

ERIE COUNTY LEGISLATURE  
MEETING NO. 18  
SEPTEMBER 24, 1998

The Legislature was called to order by Chairman Swanick.

Legislators Olma and Fitzpatrick were absent. All other members were present..

The Invocation was led by Father Robert Yetter of St. Mary's Roman Catholic Church in Swarnsville.

The Pledge of Allegiance was led by Ms. Peoples.

Mrs. Fisher moved to approve minutes of meetings #10 – #17. Mr. Kuwik seconded.

CARRIED.

**MISCELLANEOUS RESOLUTIONS**

Item 1 – Legislators Marshall, Ranzenhofer, Weinstein, Greenan, Chase and Larson Honoring Judge Mattina as the Recipient of the 1998 Treat Award for Excellence. Mr. Greenan seconded.

CARRIED UNANIMOUSLY.

Item 2 - Ms. Peoples presented a resolution Honoring Assemblyman Richard J. Keane for more than Four Decades of Service to Buffalo, Erie County & New York State. Mr. Kuwik seconded.

Chairman Swanick directed that the resolution be made Et Al.

CARRIED UNANIMOUSLY.

Item 3 – Mr. Ranzenhofer presented a resolution Honoring May Coppola, Retiring After Twenty Three years as the Clarence Historical Museum Curator. Mr. Larson seconded.

CARRIED UNANINMOUSLY.

Item 4 – Mr. Greenan, Mr. Marshall, and Ms. Chase presented a resolution Recognizing Carl J. Lambein as West Seneca's "Corporate Citizen" Leader. Mr. Marshall seconded.

CARRIED UNANIMOUSLY.

Item 5 – Ms. Marinelli and et al presented a resolution Recognizing October 1998 at Domestic Violence Awareness Month. Mrs. Fisher seconded.

CARRIED UNANIMOUSLY.

Item 6 – Ms. Peoples presented a resolution Congratulating Arthur Allen on His Retirement from Erie Community College. Mr. Holt seconded.

CARRIED UNANIMOUSLY.

Item 7 – Ms. Peoples presented a resolution Recognizing October as Nation Head Start Awareness Month. Mr. Holt seconded.

CARRIED UNANIMOUSLY.

Item 8 – Mr. Dusza presented a resolution Congratulating Richard J. Pointek on his Retirement.

CARRIED UNANIMOUSLY.

Item 9 – Mr. Dusza and et al presented a resolution Congratulating Commisioner Arthur J. Domino on this Retirement from Erie County Emergency Services.

CARRIED UNANIMOUSLY.

Item 10 – Mr. Olma presented a resolution Congratulating Msgr. Paul R. Letourneau on his Retirement. Mr. Kuwik seconded.

CARRIED UNANIMOUSLY.

Item 11 – Ms. Peoples presented a resolution Recognizing October 4 – 10 as Cornell Cooperative Extension Week in Erie County. Mr. Holt seconded.

Chairman Swanick directed that the resolution be made Et Al.

CARRIED UNANIMOUSLY.

Item 12 – Ms. Peoples presented a resolution Congratulating the Buffalo Youth & Young Adults Choral Society on Their 50<sup>th</sup> Anniversary.

CARRIED UNANIMOUSLY.

Item 13 – Mr. Kuwik presented a resolution congratulating Robert Kroll on his retirement from the Lackawanna Police Department.

CARRIED UNANIMOUSLY.

Item 14 – Mrs. Fisher presented a resolution honoring the Episopal Church Home on their 140<sup>th</sup> Anniversary.

CARRIED UNANIMOUSLY.

**LOCAL LAWS**

Item 15 - CHAIRMAN SWANICK directed that Local Law Intro No. 10 (Print #1) 1997 remain on the table.

Item 16 – CHAIRMAN SWANICK directed that Local Law Intro No. 11 (Print #1) 1997 remain on the table and in the FINANCE & MANAGEMENT COMMITTEE.

Item 17 – CHAIRMAN SWANICK directed that Local Law Intro No. 1 (Print # 1) 1998 remain on the table and in the HEALTH COMMITTEE.

Item 18 – CHAIRMAN SWANICK directed that Local Law Intro No. 6 (Print # 1) 1998 remain on the table and in the HEALTH COMMITTEE.

**COMMITTEE REPORTS**

Item 19- Kuwik presented the following and moved for immediate consideration. Mr.. Holt seconded.

CARRIED UNANIMOUSLY

RESOLUTION NO. 293

September 16, 1998

PUBLIC SAFETY  
COMMITTEE  
REPORT NO. 8

ALL MEMBERS PRESENT.

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

Item	Page	-1998	(Comm. 16E-15)
a. COUNTY EXECUTIVE: Youth Services - Increase in Overtime & Purchase of Equipment for Kitchen at East Ferry Detention Center			
	(5-0)		

2. RESOLVED, that the following item is hereby received, filed and referred to the FINANCE & MANAGEMENT COMMITTEE

Item	Page	-1998	(Comm. 17E-70)
a. SHERIFF: Audit Response System & Procedure			

(5-0)

- Item Page -1998 (Comm. 16E-16)
3. COUNTY EXECUTIVE:  
RESOLVED, that the Erie County Probation Department is authorized to create two (2) positions of Probation Officer Minority Group Specialist, Job Group XI, in the Juvenile Intensive Supervision Program, and be it further

RESOLVED, that funding for this program shall be established as follows, the annual budget for Account 301, Section 520-Exemption Removal Revenues in County wide Accounts-Budget having been exceeded:

General Fund	
Revenue	Increase
<b>County-wide Accounts-Budget</b>	
Account 301 --Section 520-Exemption Removal	\$ 96,002
<b>Probation Department</b>	
Account 568--State Aid to Probation	<u>19,414</u>
<b>Total Revenue Increase</b>	<u>\$115,416</u>
<b>Appropriation</b>	<b>Increase</b>
<b>Probation Department</b>	
Acct. 886--Interfund Probation Grants	<u>\$115,416</u>
<b>Total Appropriation Increase</b>	<u>\$115,416</u>
<b>Probation Department Grant Fund</b>	
<b>Juvenile Intensive Supervision (Project 828)</b>	
<b>Revenue</b>	<b>Increase</b>
Acct. 686-2600-Interfund Revenue	<u>\$115,416</u>
<b>Total Revenue Increase</b>	
<b>Appropriation</b>	<b>Increase</b>
Acct. 800 - Personnel Services	\$60,826
Acct. 801 - Overtime	800
Acct. 805 - Fringe Benefits	14,790
Acct. 824 - Travel & Mileage	1,000
Acct. 933 - Laboratory & Technical Equipment	<u>38,000</u>

Total Appropriation Increase

\$115,416

and be it further

RESOLVED, that certified copies be forwarded to the Division of Budget, Management and Finance, the Erie County Personnel Department, the Department of Youth Services, and the Probation Department.

(5-0)

Item Page -1998 (Comm. 17E-32)  
4. COUNTY EXECUTIVE:  
WHEREAS, procedures have been established by Resolution # Int. 23-3 adopted on December 1, 1994, and

WHEREAS, there are adequate funds for distribution to the Sheriff's Office in the Asset Forfeiture Trust Account

NOW, THEREFORE, BE IT

RESOLVED, that \$24,000 in available balances in the Asset Forfeiture Trust Fund is hereby allocated in the Erie County Sheriff's Office Asset Forfeiture Grant, Project #493, in order to fund the Sheriffs D.A.R.E. (Drug Awareness Resistance Education) program, and be it further

RESOLVED, that the following budgetary transactions are hereby authorized:

**ERIE COUNTY SHERIFF'S OFFICE ASSET FORFEITURE GRANT - PROJECT #493**

REVENUE

502	Forfeiture Crime Proceeds	\$24,000
	Total Revenue	\$24,000

APPROPRIATION

826	Miscellaneous Expenses (D.A.R.E.)	\$24,000
	Total Appropriations	\$24,000

and be it further

RESOLVED, that certified copies be forwarded to the Division of Budget, Management and Finance, the Erie County Comptroller and the Office of the Sheriff for implementation.

(5-0)

Item Page -1998 (Comm. 17E-34)  
5. COUNTY EXECUTIVE:

WHEREAS, that the budget for the Alternative to Incarceration Program for 1996 is set as per final State approved funding levels for contractual services at \$12,830, and

WHEREAS, funding for this program has been established in the Community Service Sentencing Grant, Project #546.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into a subcontract with the Women's Residential Resource Center in the amount of \$12,830 as per the State Alternative to Incarceration contract, and be it further

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

Item Page -1998 (Comm. 17E-35)  
6. COUNTY EXECUTIVE:

WHEREAS, recent population increases at the Erie County Detention Home have caused additional expenditures in the Overtime allocation of the Detention Home; and

WHEREAS, the increased supervision of these high number placements has shown the necessity to increase staff for this purpose; and

WHEREAS, it is necessary for the Detention Home to purchase equipment such as a commercial refrigerator, a commercial freezer, a convection oven, a restaurant range, a table-top deep fryer, a Hobart mixer, and a kettle to expand kitchen services; and

WHEREAS, sufficient funds are available within the Detention Home budget in Account 821--Dues and Fees.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to transfer the following amounts within the accounts of the Erie County Detention Home:

From: Account 821--Dues and Fees	\$146,251
To: Account 801--Overtime	\$130,200
Account 933-- Lab & Tech Equipment	<u>16,051</u>
TOTAL:	<u>\$146,251</u>

and be it further

RESOLVED, that the following positions are hereby created within the budget of the Erie County Detention Home and that the wage amounts are hereby prorated for the remainder of the year;

Physician--PT	JG 15-3	\$28.727/hour	\$ 8,624
Nurse-PT	JG 8-3	13.563/hour	4,534
Detention Home			
Intake Worker-PT	JG 8-0	12.965/hour	<u>3,892</u>

Total for Remainder of 1998 \$17,050

and be it further

RESOLVED, that funds in the amount of \$17,050, available within Account 821--Dues and Fees of the Erie County Detention Home, and are hereby transferred to Account 800 - Personal Services in the same administrative unit, and be it further

RESOLVED, that said authorization be approved based on the existing formula by which the State of New York will provide revenues based upon a reimbursement schedule of at least 50% for a local youth and 100% for an out-of-state youth receiving secure detention services; and be it further

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

(5-0)

Item Page -1998 (Comm. 17E-49)  
7. COUNTY EXECUTIVE:

WHEREAS, the Erie County Legislature has already approved the District Attorney's Grant Budgets in Book B for 1998, and

WHEREAS, the fully executed contract received from the Crime Victims Board in regard to the Victim/Witness Assistance Grant does not align with the budget book in regard to the amount of the grant nor number of full time positions,

NOW, THEREFORE, BE IT

RESOLVED, that the budget for the District Attorney's Victim/Witness Assistance grant be revised as follows:

Victim/Witness Assistance Program Grant - Project #798  
July 1, 1998 - June 30, 1999

**ERIE COUNTY LEGISLATURE**

	<u>Original</u>	<u>Change</u>	<u>Total</u>
<u>Revenue</u>			
Acct. 627 State Aid	\$210,000	\$30,000	\$240,000
Acct. 686 Interfund	19,261	0	19,261
Acct. 698 Appropriated Fund Balance	<u>16,078</u>	<u>(11,369)</u>	<u>4,709</u>
 Total Revenue	 <u>\$245,339</u>	 <u>\$18,631</u>	 <u>\$263,970</u>
 <u>Appropriation</u>			
Acct. 800 Personnel	\$196,726	\$12,811	\$209,537
Acct. 801 Overtime	2,682	-	2,682
Acct. 805 Fringe Benefits	50,849	5,820	56,669
Acct. 810 Office Supplies	150	-	150
Acct. 821 Dues-Witness Fees	960	-	960
Acct. 825 Out of Area Travel	5,000	-	5,000
Acct. 826 Other Expenses	150	-	150
Act. 883-1109 Interdept. - Co. Ex. Grants	<u>(11,178)</u>	<u>-</u>	<u>(11,178)</u>
 Total Appropriation	 <u>\$245,339</u>	 <u>\$18,631</u>	 <u>\$263,970</u>

and be it further

RESOLVED, that one part-time Victim/Witness Case Aide position (Grade IV) in the Victim/Witness Assistance Grant be replaced with a full-time Victim/Witness Case Aide (Spanish Speaking) position (Grade IV). An appropriate B-100 is attached, and be it further

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

Item Page -1998 (Comm. 17E-50)  
8. COUNTY EXECUTIVE:  
WHEREAS, funds for a BE-SAFE Grant have been received from the U.S. Department of Justice in the amount of \$174,023.

NOW, THEREFORE, BE IT

RESOLVED, that the following budgetary transactions are hereby authorized to order to amend the District Attorney's BE-SAFE Grant's budget for 1998 as follows:



GRANT FUND  
 District Attorney - BE-SAFE Grant  
 3/1/97 - 10/31/98  
 Project #646

	<u>Original</u>	<u>Amount Change</u>	<u>Total</u>
<u>Revenue</u>			
Acct. 684 - Federal Revenue	\$174,023	\$0	\$174,023
Total Revenue	<u>\$174,023</u>	<u>\$0</u>	<u>\$174,023</u>
<u>Appropriation</u>			
Acct. 800 - Personnel	\$ 93,653	\$ 1,676	\$ 95,329
805 - Fringe Benefits	24,069	(1,095)	22,974
810 - Supplies	1,350	782	2,132
821 - Dues & Fees	5,925	1,244	7,169
822 - Rental Charges	144	-	144
824 - Local Mileage	4,650	(4,650)	-
825 - Out-of-Area Travel	10,317	(1,515)	8,802
826 - Other	2,941	3,654	6,595
880 - Interfund - DA	6,993	2,258	9,251
881 - Interdepartment-DISS	4,560	-	4,560
932 - Office Equipment	2,970	110	3,080
933 - Technical Equipment	<u>16,451</u>	<u>(2,464)</u>	<u>13,987</u>
	<u>174,023</u>	<u>0</u>	<u>174,023</u>
Total Appropriations	<u>\$174,023</u>	<u>\$ 0</u>	<u>\$174,023</u>

and be it further

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

Item Page -1998 (Comm. 17E-51)  
 9. COUNTY EXECUTIVE:

WHEREAS, funds for a Gun Retrieval and Interdiction Program (GRIP) Grant are available from the New York State Division of Criminal Justice Services in the amount of \$125,000.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into a contract with the New York State Division of Criminal Justice Services for the purpose of reducing the availability of illegal guns within Erie County and to expand the capability of law enforcement agencies to identify, investigate and prosecute illegal gun traffickers, and be it further

RESOLVED, that authorization is hereby provided to create the positions of Assistant District Attorney IV, Job Group 15, and Part-Time Legal Steno, Job Group 6, in the District Attorney's GRIP Grant. The B-100's are attached, and be it further

RESOLVED, that authorization is hereby provided to establish the District Attorney's GRIP Grant as follows:

GRANT FUND  
**District Attorney -**  
**Gun Retrieval and Interdiction Program (GRIP) Grant**  
11/1/98 - 10/31/98

<u>REVENUE</u>	<u>INCREASE</u>
Account 627 - New York State Revenue	<u>\$125,000</u>
Total Revenue	<u>\$125,000</u>
 <u>APPROPRIATION</u>	
Account 800 - Personnel	\$ 79,713
Account 805 - Fringe Benefits	18,814
Account 810 - Supplies	873
Account 821 - Witness Fees	2,000
Account 825 - Out of Area Travel	3,500
Account 826 - Other Expenses	10,700
Account 933 - Technical Equipment	<u>9,400</u>
Total Appropriation	<u>\$125,000</u>

and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Erie County District Attorney, the County Executive and the Director of Budget and Management.

(5-0)

**EDWARD J. KUWIK**  
**CHAIRMAN**

Mr. Kuwik moved the approval. Mr. Holt seconded.

CARRIED UNANIMOUSLY.

Item 20 - Mr. Dusza presented the following and moved for immediate consideration.  
Ms. Marinelli

CARRIED UNANIMOUSLY

RESOLUTION NO. 294

September 16, 1998

GOVERNMENT AFFAIRS  
COMMITTEE  
REPORT NO. 8

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. 16E-17) |
| a. | <b>COUNTY EXECUTIVE:</b> Position Change Report<br>(6-0) Chairman Swanick Present as Ex-Officio Member   |      |       |                |
|    | Item   | Page | -1998 | (Comm. 17D-9)  |
| b. | <b>COUNTY ATTORNEY:</b> Notices of Claim<br>(6-0) Chairman Swanick Present as Ex-Officio Member  |      |       |                |
|    | Item   | Page | -1998 | (Comm. 17D-12) |
| c. | <b>BOARD OF ELECTIONS:</b> Apportionment of Expenses<br>(6-0) Chairman Swanick Present as Ex-Officio Member                                      |      |       |                |
|    | Item   | Page | -1998 | (Comm. 17D-24) |
| d. | <b>COUNTY ATTORNEY:</b> Notices of Claim<br>(6-0) Chairman Swanick Present as Ex-Officio Member  |      |       |                |
|    | Item   | Page | -1998 | (Comm. 17D-36) |
| e. | <b>COUNTY ATTORNEY:</b> Notices of Claim<br>(6-0) Chairman Swanick Present as Ex-Officio Member  |      |       |                |
|    | Item   | Page | -1998 | (Comm. 17D-59) |
| f. | <b>DISS:</b> Letter to Chairman Swanick Re: Surplus of Out of Date Computers,<br>Int. 3-3<br>(6-0) Chairman Swanick Present as Ex-Officio Member |      |       |                |
|    | Item   | Page | -1998 | (Comm. 17E-6)  |
| g. | <b>COUNTY EXECUTIVE:</b> Position Change Report PP#16<br>(5-0) Chairman Swanick Present as Ex-Officio Member                                     |      |       |                |
|    | Item   | Page | -1998 | (Comm. 17E-10) |
| h. | <b>DUSZA:</b> Letters from Constituents<br>(6-0) Chairman Swanick Present as Ex-Officio Member   |      |       |                |
|    | Item   | Page | -1998 | (Comm. 17E-12) |
| i. | <b>COUNTY EXECUTIVE:</b> Position Change Report PP#17  |      |       |                |

(6-0) Chairman Swanick Present as Ex-Officio Member

Item Page -1998 (Comm. 17E-14)  
j. **COUNTY EXECUTIVE:** Positon Change Report PP#18  
(6-0) Chairman Swanick Present as Ex-Officio Member

Item Page -1998 (Comm. 17E-18)  
k. **COUNTY EXECUTIVE:** Position Change Report  
(6-0) Chairman Swanick Present as Ex-Officio Member

Item Page -1998 (Comm. 17M-3)  
l. **PUTNAM COUNTY LEGISLATURE:** Certified Copy of Resolution Re: Requesting Home Rule Legislation for Firearms, Hunting, Fishing & Trapping Policies on Land Adjacent to Canal  
(6-0) Chairman Swanick Present as Ex-Officio Member

Item Page -1998 (Comm. 17M-4)  
m. **INTERCOUNTY LEGISLATIVE COMMITTEE OF THE ADIRONDACKS:** Certified Copy of Resolution Re: Requesting State Legislation for Relief From Unnecessary Legal Costs Resulting From Misplaced Lawsuits  
(6-0) Chairman Swanick Present as Ex-Officio Member

Item Page -1998 (Comm. 17M-9)  
n. **OTB:** Minutes of Board of Directors Meeting Held 6/25/98  
(6-0) Chairman Swanick Present as Ex-Officio Member

Item Page -1998 (Comm. 17M-17)  
o. **NOCO ENERGY CORP:** Letter to Legislator Fisher Re: Erie County Local Law No. 7 (1997)  
(6-0) Chairman Swanick Present as Ex-Officio Member

Item Page -1998 (Comm. 17M-19)  
p. **WILLIAM R. PIPPINE:** Copy of Letter to Legislator Chase Re: Airport Industrial Center's Nonpayment of Taxes  
(6-0) Chairman Swanick Present as Ex-Officio Member

**RAYMOND K. DUSZA**  
CHAIRMAN

Mr. Dusza moved the approval. Ms. Marinelli seconded.

CARRIED UNANIMOUSLY

Item 21 – Mr. Kuwik presented the following and moved for immediate consideration.  
Mr. Holt seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 295

September 16, 1998

ECONOMIC DEVELOPMENT  
COMMITTEE  
REPORT NO. 9

ALL MEMBERS PRESENT.

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

- |      |  |      |       |                |
|------|--|------|-------|----------------|
| a.   | Item   | Page | -1998 | (Comm. 11E-4)  |
|      | <b>COUNTY EXECUTIVE:</b> Proposed Local Law - DPW - NYS Building Code                |      |       |                |
|      | (5-0)  |      |       |                |
| b.   | Item   | Page | -1998 | (Comm. 14D-13) |
|      | <b>DPW:</b> NYS: Power Authority Lighting Project at the Rath Building               |      |       |                |
|      | (5-0)  |      |       |                |
| c.   | Item   | Page | -1998 | (Comm. 14D-16) |
|      | <b>DPW:</b> Increase to Construction Contract - 1997 Overlay Program "A" - Towns of  |      |       |                |
|      | Alden, Evans, Hamburg, Orchard Park & City of Buffalo                                |      |       |                |
|      | (5-0)  |      |       |                |
| d.   | Item   | Page | -1998 | (Comm. 16D-7)  |
|      | <b>DPW:</b> SEQR Determination of Significance Positive Declaration EC Courts Master |      |       |                |
|      | Plan Implementation Project  |      |       |                |
|      | (5-0)  |      |       |                |
| e.   | Item   | Page | -1998 | (Comm. 16D-11) |
|      | <b>DPW:</b> Relocation of Erie County Public Health Lab at ECMC Campus               |      |       |                |
|      | (5-0)  |      |       |                |
| f.   | Item   | Page | -1998 | (Comm. 16D-18) |
|      | <b>DPW:</b> Rich Stadium Vendors/Local Law   |      |       |                |
|      | (5-0)  |      |       |                |
| g.   | Item   | Page | -1998 | (Comm. 16M-1)  |
| 1998 | <b>NEW YORK STATE COMPTROLLER:</b> Annual Public Authority Data Request              |      |       |                |
|      | (5-0)  |      |       |                |

- |    |  |      |       |                |
|----|--|------|-------|----------------|
|    | Item   | Page | -1998 | (Comm. 16M-3)  |
| h  | <b>EC DEVELOPMENT COORDINATION BOARD:</b> 1999-2004: Capital Improvement Program<br>(5-0)  |      |       |                |
|    | Item   | Page | -1998 | (Comm. 16M-20) |
| i  | <b>KEN W. KLOEBER CONSULTING ENGINEERS:</b> Notice of Public Scoping Meetings Re: EC Court Master Plan Implementation Project<br>(5-0) |      |       |                |
|    | Item   | Page | -1998 | (Comm. 16M-21) |
| j. | <b>HODGSON RUSS ANDREWS WOODS &amp; GOODYEAR:</b> Letter to Legislature Re: Erie County Stadium Lease Follow-up to Questions<br>(5-0)  |      |       |                |
|    | Item   | Page | -1998 | (Comm. 16M-22) |
| k  | <b>HODGSON RUSS ANDREWS WOODS &amp; GOODYEAR:</b> Letter to Legislature Re: Erie County Stadium Lease Lease/Leaseback<br>(5-0)         |      |       |                |
|    | Item   | Page | -1998 | (Comm. 17D-52) |
| l. | <b>DPW:</b> Upgrade of Petroleum Underground Storage Tanks at Various County Facilities<br>(5-0)                                       |      |       |                |
|    | Item   | Page | -1998 | (Comm. 17D-57) |
| m. | <b>DPW:</b> New Helipad - ECMC Award of Electrical Contract<br>(5-0)   |      |       |                |
|    | Item   | Page | -1998 | (Comm. 17M-7)  |
| n. | <b>NFTA:</b> Minutes of Board Meeting Held 6/15/98<br>(5-0)  |      |       |                |
|    | Item   | Page | -1998 | (Comm. 17M-18) |
| o. | <b>NFTA:</b> Minutes Minutes of Board Meeting Held 7/20/98<br>(5-0)  |      |       |                |
|    | Item   | Page | -1998 | (Comm. 17M-23) |
| p. | <b>NFTA:</b> The Report & Capital Expenditure Reports for the 1 <sup>st</sup> Quarter of Fiscal Year Ending 3/31/99<br>(5-0)           |      |       |                |
|    | Item   | Page | -1998 | (Comm. 17M-31) |
| q. | <b>ECIDA:</b> Notice of Board Meeting to be held 9/16/98<br>(5-0)  |      |       |                |
|    | Item   | Page | -1998 | (Comm. 17D-49) |

2. DPW:

WHEREAS, the New York State Department of Transportation proposes to reconstruct Chestnut Ridge Road (Route 277) Bridge (BIN 1-04420-0) over a branch of Eighteen Mile Creek in the Town of Orchard Park, P.I.N. Number 5131.221.101, Erie County; and

WHEREAS, in conformance with Section 42 of the New York State Highway Law, the New York State Department of Transportation proposes to utilize Scherff (CR 371) and Gartman (CR 529) Roads as a detour during the period of construction; and

WHEREAS, the New York State Department of Transportation will provide necessary traffic control devices and overlay Scherff Road with 2" asphalt binder and provide maintenance, as necessary, to Scherff Road and Gartman Road and maintain these roads in adequate condition to handle additional detour traffic.

NOW, THEREFORE, BE IT

RESOLVED, that the Legislature of the County of Erie does hereby authorize the New York State Department of Transportation to utilize the Scherff and Gartman Roads as a detour during the 1999 construction season for their reconstruction of the Chestnut Ridge Road Bridge; and be it further

RESOLVED, that the NYSDOT will provide normal routine maintenance on Scherff and Gartman Roads during the detour period with any necessary snow and ice control being performed by the County of Erie; and be it further

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

(5-0)

Item Page -1998 (Comm. 17D-50)  
3. DPW:

WHEREAS, the Department of Public Works received bids on August 27, 1998 for the Roof Replacement, Edward A. Rath County Office Building, and

WHEREAS, the Architect and the Department of Public Works are recommending award to the lowest responsible bidder for the Roof Replacement, Edward A. Rath County Office Building,

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be authorized to enter into a contract for the Roof Replacement, Edward A. Rath County Office Building as follows:

Jameson Roofing Co., Inc.

Base Bid: \$387,273.00

RESOLVED, that the sum of \$20,000.00 be allocated for a construction contingency fund with authorization for the Commissioner of Public Works to approve change orders in an amount not to exceed the construction contingency, and be it further

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

RESOLVED, that the sum of \$2,000.00 be allocated for testing, inspection, and miscellaneous expenses with authorization for the Commissioner of Public Works to expend said funds, and be it further

RESOLVED, that the sum of \$10,000.00 be allocated for Project Engineer and Department of Public Works salary expenses with authorization for the Commissioner of Public Works to expend said funds, and be it further

RESOLVED, that the Comptroller's Office be authorized to make payments for all of the above from the 1998 DPW O & M budget, Fund 110, Project 912, Account 823 (encumbered in DP24019) to be released and used upon legislative approval in the amount of \$350,000.00 and from the 1996 Code Compliance capital account, Fund 410, Project 748, in the amount of \$50,000.00, and from the 1997 Code Compliance Capital Account, Fund 410, Project 804, in the amount of \$19,273.00, and be it further

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

			AS AMENDED
	Item	Page	(Comm. 17D-51)
4.	DPW:	-1998	
	WHEREAS, the Department of Public Works received bids for the Botanical Gardens Dome Reconstruction, Entry Portico in 1998, and		

WHEREAS, your Honorable Body has previously awarded a contract to the lowest responsible bidder, Miller Enterprises, Inc., in the amount of \$128,700.00, and

WHEREAS, additional work is required to remove lead paint from the structure in greenhouse #10 converted to a market place exhibit and classroom, and

WHEREAS, the repair work has been requested by the Parks Commissioner to eliminate the hazardous condition,

NOW, THEREFORE, BE IT,



RESOLVED, that the construction contingency fund be increased by \$25,000.00 to a new total amount of \$38,000.00, with authorization for the Commissioner of Public Works to approve change orders, and be it further,

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

RESOLVED, that the Comptroller's Office be authorized to make payments for all of the above from the 1997 Botanical Gardens Dome Reconstruction Capital Bond Account SFG 779, Fund 410, in the total amount of \$25,000.00, and be it further,

RESOLVED, that two certified copies of this resolution be sent to the Department of Public Works, Office of the Commissioner, and one copy to the Budget Division.

(5-0)

Item Page -1998 (Comm. 17D-53)  
5. DPW:

"WHEREAS, the New York State Department of Environmental Conservation has issued the County of Erie, Department of Public Works, Division of Highways, an "Order on Consent" to suspend a \$5,000 fine if the Department of Public Works implements an approved D.E.C. training program regarding the regulatory requirements governing the protection and preservation of fish, game and wildlife, identification and protection of protected water resources, and the identification and safeguarding of freshwater wetlands of the State; and

WHEREAS, the Order on Consent was a compromise worked out with our County Attorney's office and the New York State Department of Environmental Conservation for resolving a violation of D.E.C. Law when Highway Maintenance crews, performing maintenance activities on February 25, 1998 in the Town of Colden, destroyed a beaver dam along the west branch of Cazenovia Creek.

NOW, THEREFORE, the Legislature duly convened does hereby

RESOLVE, that the County Executive of the County of Erie is hereby authorized to execute the Order on Consent on behalf of the County of Erie with the New York State Department of Conservation; and be it further

RESOLVED, that the Clerk of the Legislature be instructed to forward three (3) certified copies of this resolution to the Deputy Commissioner - Highways, Department of Public Works."

(5-0)

Item Page -1998 (Comm. 17D-54)  
6. DPW:

WHEREAS, A project for the Replacement of Two Rod Road Bridge 547-2, over Cayuga Creek, BIN 1-04659-0, Town of Alden, Erie County, PIN 5754.02, (the "Project") is eligible for funding under Title 23, U.S. Code, as amended, that calls for the apportionment of the costs of

such program to be borne at the ratio of 80% Federal funds and 20% non-Federal funds; and

WHEREAS, the County of Erie desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of the Preliminary Engineering (Design I-VI) ROW Incidentals and Contraction Phases for the Project or portions thereof, with the federal share of such costs to be applied directly by the New York State Department of Transportation ("NYSDOT") pursuant to Agreement,

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 cost of Preliminary Engineering (Design I-VI), ROW Incidentals and Construction Phases for the Project or portions thereof; and be it further

RESOLVED that the sum of \$13,000 is hereby appropriated from the 1997 Federal Aid Program (in addition to \$44,000 previously appropriated for the project's Preliminary Engineering (Design I-VI) and ROW Incidentals phases via Erie County Resolution No. 4D-10 adopted on the 7th day of March, 1996, and \$174,200 previously appropriated for the project's Construction phase via Erie County Resolution No. 9D-16 adopted on the 17th day of May, 1997, 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 non-federal share of the costs of the project exceed the amount appropriated, the County of Erie shall convene its Legislature as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation, thereof; and be it further

RESOLVED, that the County Executive of the County of Erie be and is hereby authorized to execute all necessary agreements, certifications and reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the County of Erie with 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 the Clerk of the Legislature forward ten (10) certified copies of this Resolution to the Deputy Commissioner, Highways, to be forwarded to the New York State Department of Transportation.

(5-0)

Item Page -1998 (Comm. 17D-55)  
7. DPW:

"WHEREAS, a project for the Signal Improvements at Borden Road and French Road, Borden Road and Losson Road, and Borden Road and Como Park Boulevard has been approved by the County Legislature on July 2, 1998, Communication 13D-20 and has been accepted under Title 23, U.S. Code, as amended that calls for the apportionment of the costs, such program to be borne at the ratio of 80% Federal funds and 20% non-Federal funds; and

WHEREAS, the Town of Cheektowaga is agreeable to reimbursing the County for the local share of the necessary improvements to said traffic signal updating at a sum not to exceed \$70,000; and

WHEREAS, the Town of Cheektowaga has passed a resolution agreeing to pay for the local share of this project.

NOW, THEREFORE BE IT

RESOLVED, that the Comptroller be authorized to accept funds from the Town of Cheektowaga in an amount not to exceed \$70,000, to be considered as revenue in the 1998 County Road Construction Program, for their share of costs to complete the necessary traffic signal improvement work; and be it further

RESOLVED, that the Clerk of the Legislature be instructed to forward three (3) certified copies of this resolution to the Deputy Commissioner-Highways, Department of Public Works.  
(5-0)

Item Page -1998 (Comm. 17D-56)  
8. DPW:

"WHEREAS, a project for the Replacement of Smith Road Bridge, BR 297-2, over Black Creek, BIN 3-32674-0, in the Town of Amherst, Erie County, PIN 5754.39, 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 80% Federal funds and 20% non-Federal funds, and

WHEREAS, the County of Erie desires to advance the Project by making commitment of 100% of the non-Federal share of the costs of Preliminary Engineering (Scoping and Design I-VI) and Right-of-Way Incidentals Phases for the Project or portions thereof, with the federal share of such costs to be applied directly by the New York State Department of Transportation ("NYSDOT") pursuant to Agreement.

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 the Preliminary Engineering (Scoping and Design I-VI) and Right-of-Way Incidentals Phases for the project or portions thereof; and be it further

RESOLVED, that the sum of \$63,000 is hereby appropriated from the following sources, the 1996 Federal Aid Program (\$18,400) and the 1995 Federal Aid Program (\$44,600) in addition to \$8,000 previously appropriated for the project's Preliminary Engineering (Scoping) phase via Erie County Resolution No. 14D-12 adopted on the 21st day of July, 1994 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 the project exceed the amount appropriated above, the County of Erie shall convene its Legislature as soon as possible to appropriate said excess amount 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, by attaching it to any necessary Agreement in connection with the Project; and be it further

RESOLVED, that the Clerk of the Legislature forward ten (10) certified copies of this Resolution to the Deputy Commissioner, Highways, to be forwarded to the New York State Department of Transportation.

(5-0)

Item	Page	-1998	(Comm. 17D-58)
9. DPW:			

WHEREAS, when the Alden Correctional Facility was constructed, it was necessary for the County to install water mains and an elevated water tank in order to insure a supply of water for the facility, and

WHEREAS, the Erie County Water Authority agreed to maintain these water mains and water tower at their expense, and

WHEREAS, a series of five year maintenance agreements between Erie County and the Water Authority were entered into, and

WHEREAS, the last maintenance agreement expired July 16, 1998,

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be authorized to enter into a new five year Lease Management Agreement with the Erie County Water Authority for the maintenance of water mains and water tower serving the Alden Correctional Facility, and be it further

RESOLVED, that two certified copies be sent to the Department of Public Works, Office and the Commissioner, and one copy be sent to the County Attorney.

(5-0)

**CHAIRMAN  
MICHAEL A. FITZPATRICK**

Mr. Kuwik moved the approval. Mr. Holt seconded.

CARRIED UNANIMOUSLY.

Item 22 – Mr. Debenedetti presented the following and moved for immediate approval. Mr. Marshall seconded.

CARRIED UNANIMOUSLY.

Resolution No. 296

September 16, 1998

ENERGY & ENVIRONMENT  
COMMITTEE  
REPORT NO. 10

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. 7 M-19) |
|------|------|-------|----------------|
| a.   |      |       |                |
- ERIE COUNTY WATER AUTHORITY: Copy of Letter to Chairman Swanick Re: Legal Opinions Regarding Procedures to be Followed in Imposition of Collective Bargaining Agreement  
(6-0) Chairman Swanick Present as Ex-Officio Member

- Item Page -1998 (Comm. 10M-8)  
b. NEW YORK STATE DEPARTMENT OF STATE: Letter to Chairman Swanick Re:  
Safe Drinking Water Act  
(6-0) Chairman Swanick Present as Ex-Officio Member
- Item Page -1998 (Comm. 14M-2)  
c. WEST VALLEY CITIZEN TASK FORCE: WNY Nuclear Center  
(6-0) Chairman Swanick Present as Ex-Officio Member
- Item Page -1998 (Comm. 16E-5)  
d. COUNTY EXECUTIVE: Copy of Letter to Peter Warn, Chairman EC Environmental  
Management Council Re: Peace Bridge Capacity Expansion  
(6-0) Chairman Swanick Present as Ex-Officio Member
- Item Page -1998 (Comm. 16M-7)  
e. MELINDA HOLLAND, CLEAN SITES: Summary of Task Force Meeting Held  
(6-0) Chairman Swanick Present as Ex-Officio Member
- Item Page -1998 (Comm. 17D-7)  
f. DEP: SEQR - (Draft) Negative Declaration Notice of Determination of Non-significance  
- Sturgeon Point Land Transfer, Town of Evans  
(6-0) Chairman Swanick Present as Ex-Officio Member
- Item Page -1998 (Comm. 12D-10)  
g. DEP: SEQR Solicitation for Lead Agency Status - ECSD No. 2 Big Sister Treatment  
Plant Improve & Big Sister Creek Bank Protection  
(6-0) Chairman Swanick Present as Ex-Officio Member
- Item Page -1998 (Comm. 17D-32)  
h. DEP: SEQR - Solicitation for Lead Agency Status Unlisted Action, Town of West  
Seneca  
(6-0) Chairman Swanick Present as Ex-Officio Member
- Item Page -1998 (Comm. 17E-44)  
i. COUNTY EXECUTIVE: Engineering Service Agreements Legislative Comm. 20 E-13  
Work Project: SW-4 ESCD No. 2 Odor Control Study  
(6-0) Chairman Swanick Present as Ex-Officio Member
- Item Page -1998 (Comm. 17E-45)  
j. COUNTY EXECUTIVE: Engineering Service Agreements Legislative Comm. 20E-13  
Work Project TVGA-6 ECSD No. 3 Holland STP - Sludge Drying Beds  
(6-0) Chairman Swanick Present as Ex-Officio Member Item
- Item Page -1998 (Comm. 17E-63)  
k. COUNTY EXECUTIVE: EC Sport Fishery Promotion Program  
(6-0) Chairman Swanick Present as Ex-Officio Member

Item Page -1998 (Comm. 17E-64)  
l. COUNTY EXECUTIVE: Semi-Annual Attendance Records Board of Managers ECSDs  
(6-0) Chairman Swanick Present as Ex-Officio Member

Item Page -1998 (Comm. 17E-65)  
m. COUNTY EXECUTIVE: ECSDs 1-6 Section 270/271 Resolutions  
(5-0) Chairman Swanick Present as Ex-Officio Member

Item Page -1998 (Comm. 17E-66)  
n. COUNTY EXECUTIVE: ECSD No. 6 - Malcolm Pirnie, Inc. A/E Agreement Dated  
6/24/93 change order No. 4  
(5-0)

Item Page -1998 (Comm. 17M-6)  
o. NYSDEC: Fact sheet - Saginaw Buffalo Hazardous Waste Site  
(5-0)

Item Page -1998 (Comm. 17M-10)  
p. MELIND HOLLAND CLEAN SITES: Summary of Task Force Conference Call Held  
7/21/98  
(5-0)

Item Page -1998 (Comm. 17M-15)  
q. NYSDEC: Fact Sheet - Republic Steel Site  
(5-0)

Item Page -1998 (Comm. 17M-16)  
r. MELINDA HOLLAND CLEAN SITES: Summary of Task Force Meeting Held 7/29/98  
& Notice of Meeting to be Held  
(5-0)

Item Page -1998 (Comm. 17M-30)  
s. EC ENVIRONMENTAL MANAGEMENT COUNCIL: Notice of Meeting to be Held  
9/22/98 & Minutes of Meeting Held 6/16/98  
(5-0)

( As Amended)  
Item Page -1997 (Comm.2E-9)  
2. COUNTY EXECUTIVE:  
RESOLUTION NO. 296 -1998

BOND RESOLUTION DATED SEPTEMBER 24, 1998

BOND RESOLUTION OF THE COUNTY OF ERIE, NEW  
YORK, ADOPTED SEPTEMBER 24, 1998 AMENDING

THE BOND RESOLUTION ADOPTED OCTOBER 22,  
1992.

(Introduced) January 23, 1997

(Adopted) September 24, 1998

Recitals

WHEREAS, the Legislature of the County of Erie, New York, has heretofore duly authorized the financing of the cost of original improvements in and for the Meadow Lakes Extension to Erie County Sewer District No. 5, including the application of cash appropriations in the amount of \$300,000 and the issuance of \$900,000 bonds, pursuant to the bond resolution adopted October 22, 1992 by said Legislature, and hereinafter referred to; and

WHEREAS, said Legislature, pursuant to the resolution adopted June 4, 1998, has heretofore duly authorized a \$135,000 increase of maximum amount to be expended for said improvements, as described in the report and estimate of cost prepared by the County Engineers (Erie County Department of Environment and Planning), which report and estimate of cost were approved by the Board of Managers of said District on October 15, 1997 and filed with the County Legislature pursuant to Sections 254 and 269 of the County Law; and

WHEREAS, it is now necessary, in accordance with said report and estimate of cost, to amend said bond resolution in order to change the plan of financing said cost of original improvements by eliminating the application of cash appropriations and increasing the amount of bonds authorized therefor from \$900,000 to \$1,335,000; NOW, THEREFORE, BE IT

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

**Section (A)** Resolution No. 345-1992 of said County duly adopted by the Legislature on October 22, 1992, entitled:

"BOND RESOLUTION DATED OCTOBER 22, 1992

BOND RESOLUTION AUTHORIZING THE ISSUANCE OF \$900,000 BONDS OF THE COUNTY OF ERIE, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF ORIGINAL IMPROVEMENTS IN AND FOR MEADOW LAKES EXTENSION TO ERIE COUNTY SEWER DISTRICT NO. 5; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$1,200,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE APPLICATION OF CASH APPROPRIATIONS IN THE AMOUNT OF \$300,000; AND



THE ISSUANCE OF \$900,000 BONDS HEREIN  
AUTHORIZED; PROVIDING FOR A TAX TO PAY THE  
PRINCIPAL OF AND INTEREST ON SAID BONDS; AND  
PROVIDING FOR REIMBURSEMENT BY ERIE COUNTY SEWER  
DISTRICT NO. 5 TO SAID COUNTY"

is hereby amended to read as follows:

BOND RESOLUTION DATED \_\_\_\_ 1998, AMENDING THE BOND RESOLUTION  
ADOPTED OCTOBER 22, 1992.

BOND RESOLUTION AUTHORIZING THE ISSUANCE OF \$1,335,000  
BONDS OF THE COUNTY OF ERIE, OR SO MUCH THEREOF AS MAY BE  
NECESSARY, TO FINANCE THE COST OF ORIGINAL IMPROVEMENTS IN  
AND FOR MEADOW LAKES EXTENSION TO ERIE COUNTY SEWER  
DISTRICT NO. 5; STATING THE ESTIMATED MAXIMUM COST THEREOF  
IS \$1,335,000; STATING THE PLAN OF FINANCING SAID COST  
INCLUDES THE ISSUANCE OF \$1,335,000 BONDS HEREIN  
AUTHORIZED; PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF  
AND INTEREST ON SAID BONDS; AND PROVIDING FOR  
REIMBURSEMENT BY ERIE COUNTY SEWER DISTRICT NO. 5 TO SAID  
COUNTY.

WHEREAS, pursuant to proceedings had and taken in accordance with the provisions  
of Article 5A of the County Law and more particularly an order of the State Comptroller dated  
September 16, 1992, and an order of this County Legislature dated October 27, 1992, Meadow  
Lakes Extension to Erie County Sewer District No. 5 has been established with an authorization  
for the improvements therein at an estimated maximum cost of \$1,200,000; and

WHEREAS, pursuant to proceedings had and taken in accordance with the provisions of  
Article 5A of the County Law and more particularly an order of the State Comptroller dated  
April 21, 1998, and a resolution of this County Legislature dated June 4, 1998, a \$135,000  
increase in maximum amount to be expended for said improvements has been authorized and

WHEREAS, it is now desired to provide for the financing of the aggregate estimated  
maximum cost of \$1,335,000 for said improvements; NOW THEREFORE BE IT

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

Section 1. Pursuant to the provisions of the Local Finance Law, constituting Chapter  
33-a of the Consolidated Laws of the State of New York, as amended (the "Law") , and to the  
provisions of other laws applicable thereto, \$1,335,000 bonds of the County, or so much thereof  
as may be necessary, are hereby authorized to be issued to finance the cost of construction of  
improvements in and for Meadow Lakes Extension to Erie County Sewer District No. 5 in the

County of Erie, New York, consisting of a subtrunk sewer line along Stahley-Connor Roads, an interceptor pumping station, sewers and appurtenances; all in accordance with the prepared maps, plans and report for said improvements on file with the County Legislature. The estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and to the financing thereof, is \$1,335,000. The plan of financing includes the issuance of \$1,335,000 bonds herein authorized and any bond anticipation notes issued in anticipation of the sale of such bonds, and the levy of a tax to pay the principal of and interest on said bonds and notes, the said principal and interest to be reimbursed to the County by the assessment and levy on the real property in Erie County Sewer District No. 5.

Section 2. The period of probable usefulness for the specific object or purpose for which said \$1,335,000 bonds herein authorized are to be issued, within the limitations of §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 \$1,335,000 bonds authorized herein, or any bond anticipation notes issued in anticipation thereof, pursuant to Section 107.00 d. 3. of said Law.

Section 4. The County intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which \$1,335,000 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 §30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and of §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 Comptroller of the County, 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 §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 an object or purpose for which the County is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of this Resolution or 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.

**Section (B).** The amendment of the bond resolution set forth in Section A of this Resolution shall in no way affect the validity of the liabilities incurred, obligations issued, or action taken pursuant to said bond resolution, and all such liabilities incurred, obligations issued, or action taken shall be deemed to have been incurred, issued or taken pursuant to said bond resolution, as so amended.

(5-0)

Item	Page	-1998	(Comm.17E-33)
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3. **COUNTY EXECUTIVE:**  
RESOLVED, that Dennis T. Gorski, as County Executive of the County of Erie, be, and hereby is, authorized to file an application on forms prescribed by the New York State Office of Parks, Recreation and Historic Preservation for financial assistance in accordance with the provisions of Title 9 of the Environmental Protection Act of 1993, in an amount not to exceed \$332,000 for improvements to Ellicott Creek Park in the Town of Tonawanda with said improvements having a total project cost not to exceed \$665,000 and, be it further

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

(6-0) Chairman Swanick Present as Ex-Officio Member

Item	Page	-1998	(Comm.17E-43)
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4. **COUNTY EXECUTIVE:**  
RESOLVED, that Dennis T. Gorski, as County Executive of the County of Erie, be, and hereby is, authorized to file an application on forms prescribed by the New York State Office of Parks, Recreation and Historic Preservation for financial assistance in accordance with the

provisions of Title 3 of the Clean Water/Clean Air Bond Act in an amount not to exceed \$435,000 for improvements to Bennett Beach Park in the Town of Evans with said improvements having a total project cost not to exceed \$870,000, and be it further

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

(6-0) Chairman Swanick Present as Ex-Officio Member

Item Page -1998 (Comm.17E-46)  
5. **COUNTY EXECUTIVE:**

WHEREAS, Erie County Sewer District No. 5 needs to retain the services of an Engineer to provide engineering design and construction services required in the construction of an interceptor sewer to eliminate the Farmington Woods and Hidden Oaks Pumping Stations; and

WHEREAS, the Board of Managers and the Department of Environment and Planning have recommended the firm of Pratt & Huth Associates, LLP, 60 Earhart Drive, Williamsville, New York 14221.

NOW, THEREFORE, BE IT

RESOLVED, that the engineering firm of Pratt & Huth Associates be retained at a cost not to exceed \$133,126.64; and be it further

RESOLVED, that the County Executive be, and hereby is, authorized to execute an Agreement with the firm of Pratt & Huth Associates, 60 Earhart Drive, Williamsville, New York 14221, to provide the needed engineering services subject to approval as to form by the County Attorney's Office, and be it further

RESOLVED, that the Comptroller be authorized and directed to allocate \$133,126.64 from Sewer Capital, Erie County Sewer District No. 5, Fund No. 430, Project No. 798, for payment of the Engineering Services contained in the Agreement; and be it further

RESOLVED, that the Clerk of the Legislature send two (2) certified copies of this resolution to Charles J. Alessi, P.E., Deputy Commissioner, Department of Environment and Planning, and one (1) certified copy to Stephen Gawlik, Assistant County Attorney, and the Erie County Comptroller's Office.

(6-0) Chairman Swanick Present as Ex-Officio Member

(As Amended)  
Item Page -1998 (Comm.17E-48)  
6. **COUNTY EXECUTIVE:**

WHEREAS, Erie County Sewer District No. 6 needs to replace its existing sodium hypochlorite storage tank in order to meet new state regulations on hazardous materials storage; and

WHEREAS, funds previously allocated at \$90,000 (Comm. 22E-11 of December 18, 1997) are insufficient for the now estimated costs of \$140,000 necessitating an additional allocation of \$50,000 from the District's bond account; and

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

NOW, THEREFORE, BE IT

RESOLVED, that the Comptroller be authorized and directed to allocate \$50,000 from Erie County Sewer District No. 6 Capital Account Fund No. 430, Project No. 519, Department No. 840, Account No. 891, Unallocated for Fund No. 430, Project No. 517, Department No. 840, Account 973 Sewer Construction Expenditures, and be it further

RESOLVED, that the Clerk of the Legislature send a certified copy of the resolution to the Comptroller, Charles J. Alessi, P.E., Deputy Commissioner, Department of Environment and Planning, and Stephen Gawlik, Assistant County Attorney.

(6-0) Chairman Swanick Present as Ex-Officio Member

Item Page -1998 (Comm.17E-52)  
7. **COUNTY EXECUTIVE:**

WHEREAS, the Department of Parks, Recreation & Forestry desires to make modifications to the grounds at Elma Meadows Golf Course and

WHEREAS, the Department needs to rent an excavator to make such modifications and rent additional port-a-potties during clubhouse renovations, and

WHEREAS, there are currently insufficient funds in the Parks Division Rental Account,

NOW, THEREFORE, BE IT

RESOLVED, that the sum of \$2000 be transferred from Other Expenses (Account 110 942640826) to Rental Charges (Account 110 942640822), and be it further

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

(5-0)

Item Page -1998 (Comm.17E-54)  
8. **COUNTY EXECUTIVE:**

WHEREAS, The County Executive has made an appointment to the Erie County Sewer District No. 4 Board of Managers pursuant to the power vested to him by Article 5-A of the County Law and Section 1607 of the County Charter.

NOW, THEREFORE, BE IT

RESOLVED, that the following appointment to the Erie County Sewer District No. 4 Board of Managers is hereby confirmed:

	Term Expires
Hon. Neil R. Connelly Councilman, Town of Lancaster 21 Central Avenue Lancaster, NY 14086	12/31/99

RESOLVED, that the Clerk of the Legislature be directed to send a certified copy of this resolution to Charles J. Alessi, Deputy Commissioner of Environment and Planning, the Board of Managers, the appointee and Stephen F. Gawlik of the County Attorney's Office.

(5-0)

Item	Page	-1998	(Comm.17E-61)
9.	<b>COUNTY EXECUTIVE:</b>		

WHEREAS, the Department of Parks, Recreation & Forestry is required to have FCC licensing for their ten (10) radio stations, and

WHEREAS, the department was unaware of these fees until recently, and

WHEREAS, the department had not budgeted for these fees,

NOW, THEREFORE, BE IT

RESOLVED, that the sum of \$2,025 is hereby appropriated in the Department of Parks, Dues and Fees Account (110 942640821), the source of funds being unanticipated revenue in the County-wide Accounts - Budget, Section 520 Exemption Removal Account (110 923310301), the annual budget for this account having been realized, and be it further,

RESOLVED, that certified copies of this resolution be for warded to the Division of Budget, Management and Finance and the Commissioner of the Department of Parks, Recreation & Forestry.

(5-0)

Item	Page	-1998	(Comm.17E-62)
10.	<b>COUNTY EXECUTIVE:</b>		

WHEREAS, the Town of Hamburg and the Corps of Engineers have requested access to the property on First Street in Woodlawn owned by Erie County on behalf of Erie County

Sewer District No. 6 to gain access to Blasdell Creek; so that, the existing flood protection can be rebuilt; and

WHEREAS, the granting of this easement will have no negative effect on the ability of Erie County Sewer District No. 6 to operate and maintain its facilities; and

WHEREAS, the Erie County Advisory Review Committee has reviewed this matter and recommends the granting of a temporary easement.

NOW, THEREFORE, BE IT

RESOLVED, that a temporary easement be granted to the Town of Hamburg and/or the U.S. Army Corps of Engineers for the purpose of providing access to Blasdell Creek to reconstruct the flood control project built in 1977; and be it further

RESOLVED, that the County Executive be, and hereby is, authorized to sign said easement, subject to Approval as to Form by the County Attorney; and be it further

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

(5-0)

Item	Page	-1998	(Comm.17E-68)
11.	<b>COUNTY EXECUTIVE:</b>		

WHEREAS, Article 5-A, Sections 270 and 271 of County Law requires your Honorable Body to hold a Public Hearing on the Sewer District Assessment Rolls for Erie County Sewer District Nos. 1, 2, 3, 4, 5 and 6; and

WHEREAS, Notice of said Public Hearing shall be published at least once in the official County newspapers and at least five (5) days prior to holding the Public Hearing.

NOW, THEREFORE, BE IT

RESOLVED, that a Public Hearing be held in the Chambers of the Erie County Legislature, 25 Delaware Avenue, Buffalo, NY, at 1:30 p.m., local time, on October 22, 1998, for the purpose of meeting to hear and consider any objections which may be made to the 1999 Sewer District Assessment Rolls for Erie County Sewer District Nos. 1, 2, 3, 4, 5 and 6; and be it further

RESOLVED, that the Clerk of the Legislature be directed to have published in the official County Newspapers, and the Buffalo News, a Notice of Public Hearing during the week of September 28, 1998, or as shortly thereafter as possible; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send certified copies of this resolution to Charles J. Alessi, P.E., Deputy Commissioner, Department of Environment and Planning and Stephen F. Gawlik, Assistant County Attorney.

(5-0)

CHAIRMAN  
GREGORY B. OLMA

Mr. Debenedetti moved to separate Resolve #2.

GRANTED.

Mr. Debenedetti moved to adopt the balance of the report. Mr. Marshall seconded.

CARRIED UNANIMOUSLY.

Mr. Debenedetti moved to approval Resolve #2. Mr. Ranzenhofer seconded.

Chairman Swanick directed that a Roll Call vote be taken. Ayes – Chase, Greenan, Larson, Marshall, Pauly, Ranzenhofer, Weinstein, Debenedetti, Dusza, Fisher, Holt, Kuwik, Marinelli, Peoples, Swanick. Ayes – 15, Noes – 0.

Item 23 - Ms. Marinelli presented the following and moved for immediate approval. Mr. Holt seconded.

CARRIED UNANIMOUSLY.

Resolution No. 297

September 17, 1998

COMMUNITY ENRICHMENT  
COMMITTEE  
REPORT NO. 8

ALL MEMBERS PRESENT EXCEPT LEGISLATORS FISHER AND PAULY.

Item Page 1998 (COMM. 17E-26)  
1. COUNTY EXECUTIVE:

WHEREAS, the Erie Community College Board of Trustees elected to participate in the New York State Retirement Incentive, Chapter 47 of the Laws of 1998 and requests Erie County approval

WHEREAS, this program will allow senior members of the staff to retire and allow the College to replace them with entry level, or part-time positions at considerable cost savings, and

WHEREAS, separate resolutions are required for each retirement system,

NOW, THEREFORE, BE IT



RESOLVED, that the County of Erie approves Erie Community College's participation in the Retirement Incentive Program established by the Employee Retirement System retirement incentive legislation, Chapter 47 of the Laws of 1998 the open period of filing beginning on October 01, 1998 through December 26, 1998 with a retirement date no later than December 26, 1998 and be it further

RESOLVED, that the County of Erie approves Erie Community College's participation in the Retirement Incentive program established by the Teachers Retirement System retirement incentive legislation, Chapter 47 of the Laws of 1998, the open period of filing beginning on October 01, 1998 through December 26, 1998 with a retirement date no later than December 26, 1998, and

WHEREAS, Erie County approval is necessary to implement the Retirement Incentive programs, Chapter 47 of the Laws of 1998

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature approves the Retirement Incentive Program, Chapter 47 of the Laws of 1998 elected by the Erie Community College Board of Trustees, and be it further

RESOLVED, that certified copies of this resolution be forwarded to the President of Erie Community College, the Department of Personnel and the Director of Budget and Management.

(3-0)

**LYNN M. MARINELLI**  
**CHAIRPERSON**

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

CARRIED UNANIMOUSLY.

Item 24 – Mrs. Fisher presented the following and moved for immediate consideration. Mr. Kuwik seconded .

CARRIED UANANIMOUSLY.

Resolution No. 298

September 17, 1998

FINANCE & MANAGEMENT  
COMMITTEE

REPORT NO. 8

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

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

- |    |   |      |       |                |
|----|---|------|-------|----------------|
| a. | Item  | Page | -1997 | (Comm. 11M-26) |
|    | GREATER BUFFALO PARTNERSHIP: Buffalo Bills Task Force Value Assessment<br>(4-0)   |      |       |                |
| b. | Item  | Page | -1997 | (Int. 14-10)   |
|    | DEBENEDETTI: Buffalo Bills Lease<br>(4-0)   |      |       |                |
| c. | Item  | Page | -1997 | (Int. 17-2)    |
|    | MARSHALL: Buffalo Bills Lease<br>(4-0)  |      |       |                |
| d. | Item  | Page | -1997 | (Int. 18-20)   |
|    | MARSHALL, GREENAN, CHASE, LARSON & RANZENHOFER: Support for<br>Buffalo Bills and Opposition to New Higher Taxes to pay for Proposed Bills Lease<br>(4-0) Chairman Swanick Present as Ex-Officio Member                              |      |       |                |
| e. | Item  | Page | -1997 | (Comm. 21D-2)) |
|    | PERSONNEL: List of No-Load Mutual Funds<br>(4-0)  |      |       |                |
| f. | Item  | Page | -1997 | (Comm. 26E-2)  |
|    | COMPTROLLER: The Buffalo Bills Lease - Funding Alternatives<br>(3-2) Legislators LARSON & RANZENHOFER voted in the negative. Chairman<br>Swanick Present as Ex-Officio Member   |      |       |                |
| g. | Item  | Page | -1997 | (Comm. 27M-9)  |
|    | GREATER BUFFALO PARTNERSHIP: Recommendation Regarding Erie County's<br>Share of the Buffalo Bills Lease Agreement<br>(3-2) Legislators Larson & Ranzenhofer voted in the negative. Chairman Swanick<br>Present as Ex-Officio Member |      |       |                |
| h. | Item  | Page | -1997 | (Int. 27-3)    |
|    | OLMA: Rescinding the Sale of Leo Place in the Town of Cheektowaga<br>(5-0) Chairman Swanick Present as Ex-Officio Member  |      |       |                |
|    | Item  | Page | -1997 | (Int. 27-19)   |

i. DEBENEDETTI, OLMA, PAULY, GREENAN, MARSHALL, CHASE, LARSON & RANZENHOFER: Naming Rights at Rich Stadium  
(3-2) Legislators Larson & Ranzenhofer voted in the negative. Chairman Swanick Present as Ex-Officio Member

Item Page -1997 (Int. 27-21)  
j. MARSHALL, CHASE, GREENAN, LARSON & RANZENHOFER: Funding for Buffalo Bills Lease Without Need For a New Tax  
(3-2) Legislators Larson & Ranzenhofer voted in the negative. Chairman Swanick Present as Ex-Officio Member

Item Page -1997 (Int. 27-22)  
k. MARSHALL, CHASE, GREENAN, LARSON & RANZENHOFER: Funding for Buffalo Bills Lease Without Need for \$78 Million "Sin Tax"  
(3-2) Legislators Larson & Ranzenhofer voted in the negative. Chairman Swanick Present as Ex-Officio Member

Item Page -1998 (Comm. 1 E-1)  
l. COMPTROLLER: Buffalo Bills Lease/Lease Back Proposal  
(3-2) Legislators Larson & Ranzenhofer voted in the negative. Chairman Swanick Present as Ex-Officio Member

Item Page -1998 (Comm. 1 E-24)  
m. PEOPLES: Letter to Comptroller Re: Rich Stadium  
(5-0) Chairman Swanick Present as Ex-Officio Member

Item Page -1998 (Comm. 3 E-2)  
n. COMPTROLLER: Letter to Legislator Peoples Re: Buffalo Bills Lease  
(5-0) Chairman Swanick Present as Ex-Officio Member

Item Page -1998 (Int. 3 -23)  
o. DEBENEDETTI: Improper Action by County Executive on Legislative Appropriation  
(5-0) Chairman Swanick Present as Ex-Officio Member

Item Page -1998 (Comm. 5 D-2)  
p. DEP: Copy of Letter to Comptroller Re: Lease/Lease Back Proposal  
(5-0) Chairman Swanick Present as Ex-Officio Member

Item Page -1998 (Comm. 5 D-14)  
q. BUDGET, MANAGEMENT & FINANCE: Copy of Letter to Comptroller Re: Lease/Lease Back Proposal  
(5-0) Chairman Swanick Present as Ex-Officio Member

Item Page -1998 (Comm. 5 E-5)  
r. SWANICK & PEOPLES: Copy of Letter to Commissioner Tobe Re: Lease/Lease Back Proposal for Funding the New Buffalo Bills Lease

(5-0) Chairman Swanick Present as Ex-Officio Member

- |     |   |      |       |                |
|-----|---|------|-------|----------------|
|     | Item  | Page | -1998 | (Comm. 5 E-6)  |
| s.  | SWANICK & PEOPLES: Copy of Letter to Comptroller Re: Requesting Written Lease/Lease Back Proposal for Funding the New Buffalo Bills Lease |      |       |                |
|     | (5-0) Chairman Swanick Present as Ex-Officio Member   |      |       |                |
|     | Item  | Page | -1998 | (Comm. 6 E-9)  |
| t.  | COMPTRROLLER: Copy of Letter to State Comptroller's Office Re: Buffalo Bills Lease/LeaseBack Proposal                                     |      |       |                |
|     | (5-0) Chairman Swanick Present as Ex-Officio Member   |      |       |                |
|     | Item  | Page | -1998 | (Comm. 6 E-13) |
| u.  | COMPTRROLLER: Copy of Letter to Commissioner Tobe Re: Buffalo Bills Lease   |      |       |                |
|     | (5-0) Chairman Swanick Present as Ex-Officio Member   |      |       |                |
|     | Item  | Page | -1998 | (Comm 7 D-6)   |
| v.  | DEP: Copy of Letter to Legislators Swanick & Peoples Re: Comptroller's Lease/Lease Back Proposal  |      |       |                |
|     | (5-0) Chairman Swanick Present as Ex-Officio Member   |      |       |                |
|     | Item  | Page | -1998 | (Comm.7 M-1)   |
| w.  | NEW YORK STATE COMPTRROLLER: Copy of Letter to Comptroller Re: Buffalo Bills Lease/Lease Back Proposal                                    |      |       |                |
|     | (5-0) Chairman Swanick Present as Ex-Officio Member   |      |       |                |
|     | Item  | Page | -1998 | (Comm. 7 M-21) |
| x.  | DEPUTY STATE COMPTRROLLER: Copy of Letter to Comptroller Re: Buffalo Bills Lease/Lease Back Proposal                                      |      |       |                |
|     | (5-0) Chairman Swanick Present as Ex-Officio Member   |      |       |                |
|     | Item  | Page | -1998 | (Comm. 8 D-8)  |
| y.  | COUNTY ATTORNEY: Copy of Letter to Chairman Swanick Re: Int. 7E-9 Comptroller Naples Resolution Lease/Leaseback                           |      |       |                |
|     | (5-0) Chairman Swanick Present as Ex-Officio Member   |      |       |                |
|     | Item  | Page | -1998 | (Comm. 9 D-8)  |
| z.  | BUDGET MANAGEMENT & FINANCE: 1997 Budget Balancing  |      |       |                |
|     | (5-0) Chairman Swanick Present as Ex-Officio Member   |      |       |                |
|     | Item  | Page | -1998 | (Comm. 9 D-16) |
| aa. | DEP: Copy of Letter to Comptroller Re: Lease/Leaseback Proposal   |      |       |                |
|     | (5-0) Chairman Swanick Present as Ex-Officio Member   |      |       |                |

Item Page -1998 (Comm. 9 D-17)  
bb. COUNTY ATTORNEY: Copy of Letter to Comptroller Re: Contract for Legal Services  
with O'Melveny & Meyers  
(5-0) Chairman Swanick Present as Ex-Officio Member

Item Page -1998 (Comm. 9 E-1)  
cc. COMPTROLLER: Copy of Letter to Chairman Swanick Re: Lease/Lease Back  
Proposal  
(5-0) Chairman Swanick Present as Ex-Officio Member

Item Page -1998 (Comm. 9 E-6)  
dd. COMPTROLLER: Copy of Letter to DEP Re: Lease/Leaseback Proposal  
(5-0) Chairman Swanick Present as Ex-Officio Member

Item Page -1998 (Comm. 9 M-31)  
ee. R. PETER MORROW III, ESQ: Copy of Letter to Legislator Peoples Re: Leo Place  
(5-0) Chairman Swanick Present as Ex-Officio Member

Item Page -1998 (Comm. 9 M-39)  
ff. DAVID V. JAWORSKI ESQ: Copy of Letter to Legislator Peoples Re: Souram  
Acquisition Limited Partnership/ Leo Place  
(5-0) Chairman Swanick Present as Ex-Officio Member

Item Page -1998 (Comm. 10E-7)  
gg. COMPTROLLER: Copy of Letter to County Executive & Legislature Re: Buffalo Bills  
Lease  
(5-0) Chairman Swanick Present as Ex-Officio Member

Item Page -1998 (Comm. 10M-9)  
hh. NEW YORK STATE BOARD OF REAL PROPERTY SERVICES: List of Certified  
1997 State Equalization Rates  
(5-0) Chairman Swanick Present as Ex-Officio Member

Item Page -1998 (Comm. 13D-7)  
ii. BUDGET MANAGEMENT & FINANCE: Budget Monitoring Report for the Period  
Ending 4/30/98  
(5-0) Chairman Swanick Present as Ex-Officio Member

Item Page -1998 (Comm. 13E-1)  
jj. COMPTROLLER: Unfilled Vacant Positions 3/28/98  
(5-0) Chairman Swanick Present as Ex-Officio Member

Item Page -1998 (Comm. 13E-3)  
kk. MARSHALL: Letter to County Attorney Re: Contract with O' Melveny & Myers  
Concerning the Buffalo Bills Lease/Lease Back Proposal

(5-0) Chairman Swanick Present as Ex-Officio Member

- Item Page -1998 (Comm. 14D-5)  
ll. COUNTY ATTORNEY: Copy of Letter to Marshall Re: Lease-Leaseback Resolution  
(5-0) Chairman Swanick Present as Ex-Officio Member

- Item Page -1998 (Comm. 14E-1)  
mm. COMPTROLLER: Quarterly Investment Report 1/1/98 - 3/31/98  
(5-0) Chairman Swanick Present as Ex-Officio Member

- Item Page -1998 (Comm. 14E-4)  
nn. COMPTROLLER: Audits Financial Statements - ECMC & EC Home for Fiscal Year  
Ended 12/31/97  
(5-0) Chairman Swanick Present as Ex-Officio Member

- Item Page -1998 (Comm. 14E-6)  
oo. COMPTROLLER: Audit - EC Correctional Facility - Analysis of Staffing & Overtime  
(5-0) Chairman Swanick Present as Ex-Officio Member

- Item Page -1998 (Comm. 16D-8)  
pp. BUDGET MANAGEMENT & FINANCE: Budget Monitoring Report for Period  
Ending 5/31/98  
(5-0) Chairman Swanick Present as Ex-Officio Member

- Item Page -1998 (Comm. 16D-14)  
qq. CORRECTIONAL FACILITY: Response to Comptroller's Audit & Review of Staffing  
& Overtime  
(5-0) Chairman Swanick Present as Ex-Officio Member

- Item Page -1998 (Comm. 16D-16)  
rr. BUFFALO ZOO: Financial Report 5/98  
(5-0) Chairman Swanick Present as Ex-Officio Member

- Item Page -1998 (Comm. 16E-3)  
ss. DEBENEDETTI: Letter to Legislature Re: Buffalo Bills Lease  
(5-0) Chairman Swanick Present as Ex-Officio Member

- Item Page -1998 (Comm. 16E-4)  
tt. COMPTROLLER: Erie County's Comprehensive Financial Report for Year Ended  
12/31/97  
(5-0) Chairman Swanick Present as Ex-Officio Member

- Item Page -1998 (Comm. 16M-2)  
uu. PRICE WATERHOUSE: NFTA Financial Statements 3/31/98 & 1997  
(5-0) Chairman Swanick Present as Ex-Officio Member

Item Page -1998 (Comm. 16M-12)  
vv. HODGSON RUSS ANDREWS WOODS & GOODYEAR: Erie County Stadium Lease  
(5-0) Chairman Swanick Present as Ex-Officio Member

Item Page -1998 (Comm. 17D-25)  
ww. BUDGET MANAGEMENT & FINANCE: SEQR - Negative Declaration Notice of  
Determination & Non-Significance - Disposition of County Land, Town of Evans  
(5-0) Chairman Swanick Present as Ex-Officio Member

Item Page -1998 (Comm. 17D-28)  
xx. BUDGET MANAGEMENT & FINANCE: SEQR - Negative Declaration Notice of  
Determination & Non-Significance - Disposition of County Land, Village of Lancaster  
(5-0) Chairman Swanick Present as Ex-Officio Member

Item Page -1998 (Comm. 17D-29)  
yy. BUDGET MANAGEMENT & FINANCE: SEQR - Negative Declaration Notice of  
Determination & Non-Significance Disposition - Disposition of County Land - Village of Sloan  
(5-0) Chairman Swanick Present as Ex-Officio Member

Item Page -1998 (Comm. 17E-5)  
zz. COMPTROLLER: Interim Financial Report for Three Months Ended 3/31/98  
(5-0) Chairman Swanick Present as Ex-Officio Member

Item Page -1998 (Comm. 17E-7)  
aaa. COMPTROLLER: Supplement to Comprehensive Annual Financial Report for year  
Ended 12/31/97  
(5-0) Chairman Swanick Present as Ex-Officio Member

Item Page -1998 (Comm. 17E-9)  
bbb. COMPTROLLER: Annual Financial Report Update Document for Year Ended 12/31/97  
(5-0) Chairman Swanick Present as Ex-Officio Member

Item Page -1998 (Comm. 17M-2)  
ccc. THE LEGAL AID BUREAU OF BUFFALO INC: 1997 Financial Statements 1997  
Annual Report & Minutes of Board of Directors Meeting Held 6/2/98  
(5-0) Chairman Swanick Present as Ex-Officio Member

Item Page -1998 (Comm. 17 M-12)  
ddd. THE COMMUNITY GRIEF CENTER OF WESTERN NEW YORK INC: 1998 Public  
Benefit Funding Grief & Loss Services Contract Report  
(5-0) Chairman Swanick Present as Ex-Officio Member

Item Page -1998 (Comm. 17M-26)  
eee. CITY OF BUFFALO DEPARTMENT OF ASSESSMENT: 1999 Transit Mall Service  
Charge Roll  
(5-0) Chairman Swanick Present as Ex-Officio Member

- | Item | Page                         | -1997 | (As Amended)<br>(Comm. 1D-19A) |
|------|------------------------------|-------|--------------------------------|
| 2.   | BUDGET MANAGEMENT & FINANCE: |       |                                |

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

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

RESOLVED, that petitions numbered 980354 through 980396 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. 980354 / 8498 - ASSESSOR - Cancel - \$2,195.11

SBL No. 132.19-1-4./A - CITY OF BUFFALO

Acct. No. 112 - \$ 2,195.11 - County

Acct. No. 132 - \$ 0.00 - Town/SpecialDist/School

Charge to :

CANCEL - CLERICAL ERROR, PARCEL IS NON-EXISTENT. RPTL 550(2)F.

Petition No. 980355 / 1997 - ASSESSOR - Cancel - \$1,653.89

SBL No. 141.20-1-2.1 - CITY OF LACKAWANNA

Acct. No. 112 - \$ 1,653.89 - County

Acct. No. 132 - \$ 0.00 - Town/SpecialDist/School

Charge to :

CANCEL - CLERICAL ERROR, PARCEL IS OWNED BY THE CITY OF LACKAWANNA. PARCEL IS EXEMPT FROM COUNTY TAX. EXEMPTION OMITTED IN ERROR. RPTL 550(2)C.

Petition No. 980356 / 1997 - ASSESSOR - Cancel - \$164.95

SBL No. 141.52-2-41 - CITY OF LACKAWANNA

Acct. No. 112 - \$ 164.95 - County

Acct. No. 132 - \$ 0.00 - Town/SpecialDist/School

Charge to :

CANCEL - CLERICAL ERROR, THIS PARCEL IS OWNED BY THE CITY OF LACKAWANNA MAKING IT EXEMPT FROM COUNTY TAX. EXEMPTION FOR WHICH THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C

Petition No. 980357 / 1997 - ASSESSOR - Cancel - \$17.93

SBL No. 141.59-5-9 - CITY OF LACKAWANNA



Acct. No. 112 - \$ 17.93 - County  
Acct. No. 132 - \$ 0.00 - Town/SpecialDist/School

Charge to :

CANCEL - CLERICAL ERROR, THIS PARCEL IS OWNED BY THE CITY OF LACKAWANNA AND IS EXEMPT FROM COUNTY TAXES. THE EXEMPTION TO WHICH THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C.

Petition No. 980358 / 1997 - ASSESSOR - Cancel - \$345.13

SBL No. 141.60-4-10.1 - CITY OF LACKAWANNA

Acct. No. 112 - \$ 345.13 - County

Acct. No. 132 - \$ 0.00 - Town/SpecialDist/School

Charge to :

CANCEL - CLERICAL ERROR, THIS PARCEL IS OWNED BY THE CITY OF LACKAWANNA AND IS EXEMPT FROM COUNTY TAXES. THE EXEMPTION TO WHICH THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C

Petition No. 980359 / 1997 - ASSESSOR - Cancel - \$5.38

SBL No. 141.67-1-13 - CITY OF LACKAWANNA

Acct. No. 112 - \$ 5.38 - County

Acct. No. 132 - \$ 0.00 - Town/SpecialDist/School

Charge to :

CANCEL - CLERICAL ERROR, THIS PARCEL IS OWNED BY THE CITY OF LACKAWANNA MAKING IT EXEMPT FROM COUNTY TAXES. THE EXEMPTION THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL.

RPTL 550(2)C

Petition No. 980360 / 1997 - ASSESSOR - Cancel - \$52.89

SBL No. 141.67-1-25 - CITY OF LACKAWANNA

Acct. No. 112 - \$ 52.89 - County

Acct. No. 132 - \$ 0.00 - Town/SpecialDist/School

Charge to :

CANCEL - CLERICAL ERROR, THIS PARCEL IS OWNED BY THE CITY OF LACKAWANNA MAKING IT EXEMPT FROM COUNTY TAXES. THE EXEMPTION FROM WHICH THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C

Petition No. 980361 / 1997 - ASSESSOR - Cancel - \$36.75

SBL No. 141.67-1-27 - CITY OF LACKAWANNA

Acct. No. 112 - \$ 36.75 - County

Acct. No. 132 - \$ 0.00 - Town/SpecialDist/School

Charge to :

CANCEL - CLERICAL ERROR, THIS PARCEL IS OWNED BY THE CITY OF

LACKAWANNA AND IS EXEMPT FROM COUNTY TAXES. THE EXEMPTION TO WHICH THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C.

Petition No. 980362 / 1997 - ASSESSOR - Cancel - \$850.70

SBL No. 141.83-3-3.1 - CITY OF LACKAWANNA

Acct. No. 112 - \$ 850.70 - County

Acct. No. 132 - \$ 0.00 - Town/SpecialDist/School

Charge to :

CANCEL - CLERICAL ERROR, PROPERTY IS OWNED BY THE CITY OF LACKAWANNA AND IS EXEMPT FROM COUNTY TAXES. THE EXEMPTION TO WHICH THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE PARCEL. RPTL 550(2)C.

Petition No. 980363 / 1997 - ASSESSOR - Cancel - \$9.86

SBL No. 142.54-3-11 - CITY OF LACKAWANNA

Acct. No. 112 - \$ 9.86 - County

Acct. No. 132 - \$ 0.00 - Town/SpecialDist/School

Charge to :

CANCEL - CLERICAL ERROR, THIS PARCEL IS OWNED BY THE CITY OF LACKAWANNA AND IS EXEMPT FROM COUNTY EXEMPT. THE EXEMPTION TO WHICH THIS PARCEL IS ENTITLED WAS OMITTED IN ERROR FROM THE TAX ROLL.

RPTL 550(2)C

Petition No. 980364 / 1997 - ASSESSOR - Cancel - \$30.48

SBL No. 142.54-3-12 - CITY OF LACKAWANNA

Acct. No. 112 - \$ 30.48 - County

Acct. No. 132 - \$ 0.00 - Town/SpecialDist/School

Charge to :

CANCEL - CLERICAL ERROR, PARCEL IS OWNED BY THE CITY OF LACKAWANNA AND IS EXEMPT FROM PAYING COUNTY TAXES. THE EXEMPTION TO WHICH THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL.

RPTL 550(2)C

Petition No. 980365 / 1997 - ASSESSOR - Cancel - \$30.48

SBL No. 142.54-3-13 - CITY OF LACKAWANNA

Acct. No. 112 - \$ 30.48 - County

Acct. No. 132 - \$ 0.00 - Town/SpecialDist/School

Charge to :

CANCEL - CLERICAL ERROR, THIS PARCEL IS OWNED BY THE CITY OF LACKAWANNA MAKING IT WHOLLY EXEMPT FROM COUNTY TAXES. THE EXEMPTION TO WHICH THIS PARCEL IS ENTITLED WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C

Petition No. 980366 / 1997 - ASSESSOR - Cancel - \$30.48  
SBL No. 142.54-3-14 - CITY OF LACKAWANNA  
Acct. No. 112 - \$ 30.48 - County  
Acct. No. 132 - \$ 0.00 - Town/SpecialDist/School

Charge to :

CANCEL - CLERICAL ERROR, THIS PARCEL IS OWNED BY THE CITY OF LACKAWANNA AND EXEMPT FROM COUNTY TAXES. THE EXEMPTION TO WHICH THIS PARCEL IS ENTITLED WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C

Petition No. 980367 / 1997 - ASSESSOR - Cancel - \$31.37  
SBL No. 142.54-3-27 - CITY OF LACKAWANNA  
Acct. No. 112 - \$ 31.37 - County  
Acct. No. 132 - \$ 0.00 - Town/SpecialDist/School

Charge to :

CANCEL - CLERICAL ERROR, THIS PARCEL IS OWNED BY THE CITY OF LACKAWANNA MAKING IT WHOLLY EXEMPT FROM COUNTY TAXES. THE EXEMPTION TO WHICH THIS PARCEL IS ENTITLED WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C

Petition No. 980368 / 1997 - ASSESSOR - Cancel - \$31.37  
SBL No. 142.54-3-28 - CITY OF LACKAWANNA  
Acct. No. 112 - \$ 31.37 - County  
Acct. No. 132 - \$ 0.00 - Town/SpecialDist/School

Charge to :

CANCEL - CLERICAL ERROR, THIS PARCEL IS OWNED BY THE CITY OF LACKAWANNA AND IS EXEMPT FROM COUNTY TAXES. THE EXEMPTION TO WHICH THIS PARCEL IS ENTITLED WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C

Petition No. 980369 / 1997 - ASSESSOR - Cancel - \$31.37  
SBL No. 142.54-3-29 - CITY OF LACKAWANNA  
Acct. No. 112 - \$ 31.37 - County  
Acct. No. 132 - \$ 0.00 - Town/SpecialDist/School

Charge to :

CANCEL - CLERICAL ERROR, THIS PARCEL IS OWNED BY THE CITY OF LACKAWANNA AND IS EXEMPT FROM COUNTY TAXES. THE EXEMPTION TO WHICH THIS PARCEL IS ENTITLED WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C

Petition No. 980370 / 1997 - ASSESSOR - Cancel - \$31.37

SBL No. 142.54-3-30 - CITY OF LACKAWANNA

Acct. No. 112 - \$ 31.37 - County

Acct. No. 132 - \$ 0.00 - Town/SpecialDist/School

Charge to :

CANCEL - CLERICAL ERROR, THIS PARCEL IS OWNED BY THE CITY OF LACKAWANNA AND IS EXEMPT FROM COUNTY TAXES. THE EXEMPTION TO WHICH THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C.

Petition No. 980371 / 1997 - ASSESSOR - Cancel - \$48.41

SBL No. 142.77-2-21 - CITY OF LACKAWANNA

Acct. No. 112 - \$ 48.41 - County

Acct. No. 132 - \$ 0.00 - Town/SpecialDist/School

Charge to :

CANCEL - CLERICAL ERROR, THIS PARCEL IS OWNED BY THE CITY OF LACKAWANNA AND IS EXEMPT FROM COUNTY TAXES. THE EXEMPTION TO WHICH THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C.

Petition No. 980372 / 1997 - ASSESSOR - Cancel - \$48.41

SBL No. 142.77-2-22 - CITY OF LACKAWANNA

Acct. No. 112 - \$ 48.41 - County

Acct. No. 132 - \$ 0.00 - Town/SpecialDist/School

Charge to :

CANCEL - CLERICAL ERROR, THIS PARCEL IS OWNED BY THE CITY OF LACKAWANNA AND IS EXEMPT FROM COUNTY TAXES. THE EXEMPTION TO WHICH THIS PARCEL IS ENTITLED WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C.

Petition No. 980373 / 1997 - ASSESSOR - Cancel - \$49.30

SBL No. 142.77-2-23 - CITY OF LACKAWANNA

Acct. No. 112 - \$ 49.30 - County

Acct. No. 132 - \$ 0.00 - Town/SpecialDist/School

Charge to :

CANCEL - CLERICAL ERROR, THIS PARCEL IS OWNED BY THE CITY OF LACKAWANNA AND IS EXEMPT FROM COUNTY TAXES. THE EXEMPTION TO WHICH THIS PARCEL IS ENTITLED WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C

Petition No. 980374 / 1997 - ASSESSOR - Cancel - \$8.07

SBL No. 142.77-4-28 - CITY OF LACKAWANNA

Acct. No. 112 - \$ 8.07 - County

Acct. No. 132 - \$ 0.00 - Town/SpecialDist/School

Charge to :

CANCEL - CLERICAL ERROR, THIS PARCEL IS OWNED BY THE CITY OF

LACKAWANNA AND IS EXEMPT FROM COUNTY TAXES. THE EXEMPTION TO WHICH THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C.

Petition No. 980375 / 1997 - ASSESSOR - Cancel - \$16.14  
SBL No. 151.08-1-4.1 - CITY OF LACKAWANNA  
Acct. No. 112 - \$ 16.14 - County  
Acct. No. 132 - \$ 0.00 - Town/SpecialDist/School

Charge to :  
CANCEL - CLERICAL ERROR, THIS PARCEL IS OWNED BY THE CITY OF LACKAWANNA AND IS EXEMPT FROM COUNTY TAXES. THE EXEMPTION TO WHICH THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C

Petition No. 980376 / 1997 - ASSESSOR - Cancel - \$562.95  
SBL No. 151.08-2-31.11 - CITY OF LACKAWANNA  
Acct. No. 112 - \$ 562.95 - County  
Acct. No. 132 - \$ 0.00 - Town/SpecialDist/School

Charge to :  
CANCEL - CLERICAL ERROR, THIS PARCEL IS OWNED BY THE CITY OF LACKAWANNA AND IS EXEMPT FROM COUNTY TAXES. THE EXEMPTION TO WHICH THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C.

Petition No. 980377 / 1998 - ASSESSOR - Refund - \$19,831.49  
SBL No. 96.00-4-19.2 - TOWN OF ALDEN  
Acct. No. 112 - \$ 8,384.40 - County  
Acct. No. 132 - \$ 11,447.09 - Town/SpecialDist/School

Charge to : TOWN OF ALDEN 668.61  
ALDEN CENTRAL 10,778.48

REFUND - CLERICAL ERROR, THIS PARCEL WAS BILLED UNDER THE RPTL 520. THE PAYMENTS WERE MADE DIRECTLY TO THE COUNTY, SCHOOL AND TOWN UNDER THE ECIDA PILOT AGREEMENT. THE RPTL 520 IS A DUPLICATE CHARGE. CHECK IN FAVOR OF: VINCENT J MOORE ATTY, FOR STERN/LEACH COMPANY

Petition No. 980378 / 1998 - ASSESSOR - Refund - \$1,395.45  
SBL No. 80.08-9-13 - TOWN OF AMHERST  
Acct. No. 112 - \$ 353.01 - County  
Acct. No. 132 - \$ 1,042.44 - Town/SpecialDist/School

Charge to : TOWN OF AMHERST 208.86  
WILLIAMSVILLE CENT 833.58

REFUND - CLERICAL ERROR, THIS PROPERTY WAS CHARGED IN THE AMOUNT OF \$1,395.45 UNDER THE RPTL 520 LAW FOR AN EXEMPTION THAT DID NOT EXIST ON THE 1997 TOWN & COUNTY TAX BILL OR THE 96/97 SCHOOL BILL. CHECK IN FAVOR OF: MARY ROSE & PATRICK RUGGIERO

Petition No. 980379 / 1998 - ASSESSOR - Cancel - \$341.25  
SBL No. 227.00-5-22.1 - TOWN OF BOSTON  
Acct. No. 112 - \$ 0.00 - County  
Acct. No. 132 - \$ 341.25 - Town/SpecialDist/School  
Charge to : EC#3 BOSTON VALLEY 195.00  
            EC#3 BOSTON VALLEY 146.25

CANCEL - CLERICAL ERROR, THIS PARCEL WAS OVERCHARGED FOR ERIE COUNTY SEWER TAX DUE TO AN EXTRA SERVICE CHARGE AND FRONTAGE. RPTL 550(2)E

Petition No. 980380 / 1997 - ASSESSOR - Cancel - \$163.63  
SBL No. 102.22-7-7 - TOWN OF CHEEKTOWAGA  
Acct. No. 112 - \$ 31.86 - County  
Acct. No. 132 - \$ 131.77 - Town/SpecialDist/School  
Charge to : TOWN OF CHEEKTOWAGA 66.53  
            CHEEKTO. CENTRAL 56.57  
            FIRE # 5 PINE HILL 8.67

CANCEL - UNLAWFUL ENTRY, THIS PARCEL IS OWNED BY THE NEW YORK STATE DOT. THE NEW YORK STATE DOT DOES NOT PAY SPECIAL DISTRICT TAXES COUNTY, TOWN OR SCHOOL TAX. RPTL 550(7)A.

Petition No. 980382 / 9899 - ASSESSOR - Cancel - \$369.74  
SBL No. 71.06-2-7 - TOWN OF CLARENCE  
Acct. No. 112 - \$ 0.00 - County  
Acct. No. 132 - \$ 369.74 - Town/SpecialDist/School  
Charge to : CLARENCE CENTRAL 369.74

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. THE ASSESSMENT WAS 140,000 AND SHOULD BE 115,000. RPTL 550(2)A

Petition No. 980383 / 1998 - ASSESSOR - Cancel - \$605.37  
SBL No. 323.00-1-30 - TOWN OF CONCORD  
Acct. No. 112 - \$ 149.44 - County  
Acct. No. 132 - \$ 455.93 - Town/SpecialDist/School  
Charge to : TOWN OF CONCORD 91.29  
            SPRING-GRIFFITH 340.58  
            CONCORD FIRE PROTECT 24.06

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON THIS PARCEL. THE ASSESSMENT WAS 189,300 AND SHOULD BE 173,300. RPTL 550(2)A

Petition No. 980384 / 9798 - ASSESSOR - Refund - \$87.38

SBL No. 279.00-1-41.122 - TOWN OF SARDINIA

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 87.38 - Town/SpecialDist/School

Charge to : HOLLAND CENTRAL 87.38

REFUND - ERROR IN ESSENTIAL FACT, BUILDING IS NON-EXISTENT. THE

ASSESSED VALUE WAS 71,200 AND SHOULD BE 65,200. RPTL 550(3)B.

CHECK IN FAVOR OF: CHRISTEL A LASANTA

Petition No. 980385 / 1998 - ASSESSOR - Refund - \$72.95

SBL No. 2793.00-1-41.122 - TOWN OF SARDINIA

Acct. No. 112 - \$ 47.09 - County

Acct. No. 132 - \$ 25.86 - Town/SpecialDist/School

Charge to : TOWN OF SARDINIA 19.98

SARDINIA FIRE PROTECT 5.88

REFUND - ERROR IN ESSENTIAL FACT, BUILDINGS ARE NOT IN EXISTENCE ON  
THIS PROPERTY. THE ASSESSED VALUE WAS 71,200 AND SHOULD BE 65,200.

RPTL 550(3)B.

CHECK IN FAVOR OF: CHRISTEL A LASANTA

Petition No. 980386 / 1997 - ASSESSOR - Cancel - \$517.72

SBL No. 312.00-1-5.1 - TOWN OF SARDINIA

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 517.72 - Town/SpecialDist/School

Charge to : PIONEER CENTRAL 517.72

REFUND - CLERICAL ERROR, INFORMATION USED TO DETERMINE ASSESSED  
VALUE DOES NOT AGREE WITH THE PROPERTY RECORD CARD. THE ASSESSED  
VALUE WAS 111,550 AND SHOULD BE 66,500. RPTL 550(2)A.

CHECK IN FAVOR OF: MICHAEL J & RAE JEWERT

Petition No. 980387 was created in error. No petition exists.

Petition No. 980388 / 1997 - ASSESSOR - Refund - \$540.42

SBL No. 312.00-1-5.1 - TOWN OF SARDINIA

Acct. No. 112 - \$ 352.37 - County

Acct. No. 132 - \$ 188.05 - Town/SpecialDist/School

Charge to : TOWN OF SARDINIA 140.88

SARDINIA FIRE PROTECT 47.17

REFUND - CLERICAL ERROR, THE INFORMATION USED TO DETERMINE THE  
ASSESSED VALUE DOES NOT AGREE WITH THE PROPERTY RECORD. THE  
ASSESSED VALUE WAS 111,550 AND SHOULD BE 66,550. RPTL 550(2)A.

CHECK IN FAVOR OF: MICHAEL & RAE JEWERT

Petition No. 980389 / 1998 - ASSESSOR - Cancel - \$2,188.75

SBL No. 88.51-4-3 - CITY OF BUFFALO

Acct. No. 112 - \$ 2,188.75 - County

Acct. No. 132 - \$ 0.00 - Town/SpecialDist/School

Charge to :

CANCEL - CLERICAL ERROR, THIS PROPERTY WAS PURCHASED BY THE STATE UNIVERSITY OF NEW YORK. PROPERTY OWNED BY THE STATE OF NEW YORK PAYS ONLY ON THAT FROM WHICH THEY RECEIVE A DIRECT BENEFIT. RPTL 490 PUBLIC LANDS LAW SECTION 19

Petition No. 980390 / 1998 - ASSESSOR - Cancel - \$549.31

SBL No. 123.10-2-12 - CITY OF BUFFALO

Acct. No. 112 - \$ 549.31 - County

Acct. No. 132 - \$ 0.00 - Town/SpecialDist/School

Charge to :

REFUND - CLERICAL ERROR, THE DATE OF TRANSFER USED TO CALCULATE THE RPTL 520 WAS INCORRECT. DATE USED WAS 10/30/96 WHEN IT SHOULD BE 1/2/97.

CHECK IN FAVOR OF: 122 ROBERTS AVE OF BUFFALO

Petition No. 980391 / 9899 - ASSESSOR - Cancel - \$703.69

SBL No. 335.14-2-13.1 - TOWN OF CONCORD

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 703.69 - Town/SpecialDist/School

Charge to : SPRING-GRIFFITH 703.69

CANCEL - CLERICAL ERROR, THIS PARCEL WAS ENTITLED TO AN STAR EXEMPTION IN THE AMOUNT OF 33,950 THAT WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C. THIS IS NOT TO BE CHARGED BACK TO SPRINGVILLE GRIFFITH - SPECIAL HANDLING

Petition No. 980392 / 9899 - ASSESSOR - Cancel - \$2,638.89

SBL No. .00-- - TOWN OF ALDEN

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 2,638.89 - Town/SpecialDist/School

Charge to : ALDEN CENTRAL 2,638.89

CANCEL - CLERICAL ERROR, THIS PARCEL IS A DUPLICATE ENTRY. DUPLICATE S.B.L. 108.19-6-19.1. RPTL 550(2)F.

Petition No. 980393 / 9899 - ASSESSOR - Cancel - \$1,894.53

SBL No. 82.07-1-8 - TOWN OF CLARENCE

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 1,894.53 - Town/SpecialDist/School

Charge to : CLARENCE CENTRAL 1,894.53

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. THE ASSESSMENT WAS 483,100 AND SHOULD BE 355,000. RPTL 550(2)A

Petition No. 980394 / 1996 - ASSESSOR - Refund - \$204.26

SBL No. 18.00-1-2 - TOWN OF CLARENCE

Acct. No. 112 - \$ 157.68 - County

Acct. No. 132 - \$ 46.58 - Town/SpecialDist/School



Charge to : TOWN OF CLARENCE 46.58  
REFUND - CLERICAL ERROR, THE VETERAN'S EXEMPTION IN THE AMOUNT OF 18,000 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL.

CHECK IN FAVOR OF: TIMOTHY R & KATHY E. MESSINGER

Petition No. 980395 / 1997 - ASSESSOR - Refund - \$212.48  
SBL No. 18.00-1-2 - TOWN OF CLARENCE  
Acct. No. 112 - \$ 165.13 - County  
Acct. No. 132 - \$ 47.35 - Town/SpecialDist/School  
Charge to : TOWN OF CLARENCE 47.35  
REFUND - CLERICAL ERROR, THE VETERAN'S EXEMPTION IN THE AMOUNT OF 18,000 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C.

CHECK IN FAVOR OF: TIMOTHY & KATHY MESSINGER

Petition No. 980396 / 1998 - ASSESSOR - Refund - \$149.82  
SBL No. 18.00-1-2 - TOWN OF CLARENCE  
Acct. No. 112 - \$ 117.97 - County  
Acct. No. 132 - \$ 31.85 - Town/SpecialDist/School  
Charge to : TOWN OF CLARENCE 31.85  
REFUND - CLERICAL ERROR, THE VETERAN'S EXEMPTION IN THE AMOUNT OF 18,000 WAS OMITTED IN ERROR FROM THE TAX ROLL RPTL 550(2)C.

CHECK IN FAVOR OF: TIMOTHY & KATHY MESSINGER

(4-0) Chairman Swanick Present as Ex-Officio

(As Amended)  
(Int. 3-14)

- |    |  |      |       |  |
|----|--|------|-------|--|
|    | Item   | Page | -1998 |  |
| 3. | WEINSTEIN, PEOPLES, KUWIK, SWANICK, MARINELLI, RANZENHOFER & LARSON: |      |       |  |

WHEREAS, New York State Law, Chapter 315 of the Laws of 1997, permit local governments to adopt a resolution exempting real property owned by one (1) or more persons with disabilities, or real property owned by a husband and/or wife, or siblings (related through blood, half blood or adoption), at least one (1) of whom has a disability, and whose income is limited by reason of such disability, from taxation by any municipal corporation in which located to the extent of 50 percent of its assessed valuation, and

WHEREAS, Chapter 315 of the Laws of 1997 sets a maximum income eligibility level at \$3,000, but allows localities to elect to increase the maximum eligibility level for the 50 percent exemption to any figure from \$3,000 up to \$18,500, and to provide a graduated exemption for persons above the maximum income limit according to the following schedule, and

WHEREAS, State Law defines a "person with a disability" for the purpose of the exemption as one who has a physical or mental impairment, not due to current use of alcohol or illegal drug use, which substantially limits such person's ability to engage in one or more major

life activities, such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working, and who is (1) certified to receive Social Security Disability Insurance (SSDI) or Supplemental Security benefits, (2) is certified to receive Railroad Retirement Disability benefits, or (3) has received a certificate from the State Commission for the Blind and Visually Handicapped stating that such person is legally blind, and

WHEREAS, The law requires that documentation be submitted as proof of disability and that the exemption be computed after all other partial exemptions allowed by law have been subtracted from the total amount assessed. The Law also prohibits any parcel, however, from receiving both this exemption and the senior citizens partial exemption. The Law also precludes exemption from taxation for school purposes in the case of real property where a child resides if such child attends a public elementary or secondary school. and

WHEREAS, The Law also specifies that no exemption will be granted:

if the income of the owner or the combined income of the owners of the real property for the preceding income tax year exceeds the maximum income eligibility level chosen by the locality;

unless the property is used exclusively for residential purposes (or a mixed use, only the residential portion will be exempt): and

unless the property is the legal residence of, and is occupied in whole or in part, by the disabled person (with exceptions for absences for receiving health-related care), and

WHEREAS, Erie County Legislature is interested in learning more about the impact of local property taxes on persons with disabilities. as well as the fiscal impact the possible enactment of this or similar legislation would have upon Erie County,

NOW, THEREFORE, BE IT

RESOLVED, That the Erie County Legislature expresses its interests in exploring the impact of real property tax exemptions available under Chapter 315 of the Laws of 1997 as follows:

<b>ANNUAL INCOME</b>	<b>PERCENTAGE OF ASSESSED VALUATION EXEMPT FROM TAXATION</b>
Up to \$18,500	50 percent
More than \$18,500 but less than \$19,000	45 percent
More that \$19,500 or more but less that \$20,500	40 percent
More than \$20,500 or more but less than \$21,500	35 percent

More than \$21,500 or more but less than \$22,400	30 percent
More than \$22,400 or more but less than \$23,300	25 percent
More than \$23,300 or more but less than \$24,200	20 percent
More than \$24,200 or more but less than \$25,100	15 percent
More than \$25,100 or more but Less than \$26,000	10 percent
More than \$26,000 or more but less than \$26,900	5 percent

and be it further

RESOLVED, That this Honorable Body requests the Erie County Budget Director, the Director of the Erie County Office of the Disabled, and representatives from the New York State Office on Disability Determinations and Commission for the Blind and Visually impaired, and a representative from the U.S. Department of Justice who is expert in the Americans with Disability Act to appear before the next meeting of the Finance and Management to address the need for this legislation, the potential fiscal impact on Erie County and respond to any other questions county lawmakers might have, and be it further

RESOLVED, That certified copies of this resolution be forwarded to the County Executive, Director of Budget, Director of the County Office of the Disabled, and to local offices/representatives from the New York State Office on Disability Determinations and Commission for the Blind and Visually Impaired, and the U.S. Justice Department, Washington, D.C.

FISCAL IMPACT: The be determined.  
(5-0) Chairman Swanick Present as Ex-Officio Member

Item Page -1998 (Comm. 8E-29)  
4. COUNTY EXECUTIVE:

WHEREAS, the following grant programs are included in Book B of the 1998 Adopted Budget,

WHEREAS, the 1998 Adopted Budget resolutions require legislative approval for the County Executive to enter into contracts with grantor agencies for the purpose of receiving grants awarded or budgeted for fiscal 1998.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into contracts with grantor agencies for the purpose of receiving grants, following review and approval by the Director of Budget and Management with respect to the availability of State and/or Federal funds, for the following grant programs which commence on April 1, 1998:

Department	Grant Program	1998 Budget Book B Page No.
222 - Weights & Measures	NYS Petroleum Product Quality Testing Program	23
140 - District Attorney	Aid to Prosecution	27
140 - District Attorney	Multijurisdictional Program	27
140 - District Attorney	Comprehensive Assault, Abuse and Rape Unit (CAAR)* *Begins 6/1/97	28
140 - District Attorney	Witness Protection Program	28
650 - CPS	Aid to Crime Labs Program	63
650 - CPS	Aid to Law Enforcement Program	63
150 - Sheriff	Unified Court Security	75
260 - Probation	Aid to Localities - Indigent Defense	98
270 - Health	Public Health Campaign	121
200 - Social Svcs.	Child Assistance Program	178
200 - Social Svcs.	Legal Assistance to the Disabled	178
200 - Social Svcs.	Domestic Violence Assessment	179
200 - Social Svcs.	WORK NOW	180

620 - Env. & Plg.	Home Rehabilitation Program	337
620 - Env. & Plg.	Community Development - 24th Year	337

and be it further

RESOLVED, that the Director of Budget and Management is hereby authorized to adjust items of appropriations and revenues which may be impacted by decreases in Federal or State aid, and be it further

RESOLVED, that certified copies of this resolution be forwarded to the following departments: Central Police Services, District Attorney, Sheriff, Probation, Health, Social Services, the Department of Law, Environment and Planning, the Bureau of Weights and Measures, and the Division of Budget, Management and Finance.

(5-0) Chairman Swanick Present as Ex-Officio Member

Item            Page                            -1998                            (Comm. 11E-12)  
5.    COUNTY EXECUTIVE:

WHEREAS, the County of Erie maintains memberships in a number of worthwhile organizations including the New York State Association of Counties (NYSAC) and the Government Finance Officers Association (GFOA) and

WHEREAS, the County budgets renewal membership dues in all organizations it belongs to based on preliminary estimates supplied by these organizations, and

WHEREAS, the final billings of NYSAC and GFOA came in higher than the preliminary estimates, and

WHEREAS, the County of Erie wishes to continue memberships in these organizations, and

WHEREAS, the Director of Budget and Management has determined that adequate funding is available in the County-Wide Monitored by Budget Department budget to fund these increases.

NOW, THEREFORE, BE IT

RESOLVED, that the Director of Budget & Management is hereby authorized to transfer \$7,300 from the County-Wide Accounts-Monitored by Budget, Account 830/0107 Taxes & Assessments-County Owned Property Account, (DAC 110923310830107) to County-Wide Accounts-Monitored by Budget, Account 830/0105 Municipal Association Fees, (DAC 110923310830105) and be it further

RESOLVED, that a certified copy of this resolution shall be forwarded to the Director of Budget & Management.

(5-0) Chairman Swanick Present as Ex-Officio Member

Item Page -1998 (Comm. 14E-27)  
6. COUNTY EXECUTIVE:

WHEREAS, the following grant programs are included in Book B of the 1998 Adopted Budget, and

WHEREAS, the 1998 Adopted Budget resolutions require legislative approval for the County Executive to enter into contracts with grantor agencies for the purpose of receiving grants awarded or budgeted for fiscal 1998.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into contracts with grantor agencies for the purpose of receiving grants, following review and approval by the Director of Budget and Management with respect to the availability of State and/or Federal funds, for the following grant programs which commence after July 1, 1998 and before October 1, 1998:

Department	Grant Program	Dates	1998 Budget Book B Page No.
140 - Dist. Atty.	Child Victim Advocacy Program	07/01/98-06/30/99	27
140 - Dist. Atty.	Victim/Witness Assistance Program	07/01/98-06/30/99	28
140 - Dist. Atty.	BE-SAFE	09/01/98-08/31/99	28
140 - Dist. Atty.	BE-SAFE NOW	07/01/98-06/30/99	29
650 - CPS	Points of Entry Drug Interdiction	07/01/98-06/30/99	63
260 - Prob	Juvenile Intensive Supervision Program	07/01/98-06/30/99	97
270 - Health	Women's Health Services	07/01/98-06/30/99	119

270 - Health	HIV Seroprevalence Study	07/01/98-06/30/99	120
270 - Health	Training and Tech. Assistance County Health Departments	07/01/98-06/30/99	121
200 - Soc. Svcs.	Day Care Registration	08/16/98-08/15/99	179
251 - Youth-Det.	DART (Detention Aftercare Resource Team)	07/01/98-06/30/99	311

and be it further

RESOLVED, that the County Executive is hereby authorized to enter into contracts with grantor agencies for the purpose of receiving grants, following review and approval by the Director of Budget and Management with respect to the availability of State and/or Federal funds, for the following grant programs which commence on October 1, 1998 and thereafter:

Department	Grant Program	Dates	1998 Budget Book B Page No.
110 - Co. Exec. Safety	Office of Traffic	10/01/98-9/30/99	11
140 - Dist. Atty. Grant	Points of Entry	11/01/98-10/31/99	27
150 - Sheriff Grant	C.E.O.S.C. Security	10/01/98-09/30/99	76
660 - Corr. Fac.	High Impact Incarceration Prg.	11/01/98-10/31/99	93
270 - Health	Immunization Action Plan	11/01/98-10/31/99	120
270 - Health	Women Infants and Children's Supplemental Nutrition Program (WIC)	10/01/98-09/30/99	119

270 - Health	Healthy Neighborhoods Grant	10/01/98-09/30/99	121
270 - Health	Infant/Child Health Assessment Program	10/01/98-09/30/99	120
270 - Health	Physically Handicapped Children's Program (PHCP) Case Mgmt.	10/01/98-09/30/99	121
200 - Soc. Svcs.	Energy Services Packaging Project	11/01/98-10/31/99	180
200 - Soc. Svcs.	Home Energy Assistance Program (HEAP)	10/01/98-09/30/99	177
200 - Soc. Svcs.	Child Care Block Grant	10/01/98-09/30/99	179
200 - Soc. Svcs.	Food Stamp Employment and Training Project	10/01/98-09/30/99	177
252 - Youth-Child Special Needs	Early Intervention Case Management	10/01/98-09/30/99	311
252 - Youth-Child Special Needs	Early Intervention Administration	10/01/98-09/30/99	311

and be it further

RESOLVED, that the Director of Budget and Management is hereby authorized to adjust items of appropriations and revenues which may be impacted by decreases in Federal or State aid, and be it further

RESOLVED, that certified copies of this resolution be forwarded to the following departments: County Executive, District Attorney, the Office of the Sheriff, Correctional Facility, the Health Department, the Department of Social Services, the Youth Department, the Probation Department, the Law Department and the Division of Budget, Management and Finance.



(5-0) Chairman Swanick Present as Ex-Officio Member

Item Page -1998 (Comm. 16E-14)  
7. COUNTY EXECUTIVE:

WHEREAS, the Division of Budget, Management and Finance did receive a request from Rodney Maciuba, who owns property adjoining the above County owned parcels of land to purchase these parcels, and

WHEREAS, the only other adjoining owner has indicated he does not have an interest in acquiring these parcels of land, and

WHEREAS, the parcels were reviewed and approved for sale by the Advisory Review Committee,

NOW, THEREFORE BE IT RESOLVED, that the following parcels of land be sold without public auction to Mr. Rodney Maciuba, 190 Broadway Street, West Seneca, New York 14224 for the total sum of One Thousand and 00/100 Dollars (\$1000.00),

ALL THAT TRACT OR PARCEL OR LAND situate in the Town of West Seneca, County of Erie and State of New York being part of Farmlot 322, Township 10, Range 7 and further described on Erie County Tax Maps as Section, Block and Lot No. 125.650-4-1 (Elm Street (Paper Street) 25.00 x 100.00) as filed under Map Cover 1457. Intending to convey all land acquired by Erie County as Serial No. 1333 in the County In Rem Tax Foreclosure Action No. 150;

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of West Seneca, County of Erie and State of New York being part of Farmlot 322, Township 10, Range 7 and further described on Erie County Tax Maps as Section, Block and Lot No. 125.650-4-2 (Elm Street (Paper Street) 25.00 x 100) as filed under Map Cover 1457. Intending to convey all land acquired by Erie County as Serial No. 1334 in the County In Rem Tax Foreclosure Action No. 150;

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of West Seneca, County of Erie and State of New York being part of Farmlot 322, Township 10, Range 7 and further described on Erie County Tax Maps as Section, Block and Lot No. 125.650-4-3 (Elm Street (Paper Street) 25.00 x 100.00) as filed under Map Cover 1457. Intending to convey all land acquired by Erie County as Serial No. 1335 in the County In Rem Tax Foreclosure Action No. 150;

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of West Seneca, County of Erie and State of New York being part of Farmlot 322, Township 10, Range 7 and further described on Erie County Tax Maps as Section, Block and Lot No. 125.650-4-4 (Elm Street (Paper Street) 25.00 x 100.00) as filed under Map Cover 1457. Intending to convey all land acquired by Erie County as Serial No. 2168 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 properties to the aforesaid purchaser, and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Division of Budget, Management and Finance and the County Attorney's Office.  
(4-0)

Item Page -1998 (Comm. 17E-57)  
8. COUNTY EXECUTIVE:

WHEREAS, the Division of Budget, Management and Finance did receive a request from Ralph and Marguerite Hogg, who own property adjoining the above County owned parcel of land to purchase this parcel, and

WHEREAS, the canvass of other adjoining owners did not bring any additional interest in the acquisition of this parcel of land, and

WHEREAS, the parcel was reviewed and approved for sale by the Advisory Review Committee,

NOW, THEREFORE BE IT RESOLVED, that the following parcel of land be sold without public auction pursuant to Article 14, Section 14-1.0 of the Erie County Tax Act to Ralph and Marguerite Hogg, 676 Cradle Avenue, Angola, New York 14006 for the sum of One Thousand and 00/100 Dollars (\$1,000.00).

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Evans, County of Erie and State of New York being part of Farmlot 51, Township 9, Range 9, and further described on Erie County Tax Maps as Section, Block and Lot No. 206.070-2-16.400 (Erie Road Rear Land) .32 Acre. Intending to convey all land acquired by Erie County as Serial No.1821 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, Management and Finance and the County Attorney's Office.  
(4-0)

Item Page -1998 (Comm. 17E-58)  
9. COUNTY EXECUTIVE:

WHEREAS, the Division of Budget, Management and Finance did receive a request from Mary Pietsch, who owns property adjoining the above County owned parcel of land to purchase this parcel, and

WHEREAS, the only other adjoining owner has indicated he does not have an interest in acquiring this parcel of land, and

WHEREAS, the parcel was reviewed and approved for sale by the Advisory Review Committee,

NOW, THEREFORE BE IT RESOLVED, that the following parcel of land be sold without public auction pursuant to Article 14, Section 14-1.0 of the Erie County Tax Act to Mary Pietsch, 5060 Clarice Drive, Hamburg, New York 14075 for the sum of Five Hundred and 00/100 Dollars (\$500.00),

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Hamburg, County of Erie and State of New York being part of Farmlot 5, Township 9, Range 8, and according to a map filed in the Erie County Clerk's Office under Map Cover 744 is known as Sublot 50 in BLK E, and further described on Erie County Tax Maps as Section, Block and Lot No. 171.700-3-10 (Electric Avenue - Pt. Aban. ROW) 35.00 x 156.00. Intending to convey all land acquired by Erie County as Serial No. 574 in the County In Rem Tax Foreclosure Action No. 131, and be it further

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

RESOLVED, that certified copies of this resolution be forwarded to the Division of Budget, Management and Finance and the County Attorney's Office.  
(4-0)

Item Page -1998 (Comm. 17E-59)  
10. COUNTY EXECUTIVE:

WHEREAS, the Division of Budget, Management and Finance did receive a request from Scott S. Murawski, who owns property adjoining the above County owned parcel of land to purchase this parcel, and

WHEREAS, the canvass of other adjoining owners did not bring any additional interest in the acquisition of this parcel of land, and

WHEREAS, the parcel was reviewed and approved for sale by the Advisory Review Committee,

NOW, THEREFORE BE IT RESOLVED, that the following parcel of land be sold without public auction pursuant to Article 14, Section 14-1.0 of the Erie County Tax Act to Scott S. Murawski, 401 Eisenhower Avenue, Angola, New York 14006 for the sum of Two Hundred and 00/100 Dollars (\$200.00).

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Evans, County of Erie and State of New York being part of Farmlot 85, Township 8, Range 9, and according to a

map filed in the Erie County Clerk's Office under Map Cover 1345 is known as Sublots 4117 to 4118 and further described on Erie County Tax Maps as Section, Block and Lot No. 250.150-1-6 (Eisenhower Avenue 40.00 x 100.00). Intending to convey all land acquired by Erie County as Serial No.423 in the County In Rem Tax Foreclosure Action No. 137, and be it further

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

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

(4-0)

Item	Page	-1998	(Comm. 17E-60)
11.	COUNTY EXECUTIVE:		

WHEREAS, the Division of Budget, Management and Finance did receive a request from Paul D'Orlando, who owns property adjoining the above County owned parcel of land to purchase this parcel, and

WHEREAS, the canvass of other adjoining owners did not bring any additional interest in the acquisition of this parcel of land, and

WHEREAS, the parcel was reviewed and approved for sale by the Advisory Review Committee,

NOW, THEREFORE BE IT RESOLVED, that the following parcel of land be sold without public auction pursuant to Article 14, Section 14-1.0 of the Erie County Tax Act to Paul D'Orlando, 112 Gibson Street, Buffalo, New York 14212 for the sum of Five Hundred and 00/100 Dollars (\$500.00).

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of West Seneca, County of Erie and State of New York being part of Farmlot 5, Township 10 Range 7, and according to a map filed in the Erie County Clerk's Office under Map Cover 422 is known as the rear part of Sublots 1 through 8 in BLK Q and further described on Erie County Tax Maps as Section, Block and Lot No. 123.510-2-1.100 (So. Pierce Street 240.00 x 37.67). Intending to convey all land acquired by Erie County as Serial Nos. 382 through 389 in the County In Rem Tax Foreclosure Action No. 58, and be it further

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

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

(5-0) Chairman Swanick Present as Ex-Officio Member

CRYSTAL D. PEOPLES  
CHAIRPERSON

Mr. Marshall moved that Resolve No. 1D, 1F, G, 1I, 1J, 1K, and 1L be separated. Mrs. Fisher seconded.

Chairman Swanick directed that Resolve No. 3 be made Et Al.

Ms. Fisher moved the balance of the report for immediate consideration. Mr. Marshall seconded.

CARRIED UNANIMOUSLY.

Item 25 – Mr. Holt presented the following and moved for immediate consideration. Mr. Kuwik seconded.

CARRIED UNANIMOUSLY.

Resolution No.299  
September 17, 1998

SOCIAL SERVICES  
COMMITTEE  
REPORT NO. 9

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

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

- | Item  | Page | -1998 | (Comm. 17M-5) |
|---|------|-------|---------------|
| a. <b>COLDEN TOWN BOARD:</b>  |      |       |               |
| Certified Copy of Resolution Re: Supporting Town of Concord's Request for New Going Places Van. |      |       |               |
| (6-0) Chairman Swanick Present as Ex-Officio Member   |      |       |               |

Item	Page	-1998	(Comm. 16E-7)
2. <b>COUNTY EXECUTIVE:</b>			

WHEREAS, New York State Office for the Aging has notified the Department of Senior Services that the County of Erie is entitled to Federal funding in the amount of \$251,795 for the Senior Community Services Employment Grant for the period July 1, 1998 through June 30, 1999, and

WHEREAS, the National Senior Citizens Education & Research Center has notified the Department of Senior Services that the County of Erie is entitled to Federal funding in the amount of \$726,848 for the Senior AIDES Grant, for the period July 1, 1998 through June 30, 1999, and

WHEREAS, the Department of Senior Services subcontracts with Supportive Services Corporation, Inc. to administer the Senior Community Employment Program and the Senior AIDES Program.

NOW, THEREFORE, BE IT

RESOLVED, that the budget for the Senior Community Services Employment Grant, Project #818 is amended as follows:

<u>REVENUE</u>	<u>CURRENT BUDGET</u>	<u>CHANGES</u>	<u>NEW BUDGET</u>
664 Federal Aid	\$248,744	+3051	\$251,795
326 Int. & Earnings	800	+339	1,139
TOTAL CHANGE	<u>\$ 3,390</u>		

APPROPRIATIONS:

830 235 Supportive Svcs.	276,383	\$3,390	\$279,773
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and be it further

RESOLVED, that the Budget for the Senior AIDES Grant, Project #819 is amended as follows:

<u>REVENUE</u>	<u>CURRENT BUDGET</u>	<u>CHANGES</u>	<u>NEW BUDGET</u>
664 Federal Funds	\$717,801	\$9,047	\$726,848
326 Int. & Earnings	<u>2,600</u>	<u>+1,075</u>	<u>3,675</u>
TOTAL CHANGE		\$+10,122	

APPROPRIATIONS

830 235 Supportive Services	\$808,890	<u>\$+10,122</u>	\$819,012
TOTAL CHANGE		+10,122	

and be it further

RESOLVED, that the County Executive be and hereby is authorized to enter into contract with the New York State Office for the Aging to accept additional funds for the

operation of the Senior Community Services Employment Grant for the period of July 1, 1998 through June 30, 1999, and be it further

RESOLVED, that the County Executive be, and hereby is authorized to enter into contact with the National Senior Citizens Education & Research Center to accept additional funds for the operation of the Senior AIDES Grant for the period of July 1, 1998 through June 30, 1999, and be it further

RESOLVED, that the Department of Senior Services is authorized to amend the contract with Supportive Services Corporation, Inc. to administer the Senior Community Services Employment Program from July 1, 1998 to June 30, 1999, and be it further

RESOLVED, that the Department of Senior Services is authorized to amend the contract with Supportive Services Corporation, Inc. to administer the Senior AIDES Program from July 1, 1998 to June 30, 1999, 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.

(4-0) Legs. Fisher and Olma absent. Chairman Swanick Present as Ex-Officio Member.

Item	Page	-1998	(As Amended) (Comm. 16E-11)
3.	<b>COUNTY EXECUTIVE:</b>		

WHEREAS, the Town of Amherst has requested that it be decertified as a sponsor of the Long Term Care Ombudsman Program, and

WHEREAS, such decertification has resulted in unspent funds in the Town of Amherst's 1997-98 Operation Restore Trust (Project #890) & the 1998 Title VII Elder Abuse Prevention (Project # 812) contracts held with the Department of Senior Services, and

WHEREAS, the Department of Senior Services desires to transfer these unexpended funds to the Long Term Care Ombudsman Program operated by the American Red Cross, Greater Buffalo Chapter which also holds a 1997-98 Operation Restore Trust contract and a 1998 Title VII Elder Abuse Prevention contract with the Department,

NOW, THEREFORE BE IT

RESOLVED, that the County Executive is authorized to enter into contract with the American Red Cross in the amount of \$23,258 for the Elder Abuse Prevention Program for the period 1/1/98 to 12/31/98 and \$3194 for the Operation Restore Trust Program for the period 10/1/97 to 9/30/98, and be it further

RESOLVED, that the 1997 County Budget be revised for the Operation Restore Trust Program, Project #890 for the period October 1, 1997 to September 30, 1998 as follows:

APPROPRIATIONS

ACCOUNT DESCRIPTION	CURRENT BUDGET	CHANGES	REVISED BUDGET
830 - 302 Town of Amherst	\$2,666	\$-708	\$1,958
830 - 418 American Red Cross	2,666	+708	3,374
Total Changes			

and be it further

RESOLVED, that the 1998 County Budget be revised for the Title VII Elder Abuse Prevention Program, Project #812, for the period January 1, 1998 to December 31, 1998, as follows:

APPROPRIATIONS

ACCOUNT DESCRIPTION	CURRENT BUDGET	CHANGES	REVISED BUDGET
830 - 302 Town of Amherst	\$5,000	\$-3032	\$ 1,968
830 - 419 American Red Cross	20,226		23,258
Total Changes			

and be it further,

RESOLVED, that the County Executive is authorized to enter into contract with the American Red Cross in the amount of \$23,258 for the Elder Abuse Prevention Program for the period 1/1/98 to 12/31/98 and \$3372 for the Operation Restore Trust Program for the period 10/1/97 to 9/30/98, and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Division of Budget, Management and Finance, the Law Department and the Department of Senior Services. (6-0) Chairman Swanick Present as Ex-Officio Member.

Item Page -1998 (Comm. 17E-22)  
4. COUNTY EXECUTIVE:

WHEREAS, the Erie County Legislature has already appropriated funds for the Weatherization Referral and Packaging Program (WRAP-SOFA) for the period January 1, 1998 to September 30, 1998, and the Home Energy Assistance Program (HEAP) for the period October 1, 1998 to September 30, 1999, and

WHEREAS, the New York State Office for the Aging (SOFA) has extended the current WRAP-SOFA grant to October 31, 1998, and



WHEREAS, the Department of Social Services has identified additional Federal HEAP funds, and

WHEREAS, the Departments of Social Services and Senior Services desire to revise their respective HEAP grant budgets to reflect actual needs, and

WHEREAS, SOFA has advised us of the federal allocations for the WRAP-SOFA grant for the period October 1, 1998 to September 30, 1999, and

WHEREAS, no additional County funds are required, and

WHEREAS, the Department of Senior Services needs to transfer the HEAP Coordinator position from WRAP-SOFA to HEAP effective January 16, 1999 to continue proper administration and oversight of these programs given reduced WRAP-SOFA funding, and

WHEREAS, appropriate B-100's are attached for approval of the position transfer,

NOW, THEREFORE, BE IT

RESOLVED, that the budget for the Department of Social Services HEAP grant be revised as follows:

DSS HEAP - Project 861 (10/1/98-9/30/99)

<u>REVENUES</u>	<u>CURRENT BUDGET</u>	<u>CHANGES</u>	<u>AMENDED BUDGET</u>
Account Description			
653 Federal Revenue	\$19,531,272	<u>\$+45,604</u>	\$19,576.876
TOTAL CHANGE		<u>\$+45,604</u>	
 APPROPRIATIONS			
882-6309 Interfund. Expense	\$ 194,948	<u>\$+45,604</u>	\$ 240,552
TOTAL CHANGE		<u>\$+45,604</u>	

and be it further

RESOLVED, that the HEAP Coordinator position be transferred from the WRAP-SOFA grant to the Department of Senior Services HEAP grant, effective January 16, 1999, and be it further

RESOLVED, that the budgets for the Department of Senior Services WRAP-SOFA and HEAP grants be revised as follows:

Senior Services WRAP-SOFA - Project 823 (1/1/98-10/31/98)

		CURRENT		AMENDED
<u>APPROPRIATIONS</u>				
<u>Account</u>	<u>Description</u>			
800	Personal Services	\$122,347	\$-13,600	\$108,747
805	Fringe Benefits	29,256	- 4,200	25,056
826	Other Expenses	12,183	+ 6,000	18,183
880	Interfund Exp-DISS	1,000	+ 1,800	2,800
933	Lab and Tech Equip	0	<u>+10,000</u>	10,000
	TOTAL CHANGES		0	

Senior Services HEAP - Project 820 (10/1/98-9/30/99)

		CURRENT		AMENDED
<u>APPROPRIATIONS</u>		<u>BUDGET</u>	CHANGES	BUDGET
<u>Account</u>	<u>Description</u>			
800	Personal Services	\$147,406	+\$34,782	\$182,188
805	Fringe Benefits	30,392	+10,822	41,214
883	I/D Reduction - DSS (194,948)		<u>-45,604</u>	(240,552)
	TOTAL CHANGE		\$ 0	

and be it further

RESOLVED, that the County Executive be and is hereby authorized to accept funding for the WRAP-SOFA grant for 10/1/98 to 9/30/99, and be it further

RESOLVED, that the WRAP-SOFA grant budget for the period 10/1/98 to 9/30/99 be established as follows:

REVENUES		<u>INITIAL</u>
		<u>BUDGET</u>
<u>Account</u>	<u>Description</u>	
655	Federal Aid-Weatherization	<u>\$155,637</u>
	TOTAL REVENUES	<u>\$155,637</u>

APPROPRIATIONS

800	Personal Services	\$112,167
805	Fringe Benefits	24,482
810	Office Supplies	1,688
824	Local Travel	1,500
826	Other Expenses	13,000

880	Interfund Expense-DISS	<u>2,800</u>
	TOTAL APPROPRIATIONS	<u>\$155,637</u>

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

(6-0) Chairman Swanick Present as Ex-Officio Member

Item Page -1998 (Comm. 17E-23)  
5. **COUNTY EXECUTIVE:**

WHEREAS, the Erie County Legislature has already appropriated funds for the Community Services for the Elderly (CSE) and the Expanded InHome Services for the Elderly (EISEP) programs for the period April 1, 1998 through March 31, 1999 and the Retired Senior Volunteer Program (RSVP) for the period July 1, 1998 through June 30,1999, and

WHEREAS, the New York State Office for the Aging has notified the Department of Senior Services of current state allocations for CSE and EISEP, and

WHEREAS, the contract agencies that provide case management services under these programs have experienced a high rate of turnover primarily due to current salary levels, and

WHEREAS, the Department of Senior Services desires to revise the above grant budgets to reflect the actual needs of the grants which service those elderly most at risk, and to provide for modest salary increases for several of the agencies, case managers and coordinators as of April 1,1998, and

WHEREAS, the salary increases will provide for all case managers and coordinators at our agencies to be compensated at least \$9 and \$10, per hour respectively, and

WHEREAS, the Department desires to create a part-time Community Service Aide position, job group 1, in the RSVP program to enhance deliver of services under the grant, and

WHEREAS, the appropriate B-100 is attached for approval of the position, and

WHEREAS, no additional County funds are needed,

NOW, THEREFORE, BE IT

RESOLVED, that salaries for the case managers and coordinators at the various CSE and EISEP agencies be increased as of 4/1/98 as determined by the Department, and be it further

RESOLVED, that the position of part-time Community Service Aide, job group 1, be added to the RSVP grant as of January 1,1999, and be it further

RESOLVED, that the budget for the CSE grant, project # 814, for the period April 1, 1998 through March 31, 1999 be amended as follows:

REVENUES		CURRENT <u>BUDGET</u>	CHANGES	AMENDED BUDGET
Account	Description			
617	State Aid-Comm	\$775,046	<u>+42,184</u>	\$817,230
TOTAL CHANGE TO REVENUES			<u>+42,184</u>	

APPROPRIATIONS

810	Office Supplies	\$ 750	+ 1,000	\$ 1,750
830/220	Hispanics United	32,895	- 8,000	24,895
830/229	Neighborhood Info	57,884	- 3,384	54,500
830/231	Con Ecumenical Min	58,587	+ 1,847	60,434
830/309	Kens-Bailey	23,989	+ 1,871	25,860
830/317	No.Buffalo Comm	28,097	+ 757	28,854
830/321	So.Buffalo Comm	35,144	+ 3,226	38,370
830/355	Bailey Delavan	28,640	+ 2,191	30,831
830/356	NW Buffalo Comm	43,083	+ 3,932	47,015
830/362	Polish Comm Ctr	37,900	+ 5,688	43,588
830/373	Buffalo Federation	53,804	+ 2,955	4,099
830/391	Other Home Care Ag	48,272	+30,000	78,272
930	Furniture and Fixt	0	+ 2,761	2,761

TOTAL CHANGE TO APPROPRIATIONS

and be it further

RESOLVED, that the budget for the EISEP grant, project 815, for the period April 1, 1998 through March 31, 1999 be amended as follows:

REVENUES		CURRENT <u>BUDGET</u>	CHANGES	AMENDED BUDGET
Account	Description			
663	State Aid-Comm	\$1,421,516	\$ - 2,915	\$1,418,601
686	Interfund. Rev	373,045	<u>+22,912</u>	395,957
TOTAL CHANGE TO REVENUES			<u>\$ +19,997</u>	

APPROPRIATIONS

830/230	Friendship House \$	34,818	1,379	36,197
830/231	Con Ecumenical Min	51,671	1,896	53,567
830/309	Kens-Bailey	35,106	4,936	40,042
830/317	No.Buffalo Comm	34,569	2,986	37,555
830/355	Bailey Delavan	19,746	2,462	22,208
830/356	NW Buffalo Comm	29,228	2,322	31,550
830/362	Polish Comm Ctr	26,116	3,472	29,588
830/373	Buffalo Federation	32,854	544	33,398
TOTAL CHANGE TO APPROPRIATIONS			\$ +19,997	

and be it further

RESOLVED, that the budget for the RSVP grant, project 817, for the period July 1, 1998 through June 30, 1999 be amended as follows:

<u>Account</u>	<u>Description</u>	<u>CURRENT BUDGET REVENUES</u>	<u>CHANGES</u>	<u>AMENDED BUDGET</u>
686	Interfund Rev	\$ 131,794	-22,912	\$108,882 TOTAL
CHANGE TO REVENUES			-22,912	

**APPROPRIATIONS**

800	Personal Ser	\$ 115,54	-20,000	\$ 95,543
805	Fringe Benefits	31,671	-2,912	28,759
TOTAL CHANGE TO APPROPRIATIONS			-22,912	

TOTAL CHANGE TO APPROPRIATIONS

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.

(6-0) Chairman Swanick Present as Ex-Officio Member

Item Page -1998 (Comm. 17E-29)

6. **COUNTY EXECUTIVE:**

WHEREAS, the Detention Aftercare Resource Team ( DART Program) is currently funded by a grant administered by the New York State Division of Criminal Justice Services, and

WHEREAS, the Erie County Department of Youth Services has been the lead agency in establishment of the DART Program, and

WHEREAS, the \$28,000 allocation in county funds will be utilized to change the status of the two (2) part-time Community Youth Specialists to full-time in offering more efficient and effective services to clients, and

WHEREAS, the allocations will be utilized to increase the number of hours worked from twenty (20) to forty (40) per week and to enhance family functioning by incorporating events where travel arrangements are necessary and to cover travel expenses accumulated by the DART Staff, and

WHEREAS, training, seminars and conferences can benefit the program, as well as provide educational experiences.

NOW, THEREFORE, BE IT

RESOLVED, that \$28,000 is hereby transferred from the Department of Youth Services, Division of Children with Special Needs, Account 886-2509 Interfund - Youth Grants to the Department of Youth Services, Detention Division, Account 886-2509 Interfund - Youth Grants, and be it further

RESOLVED, that interfund revenues in the DART Grant program Account 686-2510 are hereby increased by \$28,000 and that Account 830, Contractual Expense in the DART Grant Program be increased by \$28,000 to be paid to the Boys and Girls Club of Buffalo, and be it further

RESOLVED, that the County Executive is hereby authorized to enter into contract with the Boys and Girls Club of Buffalo to implement the increased appropriation, and be it further

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

(4-0) Leg. Olma Absent

Item Page -1998 (Comm. 17E-36)

7. **COUNTY EXECUTIVE:**

WHEREAS, the Department of Social Services has been awarded one hundred percent Federal funds in the amount of \$39,000 to fund a Child Fatality Review Team, and

WHEREAS, funds will be utilized to establish and fund a multi-disciplinary volunteer team involving Children's Hospital, Erie County Medical Center, Erie County District Attorney, Erie County Sheriffs Department, Buffalo Police Homicide Division, Erie County Department of Mental Health and Erie County Department of Social Services, and

WHEREAS, these funds will be utilized within the parameters established for said award for the purpose of fatality review services, development of a local conference related to fatality review, and the purchase of computer equipment, and

WHEREAS, no additional local County funds are required to fund this effort, and

WHEREAS, changes to the budget established for this program in legislative resolution Comm. 14E-21 are required to execute an interagency agreement with the Erie County Medical Examinees Office for professional services and to revise other appropriation amounts to increase funding for a local conference.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Executive and/or the Commissioner of Social Services are hereby authorized to execute an interagency agreement for professional services from Erie County Medical Examinees Office, in a total amount not to exceed \$12,500, and be it further

RESOLVED, the rate payable under this contract shall be fifteen dollars (\$15) per hour in connection with specific reviews of child fatality referred to the Erie County Medical Examiner, and be it further

RESOLVED, that as this service must be provided immediately and due to the unique nature of this service, the request for proposal (RFP) requirements of section 19.08 of the Administrative code are hereby waived, and be it further

RESOLVED, that the following budget amendments are hereby authorized for the period July 1, 1998 to December 31, 1998.

Department of Social Services, Department 200, Fund 120

<u>ACCOUNT</u>	<u>INCREASE/ (DECREASE)</u>
821        Dues & Fees	(\$20,000)
826        Other Expenses	\$7,500
880-2720    Interfund - Medical Examiner	<u>12,500</u>
Total Appropriation Change	<u>\$0</u>

and be it further

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

8.        Item            Page            -1998            (Comm. 17E-37)  
**COUNTY EXECUTIVE:**





WHEREAS, the Department of Social Services has been awarded additional funds in the amount of \$67,260 by the State to expand the Day Care Registration grant program for registration of after school care providers, and

WHEREAS, the added funds provide for the addition of two caseworker positions to perform inspections and registration of after school care programs, and

WHEREAS, Social Services families will be able to continue to have access to quality day care and after school care programs provided by the inspection and registration of family day care homes, school age and after school care programs by Social Services staff, and also by contractual agreements with the Child Care Coalition and the Buffalo Coalition of Home Day Care Providers, and

WHEREAS, the provision of day care and after school care will allow the adult members of public assistance families to receive training and educational skills or to accept or continue employment, and

WHEREAS, budget amendments are required to reflect changes in the actual final grant award, and

WHEREAS, no local County funds will be required for the County to accept the additional State funds or to amend the grant budget.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Executive and/or the Commissioner of Social Services are hereby authorized to accept additional New York State Department of Social Services funds in the amount of \$67,260 for the Day Care Registration program for the period August 16, 1998 to August 15, 1999, and be it further

RESOLVED, that the following budget amendments are authorized for the Day Care Registration grant program for the period August 16, 1998 to August 15, 1999, Fund 280, project number 866:

Department of Social Services, Department 200, Fund 280

<u>Account Description</u>	<u>Increase/(Decrease)</u>
800 Personal Services	\$53,436
805 Fringe Benefits	15,650
824 Local Travel and Mileage Expense	6,000
830-0878 Buffalo Coalition of Home Day care Providers	(11,000)
932 Furniture and Office Equipment	1,300
890 Contingency	1,874
Total Appropriations	\$67,260

551	State Aid	\$67,260
	Total Revenues	\$67,260

and be it further

RESOLVED, that the following positions are hereby created in the Day Care Registration Grant effective August 16, 1998:

<u>NUMBER</u>	<u>TITLE</u>	CIVIL SERVICE		LIST
		JG	ANNUAL SALARY	
2	CASEWORKER	7-1	\$26,718	YES

appropriate B-1 00 forms will be provided.

and be it further

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

			(As Amended)
			(Comm. 17E-41)
10.	Item	Page	-1998

**COUNTY EXECUTIVE:**

WHEREAS, the Department of Social Services (DSS) has received an award of Federal Temporary Assistance to Needy Families (TANF) funds in the amount of \$450,000 for the purpose of funding Enhanced Drug and Alcohol Services to the Family Assistance population, and

WHEREAS, substance abuse and related services to appropriate clients in the TANF population are critically important due to new Federal requirements related to work participation and five (5) year time limits, and

WHEREAS, the Department of Social Services is requesting authorization to establish grant budget appropriations necessary to administer this program in conjunction with the Department of Mental Health and to execute service contracts with three (3) community providers as follows:

Erie County Council for the Prevention of Alcohol and Substance Abuse	\$170,000
WNY United Against Drugs and Alcohol Abuse	\$140,000
Every Person Influences Children	\$50,000

WHEREAS, the balance of the award, an amount of \$90,000, will be used by the Department to fund the costs of computer equipment and to perform screening, referral and case management functions with existing staff.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive and/or Commissioner of Social Services are hereby authorized to accept Federal grant funds in the amount of \$450,000 to establish an Enhanced Drug and Alcohol Services Program for the period July 1, 1998 through June 31, 1999, and be it further

RESOLVED, that as this service must be provided immediately and due to the unique nature of these services, the request for proposal (RFP) requirements of section 19.08 of the Administrative code are hereby waived, and be it further

RESOLVED, that the County Executive and/or the Commissioners of Social Services and Mental Health are hereby authorized to enter into an interagency agreement to administer the grant funds and to execute service contracts with the Erie County Council for the Prevention of Alcohol and Substance Abuse, WNY United Against Drugs and Alcohol Abuse and Every Person Influences Children pursuant to the grant budgets which follow, and be it further

RESOLVED, the following grant budget is hereby established in the Department of Social Services, Fund 280, Department 200, for the Enhanced Drug and Alcohol Services Grant for the period July 1, 1998 through June 31, 1999:

Account	Title	Amount
801	Personal Services	\$62,780
805	Fringe Benefits	17,220
882-2409	Interdept-Mental Health Grants	360,000
933	Lab & Tech Equipment	10,000
	Total Appropriations	\$450,000
649	Federal Aid	\$450,000
	Total Revenues	

and be it further

RESOLVED, that the following grant budget is hereby established in the Department of Mental Health, Fund 280, Department 240, for the Enhanced Drug and Alcohol Services Grant for the period July 1, 1998 through June 31, 1999:

Account	Title	Amount
830	Erie County Council for the Prevention of Alcohol and Substance Abuse	\$170,000
830	WNY United Against Drugs and Alcohol Abuse	140,000
830	Every Person Influences Children	50,000
883-6309	Interdept - DSS Grants	(360,000)
	Total Appropriations	<u>-0-</u>

and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the Commissioner of the Department of Social Services, the Commissioner of the Department of Mental Health and the Director of Budget and Management.

(5-0)

Item Page -1998 (Comm. 17E-53)  
11. COUNTY EXECUTIVE:

WHEREAS, the Deputy Commissioner Youth Services Finance and Administration, budgeted in the Early Intervention-Administration Grant, has been targeted in the Early Retirement Incentive Program, effective September 18, 1998, and

WHEREAS, the Department of Youth Services has requested the creation of a part-time Deputy Commissioner of Youth Services Finance and Administration position to assist with the restructuring of functions and duties and to provide the Department with the continuing advantage of the considerable knowledge and expertise of the current incumbent, and

WHEREAS, there are sufficient available funds in the personal services account of the Early Intervention-Administration grant to cover the cost of this part-time position.

NOW, THEREFORE, BE IT

RESOLVED, that the following position is hereby created in the Early Intervention-Administration grant, Project 834, effective September 28, 1998:

**Dep. Comm. YS Fin Adm (Job Group 15, Part-time),**

and be it further

RESOLVED, that a B-100 authorizing the creation of this position is attached, and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the Commissioner of Youth Services and the Director of Budget and Management.

(5-0)

Item Page -1998 (Comm. 17E-55)  
12. COUNTY EXECUTIVE:

RESOLVED, that the Social Services Committee does hereby recommend that the full Legislature confirm Deborah A. Merrifield for re-appointment to the position of Commissioner of the Erie County Department of Social Services.

(6-0) Chairman Swanick Present as Ex-Officio Member.

GEORGE A.HOLT, JR.  
CHAIRMAN

Mr. Holt Resolve No. 12 be separated. Mr. Debenedetti seconded.

M. Holt moved the balance of the report for immediate consideration. Mr. Marshall seconded.

CARRIED UNANIMOUSLY

Item 26 – Mrs. Fisher presented the following and moved for immediate consideration. Mr. Holt seconded.

CARRIED UNANIMOUSLY.

Resolution No. 300

September 17, 1998

HEALTH  
COMMITTEE  
REPORT NO. 10

ALL MEMBERS PRESENT EXCEPT LEGISLATORS PEOPLES & DUSZA ABSENT.  
CHAIRMAN SWANICK PRESENT AS EX-OFFICIO MEMBER.

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

Item Page -1998 (Comm. 14E-9))  
a. **COMPTROLLER:** Audit - Health - Division of Medical Examiner 1/1/96 - 12/31/97  
(4-0) Chairman Swanick Present as Ex-Officio Member

Item Page -1998 (Comm. 16D-3)  
b. **ECMC:** Board of Managers Finance Committee 7/7/98 - Financial Statements for  
5/31/98  
(4-0) Chairman Swanick Present as Ex-Officio Member

Item Page -1998 (Comm. 16D-4)  
c. **ERIE COUNTY MORGUE:** Monies & Other Property Found on Deceased Persons  
(4-0) Chairman Swanick Present as Ex-Officio Member

Item Page -1998 (Comm. 16D-15)  
d. **ECMC:** Minutes of Board of Managers Meeting Held 6/11/98 & Notice of Meeting  
Held 7/9/98  
(4-0) Chairman Swanick Present as Ex-Officio Member

Item Page -1998 (Comm. 16M-6)  
e. **GREATER BUFFALO WELLNESS COUNCIL:** July/August 1998 Wellness  
Calendar & Directory  
(4-0) Chairman Swanick Present as Ex-Officio Member

Item Page -1998 (Comm. 16M-11)  
f. **EC MENTAL HYGIENE COMMUNITY SERVICES BOARD:** Notice of Board Meeting to be Held 7/16/98  
(4-0) Chairman Swanick Present as Ex-Officio Member

Item Page -1998 (Comm. 17D-22)  
g. **ECMC:** Board of Managers Finance Committee 8/7/98 & Financial Statements for 6/30/98  
(4-0) Chairman Swanick Present as Ex-Officio Member

Item Page -1998 (Comm. 17D-23)  
h. **EC MORGUE:** Monies & Other Property Found on Deceased Persons  
(4-0) Chairman Swanick Present as Ex-Officio Member

Item Page -1998 (Comm. 17D-26)  
i. **ECMC:** Minutes of Board of Managers Meeting Held 8/13/98  
(4-0) Chairman Swanick Present as Ex-Officio Member

Item Page -1998 (Comm. 17D-43)  
j. **EC MORGUE:** Monies & Other Property Found on Deceased Persons  
(4-0) Chairman Swanick Present as Ex-Officio Member

Item Page -1998 (Comm. 17D-45)  
k. **ECMC:** Notice of Board of Managers Meeting to be Held 9/16/98  
(4-0) Chairman Swanick Present as Ex-Officio Member

Item Page -1998 (Comm. 17D-46)  
l. **ECMC:** Notice of Board of Managers Special Meeting to be Held 9/16/98  
(4-0) Chairman Swanick Present as Ex-Officio Member

Item Page -1998 (Comm. 17D-47)  
m. **ECMC:** Notice of Board of Managers Meeting to be Held 9/10/98 & Minutes of Meeting Held 8/13/98  
(4-0) Chairman Swanick Present as Ex-Officio Member

Item Page -1998 (Comm. 17M-20)  
n. **GREATER BUFFALO COMMUNITY WELLNESS COUNCIL:** Minutes of Meeting Held 8/20/98 & Notice of Meeting to be Held  
(4-0) Chairman Swanick Present as Ex-Officio Member

Item Page -1998 (Comm. 16E-6)  
2. **COUNTY EXECUTIVE:**  
RESOLVED, that the County Executive is hereby authorized -to enter into a contract with the YWCA of Western New York, Inc., for an amount not to exceed \$14,242 for the

purpose of rehabilitating the agency's transitional home for homeless women and their children at the agency's facility at 531 Busti Avenue, Buffalo, New York, and be it further

RESOLVED, that the County Executive is hereby authorized to enter into a contract with the Friends of Cazenovia Manor, Inc., for an amount not to exceed \$18,600 for the purpose of rehabilitating the agency's transitional home for homeless individuals recovering from alcoholism or other addictions at their facility located on 162 Wildwood Place in the Town of West Seneca, and be it further

RESOLVED, that said contract authorizations are contingent on the receipt of federal Emergency Shelter Grant funding assistance through the federal 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 complied with for the use of federal homeless monies and a summary of the request for proposal process is attached to this resolution, and be it further

RESOLVED, that a certified copy of this resolution be forwarded to the Director of the Office of Budget, Management and Finance and the Commissioner of the Department of Environment and Planning.

(4-0) Chairman Swanick Present as Ex-Officio Member

Item	Page	-1998	(Comm. 16E-8)
3.	COUNTY EXECUTIVE:		

WHEREAS, the Erie County Department of Mental Health is responsible for the delivery of a comprehensive range of mental health services for the residents of Erie County, and

WHEREAS, the Erie County Department of Mental Health has reviewed and approved programs of mental health services for persons receiving mental health treatment from Transitional Services, Inc., and

WHEREAS, the Erie County Legislature has already authorized the County and the Department of Mental Health to contract with Transitional Services, Inc., in the amount not to exceed \$713,410, inclusive of the County operating fund and Grant Project 792, and

WHEREAS, additional funds of \$49,907 in 100% NYS Office of Mental Health Reinvestment dollars are available to continue providing services to mental health clients needing services.

NOW, THEREFORE, BE IT

RESOLVED, that the 1998 appropriation for Transitional Services, Inc. in the County operating fund be increased by a total of \$49,907, the source of these funds being 100% NYS Office of Mental Health Reinvestment dollars, and be it further

RESOLVED, that the County Executive be authorized to amend and increase the 1998 contract with Transitional Services, Inc. for the period January 1, 1998 through December 31, 1998 to an amount not to exceed \$763,317, and be it further

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

(4-0) Chairman Swanick Present as Ex-Officio Member

Item Page -1998 (Comm. 16E-9))  
4. COUNTY EXECUTIVE:

WHEREAS, the Erie County Department of Mental Health is responsible for the delivery of a comprehensive range of mental health services for the residents of Erie County, and

WHEREAS, on April 30, 1998, the Erie County Legislature authorized the County Executive to contract with the U.S. Department of Housing and Urban Development (HUD) in the amount of \$926,280 over a five year period to provide rental assistance for homeless persons disabled by serious mental illness, and

WHEREAS, the Legislature established a grant and project budget of \$186,000 from HUD for year one of the five year period, and

WHEREAS, additional New York State Office of Mental Health (OMH) Reinvestment funds are available to serve as the required matching funds, and

WHEREAS, the Legislature requested that the Erie County Department of Mental Health (ECDMH) recommend the transfer of said funds in order to execute contracts with specific provider agencies, and

WHEREAS, the Erie County Department of Mental Health has reviewed and approved programs of mental health services for persons receiving mental health treatment from Lake Shore Behavioral Health, Buffalo Federation of Neighborhood Centers, and Living Opportunities of DePaul, and

WHEREAS, the Erie County Legislature has already authorized the County and the Department of Mental Health to contract with Lake Shore Behavioral Health for mental health services in the amount not to exceed \$1,142,196, and Buffalo Federation of Neighborhood Centers in the amount not to exceed \$1,217,909.

NOW, THEREFORE, BE IT

RESOLVED, that a 1998 appropriation for Lake Shore Behavioral Health be established in Project 880 in the amount of \$132,893, with the source of these funds being \$77,416 in U.S. Department of Housing and Urban Development (HUD) funds and \$55,477 in matching New York State Office of Mental Health (OMH) Reinvestment funds, and be it further



RESOLVED, that a 1998 appropriation for Buffalo Federation of Neighborhood Centers be established in Project 880 in the amount of \$59,545, with the source of these funds being \$34,688 in HUD funds and \$24,857 in matching OMH Reinvestment funds, and be it further

RESOLVED, that a 1998 appropriation be established in Project 880 for Living Opportunities of DePaul in the amount of \$125,572, with the source of these funds being \$73,152 in HUD funds and \$52,420 in OMH Reinvestment funds, and be it further

RESOLVED, that the County Executive be authorized to amend and increase the 1998 contract with Lake Shore Behavioral Health for the period January 1, 1998 through December 31, 1998, by an amount not to exceed \$132,893, and be it further

RESOLVED, that the County Executive be authorized to amend and increase the 1998 contract with Buffalo Federation of Neighborhood Centers for the period January 1, 1998 through December 31, 1998, by an amount not to exceed \$59,545, and be it further

RESOLVED, that the County Executive be authorized to contract with Living Opportunities of DePaul for the period January 1, 1998 through December 31, 1998, in an amount not to exceed \$125,572, and be it further

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

(4-0) Chairman Swanick Present as Ex-Officio Member

Item Page -1998 (Comm. 17E-28)

5. COUNTY EXECUTIVE:

WHEREAS, authorization to transfer funds necessary to cover purchasing essential computer hardware, software and professional services in order to upgrade the Department's Unisys computer system network is required. This upgrade is needed in order to meet Year 2000 requirements, and

WHEREAS, after reviewing a proposal from Unisys, and upon consultation with the Division of Information and Support Services it has been determined that this Year 2000 project should be undertaken immediately.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby approves the following transactions within the accounts of the Department of Health:

Increase - Account 830-776 Unisys	\$20,000
Decrease - Account 800 Personal Services	<u>20,000</u>
Net Increase	<u>\$ 0</u>

and be it further

RESOLVED, that the requirements of Section 19.08 of the Administrative Code requiring requests for proposal are hereby waived, since this special service must be provided immediately, and be it further

RESOLVED, that the County Executive is hereby authorized to enter into an addition to the existing contract with Unisys in the amount of \$20,000, and be it further

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

(4-0) Chairman Swanick Present as Ex-Officio Member

			(As Amended)
		-1998	(Comm. 17E-42)
6.	Item	Page	
	COUNTY EXECUTIVE:		

WHEREAS, New York State requires that the Medical Examiner's Toxicology Laboratory maintain forensic laboratory accreditation, and

WHEREAS, the New York State Legislature appropriated funds to help forensic laboratories pay the costs associated with the attaining and maintaining accreditation required by Executive Law Article 49-B, and

WHEREAS, the Medical Examiner's Toxicology Laboratory will purchase a gas chromatograph/mass spectrometer and two replacement chromatographic systems to maintain proficiency.

NOW, THEREFORE BE IT

RESOLVED, that the Erie County Executive is hereby authorized to enter into an agreement with the New York State Division of Criminal Justice to accept the grant budgeted as follows:

**Medical Examiner's Toxicology Lab Aid Grant  
 4/1/98-3/31/2000  
 Project #**

<b>SFG ACCOUNT</b>	<b>REVENUE</b>	<b>BUDGET</b>
553	State Aid Other	<u>\$135,648</u>
	TOTAL	<u>\$135,648</u>
<b>EXPENSES</b>		
814	Medical & Health Supplies	\$ 2,500
825	Out of Area Travel	\$ 5,500
933	Lab & Technical Equipment	127,648
	TOTAL	<u>\$135,648</u>

and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Department of Health, the Division of Medical Examiner's Toxicology Laboratory, the Division of Budget, Management and Finance and the Department of Law.

(4-0) Chairman Swanick Present as Ex-Officio Member

Item Page -1998 (Comm. 17E-47)  
7. COUNTY EXECUTIVE:

WHEREAS, the Erie County Department of Mental Health is responsible for the delivery of a comprehensive range of mental retardation and developmental disability services for the residents of Erie County, and

WHEREAS, the Erie County Department of Mental Health has reviewed and approved programs for persons receiving mental retardation/developmental disabilities services from Southeast Community Work Center, and

WHEREAS, additional funds in 100% NYS Office of Mental Retardation/ Developmental Disabilities State Aid dollars are available to support certified work activity services in 1997 to developmentally disabled individuals.

NOW, THEREFORE, BE IT

RESOLVED, that the current appropriation for Southeast Community Work Center be increased by the sum of \$14,000, to enable additional funds to be applied to expenditures incurred by the Agency in 1997, the source of these funds being 100% NYS Office of Mental Retardation/Developmental Disabilities State Aid dollars, and be it further

RESOLVED, that the County Executive be authorized to amend and increase the 1997 contract with Southeast Community Work Center for the period January 1, 1997 through December 31, 1997 to an amount not to exceed \$388,837, and be it further

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

(3-0)

**JUDITH P. FISHER**  
**CHAIRPERSON**

Mrs. Fisher moved the adoption. Mr. Holt seconded.

CARRIED UNANIMOUSLY

**LEGISLATORS RESOLUTIONS**

Item 27 – Mr. Ranzenhofer presented the following resolution and requested that it be referred to the ECONOMIC DEVELOPMENT COMMITTEE (Intro 18-1) Re: Restricting Heavy Truck Traffic on the Statge Road in Clarence.

GRANTED.

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

CARRIED UNANIMOUSLY

RESOLUTION NO. 301 Re: The Town of Marilla and Water District 4. (Intro. 18-2)

WHEREAS, residents in the Town of Marilla voted to have Water District 4 receive funding from a government grant, and

WHEREAS, Marilla Supervisor John Foss wrote a proposal for the Erie County Water Authority (ECWA) in support of State Environmental Bond Act funding for Erie County including, Marilla Water District 4, and

WHEREAS, John Foss has accused the ECWA, in the September 16th issue of the *Elma Review*, of torpedoing the plan for Water District 4 by withholding the alleged money needed for the water district, and

WHEREAS, it is vital that this matter be discussed so that residents will get the water they need,

NOW, THEREFORE, BE IT

RESOLVED, the Erie County Legislature does hereby recognize and express concern for residents in the Town of Marilla, and be it further

RESOLVED, that this honorable body believes that all residents in Erie County should have access to affordable, quality water, and be it further

RESOLVED, that this Honorable Body does hereby request that Supervisor Foss along with the three Water Authority Commissioners attend the next Government Affairs Committee meeting to discuss this matter in full, and be it further

RESOLVED, that certified copies of this resolution be forwarded to Marilla Supervisor John Foss and Water Authority Commissioners: Mark Patton, Robert Lichtenthal and George Hasiotis.

**Fiscal impact:** None for resolution

Mr. Larson moved the adoption. Mr. Peoples seconded.

CARRIED UNANIMOUSLY.

Item 29 – Mr. Kuwik presented the following and moved for immediate consideration.  
Ms. Peoples seconded.

CARRIED UNANIMOUSLY.

Resolution No. 302 Re: Support for Federal Legislation Prohibiting Desecration of the American Flag (Intro 18-3).

WHEREAS, The flag of the United States of America is a tangible symbol of the principles of independence and democracy on which our country is founded, and

WHEREAS, Americans are taught from a young age to respect and honor our flag, treating it with utmost reverence in its handling and care, and

WHEREAS, We pledge allegiance to the flag, using it as a visual representation of this country, and

WHEREAS, The desecration of the American flag is therefore far more than the destruction of a mere piece of fabric; it is, in fact, a symbolic attack on the principles of democracy and on our country, and

WHEREAS, All Americans — and especially those who have served in the armed forces over the years to protect our flag and country — should take offense when the symbol of our country is desecrated, thereby tarnishing the memory of the thousands who died in combat while in service to their country, and

WHEREAS, In an effort to protect our flag from those who would seek to attack our country by attacking its symbol, the United States Congress is currently considering legislation (S.J. Res. 40 and H.J. Res. 54) that would prohibit the physical desecration of the flag of the United States,

NOW, THEREFORE, BE IT

RESOLVED, That the Erie County Legislature does hereby state its strong support for efforts to honor and preserve the flag of the United States of America from desecration, and be it further

RESOLVED, That this Honorable Body does therefore memorialize the United States Congress to pass and United States President William Clinton to sign into law S.J. Res. 40 and H.J. Res. 54 to give Congress the power to prohibit the physical desecration of the flag of the United States, and be it further

RESOLVED, That certified copies of this resolution be forwarded to the Western New York delegation of the United States Congress and to United States President William Clinton.

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EDWARD J. KUWIK

**Fiscal Impact:** None for resolution.

Mr. Kuwik moved to amend the resolution making it Et Al. Ms. Peoples seconded.

CARRIED UNANIMOUSLY.

Ms. Peoples moved to approve the resolution as amended. Mrs. Fisher seconded.

CARRIED UNANIMOUSLY.

Item 30 – Ms. Fisher presented the following and presented the following resolution and requested that it be referred to the HEALTH COMMITTEE.

GRANTED.

Re: Insurance Coverage for Contraception (Intro 18-4).

Item 31 – Ms. Peoples presented the following resolution and moved for immediate consideration. Mr. Holt seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 303 Re: Stabilization of Funding for County and City Veterans' Service Agencies. (Intro 18-5)

WHEREAS, more than two million veterans of the United States Armed Services call New York State home, and

WHEREAS, applications and claims for veterans' entitlements can be complicated and confusing, requiring skilled assistance to ensure proper filing, and

WHEREAS, County and City Veterans' Service Agencies provide the majority of advocacy services for New York State's veterans, and

WHEREAS, in 1945, the state of New York established a formula for the partial reimbursement of the operating expenses of Veterans' Service Agencies, and

WHEREAS, since the establishment of that formula, operating expenses for Veterans' Service Agencies have increased more than 300%, and

WHEREAS, despite that enormous increase, the state's reimbursement formula has not increased since 1945, and

WHEREAS, Erie County will receive \$10,240 in state aid for Veterans' Service Agencies in 1998, the same amount it has received for the past three fiscal years, despite the fact that the cost of services it provides to veterans continues to rise while the funding the county receives from the state to provide these services remains constant, and

WHEREAS, this 1945 standard allows for reimbursement to City and County Veterans' Service Agencies as follows:

- City or County With Population below 100,000 -- \$5,000;
- City or County With Population Above 100,000 -- \$5,000 plus \$2,500 per additional 100,000 of population;

and

WHEREAS, payment of the partial state reimbursement to County and City Veterans' Service Agencies is at the discretion of the director of the New York State Division of Veterans' Affairs, with the state director currently allowed to reimburse City and County Veterans' Service Agencies up to a maximum of 50% of expenses, and

WHEREAS, Section 359(1) of the Executive Law may be amended to make that 50% reimbursement mandatory, rather than subject to the discretion of the state's Director of Veterans' Affairs,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby recognize and appreciate the significant contribution made to our free society by Erie County and New York State's military veterans, and does commend veterans from all branches of the armed services for their dedication and commitment to the preservation of freedom in this nation, and be it further

RESOLVED, that this Honorable Body does hereby urge the New York State Legislature to amend Section 359(1) of the New York State Executive law by eliminating the discretionary provision for the partial state reimbursement to County and City Veterans' Service Agencies, and be it further

RESOLVED, that this Honorable Body does urge the New York State Legislature to further amend Section 359(1) of the New York State Executive law by updating the formula for reimbursement to City and County Veterans' Service Agencies by increasing the reimbursement to counties and cities, and be it further

RESOLVED, that certified copies of this resolution be sent to Governor George E. Pataki, Assembly Speaker Sheldon Silver, Senate Majority Leader Joseph Bruno, Assemblyman Ronald Tocci, Chairman, Assembly Veterans' Affairs Committee, Senator Raymond Meier, Chairman, Senate Veterans' and Military Affairs Committee, Erie County Executive Dennis T. Gorski, and to William J. Bingel, President, New York State Association of Counties.

Fiscal Impact: Positive for City and County Veterans Service Agencies.

Ms. Peoples moved to amend the resolution making it Et Al. Mr. Kuwik seconded.

CARRIED UNANIMOUSLY.

Ms. Peoples moved to approve the resolution as amended. Mrs. Fisher seconded.

CARRIED UNANIMOUSLY

Item 32 – Ms. Peoples presented the following resolution and moved for immediate consideration. Ms. Marinelli seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 304 Re: Support for Community Projects in Tonawanda (Intro 18-6).

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 \$5,000 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 agency:

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
City of Tonawanda	830/0467	\$5,000
<b>TOTAL</b>		<b>\$5,000</b>

and be it further

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

RESOLVED, that certified copies of this resolution be sent to County Executive Dennis Gorski, County Comptroller Nancy A. Naples, Budget Director Kenneth C. Kruly, First Assistant County Attorney Alan Gerstman and to Mayor Alice A. Roth, City of Tonawanda, 200 Niagara St., Tonawanda, NY 14150.

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

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

Re: Support for Community Initiatives (Intro. 18-7).

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 \$11,594 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>
Erie Community College	n/a	\$4,554
Autistic Services, Inc.	n/a	\$3,995
YWCA	n/a	\$3,000
<b>TOTAL</b>		<b>\$11,594</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 William J. Mariani, President, Erie Community College, 121 Ellicott Street, Buffalo, NY 14203, Angela Lagenor, Executive

Director, Autistic Services, Inc., 169 Sheridan Parkside Dr., Tonawanda, NY 14150, Susan Clements, Co-chair 1998 Week Without Violence, YWCA, 190 Franklin, Buffalo, NY 14202.

---

**LYNN M. MARINELLI**

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

Ms. Marinelli moved to amend the resolution. Mr. Greenan seconded.

ADD the following prior to the first WHEREAS clause:

WHEREAS, Erie Community College has identified a shortfall in funding for a Women's Entrepreneurship Training Program, and will require additional funds, and

WHEREAS, Intro. 17-19 (1998), adopted by the Legislature last week, called upon local officials to investigate stream maintenance for Ellicott Creek, located in northern Erie County, and

WHEREAS, the Erie County Soil and Water Conservation District (ECSWCD) has agreed to conduct a study of the Ellicott Creek Streambank and Riparian Corridor based upon a visual inspection and research of existing data, and

WHEREAS, in order to conduct this study, a transfer of funds to the ECSWCD must be adopted by this Honorable Body,

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

RESOLVED, that the Erie County Legislature does hereby authorize the transfer of \$6,995 from the legislative (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>
Autistic Services	n/a	\$ 3,995
YWCA	n/a	\$ 3,000
<b>TOTAL</b>		<b>\$ 6,995</b>

And be it further

RESOLVED, that this Honorable Body does hereby authorize the transfer of \$2,689 from the legislative (Countywide Contingency DAC: 110923310893) to Fund 110, Project 922,

Department 302 – Agency Payments & Grants – Public Benefit Services – E&P,  
(DAC:1109223028300185) for paying the following agency:

<u>NAME</u>	<u>LINE</u>	<u>BUDGET AMOUNT</u>	<u>+/-</u>	<u>NEW AMOUNT</u>
Erie County Soil & Water Conserv. Dist.	830/0185	\$85,000	\$2,689	\$87,689
<b>TOTAL</b>			<b>\$2,689</b>	

And be it further

RESOLVED, that the County Executive be and hereby is authorized to enter into new or amended contractual agreements with the agencies cited above, and be it further

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$4,554 from the legislative contingency (Countywide Contingency DAC: 110923310893) to Fund 110, Project 929, Department 430 - Interfund-Erie Community College (DAC:1109294308864300), and be it further

RESOLVED, that the Clerk of the Legislature, the Director of the Division of Budget, Management & Finance, and the Chairman of the Board of Trustees at ECC, be and hereby are hereby authorized to complete any paperwork necessary to effectuate this transfer of funds for the purpose stated above, and be it further

RESOLVED, that certified copies of this resolution be sent to County Executive Dennis Gorski, County Comptroller Nancy Naples, Budget Director Kenneth Kruly, First Assistant County Attorney Alan Gerstman, ECC Interim President William Mariani, 121 Ellicott St., Buffalo, NY 14203, Autistic Services Executive Director Angela Lagenor, 169 Sheridan Parkside Dr., Tonawanda, NY 14150, Erie County Soil and Water Conservation District Secretary/Treasurer LuAnn Freeman, 50 Commerce Way, East Aurora, NY 14052, and to YMCA 1998 Week Without Violence Co-Chair Susan Clements, 190 Franklin St., Buffalo, NY 14202.

Ms. Marinelli moved the approve the resolution as amended. Mr. Holt seconded.

CARRIED UNANIMOUSLY.

**COMMUNICATIONS DISCHARGED FROM COMMITTEE**

Item 34 - Ms. Peoples moved to discharge the FINANCE & MANAGEMENT COMMITTEE from further consideration of Comm. 17 E-40. Mr. Dusza seconded.

Mr. Larson moved to amend Comm. 17 E-40. Ms. Peoples seconded. Ms. Peoples moved to approve as amended. Mr. Larson seconded.

RESOLUTION NO. 306 Re: Transfer of 41 properties in the Village of Lancaster

WHEREAS, the Division of Budget, Management and Finance did receive a request from the Village of Lancaster asking that the following listed Village of Lancaster properties be transferred to the Village of Lancaster, and

WHEREAS, these parcels were reviewed and approved by the Advisory Review Committee of Erie County, and

WHEREAS, the Erie County Department of Environment & Planning viewed these properties and has made their recommendations as per the attached listing, and

WHEREAS, the Village 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

NOW, THEREFORE BE IT RESOLVED that the following parcels of land be transferred without public auction pursuant to Article 14, Section 14-1.0 of the Erie County Tax Act to the Village of Lancaster, 5423 Broadway, Lancaster, New York 14086 for the sum of One and 00/100 Dollars (\$ 1.00);

<u>SBL#</u>	<u>ADDRESS</u>	<u>COMMENT</u>
104.110-3-12	Upton Place	Vacant land along Conrail Main
104.110-11-16	Upton Place	Vacant land along Conrail Main
104.150-17-28	Sheldon Avenue	Active village street north of sl 49, B1 22 & sl 8, B1 23, MC 549
104.150-17-29	Hawley Avenue	Further south, part of St. Mary's HS Active village street north of sl 50, B1 23 & sl 8, B1 24, MC 549
104.150-18-20	00 Cowing Street	Further south, part of St. Mary's HS Part of active street
104.190-2-1	28 Pershing Avenue	Vacant land -part of NYSDEC dike system for Cayuga Creek
104.190-2-2	Pershing Avenue	Same
104.190-4-29	Pershing Avenue	Same
104.190-4-30	Pershing Avenue	Same
104.190-4-31	Pershing Avenue	Same
104.190-5-7	Broadway	Same
104.190-5-17	St. John Street	Same
104.190-5-19	St. John Street	Same
104.660-2-1.3	00 Ida Place	Vacant land 10 by 38.91
104.82-1-18	00 Aurora Street	Part of Cayuga Creek & NYSDEC

dike system for Cayuga

SBL#	ADDRESS	COMMENT
104.820-1-19	00 Aurora Street	Same
104.820-5-10	Broadway	Part of Cayuga Creek & NYSDEC dike system for Cayuga Creek
104.820-5-12	Broadway	Same
104.820-5-13	Broadway	Same
104.820-5-14	Broadway	Same
104.830-5-19	00 James Place	Vacant triangle of land 11 x 40
104.840-1-8	00 Court Street	Vacant triangle of land 9.7 x 184
105.070-7-18	Oakwood Avenue	South bank of Cayuga Creek – may have ECSD# 4 trunk line
115.120-1-28	Daggett Lane	Paper street partially improved by private driveway
115.120-5-18	00 Christen Ct	Fenced land, 12 x 95
115.120-6-28	Warwick Avenue	Paper Street partially improved by private driveway
115.120-8-10	Bryant Place	Vacant land on paper street
115.120-8-14	Bryant Place	Same
115.120-8-15	Bryant Place	Same
115.120-8-23	Bryant Place	Paper street partially improved by private driveway
115.120-8-24	00 Florence Ave	Paper street partially improved by private driveway
115.260-3-1	00 Cayuga Avenue	Part of Cayuga Creek & NYSDEC dike system for Cayuga Creek
115.260-3-6	00 Cayuga Avenue	Same
115.260-3-12	Park Blvd.	Same
115.260-3-20	Park Blvd.	Same
115.260-3-21	Park Blvd.	Same
115.260-3-22	Park Blvd.	Same
115.070-7-19	00 Delaney Pl	South bank of Cayuga Creek-may have ECSD #4 trunk line
115.070-7-20	Oakwood Avenue	Same
115.350-1-3	Lake Avenue	Part of Cayuga Creek & NYSDEC dike system for Cayuga Creek
115.270-1-26	Lake Avenue	Same

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 properties to the aforesaid purchaser with the right of the County of Erie to share in the profits if any parcel is subsequently sold, and be it further

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

Mr. Larson moved to amend Comm. 17E-40. Ms. Peoples seconded.

**ADD following the first RESOLVED clause:**

Resolved, that the Village of Lancaster has made a verbal agreement with Legislator Dale Larson that the Village of Lancaster will adhere to the same standard as Erie County in regards to the notification of contiguous land owners upon intended sale of the afore mentioned transferred property.

Ms. Peoples moved to approve as amended. Mr. Larson seconded.  
CARRIED UNANIMOUSLY.

Item 35 - Ms. Peoples moved to discharge the FINANCE & MANAGEMENT COMMITTEE from further consideration of Comm. 17 E-24. Mr. Debenedetti seconded.

September 8, 1998

The Honorable  
Erie County Legislature  
25 Delaware Avenue  
Buffalo, New York 14202

Dear Honorable Members:

Re: Deferred Compensation  
Agreement

Our deferred compensation administrative agreement with the Copeland Companies expires on September 30th 1998. Our deferred compensation committee comprised of representatives from the public employees unions, the executive branch and the legislative branch has been meeting to recommend to your Honorable Body a company to represent us for the next five (5) year period. The deferred compensation committee is meeting Tuesday afternoon September 8th 1998 to make a decision on a final recommendation to you.

I would ask that this letter serve as a communication to reserve a spot on Thursday's meeting agenda for the purpose of amending this communication with a resolution in support of the company selected to administer our deferred compensation program. A resolution will be delivered to the legislature as soon as possible after the decision is made. I would like to ask for immediate consideration at Thursday's meeting after administration officials have had a chance to discuss this proposal with you. Thank you for your consideration in this matter.

Sincerely,

Dennis T. Gorski  
County Executive

Ms. Peoples moved to amend Comm. 17 E-24. Mr. Debenedetti seconded.

Resolution No. 307                      Re: Erie County Deferred Compensation Plan

WHEREAS, the New York State Deferred Compensation Rules and Regulations allow participating local employers to enter into contracts with administrative organizations for a period not to exceed five (5) years, and

WHEREAS, the current five (5) year approval with The Copeland Companies expires on October 31, 1998, and

WHEREAS, the Erie County Deferred Compensation Committee received and reviewed proposals from fourteen (14) financial organizations in conjunction with the Request for Proposals issued in April 1998, and

WHEREAS, on September 8, 1998 the Erie County Deferred Compensation Committee selected Fidelity Investments to replace The Copeland Companies as Plan Administrator, and

WHEREAS, on September 8, 1998 the Deferred Compensation Committee approved a five-year agreement with Fidelity Investments to administer our Deferred Compensation Plan;

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize the Erie County Executive to enter into a five (5) year agreement, subject to annual renewal by the Legislature, with Fidelity Investments to administer the Erie County Deferred Compensation Plan for the period from November 1, 1998 to October 31, 2003; and, if required, to enter into a month by month agreement with The Copeland Companies to insure a smooth transition of the Plan; and be it further

RESOLVED, that copies of this resolution be sent to County Executive Dennis T. Gorski; Budget Director, Kenneth C. Kruly; Personnel Commissioner, Leonard R. Lenihan; Michael Bogulski (CSEA) and John Orlando (AFSCME).

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

Ms. Peoples moved to approve as amended. Mr. Debenedetti. Mr. Ranzenhoffer voted in the negative.

CARRIED.



Item 36 – Mr. Marshall moved to discharge the ENERGY & ENVIRONMENT COMMITTEE from further consideration of Comm. 16-1.

Chairman Swanick directed that a roll call vote be taken.

Ayes: Chase, Greenan, Larson, Marshall, Ranzenhofer, Weinstein. Noes: Pauly, Debenedetti, Dusza, Fisher, Fitzpatrick, Holt, Kuwik, Marinelli, Peoples, Swanick. Ayes – 6, Noes – 6.

DEFEATED.

**SUSPENSION OF THE RULES**

Item 37 - Ms. Peoples moved for a suspension of the rules to include an item not on the agenda.

GRANTED

Comm. 18E-23

Chairman SWANICK directed that Comm. 18E-23 be referred to the Health Committee.

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

GRANTED.

Comm. 18M-12

Chairman SWANICK directed that Comm. 18M-12 to the Finance & Management Committee.

**COMMUNICATIONS FROM ELECTED OFFICIALS**

**FROM THE COMPTROLLER**

Item 39 – (Comm. 18E-1) Interim Financial Report for Six Months Ended 6/30/98

Received and referred to the Finance & Management Committee.

**FROM CHAIRMAN SWANICK**

Item 40 – (Comm. 18E-2) Appointments to the Erie –Niagara Regional Partnership.

Received filed and printed.

September 18, 1998

Hon. Laurie A. Manzella  
Clerk, Erie County Legislature  
25 Delaware Ave., 7th Floor  
Buffalo, NY 14202

Dear Madam Clerk:

Pursuant to Legislative Resolution Intro. 16-11 (1998), I hereby appoint the following legislative members of the Erie-Niagara Regional Partnership:

Co-Chair: William A. Pauly

Vice-Chair: Crystal D. Peoples

Members: Albert DeBenedetti  
Barry A. Weinstein  
John W. Greenan

Niagara County Legislature Chairman Gerald Meal will communicate his legislative appointments to the Erie-Niagara Regional Partnership under separate cover.

Intro. 16-11 also includes provisions for appointments from other sources both within and outside government in Erie and Niagara Counties. Those additional appointments, to be made separately by myself and by Chairman Meal, will also be communicated under separate cover.

Very truly yours,

Charles M. Swanick  
Chairman  
Erie County Legislature

cc: Hon. Gerald Meal, Chairman, Niagara County Legislature

CARRIED UNANIMOUSLY.

FROM THE COUNTY EXECUTIVE

Item 41 – (Comm. 18E-3) Position Change Report PP#20.

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE DISTRICT ATTORNEY

Item 42 – (Comm. 18E-4) Repsonse to legislator DeBenedetti Re: Election Law.  
Received and filed.

FROM THE COUNTY EXECUTIVE

Item 43 – (Comm. 18E-5)

Ms. Peoples moved for immediate consideration. Mr. Dusza seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 217 Re: Erie County Clerk's Office – Year 2000 Solution

Item 44 – (Comm 18E-6) Social Services – Amendment of Lease for Stride Office Space.

Received and referred to the Social Services Committee.

Item 45 – (Comm. 18E-7) Position Underfill – ECMC Speech Pathologist.

Received and referred to the Health Committee.

Item 46 – (Comm.. 18E-8) Filling Vacant Position Report, 6/98.

Received and referred to the Government Affairs Committee.

Item 47 – (Comm. 18E-9) ECSD No. 2 Engineering Service Agreement for the SW Interceptor & Pumping Station Facilities Evaluation.

Received and referred to the Energy and Environment Committee.

Item 48- (Comm. 18E-10) Emergency Services – transfer of Funds.

Received and referred to the Public Safety Committee.

Item 49 – (Comm. 18E-11) Appointments to the Commission on the Status of Women.

Received and referred to the Government Affairs Committee.

Item 50 – (Comm. 18E-12) Appointment to the ECC Board of Trustees.

Received and referred to the Community Enrichment Committee.

Item 51 – (Comm. 18E-13) Senior Services – Authorization to Create a Part-Time Position.

Received and referred to the Social Services Committee.

Item 52 – (Comm. 18E-14) Health – Women, Infants & Children’s Supplemental Nutrition (WIC) Program 10/1/98 – 9/30/99.

Received and referred to the Health Committee.

Item 53 – (Comm 18E-15)

Ms. Peoples moved for immediate consideration. Mr. Holt seconded.

CARRIED UNANIMOUSLY.

Resolution No. 312: Re: Health – Women, Infants & Children’s Supplemental Nutrition

**WHEREAS**, the Erie County Department of Health operates the WIC Program, and

**WHEREAS**, the purpose of this program is to provide nutrition related services to pregnant women, infants and children, and

**WHEREAS**, the Erie County Health Department has received a revised grant award in the amount of \$2,646,486.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Erie County Legislature hereby authorizes the County Executive to enter into a revised contract with the New York State Department of Health grant which is budgeted as follows:

**SUPPLEMENTAL FOOD (WIC)  
PROGRAM  
10/1/97- 9/30/98  
PROJECT #685**

SFG	REVENUE	CURRENT BUDGET	CHANGES	REVISED BUDGET
444	LOCAL SOURCE	\$ 800	\$ 171	\$ 971
549	MISC DEPT INC	750	0	750
574	STATE AID	<u>2,644,765</u>	<u>0</u>	<u>2,644,765</u>
	<b>TOTAL</b>	<u>\$ 2,646,315</u>	<u>\$ 171</u>	<u>\$ 2,646,486</u>

<b>EXPENSES</b>				
800	PERS	\$	\$ (43,471)	\$ 1,827,572
	SERVICES	1,871,043		
802	TURNOVER	-81,347	81,347	0
805	FRINGE BENEFITS	453,165	-7,851	445,314
810	OFFICE SUPPLIES	4,350	2,713	7,063
814	MEDICAL SUPPLIES	100	1,270	1,370
816	MAINT	200	-20	180
	SUPPLIES			
821	DUES & FEES	5,545	-650	4,895
822	RENTAL CHARGES	17,949	0	17,949
823	REPAIRS &	1,335	140	1,475
	MAINT			
824	TRAVEL & MILEAGE	11,000	1,700	12,700
825	TRAVEL -	4,000	475	4,475
	CONF			
826	OTHER EXPENSES	21,556	794	22,350
880-2700	INTERFUND – ECHD	49,675	-170	49,505
880-4000	INTERFUND – ECMC	15,129	0	15,129
880-5100	INTERFUND – DISS	40,768	-7,581	33,187
882	I/D EXP NON-DISS	0	0	0
892	NON-	231,347	-30,025	201,322
	SPENDABLE			
931	MAINT EQUIPMENT	0	0	0
932	FURNITURE	<u>500</u>	<u>1,500</u>	<u>2,000</u>
	<b>TOTAL</b>	<u>\$</u>	<u>\$ 171</u>	<u>\$ 2,646,486</u>
		<u>2,646,315</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, the Department of Personnel and the Department of Law.

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

CARRIED UNANIMOUSLY

Item 54 – (Comm. 18E-16)

Ms. Peoples moved for immediate consideration. Mr. Dusza seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 313      Re: Health – Healthy Neighborhoods Grant  
10/1/97 – 9/30/98

WHEREAS, the Erie County Department of Health operates the Healthy Neighborhoods Program under the guidelines established by the New York State Department of Health, and

WHEREAS, the Erie County Health Department has received authorization from the New York State Department of Health for a budget amendment, and

WHEREAS, the budget amendment will allow the updating of computer equipment so as to meet revised reporting requirements from the New York State Department of Health, and will allow the purchase of office equipment and safety products to enhance the efficiency of program operations and to provide additional preventative health services in the grant target area.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to accept the revised New York State Health Department grant which is budgeted as follows:

**Department of Health**  
**HEALTHY NEIGHBORHOOD GRANT**  
10/1/97 - 09/30/98  
**PROJECT # 691**

<u>SFG</u>	<u>SUB</u>	<u>REVENUE</u>	<u>CURRENT BUDGET</u>	<u>CHANGES</u>	<u>REVISED BUDGET</u>
553		STATE AID	\$ 205,500	0	\$ 205,500
		<b>TOTAL</b>	<u>\$ 205,500</u>	<u>0</u>	<u>\$ 205,500</u>
		<b><u>EXPENSES</u></b>			
800		PERSONNEL SERVICES	155,364	-9,250	146,114
801		OVERTIME	280	0	280
805		FRINGES	44,256	0	44,256
810		OFFICE SUPPLIES	250	0	250
811		CLOTHING SUPPLIES	100	0	100
823		REPAIRS & MAINTENANCE	0	0	0
824		TRAVEL & MILEAGE	3,400	250	3,650
825		OUT OF AREA TRAVEL	400	0	400
826		OTHER EXPENSES	887	3,500	4,387
880	5100	INTERFUND-DISS	463	0	463
932		OFFICE EQUIPMENT	0	1,500	1,500
933		LAB & TECH	<u>100</u>	<u>4,000</u>	<u>4,100</u>

EQUIPMENT

<b>TOTAL</b>	<u>\$ 205,500</u>	<u>- 0 -</u>	<u>\$ 205,500</u>
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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 Department of Law.

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

CARRIED UNANIMOUSLY.

Item 55 – (Comm. 18E-17) Health – Training & Technical Assistance for County Health Departments 7/1/98 – 11/30/98.

Item 56 – (Comm. 18E-18) Health – Tonawanda Service & Referral center Lease Agreement.

The above two items were received and referred to the Health Committee.

Item 57 – (Comm. 18E-19) Sheriff’s Office – Asset Forfeiture Fund Appopriation – Project #493.

Item 58 – (Comm. 18E-20) Sheriff’s Office – Personnel Adjustments.

The above to items were received and referred to the Public Safety Committee.

Item 59 – (Comm. 18E-21) International Business Development – The WNY Internantional Trade Council’s Export Enhancement Projects.

Received and referred to the Energy & Environment Committee.

Item 60 – (Comm. 18E-22)

Mr. Kuwik moved for immediate consideration. Ms. Peoples seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 314      Re: Parks, Recreation & Forestry – Contract with Town of West Seneca.

WHEREAS, The Department of Parks, Recreation and Forestry desires to contract with the Town of West Seneca to support the creation of a Volunteer Coordinator position at the Botanical Gardens; and

WHEREAS, the AmeriCorps Program, administered by the West Seneca Youth Bureau will contribute \$8,000 per year along with a scholarship for this individual in the amount of \$4,875 and the Botanical Gardens Society will contribute \$1,700 for fringe benefits; and

WHEREAS, this individual will be an employee of the AmeriCorps Program administered by the Town of West Seneca through its West Seneca Youth Bureau and will coordinate over 100 volunteers who are willing to care for and label the plant collection; and

WHEREAS, it is the intent to fund this position for a two-year period of time, commencing October 1, 1998; and

WHEREAS, the following represents the combined annual support for this cooperative venture:

AmeriCorps	\$ 8,000 (plus \$4,875 scholarship)
Erie County	7,000
Botanical Gardens Society	<u>1,700</u>
Total for each of two years	\$16,700

and

WHEREAS, sufficient funds in the amount of \$1,750 for the remainder of 1998 for the Erie County portion are available through the appropriation of unanticipated revenues in Account 110-923310301--Section 520 Exemption Removal.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into contracts with the Town of West Seneca to create the position of Volunteer Coordinator to coordinate responsibilities of volunteers at the Botanical Gardens for a period of two years, and be it further

RESOLVED, that the sum of \$1,750 is hereby appropriated in the Division of Parks, Contractual Expense (110-942640830), the source of funds being unanticipated revenue in the County-wide Accounts-Budget, Section 520-Exemption Removal Account (110-923310301), the annual budget for this account having been realized, and be it further

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

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

CARRIED UNANIMOUSLY.

COMMUNICATIONS FROM THE DEPARTMENTS

ECC



Item 61 – (Comm. 18D-1) Notice of Committee Meetings Held 9/21/98.

Received and filed.

**HEALTH**

Item 62 – (Comm. 18D-2) Second Quarter Report.

Received and referred to the Health Committee.

**BUDGET MANAGEMENT & FINANCE**

Item 63 – (Comm. 18D-3) Budget Monitoring Report for Period Ending 7/31/98.

Received and referred to the Finance & Management Committee.

**CLERK OF THE LEGISLATURE**

Item 64 – (Comm. 18D-4) Response to Samuel Lucifer Robinson Re: Request for Public Records.

Received and filed.

**BUFFALO & ERIE COUNTY PUBLIC LIBRARY**

Item 65 – (Comm. 18D-5) Notice of Meeting Held 9/17/98 & Minutes of Meeting Held 8/28/98.

Received and filed.

**COUNTY ATTORNEY**

Item 66 – (Comm. 18D-6) Notice of County Executive's Public Hearing – Int. 17-18.

Received, filed and printed.

September 14, 1998

Ms. Laurie Manzella, Clerk  
Erie County Legislature  
25 Delaware Avenue  
Buffalo, New York 14202

**RE: Notice of Public Hearing**

Resolution Reference No. Int. 17-18

Dear Ms. Manzella:

Enclosed herein is a copy of the Public Hearing Notice for the above captioned Resolution Reference Int. No. 17-18, which was adopted by the Erie County Legislature on September 10, 1998.

Please post for the information of anyone who may be interested in attending this hearing.

Very truly yours,

KENNETH A. SCHOETZ  
Erie County Attorney

By: Alan P. Gerstman  
I" Assistant County Attorney

APG/sl  
Enc.

CARRIED UNANIMOUSLY.

DPW

Item 67 – (Comm. 18D-7) 1998 Overlay “A” Program Project No. CHIPS OP-98A  
Towns of Cheektowaga, Clarence, Eden, Evans, Hamburg, Orchard Park, Tonawanda & West Seneca.

Item 68 – (Comm. 18D-8) 1998 Culvert Reconstruction & Bridge Rehab Project No.  
Culverts 98 Towns of Aurora, Colden & Elma.

The above two items were received and referred to the Economic Development Committee.

ECC

Item 69 – (Comm. 18D-9) Notice of Committee Meeting held 9/21/98

Received and filed.

DPW

Item 70 – (Comm. 18D-10) Sweet Road CR301 Project No. RWP 301-97, Town of Amherst.

Received and referred to the Economic Development Committee.

Item 71 – (Comm. 18D-11)

Ms. Peoples moved for immediate consideration. Mrs. Fisher seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 315 Re: Increase to ontract 1998 Overaly "A" Programs Project No. CHIPS OP-98A Towns of Cheektowaga, Clarence, Eden & Others.

WHEREAS, the Erie County Legislature approved a contract for the 1998 Overlay "All Program, Project No. CHIPS OP-98A, between Omer Construction Company, Incorporated and the County of Erie in Meeting Number 16, held on July 16, 1998, Communication Number 14D-18; and

WHEREAS, additional work needs to be performed on the project that was not initially anticipated and the County needs to increase the project in order to satisfactorily meet field conditions that varied from the original contract plans which could not be foreseen; and

WHEREAS, the original approval of the contract was predicated on availability of funds from the then designated sources; and

WHEREAS, the County of Erie now has sufficient funds from other sources which can be utilized for completing this project; and

WHEREAS, it is necessary to include some overlay paving work on Maple Road in the Town of Amherst, a high trafficked County highway having 20-25 thousand vehicles per day, in order to prevent further deterioration and insure a safe riding quality in the interim until its reconstruction scheduled in the year 2001.

NOW, THEREFORE, BE IT

RESOLVED, that the contract amount be increased by an additional amount of \$285,000, to be allocated from the following funds:

1998 Oil & Chip Transfer Tax	\$200,000.00
1997 CHIPS Program	\$ 64,200.00
1996 CHIPS Program	\$ 20,800.00

for a change order to the construction contract with Omer Construction Co., Incorporated; and be it further

RESOLVED, that the Clerk of the Legislature be instructed to forward three (3) certified copies of this resolution to the Deputy Commissioner-Highways, Department of Public Works.

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

CARRIED UNANIMOUSLY.

Item 72 – (Comm. 18D-12) Agreement with NYSDOT Construction Phase McKinley Parkway, Bayview Road & Sowles Road Intersection, Town of Hamburg.

Received and referred to the Economic Development Committee.

Item 73 – (Comm. 18D-13) Angola Highway Vehicle Storage Facility, Contingency Fund Increase.

Item 74 – (Comm. 18D-14) Increase to Consultant Contract CMAQ Intersection Safety Improvements North French/Hopkins & Hopkins/Klein, Town of Amherst.

The above two items were received and referred to the Economic Development Committee.

Item 75 – (Comm. 18D-15)

Ms. Peoples moved for immediate consideration. Ms. Dusza seconded.

CARRIED UNANIMOUSLY.

Resolution No. 316 Re: Agreement with USDA Natural Resources Conservation Service Stream Channel Repair, Towns of Boston, Collins, N. Coll., Concord & Sard.

WHEREAS, the County of Erie is proposing to enter into an agreement with the USDA Natural Resources Conservation Service for the repair and stabilization of various stream channels in the Towns of Boston, Collins, North Collins, Concord and Sardinia; and

WHEREAS, the agreement needs to be approved prior to October 1998 to secure USDA funding resources; and

WHEREAS, the estimated cost of this work is approximately \$465,000 with the costs to be shared in a ratio of 75% by USDA Natural Resources Conservation Service and 25% County of Erie, of which this Erie County share can be provided with in-kind services resulting in the savings of separate monetary expenditures; and

WHEREAS, said proposed agreement will allow necessary stream channel work to be performed which will reduce potential flooding, protect loss of property from erosion, and provide additional -  
protection for our road and bridge facilities at various locations within the Towns of Boston, Collins, North Collins, Concord and Sardinia.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be authorized and is hereby directed to enter into an agreement between the County of Erie and the USDA Natural Resources Conservation Service to perform necessary stream channel work in the Towns of Boston, Collins, North Collins, Concord and Sardinia. Said agreement has an estimated cost of work of \$465,000, of which Erie County's share (25%) will be provided through in-kind services with no monetary expenditures to USDA Natural Resource Conservation Service by the County of Erie; and be it further

RESOLVED, that the Clerk of the County Legislature of the County of Erie is hereby directed to transmit five (5) certified copies of foregoing Resolution to the Deputy Commissioner, Highways.

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

CARRIED UNANIMOUSLY.

**COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES**

**MENTAL HYGIENE COMMUNITY SERVICES BOARD**

Item 76 – (Comm. 18M-1) Notice of meeting Held on 9/17/98.

Received and filed.

**TOWN OF GRAND ISLAND**

Item 77 – (Comm. 18M-2) Commenting on the Niagara Frontier Planning Association's Proposal.

Received and referred to the Economic Development Committee.

**OTB**

Item 78 – (Comm. 18M-3) Minutes of Board of Directors Meetings Held 7/22/98 & 7/23/98.

Received and referred to the Government Affairs Committee.

**LORETTA RENFORD**

Item 79 – (Comm. 18M-4) Copy of Letter to All Officials Re: Fax Logo.

Received and filed.

**DAVID STEINWALD**

Item 80 – (Comm. 18M-5) Letter to Legislator Fisher Re: The Buffalo Zoo.

Received and referred to the Community Enrichment Committee.

BRICKLAYERS LOCAL UNION NO. 45

Item 81 – (Comm. 18M-6) Copy of Letter to Chairman Swanick Re: Encompass 65.

Received and referred to the Government Affairs Committee.

REGION 9 FOREST PRACTICE BOARD

Item 82 – (Comm. 18M-7) Minutes of Meeting Held 4/16/98 & Notice of Meeting Held 9/10/98.

NYS FISH & WILDLIFE MANAGEMENT BOARD

Item 83 – (Comm. 18M-8) Minutes of Meeting held 9/3/98.

The above two items were received and referred to the Energy & Environment Committee.

KEYSTONE FILM PRODUCTION

Item 84 – (Comm. 18M-9) Copy of Letter to Legislator Marinelli Re: Leadership Buffalo Program.

Received and referred to the Community Enrichment Committee.

DEMARIE & SCHOENBORN, PC JOSEPH DEMARIE, ESQUIRE OF COUNSEL

Item 85 – (Comm. 18M-10) Notice of Claim.

Received and referred to the County Attorney.

NYSDEC

Item 86 – (Comm. 18M-11) Update Fact Sheet Chem-Trol Site, Town of Hamburg.

Received and filed.

MEMORIAL RESOLUTIONS

Item 87 – Mr. Marshall moved then when this Legislature adjourns, it do so out of respect to the memory Mrs. Lee P. Naples, mother of Nancy Naples, County Comptroller. Mr. Greenan seconded

CARRIED UNANIMOUSLY

**ADJOURNMENT**

Item 88 – 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, October 8, 1998.** Mrs. Fisher seconded.

CARRIED UNANIMOUSLY.

The Chairman declared the Legislature **adjourned until Thursday, October 8, 1998 at 2 p.m. Eastern Standard Time.**

**Laurie Manzella**  
**Clerk**