

MEETING NO. 1
January 4, 2001

ERIE COUNTY LEGISLATURE

ERIE COUNTY LEGISLATURE
MEETING NO. 1
January 6, 2000

The Legislature was called to order by the Clerk of the Legislature.

The Roll being duly called by Ms. Manzella, Clerk of the Legislature, the following Legislators answered to wit:

1st District
Edward J. Kuwik

2nd District
Michael A. Fitzpatrick

3rd District
George A. Holt, Jr.

4th District
Judith P. Fisher

5th District
Gregory B. Olma

6th District
Albert DeBenedetti

7th District
Crystal D. Peoples

8th District
Raymond K. Dusza

9th District
John W. Greenan

10th District
Charles M. Swanick

11th District
Lynn M. Marinelli

12th District
Jeanne Z. Chase

13th District
Frederick J. Marshall

14th District
William A. Pauly

15th District
Barry A. Weinstein

16th District
Michael H. Ranzenhofer

17th District
Dale W. Larson

The invocation was led by Reverend Al Warner.

The Pledge of Allegiance was led by Mr. Kuwik.

Item 1 – Ms. Manzella called for nominations for the Office of Chairman of the Legislature for the year 2000.

MS. PEOPLES placed in nomination for Chairman of the Legislature **CHARLES M. SWANICK**. MS. MARINELLI seconded.

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CARRIED UNANIMOUSLY.

MS. PEOPLES moved that nominations be closed. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

The Clerk of the Legislature directed that a roll call vote be taken.

AYES: CHASE, GREENAN, LARSON, MARSHALL, PAULY, RANZENHOFER, WEINSTEIN, DeBENEDETTI, DUSZA, FISHER, FITZPATRICK, HOLT, KUWIK, MARINELLI, OLMA, PEOPLES & SWANICK. AYES: 17 NOES : 0.

MR. SWANICK having received the required number of votes cast was declared duly elected CHAIRMAN OF THE ERIE COUNTY LEGISLATURE for the year 2000.

Item 2 – CHAIRMAN SWANICK called for nominations for the Clerk of the Legislature for 2000.

MS. PEOPLES placed in nomination for Clerk of the Legislature **LAURIE A. MANZELLA**. MS. MARINELLI seconded.

MR. MARSHALL placed in nomination for Clerk of the Legislature **LAURIE A. MANZELLA**. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

MS. PEOPLES moved that no nominations be closed. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

MR. SWANICK moved approval of the nomination. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

Item 3 – CHAIRMAN SWANICK called for nominations for the Majority Leader of the Legislature for 2000.

MS. MARINELLI placed in nomination for Majority Leader of the Legislature **CRYSTAL D. PEOPLES**. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

MS. MARINELLI moved that nominations be closed. MR. HOLT seconded.

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CARRIED UNANIMOUSLY.

CHAIRMAN SWANICK directed that communications for the appointment of Majority Leader for the year 2001 be RECEIVED, FILED & PRINTED.

January, 2001

We, the undersigned, representing a majority of the members of the Democratic Party in the Erie County Legislature do hereby designate **CRYSTAL D. PEOPLES** as Majority Leader of the Erie County Legislature for 2000.

Edward J. Kuwik – 1st District
 George A. Holt, Jr. – 3rd District
 Gregory B. Olma – 5th District
 Crystal D. Peoples – 7th District
 Charles M. Swanick – 10th District

Michael A. Fitzpatrick – 2nd District
 Judith P. Fisher – 4th District
 Albert DeBenedetti – 6th District
 Raymond K. Dusza – 8th District
 Lynn M. Marinelli – 11th District

Item 4 – CHAIRMAN SWANICK called for nominations for the Minority Leader of the Legislature for 2001.

MR. LARSON placed in nomination for Minority Leader of the Legislature **FREDERICK J. MARSHALL**. MR. RANZENHOFER seconded.

CARRIED UNANIMOUSLY.

MS. CHASE moved that nominations be closed. MR. RANZENHOFER seconded.

CARRIED UNANIMOUSLY.

CHAIRMAN SWANICK directed that communications for the appointment of Minority Leader of the Erie County Legislature for the year 2001 be RECEIVED, FILED & PRINTED.

January 4, 2001

We, the undersigned Republican members of the Erie County Legislature, do hereby designate **FREDERICK J. MARSHALL** as Minority Leader of the Erie County Legislature.

JOHN W. GREENAN
9th DISTRICT

FREDERICK J. MARSHALL
13th DISTRICT

DALE W. LARSON
17th DISTRICT

MICHAEL H. RANZENHOFER
16th DISTRICT

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JEANNE Z. CHASE
12th DISTRICT

Item 5 – CHAIRMAN SWANICK directed that the communications for the appointment of Majority and Minority Staff be RECEIVED, FILED & PRINTED.

January 2000

Pursuant to the statute made and provided, and under the direction of the Chairman of the Legislature, I, the undersigned, Clerk of the Erie County Legislature, do, hereby appoint the following democratic staff of the Legislature:

Charles Eaton	Chief of Staff – Legislature – Maj.
Gregory Gach	Sr Budget Consultant - Legislature
Kevin Quick	First Administrative Assistant - Leg
Mark Jasen	Special Projects Coord Leg - RPT
Theresa Kennedy	Administrative Liaison Asst Leg
Robert Graber	Administrative Assistant
Tod Kniazuk	Administrative Assistant
Patricia Jaworowicz	Administrative Assistant - RPT
Patrick Foster	Administrative Assistant
Karla Thomas	Administrative Assistant
Kimberly Smith	Junior Administrative Assistant Leg
Jennifer Anger	Administrative Clerk – Leg
Sandra Jackson	Administrative Clerk – Leg
Jeremey Rosen	Administrative Clerk – Leg
Brad Rybczynski	Senior Legislature Secretary
Jody Starr	Senior Legislature Secretary
Kimberly Conidi	Secretarial Assistant – Legislature
Daniel Ward	Parliamentarian – Leg (RPT)
Thomas Aurelio	Constituent Services Liason - RPT

Laurie A. Manzella, Clerk
 Erie County Legislature

January 4, 2000

The Hon. Charles M. Swanick
 Chairman, Erie County Legislature
 25 Delaware Ave.
 Buffalo, New York 14202

Dear Chairman Swanick:

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The following have been named to serve as members of staff to the Minority of the Erie County Legislature:

Peter H. Sigurdson, Chief of Staff
 Harry V. Wahl, Sr. Administrative Assistant
 Kelly A. Brown, Jr. Administrative Assistant
 Robin L. Sion, Secretary to the Minority
 Scott Zylka, Sr. Clerk Typist Legislature

If you have any questions, please do not hesitate to contact me.

Sincerely,

FREDERICK J. MARSHALL

Minority Leader
 Erie County Legislature

Cc: Laurie A. Manzella, Clerk, Erie County Legislature

Item 6 – CHAIRMAN SWANICK directed that the communication for the appointment of Minority Counsel for the year 2000 be RECEIVED, FILED AND PRINTED.

November 24, 1999

We, the undersigned Republican members of the Erie County Legislature, do hereby designate **RONALD P. BENNETT** as Counsel to the Minority of the Erie County Legislature.

John W. Greenan
9th District

Frederick J. Marshall
13th District

Dale W. Larson
17th District

Michael H. Ranzenhofer
16th District

Barry A. Weinstein
15th District

Jeanne Z. Chase
12th District

Legislator Pauly voted in the negative.

Item 7 – CHAIRMAN SWANICK directed that the communications designating the Majority and Minority Newspapers for the year 2000 be RECEIVED, FILED AND PRINTED.

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Dear Madame Clerk:

We, the undersigned Democratic members of the Erie County Legislature, pursuant to Section 214, Subdivision 2 of the County Law, as amended, do hereby designate the following newspaper, VIZ: **FRONT PAGE**, published in Lackawanna, New York, having a general circulation in the County of Erie, as the official newspaper for the publication of all local laws, notices and other matters required by law to be published for the County of Erie, effective January 1, 2000.

Edward J. Kuwik – 1st District
George A. Holt, Jr. – 3rd District
Gregory B. Olma – 5th District
Crystal D. Peoples – 7th District
Charles M. Swanick – 10th District

Michael A. Fitzpatrick – 2nd District
Judith P. Fisher – 4th District
Albert DeBenedetti – 6th District
Raymond K. Dusza – 8th District
Lynn M. Marinelli – 11th District

January 2000

Dear Madame Clerk:

We, the undersigned, a Majority of the members of the Erie County Legislature representing the Democratic Party which is one of the principle political parties into which the people of the county are divided, do hereby designate the **TONAWANDA NEWS**, published in Tonawanda, New York, and fairly representing the political party to which we belong, to publish the Concurrent Resolutions of the New York State Legislature required by law to be published for the year 2000.

Edward J. Kuwik – 1st District
George A. Holt, Jr. – 3rd District
Gregory B. Olma – 5th District
Crystal D. Peoples – 7th District
Charles M. Swanick – 10th District

Michael A. Fitzpatrick – 2nd District
Judith P. Fisher – 4th District
Albert DeBenedetti – 6th District
Raymond K. Dusza – 8th District
Lynn M. Marinelli – 11th District

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Item 8 – MS. PEOPLES moved the approval of the Rules of the Legislature for 2000. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

MS. PEOPLES moved the approval of minutes of Meetings 21, 22, 23 & 24 OF 1999. MR. HOLT seconded.

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CARRIED UNANIMOUSLY.

MISCELLANEOUS RESOLUTIONS

Item 9 – MS. PEOPLES presented a resolution Recognizing January 8, 2000 as Jubilee Day in Buffalo. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

LOCAL LAWS

Item 10 – CHAIRMAN SWANICK directed that Local Law No. 4 (Print #2) 1999 remain on the table.

COMMITTEE REPORTS

None.

LEGISLATORS RESOLUTIONS

Item 11 – MS. PEOPLES presented the following resolution and moved for immediate approval. MS. FISHER seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 1

Re: Supporting Fully State-Funded Health Care Reform Act (HCRA). (Intro. 1-1)

A RESOLUTION SUBMITTED BY LEGISLATORS PEOPLES, FISHER & SWANICK

WHEREAS, New York State is preparing to extend the Health Care Reform Act and establish a new Family Health Plus program, which will provide coverage for up to a million uninsured state resident, and

WHEREAS, The Family Health Plus program will replace the Child Health Plus program, which provides coverage for uninsured children and is fully funded by the state, and

WHEREAS, As discussed earlier in the year by state leaders, Family Health Plus, in its original incarnation, was also to be fully funded by New York State, as the state has the funds to pay for the program, and

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WHEREAS, The Erie County Legislature supported Family Health Plus in resolution Intro. 24-6, as amended, with the provision that the state fund the program, and

WHEREAS, Now, however, the New York State Assembly has passed, and the New York State Senate is set to consider a version of HCRA (known as HCRA 2000) in which 25 percent of the costs of the program will be passed down from the state to the counties, resulting in a new unfunded state mandate and also resulting in annual state general fund surpluses in excess of \$500 million, and

WHEREAS, According to estimates provided by the New York State Association of Counties (NYSAC), the costs of this program to Erie County will total more than \$12 million annually by 2003, and

WHEREAS, This will effectively eliminate the county's share of the tobacco settlement revenue – money earmarked for property tax decreases and debt reduction, and

WHEREAS, Plans on the County's part to possibly sell or securitize the tobacco settlement revenue stream for the purposes of reducing taxes and/or long term indebtedness are necessarily jeopardized by this proposal, and

WHEREAS, it is necessary for Erie County officials, including the County Executive and the County Comptroller, to speak in one collective voice to Governor Pataki and legislative leaders to make known Erie County's opposition to having local property taxpayers burdened by yet another unfunded state mandate,

NOW, THEREFORE, BE IT

RESOLVED, That the Erie County Legislature does hereby reaffirm its commitment to providing health care for all residents of Erie County, as evidenced by this Honorable Body's continued commitment to the Erie County Medical Center and its support for the earlier version of the Health Care Reform Act and Family Health Plus program that was to be funded fully by New York State, and be it further

RESOLVED, That this Honorable Body does reaffirm its opposition to unfunded state mandates as being detrimental to efforts to reduce taxes for our residents and grow the local economy, and be it further

RESOLVED, That this Honorable Body does hereby call upon the New York State Senate to delay authorization of the new HCRA 2000 agreement until its full impact upon local governments can be fully scrutinized, and be it further

RESOLVED, That this Honorable Body does hereby call upon the Erie County Executive and Erie County Comptroller to join in the fight against the unfounded mandate that HCRA 2000 represents, and be it further

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RESOLVED, That certified copies of this resolution be sent to the County Executive, the County Comptroller, New York State Governor George Pataki, New York State Senate Majority Leader Joseph Bruno, New York State Assembly Speaker Sheldon Silver, the Western New York delegation of the New York State Legislature, and to the New York State Association of Counties.

Fiscal Impact: Enactment of HCRA 2000 with 25 percent local share will have a \$12 million annual negative impact to county property taxpayers.

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

CARRIED UNANIMOUSLY.

DELETE, in its entirety, the fifth WHEREAS clause, and REPLACE with the following:

WHEREAS, Now, however, the New York State Legislature has passed a version of HCRA (known as HCRA 2000) in which 25 percent of the costs of the program will be passed down from the state to the counties, resulting in a new unfunded state mandate and also resulting in annual state general fund surpluses in excess of \$500 million, and

WHEREAS, This action comes from the same body that was considering legislation to curtail new unfunded mandates, but now have imposed an extremely costly new unfunded mandate on counties — the very antithesis of their earlier public position, and

DELETE, in its entirety, the third RESOLVE clause, and REPLACE with the following:

RESOLVED, That this Honorable Body does hereby call upon Governor Pataki and the New York State Legislature to repeal the new HCRA 2000 legislation and call for a full analysis of its impact on local governments, and be it further

MS. PEOPLES moved the approval of the resolution as amended. MS. FISHER seconded.

CARRIED UNANIMOUSLY.

Item 12 – CHAIRMAN SWANICK directed the following resolution to be referred to the HEALTH COMMITTEE.

GRANTED.

Intro. 1-2 From LEGISLATOR FISHER Re: Reinstating the State's \$8.2 Million Cut to County-Based & Agency-Based Shared Staff Positions.

Item 13 – MS. PEOPLES presented the following resolution and moved for immediate consideration. MS. MARINELLI seconded.

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CARRIED UNANIMOUSLY.

RESOLUTION NO. 2

Re: Authorizing Public Benefit Agencies to
 Retain Unused Funds (Intro. 1-3)

A RESOLUTION SUBMITTED BY LEGISLATOR SWANICK

WHEREAS, the contracts between the County of Erie and Public Benefit agencies funded in 1998 and 1999 requires that the agencies refund any money that remained unused at the end of the year, and

WHEREAS, several agencies did not receive funds until late in the year, making it impossible to expend them in so short a time period, and

WHEREAS, other agencies were not granted funding until the end of 1999 and have yet to receive these funds, and

WHEREAS, the need for theses funds still remains,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize the following agencies to retain any and all unused funds remaining from the 1998 contract with the County of Erie, which would otherwise be returned to the County:

- Doyle Vol. Hose Co. No.2
- Elma-Marilla-Wales Little Loop Football
- Evans Little Loop
- Friends of Hamburg
- Lake Shore Vol. Fire Co.
- Village of Lancaster

and be it further,

RESOLVED, that the Erie County Legislature does hereby authorize the following agencies to retain any and all unused funds remaining from the 1999 contract with the County of Erie, which would otherwise be returned to the County:

- Akron / Newstead Senior Citizens
- Akron / Newstead Chamber of Commerce
- Akron Chamber of Commerce
- Alleyway Theatre
- Amherst Chamber of Commerce

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- Amherst Domestic Violence Task Force
- Amherst Youth Board
- Cheektowaga Patriotic Commission
- City of Tonawanda – EAP
- Clarence Chamber of Commerce
- Clarence Senior Center
- Clarence Youth Center
- Clean Communities of WNY
- Doyle Fire Co. # 2
- Doyle Hose Co. #1
- First Presbyterian Church at Buffalo
- Hamburg Hawks Hockey
- Lackawanna Chamber of Commerce
- Lackawanna Community Development Corporation
- Lackawanna Food Pantry
- Lackawanna Little Loop Football
- Lakeshore Little League
- Matthewson-McCarthy Baseball
- Michigan Street Preservation Corporation
- Msgr. James A, Healy Foundation, Inc.
- Olivencia Center
- Pine Hill Fire District #5
- Polish Cadets of Buffalo
- Union Occupational Health Center
- Village of Sloan - Seniors & Youth
- West Side Business & Taxpayers Association

and be it further

RESOLVED, that certified copies of this resolution be forwarded to the County Executive, the County Comptroller, the Budget Director, the First Assistant County Attorney, and to Jennifer Anger, Erie County Legislature.

Fiscal Impact: Reauthorization of 1998 and 1999 budgeted funds

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

ADD to the following to the second RESOLVE clause:

...Polish Community Center...

MS. PEOPLES moved the approval of the resolution as amended. MS. FISHER seconded.

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CARRIED UNANIMOUSLY.

Item 14 – CHAIRMAN SWANICK directed the following resolution to be referred to the PERSONNEL AD HOC COMMITTEE.

GRANTED.

Intro. 1-4 from LEGISLATOR MARINELLI Re: Personnel Adjustment – District Office.

COMMUNICATIONS DISCHARGED FROM COMMITTEE

None.

SUSPENSION OF THE RULES

Item 15 – MS. PEOPLES moved for a suspension of the rules to include an item not on the agenda. MS. MARINELLI seconded.

GRANTED.

Comm. 1E-30 From THE COUNTY EXECUTIVE Re: Appointment of Victor M. Getz.

Received and filed.

Item 16 – MS. PEOPLES moved for a suspension of the rules to include an item not on the agenda. MR. KUWIK seconded.

GRANTED.

Comm. 1D-20 From THE CLERK OF THE LEGISLATURE Re: Agenda Items Received & Filed as of 12/31/99.

RECEIVED, FILED & PRINTED.

MEETING NO. 1
January 4, 2001

ERIE COUNTY LEGISLATURE

January 5, 2000

To: Erie County Legislators, Elected Officials,
Department Heads and Staff

From: Laurie A. Manzella, Clerk LAM

Subject: **AGENDA ITEMS RECEIVED & FILED AS OF 12/31/99**

In accordance with Rule No. 35 of the Erie County Legislature's Rules of Order, please be advised that the attached list represents all items (local laws, resolutions, departmental and miscellaneous communications) that have been removed from the Agenda of the Legislature (including all committee agendas) as of December 31, 1999.

All of the items on the list were "clocked-in" on or before December 31, 1998. Items clocked-in on or after January 1, 1999, remain on the Legislature's Agenda.

If you have any questions, please contact me at 858-8377.

ATTACHMENT - 1

SUBMITTER	DATE OF CLOCK-IN	LEG ID #	DESCRIPTION	COMMITTEE ASSIGNMENT	PAGE REF	COMM ACTION	FIN ACT	LEGISLATIVE ACTION	
								DATE	PAGE
DEBENEDETTI	12/26/97	INT 1-1	Opening Ceremonies at the New Airport Terminal	GOVERNMENT AFFAIRS		TAB	R&F	12/31/99	
HOLT	01/06/98	INT 1-8	Status of Learnfare as Authorized by the Welfare Reform Act of 1997	SOCIAL SERVICES		TAB	R&F	12/31/99	
CHASE, GREENAN, LARSON, WEINSTEIN, RANZENHOFER & MARSHALL	01/09/98	INT 2-1	AS AMENDED: RFP Process for Future Consolidation Funding Additional Sponsors: MARINELLI & DEBENEDETTI	FINANCE & MANAGEMENT		TAB	R&F	12/31/99	
DEBENEDETTI, OLMA, MARSHALL, GREENAN & CHASE	01/20/98	INT 2-12	Social Service Decisions	SOCIAL SERVICES		TAB	R&F	12/31/99	
COUNTY EXECUTIVE	02/03/98	3 E-30	Lease Agreement 2282 Elmwood Avenue	HEALTH		TAB	R&F	12/31/99	
CHASE, WEINSTEIN, LARSON, GREENAN, RANZENHOFER & MARSHALL	01/30/98	INT 3-5	Support for Senate Bill S.2430 and Assembly Bill A.2419	FINANCE & MANAGEMENT		TAB	R&F	12/31/99	
MARSHALL, CHASE, GREENAN, LARSON, RANZENHOFER & WEINSTEIN	02/09/98	INT 5-5	Opposition to City of Buffalo Non-Resident Government Employee Surcharge	GOVERNMENT AFFAIRS		TAB	R&F	12/31/99	
MARSHALL, GREENAN & LARSON	02/09/98	INT 5-6	ECIDA Cooperative Development Policy	ECONOMIC DEVELOPMENT		TAB	R&F	12/31/99	
RANZENHOFER, GREENAN, WEINSTEIN, KUMIK, FISHER, OLMA, MARINELLI, DUSZA, MARSHALL, MARINELLI & HOLT	02/09/98	INT 5-7	Appointments of the Legislature ADDITIONAL SPONSORS: MARSHALL, MARINELLI & HOLT	GOVERNMENT AFFAIRS		TAB	R&F	12/31/99	

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SUBMITTER	DATE OF CLOCK-IN	LEG ID #	DESCRIPTION	COMMITTEE ASSIGNMENT	PAGE REF	COMM ACTION	FIN ACT	LEGISLATIVE ACTION	
								DATE	PAGE
SWANICK ET AL AS AMENDED	02/17/98	INT 5-19	Support for Raising Maximum Age of Children Covered Under PINS to Eighteen	PUBLIC SAFETY		TAB	R&F	12/31/99	
MARSHALL, RANZENHOFER & LARSON	02/17/98	INT 5-21	Fiscal Crisis at ECWC	HEALTH		TAB	R&F	12/31/99	
PEOPLES, HOLT, FISHER & MARINELLI	02/19/98	INT 5-22	Addressing Equity and Safety Issues in the Violent and Repeat Juvenile Offender Act	PUBLIC SAFETY		TAB	R&F	12/31/99	
PEOPLES	02/19/98	INT 5-23	Tracing Firearms Recovered in Juvenile Crime	PUBLIC SAFETY		TAB	R&F	12/31/99	
COUNTY EXECUTIVE	03/03/98	6 E-23	ECDS No. 6 - NYS Clean Water/Clean Air Bond Act of 1996 Grant Agreement	ENERGY & ENVIRONMENT		TAB	R&F	12/31/99	
COUNTY EXECUTIVE	03/03/98	6 E-24	ECSD No. 4 NYS Clean Water/Clean Air Bond Act of 1996 Grant Agreement	ENERGY & ENVIRONMENT		TAB	R&F	12/31/99	
MARINELLI & DEBENEDETTI	03/02/98	INT 6-5	Authorizing County Takeover of City of Buffalo Title to Kenmore Avenue	ECONOMIC DEVELOPMENT		TAB	R&F	12/31/99	
RANZENHOFER	03/05/98	INT 6-20	Amendment to Intro 19-7	FINANCE & MANAGEMENT		TAB	R&F	12/31/99	

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SUBMITTER	DATE OF CLOCK-IN	LEG ID #	DESCRIPTION	COMMITTEE ASSIGNMENT	PAGE REF	COMM ACTION	LEGISLATIVE ACTION		
							FIN ACT	DATE	PAGE
WEST SENeca POLICE DEPARTMENT	03/04/98	7 M-3	Second Hand Dealer Legislation	PUBLIC SAFETY		TAB	R&F	12/31/99	
THE STATE OF MICHIGAN GAMING LAW	03/12/98	7 M-9	Overview of Gaming in Michigan	ECONOMIC DEVELOPMENT		TAB	R&F	12/31/99	
ONTARIO CASINO CORP	03/12/98	7 M-10	Operating Performance of Casino Windsor - May, 1995	ECONOMIC DEVELOPMENT		TAB	R&F	12/31/99	
MICHIGAN GAMING CONTROL BOARD	03/12/98	7 M-11	Overview of Casino Gaming in Michigan	ECONOMIC DEVELOPMENT		TAB	R&F	12/31/99	
CHASE, GREENAN, WEINSTEIN, LARSON, RANZENHOFER, MARSHALL, MARINELLI,	03/05/98	INT 7-1	RFP Process for Future Consolidation Funding ADDITIONAL SPONSORS: & DEBENEDETTI	FINANCE & MANAGEMENT		TAB	R&F	12/31/99	
LARSON, CHASE, GREENAN, RANZENHOFER & MARSHALL	03/13/98	INT 7-6	Additional Funding for Road & Bridge Repair	ECONOMIC DEVELOPMENT		TAB	R&F	12/31/99	
GREENAN, CHASE, LARSON, RANZENHOFER & MARSHALL	03/13/98	INT 7-7	Creating a Climate for Enduring Economic Prosperity in Western New York	FINANCE & MANAGEMENT		TAB	R&F	12/31/99	
RANZENHOFER, CHASE & WEINSTEIN	03/17/98	INT 7-19	Support for NYS Senate Bill 89	PUBLIC SAFETY		TAB	R&F	12/31/99	
RANZENHOFER, CHASE & WEINSTEIN	03/17/98	INT 7-20	Support for Lowering the Per Se Intoxication Level from .10 Percent to .08 Percent Blood Alcohol Content	PUBLIC SAFETY		TAB	R&F	12/31/99	

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SUBMITTER		DATE OF CLOCK-IN	LEG ID #	DESCRIPTION	COMMITTEE ASSIGNMENT	PAGE REF	COMM ACTION	FIN ACT	DATE	PAGE
ITEMS RECEIVED AND FILED AS OF 12/31/99										
LEGISLATIVE ACTION										
RANZENHOFER, CHASE, GREENAN, WEINSTEIN & LARSON		03/17/98	INT 7-21	Support for an Act to Amend the Penal Law, in Relation to Vehicular Manslaughter in the First Degree and Vehicular Assault in First Degree	PUBLIC SAFETY		TAB	R&F	12/31/99	
RANZENHOFER, CHASE, GREENAN & WEINSTEIN		03/17/98	INT 7-22	Authorizes the Discovery of Blood Samples and Records in Certain Alcohol-Related Accidents	PUBLIC SAFETY		TAB	R&F	12/31/99	
RANZENHOFER, CHASE, GREENAN & WEINSTEIN		03/17/98	INT 7-23	Support for Permanent Revocation of a Driver's License for Certain Alcohol or Drug Related Offenses	PUBLIC SAFETY		TAB	R&F	12/31/99	
RANZENHOFER, GREENAN, LARSON, CHASE, WEINSTEIN & MARSHALL		03/17/98	INT 7-24	Support for NYS Senate Bill S.5457	PUBLIC SAFETY		TAB	R&F	12/31/99	
RANZENHOFER, CHASE & WEINSTEIN		03/17/98	INT 7-25	Support for NYS Senate Bill S.4766	PUBLIC SAFETY		TAB	R&F	12/31/99	
COUNTY EXECUTIVE		03/31/98	8 E-22	ECSD No.4 - Bowmansville Warner Road Pump Station Contract "A" Contract Close-Out Kenaidan Construction Corporation	ENERGY & ENVIRONMENT		TAB	R&F	12/31/99	
COUNTY EXECUTIVE		03/31/98	8 E-24	ECSD No.1 - Overflow Retention Facility - Contract No.1A Contract Close-Out - Kenaidan Construction Corporation	ENERGY & ENVIRONMENT		TAB	R&F	12/31/99	

ITEMS RECEIVED AND FILED AS OF 12/31/99				PAGE 5			
SUBMITTER	DATE OF CLOCK-IN	LEG ID #	DESCRIPTION	COMMITTEE ASSIGNMENT	PAGE REF	COMM ACTION	LEGISLATIVE ACTION
							FIN ACT DATE PAGE
COUNTY EXECUTIVE	03/31/98	8 E-33	ECSD No. 3 - Pumping Station Elimination Contract Bl-5 John R. Schuler Contract Close-Out	ENERGY & ENVIRONMENT		TAB	R&F 12/31/99
PAULY	03/27/98	INT 8-1	A Resolution in Support of Amending the State Family Court Act	PUBLIC SAFETY		TAB	R&F 12/31/99
CHASE, GREENAN, LARSON & MARSHALL	03/31/98	INT 8-14	New York's Current Organ Transplant Donation System	HEALTH		TAB	R&F 12/31/99
GREENAN, LARSON, CHASE, RANZENHOFER, MARSHALL & DEBENEDETTI	03/31/98	INT 8-16	Budget Reform Act of 1998	FINANCE & MANAGEMENT		TAB	R&F 12/31/99
FISHER & DEBENEDETTI	04/02/98	INT 8-20	Expanded Mental Health Benefits Under Child Health Plus			APP	R&F 12/31/99
COUNTY EXECUTIVE	04/20/98	9 E-5	Copy of Letter to Assemblyman Keane Re: Buffalo & Pittsburgh Railroad	ECONOMIC DEVELOPMENT		TAB	R&F 12/31/99
US DEPARTMENT OF TRANSPORTATION	04/22/98	9 M-35	Peace Bridge Authority's Application for a Coast Guard Permit	REF		REF	R&F 12/31/99
LARSON, MARSHALL, CHASE, GREENAN, WEINSTEIN & RANZENHOFER	04/15/98	INT 9-3	Possible Overcharging of Electric Bills at County Buildings	ECONOMIC DEVELOPMENT		TAB	R&F 12/31/99

ITEMS RECEIVED AND FILED AS OF 12/31/99		LEGISLATIVE ACTION							
SUBMITTER	DATE OF CLOCK-IN	LEG ID #	DESCRIPTION	COMMITTEE ASSIGNMENT	PAGE REF	COMM ACTION	FIN ACT	DATE	PAGE
CHASE	04/28/98	INT 9-8	Support for Eden Corn Festival				R&F	12/31/99	
MARSHALL, LARSON & CHASE	04/28/98	INT 9-9	Possible Acquisition of the B&P Rail Line	ECONOMIC DEVELOPMENT		TAB	R&F	12/31/99	
MARSHALL	05/01/98	10 E-1	Copy of Letter to Erie County Clerk Re: Appointment to Erie County Records Management Committee	RFP			R&F	12/31/99	
ERIE COUNTY FIRE CHIEF'S MUTUAL AID ORGANIZATION INC	05/19/98	10 M-21	Resolution in Support of the 800 Mhz Trunked Radio System	PUBLIC SAFETY		TAB	R&F	12/31/99	
WEINSTEIN, GREENAN, MARSHALL, CHASE, LARSON & RANZENHOFER AS AMENDED:	04/29/98	INT 10-1	Niagara Frontier Planning Association	FINANCE & MANAGEMENT		TAB	R&F	12/31/99	
HOLT	05/18/98	INT 10-6	Opposing New York State's Early Release of Illegal Immigrant Drug Dealers	PUBLIC SAFETY		TAB	R&F	12/31/99	
SWANICK & PEOPLES	05/21/98	INT 10-18	Metro Rail Expansion	GOVERNMENT AFFAIRS		TAB	R&F	12/31/99	
OLMA	05/18/98		Congratulating Reverend Monsignor John R. Gabalski on his 50th Anniversary of Ordination				R&F	12/31/99	

SUBMITTER		DATE OF CLOCK-IN	LEG ID #	DESCRIPTION	COMMITTEE ASSIGNMENT	PAGE REF	COMM ACTION	FIN ACT	DATE	PAGE
COUNTY EXECUTIVE		05/22/98	11 E-1	Vision 2000 Action Plan	ENERGY & ENVIRONMENT		TAB	R&F	12/31/99	
PAULY, WEINSTEIN & RANZENHOFER		06/02/98	INT 12-4	In Support of Transferring Ownership and Control of NYS Canal Corporation Properties	GOVERNMENT AFFAIRS		TAB	R&F	12/31/99	
WEINSTEIN, MARSHALL, RANZENHOFER, GREENAN, LARSON & CHASE		06/02/98	INT 12-5	Plain Language Public Notification for County Highway Projects	ECONOMIC DEVELOPMENT		TAB	R&F	12/31/99	
CHASE, WEINSTEIN, LARSON, MARSHALL, GREENAN & RANZENHOFER		06/04/98	INT 12-9	Adding Non-Family Members to the Statewide Registry of Orders of Protection S.4462	PUBLIC SAFETY		TAB	R&F	12/31/99	
HEALTH		06/09/98	13 D-10	Erie County Infant Mortality Review Program Annual Report 7/1/96 - 6/30/97	HEALTH		TAB	R&F	12/31/99	
UNIVERSITY OF BUFFALO CENTER FOR URBAN RESEARCH IN PRIMARY CARE		06/18/98	13 M-14	Bailey Delevan Community Health Census Report 1998	HEALTH		TAB	R&F	12/31/99	
WEINSTEIN, RANZENHOFER & MARSHALL		06/30/98	14 E-10	Proposal for Fiscal & Governance Reform of ECMC	HEALTH		TAB	R&F	12/31/99	
CHASE, LARSON, RANZENHOFER, MARSHALL, WEINSTEIN & GREENAN		06/26/98	INT 14-2	Erie County Participating in a Rabies Airdrop Program	HEALTH		TAB	R&F	12/31/99	

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SUBMITTER	DATE OF CLOCK-IN	LEG ID #	DESCRIPTION	COMMITTEE ASSIGNMENT	PAGE REF	COMM ACTION	LEGISLATIVE ACTION		
							FIN ACT	DATE	PAGE
PEOPLES	06/30/98	INT 14-5	Urging Presidential Veto of House of Representative's Tax Code Bill	FINANCE & MANAGEMENT		TAB	R&F	12/31/99	
WEINSTEIN, LARSON, GREENAN, CHASE, RANZENHOFER & MARSHALL	06/30/98	INT 14-15	County Funding for Regional Business Information Database	FINANCE & MANAGEMENT		TAB	R&F	12/31/99	
ECC EMT DEPARTMENT	07/16/98	16 D-19	Letter to Legislator Fisher Re: EMS Training	PUBLIC SAFETY		TAB	R&F	12/31/99	
LARSON, CHASE, GREENAN, RANZENHOFER, MARSHALL & WEINSTEIN	07/13/98	INT 16-1	Formation of Erie-Buffalo Power Purchasing Cooperative ADDITIONAL SPONSORS: OLMA KUMIK, DUSZA, DEBENEDETTI MARINELLI & PAULY	ENERGY & ENVIRONMENT		TAB	R&F	12/31/99	
PEOPLES	07/14/98	INT 16-10	Support for Continuation of the "E-Rate" Program	GOVERNMENT AFFAIRS		TAB	R&F	12/31/99	
PAULY	08/26/98	17 E-15	Letter From NOCO Energy Corporation Re: E.C. Local Law No. 7 (1997)	GOVERNMENT AFFAIRS		TAB	R&F	12/31/99	
COUNTY EXECUTIVE	09/08/98	17 E-30	Northern Erie Clinical Services Program - Lease 1565 Kenmore Avenue	HEALTH		TAB	R&F	12/31/99	
NIAGARA COUNTY LEGISLATURE	08/05/98	17 M-14	Certified Copy of Resolution Re: Support to Form a Five County NYS Heritage Corridor Area Called WNY Canal Heritage Corridor	ENERGY & ENVIRONMENT		TAB	R&F	12/31/99	

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SUBMITTER	DATE OF CLOCK-IN	LEG ID #	DESCRIPTION	COMMITTEE ASSIGNMENT	PAGE REF	COMM ACTION	LEGISLATIVE ACTION		
							FIN ACT	DATE	PAGE
PEOPLES	08/03/98	INT 17-3	A Buffalo Vintage Trolley System	COMMUNITY ENRICHMENT		TAB	R&F	12/31/99	
PAULY	08/07/98	INT 17-4	The Alliance for the Mentally Ill of Buffalo and Erie County	HEALTH		TAB	R&F	12/31/99	
HOLT	09/08/98	INT 17-15	Clarification Re: Role of Managed Care Programs & Health Care Services They are Req to Render to a Significant Portion of Populace of EC	HEALTH		TAB	R&F	12/31/99	
DUSZA, SWANICK & MARINELLI ET AL	09/08/98	INT 17-17	AS AMENDED: Declining Volunteer Firefighter Enrollment	GOVERNMENT AFFAIRS		TAB	R&F	12/31/99	
DEMARIE & SCHOENBORN, PC JOSEPH DEMARIE, ESQUIRE OF COUNSEL	09/22/98	18 M-10	Notice of Claim	COUNTY ATTORNEY		TAB	R&F	12/31/99	
RANZENHOFER	09/10/98	INT 18-1	Restricting Heavy Truck Traffic on the Stage Road in Clarence	ECONOMIC DEVELOPMENT		TAB	R&F	12/31/99	
LARSON ET AL	10/05/98	INT 20-4	AS AMENDED: The Erie County Water Authority's Role in Rural Areas	ENERGY & ENVIRONMENT		TAB	R&F	12/31/99	
WEINSTEIN, MARSHALL, RANZENHOFER, CHASE, GREENMAN & LARSON	10/06/98	INT 20-5	Budget Monitoring Reports for Erie County Medical Center	HEALTH		TAB	R&F	12/31/99	

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SUBMITTER	DATE OF CLOCK-IN	LEG ID #	DESCRIPTION	COMMITTEE ASSIGNMENT	PAGE REF	COMM ACTION	FIN ACT	LEGISLATIVE ACTION	
								DATE	PAGE
RANZENHOFER, CHASE, LARSON, GREENAN, WEINSTEIN & MARSHALL	10/06/98	INT 20-6	Merger of Sheriff's Department and Correctional Facility	PUBLIC SAFETY		TAB	R&F	12/31/99	
RANZENHOFER, CHASE, GREENAN & LARSON	10/09/98	INT 21-1	Lease Rates for Fire Hydrants	ENERGY & ENVIRONMENT		TAB	R&F	12/31/99	
ERIE COUNTY WATER AUTHORITY	11/30/98	27 M-7	ECWA 1999 Adopted Operating & Maintenance Budget & Capital Budget	ENERGY & ENVIRONMENT		TAB	R&F	12/31/99	
STATES' ATTORNEYS GENERAL	12/04/98	29 M-8	Tobacco Settlement Summary	HEALTH		TAB	R&F	12/31/99	
MARSHALL	12/01/98	INT 29-1	Support for E-911	PUBLIC SAFETY		TAB	R&F	12/31/99	
LARSON	12/07/98	INT 29-2	The Creation of a New County Park	ENERGY & ENVIRONMENT		TAB	R&F	12/31/99	
WEINSTEIN AS AMENDED	12/14/98	INT 29-5	Study Bill: Monitoring of Traffic Signal Controls Through the Use of Photographic Devices	PUBLIC SAFETY		TAB	R&F	12/31/99	

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ERIE COUNTY LEGISLATURE

COMMUNICATIONS FROM ELECTED OFFICIALS

FROM LEGISLATOR MARSHALL

Item 17 – (Comm. 1E-1) Copy of Letter to Comptroller Re: Comm. 24E-24, Contract with Lackawanna Senior Housing.

Received and filed.

FROM THE COMPTROLLER

Item 18 – (Comm. 1E-2) Management Letter Issued by Deloitte & Touche Re: Audit of Erie County's Financial Statements for Year Ended 12/31/98.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM LEGISLATORS SWANICK & PEOPLES

Item 19 – (Comm. 1E-3) Copy of Letter to County Executive Re: Proposal to Seat a Task Force to Examine Operations at ECMC.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE COMPTROLLER

Item 20 – (Comm. 1E-4) Year 2000 Inquiry Letter Issued by Deloitte & Touche Re: Audit of Erie Statements for Year Ended 12/31/98.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM LEGISLATORS SWANICK, PEOPLES & FISHER

Item 21 – (Comm. 1E-5) Review of Comptroller's Comments Concerning the State's Action to Extend the Health Care Reform Act.

Item 22 – (Comm. 1E-6) Requesting NYS Senate to Delay Consideration for 2000 Health Care Reform Act Agreement.

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

FROM LEGISLATOR DeBENEDETTI

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Item 23 – MS. PEOPLES presented the following resolution and moved for immediate consideration. MS. FISHER seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 3

Re: Lease for Legislative Office Space.
 (Comm. 1E-7)

RESOLVED, that the County Executive is hereby authorized to sign a Two (2) Year Lease Agreement between Northwest Buffalo Community Center 155 Lawn Avenue Buffalo, New York 14207 and Erie County for Legislative Office Space for Erie County Legislator Al DeBenedetti at a cost of \$440.00 per month.

MS. PEOPLES moved the approval of the resolution. MS. FISHER seconded. MR. DeBENEDETTI abstained.

CARRIED UNANIMOUSLY.

FROM THE COUNTY EXECUTIVE

Item 24 – MS. PEOPLES presented the following resolution and moved for immediate consideration. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 4

Re: Home Rule Requests to Extend One-Percent Sales Tax. (Comm. 1E-8)

WHEREAS, the additional one percent Erie County sales and use tax, last extended by Chapter 6 of the Laws of nineteen hundred ninety-nine will expire on February twenty-nine, two thousand, and

WHEREAS, the Erie County budget for two thousand was adopted in anticipation of an extension of the additional Erie County sales and use tax through February twenty-eight, two thousand one, and

WHEREAS, failure to extend the additional one percent sales and use tax will result in an estimated shortfall of more than eighty-eight million dollars in the two thousand Erie County budget, and

WHEREAS, Senate Bill No. S.6231 and Assembly Bill No. A.9232, now pending before the New York State Legislature, would authorize extension of the additional sales and use tax through February twenty-eight, two thousand one;

NOW, THEREFORE, BE IT RESOLVED, THAT A HOME RULE REQUEST IS MADE TO THE NEW YORK STATE LEGISLATURE AS FOLLOWS:

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ERIE COUNTY LEGISLATURE

TO THE LEGISLATURE:

Pursuant to Article IX of the Constitution, the County of Erie requests the enactment of Senate Bill No. S.6231, entitled "AN ACT to amend the tax law, in relation to the imposition of sales and use taxes by the county of Erie."

It is hereby declared that a necessity exists for the enactment of such legislation, and that the facts establishing such necessity are as follows:

The local government does not have power to enact such legislation by local law.

Other facts as set forth in the following explanation establish such necessity.

Failure to extend the additional one percent Erie County sales and use tax for the period March 1, 2000 through February 28, 2001 will result in a 2000 Erie County budget shortfall in excess of eighty-eight million dollars and result in cessation of essential county services to the people of the County.

Such request is made by the chief executive officer of such municipality concurred in by a majority of the total membership of the local legislative body.

AND BE IT FURTHER RESOLVED, that the Clerk of the Legislature be directed to forward copies of this home rule request, certified by the Erie County Executive and the Clerk of the Erie County Legislature, two copies to the New York State Senate and two copies to the New York State Assembly.

WHEREAS, the additional one percent Erie County sales and use tax, last extended by Chapter 6 of the Laws of nineteen hundred ninety-nine will expire on February twenty-nine two thousand, and

WHEREAS, the Erie County budget for two thousand was adopted in anticipation of an extension of the additional Erie County sales and use tax through February twenty-eight, two thousand one, and

WHEREAS, failure to extend the additional one percent sales and use tax will result in an estimated shortfall of more than eighty-eight million dollars in the Erie County budget for two thousand, and

WHEREAS, Senate Bill No. S.6231 and Assembly Bill No. A.9232, now pending before the New York State Legislature, would authorize extension of the additional sales and use tax through February twenty-eight, two thousand one;

NOW, THEREFORE, BE IT RESOLVED, THAT A HOME RULE REQUEST IS MADE TO THE NEW YORK STATE LEGISLATURE AS FOLLOWS:

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January 4, 2001

ERIE COUNTY LEGISLATURE

TO THE LEGISLATURE:

Pursuant to Article IX of the Constitution, the County of Erie requests the enactment of Assembly Bill No. A.9232, entitled "AN ACT to amend the tax law, in relation to the imposition of sales and use taxes by the county of Erie."

It is hereby declared that a necessity exists for the enactment of such legislation, and that the facts establishing such necessity are as follows:

The local government does not have power to enact such legislation by local law.

Other facts as set forth in the following explanation establish such necessity.

Failure to extend the additional one percent Erie County sales and use tax for the period March 1, 2000 through February 28, 2001 will result in a 2000 Erie County budget shortfall in excess of eighty-eight million dollars and result in cessation of essential county services to the people of the County.

Such request is made by the chief executive officer of such municipality concurred in by a majority of the total membership of the local legislative body.

AND BE IT FURTHER RESOLVED, that the Clerk of the Legislature be directed to forward copies of this home rule request, certified by the Erie County Executive and the Clerk of the Erie County Legislature, two copies to the New York State Senate and two copies to the New York State Assembly.

MS. PEOPLES moved the approval of the resolution. MS. MARINELLI seconded. CHAIRMAN SWANICK directed that a roll call vote be taken.

AYES: CHASE, GREENAN, LARSON, MARSHALL, PAULY, RANZENHOFER, WEINSTEIN, DeBENEDETTI, DUSZA, FISHER, FITZPATRICK, HOLT, KUWIK, MARINELLI, OLMA, PEOPLES & SWANICK. NOES: NONE.

CARRIED UNANIMOUSLY.

Item 25 – (Comm. 1E-9) Grant Programs – Authorization to Contract.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 26 – MS. PEOPLES presented the following resolution and moved for immediate consideration. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 5

Re: Sheriff's Office – Personnel Adjustments.

(Comm. 1E-10)

RESOLVED, that the Erie County Sheriff's Office is authorized to delete one Clerk Typist-Sheriff, Job Group I, from the Sheriff's Division, and one Laborer Sheriff, Part time – Holding Center and to create two Confidential Aide positions, Job Group VI, in the Sheriff's Division, and be it further

RESOLVED, that the savings of \$21,150 from the deletion of the clerk typist in the Sheriff's Division along with the following budgetary transfers shall be authorized to implement this request:

Sheriff's Holding Center
Department 151

<u>Appropriation</u>	<u>Decrease</u>
Acct. 800 Personnel Services (deletion of laborer PT)	\$10,334
Acct. 930 Motor Vehicle Equip.	23,500

Sheriff's Division
Department 150

Acct. 930 Motor Vehicle Equip.	<u>1,973</u>
Total	<u>\$35,807</u>

	<u>Increase</u>
Acct. 800 Personnel Services	\$35,807
Total	<u>\$35,807</u>

and be it further

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

MS. PEOPLES moved the approval of the resolution. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

Item 27 – (Comm. 1E-11) Variable Minimums.

Received and referred to the PERSONNEL AD HOC COMMITTEE.

Item 28 – (Comm. 1E-12) Succession to the Office of County Executive.

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ERIE COUNTY LEGISLATURE

RECEIVED, FILED & PRINTED.

January 1, 2000

The Honorable Laurie A. Manzella
Clerk of the Legislature of Erie County
Rath County Office Building
Buffalo, New York 14202

Re: Succession to the Office of County Executive

Dear Ms. Manzella:

In the event that both the County Executive and Deputy County Executive are absent, then Bruce L. Fisher, Deputy County Executive-Chief of Staff, shall be next in line to perform the duties of County Executive. In the event that the County Executive, Deputy County Executive and Mr. Fisher are absent, then Joseph Passafiume, Director of Budget & Management is designated to serve as acting County Executive.

This correspondence is being provided to you in accordance with section 304 of the Erie County Charter. It is my understanding that you agree to accept this letter as having been submitted and effective at 12:01 AM on January 1, 2000 even though it is being delivered to you before that time. Thank you for your cooperation.

Very truly yours,

Joel A. Giambra
Erie County Executive

Item 29 – (Comm. 1E-13) Appointment of Connie Martucci.

Item 30 – (Comm. 1E-14) Appointment of Joan M. Lansing.

Item 31 – (Comm. 1E-15) Appointment of Gail A. Keil.

Item 32 – (Comm. 1E-16) Appointment of Kathy Gregorie.

Item 33 – (Comm. 1E-17) Appointment of Marina P. Woolcock.

The above five items were received and filed.

Item 34 – (Comm. 1E-18) Appointment of Laurence K. Rubin – Commissioner, DEP.

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Received and referred to the PERSONNEL AD HOC COMMITTEE.

Item 35 – MS. PEOPLES presented the following resolution and moved for immediate consideration. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 6

Re: Appointment of Joseph Passafiume – Director,
 Budget. (Comm. 1E-19)

RESOLVED, that the Erie County Legislature does hereby confirm the appointment of Joseph Passafiume of Tonawanda, New York as Director of Budget and Management.

MS. PEOPLES moved the approval of the resolution. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

Item 36 – (Comm. 1E-20) Appointment of Lawrence D. Jasinski – Commissioner, Parks.

Received and referred to the PERSONNEL AD HOC COMMITTEE.

Item 37 – (Comm. 1E-21) Appointment of Bruce L. Fisher – Deputy County Executive – Chief of Staff.

RECEIVED, FILED AND PRINTED.

January 1, 2000

The Erie County Legislature
 25 Delaware Avenue
 Buffalo, New York 14202

Re: Appointment of Bruce L. Fisher

Dear Honorable Members:

In accordance with sections 302(b) and (c) of the Erie County Charter and sections 3.02(d) and (e) of the Erie County Administrative Code, I hereby appoint Bruce L. Fisher of Buffalo, New York as Deputy County Executive-Chief of Staff.

The fiscal year 2000 budget currently does not contain a position named Deputy County Executive-Chief of Staff. This appointment should, therefore, be read in the context of my request to the

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ERIE COUNTY LEGISLATURE

Erie County Legislature for a reorganization of the office of the Erie County Executive that will be submitted to you on or before January 4, 2000. Until that reorganization is approved, Mr. Fisher will be undertaking his responsibilities in the existing position of Senior Budget Consultant in the Office of Budget.

As you know, appointive positions in the Executive Branch of county government do not require legislative action. Nevertheless, and in accordance with section 3.09(e) of the Erie County Administrative Code, I hereby certify the necessity of filling this position. Mr. Fisher will assume all oversight of Executive Branch personnel and will supervise all policy-related research and related activities.

Thank you for your consideration in this matter.

Very truly yours,

Joel A. Giambra
 Erie County Executive

Item 38 – (Comm. 1E-22) Appointment of Carl J. Calabrese – Deputy County Executive – Chief Operating Officer.

RECEIVED, FILED AND PRINTED.

January 1, 2000

The Erie County Legislature
 25 Delaware Avenue
 Buffalo, New York 14202

Re: Appointment of Carl J. Calabrese

Dear Honorable Members:

In accordance with section 304 of the Erie County Charter and section 9 of the Public Officers Law of the State of New York, I hereby appoint Carl J. Calabrese of the Town of Tonawanda, New York as Deputy County Executive-Chief Operating Officer.

As you know, appointive positions in the Executive Branch of county government do not require legislative action. Nevertheless, and in accordance with section 3.09(e) of the Erie County Administrative Code, I hereby certify the necessity of filling this position. Mr. Calabrese will perform all of the regular duties of the Deputy County Executive as described in the Erie County Charter and will oversee the heads of all departments or divisions of county government outside of the Executive Branch, among other things.

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Thank you for your consideration of this matter.

Very truly yours,
 Joel A. Giambra
 Erie County Executive

Item 39 – (Comm. 1E-23) Appointment of Warren K. Galloway.

Received and filed.

Item 40 – (Comm. 1E-24) Appointment of H. McCarthy Gipson – Superintendent, EC Correctional Facility.

Received and referred to the PERSONNEL AD HOC COMMITTEE.

Item 41 – (Comm. 1E-25) Appointment of Jeffrey Hammond.

Item 42 – (Comm. 1E-26) Appointment of Carla Russino.

The above two items are received and filed.

Item 43 – (Comm. 1E-27) Appointment of Frederick A. Wolf – County Attorney.

Received and referred to the PERSONNEL AD HOC COMMITTEE.

Item 44 – (Comm. 1E-28) Appointment of Angela Filippone.

Received and filed.

Item 45 – MS. PEOPLES presented the following resolution and moved for immediate consideration. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 7

Re: Reorganization of Executive Office.
 (Comm. 1E-29)

WHEREAS, the 2000 Erie County Budget provides funding for 15 full-time positions including County Executive, Deputy County Executive, five (5) Senior Executive Assistants, Secretary to the County Executive, Secretary to the Deputy County Executive, two (2) Junior Administrative Consultants, Secretarial Assistant, Special Aid, Junior Secretary and Receptionist; and

WHEREAS, sections 302(b) and (c) of the Erie County Charter and sections 3.02(d)

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and (e) of the Erie County Administrative Code authorize the Erie County Executive to organize and reorganize the personnel in his office within the funds appropriated therefore, and

WHEREAS, the Erie County Executive has submitted a written request for the reorganization of his office by letter dated January 1, 2000, and

WHEREAS, it appears that the reorganization of the Erie County Executive's office in accordance with the January 1, 2000 request of the Erie County Executive reduces the number of employees in that office and results in a total salary savings of over \$100,000,

NOW, THEREFORE, BE IT

RESOLVED that the office of Erie County Executive be comprised of the following 13 positions at the salaries noted:

- 1) County Executive \$103,428
- 2) Deputy County Executive-COO 101,234
- 3) Deputy County Executive-COS 101 ,234
- 4) Secretary to County Executive 42,638
- 5) Senior Executive Assistant 65,040
- 6) Senior Executive Assistant 65,040
- 7) Senior Executive Assistant 65,040
- 8) Secretary to Deputy CE 38,524
- 9) Secretary to Deputy CE 38,524
- 10) Junior Admin. Consultant CE 42,638
- 11) Junior Admin. Consultant CE 42,638
- 12) Secretarial Assistant CE 33,218
- 13) Secretarial Assistant CE 33,218

and be it further

RESOLVED that once the foregoing budget changes have been accepted that they apply to all employees placed in said positions during the year. It is contemplated, as well, that the foregoing positions may be shared by more than one person so long as the amount associated with any individual position is not exceeded, and be it further

RESOLVED, that certified copies of this resolution be forwarded to the County Executive's office, the Division of Budget, Management & Finance and the Department of Personnel.

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

CARRIED UNANIMOUSLY.

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DELETE the original resolution in its entirety and REPLACE with the following:

WHEREAS, the 2000 Erie County Budget provides funding for 15 full time positions, and

WHEREAS, sections 302(b) and (c) of the Erie County Charter and sections 3.02(d) and (e) of the Erie County Administrative Code authorize the Erie County Executive to organize and reorganize the personnel in his office within the funds appropriated therefore, and

WHEREAS, the Erie County Executive has submitted a written request for the reorganization of his office by letter dated January 1, 2000, and

WHEREAS, the reorganization of the Erie County Executive's office in accordance with the January 1, 2000 request of the Erie County Executive results in a total salary savings of over \$6,000, and

WHEREAS, the Erie County Executive wishes to pay his staff at the 1999 Union Exempt (Managerial/Confidential) Erie County salary scale in 2000.

NOW, THEREFORE, BE IT

RESOLVED that a new salary scale is created for the 2000 Budget titled Managerial/Confidential Department Heads/Executive Staff, and be it further

RESOLVED, that the year 2000 salary scale for Managerial/Confidential Department Head/Executive Staff is set at the 1999 Union Exempt (Managerial/Confidential) Erie County salary scale, and be it further

RESOLVED, that the following positions in the Office of the County Executive are deleted :

5	Senior Executive Asst. CE	JG XVI	358,711
1	Secretary County Executive	JG X	44,873
1	Secretary Deputy County Exec	JG X	44,873
3	Jr. Adm. Cons. Cty Exec	JG X	129,322
1	Secretarial Asst. CE	JG VIII	37,574
1	Jr. Secy. (Co Exec)	JG VI	29,025
1	Receptionist CE	JG IV	24,805
	TOTAL		669,183

and be it further

RESOLVED, that the following positions are added to the Office of the County Executive, all to be paid under the new salary scale, Managerial/Confidential Department Heads/Executive Staff:

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1	Deputy County Executive-Chief of Staff		101,234
4	Senior Executive Assistants	JG XVI	260,160
2	Jr. Admin. Consult. CE	JG X	85,276
1	Secretary County Executive	JG XI	42,490
1	Secretary to Deputy Cty Exec	JG X	38,524
2	Secretarial Assistant CE	JG VIII	66,436
2	Secretary to Deputy CE RPT	JG X	38,524
2	Secretarial Assistant CE-RPT	JG VIII	33,218
	TOTAL		665,862

and be It further

RESOLVED, that the salary for the Deputy County Executive be funded under the new Managerial/Confidential Department Head/Executive Staff at \$101,234 not \$104,017 as stated in the 2000 Adopted Budget, and be it further

RESOLVED, that the salary for the Director of Budget & Management be funded under the new Managerial/Confidential Department Head/Executive Staff at JG XIX-5, \$99,780 not \$99,036 as stated in the 2000 Adopted Budget, and be it further

RESOLVED, that the following budget amendments are hereby approved

Decrease Office of the County Executive Personal Services DAC (110906110800)	6,104
Increase Division of Budget, Management & Finance Personal Services DAC (110908210800)	744
Increase County Contingency, Countywide Expenditures Monitored by Budget DAC (110923310893)	5,360

and be it further

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

MS. PEOPLES moved the approval of the resolution as amended. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

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COMMUNICATIONS FROM THE DEPARTMENTS

FROM ECC

Item 46 – (Comm. 1D-1) Agenda for Board of Trustees Meeting Held 12/15/99.

Received and filed.

FROM THE BUFFALO & ERIE COUNTY PUBLIC LIBRARY

Item 47 – (Comm. 1D-2) Agenda for Board of Trustees Meeting Held 12/16/99.

Received and filed.

FROM ECC

Item 48 – (Comm. 1D-3) Duplicate of 1D-1.

Item 49 – (Comm. 1D-4) Notice of Board of Trustees Committee Meetings to b Held 1/18/00 & 1/19/00.

The above two items are received and filed.

FROM ECMC

Item 50 – (Comm. 1D-5) Notice of Board of Managers Special Meeting Held 12/23/99.

Received and filed.

FROM THE COUNTY ATTORNEY

Item 51 – (Comm. 1D-6) Notice of County Executive's Public Hearing Intro. 24-3.

RECEIVED, FILED & PRINTED.

December 20, 1999

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

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RE: Notice of Public Hearing
Resolution Reference Intro. 24-3

Dear Ms. Manzella:

Enclosed herein is a copy of the Public Hearing Notice for the above captioned Resolutions Reference Intro. 24-3 which was adopted by the Erie County Legislature on December 2, 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, December 28, 1999 at 10:15 a.m., concerning appropriations from the County contingency fund and unanticipated revenue for the following purposes:

LACKAWANNA FOOD PANTRY	\$4,712.00
LACKAWANNA COMMUNITY DEVELOPMENT CORPORATION	\$4,000.00

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

On December 16, 1999 the Erie County Legislature adopted Resolutions Reference Intro. 24-3. Copies of the Resolutions are available for inspection in the office of the Clerk of the Erie County Legislature, on the 7th Floor of 25 Delaware Avenue, in the City of Buffalo, New York.

DENNIS T. GORSKI
 Erie County Executive

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Item 52 – (Comm. 1D-7) Notice of County Executive’s Public Hearing Local Law Intro. 9-1999.

RECEIVED, FILED & PRINTED.

December 20, 1999

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

RE: Notice of Public Hearing
Local Law Intro. No. 9-1999

Dear Ms. Manzella:

Enclosed herein is a copy of the Public Hearing Notice for the above captioned Local Law Intro. 9-1999 which was adopted by the Erie County Legislature on December 16, 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, December 28, 1999 at 10:00 a.m., concerning:

A LOCAL LAW in relation to support of the Buffalo and Erie County public library.

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

On December 16, 1999 the Erie County Legislature adopted Erie County Local Law Introduction Number 9 of 1999. Copies of the proposed local law are available for public inspection in the office of the Clerk of the Erie County Legislature, on the 7th Floor of 25 Delaware Avenue, in the City of Buffalo, New York.

DENNIS T. GORSKI
 Erie County Executive

Item 53 – (Comm. 1D-8) Notice of County Executive's Public Hearing Comms. 24E-15, 24E-24 & 25D-18.

RECEIVED, FILED & PRINTED.

December 20, 1999

Ms. Laurie Manzella
 Clerk OF The Legislature
 25 Delaware Avenue
 7th Floor
 Buffalo, New York 14202

RE: Notice of Public Hearing
Resolutions Reference Comm. 24E-15, Comm. 24E-24
and Comm. 25D-18

Dear Ms. Manzella:

Enclosed herein is a copy of the Public Hearing Notice for the above captioned Resolutions Reference Comm. 24E-15, Comm. 24E-24 and Comm. 25D-18 which were adopted by the Erie County Legislature on December 16, 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

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By: Alan P. Gertsman
 1st Assistant County Attorney

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that Erie County Executive Dennis T. Gorski, will hold a public hearing on Tuesday, December 28, 1999 at 10:15 a.m., concerning appropriations from the County contingency fund and unanticipated revenue for the following purposes:

ERIE COUNTY DEPARTMENT OF HEALTH (Contractual Services:	\$ 100,000.00
ERIE COUNTY DEPARTMENT OF HEALTH (Peer Education Program:	\$ 100,000.00
ERIE COUNTY DEPARTMENT OF ENVIRONMENT & PLANNING (Lackawanna Senior Housing Project)	\$ 700,000.00
ERIE COUNTY DEPARTMENT OF PUBLIC WORKS (Community Health Center/"K" Annex Building)	\$1,846,823.00

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

On December 16, 1999 the Erie County Legislature adopted Resolutions Reference Comm. 24E-15, Comm. 24E-24, and Comm. 25D-18. Copies of the Resolutions are available for inspection in the office of the Clerk of the Erie County Legislature, on the 7th Floor of 25 Delaware Avenue, in the City of Buffalo, New York.

DENNIS T. GORSKI
 Erie County Executive

FROM THE CLERK OF THE LEGISLATURE

Item 54 – (Comm. 1D-9) Notice of Meeting to be Held 1/6/00.

RECEIVED, FILED & PRINTED.

December 21, 1999

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ERIE COUNTY LEGISLATURE

TO THE MEMBERS OF THE LEGISLATURE:

PLEASE TAKE NOTICE that, pursuant to communication 25E-4 (1999), *2000 SCHEDULE OF LEGISLATIVE SESSIONS*, a meeting to organize the Erie County Legislature for the year 2000 will be held in the Legislative Chambers, 25 Delaware Avenue, Buffalo, New York on the 6th day of January, 2000 at 2 o'clock in the afternoon of that day, and a Chairman of said Legislature for the year 2000 will then be selected, and you are hereby notified to be present at such time and place as aforesaid.

LAURIE A. MANZELLA
 Clerk
 Erie County Legislature

FROM ECMC

Item 55 – (Comm. 1D-10) Notice to Cancel Board of Managers Special Meeting Scheduled for 12/23/99.

Received and filed.

FROM DEP

Item 56 – (Comm. 1D-11) SEQR solicitation for Lead Agency Type I Action Amended “CHIP FAB” Sanitary Sewer Extension.

Received and filed.

FROM THE COUNTY ATTORNEY

Item 57 – (Comm. 1D-12) Letter to Legislature Re: Comptroller’s Risk Retention Fund Audit.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 58 – (Comm. 1D-13) Notices of Claim.

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

Item 59 – (Comm. 1D-14) Notice of County Executive’s Approval of Local Law No. 7-1999 (Local Law Intro. No. 9 – 1999).

RECEIVED, FILED & PRINTED.

December 29, 1999

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ERIE COUNTY LEGISLATURE

Ms. Laurie Manzella, Clerk
Erie County Legislature
25 Delaware Avenue, 7th Floor
Buffalo, New York 14202

RE: Erie County Local Law NO. 7-1999

Dear Ms. Manzella:

Enclosed herein is a copy of Erie County Local Law No. 7-1999. Copies of same have been filed with Secretary of State, New York State comptroller and the County Clerk.

Please post for the information of anyone who be interested in this Local Law and for your file.

Very truly yours,

KENNETH A. SCHOETZ
Erie County Attorney

BY: Alan P. Gerstman
1st Assistant County Attorney

Item 60 – (Comm. 1D-15) Notice of County Executive’s Approval of Comms. 19D-12, 21E-18 & Intros. 21-3 & 21-4.

RECEIVED, FILED & PRINTED.

December 29, 1999

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

RE: Resolutions Reference Comm. 19D-12, Comm. 21E-18, Intro. 21-3 and Intro. 21-4

Dear Ms. Manzella:

Enclosed herein is a copy of the above Resolutions for your files.

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Please post for the information of anyone who may be interested in these Resolutions.

Very truly yours,

KENNETH A. SCHOETZ
 Erie County Attorney

By: Alan P. Gertsman
 1st Assistant County Attorney

A Public Hearing was held on the foregoing Erie County Resolution Reference Comm. 19D-12, on Wednesday, December 8, 1999 due notice thereof having been published in the official newspapers of the County of Erie, and after due deliberation thereon, I, DENNIS T. GORSKI, County Executive of Erie County, do hereby APPROVE and SIGN said Resolutions this 9 day of December, 1999.

Dennis T. Gorski

A Public Hearing was held on the foregoing Erie County Resolution Reference Comm. 21E-18, on Wednesday, December 8, 1999 due notice thereof having been published in the official newspapers of the County of Erie, and after due deliberation thereon, I, DENNIS T. GORSKI, County Executive of Erie County, do hereby APPROVE and SIGN said Resolutions this 9 day of December, 1999.

Dennis T. Gorski

A Public Hearing was held on the foregoing Erie County Resolution Reference Intro. 21-3 on Wednesday, December 8, 1999 due notice thereof having been published in the official newspapers of the County of Erie, and after due deliberation thereon, I, DENNIS T. GORSKI, County Executive of Erie County, do hereby APPROVE and SIGN said Resolutions this 9 day of December, 1999.

Dennis T. Gorski

A Public Hearing was held on the foregoing Erie County Resolution Reference Intro. 21-4 on Wednesday, December 8, 1999 due notice thereof having been published in the official newspapers of the County of Erie, and after due deliberation thereon, I, DENNIS T. GORSKI, County Executive of Erie County, do hereby APPROVE and SIGN said Resolutions this 9 day of December, 1999.

Dennis T. Gorski

Item 61 – (Comm. 1D-16) Notice of County Executive’s Approval of Intro. 24-3.

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RECEIVED, FILED & PRINTED.

December 29, 1999

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

RE: Resolutions Reference Intro. 24-3

Dear Ms. Manzella:

Enclosed herein is a copy of the above Resolutions for your files.

Please post for the information of anyone who may be interested in these Resolutions.

Very truly yours,

KENNETH A. SCHOETZ
Erie County Attorney

By: Alan P. Gertsman
1st Assistant County Attorney

A Public Hearing was held on the foregoing Erie County Resolution Reference Intro. 24-3 on Tuesday, December 28, 1999 due notice thereof having been published in the official newspapers of the County of Erie, and after due deliberation thereon, I, DENNIS T. GORSKI, County Executive of Erie County, do hereby APPROVE and SIGN said Resolutions this 28 day of December, 1999.

Dennis T. Gorski

Item 62 – (Comm. 1D-17) Notice of County Executive’s Approval of Comms. 24E-15, 24E-24 & 25D-18.

RECEIVED, FILED & PRINTED.

December 29, 1999

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

RE: Resolutions Reference Comms. 24E-15, 24E-24 & 25D-18

Dear Ms. Manzella:

Enclosed herein is a copy of the above Resolutions for your files.

Please post for the information of anyone who may be interested in these Resolutions.

Very truly yours,

KENNETH A. SCHOETZ
Erie County Attorney

By: Alan P. Gertsman
1st Assistant County Attorney

A Public Hearing was held on the foregoing Erie County Resolution Reference Comm. 24E-15 on Tuesday, December 28, 1999 due notice thereof having been published in the official newspapers of the County of Erie, and after due deliberation thereon, I, DENNIS T. GORSKI, County Executive of Erie County, do hereby APPROVE and SIGN said Resolutions this 28 day of December, 1999.

Dennis T. Gorski

A Public Hearing was held on the foregoing Erie County Resolution Reference Comm. 24E-24 on Tuesday, December 28, 1999 due notice thereof having been published in the official newspapers of the County of Erie, and after due deliberation thereon, I, DENNIS T. GORSKI, County Executive of Erie County, do hereby APPROVE and SIGN said Resolutions this 28 day of December, 1999.

Dennis T. Gorski

A Public Hearing was held on the foregoing Erie County Resolution Reference Comm. 25D-18, on Tuesday, December 28, 1999 due notice thereof having been published in the official newspapers of the County of Erie, and after due deliberation thereon, I, DENNIS T. GORSKI, County Executive of Erie County, do hereby APPROVE and SIGN said Resolutions this

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28 day of December, 1999.

Dennis T. Gorski

Item 63 – MS. PEOPLES presented the following resolution and moved for immediate consideration. MR. KUWIK seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 8

Re: Outlining Revisions to Installment Lease
 Contract for Financing Ophthalmic Equipment &
 Materials. (Comm. 1D-18)

WHEREAS, the Erie County Medical Center (ECMC) must provide safe and effective cataract and retinal surgery for its patients; and

WHEREAS, the Hospital's ophthalmic surgery equipment for treating cataract and retinal patients is 10 years old and requires updating to meet the current community standard; and

WHEREAS, in response to this equipment need, Bid #997110-3 was issued by ECMC for the selection of a vendor for ophthalmic surgery equipment, supplies, maintenance and support; and

WHEREAS, specifically ECMC requested that the responses contain not only a price quote for the needed equipment, but also a price proposal for all supplies used to perform certain ophthalmic surgical procedures; and

WHEREAS, in the equipment portion of said bid, ECMC requested that the responses provide for various equipment acquisition options, including: outright purchase, lease purchase (capital lease agreement), or lease purchase based upon a fee per procedure; and

WHEREAS, two responses were received to the aforesaid bid offering; and

WHEREAS, the cost proposal for ophthalmic surgical supplies provided in the lowest bid offering which was submitted by Bausch & Lomb will result in estimated savings of \$20,000.00 per year compared to current costs; and

WHEREAS, moreover, the low submitted by Bausch & Lomb sets forth the cost of the equipment to be leased at a sum total of \$66,500.00 exclusive of interest costs; and

WHEREAS, the County Comptroller conducted a comparative analysis of the cost of financing the ophthalmic surgery equipment with a County General Obligation Bond versus an installment purchase contract; and

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WHEREAS, the Comptroller's findings indicate that the total cost of financing this equipment through a County General Obligation Bond (\$73,084) is \$2,889 more costly than the total cost of acquiring this equipment through an installment purchase contract (\$70,195); and

WHEREAS, it is recommended that the ophthalmic surgery equipment be financed through a 36-month installment purchase contract.

WHEREAS, the execution of the above installment purchase contract (capital lease agreement) will not cause the political subdivision (Erie County) to exceed the limits prescribed by paragraph o of subdivision 6 of, Section 109-6 of the General Municipal Law.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize an installment purchase contract for the County of Erie on behalf of the Erie County Medical Center with Healthcapital Financial Group, LLC (1077 Bridgeport Avenue, Shelton, CT 06484) and Bausch & Lomb (3365 Treecourt Industrial, St. Louis, MO 63122) for the ophthalmic surgery equipment, supplies, maintenance and support at ECMC (462 Grider Street, Buffalo, NY 14215) in accordance with the provisions set forth in ECMC Bid #997110-3, and be it further

RESOLVED, that the County Executive be and is hereby authorized and directed to take any and all steps necessary to execute and enter into the installment purchase contract for ophthalmic surgery equipment, supplies, maintenance and support as authorized by this resolution, including all lease agreements and related documents, and be it further

RESOLVED, that the Erie County Legislature does hereby authorize the aforementioned installment purchase contract in the amount of \$23,398.32 over a term of 3 years at an interest rate of 3.75% which results in an aggregate cost of \$70,195 inclusive of financing charges, and be it further

RESOLVED, that certified copies of this resolution be sent to the Erie County Comptroller, the Erie County Director of Budget & Management, the Clerk of the Erie County Legislature, the Healthcapital Financial Group, LLC and Bausch & Lomb.

Item 64 – (Comm. 1D-19) Notice to Legislature Chairman to Appoint Committee Members.

RECEIVED, FILED & PRINTED.

January 4, 2000

Chairman
 Erie County Legislature
 25 Delaware Avenue – 7th Floor
 Buffalo, New York 14202

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Dear Chairman:

For you information and pursuant to Rule No. 38 of the Erie County Legislature's Rules of Order, you must appoint members of committees within twenty (20) days after your election.

Thank you.

Sincerely,

Laurie A. Manzella
Clerk

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES

FROM THE NYS FISH & WILDLIFE MANAGEMENT BOARD

Item 65 – (Comm. 1M-1) Minutes of Board Meeting Held 12/7/99.

Received and filed.

FROM THE AIRPORT BUSINESS ASSOCIATION

Item 66 – (Comm. 1M-2) Concerns Regarding Operation at Buffalo Niagara International Airport.

Received and filed.

FROM NYSDEC

Item 67 – (Comm. 1M-3) 1999 NYS Inactive Hazardous Waste Disposal Site Remedial Plan.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM ASSEMBLYMAN BURLING

Item 68 – (Comm. 1M-4) Acknowledgement of Receipt of Resolution.

Received and filed.

FROM CONGRESSMAN QUINN

Item 69 – (Comm. 1M-5) Acknowledgement of Receipt of Resolution.

Received and filed.

FROM GOVERNOR PATAKI

Item 70 – (Comm. 1M-6) Acknowledgement of Receipt of Resolution.

Received and filed.

FROM THE ECIDA

Item 71 – (Comm. 1M-7) Notice of Board of Directors Meeting to be Held 1/12/00.

Received and filed.

FROM THE ERIE COUNTY FISHERIES ADVISORY BOARD

Item 72 – (Comm. 1M-8) 1999 Annual Report.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE NFTA

Item 73 – (Comm. 1M-9) Minutes of Board Meeting Held 11/15/99.

Received and filed.

MEMORIAL RESOLUTIONS

Item 74 – Legislator Marinelli requested that when this legislature adjourns, it do so in memory of Alice Golonka.

Item 75 – Legislator Chase requested that when this legislature adjourns, it do so in memory of George Emerly.

Item 76 – Legislator Weinstein requested that when this legislature adjourns, it do so in memory of Mark Campton.

Item 77 – Legislator Peoples requested that when this legislature adjourns, it do so in memory of Elijah Gipson.

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ADJOURNMENT

Item 78 – 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, January 20, 2000**. MR. MARSHALL seconded.

CARRIED UNANIMOUSLY.

The Chairman declared the Legislature adjourned until **Thursday, January 20, 2000 at 2 p.m. Eastern Standard Time**.

LAURIE MANZELLA
CLERK