of juvenile delinquency in some communities, and

WHEREAS, one particular demonstrable success is the "Operation Prime Time" Program in the Sheridan-Parkside community in the town of Tonawanda, and

WHEREAS, prior to the institution of this program, Sheridan-Parkside was well known for having a comparatively high rate of juvenile delinquency and crime, and'

WHEREAS, the 1996 "Operation Prime Time" program has been widely accepted as a great success, reducing juvenile arrests in the Sheridan-Parkside area dramatically, reducing overall crime in the Sheridan-Parkside area by 20% and juvenile crime by 28%, and reducing the number of appearances in the town's Youth Court by 50%, and

WHEREAS, in Tonawanda, more than two dozen adult volunteers offered occasional assistance, with additional help from local police officers, who succeeded in altering their relationships with the juveniles in a positive way, and

WHEREAS, this program is helpful in that it provides positive role models for youths and, with the added involvement of police officials as volunteers, mentors, or instructors, allows youngsters the opportunity to foster a positive relationship with law enforcement personnel, and

WHEREAS, the most successful aspect of Operation Prime Time was its ability to recognize leadership potential in many youngsters, who in turn brought that leadership to fruition by leading other youths in a positive way, and

WHEREAS, city of Buffalo neighborhoods have been ravaged by crime and drug activity for some time, and

WHEREAS, city youths could benefit greatly from the diversionary techniques employed by youth service providers in a similar setting as has been employed in the Tonawanda model, and

WHEREAS, many officials would like to duplicate the successes realized in the town of Tonawanda by instituting a similar program in city neighborhoods, and

WHEREAS, a small transfer of funds to the county's Department of Youth Services, Division of Youth, would be necessary to effectuate the creation of these programs,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby reaffirm its commitment to the youth of our inner cities, our suburbs, and our rural communities, by seeking to institute programs and services that are beneficial to their development, and be it further

RESOLVED, that this Honorable Body does hereby wish to institute programs similar to the town of Tonawanda's "Operation Prime Time" program, in neighborhoods on Buffalo's east and west sides, and be it further

RESOLVED, that this Honorable Body does hereby approve the transfer of \$30,000 from the legislative contingency (Countywide Contingency DAC: 110923310893) to the Department of Youth Services, Division for Youth - Contractual Agencies (DAC: 110946250830), for the purposes of the operation of youth programs as follows:

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
East Side Youth Collaborative	830	\$ 15,000
West Side Summer Youth Initiative	830	\$ 15,000
TOTAL		\$ 30,000

and be it further

RESOLVED, that the County Executive, the Director of Budget, Management, and Finance, the Clerk of the Legislature, and Commissioner of Youth Services are hereby authorized complete any and all necessary paperwork to effectuate this transfer of funds, and be it further

RESOLVED, that certified copies of this resolution be sent to County Executive Dennis Gorski, Budget Director Kenneth C. Kruly, First Assistant County Attorney Alan Gerstman, Budget Analyst Jackie Mullen, Youth Services Commissioner L. Nathan Hare, and Youth Services Deputy Commissioner - Youth, Jeffry Nixon.

Fiscal Impact: Appropriation of 1997 budgeted funds.

CRYSTAL D. PEOPLES

JUDITH P. FISHER

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

CARRIED UNANIMOUSLY.

ITEM 29 - Mrs. FISHER presented the following resolution and requested that it be referred to the SOCIAL SERVICES COMMITTEE.

GRANTED.

Int. 8-13 From Leg. FISHER Re: Enhancing State Child Protection Law.

ITEM 30 - Mr. MARSHALL presented the following resolution and moved for immediate consideration. Mr. GREENAN seconded.

Int. 8-14 From Legs. GREENAN, CHASE & MARSHALL Re: Preventing the Release on Bail of Dangerous Criminals.

Chairman SWANICK directed that Int. 8-14 be referred to the PUBLIC SAFETY COMMITTEE.

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

Chairman SWANICK directed that a Roll Call be taken.

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

DEFEATED.

Subsequently, Int. 8-14 was referred to the PUBLIC SAFETY COMMITTEE.

ITEM 31 - Ms. PEOPLES presented the following resolution and moved for immediate consideration. Mrs. FISHER seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 181 Re: Support of Rural Rim Project to
Provide Emergency Services/Crisis
Intervention to Domestic Violence
Victims (Int. 8-15)

WHEREAS, Erie County Sheriff Thomas Higgins recently announced a new Domestic Violence program called the "Rural Rim Project" which will address the under-served rural communities of Erie County by providing emergency response/crises intervention to victims of family violence, and

WHEREAS, two teams, each consisting of a deputy sheriff and advocate will respond to domestic violence calls in the Sheriff's districts in patrol cars marked "domestic violence," with a particular focus on Erie County's southern tier and the Native American communities, and

WHEREAS, the Sheriff's office received \$189,302 from the United States Justice Department to make the department more responsive to the problem of domestic violence, and

WHEREAS, the program is a positive way to address the special problems that accompany domestic violence cases in rural areas, and

WHEREAS, the program will provide rural domestic violence victims with immediate advocacy and aid those victims in receiving counseling and treatment which may save their lives, and

WHEREAS, the program is essential to provide domestic violence victims with the help and services they need and might not otherwise be able to access,

NOW, THEREFORE BE IT,

RESOLVED that since this program will need continued funding to make it a success and to allow it to remain active in the community, this Honorable Body calls on the State Legislature to include funding in the state budget for this program, and be it further

RESOLVED that the Legislature also calls on Project Coordinator Patricia Siracuse and Deputy Brian Doyle to appear before the Public Safety Committee to inform the Legislators about the domestic violence problem in Erie County and to suggest other additional ways to address the problem, and be it further

RESOLVED that this Honorable Body also calls on those project representatives to reappear before the Public Safety Committee every three months to provide the Legislature with information about the progress of the project, and be it further

RESOLVED that certified copies of this resolution shall be sent to Sheriff Thomas Higgins, Project Coordinator Patricia Siracuse, Deputy Brian Doyle, Governor George Pataki, State Senate Majority Leader Joseph L. Bruno, State Assembly Speaker Sheldon Silver and members of the local delegation to the State Senate and Assembly.

FISCAL IMPACT: To be considered

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

Ms. PEOPLES offered an amendment as follows:

ADD the following to the second RESOLVE clause:

Doyle...as well as Erie County Commission on the Status of Women Executive Director Susan Curran Hoyt...to appear

Add the following to the fourth RESOLVE clause:

Doyle...Commission on the Status of Women Executive Director Susan Curran Hoyt...Governor

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

CARRIED UNANIMOUSLY.

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

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 181 Re: Support Federal Funding for
National Endowment for the Arts
(Int. 8-16)

WHEREAS, This country's arts and humanities fields are being severely threatened by proposed cuts or elimination of federal funding and

WHEREAS, The National Endowment for the Arts (NEA) and the National Endowment for the Humanities (NEH) are targeted for severe budget-cutting for current and upcoming fiscal years, and

WHEREAS, NEA funds granted to local cultural agencies leveraged up to 11 times the amount given from state and local government, private foundations, corporations and individual donors, therefore totaling approximately 11 million dollars over the last three years, and

WHEREAS, The arts stimulate business development, attract new businesses, and improves the overall quality of life in our community, and

WHEREAS, The NEA stimulates our economy here in Western New York and local economies throughout the country by supporting programs that foster economic development, and in Erie County alone, the arts have a \$33 million payroll and an overall economic impact of an estimated \$99 million, and

WHEREAS, The arts provide a multi-culturally diverse entertainment outlet and educational tool for our community and without proper funding allocations, artistic creativity and the heights of cultural enlightenment will be eliminated or reduced to levels of insignificance

WHEREAS, Without the national seal of approval from the NEA confirming quality and excellence within the arts community and private sector, access to private sources for the required matching grants will be reduced or denied, and

NOW, THEREFORE, BE IT

RESOLVED, That the Erie County Legislature does hereby affirm its commitment and support of the cultural arts and the importance of its role in the City of Buffalo, County of Erie and all of Western New York, and be it further

RESOLVED, That the Erie County Legislature does hereby urge members of the House to ask the House Committee on Economic and Educational Opportunities and its appropriate subcommittee to hold a reauthorization hearing as soon as possible, and

RESOLVED, That this Honorable Body does hereby urge members of the Western New York congressional delegation to go on record in support of all efforts to ensure continued federal funding for the National Endowment of Arts, the National Endowment of Humanities and the arts as a means of artistic expression .

FISCAL IMPACT: NONE FOR RESOLUTION

CRYSTAL D. PEOPLES

Chairman SWANICK directed that Legislators Swanick, Peoples, Fisher, Cohen Kennedy, Dusza, Fitzpatrick, Holt, Kuwik & Marinelli be added as Co-Sponsors.

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

CARRIED UNANIMOUSLY.

COMMUNICATIONS DISCHARGED FORM COMMITTEE;

ITEM 33 - Ms. COHEN KENNEDY to moved discharge the COMMUNITY ENRICHMENT COMMITTEE from further consideration of Int. 5-11. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 183 Re: Preventing and Dealing with Domestic Violence (Int. 5-11)

WHEREAS, domestic violence has been and continues to be a problem in neighborhoods and communities throughout the United States, and

WHEREAS, enhanced focus on the problems caused by domestic violence, in all of its forms, have helped to deal with the problem, but clearly more must be done, and

WHEREAS, the Amherst Domestic Violence Task Force is setting up a shelter in the town for battered women and children, in an effort to provide women with someplace to go in an attempt to extricate themselves and their children from abusive situations, and

WHEREAS, a small grant from Erie County is necessary to move this project forward, in the interests of the safety and welfare of these people, and

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

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

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

NOW, THEREFORE, BE IT

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

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
Amherst Domestic Violence Task Force	n/a	\$5,000
TOTAL		\$ 5,000

and be it further

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

RESOLVED, that certified copies of this resolution be sent to County Executive Gorski, Budget Director Sheila Kee, First Assistant County Attorney Alan Gerstman, Budget Analyst Jackie Mullen, and to Amherst Deputy Town Supervisor Margaret Santillo, Amherst Town Hall, 5583 Main St., Williamsville, NY 14221.

Fiscal Impact: Appropriation of 1997 budgeted funds.

RANDI COHEN KENNEDY

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

CARRIED UNANIMOUSLY.

ITEM 34 - Ms. COHEN KENNEDY moved to discharge the COMMUNITY ENRICHMENT COMMITTEE from further consideration of Int. 5-13. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 184 Re: Programmatic Initiatives In the Town of Amherst (Int. 5-13)

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

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

WHEREAS, seniors living at the Jewish Federation Apartments in the town of Amherst are in need of expanded programmatic initiatives, in an effort to improve the quality of life for people living there, and

WHEREAS, expanded exercise classes, improved technological equipment, and more and different reading materials, especially those in large print, would be of great benefit to the residents of these apartments, and

WHEREAS, the Jewish Community Center of Greater Buffalo provides programs and services to all persons with special needs, and

WHEREAS, during summer months, the JCC serves more than 40 children with special needs at day camps, which requires funding to be ensured that the programs are allowed to continue, and

WHEREAS, in order to ensure the continuance of these necessary programs, the Legislature must pass an enabling resolution such as this to effectuate a transfers of funds,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$10,900 from the legislative contingency (Countywide Contingency DAC: 110923310893) to Fund 110, Project 921, Department 301 Agency Payments & Grants - Public Benefit Services, (DAC: 110921301830), for paying the following agencies:

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
Jewish Community Center of Greater Buffalo, Inc.	n/a	\$ 7,500
Jewish Federation Housing Development Fund Company, Inc. (Senior Citizen Programs)	n/a	\$ 3,400
TOTAL		\$10,900

and be it further

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

RESOLVED, that certified copies of this resolution be sent to County Executive Gorski, Budget Director Sheila Kee, First Assistant County Attorney Alan Gerstman, Budget Analyst Jackie Mullen, and to Michael G. Hyman, Executive Vice President, Jewish Community Center of Greater Buffalo, Inc., and to Pee Gee Gilbert, Executive Director, Jewish Federation Housing Development Fund Company, Inc.

Fiscal Impact: Appropriation of 1997 budgeted funds.

RANDI COHEN KENNEDY

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

CARRIED.

Legislator Ranzenhofer abstained.

ITEM 35 - Ms. PEOPLES moved to discharge the FINANCE & MANAGEMENT COMMITTEE from further consideration of Int. 5-17. Mr. HOLT seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 185 Re: Release of Funds From Legislative Contingency (Int. 5-17)

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

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

WHEREAS, that Legislature had previously approved a transfer of funds to the William Emslie YMCA for several programs and service initiatives, and

WHEREAS, to appropriate funds for additional services and programs, the Legislature must pass an enabling resolution such as this,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$14,000 from the legislative contingency (Countywide Contingency DAC: 110923310893) to Fund 110, Project 921, Department 301 Agency Payments & Grants - Public Benefit Services, (DAC: 110921301830), for paying the following agencies:

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
YMCA/Wm. Emslie	830/0753	\$14,000
Agency Consortium		
TOTAL		\$14,000

and be it further

RESOLVED, that the County Executive is hereby authorized to enter into contract with the agency cited, a contract reflecting the combined total of funds appropriated to the William Emslie YMCA in this resolution and the previous resolution - Intro. 2-15 (1997), approved by the Legislature January 23, 1997, and be it further

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

Fiscal Impact: Appropriation of 1997 budgeted funds.

GEORGE A. HOLT, Jr.

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

CARRIED UNANIMOUSLY.

SUSPENSION OF THE RULES

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 186 Re: Youth Programs in the Town of
Hamburg (Int. 8-17)

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

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

WHEREAS, Lakeshore Little League provides valuable athletic and recreational services to youth in the town of Hamburg and the surrounding area, and

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

NOW, THEREFORE, BE IT

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

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
Lakeshore Little League	830	\$ 5,000
TOTAL		\$ 5,000

and be it further

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

RESOLVED, that certified copies of this resolution be sent to County Executive Gorski, Budget Director Kenneth C. Kruly, First Assistant County Attorney Alan Gerstman, Budget Analyst Jackie Mullen, and to the Lakeshore Little League.

Fiscal Impact: Appropriation of 1997 budgeted funds.

EDWARD J. KUWIK

Mr. KUWIK moved the adoption. Mr. DUSZA seconded.

CARRIED UNANIMOUSLY.

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

GRANTED.

Comm. 8E-12 From: Leg. DUSZA Re: Wall Street Journal Article

Chairman SWANICK directed that Comm. 8E-12 be referred to the GOVERNMENT AFFAIRS COMMITTEE.

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

GRANTED.

Comm. 8M-6 From: Procter & Gamble Re: Letter to Leg. Dusza From Procter & Gamble.

Chairman SWANICK directed that Comm. 8M-6 be referred to the GOVERNMENT AFFAIRS COMMITTEE.

ITEM 39 - Mrs. FISHER moved for a suspension of the rules to include an item not on the agenda.

GRANTED.

Comm. 8M-7 From: Gene Grabiner Re: Welfare Reform Changes.

Chairman SWANICK directed that Comm. 8M-7 be referred to the COMMUNITY ENRICHMENT COMMITTEE.

ITEM 40 - Ms. COHEN KENNEDY moved for a suspension of the rules to include an item not on the agenda.

GRANTED.

Comm. 8E-13 From: Leg. COHEN KENNEDY Re: ECC Board of Trustees Meeting to be Held 4/22/97

Chairman SWANICK directed that Comm. 8E-13 be referred to the COMMUNITY ENRICHMENT COMMITTEE.

COMMUNICATIONS FROM ELECTED OFFICIALS

FROM THE COMPTROLLER

ITEM 41 - (Comm. 8E-1) Audit of Erie County Water Authority.

ITEM 42 - (Comm. 8E-2) Audit of Erie County Water Authority - Follow-up of New York State Report 1/14/97 for Period of 1/1/95 - 7/31/97.

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

FROM LEGISLATORS MARSHALL, RANZENHOFER, LARSON, CHASE & GREENAN

ITEM 43 - (Comm. 8E-3) Consolidation of Efforts.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE COUNTY EXECUTIVE

ITEM 44 - (Comm. 8E-4) Copy of Letter to Mr. Capra Re: Court Facilities Plan Dealing With Buffalo.

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM LEGISLATOR MARINELLI

ITEM 45 - (Comm. 8E-5) Copy of Letter to Mr. Cardarelli Re: Crime Status Hotline.

Received and referred to the PUBLIC SAFETY COMMITTEE.

ITEM 46 - (Comm. 8E-6) Buffalo Olmstead Parks Conservancy's Involved with Consolidation Deliberations.

RECEIVED & FILED.

FROM THE COUNTY EXECUTIVE

ITEM 47 - (Comm. 8E-7) 1996 Clean Water/Clean Air Bond Act Sewer District Nos. 1 & 4.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

ITEM 48 - (Comm. 8E-8)

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 188 Re: ECSD Nos. 1 & 4 New York State
Clean Water/Clean Air Bond Act of
1996 - Grant Applications

(A) A RESOLUTION AUTHORIZING THE ACCEPTANCE AND PERFORMANCE BY ERIE COUNTY SEWER DISTRICT NO. 1 OF CONTRACT NO. 97-40 WITH THE NEW YORK STATE ENVIRONMENTAL FACILITIES CORPORATION FOR STATE FINANCING ASSISTANCE.

(Introduced) April 17, 1997
(Adopted) April 17, 1997

Recitals

WHEREAS, Erie County Sewer District No.1, through the Short-Term Financing Program of the New York State Environmental Facilities Corporation ("EPC"), has undertaken the financing of a project for the planning, design and construction of improvements to the Clinton Street and Borden Road pump stations, a new force main to serve the Borden Road pump station, improvements to the Seneca Creek Road interceptor sewer and other related work, in the County of Erie, New York (State Revolving Fund Project No. 6696-04), and

WHEREAS, EPC has offered, pursuant to the Clean Water/Clean Air Bond act of 1996 (Chapter 413 of the Laws of 1996) to provide state assistance payments for eligible costs of the project, up to the lesser of \$1,2313,250, or Eighty-Five percent (85%) of the Eligible Costs of the project, and

WHEREAS, EPC has tendered a Contract for State Assistance (Contract No. 97-40), which sets forth the terms and conditions of the state assistance payments (hereafter the "Contract"):

NOW, THEREFORE, BE IT

RESOLVED BY THE COUNTY LEGISLATURE OF THE COUNT OF ERIE, NEW YORK AS FOLLOWS:

Section 1. The Contract is accepted in all respects and the County Executive, or in his absence the Deputy County Executive, is authorized to execute the Contract, including any subsequent amendments, on behalf of the County/Erie County Sewer District No.1.

Section 2. The County Executive is hereby designated as Authorized Representative of the County for implementation of the Contract. The County Comptroller is hereby designated as Fiscal Officer of the County to receive and distribute funds pursuant to the Contract.

Section 3. The County Executive, the County Comptroller, and all other officials are authorized to provide all documentation and recertification, and perform all other terms and conditions of the Contract in order that the Contract shall be fully performed and all state assistance payments to which the County is entitled under the Contract be received by the County.

Section 4. The County agrees that it will fund its portion of the cost of said project, including any available financing through the Short-Term Financing Program of EPC.

Section 5. This Resolution shall take effect immediately.

Ms. PEOPLES moved the adoption. Mr. RANZENHOFER 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. Noes - 0.

CARRIED UNANIMOUSLY.

(B) A RESOLUTION AUTHORIZING THE ACCEPTANCE AND PERFORMANCE BY ERIE COUNTY SEWER DISTRICT NO. 4 OF CONTRACT NO. 97-41 WITH THE NEW YORK STATE ENVIRONMENTAL FACILITIES CORPORATION FOR STATE FINANCING ASSISTANCE.

(Introduced) April 17, 1997
(Adopted) April 17, 1997

Recitals

WHEREAS, Erie County Sewer District No.4, through the Short-Term Financing Program of the New York State Environmental Facilities Corporation ("EPC"), has undertaken the financing of a project for the planning, design and construction of the replacement of the Bowmansville and Warner Road pump stations in the County of Erie, New York (State Revolving Fund Project No. 6699-05), and

WHEREAS, EPC has offered, pursuant to the Clean Water/Clean Air Bond act of 1996 (Chapter 413 of the Laws of 1996) to provide state assistance payments for eligible costs of the project, up to the lesser of \$2,959,700, or Eighty-Five percent (85%) of the Eligible Costs of the project, and

WHEREAS, EPC has tendered a Contract for State Assistance (Contract No. 97-41), which sets forth the terms and conditions of the state assistance payments (hereafter the "Contract"):

NOW, THEREFORE, BE IT

RESOLVED BY THE COUNTY LEGISLATURE OF THE COUNT OF ERIE, NEW YORK AS FOLLOWS:

Section 1. The Contract is accepted in all respects and the County Executive, or in his absence the Deputy County Executive, is authorized to execute the Contract, including any subsequent amendments, on behalf of the County/Erie County Sewer District No.4.

Section 2. The County Executive is hereby designated as Authorized Representative of the County for implementation of the Contract. The County Comptroller is hereby designated as Fiscal Officer of the County to receive and distribute funds pursuant to the Contract.

Section 3. The County Executive, the County Comptroller, and all other officials are authorized to provide all documentation and decertification, and perform all other terms and conditions of the Contract in order that the Contract shall be fully performed and all state assistance payments to which the County is entitled under the Contract be received by the County.

Section 4. The County agrees that it will fund its portion of the cost of said project, including any available financing through the Short-Term Financing Program of EPC.

Section 5. This Resolution shall take effect immediately.

Ms. PEOPLES moved the adoption. Mr. RANZENHOFER 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. Noes - 0.

CARRIED UNANIMOUSLY.

(C) A RESOLUTION AUTHORIZING THE ACCEPTANCE AND PERFORMANCE BY ERIE COUNTY SEWER DISTRICT NO. 4 OF CONTRACT NO. 97-42 WITH THE NEW YORK STATE ENVIRONMENTAL FACILITIES CORPORATION FOR STATE FINANCING ASSISTANCE.

(Introduced) April 17, 1997
(Adopted) April 17, 1997

Recitals

WHEREAS, Erie County Sewer District No.4, through the Short-Term Financing Program of the New York State Environmental Facilities Corporation ("EPC"), has undertaken the financing of a project for the planning, design and construction of modifications to the overflow retention facility, force main improvements, and pump station replacement in the County of Erie, New York (State Revolving Fund Project No. 6699-03), and

WHEREAS, EPC has offered, pursuant to the Clean Water/Clean Air Bond act of 1996 (Chapter 413 of the Laws of 1996) to provide state assistance payments for eligible costs of the project, up to the lesser of \$3,570,000, or Eighty-Five percent (85%) of the Eligible Costs of the project, and

WHEREAS, EPC has tendered a Contract for State Assistance (Contract No. 97-42), which sets forth the terms and conditions of the state assistance payments (hereafter the "Contract"):

NOW, THEREFORE, BE IT

RESOLVED BY THE COUNTY LEGISLATURE OF THE COUNTY OF ERIE, NEW YORK AS FOLLOWS:

Section 1. The Contract is accepted in all respects and the County Executive, or in his absence the Deputy County Executive, is authorized to execute the Contract, including any subsequent amendments, on behalf of the County/Erie County Sewer District No.4.

Section 2. The County Executive is hereby designated as Authorized Representative of the County for implementation of the Contract. The County Comptroller is hereby designated as Fiscal Officer of the County to receive and distribute funds pursuant to the Contract.

Section 3. The County Executive, the County Comptroller, and all other officials are authorized to provide all documentation and decertification, and perform all other terms and conditions of the Contract in order that the Contract shall be fully performed and all state assistance payments to which the County is entitled under the Contract be received by the County.

Section 4. The County agrees that it will fund its portion of the cost of said project, including any available financing through the Short-Term Financing Program of EPC.

Section 5. This Resolution shall take effect immediately.

Ms. PEOPLES moved the adoption. Mr. RANZENHOFER 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. Noes - 0.

CARRIED UNANIMOUSLY.

ITEM 49 - (Comm. 8E-9)

Ms. PEOPLES moved for immediate consideration. Ms. MARINELLI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 187 Re: Appointment of Bette Blum to the
Erie County Commission on the Status
of Women

RESOLVED, that the Erie County Legislature does hereby confirm the appointment of **BETTE BLUM**, 11 Mayfair Lane, Buffalo, NY 14201 to the Erie County Commission on the Status of Women for a term expiring on June 30, 1999.

Mr. MARSHALL moved to send to committee. Mr. LARSON seconded.

DEFEATED.

Legislators Dusza, Fisher, Fitzpatrick, Holt, Cohen Kennedy, Kuwik, Marinelli, Olma, Peoples and Swanick in the negative.

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

CARRIED UNANIMOUSLY.

FROM THE COUNTY EXECUTIVE

ITEM 50 - (Comm. 8E-10) 1997 Appointment of Bill Conklin & Lt. James Michael to the Erie County Traffic Safety Board.

RECEIVE, FILE & PRINT.

Honorable Legislators

Pursuant to the provisions of Erie County Charter, Chapter 16, Article 1605, I, Denis T. Gorski, do hereby submit for your information the following individuals for appointment and reappointment to the Erie County Traffic Safety Board:

Reappointment

Term Expires

Bill Conklin
58 Bucyrus Drive
Amherst, NY 14228

12/31/99

Appointment

Lt. James Michael
Lackawanna Police Department
714 Ridge Road
Lackawanna, NY 14218

12/31/99

Lt. James Michael will be completing the unexpired term of Mr. Angelo Pitillo who has resigned.

Very truly yours,
DENNIS T. GORSKI
Erie County Executive

RECEIVED, FILED & PRINTED.

ITEM 51 - (Comm. 8E-11) Health - Tuberculosis Outreach Program
2/1/97 - 1/31/98.

Received and referred to the HEALTH/MENTAL HEALTH COMMITTEE.

COMMUNICATIONS FROM THE DEPARTMENTS

FROM ERIE COMMUNITY COLLEGE

ITEM 52 - (Comm. 8D-1) Notice of Meetings 4/9/97, 4/16/97 & 4/23/97

ITEM 53 - (Comm. 8D-2) Notice of Meetings 4/11/97, 4/14/97, 4/17/97 & 4/24/97.

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

FROM DPW

ITEM 54 - (Comm. 8D-3) Copy of Executed Contract - Preliminary Engineering - Two Rod Road & Strickler Road Bridges.

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM MENTAL HEALTH

ITEM 55 - (Comm. 8D-4) Notice of Meeting 4/17/97 Erie County Mental Health Community Services Board.

Received and referred to the HEALTH/MENTAL HEALTH COMMITTEE.

FROM ERIE COMMUNITY COLLEGE

ITEM 56 - (Comm. 8D-5) Notice of Special Meeting to be Held 4/22/97.

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM BUDGET, MANAGEMENT & FINANCE

ITEM 57 - (Comm. 8D-6) Sale of County Owned Inventory - Huntington Court - Town of Hamburg.

ITEM 58 - (Comm. 8D-7) Sale of County Owned Property.

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

FROM DPW

ITEM 59 - (Comm. 8D-8) Live Fire Training Simulator - Renovations.

ITEM 60 - (Comm. 8D-9) Roof Repair - Emergency Response Services All County Owned Buildings.

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

FROM ERIE COMMUNITY COLLEGE

ITEM 61 - (Comm. 8D-10) ECC 1997-1998 Budget Submitted & Approval Schedule.

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES

FROM ERIE COUNTY WATER AUTHORITY

ITEM 62 - (Comm. 8M-1) Audit as Follow-up to New York State Comptroller Exam for Nineteen Month Period Ending 7/31/96 & Long Term Borrowing & Debt Financing.

FROM THE BUFFALO COMMON COUNCIL

ITEM 63 - (Comm. 8M-2) Greenway System that Ties Buffalo's Parks.

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

FROM GOVERNOR PATAKI

ITEM 64 - (Comm. 8M-3) Acknowledgement of Receipt of Resolution.

FROM ERIE COUNTY ENVIRONMENTAL MANAGEMENT COUNCIL

ITEM 65 - (Comm. 8M-4) Notice of Meeting Held 4/15/97.

The above two items were RECEIVED & FILED.

FROM MELINDA HOLLAND, CLEAN SITES

ITEM 66 - (Comm. 8M-5) Notice of Meeting 4/15/97 & Summary of Meeting Held 4/2/97.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

ADJOURNMENT:

ITEM 67 - 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, May 1, 1997. Mr. MARSHALL seconded.

CARRIED UNANIMOUSLY.

The Chairman declared the Legislature adjourned until Thursday, May 1, 1997 at 2:00 P.M., Daylight Savings Time.

LAURIE A. MANZELLA
Clerk