

ERIE COUNTY LEGISLATURE  
MEETING NO. 10  
MAY 21, 1998

The Legislature was called to order by Chairman Swanick.

All members were present.

A moment of silence was held.

Pledge of Allegiance was led by Mr. Greenan.

The minutes of the previous meeting were APPROVED.

**MISCELLANEOUS RESOLUTIONS**

Item 1 – Mr. Pauly presented a resolution Congratulating Dan Gilson on Earning his Eagle Scout Award. Mr. Marshall seconded.

CARRIED UNANIMOUSLY

Item 2 – Mr. Pauly presented a resolution Congratulating Lawrence & Harriet Deegan on Their 50<sup>th</sup> Wedding Anniversary. Mr. Greenan seconded.

CARRIED UNANIMOUSLY.

Item 3 – Mr. Olma presented a resolution Congratulating Reverend Monsignor John R. Gabalski on his 50<sup>th</sup> Anniversary of Ordination.

CARRIED UNANIMOUSLY.

Item 4 – Mr. Swanick presented a resolution Honoring Daniel M. Gregorio on the Occasion of his Retirement.

CARRIED UNANIMOUSLY.

Item 5 – Ms. Marinelli and Mr. Swanick presented a resolution Honoring Elowyn Yager for her Accomplishments.

CARRIED UNANIMOUSLY.

Item 6 – Mr. Pauly presented a resolution Congratulating Kevin J. Rycyna on Earning his

MEETING NO. 10

MAY 21, 1998

ERIE COUNTY LEGISLATURE

Eagle Scout Award.

CARRIED UNANIMOUSLY.

Item 7 – Mr. Greenan presented a resolution Honoring Charlotte Gundlach for being named 1998 Volunteer of the Year at Lakewood Health Care Center.

CARRIED UNANIMOUSLY.

### LOCAL LAWS

Item 8 – CHAIRMAN SWANICK directed that Local Law Intro No. 10-1 remain on the table.

Item 9 - CHAIRMAN SWANICK directed that Local Law Intro No. 11-1 remain on the table and in the Finance and Management Committee.

Item 10 – CHAIRMAN SWANICK directed that Local Law No. 1 –1 remain on the table and in the Health Committee.

### COMMITTEE REPORTS

Item 11 – Mr. Kuwik presented the following and moved for immediate consideration. Ms. Peoples seconded.

CARRIED UNANIMOUSLY.

Resolution 170

MAY 5, 1998

PUBLIC SAFETY  
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:

a. Item Page -1997 (Comm. 12E-10  
**SHERIFF**: Copy of Letter to County Executive Re: East Ferry Detention Center.  
(5-0)

Item Page -1997 (Comm. 23E-6)

MEETING NO. 10

MAY 21, 1998

ERIE COUNTY LEGISLATURE

b. **SHERIFF:** Humane Transfer of K-9 Dog.  
(5-0)

Item Page -1998 (Comm. 6M-8)

c. **CHEEKTOWAGA FIRE CHIEFS MUTUAL AID ASSOCIATION:** Copy of Letter to Chairman Swanick Re: Emergency Service Communications.  
(6-0) Chairman Swanick present as ex-officio member.

Item Page -1998 (Comm. 7E-5)

d. **COUNTY EXECUTIVE:** Copy of Letter to Cheektowaga Fire Chiefs Mutual Aid Association Re: Emergency Service Communications.  
(6-0) Chairman Swanick present as ex-officio member.

Item Page -1998 (Comm. 7M-12)

e. **NATIONAL INSTITUTE OF JUSTICE:** Program Focus - Managing Prison Growth in North Carolina Through Structured Sentencing.  
(6-0) Chairman Swanick present as ex-officio member.

Item Page -1998 (Comm. 7M-18)

f. **DEPUTIES, MIDNIGHT SHIFT ERIE COUNTY HOLDING CENTER:** Copy of Letter to Sheriff Re: Overtime.  
(6-0) Chairman Swanick present as ex-officio member.

Item Page -1998 (Comm. 8D-17)

g. **PROBATION:** PINS Legislation.  
(6-0) Chairman Swanick present as ex-officio member.

Item Page -1998 (Comm. 8M-8)

h. **WEST FALLS VOLUNTEER FIRE COMPANY:** Copy of Letter to County Executive Re: In Support of the 800Mhz Trunked Radio System.  
(6-0) Chairman Swanick present as ex-officio member.

- Item Page -1998 (Comm. 8M-15)  
i. **NORTH COLLINS VOLUNTEER FIRE COMPANY:** Letter to Chairman Swanick  
Re: Support for Proposed Upgrade of the Emergency Service Radio System.  
(6-0) Chairman Swanick present as ex-officio member.
- Item Page -1998 (Comm. 8M-18)  
j. **FAMILY COURT:** Copy of Letter to Assemblyman Hoyt Re: Raising the Jurisdictional  
Age for PINS Cases.  
(6-0) Chairman Swanick present as ex-officio member.
- Item Page -1998 (Comm. 8M-19)  
k. **ERIE COUNTY COUNCIL FOR THE PREVENTION OF ALCOHOL &  
SUBSTANCE ABUSE:** Copy of Letter to Legislator Marinelli Re: Raising PINS Age from 16  
to 18.  
(6-0) Chairman Swanick present as ex-officio member.
- Item Page -1998 (Comm. 9M-6)  
l. **NYS ASSEMBLYMAN HOYT:** Copy of Letter in Opposition of Assembly Bill  
120/S.255 Re: PINS Legislation.  
(6-0) Chairman Swanick present as ex-officio member.
- Item Page -1998 (Comm. 9M-12)  
m. **ERIE COUNTY COUNCIL FOR THE PREVENTION OF ALCOHOL &  
SUBSTANCE ABUSE:** Copy of Letter to Chairman Swanick Re: PINS Legislation.  
(6-0) Chairman Swanick present as ex-officio member.
- Item Page -1998 (Comm. 9M-19)  
n. **BUFFALO COMMON COUNCIL:** Certified Copy of Resolution Re: Urging NYS  
Legislature to Pass PINS Legislation.  
(6-0) Chairman Swanick present as ex-officio member.
- Item Page -1998 (Comm. 9M-33)  
o. **NYS UNIFIED COURT SYSTEM EIGHTH JUDICIAL DISTRICT:** Weapons  
Seized at Buffalo Magnetometer Sites.  
(6-0) Chairman Swanick present as ex-officio member.
- Item Page -1998 (Comm. 9M-37)  
p. **ERIE COUNTY COUNCIL FOR THE PREVENTION OF ALCOHOL &  
SUBSTANCE ABUSE:** Copy of Letter to Chairman Swanick Re: PINS Legislation.  
(6-0) Chairman Swanick present as ex-officio member.

MEETING NO. 10  
MAY 21, 1998

ERIE COUNTY LEGISLATURE  
AS AMENDED

- | Item | Page | -1998 | (Int. 7-4) |
|------|------|-------|------------|
| 2.   |      |       |            |
- RANZENHOFER, GREENAN, LARSON, CHASE, WEINSTEIN, MARSHALL, SWANICK, PEOPLES, KUWIK, FITZPATRICK, HOLT, FISHER, OLMA, DEBENEDETTI, DUSZA & MARINELLI:**

**WHEREAS**, driving while intoxicated is against the law and many tragedies have occurred when people drive while intoxicated, and

**WHEREAS**, current law does not adequately address those who exceed the standard of negligence in the operation of vehicles while intoxicated or under the influence of drugs, and

**WHEREAS**, under current law, it is a class D felony when a person commits criminally negligent homicide while operating a motor vehicle while intoxicated or under the influence of drugs, and

**WHEREAS**, the same provisions exist in the case of assault, and

**WHEREAS**, many drunk driving crashes reveal circumstances that transcend the culpable mental state of criminal negligence (failure to perceive a substantial and unjustifiable risk) and fall clearly in the category of reckless behavior (conscious disregard of a substantial and unjustifiable risk), and

**WHEREAS**, the current law does not sufficiently deal with the consequence of these acts, and

**WHEREAS**, the New York State Legislature has introduced bills S. 3850/A.7031 that will provide prosecutors with the ability to deal with those whose mental state transcends negligence and is reckless, and

**WHEREAS**, S.3850/A.7031 amend the penal law to add section 120.09 stating that recklessly causing the death of another person while driving intoxicated is manslaughter and should be considered a class B felony. It also states that recklessly causing serious physical injury to another person (aggravated vehicular assault) while intoxicated and driving should be considered a class C felony,

**NOW, THEREFORE, BE IT**

**RESOLVED**, The Erie County Legislature does hereby recognize the need for clearer definition of penalties for acts that transcend negligence, and be it further

**RESOLVED**, That this Honorable Body does hereby memorialize the NYS Legislature to pass and Governor George Pataki sign into law Senate Bill S.3850/A.7031 as a means to help prosecutors with a badly needed tool for dealing with the aggravated drunk driving injuries and fatalities inflicted by those whose mental state transcends negligence, and be it further

**RESOLVED**, That certified copies of this resolution be forwarded to Governor George Pataki, Senator Dale Volker, and all members of the WNY State Legislative Delegation.

Fiscal Impact: None for resolution.

(6-0) Chairman Swanick present as ex-officio member.

**AS AMENDED**

Item	Page	-1998	(Int. 7-17)
------	------	-------	-------------

3. **RANZENHOFER, CHASE, WEINSTEIN, SWANICK, PEOPLES, KUWIK, FITZPATRICK, HOLT, FISHER, OLMA, DEBENEDETTI, DUSZA & MARINELLI:**  
WHEREAS, state legislation (S.49/A.2184) has been introduced which would require that a fine be imposed when an individual is sentenced to imprisonment for an offense involving driving under the influence offenses, and

WHEREAS, currently, if a person is convicted of a violation of 1192 of the Vehicle and Traffic Law-driving while under the influence - a fine must be imposed if the person receives a sentence of conditional discharge or probation, and

WHEREAS, currently, if the person is sentenced to imprisonment, the judge does not have to impose a fine, and

WHEREAS, this measure would mandate the imposition of a fine in instances where a person is sentenced to a period of imprisonment, and

WHEREAS, the judge still would have the ability to waive the fine in certain circumstances under the provisions of article 420 of the Criminal Procedure Law,

NOW, THEREFORE, BE IT

**RESOLVED**, that the Erie County Legislature does hereby recognize the need to prohibit the imposition of a sentence of imprisonment without imposition of a fine for DWI offenses, and be it further

**RESOLVED**, that the Erie County Legislature does hereby memorialize the NYS Legislature to pass and Governor George Pataki sign into law New York State Bills S.49/A.2184 as a means to increase the collection of fines in DWI related offenses, and be it further

RESOLVED, that certified copies of this resolution be forwarded Governor George E. Pataki, Senator Levy and members of the Western New York State Delegation.

Fiscal Impact: No fiscal impact.

(6-0) Chairman Swanick present as ex-officio member.

**EDWARD J. KUWIK**  
Chairman

Mr. Kuwik moved the approval. Ms. Peoples seconded.

CARRIED UNANIMOUSLY.

Item 12- Mr. Dusza presented the following and moved for immediate consideration. Ms. Peoples seconded.

CARRIED UNANIMOUSLY

Resolution 171

MAY 5, 1998

GOVERNMENT AFFAIRS  
COMMITTEE  
REPORT NO. 5

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

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

Item Page -1998 (Comm. 6M-11)  
a. **POLISH AMERICAN CONGRESS**: Copy of letter to Legislator Dusza Re:  
Thanking Legislature for Passage of Resolution Supporting NATO Expansion  
Agreement.  
(5-0)

Item Page -1998 (Comm. 8D-7)  
b. **COMMISSION ON THE STATUS OF WOMEN**: Minutes of Meeting Held  
3/11/98.  
(5-0)



- |  |      |      |       |             |
|--|------|------|-------|-------------|
|  | Item | Page | -1998 | (Comm.8E-4) |
|--|------|------|-------|-------------|
- c. **COUNTY EXECUTIVE:** Position Change Report.  
(5-0)
- |  |      |      |       |              |
|--|------|------|-------|--------------|
|  | Item | Page | -1998 | (Comm. 8M-1) |
|--|------|------|-------|--------------|
- d. **CAYUGA COUNTY LEGISLATURE:** Copy of Resolution Re: Requesting State Legislation for Relief from Unnecessary Legal Costs Resulting from Misplaced Lawsuits.  
(5-0)
- |  |      |      |       |               |
|--|------|------|-------|---------------|
|  | Item | Page | -1998 | (Comm. 8M-12) |
|--|------|------|-------|---------------|
- e. **CLINTON COUNTY LEGISLATURE:** Certified Copy of Resolution #213 Re: Negative Impact of "Exit Control" on Northern Border Communities.  
(5-0)
- |  |      |      |       |              |
|--|------|------|-------|--------------|
|  | Item | Page | -1998 | (Comm. 9D-4) |
|--|------|------|-------|--------------|
- f. **COUNTY ATTORNEY:** Notices of Claim.  
(5-0)
- |  |      |      |       |              |
|--|------|------|-------|--------------|
|  | Item | Page | -1998 | (Comm. 9E-3) |
|--|------|------|-------|--------------|
- g. **COUNTY EXECUTIVE:** Position Change Report.  
(5-0)
- |  |      |      |       |              |
|--|------|------|-------|--------------|
|  | Item | Page | -1998 | (Comm. 9M-7) |
|--|------|------|-------|--------------|
- h. **OTB:** Minutes of Meetings Held 1/22/98 & 2/26/98.  
(5-0)
- |  |      |      |       |               |
|--|------|------|-------|---------------|
|  | Item | Page | -1998 | (Comm. 9M-30) |
|--|------|------|-------|---------------|
- i. **NYS DEPARTMENT OF LABOR:** New York's Worforce Development System: A Report to Governor George E. Pataki.  
(5-0)

2. **RESOLVED**, that the following item be received, filed and referred to the FINANCE AND MANAGEMENT COMMITTEE:

- |  |      |      |       |              |
|--|------|------|-------|--------------|
|  | Item | Page | -1997 | (Int. 11-26) |
|--|------|------|-------|--------------|
- a. **LARSON, GREENAN, CHASE, RANZENHOFER & MARSHALL:** Funded Unfilled Jobs in Erie County Government.  
(5-0)

**AS AMENDED**

- |  |      |      |       |            |
|--|------|------|-------|------------|
|  | Item | Page | -1998 | (Int. 8-8) |
|--|------|------|-------|------------|

3. **MARINELLI, DUSZA, HOLT, KUWIK, SWANICK, PEOPLES,  
DEBENEDETTI, GREENAN, MARSHALL & CHASE:**

WHEREAS, recent news stories have shown that abuse and neglect of animals continues to be a persistent problem throughout Erie County, and

WHEREAS, under current state law forging a \$5 check carries a stiffer penalty than setting a cat on fire or beating a dog to death, and

WHEREAS, in addition to being in and of itself an excusable and horrendous crime, it has been documented that many convicted of violations against humans-including virtually every serial killer convicted in this country-has first had a history of abusing animals, and

WHEREAS, Legislation is pending in the New York State Legislature (A.08856/S.5971) that would amend the state Agriculture and Markets Law to increase penalties for animal abuse, and

WHEREAS, this legislation would impose a Class E felony on "a person who tortures or cruelly beats or unjustifiably injures, maims, mutilates or kills any animal, whether wild or tame, and whether belonging to himself or another, or who causes, procures or permits any animal to be tortured, cruelly beaten, or unjustifiably injured, maimed, mutilated or killed," and

WHEREAS, the aforementioned legislation would also make repeat offenders subject to a Class D felony, would require psychiatric analysis of animal abusers to determine if their actions are part of a larger problem that could lead to violence against humans, would increase fines for those convicted, and would set up an animal abuse education and prevention fund with said fines,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby memorialize the New York State Legislature to pass and New York State Governor George Pataki to sign into law A.8856/S.5971 to amend the New York State Agriculture and Markets Law in order to impose more proper sentences against those convicted of animal abuse, and be it further

RESOLVED, that certified copies of this resolution be sent to the local delegation of the New York State Legislature, New York State Governor George Pataki, New York State Assemblymembers William Parment and Jim Tedisco, New York State Senators Randy Kuhl and High Farley and SPCA Executive Director Barbara Carr.

Fiscal Impact: None for resolution.

(6-0) Chairman Swanick present as ex-officio member.

**RAYMOND K. DUSZA**  
**Chairman**

Mr. Dusza moved the approval. Mr. Kuwik seconded.

CARRIED UNANIMOUSLY.

Item 13 – Mr. Olma presented the following and moved for immediate consideration. Ms. Peoples seconded.

CARRIED UNANIMOUSLY

Resolution 172

MAY 5, 1998

ENERGY AND ENVIRONMENT  
COMMITTEE  
REPORT NO. 7

ALL MEMBERS PRESENT.

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

Item Page -1998 (Comm. 1E-21)  
a. **COUNTY EXECUTIVE**: ECSDs NYSERDA Flex-Tech Program Sludge Press  
Modifications.  
(5-0)

Item Page -1998 (Comm. 7M-17)  
b. **TOWN OF MARILLA**: Copy of Resolution Re: Opposing Fire Hydrant  
Maintenance Fee Increases Imposed by Erie County Water Authority.  
(5-0)

Item Page -1998 (Comm. 8M-5)  
c. **LOIS WILSON**: Copy of Letter to Legislator Fisher Re: Sales Tax on Home  
Heating Bills.  
(5-0)

Item Page -1998 (Comm. 8M-6)  
d. **LOIS WILSON**: Copy of Letter to Legislator Fisher Re: Tax Charges on Utility  
Bills.  
(5-0)

- |  | Item | Page | -1998 | (Comm. 8M-17) |
|--|------|------|-------|---------------|
|--|------|------|-------|---------------|
- e. **ALDEN TOWN CLERK:** Copy of Resolution Re: Fire Hydrants Maintenance Fees.  
(5-0)
- |  | Item | Page | -1998 | (Comm. 9D-23) |
|--|------|------|-------|---------------|
|--|------|------|-------|---------------|
- f. **DEP:** SEQR Solicitation for Lead Agency Status Erie County Correctional Facility Expansion.  
(5-0)
- |  | Item | Page | -1998 | (Comm. 9E-17) |
|--|------|------|-------|---------------|
|--|------|------|-------|---------------|
- g. **COUNTY EXECUTIVE:** ECS D No. 2 Increase & Improvement of Facilities (1998) ECS Agency Report.  
(5-0)
- |  | Item | Page | -1998 | (Comm. 9E-18) |
|--|------|------|-------|---------------|
|--|------|------|-------|---------------|
- h. **COUNTY EXECUTIVE:** Engineering Service Agreements Legs. Comm. 20E-13 Work Project: CS-2 ECS D No. 1 Elimination of Losson Green & Carefree Estates Pumping Stations.  
(5-0)
- |  | Item | Page | -1998 | (Comm. 9E-19) |
|--|------|------|-------|---------------|
|--|------|------|-------|---------------|
- i. **COUNTY EXECUTIVE:** Engineering Service Agreements Legs. Comm. 20E-13 Work Project: PH-5 ECS D No. 5 Archeological Study for Stahley Road Right-of-Way.  
(5-0)
- |  | Item | Page | -1998 | (Comm. 9M-14) |
|--|------|------|-------|---------------|
|--|------|------|-------|---------------|
- j. **MELINDA HOLLAND CLEAN SITES:** Summary of Meeting Held 4/1/98 & Notice of Meeting Held 4/21/98.  
(5-0)
- |  | Item | Page | -1998 | (Comm. 9M-32) |
|--|------|------|-------|---------------|
|--|------|------|-------|---------------|
- k. **EC ENVIRONMENTAL MANAGEMENT COUNCIL:** Notice of Meeting Held 4/21/98 & Minutes of Meeting Held 3/17/98.  
(5-0)
- |  | Item | Page | -1998 | (Comm. 9M-38) |
|--|------|------|-------|---------------|
|--|------|------|-------|---------------|
1. **REGION 9 FOREST PRACTICE BOARD:** Minutes of Meeting Held 4/16/98.  
(5-0)
2. **RESOLVED,** that the following item is hereby received, filed and referred to the ECONOMIC DEVELOPMENT COMMITTEE:

	Item	Page	-1998	(Comm. 9D-30)
a.	<b>DPW:</b>			
	Environmental Engineering Services - Various Projects.			
	(5-0)			

**OPEN ITEM**

	Item	Page	-1997	(Comm. 2E-9)
3.	<b>COUNTY EXECUTIVE:</b>			
(A)	A RESOLUTION CALLING A PUBLIC HEARING FOR THE PURPOSES OF CONSIDERING A PROPOSED INCREASE OF MAXIMUM AMOUNT TO BE EXPENDED FOR FACILITIES IN THE MEADOW LAKES EXTENSION OF ERIE COUNTY SEWER DISTRICT NO. 5 IN THE COUNTY OF ERIE, NEW YORK.			

(Introduced) January 23, 1997

(Adopted) May 21, 1998

WHEREAS, pursuant to proceedings heretofore had and taken in accordance with the provisions of Article 5-A of the County Law, including an approving order of the State

Comptroller, County Sewer District No. 5 of the County of Erie, New York, has heretofore been established, and

WHEREAS, the County Legislature of the County of Erie, New York, has heretofore duly caused to be prepared and a report and estimate of cost, by the County Engineers (Erie County Department of Environment and Planning) relating to a \$135,000 proposed increase of maximum amount to be expended for improvements in the Meadow Lakes Extension to Erie County Sewer District No. 5, which report and estimate of cost, has been approved by the Board of Managers of said District on October 15, 1997 and filed with the County Legislature pursuant to Sections 254 and 268 of the County Law, and

WHEREAS, the maximum estimated cost of such improvements of said Sewer District is \$1,335,000, and

WHEREAS, by order dated April 21, 1998, the State Comptroller has approved the proposed increase of maximum amount to be expended for such improvements, and

WHEREAS, it is now desired to call a public hearing to consider said increase of maximum amount to be expended for such improvements in accordance with the provisions of Section 254 of the County Law; NOW, THEREFORE, BE IT

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

Section 1. A meeting of the County Legislature of the County of Erie, New York, shall be held at 25 Delaware Avenue in BUFFALO, New York, in said County, on the 4th day of June, 1998, at 1:30 o'clock p.m., Prevailing Time, for the purpose of conducting a public hearing upon the aforesaid proposal to increase the maximum amount to be expended for facilities in the Meadow Lakes Extension of Erie County Sewer District No. 5 in said County, and for such other action on the part of said County Legislature in relation thereto as may be required by law or proper in the premises.

Section 2. The notice of such public hearing shall be in substantially the following form, to-wit:

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that a meeting of the County Legislature of the County of Erie, New York, shall be held at 25 Delaware Avenue in Buffalo, New York, in said County, on the 4th day of June, 1998, at 1:30 o'clock P.M., Prevailing Time, for the purpose of conducting a public hearing upon a proposed increase of maximum amount to be expended for facilities for the Meadow Lakes Extension of Erie County Sewer District No. 5 in said County.

The facilities consists of construction of a subtrunk sewer line along Stahley-Connor Roads, an interceptor pumping station, sewers and appurtenances, all as more fully described in the report and estimate of cost prepared by the County Engineers (Erie County Department of Environment and Planning) which has been filed with the County Legislature and which has been approved by the Board of Managers of said District on October 15, 1997.

The maximum estimated cost of the aforesaid facilities is \$1,335,000, to be apportioned among real properties in the Meadow Lakes Extension of the District in accordance with (1) their respective proportionate shares of sewer units in the Extension (ii) applicable fate charges, and (iii) assessment against a benefited area which consists of the entire area of said Extension.

The expenditures for such facilities will cause additional costs for property owners in the District for hook-up fees in the range of \$720-\$1,500, and the annual cost of such expenditures to the Typical Property (as defined in the County Law) is \$351.20 for homes on Stahley Road and \$406.63 for homes in the Meadow Lakes developments. The County Legislature has heretofore caused to be prepared and filed for public inspection with the Clerk of the Erie County Legislature, a detailed explanation of how such costs were computed, as incorporated in said report and estimate of cost prepared by the County Engineers (Erie County Department of Environment and Planning).

Dated: Buffalo, New York  
May 21, 1998.

ERIE COUNTY LEGISLATURE  
BY ORDER OF THE COUNTY

LEGISLATURE

OF THE COUNTY OF ERIE, NEW YORK  
By **LAURIE A. MANZELLA**  
Clerk, County Legislature

Section 3. The Clerk of said County Legislature is hereby authorized and directed to cause a copy of the Notice of Public Hearing as set forth on Section 2 hereof to be published once in "The Buffalo News", hereby designated the official newspaper of said County for such publication, not less than ten nor more than twenty days before the date set herein for said public hearing.

Section 4. This resolution shall take effect immediately.  
(5-0)

(B) BOND RESOLUTION AUTHORIZING THE ISSUANCE OF \$10,000,000 BONDS OF THE COUNTY OF ERIE, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF AN INCREASE AND IMPROVEMENT OF FACILITIES OF OF THE ERIE COUNTY-SOUTHTOWNS SEWAGE TREATMENT AGENCY IN THE COUNTY OF ERIE, NEW YORK; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$10,000,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$10,000,000 BONDS HEREIN AUTHORIZED; PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS; AND PROVING FOR REIMBURSEMENT TO SAID COUNTY,

(INTRODUCED) January 21, 1997

(ADOPTED) May 21, 1998

WHEREAS, pursuant to proceedings had and taken in accordance with the provisions of Article 5A of the County Law and more particularly the resolution of this County Legislature dated October 9, 1997, and the order of the State Comptroller dated April 21, 1998, an increase and improvement of the Southtowns Treatment Facility has been approved at an estimated maximum cost of \$10,000,000 and

WHEREAS, it is now desired to provide for the financing of said cost, NOW THEREFORE BE IT RESOLVED BY THE COUNTY LEGISLATURE OF THE COUNTY OF ERIE, NEW YORK (by the affirmative vote of not less than two-thirds of the voting strength of said Legislature), AS FOLLOWS:

Section 1. Pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York, as amended (the "Law"), and to the provisions other laws applicable thereto, \$10,000,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost of an increase and improvement of the Southtowns Treatment Facility, consisting of replacement of various equipment, machinery, and apparatus, related improvements to such Facility, and improvements to Southtowns Agency sewage transmission lines and pumping stations, all as more fully described in the map, plan, report and estimate of cost approved by the Board of Managers of Erie County Sewer District No. 3 and the Administrative Board of the Erie County-Southtowns Sewage Treatment Agency and filed with the County Legislature pursuant to Section 268 of the County Law; and the total estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and to the financing thereof, is \$10,000,000.



The plan of financing includes the issuance of \$10,000,000 bonds herein authorized and any bond anticipation notes issued in anticipation of the sale of such bonds, and the levy of a tax to pay the principal of and interest on said bonds and notes the said principal and interest to be reimbursed to the County by the assessment and levy of the real property in Erie County Sewer District No. 3, the Hamburg Master Sewer District, Amsdell Heights, Locksley Park, Cloverbank, Benz and Taylor Road Sewer Districts being Sewer District Nos. 21,7,10,5,4,8, and 11 of the Town of Hamburg, Wanakah Sewer District No. 3, Mount Vernon Sewer District No. 2 , and the Village of Hamburg.

Section 2. The period of probable usefulness for the specific object or purpose for which said \$10,000,000 bonds herein authorized to be issued, within the limitations of Section 11.00 a.4. of the Law, is forty (40) years.

Section 3. Current funds are not required to be provided as a down payment prior to the issuance of the \$10,000,000 bonds authorized herein, or any bond anticipation notes issued in anticipation thereof, pursuant to section 107.00 d. 3. of said Law.

Section 4. The County intends to finance, on an interim basis, the costs or a portion of the costs of the said improvements for which \$10,000,000 bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the County, pursuant to this Bond Resolution, in the maximum amount of bonds herein authorized. This Resolution is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 5. Subject to the provisions of this Resolution and of said Local Finance Law, and pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes of the renewals thereof, and of Sections 50.00 and 56.00 to 60.00 and 168.00 of said Law, the powers and duties of the County Legislature relative to authorizing the issuance of any notes in anticipation of the sale of the bonds herein authorized, or the renewals thereof, and relative to providing for substantially level or declining debt service, prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any notes issued in anticipation of the sale of said bonds or the renewals of said notes, as well as to executing agreements for credit enhancement, are hereby delegated to the County Comptroller, as the chief fiscal officer of the County.

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

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

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

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

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

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

Section 8. This Resolution shall take effect immediately upon approval by the County Executive .

(5-0)

Item Page -1998 (Comm. 7E-30)  
4. **COUNTY EXECUTIVE:**

**WHEREAS**, the New York State Energy Research and Development Authority (NYSERDA) has solicited for proposals in accordance with its Program Opportunity Notice (PON) No. 342 – 96 offering to fund projects that study, develop, test, demonstrate or commercialize innovative and energy efficient technologies for municipal wastewater treatment, and

**WHEREAS**, the Department of Environment and Planning has advised the County Legislature that there are benefits to the County's Sewage Treatment Plants to studying UV Radiation Disinfection and has recommended application be made for funding this project under NYSERDA's PON No. 432 – 96, and

**WHEREAS**, it is anticipated that NYSERDA will contribute 47.9% of the cost or \$148,000, the Niagara Mohawk Power Corporation another 47.9% of the cost or \$148,000 and the Erie County Southtowns Sewage Treatment Agency 4.2% or \$13,000 of the total project costs as in-kind services.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the County's Department of Environment and Planning be authorized and directed to make application to NYSERDA for funding under PON No. 342 - 96 to study UV Radiation Disinfection, and be it further

**RESOLVED**, that an agreement with NYSERDA to study UV Radiation Disinfection is hereby approved, and be it further

**RESOLVED**, that the County Executive be, and hereby is, authorized to execute said agreement subject to approval as to form by the County Attorney and approval as to content by the Commissioner of the Department of Environment and Planning, and be it further

**RESOLVED**, that the Clerk of the Legislature be directed to send two (2) certified copies of this resolution to Charles J. Alessi, P.E., Deputy Commissioner, Department of Environment and Planning, and one (1) copy to Richard J. Schechter, Assistant County Attorney.

(5-0)

Item	Page	-1998	(Comm. 9E-16)
5.	<b>COUNTY EXECUTIVE:</b>		

**WHEREAS**, the Rules and Regulations for Erie County Sewer Districts require revision to meet new federal pretreatment requirements of 1992, 1993, 1994 and 1995, and

**WHEREAS**, the federal Environmental Protection Agency has reviewed these revisions and has approved them, and

**WHEREAS**, the proposed revisions have been distributed for comments pursuant to State Environmental Quality Review Act requirements and comments received have been adequately addressed, and

**WHEREAS**, each Board of Managers for Erie County Sewer Districts Nos. 1 thru 6 and the Erie County Southtowns Sewage Treatment Agency has approved the proposed revisions to the Rules and Regulations for Erie County Sewage Districts and requests their adoption, and

**WHEREAS**, the County Legislature is empowered to adopt these Rules and

Regulations pursuant to Article 5 – A , Section 264 of County Law

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Erie County Legislature hereby revises, amends and adopts the Rules and Regulations for Erie County Sewer Districts as submitted by the Department of Environment and Planning for the operation of the Erie County Sewer Districts of the County effective immediately, and be it further

**RESOLVED**, that certified copies of this resolution be forwarded to Charles J. Alessi, P.E., Department of Environment and Planning, and Richard Schechter, Department of Law.

(5-0)

Item	Page	-1998	(Comm. 9E-25)
------	------	-------	---------------

6. **COUNTY EXECUTIVE:**

**WHEREAS**, Erie County received a \$1,250,000 grant (Grant) from the USEPA-Great Lakes National Program Office to design and construct a Buffalo River Fish and Wildlife Habitat Restoration Demonstration Project (Habitat Project), and

**WHEREAS**, the Erie County Legislature previously approved resolutions authorizing the County Executive to enter into agreement with Stearns and Wheler, and

**WHEREAS**, it is necessary to execute a Change Order with Stearns and Wheler to compensate for design modifications at two habitat sites, and funds in the amount of \$3,400 are available in the Grant budget, SFG 194 – Contractual Category, for this purpose,

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the County Executive is authorized to execute a Change Order with Stearns and Wheler to provide design modifications needed to construct the Buffalo River Habitat Project, and be it further

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

(5-0)

Item	Page	-1998	(Comm. 9E-26)
------	------	-------	---------------

7. **COUNTY EXECUTIVE:**

**WHEREAS**, the County of Erie on behalf of Erie County Sewer District Nos. 1 and 4, and the Buffalo Sewer Authority entered into sanitary sewer service agreements on March 20, 1962 and July 27, 1972, respectfully, both of which were amended on June 1, 1996, and

**WHEREAS**, New York State desires to market sites in the State to attract a “Chip Fab” or computer chip manufacturing plant, and

**WHEREAS**, the North America Center Industrial Park located in West Seneca and Erie County Sewer District No. 1 has been preselected as one of thirteen such sites, and

**WHEREAS**, a “Chip Fab” plant would have a great economic impact on the region which would include up to \$4 billion in construction and 1,000 to 7,000 new jobs, and

**WHEREAS**, the West Seneca site does not currently have the 9 million gallons of sewage capacity needed to service a “Chip Fab” plant, but such capacity is available through a new sewer connection to the Buffalo Sewer Authority system and any such new connection would require modification to the existing service agreements,

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the proposed sewer service agreement amendments between the Buffalo Sewer Authority and the County of Erie on behalf of Erie County Sewer District Nos. 1 and 4 are hereby authorized, and be it further

**RESOLVED**, that the County Executive be, and hereby is, authorized to execute a service agreement amendment subject to approval as to form by the County Attorney and as to content by the Commissioner of the Department of Environment and Planning, and be it further

**RESOLVED**, that the Clerk of the Legislature be directed to send a certified copy of this resolution to Charles J. Alessi, P.E., Deputy Commissioner of the Department of Environment and Planning, and Richard J. Schechter, Assistant County Attorney.

(5-0)

Item                      Page                                      -1998                      (Comm. 9E-28)  
8.      **COUNTY EXECUTIVE:**

**WHEREAS**, the United States Environmental Protection Agency (USEPA) provides grant assistance to state agencies to implement Chemical Emergency Preparedness and Prevention Technical Assistance Projects regarding Risk Management Plans (RMP), an upcoming mandate under the Clean Air Act, and

**WHEREAS**, the USEPA solicited a proposal from the Erie County Local Emergency Planning Committee (LEPC) through the New York State Emergency Response Commission (SERC) for participation in the 1997 Chemical Emergency Preparedness and Prevention Technical Assistance Program, and

**WHEREAS**, the Erie County Local Emergency Planning Commission (LEPC) will

use RMPs in their efforts to prevent and respond to emergencies, and

**WHEREAS**, the Erie County Department of Emergency Services (ECDES) serves as secretariat to the LEPC and will be responsible for administration of RMPs, and

**WHEREAS**, the Erie County Department of Environment and Planning (ECDEP) provides technical assistance to municipalities, government agencies, and businesses to help address environmental compliance and pollution prevention, and

**WHEREAS**, assistance in preparing Risk Management Plans was identified as a priority for businesses in Erie County, and

**WHEREAS**, in May 1997, the LEPC, ECDES, and ECDEP developed and submitted a proposal for funding from the USEPA 1997 Chemical Emergency Preparedness and Prevention Technical Assistance Projects through SERC to implement a project to assist business and industry in developing and implementing Risk Management Plans required under the Clean Air Act to prevent and mitigate hazardous material releases at their facilities, and

**WHEREAS**, the USEPA has granted approval of the application allocating funding for a Chemical Emergency Preparedness and Prevention Technical Assistance Project in Erie County, and

**WHEREAS**, such funding is set at \$112,875.00 over the next two years, and

**WHEREAS**, the funds for this program will be distributed to Erie County through SERC, and

**WHEREAS**, the implementation of this project will require Erie County to enter into an agreement with New York State,

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the County Executive is authorized to enter into the necessary agreements with the New York State Emergency Response Commission (SERC) to accept and implement a Chemical Emergency Preparedness and Prevention Technical Assistance Project in Erie County in an amount not to exceed \$112,875.00 in grant resources over the next two years commencing June 1998, and be it further

**RESOLVED**, that the unanticipated revenue from the new Chemical Emergency Preparedness and Prevention Technical Assistance Project is hereby appropriated in the grant fund for the period 6/1/98 – 5/31/00 is as follows:

<u>Object</u>	<u>Category</u>	<u>EPA Funds</u>
10	Personal Services	\$69,500
20	Fringe Benefits	\$17,375
31	Office Supplies	\$2,000
39	Out-of-Area Travel	\$5,000
43	Contractual	\$7,000
48	Other Expenses	\$4,000
64	Lab & Technical Equipment	\$8,000
<b>TOTAL</b>		<b>\$112,875</b>

and be it further

**RESOLVED**, that the following position is hereby created in the Department of Environment and Planning and will be funded from the newly established budget for the Chemical Emergency Preparedness and Prevention Technical Assistance Project:

Environmentalist – Hazardous Waste (JG 9)

and be it further

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

(5-0)

Item Page -1998 (Comm. 9E-29)

9. **COUNTY EXECUTIVE:**

**RESOLVED**, that the County Executive is hereby authorized to execute a first amendatory agreement to the 11/7/97 contract with Delta Development of Western New York, Inc., and said amendatory agreement shall increase the authorized contract amount from \$200,000 to \$391,970 for the purpose of developing the South Park Apartments in the Town of Hamburg, and be it further

**RESOLVED**, that the South Park Apartments shall be targeted toward low and moderate



income households as defined by the United States Department of Housing and Urban Development, and be it further

**RESOLVED**, that the request for proposal provision of Section 19.08 of the Erie County Administrative Code was compiled with by the Department of Environment and Planning, and a summary is included as Attachment A to this resolution, and be it further

**RESOLVED**, that the source of funds for said contracts is the federal HOME Investment Partnership Program, and be it further

**RESOLVED**, that certified copies of this resolution shall be forwarded to the Budget Director and the Commissioner of Environment and Planning.

(5-0)

**GREGORY B. OLMA**  
**Chairman**

Mr. Olma moved the approval. Mr. DeBenedetti seconded.

CARRIED UNANIMOUSLY

Item 14 – Mrs. Fisher presented the following and moved for immediate consideration. Mr. Holt seconded.

CARRIED UNANIMOUSLY

Resolution 173

MAY 5, 1998

HEALTH COMMITTEE  
REPORT NO. 6

ALL MEMBERS PRESENT.

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

Item Page -1998 (Comm. 3M-10)  
a. **AMERICAN CANCER SOCIETY**: Letter in Support of County Executive's Proposed Tax on Tobacco Products.

(5-0)

Item Page -1998 (Comm. 3M-19)  
b. **NORTH PEARL STREET BLOCK CLUB**: Freedom of Information Request.

(5-0)

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

c. **ECMC:** Board of Managers Finance Committee Financial Statements for 2/28/98.

(5-0)

Item Page -1998 (Comm. 9D-3)

d. **ERIE COUNTY MORGUE:** Monies & Other Property Found on Deceased Persons.

(5-0)

Item Page -1998 (Comm. 9D-6)

e. **HEALTH:** Notice of Meeting Held 4/28/96, Minutes of Meeting Held 2/24/98 & Copy of County of Schenectady Local Law Re: Licensing Tobacco Selling.

(5-0)

Item Page -1998 (Comm. 9D-10)

f. **ECMC:** Notice of Meeting Held 4/16/98.

(5-0)

Item Page -1998 (Comm. 9D-14)

g. **ECMC:** Notice of Meeting to be Held 5/7/98.

(5-0)

Item Page -1998 (Comm. 9D-15)

h. **ECMC:** Notice of Meeting to be Held 5/14/98.

(5-0)

Item Page -1998 (Comm. 9M-5)

i. **COMMUNITY WELLNESS COUNCIL:** Minutes of Meeting Held 3/26/98 & Notice of Meeting Held 4/21/98.

(5-0)

Item Page -1998 (Comm. 9M-45)  
j. **WELLNESS INSTITUTE:** Minutes of Meeting Held 4/21/98 & Notice of Meeting to be Held 6/23/98.  
(5-0)

Item Page -1998 (Comm. 9E-24)  
2. **COUNTY EXECUTIVE:**  
**WHEREAS,** the HIV/AIDS Education Program will provide HIV/AIDS Adolescent Peer Education through its Training & Technical Assistance to County Health Departments program, and

**WHEREAS,** the Erie County Department of Health has received a one-time grant award in the amount of \$15,000 from the New York State Health Department for the period 4/1/98 – 12/31/98, and

**WHEREAS,** the one-time grant award will fund HIV/AIDS Adolescent Peer Education for nine months.

**NOW, THEREFORE, BE IT**

**RESOLVED,** that the Erie County Executive is hereby authorized to enter into a contract with the New York State Department of Health for the purpose of receiving reimbursement for HIV/AIDS Adolescent Peer Education, and be it further

**RESOLVED,** that the Erie County Legislature hereby approves the revisions to the budget as follows:

DEPARTMENT OF HEALTH TRAINING & TECHNICAL

ASSISTANCE  
TO COUNTY HEALTH DEPARTMENTS  
7/1/97 - 6/30/98  
PROJECT #761

	<u>REVENUE</u>	<u>BUDGET</u>	<u>CURRENT</u> <u>CHANGES</u>	<u>REVISED SFG</u> <u>BUDGET</u>	<u>SUB</u>
552	STATE AID		<u>\$ 64,600</u>	<u>15,000</u>	<u>\$ 79,600</u>
	TOTAL		<u>64,600</u>	<u>15,000</u>	<u>79,600</u>
	<u>EXPENSES</u>				
800	PERSONNEL SERVICES		45,231 0	\$ 45,231	
805	FRINGES		11,624	0	11,624
810	OFFICE SUPPLIES	0	200	200	
825	OUT OF AREA TRAVEL		3,769	500	4,269
826	OTHER EXPENSES		3,976	13,800	17,776
933	EQUIPMENT		<u>0</u>	<u>500</u>	<u>\$ 500</u>
	TOTAL		<u>\$ 64,600</u>	<u>\$ 15,000</u>	<u>\$ 79,600</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.

(5-0)

Item Page -1998 (Comm. 9E-27)  
3. **COUNTY EXECUTIVE:**

**WHEREAS**, the Erie County Department of Health has entered 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, in the amount of \$2,264, which expires on May 15, 1998, and

**WHEREAS**, the New York State Department of Environmental Conservation is allowing this contract to be extended since the full amount of the contract funding has not been expended.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Erie County Legislature hereby authorizes the County Executive to extend this contract with the New York State Department of Environmental Conservation to December 31, 1998, 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.

(5-0)

**JUDITH P. FISHER**  
Chairperson

Mrs. Fisher moved the approval. Ms. Peoples seconded.

CARRIED UNANIMOUSLY.

Item 15 – Mr. Holt presented the following and moved for immediate consideration. Ms. Peoples seconded.

CARRIED UNANIMOUSLY

Resolution 174

MAY 28, 1998

ERIE COUNTY LEGISLATURE

MAY 5, 1998

SOCIAL SERVICES

COMMITTEE

REPORT NO. 4

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

Item Page -1998 (Comm.7E-32)  
1. COUNTY EXECUTIVE:

**WHEREAS**, the Erie County Legislature has already appropriated funds for the New York State Retired Senior Volunteer Program (NYS-RSVP), Community Services for the Elderly Program (CSE) and Expanded In-Home Services for the Elderly Program (EISEP) for the period April 1, 1997 to March 31, 1998, and the Weatherization Referral and Packaging Program (WRAP-SOFA) for the period January 1, 1997 to March 31, 1998, and

**WHEREAS**, the Department of Senior Services desires to revise the above grants budgets to reflect the actual needs of the programs in order to maximize use of State and Federal funds,

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the budget for the NYS-RSVP grant, project #888, for the period April 1, 1997 to March 31, 1998, be revised as follows:

APPROPRIATIONS

<u>Account</u>	<u>Description</u>	Current		Revised
		<u>Budget</u>	<u>Changes</u>	<u>Budget</u>
800	Personal Services	\$ 1,190	\$-1,190	\$ -0-
805	Fringe Benefits	336	- 336	-0-
810	Office Supplies	850	+ 200	1,050
821	Dues & Fees	200	- 200	-0-
824	Local Travel	1,100	+ 564	1,664
826	Other Expenses	3,275	+ 800	4,075
880	Interfund-DISS	2,307	- 800	1,507
933	Technical Equipment	3,700	<u>+ 962</u>	4,662
Total Change to Appropriations			<u>- 0 -</u>	

and be it further

**RESOLVED**, that the budget for the CSE grant, project #707, for the period April 1, 1997 to March 31, 1998, be revised as follows:

REVENUES

Revised		Current		
<u>Account</u>	<u>Description</u>		<u>Budget Changes</u>	<u>Budget</u>
443	In-Kind Contributions	\$ 92,878	+\$32,481	\$ 125,359
617	CSE State Aid		816,959	+ 382
817,341				
686	Interfund Revenue		241,601	<u>-16,807</u>
224,794				
	Total Changes to Revenues		+16,056	

APPROPRIATIONS:

Revised		Current		
<u>Account</u>	<u>Description</u>	<u>Budget</u>	<u>Changes</u>	<u>Budget</u>
800	Personal Services	\$ 84,357	\$-6,700	\$
77,657				
805	Fringe Benefits	21,325	-6,000	15,325
810	Office Supplies	2,190	-1,500	690
823	Repairs & Maint.	650	- 500	150
824	Travel & Mileage	- 8,150	-2,200	5,950
825	Out of Area Travel	1,500	- 800	700
830/202	Clarkson Center	125,841	+ 975	
126,816				
830/220	Hispanics United	32,895	- 5,204	
27,691				
830/228	St. Augustine's Commu.	115,650	- 4,000	
111,650				
830/229	Neighborhood Informa. Ctr	57, 884	-11,000	
46,884				
830/230	Friendship House	44,418	+ 1,206	
45,624				
830/237	Catholic Charities	91,717	+ 3,052	
94,769				
830/302	Amherst Senior Center	19,109	+ 5,062	
24,171				
830/317	North Buffalo Comm. Ctr.	28,097	- 481	27,616
830/321	South Buffalo Comm. Ctr.	35,144	+ 188	
35,332				
830/356	Northwest Buffalo	43,083	+ 909	

43,992			
830/362	Polish Comm. Ctr.	37,900	- 5,264
32,636			
830/391	Other Home Care Agencies	116,637	+ 12,380
129,017			
830/397	Community Concern Evans/Brant	36,999	+ 19,557
56,556			
830/930	Motor Vehicle Equip.	43,000	+ 18,074
61,074			
830/932	Furniture & Fixtures	12,872	- 1,698
11,174			
	TOTAL CHANGE		<u>+ 16,056</u>

and be it further

**RESOLVED**, that the budget for the EISEP grant, project #708, for the period April 1, 1997 to March 31, 1998, be revised as follows:

REVENUES

Revised		Current		
<u>Account</u>	<u>Description</u>	<u>Budget</u>	<u>Changes</u>	<u>Budget</u>
443	In-Kind Contributions	\$112,729	+ 11,746	
	\$124,475			
617	CSE State Aid	1,421,516	- 218	
	1,421,298			
686	Interfund Revenue	344,481	+ 16,807	
361,288				
	Total Change to Revenues		<u>+ 28,335</u>	

APPROPRIATIONS

Revised		Current		
<u>Account</u>	<u>Description</u>	<u>Budget</u>	<u>Changes</u>	<u>Budget</u>
800	Personal Services	\$ 383,781	-\$14,282	
	\$ 369,499			
805	Fringe Benefits	89,186	- 16,126	
	73,060			
810	Office Supplies	4,387	- 1,500	
	2,887			
821	Dues & Fees	2,000	- 1,000	



ERIE COUNTY LEGISLATURE

1,000				
830/202	Clarkson Center	54,052	+ 284	
54,336				
830/230	Friendship House	34,818	+ 343	
35,161				
830/302	Town of Amherst	53,752	+ 3,523	
57,275				
830/309	Kensington Bailey	35,106	- 2,672	
32,434				
830/317	North Buffalo Commu.	34,569	+ 1,604	
36,173				
830/321	South Buffalo Commu.	36,366	+ 55	
36,421				
830/355	Bailey Delavan	19,746	+	
1,403	21,149			
830/362	Polish Comm. Ctr.	26,116	- 846	
25,270				
830/391	Other Home Care Agencies	967,731	+ 50,769	
1,018,500				
830/397	Community Concern Evans/Brant	29,963	+ 1,980	
31,943				
880	Interfund-DISS	7,400	±	
4,800	12,200			
	TOTAL CHANGE TO APPROPRIATIONS		<u>+\$28,335</u>	

and be it further

**RESOLVED**, that the budget for the WRAP-SOFA grant, project #716, for the period January 1, 1997 to March 31, 1998, be revised as follows:

APPROPRIATIONS

Revised		Current		
<u>Account</u>	<u>Description</u>	<u>Budget</u>	<u>Changes</u>	<u>Budget</u>
800	Personal Services	\$ 90,717	\$+19,700	
	\$110,417			
805	Fringe Benefits	21,994	+ 900	
22,894				
810	Office Supplies	2,019	- 1,200	
819				
821	Dues & Fees	- 0 -	+ 40	40
826	Other Expenses	29,836		-
18,604	11,232			

MAY 28, 1998

ERIE COUNTY LEGISLATURE

880	Interfund – DISS	3,700	-	836	2,864
	TOTAL CHANGE TO APPROPRIATIONS			<u>\$ 0-</u>	

And be it further

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

(5-0)

Item Page -1998 (Comm. 8E-27)  
 2. **COUNTY EXECUTIVE:**

**WHEREAS**, the Erie County Legislature has already appropriated funds for the Protective Services Grant (PSA) for the period January 1, 1998 to December 31, 1998, and

**WHEREAS**, the Department of Senior Services desires to revise the above grant budget to reflect the actual needs of the grant which services those elderly most at risk,

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the budget for the PSA grant project #806 for the period January 1, 1998 through December 31, 1998 be amended as follows:

PSA – Project #806

APPROPRIATIONS

		Current		
<u>Account</u>	<u>Description</u>	<u>Budget</u>	<u>Changes</u>	<u>Budget</u>
800	Personal Services	\$ 695,026	\$-1,500	\$ 693,526
810	Office Supplies	1,500	<u>+1,500</u>	3,000
TOTAL CHANGE TO APPROPRIATIONS			<u>- 0-</u>	

and be it further

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

(5-0)

3. COUNTY EXECUTIVE:

WHEREAS, the Department of Senior Services desires to revise various Nutrition Grants in the 1997 County Budget to reflect the increase in the State Grant Award for these grants, and

WHEREAS, the 1997 Home-Delivered Nutrition Grant is expected to earn more Cash-In-Lieu of Commodity Food reimbursements than originally projected, and

WHEREAS, these revisions will also require amending the 1997 nutrition contract between the County of Erie and Meals on Wheels of Buffalo and Erie County, Inc.,

NOW, THEREFORE, BE IT

RESOLVED, that the 1997 County Budget be revised for the following nutrition grants:

1996-97 Cash-In-Lieu of Commodity - Project 592

APPROPRIATIONS

Revised		Current		
		Budget	Change	Budget
Sub		Amount		
<u>Amount</u>	<u>Description</u>			
<u>Acct.</u>	<u>Acct.</u>			
826	Other Expenses	\$ 371,196		\$-39,571
	331,625			
830	0141 Meals on Wheels of Buffalo	425,370	+39,571	464,941
TOTAL CHANGE TO APPROPRIATIONS			-0-	

1997-98 State Nutrition Assistance Program – Project 709

REVENUES

Revised		Current		
		Budget	Change	Budget
		Amount		Amount
<u>Acct.</u>	<u>Description</u>			
440	Fees from Food & Nutrition	\$ 393,402	+\$80,499	\$473,901
616	State Nutrition Assistance Program SNAP	543,503	+90,785	634,288

TOTAL CHANGE TO REVENUES \$+171,284  
APPROPRIATIONS

		Current		
Sub	Revised	Budget	Change	Budget
<u>Acct</u>	<u>Acct</u>	<u>Amount</u>		
	<u>Amount</u>			
830	0141	936,905	<u>\$+171,284</u>	\$1,108,189
	Meals on Wheels of Buffalo and Erie County, Inc.			
TOTAL CHANGE TO APPROPRIATIONS			<u>\$ +171,284</u>	

and be it further

**RESOLVED**, that the County Executive be, and hereby is, authorized to amend the 1997 contract between the County of Erie and Meals on Wheels of Buffalo and Erie County, Inc. to increase the contract by \$19,733 to a total amount not to exceed \$2,815,825 for services rendered during the contract period of January 1, 1997 through December 31, 1997.

Funds for the above mentioned contract will be available from the following sources:

Project	Sub	Current	Revised		
<u>Acct</u>	<u>Acct</u>	<u>Amount</u>	<u>Changes</u>	<u>Amount</u>	
700	830 141	Contr svcs – Meals on Wheels	\$1,427,170	\$-120,931	\$1,306,239
610	830 141	Contr svcs – Meals on Wheels	148,189	+ 1	148,190
709	830 141	Contr svcs – Meals on Wheels	788,716	+ 82,074	870,790
592	830 141	Contr svcs – Meals on Wheels	337,828	+ 34,764	372,592
714	830 141	Contr svcs – Meals on Wheels	68,524	+ 23,825	92,349
941	830 141	Contr svcs – Meals on Wheels	<u>25,665</u>	<u>0</u>	<u>25,665</u>
TOTAL CONTRACT			<u>\$2,796,092</u>	<u>\$+ 19,733</u>	<u>\$2,815,825</u>

and be it further

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

(5-0)

Item Page -1998  
(Comm. 9E-13)

4. COUNTY EXECUTIVE:

WHEREAS, the Department of Youth Services, Division of

Detention has expanded its facility from 48 to 59 beds, and

**WHEREAS**, pursuant to Part 180 of the New York State Code of Rules and Regulations pertaining to Juvenile Detention, psychological services are required for children remanded to the custody of the Detention Home, and

**WHEREAS**, it is necessary to recruit in step three for this position.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the following position is hereby created within the accounts of Erie County Detention Home:

<u>Title</u>	<u>Job Group</u>	<u>Annual Amount</u>	
<u>Amount Required</u>			
Psychologist	12-3	\$43,942	
\$23,661			
Fringe Benefits		<u>10,608</u>	<u>5,712</u>
	Totals	\$54,550	
\$29,373			

and be it further

**RESOLVED**, permission is hereby granted to hire at variable minimum step 3,  
and be it further

-7-

**RESOLVED**, that the sum of \$23,661 is hereby transferred to Account 800, Personal Services and \$5,712 is hereby transferred to Account 805, Fringe Benefits, in the budget of the Department of Youth Services – Detention Division, the source of funds being \$29,373 available in Account 821, Dues and Fees in the same administrative unit, and be it further

**RESOLVED**, that said authorization be approved on the condition that the State of New York provides revenues of at least \$16,155 based on reimbursement schedule of 50% for a local youth and 100% for an out-of-county youth receiving detention services, and be it further

**RESOLVED**, that certified copies of this resolution be forwarded to the Division of

Budget, Management and Finance, the Erie County Department of Youth Services and the Department of Personnel.

(5-0)

Item Page -1998 (Comm. 9E-23)

5. COUNTY EXECUTIVE:

WHEREAS, the New York State Office for the Aging (SOFA) has notified the Department of Senior Services that funding is available in the 1998-1999 State budget for the continuation of the Supplemental Security Income Outreach (SSI Outreach) program, and

WHEREAS, SOFA has made \$42,000 available for the SSI Outreach Program for the period April 1, 1998 to March 31, 1999, and

WHEREAS, SOFA has notified the Department that additional funding is available for the Elder Abuse program, and

WHEREAS, the Department intends to amend the contract with the American Red Cross to expand their ombudsman services to senior citizens in adult homes and nursing facilities, and

WHEREAS, the Department would like to add HCA – Home Care Services, Inc. dba Norrell Health Care to its list of subcontract agencies providing home care to the frail elderly of Erie County, and

WHEREAS, no County funds are required

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be and is hereby authorized to accept the funding for the SSI Outreach program and the Elder Abuse program, and to amend the contract with the American Red Cross, and be it further -8-

RESOLVED, that the SSI Outreach Grant budget for the period April 1, 1998 to March 31, 1999, be established as follows:

REVENUES		INITIAL BUDGET	
<u>Account</u>	<u>Description</u>		
551	State Aid	\$42,000	
	TOTAL REVENUES		\$42,000
APPROPRIATIONS			
800	Personal Services	\$32,752	
805	Fringe Benefits	8,979	

824	Local Travel	269
		TOTAL APPROPRIATIONS <u>\$42,000</u>

and be it further

**RESOLVED**, that the Elder Abuse Grant budget for the period January 1, 1998 to December 31, 1998, be established as follows:

REVENUES		CURRENT		
REVISED				
<u>Account</u>	<u>Description</u>	<u>BUDGET</u>	<u>REVISIONS</u>	<u>BUDGET</u>
664	Federal Aid	\$23,236	<u>+\$1,990</u>	\$25,226
		TOTAL CHANGES		<u>+\$1,990</u>

APPROPRIATIONS				
830-418	American Red Cross	\$18,236	<u>+\$1,990</u>	\$20,226
		TOTAL CHANGES		<u>+\$1,990</u>

and be it further

**RESOLVED**, that the County Executive is authorized to enter into contract with HCA-Home Care Services, Inc, dba Norrell Health Care to provide home care services to the frail elderly of Erie County, and be it further

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

(5-0)

Item Page -1998 (Comm. 9E-31)

6. **COUNTY EXECUTIVE:**

**WHEREAS**, a resolution was adopted at the 7<sup>th</sup> session of the Legislature of Erie County, held in County Hall, in the City of Buffalo, on the nineteenth day of March A.D. 1998 (Comm. 6E-15) granting the Department of Social Services the authority to enter into a three month and five year lease to occupy building space at 290 Main Street from the Swan Group Limited Partnership, in the City of Buffalo, County of Erie and the State of New York, and

**WHEREAS**, at the direction of the Department of Law, the Department of Social Services is requesting additional specific language in the authorization to enter into the lease pertaining to utilities, maintenance and other building costs inadvertently omitted from the original resolution

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the County Executive is hereby authorized to enter into a 3 month lease of up to 24,068 square feet of space at 290 Main Street, Buffalo, New York with the Swan Group Limited Partnership at the annual base rent of \$11.56 per square foot for the period April 15, 1998 through July 14, 1998. In addition to the base rent, the tenant is responsible for its proportionate share of the expenses for electric, the maintenance, operation and depreciation of air conditioning and ventilating equipment and increases in the operating expenses of the building and real estate taxes over the 1998 base year and the cost of replacement of fluorescent tubes, ballasts and incandescent bulbs, and be it further

**RESOLVED**, that the County Executive is hereby authorized to enter into a five-year lease of 31,016 square feet of space on several floors at 290 Main Street, Buffalo, New York at the annual base rate of \$11.56 per square foot for the period July 15, 1998 through July 14, 2003. In addition to the base rent, the tenant is responsible for its proportionate share of the expenses for electric, the maintenance, operation and depreciation of air conditioning and ventilating equipment and increases in the operating expenses of the building and real estate taxes over the 1998 base year and the cost of replacement of fluorescent tubes, ballasts and incandescent bulbs, and be it further

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

(5-0)

Item                      Page                      -1998                      (Comm. 9E-33)  
7.      **COUNTY EXECUTIVE:**

**WHEREAS**, on March 20, 1997 (Resolution 5E-10) this Honorable Body authorized the County Executive to enter into a performance contract with the Calhoun Insurance Agency to establish and maintain a management system for the billing and collecting of third-party insurance revenue, and



**WHEREAS**, the Department of Youth Services is requesting approval by the Erie County Legislature to enter into the second year of contracting with Calhoun Insurance Agency for third-party insurance claims management and collection services, as provided in the aforementioned communication,

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Erie County Executive is hereby authorized to execute the second year of the previously authorized contract with the Calhoun Insurance Agency to provide third-party insurance claims management and collection for the Early Intervention Program, and be it further

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

(5-0)

Item Page -1998 (Comm. 9E-34)  
8. **COUNTY EXECUTIVE:**

**WHEREAS**, the Federal Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) of 1996 provided states the option of utilizing funds from the Temporary Assistance to Needy Families (TANF) block grant for the purpose of domestic violence screening and assessment, and

**WHEREAS**, New York State elected the Federal option in the adopted Family Assistance legislation, and the New York State program is mandated and is referred to as the Family Violence Option (FVO), and

**WHEREAS**, the legislation requires universal screening of all public assistance applicants and recipients using a State designed screening form, and

**WHEREAS**, individuals who screen positive to the instrument must be referred to a domestic violence liaison unit for assessment of the assertion of domestic violence, provision of service information to victims, service referrals or direct services, and

**WHEREAS**, the Erie County 1998 Adopted Budget anticipated funding for domestic violence programming and created a new Domestic Violence Assessment grant in the amount of the estimated award, and

**WHEREAS**, the allocation of 100 percent of Federal funds to Erie County exceeded the initial estimate by \$168,070, and the program design has been revised to enable a more substantial screening, assessment and case management process, and

**WHEREAS**, there is no additional local share required for the budget changes requested in this resolution.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the County Executive and/or Commissioner of Social Services are hereby authorized to accept \$168,070 in additional 100% Federal funds for the Domestic Violence Assessment grant, Fund 280, Department 200, Project 868, for the period April 1, 1998 through March 31, 1999, and be it further

**RESOLVED**, that the following staff additions are made to the Domestic Violence grant, Fund 280, Department 200, Project 868, effective June 1, 1998:

No.	Title	JG-Step	Salary (10 Months)
1	Domestic Violence Coordinator	11-1	\$29,914
1	Domestic Violence Specialist	8-1	23,453
2	Social Services Team Worker	5-1	43,102

(B-100's are attached)

and be it further

**RESOLVED**, that the following appropriation and revenue increases are hereby authorized in the Domestic Violence Assessment grant, Department 200, Fund 280, Project 868, for the period April 1, 1998 to March 31, 1999

Account	Description	Amount
800	Personal Services	\$96,469
805	Fringe Benefits	26,442
825	Out of Area Travel	6,000
826-122	Other – System Charge backs	27,933
890	Contractual Salary Contingency	965
932	Office Furniture	<u>10,261</u>
	Total Expenditures	<u>\$168,070</u>
649	Federal Aid	<u>\$168,070</u>
	Total Revenues	<u>\$168,070</u>

and be it further

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

(5-0)

**GEORGE A. HOLT, Jr.**  
**Chairman**

Mr. Holt moved the approval. Ms. Peoples seconded.

CARRIED UNANIMOUSLY.

Item 16 – Ms. Peoples presented the following and moved for immediate consideration. Mr. Kuwik seconded.

Resolution 175

MAY 7, 1998

FINANCE AND MANAGEMENT  
COMMITTEE  
REPORT NO. 5

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

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

- a.       Item           Page                           -1998           (Int. 2-13)  
**DEBENEDETTI**: Personnel Adjustments.  
(5-0) Chairman Swanick present as ex-officio member.
- b.       Item           Page                           -1998           (Comm. 7E-6)  
**COMPTROLLER**: Copy of Letter to Division of Budget, Management &  
Finance Re: Unfilled Vacant Positions as of 1/16/98.  
(5-0) Chairman Swanick present as ex-officio member.
- c.       Item           Page                           -1998           (Comm. 7E-7)  
**COMPTROLLER**: Unfilled Vacant Positions 1/16/98.  
(5-0) Chairman Swanick present as ex-officio member.

**OPEN ITEM)**

Item           Page                           -1997           (Comm. 1D-19A)

2. **BUDGET, MANAGEMENT & FINANCE:**

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

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

RESOLVED, that Petitions numbered 271 through 287 inclusive, be hereby approved or denied based upon the recommendation of the Director of Real Property Services and be charged back to the applicable Towns and/or Cities.

Petition No. 271/1997 - ASSESSOR - Refund - \$723.80

SBL No. 55.20-9-22 - TOWN OF AMHERST

Acct. No. 112 - 448.78 - County

Acct. No. 132 - 275.05 - Town/Special Dist/School

Charge to: TOWN OF AMHERST 275.05

REFUND - CLERICAL ERROR, THIS PARCEL WAS CHARGED FOR AN RPTL 520 IN THE AMOUNT OF 723.80 FOR AN EXEMPTION THAT WAS NOT ON THE 1996 TOWN AND COUNTY TAX BILL. RPTL 550(2)A. CHECK IN FAVOR OF: JEFFREY SIDOWSKI.

Petition No. 287/1998 - ASSESSOR - Refund - \$16,319.89

SBL No. 41.03-1-90 - TOWN OF AMHERST

Acct. No. 112 - 7,671.92 - County

Acct. No. 132 - 8,647.97 - Town/Special Dist/School

Charge to: TOWN OF AMHERST 4,539.10  
WILLIAMSVILLE CENT 4,108.87

REFUND - CLERICAL ERROR, THIS PARCEL WAS UNDER AN IDA PILOT AGREEMENT WHERE TAXES ARE PAID DIRECTLY TO THE COUNTY, TOWN AND SCHOOL. THE RPTL 520 THAT WAS CHARGED ON THIS PARCEL WAS PLACED ON IN ERROR. RPTL 550(2)A. CHECK IN FAVOR OF CIMINELLI DEV CORP.

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

\*\*\*\*\*

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

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

RESOLVED, that Petitions numbered 288 be denied based upon the recommendation of the Director of Real Property Services.

RESOLVED, that the following petition be Denied based upon the Director of Real Property Tax Services recommendation,

Petition No. 288/1995 - ASSESSOR - REFUND - \$65.69

SBL No. 151.56-5-16.1 - TOWN OF HAMBURG

REFUND - CLERICAL ERROR, THIS PARCEL WAS INCORRECTLY CHARGED ON THE

SANITARY SEWER TAX DUE TO INCORRECT AREA AND FRONTAGE FIGURES USED TO DETERMINE THE TAX. IN ACCORDANCE WITH NEW YORK STATE REAL PROPERTY TAX LAW 556 THE APPLICATION MUST HAVE BEEN MADE WITH THREE YEARS OF THE ANNEXATION OF THE WARRANT FOR THE COLLECTION OF SUCH TAX. THE WARRANT WAS FILED ON JANUARY 15, 1995 AND THE APPLICATION TO REFUND WAS FILED ON FEBRUARY 9, 1998 WHICH EXCEEDED THE FILING PERIOD FOR REFUND THEREFORE ERIE COUNTY REAL PROPERTY TAX DIRECTOR JOSEPH MACIEJEWSKI IV IS RECOMMENDING THIS PETITION BE DENIED.

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

**AS AMENDED**

- |  |      |      |       |            |
|--|------|------|-------|------------|
|  | Item | Page | -1998 | (Int. 8-4) |
|--|------|------|-------|------------|
3. **SWANICK, PEOPLES & MARSHALL, KUWIK, DUSZA, PAULY, LARSON & RANZENHOFER:**

**WHEREAS, The Niagara Frontier Builder's Association and the Greater Buffalo Association of Realtors have adopted a resolution requesting that Erie County seek state legislative authorization to address the issue of "double taxation," as it relates to the County's portion of the real estate transfer tax, and**

**WHEREAS, The “double taxation” occurs when a home builder purchases a parcel of land for new housing construction, and the same parcel of land is subsequently assessed another transfer tax when the property is improved and transferred to a new homeowner, and**

**WHEREAS, The costs associated with the aforementioned “double taxation” are virtually always passed on to new home buyers, thereby unnecessarily increasing the cost of home buying in an already stagnant Western New York real estate market, and**

**WHEREAS, Subsequent to receiving State legislative authorization, Erie County’s portion of the real estate transfer tax was enacted pursuant to Local Law #5 on April 6, 1990, and**

**WHEREAS, Based on figures provided by the Niagara Frontier Home Builder’s Association and the Greater Buffalo Association of Realtor’s the “double taxation” issue represents approximately \$150,000 each fiscal year, and**

**WHEREAS, State legislative authorization must precede the development of a local law to address the issue of “double taxation” as it relates to Erie County’s portion of the real estate transfer tax, and**

**NOW, THEREFORE, BE IT**

**RESOLVED, That the Erie County Legislature does hereby memorialize the New**

**York State Legislature to draft and introduce legislation authorizing Erie County to draft a local law eliminating the “double taxation” consequence as it relates to the County’s portion of the real estate transfer tax, and be it further**

**RESOLVED, That certified copies of this resolution be forwarded to New York Governor George E. Pataki, Assembly Speaker Sheldon Silver, Senate majority Leader Joseph Bruno, the members of the Western New York State Legislative delegation, County Budget Director Kenneth Kruly and County Attorney Kenneth Schoetz.**

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

Item Page -1998 (Comm. 9E-20)  
4. **COUNTY EXECUTIVE:**

**WHEREAS, the Town of Lancaster will agree to retain a 15’ easement on each side of parcels SBL# 126.060-4-54 (Countryside Pl.) and SBL# 115.050242 (Jefferson Ave) for County sewers, and**

**WHEREAS, the Town of Lancaster understands that if they were to sell any of the parcels at a future date, the County of Erie would be entitled to share in the profits of those**

sales, and

RESOLVED, that the following described parcels of land be sold without public auction pursuant to Article 14, Section 14-1.0 of the Erie County Tax Act to the Town of Lancaster, 21 Central Avenue, Lancaster, New York 14086 for the sum of One and 00/100 Dollars (\$1.00) each.

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Lancaster, County of Erie and State of New York being part of Farmlot 91, Township 10 Range 6 under Map Cover 2402;

Further described on Erie County Tax Maps as Section, Block and Lot No. 126.060-4-54 (Country Pl. 66.00 x 125.00) and

Intending to convey all land acquired by Erie County as Serial No. 1505 in the County In Rem Tax Foreclosure Action No. 140;

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Lancaster County of Erie and State of New York being part of Farmlot 11, Township 11 Range 6;

Further described on Erie County Tax Maps as Section, Block and Lot No. 115.050-2-42 (Jefferson Ave. {Paper Street} 50.00 x 283.00) and

Intending to convey all land acquired by Erie County as Serial No. 431 in the County In Rem Tax Foreclosure Action No. 141;

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Lancaster, County of Erie and State of New York being part of Farmlot 95, Township 10 Range 6, Sublots 174-178, Block F under Map Cover 604;

Further described on Erie County Tax Maps as Section, Block and Lot No. 115.180-2-14 (00 Penora 150.00 x 125.00) and

Intending to convey all land acquired by Erie County as Serial No. 2047 in the County In Rem Tax Foreclosure Action No. 153; and be it further

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

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

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

Item	Page	-1998	(Comm. 9E-21)
5.	<b>COUNTY EXECUTIVE:</b>		

WHEREAS, the Village of Angola will agree to retain an easement for County Sewer purposes on each of the parcels below, and

WHEREAS, the Village of Angola understands that if they were to sell any of the parcels at a future date, the County of Erie would be entitled to share in the profits of those sales; and

WHEREAS, the Village requests this property to be used for a public works project; and

RESOLVED, that the following described parcels of land be sold without public auction pursuant to Article 14, Section 14-1.0 of the Erie County Tax Act to the Village of Angola, 41 Commercial Street Angola, New York 14006 for the sum of One and 00/100 Dollar (\$1.00) each.

ALL THAT TRACT OR PARCEL OF LAND situate in the Village of Angola, Town of Evans, County of Erie and State of New York being part of Farmlot 63, Township 8 Range 9;

Further described on Erie County Tax Maps a Section, Block and Lot No. 251.070-4-3 (Railroad Avenue 150.00 x 261.04) and

Intending to convey all land acquired by Erie County as Serial No. 238 in the County In Rem Tax Foreclosure Action No. 141;

ALL THAT TRACT OR PARCEL OF LAND situate in the Village of Angola, Town of Evans, County of Erie and State of New York being part of Farmlot 63, Township 8 Range 9;

Further described on Erie County Tax Maps as Section, Block and Lot No. 251.070-4-6 (Railroad Avenue 50.00 x 261.04) and



Intending to convey all land acquired by Erie County as Serial No. 240 in the County In Rem Tax Foreclosure Action No. 141; and be it further RESOLVED, that the Erie County Executive is hereby authorized and directed to execute a quit claim deed conveying the interest of the County of Erie in the above described property to the aforesaid purchaser, and be it further

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

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

Item	Page	-1998	(Comm. 9E-22)
6.	<b>COUNTY EXECUTIVE:</b>		

WHEREAS, the Village of Depew has requested to purchase the County of Erie inventory property as listed above for the purpose of installing a "gateway sign", and

WHEREAS, the Village of Depew understands that if they were to sell this parcel at a future date, the County of Erie would be entitled to share in the profit of that sale; and

RESOLVED, that the following described parcel of land be sold without public auction pursuant to Article 14, Section 14-1.0 of the Erie County Tax Act to the Village of Depew, 85 Manitou Street, Depew, New York for the sum of One and 00/100 Dollars (\$1.00);

ALL THAT TRACT OR PARCEL OF LAND situate in the Village of Depew, Town of Lancaster, County of Erie and State of New York being part of Farmplot 5, Township 11, Range 6, Section 11, Block 78, Sublots 1,2 under May Cover 595;

Further described on Erie County Tax Maps as Section, Block and Lot No. 104.070-3-36 (00 Burlington Avenue, 96.82x100.35) and

Intending to convey all land acquired by Erie County as Serial No.1202 in the County In Rem Tax Foreclosure Action No. 150; and be it further

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

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

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

**CRYSTAL A. PEOPLES**

Chairperson

Ms. Peoples moved the approval. Mr. Holt seconded.

CARRIED UNANIMOUSLY.

Item 17 – Ms. Marinelli presented the following and moved for immediate Consideration. Ms. Peoples seconded.

CARRIED UNANIMOUSLY.

Resolution 176

MAY 7, 1998

COMMUNITY ENRICHMENT  
COMMITTEE  
REPORT NO. 6

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

1. **RESOLVED**, that the following item is hereby received and filed:

Item	Page	-1997	(Int. 20-1)
------	------	-------	-------------

a. **RANZENHOFER**: Banning Foreign Business Travel for ECC's Presidents and Faculty.  
(5-0) Chairman Swanick present as ex-officio member.

Item	Page	-1998	(Comm. 7E-31)
------	------	-------	---------------

2. **COUNTY EXECUTIVE**:

RESOLVED, that the sum of \$15,000 is hereby appropriate to The National Conference in Agency Payments Public Benefit – Budget (DAC Code 110921301830685) for the purpose of funding Youth Programs for Diversity; the source of said funds being a transfer from the Countywide Contingency Account (DAC Code 110923310893); this will bring the total appropriation to the National Conference for this purpose to \$50,000 in 1998; and be it further

RESOLVED, that the County Executive be and is hereby authorized to enter into an agreement with The National Conference to effectuate the purposes of this appropriation; and be it further

RESOLVED, that certified copies of this resolution be sent the County Executive, the County Attorney, the Budget Director and to the Executive Director of The National Conference.

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

**LYNN M. MARINELLI**  
**Chairperson**

Ms. Marinelli moved the approval. Ms. Peoples seconded.

CARRIED UNANIMOUSLY.

**LEGISLATORS RESOLUTIONS**

Item 18 – Mr. Weinstein presented the following resolution and requested that it be referred to the FINANCE & MANAGEMENT COMMITTEE.

GRANTED.

Intro. 10-1 From Legs. Weinstein, Greenan, Marshall, Chase, Larson & Ranzenhofer. Niagara Frontier Planning Association.

Item 19 – Mr. Holt presented the following resolution and moved for immediate consideration. Ms. Peoples seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 177 Re: Eliminated the I-190 Breckenridge and Ogden Street Toll barriers (Intro. 10-2)

WHEREAS, The 1-190 Niagara section of the New York State Thruway serves as one of the main expressways into and out of the City of Buffalo, connecting with both the 1-90 and 1-290, and

WHEREAS, The 1- 190 serves as a key means of access to downtown business, recreational and cultural facilities, and

WHEREAS, It has been demonstrated time and again that a healthy core vital to the overall health of the entire region, and

WHEREAS, The New York State Transportation Authority has imposed a toll on commuters along the 1-190 at both Breckenridge and Ogden Streets; essentially imposing a commuter tax for those entering the City of Buffalo, and

WHEREAS, There is no such toll imposed upon those leaving the city, and

WHEREAS, Buffalo's 1-190 is the only "tributary" to use a toll system; the 39

490 and 590 around Rochester, the 690 in Syracuse, the 890 in Albany, and our own region's 990 all operate without tolls, and

WHEREAS, The elimination of tolls on the Niagara section of the Thruway would literally tear down a barrier for prospective downtown workers, shoppers, and patrons,

NOW, THEREFORE, BE IT

RESOLVED, That the Erie County Legislature does hereby state its strong support for the elimination of the Breckenridge and Ogden Street toll barriers along the I190 Niagara section of the New York State Thruway as a means of boosting downtown business, correcting a current inequity in the thruway tributary toll system, and improving overall accessibility within the region, and be it further

RESOLVED, That this Honorable Body does therefore call upon the New York State Thruway Authority to immediately begin a study on the impact of said matter as a first step in the process of eliminating the aforementioned barriers, and be it further

RESOLVED, That certified copies of this resolution be forwarded to New York State Thruway Authority Spokeswoman Cynthia Munk, New York State Governor George Pataki, the local delegation of the New York State Legislature, Buffalo Place, Inc. Board of Directors Chair C. Stuart Hunt, Main Seneca Corp. President David Sweet, City of Buffalo Mayor Anthony Masiello, and Erie County Executive Dennis Gorski.

**GEORGE A. HOLT, JR.**

**Fiscal Impact:** To be determined.

Mr. Holt moved the adoption of the resolution. Ms. Peoples seconded.

CARRIED Legislator Marinelli voted in the negative.

Ms. Peoples moved to amend Intro 10-2. Mr. Holt seconded.

AMENDMENT TO INTRO. 10-2 (1998)

SUBMITTED BY THE DEMOCRATIC MAJORITY

**ADD, following the second RESOLVE, clause:**

RESOLVED, That this Honorable Body does hereby state its intent to hold a public hearing on said issue to bring together all interested parties and allow all opinions

to be heard, and be it further

CARRIED UNANIMOUSLY.

Item 20 – Ms. Peoples presented the following resolution and moved for immediate consideration. Ms. Marinelli seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 178 Re: High Rates for Car Insurance in Buffalo and New York State. (Int. 10-3)

Chairman Swanick directed that Et A1 be added to the sponsorship.

Ms. Peoples moved the adoption of the resolution as amended. Ms. Marinelli seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 178 Re: High Rates for Car Insurance in Buffalo and New York State. (Int. 10-3)

WHEREAS, A recent study conducted by the New York Public Interest Research Group found that the City of Buffalo has the highest automobile insurance rates in upstate New York, and

WHEREAS, Based on State Insurance Department data looking at rates for 35 year old male drivers with the State's minimum liability plus collision and comprehensive with \$200 deductibles, last year Buffalo residents paid on average \$1,110 for car insurance as opposed to \$635 in Rochester and \$786 in Buffalo suburbs, and

WHEREAS, This study also found New York State has the Country's second highest average car insurance rates, trailing only New Jersey, and

WHEREAS, It is not clear why Buffalo's car insurance rates are among the highest in the State and why New York's rates are among the highest in the Country,

NOW, THEREFORE, BE IT

RESOLVED, That the Erie County Legislature is deeply concerned about the high automobile insurance rates for the residents of Buffalo and the Citizens of New York State, and be it further

RESOLVED, That this Honorable Body does hereby request for Public Hearings to be conducted on the State level by the Executive or Legislative Branch to discuss this issue, and be it further

RESOLVED, That the Erie County Legislature furthermore requests the presence of Stanley Keysa, Erie County Economic Development Coordinator, at an upcoming meeting of the Finance and Management Committee to further review this matter, and be it further

RESOLVED, That certified copies of this resolution be forwarded to Governor George E. Pataki, Senate Majority Leader Joseph Bruno, Assembly Speaker Sheldon Silver, County Executive Dennis Gorski and Economic Development Coordinator Stanley Keysa.

CHARLES M. SWANICK

CRYSTAL D. PEOPLES

Item 21 – Ms. Chase presented the following resolution and requested that it be forwarded to the PUBLIC SAFETY COMMITTEE. Mr. Larson seconded.

GRANTED.

Intro. 10 – 4 Re: Support for Criminalizing Use of Animals to Attack Police and Other Public Officials

WHEREAS, state legislation (S.6156) has been introduced which would amend the Penal Law, in relation to unlawful acts of using a dangerous animal to obstruct governmental administration, and

WHEREAS, a common practice of certain criminals, especially drug dealers operating out of their homes, is to raise attack dogs in order to attack and impede police during raids and other legitimate police operations, and

WHEREAS, current law governing use of attack dogs is vague and use of attack dogs is not subject to criminal prosecution under most circumstances, and

WHEREAS, S.6156 was drafted at the suggestion of police officers and other members of the law enforcement community, and

WHEREAS, Senate Bill S.6156 would amend section 120.05 subdivision 3 and section 195.05 of the Penal Law, and

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby recognize that ensuring the safety of our police officers and preventing abuse of animals is a top priority, and be it further

RESOLVED, that the Erie County Legislature does hereby memorialize the NYS Legislature to pass and Governor George Pataki sign into law Senate Bill S.6156 to amend the New York State Penal Law in order to impose appropriate sentencing against those convicted of using attack dogs to fend off law enforcement, and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to Governor George E. Pataki, Senator Dale Volker, Assemblyman Sam Hoyt, members of the Western New York State Delegation, Erie County Sheriff Patrick Gallivan, Captain Ed Hempling of Buffalo Narcotics and Vice Bureau and police chiefs of all municipalities in Erie County.

JEANNE Z. CHASE  
12th District

**FISCAL IMPACT: No fiscal impact.**

Item 22- Ms. Peoples presented the following resolution and moved for

immediate consideration. Mr. Kuwik seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 179 Re: Support and Preservation of Geneva B Scruggs Center. (Int. 10-5)

WHEREAS, Geneva B. Scruggs Center is a cornerstone of the 7' legislative district, located on the Grider Street campus of the Erie County Medical Center, and

WHEREAS, The Health Center is aptly named after long time community activist, Geneva B. Scruggs, a former Parks and Recreation Department attendant assigned to Sperry Park who not only fulfilled her duties as parks attendant in an exemplary manner but imbued the doctrines of integrity, cultural pride and self-discipline to neighborhood families and children who frequented the park by mentoring them, and

VMEREAS, The Geneva B. Scruggs Health Center is the only African American based health facility in Erie County that provides ambulatory care, and

WHEREAS, Geneva B. Scruggs Center was founded in 1979, and among the many services provided to the community, offers OB GYN and pre-natal care, preventative medical and dental services, AIDS treatment, mental health and family counseling, youth advocacy programs and foster care assistance as well as the operation of their Intermediate Care Facility (ICF) which remains unrivaled by surrounding communities in the care and housing of developmentally disabled persons, and

WHEREAS, The implementation of Medicaid Managed Care, competitive health care and Medicaid deregulation has created a hostile and aggressive environment full of rivalry and contentiousness as regards policies, procedures and reimbursement rates for services to the poor and indigent, and

WHEREAS, The community is in jeopardy of losing this facility, a loss that would have a negative impact on the stability of an already economically depressed service population as well as impede the continuity of care of its established patient constituency, which includes many who are uninsured or under-insured and receive services without regard for ability to pay, and

WHEREAS, The community would be unduly affected by the loss of hundreds of j which would create both a hardship and a void that cannot otherwise be filled in terms of employment,

NOW, THEREFORE BE IT,

RESOLVED, That the Erie County Legislature does hereby affirm its effort to



preserve the Geneva B. Scruggs Health Center to ensure that viable, accessible health care is maintained in this community, to promote the continuity of care to their established client base and to foster a meaningful and collaborative relationship between Geneva B. Scruggs Health Center and its host, the Erie County Medical Center (ECMC) on the same campus, and be it further

RESOLVED, That this Honorable Body does hereby reaffirm its commitment to the protection of primary care and health services in an environment that operates at a high level of

efficiency, integrity and credibility, and be it further

RESOLVED, That certified copies of this resolution be forwarded to Erie County Executive Dennis T. Gorski, Erie County Medical Center President and CEO Paul Candino, Buffalo General Hospital CEO John Frelander, Geneva B. Scruggs Legal Counsel Terrence McKelvey, and Geneva B. Scruggs CEO Michael Miller.

Fiscal Impact: none for resolution

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

Ms. Peoples moved the adoption of the resolution as amended. Mr. Holt seconded.

CARRIED UNANIMOUSLY.

Item 23 – Mr. Holt presented the following a requested that it be forwarded to the PUBLIC SAFETY COMMITTEE. Ms. Peoples seconded.

GRANTED

Intro. 10-6 Re: Opposing New York State's Early Release of Illegal Immigrant Drug Dealers.

WHEREAS, Drug dealers are a problem that has permeated nearly community to some extent, and

WHEREAS, In order to win the war on drugs, dealers must be effectively dealt with through the legal system, and

WHEREAS, The situation is made inequitable when drug dealers are able to get away from even minimum sentences before they are completed, and

WHEREAS, Such a situation exists in New York State, where Governor Georg

Pataki is allowing illegal immigrant drug dealers to be deported before their minimum sentences are served, and

WHEREAS, There is no guarantee that once arriving in their home country they will return to incarceration, thus allowing them to essentially walk away from the crimes they have committed, and

WHEREAS, While this Honorable Body does agree with the deportation of illegal immigrant repeat drug dealers, deportation should occur only after these felons have paid their debt to the society in which they perpetrated their crimes,

NOW, THEREFORE, BE IT

RESOLVED, That the Erie County Legislature does hereby state its opposition to New York State Governor George Pataki's early release of convicted drug dealers before they have served out their minimum sentences, and be it further

RESOLVED, That this Honorable Body does hereby memorialize Governor Pataki to alter his policy on illegal immigrant drug dealers so that they serve out at least their minimum sentence prior to deportation, and be it further

RESOLVED, That certified copies of this resolution be forwarded to New State Governor George Pataki and the local delegation of the New York State Legislature.

**GEORGE A. HOLT, JR.**

**Fiscal Impact:** None for resolution.

Item 24 – Ms. Peoples presented the following resolution and moved for immediate consideration. Ms. Marinelli seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 180 Re: 8-Year Review of Sardinia Agricultural District

Ms. Peoples moved the adoption of the resolution. Ms. Marinelli seconded.

CARRIED UNANIMOUSLY.

Item 25 – Mr. Larson presented the following resolution and moved for immediate consideration. Mr. Marshall seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 181 Re: Support for Governor Pataki's Plan to Upgrade  
Route 219 ADDITIONAL SPONSORS: DEBENEDETTI & PAULY.

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

Mr. Larson moved the adoption of the resolution as amended. Mr. Marshall seconded.

Item 26 – Ms. Peoples presented the following resolution and moved for immediate consideration. Mr. Kuwik seconded.

CARRIED UNANIMOUSLY

RESOLUTION NO. 182

Re: Budgetary Adjustment.

Ms. Peoples moved the adoption of the resolution. Mr. Kuwik seconded.

Item 27 – Ms. Marinelli presented the following resolution and moved for immediate consideration. Ms. Peoples seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 183 Re: Additional Funding to Support Ellicott Creek Park  
(Intro. 10-10).

Ms. Marinelli moved the adoption of the resolution. Ms. Peoples seconded. Mr. Marshall abstained.

CARRIED UNANIMOUSLY.

WHEREAS, the beautiful Ellicott Creek Park is a part of the Erie County Parks System, and

WHEREAS, the Department of Parks has identified a shortfall in funding for maintenance and repairs to Ellicott Creek Park, and will require additional funds, 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 \$5,600 from the legislative contingency (Countywide Contingency DAC: 110923310893) to Fund 110, Project 942, Department 640 – Department of Parks, Recreation & Forestry-Parks (DAC 110942640823) for the purpose of maintenance and repairs to Ellicott Creek Park, and be it further

RESOLVED, that the Clerk of the Legislature, the Director of the Division of Budget, Management & Finance, and the Commissioner of the Department of Parks, Recreation and Forestry are hereby authorized to complete any paperwork necessary to effectuate this transfer of funds, and be it further

RESOLVED, that certified copies of this resolution be sent to County Executive Dennis Gorski, County Comptroller Nancy A. Naples, Budget Director Kenneth C. Kruly, First Assistant County Attorney Alan Gerstman, and to Parks, Recreation and Forestry Commissioner James J. Jankowiak.

---

LYNN M. MARINELLI

Fiscal Impact: Appropriation of 1998-budgeted funds.

Item 28 – Ms. Peoples presented the following and moved for immediate consideration. Ms. Marinelli seconded.

CARRIED UNANIMOUSLY

RESOLUTION NO. 183 Re: Support for Community Senior Citizens' Programs (Intro. 10-11)

Ms. Peoples moved the adoption of the resolution.

CARRIED UNANIMOUSLY.

WHEREAS, the Legislature set aside funds in the 1998 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 \$5,600 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>
Grand Island Golden Age Ctr.	n/a	\$5,000
Mang Park Senior Citizens	n/a	\$600

**TOTAL**

**\$5,600**

and be it further

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

RESOLVED, that certified copies of this resolution be sent to County Executive Dennis Gorski, County Comptroller Nancy A. Naples, Budget Director Kenneth C. Kruly, First Assistant County Attorney Alan Gerstman and to Dorothy I. Rowswell, Director, Town of Grand Island Golden Age Center, 3278 Whitehaven Rd., Grand Island, NY 14072 and LeRoy Fiedler, Chairperson, Mang Park Senior Citizens, 135 Wilber, Kenmore, NY 14217.

---

CHARLES M. SWANICK

**Fiscal Impact:** Appropriation of 1998-budgeted funds.

Item 29 – Mrs. Fisher presented the following and moved for immediate approval. Mr. Holt seconded.

CARRIED UNANIMOUSLY

RESOLUTION NO. 184 Re: Additional Funding for Neighborhood Initiatives (Intro. 10-12)

Mr. Holt moved the adoption of the resolution. Ms. Peoples seconded.

CARRIED UNANIMOUSLY.

WHEREAS, the Legislature set aside funds in the 1998 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 \$16,000 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>
<b>Days Park School Com. Playground</b>	<b>n/a</b>	<b>\$5,000</b>
<b>Augustine Olivencia Center</b>	<b>830/0568</b>	<b>\$2,000</b>
<b>Parkside Community Association</b>	<b>830/0643</b>	<b>\$9,000</b>
<b>TOTAL</b>		<b>\$16,000</b>

and be it further

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$8,000 from the legislative contingency (Countywide Contingency DAC: 110923310893) to Fund 110, Project 939, Department 630 Senior Services - Administration – (DAC 110939630830220), for paying the following agency:

ERIE COUNTY LEGISLATURE

<u>NAME</u>	<u>LINE</u>	<u>BUDGET</u>	<u>AMOUNT</u>	<u>+/-</u>	<u>NEW</u>
<u>AMOUNT</u>					
Hispanics United Of Buffalo	830/0220	\$5,000	\$8,000		\$13,000
<b>TOTAL</b>			<b>\$8,000</b>		

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 the Clerk of the Legislature, the Director of the Division of Budget, Management & Finance, and the Commissioner of Senior Services, are hereby authorized to complete any paperwork necessary to effectuate this transfer of funds, and be it further

RESOLVED, that certified copies of this resolution be sent to County Executive Dennis Gorski, County Comptroller Nancy A. Naples, Budget Director Kenneth C. Kruly, First Assistant County Attorney Alan Gerstman and to Gregg Borland, Days Park School, Community Playground Committee, 10 Days Park, Buffalo, NY 14201, Shirley Millan, Augustine Olivencia Center, 261 Swan Street, Buffalo, NY 14204, Mary Simpson, Parkside Community Association, 2318 Main Street, Buffalo, New York 14214, Hispanics United of Buffalo, 254 Virginia St., Buffalo, NY 14201.

---

JUDITH P. FISHER

**Fiscal Impact:** Appropriation of 1998-budgeted funds.

Item 30 – Mr. Dusza presented the following resolution and moved for immediate



approval. Mr. Kuwik seconded

CARRIED UNANIMOUSLY.

RESOLUTION NO. 185 Support for Community Services. (Intro. 10-13)

WHEREAS, the Legislature set aside funds in the 1998 Erie County Bud 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 this transfer of funds,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$3,500 from the legislative contingency (Countywide Contingency DAC: 110923310893) to Fund I 10, Proj ect 92 1, Department 3 01 Agency Payments & Grants - Public Benefit Services, (DAC: 110921301830), for paying the following agency:

NAME	LINE	<u>AMOUNT</u>
Union Occupational Health Ctr.	n/a	\$3,500
<b>TOTAL</b>		<b>\$3,500</b>

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 Dennis Gorski, County Comptroller Nancy A. Naples, Budget Director Kenneth Kruly, First Assistant County Attorney Alan Gerstman and to Raymond Struzik, Executive Director, Union Occupational Health Center, 450 Grider, Buffalo, N-Y 14215.

RAYMOND DUSZA

Fiscal Impact: Appropriation of 1998-budgeted funds.

Mr. Dusza moved the adoption of the resolution.

CARRIED UNANIMOUSLY.

Ms. Peoples moved to amend the resolution. Mr. Kuwik seconded.

AMENDMENT TO INTRO. 10-13 (1998)

ADD the following after the third WHEREAS clause:

WHEREAS, funds authorized for transfer in Legislative Intro. 9-19 (1998), constituting \$3,500 for the Neighborhood Information Center, must be reallocated by this Legislature, and

WHEREAS, the Legislature may make this reallocation within the budget for Department 301 Agency Payments & Grants - Public Benefit Services,

ADD the following after the second RESOLVE clause:

RESOLVED, that this Honorable Body does hereby authorize the transfer of funds within Fund I 10, Project 92 1, Department 301 Agency Payments & Grants - Public Benefit Services (DAC: 110921301830), as follows:

<u>AGENCY</u>	<u>ORIGINAL AMOUNT</u>	<u>+/-</u>	<u>NEW AMOUNT</u>
Neighborhood Information Center	\$3,500	(\$1,500)	\$2,000
<u>Neighborhood Information Center for:</u>			
Southline Athletic Association, Inc.	-0	\$1,000	\$1,000
St. Josephat's Boy Scout Troop #223	-0	\$500	\$ 500
<b>TOTAL</b>		<b>\$0</b>	

And be it further

Ms. Peoples moved to approved the resolution as amended. Mr. Kuwik seconded.

CARRIED UNANIMOUSLY.

Item 31 – Mr. Dusza presented the following resolution and moved for immediate approval. Mr. Larson seconded.

RESOLUTION NO. 186 Re: Improving Elevator Service at 25 Delaware Avenue. (Intro. 10 – 14)

WHEREAS, The 25 Delaware Avenue office building houses the Erie County Court, the County Clerk's Office, the Department of Motor Vehicles, ~s well as other county departments, and

WHEREAS, In addition to the many employees in the building and custom the various departments, there is also a weekly influx of jurors, and

WHEREAS, While, at full capacity, the elevator system in the building may we be able to effectively handle this number of people, it appears that the elevator system seldom operates at full capacity, and

WHEREAS, Frequent breakdowns of the elevators actually in operation are also a recurring problem,

NOW, THEREFORE, BE IT

RESOLVED, That the Erie County Legislature does hereby request Erie County Department of Public Works Deputy Commissioner John Loffredo appear at a future meeting of the Legislature's Government Affairs Committee as a first step in rectifying the elevator problem at the 25 Delaware Avenue office building, and be it further

RESOLVED, That certified copies of this resolution be forwarded to Erie County Department of Public Works Deputy Commissioner John Loffredo, and Erie County Executive Dennis Gorski.

**RAYMOND K. DUSZA**

**Fiscal Impact:** None for resolution.

DALE W. LARSON

Mr. Dusza moved the adoption of the resolution. Mr. Kuwik seconded

CARRIED UNANIMOUSLY.

Item 32 – Ms. Peoples presented the following resolution and moved for immediate approval. Mr. Kuwik seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 188 Re: Supporting Principled Workfare in Erie County  
(Intro 10-15).

**WHEREAS**, As the result of welfare reform, many welfare recipients are now required to participate in the workfare program in order to receive their benefits, and

WHEREAS, As is the case with all workers, workfare participants rely on jobs to provide for themselves and their families, and

WHEREAS, It is important that workfare participants be treated fairly in their jobs, that they receive meaningful work as an opportunity to gain skills necessary for self-sufficiency, and that they not be asked to perform any duties that other workers are not required to do, and

WHEREAS, Likewise, it is also important that existing employees not lose their jobs to workfare workers, or that employers use workfare as leverage to lower wages or unduly increase duties of existing employees, and

WHEREAS, In an effort to effectively deal with the aforementioned issues the Coalition for Economic Justice has developed a Community Statement of Principles of Fair Work for Workfare that they are encouraging organizations to sign on to, and

WHEREAS, The statement calls for enactment of the following principles:

1. In recognition of the historic struggle for decent and humane working conditions in this country, workfare participants are entitled to all rights currently enjoyed by public and private employees in the United States.
2. Workfare participants may never be used to replace or displace working people earning a wage.
3. As required by New York State law, before assigning a person to workfare, the Department of Social Services must first try to find employment in the private sector.
4. Workfare involves mutual obligations among workfare participants, the Department of Social

Services and the worksite employer. Participants are responsible for striving to acquire the skills necessary for full-time employment. The Department of Social Services must

meet its

legal obligation of developing an employment plan for each welfare recipient so that workfare leads to a job, not to continued dependence on welfare; such an employment plan

must provide for the training needed to secure permanent employment. The employer must

commit to providing training and skills needed to do the job successfully.

5. Before placing a recipient in workfare, the worksite must develop an actual job description

for the placement, and a pledge that workfare participants will be considered for any future

job openings.

NOW, THEREFORE, BE IT

RESOLVED, That the Erie County Legislature does hereby state its support for the concept of the Coalition for Economic Justice's Community Statement of Principles of Fair Work for Workfare, and be it further

RESOLVED, That this Honorable Body does request that Erie County Department of Social Services Commissioner Deborah Merrifield and Coalition for Economic Justice Executive Secretary Joan Malone appear at a future meeting of the Legislature's Social Services Committee to discuss said principles in greater detail, and discuss the feasibility of implementing them in Erie County, and be it further

RESOLVED, That certified copies of this resolution be forwarded to Erie County Executive Dennis Gorski, Erie County Department of Social Services Commissioner Deborah Merrifield, and Coalition for Economic Justice Executive Secretary Joan Malone (2133 Bailey Ave. Buffalo, NY 14211).

**CRYSTAL D. PEOPLES**

**Fiscal Impact:** None for resolution.

**BARRY A. WEINSTEIN, M.D.**

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

Ms. Peoples moved the adoption of the resolution as amended. Mr. Weinstein seconded.

CARRIED UNANIMOUSLY.

Item 33 – Mr. DeBenedetti presented the following resolution and moved for immediate consideration. Mr. Holt seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 189 Re: Buffalo School Board Elections (Intro. 10-16)

WHEREAS, The City of Buffalo holds School Board elections in May, and

WHEREAS, The 1998 election attracted 4.2 percent of eligible voters, or of 165,045 registered, and

WHEREAS, Since voters are accustomed to autumn elections, citizen participation is effectively discouraged by May balloting, and

WHEREAS, The election cost the School Board \$120,000, or \$17.30 per ballot, and

WHEREAS, Funds should not be wasted needlessly in a School District regularly requests additional assistance from various levels of government, and

WHEREAS, School Board elections are held in May rather than November to avoid purported political interference in these non-partisan races, and

WHEREAS, It must be determined whether it is cost effective for the City of Buffalo School Board to continue sponsoring May elections in the hope of maintaining some intangible notion of purity, and

WHEREAS, The Village of Kenmore recently shifted its School Board from March to November.

NOW, THEREFORE, BE IT

RESOLVED, That the Erie County Legislature believes it is in the best interest of the taxpayers and voters in the City of Buffalo to move its School Board elections to November, and be it further

RESOLVED, That certified copies of this resolution be forwarded to Mayor Anthony Masiello, the Buffalo Common Council, and the Buffalo School Board.

Al DeBenedetti

6th District

Lynn-Marinelli

I Ith District

Mr. DeBenedetti moved the adoption of the resolution. Mr. Olma seconded.

CARRIED UNANIMOUSLY.

Ms. Peoples moved to amend the resolution. Mr. Holt seconded.

AMENDMENT TO INTRO. 10- 16 (1998)

SUBMITTED BY THE DEMOCRATIC MAJORITY

DELETE, in its entirety, the eighth NVHEREAS clause, and REPLACE with the following:

WHEREAS, The voters of the Village of Kenmore recently shifted its elections from March to November for cost savings,

Ms Peoples moved to approved the resolution as amended.

CARRIED UNANIMOUSLY.

Item 34 – Mr. Weinstein presented the following resolution and moved for immediate consideration. Mr. Larson seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 190 Re: Support for Amherst Hublink Pilot Project Proposal. (Intro. 10-17)

WHEREAS, over the past several years the number of entry level jobs has increased dramatically in the Town of Amherst, considerably more than any other municipality in Erie -0 County, and

WHEREAS, the Amherst/Buffalo corridor has been the focus of marketing activities between

Town of Amherst and City of Buffalo to expand existing businesses and attract new employers F2J r1n these localities, and

WHEREAS, although Metro's fixed-route service on the Route 44-Lockport bus operates sufficient peak hour service in the corridor between the University of New York at Buffalo' South and North Campus (which is located on Millersport Highway), it does not provide adequate direct service to the many businesses located in the Audubon Industrial Park and Audubon Office Park, and

WHEREAS, it is the intent of the Niagara Frontier Transportation Authority (NFTA) to improve transit service in the Amherst/Buffalo corridor in order to create a more seamless transit system through the development of public bus and van shuttles, and

✓ WHEREAS, it is also the goal of the ~~NFTA~~ to use the North Campus of the University of New York at Buffalo as a HUB in order to aid in the development of a "employer shuttle" route that will service employment sites in the Audubon Industrial Park and Amherst Office Park, and

WHEREAS, the van shuttle is proposed to provide direct and frequent coordinated services with reasonable running times to individuals companies, and

✓ WHEREAS, the Amherst ~~H~~HUBLINK Pilot Project Proposal would provide much-needed transportation service to employees working in the Audubon Industrial Park and Audubon Office Park, and, hopefully, encourage more economic development and job creation to take place in the Town of Amherst and City of Buffalo

**NOW, THEREFORE, BE IT**

RESOLVED, that the Erie County Legislature does hereby state its support for the Amherst HUBLINK Pilot Project Proposal, and be it further

RESOLVED, that certified copies of the resolution be forwarded to NFTA Executive Director Larence Meckler, Amherst Supervisor Susan Grelick and members of the Amherst Town Board, Amherst IDA Director James Allen, and UB President William Greiner.

BARRY A. WEINSTEIN, M.D.

Fiscal Impact: none to county.

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

Mr. Weinstein moved the adoption of the resolution as amended. Mr. Marshall seconded.

CARRIED UNANIMOUSLY.



Ms. Peoples moved to amend the resolution. Ms. Marinelli seconded.

AMENDMENT TO INTRO. 10- 17 (1998)

SUBMITTED BY THE DEMOCRATIC MAJORITY

**ADD, following the third WHEREAS clause:**

WHEREAS, It is imperative to the overall health of the region that those most in need of jobs be able to access them; in Erie County this means opening up the lines of transportation to those in need of jobs who are located in the urban core of Buffalo so that they may access employment in the inner and outer ring suburbs where there is increased opportunity, and

**ADD, following the first RESOLVE clause:**

RESOLVED, That this Honorable Body does hereby request that NFTA Executive Director Lawrence Meckler, Amherst Supervisor Susan Grelick and members of the Amherst Town Board, Amherst IDA Director James Allen and UB President William Greiner appear at a future meeting of the Legislature's Government Affairs Committee to participate in the discussion of the full HUBLINK proposal, and be it further

Ms. Peoples moved to approve the resolution as amended. Mr. Dusza seconded.

CARRIED UNANIMOUSLY.

**COMMUNICATIONS DISCHARGED FROM COMMITTEE**

Item 35 – Mr. Fitzpatrick moved to discharge the ECONOMIC DEVELOPMENT COMMITTEE from further consideration of Comm 9D-27. Mr. Kuwik seconded.

CARRIED UNANIMOUSLY. **WHEREAS, a project for the Replacement of Fisher Road Bridges, over Smokes Creek, BR 459-1, 2, and 3, BIN 3-32768-0, BIN 3-32769-0 and BIN 3-32770-0, Town of West Seneca, Erie County, PIN 5753.71, funded for in Title 23, U.S. Code, as amended, calls for the apportionment of the costs such program to be borne at the ratio of 80t Federal funds and 20t nonFederal funds, and**

WHEREAS, the County of Erie desires to advance the Project by making commitment of loot of the non-Federal share (20t) of the costs of Preliminary Engineering (Design I-VI), Right-of-Way Incidentals, Right-of-Way Acquisition, and Construction Phases of the Project or portions thereof, with the federal share of such

costs to be applied directly by the New York State Department of Transportation (~~NYS~~DOT) pursuant to Agreement.

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

RESOLVE, that the County Legislature of the County of Erie hereby approves the 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 costs of Preliminary Engineering (Design I-VI), Right-of-Way (Incidentals & Acquisition) and Construction Phases of the project or portions thereof; and be it further

RESOLVED, that the sum of \$372,000.00 is hereby appropriated from the 1997 Federal Aid Program (in addition to \$113,000 previously appropriated for the project's Preliminary Engineering (Design I-VI) and Right-of-Way Incidentals Phases via Erie County Resolution Nos. 12D-15 and 23D-9 adopted on 7/7/94 and 12/21/95 respectively) 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 of the costs of project exceed the amount appropriated above, the County of Erie shall convene its Legislature as soon as possible to appropriate said excess amount

*Remove Bold*

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

RESOLVED, that the Clerk of the Legislature forward ten (10) certified copies

Mr. Fitzpatrick moved to approve Comm. 9D-27. Ms. Peoples seconded.

CARRIED UNANIMOUSLY

Item 36 – Ms. Peoples moved to discharge the GOVERNMENT AFFAIRS COMMITTEE from further consideration of Int 9-25. Mr. Kuwik seconded.

CARRIED. Legislator Marinelli in the negative.

WHEREAS, The New York State Thruway operates toll barriers in Lackawanna, Hamburg and Eden-Evans, and

WHEREAS, These toll barriers experience noise, pollution and traffic congestion and impose an unnecessary financial hardship on the residents of Erie Countys southern towns and villages, many of whom must travel the New York State Thruway to and from their homes or places of business, and

WHEREAS, It is in the best interests of homeowners and businesses located in the Southtowns to have the New York State Thruway toll barriers at Lackawanna, Hamburg and Eden-Evans relocated to a more appropriate westerly position,

NOW, THEREFORE, BE IT

RESOLVED, That this Honorable Body does hereby support, in concept, the relocation of the Lackawanna, Hamburg and Eden-Evans New York State Thruway toll barriers to a more appropriate westerly position, and be it further

RESOLVED, That a certified copy of this resolution be forwarded to the Chairman of the New York State Thruway Authority, Governor George Pataki, and to the members of the Western New York State Legislative Delegation.  
Fiscal Impact: none to county

**JEANNE Z. CHASE - 12th District**

Ms. Peoples moved to amend Int. 9-25. Mr. Kuwik seconded.

Add the following to the sponsorship of Int. 9-25. Legislators Kuwik, Fitzpatrick, Holt, Fisher, Olma, DeBenedetti, Peoples, Dusza, Greenan, Swanick, Marshall, Pauly, Ranzenhofer and Larson.

Ms. Peoples moved to approve Int. 9-25 as amended. Mr. Kuwik seconded.

CARRIED. Legislator Marinelli in the negative.

RESOLVED, That the Erie County Legislature does hereby recognize that Erie County is in possession of unused photographic equipment at the E.J. Meyer Hospital, and be it further

RESOLVED, That this honorable body authorizes Erie County to transfer ownership of the following equipment to the Depew Police Department: Any color photographic enlarger, Black/white photographic enlarger, camera stands, tripods, additional camera lighting, base cabinets, photographic light tables & file cabinets, any and all photographic support equipment stored in unopened boxes including but not limited to additional lenses, wiring timers, chemical processing equipment, and be it further,

RESOLVED, That certified copies of this resolution be forwarded to Erie County Director of Purchasing John Doyle, Erie County Attorney Kenneth Schoetz and Steven L. Lehman of the Depew Police Department.

GRANTED

Comm. 10-18

Chairman SWANICK directed that Comm 10-18 be referred to the Government Affairs Committee.

Item 38 – Ms. Peoples moved for a suspension of the rules to include an item not on the agenda.

GRANTED.

Comm. 10 E-1 Resolution No. 193

CARRIED UNANIMOUSLY.

May 1, 1998

The Hon. David J. Swarts  
Erie County Clerk  
25 Delaware Avenue  
Buffalo, NY 14202

Dear David,

**25 Delaware Avenue  
Buffalo, New York 14202**

I am pleased to submit the name of Susan K. Jaros, Amherst Town Clerk, as the Republican appointment to the Erie County Records Management Committee. I am confident that Ms. Jaros will serve on the Committee with distinction.

Ms. Jaros can be contacted at Amherst Town Hall, 5583 Main Street, Williamsville, 14221 or by calling 631-7045.

Thank you for your attention to this letter.

Sincerely

FREDERICK J. MARSHALL  
Minority Leader  
Erie County Legislature

FJM,ps

CC: S. Jaros

**COMMUNICATIONS FROM ELECTED OFFICIALS**

**FROM LEGISLATOR MARSHALL**

Item 39 – (Comm. 10 E – 1) Copy of Letter to Erie County Clerk Re: Appointment to Erie County Records Management committee.

RECEIVED, FILED & PRINTED.

Item 40 – (Comm. 10 E-2) Letter to Chairman Swanick Re: Richard Brox as Republican Appointment to Erie County Courthouse Committee

RECEIVE AND FILE

**FROM CHAIRMAN SWANICK**

Item 41 – (Comm. 10 E-3) Copy of Letter to DPW Re: Appoint of Charles M. Swanick & Richard Brox to Erie County Courthouse Exterior Review Committee.

May 1, 1998

Commissioner John Loffredo  
Department of Public Works  
95 Franklin Street,  
14<sup>th</sup> Floor  
Buffalo, NY 14202

Dear Commissioner Loffredo:

Pursuant to the authority vested in me, I hereby appoint the following individuals to the Erie County Courthouse Exterior Review Committee:

**Charles M. Swanick**, Chairman, Erie County Legislatur  
25 Delaware Ave., 7h Floor, Buffalo, NY 14202

Richard Brox  
119 Westfield Drive, Eggertsville, NY 14226

Very truly yours,

Charles M. Swanick  
Chairman

cc: Richard Brox

RECEIVED, FILED & PRINTED

Item 42 – (Comm. 10 E-4 ) Notice of Informational Briefing on the Buffalo Bills  
Lease Held 5/11//98

RECEIVED AND FILED

FROM COUNTY EXECUTIVE

Item 43 – (Comm. 10 E-5) Position Change Report

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM LEGISLATOR MARINELLI

Item 44 – (Comm. 10 E-6) Memo to Legislator Fisher Re: Future ECMC Operational Discussion Items.

Received and referred to the HEALTH COMMITTEE.

FROM THE COMPTROLLER

Item 45 – (Comm. 10 E-7) Copy of Letter to County Executive & Legislature Re: Buffalo Bills Lease.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE COUNTY EXECUTIVE

Item 46 – (Comm. 10 E-8) Social Services – DSS/Family Court Foster Care Improvement Project.

Item 47 – (Comm. 10 E-9) Youth Services – Authorization to Receive Funds & Contract with Boys & Girls Club of Buffalo.

Item 48 – (Comm. 10 E-10) Youth Services – Authorization to Accept State Funds & Transfer Funds to ECMC.

Item 49 – (Comm 10E-11) Senior Services – Authorization to Revise Grant Budgets

The above four items were received and referred to the SOCIAL SERVICES COMMITTEE.

Item 50 – (Comm. 10E-12) Contract ECIDA for Feasibility Study & Preliminary Engineering for “CHIP FAB” Plant in West Seneca.

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 51 – (Comm. 10 E-13) Youth Services – Authorization to Contract – Delinquency Prevention Programs.

Received and referred to the SOCIAL SERVICES COMMITTEE.

Item 52 – (Comm. 10E-14) County Clerk – Auto Bureau Lease for Orchard Park Auto Bureau.

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

Item 53 – (Comm. 10E-15) ECSD No. 4 – Depew Pumping Station Contract EC-6a- Change Order No. 2 Granville Constructors, Inc.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 54 – (Comm. 10E-16) Health – Infant Mortality Review Program 7/1/98 – 6/30/99.

Received and referred to the HEALTH COMMITTEE.

Item 55 – (Comm. 10E-17) ECSD No. 2 Big Sister Bank Erosion Project – Contract 40 Contract Close Out.

Item 56 – (Comm. 10E-18) Buffalo & Erie county botanical Gardens – 1995 Historic Preservation Grant Project Agreement & 1998 Historic Preservation Grant Application.

Item 57 – (Comm. 10E-19) City of Tonawanda 1997 County consolidation Funding.

Item 58 – (Comm. 10 E-20) ECSD Nos. 1,4 & 5 – Engineering Service Agreement for Administrative Building Extension & Site Improvements.

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

Item 59 – (Comm. 10 E-21) Health – County Health Services Lackawanna Health Center.

Received and referred to the HEALTH COMMITTEE.

Item 60 – (Comm. 10 E-22) Granting National Fuel Gas Distribution Corp. a Right of Way Over, Under and/or Through Lands of County of Erie Situate in Town of Cheektowaga.

Received and referred to the FINANCE & MANGEMENT COMMITTEE.



COMMUNICATIONS FROM THE DEPARTMENTS

FROM THE COUNTY ATTORNEY

Item 63 – (Comm. 10 D-1) Notice of Approval by County Executive of Resolutions Nos. Int. 6-15, Comm. 7E-14, Int. 8-9, Int. 8-11 & Int. 8-12

WHEREAS, National Fuel Gas Distribution Corporation has asked the County of Erie for a Right of Way over, under and/or through the County Owned parcel located on Genesee Street, Cheektowaga, New York, SBL# 91.19~1-19, and

WHEREAS, this Right of Way would be used to upgrade the main gas line pressure to commercial customers along Old Genesee Road, and

WHEREAS, it is necessary that this approval be granted to allow this Right of Way to be issued, and

WHEREAS, the Deputy Commissioner of Real Property Tax has determined that this Right of Way can be granted, and

WHEREAS, if this Right of Way is not granted, the commercial customers along Old Genesee Road would not receive the gas service to operate, and

WHEREAS, the Grantee, agrees to repair any damage which may result from its acts in laying maintaining, operating, changing, extending, relaying and removing said pipeline, and

WHEREAS, the Grantee, its successors and assigns, is further granted the right, from time to time, to lay additional pipelines within the right of way, and

WHEREAS, the Grantee, its successors and assigns, shall have unimpaired ingress, egress and access to and from the right of way together with the right to make installations to furnish gas service from such pipeline as is/are necessary and/or convenient to the exercise of the rights granted herein, and

WHEREAS, the Grantor agrees not to permit or create any permanent obstruction of any kind within the right of way, and

WHEREAS, the Grantor retains full use and enjoyment of said premises except as limited by the rights herein granted to the Grantee, and

WHEREAS, the Grantee agrees to indemnify, defend and hold harmless Grantor, its successors and assigns, from any and all liability, cost, expense or claim arising out of

or connected with Grantee's presence on Grantor's property or the exercise of Grantor's rights hereunder,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Executive is authorized to deliver to the National Fuel Gas Distribution Corporation, 10 Lafayette Square in Buffalo, New York in consideration of One and 00/100 Dollars (\$1.00) a Right of Way of an area being - 15 - feet in width adjacent to the easterly property boundary of County owned land referenced above with the right to lay, maintain, alter, operate, relocate, remove and change the size of a pipeline and to install cathodic protection devices, cable, regulators, connections, valves, fittings, and accessories and do such other activity as is necessary and/or convenient for system maintenance, transportation and distribution of gas, over, under and/or through this parcel situated in the Town of Cheektowaga, County of Erie and State of New York bounded or described as follows:

Northerly by Fuchs; Easterly by NYS Thruway; Southerly by Genesee Street and Westerly by Della Penta as referenced in Deed Liber 8280, Page 353, Lot 17, Twp. 11, Range 7, and be it further

RESOLVED, that the Clerk of the Legislature provide certified copies of this resolution to the Director of Budget, Management and Finance and the County Attorney.

REF: (Comm.10E-22)

Item 61 – (Comm. 10E-23) ECSD No. 4 – Bowmansville/Warner Pumping Stations Contract A, Change Order No. 1 Kenaidan Construction Corp.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 62 – (Comm. 10 E-24) Two Home Rule Messages – Relating to the New Lease with the Buffalo Bills.

**TABLED. RESOLUTION SUBMITTED BY LEGISLATORS  
DEBENEDETTI, FITZPATRICK, KUWIK, GREENAN, RANZENHOFER,  
PEOPLES,  
FISHER, MARINELLI & PAULY**

WHEREAS, Erie County's job growth rate is significantly lower than other regions of the United States, and

WHEREAS, the City of Buffalo has recently pledged to market the Niagara section of the Thruway (1-190) as an international business development tool, and

WHEREAS, the Executive Director of the Erie County Industrial Development Agency (ECIDA) believes that the Tonawanda Street corridor between the Scajaquada Expressway and Amherst Street, along the 1-190 in the City of Buffalo, is prime real estate for light industrial development, given its proximity to transportation routes and Canada, and

WHEREAS, the area is currently under-utilized and could be redeveloped as an office park similar to successful projects in Amherst and the Southtowns, and

WHEREAS, a light industrial office park could attract new business and allow existing local businesses the opportunity to expand, and

WHEREAS, the residents of Black Rock-Riverside are desperately in need of jobs which pay a livable wage, and

WHEREAS, the Executive Director of the ECIDA believes that a land-use study must be completed before the land can be properly marketed and redeveloped, and

WHEREAS, the ECIDA believes that once said study is completed that the land can be marketed for light industrial development,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature recognizes the need to create economic development incentives, and be it further

CL.Liuuazes i2b,000 from the 1998  
County Contingency fund (DAC 110923310893) to the Erie County  
Industrial Development Agency to pursue a land-use study of the  
Tonawanda Street corridor, and be it further

RESOLVED, that certified copies of this resolution be forwarded to Ronald Coan, Executive Director of the Erie County Industrial Development Agency, Dennis Gorski, Erie County Executive, Kenneth Kruly, Erie County Director of Budget, Finance and Management and Anthony Masiello, Mayor of Buffalo.

Fiscal Impact: \$25,000 of budgeted 1998 County funds REFERENCE: Int. 6-15 AS AMENDED.

RESOLUTION SUBMITTED BY  
LEGISLATOR FISHER

WHEREAS, the Legislature set aside funds in the 1998 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 \$16,000 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:

NAME	LINE	AMOUNT
Days Park School Com. Playground	n/a	\$5,000
Augustine Olivencia Center	830/0568	\$2,000
Parkside Conununity Association	830/0643	\$9,000
<b>TOTAL</b>		<b>\$16,000</b>

and be it further

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$8,000 from the legislative contingency (Countywide Contingency DAC: 110923310893) to Fund 110, Project 939, Department 630 Senior Services

NAME	LINE	AMOUNT	BUDGET	
			NEW	TOTAL
Hispanics United				

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 the Clerk of the Legislature, the Director of the Division of Budget, Management & Finance, and the Commissioner of Senior Services, are hereby authorized to complete any paperwork necessary to effectuate this transfer of funds, and be it further

RESOLVED, that certified copies of this resolution be sent to County Executive Dennis Gorski, County Comptroller Nancy A. Naples, Budget Director Kenneth C. Kruly, First Assistant County Attorney Alan Gerstman and to Gregg Borland, Days Park School, Community Playground Committee, 10 Days Park, Buffalo, NY 14201, Shirley Millan, Augustine Olivencia Center, 261 Swan Street, Buffalo, NY 14204, Mary Simpson, Parkside Community Association, 2318 Main Street, Buffalo, New York 14214, Hispanics United of Buffalo, 254 Virginia St., Buffalo, NY 14201.

**Fiscal Impact:** Appropriation of 1998-budgeted funds.

REFERENCE: Int. 8-9

RESOLUTION SUBMITTED BY  
LEGISLATOR DUSZA, GREENAN AND CHASE

WHEREAS, the Legislature set aside funds in the 1998 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 Department of Emergency Services is in need of additional clothing supplies and related equipment, namely firefighter "smart coats," used in various emergency situations, 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 \$1,000 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:

NAME	LINE	<u>AMOUNT</u>
Airlanes Jr. Football	n/a	\$1,000
<b>Total</b>	<b>1,000</b>	

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$1,558 from the legislative contingency (Countywide Contingency DAC: 110923310893) to Fund 110, Project 935, Department 670 - Department of Emergency Services - Clothing Supplies (DAC: 110935670811) for the

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

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

RESOLVED, that certified copies of this resolution be sent to County Executive Dennis Gorski, County Comptroller Nancy A. Naples, Budget Director Kenneth \*C. Kruly, First Assistant County Attorney Alan Gerstman and to Frank Szeffler, Airlanes Jr. Football, c/o 162 Castlewood Drive, Cheektowaga, NY 14227, Commissioner of Emergency Services Arthur Domino, and Deputy Commissioner of Emergency Services for Fire Safety Robert Schultz.

**Fiscal Impact:** Appropriation of 1998-budgeted funds.  
REFERENCE: Int. 8-11

RESOLUTION SUBMITTED BY  
LEGISLATORS SWANICK AND MARINELLI

WHEREAS, the Legislature set aside funds in the 1998 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 \$17,800 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>NAMELINE</u>	<u>AMOUNT</u>
Ken-Ton Musical Theatre Workshop 830/0261	\$2,500
Kenmore Fire Department n/a	\$15,300
<b>TOTAL</b>	<b>\$17,800</b>

and be it further

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

RESOLVED, that certified copies of this resolution be sent to County Executive Dennis Gorski, County Comptroller Nancy A. Naples, Budget Director Kenneth C. Kruly, First Assistant County Attorney Alan Gerstman and to Carol L. Brunger, Ken-Ton Musical Theatre Workshop, P.O. Box 353, Buffalo, NY 14223, and Mayor John W. Beaumont, Village of Kenmore, 2919 Delaware Ave., Kenmore, NY 14217.

Fiscal Impact: Appropriation of 1998-budgeted funds.  
REFERENCE: Int. 8-12

Received, Filed & Printed

Item 64 – (Comm. 10 D-2) Notices of Claim.

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM ECC

Item 65 – (Comm. 10 D-3) Notice of Meeting Held 4/29/98.

Received and filed.

FROM THE COUNTY ATTORNEY

Item 66 – (Comm. 10 D-4) Letter to Chairman Swanick Re: Constitutional Road Blocks to Merger of Regional Government.

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

BOARD OF ELECTIONS

Item 67 – (Comm. 10 D-5) Ms. Peoples moved for immediate consideration. Mr. Kuwik seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 194 Re: Transfer of Funds in Erie County Board of Elections 1998 Budget.

WHEREAS, a vital part of the electoral process is accurately recording and documenting records such as voter registration information and candidate petition filings, and

WHEREAS, the Board of Elections uses microfilm equipment to secure this accuracy and maintain a timely and efficient petition filing process, and

WHEREAS, the Board of Elections is currently paying monthly to lease a microfilm camera, and is continuously paying for repairs to their microfilm reader, and

WHEREAS, without adequate equipment, the Board of Elections cannot in requirements and deadlines expected in the electoral process, and

WHEREAS, it would be much more cost-efficient and effective to purchase a new reader/viewer, as well as the camera, with the agreement that all rental fees paid to date will be applied against the total cost, and

WHEREAS, funds exist in the 1998 departmental budget of the Erie County Board of Elections; and therefore, there is no additional cost to the County.

**NOW, THEREFORE, BE IT**



RESOLVED, that the Erie County Legislature determines that there is a need to maintain adequate and up-to-date equipment at the Board of Elections to secure the accuracy of the electoral process, and be it further

RESOLVED, that this Honorable Body does hereby authorize the sum of \$23,500 to be transferred from Account 826 - Other Expenses as follows:

Account 932 - Furniture & Office Equipment:           \$16,000  
Canon 1000 Rotary Microfilm Camera

Account 932 - Furniture & Office Equipment:           \$5,500  
Canon Microprinter ReaderNiewer

Account 823 - Repairs & Maintenance  
Standard Maintenance Agreement

and be it further

\$2,000

RESOLVED, that certified copies of this resolution be sent to the County Executive, the Director of Budget and Management and the Commissioners of the Erie County Board of Elections.

Fiscal Implications: None

Ms. Peoples moved the adoption. Mr. Kuwik seconded.

COMMISSION ON THE STATUS OF WOMEN

Item 68 – (Comm. 10 D-6) Minutes of Meeting Held 5/8/98.

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

COUNTY ATTORNEY

Item 69 – (Comm. 10 D-7) Copy of Letter to Geneva B. Scruggs Community Health Care Center, Inc. Re: Notice to Vacate Premises.

Item 70 – (Comm. 10 D-8) Copy of Letter to Counsel NYS Department of Health Re: Geneva B. Scruggs Claim, Notice of Termination of Tenancy.

ECMC

Item 71 – (Comm. 10 D-9) Board of Managers Finance Committee Financial  
Statemetns for 3/31/98

The above three items were received, filed and printed.

COUNTY ATTORNEY

Item 72 – (Comm. 10 D-10) Notice of County Executive’s Public Hearing –  
Resolutions Nos. Int. 9-8, 9-10 thru 9-21, 9-23, & 9-24.  
Received , filed and printed.

EC MORGUE

Item 73 – (Comm. 10 D-11) Monies & Other Properties Found on Deceased  
Persons.

Received and referred to the HEALTH COMMITTEE.

DEP

Item 74 – (Comm. 10 D-12) SEQR Solicitation for Lead Agency Status Sweet  
Home Road (CR 301) Reconstruction.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

DPW

Item 75 – (Comm. 10 D-13) Darling Road Bridge 379-2 Project No. DBR 379-2-  
97- Town of Aurora.

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

ECC

Item 76 – (Comm. 10 D-14) Notice of Meeting Held 5/19/98.

Received and filed.

ECMC

Item 77 – (Comm. 10 D-15) Notice of meeting Held 5/14/98 & Minute of Meetings hHeld 4/16/98 & 5/5/98.

Received and referred to the HEALTH COMMITTEE.

ECC

Item 78 – (Comm. 10 D-16) Notice of Meeting to be Held 5/27/98.

Received and filed.

Item 79 – (Comm. 10 D-17) Ms. Peoples moved for immediate consideration. Mr. Kuwik seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 195 Re: ECC – Budget Submittal & Approval Schedule.

**WHEREAS,** The Erie County Legislature adopted a budget submittal and approval schedule for Erie Community College on May 4, 1989, and

WHEREAS, That schedule requested the Erie Community College Board of Trustees submit a budget to the County Executive and County Legislature prior to May 10, and

WHEREAS, The County Executive was to submit his recommendations to the Erie County Legislature no later than June 1, and

WHEREAS, The County Legislature was to adopt a budget no later than the last session in the month of June, and

WHEREAS, In order for Erie Community College Board of Trustees to prepare an accurate and rational budget proposal, it is necessary to know State aid reimbursement, projected student population and limits of tuition which may be charged ECC students, and

WHEREAS, The State aid reimbursement and allowable tuition rate (or waivers), which provide essential financial data for college budget purposes, are not finalized at this time, and

WHEREAS, Faculty retirements which may occur will not be known until after the conclusion of the Spring semester, and

WHEREAS, These retirements may have a significant impact on the number and rank

of instructional lines required in the 1998-1999 ECC budget, and

**WHEREAS,** There may be significant, long-term cost savings as a result of these potential retirements which will not be reflected in the 1998-1999 budget, and

**WHEREAS,** The Budget Review Committee's formal recommendations were presented to the Board of Trustees only on April 22, and the Board of Trustees and college administration is attempting to evaluate and implement these recommendations where possible, and

**WHEREAS,** Many issues presented by the Division of Budget, Management and Finance include issues which involve currently existing collective bargaining agreements with faculty and professional staff, and

**WHEREAS,** To effectuate a rational, cost-effective budget process, Erie Community College has requested a two-week adjournment in the budget submittal and approval schedule date due to the above reasons and uncertainty of necessary financial data.

NOW, THEREFORE BE IT

**RESOLVED,** The Erie County Legislature approves an amended budget submittal and approval schedule as follows:

- 1.) Erie Community College shall submit its proposed budget to the County Executive and County Legislature by May 28,
- 2.) The County Executive will submit recommendations to the Erie County Legislature no later than June 16,

The Erie County Legislature will address the Erie Community College budget at its first session in July, and be it further

**RESOLVED,** That certified copies of this resolution be forwarded to Erie Community College and the Division of Budget, Management and Finance.

Ms. Peoples moved the adoption. Mr. Kuwik seconded

DPW

Item 80 – (Comm. 10 D-18) Erie County Home – Masonry Restoration, Award of Architect/Engineering Contract.

Item 81 – (Comm. 10 D-19) 1988 Stadium Improvements – Miscellaneous Seating Work.

Item 82 – (Comm. 10 D-20) New Helipad – ECMC

Item 83 – (Comm. 10 D-21) Environmental Engineering Services – Various Projects (Revised)

Item 84 – (Comm. 10 D-22) Chesnut Ridge Water Line Installation, Phase II

Item 85 – (Comm. 10 D-23) Weights & Measures Building, Renovations & Additions, Award of Architect / Engineer Contract.

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

#### SOCIAL SERVICES

Item 86 – (Comm. 10 D-24) Review of the Final Audit Report of Child & Adolescent Treatment Services, Inc. Contract Compliance with Social Services for 12/31/96.

Received and referred to the SOCIAL SERVICES COMMITTEE.

#### COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES

##### MARCIE KELLEY

Item 87 – (Comm. 10 M-1) Action for Mental Health's Managed Care Position Paper.

Received and referred to the HEALTH COMMITTEE

##### MELINDA HOLLAND, CLEAN SITES

Item 88 – (Comm. 10 M-2) Summary of Meeting Held 4/21/98 & Notice of Meeting Held 5/6/98.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

##### ALLEGHANY COUNTY BOARD OF LEGISLATORS

Item 89 – (Comm. 10 M-3) Certified Copy of Resolution Re: Requesting State

Legislation for Relief from Unnecessary Legal Costs Resulting From Misplaced  
Lawsuits.

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

NEW YORK STATE DEPARTMENT OF AGRICULTURE & MARKETS

Item 90 – (Comm. 10 M-4) Review of Erie County Agricultural District nos. 2, 3,  
& 4.

Item 91 – (Comm. 10 M-5) Review of Erie County Agricultural District No. 5.

ECIDA

Item 92 – (Comm. 10 M-6) Notice of Meeting held 5/13/98.

The above three items were received and filed.

OTB

Item 93 – (Comm. 10 M-7) Notice of Meeting Held 4/23/98 & Minutes of  
Meeting Held 3/26/98.

Received and referred to the GOVERNMENT AFFAIRS.

NEW YORK STATE DEPARTMENT OF STATE

Item 94 – (Comm. 10 M-8) Letter to Chairman Swanick Re: Safe Drinking Water  
Act.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

NEW YORK STATE BOARD OF REAL PROPERTY SERVICES

Item 95 – (Comm. 10 M-9) List of Certified 1997 State Equalization Rates.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

HUBLINK

Item 96 – (Comm. 10 M-10) Executive Summary for Hublink.

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

ERIE COUNTY LEGISLATURE  
NEW YORK STATE DEPARTMENT OF AGRICULTURE & MARKETS

Item 97 – (Comm. 10 M-11) Notice for County to Initiative Review of Agricultural District No. 7.

Received and filed.

THE NIAGARA FRONTIER RADIO READING SERVICE, INC.

Item 98 – (Comm. 10 M-12) Copy of Letter to Legislatore Dusza Re: Niagara Frontier Radio Reading Service.

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

ERIE COUNTY MENTAL HYGENE COMMUNITY SERVICES BOARD

Item 99 – (Comm. 10 M-13) Notice of Meeting to be Held 5/21/98 & Minutes of Meeting Held 4/16/98.

Received and referred to the HEALTH COMMITTEE.

STEUBEN COUNTY LEGISLATURE

Item 100 – (Comm. 10 M-14) Copy of Letter to NYSAC Re: Managed Health Care Mandates.

Received and referred to the HEALTH COMMITTEE.

PAT DOHERTY

Item 101- (Comm. 10 M-15) Letter to Chairman Swanick Re: Chestnut Ridge Workers Memorial.

Received and filed.

ERIE COUNTY ENVIRONMENTAL MANAGEMENT COUNCIL

Item 102 – (Comm. 10 M-16) Notice of Meeting Held 5/19/98 & Minutes of Meeting Held 4/21/98

MELINDA HOLLAND, CLEAN SITES

Item 103 – (Comm. 10 M-17) Summary of Meeting Held 5/6/98 & Notice of meeting Held 5/19/98.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

SENECA COUNTY BOARD OF SUPERVISORS

Item 104 – (Comm. 10 M-18) Certified Copy of Reso Re: Requesting Home Rule Legis, for Firearms, Hunting, Fishing, & Trapping Policies on Land Adjacent to Canal.

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

SCHUYLER COUNTY LEGISLATURE

Item 105 – (Comm. 10 M-19) Certified Copy of Resolution Re: Endorsing Campaign Finance Reform

Item 106 – (Comm. 10 M-20) Certified Copy of Resolution Re: Requeusting State Legislation for Relief From Unnecessary Legal costs Resulting From Misplaced Lawsuits

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

ERIE COUNTY FIRE CHIEF'S MUTUAL AID ORGANIZATION INC.

Item 107 – (Comm. 10 M-21 ) Resoltuion in Support of the 800 Mhz Trunked Radio System.

Received and referred to the PUBLIC SAFETY COMMITTEE.

ADJOURNMENT

Item - 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 28, 1998.** Mr. Marshall seconded.

CARRIED UNANIMOUSLY.

The Chairman declared the Legislature **adjourned until Thursday May 28, 1998 at 2 p.m. Eastern Standard Time.**

Laurie Manzella