

ERIE COUNTY LEGISLATURE  
MEETING NO. 13  
July 1, 1999

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. Larson.

MS. PEOPLES moved to approve the minutes of Meeting 11 and 12 of 1999. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

MISCELLANEOUS RESOLUTIONS

Item 1- MR. RANZENHOFER presented a resolution Celebrating the Village of Akron's Sesquicentennial. MS. CHASE seconded.

CARRIED UNANIMOUSLY.

Item 2 - MR. RANZENHOFER presented a resolution Congratulating the Rotary Club of Akron Newstead. MS. CHASE seconded.

CARRIED UNANIMOUSLY.

LOCAL LAWS

Item 3 - CHAIRMAN SWANICK directed that Local Law Intro No. 1 (Print #1) 1998 be Received and Filed.

Item 4 - CHAIRMAN SWANICK directed that Local Law Intro. No. 4 (Print #2) 1999 remain on the table.

COMMITTEE REPORTS

Item 5 - MR. OLMA presented the following and moved for immediate consideration. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY

RESOLUTION NO. 233

June 22, 1999

ENERGY & ENVIRONMENT  
COMMITTEE  
REPORT NO. 8

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

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

- a.       Item           Page                   -1998           (Comm. 29M-13)  
**TOWN OF CHEEKTOWAGA:** Certified Resolution Re: County to Purchase Land &  
Modify Lease Agreement Regarding Land Adjacent to "ORF" Site.  
(4-0) Legislator Dusza absent
- b.       Item           Page                   -1999           (Comm. 4E-14)  
**COUNTY EXECUTIVE AS AMENDED:** ECSD No. 5 - Eminent Domain Proceedings  
Approval of Resolution.  
(5-0) Legislator Dusza absent. Chairman Swanick Present as Ex-Officio Member.
- c.       Item           Page                   -1999           (Comm. 7E-11)  
**SWANICK:** Informing Energy & Environment Committee to Schedule a Public Meeting  
Re: Interviewing Robert J. Lichtenthal, Candidate for Reappointment to ECWA.  
(5-0) Legislator Dusza absent. Chairman Swanick Present as Ex-Officio Member.
- d.       Item           Page                   -1999           (Comm. 7E-12)  
**OLMA:** Notice to Robert J. Lichtenthal Re: Energy & Environment Committee Meeting  
to be Held 4/20/99 to Interview for Re-Appointment to ECWA.  
(5-0) Legislator Dusza absent. Chairman Swanick Present as Ex-Officio Member.
- e.       Item           Page                   -1999           (Comm. 7M-21)  
**ROBERT J. LICHTENTHAL JR.:** Seeking Re-Appointment as Commissioner of Erie  
County Water Authority.  
(5-0) Legislator Dusza absent. Chairman Swanick Present as Ex-Officio Member.
- f.       Item           Page                   -1999           (Comm. 7M-24)  
**REGION 9 FOREST PRACTICE BOARD:** Notice of Board Meeting to be Held  
4/22/99.  
(5-0) Legislator Dusza absent. Chairman Swanick Present as Ex-Officio Member.
- g.       Item           Page                   -1999           (Comm. 8D-1)  
**DEP:** SEQR Negative Declaration Notice of Determination of Non-Significance  
Cheektowaga ORL Land Purchase & Subsequent Lease.  
(5-0) Legislator Dusza absent. Chairman Swanick Present as Ex-Officio Member.

- Item Page -1999 (Comm. 8M-1)  
h. **NYSDEC:** Fact Sheet: Pre-Design Field Work Underway at Westinghouse Electric Corporation Hazardous Waste Site.  
(5-0) Legislator Dusza absent. Chairman Swanick Present as Ex-Officio Member.
- Item Page -1999 (Comm. 8M-9)  
i. **MELINDA HOLLAND:** Summary of Task Force Meeting Held 4/7/99 & Notice of Task Force Meeting Held 4/26/99.  
(5-0) Legislature Dusza absent. Chairman Swanick Present as Ex-Officio Member.
- Item Page -1999 (Comm. 9M-2)  
j. **NYSDEC:** Fact Sheet 318 Urban Street NYSDEC Site No. 9-15-151.  
(5-0) Legislator Dusza absent Chairman Swanick Present as Ex-Officio Member.
- Item Page -1999 (Comm. 10D-8)  
k. **DEP:** SEQR Solicitation for Lead Agency Status Unlisted Action Big Sister Creek Streambank Protection Project.  
(5-0) Legislator Dusza absent. Chairman Swanick Present as Ex-Officio Member.
- Item Page -1999 (Comm. 10D-13)  
l. **DEP:** SEQR Negative Declaration Notice of Determination of Non-Significance Tow Path Park Land Transfer.  
(5-0) Legislator Dusza absent. Chairman Swanick Present as Ex-Officio Member.
- Item Page -1999 (Comm. 10D-14)  
m. **DPW:** SEQR Notice of Determination of Non Significance Negative Declaration Erie County Courts Master Plan Implementation Project.  
(5-0) Legislator Dusza absent. Chairman Swanick Present as Ex-Officio Member.
- Item Page -1999 (Comm. 10M-1)  
n. **REGION 9 FOREST PRACTICE BOARD:** Minutes of Meeting Held 4/22/99.  
(5-0) Legislator Dusza absent. Chairman Swanick Present as Ex-Officio Member.
- Item Page -1999 (Comm. 10M-2)  
o. **TOWN OF TONAWANDA:** Proposed Eastern States Grain Mill Demolition 1132 Military Road, Town of Tonawanda, SEQR Lead Agency.  
(5-0) Legislator Dusza absent. Chairman Swanick Present as Ex-Officio Member.
- Item Page -1999 (Comm. 10M-9)  
p. **NYSDEC:** Fact Sheet Spaulding Composites Hazardous Waste Site, Town of Tonawanda.  
(5-0) Legislator Dusza absent. Chairman Swanick Present as Ex-Officio Member.

Item Page -1999 (Comm. 11M-2)  
q. **WEST VALLEY CITIZEN TASK FORCE:** Copy of Letter to Secretary, Department  
of Energy Re: DOE Presence at West Valley.  
(5-0) Legislator Dusza absent. Chairman Swanick Present as Ex-Officio Member.

Item Page -1999 (Comm. 12E-30)  
r. **COUNTY EXECUTIVE:** Erie County Southtowns Sewage Treatment Agency Waste  
Paper Pulp & Polymer Feed Facilities & Modifications - Contract "A" - Change Order  
No. A2.  
(5-0) Legislator Dusza absent. Chairman Swanick Present as Ex-Officio Member.

Item Page -1999 (Comm. 12M-9)  
s. **EC ENVIRONMENTAL MANAGEMENT COUNCIL:** Notice of Meeting & Other  
Related Information  
(5-0) Legislator Dusza absent. Chairman Swanick Present as Ex-Officio Member.

Item Page -1999 (Comm. 12M-10)  
t. **NYS FISH & WILDLIFE MANAGEMENT BOARD:** Minutes of Meeting Held  
6/3/99.  
(5-0) Legislator Dusza absent. Chairman Swanick Present as Ex-Officio Member.

Item Page -1999 (Comm. 12M-13)  
u. **TOWN OF ALDEN:** Certified Resolution Re: Retaining Agricultural Districts.  
(5-0) Legislator Dusza absent. Chairman Swanick Present as Ex-Officio Member.

2. Item Page - 1999 **AS AMENDED**  
(Comm. 7E-21)  
**COUNTY EXECUTIVE**  
WHEREAS, the Erie County Department of Environment and  
Planning has received the following low bid for Contract 23ST,  
Weber Road Storm Sewer Replacement Project on May 27, 1999.

<u>Contract</u>	<u>Low Bidder</u>	<u>Amount Bid</u>
Contract 23ST Weber Road Storm Sewer Replacement	Sicar Management And Construction, Inc. 1128 Jamison Road Elma, NY 14059	\$397,077.00

WHEREAS, the aforementioned bidder has been recognized as  
successfully performing similar work in Erie County.

NOW, THEREFORE, BE IT

RESOLVED, that the Weber Road Storm Sewer Contract No. 23ST be awarded to the low bidder as follows:

<u>Contract</u>	<u>Low Bidder</u>	<u>Amount Bid</u>
Contract 23ST Weber Road Storm Sewer Replacement	Sicar Management And Construction, Inc. 1128 Jamison Road Elma, NY 14059	\$397,077.00

and be it further

RESOLVED, that the County Executive be, and hereby is, authorized to execute the Contract with the aforementioned 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 Comptroller is authorized and directed to allocate \$397,077.00 from Capital, Erie County Sewer District No. 6, Fund No. 430, Project No. 519 and be it further

RESOLVED, that the Clerk of the Legislature be directed to send two (2) certified copies of this resolution to Charles J. Alessi, P.E., Department of Environment and Planning and one certified copy to the Erie County Comptroller's office, Director of Budget and Management and to Stephen F. Gawlik, Assistant County Attorney.

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

**AS AMENDED**  
(Comm. 10E-22)

3. Item Page - 1999

**COUNTY EXECUTIVE**

WHEREAS, the Erie County Department of Environment and Planning has received the following low bid for Contract 28L, Pinetree Subtrunk Sanitary Sewer Project on June 3, 1999.

<u>Contract</u>	<u>Low Bidder</u>	<u>Amount Bid</u>
Contract 28L Pinetree Subtrunk Sanitary Sewer Contract	Ontario Speciality Contracting Inc. 333 Ganson Street Buffalo, NY 14203	\$267,900.00

WHEREAS, the aforementioned bidder has been recognized as successfully performing similar work in Erie County.

NOW, THEREFORE, BE IT

RESOLVED, that the Pinetree Subtrunk Sanitary Sewer Contract, No. 28L be awarded to the low bidder as follows:

<u>Contract</u>	<u>Low Bidder</u>	<u>Amount Bid</u>
Contract 28L Pinetree Subtrunk Sanitary Sewer Contract	Ontario Speciality Contracting, Inc. 333 Ganson Street Buffalo, NY 14203	\$267,900.00

and be it further

RESOLVED, that the County Executive be, and hereby is, authorized to execute the Contract with the aforementioned 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 Comptroller is authorized and directed to allocate \$267,900.00 from Sewer Capital, Erie County Sewer District No. 4, Fund No. 430, Project No. 502 and be it further

RESOLVED, that the Clerk of the Legislature be directed to send two (2) certified copies of this resolution to Charles J. Alessi, P.E., Department of Environment and Planning and one certified copy to the Erie County Comptroller's office, Director of Budget and Management and to Stephen F. Galwlik, Assistant County Attorney.

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

4. Item Page - 1999 (Comm. 11E-19)

**COUNTY EXECUTIVE**

WHEREAS, the Village of Depew has requested an easement for a term of one year from Erie County Sewer District No. 4 on and across the District's Overflow Retention Facility property at the end of Rutherford Place; and

WHEREAS, such easement is necessary for access to construct a Cayuga Creek bank stabilization project by the U.S. Corp of Engineers to protect Zubrick Avenue; and

WHEREAS, this easement will have no negative affect on the ability of Erie County Sewer District No. 4 personnel to operate and maintain the Overflow Retention Facility; and

WHEREAS, the granting of this easement will bear no cost to the County; and

WHEREAS, the Erie County Sewer District No. 4 Board of Managers and the Advisory Review Committee have reviewed this matter and recommend the granting of this easement;

NOW, THEREFORE, BE IT

RESOLVED, that a 0.64 acre road easement, a 1.08 acre work area easement and a 1 acre, (more or less), channel improvement easement, on and over Erie County Sewer District No. 4's overflow Retention Facility site be granted to the Village of Depew; and be it further

RESOLVED, that the County Executive be authorized to sign said easement subject to approval by the County Attorney; and be it further

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

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

5. Item Page - 1999 (Comm. 11E-20)

**COUNTY EXECUTIVE**

WHEREAS, the Erie County Legislature had awarded Contract No. 22L to CMH Company, Inc.; and

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

WHEREAS, the Erie County Department of Environment and Planning has recommended the final acceptance of Contract No. 22L in the amount of \$288,522.53 which includes Change Order No. 1 (final), a decrease of (\$42,568.77), and the processing of the final payment.

NOW, THEREFORE, BE IT

RESOLVED, that Contract No. 22L between the County of Erie and CMH Company, Inc. 2067 Old Union Road, Cheektowaga, New York 14225, be accepted in the amount of \$288,522.53, which includes Change Order No. 1 (final), a decrease of (\$42,568.77); and be it further

RESOLVED, that the Erie County Comptroller is hereby authorized and directed to finalize Contract No. 22L between the County of Erie and CMH Company, Inc. in the amount of \$288,522.53 and make final payment from Sewer Capital Account SD No. 4, Fund No. 430, Project No. 502, and return the unused portion \$42,568.77 to Unallocated Account 891; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send two (2) certified copies of this resolution to Charles J. Alessi, P.E., Department of Environment and Planning; and one certified copy to Stephen Gawlik, Assistant County Attorney; Erie County Comptroller's office and the Director of Budget and Finance.

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

6. Item Page - 1999 (Comm. 11E-21)

**COUNTY EXECUTIVE**

WHEREAS, Erie County Sewer District Nos. 1, 4 and 5 have established a new Capital Account Fund No. 430 Project No. 916 for the purpose of a New Building Construction and its Design; and

WHEREAS, Erie County Sewer District Nos. 1, 4 and 5 desire to expand the scope of engineering services for a new Administration Building addition; and

WHEREAS, the engineering firm of Duchscherer Oberst Design, P.C. is under contract for design services and the Department of Environment and Planning recommends they perform additional work at a cost not to exceed \$16,837.79; and

WHEREAS, the use of fund balances and capital reserve are necessary to fund the additional engineering work.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Comptroller be authorized and directed to make the following allocations: Erie County Sewer District No. 1, \$6,566.74 from Fund Balance No. Fund 220, Project 851; Erie County Sewer District No. 4, \$8,924.03 from Capital Reserve No. Fund 430, Project 771; and Erie County Sewer District No. 5, \$1,347.02 from Fund Balance No. Fund 220, Project 851 for the purpose of the additional engineering services and payment of Change Order No. 1, and be it further

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

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

7. Item Page - 1999 (Comm. 12E-10)

**COUNTY EXECUTIVE**

WHEREAS, the Erie County has received funding to support the "Buffalo River Fish and Wildlife Habitat Restoration Demonstration Project" in the amount of \$1,350,000, and

WHEREAS, the Erie County Legislature previously approved resolutions authorizing the County Executive to enter into agreements to establish a budget for the above mentioned grant program, and

WHEREAS it is necessary to amend the originally established budgets for this grant program in order that the Department of Environment and Planning can best utilize the available funding resources, and

WHEREAS, this program must be completed by August 14, 1999.

NOW, THEREFORE, BE IT

RESOLVED, that the following budget changes are hereby approved in the Buffalo Fish and Wildlife Habitat Restoration Demonstration Grant (SFG 194) to support the project.

Appropriations	Current Budget	Revisions	Revised Budget
800 Personnel	\$363,900	43,213	\$407,113
Services			
805 Fringe Benefits	77,356	10,436	87,792
810 Office Supplies	1,450	(965)	485
825 Out-of-Area Travel	17,184	(1)	17,183
830 Contractual	683,457	(13,107)	670,350
823 Maintenance & Repair	4,200	(3200)	1,000
824 Local Travel & Mileage	998	(475)	523
826 Other Expenses	4,273	(604)	3,669
932 Office Equipment	500	(500)	0
930 Auto equipment	0	23,074	23,074
933 Lab and Technical Equipment	74,030	(1)	74,029
880 Interfund Transfers	122,652	(57,870)	64,782
TOTAL	\$1,350,000		\$1,350,000

AND BE IT FURTHER

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

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

8. Item Page - 1999 (Comm. 12E-25)

**COUNTY EXECUTIVE**

WHEREAS, the County of Erie on behalf of the Erie County Southtowns Sewage Treatment Agency (ECSSTA) and URS Greiner Woodward Clyde (URSGWC) entered into an agreement for engineering services to design and construct improvement to the ECSSTA Plant in 1995; and

WHEREAS, the scope of the project was substantially increased which required a longer construction period which increased it from six (6) to twelve (12) months; and

WHEREAS, the agreement requires the engineer be paid based on the manhours of work provided.

NOW, THEREFORE, BE IT

RESOLVED, that Change Order No. 3 in an amount not to exceed \$122,340.78 with URSGWC be approved; and be it further

RESOLVED, that the County Comptroller be authorized and directed to allocate \$122,340.78 from the Erie County/Southtowns Sewage Treatment Agency's Capital Account Fund 430, Project 514; and be it further

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

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

9. Item Page - 1999 (Comm. 12E-27)

**COUNTY EXECUTIVE**

WHEREAS, an electronic harmonic distortion has developed within the internal electrical system during normal operation of the Depew Pumping Station in Erie County Sewer District No. 4. The harmonic distortion is caused by the lack of compatibility between the incoming power source and the set of variable frequency drive (VFD) equipment that controls the operation of the pumps; and

WHEREAS, this situation could cause the station to fail; thereby, jeopardizing the health and welfare of the public, and environmental, as well as, property damage; and

WHEREAS, said station has been rendered less than fully operational and constitutes a potential safety and health hazard to the public; and

WHEREAS, there are insufficient funds budgeted to pay for the unanticipated emergency work needed to repair the station and bring it back to full operational status.

NOW, THEREFORE, BE IT

RESOLVED, that the Comptroller be authorized and directed to allocate \$25,000.00 from Sewer District No. 4's Capital Account No. 430-535 for payment of the necessary repairs; and be it further

RESOLVED, that any decision by the County Executive to declare an emergency to effectuate emergency repairs is hereby affirmed; and be it further

RESOLVED, that the Clerk of the Legislature be authorized and directed to send certified copies of this resolution to Charles J. Alessi, P.E., Deputy Commissioner, Department of Environment and Planning, Nancy Naples, Erie County Comptroller, Ken Kruly, Director, Budget and Management, and Stephen F. Gawlik, Assistant County Attorney.

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

10. Item Page - 1999 (Comm. 12E-28)

**COUNTY EXECUTIVE**

WHEREAS, The New York State Energy Research and Development Authority (NYSERDA) has solicited for proposals in accordance with its Flex Tech Program to fund projects that study cost effective energy efficiency measures; and

WHEREAS, the Department of Environment and Planning has advised the County Legislature that there are benefits to the County's sewage treatment plant in Erie County Sewer District No. 2 in studying the conversion of electric motor driven equipment to natural gas; and

WHEREAS, it is anticipated that NYSERDA will contribute 50% of the cost or \$15,000 of the total estimated project cost of \$30,000.

NOW, THEREFORE, BE IT

RESOLVED, that the County's Department of Environment and Planning be authorized and directed to make application to NYSERDA for funding under NYSERDA's Flex Tech Program to study natural gas conversion of electric driven motors at the ECSD No. 2 treatment plant; and be it further

RESOLVED, that an agreement with NYSERDA is hereby approved; and be it further

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

RESOLVED, that the Comptroller be authorized and directed to allocate \$15,000 from ECSD No. 2 Fund Balance 220 852 299 to Use of Fund Balance Fund 220, Project 852, Dept. 821, 6980105 and Fund 220, Project 852, Dept. 820, Account 830; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send two (2) certified copies of this resolution to Charles J. Alessi, P.E., Deputy Commissioner, Department of Environment and Planning, one (1) copy to Stephen F. Gawlik, Assistant County Attorney, one (1) copy to Nancy Naples, County Comptroller, and Ken Kruly, Director of Budget and Management.

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

11. Item Page - 1999 (Comm. 12E-29)

**COUNTY EXECUTIVE**

(A) WHEREAS, County of Erie/Erie County Sewer District No. 5 herein called the "Borrower" after thorough consideration of the various aspects of the problems and study of available data, has hereby determined that the Project generally described as the Farmington Woods/Hidden Oaks Subtrunk Sewer and identified as CWSRF Project No. 6697-01, herein called the "Project", is desirable and in the public interest, and to that end it is necessary that action preliminary to the construction of said Project be taken immediately; and

WHEREAS, the United States, pursuant to the Federal Water Quality Act of 1987, (as such may be amended from time to time, the "Water Quality Act"), requires each State to establish a water pollution control revolving fund to be administered by an instrumentality of the state before the state may receive capitalization grants under the Water Quality Act; and

WHEREAS, the State of New York has, pursuant to Chapter 565 of the Laws of New York 1989 as amended, (the "CWSRF Act"), established in the custody of the New York State Environmental Facilities Corporation (the "Corporation") a water pollution control revolving fund (the "Fund") to be used for purposes of the Water Quality Act; and

WHEREAS, the Corporation has been created, reconstituted and continued pursuant to the New York State Environmental Facilities Corporation Act, as amended, (the "Act") being Chapter 744 of the Laws of 1970, as amended and constituting Title 12 of Article 5 of the Public Authorities Law and Chapter 43-A of the Consolidated laws of the State of New York, and constitutes a public benefit corporation under the laws of the State of New York, being a body corporate and politic with full and lawful power and authority to provide financial assistance from the Fund; and

WHEREAS, the Corporation has the responsibility to administer the Fund and to provide financial assistance from the Fund to municipalities for eligible projects, as provided in the CWSRF Act; and

WHEREAS, the CWSRF Act authorizes the establishment of a program for planning, development and construction of eligible projects;

NOW, THEREFORE, BE IT RESOLVED BY ERIE COUNTY LEGISLATURE as follows:

1. The filing of an application for CWSRF assistance in the form required by the Corporation in conformity with the CWSRF Act is hereby authorized, including all understandings and assurances contained in said application.
2. The following person(s) is/are directed and authorized as the official representative(s) of the Municipal Applicant to execute and deliver an application or CWSRF assistance, to execute and deliver the Project Financing Agreement and any other documents necessary to receive financial assistance from the Fund for the Project described, to act in connection with the Project and to provide such additional information as may be required and to make such agreements on behalf of the Municipal Applicant as may be required:

The COUNTY EXECUTIVE  
(Authorized Representative)

The ERIE COUNTY COMPTROLLER  
Chief Fiscal Officer)

3. The official(s) designated above is/are authorized to make application for financial assistance under the following CWSRF Program for either short-term or long-term financing or both.
4. That the Clerk of the Legislature be directed to send three (3) certified copies of this resolution to Charles J. Alessi, P.E., Department of Environment and Planning and one certified copy to the Erie County Comptroller's Office, Director of Budget and Management and to Stephen F. Gawlik, Assistant County.
5. This Resolution shall take effect immediately.  
(5-0) Legislator Dusza absent. Chairman Swanick present as ex-officio member.

**COUNTY EXECUTIVE**

(B) WHEREAS, County of Erie/Erie County Sewer District No. 4 herein called the "Borrower" after thorough consideration of the various aspects of the problems and study of available data, has hereby determined that the Project generally described as the Northern Region Administration Building/Garage and identified as CWSRF Project No. 6699-03-1, herein called the "Project", is desirable and in the public interest, and to that end it is necessary that action preliminary to the construction of said Project be taken immediately; and

WHEREAS, the United States, pursuant to the Federal Water Quality Act of 1987, (as such may be amended from time to time, the "Water Quality Act"), requires each State to establish a water pollution control revolving fund to be administered by an instrumentality of the state before the state may receive capitalization grants under the Water Quality Act; and

WHEREAS, the State of New York has, pursuant to Chapter 565 of the Laws of New York 1989 as amended, (the "CWSRF Act"), established in the custody of the New York State Environmental Facilities Corporation (the "Corporation") a water pollution control revolving fund (the "Fund") to be used for purposes of the Water Quality Act; and

WHEREAS, the Corporation has been created, reconstituted and continued pursuant to the New York State Environmental Facilities Corporation Act, as amended, (the "Act") being Chapter 744 of the Laws of 1970, as amended and constituting Title 12 of Article 5 of the Public Authorities Law and Chapter 43-A of the Consolidated laws of the State of New York, and constitutes a public benefit corporation under the laws of the State of New York, being a body corporate and politic with full and lawful power and authority to provide financial assistance from the Fund; and

WHEREAS, the Corporation has the responsibility to administer the Fund and to provide financial assistance from the Fund to municipalities for eligible projects, as provided in the CWSRF Act; and

WHEREAS, the CWSRF Act authorizes the establishment of a program for planning, development and construction of eligible projects;

NOW, THEREFORE, BE IT RESOLVED BY ERIE COUNTY LEGISLATURE as follows:

1. The filing of an application for CWSRF assistance in the form required by the Corporation in conformity with the CWSRF Act is hereby authorized, including all understandings and assurances contained in said application.
2. The following person(s) is/are directed and authorized as the official representative(s) of the Municipal Applicant to execute and deliver an application or CWSRF assistance, to execute and deliver the Project Financing Agreement and any other documents necessary to receive financial assistance from the Fund for the Project described, to act in connection with the Project and to provide such additional information as may be required and to make such agreements on behalf of the Municipal Applicant as may be required:

The COUNTY EXECUTIVE  
(Authorized Representative)

The ERIE COUNTY COMPTROLLER  
Chief Fiscal Officer)

3. The official(s) designated above is/are authorized to make application for financial assistance under the following CWSRF Program for either short-term or long-term financing or both.
4. That the Clerk of the Legislature be directed to send three (3) certified copies of this resolution to Charles J. Alessi, P.E., Department of Environment and Planning and one certified copy to the Erie County Comptroller's Office, Director of Budget and Management and to Stephen F. Gawlik, Assistant County.
5. This Resolution shall take effect immediately.  
(5-0) Legislator Dusza absent. Chairman Swanick present as ex-officio member.

13. Item Page - 1999 (Comm. 12E-29)

**COUNTY EXECUTIVE**

(C) WHEREAS, County of Erie/Erie County Sewer District No. 6 herein called the "Borrower" after thorough consideration of the various aspects of the problems and study of available data, has hereby determined that the Project generally described as

the Overflow Retention Basin Expansion and identified as CWSRF Project No. 6650-01, herein called the "Project", is desirable and in the public interest, and to that end it is necessary that action preliminary to the construction of said Project be taken immediately; and

WHEREAS, the United States, pursuant to the Federal Water Quality Act of 1987, (as such may be amended from time to time, the "Water Quality Act"), requires each State to establish a water pollution control revolving fund to be administered by an instrumentality of the state before the state may receive capitalization grants under the Water Quality Act; and

WHEREAS, the State of New York has, pursuant to Chapter 565 of the Laws of New York 1989 as amended, (the "CWSRF Act"), established in the custody of the New York State Environmental Facilities Corporation (the "Corporation") a water pollution control revolving fund (the "Fund") to be used for purposes of the Water Quality Act; and

WHEREAS, the Corporation has been created, reconstituted and continued pursuant to the New York State Environmental Facilities Corporation Act, as amended, (the "Act") being Chapter 744 of the Laws of 1970, as amended and constituting Title 12 of Article 5 of the Public Authorities Law and Chapter 43-A of the Consolidated laws of the State of New York, and constitutes a public benefit corporation under the laws of the State of New York, being a body corporate and politic with full and lawful power and authority to provide financial assistance from the Fund; and

WHEREAS, the Corporation has the responsibility to administer the Fund and to provide financial assistance from the Fund to municipalities for eligible projects, as provided in the CWSRF Act; and

WHEREAS, the CWSRF Act authorizes the establishment of a program for planning, development and construction of eligible projects;

NOW, THEREFORE, BE IT RESOLVED BY ERIE COUNTY LEGISLATURE as follows:

1. The filing of an application for CWSRF assistance in the form required by the Corporation in conformity with the CWSRF Act is hereby authorized, including all

understandings and assurances contained in said application.

2. The following person(s) is/are directed and authorized as the official representative(s) of the Municipal Applicant to execute and deliver an application or CWSRF assistance, to execute and deliver the Project Financing Agreement and any other documents necessary to receive financial assistance from the Fund for the Project described, to act in connection with the Project and to provide such additional information as may be required and to make such agreements on behalf of the Municipal Applicant as may be required:

The COUNTY EXECUTIVE  
(Authorized Representative)

The ERIE COUNTY COMPTROLLER  
Chief Fiscal Officer)

3. The official(s) designated above is/are authorized to make application for financial assistance under the following CWSRF Program for either short-term or long-term financing or both.
4. That the Clerk of the Legislature be directed to send three (3) certified copies of this resolution to Charles J. Alessi, P.E., Department of Environment and Planning and one certified copy to the Erie County Comptroller's Office, Director of Budget and Management and to Stephen F. Gawlik, Assistant County.
5. This Resolution shall take effect immediately.  
(5-0) Legislator Dusza absent. Chairman Swanick present as ex-officio member.

14. Item Page - 1999 (Comm. 12E-29)

**COUNTY EXECUTIVE**

(D.) WHEREAS, County of Erie herein called the "Borrower" after thorough consideration of the various aspects of the problems and study of available data, has hereby determined that the Project generally described as the Chip Fab Pumping Station and Force Main and identified as CWSRF Project No. 6696-05, herein called the "Project", is desirable and in the public interest, and to that end it is necessary that action preliminary to the construction of said Project be taken immediately; and

WHEREAS, the United States, pursuant to the Federal Water Quality Act of 1987, (as such may be amended from time to time, the "Water Quality Act"), requires each State to establish a water pollution control revolving fund to be administered by an instrumentality of the state before the state may receive capitalization grants under the Water Quality Act; and

WHEREAS, the State of New York has, pursuant to Chapter 565 of the Laws of New York 1989 as amended, (the "CWSRF Act"), established in the custody of the New York State Environmental Facilities Corporation (the "Corporation") a water pollution control revolving fund (the "Fund") to be used for purposes of the Water Quality Act; and

WHEREAS, the Corporation has been created, reconstituted and continued pursuant to the New York State Environmental Facilities Corporation Act, as amended, (the "Act") being Chapter 744 of the Laws of 1970, as amended and constituting Title 12 of Article 5 of the Public Authorities Law and Chapter 43-A of the Consolidated laws of the State of New York, and constitutes a public benefit corporation under the laws of the State of New York, being a body corporate and politic with full and lawful power and authority to provide financial assistance from the Fund; and

WHEREAS, the Corporation has the responsibility to administer the Fund and to provide financial assistance from the Fund to municipalities for eligible projects, as provided in the CWSRF Act; and

WHEREAS, the CWSRF Act authorizes the establishment of a program for planning, development and construction of eligible projects;

NOW, THEREFORE, BE IT RESOLVED BY ERIE COUNTY LEGISLATURE as follows:

1. The filing of an application for CWSRF assistance in the form required by the Corporation in conformity with the CWSRF Act is hereby authorized, including all understandings and assurances contained in said application.
2. The following person(s) is/are directed and authorized as the official representative(s) of the Municipal Applicant to execute and deliver an application or

CWSRF assistance, to execute and deliver the Project Financing Agreement and any other documents necessary to receive financial assistance from the Fund for the Project described, to act in connection with the Project and to provide such additional information as may be required and to make such agreements on behalf of the Municipal Applicant as may be required:

The COUNTY EXECUTIVE  
(Authorized Representative)

The ERIE COUNTY COMPTROLLER  
Chief Fiscal Officer)

3. The official(s) designated above is/are authorized to make application for financial assistance under the following CWSRF Program for either short-term or long-term financing or both.
4. That the Clerk of the Legislature be directed to send three (3) certified copies of this resolution to Charles J. Alessi, P.E., Department of Environment and Planning and one certified copy to the Erie County Comptroller's Office, Director of Budget and Management and to Stephen F. Gawlik, Assistant County.
5. This Resolution shall take effect immediately.  
(5-0) Legislator Dusza absent. Chairman Swanick present as ex-officio member.

**GREGORY OLMA  
CHAIRMAN**

MR. OLMA moved the adoption. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

Item 6 – MS. PEOPLES presented the following and moved for immediate consideration.  
MR. KUWIK seconded.

CARRIED UNANIMOUSLY

RESOLUTION NO. 234

June 24, 1999

FINANCE & MANAGEMENT  
COMMITTEE

REPORT NO. 7

ALL MEMBERS PRESENT.

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

a.       Item           Page                           -1999           (Comm. 3E-8)  
**COMPTROLLER: Audit of PILOT Program of ECIDA in Conjunction with Real Property Unit of Budget, Management & Finance.**  
(5-0)

b.       Item           Page                           -1999           (Comm. 6M-9)  
**AUDIT COMMITTEE FOR ERIE COUNTY: Annual Report for Year Ended 12/31/97.**  
(5-0)

c.       Item           Page                           -1999           (Comm. 7D-10)  
**BUDGET, MANAGEMENT & FINANCE: 1998 Year End Budget Transfers & General Fund Listing of Designations & Reserves 12/31/98.**  
(5-0)

d.       Item           Page                           -1999           (Comm. 11M-1)  
**NYS DEPARTMENT OF TAXATION & FINANCE: Acknowledgement of Receipt of Letter from Chairman Swanick Re: Sales & Use Tax Exemption on Clothing & Footwear.**

e.       Item           Page                           -1999           (Comm. 12M-8)  
**BUFFALO COMMON COUNCIL: Certified Resolution in Support of Elimination of Sales Tax on Clothing & Shoes in Erie County.**

2.       Item           Page                           - 1999           (Comm. 12E-15)  
**COUNTY EXECUTIVE**

WHEREAS, the following grant programs are included in Book B of the 1999 Adopted Budget,  
and

WHEREAS, the 1999 Adopted Budget resolutions require legislative approval for the County Executive to enter into contracts with grantor agencies for the purpose of receiving grants awarded or budgeted for fiscal 1999.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into contracts with grantor agencies for the purpose of receiving grants, following review and approval by the Director of Budget and Management with respect to the availability of State and/or Federal

funds, for the following grant programs which commence after July 1, 1999 and before October 1, 1999 or as indicated below:

Department	Grant Program	Dates-	1999 Budget Book B Page No.
140 - Dist. Atty.	Child Victim Advocacy Program	07/01/99-06/30/00	29
140 - Dist. Atty.	Victim/Witness Assistance Program	07/01/99-06/30/00	30
650 - CPS	Points of Entry Drug Interdiction	07/01/99-06/30/00	65
260 - Probation	Disproportionate Minority Confinement Grant	06/01/99-05/31/00	110
270 - Health	Women's Health Services	07/01/99-06/30/00	135

Department	Grant Program	Dates	1999 Budget Book B Page No.
270 - Health	HIV Seroprevalence Study	07/01/99-06/30/00	136
270 - Health	HIV Training and Tech. Assistance to Health Depts.	07/01/99-06/30/00	137
270 - Health	Healthy Heart Grant	07/01/99-06/30/00	138
200 - Soc. Svcs.	Family Court Foster Care Improvement	09/30/99-09/29/00	205
200 - Soc. Svcs.	Day Care Registration	08/16/99-08/15/00	206
251 - Youth-Det.	Detention Aftercare Resource Team (DART)	07/01/99-06/30/00	332
251 - Youth-Det.	Intensive Alternative Home Services	07/01/99-06/30/00	352

and be it further

RESOLVED, that the County Executive is hereby authorized to enter into contracts with grantor agencies for the purpose of receiving grants, following review and approval by the Director of Budget and Management with respect to the availability of State and/or Federal funds, for the following grant programs which commence on October 1, 1999 and thereafter:

			1999 Budget Book B
Department	Grant Program	Dates	Page No.
110 - Co. Exec.	Office of Traffic Safety	10/01/99-09/30/00	13
140 - Dist. Atty.	Points of Entry Grant	11/01/99-10/31/00	29
140 - Dist. Atty.	BE-SAFE	11/01/99-10/31/00	30

			1999 Budget Book B
Department	Grant Program	Dates	Page No.
140 - Dist. Atty.	BE-SAFE NOW	10/01/99-09/30/00	30
150 - Sheriff	C.E.O.S.C. Security Grant	10/01/99-09/30/00	82
660 - Corr. Fac.	High Impact Incarceration Prg.	11/01/99-10/31/00	105
270 - Health	Women Infants and Children's Supplemental Nutrition Program (WIC)	10/01/99-09/30/00	135
270 - Health	Immunization Action Plan	11/01/99-10/31/00	136
270 - Health	Infant/Child Health Assessment Program	10/01/99-09/30/00	136
270 - Health	Healthy	10/01/99-09/30/00	137

	Neighborhoods Grant		
270 - Health	Physically Handicapped Children's Program (PHCP) Case Mgmt.	10/01/99-09/30/00	137
270 - Health	Youth Tobacco Enforcement and Prevention Grant	10/01/99-09/30/00	138
200 - Soc. Svcs.	Energy Services Packaging Project	11/01/99-10/31/00	205
200 - Soc. Svcs.	Child Care Block Grant	10/01/99-09/30/00	205
200 - Soc. Svcs.	Home Energy Assistance Program (HEAP)	10/01/99-09/30/00	207
200 - Soc. Svcs.	Food Stamp Employment and Training Project	10/01/99-09/30/00	208
252 - Youth-Child Special Needs	Early Intervention Case Management	10/01/99-09/30/00	331

1999 Budget

Department	Grant Program	Dates	Book B Page No.
252 - Youth-Child Special Needs	Early Intervention Administration	10/01/99-09/30/00	331

and be it further

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

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

(5-0).

3. Item Page - 1999 (Comm. 12E-31)

**COUNTY EXECUTIVE**

WHEREAS, Shea's Performing Arts Center is a major cultural venue for Western New York; and

WHEREAS, Shea's has recently completed a \$14 million expansion and remodeling which makes it possible for the Theatre to host a wider array of entertainment events; and

WHEREAS, during the period of the construction activity, the Center was closed resulting in a revenue shortfall to cover basic administration and maintenance expenses.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into a contract with Shea's Performing Arts Center providing a one-time appropriation of \$200,000 for operating expenses to assist in maintaining the fiscal stability of the organization; and be it further

RESOLVED, that the source of funds for this appropriation is the County Contingency Account (DAC 110923310893); the sum of \$200,000 is hereby transferred to the Shea's Performing Arts Center (DAC 110920300830); and be it further

RESOLVED, that certified copies of this resolution be sent to the County Executive, the Commissioner of Environment & Planning, the First Assistant County Attorney, the County Comptroller, the Budget Director and the Chairman of the Board of Shea's Performing Arts Center.

(4-1) Legislator Ranzenhofer voted in the negative.

4. Item Page - 1999 (Comm. 12E-32)

**COUNTY EXECUTIVE**

WHEREAS, the Buffalo Convention Center is owned by the County of Erie; and

WHEREAS, in 1996 Erie County assumed financial responsibility for the Center's operations and maintenance, taking over from the City of Buffalo in that regard; and

WHEREAS, while planning proceeds for a new convention center, it is important that the current facility be properly equipped and maintained so that it may continue to attract new convention business during the interim period.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to sign an amended contract with the Buffalo Convention Center Management Corporation for 1999, providing \$75,000 in additional funding to be used for the purchase of furnishings, supplies and equipment, for an adjusted total of \$1,075,000 for the year 1999; and be it further

RESOLVED, that the source of funds for this supplemental appropriation be the County Contingency Fund (DAC 110923310893), the sum of \$75,000 is hereby transferred to the Buffalo Convention Center Management Corporation (DAC 110904303830798); and be it further

RESOLVED, that certified copies of this resolution be sent to the County Executive, the County Attorney, the First Assistant County Attorney, the Budget Director, the County Comptroller and the Chair of the Buffalo Convention Center Management Corporation.  
(5-0).

**CRYSTAL PEOPLES  
CHAIRPERSON**

MS. PEOPLES moved the adoption. MR. KUWIK seconded.

CARRIED UNANIMOUSLY.

Item 7 – MR. FITZPATRICK presented the following and moved for immediate consideration. MR. KUWIK seconded.

CARRIED UNANIMOUSLY

RESOLUTION NO. 235

June 24, 1999

ECONOMIC DEVELOPMENT  
COMMITTEE  
REPORT NO. 7

ALL MEMBERS PRESENT.

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

- |    |   |      |       |               |
|----|---|------|-------|---------------|
|    | Item  | Page | -1999 | (Comm. 11M-4) |
| a. | <b>NFTA:</b> Minutes of Annual Board Meeting Held 4/19/99.<br>(5-0) |      |       |               |

Item Page -1999 (Comm. 12D-15)  
b. **DPW:** Supplemental Agreement to General A/E Contract Renovations to ECMC's  
Cardiac CATH Lab - Phase I.  
(5-0)

Item Page -1999 (Comm. 12D-18)  
c. **DPW:** Supplemental Agreement to General A/E Contract - EC Home - Masonry  
Restoration - Phase II.  
(5-0)

Item Page -1999 (Comm. 12M-1)  
d. **ASSEMBLY SPEAKER SILVER:** Acknowledgement of Receipt of Resolution Re:  
Governor's Cuts to Infrastructure Funding.  
(5-0)

2. Item Page - 1999 **AS AMENDED**  
**DPW** (Comm. 10D-21)

WHEREAS, the Commissioner of Public Works desires to engage the services of Environmental Service Consultants in order to implement asbestos abatement and control programs in various County facilities, and

WHEREAS, the Department of Public Works solicited proposals from several local environmental consulting firms, and

WHEREAS, after careful review of each firm's capabilities, firms were selected having the necessary expertise, experience, and manpower to provide the required services,

NOW THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into an agreement with each of the following firms to provide Environmental Consulting Services at various County facilities:

UNYSE, 275 Oak Street, Buffalo, New York 14203

Chopra-Lee, Inc., 1815 Love Road, Grand Island, New York 14072

Edward O. Watts, P.E., P.C., 3826 Main Street, Buffalo, New York 14226

and be it further,

RESOLVED, that the sum of \$25,000 be allocated for said Environmental Consulting Service fees to be paid to the selected consultants on a project-by-project

basis with the amount of each project fee being determined by the Commissioner of Public Works, and be it further,

RESOLVED, that the Comptroller's Office be authorized to make payments for all of the above from the 1998 Asbestos Abatement, DPW County-wide Bond Account, Project 829, Fund 410 in the total amount of \$25,000,

and be it further,

RESOLVED, that two certified copies of this resolution be sent to the Department of Public Works, Office of the Commissioner.

(5-0).

3. Item Page - 1999 (Comm. 11D-7)  
**DPW**

"WHEREAS, the Erie County Legislature approved a contract for the 1998 Overlay Program "A", Project No. CHIPS OP-98A between Omer Construction and the County of Erie in Meeting Number 16 held on July 16, 1998, Communication Number 14D-18; and

WHEREAS, additional work needs to be performed on the project that was not initially included in the original contract. This work involves milling and repaving the parking lot at the Chestnut Ridge Park Facility; and

WHEREAS, it is desirous and advantageous to the County of Erie to have this work performed timely without further delay; and

WHEREAS, the cost for the additional work exceeds the contingency amount previously authorized for this project

NOW, THEREFORE, BE IT

RESOLVED, that the contract amount be increased by an additional amount of \$140,000.00 to be allocated from the Park Project Program (942) for a change order to the construction contract with Omer Construction Co. Inc.; and be it further

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

(5-0)

4. Item Page - 1999 (Comm. 11E-9)  
**COUNTY EXECUTIVE**

WHEREAS, The County of Erie, has decided to participate in the remediation of industrial zoned land; and

WHEREAS, The Erie County Business Site Development Fund has funds committed to this effort;

NOW, THEREFORE BE IT

RESOLVED, That the County Executive is authorized to enter into contracts with the City of Lackawanna in an amount not to exceed a total of \$25,000, for the purpose of funding the City of Lackawanna's share of remediation costs, and other clean up costs to develop vacant industrial zoned land, and be it further

RESOLVED, That the source of these funds shall be \$25,000 available in the Business Site Development Fund in Agency Payments, Public Benefit Agencies, Monitored by the Department of Environment and Planning (DAC1109223028301030) which amount is hereby transferred to new sub-account, City of Lackawanna, Environmental Remediation, in the same administrative unit, and be it further

RESOLVED, That the County of Erie's participation shall be in accordance with the 1996 Clean Water/Clean Air Act, and be it further

RESOLVED, That the Clerk of the Legislature be directed to send certified copies of this resolution to the Budget Director, the Comptroller and the Commissioner of Environment and Planning.  
(5-0)

5. Item Page - 1999 (Comm. 12D-12)  
DPW

WHEREAS the Erie County Legislature approved a contract for the 1999 Overlay Program "A", Project No. CHIPS OP-99A between Holmes and Murphy Inc. and the County of Erie in Meeting Number 10 held on May 20, 1999, Communication Number 9D-9; and

WHEREAS, the work was requested by the Buffalo Bills and needs to be performed at the Ralph Wilson Stadium and was not initially included in the original contract. This work involves construction of a bus entrance, several new parking lot entrances, and the paving of a portion of adjacent parking lots at the Ralph Wilson Stadium; and

WHEREAS, it is desirous and advantageous to the County of Erie to have this work performed timely without delay and prior to the start of the 1999 football season; and

WHEREAS, the cost for the additional work exceeds the contingency amount previously authorized for this project

NOW, THEREFORE, BE IT

RESOLVED, that the contract amount be increased by an additional amount of \$300,000.00 to be allocated from the 1996 (SFG 754) \$11,000, 1997 (SFG 803) \$61,298, 1998 (SFG 826) \$227,702, Rich Stadium Renovation Capital Accounts, Fund 410, for a change order to the construction contract with Holmes and Murphy Inc.; and be it further

RESOLVED, that this additional work is contingent upon acquisition of the land parcel previously approved by the Erie County Legislature; and be it further

RESOLVED, that the Clerk of the Legislature be instructed to forward two (2) certified copies of this resolution to the Commissioner of Public Works, two (2) certified copies to the Deputy Commissioner Highways, Department of Public Works, one (1) certified copy to the Director of Budget and Management, and one (1) certified copy to the Erie County Comptroller.  
(5-0)

6. Item Page - 1999 **AS AMENDED**  
**DPW** (Comm. 12D-13)

WHEREAS, the Department of Public Works received bids on November 5, 1998, for the Bureau of Weights & Measures, Addition & Renovation, and

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

NOW, THEREFORE, BE IT,

RESOLVED, that the County Executive be authorized to enter into the following contracts for the Bureau of Weights & Measures,

Addition and Renovation:

GENERAL CONSTRUCTION

Summit Construction Group, Inc.

Base Bid	\$342,800.00
Alt. G2	-( 5,000.00)
Alt. G5	<u>+ 8,000.00</u>
	\$345,800.00

HVAC WORK

Northeast Mechanical, Inc.

Base Bid	\$ 88,657.00
Alt. H1	\$ 17,850.00
	\$106,507.00

ELECTRICAL WORK

O'Connell Electric Co.

Base Bid	\$ 48,000.00
Alt. E2	<u>\$ 3,068.00</u>

\$ 51,068.00

PLUMBING WORK

John W. Danforth Co.

Base Bid	<u>\$ 33,000.00</u>
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Total for all contracts: \$536,375.00

and be it further,

RESOLVED, that the sum of \$35,000.00 be allocated to a construction contingency fund with authorization for the Commissioner of Public Works to approve change orders not to exceed the amount of the contingency, and be it further,

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

RESOLVED, that the sum of \$3,200.00 be allocated for testing and miscellaneous expenses with authorization for the Commissioner of Public Works to expend said funds, and be it further,

RESOLVED, that the sum of \$9,000.00 be allocated for Architectural/Engineering Services necessary to complete the project, and be it further,

RESOLVED, that the amount of \$91,000.00 be allocated to cover the furniture, equipment and miscellaneous items bid through the Purchasing Department, and be it further,

RESOLVED, that the Comptroller's Office be authorized to make payments indicated above and be charged to the encumbered appropriation in the 1998 DPW O&M Budget, Fund, 110, Project 913, Account 830, and be it further,

RESOLVED, that an additional \$45,000.00 be allocated from the surplus in the Weights & Measures revenue account, and be it further

RESOLVED, that two certified copies of this resolution be sent to the Department of Public Works, Office of the Commissioner; one copy be sent to the Division of Budget Management & Finance, and one copy to the Comptroller's Office.

(5-0)

7. Item Page - 1999 (Comm. 12D-14)

**DPW**

WHEREAS, The Erie County Department of Health operates a WIC Program out of 14 sites. These sites are housed in various county-owned facilities and leased space, and

WHEREAS, the New York State Health Department is implementing an automated system throughout the State. In order to comply with this automation project, it will be necessary to undertake a code compliant renovation project, and

WHEREAS, the firm of Stievater & Associates: Architects is already engaged by the Department of Public Works under a general Architect/Engineer contract, and

WHEREAS, it is now also desired to start design of this project so it can be bid in 1999.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be authorized to issue a supplemental agreement to Stievater & Associates: Architects to prepare contract documents and provide design services for the Erie County Health Department Women, Infant, & Children (WIC) site renovations, and be it further,

RESOLVED, that the total amount paid for consulting services on a time and material basis, not to exceed \$25,000, including reimbursables, and be it further,

RESOLVED, that the fee allocation be taken from the Erie County Health Department WIC grant transferred into a capital project fund to be determined as per legislative communication 8E-15 dated May 20, 1999 (copy attached).

RESOLVED, that the two certified copies of this resolution be sent to the Department of Public Works, office of the Commissioner; and one copy to the Office of Budget, Management & Finance and one copy to Comptroller's office.

(5-0)



- Meyer Site Demolition, Project 145, Fund 511--\$224,011.00
- Demolition of ECMC Buildings, Project 888, Fund 511--\$202,000.00

and be it further,

RESOLVED, that two copies of this resolution be sent to the Department of Public Works, Office of the Commissioner; one copy to the Division of Budget, Management & Finance; and one copy to the Office of the Comptroller.

(5-0)

**MICHAEL FITZPATRICK  
CHAIRMAN**

MR. FITZPATRICK moved the adoption. MR. KUWIK seconded.

CARRIED UNANIMOUSLY.

Item 8 – MR. HOLT presented the following and moved for immediate consideration. MR. OLMA seconded.

CARRIED UNANIMOUSLY

RESOLUTION NO. 236

June 24, 1999

SOCIAL SERVICES  
COMMITTEE  
REPORT NO. 5

ALL MEMBERS PRESENT.

- 1. Item Page - 1999 (Comm. 11E-11)  
**COUNTY EXECUTIVE**

WHEREAS, the New York State Office for the Aging has made available to the Department of Senior Services additional Federal funding for the operation of the Title VII Elder Abuse Prevention (Ombudsman) Program for the period January 31, 1999 to December 31, 1999, and

WHEREAS, the Department of Senior Services sub-contracts with the American Red Cross to administer the Long-Term Care Ombudsman Program in area adult homes and skilled nursing facilities, and

WHEREAS, the County budget is in need of revision, and

WHEREAS, the contract between the County and The American Red Cross needs to be amended, and

WHEREAS, no additional County funds are required.

NOW, THEREFORE, BE IT

RESOLVED, that the budget for the Elder Abuse Prevention grant for the period January 1, 1999 to December 31, 1999, Project 156, be revised as follows:

<u>REVENUE</u>	<u>CURRENT BUDGET</u>	<u>NEW CHANGES</u>	<u>BUDGET</u>
664 Federal Aid	\$24,886	+\$10,397	\$35,283
TOTAL CHANGE		<u>+\$10,397</u>	
<u>APPROPRIATIONS</u>			
830-418 American Red Cross	\$24,886	+\$10,397	\$35,283
TOTAL CHANGE		<u>+\$10,397</u>	

and be it further

RESOLVED, that the County Executive is authorized to amend the contract with the American Red Cross for the additional funds, and be it further

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

(4-0) Legislator Chase absent for vote.

2. Item Page - 1999 (Comm. 11E-12)

**COUNTY EXECUTIVE**

WHEREAS, the New York State Office for the Aging has awarded the Department of Senior Services additional State funding in the amount of \$16,200 to implement a 502e demonstration project within the Title V Senior Community Services Employment Program Grant, for the period July 1, 1998 to June 30, 1999, and

WHEREAS, the Department of Senior Services sub-contracts with Supportive Services Corporation, Inc. to administer The Senior Community Services for the Elderly Program,

NOW, THEREFORE, BE IT

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

REVENUE	CURRENT BUDGET	CHANGES	NEW BUDGET
326 Interest & Earnings	\$ 1,139	\$+ 261	\$ 1,400
443 In-Kind Contributions	\$ 2,178	\$+ 1,539	\$ 3,717
664 Federal Aid	\$251,795	\$+16,200	\$ 267,995
TOTAL CHANGE		<u>\$+18,000</u>	
830-235 Supportive Svcs.	\$279,773	\$ 18,000	\$ 297,773
TOTAL CHANGE			<u>\$+18,000</u>

and be it further

RESOLVED, that the County Executive be, and hereby is authorized to enter into contract with the New York State office for Aging to accept additional funds for the operation of the Senior Community Services Employment Program for the period of July 1, 1998 through June 30, 1999, and be it further

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

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

(4-0) Legislator Chase absent for vote.

3. Item Page - 1999 (Comm. 11E-14)

**COUNTY EXECUTIVE**

WHEREAS, New York State has awarded 100% Federal funding in the amount of \$359,760 to two local contractors, namely the Clarkson Center and the Buffalo ACCESS Center to conduct an automotive skills training program for Family Assistance recipients, and

WHEREAS, the funding was awarded as a part of a statewide competitive grant process through the Consolidated Application for State Administered Programs (CASP) process, and

WHEREAS, this funding is available through March 31, 2000 subject to reappropriation of Federal funds in the State budget for fiscal year 1999-2000. It is almost certain that this

reappropriation will be effected; however, it is the intention of the Department to hold the contracts for signature pending action by the New York State Legislature, and

WHEREAS, the program is designed in two components, one being for specific skills training related to automobile maintenance and the second being for employment services to effect and sustain placements of clients subsequent to training, and

WHEREAS, this program has the overwhelming support of local automobile dealers.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive and/or Commissioner of Social Services is hereby authorized to enter into contracts with the Clarkson Center and the Buffalo Access Center for the automotive skills training program for the period April 1, 1999 through March 31, 2000, and be it further

RESOLVED, that the following budget amendments are hereby authorized in the 1999 Family Assistance Employment Programs grant budget:

Department of Social Services, Department 200, Fund 281, Project 147

<u>ACCOUNT</u>	<u>DESCRIPTION</u>	<u>INCREASE/ (DECREASE)</u>
830-xxx	Buffalo ACCESS Center	\$179,880
830-0202	Clarkson Center	<u>179,880</u>
	Total Expenditures	\$359,760
657	Federal Aid- Family Assistance	<u>\$359,760</u>
	Total Revenues	\$359,760
		<u>-0-</u>

and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the Commissioner of the Department of Social Services as well as the Director of Budget, Management and Finance and the Erie County Comptroller.

(4-0) Legislator Marshall absent for vote.

4. Item Page - 1999 (Comm. 12E-7)

**COUNTY EXECUTIVE**

WHEREAS, the Department of Social Services is requesting authorization to increase an existing emergency services contract with the Salvation Army to address greater need and a projected shortfall, and

WHEREAS, the services provided under this contract are for emergency needs, predominantly prescription drug products for clients who have no current Medicaid case established but who do have an immediate need for prescription medications while eligibility for Medicaid coverage is being evaluated, and

WHEREAS, in cases where a client is without cash resources and has a life-threatening illness, the medications are obtained through referral to the Salvation Army, and

WHEREAS, medications for non-life-threatening illnesses or conditions were historically not provided through referral, and client reimbursement awaited case opening, and the Department has adopted a new procedure to better meet the needs of these clients which removes judgements about the seriousness of the illness from the decision and now refers all requests for medications to the Salvation Army when there is not an active case thereby increasing referrals, and

WHEREAS, it is proposed that the amount of \$35,000 be transferred to the Salvation Army contract from the Emergency Assistance to Adults account, there being a sufficient balance in that account to provide for the transfer.

NOW, THEREFORE, BE IT

RESOLVED, that the Department is authorized to amend the existing contract with the Salvation Army for critical emergency services, and be it further

RESOLVED, that the following budget amendments are hereby authorized in the 1999 Adopted Budget:

Department of Social Services, Department 200, Fund 120

ACCOUNT	DESCRIPTION	INCREASE/ <u>(DECREASE)</u>
830-0197	Salvation Army Emergency Services	\$35,000
846	Emergency Assistance to Adults	(\$35,000)
		<u>-0-</u>

RESOLVED, that certified copies of this resolution shall be forwarded to the Commissioner of the Department of Social Services, the Office of the Erie County Comptroller and the Director of Budget, Management and Finance.

(4-0) Legislator Marshall absent for vote.

5. Item Page - 1999 (Comm. 12E-13)

**COUNTY EXECUTIVE**

WHEREAS, the Department of Youth Services has an additional \$207,788 in funding commitments to cover the cost of contracting with the Boys & Girls Club of Buffalo to administer and implement the Operation Prime Time Program, and

WHEREAS, the County will receive 100% reimbursement for the cost of this program from the following sources: City of Buffalo - \$100,000; Buffalo Municipal Housing Authority - \$ 60,000 and the New York State Office of Children and Family Services - \$ 47,788.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter into a contractual agreement with the Boys & Girls Club of Buffalo in the amount of \$207,788, and be it further

RESOLVED, that the following budget adjustments are hereby authorized in order to the Operation Prime Time program in the Youth Division's 1999 budget.

Department of Youth Services  
Project 946

<u>Revenue</u>	<u>Increase</u>
Acct. 360 Other Local Source	
Subacct. 1001 - City of Buffalo	\$100,000
Subacct. 1003 - Buffalo Municipal Housing Authority	60,000
Acct. 620-0108 State Aid - Operation Prime Time	<u>47,788</u>
Total Revenue	\$207,788

Appropriation

Acct. 830-0920 Operation Prime Time	\$207,788
-------------------------------------	-----------

and be it further

RESOLVED, that the County Executive is hereby authorized to enter into and execute any applications, contracts included therein, and amendments with the Boys & Girls Club of Buffalo, the City of Buffalo, the Buffalo Municipal Housing Authority and the New York State Office of Children and Family Services, and be it further

RESOLVED, that the Erie County Legislature hereby makes a finding that it is impracticable to follow the standard RFP procedure, and hereby waives the procedures outlined in section 19.08 of the Erie County Administrative Code, since these special services to be provided by the Boys & Girls Club of Buffalo have been approved by the Erie County Youth Board, and since these special services must be provided immediately, and be it further

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

(5-0)

6. Item Page - 1999 (Comm. 12E-14)

**COUNTY EXECUTIVE**

WHEREAS, the Department of Social Services is requesting authorization to enter into a lease at 43 Court Street with the 43 Court Street Realty Co. for the purpose of relocating several

offices including the Special Investigation Division, Medicaid Utilization Review, and Legal Assistance to the Disabled, and

WHEREAS, the move of these offices is necessitated by the need to free up and reallocate space at 478 Main Street in response to the demands of increased computerization, the implementation of the Adoption and Safe Families Act and the continuing development of the Work First approach in the Department, and

WHEREAS, the Department has identified space at 43 Court Street through the Division of Public Works, who provided assistance in the production and release of a Request for Proposals (RFP), and

WHEREAS, there were 5 proposals received and reviewed in response to the RFP, and as a result of this process the Department is recommending the lease of space at 43 Court Street, and

WHEREAS, there are several reasons, in addition to cost, why it is in the interest of the County to proceed with a lease at 43 Court Street at this time, including the close proximity to existing Department staff in the immediate downtown area, the short walking distance to the Rath Building and the proximity to various courts at which the Department regularly pursues legal matters, and

WHEREAS, funds to cover the cost of this lease were anticipated in the Department's 1999 adopted budget, are available for this purpose, and there is no 1999 fiscal impact, and

WHEREAS, there is significant work which must be completed prior to occupancy, including wiring for the Department mainframe and personal computer network installations and there is also significant work to be performed by the landlord including wall construction and installation of several restrooms, and

WHEREAS, purchasing activities are currently underway to secure necessary computer hardware and software, phone installations, photocopiers, furniture and other items which are funded elsewhere in the 1999 Adopted County Budget.

NOW, THEREFORE, BE IT

RESOLVED, authorization to enter into a lease with the 43 Court Street Realty Co. is hereby granted for the tenancy of the Department of Social Services at space totaling 31,040 square feet on several floors at 43 Court Street Buffalo, New York at the following annual basic rental amount, which shall include the cost of all improvements, utilities, maintenance and cleaning:

Year	Total Annual Rent
1	\$453,814
2	\$360,064
3	\$375,589
4	\$375,589
5	\$391,104

and be it further

RESOLVED, that the County is also to be responsible for the cost of replacement of incandescent and florescent lights within the space of the leased premises, and be it further

RESOLVED, that the need for this space is urgent and critical, and the exact 1999 starting date of the lease will be determined at the time of the completion of the necessary improvements, and be it further

RESOLVED, that creation of two Deputy Sheriff positions is hereby authorized effective September 1, 1999 to provide for security at the leased premises as follows:

<u>Number</u>	<u>Title</u>	<u>JG</u>	<u>Annual Salary</u>	<u>Civil Service</u>
2	Deputy Sheriff Criminal	8	\$32,654	yes

(Appropriate B-100's will be forwarded to the Legislature under separate cover)

and be it further

RESOLVED, that the following budget amendments are hereby authorized in the 1999 Adopted Budget:

Department of Social Services, Department 200, Fund 120

<u>ACCOUNT</u>	<u>DESCRIPTION</u>	<u>INCREASE/ (DECREASE)</u>
826-998	Other Expenses	(\$30,792)
880-1500	Interfund – Sheriff	<u>30,792</u>
	Total Expenditures	-0-

Division of the Sheriff, Department 150, Fund 110

<u>ACCOUNT</u>	<u>DESCRIPTION</u>	<u>INCREASE/ (DECREASE)</u>
800	Personal Services	24,726
805	Fringe Benefits	<u>6,066</u>
	Total Expenditures	\$30,792

685-2000	Interfund- Social Services	<u>\$30,792</u>
	Total Revenues	\$30,792
		<u>-0-</u>

and be it further

RESOLVED, that certified copies of this resolution will be forwarded to the Commissioner of the Department of Social Services, the Erie County Comptroller, the Commissioner of Public Works, the Erie County Sheriff, the Department of Law and the Director of Budget, Management and Finance.

(5-0)

7. Item Page - 1999 (Comm. 12E-33)

**COUNTY EXECUTIVE**

WHEREAS, the Department of Social Services is required to maintain records related to the provision of social services to clients and therefore microfilms in excess of six (6) million document images per year, and

WHEREAS, the previously used system of records retention on updatable microfiche has become obsolete, as the film is no longer produced, and the Department must implement a new case records management system utilizing the latest document imaging and retrieval technology, and

WHEREAS, the Department has recognized the need for a thorough technical analysis related to the planning, development, installation and evaluation of a new case record management system and requires the assistance of expert technical consultants, and

WHEREAS, the current phase of the project includes a continued need for the technical assistance of consultants currently under contract to complete implementation, evaluate performance and recommend systems expansion or upgrade options throughout the remaining programs and support divisions, and

WHEREAS, the Department is requesting authorization to extend the current contracts with previously selected vendors for technical consulting services related to needs and systems performance analysis and to address all post-implementation issues, oversee necessary system and hardware upgrades, manage the implementation of a disaster recovery plan to assist in transferring support to Department staff, and

WHEREAS, the consultants will also assist in the expansion of the system into areas not included in the original scope of the project, and

WHEREAS, the Department has previously contacted forty-two (42) potential technical consultants on the County's Prequalified List, selected candidates with the necessary technological expertise and executed contracts with the two (2) consultant firms herein identified for assistance in the implementation of this system, and

WHEREAS, use of the Prequalified List satisfied the requirements of Section 19.08 of the Erie County Administrative Code, and

WHEREAS, authority to extend these critical contracts for technical consulting services related to the implementation of this system requires legislative approval, and

WHEREAS, the Department planned for these contract extensions in preparation of the 1999 Budget, and there is no additional impact to the County budget related to these contract extensions as funds are provided in the current year Department budget in Account 826 - Other Expenses or Charges.

NOW, THEREFORE, BE IT

RESOLVED, that the Department is hereby authorized to extend the contracts with the following two (2) vendors to assist in the further implementation of the case records management system project at the hourly rates and for the contract maximums specified below:

Personnel Resource, Inc.	Hourly Rate = \$55
5500 Main Street, Suite 200	Maximum = \$120,000
Williamsville, NY 14221	

Ciber, Inc.	Hourly Rate = \$53
6245 Sheridan Drive, Building D	Maximum = \$80,000
Williamsville, NY 14221	

and be it further

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

(5-0)

8. Item Page - 1999 (Comm. 12E-34)

**COUNTY EXECUTIVE**

WHEREAS, the Department of Social Services has issued an annual Request for Proposals (RFP) and has selected providers for its Employee Education Program pursuant to Section 19.08 of the Erie County Administrative Code, and hat responses and the evaluation and selection material available, and

WHEREAS, these contracts will allow for employees of the Department of Social Services to upgrade their professional knowledge and skills thereby benefiting the operations of the Department, and

WHEREAS, the Department of Social Services must have Legislative approval to renew Employee Education Program contracts, and

WHEREAS, no additional County funds are required since the 1999 Adopted Budget of the Erie County Department of Social Services has an existing appropriation in Account 826, Other Expenses or Charges, sufficient to cover the Employee Educational Program.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive, on behalf of the Department of Social Services, is hereby authorized to renew the Employee Education Program contracts as specified below:

<u>Educational Institution</u>	<u>Period</u>	<u>Gross Contract</u>	<u>Institution's Contribution</u>	<u>Paid by ECDSS</u>
Buffalo State College (Masters/ Bachelor's Degrees, In service training, Organizational Development)	9/1/99-8/31/00	\$3,290,422	\$1,184,552	\$2,105,870
Empire State College (Bachelor's Degrees in Business/ Community and Human Services; Associate's Degrees in Business/ Community and Human Services)	9/1/99-8/31/00	\$317,741	\$117,564	\$200,177
Empire State College (In-Service Training)	9/1/99-8/31/00	\$703,899	\$228,767	\$475,132
SUNY-Millard Fillmore College (Bachelor's Degrees in Business/Human Services; Associate's Degrees in Business/ Computer Science)	8/21/99-8/20/00	\$165,078	\$57,779	\$107,299
SUNYAB - School of Social Work (Master's of Social Work)	9/1/99-8/31/00	\$164,664	\$55,986	\$108,678

SUNYAB Institute for Addictions Studies and Training (In-Service Training)	10/1/99- 9/30/00	\$89,314	\$31,260	\$58,054
Erie Community College (In-Service Training)	10/1/99- 9/30/00	\$315,655	\$115,214	\$200,441

and be it further

RESOLVED, that the source of funds for the above contract renewals is available in an existing appropriation in the 1999 Adopted Budget of the Department of Social Services in Account 826, Other Expenses or Charges, and be it further

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

(5-0)

**GEORGE A. HOLT, JR.**  
**CHAIRMAN**

MR. HOLT moved the adoption. MR. OLMA seconded.

CARRIED UNANIMOUSLY.

Item 9 – MRS. FISHER presented the following and moved for immediate consideration. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY

RESOLUTION NO. 237

June 24, 1999

HEALTH / MENTAL HEALTH  
COMMITTEE  
REPORT NO. 8

ALL MEMBERS PRESENT WITH THE EXCEPTION OF LEGISLATOR DEBENEDETTI.

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

- Item Page -1999 (Comm. 12D-1)  
b. **EC MORGUE: Monies & Other Property Found on Deceased Persons.**  
(4-0) Legislator DeBenedetti absent.

- Item Page -1999 (Comm. 12D-3)  
c. **ECMC: Agenda for Meeting Held 6/10/99.**  
(4-0) Legislator DeBenedetti absent.

- Item Page -1999 (Comm. 12M-4)  
d. **EC MENTAL HYGIENE COMMUNITY SERVICES BOARD: Notice of Meeting to  
be held 6/17/99 & Other Information.**  
(4-0) Legislator DeBenedetti absent.

2. Item Page - 1999 (Comm. 12E-4)  
**COUNTY EXECUTIVE**  
WHEREAS, the Women's Health Services Program of the Erie County Health  
Department provides prenatal care services at various locations throughout Erie County, and

WHEREAS, the Erie County Health Department wishes to contract with the Nurse  
Midwifery Associates of Western New York, LLP to provide prenatal clinical services, and

WHEREAS, funds are available in Account 821, Dues and Fees in the Health  
Department's 1999 adopted budget.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to  
enter into a contract with the Nurse Midwifery Associates of Western New York, LLP, to  
provide prenatal clinical services at the rate of \$120.00 per clinic session, and be it further

RESOLVED, that the contract with the Nurse Midwifery Associates of Western New  
York, LLP is for special services that must be provided immediately and continuously, and  
therefore the Request for Proposal procedures required by Local Law No. 6, Section 19.08 of the  
Administrative Code is hereby waived, and be it further

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

(4-0) Legislator DeBenedetti absent.

**AS AMENDED**

3. Item Page - 1999 (Comm. 12E-6)  
**COUNTY EXECUTIVE**

WHEREAS, the Erie County Health Department provides laboratory services to the  
Niagara County Health Department, and

WHEREAS, the Niagara County Health Department requires that on-site testing services be provided at its Public Health clinics, and

WHEREAS, New York State Health Department regulations require that staff providing on-site testing services be an employee of a Certified Public Health Laboratory.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to enter into a contract with the Niagara County Health Department to provide Public Health Laboratory services to be budgeted as follows:

**NIAGARA COUNTY LAB AGREEMENT GRANT**  
7/1/99 – 6/30/00

<b>SFG</b>	<b>SUB OBJ</b>	<b>REVENUE</b>	<b>NEW BUDGET</b>
517	XXX	Other Local Source Niagara City	\$ 12,260
		<b>TOTAL</b>	\$ 12,260
		<b>APPROPRIATIONS</b>	
800		Pers. Services	\$ 9,800
805		Fringe Benefits	\$ 1,460
824		Local Travel	\$ 950
880	5100	Interfund - DISS	\$ 50
		<b>TOTAL</b>	\$ 12,260

and be it further

RESOLVED, that one Part-Time Laboratory Technician position is hereby created in the Niagara County Lab Agreement Grant. The following personnel detail is hereby submitted:

TITLE: Laboratory Technician                      FUNDING: 100% Reimbursement  
Part-Time    CIVIL SERVICE: Yes  
STEP: 0  
JG: VII  
ANNUAL SALARY: \$9,800 (estimated 780 hrs @ \$12.59 per hour)  
ANNUAL BENEFITS: \$1,460

and be it further

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

(4-0) Legislator DeBenedetti absent.

4. Item Page - 1999 (Comm. 12E-16)

**COUNTY EXECUTIVE**

WHEREAS, the Erie County Department of Health operates district offices for the provision of Public Health Services in various locations throughout the county, and

WHEREAS, the County wishes to enter into a lease agreement with L. S.W. Limited Enterprises, (L. S.W. Enterprises, Inc., its General Partner), for rental of space at 17 Long Avenue, in the Town of Hamburg to be utilized as a service and referral district office comprised of approximately 4,256 square feet of space, and

WHEREAS, the lease shall be for a five-year period commencing the first day of September 1, 1999 at a rate of \$54,600 for the first year; \$55,692 the second year; \$56,806 for the third year; \$57,942 for the fourth year; and \$59,101 for the fifth year, and

WHEREAS, the Division of Information and Support Services will be providing for the transfer of computer and telephone equipment, and

WHEREAS, a one-time payment of \$15,000 is required for capital improvements.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into a lease agreement with L. S.W. Limited Enterprises, (L.S.W. Enterprises, Inc., its General Partner), to be utilized by the Department of Health's Hamburg Service and Referral Center located at 17 Long Avenue, Hamburg, New York, and be it further

RESOLVED, that the terms of the lease shall be for a five year period commencing September 1, 1999, at the rates as specified above, and be it further

RESOLVED, that a one-time expenditure of \$15,000 at the commencement of said agreement is hereby authorized, to be paid from Account 822, Rental Charges, and be it further

RESOLVED, that the following budgetary adjustment be made within the Department of Health Budget, Fund 110, Project 949, Department 270:

Increase Account 822 Rental Charges	\$16,838
Increase Account 826 Other Expenses	2,500
Increase Account 881 DISS	<u>8,000</u>
Total	\$27,338

and be it further

RESOLVED, that the source of funds is the appropriation of prior year deferred revenues available in General Fund, Health Department, Deferred Revenue, State and Federal, 1992/93 Bad Debt/Charity Care, and be it further

RESOLVED, that the following budgetary adjustments be made within the budget of the Division of Information and Support Services, Fund 110, Project 927, Department 510:

Increase Account 820 Utility Charges	\$8,000
Decrease Account 883 Interdepartmental	8,000

and be it further

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

(4-0) Legislator DeBenedetti absent.

5. Item Page - 1999 (Comm. 12E-35)

**COUNTY EXECUTIVE**

WHEREAS, the Erie County Department of Health has been awarded a continuation of its Healthy Heart Grant totaling \$50,000 for the purpose of promoting physical activity in our community, and

WHEREAS, the Erie County Department of Health has joined with the Wellness Institute of Greater Buffalo and Western New York, Inc. to implement this program.

NOW, THEREFORE, BE IT

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

HEALTHY HEART PROGRAM  
7/1/99 - 6/30/2000  
PROJECT #200

<u>SFG</u>	<u>SUB</u>	<u>REVENUE</u>	<u>CURRENT BUDGET</u>	<u>CHANGES</u>	<u>REVISED BUDGET</u>
553		STATE AID	\$ 55,000	-5,000	\$ 50,000
		TOTAL	\$ 55,000	-5,000	\$50,000
<u>EXPENSES</u>					
830		CONTRACTUAL	\$ 55,000	-5,000	\$ 50,000
		TOTAL	\$ 55,000	-5,000	\$ 50,000

and be it further

RESOLVED, that the County Executive is hereby authorized to enter into a subcontract with the Wellness Institute of Greater Buffalo and Western New York, Inc., for a sum not to exceed \$50,000 to fulfill the workplan of the project, and be it further

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

(4-0) Legislator DeBenedetti absent.

**JUDITH FISHER  
CHAIRPERSON**

MRS. FISHER moved the adoption. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

**LEGISLATORS RESOLUTIONS**

Item 10 – MRS. FISHER presented the following resolution and moved for immediate consideration. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 238

Re: Funding for a Community Organization (Int.  
13-1)

WHEREAS, the Legislature set aside funds in the 1999 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 \$4,000 from the legislative contingency (Countywide Contingency DAC: 110923310893) to

Fund 110, Project 921, Department 301 Agency Payments & Grants - Public Benefit Services, (DAC: 110921301830), for paying the following agencies:

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
Parkside Community Association	830/0643	\$4,000
<b>TOTAL</b>		<b>\$4,000</b>

and be it further

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

RESOLVED, that certified copies of this resolution be sent to County Executive Dennis Gorski, County Comptroller Nancy A. Naples, Budget Director Kenneth C. Kruly, Jim Cotter – Administrative Assistant Department of Budget, Management and Finance, Jennifer Anger – Administrative Assistant Erie County Legislature, and three (3) copies to First Assistant County Attorney Alan Gerstman and one (1) copy to Kathleen Peterson, Executive Director, Parkside Community Association, (2138 Main Street, Buffalo, New York 14214.)

**Fiscal Impact:** Appropriation of 1999-budgeted funds.

MRS. FISHER moved the adoption of the resolution. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

Item 11 – MS. PEOPLES presented the following and requested that it be referred to the FINANCE & MANAGEMENT COMMITTEE.

GRANTED.

Intro 13–2 From LEGISLATOR PEOPLES Re: Opposition to the Erie County Industrial Development Agency’s Proposal to Designate a Hospitality District in Downtown Buffalo.

MS. PEOPLES moved to amend the resolution. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

**DELETE, in its entirety, the RE clause, and REPLACE with the following:**

RE: CONCERN OVER THE ERIE COUNTY INDUSTRIAL DEVELOPMENT  
AGENCY'S PROPOSAL TO DESIGNATE A HOSPITALITY DISTRICT IN  
DOWNTOWN BUFFALO

**DELETE, in their entirety, the first and second RESOLVE clauses, and REPLACE with the following:**

RESOLVED, That the Erie County Legislature does hereby express its concern over the proposal by the Erie County Industrial Development Agency to designate a "hospitality district" in downtown Buffalo, and be it further

RESOLVED, That this Honorable Body does hereby request that officials of the ECIDA attend a future meeting of the Legislature's Finance and Management Committee to discuss this matter further, and be it further

**DELETE the following from the third RESOLVE clause:**

... and Paul Synder, owner of the Hyatt Regency Buffalo

MR. LARSON moved to amend the resolution. MR. MARSHALL seconded.

CARRIED UNANIMOUSLY.

**REPLACE the second RESOLVE clause with the following:**

RESOLVED, That this Honorable Body does hereby request that officials of the ECIDA and the Convention and Visitors Bureau attend a future meeting of the Legislature's Finance and Management Committee to discuss this matter further, and be it further

Item 12 - MS. PEOPLES presented the following resolution and moved for immediate consideration. MR. DUSZA seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 239

Re: Immediate Request that the State Legislature and Governor Pataki Extend the current Statutes of Medicaid Cost Containment Laws & Adopt a Budget. (Int. 13-3)

WHEREAS, on June 30, 1999, the current statutes of the Medicaid cost containment laws will expire; and

WHEREAS, allowing the measures to lapse would result in an immediate fiscal impact to counties and New York City of over \$287 million, with Erie County facing nearly a \$10.5 million increase in costs; and

WHEREAS, the New York State Association of Counties has called upon the State Legislature and Governor Pataki to include an extension of current Medicaid cost containment measures in an emergency spending bill; and

WHEREAS, failure to do this could potentially cause up to a 4.5% increase in property taxes in Erie County, negating efforts by the Erie County Legislature and County Executive Gorski to reduce property taxes for residents; and

WHEREAS, the inability of the State Legislature and Governor Pataki to adopt a budget for this year has dramatically affected counties and townships across New York State, putting at risk services and programs available to their residents; and

WHEREAS, residents of counties in New York State can no longer be expected to put on hold or pick up the tab for programs which are operating without a budget because lawmakers in Albany refuse to work out an agreeable budget for the current fiscal year;

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby join with the New York State Association of Counties in requesting that Governor Pataki and the New York State Assembly and Senate extend the current statutes of the Medicaid Cost Containment Laws in an emergency spending plan; and be it further

RESOLVED, that this Honorable Body does call upon the State Legislature and Governor Pataki to put political differences aside to adopt a budget in New York State immediately so that counties such as Erie County can continue offering services and programs vital to their communities; and be it further

RESOLVED, that certified copies of this resolution be forwarded to Governor George E. Pataki, the Western New York Delegation to the Assembly and Senate of New York, and Erie County Executive Dennis T. Gorski.

**Fiscal Impact:** Impact of Failure to Extend Cost Containment estimated increase in Medicaid costs of \$10.5 million to Erie County.

MS. PEOPLES moved to amend the resolution. MR. OLMA seconded.

CARRIED UNANIMOUSLY.

WHEREAS, on June 30, 1999, New York statutes concerning Medicaid cost containment expired, and

WHEREAS, allowing the measures to lapse results in an immediate fiscal impact to counties and New York City of over \$287 million, with Erie County facing nearly a \$10.5 million increase in costs; and

WHEREAS, the New York State Assembly and New York State Senate will not return to Albany for legislative business until nearly the middle of July, and

WHEREAS, as such, the first quarter of the state's fiscal year savings that counties would realize will be lost, and

WHEREAS, the New York State Association of Counties has called upon the State Legislature and Governor Pataki to include an extension of current Medicaid cost containment measures in an emergency spending bill; and

WHEREAS, failure to do this could potentially cause up to a 4.5% increase in property taxes in Erie County, negating efforts by the Erie County Legislature and County Executive Gorski to reduce property taxes for residents; and

WHEREAS, the inability of the State Legislature and Governor Pataki to adopt a budget for this year has dramatically affected counties and townships across New York State, putting at risk services and programs available to their residents; and

WHEREAS, residents of counties in New York State can no longer be expected to put on hold or pick up the tab for programs which are operating without a budget because lawmakers in Albany refuse to work out an agreeable budget for the current fiscal year; and

WHEREAS, earlier this year, when considering and adopting enabling legislation concerning federal foster care programs, the state legislature adopted language holding county governments harmless for the two-month delay between the federal deadline for enactment and New York State's actual enactment, and

WHEREAS, any legislation adopted to re-institute cost containment guidelines concerning the Medicaid program should include language holding counties harmless for the state's delay in re-institution of cost containment guidelines for Medicaid,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby join with the New York State Association of Counties (NYSAC) in reiterating its forceful support for expeditious extension of recently-expired Medicaid cost containment guidelines, and be it further

RESOLVED, that this Honorable Body further joins with NYSAC in requesting that any legislation adopted to re-institute cost containment guidelines concerning the Medicaid program include language holding counties harmless for the state's delay, and be it further

RESOLVED, that this Honorable Body does call upon the State Legislature and Governor Pataki to put political differences aside to adopt a budget in New York State immediately so that counties such as Erie County can continue offering services and programs vital to their communities; and be it further

RESOLVED, that certified copies of this resolution be forwarded to Governor George E. Pataki, State Assembly Speaker Sheldon Silver, Senate Majority Leader Joseph Bruno, the Western New York Delegation to the Assembly and Senate of New York, Erie County Executive Dennis T. Gorski, and Robert Gregory, Executive Director, New York State Association of Counties.

**Fiscal Impact:** Impact of Failure to Extend Cost Containment estimated increase in Medicaid costs of \$10.5 million to Erie County.

MS. PEOPLES moved the adoption of the resolution as amended. MRS. FISHER seconded.

CARRIED UNANIMOUSLY.

Item 13- MS. PEOPLES presented the following resolution and moved for immediate consideration. MR. MARSHALL seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 240                      Re: Calling a Public Hearing to Consider  
Appropriation From the Erie County Road Repair  
Reserve Fund. (Int. 13-4)

WHEREAS, the Erie County Road Repair Reserve Fund has been established pursuant to Tax Law Section 1432 and General Municipal Law Section 6-d, and

WHEREAS, the Road Repair Reserve Fund has \$1,309,621 available for repairs of roads and bridges in the County during 1999, and

WHEREAS, appropriations from the Road Repair Reserve Fund may be made only following public hearing,

NOW, THEREFORE, BE IT

RESOLVED, that a public hearing be held by this Legislature on Thursday, July 15, 1999 at 2:00 p.m. in the Legislative Chambers at 25 Delaware Avenue in the City of Buffalo, and be it further

RESOLVED, that the subject of such public hearing shall be the appropriation of \$1,309,621 from the Erie County Road Repair Reserve Fund for the following road and bridge repair projects during 1999:

1999 TRANSFER TAX PROJECTS

<u>BID OVERLAY</u>		<u>COST</u>	<u>TOTAL</u>
Seneca	\$	305,000	
Smith		250,000	
<b>TOTAL BID OVERLAY</b>			<b>\$ 555,000</b>

<u>OIL &amp; CHIP</u>	<u>COST</u>
Lapp	\$ 30,000
Keller	15,000
Sand Hill	20,000
Pound	8,000
Schwartz	8,000
Peter's Corners	10,000
North	20,000
Blossom	9,000
Williston	22,000
Hardt	10,000
Hardpan	15,000
North Creek	36,000
Lakeview	5,000
Backcreek	14,000
Zenner	15,000
N. Boston	15,000
S. Abbott	30,000
Pfarner	15,000
Versailles Plank	15,000
Old Eden-Evans Ctr.	3,000
Hunter's Creek	71,000
Whitney	20,000
Dutchtown	2,600
N. Protection	4,000
Currier-Sardinia	15,000
Miller	30,000
Lapham	17,000
Cattaraugus	7,000
Wagner	6,000
Townsend	7,000
Adams	5,000
Becker	6,000
Shirley	8,000
Woodside/Concord	20,000
Foster	5,000
Snyder	10,000

Angling	5,000
Dupont	8,000
Wilson	8,000
Lone	6,000
Lawton/Seneca	8,000
Brown Hill	25,000
Trevett	17,000
Warner Gulf	15,000
Skyview	3,000
Fowlerville	5,000
Abbott Hill/South Hill	17,000
Marshfield	6,000
Lenox	15,000

**TOTAL OIL & CHIP** **\$ 686,600**

**CRACKFILL**

Maple
Beach
Pleasantview
Bullis
Borden
Wehrle
Old Lake Shore
Bennett
Wohlheiter
Darling
Centerline
Boston-Springville
Bagdad

**TOTAL CRACKFILL** **\$ 68,021**

**TOTAL APPROPRIATION** **\$ 1,309,621**

and be it further

RESOLVED, that the Clerk of the Legislature is directed to publish a Notice of Public Hearing once in each of the official newspapers of the county, at least six days prior to the date of the public hearing, and be it further

RESOLVED, that a certified copy of this resolution be forwarded to Budget Director Kenneth C. Kruly, Public Works Commissioner John C. Loffredo, Deputy Commissioner of Highways David P. Comerford and 1<sup>st</sup> Assistant County Attorney Alan P. Gerstman.

FISCAL IMPACT: None for resolution.

MS. PEOPLES moved the adoption of the resolution. MR. MARSHALL seconded.

CARRIED UNANIMOUSLY.

Item 14 – MR. FITZPATRICK presented the following resolution and moved for immediate consideration. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 241                      Re: Funding for a Community Organization. (Int. 13-5)

WHEREAS, the Legislature set aside funds in the 1999 Erie County Budget for use by worthy community organizations and governmental agencies, and

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

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

NOW, THEREFORE, BE IT

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

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
South Buffalo Businessman's	830/0979	\$2,500

**Association**

**TOTAL**

**\$2,500**

and be it further

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

RESOLVED, that certified copies of this resolution be sent to County Executive Dennis Gorski, County Comptroller Nancy A. Naples, Budget Director Kenneth C. Kruly, Jim Cotter – Administrative Assistant Department of Budget, Management and Finance, Jennifer Anger – Administrative Assistant Erie County Legislature, and three (3) copies to First Assistant County Attorney Alan Gerstman and one (1) copy to JoAnne Hortman, Director, South Buffalo Businessman's Association, (817 Abbott Road, Buffalo, New York 14220.)

**Fiscal Impact:** Appropriation of 1999-budgeted funds.

MR. FITZPATRICK moved the adoption of the resolution. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

Item 15 – MS. PEOPLES presented the following resolution and moved for immediate consideration. MRS. FISHER seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 242

Re: Returning Unspent Funds to the Zoological Society of Buffalo. (Int. 13-6)

WHEREAS, the contract between the County of Erie and the Zoological Society of Buffalo requires that unused funds from each fiscal year be returned to the county, and

WHEREAS, the pro-rated amount of unused funds allocated to the Zoo in the 1998 budget is \$654.61, and

WHEREAS, a request has been made by the Zoo to retain these additional funds, and

WHEREAS, a resolution must be adopted by the Legislature to effectuate this action,



WHEREAS, this legislation is an important step in protecting the public safety of our residents,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature recognizes the need for the regulation and licensing of bail enforcement agents, and be it further

RESOLVED, that this Honorable Body calls upon members of the State Senate and Assembly to come to an agreement on legislation that would require such regulations for bounty hunters, and be it further

RESOLVED, that this Honorable Body further calls upon our state Representatives to adopt legislation requiring licensing and regulation of bounty hunters and Governor George E. Pataki to sign said legislation into law, and be it further

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

**Fiscal Impact:** None for resolution.

MR. KUWIK moved to amend the resolution to include et al sponsorship. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

MR. KUWIK moved the adoption of the resolution as amended. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

Item 17 - MS. PEOPLES presented the following resolution and moved for immediate consideration. MR. MARSHALL seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 244

Re: Amherst Agricultural District (Erie # 17) – 8-Year Review. (Int. 13-8)

WHEREAS, the Amherst District (#17) was initially created June 23, 1991, and

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

WHEREAS, pursuant to a resolution on March 18, 1999, the Erie County Legislature directed the Clerk of the Legislature to publish a public notice of the district's review, and

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

WHEREAS, on the 16th day of June, 1999, pursuant to public notice, a public hearing was held within the agricultural district in the North Amherst Fire Hall, and

WHEREAS, various matters were brought before the public hearing and discussed and considered, and

WHEREAS, the following modifications (additions and deletions) were made to the Amherst Agricultural District (EC #17) as follows:

**Property Additions**

<u>Owner</u>	<u>Parcel Address</u>	<u>SBL #</u>	<u>Acreage</u>
Hawkes, Robert B. & et al	1899 Campbell Blvd.	15.00-2-33	67.4
NYSUDC	1995 Tonawanda Crk Rd.	15.00-1-27-111	170.7
Williamsville Central School	1665 Campbell Blvd.	15.00-2-25	26.6
Cimato Bros. Inc.	650 Schoelles Road	16.00-1-15	71.2
Pfohl, E & K	600 Schoelles Road	16.00-1-19	50.0
DRL Properties Inc.	560 Schoelles Road	15.00-2-7.1	22.0
Cimato, Anthony	530 Schoelles Road	15.00-2-9	24.2
DRL Properties, Inc.	440 Schoelles Road	15.00-2-11.11	43.2
Lever, John & W	1565 Campbell Blvd.	15.00-2-21.1	37.6
Millane, Marilyn & et al	1545 Campbell Blvd.	15.00-2-20	47.3
Muggelberg, L & N	555 Schoelles Road	28.00-1-1.1	<u>33.1</u>
	<b>Total Additions</b>		<b>593.3</b>

**Property Deletions**

<u>Owner</u>	<u>Parcel Address</u>	<u>SBL #</u>	<u>Acreage</u>
Formerly H & J Lindemann (now Crosspoint Industrial Park)	North French Road	28.00-1-1.21	156.8
			<u>156.8</u>
<b>Total Deletions</b>			<b>156.8</b>

and

WHEREAS, the Amherst Agricultural District (EC #17) as originally created consisted of 954 acres. Modifications result in a gain of 436.5 acres (593.3 acres addition; 156.8 acres deletion) providing a total of 1390.5 acres (954 acres original + 436.5 acres net gain) for the Amherst Agricultural District (EC #17) as modified, and

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

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature concurs in the recommendations and findings made by the Agricultural and Farmland Protection Board and the Department of Environment and Planning and does hereby approve and reaffirm the existing Amherst Agricultural District (EC #17) together with the modifications (additions and deletions to the district) and the Negative Declaration, and be it further

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

FISCAL IMPACT: None for resolution.

MS. PEOPLES moved the adoption of the resolution. MR. MARSHALL seconded.

CARRIED UNANIMOUSLY.

**COMMUNICATIONS DISCHARGED FROM COMMITTEE**

Item 18 – MR. KUWIK moved to discharge the PUBLIC SAFETY COMMITTEE from further consideration of Comm. 12E-8. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 245

RE: District Attorney's Office – Authorization to Amend BE-SAFE Grant.

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

WHEREAS, the contract received from the Department of Justice in regard to the BE-SAFE Grant does not align with the budget book in regard to the amount of the grant, timeframe nor number of full time positions,

NOW, THEREFORE, BE IT

RESOLVED, that the budget for the District Attorney's BE-SAFE Grant be revised as follows:

BE-SAFE Grant - Project #799  
January 1, 1999 - June 30, 2000

<u>Revenue</u>	<u>ORIGINAL</u>	<u>CHANGE</u>	<u>FINAL</u>
Acct. Federal	<u>\$121,927</u>	<u>\$273,592</u>	<u>\$395,519</u>
Total Revenue	<u>\$121,927</u>	<u>\$273,592</u>	<u>\$395,519</u>
<u>Appropriation</u>			
Acct.800 Personal	\$ 70,918	\$144,084	\$215,002
Acct.805 Fringe Benefits	19,439	39,493	58,932
Acct.810 Office Supplies	1,200	200	1,400
Acct.821 Dues-Witness fees	6,320	(5,125)	1,195
Acct.822 Rental	900	(756)	144
Acct.824 Travel & Mileage	3,000	600	3,600
Acct.825 Out of Area Travel	8,000	16,000	24,000
Acct.826 Other Expenses	5,150	3,233	8,383
Acct.830 Contractual	0	49,710	49,710
Acct.880 Interfund-DISS	3,000	15,253	18,253
Acct.932 Office Equipment	2,000	2,900	4,900
Acct.933 Lab & Tech Equip	<u>2,000</u>	<u>8,000</u>	<u>10,000</u>
Total Appropriation	<u>\$121,927</u>	<u>\$273,592</u>	<u>\$395,519</u>

and be it further

RESOLVED, that one Assistant District Attorney III, Grade XIV, be added to that BE-SAFE Grant. An appropriate B-100 is attached, and be it further

RESOLVED, that authorization is hereby provided for the County Executive to enter into a subcontract with Haven House, Inc., in the amount of \$49,710, for the provision of advocacy services under terms of the grant funding, and be it further

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

MR. KUWIK moved the adoption of the resolution. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

Item 19 – MRS. FISHER moved to discharge the HEALTH COMMITTEE from further consideration of Comm. 11E-23. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY

RESOLUTION NO. 246

RE: Request for Legislative Action to Increase the Appropriation to the Restoration Society, Inc. by \$75,000 in 100% NYS Community Support Services.

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

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

WHEREAS, the Erie County Legislature has already authorized the County and the Department of Mental Health to contract with the Restoration Society, Inc., in the amount not to exceed \$1,185,844, and

NOW, THEREFORE, BE IT

RESOLVED, that the 1999 appropriation for the Restoration Society, Inc. be increased by a total of \$75,000, the source of these funds being 100% NYS Community Support Services dollars, and be it further

RESOLVED, that the County Executive be authorized to amend and increase the 1999 contract with the Restoration Society, Inc. for the period January 1, 1999 through December 31, 1999 in an amount not to exceed \$1,260,844, and be it further

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

MS. PEOPLES moved to amend the resolution. MRS. FISHER seconded.

CARRIED UNANIMOUSLY.

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

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

WHEREAS, the Erie County Legislature has already authorized the County and the Department of Mental Health to contract with the Restoration Society, Inc., in the amount not to exceed \$1,185,844, and

NOW, THEREFORE, BE IT

RESOLVED, that the 1999 appropriation for the Restoration Society, Inc. be increased by a total of \$60,000, the source of these funds being 100% NYS Community Support Services dollars, and be it further

RESOLVED, that the County Executive be authorized to amend and increase the 1999 contract with the Restoration Society, Inc. for the period January 1, 1999 through December 31, 1999 in an amount not to exceed \$1,245,844, and be it further

RESOLVED, that the lease of property located at 130 Genesee St. will expire November 1, 2003, after which Restoration Society, Inc. will vacate said premises, and be it further

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

MS. PEOPLES moved the adoption of the resolution as amended. MRS. FISHER seconded.

MR. PAULY, MR. RANZENHOFER, MR. GREENAN and MR. WEINSTEIN voted in the negative.

CARRIED UNANIMOUSLY.

**SUSPENSION OF THE RULES**

Item 20 – MS. PEOPLES moved for a suspension of the rules to include an item not on the agenda.

GRANTED.

Comm. 13E-35 From: COUNTY EXECUTIVE GORSKI Re: Contracts with the Village of Lancaster for the extension of the Village of Lancaster Industrial Park to serve Buffalo Imprints, Inc.

CHAIRMAN SWANICK directed that Comm. 13E-35 be referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 21 – MR. PAULY moved for a suspension of the rules to include an item not on the agenda.

GRANTED.

Resolution No. 247

Re: Support Adoption of Tax Incentives For Use Of Environmentally-Friendly Alternative Fuels In the United States Transportation Sector. (Intro. 13-9)

WHEREAS, the provisions of a United States Senate Bill known as the Alternative Fuels Promotion Act (S. 1003) are designed to encourage the purchase and use of alternatively fueled vehicles that are powered by environmentally-friendly "fuels" like compressed natural gas, propane, electricity, methanol and hydrogen, and

WHEREAS, immediate air quality, and national energy security benefits can be realized, if we are able to transform a portion of the vehicles on our Nation's highways to clean, domestically-produced alternative fuels, and

WHEREAS, nearly 100 major metropolitan areas in the United States fail to meet air quality standards established to protect human health and safety, and

WHEREAS, the United States imports more than one-half of the total petroleum consumed in this country and that the percentage is projected to increase along with foreign dependency that is dangerous to national security, and

WHEREAS, after years of research and development alternative fuel vehicles are now commercially available, and each major automobile manufacturer offers these type of vehicles but low production volume and high initial costs are preventing widespread adoption and use, and,

WHEREAS, the proposed bill provides a series of tax-related incentives, supported by environmentalists, alternative fuel advocates and automobile manufacturers, and

WHEREAS, a virtually identical bill has been introduced in the United States House of Representatives (H.R. 2252) that creates a fifty cents per gasoline equivalent gallon tax credit for alternative fuels, which creates near parity tax treatment among all the alternative fuels; extends the current vehicle tax credit and also promotes the early adoption of advanced batteries and other new technology by increasing the tax credit if these advanced technologies are used; and expands the existing tax deduction for alternative fueling infrastructure to include the cost of installing such infrastructure and not just the hardware itself,

BE IT THEREFORE RESOLVED, that the Erie County Legislature urges the United States Senate and the House of Representatives to approve S.1003 and H.R. 2252, which will significantly increase purchasing and use of alternative fuel vehicles, encourage the expansion of alternative fueling infrastructure, and most importantly reduce air pollution and dependence on foreign oil, and be it further,

RESOLVED, that certified copies of this resolution be sent to United States Senators Daniel Patrick Moynihan and Charles E. Schumer, and United states Representatives Thomas M. Reynolds, John LaFalce and Jack Quinn.

MR. PAULY moved to amend the resolution to include et al sponsorship. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

MR. PAULY moved the adoption of the resolution as amended. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

Item 22 – MS. PEOPLES moved for a suspension of the rules to include an item not on the agenda.

GRANTED.

Resolution No. 248                      Re: Ensuring Blue Cross & Blue Shield of Western New York Members Have Choice In Their Prescription Drug Plans. (Intro. 13-10)

WHEREAS, Blue Cross & Blue Shield of Western New York recently announced that beginning in August members will face restrictions on where then can fill prescriptions, and

WHEREAS, this change will adversely constrain the prescription drug store choices available to Blue Cross & Blue Shield of Western New York members, and

WHEREAS, many members have expressed their concerns over this change in policy by Blue Cross & Blue Shield of Western New York, and

WHEREAS, the constraint of choice where members may have their prescriptions filled, and members may have to switch drugstores which will limit usage of local prescription chain stores that are familiar with members, especially senior citizens, and

WHEREAS, this policy change will shrink Blue Cross & Blue Shield of Western New York's participating pharmacies from 300 to 200, and mirrors similar policies undertaken by HMOs to limit member choice and limit services available to members, and

WHEREAS, the Erie County Legislature expresses its concerns over these recent developments, and

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby request that representatives from Blue Cross & Blue Shield of Western New York report to the Legislature's Health/Mental Health Committee on the potential affects of this policy change

AND BE IT FURTHER

RESOLVED, that certified copies of this resolution be forwarded to Erie County Executive Dennis Gorski, Senators Schumer and Moynihan and the entire Western New York Delegation to the United States House of Representatives.

Fiscal Impact: None

MS. PEOPLES moved the adoption of the resolution. MR. MARSHALL seconded.

CARRIED UNANIMOUSLY.

COMMUNICATIONS FROM ELECTED OFFICIALS

FROM THE COMPTROLLER

Item 23 – (Comm. 13E-1) Quarterly Investment Report – 1/1/99 – 3/31/99.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE COUNTY EXECUTIVE

Item 24 – (Comm. 13E-2) EC Southtowns Sewage Treatment Agency – Waste Paper Pulp & Polymer Feed Facilities & Modifications Contract “A” Change Order No. A3.

Item 25 – (Comm. 13E-3) EC Southtowns Sewage Treatment Agency – Waste Paper & Polymer Feed Facilities & Modifications – Electrical Contract “D” Change Order.

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

Item 26 – (Comm. 13E-4) Emergency Services – Flood Mitigation Grant Awards – Acceptance & Transfer of Funds.

Received and referred to the PUBLIC SAFETY COMMITTEE.

Item 27 – (Comm. 13E-5) \$20,000 Appropriation to Niagara Frontier Radio Reading Service, Inc.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 28 – (Comm. 13E-6) Creation of Position in CPS.

Received and referred to the PUBLIC SAFETY COMMITTEE.

Item 29 – (Comm. 13E-7) Variable Minimum – Assistant Director, Center for Cooperative Economic Growth.

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 30 – (Comm. 13E-8) Social Services – Authorization to Amend Lease at 290 Main Street.

Received and referred to the SOCIAL SERVICES COMMITTEE.

Item 31 – (Comm. 13E-9) Health –Tonawanda Services & Referral Center – Lease Agreement Renewal.

Received and referred to the HEALTH COMMITTEE.

Item 32 – (Comm. 13E-10) Sheriff – Allocation of Funds to S.W.A.T. Range Project.

Received and referred to the PUBLIC SAFETY COMMITTEE.

Item 33 – (Comm. 13E-11) Health – Medical Examiner’s Information System.

Received and referred to the HEALTH COMMITTEE.

Item 34 – (Comm. 13E-12) Regional Marketing – Contracts with Buffalo Niagara Enterprise Council & ECIDA.

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 35 – (Comm. 13E-13) \$25,000 Appropriation to University at Buffalo Foundation Incubator, Inc.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 36 – (Comm. 13E-14) Youth Services – Early Intervention Program Case Management Grant.

Received and referred to the SOCIAL SERVICES COMMITTEE.

Item 37 – MS. PEOPLES presented the following and moved for immediate consideration. MR. MARSHALL seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 249      Re: Appointments & Reappointments to EC Board of Ethics. (Comm. 13E-15)

RESOLVED, that the Erie County Legislature does hereby confirm the appointment of Sister Maria Pares of 230 Crescent Avenue Buffalo, New York 14214 and Tod Beckham of 491 Northland Avenue Buffalo, New York 14211 as Members of the Erie County Board of Ethics. Their terms will expire December 31, 2004.

MS. PEOPLES moved the adoption of the resolution. MR. MARSHALL seconded.

CARRIED UNANIMOUSLY.

Item 38 – (Comm. 13E-16) Request for Legislative Action to Increase Appropriation to Living Opportunities of DePaul by \$135,546 in Federal & NYS Funds.

Item 39 – (Comm. 13E-17) Health – Healthy Neighborhoods Program & Asthma Initiatives Pilot Project.

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

Item 40 – (Comm. 13E-18) Congestion Mitigation & Air Quality Improvement (CMAQ) Grant – NYSDOT.

Item 41 – (Comm. 13E-19) Erie County/Tribe Environmental Partnership Project.

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

Item 42 – (Comm. 13E-20) Emergency Services – HAZMAT Transportation Uniform Safety Act – Grant Phase IV.

Received and referred to the PUBLIC SAFETY COMMITTEE.

Item 43 – (Comm. 13E-21) Senior Services – Authorization to Amend Title III Grant Budgets.

Item 44 – (Comm. 13E-22) Senior Services – Authorization to Amend PSA Grant Budget.

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

Item 45 – (Comm. 13E-23) ECSD No. 2 – Southwest Interceptor & Pumping Station Facilities Evaluation – URS Greiner Engineering Service Agreement Change Order.

Item 46 – (Comm. 13E-24) ECSD No. 6 – Can-Fibre, City of Lackawanna.

Item 47 – (Comm. 13E-25) EC Southtowns Sewage Treatment Agency – Waste Paper Pulp & Polymer Feed Facilities & Modifications – Heating, Vent. Air-Cond. – Change Order.

Item 48 – (Comm. 13E-26) ECSD Nos. 1, 4 & 5 – Contract No. 16 – Administration Building Extension & Site Improvements – Bid Opening.

Item 49 – (Comm. 13E-27) ECSD No. 6 – Contract No. 25SA – Excess Flow Facility Roof Replacement & Filter Press Steel Frame Installation – Bid Opening.

Item 50 – (Comm. 13E-28) ECSD No. 2 – Contract No. 35A – Administration Building/Storage Garage & Appurtenances – Bid Opening.

Item 51 – (Comm. 13E-29) ECSD No. 4 – Contract No. 28PS – Aurora South Pumping Station II – Bid Opening.

Item 52 – (Comm. 13E-30) ECSD No. 6 – Contract No. 22SA – Overflow Retention Facility Expansion – Bid Opening.

Item 53 – (Comm. 13E-31) ECSD No. 2 – Contract No. 44EV – Delameter Road & Route 5 Sanitary Sewer Extension – Bid Opening.

Item 54 – (Comm. 13E-32) ECSD No. 5 – Contract No. 6L – Stahley Road Collector Sewer – Bid Opening.

Item 55 – (Comm. 13E-33) ECSD No. 5 – Contract No. 6PS – Stahley Road Pumping Station – Bid Opening.

Item 56 – (Comm. 13E-34) ECSD No. 3 – Contract No. 8HOL – Holland Sludge Drying Beds – Bid Opening.

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

**COMMUNICATIONS FROM THE DEPARTMENTS**

**FROM THE COUNTY ATTORNEY**

Item 57 – (Comm. 13D-1) Notices of Claim.

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

Item 58 – (Comm. 13D-2) Notice of County Executive's Public Hearing – Intro. Nos. 12-7, 12-8, 12-11, & 12-12.

Received, filed and printed.

June 21, 1999

Ms. Laurie Manzella  
Clerk Of The Legislature  
25 Delaware Avenue  
7<sup>th</sup> Floor  
Buffalo, New York 14202

**RE: Notice of Public Hearing  
Resolutions Reference Intro. 12-7, Intro. 12-8, Intro. 12-11 and Intro. 12-12**

Dear Ms. Manzella:

Enclosed herein is a copy of the Public Hearing Notice for the above captioned Resolutions Reference Intro. 12-7, Intro. 12-8, Intro. 12-11 and Intro. 12-12 which were adopted by the Erie County Legislature on June 17,1999.

Please post for the information of anyone who may be interested in attending this hearing.

Very truly yours,

KENNETH A. SCHOETZ  
Erie County Attorney

By: Alan P. Gerstman  
1st Assistant County Attorney

APG/sl Encl.

**NOTICE OF PUBLIC HEARING**

**NOTICE IS HEREBY GIVEN THAT** Erie County Executive Dennis T. Gorski, will hold a public hearing on Tuesday, July 6, 1999 at 10:00 a.m., concerning appropriations from the County contingency fund and unanticipated revenue in the general fund for the following purposes:

<b>FAIRFIELD BRANCH LIBRARY (Furniture, Fixtures &amp; Office Equipment)</b>	<b>\$ 2,000.00</b>
<b>CRANE BRANCH LIBRARY (Furniture, Fixtures &amp; Office Equipment)</b>	<b>\$ 2,000.00</b>
<b>NIAGARA BRANCH LIBRARY (LIBRARY MATERIALS)</b>	<b>\$ 2,000.00</b>
<b>TOWN OF AMHERST POLICE DEPARTMENT</b>	<b>\$ 2,500.00</b>
<b>BUFFALO AND ERIE COUNTY PUBLIC LIBRARY (LIBRARY MATERIALS)</b>	<b>\$ 5,500.00</b>
<b>BUFFALO AND ERIE COUNTY PUBLIC LIBRARY (LAB &amp; TECH EQUIPMENT)</b>	<b>\$ 2,500.00</b>
<b>YOUTH SERVICES (Operation Prime Time)</b>	<b>\$50,000.00</b>
<b>TOWN OF CHEEKTOWAGA CHAMBER OF COMMERCE</b>	<b>\$ 1,500.00</b>
<b>TOWN OF CHEEKTOWAGA LITTLE LOOP ATHLETIC ASSOCIATION FOOTBALL LEAGUE</b>	<b>\$ 1,000.00</b>

LOVEJOY DISTRICT NEIGHBORHOOD REVITALIZATION SERVICES	\$ 2,000.00
PINE HILL FIRE DISTRICT NO. 5	\$ 1,500.00
POLISH COMMUNITY CENTER	\$16,765.00
SLOAN ACTIVE HOSE CO. NO. 1	\$ 1,500.00
VILLAGE OF SLOAN - SENIORS & YOUTH	\$ 1,000.00

The hearing will be held in the Erie County Executive's Conference Room on the 16<sup>th</sup> floor of the Rath Building, 95 Franklin Street in the City of Buffalo.

On June 17, 1999 the Erie County Legislature adopted Resolutions Reference Intro. 12-7, Intro. 12-8, Intro. 12-11 and Intro. 12-12 authorizing these actions. Copies of the proposed resolutions are available for public inspection in the office of the Clerk of the Erie County Legislature, on the 7<sup>th</sup> Floor of 25 Delaware Avenue, in the City of Buffalo, New York.

DENNIS T. GORSKI  
ERIE COUNTY EXECUTIVE

FROM ECC

Item 59 – (Comm. 13D-3) Notice & Agenda for Meeting Held 6/30/99.

Received and filed.

FROM DPW

Item 60 – (Comm. 13D-4) Community Health Center, “K” Building Annex Addition, ECMC.

Item 61 – (Comm. 13D-5) Surplus Revenue – Road Repair Reserve Fund.

Item 62 – (Comm. 13D-6) Buffalo & Erie County Botanical Gardens – Dome Reconstruction – Prototype.

Item 63 – (Comm. 13D-7) Baseline Road Bridges 249 – 2 & 3, Town of Grand Island.

Item 64 – (Comm. 13D-8) Lake Shore Road Bridges Br 111-1 & 111-6, Town of Evans.

Item 65 – (Comm. 13D-9) ECC – AE Contract.

Item 66 – (Comm. 13D-10) East Church Street Bridge Town of Eden.

Item 67 – (Comm. 13D-11) Maple Road – Town of Amherst.

Item 68 – (Comm. 13D-12) 1999 Overlay “B” Program, Various Roads, Towns of Hamburg, Aurora, Elma, West Seneca, Amherst, Clarence & Lancaster.

Item 69 – (Comm. 13D-13) Mill Road Bridge, Village of East Aurora.

Item 70 – (Comm. 13D-14) Seneca Street Bridge, Town of West Seneca.

Item 71 – (Comm. 13D-15) Cemetery Road Bridges, Town of Lancaster.

Item 72 – (Comm. 13D-16) Glen Avenue Bridges, Village of Williamsville.

Item 73 – (Comm. 13D-17) Asbestos Abatement, E.J. Meyer Site Buildings, Contingency Fund Increase.

Item 74 – (Comm. 13D-18) Chestnut Ridge Waterline – Phase II Installation.

Item 75 – (Comm. 13D-19) Buffalo Convention Center – Hamburg Maintenance Garage & South Protection Maintenance Garage – Roofing Work.

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

**COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES**

FROM THE NYS EMERGENCY MANAGEMENT OFFICE

Item 76 – (Comm. 13M-1) NYS Model Year 2000 Contingency Plan – Y2K Impact.

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE TRAFFIC SAFETY ADVISORY BOARD

Item 77 – (Comm. 13M-2) 1998 Annual Report.

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM NYS SENATOR DALE VOLKER

Item 78 – (Comm. 13M-3) Acknowledgement of Receipt of Resolution.

Received and filed.

FROM THE TOWN OF CHEEKTOWAGA

Item 79 – (Comm. 13M-4) Certified Resolution Re: Como Park Boulevard.

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM THE TOWN OF AMHERST

Item 80 - (Comm. 13M-5) Certified Resolution Re: Additions to the Amherst Agricultural District.

Received and filed.

Item 81 - (Comm. 13M-6) Certified Resolution Re: Assessment Improvement Process.

Received and referred to the FINANCE & MANGEMENT COMMITTEE.

FROM NYSDEC

Item 82 - (Comm. 13M-7) Fact Sheet - Former N.L. Industries.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM MELINDA HOLLAND

Item 83 - (Comm. 13M-8) Summary of 6/2/99 Task Force Conference Call.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM BORINS, SETEL, SNITZER & BROWNSTEIN

Item 84 - (Comm. 13M-9) Request by a Religious Corporation for Permission to Acquire Property in City of Buffalo for Cemetery Purposes.

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE TOWN OF HAMBURG

Item 85 - (Comm. 13M-10) Certified Resolution Re: Local Planning & Land Use - Wireless Telecommunications.

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM ASSEMBLY SPEAKER SILVER

Item 86 - (Comm. 13M-11) Acknowledgement of Receipt of Resolution.

Received and filed.

FROM THE NFTA

Item 87 – (Comm. 13M-12) Minutes of Meeting Held 5/17/99.

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM THE GREATER BUFFALO COMMUNITY WELLNESS COUNCIL

Item 88 – (Comm. 13M-13) 7/99 & 8/99 Community Wellness Calendar.

Received and filed.

FROM THE ERIE COUNTY WATER AUTHORITY

Item 89 – (Comm. 13M-14) 1998 Annual Report.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

MEMORIAL RESOLUTIONS

Item 90 – Chairman Swanick requested that when this Legislature adjourns, it do so in memory of Amherst resident Genevieve Starosciak.

Item 91 – Legislator Fitzpatrick requested that when this Legislature adjourns, it do so in memory of Tom Cleary, former District Attorney.

Item 92 – Legislator Weinstein requested that when this Legislature adjourns, it do so in memory of Willard Genrich, Chancellor of the NYS Board of Regents.

Item 93 – Legislator Greenan requested that when this Legislature adjourns, it do so in memory of Richard Voit of the Vigilant Fire Company.

ADJOURNMENT

Item 94 – 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, July 15, 1999**. MR. MARSHALL seconded.

CARRIED UNANIMOUSLY.

The Chairman declared the Legislature **adjourned until Thursday, July 15, 1999 at 2 p.m. Eastern Standard Time.**

LAURIE MANZELLA  
CLERK