

ERIE COUNTY LEGISLATURE  
MEETING NO. 20  
OCTOBER 8, 1998

The Legislature was called to order by Chairman Swanick.

All Members present.

A moment of silence was held.

The Pledge of Allegiance was led by Mr. Kuwik

Minutes of the two previous meetings were tabled.

**MISCELLANEOUS RESOLUTIONS**

Item 1 – Ms. Chase presented a resolution to Evans BPW Woman Of The Year Joanne Sack.

CARRIED UNANIMOUSLY.

Item 2 – Ms. Chase presented a resolution to Evans Policeman Of The Month David Burke.

CARRIED UNANIMOUSLY.

Item 3 – Ms. Chase presented a resolution to Hamburg Independent Citizen's Club Honoring Lou Billitier.

CARRIED UNANIMOUSLY.

Item 4 – Mr. Weinstein presented a resolution Honoring Bill Wutz as the 1998 Recipient of the Fireman's Association of New York State Fire Service Achievement Award and National Fireman of the Year.

Chairman Swanick directed that the resolution be made Et Al.

CARRIED UNANIMOUSLY.

Item 5 – Ms. Peoples presented a resolution Congratulating the Buffalo Convention Center on its 20<sup>th</sup> Anniversary.

Chairman Swanick directed that the resolution be made Et Al.

CARRIED UNANIMOUSLY.

Item 6 – Ms. Peoples presented a resolution Congratulating Sisters Hospital on the Occasion of its 150<sup>th</sup> Anniversary.

Chairman Swanick directed that the resolution be made Et Al.

CARRIED UNANIMOUSLY.

Item 7 – Ms. Peoples presented a resolution Congratulating Edward F. Kumrow on his Retirement from the Erie County Department of Youth Services.

Chairman Swanick directed that the resolution be made Et Al.

CARRIED UNANIMOUSLY.

Item 8 – Mrs. Fisher presente a resolution Wishing Gladys L. Le Lemore a Happy 82<sup>nd</sup> Birthday.

CARRIED UNANIMOUSLY.

Item 9 – Ms. Peoples presented a resolution in Recognition of the University of Buffalo’s Educational Opportunity Center’s 25 years of Service to Our Community.

Chairman Swanick directed that the resolution be made Et Al.

CARRIED UNANIMOUSLY.

**LOCAL LAWS**

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

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

Item 12 – CHAIRMAN SWANICK directed that Local Law Intro No. 1 (Print # 1) 1998 remain on the table and in the HEALTH COMMITTEE.

Item 13 – CHAIRMAN SWANICK directed that Local Law Intro No. 6 (Print # 1) 1998 remain on the table and in the HEALTH COMMITTEE.

COMMITTEE REPORTS

Item 14 – Mr. Dusza presented the following and moved for immediate consideration. Ms. Peoples seconded.

CARRIED UNANIMOUSLY

RESOLUTION NO. 318

September 29, 1998

GOVERNMENT AFFAIRS  
COMMITTEE  
REPORT NO. 9

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. 18E-3)  
a. **COUNTY EXECUTIVE:** Position Change Report PP#20.  
(5-0)

Item Page -1998 (Comm. 18E-8)  
b. **COUNTY EXECUTIVE:** Filling Vacant Positions, 6/98.  
(5-0)

Item Page -1998 (Comm. 18E-11)  
2. **COUNTY EXECUTIVE:**

Resolved, that the Government Affairs Committee does hereby recommend that the full Legislature confirm the following appointments to the Erie County Commission on the Status of Women:

APPOINTMENTS	TERM EXPIRES
Sheila Weir Schwanekamp 5528 Pine Loch Lane Clarence, New York 14031	6/1999
Anne Hayes 12 Claridon Place Buffalo, New York 14205	6/2000

The two appointments are do to fill the vacancies made by Julie Schecter and Cynthia Swartz. Ms. Schwanekamp and Ms. Hayes will serve out their terms.

(5-0)

**RAYMOND K. DUSZA**  
**CHAIRMAN**

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

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

CARRIED UNANIMOUSLY

RESOLUTION NO. 319

September 29, 1998

PUBLIC SAFETY  
COMMITTEE  
REPORT NO. 9

ALL MEMBERS PRESENT.

Item Page 1998 (Comm. 18E-10)  
1. **COUNTY EXECUTIVE:**

RESOLVED, that authorization is hereby provided for the modification of the Department of Emergency Services' 1998 Budget, which includes funds earmarked specifically for the Fire Safety Division. Funds are to be transferred from Dues and Fees to appropriate budget lines allowing the purchase of necessary equipment and services which will provide specialized training for the Volunteer Fire Service and will also provide OSHA physicals to County Fire Instructors.

Department of Emergency Services  
Dues and Fees - Fire Safety Division+  
Modification to Department's 1998 Budget

Appropriations

	Adopted Budget	Amount of Change	Proposed Modification
Acct.#821 Dues & Fees	\$23,006	-12,450	\$ 10,556
Acct.#826-Other Expenses	15,587	+ 3,000	18,587
Acct.#933-Laboratory and Technical Equipment	<u>19,970</u>	<u>+ 9,450</u>	<u>29,420</u>

TOTAL \$58,563 0 \$58,563

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 Emergency Services.

(5-0)

Item Page 1998 (Comm. 18E-19)  
2. **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 Sheriffs 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 transferred to the Erie County Sheriffs Office Asset Forfeiture Grant, Project #493, 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	<u>\$24,000</u>
	Total Revenue	<u>\$24,000</u>

**APPROPRIATION**

826	Miscellaneous Expenses	<u>\$24,000</u>
	Total Appropriations	<u>\$24,000</u>

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. 18E-20)

3. **COUNTY EXECUTIVE:**

WHEREAS, the Erie County Sheriff's Office is requesting the deletion of the position of Senior Clerk Stenographer, Job Group IV, and

WHEREAS, the Erie County Sheriff's Office is requesting the addition of a Confidential Secretary - Undersheriff Job Group VI, and

WHEREAS, it is necessary to recruit in step three (3) for the position of Coordinator of Domestic Violence in order to secure and retain qualified and experienced candidates, and

WHEREAS, funds are available in the 1998 Adopted Budget to cover the costs of these personnel adjustments.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Sheriff's Office be authorized to delete a position of Senior Clerk Stenographer, Job Group IV and to create the position of Confidential Secretary - Undersheriff, Job Group VI, and be it further

RESOLVED, that the Erie County Legislature hereby authorizes the variable minimum for the position of Coordinator of Domestic Violence, Job Group X, Step 3, effective upon the commencement of County Service, and be it further

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

(5-0)

**EDWARD J. KUWIK  
CHAIRMAN**

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

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

CARRIED UNANIMOUSLY

RESOLUTION NO. 320

September 29, 1998

ENERGY & ENVIRONMENT  
COMMITTEE  
REPORT NO. 11

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. 18M-7)  
a. **REGION 9 FOREST PRACTICE BOARD:** Minutes of Meeting Held 4/16/98  
& Notice of Meeting Held 9/10/98  
(6-0) Chairman Swanick Present as Ex-Officio Member

Item Page -1998 (Comm. 18M-8)  
b. **NYS FISH & WILDLIFE MANAGEMENT BOARD:** Minutes of Meeting  
Held 9/3/98  
(6-0) Chairman Swanick Present as Ex-Officio Member

Item Page -1998 (Comm. 18E-9)  
2. **COUNTY EXECUTIVE:**

WHEREAS, Erie County Sewer District No. 2 has determined the need to perform engineering services to address the presence and amount of infiltration and inflow in the Southwest Interceptor Trunk Line, and the need for replacement, upgrading or elimination of eight pumping stations; and

WHEREAS, Erie County Sewer District No. 2 can realize substantial operational cost savings and increased capacity by implementing Facilities Planning Report recommendations; and

WHEREAS, the Department of Environment and Planning has solicited proposals from qualified engineering firms and ranked them in accordance with the Administrative Code; and

WHEREAS, the first ranked firm URS Greiner, Inc., is recommended to perform engineering services related to the development of a Facilities Planning Report at a cost not to exceed \$99,669.80.

NOW, THEREFORE BE IT

**RESOLVED**, that an agreement for engineering services with URS Greiner, Inc., 282 Delaware Avenue, Buffalo, New York 14202 not to exceed \$99,669.80 is hereby approved; and be it further

RESOLVED, that the County Executive, be and hereby is, authorized to execute said agreement subject to approval as to form by the County Attorney; and be it further

RESOLVED, that the County Executive be, and hereby is, authorized to execute the Contract with the respective low bidder subject to approval as to form by the County Attorney and certification of availability of funds from the Project Fund Balance or an authorized advance from the General Fund by the Comptroller's Office; and be it further

RESOLVED, that the County Comptroller be authorized and directed to allocate \$99,669.80 from Erie County Sewer District No. 2 Capital Account Fund 430, Project 533, Department 820; and be it further

RESOLVED, that a certified copy of this resolution be sent to Stephen Gawlik, Assistant County Attorney, Charles J. Alessi, P.E., Department of Environment and Planning and the Erie County Comptroller's Office.

(5-0)

Item                      Page                                      -1998                      (Comm. 18E-21)  
3. **COUNTY EXECUTIVE:**

WHEREAS, increases in exports from local businesses will create more jobs and strengthen the regional economy; and

WHEREAS, Erie County's border location, its major rail head, two international airports, and port facilities make this region uniquely suited to take advantage of a growing global economy; and

WHEREAS, the Western New York International Trade Council, which is celebrating its tenth year anniversary, is recognized as the Niagara marketplace's primary resource for regional businesses to enter and expand into the international arena; and

WHEREAS, it is the Western New York International Trade Council's mission "to create, promote and support all aspects of business development opportunities from international trade through education, networking and providing trade development services for its members and the regional trading community; and

WHEREAS, the Erie County Executive included a \$100,000 appropriation for the purposes of export enhancement in the 1998 Erie County Budget, challenging the Western New York International Trade Council to come up with an innovative proposal; and

WHEREAS, the Western New York International Trade Council responded by convening a Bold Initiatives Working Committee, in which the members worked to design a four point Export Enhancement Program including educational, technical, networking and manufacturing components; and



WHEREAS, the County Legislature is authorized to contract for such services pursuant to County Law §224(14).

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter into contracts with the Western New York International Trade Council, not to exceed \$ 100,000, for the purposes of the Export Enhancement Program. The source of said funds is:

Fund	110
Project	922
Department	302 Agency Payments Public Benefit - Environment and Planning
830 0693	International Business Development \$100,000

and be it further

RESOLVED, that certified copies of this Resolution be sent to Dennis T. Gorski, Erie County Executive, Kenneth C. Kruly, Director of Budget, Management and Finance, Richard M. Tobe, Commissioner of the Department of Environment and Planning, Kenneth A. Schoetz, Erie County Attorney and Holly Donaldson, Executive Director, Western New York International Trade Council, 300 Main Place Tower, Buffalo, New York 14202.

Fiscal Impact: Appropriation of 1998-budget funds.  
(6-0) Chairman Swanick Present as Ex-Officio Member

**GREGORY B. OLMA  
CHAIRMAN**

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

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

CARRIED UNANIMOUSLY

RESOLUTION NO. 321

October 1, 1998

COMMUNITY ENRICHMENT  
COMMITTEE  
REPORT NO. 9

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

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

- Item Page -1997 (Int. 11-25)  
a. **CHASE, GREENAN, LARSON, RANZENHOFER & MARSHALL:**  
Opposition to Proposed ECC Tuition Increase.  
(4-0)
- Item Page -1998 (Comm. 6 M-20)  
b. **ALLEYWAY THEATRE:** Copy of Letter to Legislator Marinelli Re: Expansion  
& Revitalization of the Greyhound Bus Depot.  
(4-0)
- Item Page -1998 (Comm. 9 M-43)  
c. **ASSEMBLYMAN TOKASZ:** Copy of Letter to Legislator Marinelli Re:  
Cultural Tourism Conference.  
(4-0)
- Item Page -1998 (Comm 13M-1)  
d. **ASSEMBLYMAN SILVER:** Copy of Letter to Chairman Swanick Re: Governor  
Pataki's Veto of Funding for Community Colleges.  
(4-0)
- Item Page -1998 (Comm. 14D-2)  
e. **COMMISSION ON THE STATUS OF WOMEN:** Minutes of Meeting Held  
5/13/98.  
(4-0)
- Item Page -1998 (Comm. 14D-12)  
f. **ECC:** New Slate of Officers Effective 9/98.  
(4-0)
- Item Page -1998 (Comm. 14E-8)  
g. **MARINELLI:** Copy of Letter to Congressman LaFalce Re: ECC Technology  
Transfer Enhancements.  
(4-0)
- Item Page -1998 (Comm. 18M-9)  
h. **KEYSTONE FILM PRODUCTION:** Copy of Letter to Legislator Marinelli Re:  
Leadership Buffalo Program.  
(4-0)

2. **RESOLVED**, that the following item is hereby received, filed & referred to the Health/Mental Health Committee:

- Item Page -1998 (Comm. 3 E-11)  
a. **MARINELLI:** Letter to Alcohol & Drug Dependency Services, Inc. Re: Teen  
Drug Use & Abuse.  
(4-0)

LYNN M. MARINELLI  
CHAIR

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

Item 18 – Mrs. Fisher presented the following and moved for immediate consideration. Ms. Peoples seconded.

CARRIED UNANIMOUSLY

RESOLUTION NO. 322

October 1, 1998

HEALTH  
COMMITTEE  
REPORT NO. 11

ALL MEMBERS PRESENT.

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

- |    |  |      |       |                |
|----|--|------|-------|----------------|
| a. | Item   | Page | -1998 | (Int. 9-22)    |
|    | <b>FISHER:</b> Contraceptive Insurance Coverage.<br>(4-0) Leg. Pauly absent.   |      |       |                |
| b. | Item   | Page | -1998 | (Comm. 17D-6)  |
|    | <b>ECMC:</b> Letter to Chairman Swanick Re: ECMC Healthcare Network Converting its Healthcare Information System.<br>(4-0) Leg. Pauly absent |      |       |                |
| c. | Item   | Page | -1998 | (Comm. 17E-38) |
|    | <b>COUNTY EXECUTIVE:</b> Financial Proposal for Hospital Information System at ECMC.<br>(4-0) Leg. Pauly absent                              |      |       |                |
| d. | Item   | Page | -1998 | (Comm. 17M-24) |
|    | <b>NYSDOH:</b> Operating Certificate Renewals for County Diagnostic & Treatment Centers.<br>(4-0) Leg. Pauly absent                          |      |       |                |
| e. | Item   | Page | -1998 | (Comm. 18E-23) |
|    | <b>COMPTROLLER:</b> Letter to Legislature Re: Hospital Information System at ECMC.<br>(4-0) Leg. Pauly absent                                |      |       |                |

(As Amended)  
(Comm. 17E-31)

Item Page -1998  
2. **COUNTY EXECUTIVE:**

WHEREAS, the Executive Assistant, budgeted in the Health Department, has been targeted in the Early Retirement Incentive Program, effective September 18, 1998, and

WHEREAS, the Department of Health has requested the creation of a temporary part-time Executive Assistant position to assist with the closing of Lackawanna Health Center 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 Department of Health to cover the cost of this part-time position.

NOW, THEREFORE, BE IT

RESOLVED, that the following position is hereby created in the Department of Health, Project 949, effective September 28, 1998 through December 18, 1998:

**Executive Assistant (Job Group 16, Temporary 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 Health and the Director of Budget and Management.  
(4-0) Leg. Pauly absent

Item Page -1998 (Comm. 18E-7)  
3. **COUNTY EXECUTIVE:**

WHEREAS, the Erie County Medical Center has performed an extensive search for a strong candidate to fill a Speech Pathologist position in the Rehabilitation Medicine Department, and

WHEREAS, the Medical Center has been unable to find an appropriate candidate who meets the standing minimum qualifications for the position, and

WHEREAS, the Rehabilitation Medicine Department has screened a candidate who it feels is competent, yet lacks the nine (9) month clinical residency needed for licensure, and

WHEREAS, it is essential that this position be filled immediately in order to provide clinical services to patients with speech disorders.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Medical Center is authorized to underfill one (1) Speech Pathologist position at Job Group 9, step 0 for nine (9) months until the individual completes the necessary clinical residency for licensure, and be it further

RESOLVED, that certified copies of this resolution be forwarded to the ECMC Department of Human Resources and the Erie County Department of Personnel.  
 (4-0) Leg. Pauly absent

Item Page -1998 (Comm. 18E-14)  
 4. COUNTY EXECUTIVE:

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 grant award in the amount of \$2,935,912 which authorizes budgetary and staffing adjustments.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to enter into a contract with the New York State Department of Health to accept the grant which is budgeted as follows:

SUPPLEMENTAL FOOD (WIC) PROGRAM  
**SUPPLEMENTAL FOOD (WIC)  
 PROGRAM**  
 10/1/98-  
 9/30/99  
**PROJECT**  
**#775**

SFG	REVENUE	CURRENT BUDGET	CHANGES	REVISED BUDGET
444	LOCAL SOURCE	\$ 1,500	\$ (700)	\$ 800
549	MISC DEPT INC	350	300	650
575	STATE AID	<u>2,640,534</u>	<u>293,928</u>	<u>2,934,462</u>
	<b>TOTAL</b>	<u>\$ 2,642,384</u>	<u>\$ 293,528</u>	<u>\$ 2,935,912</u>

**EXPENSES**

ERIE COUNTY LEGISLATURE

800	PERS SERVICES	\$ 1,879,215	\$ 168,402	\$ 2,047,617
805	FRINGE BENEFITS			
		515,093	31,325	546,418
810	OFFICE SUPPLIES			
		6,000	1,230	7,230
814	MEDICAL SUPPLIES			
		1,000	730	1,730
816	MAINT SUPPLIES			
		200	-	200
821	DUES & FEES			
		5,630	370	6,000
822	RENTAL CHARGES			
		19,809	(3,205)	16,604
823	REPAIRS & MAINT			
		1,235	800	2,035
824	TRAVEL & MILEAGE			
		11,000	1,750	12,750
825	TRAVEL - CONF			
		5,000	2,800	7,800
826	OTHER EXPENSES			
		21,183	3,731	24,914
880- 2700	INTERFUND - ECHD			
		49,675	(230)	49,445
880- 4000	INTERFUND - ECMC			
		15,129	-	15,129
880- 5100	INTERFUND - DISS			
		36,166	6,774	42,940
890	CONTR SALARY RESERVES			
		74,549	(74,549)	-
892	NON-SPENDABLE			
		-	150,000	150,000
931	MAINT EQUIPMENT			
		200	500	700
932	FURNITURE			
		500	2,100	2,600
933	TECHNICAL EQUIPMENT			
		<u>800</u>	<u>1,000</u>	<u>1,800</u>
	<b>TOTAL</b>	<u>\$ 2,642,384</u>	<u>\$ 293,528</u>	<u>\$ 2,935,912</u>

and be it further



DEPARTMENT OF HEALTH TRAINING &  
 TECHNICAL ASSISTANCE  
 TO COUNTY HEALTH DEPARTMENTS  
 7/1/97 - 11/30/98  
 PROJECT # 761

<u>SFG</u>	<u>SUB</u>	<u>REVENUE</u>	<u>CURRENT BUDGET</u>	<u>CHANGES</u>	<u>REVISED BUDGET</u>
552		STATE AID	\$ 79,600	31,250	\$ 110,850
		<b>TOTAL</b>	<u>79,600</u>	<u>31,250</u>	<u>110,850</u>
		<b><u>EXPENSES</u></b>			
800		PERSONNEL SERVICES	\$ 45,231	18,740	\$ 63,971
805		FRINGES	11,624	4,432	16,056
810		OFFICE SUPPLIES	200	0	200
825		OUT OF AREA TRAVEL	4,269	2,800	7,069
826		OTHER EXPENSES	17,776	3,603	21,379
933		EQUIPMENT	\$ 500	1,675	\$ 2,175
		<b>TOTAL</b>	<u>\$ 79,600</u>	<u>\$ 31,250</u>	<u>\$ 110,850</u>

and be it further

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

(4-0) Leg. Pauly absent

Item Page -1998 (Int.18-4)  
 6. **FISHER:**

WHEREAS, according to experts, women pay out-of-pocket health care costs that are, on average, 68% higher than those paid by men, and

WHEREAS, one significant reason for this is the fact that health insurance prescription plans, for the most part, do not include coverage for prescription



contraception or other prescription medications or procedures designed to prevent conception, and

WHEREAS, for several years, leaders in the New York State Assembly have considered and adopted legislation that would seek to mandate such contraceptive coverage within insurance plans operating in New York State, but legislation continually fails to gain consideration in the state senate, and

WHEREAS, adoption of legislation within the state legislature's 1999-2000 legislative session would address the core issues of fairness and equity that remain inherent with respect to this matter, and would enhance health care providers' ability to provide the most comprehensive continuum of care to women throughout New York State,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby call upon both houses of the New York State Legislature to draft, consider and adopt legislation during the 1999-2000 legislative session to require health insurance programs to provide coverage for prescription contraception, and be it further

RESOLVED, that certified copies of this resolution be sent to Governor George Pataki, Assembly Speaker Sheldon Silver and Senate Majority Leader Joseph Bruno.

Fiscal Impact: None for Resolution.

(3-1) Leg. Dusza in the negative. Leg. Pauly absent

**JUDITH P. FISHER  
CHAIR**

Mrs. Fisher moved to separate Resolve #6. Ms. Marinelli seconded.

Mr. Marshall moved to sent Reolve #6 back to the Health Committee.

Chairman Swanick directed that a Roll Call vote be taken. Ayes – Chase, Greenan, Larson, Marshall, Pauly, Ranzenhofer, Dusza, Kuwik. Noes – Weinstein, Debenedetti, Fisher Fitzpatrick, Holt, Olma, Peoples, Swanick. Ayes – 8, Noes – 9.

DEFEATED.

Mrs. Fisher moved to approve Resolve #6. Ms. Peoples seconded.

Mr. Dusza, Mr. Kuwik, Mr. Larson, Mr. Greenan and Mrs. Marshall were in the negative.

CARRIED.

**LEGISLATORS RESOLUTIONS**

Item 19 – Mr. Greenan presented the following resolution moved for immediate consideration. Ms. Marinelli seconded.

RESOLUTION NO. 323 Re: Giving Erie County Employees Opportunity to Leave Independent Health (Intro. 20-1)

WHEREAS, Independent Health recently announced that starting January 1, 1999, it will exclude the five area Catholic hospitals, Roswell Park Cancer Institute and ECMC from its Medicare Encompass 65 program, and

WHEREAS, in response to Independent Health's announcement, Promedicus Health Group announced that its 77 primary-care doctors will leave Independent Health, and

WHEREAS, many county employees have expressed their desire to leave Independent Health because their physicians have withdrawn from the health insurer, and

WHEREAS, three union leaders representing 6,000 of Erie County's employees are asking County Executive Gorski to allow workers to pull out of Independent Health immediately, and

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature wants people to have the most choices when it comes to their healthcare, and be it further

RESOLVED, that the Erie County Legislature does hereby support the request of the union leaders and encourage County Executive Gorski to allow an open enrollment period that would offer employees the opportunity to change their Health Insurance, and be it further

RESOLVED, that a certified copy of this resolution be forwarded to County Executive Dennis Gorski, Commissioner of Personnel Leonard Lenihan, Michael Bogulski, president of Civil Service Employees Local 815, John Orlando president of Local 1095, American Federation of State, County and Municipal Employees and Thomas Dziedzic, principal executive officer, Teamsters.

Fiscal Impact: To be determined

Ms. Peoples moved to amend Intro 20-1. Ms. Peoples moved to approve the resolution as amended. Mrs. Fisher seconded.

Delete in its entirety and replace with the following:

**WHEREAS**, Independent Health recently announced that starting January 1, 1999, it will exclude the five area Catholic hospitals, Roswell Park Cancer Institute and ECMC from its Medicare Encompass 65 program, and

**WHEREAS**, in response to Independent Health's announcement, Promedicus Health Group announced that its 77 primary-care doctors will leave Independent Health, and

**WHEREAS**, many county employees have expressed their desire to leave Independent Health because their physicians have withdrawn from the health insurer, and

**WHEREAS**, three union leaders representing 6,000 of Erie County's employees are asking County Executive Gorski to allow workers to pull out of Independent Health immediately, and

**WHEREAS**, Erie County Executive Dennis Gorski has announced that county employees will have an open window to choose a new HMO if they so choose,

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Erie County Legislature wants people to have the most choices when it comes to their healthcare, and be it further

**RESOLVED**, that this Honorable Body does hereby state its full support for the decision of Erie County Executive Dennis Gorski to allow county employees to choose another HMO in light of the current situation involving Independent Health, and be it further

**RESOLVED**, that a certified copy of this resolution be forwarded to County Executive Dennis Gorski, Commissioner of Personnel Leonard Lenihan, Michael Bogulski, president of Civil Service Employees Local 815, John Orlando president of Local 1095, American Federation of State, County and Municipal Employees, Thomas Dzedzic, principal executive officer, Teamsters and Independent Health President Frank Colantuono, 51 Farber Lakes Dr. Amherst NY 14221.

**Fiscal Impact: To be determined**

Chairman Swanick directed that et al be added to the sponsorship.

CARRIED UNANIMOUSLY.

Item 20 - Mrs. Fisher presented the following resolution and requested that it be referred to the HEALTH COMMITTEE.

GRANTED.

Intro 20-2 Re: Urging Congress to Renegotiate Medicare Coverage.

Item 21 – Mr. Larson presented the following resolution moved for immediate consideration. Ms. Peoples seconded.

RESOLUTION NO. 324 Re: The Erie County Home and ECMC. (Intro 20-3)

Ms. Peoples moved to amend the resolution to include herself as a co-sponsor. Mr. Larson seconded. Ms. Peoples moved to approve the resolution as amended. Mr. Larson seconded.

WHEREAS, a meeting was held with: Paul Candino, CEO of ECMC; Charles Komurek, Director of the Erie County Home and Legislator Larson , and

WHEREAS, the meeting was informative to all parties involved regarding making the merger between ECMC and the Erie County Home permanent, and

WHEREAS, during this meeting several concerns arose regarding the Erie County Home, including:

- Pay disparity among the Pharmacists.
- Physician concerns regarding movable equipment.
- The procurement of movable equipment.
- The fact that ECMC received new beds and the Home received secondary beds.
- The Board of Managers has not thoroughly visited the facility. The Home would like them to revisit and become more acquainted with their facility.
- New hire RPT personnel are needed to alleviate problems with overtime.

NOW, THEREFORE, BE IT

RESOLVED, the Erie County Legislature does hereby share concern for the accreditation of the Erie County Home and their relation with ECMC, and be it further

RESOLVED, that this honorable body believes that the Erie County Home should receive all the attention that is necessary to make the final decision on making this merger permanent, and be it further

RESOLVED, that the aforementioned concerns should be addressed in a timely manner and that this honorable body requests that Paul Candino and Charles Komurek attend the next Health/Mental Health Committee meeting to discuss these issues, and be it further

RESOLVED, that certified copies of this resolution be forwarded to Paul Candino and Charles Komurek.

Fiscal impact: None for resolution

Legislator Swanick directed that the sponsorship be made et al

CARRIED UNANIMOUSLY.

Mr. Larson moved to approve as amended. Ms. Peoples seconded.

CARRIED.

Item 22 - Mr. Larson presented the following resolution. Ms. Marinelli seconded.

Mr. Larson moved to amend the resolution and send it to the ENERGY & ENVIRONMENT COMMITTEE. Ms. Peoples seconded.

Ms. Peoples moved to amend the resolution to include et al sponsorship. Mrs. Fisher seconded.

Ms. Peoples moved to send the resolution as amended to the Energy & Environment Committee. Mr. Marshall seconded.

GRANTED

Intro 20-4 Re: The Erie County Water Authority's Role in Rural Areas

Item 23 – Mr. Weinstein presented the following are requested that if be referred to the HEALTH COMMITTEE.

GRANTED.

Intro 20-5 Re; Budget Monitoring Reports for Erie County Medical Center.

Item 24 – Mr. Ranzenhofer presented the following and requested that it be referred to the PUBLIC SAFETY COMMITTEE.

GRANTED.

Intro. 20-6 Re: Merger of Sheriff's Department and Correction Facility.

Item 25 – Ms. Chase presented the following and requested that it be referred to the ENERGY & ENVIRONMENT COMMITTEE.

GRANTED.

Intro 20-7 Re: Support for National Fuel Rate Cut.

Item 26 – Mrs. Fisher presented the following and moved for immediate consideration. Ms. Peoples seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 325 Re: Funding for Neighborhood Initiatives. (Intro. 20-8).

**RESOLVED**, that the following budgetary transactions are hereby authorized in order to provide uninterrupted services at the Erie County Correctional Facility:

<b>Operating Fund</b>	
<b>Department 151 - Holding Center</b>	
<u>Appropriation</u>	<u>Decrease</u>
Acct. 811 - Clothing Supplies	\$ 5,000
Acct. 812 - Food Supplies	28,000
Acct. 814 - Medical Supplies	28,000
Acct. 825 - Out of Area Travel	5,000
<b>Department 660 - Correctional Facility</b>	
Acct. 812 - Food Supplies	20,620
Acct. 883-1500 - Interdept. - Sheriff Holding Center	<u>82,070</u>
Total Available Funds	\$168,690
<b>Department 151 - Holding Center</b>	
<u>Appropriation</u>	<u>Increase</u>
Acct. 882-6600 - Interdept. - Correctional Facility	\$ 82,070
<b>Department 660 - Correctional Facility</b>	
Acct. 814 - Medical Supplies	\$ 82,070
Acct. 815 - Laundry Supplies	<u>4,550</u>
Total Increase	\$168,690

and be it further

**RESOLVED**, that certified copies of this resolution be forwarded to the Erie County Correctional Facility, the Sheriffs Office, and the Division of Budget, Management and Finance.

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

CARRIED UNANIMOUSLY.

Item 27 – Mr. Weinstein presented the following and moved for immediate consideration. Ms. Peoples seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 326 Re: Support for Community Services. (Intro. 20-9)

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 \$1,500 from the legislative contingency (Countywide Contingency DAC: 110923310893) to Fund 110, Project 921, Department 301 Agency Payments & Grants - Public Benefit Services, (DAC: 110921301830), for paying the following agencies:

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
<b>E.C. Council for the Prevention Of Alcohol &amp; Substance Abuse</b>	<b>830/0651</b>	<b>\$1,000</b>
<b>Jewish Federation Housing Development Fund Co., Inc.</b>	<b>830/0625</b>	<b>\$500</b>
<b>TOTAL</b>		<b>\$1,500</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 funding for the Jewish Federation Housing Development Fund Company, Inc. will be used to purchase large print books and funding for the Erie County Council for the Prevention of Alcohol and Substance Abuse will support a parent training program, 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 Sally Yageric, E.C. Council for the Prevention of Alcohol & Substance Abuse, 220 Delaware Ave, Suite 409,

Buffalo, NY 14202 and Marc Adler, Jewish Federation Housing Development Fund Company, Inc., 275 Essjay Rd., Williamsville, NY 14221.

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

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 327 Re: Additional Funding for Blasdell Library. (Intro. 20-10)

WHEREAS, the Buffalo and Erie County Public Library has identified a shortfall in funding for the Hamburg Library, and will require additional funds, and

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

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$2,500 from the legislative contingency (Countywide Contingency DAC: 110923310893) to Fund 820, Project 973, Department 420 - Buffalo & Erie County Public Library, as follows:

**Transfer \$2,500 to Lab & Tech. Equip. (DAC: 820973420933) - Hamburg Public**

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



RESOLVED, that certified copies of this resolution be sent to County Executive Dennis Gorski, County Comptroller Nancy A. Naples, Budget Director Kenneth C. Kruly, First Assistant County Attorney Alan Gerstman, Library Director Daniel L. Walters and to Lorraine Hutchinson, Hamburg Public Library.  
Fiscal Impact: Appropriation of 1998-budgeted funds.

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**EDWARD J. KUWIK**

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

CARRIED UNANIMOUSLY

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 328 Re: Additional Funding for Ellicott Creek Park. (Intro. 20-11)

WHEREAS, the Department of Parks and Recreation has identified a shortfall in funding for updated playground equipment in Ellicott Creek Park that meets current safety standards, and will require additional funds, and

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

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$27,904 from the legislative contingency (Countywide Contingency DAC: 110923310893) to Interfund Capital (DAC: 1109253208862208), and be it further

RESOLVED, that Parks Capital Project #718, Playground Equipment, Buildings & Grounds Equipment Account, is increased by \$27,904, (DAC 410718640931); the source of funds being an increase in Transfer from General Fund Account \$27,904, (DAC 4107186406862000), and be it further

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

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

Fiscal Impact: Appropriation of 1998-budgeted funds.

REFERENCE: Int. 20-11

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

CARRIED UNANIMOUSLY.

**COMMUNICATIONS DISCHARGED FROM COMMITTEE**

NONE.

**SUSPENSION OF THE RULES**

Item 30 - Ms. Peoples moved for a suspension of the rules to include an item not on the agenda.

GRANTED.

Comm. 20E-24 Letter from Legislator Marinelli to William Mariani, ECC Interim President regarding the college's four bargaining units.

Chairman SWANICK directed that Comm. 20E-24 be referred to the Community Enrichment Committee.

Item 31 – Ms. Peoples moved for a suspension of the rules to include an item not on the agenda.

GRANTED

Comm. 20M-19 Letter from Supervisor Catalino regarding Route 5 traffic technique changes.

Chairman SWANICK directed that Comm. 20M-19 be referred to the Public Safety Committee.

Item 32 – Ms. Peoples moved for a suspension of the rules to include an item not on the agenda.

GRANTED

Comm. 20E-25 Letter from Chairman Swanick appointing Legislator Lynn Marinelli to the Legislature's Budget, Finance and Management Committee.

Chairman SWANICK directed that Comm. 20E-25 be received, filed and printed.

**COMMUNICATIONS FROM ELECTED OFFICIALS**

**FROM LEGISLATOR GREENAN**

Item 33 - (Comm. 20E-1) Notice of Absence from Government Affairs Committee Meeting Held 9/29/98.

Item 34 - (Comm. 20E-2) Notice of Absence from Energy & Environment Committee Meeting Held 9/29/98.

**LEGISLATOR RANZENHOFER**

Item - 35 (Comm. 20E-3) Notice of Absence from Finance & mangment and Ceonomic Development Committee Meetings Held 10/1/98.

The above three items were received and filed

**COUNTY EXECUTIVE**

Item - 36 (Comm. 20E-4) Position Change Report PP# 21.

Received and referred to the Government Affairs Committee.

**COMPTROLLER**

Item - 37 (Comm. 20E-5) Quarterly Investement Report 4/1/98 - 6/30/98.

Received and referred tot he Finance & Management Committee.

**LEGISLATORS CHASE & GREENAN**

Item - 38 (Comm. 20E-6) Copy of Letter to County Executive Re: Independent Health's Exclusion of Five Area Catholic Hospitals from its Medicare Encompass 65.

Received and referred to the Health Committee.

LEGISLATOR MARSHALL

Item – 39 (Comm. 20E-7) Minority Appointment to Convention & Visitors Bureau Board of Directors.

Received, filed and printed.

COUNTY EXECUTIVE

Item – 40 (Comm. 20E-8)

Mr. Kuwik moved for immediate consideration. Mr. Holt seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 329 Re: Correction Facility – Transfer of Funds.

**RESOLVED**, that the following budgetary transactions are hereby authorized in order to provide uninterrupted services at the Erie County Correctional Facility:

<b>Operating Fund</b>	
<b>Department 151 - Holding Center</b>	
<u>Appropriation</u>	<u>Decrease</u>
Acct. 811 - Clothing Supplies	\$ 5,000
Acct. 812 - Food Supplies	28,000
Acct. 814 - Medical Supplies	28,000
Acct. 825 - Out of Area Travel	5,000
<b>Department 660 - Correctional Facility</b>	
Acct. 812 - Food Supplies	20,620
Acct. 883-1500 - Interdept. - Sheriff Holding Center	<u>82,070</u>
Total Available Funds	\$168,690
<b>Department 151 - Holding Center</b>	
<u>Appropriation</u>	<u>Increase</u>
Acct. 882-6600 - Interdept. - Correctional Facility	\$ 82,070
<b>Department 660 - Correctional Facility</b>	
Acct. 814 - Medical Supplies	\$ 82,070
Acct. 815 - Laundry Supplies	<u>4,550</u>
Total Increase	\$168,690

and be it further

**RESOLVED**, that certified copies of this resolution be forwarded to the Erie County Correctional Facility, the Sheriffs Office, and the Division of Budget,

Management and Finance.

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

CARRIED UNANIMOUSLY.

Item – 41 (Comm. 20E-9) Parks, Recreation & Forestry – Transfer for Technical Equipment.

Received and referred to the Energy & Environment Committee.

Item - 42 (Comm. 20E-10) Filling Vacant Positions 7/98.

Received and referred to the Government Affairs Committee.

Item – 43 (Comm. 20E-11) ECSD No. 2 Stearns & Wheler Environmental Engineers & Scientists Change Order No. 2.

Received and referred to the Energy & Environment Committee.

Item – 44 (Comm. E-12) Resolution No. Re: Application to NYSDEC for Clean Air/Clean Water Bond Act.

Ms. Peoples moved for immediate consideration. Ms. Marinelli seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 330

Re: Application to NYSDEC for Clean  
Air/Clean Water Bond Act

WHEREAS, The County of Erie, is interested in cleaning up and productively reusing brownfield sites in Erie County, and

WHEREAS, There exist brownfield sites in the City and Town of Tonawanda which are abandoned and owing back taxes, commonly known as the National Paint Company site in the City of Tonawanda and the Agway Grain Elevators on Military Road in the Town of Tonawanda, and

WHEREAS, The State of New York has established a Clean Air/Clean Water Bond Act Fund to assist in investigating and remediating brownfield sites, and

WHEREAS, Erie County desires to take advantage of the funding and indemnification available under the Bond Act,

NOW, THEREFORE, BE IT

RESOLVED, That the County Executive is authorized to submit applications for these two sites to the New York State Department of Environmental Conservation under the Bond Act Program, and be it further

RESOLVED, That the Clerk of the Legislature be directed to send certified copies of this resolution to the Budget Director and the Commissioner of Environment and Planning.

REF: Comm. 20E-12

Item – 45 (Comm.20E-13) Health – HIV\STD Support Services 1/1/98 – 3/31/98.

Received and referred to the Health Committee.

Item – 46 (Comm. 20E-14) ECSD No. 2 Easement Request 663 Cypress Ave. Village of Angola.

Item – 47 (Comm. 20E-15) Engineering Services Agreement Legislative Comm. 20E-13 Pratt & Huth – 6 ECSD No. 1 Felber Lane Pumping Station Elimination Eng Serv During Cons.

Item – 48 (Comm. 20E-16) EC Southtowns Sewage Treatment Agency Waste paper Pulp & Polymer Feed Facilities & Modification General/Mechanical – Contract “A” Change Ord 1.

Item – 49 (Comm. 20E-17) ECSD Nos. 1 – 6 & Southtowns Sewage Treatment Agency Engineering Term Agreements.

The above 4 items were received and referred to the Energy & Environment Committee.

Item - 50 (Comm. 20E-18) Health – Emergency Medical Services – Transfer of Funds.

Item – 51 (Comm. 20E-19) Health – HIV Seroprevalence Study 7/1/98 – 6/30/99.

Item – 52 (Comm. 20E-20) Health – Youth Tobacco Enforcement & Prevention Program 10/1/98 – 12/31/99.

The above 3 items were referred to the Health Committee.

Item – 53 (Comm. 20E-21) District Attorney – Assets Forfeiture Appropriations – Probation & District Attorney.

Received and referred to the Public Safety Committee.

Item – 54 (Comm. 20E-22) Appointment to Erie County Youth Services Board.

Received, filed, and printed.

Item – 55 (Comm. 20E-23) Probation – Intervention Through Drug Testing Local Initiative Grant.

Received and referred to the Public Safety Committee.

**COMMUNICATIONS FROM THE DEPARTMENTS**

**DEP**

Item – 56 (Comm. 20D-1) SEQR Negative Declaration Notice of Determination of Non-Significance MEWS Senior Housing, Town of West Seneca.

Received and referred to the Energy & Environment Committee.

**COUNTY ATTORNEY**

Item – 57 (Comm. 20D-2) Notice of County Executive's Public Hearing Intros. 18-6 & 18-7.

Received, filed and printed.

**ECC**

Item – 58 (Comm. 20D-3) Notice of Board of Trustees Meeting Held 9/30/98.

Received and filed.

**HEALTH**

Item – 59 (Comm. 20D-4) Notice to Postpone Board of Health meeting Scheduled for 10/20/98.

Received and referred to the Health Committee.

**EC MORGUE**

Item – 60 (Comm. 20D-5) Monies & Other Property Found on Deceased Persons.

Received and referred to the Health Committee.

COMMISSION ON THE STAUS OF WOMEN

Item – 61 (Comm. 20D-6) Minutes of Meeting Held 9/9/98.

Received and referred to the Community Enrichment Committee.

ECMC

Item – 62 (Comm. 20D-7) Notice of Board oof Managers Finance Committee Meeting Held 10/6/98.

Item – 63 (Comm. 20D-8) Notice of Board of Mangers JCC/Planning Committee Meeting Held 10/6/98.

The above two items were received and filed.

Item – 64 (Comm. 20D-9) Notice of Board of Managers Meeting to be Held 10/15/98.

Received and referred to the Health Committee.

COUNTY ATTORNEY

Item – 65 (Comm. 20D-10) Notices of Claim.

Received and referred tot he Government Affairs Committee.

ECMC

Item – 66 (Comm. 20D-11) Board of Mangers Finance Committee 10/6/98 Financial Statements for 8/31/98.

Received and referred to the Health Committee.

ECC

Item – 67 (Comm. 20D-12) Notice of Meeting Held 9/30/98.

Item – 68 (Comm. 20D-13) Minutes of Board of Trustees Meeting Held 8/26/98.

The above two items were received and filed.

Item – 69 (Comm. 20D-14) Copy of Letter to Erie Bouncy Town Supervisors & Budget Directors Re: Delivery of 1999 Town Budgets to County.

Received and referred to the Finance & Management Committee.



COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES

De MARIE & SCHOENBORN, PC JOSEPH DeMARIE, ESQUIRE

Item – 70 (Comm. 20M-1) Notice of Claim.

Item – 71 (Comm. 20M-2) Notice of Claim.

The above two items were received and referred to the County Attorney.

AMALGAMATED TRANSIT UNION

Item – 72 (Comm. 20M-3) Copy of Letter to Independent Helath Re: Encompass 65 Plan.

Received and referred to the Health Committee.

ECC BARGAINING UNITS

Item – 73 (Comm. 20M-4) Letter to Legislator Fisher Re: Expressing Concerns Regarding Request for Proposal.

Received and referred to the Health Committee.

NYS BOARD OF REAL PROPERTY SERVICES

Item – 74 (Comm. 20M-5) Certificate of County Equalization Rates for 1998 Assessment Rolls for Municipalities in Erie County.

Received and referred to the Finance & Management Committee.

NFTA

Item – 75 (Comm. 20M-6) Minutes of Board Meeting Held 8/17/98.

Received and referred tot he Economic Development Committee.

CONGRESSMAN QUINN

Item – 76 (Comm. 20M-7) Acknowledgement of Receipt of Resolutions.

Received and filed.

WAYNE COUNTY BOARD OF SUPERVISORS

Item – 77 (Comm. 20M-8) Certified Copy of Resolution Re: Wayne County Support for Five County NYS Heritage Corridor Area Called WNY Canal Heritage Corridor.

Received and referred to the Energy & Environment Committee.

ECC BARGAINING UNITS

Item – 78 (Comm. 20M-9) Letter to Chairman Swanick Re: Expressing Concerns Regarding Request for Proposal.

Received and referred to the Community Enrichment Committee.

MEDICAL SOCIETY OF THE COUNTY OF ERIE

Item – 79 (Comm. 20M-10) Letter to Chairman Swanick Re: Opposing Independent Health's Encompass 65 Plan.

Received and referred to the Health Committee.

RUTH PITTS

Item – 80 (Comm. 20M-11) Acknowledgement of Receipt of Resolution.

Received and filed.

GREATER BUFFALO COMMUNITY WELLNESS COUNCIL

Item – 81 (Comm. 20M-12) Wellness Calendar & Directory 10/98.

Received and referred to the Health Committee.

ASSEMBLYMAN REYNOLDS

Item – 82 (Comm. 20M-13) Acknowledgement of Receipt of Resolution.

Received and filed.

TOWN OF GRAND ISLAND

Item – 83 (Comm. 20M-14) Copy of Letter Re: Niagara Frontier Planning Association Proposal.

ECIDA

Item – 84 (Comm. 20M-15) Notice of Board of Directors Meeting to be Held 10/14/98.

The above two items were referred to the Economic Development Committee.

AFSCME LOCAL 1095

Item – 85 (Comm. 20M-16) Letter to Chairman Swanick Re: Americorps Workers.

Received and referred to the Government Affairs Committee.

BUFFALO ZOOLOGICAL SOCIETY

Item – 86 (Comm. 20M-17) Copy of Letter to Legislator Marinelli Re: Zoological Society's Selection of Shultz & Williams for Feasibility Study.

Received and referred to the Community Enrichment Committee.

BUFFALO PLACE

Item – 87 (Comm. 20M-18) 1999 Buffalo Place Budget.

Received and referred to the Finance & Management Committee.

MEMORIAL RESOLUTIONS

NONE.

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 22, 1998.** Mr. Marshall seconded.

CARRIED UNANIMOUSLY.

The Chairman declared the Legislature **adjourned until Thursday, October 22, 1998 at 2 p.m. Eastern Standard Time.**

**Laurie Manzella  
Clerk**

ERIE COUNTY LEGISLATURE  
MEETING NO. 20  
OCTOBER 8, 1998

The Legislature was called to order by Chairman Swanick.

All Members present.

A moment of silence was held.

The Pledge of Allegiance was led by Mr. Kuwik

Minutes of the two previous meetings were tabled.

**MISCELLANEOUS RESOLUTIONS**

Item 1 – Ms. Chase presented a resolution to Evans BPW Woman of The Year Joanne Sack.

CARRIED UNANIMOUSLY.

Item 2 – Ms. Chase presented a resolution to Evans Policeman Of The Month David Burke.

CARRIED UNANIMOUSLY.

Item 3 – Ms. Chase presented a resolution to Hamburg Independent Citizen's Club Honoring Lou Billitier.

CARRIED UNANIMOUSLY.

Item 4 – Mr. Weinstein presented a resolution Honoring Bill Wutz as the 1998 Recipient of the Fireman's Association of New York State Fire Service Achievement Award and National Fireman of the Year.

Chairman Swanick directed that the resolution be made Et Al.

CARRIED UNANIMOUSLY.

Item 5 – Ms. Peoples presented a resolution Congratulating the Buffalo Convention Center on its 20<sup>th</sup> Anniversary.

Chairman Swanick directed that the resolution be made Et Al.

CARRIED UNANIMOUSLY.

Item 6 – Ms. Peoples presented a resolution Congratulating Sisters Hospital on the Occasion of its 150<sup>th</sup> Anniversary.

Chairman Swanick directed that the resolution be made Et Al.

CARRIED UNANIMOUSLY.

Item 7 – Ms. Peoples presented a resolution Congratulating Edward F. Kumrow on his Retirement from the Erie County Department of Youth Services.

Chairman Swanick directed that the resolution be made Et Al.

CARRIED UNANIMOUSLY.

Item 8 – Mrs. Fisher presented a resolution Wishing Gladys L. Le Lemore a Happy 82<sup>nd</sup> Birthday.

CARRIED UNANIMOUSLY.

Item 9 – Ms. Peoples presented a resolution in Recognition of the University of Buffalo's Educational Opportunity Center's 25 years of Service to Our Community.

Chairman Swanick directed that the resolution be made Et Al.

CARRIED UNANIMOUSLY.

### **LOCAL LAWS**

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

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

Item 12 – CHAIRMAN SWANICK directed that Local Law Intro No. 1 (Print # 1) 1998 remain on the table and in the HEALTH COMMITTEE.

Item 13 – CHAIRMAN SWANICK directed that Local Law Intro No. 6 (Print # 1) 1998 remain on the table and in the HEALTH COMMITTEE.

COMMITTEE REPORTS

Item 14 – Mr. Dusza presented the following and moved for immediate consideration.  
Ms. Peoples seconded.

CARRIED UNANIMOUSLY

RESOLUTION NO. 318

September 29, 1998

GOVERNMENT AFFAIRS  
COMMITTEE  
REPORT NO. 9

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. 18E-3)  
a. **COUNTY EXECUTIVE**: Position Change Report PP#20.  
(5-0)

Item Page -1998 (Comm. 18E-8)  
b. **COUNTY EXECUTIVE**: Filling Vacant Positions, 6/98.  
(5-0)

Item Page -1998 (Comm. 18E-11)  
2. **COUNTY EXECUTIVE**:

Resolved, that the Government Affairs Committee does hereby recommend that the full Legislature confirm the following appointments to the Erie County Commission on the Status of Women:

APPOINTMENTS	TERM EXPIRES
Sheila Weir Schwanekamp 5528 Pine Loch Lane Clarence, New York 14031	6/1999
Anne Hayes 12 Claridon Place Buffalo, New York 14205	6/2000

The two appointments are do to fill the vacancies made by Julie Schecter and Cynthia Swartz. Ms. Schwanekamp and Ms. Hayes will serve out their terms.

(5-0)

**RAYMOND K. DUSZA  
CHAIRMAN**

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

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

CARRIED UNANIMOUSLY

RESOULTION NO. 319

September 29, 1998

PUBLIC SAFETY  
COMMITTEE  
REPORT NO. 9

ALL MEMBERS PRESENT.

Item Page 1998 (Comm. 18E-10)  
1. **COUNTY EXECUTIVE:**

RESOLVED, that authorization is hereby provided for the modification of the Department of Emergency Services' 1998 Budget, which includes funds earmarked specifically for the Fire Safety Division. Funds are to be transferred from Dues and Fees to appropriate budget lines allowing the purchase of necessary equipment and services which will provide specialized training for the Volunteer Fire Service and will also provide OSHA physicals to County Fire Instructors.

Department of Emergency Services  
Dues and Fees - Fire Safety Division+  
Modification to Department's 1998 Budget

Appropriations

	Adopted Budget	Amount of Change	Proposed Modification
Acct.#821 Dues & Fees	\$23,006	-12,450	\$ 10,556
Acct.#826-Other Expenses	15,587	+ 3,000	18,587
Acct.#933-Laboratory and Technical Equipment	<u>19,970</u>	<u>+ 9,450</u>	<u>29,420</u>



TOTAL \$58,563 0 \$58,563

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 Emergency Services.  
(5-0)

Item Page 1998 (Comm. 18E-19)  
2. 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 Sheriffs 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 transferred to the Erie County Sheriffs Office Asset Forfeiture Grant, Project #493, 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	<u>\$24,000</u>
	Total Revenue	<u>\$24,000</u>

**APPROPRIATION**

826	Miscellaneous Expenses	<u>\$24,000</u>
	Total Appropriations	<u>\$24,000</u>

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. 18E-20)

3. **COUNTY EXECUTIVE:**

WHEREAS, the Erie County Sheriff's Office is requesting the deletion of the position of Senior Clerk Stenographer, Job Group IV, and

WHEREAS, the Erie County Sheriff's Office is requesting the addition of a Confidential Secretary - Undersheriff Job Group VI, and

WHEREAS, it is necessary to recruit in step three (3) for the position of Coordinator of Domestic Violence in order to secure and retain qualified and experienced candidates, and

WHEREAS, funds are available in the 1998 Adopted Budget to cover the costs of these personnel adjustments.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Sheriff's Office be authorized to delete a position of Senior Clerk Stenographer, Job Group IV and to create the position of Confidential Secretary - Undersheriff, Job Group VI, and be it further

RESOLVED, that the Erie County Legislature hereby authorizes the variable minimum for the position of Coordinator of Domestic Violence, Job Group X, Step 3, effective upon the commencement of County Service, and be it further

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

(5-0)

**EDWARD J. KUWIK  
CHAIRMAN**

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

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

CARRIED UNANIMOUSLY

RESOLUTION NO. 320

September 29, 1998

ENERGY & ENVIRONMENT  
COMMITTEE  
REPORT NO. 11

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. 18M-7)  
a. **REGION 9 FOREST PRACTICE BOARD:** Minutes of Meeting Held 4/16/98 &  
Notice of Meeting Held 9/10/98  
(6-0) Chairman Swanick Present as Ex-Officio Member

Item Page -1998 (Comm. 18M-8)  
b. **NYS FISH & WILDLIFE MANAGEMENT BOARD:** Minutes of Meeting Held  
9/3/98  
(6-0) Chairman Swanick Present as Ex-Officio Member

Item Page -1998 (Comm. 18E-9)  
2. **COUNTY EXECUTIVE:**

WHEREAS, Erie County Sewer District No. 2 has determined the need to perform engineering services to address the presence and amount of infiltration and inflow in the Southwest Interceptor Trunk Line, and the need for replacement, upgrading or elimination of eight pumping stations; and

WHEREAS, Erie County Sewer District No. 2 can realize substantial operational cost savings and increased capacity by implementing Facilities Planning Report recommendations; and

WHEREAS, the Department of Environment and Planning has solicited proposals from qualified engineering firms and ranked them in accordance with the Administrative Code; and

WHEREAS, the first ranked firm URS Greiner, Inc., is recommended to perform engineering services related to the development of a Facilities Planning Report at a cost not to exceed \$99,669.80.

NOW, THEREFORE BE IT

**RESOLVED**, that an agreement for engineering services with URS Greiner, Inc., 282 Delaware Avenue, Buffalo, New York 14202 not to exceed \$99,669.80 is hereby approved; and be it further

**RESOLVED**, that the County Executive, be and hereby is, authorized to execute said agreement subject to approval as to form by the County Attorney; and be it further

**RESOLVED**, that the County Executive be, and hereby is, authorized to execute the Contract with the respective low bidder subject to approval as to form by the County Attorney and certification of availability of funds from the Project Fund Balance or an authorized advance from the General Fund by the Comptroller's Office; and be it further

RESOLVED, that the County Comptroller be authorized and directed to allocate \$99,669.80 from Erie County Sewer District No. 2 Capital Account Fund 430, Project 533, Department 820; and be it further

RESOLVED, that a certified copy of this resolution be sent to Stephen Gawlik, Assistant County Attorney, Charles J. Alessi, P.E., Department of Environment and Planning and the Erie County Comptroller's Office.

(5-0)

Item Page -1998 (Comm. 18E-21)  
3. **COUNTY EXECUTIVE:**

WHEREAS, increases in exports from local businesses will create more jobs and strengthen the regional economy; and

WHEREAS, Erie County's border location, its major rail head, two international airports, and port facilities make this region uniquely suited to take advantage of a growing global economy; and

WHEREAS, the Western New York International Trade Council, which is celebrating its tenth year anniversary, is recognized as the Niagara marketplace's primary resource for regional businesses to enter and expand into the international arena; and

WHEREAS, it is the Western New York International Trade Council's mission "to create, promote and support all aspects of business development opportunities from international trade through education, networking and providing trade development services for its members and the regional trading community; and

WHEREAS, the Erie County Executive included a \$100,000 appropriation for the purposes of export enhancement in the 1998 Erie County Budget, challenging the Western New York International Trade Council to come up with an innovative proposal; and

WHEREAS, the Western New York International Trade Council responded by convening a Bold Initiatives Working Committee, in which the members worked to design a four point Export Enhancement Program including educational, technical, networking and manufacturing components; and

WHEREAS, the County Legislature is authorized to contract for such services pursuant to County Law §224(14).

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter into contracts with the Western New York International Trade Council, not to exceed \$ 100,000, for the purposes of the Export Enhancement Program. The source of said funds is:

Fund 110  
Project 922  
Department 302 Agency Payments Public Benefit - Environment and Planning  
830 0693 International Business Development \$100,000  
and be it further

RESOLVED, that certified copies of this Resolution be sent to Dennis T. Gorski, Erie County Executive, Kenneth C. Kruly, Director of Budget, Management and Finance, Richard M. Tobe, Commissioner of the Department of Environment and Planning, Kenneth A. Schoetz, Erie County Attorney and Holly Donaldson, Executive Director, Western New York International Trade Council, 300 Main Place Tower, Buffalo, New York 14202.

Fiscal Impact: Appropriation of 1998-budget funds.  
(6-0) Chairman Swanick Present as Ex-Officio Member

**GREGORY B. OLMA  
CHAIRMAN**

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

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

CARRIED UNANIMOUSLY

RESOLUTION NO. 321

October 1, 1998

COMMUNITY ENRICHMENT  
COMMITTEE  
REPORT NO. 9

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

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

Item Page -1997 (Int. 11-25)  
a. **CHASE, GREENAN, LARSON, RANZENHOFER & MARSHALL**: Opposition to  
Proposed ECC Tuition Increase.  
(4-0)

Item Page -1998 (Comm. 6 M-20)  
b. **ALLEYWAY THEATRE**: Copy of Letter to Legislator Marinelli Re: Expansion &  
Revitalization of the Greyhound Bus Depot.  
(4-0)

Item Page -1998 (Comm. 9 M-43)

c. **ASSEMBLYMAN TOKASZ:** Copy of Letter to Legislator Marinelli Re: Cultural Tourism Conference.

(4-0)

Item Page -1998 (Comm 13M-1)

d. **ASSEMBLYMAN SILVER:** Copy of Letter to Chairman Swanick Re: Governor Pataki's Veto of Funding for Community Colleges.

(4-0)

Item Page -1998 (Comm. 14D-2)

e. **COMMISSION ON THE STATUS OF WOMEN:** Minutes of Meeting Held 5/13/98.

(4-0)

Item Page -1998 (Comm. 14D-12)

f. **ECC:** New Slate of Officers Effective 9/98.

(4-0)

Item Page -1998 (Comm. 14E-8)

g. **MARINELLI:** Copy of Letter to Congressman LaFalce Re: ECC Technology Transfer Enhancements.

(4-0)

Item Page -1998 (Comm. 18M-9)

h. **KEYSTONE FILM PRODUCTION:** Copy of Letter to Legislator Marinelli Re: Leadership Buffalo Program.

(4-0)

2. **RESOLVED,** that the following item is hereby received, filed & referred to the Health/Mental Health Committee:

Item Page -1998 (Comm. 3 E-11)

a. **MARINELLI:** Letter to Alcohol & Drug Dependency Services, Inc. Re: Teen Drug Use & Abuse.

(4-0)

**LYNN M. MARINELLI  
CHAIR**

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

Item 18 – Mrs. Fisher presented the following and moved for immediate consideration. Ms. Peoples seconded.

CARRIED UNANIMOUSLY

RESOLUTION NO. 322

October 1, 1998

HEALTH COMMITTEE  
REPORT NO. 11

ALL MEMBERS PRESENT.

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

Item Page -1998 (Int. 9-22)  
a. **FISHER**: Contraceptive Insurance Coverage.  
(4-0) Leg. Pauly absent.

Item Page -1998 (Comm. 17D-6)  
b. **ECMC**: Letter to Chairman Swanick Re: ECMC Healthcare Network Converting its  
Healthcare Information System.  
(4-0) Leg. Pauly absent

Item Page -1998 (Comm. 17E-38)  
c. **COUNTY EXECUTIVE**: Financial Proposal for Hospital Information System at  
ECMC.  
(4-0) Leg. Pauly absent

Item Page -1998 (Comm. 17M-24)  
d. **NYSDOH**: Operating Certificate Renewals for County Diagnostic & Treatment Centers.  
(4-0) Leg. Pauly absent

Item Page -1998 (Comm. 18E-23)  
e. **COMPTROLLER**: Letter to Legislature Re: Hospital Information System at ECMC.  
(4-0) Leg. Pauly absent

Item Page -1998 **As Amended**  
(Comm. 17E-31)  
2. **COUNTY EXECUTIVE**:

WHEREAS, the Executive Assistant, budgeted in the Health Department, has been targeted in the Early Retirement Incentive Program, effective September 18, 1998, and

WHEREAS, the Department of Health has requested the creation of a temporary part-time Executive Assistant position to assist with the closing of Lackawanna Health Center 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 Department of Health to cover the cost of this part-time position.

NOW, THEREFORE, BE IT

RESOLVED, that the following position is hereby created in the Department of Health, Project 949, effective September 28, 1998 through December 18, 1998:

**Executive Assistant (Job Group 16, Temporary 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 Health and the Director of Budget and Management.

(4-0) Leg. Pauly absent

Item Page -1998 (Comm. 18E-7)  
3. **COUNTY EXECUTIVE:**

WHEREAS, the Erie County Medical Center has performed an extensive search for a strong candidate to fill a Speech Pathologist position in the Rehabilitation Medicine Department, and

WHEREAS, the Medical Center has been unable to find an appropriate candidate who meets the standing minimum qualifications for the position, and

WHEREAS, the Rehabilitation Medicine Department has screened a candidate who it feels is competent, yet lacks the nine (9) month clinical residency needed for licensure, and

WHEREAS, it is essential that this position be filled immediately in order to provide clinical services to patients with speech disorders.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Medical Center is authorized to underfill one (1) Speech Pathologist position at Job Group 9, step 0 for nine (9) months until the individual completes the necessary clinical residency for licensure, and be it further

RESOLVED, that certified copies of this resolution be forwarded to the ECMC Department of Human Resources and the Erie County Department of Personnel.

(4-0) Leg. Pauly absent

Item Page -1998 (Comm. 18E-14)  
4. **COUNTY EXECUTIVE:**

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 grant award in the amount of \$2,935,912 which authorizes budgetary and staffing adjustments.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to enter into a contract with the New York State Department of Health to accept the grant which is budgeted as follows:

**SUPPLEMENTAL FOOD (WIC) PROGRAM**  
**SUPPLEMENTAL FOOD (WIC) PROGRAM**  
**10/1/98- 9/30/99**  
**PROJECT #775**

SFG	REVENUE	CURRENT BUDGET	CHANGES	REVISED BUDGET
444	LOCAL SOURCE	\$ 1,500	\$ (700)	\$ 800
549	MISC DEPT INC	350	300	650
575	STATE AID	<u>2,640,534</u>	<u>293,928</u>	<u>2,934,462</u>
	<b>TOTAL</b>	<b><u>\$ 2,642,384</u></b>	<b><u>\$ 293,528</u></b>	<b><u>\$ 2,935,912</u></b>
 <b>EXPENSES</b>				
800	PERS SERVICES	\$ 1,879,215	\$ 168,402	\$ 2,047,617
805	FRINGE BENEFITS	515,093	31,325	546,418
810	OFFICE SUPPLIES	6,000	1,230	7,230
814	MEDICAL SUPPLIES	1,000	730	1,730
816	MAINT SUPPLIES	200	-	200
821	DUES & FEES	5,630	370	6,000
822	RENTAL CHARGES	19,809	(3,205)	16,604
823	REPAIRS & MAINT	1,235	800	2,035
824	TRAVEL & MILEAGE	11,000	1,750	12,750
825	TRAVEL - CONF	5,000	2,800	7,800
826	OTHER EXPENSES	21,183	3,731	24,914
880-2700	INTERFUND - ECHD	49,675	(230)	49,445
880-4000	INTERFUND - ECOM	15,129	-	15,129
880-5100	INTERFUND - DISS	36,166	6,774	42,940
890	CONTR SALARY	74,549	-	-
	RESERVES	-	(74,549)	-
892	NON-SPENDABLE	-	150,000	150,000
931	MAINT EQUIPMENT	200	500	700

ERIE COUNTY LEGISLATURE

932	FURNITURE	500	2,100	2,600
933	TECHNICAL EQUIPMENT	<u>800</u>	<u>1,000</u>	<u>1,800</u>
	<b>TOTAL</b>	<u>\$ 2,642,384</u>	<u>\$ 293,528</u>	<u>\$ 2,935,912</u>

and be it further

RESOLVED, that one full time position of Supervising WIC Aide, JG 5, is hereby deleted and two full time positions of WIC Aide, JG 3 and two full time positions of Assistant Nutritionist, JG 8 are hereby created, and be it further

The following personnel detail is hereby submitted:

TITLE: WIC Aide	FUNDING: 100% State Funded
JG: 3	CIVIL SERVICE: Yes
STEP: 0	
ANNUAL SALARY: \$19,748	
ANNUAL BENEFITS: \$5,332	

TITLE: Assistant Nutritionist	FUNDING: 100% State Funded
JG: 8	CIVIL SERVICE: Yes
STEP: 0	
ANNUAL SALARY: \$26,967	
ANNUAL BENEFITS: \$7,281	

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.

(4-0) Leg. Pauly absent

Item	Page	-1998	(Comm. 18E-17)
5.	<b>COUNTY EXECUTIVE:</b>		

WHEREAS, the New York State Department of Health has awarded a revised contract in the amount of \$110,850 for the Erie County Department of Health to continue a program to provide training and technical assistance to Western New York county health departments to better enable them to integrate HIV prevention activities into their overall public health effort, and

WHEREAS, the New York State Department of Health has authorized extending the existing contract from 7/1/98 through 11/30/98, and

WHEREAS, this training focus will assist the New York State Department of Health in meeting its goal of strengthening the capacity of local health units.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into a revised contract with the New York State Department of Health to provide services budgeted as follows:

**DEPARTMENT OF HEALTH TRAINING &  
 TECHNICAL ASSISTANCE  
 TO COUNTY HEALTH DEPARTMENTS  
 7/1/97 - 11/30/98  
 PROJECT # 761**

<u>SFG</u>	<u>SUB</u>	<u>REVENUE</u>	<u>CURRENT BUDGET</u>	<u>CHANGES</u>	<u>REVISED BUDGET</u>
552		STATE AID	\$ 79,600	31,250	\$ 110,850
		<b>TOTAL</b>	<u>79,600</u>	<u>31,250</u>	<u>110,850</u>
		<b><u>EXPENSES</u></b>			
800		PERSONNEL SERVICES	\$ 45,231	18,740	\$ 63,971
805		FRINGES	11,624	4,432	16,056
810		OFFICE SUPPLIES	200	0	200
825		OUT OF AREA TRAVEL	4,269	2,800	7,069
826		OTHER EXPENSES	17,776	3,603	21,379
933		EQUIPMENT	<u>\$ 500</u>	<u>1,675</u>	<u>\$ 2,175</u>
		<b>TOTAL</b>	<u>\$ 79,600</u>	<u>\$ 31,250</u>	<u>\$ 110,850</u>

and be it further

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

(4-0) Leg. Pauly absent

6. Item Page -1998 (Int.18-4)  
**FISHER:**

WHEREAS, according to experts, women pay out-of-pocket health care costs that are, on average, 68% higher than those paid by men, and

WHEREAS, one significant reason for this is the fact that health insurance prescription plans, for the most part, do not include coverage for prescription contraception or other prescription medications or procedures designed to prevent conception, and

WHEREAS, for several years, leaders in the New York State Assembly have considered and adopted legislation that would seek to mandate such contraceptive coverage within insurance plans operating in New York State, but legislation continually fails to gain consideration in the state senate, and

WHEREAS, adoption of legislation within the state legislature's 1999-2000 legislative session would address the core issues of fairness and equity that remain inherent with respect to this matter, and would enhance health care providers' ability to provide the most comprehensive continuum of care to women throughout New York State,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby call upon both houses of the New York State Legislature to draft, consider and adopt legislation during the 1999-2000 legislative session to require health insurance programs to provide coverage for prescription contraception, and be it further

RESOLVED, that certified copies of this resolution be sent to Governor George Pataki, Assembly Speaker Sheldon Silver and Senate Majority Leader Joseph Bruno.

Fiscal Impact: None for Resolution.

(3-1) Leg. Dusza in the negative. Leg. Pauly absent

**JUDITH P. FISHER  
CHAIR**

Mrs. Fisher moved to separate Resolve #6. Ms. Marinelli seconded.

Mr. Marshall moved to sent Resolve #6 back to the Health Committee.

Chairman Swanick directed that a Roll Call vote be taken. Ayes – Chase, Greenan, Larson, Marshall, Pauly, Ranzenhofer, Dusza, Kuwik. Noes – Weinstein, DeBenedetti, Fisher Fitzpatrick, Holt, Olma, Peoples, Swanick. Ayes – 8, Noes – 9.

DEFEATED.

Mrs. Fisher moved to approve Resolve #6. Ms. Peoples seconded.

Mr. Dusza, Mr. Kuwik, Mr. Larson, Mr. Greenan and Mrs. Marshall were in the negative.

CARRIED.

**LEGISLATORS RESOLUTIONS**

Item 19 – Mr. Greenan presented the following resolution moved for immediate consideration. Ms. Marinelli seconded.

RESOLUTION NO. 323 Re: Giving Erie County Employees Opportunity to Leave Independent Health (Intro. 20-1)

WHEREAS, Independent Health recently announced that starting January 1, 1999, it will exclude the five area Catholic hospitals, Roswell Park Cancer Institute and ECMC from its Medicare Encompass 65 program, and

WHEREAS, in response to Independent Health's announcement, Promedicus Health Group announced that its 77 primary-care doctors will leave Independent Health, and

WHEREAS, many county employees have expressed their desire to leave Independent Health because their physicians have withdrawn from the health insurer, and

WHEREAS, three union leaders representing 6,000 of Erie County's employees are asking County Executive Gorski to allow workers to pull out of Independent Health immediately, and

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature wants people to have the most choices when it comes to their healthcare, and be it further

RESOLVED, that the Erie County Legislature does hereby support the request of the union leaders and encourage County Executive Gorski to allow an open enrollment period that would offer employees the opportunity to change their Health Insurance, and be it further

RESOLVED, that a certified copy of this resolution be forwarded to County Executive Dennis Gorski, Commissioner of Personnel Leonard Lenihan, Michael Bogulski, president of Civil Service Employees Local 815, John Orlando president of Local 1095, American Federation of State, County and Municipal Employees and Thomas Dzedzic, principal executive officer, Teamsters.

Fiscal Impact: To be determined

Ms. Peoples moved to amend Intro 20-1. Ms. Peoples moved to approve the resolution as amended. Mrs. Fisher seconded.

Delete in its entirety and replace with the following:

**WHEREAS**, Independent Health recently announced that starting January 1, 1999, it will exclude the five area Catholic hospitals, Roswell Park Cancer Institute and ECMC from its Medicare Encompass 65 program, and

**WHEREAS**, in response to Independent Health's announcement, Promedicus Health Group announced that its 77 primary-care doctors will leave Independent Health, and

**WHEREAS**, many county employees have expressed their desire to leave Independent Health because their physicians have withdrawn from the health insurer, and

**WHEREAS**, three union leaders representing 6,000 of Erie County's employees are asking County Executive Gorski to allow workers to pull out of Independent Health immediately, and

**WHEREAS**, Erie County Executive Dennis Gorski has announced that county employees will have an open window to choose a new HMO if they so choose,

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Erie County Legislature wants people to have the most choices when it comes to their healthcare, and be it further

**RESOLVED**, that this Honorable Body does hereby state its full support for the decision of Erie County Executive Dennis Gorski to allow county employees to choose another HMO in light of the current situation involving Independent Health, and be it further

**RESOLVED**, that a certified copy of this resolution be forwarded to County Executive Dennis Gorski, Commissioner of Personnel Leonard Lenihan, Michael Bogulski, president of Civil Service Employees Local 815, John Orlando president of Local 1095, American Federation of State, County and Municipal Employees, Thomas Dziedzic, principal executive officer, Teamsters and Independent Health President Frank Colantuono, 51 Farber Lakes Dr. Amherst NY 14221.

**Fiscal Impact: To be determined**

Chairmen Swanick directed that et al be added to the sponsorship.

CARRIED UNANIMOUSLY.

Item 20 - Mrs. Fisher presented the following resolution and requested that it be referred to the HEALTH COMMITTEE.

GRANTED.

Intro 20-2 Re: Urging Congress to Renegotiate Medicare Coverage.

Item 21 – Mr. Larson presented the following resolution moved for immediate consideration. Ms. Peoples seconded.

RESOLUTION NO. 324 Re: The Erie County Home and ECMC. (Intro 20-3)

Ms. Peoples moved to amend the resolution to include herself as a co-sponsor. Mr. Larson seconded. Ms. Peoples moved to approve the resolution as amended. Mr. Larson seconded.

WHEREAS, a meeting was held with: Paul Candino, CEO of ECMC; Charles Komurek, Director of the Erie County Home and Legislator Larson , and

WHEREAS, the meeting was informative to all parties involved regarding making the merger between ECMC and the Erie County Home permanent, and

WHEREAS, during this meeting several concerns arose regarding the Erie County Home, including:

- Pay disparity among the Pharmacists.
- Physician concerns regarding movable equipment.
- The procurement of movable equipment.
- The fact that ECMC received new beds and the Home received secondary beds.
- The Board of Managers has not thoroughly visited the facility. The Home would like them to revisit and become more acquainted with their facility.
- New hire RPT personnel are needed to alleviate problems with overtime.

NOW, THEREFORE, BE IT

RESOLVED, the Erie County Legislature does hereby share concern for the accreditation of the Erie County Home and their relation with ECMC, and be it further

RESOLVED, that this honorable body believes that the Erie County Home should receive all the attention that is necessary to make the final decision on making this merger permanent, and be it further

RESOLVED, that the aforementioned concerns should be addressed in a timely manner and that this honorable body requests that Paul Candino and Charles Komurek attend the next Health/Mental Health Committee meeting to discuss these issues, and be it further

RESOLVED, that certified copies of this resolution be forwarded to Paul Candino and Charles Komurek.

Fiscal impact: None for resolution

Legislator Swanick directed that the sponsorship be made et al

CARRIED UNANIMOUSLY.

Mr. Larson moved to approve as amended. Ms. Peoples seconded.

CARRIED.

Item 22 - Mr. Larson presented the following resolution. Ms. Marinelli seconded.

Mr. Larson moved to amend the resolution and send it to the ENERGY & ENVIRONMENT COMMITTEE. Ms. Peoples seconded.

Ms. Peoples moved to amend the resolution to include et al sponsorship. Mrs. Fisher seconded.

Ms. Peoples moved to send the resolution as amended to the Energy & Environment Committee. Mr. Marshall seconded.

GRANTED

Intro 20-4 Re: The Erie County Water Authority's Role in Rural Areas

Item 23 – Mr. Weinstein presented the following are requested that if be referred to the HEALTH COMMITTEE.

GRANTED.

Intro 20-5 Re: Budget Monitoring Reports for Erie County Medical Center.

Item 24 – Mr. Ranzenhofer presented the following and requested that it be referred to the PUBLIC SAFETY COMMITTEE.

GRANTED.

Intro. 20-6 Re: Merger of Sheriff's Department and Correction Facility.

Item 25 – Ms. Chase presented the following and requested that it be referred to the ENERGY & ENVIRONMENT COMMITTEE.

GRANTED.

Intro 20-7 Re: Support for National Fuel Rate Cut.



Item 26 – Mrs. Fisher presented the following and moved for immediate consideration. Ms. Peoples seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 325 Re: Funding for Neighborhood Initiatives. (Intro. 20-8).

**RESOLVED**, that the following budgetary transactions are hereby authorized in order to provide uninterrupted services at the Erie County Correctional Facility:

<b>Operating Fund</b>	
<b>Department 151 - Holding Center</b>	
<u>Appropriation</u>	<u>Decrease</u>
Acct. 811 - Clothing Supplies	\$ 5,000
Acct. 812 - Food Supplies	28,000
Acct. 814 - Medical Supplies	28,000
Acct. 825 - Out of Area Travel	5,000
<b>Department 660 - Correctional Facility</b>	
Acct. 812 - Food Supplies	20,620
Acct. 883-1500 - Interdept. - Sheriff Holding Center	<u>82,070</u>
Total Available Funds	\$168,690
<b>Department 151 - Holding Center</b>	
<u>Appropriation</u>	<u>Increase</u>
Acct. 882-6600 - Interdept. - Correctional Facility	\$ 82,070
<b>Department 660 - Correctional Facility</b>	
Acct. 814 - Medical Supplies	\$ 82,070
Acct. 815 - Laundry Supplies	<u>4,550</u>
Total Increase	\$168,690

and be it further

**RESOLVED**, that certified copies of this resolution be forwarded to the Erie County Correctional Facility, the Sheriffs Office, and the Division of Budget, Management and Finance.

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

CARRIED UNANIMOUSLY.

Item 27 – Mr. Weinstein presented the following and moved for immediate consideration. Ms. Peoples seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 326 Re: Support for Community Services. (Intro. 20-9)

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 \$1,500 from the legislative contingency (Countywide Contingency DAC: 110923310893) to Fund 110, Project 921, Department 301 Agency Payments & Grants - Public Benefit Services, (DAC: 110921301830), for paying the following agencies:

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
<b>E.C. Council for the Prevention Of Alcohol &amp; Substance Abuse</b>	<b>830/0651</b>	<b>\$1,000</b>
<b>Jewish Federation Housing Development Fund Co., Inc.</b>	<b>830/0625</b>	<b>\$500</b>
<b>TOTAL</b>		<b>\$1,500</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 funding for the Jewish Federation Housing Development Fund Company, Inc. will be used to purchase large print books and funding for the Erie County Council for the Prevention of Alcohol and Substance Abuse will support a parent training program, 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 Sally Yageric, E.C. Council for the Prevention of Alcohol & Substance Abuse, 220 Delaware Ave, Suite 409, Buffalo, NY 14202 and Marc Adler, Jewish Federation Housing Development Fund Company, Inc., 275 Essjay Rd., Williamsville, NY 14221.

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

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

CARRIED UNANIMOUSLY.

Item 28 -- Mr. Kuwik presented the following and moved for immediate consideration. Ms. Peoples seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 327 Re: Additional Funding for Blasdell Library. (Intro. 20-10)

WHEREAS, the Buffalo and Erie County Public Library has identified a shortfall in funding for the Hamburg Library, and will require additional funds, and

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

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$2,500 from the legislative contingency (Countywide Contingency DAC: 110923310893) to Fund 820, Project 973, Department 420 - Buffalo & Erie County Public Library, as follows:

**Transfer \$2,500 to Lab & Tech. Equip. (DAC: 820973420933) - Hamburg Public**

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

RESOLVED, that certified copies of this resolution be sent to County Executive Dennis Gorski, County Comptroller Nancy A. Naples, Budget Director Kenneth C. Kruly, First Assistant County Attorney Alan Gerstman, Library Director Daniel L. Walters and to Lorraine Hutchinson, Hamburg Public Library.

Fiscal Impact: Appropriation of 1998-budgeted funds.

**EDWARD J. KUWIK**

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

CARRIED UNANIMOUSLY

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 328 Re: Additional Funding for Ellicott Creek Park. (Intro. 20-11)

WHEREAS, the Department of Parks and Recreation has identified a shortfall in funding for updated playground equipment in Ellicott Creek Park that meets current safety standards, and will require additional funds, and

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

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$27,904 from the legislative contingency (Countywide Contingency DAC: 110923310893) to Interfund Capital (DAC: 1109253208862208), and be it further

RESOLVED, that Parks Capital Project #718, Playground Equipment, Buildings & Grounds Equipment Account, is increased by \$27,904, (DAC 410718640931); the source of funds being an increase in Transfer from General Fund Account \$27,904, (DAC 4107186406862000), and be it further

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

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

Fiscal Impact: Appropriation of 1998-budgeted funds.

REFERENCE: Int. 20-11

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

CARRIED UNANIMOUSLY.

**COMMUNICATIONS DISCHARGED FROM COMMITTEE**

NONE.

**SUSPENSION OF THE RULES**

Item 30 - Ms. Peoples moved for a suspension of the rules to include an item not on the agenda.

GRANTED.

Comm. 20E-24 Letter from Legislator Marinelli to William Mariani, ECC Interim President regarding the college's four bargaining units.

Chairman SWANICK directed that Comm. 20E-24 be referred to the Community Enrichment Committee.

Item 31 – Ms. Peoples moved for a suspension of the rules to include an item not on the agenda.

GRANTED

Comm. 20M-19 Letter from Supervisor Catalino regarding Route 5 traffic technique changes.

Chairman SWANICK directed that Comm. 20M-19 be referred to the Public Safety Committee.

Item 32 – Ms. Peoples moved for a suspension of the rules to include an item not on the agenda.

GRANTED

Comm. 20E-25 Letter from Chairman Swanick appointing Legislator Lynn Marinelli to the Legislature's Budget, Finance and Management Committee.

Chairman SWANICK directed that Comm. 20E-25 be received, filed and printed.

**COMMUNICATIONS FROM ELECTED OFFICIALS**

**FROM LEGISLATOR GREENAN**

Item 33 - (Comm. 20E-1) Notice of Absence from Government Affairs Committee Meeting Held 9/29/98.

Item 34 - (Comm. 20E-2) Notice of Absence from Energy & Environment Committee Meeting Held 9/29/98.

**LEGISLATOR RANZENHOFER**

Item – 35 (Comm. 20E-3) Notice of Absence from Finance & Management and Economic Development Committee Meetings Held 10/1/98.

The above three items were received and filed

**COUNTY EXECUTIVE**

Item – 36 (Comm. 20E-4) Position Change Report PP# 21.

Received and referred to the Government Affairs Committee.

**COMPTROLLER**

Item – 37 (Comm. 20E-5) Quarterly Investment Report 4/1/98 – 6/30/98.

Received and referred to the Finance & Management Committee.

**LEGISLATORS CHASE & GREENAN**

Item – 38 (Comm. 20E-6) Copy of Letter to County Executive Re: Independent Health's Exclusion of Five Area Catholic Hospitals from its Medicare Encompass 65.

Received and referred to the Health Committee.

**LEGISLATOR MARSHALL**

Item – 39 (Comm. 20E-7) Minority Appointment to Convention & Visitors Bureau Board of Directors.

Received, filed and printed.

**COUNTY EXECUTIVE**

Item – 40 (Comm. 20E-8)

Mr. Kuwik moved for immediate consideration. Mr. Holt seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 329 Re: Correction Facility – Transfer of Funds.

**RESOLVED**, that the following budgetary transactions are hereby authorized in order to provide uninterrupted services at the Erie County Correctional Facility:

<b>Operating Fund</b>	
<b>Department 151 - Holding Center</b>	
<u>Appropriation</u>	<u>Decrease</u>
Acct. 811 - Clothing Supplies	\$ 5,000
Acct. 812 - Food Supplies	28,000
Acct. 814 - Medical Supplies	28,000
Acct. 825 - Out of Area Travel	5,000
<b>Department 660 - Correctional Facility</b>	
Acct. 812 - Food Supplies	20,620
Acct. 883-1500 - Interdept. - Sheriff Holding Center	<u>82,070</u>
Total Available Funds	\$168,690
<b>Department 151 - Holding Center</b>	
<u>Appropriation</u>	<u>Increase</u>
Acct. 882-6600 - Interdept. - Correctional Facility	\$ 82,070
<b>Department 660 - Correctional Facility</b>	
Acct. 814 - Medical Supplies	\$ 82,070
Acct. 815 - Laundry Supplies	<u>4,550</u>
Total Increase	\$168,690

and be it further

**RESOLVED**, that certified copies of this resolution be forwarded to the Erie County Correctional Facility, the Sheriffs Office, and the Division of Budget, Management and Finance.

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

CARRIED UNANIMOUSLY.

Item – 41 (Comm. 20E-9) Parks, Recreation & Forestry – Transfer for Technical Equipment.

Received and referred to the Energy & Environment Committee.

Item - 42 (Comm. 20E-10) Filling Vacant Positions 7/98.

Received and referred to the Government Affairs Committee.

Item – 43 (Comm. 20E-11) ECSD No. 2 Stearns & Wheler Environmental Engineers & Scientists Change Order No. 2.

Received and referred to the Energy & Environment Committee.

Item – 44 (Comm. E-12) Resolution No. Re: Application to NYSDEC for Clean Air/Clean Water Bond Act.

Ms. Peoples moved for immediate consideration. Ms. Marinelli seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 330

Re: Application to NYSDEC for Clean Air/Clean Water Bond Act

WHEREAS, The County of Erie, is interested in cleaning up and productively reusing brownfield sites in Erie County, and

WHEREAS, There exist brownfield sites in the City and Town of Tonawanda which are abandoned and owing back taxes, commonly known as the National Paint Company site in the City of Tonawanda and the Agway Grain Elevators on Military Road in the Town of Tonawanda, and

WHEREAS, The State of New York has established a Clean Air/Clean Water Bond Act Fund to assist in investigating and remediating brownfield sites, and

WHEREAS, Erie County desires to take advantage of the funding and indemnification available under the Bond Act,

NOW, THEREFORE, BE IT

RESOLVED, That the County Executive is authorized to submit applications for these two sites to the New York State Department of Environmental Conservation under the Bond Act Program, and be it further

RESOLVED, That the Clerk of the Legislature be directed to send certified copies of this resolution to the Budget Director and the Commissioner of Environment and Planning.

REF: Comm. 20E-12

Item – 45 (Comm.20E-13) Health – HIV/STD Support Services 1/1/98 – 3/31/98.

Received and referred to the Health Committee.



Item – 46 (Comm. 20E-14) ECSD No. 2 Easement Request 663 Cypress Ave. Village of Angola.

Item – 47 (Comm. 20E-15) Engineering Services Agreement Legislative Comm. 20E-13 Pratt & Huth – 6 ECSD No. 1 Felber Lane Pumping Station Elimination Eng Serv During Cons.

Item – 48 (Comm. 20E-16) EC Southtowns Sewage Treatment Agency Waste paper Pulp & Polymer Feed Facilities & Modification General/Mechanical – Contract “A” Change Ord 1.

Item – 49 (Comm. 20E-17) ECSD Nos. 1 – 6 & Southtowns Sewage Treatment Agency Engineering Term Agreements.

The above 4 items were received and referred to the Energy & Environment Committee.

Item - 50 (Comm. 20E-18) Health – Emergency Medical Services – Transfer of Funds.

Item – 51 (Comm. 20E-19) Health – HIV Seroprevalence Study 7/1/98 – 6/30/99.

Item – 52 (Comm. 20E-20) Health – Youth Tobacco Enforcement & Prevention Program 10/1/98 – 12/31/99.

The above 3 items were referred to the Health Committee.

Item – 53 (Comm. 20E-21) District Attorney – Assets Forfeiture Appropriations – Probation & District Attorney.

Received and referred to the Public Safety Committee.

Item – 54 (Comm. 20E-22) Appointment to Erie County Youth Services Board.

Received, filed, and printed.

Item – 55 (Comm. 20E-23) Probation – Intervention Through Drug Testing Local Initiative Grant.

Received and referred to the Public Safety Committee.

**COMMUNICATIONS FROM THE DEPARTMENTS**

**DEP**

Item – 56 (Comm. 20D-1) SEQR Negative Declaration Notice of Determination of Non-Significance MEWS Senior Housing, Town of West Seneca.

Received and referred to the Energy & Environment Committee.

**COUNTY ATTORNEY**

Item – 57 (Comm. 20D-2) Notice of County Executive’s Public Hearing Intros. 18-6 & 18-7.

Received, filed and printed.

**ECC**

Item – 58 (Comm. 20D-3) Notice of Board of Trustees Meeting Held 9/30/98.

Received and filed.

**HEALTH**

Item – 59 (Comm. 20D-4) Notice to Postpone Board of Health meeting Scheduled for 10/20/98.

Received and referred to the Health Committee.

**EC MORGUE**

Item – 60 (Comm. 20D-5) Monies & Other Property Found on Deceased Persons.

Received and referred to the Health Committee.

**COMMISSION ON THE STAUS OF WOMEN**

Item – 61 (Comm. 20D-6) Minutes of Meeting Held 9/9/98.

Received and referred to the Community Enrichment Committee.

**ECMC**

Item – 62 (Comm. 20D-7) Notice of Board of Managers Finance Committee Meeting Held 10/6/98.

Item – 63 (Comm. 20D-8) Notice of Board of Mangers JCC/Planning Committee Meeting Held 10/6/98.

The above two items were received and filed.

Item – 64 (Comm. 20D-9) Notice of Board of Managers Meeting to be Held 10/15/98.

Received and referred to the Health Committee.

**COUNTY ATTORNEY**

Item – 65 (Comm. 20D-10) Notices of Claim.

Received and referred to the Government Affairs Committee.

ECMC

Item – 66 (Comm. 20D-11) Board of Managers Finance Committee 10/6/98 Financial Statements for 8/31/98.

Received and referred to the Health Committee.

ECC

Item – 67 (Comm. 20D-12) Notice of Meeting Held 9/30/98.

Item – 68 (Comm. 20D-13) Minutes of Board of Trustees Meeting Held 8/26/98.

The above two items were received and filed.

Item – 69 (Comm. 20D-14) Copy of Letter to Erie Bouncy Town Supervisors & Budget Directors Re: Delivery of 1999 Town Budgets to County.

Received and referred to the Finance & Management Committee.

**COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES**

De MARIE & SCHOENBORN, PC JOSEPH DeMARIE, ESQUIRE

Item – 70 (Comm. 20M-1) Notice of Claim.

Item – 71 (Comm. 20M-2) Notice of Claim.

The above two items were received and referred to the County Attorney.

AMALGAMATED TRANSIT UNION

Item – 72 (Comm. 20M-3) Copy of Letter to Independent Health Re: Encompass 65 Plan.

Received and referred to the Health Committee.

ECC BARGAINING UNITS

Item – 73 (Comm. 20M-4) Letter to Legislator Fisher Re: Expressing Concerns Regarding Request for Proposal.

Received and referred to the Health Committee.

**NYS BOARD OF REAL PROPERTY SERVICES**

Item – 74 (Comm. 20M-5) Certificate of County Equalization Rates for 1998 Assessment Rolls for Municipalities in Erie County.

Received and referred to the Finance & Management Committee.

**NFTA**

Item – 75 (Comm. 20M-6) Minutes of Board Meeting Held 8/17/98.

Received and referred to the Economic Development Committee.

**CONGRESSMAN QUINN**

Item – 76 (Comm. 20M-7) Acknowledgement of Receipt of Resolutions.

Received and filed.

**WAYNE COUNTY BOARD OF SUPERVISORS**

Item – 77 (Comm. 20M-8) Certified Copy of Resolution Re: Wayne County Support for Five County NYS Heritage Corridor Area Called WNY Canal Heritage Corridor.

Received and referred to the Energy & Environment Committee.

**ECC BARGAINING UNITS**

Item – 78 (Comm. 20M-9) Letter to Chairman Swanick Re: Expressing Concerns Regarding Request for Proposal.

Received and referred to the Community Enrichment Committee.

**MEDICAL SOCIETY OF THE COUNTY OF ERIE**

Item – 79 (Comm. 20M-10) Letter to Chairman Swanick Re: Opposing Independent Health's Encompass 65 Plan.

Received and referred to the Health Committee.

RUTH PITTS

Item – 80 (Comm. 20M-11) Acknowledgement of Receipt of Resolution.

Received and filed.

GREATER BUFFALO COMMUNITY WELLNESS COUNCIL

Item – 81 (Comm. 20M-12) Wellness Calendar & Directory 10/98.

Received and referred to the Health Committee.

ASSEMBLYMAN REYNOLDS

Item – 82 (Comm. 20M-13) Acknowledgement of Receipt of Resolution.

Received and filed.

TOWN OF GRAND ISLAND

Item – 83 (Comm. 20M-14) Copy of Letter Re: Niagara Frontier Planning Association Proposal.

ECIDA

Item – 84 (Comm. 20M-15) Notice of Board of Directors Meeting to be Held 10/14/98.

The above two items were referred to the Economic Development Committee.

AFSCME LOCAL 1095

Item – 85 (Comm. 20M-16) Letter to Chairman Swanick Re: Americorps Workers.

Received and referred to the Government Affairs Committee.

BUFFALO ZOOLOGICAL SOCIETY

Item – 86 (Comm. 20M-17) Copy of Letter to Legislator Marinelli Re: Zoological Society's Selection of Shultz & Williams for Feasibility Study.

Received and referred to the Community Enrichment Committee.

BUFFALO PLACE

Item – 87 (Comm. 20M-18) 1999 Buffalo Place Budget.

Received and referred to the Finance & Management Committee.

**MEMORIAL RESOLUTIONS**

NONE.

**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 22, 1998**. Mr. Marshall seconded.

CARRIED UNANIMOUSLY.

The Chairman declared the Legislature **adjourned until Thursday, October 22, 1998 at 2 p.m. Eastern Standard Time**.

**Laurie Manzella  
Clerk**