

ERIE COUNTY LEGISLATURE
MEETING NO. 12
JUNE 8, 2000

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 Ms. Marinelli.

Item 1 – MS. MARINELLI moved to remove Intro. 11-1 from the table for immediate consideration. MR. KUWIK seconded.

CARRIED UNANIMOUSLY.

MS. MARINELLI moved that Intro. 11-1 be received and filed. MR. KUWIK seconded.

CARRIED UNANIMOUSLY.

Item 2 – MS. MARINELLI moved to remove Comm. 11E-1 from the table for immediate consideration. MR. KUWIK seconded.

CARRIED UNANIMOUSLY.

MS. MARINELLI moved that Comm. 11E-1 be received and filed. MR. KUWIK seconded.

CARRIED UNANIMOUSLY.

Item 3 – MS. MARINELLI moved to remove Comm. 11D-1 from the table for immediate consideration. MR. KUWIK seconded.

CARRIED UNANIMOUSLY.

MS. MARINELLI moved that Comm. 11D-1 be received and filed. MR. KUWIK seconded.

CARRIED UNANIMOUSLY.

Item 4 – MS. MARINELLI moved to remove Comm. 11D-3 from the table for immediate consideration. MR. KUWIK seconded.

CARRIED UNANIMOUSLY.

MS. MARINELLI moved that Comm. 11D-3 be received and filed. MR. KUWIK seconded.

CARRIED UNANIMOUSLY.

Item 5 – CHAIRMAN SWANICK directed that Intro. 6-6 remain on the table.

Item 6 – CHAIRMAN SWANICK directed that Intro. 6-7 remain on the table.

Minutes of the previous meeting were tabled.

MISCELLANEOUS RESOLUTIONS

Item 7 – MS. PEOPLES presented a resolution Recognizing the Lifelong Achievements of Ruby Butts. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

Item 8 – MR. KUWIK presented a resolution Congratulating Detective Dana Britton for His Outstanding Service to the Citizens of Lackawanna. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

Item 9 – MR. LARSON presented a resolution Congratulating Mary Beth Bolt from the Town of Concord on Being Named Town Clerk of the Year 2000. MS. CHASE seconded.

CARRIED UNANIMOUSLY.

Item 10 – MS. CHASE presented a resolution Recognizing the Second Week of June as the Week to Honor Women Veterans. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

Item 11 – MS. MARINELLI presented a resolution Congratulating Calvin Rand & Charles Rand Penney Upon Their Receipt of the Red Jacket Award. MS. FISHER seconded.

CARRIED UNANIMOUSLY.

Item 12 – MR. MARSHALL presented a resolution Congratulating Jonathan Bisesi on Being Selected to Perform in the Pacific Music Festival 2000 in Sapporo, Japan. MS. CHASE seconded.

CARRIED UNANIMOUSLY.

Item 13 – MR. KUWIK presented a resolution Congratulating the Students of St. Francis High School on their Academic Achievements. MR. OLMA seconded.

CARRIED UNANIMOUSLY.

LOCAL LAWS

Item 14 – CHAIRMAN SWANICK directed that Local Law Intro No. 4 (Print #2) 1999 remain on the table.

Item 15 – CHAIRMAN SWANICK directed that Local Law Intro No. 2 (Print #1) 2000 remain on the table.

Item 16 – CHAIRMAN SWANICK directed that Local Law Intro No. 2 (Print #2) 2000 remain on the table.

Item 17 – MR. MARSHALL moved to take Local Law Intro No. 3 (Print #1) from the table for immediate consideration. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

COUNTY OF ERIE

LOCAL LAW NO. ____ - 2000

LOCAL LAW INTRO. NO. 3 - 2000

A LOCAL LAW authorizing the creation by the County of Erie of a local development corporation and the sale by the County to such corporation of the County's rights to receive payments under the Master Settlement Agreement with various tobacco companies and the related Consent Decree and Final Judgment.

BE IT ENACTED BY THE ERIE COUNTY LEGISLATURE AS FOLLOWS:

Section 1. Legislative intent.

A. The County of Erie is entitled to receive payments under the Master Settlement Agreement entered into on November 23, 1998 among the attorneys general of 46 states and six other United States jurisdictions and the four largest United States tobacco manufacturers (hereinafter, the "MSA") and the Consent Decree and Final Judgment of the Supreme Court of the State of New York, County of New York, dated December 23, 1998 (hereinafter, as the same may be amended or modified, the "Decree") in the class action entitled State of New York et al. v. Philip Morris Incorporated, et.al. (Index No. 400361/97); and

B. In order to secure to present generations a portion of the benefits intended to be conferred by the MSA and the Decree, and thereby provide a source of financing for financial support payments by the County to the Erie County Medical Center ("ECMC") and to further certain other County purposes, it is necessary or desirable for the County to sell its rights, title and interest in and to all of the monies to become payable to the County under the MSA and the Decree (the "Tobacco Asset") in order to facilitate the securitization of the Tobacco Asset; and

C. In order to provide the financing structure for such securitization and a source of financing for certain County financial support obligations to the ECMC and other present and future County purposes, while protecting the County's existing credit ratings, it is necessary or desirable for the County to sell such rights, title and interest to a local development corporation to be created by the County pursuant to the New York Not-For-Profit Corporation Law (the "Erie Tobacco Asset Securitization Corporation" or "ETASC"), with the powers to acquire such rights, title and interest, to issue bonds, notes and other evidence of indebtedness and incur other obligations, to create a business trust under the laws of the State of Delaware (the "Residual Trust") and assign and deliver to the Residual Trust the monies to become payable to the County under the MSA and the Decree in excess of the amounts necessary to pay debt service on such bonds, notes and other evidence of indebtedness, the expenses of ETASC, the expenses of the trustee which is a party to the indenture of trust with ETASC authorizing the issuance of such bonds, notes and other evidence of indebtedness (the "Indenture"), any amounts necessary to maintain the reserve funds required by the Indenture to be maintained, and certain other ancillary pecuniary obligations, and to take all other actions as may be necessary, convenient or desirable in furtherance of its powers, in exchange for the net proceeds of the securitization of the Tobacco Asset and certain residual rights, including the right to receive the net proceeds of future securitizations, if any, of the Tobacco Asset.

Section 2. Creation of local development corporation. The County Executive and/or his designee(s) are hereby authorized to take all actions necessary to create the ETASC pursuant to Section 1411 of the New York Not-For-Profit Corporation Law. The ETASC shall be created for the purposes and shall exercise and perform the powers described in Section 1 hereof, in accordance with the provisions of the Certificate of Incorporation of the ETASC. The ETASC shall have three directors. Two directors shall be appointed by the County Executive. The third director shall be appointed jointly by the other two directors and shall be independent of the County in accordance with the provisions of the Certificate of Incorporation of the ETASC.

Section 3. Sale of Tobacco Asset. The sale by the County to the ETASC of the County's rights, title and interest in and to all of the Tobacco Asset, without recourse, is hereby authorized in exchange for the delivery, to or upon the order of the County, of (i) the net proceeds of the initial issuance of bonds by the ETASC contemporaneously with such sale (the "ETASC Bonds") after (A) payment of all costs, fees, credit and liquidity enhancements, costs of issuance, and other expenses of the ETASC and (B) the funding of all reserves funds, debt service accounts for the payment of capitalized interest, and other pledged funds which may be necessary or desirable in connection with the issuance of the ETASC Bonds and (ii) the undivided beneficial interest in the Residual Trust, and upon such

other terms and conditions as are set forth in the proposed Purchase and Sale Agreement between the ETASC, as purchaser, and the County, as seller, in substantially the form presented to the Legislature (the "Sale Agreement").

Section 4. Approval of Sale Agreement. The form and substance of the Sale Agreement, substantially in the form presented to the members of the Legislature at this meeting, is hereby approved.

Section 5. Execution and delivery of Sale Agreement. The execution and delivery on behalf of and in the name of the County by the County Executive and/or his designee(s) of the Sale Agreement, substantially in the form presented to the members of the Legislature at this meeting, is hereby authorized and directed, with such changes therein as the County Executive and/or his designee(s) may approve, and the execution and delivery of such agreement shall be conclusive evidence of his approval of any such changes and of the authorization and direction thereof by this Legislature.

Section 6. Approval of MSA and Decree. The County hereby approves the terms and conditions of the MSA and the Decree.

Section 7. Further actions. The County Executive and/or his designee(s) are hereby further authorized to execute and deliver, on behalf of the County, such other agreements, instruments or authorizations as may be contemplated by, or necessary or advisable to consummate or otherwise give full effect to, the Sale Agreement and this Local Law, and which are deemed necessary or desirable to effectuate the transactions contemplated by the Sale Agreement and this Local Law, and to perform all acts and do all things required or contemplated to be performed or done by the Sale Agreement or by this Local Law or by any agreement, instrument or authorization approved, contemplated or authorized hereby.

Section 8. County pledge. The County hereby pledges to and agrees with the ETASC and the holders of any bonds, notes and other obligations of the ETASC (hereinafter the "Obligations"), including without limitation the ETASC Bonds, that the County will not alter, limit or impair the rights of the ETASC to fulfill the terms of its agreements with such holders, or in any way impair the rights and remedies of such holders or the security for the Obligations, until the Obligations, together with the interest thereon, and all costs and expenses in connection with any action or proceeding by or on behalf of such holders, are fully met and discharged and such agreements are fully performed on the part of the ETASC. The Legislature hereby further delegates to the County Executive and/or his designee(s) the power to make, ratify and confirm such pledge to and agreement with the ETASC and the holders of its Obligations and to take any and all actions necessary or desirable to cause such pledge to and agreement with the ETASC and the holders of its Obligations to be made or enforced. The ETASC is hereby authorized to include in any agreement with or for the benefit of the holders of its Obligations the pledges and agreements made by the Legislature and by the County Executive and/or his designee(s) on behalf of the County pursuant to this Section. The County agrees that as a member of

the class of releasing parties under the Decree it is bound by the terms and conditions of the MSA and the Decree and will not take any action inconsistent therewith.

Section 9. Effective date. This Local Law shall be effective immediately upon filing with the Secretary of State pursuant with Section 27 of the New York Municipal Home Rule Law.

FREDERICK J. MARSHALL

DALE W. LARSON

JOHN W. GREENAN

JEANNE Z. CHASE

MR. MARSHALL moved the adoption. MS. PEOPLES 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. AYES – 17, NOES – 0.

CARRIED UNANIMOUSLY.

COMMITTEE REPORTS

Item 18 – MR. DeBENEDETTI presented the following resolution and moved for immediate consideration. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 200

May 30, 2000

ENERGY & ENVIRONMENT
COMMITTEE
REPORT NO. 7

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

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

- a. Item Page -2000 (Comm. 8E-10)
COUNTY EXECUTIVE: ECSD No.3 – Increase & Improvement of Facilities (2000)
EC Sewer Agency Report.
(4-0) Legislator Pauly absent for vote.

Item Page -2000 (Comm. 10D-2)
b. **DPW: SEQR – Negative Declaration – Old Lakeshore Road Stabilization.**
(4-0) Legislator Pauly absent for vote.

Item Page -2000 (Comm. 10D-4)
c. **DPW: SEQR – Negative Declaration – Chestnut Ridge Park Culvert Reconstruction.**
(4-0) Legislator Pauly absent for vote.

AS AMENDED

2. Item Page -2000 (Comm. 8E-5)
COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Environment and Planning has received the following low bid for Erie County Sewer District No. 5, Contract 11L, Swormsville Pumping Station Elimination, on May 10, 2000.

<u>Contract No.</u>	<u>Low Bidder</u>	<u>Amount Bid</u>
11L	Cimato Brothers Construction, Inc. 9220 Transit Road East Amherst, NY 14051	\$140,287.00

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

NOW, THEREFORE, BE IT

RESOLVED, that the Swormsville Pumping Station Elimination, Contract 11L, be awarded as follows:

<u>Contract No.</u>	<u>Low Bidder</u>	<u>Amount Bid</u>
11L	Cimato Brothers Construction, Inc. 9220 Transit Road East Amherst, NY 14051	\$140,287.00

and be it further

RESOLVED, that the County Executive be, and hereby is, authorized to execute the Contract with the respective low bidder subject to approval as to form by the County Attorney;

and be it further

RESOLVED, that the Erie County Comptroller be authorized and directed to allocate a total of \$140,287.00 from Erie County Sewer District No. 5 Bond Account 430-798 to the appropriate account for this project;

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 F. Gawlik, Assistant County Attorney, Nancy Naples, Erie County Comptroller, and Joseph Passafiume, Director, Budget and Management.
(4-0) Legislator Pauly absent for vote.

3. Item Page -2000 (Comm. 10E-17)
COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Environment and Planning received a request asking for partial release of an easement for Sublot 90, Jillian Lane, Lancaster, New York, filed in the County Clerk's Office on October 31, 1995 under Liber 10893 of Deeds at Page 2029; and

WHEREAS, the proposed new home for Sublot 90 of Map Cover 2832 in the Autumn Park Subdivision is unbuildable due to the sewer easement; and

WHEREAS, the easement reduction for the footprint of the new home will only have a small effect in Erie County Sewer District No. 4's ability to operate and maintain the sanitary sewer line and an additional easement will be obtained to compensate for the loss of easement area; and

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

WHEREAS, the Advisory Review Committee has reviewed this matter and recommends the partial release of this easement;

NOW, THEREFORE, BE IT

RESOLVED, that a partial release of an easement be granted to Sublot 90, Jillian Lane, Lancaster, New York under Map Cover 2832 in the Autumn Park Subdivision; and be it further

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

RESOLVED, that the Clerk of the Legislature send a certified copy of the resolution to Charles J. Alessi, P.E., Deputy Commissioner, Department of Environment and Planning; Stephen F. Gawlik, Assistant County Attorney; Joseph Passafiume, Director of Budget and Management; and Nancy Naples, Erie County Comptroller.
(4-0) Legislator Pauly absent for vote.

4. Item Page -2000 (Comm. 10E-18)

COUNTY EXECUTIVE

WHEREAS, the County of Erie has secured the services of Abate Engineering Associates, P.C. to design the steel plating for the 18 Mile Creek Pumping Station in Erie County Sewer District No. 2; and

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

WHEREAS, the Erie County Division of Sewerage Management has recommended the formal close-out of the A/E Agreement dated February 6, 1997 with Abate Engineering, at the final contract amount of \$11,346.89 which includes the final Change Order, a decrease of \$2,353.95.

NOW, THEREFORE, BE IT

RESOLVED, that the A/E Agreement dated February 6, 1997 between the County of Erie/Erie County Sewer District No. 2 and Abate Engineering Associates, P.C. be formally closed-out in the final contract amount of \$11,346.89 which includes the final Change Order, a decrease of \$2,353.95 and return the unused portion to the Unallocated Account; and be it further

RESOLVED, that the Clerk of the Legislature send a certified copy of the resolution to Charles J. Alessi, P.E., Deputy Commissioner, Department of Environment and Planning, Steve Gawlik, Assistant County Attorney, Nancy Naples, Erie County Comptroller, and Joseph Passafiume, Director, Budget and Management.
(4-0) Legislator Pauly absent for vote.

ALBERT DeBENEDETTI
CHAIRMAN

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

CARRIED UNANIMOUSLY.

Item 19 – MS. MARINELLI presented the following resolution and moved for immediate consideration. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 201

June 1, 2000

COMMUNITY ENRICHMENT
COMMITTEE
REPORT NO. 6

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

ALL ITEMS ARE HEREBY TABLED.

LYNN M. MARINELLI
CHAIRPERSON

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

CARRIED UNANIMOUSLY.

Item 20 – MS. FISHER presented the following resolution and moved for immediate consideration. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 202

June 1, 2000

HEALTH/MENTAL HEALTH
COMMITTEE
REPORT NO. 5

ALL MEMBERS PRESENT.

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

- | | | | | |
|----|-----------------------|---|-------|---------------|
| | Item | Page | -1999 | (Comm. 17D-3) |
| a. | MENTAL HEALTH: | 1999 – 2000 Local Government Plan Mental Retardation/Developmental Disabilities.
(5-0) | | |
| | Item | Page | -2000 | (Comm. 8D-5) |
| b. | ECMC: | Board of Managers Finance Committee 4/4/00 Financial Statements for January & February 2000.
(5-0) | | |
| | Item | Page | -2000 | (Comm. 9D-5) |
| c. | ECMC: | Financial Statements for 3/00.
(5-0) | | |

2. Item Page - 2000 (Comm. 7E-8)

COUNTY EXECUTIVE

WHEREAS, the Erie County Health Department operates a Tuberculosis Control Elimination Activities Program, and

WHEREAS, the Erie County Department of Health has received an increased grant award in the amount of \$67,650 for the enhancement of the Tuberculosis Elimination Activities Program, and

WHEREAS, the purpose of this program is to provide follow up of active TB cases, suspect cases, persons receiving preventive therapy for TB and persons exposed to TB, including outreach services and targeted screening and preventive therapy to at risk groups.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Executive is hereby authorized to accept a revised grant from the New York State Department of Health to continue the Tuberculosis Elimination Activities Program which is budgeted as follows:

Department of Health
Tuberculosis Elimination Activities Program
2/1/00 - 1/31/01
Project #324

SFG Account	Revenue	Current Budget	Changes	Revised Budget
582	State Aid	<u>\$35,130</u>	<u>\$32,520</u>	<u>\$67,650</u>
	TOTAL	<u>\$35,130</u>	<u>\$32,520</u>	<u>\$67,650</u>
	Expenses			
800	Personnel	\$28,995	\$23,505	\$52,500
805	Fringe Benefits	6,135	4,815	10,950
814	Medical & Health			
	Related Supplies	0	1,000	1,000
824	Travel & Mileage	0	1,200	1,200
826	Other Expenses	0	2,000	2,000
	TOTAL	<u>\$35,130</u>	<u>\$32,520</u>	<u>\$67,650</u>

and be it further

RESOLVED, that one full-time position of Licensed Practical Nurse, JG IV is hereby created.

The following personnel detail is hereby submitted:

TITLE: Licensed Practical Nurse
JG: IV
STEP: 0
ANNUAL SALARY: \$23,200
ANNUAL FRINGES: \$5,632

FUNDING: 100% State Funded
CIVIL SERVICE: Yes

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

(5-0)

3. Item Page - 2000 (Comm. 8E-6)
COUNTY EXECUTIVE

WHEREAS, the Erie County Health Department provides an important program of pediatric care at various sites in Erie County, and

WHEREAS, we wish to renew an agreement with the Buffalo Municipal Housing Authority to lease space in a building at its Perry Valley site located at 394, 398-400 South Park Avenue, Buffalo, New York, at the existing rental of three dollars per year for the period March 1, 2000 through February 28, 2001.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby approves of this community service and authorizes the County Executive to renew an agreement with the Buffalo Municipal Housing Authority, at a rate of three dollars (\$3.00) per year, for the period March 1, 2000 through February 28, 2001 for rental of space at 394, 398-400 South Park Avenue, Buffalo, New York, and be it further

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

(5-0)

4. Item Page - 2000 (Comm. 8E-7)
COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Health operates the WIC Program under a grant from the New York State Health Department, and

WHEREAS, the purpose of this program is to provide nutrition related services to pregnant women, infants and children, and

WHEREAS, the Erie County Health Department has received a grant award in the amount of \$2,667,593 which authorizes continuation of the program, and

WHEREAS, the actual grant award is slightly less than was anticipated in 1999 Budget preparation and adjustments are needed to bring the SFG accounts into balance with the award.

NOW, THEREFORE, BE IT

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

SUPPLEMENTAL FOOD (WIC) PROGRAM
10/1/99- 9/30/00
PROJECT #188

SFG	REVENUE	CURRENT BUDGET	CHANGES	REVISED BUDGET
444	LOCAL SOURCE	\$ 1,000	\$ (350)	\$ 650
549	MISC DEPT INC	650	0	650
575	STATE AID	<u>2,794,295</u>	<u>(126,702)</u>	<u>2,667,593</u>
	TOTAL	\$ <u>2,795,945</u>	\$ <u>(127,052)</u>	\$ <u>2,668,893</u>
EXPENSES				
800	PERSONAL SERVICES	\$ 2,039,748	\$ (51,453)	\$ 1,988,295
805	FRINGE BENEFITS	583,428	(69,625)	513,803
810	OFFICE SUPPLIES	5,250	2,850	8,100
814	MEDICAL SUPPLIES	1,000	0	1,000
816	MAINT SUPPLIES	400	200	600
821	DUES & FEES	1,000	4,930	5,930
822	RENTAL CHARGES	25,115	(18,331)	6,784
823	REPAIRS & MAINT	2,935	(340)	2,595
824	TRAVEL & MILEAGE	6,375	3,150	9,525
825	TRAVEL – CONF	5,800	(3,500)	2,300
826	OTHER EXPENSES	21,554	(7,697)	13,857
880-1200	INTERFUND – COMPT	6,167	(6,167)	0
880-2700	INTERFUND – ECHD	49,445	(200)	49,245
880-4000	INTERFUND – ECMC	15,129	0	15,129
880-5100	INTERFUND – DISS	26,999	20,771	47,770
931	BUILDINGS & GROUNDS EQUIPMENT	300	550	850
932	FURNITURE	3,000	(1,000)	2,000
933	TECHNICAL EQUIPMENT	<u>2,300</u>	<u>(1,190)</u>	<u>1,110</u>
	TOTAL	\$ <u>2,795,945</u>	\$ <u>(127,052)</u>	\$ <u>2,668,893</u>

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

(5-0)

5. Item Page - 2000 (Comm. 8E-9)

COUNTY EXECUTIVE

WHEREAS, the Erie County Health Department provides laboratory services to the Niagara County Health Department, the Yates County Health Department, New York State Office for Parks, Recreation and Historic Preservation-Woodlawn Beach (Wendel Engineers), and Western New York Land Conservancy- 18 Mile Creek, and

WHEREAS, these agencies have agreed to reimburse Erie County for said Public Health Laboratory services, and

WHEREAS, providing Public Health Laboratory services to other agencies is beneficial to Erie County in that revenues received are in excess of expenses, increasing the number of tests performed results in greater efficiency and lower per-unit test cost and helps maintain cost effective testing programs, and

WHEREAS, the Public Health Laboratory budget must be adjusted to accommodate this increased workload.

NOW, THEREFORE, BE IT

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

Increase SFG Account 398 Public Health Lab Fees	\$42,780
Increase SFG Account 814 Medical & Health Supplies	40,780
Increase SFG Account 826 Other Expenses	<u>2,000</u>
Net Increase	\$ <u>0</u>

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 Office of the Comptroller and the Department of Law.

(5-0)

AS AMENDED

6. Item Page - 2000 (Comm. 9E-40)

COUNTY EXECUTIVE

WHEREAS, THE ERIE COUNTY DEPARTMENT OF MENTAL HEALTH IS RESPONSIBLE

FOR THE DELIVERY OF A COMPREHENSIVE RANGE OF ALCOHOL AND SUBSTANCE ABUSE TREATMENT, PREVENTION AND SPECIALIZED SERVICES FOR THE RESIDENTS OF ERIE COUNTY, AND

WHEREAS, THE NEW YORK STATE OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES HAS APPROVED A STATE INCENTIVE COOPERATIVE AGREEMENT PROPOSAL DEVELOPED BY A PARTNERSHIP COMPRISED OF VARIOUS COMMUNITY REPRESENTATIVES AND SUBMITTED BY THE ERIE COUNTY DEPARTMENT OF MENTAL HEALTH FOR ALCOHOL AND SUBSTANCE ABUSE PREVENTION FOR RESIDENTS OF THE LOWER WEST SIDE OF THE CITY OF BUFFALO, AND

WHEREAS, THE NEW YORK STATE OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES HAS NOTIFIED THE ERIE COUNTY DEPARTMENT OF MENTAL HEALTH THAT IT IS TO PROVIDE \$212,869 IN 100% STATE FUNDS FOR THE PERIOD APRIL 1, 2000, THROUGH JULY 14, 2001, TO THE DEPARTMENT OF MENTAL HEALTH FOR IMPLEMENTING THE PROPOSED ALCOHOL AND SUBSTANCE ABUSE PREVENTION INITIATIVE THROUGH A CONTRACT WITH WESTERN NEW YORK UNITED AGAINST DRUG AND ALCOHOL ABUSE, INC.,

NOW, THEREFORE, BE IT

RESOLVED, THAT THE COUNTY EXECUTIVE BE AUTHORIZED TO ENTER INTO A CONTRACTUAL AGREEMENT WITH THE NEW YORK STATE OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES FOR THE ACCEPTANCE OF \$212,869 STATE FUNDS FOR THE PERIOD APRIL 1, 2000, THROUGH JULY 14, 2001, FOR THE STATE INCENTIVE COOPERATIVE AGREEMENT ALCOHOL AND SUBSTANCE ABUSE PREVENTION INITIATIVE AWARDED TO THE DEPARTMENT OF MENTAL HEALTH, AND BE IT FURTHER

RESOLVED, THAT \$212,869 BE APPROPRIATED IN THE GRANT FUND FOR WESTERN NEW YORK UNITED AGAINST DRUG AND ALCOHOL ABUSE, INC. FOR THE PERIOD APRIL 1, 2000, THROUGH JULY 14, 2001, THE SOURCE OF THESE FUNDS BEING 100% NEW YORK STATE OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES STATE INCENTIVE COOPERATIVE AGREEMENT FUNDS, AND BE IT FURTHER

RESOLVED, THAT THE COUNTY EXECUTIVE BE AUTHORIZED TO ENTER INTO A CONTRACTUAL AGREEMENT WITH WESTERN NEW YORK UNITED AGAINST DRUG AND ALCOHOL ABUSE, INC., TO PROVIDE THESE \$212,869 IN 100% STATE FUNDS FOR THE PERIOD APRIL 1, 2000, THROUGH JULY 14, 2001, FOR IMPLEMENTING THE STATE INCENTIVE COOPERATIVE AGREEMENT ALCOHOL AND SUBSTANCE ABUSE PREVENTION INITIATIVE, AND BE IT FURTHER

RESOLVED, THAT SIX MONTHS FOLLOWING APPROVAL OF THIS COMMUNICATION BY THE ERIE COUNTY LEGISLATURE, THE LEAD STAFF

PERSON AND PROGRAM EVALUATOR SHALL ATTEND A MEETING OF THE LEGISLATURE'S HEALTH/MENTAL HEALTH COMMITTEE AND PROVIDE MEMBERS WITH A DETAILED REPORT CONCERNING THE PROGRESS OF COORDINATING/COOPERATING EFFORTS, AS WELL AS A REPORT ON THE IMPACT AND/OR SERVICES PROVIDED TO STUDENTS, NEIGHBORHOOD GROUPS, AND THE COMMUNITY AT-LARGE THAT HAVE RESULTED FROM THIS GRANT, 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.

(5-0)

7. Item Page - 2000 (Comm. 9E-41)

COUNTY EXECUTIVE

WHEREAS, the HIV/STD Support Services Grant funds a Public Health Nurse who provides HIV testing and reimburses the STD Clinic for participation in a Chlamydia Study, and

WHEREAS, the Erie County Health Department has received a revised grant award in the amount of \$54,564 from the New York State Department of Health for the period 4/1/99 -3/31/00.

NOW, THEREFORE, BE IT

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

HIV/STD SUPPORT SERVICES
4/1/99 - 03/31/2000
PROJECT # 192

SFG	REVENUE	CURRENT BUDGET	CHANGES	REVISED BUDGET
388	LOCAL SOURCE	\$ 8,172	\$ 0	\$ 8,172
553	STATE AID	<u>43,300</u>	<u>3,092</u>	<u>46,392</u>
	TOTAL	<u>\$ 51,472</u>	<u>\$ 3,092</u>	<u>\$ 54,564</u>
EXPENSES				
800	PERS. SERVICES	\$ 41,122	\$ 4,778	\$ 45,900
	OVERTIME	\$ -	144	\$ 144
805	FRINGES	8,000	-800	7,200

June 8, 2000**ERIE COUNTY LEGISLATURE**

825	OUT OF AREA TRAVEL	1,320	0	1,320
890	CONTRACTUAL SALARY	<u>1,030</u>	<u>-1,030</u>	<u>0</u>
TOTAL		<u>\$ 51,472</u>	<u>\$ 3,092</u>	<u>\$ 54,564</u>

and be it further

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

(5-0)

8. Item Page - 2000 (Comm. 9E-43)

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
7/1/00 - 6/30/01

<u>SFG</u>	<u>REVENUE</u>	<u>BUDGET</u>
553	STATE AID	<u>\$ 50,000</u>
	TOTAL	<u>\$ 50,000</u>
	<u>EXPENSES</u>	
830	CONTRACTUAL	<u>\$ 50,000</u>
	TOTAL	<u>\$ 50,000</u>

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.

(5-0)

9. Item Page - 2000 (Comm. 9E-44)

COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Health received a revised grant award from the New York State Department of Health in the amount of \$67,143 which is an increase of \$10,033 for the purpose of funding breast and cervical cancer screening for low income, asymptomatic, underserved women aged 40 and over, and

WHEREAS, the Erie County Healthy Women's Partnership is made up of a coalition of concerned community agencies and health care providers, and

WHEREAS, the Erie County Health Department is the fiscal intermediary for this project.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to accept the revised grant award from the New York State Health Department to be budgeted as follows:

DEPARTMENT OF HEALTH
HEALTHY WOMEN'S PARTNERSHIP
04/1/99 # 03/31/00
PROJECT # 217

<u>SFG</u>	<u>REVENUE</u>	<u>CURRENT BUDGET</u>	<u>CHANGE</u>	<u>REVISED BUDGET</u>
517	OTHER LOCAL SOURCE	\$23,473	\$ 0	\$ 23,473
553	STATE AID	<u>57,110</u>	<u>10,033</u>	<u>\$ 67,143</u>
	TOTAL	<u>\$80,583</u>	<u>\$10,033</u>	<u>\$ 90,616</u>

EXPENSES

830-987	CONTRACTUAL AMERICAN CANCER SOCIETY	\$44,336	\$ 0	\$ 44,336
830-988	CONTRACTUAL SISTERS OF CHARITY HOSP.	10,000	0	10,000
830-989	CONTRACTUAL CLINICAL SERVICES	21,772	10,033	31,805
880-2700	DEPT. OF HEALTH	100	0	100

933	LAB & TECH EQUIPMENT	<u>4,375</u>	<u>0</u>	<u>4,375</u>
	TOTAL	<u>\$80,583</u>	<u>\$ 10,033</u>	<u>\$ 90,616</u>

and be it further

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

(5-0)

10. Item Page - 2000 (Comm. 10E-20)
COUNTY EXECUTIVE

WHEREAS, the Erie County Health Department has recently been awarded a continuation of an existing grant from the New York State Health Department in the amount of \$341,493 which funds the Women's Health Services Program operated at various clinic locations throughout Erie County, and

WHEREAS, the Women's Health Services Program provides comprehensive family planning services to at-risk adolescents and other medically indigent women and men in areas where infant mortality, morbidity, adolescent pregnancy, abortion and out-of-wedlock birth rates are high.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to enter into an agreement with the New York State Department of Health for the purpose of continuing the Women's Health Services Program to be budgeted as follows:

WOMEN'S HEALTH SERVICES
 4/1/00 - 3/31/01
 PROJECT # 323

SFG CODE	REVENUE	CURRENT BUDGET	CHANGES	REVISED BUDGET
386	PRIVATE PAY	\$ 3,500	\$ -510	\$ 2,990
387	MEDICAID	488,726	+ 46,061	534,787
549-166	INSURANC	0	+ 5,200	5,200
575	STATE AI	327,948	+ 13,545	341,493
685-2700	INTERFUND-NON SUBSIDY	<u>69,444</u>	<u>0</u>	<u>69,444</u>
	TOTAL REVENUE	<u>\$ 889,618</u>	<u>\$ + 64,296</u>	<u>\$ 953,914</u>

APPROPRIATIONS

800	PERSONAL SERVICES	\$ 494,463	\$ +18,941	\$ 513,404
805	FRINGE BENEFIT	104,628	+ 4,008	108,636

June 8, 2000

ERIE COUNTY LEGISLATURE

810	OFFICE SUPPLIES	5,500	+ 500	6,000
814	MEDICAL SUPPLIES	62,000	+ 7,000	69,000
816	MAINT SUPPLIES	150	0	150
821	DUES & FEES	60,000	+ 4,000	64,000
822	RENTAL CHARGES	500	0	500
823	REPAIRS & MAINT	4,000	+6,500	10,500
824	LOCAL MILEAGE	6,500	+150	6,650
825	TRAVEL-OUT OF AREA	3,000	+1,500	4,500
826	OTHER EXPENSES	28,000	+7,653	35,653
880-2700	INTERFUND-HEALTH DEPT,	18,124	+5,044	23,168
880-2720	INTERFUND-PUBLIC HEALTH LAB	16,635	0	16,635
880-4000	INTERFUND-ECMC	54,800	0	54,800
880-5100	INTERFUND-DISS	9,818	0	9,818
883-2709	INTERDEPT-HEALTH GRANTS	(500)	0	(500)
932	OFFICE EQUIPMENT	2,000	+1,000	3,000
933	LAB & TECHNICAL EQUIPMENT	<u>20,000</u>	<u>+8,000</u>	<u>28,000</u>
	TOTAL APPROPRIATIONS	<u>\$ 889,618</u>	<u>\$ +64,296</u>	<u>\$ 953,914</u>

and be it further

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

(5-0)

**JUDITH P. FISHER
CHAIRPERSON**

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

CARRIED UNANIMOUSLY.

Item 21 – MR. HOLT presented the following resolution and moved for immediate consideration. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 203

June 1, 2000

SOCIAL SERVICES
COMMITTEE
REPORT NO. 6

ALL MEMBERS PRESENT.

1. Item Page - 2000 (Comm. 8E-3)

COUNTY EXECUTIVE

WHEREAS, the New York State Office of Children and Family Services has made available a total of \$30,000 in additional state aid that requires no county matching funds, and

WHEREAS, the New York State Office of Children and Family Services has specifically designated \$10,000 in additional funds for the Compass House Emergency Shelter program, \$5,000 for the Compass House Homeless Program, \$10,000 for the Franciscan Center Emergency Shelter program and \$5,000 for the Franciscan Center Homeless Program,

NOW, THEREFORE, BE IT

RESOLVED, that \$20,000 is hereby appropriated to the Department of Youth Services Division's regular operating budget, account 830, sub-account 0778 - Runaway Reimbursement, and \$10,000 is hereby appropriated to the Department of Youth Services - Youth Division's account 830, sub-account 0779 - Homeless Reimbursement, to cover the cost of contracting with the above listed agencies, and be it further

RESOLVED, that the source of funds is \$30,000 in total state aid from the New York State Office of Children and Family Services, with \$20,000 to be received in the Department of Youth Services - Youth Division's regular operating budget revenue account 620, sub-account 0103 - Runaway Reimbursement, and \$10,000 to be received in the Department of Youth Services - Youth Division's account 620, sub-account 0105 - Homeless Reimbursement, 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 State of New York and the above listed agencies, and be it further

RESOLVED, that the Erie County Legislature 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 the New York State Office of Children and Family Services requires that these special services must be provided by certified runaway and homeless youth programs provided by Compass House and the Franciscan Center, 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)

2. Item Page - 2000 (Comm. 10E-19)

COUNTY EXECUTIVE

WHEREAS, the Erie County Legislature has already appropriated funds for the Area Agency on Aging (AAA), the Disease Prevention and Health Promotion (III-F), and the Title III-D Respite (III-D) grants for the period January 1, 2000 to December 31, 2000, and

WHEREAS, the New York State Office for the Aging has notified the Department of Senior Services of current federal allocations for the Title III grants, and

WHEREAS, the County budgets for the above grants are in need of revision, and

WHEREAS, the Department wishes to use the additional Federal funds to increase legal services, health promotion, adult day care and other supportive services already being provided under these grants, and

WHEREAS, no additional County funds are needed, and

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be and is hereby authorized to increase the contract with Legal Services for Elderly, Disabled or Disadvantaged of WNY, Inc. by \$10,000, and be it further

RESOLVED, that the budget for the AAA grant for the period January 1,2000 to December 31, 2000, Project 275, be revised as follows:

<u>REVENUES</u>		<u>CURRENT BUDGET</u>	<u>CHANGES</u>	<u>AMENDED BUDGET</u>
<u>Account</u>	<u>Description</u>			
664	Federal Aid	\$1,464,391	\$+46,969	\$1,511,360
686	Interfund Rev	327,343	<u>-24,534</u>	302,809
TOTAL CHANGE TO REVENUES			<u>\$+22,435</u>	
 <u>APPROPRIATIONS</u>				
830/236	Legal Services	\$ 206,209	\$+10,000	\$ 216,209
932	Furn & Fix	-0-	+ 2,000	2,000
933	Lab & Tech	\$ -0-	<u>\$+10,435</u>	\$ 10,435
TOTAL CHANGE TO APPROPRIATIONS			<u>\$+22,435</u>	

and be it further

RESOLVED, that the budget for the III-F grant for the period January 1, 2000 to December 31, 2000, Project 278, be revised as follows:

<u>REVENUES</u>		<u>CURRENT BUDGET</u>	<u>CHANGES</u>	<u>AMENDED BUDGET</u>
<u>Account</u>	<u>Description</u>			
664	Federal Aid	\$62,619	<u>\$+3,547</u>	\$66,166
TOTAL CHANGE TO REVENUES			<u>\$+3,547</u>	

APPROPRIATIONS

825	Out of Area Trav	160	+1,000	1,160
830	Contractual Serv	1,487	<u>+2,547</u>	4,034
TOTAL CHANGE TO APPROPRIATIONS			<u>\$+3,547</u>	

and be it further

RESOLVED, that the III-D grant for the period January 1, 2000 to December 31, 2000, Project 276, be revised as follows:

<u>REVENUES</u>		<u>CURRENT BUDGET</u>	<u>CHANGES</u>	<u>AMENDED BUDGET</u>
<u>Account</u>	<u>Description</u>			
664	Federal Aid	\$37,279	<u>\$+6,421</u>	\$43,700
TOTAL CHANGE TO REVENUES			<u>\$+6,421</u>	
<u>APPROPRIATIONS</u>				
830	Contractual Svs	\$42,642	<u>\$+6,421</u>	\$49,063
TOTAL CHANGE TO APPROPRIATIONS			<u>\$+6,421</u>	

and be it further

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

(5-0)

3. Item Page - 2000 (Comm. 10E-26)

COUNTY EXECUTIVE

WHEREAS, the Erie County Legislature has already appropriated funds for the Home Energy Assistance Program (HEAP) the Weatherization and Referral And Packaging Program (WRAP-SOFA) and the HEAP Weatherization Referral and Packaging (WRAP-DSS) program for the period October 1, 1999 to September 30, 2000, and

WHEREAS, the New York State Office for the Aging has provided additional WRAP-SOFA grant funds, and

WHEREAS, these grant funds are 100% Federally funded with no additional cost to the County, and

WHEREAS, Senior Services will be able to provide additional last resort weatherization assistance for low-income HEAP eligible households, and

WHEREAS, Senior Services desires to more efficiently carry out the energy services function through the use of a full time Energy Crisis Assistance Worker II position, and

WHEREAS, Senior Services desires to create an Energy Crisis Assistance Worker II position in the WRAP-SOFA grant, project 168, effective June 5, 2000, and

WHEREAS, Senior Services desires to revise the HEAP, WRAP-SOFA and WRAP-DSS grant budgets to reflect actual needs and to maximize use of all funds,

NOW, THEREFORE, BE IT

RESOLVED, that an Energy Crisis Assistance Worker II position (job group 3, Step 0, \$10.15 hourly) be added to the WRAP-SOFA grant, respectively, effective June 5, 2000, (B-100 attached) and be it further

RESOLVED, that the HEAP grant, Project 164, be revised as follows:

<u>APPROPRIATIONS</u>		<u>CURRENT</u>	<u>CHANGES</u>	<u>AMENDED</u>
<u>Account</u>	<u>Description</u>	<u>BUDGET</u>		<u>BUDGET</u>
805	Fringe Benefits	\$47,117	\$-2,660	\$44,457
810	Office Supplies	1,400	+1,200	2,600
821	Dues and Fees	400	+ 510	910
825	Out of Area Travel	-0-	+ 200	200
826	Other Expenses	-0-	+ 750	750
	TOTAL CHANGES		<u>\$ -0-</u>	

And be it further

RESOLVED, that the WRAP-SOFA grant, Project 168, be revised as follows:

<u>REVENUES</u>		<u>CURRENT</u>	<u>CHANGES</u>	<u>AMENDED</u>
<u>Account</u>	<u>Description</u>	<u>BUDGET</u>		<u>BUDGET</u>
655	Federal Aid	\$182,283	<u>\$+73,011</u>	\$255,294
	TOTAL CHANGE		<u>\$+73,011</u>	

<u>APPROPRIATIONS</u>		<u>CURRENT</u>	<u>CHANGES</u>	<u>AMENDED</u>
<u>Account</u>	<u>Description</u>	<u>BUDGET</u>		<u>BUDGET</u>
800	Personal Services	\$113,463	\$+12,197	\$125,660
805	Fringe Benefit	26,283	+ 4,000	30,283
823	Repairs & Maint	-0-	+ 500	500
825	Out of Area Travel	-0-	+ 500	500
826	Other Expenses	33,337	+50,814	84,151
932	Furn & Fixture	-0-	+ 2,000	2,000
933	Lab & Tech Equip.	-0-	+ 3,000	3,000
	TOTAL CHANGE		<u>\$+73,011</u>	

and be it further

RESOLVED, that the WRAP-DSS grant, Project 167, be revised as follows:

<u>APPROPRIATIONS</u>		<u>CURRENT BUDGET</u>	<u>CHANGES</u>	<u>AMENDED BUDGET</u>
<u>Account</u>	<u>Description</u>			
824	Local Mileage	\$4,000	\$- 500	\$3,500
825	Out of Area Travel	-0-	+ 500	500
	TOTAL CHANGES		<u>\$ --0--</u>	

and be it further

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

(5-0)

4. Item Page - 2000 (Comm. 10E-32)

COUNTY EXECUTIVE

WHEREAS, the First Time/Last Time Program serves youth, ages 16-21 from throughout Erie County, and

WHEREAS, the First Time/Last Time Program's mission is to provide assistance to young people who have been charged with criminal offenses by providing direct services of crisis intervention and individual/family counseling as well as diverting these offenders into an extensive and supportive referral-based system, and

WHEREAS, The New York State Division of Criminal Justice Services has made Federal funding available for this project.

NOW, THEREFORE, BE IT

RESOLVED, that authorization is hereby provided to enter into contract with the New York State Division of Criminal Justice Services for the receipt of Federal grant funding in the amount of \$20,000, and be it further

RESOLVED, that the County Executive is hereby authorized to enter into agreement with the First Time/Last Time Program to provide services and receive \$20,000 in grant funding, and be it further

RESOLVED, that authorization is hereby provided to make the following budgetary adjustments in the Department of Youth Services, Division of Youth:

Department of Youth Services
Division of Youth
Project 946

<u>Revenue</u>	<u>Increase</u>
Acct. 627 - State Aid Criminal Justice Program	\$20,000
<u>Appropriation</u>	
Acct. 830 - Contractual First Time/Last Time	<u>\$20,000</u>
Net Cost	\$0

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)

GEORGE A. HOLT, JR.
CHAIRMAN

MR. HOLT moved the approval of the resolution. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

Item 22 – MS. PEOPLES presented the following resolution and moved for immediate consideration. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 204

June 1, 2000

PERSONNEL AD HOC
COMMITTEE
REPORT NO. 8

ALL MEMBERS PRESENT EXCEPT LEGISLATOR DeBENEDETTI.

1. Item Page -2000 (Comm. 10E-15)
COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Law is need of an additional attorney position due to the volume of work in that office; and

WHEREAS, the newly created position will be at Job Grade 15, Step 0; and

WHEREAS, the duties of the new position will be assigned by the County Attorney and will provide additional legal services for the Sheriff's Department; and

WHEREAS, the Sheriff has agreed to use unexpended funds in his Department's budget to pay for the salary and fringe benefits of the new position for the remainder of the year 2000; and

WHEREAS, the County Attorney and Sheriff wish to enter an interdepartmental agreement to memorialize the creation, funding and job responsibilities of the new position.

NOW, THEREFORE, BE IT

RESOLVED, that the position of Assistant County Attorney, Job Grade 15, Step 0 is hereby created within the Erie County Department of Law; and be it further

RESOLVED, that the following amounts are hereby transferred in the specified accounts from the Division of the Sheriff to the Department of Law:

ACCOUNT 800 - Personal Services: \$27,772.00

ACCOUNT 805 - Fringe Benefits: \$6,943.00;

and be it further

RESOLVED, that the Sheriff and County Attorney are authorized to enter into an interdepartmental agreement to memorialize the creation, funding and job duties of the new position; and be it further

RESOLVED, that certified copies of this Resolution be sent to Joel A Giambra, Erie County Executive, Joseph Passafiume, Director of the Division of Budget, Management and Finance, Patrick Gallivan, Sheriff of Erie County, Nancy Naples, Erie County Comptroller, Frederick Wolf, Erie County Attorney and Leonard Lenihan, Commissioner of Personnel. (4-0) Legislator DeBenedetti absent.

2. Item Page -2000 (Comm. 10E-21)

COUNTY EXECUTIVE

WHEREAS, funds for the Project Exile Program are available from the U.S. Department of Justice, U.S. Attorney's Office in the amount of \$68,000, and

WHEREAS, the District Attorney's Office will utilize the funds to designate an experienced attorney to prosecute and/or refer serious felony firearm cases to the U.S. Attorney's Office.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into a contract with the U.S. Attorney's Office for the purpose of referring appropriate cases to the U.S. Attorney's Office for Federal prosecution, and be it further

RESOLVED, that authorization is hereby provided to create the position of Assistant District Attorney III, Job Group 14, in the District Attorney's Project Exile Program. The B-100 is attached, and be it further

RESOLVED, that authorization is hereby provided to establish the District Attorney's Project Exile Program as follows:

GRANT FUND
DISTRICT ATTORNEY - PROJECT EXILE PROGRAM
JUNE 19, 2000 - APRIL 30, 2001

<u>Revenue</u>	<u>Increase</u>
Acct. 684 - Federal Revenue	<u>\$68,000</u>
Total Revenue	<u>\$68,000</u>

Appropriation

Acct. 800 - Personnel	\$56,324
Acct. 805 - Fringe Benefits	<u>11,676</u>
Total Appropriation	<u>\$68,000</u>

and be it further

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

(4-0) Legislator DeBenedetti absent.

3. Item Page -2000 (Comm. 10E-28)

COUNTY EXECUTIVE

WHEREAS, Erie County has successfully conducted a model Household Hazardous Waste Collection Program since 1988, servicing over 20,000 households within Erie County, and

WHEREAS, representatives from regional Native American population centers have expressed an interest in a program to provide their residents with an opportunity to dispose of unwanted household chemicals, and

WHEREAS, the United States Environmental Protection Agency (USEPA) has awarded the Erie County Department of Environment and Planning a grant for a project entitled "Erie County/Tribe Environmental Partnership Project." The grant in the amount of \$50,000

establishes a two-year program to implement a Native American Household Hazardous Waste Awareness and Collection Program, and

WHEREAS, it is in the best interest of Erie County to assist local Native American groups with the development of a household hazardous waste collection program for the protection of the environment, and

WHEREAS, to date, the program has successfully implemented two household hazardous waste collections for Native American reservation residents, and

WHEREAS, first year program activities provide an indication of potential benefit for extension and enhancement of program collection events with the reallocation of program resources, and

NOW, THEREFORE, BE IT

RESOLVED, that the following personnel changes are hereby approved within the established Erie County/Tribe Environmental Partnership Project administered by the Department of Environment and Planning:

Add - Environmentalist-Hazardous Waste (JG9)

and be it further

RESOLVED, that certified copies of this resolution be sent to the Commissioner of Environment and Planning, the County Controller, the County Attorney, and the Commissioner of Personnel.

(4-0) Legislator DeBenedetti absent.

CHARLES M. SWANICK
CHAIRMAN

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

CARRIED UNANIMOUSLY.

LEGISLATORS RESOLUTIONS

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

CARRIED UNANIMOUSLY.

RESOLUTION NO 205

Re: Town of Amherst
Involvement in the Free
Rabies Clinic Program.
(Intro. 12-1)

A RESOLUTION SUBMITTED BY LEGISLATOR PAULY

WHEREAS, the County of Erie has conducted annual free rabies clinics administered by the Erie County Health Department for many years, and

WHEREAS, the Town of Amherst is desirous of obtaining one of these clinics for its residents, and

WHEREAS, that the Erie County Legislature supports free rabies clinics for towns throughout Erie County,

NOW, THEREFORE, BE IT

RESOLVED, NOW, THEREFORE, BE IT the Erie County Legislature requests the Erie County Department of Health, in association with the Niagara Frontier Veterinary Society and the Erie County SPCA to conduct a free rabies clinic in the Town of Amherst during the summer of 2000,

Fiscal Impact: None for previously funded program

MR. PAULY moved the approval of the resolution. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

Item 24 – MR. FITZPATRICK presented the following resolution and moved for immediate consideration.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 206

Re: Waiver of Greens Fees
for Coast Guard Event.
(Intro. 12-2)

A RESOLUTION SUBMITTED BY
LEGISLATOR FITZPATRICK

WHEREAS, In conjunction with plans for Armed Forces Week, Memorial Day, and Independence Day, the United States Coast Guard is sponsoring a “Morale Golf Outing” on June 16, 2000, and

WHEREAS, Forty participants are scheduled to play on the aforementioned day at Elma Meadows Golf Course — a county-owned course, and

WHEREAS, In order to minimize expenses, the Coast Guard has requested that the greens fees be waived for the event, and

WHEREAS, As this event is a part of the festivities organized by the Armed Forces of America to honor the members of the Armed Forces who serve our country and our county, it would be fitting for this Honorable Body to approve a waiver of the normal greens fees for the participants of the aforementioned event,

NOW, THEREFORE, BE IT

RESOLVED, That the Erie County Legislature does hereby direct the Commissioner of the Department of Parks, Recreation and Forestry to waive any and all greens fees associated with the United States Coast Guard Morale Golf Outing to be held at Elma Meadows Golf Course on June 16, 2000, and be it further

RESOLVED, That certified copies of this resolution be sent to Erie County Executive Joel Giambra, Budget Director Joseph Passafiume, Parks, Recreation and Forestry Commissioner Lawrence Jasinski, and United States Coast Guard Lieutenant J.J. Gleason (1 Fuhrmann Blvd., Buffalo, NY 14203).

Fiscal Impact: Minimal.

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

CARRIED UNANIMOUSLY.

Item 25 – MS. PEOPLES presented the following resolution and moved for immediate consideration. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 207

Re: Investigating
Environmental Concerns
Regarding Buffalo Sewer
System Discharge.
(Intro. 12-3)

A RESOLUTION SUBMITTED BY LEGISLATOR PEOPLES

WHEREAS, The Erie County/Southtowns Sewage Treatment Agency has a need for additional sewage treatment capacity, and

WHEREAS, The Erie County Department of Environment and Planning has submitted a request (Comm. 10E-29) to fund a study to evaluate the cost effectiveness of using the existing infrastructure of the Buffalo Sewer Authority (BSA) to treat sewage from the Erie County/Southtowns Sewage Treatment Agency, and

WHEREAS, Such a connection could also possibly provide sewer capacity to areas of Buffalo and Lackawanna, and

WHEREAS, ECDEP has stated in the accompanying memorandum to Comm. 10E-29 that the BSA "has an excess of such capacity," and could therefore handle additional capacity, and

WHEREAS, The validity of the assertion that the BSA could handle increased capacity is brought into question in light of a December 1999 report by the Citizens Environmental Research Institute (CERI) entitled *Sewage Overflows: A Discharge Map and Information on Erie County's Foremost Urban Water Quality Problem*, and

WHEREAS, The report notes that in Buffalo, Combined Sewer Overflows (CSOs) occur when rainwater enters storm drains that empty into the same lines that carry wastewater from our homes, and

WHEREAS, According to the report, release pipes have been designed into Buffalo's system to divert the untreated sewage wastewater into the nearest stream, thus dumping more than 35 million gallons of untreated sewage during heavy rainstorms through 67 pipes that empty into the Buffalo River, Scajaquada Creek, Niagara River and Lake Erie, and

WHEREAS, The Erie County Legislature, while a staunch proponent of regional cooperation, is in need of further information on ECDEP's aforementioned proposal to ensure that the BSA does indeed have the additional capacity necessary for the project, in order to preserve the safety of our area's water supply,

NOW, THEREFORE, BE IT

RESOLVED, That the Erie County Legislature does hereby affirm its intention to give full consideration to the Erie County Department of Environment and Planning's request to evaluate the cost effectiveness of using the existing infrastructure of the Buffalo Sewer Authority to treat sewage from the Erie County/Southtowns Sewage Treatment Agency, providing said connection causes no adverse sewage overflows or discharges, and be it further

RESOLVED, That in order to give proper consideration to said proposal, this Honorable Body does hereby request that representatives from the Erie County Department of Environment and Planning, the Buffalo Sewer Authority, and the Citizens Environmental Research Institute attend a future meeting of the Legislature's Regionalism Ad Hoc Committee to fully discuss this matter, and be it further

RESOLVED, That certified copies of this resolution be sent to Erie County Executive Joel Giambra, Erie County Department of Environment and Planning Commissioner Laurence Rubin and Deputy Commissioner Charles Alessi, Buffalo Sewer Authority General Manager Anthony Hazzan (Room 1038 City Hall) and Citizens Environmental Research Institute Western New York Program Director William Stoner (3144 Main Street, Buffalo, NY 14214).

Fiscal Impact: None for resolution.

MS. PEOPLES moved to amend the resolution to include et al sponsorship. MRS. FISHER seconded.

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

Item 26 – MR. GREENAN presented the following resolution and moved for immediate consideration. MR. LARSON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 208

Re: Funding for Training for
Firefighters. (Intro. 12-4)

A RESOLUTION SUBMITTED BY
LEGISLATORS GREENAN & LARSON

WHEREAS, the Legislature set aside funds in the 2000 Erie County Budget for use by worthy community organizations and governmental agencies, and

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

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

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$1,500 from the legislative contractual (DAC: 110905100830) to Fund 110, Project 921, Department 301 Agency Payments & Grants - Public Benefit Services, (DAC: 110921301830), for paying the following agency:

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
Erie County Fire Chief's Mutual Aid Organization, Inc.	830/0898	\$1,500
TOTAL		\$1,500

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

RESOLVED, that certified copies of this resolution be sent to County Executive Joel A. Giambra, County Comptroller Nancy A. Naples, Budget Director Joseph Passafiume, Jennifer Anger, Administrative Assistant Erie County Legislature, First Assistant County Attorney Susannah M. Bochenek and to Michael Kluck, Fire School Chairman, Erie County Fire Chief's Mutual Aid Organization, Inc., (77 Larkwood Road, West Seneca, NY 14224.)

Fiscal Impact: Appropriation of 2000-budgeted funds.

MR. GREENAN moved the approval of the resolution. MR. LARSON seconded.

CARRIED UNANIMOUSLY.

Item 27 – MS. MARINELLI presented the following resolution and moved for immediate consideration. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 209

Re: Funding for a
Community Organization.
(Intro. 12-5)

A RESOLUTION SUBMITTED BY
LEGISLATORS MARINELLI & SWANICK

WHEREAS, the Legislature set aside funds in the 2000 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 \$15,000 from the legislative contractual (DAC: 110905100830) 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>
Ken-Ton YMCA	830/0289	\$15,000
TOTAL		\$15,000

and be it further

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

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

RESOLVED, that certified copies of this resolution be sent to County Executive Joel A. Giambra, County Comptroller Nancy A. Naples, Budget Director Joseph Passfiume, Jennifer Anger, Administrative Assistant Erie County Legislature, First Assistant County Attorney Susannah M. Bochenek and to John Murray, President, Greater Buffalo YMCA, (c/o Ken-Ton YMCA, 535 Belmont Avenue, Kenmore, NY 14223.)

Fiscal Impact: Appropriation of 2000-budgeted funds.

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

CARRIED UNANIMOUSLY.

Item 28 – MS. CHASE presented the following resolution and moved for immediate consideration. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 210

Re: Funding for Various
Community Organizations.
(Intro. 12-6)

**A RESOLUTION SUBMITTED BY
LEGISLATOR CHASE**

WHEREAS, the Legislature set aside funds in the 2000 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 \$25,950 from the legislative contractual (DAC: 110905100830) 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>
Hamburg Counseling Service, Inc.	830/	\$5,000
Evans Center Volunteer Fire Company	830/	\$4,000
WNY United Against Drug & Alcohol Abuse Foundation, Inc.	830/0150	\$1,000
Town of Evans	830/0430	\$15,950
TOTAL		\$25,950

and be it further

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

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

RESOLVED, that certified copies of this resolution be sent to County Executive Joel A. Giambra, County Comptroller Nancy A. Naples, Budget Director Joseph Passafiume, Jennifer Anger, Administrative Assistant Erie County Legislature, First Assistant County Attorney Susannah M. Bochenek, David Isbell, Hamburg Counseling Service, Inc., (97 South Buffalo Street, Hamburg, NY 14075), Clinton Soemann, President, Evans Center Volunteer Fire Company, (8298 Erie Road, PO Box 193, Angola, NY 14006-0193,) Catherine Flannigan, WNY United Against Drug & Alcohol Abuse Foundation, Inc., (1067 Harlem Road, Cheektowaga, NY 14227,) and Supervisor Robert R. Catalino, II, Town of Evans, (Evans Town Hall, 8787 Erie Road, Angola, NY 14006.)

Fiscal Impact: Appropriation of 2000-budgeted funds.

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

CARRIED UNANIMOUSLY.

Item 29 – MS. PEOPLES presented the following resolution and moved for immediate consideration. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 211

Re: Support for Pan Am
2001. (Intro. 12-7)

A RESOLUTION SUBMITTED BY LEGISLATORS FISHER, SWANICK, PEOPLES, KUWIK, FITZPATRICK, HOLT, OLMA, DeBENEDETTI, DUSZA, MARINELLI, PAULY, GREENAN & CHASE

WHEREAS, in 1901 an unprecedented event took place in Buffalo called the Pan Am Exposition which attracted thousands of people to the area and was designed to highlight the American people, their land and their technology, and

WHEREAS, this event holds both a magnificent and tragic place in history with its grand festivals, the assassination of President McKinley and the Inauguration of the new President Theodore Roosevelt, and

WHEREAS, many of the grand structures of 1901 such as the Guaranty Building, the Brisbane Building, the Ellicott Square Building, which was then the largest office building in the world, the Armory, Forest Lawn Cemetery, and the Historical Museum, remain today, and

WHEREAS, in 2001 Buffalo will be celebrating the centennial mark of the Pan Am Exposition, and

WHEREAS, this milestone serves as a wonderful opportunity to invite local, national and international residents to remember the Pan Am Celebration in 1901, see how far we have come since that period and look toward the future, and

WHEREAS, several agencies are organizing events that celebrate this landmark anniversary and draw visitors to take part in recognizing the history, culture and architecture associated with Buffalo's Pan Am Exposition, and

WHEREAS, these events will showcase the many outstanding highlights in the Western New York region and in return generate significant tourism dollars which will benefit the local economy, and

WHEREAS, the Legislature set aside funds in the 2000 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 \$200,000 from the Extraordinary County Aid to Local Governments - Economic Development Tourism Fund (DAC: 1109043038301117) to Fund 110, Project 921, Department 301 Agency Payments & Grants - Public Benefit Services, (DAC: 110921301830), for paying the following agency:

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
Buffalo & Erie County Historical Society - Pan Am 2001	830/	\$200,000
TOTAL		\$200,000

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

RESOLVED, that certified copies of this resolution be sent to County Executive Joel A. Giambra, County Comptroller Nancy A. Naples, Budget Director Joseph Passafiume, Jennifer Anger, Administrative Assistant Erie County Legislature, First Assistant County Attorney Susannah M. Bochenek, and to Sandra Gutkowski, Executive Director, Buffalo and Erie County Historical Society, (25 Nottingham Court, Buffalo, NY 14216.)

Fiscal Impact: Appropriation of 2000-budgeted funds.

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

CARRIED UNANIMOUSLY.

COMMUNICATIONS DISCHARGED FROM COMMITTEE

Item 30 – MS. PEOPLES moved to discharge the PERSONNEL AD HOC COMMITTEE from further consideration of Comm. 10E-23. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 212

Re: Resolution creating the position of Labor Relations Specialist Attorney, Part-time.

WHEREAS, Michael Connors, Esq., retired from his position of Second Assistant County Attorney/Director of Labor Relations on December 30, 1999, and

WHEREAS, upon his retirement, the Assistant Director of Labor Relations Attorney, Part-time and the Assistant Director of Labor Relations, Part-time worked expanded hours not anticipated during the creation of the 2000 budget, and

WHEREAS, it is anticipated that the Assistant Director of Labor Relations Attorney, Part-time and the Assistant Director of Labor Relations, Part-time will be precluded from working for the full twelve months of the year 2000 because of budgetary and earning capacity limitations, and

WHEREAS, the County Executive desires there to be continuity in the Division of Labor Relations for the entire year of 2000, and

WHEREAS, the Labor Relations Division wishes to create and fund a position of Labor Relation Specialist Attorney, Part-time, and

WHEREAS, no additional funds will be necessary to fund the position of Labor Relations Specialist Attorney, Part-time,

NOW, THEREFORE, BE IT,

RESOLVED, that five thousand five hundred dollars (\$5,500.00) is available in the wage line for Assistant Director of Labor Relations, Part-time in the Division of Labor Relations to partially fund the position of Labor Relations Specialist Attorney, Part-time, and be it further

RESOLVED, that fourteen thousand, five hundred dollars (\$14,500.00) be transferred from the personal services account in the Department of Law to the same account in the Division of Labor Relations, this amount being available on the salary line for the 2ND Assistant County Attorney, Labor Relations to be used to fund the Labor Relations Specialist Attorney, Part-time, and be it further

RESOLVED, that the position of Labor Relations Specialist Attorney, Part-time (\$42.75 per hour) be created and immediately funded in the amount of twenty thousand dollars (\$20,000.00), and be it further

RESOLVED, that certified copies of this resolution be sent to County Executive Joel A. Giambra, Budget Director Joseph Passafiume, County Comptroller Nancy Naples, County Attorney Fred Wolf, Labor Relations Director Brian Doyle, and Personnel Commissioner Leonard R. Lenihan.

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

CARRIED UNANIMOUSLY.

Item 31 – MS. PEOPLES moved to discharge the PERSONNEL AD HOC COMMITTEE from further consideration of Comm. 10E-24. MS. FISHER seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 213

Re: Executive Director for
the Commission on the Status
of Women-Personnel
Adjustment.

WHEREAS, the Erie County Executive is requesting the deletion of the position of Executive Director for the Commission on the Status of Women, Job Group 13, Step 5, and

WHEREAS, the Erie County Executive is requesting the addition of the position of Executive Director for the Commission on the Status of Women, Job Group 14, Step 3, a variable minimum utilizing the new 2000 pay scale for County Executive Giambra's Department Head and Deputy Department Head appointees, and

WHEREAS, it is necessary to recruit in Job Group 14, Step 3 for the position of Executive Director for the Commission on the Status of Women in order to secure and retain a qualified and experienced candidate, and

WHEREAS, funds are available in the Commission on the Status of Women's 2000 Adopted Budget to achieve the foregoing, in fact modest savings will be achieved.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Executive is authorized to delete the position of Executive Director for the Commission on the Status of Women, Job Group 13, Step 5, and be it further,

RESOLVED, that the Erie County Executive is authorized to add the position of Executive Director for the Commission on the Status of Women, Job Group 14, Step 3, a variable minimum utilizing the new 2000 pay scale for the County Executive's Department Head and Deputy Department Head appointees, effective upon commencement of County service, 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, the Department of Personnel and the Department of Law.

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

CARRIED UNANIMOUSLY.

SUSPENSION OF THE RULES

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

GRANTED.

RESOLUTION NO. 214

Re: Lease Agreement for
Legislative Office Space.
(Comm. 12E-32)

RESOLVED, that the County Executive is hereby authorized to sign a One (1) Year Lease Agreement between the Bernard L. Rusiniak, Sr. 2956 Union Road Cheektowaga, New York 14227 and Erie County for Legislative Office Space for Erie County Legislator Raymond K. Dusza at a cost of \$608.35 per month.

MS. PEOPLES moved the approval of the resolution. MR. HOLT seconded. MR. DUSZA abstained.

CARRIED UNANIMOUSLY.

COMMUNICATIONS FROM ELECTED OFFICIALS

FROM THE COMPTROLLER

Item 33 – (Comm. 12E-1) Apportionment & Distribution of 4% Sales Tax for Month of May.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE COUNTY EXECUTIVE

Item 34 – (Comm. 12E-2) ECC 2000-2001 Tentative Budget.

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM LEGISLATOR MARSHALL

Item 35 – (Comm. 12E-3) Copy of Letter to County Executive Recommending Catherine Weiss for Reappointment to the Erie County Commission on the Status of Women.

Received and filed.

FROM CHAIRMAN SWANICK

Item 36 – (Comm. 12E-4) Copy of Letter to Deputy Comptroller Re: County Funds Provided to Broadway Market.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE COMPTROLLER

Item 37 – (Comm. 12E-5) Investment Earnings Report for 1999.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM LEGISLATOR OLMA

Item 38 – (Comm. 12E-6) Copy of Letter to Chairman Swanick Re: ECWA Commissioner.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE COUNTY EXECUTIVE

Item 39 – (Comm. 12E-7) Youth Services – Authorization to Receive Funds & Contract with Boys & Girls Club of Buffalo.

Received and referred to the SOCIAL SERVICES COMMITTEE.

Item 40 – (Comm. 12E-8) County Attorney – Personnel Adjustments.

Received and referred to the PERSONNEL AD HOC COMMITTEE.

Item 41 – (Comm. 12E-9) Social Services – Employee Education & Training.

Received and referred to the SOCIAL SERVICES COMMITTEE.

Item 42 – (Comm. 12E-10) Auto Bureau Security Improvements.

Item 43 – (Comm. 12E-11) Renewal of Northtown Auto Bureau Lease.

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

Item 44 – (Comm. 12E-12) Senior Services – Authorization to Amend Nutrition Grant Budget.

Received and referred to the SOCIAL SERVICES COMMITTEE.

Item 45 – (Comm. 12E-13) Appointment to County Development Coordination Board.

Received and referred to the PERSONNEL AD HOC COMMITTEE.

Item 46 – (Comm. 12E-14) DPW – ECC City – Ground Floor Alterations.

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 47 – (Comm. 12E-15) ECSD No. 5 – Stahley Road, Town of Clarence – Contract Award.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 48 – (Comm. 12E-16) Health – Contract Renewal with NYSDEC 4/1/00 – 3/31/01.

Item 49 – (Comm. 12E-17) Health – Childhood Lead Poisoning Prevention Program 1/1/00 – 12/31/00.

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

Item 50 – (Comm. 12E-18) DPW – Increase to Consultant Contract – Merlau Road Bridge, Town of Wales.

Item 51 – (Comm. 12E-19) DPW – Hazard Mitigation Grant Program – Five Bank Stabilization & Flood Projects.

Item 52 – (Comm. 12E-20) DPW – Buffalo & Erie County Public Library – Exterior Site & Building Improvements.

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

Item 53 – (Comm. 12E-21) Social Services – Legal Services to the Elderly & Disabled.

Received and referred to the SOCIAL SERVICES COMMITTEE.

Item 54 – (Comm. 12E-22) Health – Facilitated Enrollment for Child Health Plus & Medicaid (5/1/00 – 6/30/01).

Received and referred to the HEALTH COMMITTEE.

Item 55 – (Comm. 12E-23) Social Services – Disaster Recovery Program AOP Solutions.

Received and referred to the SOCIAL SERVICES COMMITTEE.

Item 56 – (Comm. 12E-24) Health – A Systems Approach to Reducing the Burden of Asthma 8/1/00 – 7/31/01.

Item 57 – (Comm. 12E-25) Health – Source Water Assessment Program (SWAP) – Contract with NYS 4/1/99 – 3/31/01.

Item 58 – (Comm. 12E-26) Health – Public Health Campaign Grant 4/1/00 – 3/31/01.

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

Item 59 – (Comm. 12E-27) Two Mile Creek Greenway: Amended Intermunicipal Agreement, Town of Tonawanda.

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 60 – (Comm. 12E-28) Correctional Facility – Personnel Adjustments.

Received and referred to the PERSONNEL AD HOC COMMITTEE.

Item 61 – (Comm. 12E-29) ECSD Nos. 1, 4 & 5 – Northern Region Administration Building Extension – Change Order.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 62 – (Comm. 12E-30) Health – Personnel Adjustments.

Received and referred to the PERSONNEL AD HOC COMMITTEE.

Item 63 – (Comm. 12E-31) District Attorney – Juvenile Justice Prosecution.

Received and referred to the PUBLIC SAFETY COMMITTEE.

COMMUNICATIONS FROM THE DEPARTMENTS

FROM DEP

Item 64 – (Comm. 12D-1) Brant, Evans, North Collins – Regional Farmland Protection Project.

Received and referred to the REGIONALISM AD HOC COMMITTEE.

FROM ECMC

Item 65 – (Comm. 12D-2) Financial Statements for 4/00.

Received and referred to the HEALTH COMMITTEE.

FROM BUDGET, MANAGEMENT & FINANCE

Item 66 – (Comm. 12D-3) Budget Monitoring Report for Period Ending 3/31/00.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES

FROM THE NFTA

Item 67 – (Comm. 12M-1) Minutes of Board Meeting Held 5/15/00.

Received and filed.

FROM ESSEX HOMES OF WNY

Item 68 – (Comm. 12M-2) Copy of Letter to Legislator Swanick Urging Legislature to Adopt EC Local Law Intro No. 2 – 2000.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE BUFFALO & ERIE COUNTY PRIVATE INDUSTRY COUNCIL INC

Item 69 – (Comm. 12M-3) Financial Statements & Federal Award for Year Ended 6/30/99 & Independent Auditors Report.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE NEW YORK POWER AUTHORITY

Item 70 – (Comm. 12M-4) Annual Report for 1999.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM GOVERNOR PATAKI

Item 71 – (Comm. 12M-5) Acknowledgement of Receipt of Resolutions.

Received and filed.

FROM THE TOWN OF ALABAMA

Item 72 – (Comm. 12M-6) Notice of Public Hearing to be Held 6/12/00 Re: Proposed Local Law Amending the Zoning Law.

Received and filed.

FROM THE NATIONAL INSTITUTE ON ALCOHOL ABUSE & ALCOHOLISM

Item 73 – (Comm. 12M-7) Alcohol Alert Newsletter – 12/99.

Received and referred to the HEALTH COMMITTEE.

FROM ROBERT M CATALANO

Item 74 – (Comm. 12M-8) Copy of Letter to County Executive Re: Manure Pollution Near Wendt Beach Park.

Received and referred to the HEALTH COMMITTEE.

FROM DONALD T WILLIAMS

Item 75 – (Comm. 12M-9) Copy of Letter to Legislator Fisher Re: State Medicaid Regulations on Personal Care Services for Home Care Recipients.

Received and referred to the HEALTH COMMITTEE.

FROM THE MENTAL HYGIENE COMMUNITY SERVICES BOARD

Item 76 – (Comm. 12M-10) Mental Health – SICA Grant Application.

Received and referred to the HEALTH COMMITTEE.

MEMORIAL RESOLUTIONS

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

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, June 22, 2000**. MR. MARSHALL seconded.

CARRIED UNANIMOUSLY.

The Chairman declared the Legislature adjourned until **Thursday, June 22, 2000 at 2 p.m. Eastern Standard Time**.

LAURIE MANZELLA
CLERK