

**ERIE COUNTY LEGISLATURE**  
**MEETING NO. 15**  
**July 5, 2001**

The Legislature was called to order by Chairman Swanick.

All Members Present.

The invocation was led by Rev. Dr. John Cooke, of Baker Memorial United Methodist Church.

The Pledge of Allegiance was led by Mr. Pauly.

Minutes of the previous meeting were tabled.

**MISCELLANEOUS RESOLUTIONS**

Item 1 – MR. RANZENHOFER presented a resolution Honoring Ray Carlo, Akron Village Clerk. MS. CHASE seconded.

CARRIED UNANIMOUSLY.

Item 2 – MR. WEINSTEIN presented a resolution Honoring Officers Peter Tarasow & Julio Lebron. MR. LARSON seconded.

CARRIED UNANIMOUSLY.

**LOCAL LAWS**

Item 3 – CHAIRMAN SWANICK directed that Local Law Intro No. 2 (Print #3) 2000 remain on the table.

Item 4 – CHAIRMAN SWANICK directed that Local Law Intro No. 4 (Print #1) 2001 remain on the table.

Item 5 – CHAIRMAN SWANICK directed that Local Law Intro No. 4 (Print #2) 2001 remain on the table.

Item 6 – CHAIRMAN SWANICK directed that Local Law Intro No. 5 (Print #1) 2001 remain on the table.

Item 7 – CHAIRMAN SWANICK directed that Local Law Intro No. 5 (Print #2) 2001 remain on the table.

Item 8 – MS. PEOPLES presented the following resolution and moved for immediate consideration. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

COUNTY OF ERIE  
LOCAL LAW INTRO. NUMBER 8 – 2001  
LOCAL LAW NO. \_\_\_\_ -- 2001

A LOCAL LAW in relation to the required use of protective safety helmets on foot-powered scooters and skateboards in Erie County.

BE IT ENACTED BY THE LEGISLATURE OF THE COUNTY OF ERIE AS FOLLOWS:

SECTION 1. Legislative Intent. The Erie County Legislature hereby finds, declares and determines that young persons riding or operating foot-powered scooters or skateboards on public and private roads, on sidewalks and in other places are at risk of sustaining serious injury due to falls occurring while the operator or passenger is at high speed. It is further determined that incidence of serious injury is reduced substantially by the wearing of safety helmets upon the head and by the wearing of other protective safety equipment. It is finally determined that a law requiring young persons to protect themselves by using safety equipment, including helmets, is in the public interest, and will result in decreased incidences of serious injury to young persons operating foot powered scooters and skateboards.

SECTION 2. Helmet Requirements. No person under the age of fourteen years shall operate a foot-powered scooter or skateboard, or ride as a passenger on a foot powered scooter unless such operator or passenger is wearing a helmet meeting the standards of the American National Standards Institute (Anzi Z 90.4 bicycle helmet standards) or of the Snell Memorial Foundation 1984 Standard for Protective Headgear For Use In Bicycling or by the United States Consumer Products Safety Commission, as last revised by said organizations. For the purposes of this law, “wearing a helmet” shall mean having a helmet of good fit fastened securely upon the head with the helmet straps.

SECTION 3. Enforcement. The Erie County Sheriff’s Office, New York State Police and all local police authorities with jurisdiction within Erie County shall take any and all actions to enforce this law in any court of competent jurisdiction. A police officer shall issue an appearance ticket or summons and local criminal court accusatory instrument, as those terms are defined in the Criminal Procedure Law, for a violation of Section 2 of this law by a person less than fourteen years of age, to the parent or guardian of such person, if the violation by such person occurs in the presence of such person’s parent or guardian, and where such parent or guardian is eighteen years of age or more. Such appearance ticket or summons and local criminal court accusatory instrument shall only be issued to such parent or guardian, and shall not be issued to the person less than fourteen years of age.

SECTION 4. Civil Penalty.

- a. Any person who receives a ticket or summons and local criminal court accusatory instrument under Section 3 of this law shall pay a civil fine not to exceed \$50.
- b. Waiver of Fine. The court may waive any fine for which a person who violates the provisions of Section 2 of this law if such person supplies proof to the court that between the date of violation and the appearance date for such violation such person purchased or rented a helmet. Such waiver of said fine shall not apply to any subsequent conviction under Section 2 of this law. The court may waive any fine for which a person who violates the provisions of Section 2 of this law if the court finds that due to reasons of economic hardship such person was unable to purchase a helmet, or due to such economic hardship such person was unable to obtain a helmet from any statewide helmet distribution program, as established in section two hundred six of the Public Health Law, or a local distribution program.

SECTION 5. No effect upon personal injury or wrongful death lawsuit. The failure of any person to comply with the provisions of this law shall not constitute contributory negligence or assumption of risk, and shall not in any way bar, preclude or foreclose an action for personal injury or wrongful death by or on behalf of such person, nor in any way diminish or reduce the damages recoverable in any such action.

SECTION 6. Severability. If any clause, sentence, paragraph, section, part or provision of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such adjudication shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section, part or provision thereof directly involved in the proceeding or action in which such adjudication has been rendered.

SECTION 7. Effective Date. This law shall be effective immediately upon filing with the Secretary of State pursuant with Section 27 of the New York Municipal Home Rule Law.

CHARLES M. SWANICK  
RAYMOND K. DUSZA  
WILLIAM A. PAULY  
GEORGE A. HOLT, JR.  
CRYSTAL D. PEOPLES

EDWARD J. KUWIK  
LYNN M. MARINELLI  
MICHAEL A. FITZPATRICK  
JUDITH P. FISHER

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, McCARVILLE, PAULY, RANZENHOFER, WEINSTEIN, DeBENEDETTI, DUSZA, FISHER, FITZPATRICK, HOLT, KUWIK, MARINELLI, OLMA, PEOPLES, SWANICK. AYES – 17, NOES - 0.

CARRIED UNANIMOUSLY.

COMMITTEE REPORTS

Item 9 – MR. DUSZA presented the following resolution and moved for immediate consideration. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 319

June 26, 2001

ENERGY & ENVIRONMENT  
COMMITTEE  
REPORT NO. 10

ALL MEMBERS PRESENT EXCEPT LEGISLATOR FITZPATRICK.

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

Item Page -2001 (Comm. 8 D-4)  
a. **DEP:** SEQR – Solicitation for Lead Agency Status – Improvements to County & Industrial Sewage Facilities, Towns of Elma & Orchard Park.  
(4-0) Legislator Fitzpatrick absent.

Item Page -2001 (Comm. 14D-3)  
b. **DPW:** SEQR – Negative Declaration – NYS Route 130 Broadway, Town of Cheektowaga.  
(4-0) Legislator Fitzpatrick absent.

Item Page -2001 (Comm. 14E-2)  
c. **COMPTROLLER:** EC Soil & Water Conservation District Limited Review as of 4/17/01.  
(4-0) Legislator Fitzpatrick absent.

Item Page -2001 (Comm. 14E-34)  
d. **COUNTY EXECUTIVE:** ECSD No. 2 – Big Sister Treatment Plant Improvements Contract #35A – Change Order No. 2 – New Era Construction.  
(4-0) Legislator Fitzpatrick absent.

Item Page -2001 (Comm. 14M-5)  
e. **NYSDEC:** Fact Sheet – Greif Brothers Corporation Facility Voluntary Cleanup Program Remedial Investigation, Town of Tonawanda.  
(4-0) Legislator Fitzpatrick absent.

2. **RESOLVED**, that the following item is hereby received, filed and referred to the Regionalism Ad Hoc Committee.

Item Page -2000 (Comm. 20M-7)

- a. **GREAT LAKES UNITED:** Copy of Letter to Legislator Fisher Re: Efforts to Extend Erie & Monroe County Water Services Into Genesee County.  
(4-0) Legislator Fitzpatrick absent.

**AS AMENDED**

3. Item Page -2000 (Comm. 6E-20)  
**COUNTY EXECUTIVE**

WHEREAS, the County of Erie had secured the services of URS Consultants, Inc. to provide Design Services and General Services During Construction for the Depew Pumping Station Project; 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 April 7, 1994 with URS Consultants, Inc. at the final contract amount of \$951,106.05.

NOW, THEREFORE, BE IT

RESOLVED, that the A/E Agreement dated April 7, 1994 between the County of Erie/Erie County Sewer District No. 4 and URS Consultants, Inc. be formally closed-out in the final contract amount of \$951,106.05; and be it further

RESOLVED, that the Erie County Comptroller is hereby authorized and directed to close-out the contract encumbrances and return the unused balance of \$35,838.28 to the unallocated account in Sewer Capital, ECSD No. 4, Fund No. 430, Project No. 535 relating to the A/E Agreement dated April 7, 1994 between the County of Erie/Erie County Sewer District No. 4 and URS Consultant, Inc.; 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, Gregory Dudek, Assistant County Attorney, the Erie County Comptroller's Office and the Director of Budget and Management.

(4-0) Legislator Fitzpatrick absent.

**AS AMENDED**

4. Item Page -2000 (Comm. 26E-39)  
**COUNTY EXECUTIVE**

WHEREAS, the Erie County Department of Environment and Planning has received bids for the Lakeview Pumping Station Elimination, on June 12, 2001; and

WHEREAS, the low bidder is CMH Company, Inc. in the amount of \$310,854.00; and

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

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Sewer District No. 2, Lakeview Pumping Station Elimination contract be awarded to CMH Company, Inc., 2067 Old Union Road, Cheektowaga, New York 14227, for a total amount of \$310,854.00, and be it further

RESOLVED, that the County Executive be, and hereby is, authorized to execute an Agreement with the aforementioned contractor to provide the needed construction services subject to approval as to form by the County Attorney's Office, and certification of availability of funds from the project fund balance or an authorized advance from the General Fund by the Comptroller's Office, and be it further

RESOLVED, that the funds for this Contract be paid from Erie County Sewer District No. 2 Bond Account Fund No. 430 Project No. 913, 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 (1) certified copy each to the Director of Budget and Management, the Erie County Comptroller's Office and Gregory Dudek, Assistant County Attorney.

(4-0) Legislator Fitzpatrick absent.

**AS AMENDED**  
(Comm. 26E-40)

5. Item Page -2000  
**COUNTY EXECUTIVE**

WHEREAS, the Erie County Department of Environment and Planning has received the following low bids for the 18 Mile Creek and Sweetland Road Pumping Station Modifications, on June 7, 2001.

<u>Contract No.</u>	<u>Low Bidder</u>	<u>Amount Bid</u>
A - General	Paul J. Gallo Contracting, Inc.	\$727,700.00
B - Electrical	Tunney Electric, Inc.	\$175,145.00

WHEREAS, these bidders have been recognized as successfully performing similar work in Erie County; and

NOW, THEREFORE, BE IT

RESOLVED, that Erie County Sewer District No. 2, 18 Mile Creek and Sweetland Road Pumping Station Modifications be awarded as follows:

<u>Contract No.</u>	<u>Low Bidder</u>	<u>Amount Bid</u>
A - General	Paul J. Gallo Contracting, Inc. 4244 Ridge Lea Road Amherst, New York 14226	\$727,700.00
B - Electrical	Tunney Electric, Inc. 8565 Roll Road Clarence Center, New York 14032	\$175,145.00

RESOLVED, that the County Executive be, and hereby is, authorized to execute Agreements with the aforementioned contracting companies to provide the needed construction services subject to approval as to form by the County Attorney's

Office, and certification of availability of funds from the project fund balance or an authorized advance from the General Fund by the Comptroller's Office, and be it further

RESOLVED, that the funds for these Contracts "A" and "B" be paid from Erie County Sewer District No. 2 Bond Account Fund No. 430 Project No. 147, 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 (1) certified copy each to the Director of Budget and Management, the Erie County Comptroller's Office and Gregory Dudek, Assistant County Attorney.  
(4-0) Legislator Fitzpatrick absent.

**AS AMENDED**  
(Comm. 26E-46)

6. Item Page -2000  
**COUNTY EXECUTIVE**

WHEREAS, the Erie County Department of Environment and Planning has received the following low bid for the Erie County Sewer District No. 6, St. Johns and Lemon Street Storm and Sanitary Sewer Project, Contract No. 26ST, on June 19, 2001.

<u>Contract No.</u>	<u>Low Bidder</u>	<u>Amount Bid</u>
26ST	Janik Paving & Construction, Inc. 97 Evans Street P.O. Box 707 Hamburg, New York 14075	\$185,716.30

and

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

WHEREAS, the Erie County Department of Environment and Planning recommends the award of Contract No. 26ST to the aforementioned low bidder.

NOW, THEREFORE, BE IT

RESOLVED, that the St. Johns and Lemon Street Storm and Sanitary Sewer Project, Contract No. 26ST, be awarded to the low bidder as follows:

<u>Contract No.</u>	<u>Low Bidder</u>	<u>Amount Bid</u>
26ST	Janik Paving & Construction, Inc. 97 Evans Street P.O. Box 707 Hamburg, New York 14075	\$185,716.30

and be it further

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

RESOLVED, that the Comptroller is authorized and directed to allocate \$185,716.30 from Sewer Capital, Erie County Sewer District No. 6, Fund No. 430, Project No. 111; 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; one certified copy to James Liddle, Erie county Comptroller's office; and to Gregory Dudek, Assistant County Attorney.

(4-0) Legislator Fitzpatrick absent.

**AS AMENDED**

7. Item Page -2001 (Comm. 11E-23)

**COUNTY EXECUTIVE**

WHEREAS, the Erie County Legislature did award Contract No. 35 "D" to CIR Electrical Construction Corporation; and

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

WHEREAS, the Erie County Department of Environment and Planning has recommended- the final acceptance of Contract No. 35 "D" in the amount of \$150,497.57 which includes Change Order No. 1 (final), a decrease of (\$8,402.43) and approve final payment.

NOW, THEREFORE, BE IT

RESOLVED, that Contract No. 35 "D" between the County of Erie and CIR Electrical Construction Corporation, 2750 Kenmore Avenue, Tonawanda, New York 14150, be accepted in the amount of \$150,497.57, which includes Change Order No. 1 (final), a decrease of (\$8,402.43); and be it further

RESOLVED, that the Erie County Comptroller is hereby authorized and directed to finalize Contract No. 35 "D" between the County of Erie and CIR Electrical Construction Corporation, in the amount of \$150,497.57 and make final payment from Sewer Capital Account SD No. 2, Fund No. 430, Project No. 533, and return the unused portion to Unallocated Account; 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 each to Nancy Naples, Erie County Comptroller's Office: Gregory Dudek, Assistant County Attorney and Joseph Passafiume, Director of Budget and Management.

(4-0) Legislator Fitzpatrick absent.



**AS AMENDED**  
(Comm. 11E-27)

8. Item Page -2001  
**COUNTY EXECUTIVE**

WHEREAS, the Erie County Legislature awarded Contract No. 22SA "E" to Tunney Electric, Inc.; and

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

WHEREAS, the Erie County Department of Environment and Planning, Division of Sewerage Management has recommended the final acceptance of Contract No. 22SA "E" in the amount of \$168,682.50 which includes Change Order No. 2 (final), a decrease of (\$6,067.50) and approve final payment.

NOW, THEREFORE, BE IT

RESOLVED, that Contract No. 22SA "E" between the County of Erie and Tunney Electric, Inc., 8565 Roll Road, Clarence Center, New York 14032, be accepted in the amount of \$168,682.50, which includes Change Order No. 2 (final), a decrease of (\$6,067.50); and be it further

RESOLVED, that the Erie County Comptroller is hereby authorized and directed to finalize Contract No. 22SA "E" between the County of Erie and Tunney Electric, Inc. in the amount of \$168,682.50 and make final payment from Sewer Capital Account SD No. 6, Fund No. 430, Project No. 111; 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 each to Nancy Naples, Erie County Comptroller's Office; Gregory Dudek, Assistant County Attorney and Joseph Passafiume, Director of Budget and Management.

(4-0) Legislator Fitzpatrick absent.

**AS AMENDED**  
(Comm. 12E-20)

9. Item Page -2001  
**COUNTY EXECUTIVE**

**(A)**

WHEREAS, in an earlier resolution dated February 4, 1999, Comm. No. 2D-11, your Honorable Body authorized the County Executive to enter into a contract with LepCorp to provide electricity procurement and management services, and

WHEREAS, under current practices, LepCorp schedules electricity for each facility for every hour of every day and said facilities ultimately purchase portions of their power from both the Day-Ahead-Market and RealTime-Market, and

WHEREAS, by optimizing the purchasing hours of the two electricity markets, further savings for the electricity commodity can be realized, and

WHEREAS, LepCorp has conservatively estimated that had the County utilized an optimized purchasing procedure, developed by LepCorp through specialized analysis of the aforementioned markets, that an additional savings on the County's commodity costs of more than 5% (or over \$330,000.00) could have been realized over last year,

NOW, THEREFORE, BE IT,

RESOLVED, that the Commissioner of Public Works is authorized to issue a change order to LepCorp to provide for optimized procurement management services for the purchase of electricity using both the Day Ahead-Markets and Real-Time-Markets at a rate of 10% of the savings realized from this optimization, and be it further,

RESOLVED, that the fee for this service shall be taken from the Utility Fund Account, DAC Code 140 820 221 830 1110 102, and be it further,

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

**(B)**

WHEREAS, in an earlier resolution dated December 18, 1997, Communications No. 12D-28, the Erie County Legislature authorized the County Executive to enter into a contract with C.J. Brown for fuel procurement management services that included both natural gas and heating fuel oil, and

WHEREAS, in an earlier resolution dated February 4, 1999, the Erie County Legislature authorized entering into a contract with LepCorp to provide electricity procurement and management services, and

WHEREAS, in an earlier resolution, dated October 21, 1999, Communication No. 18D-16, the Erie County Legislature amended the contract with LepCorp for procurement management services for the purchase of natural gas, and

WHEREAS, although the LepCorp contract was to replace C.J. Brown, no provision was made in that contract for procurement of heating fuel oil, and

WHEREAS, when the price of natural gas rose to levels that could not be anticipated, it became advantageous to burn fuel oil in facilities that can utilize alternate fuel sources to burn heating fuel oil instead of natural gas, and

WHEREAS, absent LepCorp's ability to perform this service without a specific provision for its payment for services, the County could not take advantage of the savings from burning fuel oil as there was no contractual provision for its procurement,

NOW, THEREFORE, BE IT,

RESOLVED, that the Commissioner of Public works is authorized to issue a change order to the LepCorp contract to provide procurement management services for the purchase of heating fuel oil at a rate commensurate with the rate included in the original C.J. Brown contract to include payment to LepCorp for those services rendered to date from October 2000, and be it further,

RESOLVED, that the fee for this service shall be taken from the Utility Fund Account, DAC Code 140 820 221 830 1110 100, and be it further,

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

**(C)**

WHEREAS, the Commissioner of Public Works desires to engage the services of General Energy Performance Contracting firms to provide Performance Contracting Services for numerous projects on County-owned facilities in order to ensure a more timely execution of said projects and obtain the most economical solution, and

WHEREAS, the Department of Public Works advertised for Requests for Qualifications for General Energy Performance Contracting Services, and

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

NOW, THEREFORE, BE IT,

RESOLVED, that the County Executive is hereby authorized to enter into an agreement with each of the following firms to provide General Energy Performance Contracting Services:

- CMS Viron Energy Services
- Siemens Building Technologies, Inc.

and be it further,

RESOLVED, that Legislative approval will be sought on a project-by-project basis identifying both the financial implications for each project and the negotiated fee to be paid, and be it further,

RESOLVED, that the contracts will be amended by change order after legislative approval is received on each project, and be it further,

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

(4-0) Legislator Fitzpatrick absent.

10. Item Page -2001 (Comm. 14E-15)

**COUNTY EXECUTIVE**

WHEREAS, Erie County is interested in assisting in the expansion of the General Motors engine plant with the investment by General Motors of over \$500,000,000.00; and

WHEREAS, Erie County desires to encourage the preservation of quality of life in neighborhoods such as the area adjoining the General Motors plant in the Town of Tonawanda; and

WHEREAS, The construction of a sound barrier wall was a requirement of the Town of Tonawanda Zoning Board of Appeals; and

WHEREAS, Erie County has committed to assisting in the funding of the sound barrier wall for the General Motors project,

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter into contracts not to exceed two hundred thousand dollars (\$200,000.00), with the Erie County Industrial Development Agency for the construction of the General Motors Sound Barrier Wall, and be it further,

RESOLVED, that the source of the funds will be \$200,000 available in the Regionalism/Economic Development Fund, DAC 110 904 303 830, Subaccount 1299, which will be transferred to Agency Payments monitored by the Department of Environment and Planning, General Fund 110, Project 922, Department 302, Account 830, and be it further,

RESOLVED, that the Clerk of the Legislature be directed to send certified copies of this resolution to the Director of the Division of Budget, Management and Finance, the Comptroller, the Commissioner of the Department of Environment and Planning and the County Attorney.

(4-0) Legislator Fitzpatrick absent.

11. Item Page -2001 (Comm. 14E-35)

**COUNTY EXECUTIVE**

WHEREAS, the Erie County Department of Environment and Planning administers the federal Community Development Block Grant program on behalf of thirty-four municipalities comprising the Erie County Community Development Consortium; and

WHEREAS, said Consortium receives approximately \$3,200,000 annually from the United States Department of Housing and Urban Development; and

WHEREAS, said funds must primarily benefit low and moderate income households within the Consortium; and

WHEREAS, the Consortium municipalities are desirous of having access to a professional planning firm having skill in household income survey techniques which can be utilized to determine the CDBG eligibility of certain proposed projects,

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into an amendment to the July 3, 2000 contract with Stuart I. Brown Associates, Inc., increasing the authorized amount from \$15,000 to \$30,000 for the purpose of undertaking household income surveys within neighborhoods comprising the Erie County Community Development Block Grant Consortium; and be it further

RESOLVED, that certified copies of the resolution shall be forwarded to the Commissioner of the Department of Environment and Planning and the County Comptroller.  
(4-0) Legislator Fitzpatrick absent.

12. Item Page -2001 (Comm. 14E-41)

**COUNTY EXECUTIVE**

WHEREAS, the United States Surgeon General has identified radon gas to be the second leading cause of lung cancer in the United States; and

WHEREAS, the U. S. Environmental Protection Agency (EPA) has identified Erie County as high risk for radon potential; and

WHEREAS, Erie County as established and operated a very successful Radon/Indoor Air Quality Program for several years and has acquired valuable experience and expertise; and

WHEREAS, the County Executive received authorization through a resolution passed July 6, 2000 (Comm. 14E-40), to execute contracts for Erie County DEP to provide residents with radon risk reduction and awareness associated with the NYS Department of Health SIRG 10 Grant Program; and

WHEREAS, the National Environmental Health Association has awarded Erie County a grant of \$26,000 to develop and implement a project to perform evaluation testing of new built homes constructed with sub-slab passive ventilation systems for radon;

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Executive is authorized to accept \$26,000 in grant funding from the National Environmental Health Association for the implementation of the Radon Resistant New Construction Project, and be it further

RESOLVED, that the grant budget for the SIRG 10 Program (SFG #563) will be revised to include the recently appropriated funds for the Radon Resistant New Construction grant as follows:

<u>Account</u>	<u>Description</u>	<u>Current Budget</u>	<u>Revisions</u>	<u>Revised Budget</u>
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REVENUES:

593	State Aid			\$48,500
	NEHA	<u>\$48,500</u>	<u>\$26,000</u>	<u>26,000</u>
<b>TOTAL</b>		\$48,500	\$26,000	\$74,500
<b>EXPENDITURES:</b>				
800	Salaries	\$37,200	\$10,721	\$47,921
805	Fringe Benefits	9,300	4,379	13,679
826	Other Expenses	2,000	500	2,500
830	Contractual Expense	0	10,000	10,000
933	Equipment	<u>0</u>	<u>400</u>	<u>400</u>
<b>TOTAL</b>		\$48,500	\$26,000	\$74,500

and be it further

RESOLVED, that the following position be created in the Department of Environment and Planning grant fund which will be funded entirely from the budget for the SIRG 10 Program (SFG #563):

Junior Environmentalist (JG7)

and be it further

RESOLVED, that the following position be deleted from under the SIRG 10 Program:

Senior Environmental Education Specialist (JG11)

and be it further

RESOLVED, that certified copies of this resolution be sent to the Director of Budget, Management and Finance; Laurence K. Rubin, Commissioner of Environment and Planning; Michael Raab, Deputy Commissioner of Environment and Planning; the County Comptroller; and the County Attorney. (4-0) Legislator Fitzpatrick absent.

13. Item Page -2001 (Comm. 14E-43)

**COUNTY EXECUTIVE**

WHEREAS, Erie County is interested in fostering sound planning practices within Erie County; and

WHEREAS, Erie County desires to encourage the environmentally and economically sound reuse of urban and first ring areas; and

WHEREAS, The Towns of Amherst and Cheektowaga are in the process of developing a plan for the Harlem, Kensington and Wherle commercial area; and

WHEREAS, Erie County desires to work with these towns and the community groups which are participating in this planning process; and

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter into contracts not to exceed three thousand five hundred dollars (\$3,500.00), with the Town of Amherst for the completion of the Harlem, Kensington plan; and be it further

RESOLVED, that the source of the funds will be \$3,500 available in the Regionalism/Economic Development Fund, DAC 110 904 303 830, Subaccount 1299, which will be transferred to Agency Payments monitored by the Department of Environment and Planning, General Fund 110, Project 922, Department 302, Account 830, and be it further,

RESOLVED, that the Clerk of the Legislature be directed to send certified copies of this resolution to the Director of the Division of Budget, Management and Finance, the Comptroller, the Commissioner of the Department of Environment and Planning and the County Attorney.

(4-0) Legislator Fitzpatrick absent.

14. Item Page -2001 (Comm. 14E-48)

**COUNTY EXECUTIVE**

WHEREAS, the 2001 Erie County adopted capital budget, Account No. 410243 includes \$292,000 for the design and construction of the Erie Canalway Trail Project; and

WHEREAS, the New York State Canal Corporation, through a Memorandum of Agreement with the County of Erie dated June 11, 2001, will provide up to \$292,000 as reimbursement for this project; and

WHEREAS, based on a review of its statement of qualifications for design services, the firm of Peter J. Smith & Company has been selected by the County of Erie to undertake design and construction inspection for this project,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Executive is hereby authorized to execute a contract with Peter J. Smith & Company for design and construction inspection services for the Erie Canalway Trail Project, with the fee for said services not to exceed \$220,000; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send certified copies of this resolution to the Director of the Division of Budget, Management and Finance, the Commissioner of the Department of Environment and Planning, the County Comptroller, the Commissioner of the Department of Parks, Recreation and Forestry, and the Commissioner of Public Works.

(4-0) Legislator Fitzpatrick absent.

15. Item Page -2001 (Comm. 14E-65)

**COUNTY EXECUTIVE**

WHEREAS, Erie County is interested in fostering sound planning practices within Erie County; and

WHEREAS, Erie County desires to encourage the environmentally and economically sound reuse of urban areas; and

WHEREAS, The City of Buffalo is in the process of developing a master plan and such plan requires input from various neighborhoods for inclusion of their needs and visions; and

WHEREAS, Erie County desires to work with the Broadway-Fillmore Neighborhood Housing Services to develop Phase II of the Fillmore District Strategic Plan; and

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter into contracts not to exceed seventeen thousand five hundred dollars (\$17,500.00), with the Broadway-Fillmore Neighborhood Housing Services, Inc.; and be it further

RESOLVED, that the source of the funds will be \$17,500 available in the Regionalism/Economic Development Fund, DAC 110 904 303 830, Subaccount 1299, which will be transferred to Agency Payments monitored by the Department of Environment and Planning, General Fund 110, Project 922, Department 302, Account 830, and be it further,

RESOLVED, that the Clerk of the Legislature be directed to send certified copies of this resolution to the Director of the Division of Budget, Management and Finance, the Comptroller, the Commissioner of the Department of Environment and Planning and the County Attorney.

(4-0) Legislator Fitzpatrick absent.

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

MR. DUSZA moved to separate items #13 and #15 and moved the approval of the balance of the report. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

MR. DUSZA moved to amend item #13. MS. PEOPLES seconded. MR. GREENAN, MR. RANZENHOFER & MR. WEINSTEIN voted in the negative.

CARRIED.

***DELETE the second RESOLVE and REPLACE with the following:***

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$3,500 from the Risk Retention Fund (DAC: 1109616018320742) to Fund 110, Project 922, Department 302 Agency Payments & Grants - Public Benefit Services – E & P, (DAC: 110922302830), for paying the following agencies:

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
-------------	-------------	---------------



Town of Amherst	830/0653	\$3,500
<b>TOTAL</b>		<b>\$3,500</b>

and be it further

MR. DUSZA moved the approval of the resolution as amended. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

MR. DUSZA moved to amend item #15. MS. PEOPLES seconded. MR. GREENAN, MR. RANZENHOFER & MR. WEINSTEIN voted in the negative.

CARRIED.

***DELETE*** the second ***RESOLVE*** and ***REPLACE*** with the following:

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$17,500 from the Risk Retention Fund (DAC: 1109616018320742) to Fund 110, Project 922, Department 302 Agency Payments & Grants - Public Benefit Services – E & P, (DAC: 110922302830), for paying the following agencies:

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
Broadway – Fillmore Neighborhood Housing Services	830/0653	\$17,500
<b>TOTAL</b>		<b>\$17,500</b>

and be it further

MR. DUSZA moved the approval of the resolution as amended. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 320

June 26, 2001

GOVERNMENT AFFAIRS  
COMMITTEE  
REPORT NO. 7

ALL MEMBERS PRESENT EXCEPT LEGISLATORS FISHER & CHASE.

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

Item Page -2000 (Int. 21-9)  
a. **CHASE, LARSON, RANZENHOFER & WEINSTEIN:** Support for NY Farm Bureau's Request for Worker Shortage Relief (HR 4548).  
(3-0) Legislators Fisher & Chase absent.

Item Page -2001 (Comm. 14D-6)  
b. **COUNTY ATTORNEY:** Notice of Claim.  
(3-0) Legislators Fisher & Chase absent.

2. Item Page -2001 (Comm. 5E-17)  
**COUNTY EXECUTIVE**

RESOLVED, that the Government Affairs Committee does hereby recommend that the full Legislature confirm the appointment of the following individual to the Erie County Consumer Protection Committee for the term stated.

NAME AND ADDRESS

TERM EXPIRATION

Robin Reese  
163 Werkley Road  
Tonawanda, NY 14150

December 31, 2002

(3-0) Legislators Fisher & Chase absent.

3. Item Page -2001 (Comm. 14E-18)  
**COUNTY EXECUTIVE**

WHEREAS, Assembly Majority Leader Paul Tokasz has assisted the Erie County Auto Bureau in receiving a State grant in the amount of \$115,000, and

WHEREAS, no County contribution is required for this grant, and

WHEREAS, the grant is being administered by the New York State Department of Transportation, and

WHEREAS, the Erie County Clerk has identified a number of items to be purchased with grant funds which will enhance public convenience and the efficiency of service at all four branches of the Auto Bureau,

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be and he hereby is authorized to accept a grant administered by the State Department of Transportation for the benefit of the Erie County Auto Bureau in the amount of \$115,000, and be it further

RESOLVED, that said funds be provided in a DAC account for office equipment (account 932), and be it further

RESOLVED, that the Erie County Clerk is authorized to make the following purchases with said funds:

- \$50,000 for phone system for new Downtown Auto Bureau
- \$24,000 for mobile processing work station
- \$16,000 for directional service indicators at all 4 branches
- \$16,000 for stanchions at all 4 branches
- \$ 9,000 for chairs for all 4 branches

and be it further

RESOLVED, that certified copies of this resolution be sent to the County Executive, the County Clerk, the County Comptroller, the County Attorney and the Director of Budget, Management and Finance. (3-0) Legislators Fisher & Chase absent.

4. Item Page -2001 (Comm. 14E-19)

**COUNTY EXECUTIVE**

WHEREAS, the State of New York has mandated that the County of Erie provide new and remodeled space for the State Court System in Erie County, and

WHEREAS, as a part of the plan for implementation, the current site of the Erie County Auto Bureau located at 25 Delaware Avenue will be converted into space for the Commissioner of Jurors, and

WHEREAS, it is necessary to acquire rental space to continue providing service to Auto Bureau customers in the downtown area, and

WHEREAS, more than 20 potential sites were examined by the Clerk's Office, and

WHEREAS, the 2001 County Budget includes an appropriation for such rental,

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be and he hereby is authorized to enter into an agreement with The Uniland Partnership of Delaware, L.P., for 7,753 square feet of space located at 77 Broadway, Buffalo, to be used by the Erie County Auto Bureau for a period of five (5) years beginning November 1, 2001 and ending October 31, 2006, upon terms and conditions as approved by the County Attorney; and be it further

RESOLVED, that the lease costs shall be at a rate of \$16.75 per square foot; and be it further

RESOLVED, the source of funds is the 2001 Budget of the Erie County Auto Bureau (DAC 110916131822); and be it further

RESOLVED, that certified copies of this resolution be sent to the County Executive, the County Clerk, the County Comptroller, the County Attorney and the Director of Budget, Management and Finance.  
(3-0) Legislators Fisher & Chase absent.

**ALBERT DeBENEDETTI**  
**CHAIRMAN**

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

CARRIED UNANIMOUSLY.

Item 11 – MR. PAULY presented the following resolution and moved for immediate consideration.  
MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 321

June 26, 2001

REGIONALISM AD HOC  
COMMITTEE  
REPORT NO. 8

ALL MEMBERS PRESENT.

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

- |    |  |      |       |                |
|----|--|------|-------|----------------|
|    | Item   | Page | -2001 | (Comm. 8E-8)   |
| a. | <b>SWANICK</b> : Copy of Letter to Legislator Pauly Re: Establishment of an Office of Geographic Information Services.                                     |      |       |                |
|    |  |      | (5-0) |                |
|    | Item   | Page | -2001 | (Comm. 11M-3)  |
| b. | <b>TVGA ENGINEERING SURVEYING</b> : Letter to Chairman Swanick Re: Countywide GIS Initiative.  |      |       |                |
|    |  |      | (5-0) |                |
|    | Item   | Page | -2001 | (Comm. 14M-14) |
| c. | <b>AFSCME LOCAL 1095</b> : Letter to Chairman Swanick Re: Comm. 9E-24 as Amd – Authorizing County Executive to Enter Into Agreement with Buffalo Re: ESTS. |      |       |                |
|    |  |      | (5-0) |                |

2. Item Page -2001 (Comm. 14E-33)

**COUNTY EXECUTIVE**

WHEREAS, the New York State Energy Research and Development Authority (NYSERDA), through an agreement with the U.S. Department of Energy Rebuild America Program, has been charged with organizing

community based regional partnerships to promote energy efficient products and services throughout New York State; and

WHEREAS, NYSERDA has identified the Niagara Frontier as an initial pilot region for Rebuild and solicited proposals from organizations to locally coordinate the Rebuild Niagara Frontier network; and

WHEREAS, in April of 2000, NYSERDA accepted Erie County's proposal to serve as the local coordinator and agreed to support the coordinator's position; and

WHEREAS, through Legislative authorization, provided by a resolution (Comm. 6E-21) dated April 13, 2000, the DEP has accepted this role and successfully coordinated the Rebuild Partnership in Western New York; and

WHEREAS, as a result of DEP's success, NYSERDA has made an additional \$80,000 in grant resources available to DEP to continue to coordinate the Rebuild Partnership in 2002,

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to execute the agreements necessary to accept an additional grant of \$80,000 in funding from NYSERDA to continue to coordinate the Rebuild Niagara Frontier Partnership, and be it further

RESOLVED, that the following position be created to assist in implementing the Rebuild Niagara Partnership initiative:

Environmentalist-Intern (JG1, Step 0), and be it further

RESOLVED, that the existing grant budget for the Erie County Alternative Fuel Consortium Project (SFG #223) is hereby revised to include the new grant resources as follows:

<u>Account Description</u>	<u>Current Budget</u>	<u>Revisions</u>	<u>Revised Budget</u>
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REVENUES:

State Aid - NYS Dept. of Transportation	\$376,000	0	\$376,000
State Aid - NYSERDA	45,000	\$80,000	125,000
Interfund Revenue - Env. & Planning	<u>84,400</u>	<u>0</u>	<u>84,400</u>
<b>Total Revenues</b>	\$505,400	\$80,000	\$585,400

APPROPRIATIONS:

800	Salaries	\$82,400	\$31,409	\$113,809
-----	----------	----------	----------	-----------

805	Fringe Benefits	23,000	7,600	30,600
824	Local Travel and Mileage	0	500	500
825	Out of Area Travel	0	4,500	4,500
826	Other	0	9,000	9,000
830	Contractual Services	400,000	10,000	410,000
933	Equipment	0	4,000	4,000
880- 6200	Interfund Expenses	<u>0</u>	<u>12,991</u>	<u>12,991</u>
<b>Total Appropriations</b>		\$505,400	\$80,000	\$585,400

and be it further

RESOLVED, that certified copies of this resolution be sent to the Director of Budget, Management and Finance; Laurence K. Rubin, Commissioner of Environment and Planning; Michael Raab, Deputy Commissioner of Environment and Planning; the County Comptroller; and the County Attorney.  
(5-0)

**WILLIAM A. PAULY**  
**CHAIRMAN**

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

CARRIED UNANIMOUSLY.

Item 12 – MS. MARINELLI presented the following resolution and moved for immediate consideration. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 322

June 28, 2001

COMMUNITY ENRICHMENT  
COMMITTEE  
REPORT NO. 11

ALL MEMBERS PRESENT.

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

Item Page -2001 (Comm. 6E-2)  
a. **MARINELLI**: Copy of Memo to Parks Commissioner Re: Master Plan.  
(5-0)

Item Page -2001 (Comm. 6E-3)  
b. **MARINELLI**: Copy of Memo to Legislators Swanick, Peoples & Greenan Re: Public Benefit Funding & Processing.  
(4-0) Legislator Holt absent for vote.

- |    |  |   |       |               |
|----|--|---|-------|---------------|
|    | Item   | Page  | -2001 | (Comm. 6E-39) |
| c. | <b>HOLT:</b>                                     | Letter to ECC Re: ECC Curriculum.   |       |               |
|    |  | (5-0)   |       |               |
|    | Item   | Page  | -2001 | (Comm. 12D-1) |
| d. | <b>ECC:</b>                                      | Board of Trustees Approved 2001-2002 Operating & Grant Budget.                              |       |               |
|    |  | (5-0)   |       |               |
|    | Item   | Page  | -2001 | (Comm. 14D-1) |
| e. | <b>BUFFALO &amp; ERIE COUNTY PUBLIC LIBRARY:</b> | Letter to Legislator Marinelli Re: Distribution of Educational Technology Initiative Funds. |       |               |
|    |  | (5-0)   |       |               |
|    | Item   | Page  | -2001 | (Comm. 14D-3) |
| f. | <b>COMMISSION ON THE STATUS OF WOMEN:</b>        | Minutes from Meeting Held 5/9/01.   |       |               |
|    |  | (5-0)   |       |               |
|    | Item   | Page  | -2001 | (Comm. 14M-6) |
| g. | <b>STUDIO ARENA:</b>                             | Letter to Legislator Marinelli Re: Student Matinee Performances of "City of Light".         |       |               |
|    |  | (5-0)   |       |               |

**AS AMENDED**

- |    |      |      |       |               |
|----|------|------|-------|---------------|
| 2. | Item | Page | -2000 | (Intro. 21-6) |
|----|------|------|-------|---------------|
- SWANICK, PEOPLES, KUWIK, FITZPATRICK, HOLT, FISHER, DUSZA, MARINELLI, PAULY & LARSON**

WHEREAS, the Erie County parks system is one of the finest in the nation and includes an array of historical landmarks, outstanding architecture and beautiful landscapes, and

WHEREAS, the parks system attracts individuals from all over including Erie County, Western New York, New York State and the nation, and

WHEREAS, many of Erie County's parks serve as a nostalgic reminder of family picnics, athletic events and social gatherings for many of its residents, and

WHEREAS, a healthy parks system in Erie County serves as catalyst for physical and emotional well being due to the aesthetic qualities they possess, and

WHEREAS, a flourishing park in a neighborhood represents the finer points of that community and therefore helps to attract and keep those wishing to live in or move to Erie County, and

WHEREAS, these parks are a safe haven for families to enjoy quality time together for leisurely activities, and

WHEREAS, the numerous parks throughout the County of Erie serve as a tool for economic development, their vitality speaks volumes to the quality of life in our area to businesses seeking to relocate to Erie County, and

WHEREAS, the Erie County Legislature recognizes the attributes of our county parks system and has undertaken the task of outlining a comprehensive plan entitled "Investing in Residents & Local Communities: A Broad Legislative Agenda For Erie County" that puts forth goals to improve and expand services for county residents in relation to our county parks system, including:

1. Ensuring that necessities throughout the parks system that include, but are not limited to safe, clean and fully operational restroom facilities.
2. Continuing the development and implementation of a master plan to maintain and increase services, with funding sources delineated from the county's operational, as opposed to capital, budget.
3. Continuing to improve existing parks through general maintenance and capital improvements including the purchase of new equipment as well as seeking out undeveloped parcels of land to expand the parks system in other areas of the county.
4. Requesting a full report from the Commissioner of Parks, Recreation and Forestry on the state of the county parks system in relation to needed facility improvements, condition of current equipment, need for new machinery, and staffing levels at all county parks to better improve service delivery.
5. Development of a program by which the Legislature challenges the Commissioner of Parks, Recreation and Forestry as well as individual superintendents to work with local governments and community groups to garner funds from a wide variety of sources outside the normal realm of the county budget. The Legislature will expect "Friends of Parks" groups become a large part of this process and will encourage the formation of such groups if they are not already in place. The Legislature is prepared to initiate a system to match funds raised by community organizations.
6. Further develop good relations with the City of Buffalo and its leaders to regionalize the delivery of parks and parkland services to all of the residents of Erie County,

And

WHEREAS, the Erie County parks system is one of many attributes the County of Erie possesses to affect the betterment of the daily lives of all residents as well as to serve as a magnet for those seeking to relocate residences or businesses, and

WHEREAS, the aforementioned proposals search out ways to improve upon an already outstanding array of parks throughout the county it only seems fitting that with such an opportunity as the parks system offers county government to pull resources from outside of our community that these proposals be given full consideration by those able to affect positive change,

NOW, THEREFORE, BE IT



RESOLVED, that the Erie County Legislature does hereby recognize the importance of the Erie County parks system as a tool for economic stimulus and development as well as an immeasurable commodity for the residents in regard to their emotional and physical well being, and be it further

RESOLVED, that this Honorable Body does hereby reaffirm its intention to support all reasonable efforts as outlined above to maintain, expand, develop and enhance the beauty of the Erie County parks system for generations to come, and be it further

RESOLVED, that this Honorable Body does hereby endorse the proposals for improvements and preservation of county parks within "Investing in Residents & Local Communities: A Broad Legislative Agenda For Erie County," and as enumerated within the eighth WHEREAS clause above, and be it further

RESOLVED, that this Honorable Body does hereby call upon the Commissioner of the Department of Parks, Recreation, and Forestry to attend a future meeting of the Legislature's Community Enrichment Committee to discuss the aforementioned proposals concerning county parks and to discuss efforts to meet those objectives within the coming fiscal year, and be it further

RESOLVED, that certified copies of this resolution be sent to the County Executive and the Commissioner of Parks, Recreation and Forestry.

Fiscal Impact: None for Resolution.  
(5-0)

3. Item Page -2001 (Comm. 5E-15)  
**COUNTY EXECUTIVE**

RESOLVED, that the Community Enrichment Committee does hereby recommend that the full Legislature confirm the appointment of following individuals to the Western Erie Canal Heritage Corridor Planning Commission Advisory Committee.

William H. Siener, Ph.D  
Executive Director  
Buffalo & Erie County Historical Society  
25 Nottingham Court  
Buffalo, NY 14216

Appleton Fryer  
Landmark Society of the Niagara Frontier  
414 Virginia Street  
Buffalo, NY 14201

Scot Fisher  
467 Linwood Avenue  
Buffalo, NY 14209

Robert J. Kresse, Esq.  
50 Fountain Plaza, Suite 301  
Buffalo, NY 14202

Elaine Irwin Cryer  
350 Woodbridge Avenue  
Buffalo, NY 14214  
(5-0)

**AS AMENDED**  
(Comm. 14E-42)

4. Item Page -2001  
**COUNTY EXECUTIVE**

WHEREAS, two special events that will be held this summer focus on Buffalo and Erie County's cultural life and heritage and will provide tens of thousands of our residents and tourists with a renewed sense of pride in their heritage, as well as an enhanced source of enjoyment in their daily lives; and

WHEREAS, such summer events also enhance the promotion of our County and region as a cultural tourism destination, as well as a quality place to live and work; and

WHEREAS, based on funding requests from two not-for-profit organizations sponsoring such events, the County agrees to assist each by providing \$5,000 to the Police Athletic League of Buffalo, Inc. for its Pan American Old Fashioned Fourth of July in Delaware Park Celebration, and \$5,000 to the Hispanic Law Enforcement Officers Association of WNY Inc. for its 11th annual Hispanic Musical Festival 2001 to be held from August 31 - September 3, 2001.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into the necessary agreements to provide funds to these two not-for-profit organizations for purposes noted above; and be it further

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$10,000 from the Risk Retention Fund (DAC: 1109616018320742) to Fund 110, Project 922, Department 302 Agency Payments & Grants - Public Benefit Services - E & P, (DAC: 110922302830), for paying the following agencies:

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
Police Athletic League of Buffalo	830/	\$5,000
Hispanic Law Enforcement Officers Association of WNY, Inc.	830/	\$5,000
TOTAL		\$10,000

and be it further

Planning:

2001	Police Athletic League of Buffalo, Inc.	\$5,000
2001	Hispanic Law Enforcement Officers Association	

of WNY Inc.

\$5,000

and be it further

RESOLVED, that certified copies of this resolution be sent to the County Executive, County Comptroller, the Commissioner of the Department of Environment and Planning, the Director of the Division of Budget, Management, and Finance, Susan M. Gonzalez, the Executive Director of the Police Athletic League of Buffalo, Inc., 17 Meadowview Place, Buffalo, NY 14214, and Benjamin Crespo, Jr., the President of the Hispanic Law Enforcement Officers Association of WNY Inc., PO Box 1354, Ellicott Station, Buffalo, NY 14205.

(5-0)

5. Item Page -2001 (Comm. 14E-74)

RESOLVED, that the Community Enrichment Committee does hereby recommend that the full Legislature confirm the appointment of following to the Erie Community College Board of Trustees for the term stated.

NAME AND ADDRESS

TERM EXPIRATION

James Corasanti, M.D.  
2625 Harlem Road  
Cheektowaga, NY 14225

June 30, 2010

(5-0)

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

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 323

June 28, 2001

PUBLIC SAFETY  
COMMITTEE  
REPORT NO. 8

ALL MEMBERS PRESENT.

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

a. Item Page -2001 (Comm. 14E-21)  
**COUNTY EXECUTIVE:** EC Home – JCAHO Firestopping Contingency Fund Increase.  
(5-0)

b. Item Page -2001 (Comm. 14M-15)  
**WESTCHESTER COUNTY BOARD OF LEGISLATORS:** Letter to Chairman Swanick & Certified  
Resolution in Support of a Graduated Driver's License Program in NYS.  
(5-0)

2. Item Page -2001 (Comm. 12E-33)  
**COUNTY EXECUTIVE**

WHEREAS, the Department of Probation has agreed to participate in a pilot project to test a youth assessment survey instrument; and

WHEREAS, the New York State Division of Probation and Correctional Alternatives has agreed to provide funds to purchase three computers in conjunction with this pilot project, and

WHEREAS, upon completion of the pilot project, the purchased computers become the permanent property of Erie County Probation Department, and

WHEREAS, participation in this Pilot Project would benefit the Erie County Probation Department in helping to design an assessment instrument.

NOW, THEREFORE, BE IT

RESOLVED, that authorization is hereby provided for the County Executive to enter into contract and accept funding in the amount of \$6,000 from the New York State Division of Probation Alternatives, and be it further

RESOLVED, that authorization is hereby provided to make the following adjustments in the 2001 budget of the Department of Probation,

<u>Revenue</u>	<u>Increase</u>
Acct. 627 - State Aid Criminal Justice Program	\$6,000

<u>Appropriation</u>	
Acct. 933 - Lab and technical Equipment	\$6,000

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 Probation.  
(5-0)

3. Item Page -2001 (Comm. 14E-3)  
**COUNTY EXECUTIVE**

RESOLVED, that the Public Safety Committee does hereby recommend that the full Legislature confirm the appointment of following individual to the Erie County Fire Advisory Board for the term stated.

Name Term Expires

Donald E. Connolly May 31, 2003  
116 Kingsbury Lane  
Tonawanda, NY 14150  
(5-0)

4. Item Page -2001 (Comm. 14E-9)  
**SHERIFF**

WHEREAS, the US Department of Justice has awarded \$29,930 to the Erie County Sheriff's Office to participate in the Bulletproof Vest Partnership and the State of New York Soft Body Armor Vest Reimbursement Program will match these funds.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into contract and receive funding from both the US Department of Justice, Bureau of Justice Assistance, Bulletproof Vest Partnership and the New York State Department of Criminal Justice Services, Soft Body Armor reimbursement program, and be it further

RESOLVED, that authorization is hereby provided to adjust the 2001 budget for the appropriation of said funds as follows:

Department 931 - Sheriff's Office

<u>REVENUE</u>	<u>Increase</u>
Acct. 627 State Aid	29,930
Acct. 684-0100 Federal Aid	<u>29,930</u>
 TOTAL REVENUE	 <u>59,860</u>
 <u>APPROPRIATIONS</u>	 <u>Increase</u>
Acct. 933 - Lab & Tech Equipment	<u>59,860</u>
 TOTAL APPROPRIATIONS	 <u>59,860</u>

and it be further

RESOLVED, that certified copies be forwarded to the Division of Budget, Management and Finance, the County Comptroller, and the Office of Sheriff for implementation.  
(5-0)

5. Item Page -2001 (Comm. 14E-10)

**SHERIFF**

WHEREAS, procedures have been established by Resolution #Int. 23-3 adopted on December 1, 1994, and

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

WHEREAS, it is necessary to equip 25 patrol cars with Remington shotguns and mounts thereby providing safety for our officers, school children and citizens, and

WHEREAS, it is necessary to provide personal computers and a printer to divisions who still operate without basic tools such as computerization, and

NOW, THEREFORE, BE IT

RESOLVED, that \$49,160 in available balances in the Asset Forfeiture Trust Fund is hereby transferred to the Erie County Sheriff's Office Asset Forfeiture Grant, Project #493,

and be it further

RESOLVED, that the following budgetary transactions are hereby authorized:

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

<u>REVENUE</u>	<u>Increase</u>
502 Forfeiture Crime Proceeds	<u>\$49,160</u>
Total Revenue	<u>\$49,160</u>

<u>APPROPRIATIONS</u>	<u>Increase</u>
933 Lab & Technical Equipment	<u>\$49,160</u>
Total Appropriations	<u>\$49,160</u>

RESOLVED, that certified copies be forwarded to the Division of Budget, Management and Finance, the Office of the Comptroller and the Office of the Sheriff for implementation.  
(5-0)

6. Item Page -2001 (Comm. 14E-13)

**COUNTY EXECUTIVE**

WHEREAS, the Erie County Department of Emergency Services has been awarded a second grant from the federal government through the New York State Emergency Management Office, and

WHEREAS, the Erie County Department of Emergency Services needs to update the Domestic Preparedness Annex to the Erie County Comprehensive Emergency Management Plan, and

WHEREAS, the Domestic Preparedness Annex needs to be tested by holding a tabletop and functional exercise.

NOW, THEREFORE BE IT

RESOLVED, an additional \$3,200 for the Second Terrorism Consequence Management Preparedness Program Grant be accepted:

Revenue

SFG Acct. 214 Federal Aid-Other \$3,200

Appropriations

SFG Acct. 933 Lab and Tech Equipment \$3,200  
TOTAL \$3,200

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 Emergency Services.

(5-0)

7. Item Page -2001 (Comm. 14E-60)

**COUNTY EXECUTIVE**

WHEREAS, the Erie County Probation Department will be relocated to the new Family Court House, and

WHEREAS, the area allotted requires new workstations for the clerical staff, and

WHEREAS, it is impractical to pay for the movement of some of the existing furniture since it is old and in disrepair, and

WHEREAS, funding is available through the use of tobacco proceeds,

NOW, THEREFORE, BE IT

RESOLVED, that authorization is hereby provided to amend the 2001 Capital Budget as follows:

**Fund 441- General County Tobacco  
Project 181- 2001 Capital Office Equipment**

<b>Revenue</b>	<b>Increase</b>
Account 701 - Tobacco Capital Projects Account	\$65,000
<b>Appropriation</b>	
Account 932 - Capital Office Equipment - Probation	\$65,000

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 Probation.  
(5-0)

**EDWARD J. KUWIK  
CHAIRMAN**

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 324

June 28, 2001

FINANCE & MANAGEMENT  
COMMITTEE  
REPORT NO. 10

ALL MEMBERS PRESENT.

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

- Item Page -2001 (Comm. 13D-1)  
a. **BUDGET, MANAGEMENT & FINANCE:** Budget Monitoring Report for Period Ending 3/31/01.  
(5-0)



AS AMENDED  
(Comm. 1D-9A)

2. Item Page - 2001

**BUDGET, MANAGEMENT & FINANCE**

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

EMAIL DOCUMENT IS 202288EM.DOC

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

RESOLVED, that petitions numbered 201276 through 201288 inclusive be hereby approved or denied based upon the recommendation of the Director of Real Property Services and be charged back to the applicable Towns and / or Cities.

Petition No. 201276 / 2002 - ASSESSOR - Cancel - \$170.27

SBL No. 69.17-1-26 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 170.27 - Town/SpecialDist/School

Charge to : VILLAGE OF WILLIAMSVILLE 170.27

CANCEL - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF (50%) 43,050 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C.

Petition No. 201277 / 2001 - ASSESSOR - Refund - \$3,352.94

SBL No. 40.08-4-5.11 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 3,352.94 - Town/SpecialDist/School

Charge to : TOWN OF AMHERST 3,352.94

REFUND - CLERICAL ERROR, THIS PARCEL WAS OVERCHARGED FOR SANITARY SEWER. THE GALLONAGE FIGURE USED WAS 2987 AND SHOULD BE 1632. RPTL 550(2)E.  
CHECK IN FAVOR OF: TOWN OF AMHERST IDA % M & T AUDUOBON DATA PROC.

Petition No. 201278 / 2001 - ASSESSOR - Refund - \$6,493.07

SBL No. 70.09-2-1.1/A - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 6,493.07 - Town/SpecialDist/School  
Charge to : TOWN OF AMHERST 6,493.07

REFUND- CLERICAL ERROR, THE SANITARY SEWER WAS CHARGED IN ERROR FROM  
THIS PARCEL. RPTL 550(2)E  
CHECK IN FAVOR OF: SHERIDAN MEADOWS OFFICE PARK

Petition No. 201279 / 2002 - ASSESSOR - Cancel - \$1,033.37

SBL No. 104.82-4-11 - TOWN OF LANCASTER

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 1,033.37 - Town/SpecialDist/School

Charge to : VILLAGE OF LANCASTER 1,033.37

CANCEL - UNLAWFUL ENTRY, THE STATE DOT ACQUIRED THIS PARCEL ON  
MAY 16,2000. MAKING IT WHOLLY EXEMPT FROM TAXES. RPTL 550(7)A.  
Petition No. 201280 / 2001 - ASSESSOR - Cancel - \$4,721.69

SBL No. 104.82-4-11 - TOWN OF LANCASTER

Acct. No. 112 - \$ 503.85 - County

Acct. No. 132 - \$ 4,217.84 - Town/SpecialDist/School

Charge to : TOWN OF LANCASTER

	593.20
LANCASTER CENTRAL	1,806.37
VILLAGE OF LANCASTER	1,450.22
ERIE CO SEW #4	23.05
ECSD #4	345.00

CANCEL - UNLAWFUL ENTRY, PROPERTY TRANSFERED TO NEW YORK STATE DOT  
ON MAY 16,2000. MAKING IT WHOLLY EXEMPT FROM TAXES. RPTL 550(7)A.

Petition No. 201281 / 9899 - ASSESSOR - Refund - \$1,586.86

SBL No. 185.17-1-49 - TOWN OF ORCHARD PARK

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 1,586.86 - Town/SpecialDist/School

Charge to : ORCH PARK CENTRAL 1,586.86

REFUND - ERROR IN ESSENTIAL FACT, THE SUBLLOT WAS NOT IMPROVED.

RPTL 550(3)B  
CHECK IN FAVOR OF: FALCON LAND CORP

Petition No. 201282 / 1999 - ASSESSOR - Refund - \$1,280.56

SBL No. 185.17-1-49 - TOWN OF ORCHARD PARK

Acct. No. 112 - \$ 691.64 - County

Acct. No. 132 - \$ 588.92 - Town/SpecialDist/School

Charge to : TOWN OF ORCHARD PARK 525.91  
ORCHARD PARK FIRE PR 63.01

REFUND - ERROR IN ESSENTIAL FACT, THE SUBLLOT WAS NOT IMPROVED.  
RPTL 550(3)B.  
CHECK IN FAVOR OF: FALCON LAND CORPORATION

Petition No. 201283 / 9900 - ASSESSOR - Refund - \$1,707.38

SBL No. 185.17-1-49 - TOWN OF ORCHARD PARK

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 1,707.38 - Town/SpecialDist/School

Charge to : ORCH PARK CENTRAL 1,707.38

REFUND - ERROR IN ESSENTIAL FACT, SUBLLOT WAS NOT IMPROVED .  
RPTL 550(3)B.  
CHECK IN FAVOR OF: FALCON LAND CORPORATION

Petition No. 201284 / 2000 - ASSESSOR - Refund - \$1,185.91

SBL No. 185.17-1-49 - TOWN OF ORCHARD PARK

Acct. No. 112 - \$ 562.76 - County

Acct. No. 132 - \$ 623.15 - Town/SpecialDist/School

Charge to : TOWN OF ORCHARD PARK 559.98  
ORCHARD PARK FIRE PR 63.17

REFUND - ERROR IN ESSENTIAL FACT, THE SUBLLOT WAS NOT IMPROVED.  
RPTL 550(3)B.  
CHECK IN FAVOR OF: FALCON LAND CORP

Petition No. 201285 / 2001 - ASSESSOR - Refund - \$1,742.20

SBL No. 185.17-1-49 - TOWN OF ORCHARD PARK

Acct. No. 112 - \$ 0.00 - County  
Acct. No. 132 - \$ 1,742.20 - Town/SpecialDist/School  
Charge to : ORCH PARK CENTRAL 1,742.20

REFUND - ERROR IN ESSENTIAL FACT, THE SUBLLOT WAS NOT IMPROVED.  
RPTL 550(3)B.  
CHECK IN FAVOR OF: FALCON LAND CORPORATION

Petition No. 201286 / 2001 - ASSESSOR - Refund - \$1,124.46

SBL No. 185.17-1-49 - TOWN OF ORCHARD PARK

Acct. No. 112 - \$ 486.12 - County  
Acct. No. 132 - \$ 638.34 - Town/SpecialDist/School  
Charge to : TOWN OF ORCHARD PARK 574.35  
ORCHARD PARK FIRE PR 63.99

REFUND - ERROR IN ESSENTIAL FACT, SUBLLOT WAS NOT IMPROVED.  
RPTL 550(3)B.  
CHECK IN FAVOR OF: FALCON LAND CORPORATION

Petition No. 201287 / 2001 - ASSESSOR - Cancel - \$535.08

SBL No. 54.79-6-10 - TOWN OF TONAWANDA

Acct. No. 112 - \$ 0.00 - County  
Acct. No. 132 - \$ 535.08 - Town/SpecialDist/School  
Charge to : TOWN OF TONAWANDA 535.08

CANCEL - CLERICAL ERROR, THE HIGHWAY CLEANUP WAS POSTED TO THIS  
PARCEL IN ERROR. RPTL 550(2)E.

Petition No. 201288 / 2002 - ASSESSOR - Cancel - \$123.19

SBL No. 66.69-4-14 - TOWN OF TONAWANDA

Acct. No. 112 - \$ 0.00 - County  
Acct. No. 132 - \$ 123.19 - Town/SpecialDist/School  
Charge to : VILLAGE OF KENMORE 123.19

CANCEL- CLERICAL ERROR, THE RPTL 520 WAS POSTED IN ERROR ON THIS  
PARCEL. PARCEL IS WHOLLY EXEMPT. RPTL 550(2)E.

**AS AMENDED**  
(Comm. 6E-29)

3. Item Page - 2001

**COUNTY EXECUTIVE**

WHEREAS, the South Buffalo Economic & Community Development Corporation is coordinating Sunday in the Park to be held on July 21, 2001 in Cazenovia Park, and

WHEREAS, this free family day of entertainment has been in place since 1980, and

WHEREAS, this event is one which the South Buffalo Community looks forward to each year,

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into contract with the South Buffalo Economic & Community Development Corporation in an amount not to exceed \$5,000 for conducting the Sunday in the Park event on July 21, 2001 in Cazenovia Park, and be it further

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$5,000 from the Risk Retention Fund (DAC: 1109616018320742) to Fund 110, Project 922, Department 302 Agency Payments & Grants - Public Benefit Services - E & P, (DAC: 110922302830), for paying the following agencies:

NAME	LINE	AMOUNT
South Buffalo Economic & Community Development Corp.	830/	\$5,000
<b>TOTAL</b>		<b>\$5,000</b>

and be it further

RESOLVED, that certified copies of the resolution should be forwarded to County Executive, Joel A. Giambra; Director of Budget, Management and Finance, Joseph Passafiume; County Comptroller, Nancy A. Naples; and JoAnne Panek-Hortman, Chairperson of the South Buffalo Economic & Community Development Corporation.

(5-0)

4. Item Page - 2001 (Comm. 13E-32)

**COUNTY EXECUTIVE**

WHEREAS, the Division of Budget, Management and Finance, in cooperation with the Erie County Comptroller, and in consultation with departmental accountants, has identified accounts with projected budget deficiencies prior to year-end closing, and

WHEREAS, budget amendments are required to eliminate the aforementioned deficiencies in order to close the County's books and prepare financial statements for review by the County's independent auditors for the 2000 fiscal year, and

WHEREAS, these budget amendments will have no net fiscal impact as funds will be transferred from accounts with available balances to accounts with projected deficiencies or unanticipated revenues will be appropriated, and

WHEREAS, final year-end transactions and accrual entries cannot be processed in the accounting system by the Comptroller for accounts with budget deficiencies until said deficiencies are eliminated through budget amendments.

NOW, THEREFORE BE IT

RESOLVED, that the Division of Budget, Management and Finance is hereby authorized to amend the budget of the General Fund Departments, as specified in the following schedule, and be it further

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

**2000 YEAR-END BUDGET BALANCING  
ROUND THREE BUDGET AMENDMENTS**

**GENERAL FUND**

<b>Account/DAC Code:</b>	<b>Description:</b>	<b>Debit (Credit) Amount</b>
110 923 0310 281	Reserved for Advances to ECMC	116,869
110 912 0221 880 4100	Interfund-Erie County Home	31,327
110 923 0310 305	Interest & Penalty-Property Taxes(Countywide-Budget)	<u>(148,196)</u>
	Subtotal General Fund	0

(5-0)

5. Item Page - 2001 (Comm. 14E-22)

**COUNTY EXECUTIVE**

WHEREAS, the Division of Budget, Management and Finance did receive requests from more than one of adjacent property owners or non-adjacent owners to purchase parcels of County owned inventory, and

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

WHEREAS, the Erie County Legislature approved them to be put to sale in a resolution adopted at the 8TH Session of the Legislature held on the Fifth day of April 2001 (Reference: Comm. 7E-37), and

WHEREAS, in addition to the advertisement of the sale in the Buffalo Law Journal and Buffalo News, all adjacent owners were sent a letter indicating the date, time and place of the sale in order to give all interested parties the opportunity to attend the sale and bid;

NOW, THEREFORE, BE IT RESOLVED, that the Erie County Legislature is requested to approve the sale of these parcels to the following persons who successfully bid on them at the sale on June 5, 2001.

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Alden, County of Erie and State of New York being part of Farmlot 162, Township 10, Range 5 and is further described on Erie County Tax Maps as Section, Block and Lot No. 118.180-2-9 (Creekside Drive 34.00 x 225.00). Intending to convey all land acquired by Erie County as Serial No. 589 in the County In Rem Tax Foreclosure Action No. 143 to Jerome D. and Carolyn J. Dudziak, 669 Creekside Drive, Alden, New York 14004 for the sum of Two Hundred and 00/100 Dollars (\$200.00).

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Amherst, County of Erie and State of New York being part of Farmlot 87, Township 12, Range 7 and according to a map filed in the Erie County Clerk's Office under Map Cover 1297 is known as Sublot 216 and is further described on Erie County Tax Maps as Section, Block and Lot No. 40.100-7-41 (Edgewater Drive 40.00 x 140.00). Intending to convey all land acquired by Erie County as Serial No. 40 in the County In Rem Tax Foreclosure Action No. 137 to Tammy L. Green, 110 W 111 Street, Apt. 32, New York, New York 10026 for the sum of One Thousand Four Hundred and 00/100 Dollars (\$1,400.00).

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Amherst, County of Erie and State of New York being part of Farmlot 87, Township 12, Range 7 and according to a map filed in the Erie County Clerk's Office under Map Cover 1297 is known as Sublot 215 and is further described on Erie County Tax Maps as Section, Block and Lot No. 40.100-7-42 (Edgewater Drive 40.00 x 140.00). Intending to convey all land acquired by Erie County as Serial No. 39 in the County In Rem Tax Foreclosure Action No. 137 to Shamer Holdings, LTD. (Segal Yebuda), 37 Ledbury Street, Toronto, Ontario M5M4H1 for the sum of Three Thousand Four Hundred and 00/100 Dollars (\$3,400.00).

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Amherst, County of Erie and State of New York being part of Farmlot 91, Township 12, Range 7 and according to a map filed in the Erie County Clerk's Office under Map Cover 1547 and is further described on Erie County Tax Maps as Section, Block and Lot No. 69.110-3-27 (68 Country Parkway 50.00 x 148.00). Intending to convey all land acquired by Erie County as, Serial No. 29 in the County In Rem Tax Foreclosure Action No. 136 to Katherine I. Barnes, 70 Country Parkway, Williamsville, New York 14221 for the sum of Five Thousand Five Hundred and 00/100 Dollars (\$5,500.00).

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Amherst County of Erie and State of New York being part of Farmlot 96, Township 12, Range 9, part of Sublot 22 according to a map filed in the Erie County Clerk's Office under Map Cover 2138 and is further described on Erie County Tax Maps as Section, Block and Lot No. 28.040-2-68 (4500 French Road 100.00 x 272.03). Intending to convey all land acquired by Erie County as Serial No. 960 in the County In Rem Tax Foreclosure Action 140 to Gerard A. Leising, 2145 Dodge Road, East Amherst, New York 14051 for the sum of Six Thousand Five Hundred and 00/100 Dollars (\$6,500.00).

ALL THAT TRACT OR PARCEL OF LAND situate in the Village of Depew, Town of Cheektowaga, County of Erie and State of New York being part of Farmlot 68, Township 11, Range 7 and according to a map filed in the Erie County Clerk's Office under Map Cover 890 and is further described on Erie County Tax Maps as Section, Block and Lot No. 103.840-3-33 (Bigelow Place 35.00 x 94.38). Intending to convey all land

acquired by Erie County as Serial No. 1065 in the County in Rem Tax Foreclosure Action No. 140 to Angelo G. & Maureen Mineo, 196 S Bryant Street, Depew, New York 14043 for the sum of One Thousand and 00/100 (\$1,000.00).

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie and State of New York being part of Farmlot 12, Township 11, Range 7 and is further described on Erie County Tax Maps as Section, Block and Lot No. 103.050-8-7 (Bernice Drive 102.00 x 104.08). Intending to convey all land acquired by Erie County as Serial No. 1282 in the County In Rem Tax Foreclosure Action No. 138 to Randy G. Granger and Patricia J. Mountain, 49 Bernice Drive, Cheektowaga, New York. 14225 for the sum of Two Thousand Five Hundred and 00/100 Dollars (\$2,500.00).

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie and State of New York being part of Farmlot 51, Township 10, Range 7 and is further described on Erie County Tax Maps as Section, Block and Lot No. 125.110-10-5 (French Road 109.58 x 266.97. Intending to convey al land acquired by Erie County as Serial No. 185 in the County In Rem Tax Foreclosure Action No. 141 A to David G. Decker and Michael F. Weidmann, 101 Rondelay Drive, Cheektowaga, New York 14227 for the sum of Two Thousand One Hundred and 00/100 Dollars (\$ 2,100.00).

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Evans, County of Erie and State of New York being part of Farmlot 76, Township 8, Range 9, Sublot 1 under Map Cover 1486 and is further described on Erie County Tax Maps as Section, Block and Lot No. 234.280-125 (600 Fulton Ave 61.00 x 58.00). Intending to convey all land acquired by Erie County as Serial No. 860 in the County In Rem Tax Foreclosure Action No. 142 to Barry M. Kleiner and Christine A. Kleiner, 105 Cornell. Drive, Depew, New York 14043 in the amount of Five Hundred and 00/100 Dollars (\$ 500.00).

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Grand Island, County of Erie and State of New York being part of Farmlot 90, Township 12, Range 9 and is further described on Erie County Tax Maps as Section, Block and Lot No. 23.000-2-1 (Grand Island Blvd 29.85 x 560.00). Intending to convey all land acquired by Erie County as Serial No. 206 in the County In Rem Tax Foreclosure Action No. 135 to Edmund A. Leising, 46 Smith Road, Amherst, New York 14228 for the sum of Five Hundred and 00/100 Dollars (\$500.00).

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Orchard Park, County of Erie and State of New York being part of Farmlot 31, Township 10, Range 7 and is further described on Erie County Tax Maps as Section, Block and Lot No. 152.130-4-5 (Windom Avenue 1.6 acres). Intending to convey all land acquired by Erie County as Serial No. 1272 in the County In Rem Tax Foreclosure Action No. 150 to Pearl Lewis and James Lewis Sr., 348 Summit Avenue, Orchard Park, New York 14127 for the sum of Three Thousand Two Hundred and 00/100 Dollars (\$3,200.00).

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of West Seneca, County of Erie and State of New York being part of Farmlot 364, Township 10, Range 7 and is further described on Erie County Tax Maps as Section, Block and Lot No. 135.040-2-46.1 (Rear Bullis Road 3.50 acres). Intending to convey all land acquired by Erie County in a deed filed in the Erie County Clerk's Office on July 22, 1955 under Liber 5795 at Page 243 to William G. Heusinger and Carol A. Heusinger, 375 Bullis Road, Buffalo, New York 14224 for the sum of Three Thousand and 00/100 Dollars (\$3,000.00).



RESOLVED, that the Erie County Executive is hereby authorized and directed to execute quit claim deeds conveying the interest of the County of Erie in the above described properties to the aforesaid purchasers, and be it further

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

6. Item Page - 2001 (Comm. 14E-37)

**COUNTY EXECUTIVE**

WHEREAS, Department of Youth Services has an additional \$225,000 in funding commitments to cover the cost of contracting with the Boys & Girls Club of Buffalo to administer and implement the 2001 Operation Prime Time Summer Achievement Program, and

WHEREAS, the county will receive 100% reimbursement for the cost of this program in the amount of \$150,000 from the City of Buffalo, and \$75,000 from the New York State Office of Children and Family Services,

NOW, THEREFORE, BE IT

RESOLVED, that authorization is provided to make the following budgetary transactions in order to implement the contract increase for the Operation Prime Time program in the Youth Division's 2001 operating budget:

<u>REVENUE</u>	<u>Increase</u>
Acct. 360-1001 - City of Buffalo	\$150,000
Acct. 620-0101 - State Aid For -YDDP Reimbursement	<u>75,000</u>
Total Revenue	\$225,000
 <u>APPROPRIATION</u>	
Acct. 830-920 Operation Prime Time	<u>\$225,000</u>
Total Appropriation	\$225,000

and be it further

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

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

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

(5-0)

7. Item Page - 2001 (Comm. 14E-39)

**COUNTY EXECUTIVE**

WHEREAS, the following grant programs are included in Book B of the 2001 Adopted Budget, and

WHEREAS, the 2001 Adopted Budget resolutions require legislative approval for the County Executive to enter into contracts with grantor agencies for the purpose of receiving grants awarded or budgeted for fiscal 2001.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into contracts with grantor agencies for the purpose of receiving grants, following review and approval by the Director of Budget, Management and Finance with respect to the availability of State and/or Federal funds, for the following grant programs which commence after July 1, 2001 and before October 1, 2001:

<u>Department</u>	<u>Grant Program</u>	<u>Dates</u>	2001 Budget Book B <u>Page No.</u>
650 - CPS	Points of Entry Drug Interdiction	07/01/01-06/30/02	66
200 - Social Svcs.	Day Care Registration	08/16/01-08/15/02	249
250 - Youth Svcs.	DCJS - Title 5 Grant	09/01/01-08/31/02	403
250 - Youth Svcs.	Juvenile Justice Delinquency Prevention Grant (JJDP)	09/01/01-08/31/02	403

and be it futher

RESOLVED, that the County Executive is hereby authorized to enter into contracts with grantor agencies for the purpose of receiving grants, following review and approval by the Director of Budget and Management with respect to the availability of State and/or Federat funds, for the following grant programs which commence on October 1, 2001 and thereafter:

<u>Department</u>	<u>Grant Program</u>	<u>Dates</u>	2001 Budget Book B <u>Page No</u>
110 - Co. Exec.	Office of Traffic Safety	10/01 /01-09/30/02	11
140 - Dist. Atty.	Points of Entry Grant	11 /01 /01-10/31 /02	25

140 - Dist. Atty.	Child Victim Advocacy Program	10/01/01-09/30/02	25
140 - Dist. Atty.	Victim/Witness Assistance Program	10/01 /01-09/30/02	26
140 - Dist. Atty.	BE-SAFE	10/01/01-09/30/02	26
140 - Dist. Atty.	BE-SAFE NOW	10/01/01-09/30/02	26
140 - Dist. Atty.	Exile Partner	10/01/01-09/30/02	27
140 - Dist. Atty.	Juvenile Justice Prosecution Project	10/01/01-09/30/02	27
150 - Sheriff	C.E.O.S.C.. Security Grant	10/01/01-09/30/02	82
660 - Corr. Fac.	High Impact Incarceration Program (HIIP)	11 /01 /01-10/31 /02	103

<u>Department</u>	<u>Grant Program</u>	<u>Dates</u>	2001 Budget Book B <u>Page No.</u>
200 - Soc. Svcs.	Child Care Block Grant	10/01/01-09/30/02	248
200 - Soc. Svcs.	Energy Services Packaging Project 01-02	11/01/01-10/31/02	248
200 - Soc. Svcs.	Home Energy Assistance Program (HEAP)	10/01/01-09/30/02	250
200 - Soc. Svcs.	Food Stamp Employment and Training Project	10/01/01-09/30/02	250
252 - Youth - Children With Special Needs	Early Intervention - Administration	10/01/01-09/30/02	404
252 - Youth - Children With Special Needs	Early Intervention - Case Management	10/01/01-09/30/02	404

and be it further

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

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

(5-0)

8. Item Page - 2001 (Comm. 14E-46)

**COUNTY EXECUTIVE**

WHEREAS, Erie County is interested in assisting the Town of Cheektowaga with its efforts to develop the Walden Commerce Exchange industrial park which is a brownfield redevelopment project; and

WHEREAS, Erie County has committed \$120,000.00 to the development of the industrial park; and

WHEREAS, The Town of Cheektowaga has been unable to complete development of the industrial park due to lack of access to the site; and

WHEREAS, 1071 Walden Avenue provides the access to the industrial park necessary for the construction of roads and utilities; and

WHEREAS, the owner or 1071 Walden Avenue (parcel SBL # 101.60-8-19) is delinquent in property taxes to Erie County,

NOW, THEREFORE, BE IT

RESOLVED, that the Commissioner of Finance is authorized pursuant to the Erie County Tax Act, Section 7-8.0, to enter into any necessary agreements and other documents with the Town of Cheektowaga in order to transfer the County's interest in the parcel described as SBL # 101.60-8-19, for a consideration of one dollar (\$1.00), and be it further,

RESOLVED, that the Clerk of the Legislature be directed to send certified copies of this resolution to the Director of the Division of Budget, Management and Finance, the Comptroller, the Commissioner of the Department of Environment and Planning and the County Attorney.

(5-0)

9. Item Page - 2001 (Comm. 14E-47)

**COUNTY EXECUTIVE**

WHEREAS, Erie County is interested in assisting the Village of Lancaster and the Lancaster Village Partnership with their efforts to redevelop the central business district of the Village of Lancaster; and

WHEREAS, the Lancaster Village Partnership has acquired the former BOCES building (SBL # 104.74-4-1.2) which has back taxes which were incurred prior to the Partnership placing the building in tax exempt status; and

WHEREAS, The Village of Lancaster and the Lancaster Village Partnership have limited funds for Redevelopment of the downtown area; and,

WHEREAS, being required to pay the back taxes will limit the Village's and the Partnership's ability to move forward with redevelopment plans; and

NOW, THEREFORE, BE IT

RESOLVED, that the Commissioner of Finance is authorized pursuant to the Erie County Tax Act, Section 7-8.0, to enter into any necessary agreements and other documents with the Village of Lancaster in order to transfer the County's interests in the parcel described as SBL # 104.74-4-1.2 for a consideration of one dollar (\$1.00) and such other terms and conditions as may be appropriate, and be it further,

RESOLVED, that the Clerk of the Legislature be directed to send certified copies of this resolution to the Director of the Division of Budget, Management and Finance, the Comptroller, the Commissioner of the Department of Environment and Planning and the County Attorney.

(5-0)

10. Item Page - 2001 (Comm. 14E-64)

**COUNTY EXECUTIVE**

WHEREAS, the Buffalo Zoo is one of this region's major cultural resources, and it is anticipated the Zoo can become a major regional cultural tourism destination based on a master plan which is now being developed by the Zoo and its consultants with input from the community; and

WHEREAS, redevelopment of the Main Animal Building at the Buffalo Zoo is an important component of the Zoo's ability to evolve into this tourism role, and the redevelopment of this building is particularly important because it has been identified by the American Zoo and Aquarium Association (AZAA) as requiring redevelopment due to its substandard conditions for both the animal collection housed there and the public that visits the Zoo, and if these conditions are not addressed, the accreditation of the Zoo is in jeopardy; and

WHEREAS, the City of Buffalo, which is the administrator of this project on behalf of the Zoo, requires that in order to start the project this year, availability of sufficient funds for the estimated \$3 million project cost must be officially confirmed within the next few weeks, and there still remains a \$650,000 shortfall in funds to cover these costs recognizing that Erie County has committed \$2 million already and Governor George Pataki has committed \$350,000 in funds from New York State; and

WHEREAS, the Western New York Legislative Delegation has indicated it is committed to securing the remaining \$650,000 needed to initiate this project, but due to the delay in adopting the State Budget these funds cannot be officially committed by early July, as required by the City of Buffalo, therefore the County Executive has determined County funds for a bridge loan for this project are available in Account 830-798 New Convention Center in the General Fund, Extraordinary Aid to Local Governments, and therefore the County can provide the necessary bridge loan of \$650,000 for this project, with the expectation that New York State will reimburse Erie County for the loan after the adoption of the State's 2001/2002 Budget,

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into the necessary agreements with New York State, the City of Buffalo and the Buffalo Zoological Society in order for the County to provide a bridge loan of \$650,000 or the redevelopment of the Main Animal Building at the Buffalo Zoo; and be it further

RESOLVED, that such temporary use of the Convention Center account will not curtail the current Convention Center EIS process, and the account will be made whole with the aforesaid future State funds, and the Convention and Visitors Bureau's goal of improving tourism related venues will be enhanced by the Zoo redevelopment project; and be it further

RESOLVED, that the source of funds for this \$650,000 County bridge shall be Account 830-798 New Convention Center in the General Fund, Extraordinary County Aid to Local Government (DAC 1109043038300798); and be it further

RESOLVED, that future unanticipated revenues from New York State for the Zoo project shall be appropriated to said Account 830-798 New Convention Center in order to reimburse that account for the County Bridge Loan; and be it further

RESOLVED, that certified copies of this resolution be sent to the County Executive, the County Comptroller, the Commissioner of the Department of Environment and Planning, the Director of the Division of Budget, Management, and Finance; Honorable Members of the Western New York Legislative Delegation; Hon. Anthony M. Masiello, Mayor, City of Buffalo, City Hall, Niagara Square, Buffalo, New York 14202; Donna Fernandes, President of the Buffalo Zoo, 300 Parkside Avenue, Buffalo, NY 14214; Richard Geiger, President and CEO, Buffalo Niagara Convention and Visitors Bureau, 617 Main Street, Suite 400, Buffalo, New York 14203.

(5-0)

**AS AMENDED**

11. Item Page - 2001 (Comm. 14E-68)

**COUNTY EXECUTIVE**

WHEREAS, the City of Buffalo Board of Education has identified a number of school reconstruction projects to be undertaken as Phase I of the comprehensive school redevelopment program which is comprised of construction of new schools and the reconstruction of existing schools as facilities for education and complementary family support and human service programs; and

WHEREAS, among the buildings to be reconstructed are buildings with significant historic preservation value; and

WHEREAS, the County of Erie, the City of Buffalo and the Joint Schools Construction Board wish to enter into an agreement providing for appropriation of funds for Phase I in such a manner as to provide maximum benefit to the people of Buffalo and Erie County; and

WHEREAS, funding for Phase I shall be reimbursed by the State of New York up to an estimated allowable cost of 93.7%; and

WHEREAS, it is anticipated that the County's previous commitment of \$1,000,000 as a contribution to the local share of the cost of reconstruction of All High Stadium, plus the additional sum of \$5,000,000 as a contribution to the local share of the cost of Phase I will generate more than \$55 million of State reimbursement for the program; and

WHEREAS, the 2001 adopted Erie County Budget included the 2001 portion of the aforementioned \$5 million commitment in the form of a general fund cash transfer, as enumerated within the county's Capital Budget, Book "C," page 174 (attached), and

WHEREAS, concurrently with this authorization, the Legislature is requesting that the Budget Director identify a locally available fund source for said general fund cash transfer and submit the same for subsequent authorization by the Legislature,

NOW, THEREFORE, BE IT

RESOLVED, that the County of Erie shall contribute the sum of \$3,936,792.00 from the 2001 budget for purposes of funding a portion of the local share of Phase I of the Buffalo Public Schools comprehensive school redevelopment program; and be it further

RESOLVED, that pursuant to the adopted 2001 Erie County Budget, Capital, the County's share of the funding for Phase I shall be in the form of a county General Fund cash transfer funded from a locally available source of funds, with said source of funds to be proposed by the Budget Director no later than July 10, 2001, and subject to subsequent authorization by the Legislature, and be it further

RESOLVED, that pursuant to the 2001 Capital Budget, said source of funds shall exclude the county's tobacco settlement fund, and be it further

RESOLVED, that the County's share of Phase I funding shall be used to restore and/or preserve the facades of school buildings of historical significance; and be it further

RESOLVED, that the County Commissioner of Environment and Planning, at his discretion, shall accept from the City of Buffalo historic preservation easements for the purpose of preserving the facades of school buildings of historical significance, and be it further

RESOLVED, that in order to effectuate the goal of appropriating a total of \$5,000,000 for the Phase I project, the balance of the County's funding (\$1,063,208) is subject to a budget appropriation of this Legislature in fiscal year 2002; and be it further

RESOLVED, that the County Executive is authorized to enter into a contract with the City of Buffalo, Buffalo Public Schools and the Joint Schools Construction Board to facilitate the implementation of this funding program, subject to County Attorney approval of the contract; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the Erie County Executive, County Attorney, Commissioner of the Department of Environment and Planning, Division of Budget, Management and Finance, Mayor of the City of Buffalo, Superintendent of the Buffalo Public Schools, and the Joint Schools Construction Board.

(5-0)

**CRYSTAL D. PEOPLES**  
**CHAIRPERSON**

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 325

June 28, 2001

SOCIAL SERVICES  
COMMITTEE  
REPORT NO. 10

ALL MEMBERS PRESENT.

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

Item	Page	-2001	(Comm. 14D-15)
a.			

**YOUTH SERVICES:** Copy of Letter to NYS Office of Children & Family Services Re: Request for 60 Day Extension of Operating Cert. At Alden Facility.  
(5-0)

Item	Page	-2001	(Comm. 14E-16)
b.			

**COUNTY EXECUTIVE:** Appointments to Erie County Youth Services Board.  
(5-0)

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

Item	Page	-2001	(Comm. 14M-2)
a.			

**SENECA COUNTY COMMUNITY SERVICES BOARD:** Letter Opposing State Assembly Bill 508.  
(5-0)

Item	Page	- 2001	(Comm. 14E-49)
3.			

**COUNTY EXECUTIVE**

WHEREAS, the Department of Social Services has been notified of substantial increases in the allocation of Federal Home Energy Assistance Program (HEAP) funds for program benefits and program administration, and

WHEREAS, high heating costs and severe winter weather have produced an unprecedented level of applicants and benefit authorizations, and

WHEREAS, the current appropriation for program benefits is insufficient to make payments to all eligible households without an increase of \$7,624,047, and



WHEREAS, while HEAP program benefits have steadily increased at the Federal level over the last years, the HEAP program has long been limited in terms of available funds for administrative activities, and

WHEREAS, the limitation in funding served to constrain the addition badly needed staff resources and physical plant upgrades, and

WHEREAS, the increased administrative allocation allows the Department to enhance HEAP services in a number of ways, including staff additions and reallocations, an increase in overtime funding, the renovation of space and the purchase of office equipment and computers, and

WHEREAS, the proposed reallocation of positions will make titles and job groups consistent for comparable positions in the Social Services and the Senior Services HEAP programs, and

WHEREAS, the increased awards are 100% Federal funds, and this proposed resolution has no local share fiscal impact.

NOW, THEREFORE, BE IT

RESOLVED, the Department is hereby authorized to accept the increased federal share awards for program benefit and program administration funding, and be it further

RESOLVED, that the following budget amendments are hereby authorized in the Adopted Budget for the grant period October 1, 2000 through September 30, 2001:

**Department of Social Services, Fund 281, Department 200, Project 350**

<b><u>ACCOUNT</u></b>	<b><u>DESCRIPTION</u></b>	<b><u>INCREASE</u></b>
800	Personal Services	\$87,303
801	Overtime	106,146
805	Fringe Benefits	40,624
826	Other Expenses	15,000
830-0484	Contractual- Miscellaneous	7,624,047
932	Office Equipment	237,800
933	Laboratory and Technical Equipment	<u>22,000</u>
	Total Expenditures	<u>\$8,132,920</u>
653	Federal Aid for Energy Assistance	<u>\$8,132,920</u>
	Total Revenues	<u>\$8,132,920</u>

and be it further

RESOLVED, that the following budget amendments are hereby authorized in the 2001 Adopted Budget for the grant period effective October 1, 2001 through September 30, 2002:

**Department of Social Services, Fund 281, Department 200, Project 473**

<u>ACCOUNT</u>	<u>DESCRIPTION</u>	<u>INCREASE</u>
800	Personal Services	\$359,687
801	Overtime	155,945
805	Fringe Benefits	108,282
830-0484	Contractual- Miscellaneous	7,624,047
932	Office Equipment	5,000
933	Laboratory and Technical Equipment	<u>6,600</u>
	Total Expenditures	<u>\$8,259,561</u>
653	Federal Aid for Energy Assistance	<u>\$8,259,561</u>
	Total Revenues	<u>\$8,259,561</u>

and be it further

RESOLVED, that the following positions are hereby created effective July 1, 2001 in the HEAP grant, project number 350, and shall be carried forward into project number 473 within the Department of Social Services, Department 200, Fund 281:

Number	Title	Job Grade
3	Energy Crisis Assistance Worker 1	2
3	Energy Crisis Assistance Worker 2	5
2	Senior Social Welfare Examiner	7
2	Senior Clerk Typist	4
2	Data Entry Operators	4

(B-100's are attached)

and be it further

RESOLVED, that the following positions are hereby reallocated effective July 1, 2001 In the HEAP grant, project number 350, and shall be carried forward into project number 473 within the Department of Social Services, Department 200, Fund 281:

Number	Title	From Job Grade	To Job Grade
1	Director of Energy Programs	13	14
3	Energy Crisis Assistance Worker 3	7	8
6	Energy Crisis Assistance Worker 1	1	2

(B-100's are attached)

and be it further

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

(5-0)

4. Item Page - 2001 (Comm. 14E-50)

**COUNTY EXECUTIVE**

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

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

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

WHEREAS, no additional County funds are required since the 2001 Adopted Budget of the Erie County Department of Social Services has an existing appropriation in Account 826, Other Expenses or Charges, sufficient to cover the Employee Education and Training Program.

NOW, THEREFORE, BE IT

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

<u>Educational Institution</u>	<u>Period</u>	<u>Gross Contract</u>	<u>Institution's Contribution</u>	<u>Paid by ECDSS</u>
Buffalo State College (Master's/ Bachelor's Degrees, In-service training, Organizational Development)	9/1/01-8/31/02	\$3,152,300	\$1,134,827	\$2,017,473
Empire State College (Bachelor's/Associate's Degrees in Business/ Community and Human Services)	9/1/01-8/31/02	\$344,175	\$127,345	\$216,830
Empire State College (In-Service Training)	9/1/01-8/31/02	\$759,084	\$242,907	\$516,177

SUNY-Millard Fillmore College (Bachelor's/Associate's Degrees in Business/ Human Services)	8/21/01- 8/20/02	\$165,139	\$57,799	\$107,340
SUNYAB - School of Social Work (Master's of Social Work)	9/1/01- 8/31/02	\$217,348	\$73,898	\$143,450
SUNYAB Institute for Addictions Studies and Training (In-Service Training)	10/1/01- 9/30/02	\$154,091	\$53,932	\$100,159
Erie Community College (In-Service Training)	10/1/01- 9/30/02	\$487,708	\$175,575	\$312,133

and be it further

RESOLVED, that the source of funds for the above contract renewals is available in an existing appropriation in the 2001 Adopted Budget of the Department of Social Services in Account 826, Other Expenses or Charges, and be it further

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

5. Item Page - 2001 (Comm. 14E-51)

**COUNTY EXECUTIVE**

WHEREAS, the Department seeks authorization for the transfer of funds and the execution of a contract with West Seneca Americorps for the development and management of an Erie County Youth Conservation Corps program, and Corps

WHEREAS, funding for this purpose is appropriated in the 2001 Adopted Budget, and

WHEREAS, the Department issued a Request for Proposals (RFP) for this service and recommends that the contract be awarded to the named provider.

NOW, THEREFORE, BE IT

RESOLVED, that the Commissioner of Social Services and/or the County Executive are authorized to enter into a contract with West Seneca Americorps, and be it further

RESOLVED, that the following budget amendments are hereby authorized in the 2001 Adopted Budget:

**Department of Social Services, Fund 281, Department 200, Project 467**

<u>ACCOUNT</u>	<u>DESCRIPTION</u>	<u>INCREASE/ (DECREASE)</u>
830	Contractual Expense	(\$100,000)
830-xxxx	West Seneca Americorps	\$100,000
	Total Expenditures	<u>-0-</u>

and be it further

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

(5-0)

6. Item Page - 2001 (Comm. 14E-52)

**COUNTY EXECUTIVE**

WHEREAS, the Department has been awarded funding in the amount of \$225,300 in 100% Federal share Temporary Assistance to Needy Families (TANF) funds to enhance non-residential services to victims of domestic violence, and

WHEREAS, the additional federal TANF funding is awarded for contract expansion to vendors with existing State approval to deliver non-residential services to victims of domestic violence, and

WHEREAS, the provisions of the award specifically prohibit the supplantation of existing funding agreements and also prohibit the use of funds for County government operation, and

WHEREAS, only new contractual services or expansion of existing contractual services are eligible for this funding, and the vendors used must be among those named in the Department's submission to the State of the Consolidated Services Plan (CSP), and

WHEREAS, the Department has determined the distribution of these funds through negotiation of program enhancements with all of the vendors eligible to receive funds.

NOW, THEREFORE, BE IT

RESOLVED, that the Commissioner of Social Services and/or the County Executive are hereby authorized to enter into or amend contracts for expanded non-residential services to victims of domestic violence with Child and Family Services, Crisis Services and Hispanics United, and be it further

RESOLVED, that the following budget amendments are hereby authorized in the 2001 Adopted Budget:

**Department of Social Services, Fund 120, Department 200**

<b><u>ACCOUNT</u></b>	<b><u>DESCRIPTION</u></b>	<b><u>INCREASE</u></b>
830-0119	Crisis Services	\$72,650
830-0220	Hispanics United of Buffalo	40,000
830-0324	Child and Family Services	<u>112,650</u>
	Total Expenditures	<u>\$225,300</u>
649	Federal Aid	<u>\$225,300</u>
	Total Revenues	<u>\$225,300</u>

and be it further

RESOLVED, that because only State-approved providers of non-residential services to victims of domestic violence are eligible to receive these funds, because the Department has negotiated program enhancements with all of the vendors eligible to provide services and because these special services are needed immediately, the County Administrative Code requirement in Section 19.08 for a Request for Proposals (RFP) is hereby waived, and be it further

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

(5-0)

7. Item Page - 2001 (Comm. 14E-54)

**COUNTY EXECUTIVE**

WHEREAS, the Department of Social Services issued a Request for Proposals (RFP) in 1998 from which contracts were awarded for Job Training and Job Placement Services, and

WHEREAS, one of the successful bidders was a consortium of agencies including St. Augustine's Center, the Buffalo Federation of Neighborhood Centers, Inc. and the Friends to the Elderly, with St. Augustine's Center acting as the prime contractor, and

WHEREAS, the Department and the members of the consortium have agreed based on experience that separate direct contracts with each member would result in a more effective program, better management of referrals and tracking of outcomes, and

WHEREAS, the Department and the three vendors wish to have separate contracts and direct client referral and service relationships to increase program effectiveness.

NOW, THEREFORE, BE IT

RESOLVED, that the Commissioner of Social Services and/or the County Executive are hereby authorized to enter into contracts with the Buffalo Federation of Neighborhood Centers, Inc. and the Friends to the Elderly, and be it further

RESOLVED, that the following budget amendments are hereby authorized in the 2001 Adopted Budget:

**Department of Social Services, Department 200, Fund 281, Project Number 475**

<u>ACCOUNT</u>	<u>DESCRIPTION</u>	<u>INCREASE/ (DECREASE)</u>
830-0228	St. Augustine's Center	(\$300,000)
830-0263	Friends to the Elderly	180,000
830-0373	Buffalo Federation of Neighborhood Centers, Inc.	<u>120,000</u>
Total Expenditures		<u>-0-</u>

and be it further

RESOLVED, that since this funding was initially awarded to members of a consortium through a Request for Proposals process and because these special services are needed immediately, the County Administrative Code requirement in Section 19.08 for a Request for Proposals (RFP) is hereby, waived, and be it further

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

(5-0)

8. Item Page - 2001 (Comm. 14E-56)

**COUNTY EXECUTIVE**

WHEREAS, the Federal government established a Maintenance of Effort (MOE) requirement in the funding of Temporary Assistance to Needy Families (TANF) program, and

WHEREAS, New York State charges back a portion of any projected statewide MOE shortfall to counties by adjusting claims and withholding Federal funds, and

WHEREAS, the State has created a provision whereby counties can spend local funds to provide new or expanded services that reduce the amount of the shortfall, and

WHEREAS, the local share funds spent in a local TANF MOE Plan will receive replacement Federal funds on a dollar-for-dollar basis up to the amounts withheld through the MOE shortfall assessments, and

WHEREAS, the Department received State approval to undertake several initiatives as a part of the TANF Services Block Grant including Intensive Youth Independence, Employee Assistance Program for Employed TANF clients and Full Service Schools that, if they are partially funded by local dollars, may be counted toward the TANF MOE, and

WHEREAS, the Department has conducted an extensive Request for Proposals (RFP) process consistent with section 19.08 of the County administrative code for these TANF Service Block Grant components, and

WHEREAS, the Department is proposing to fund one quarter's worth of start up costs for these initiatives with local dollars as a part of its Local TANF MOE Plan, and

WHEREAS, Legislative authorization is necessary to execute these contractual agreements, and

WHEREAS, the Department's local TANF MOE Plan includes new initiatives for funding medical care for the uninsured at ECMC, transitional employment benefits and short-term child care.

NOW, THEREFORE, BE IT

RESOLVED, that the Commissioner of Social Services and/or the County Executive are authorized to execute contracts with the community providers named in this resolution, and be it further

RESOLVED, that the following budget is hereby established for a Local TANF MOE Plan Grant:

**Department of Social Services, Fund 281, Department 200**

<u>ACCOUNT</u>	<u>DESCRIPTION</u>	<u>INCREASE/ (DECREASE)</u>
<i>Employee Assistance for Employed Clients:</i>		
830-0118	Lakeshore Behavioral Health	\$25,500
830-0313	Salvation Army	19,250
830-xxxx	Goodwill Industries	11,500
830-0361	Neighborhood Legal Services	6,250
<i>Intensive Youth Independence for At-Risk Youth</i>		
830-0122	Child and Adolescent Treatment Services	88,515
830-xxxx	Care Management Coalition	57,860
<i>Full Service Schools</i>		
830-xxxx	Be a Friend Program	30,890
830-0150	WNY United Against Drugs and Alcohol Abuse	18,159
830-0549	Parents Anonymous	45,505
830-xxxx	Boys and Girls Clubs of Buffalo	27,245
830-xxxx	Life Transitions Center, Inc.	12,289
830-xxxx	Mt. Olive Development Corporation	50 000
<i>Other Initiatives</i>		
826-1000	Other - Transitional Employment Benefits	60,000
826-2000	Other- Short Term Child Care	50,000
880-4000	Interfund - ECMC Plus Program	<u>150,000</u>
Total Appropriations		<u>\$652,963</u>
686-2000	Interfund - Social Services	<u>\$652,963</u>



Total Revenues \$652,963

and be it further

RESOLVED, that the following budget amendments are hereby authorized in the 2001 Adopted Budget:

**Department of Social Services, Fund 120, Department 200**

<u>ACCOUNT</u>	<u>DESCRIPTION</u>	<u>INCREASE</u>
886-2009	Interfund - Social Services Grants	\$652,963
	Total Appropriations	<u>\$652,963</u>
640-1003	Federal Aid - TANF Maintenance of Effort (MOE) Adjustment	<u>\$652,963</u>
	Total Revenues	<u>\$652,963</u>

and be it further

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

(5-0)

9. Item Page - 2001 (Comm. 14E-62)

**COUNTY EXECUTIVE**

WHEREAS, the Erie County Legislature has already appropriated funds for the Weatherization and Referral And Packaging Program (WRAP-SOFA), the HEAP Weatherization Referral and Packaging (WRAP-DSS) program and the Heating and Energy Assistance Program (HEAP) for the periods October 1, 2000 to September 30, 2001, and October 1, 2001 to September 30, 2002, and

WHEREAS, the New York State Office of Temporary Assistance and Disability Assistance advised us that the WRAP-DSS funding allocation for the 2001/2002 program will continue at the lower levels established for the current program, and

WHEREAS, the Department of Senior Services (Department) desires to reorganize the energy grants to ensure continued and effective energy assistance and weatherization services to the senior citizens of Erie County, and to provide continued increased outreach activities, and

WHEREAS, the Department desires to create a full time Energy Crisis Assistance Worker (ECW) III (job group 8); upgrade two full time ECW II (job group 3) positions and two part time to job group 5; create two ECW I positions (job group 2) and two part time ECW I positions to provide core energy and weatherization services throughout the year; transfer two Community Service Aides (job group 1) positions from the Area Agency on Aging (AAA) grant to HEAP, and

WHEREAS, the Department desires to budget ten "seasonal" ECW I positions to allow adequate staffing to process applications during peak volume times, usually between November and May, and

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

WHEREAS, the revisions to the HEAP and WRAP-DSS grants will require the same changes in the respective grants in the Department of Social Services, and

WHEREAS, no additional County funds are required.

NOW, THEREFORE, BE IT

RESOLVED, that the following positions be created, effective July 1, 2001 in the grants indicated:

- ECW III (Job Grade 8), full time - HEAP**
- ECW I (Job Grade 2), full time - WRAP-SOFA**
- ECW I, part time - one WRAP-DSS; one HEAP**

and be it further

RESOLVED, that two full time ECW II positions and two part time ECW II positions in the HEAP grant be upgraded to job grade 5, effective July 1, 2001, and be it further

RESOLVED, that one full time ECW I position be created in the WRAP-DSS grant, eight seasonal ECW I positions be created in the HEAP grant and 2 seasonal ECW I positions be created in the WRAP-DSS grant, effective 10/1/01, and be it further

RESOLVED, that two Community Services Aide positions be transferred from AAA to; HEAP, effective 10/1/01, and be it further

RESOLVED, that the HEAP grant, Project 285, be revised as follows:

<u>ACCOUNT</u>	<u>DESCRIPTION</u>	<u>AMOUNT OF CHANGE</u>
800	Personal Services	\$9,212
805	Fringe Benefits	2,123
880/5100	Interfund Expense	6,569
883/2009	Interdepartment Expense	<17,904>
	TOTAL CHANGE	\$0

and be it further

RESOLVED, that the Social Services HEAP grant, Project 350, be increased as follows:

<u>ACCOUNT</u>	<u>DESCRIPTION</u>	<u>AMOUNT OF INCREASE</u>
653	Federal Aid for Energy Asst	\$17,904
882/6639	Interdept - Senior Services	17,904

and be it further

RESOLVED, that the WRAP-DSS grant, Project 439, be revised as follows:

<u>ACCOUNT</u>	<u>DESCRIPTION</u>	<u>AMOUNT OF CHANGE</u>
800	Personal Services	\$-39,423
805	Fringe Benefits	-5,822
826	Other Expenses	151
883/2009	Interdepartmental Billings	<u>45,094</u>
	TOTAL CHANGE	<u>\$0</u>

and be it further

RESOLVED, that the Social Services Energy Services Packaging Project grant, Project 466, be decreased as follows:

<u>ACCOUNT</u>	<u>DESCRIPTION</u>	<u>AMOUNT OF DECREASE</u>
684	Federal Aid-Energy Services	\$45,094
882/6639	Interdept - Senior Services	45,094

and be it further

RESOLVED, that the WRAP-SOFA grant, Project 440, be revised as follows:

<u>ACCOUNT</u>	<u>DESCRIPTION</u>	<u>AMOUNT OF CHANGE</u>
800	Personal Services	\$36,519
805	Fringe Benefits	7,497
826	Other Expenses	<44,016>
	TOTAL CHANGE	<u>\$0</u>

and be it further

RESOLVED, that the HEAP grant, Project 436, be revised as follows:

<u>ACCOUNT</u>	<u>DESCRIPTION</u>	<u>AMOUNT OF CHANGE</u>
800	Personal Services	\$70,502
805	Fringe Benefits	10,898
810	Office Supplies	400
824	Local Mileage	1,200
826	Other Expenses	1,300
880/5100	Interfund Expenses	12,000
883/2009	Interdepartmental Billings	<96,300>
	TOTAL CHANGE	<u>\$0</u>

and be it further

RESOLVED, that the Social Services HEAP grant, Project 473, be increased as follows:

<u>ACCOUNT</u>	<u>DESCRIPTION</u>	<u>AMOUNT OF INCREASE</u>
653	Federal Aid for Energy Asst	\$96,300
882/6639	Interdept- Senior Services	96,300

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, the Department of Social Services the office of the County Executive, the Department of Personnel, and the Department of Senior Services

(5-0)

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

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

CARRIED UNANIMOUSLY.

Item 16 – MRS. FISHER presented the following resolution and moved for immediate consideration. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 326

June 28, 2001

HEALTH/MENTAL HEALTH  
COMMITTEE  
REPORT NO.10

ALL MEMBERS PRESENT EXCEPT LEGISLATOR HOLT.

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

- Item Page -2001 (Comm. 11D-5)
- a. **HEALTH:** Change in Focus of Early Intervention Program.  
(4-0) Legislator Holt absent.

Item Page -2001 (Comm. 14M-1)  
 b. **EC MENTAL HYGIENE COMMUNITY SERVICES BOARD:** Notice of Meeting to be Held  
 6/21/01 & Minutes of Meeting Held 5/17/01.  
 (4-0) Legislator Holt absent.

2. Item Page - 2001 (Comm. 14E-23)  
**COUNTY EXECUTIVE**  
 WHEREAS, diabetes is a major cause of death and disability for Western New Yorkers, and

WHEREAS, the Erie County Department of Health has been a leader, through the Western New York Public Health Coalition, in addressing regional public health concerns, and

WHEREAS, the Erie County Department of Health received a grant award from the New York State Health Department in the amount of \$75,000 on behalf of the Western New York Coalition for Diabetes Prevention.

NOW, THEREFORE, BE IT

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

**Department of Health**  
**WESTERN NEW YORK DIABETES PREVENTION**  
**4/1/01-03/31/02**  
**PROJECT #614**

SFG ACCOUNT	REVENUE	CURRENT BUDGET	CHANGES	REVISED BUDGET
553	STATE AID	<u>\$75,000</u>	<u>\$0</u>	<u>\$75,000</u>
	TOTAL	<u>\$75,000</u>	<u>\$0</u>	<u>\$75,000</u>
EXPENSES				
825	OUT OF AREA TRAVEL	\$ 2,500	\$-1,500	\$ 1,000
826	OTHER EXPENSES	0	6,000	6,000
830-1095	CONTRACTUAL-KALEIDA HEALTH SYSTEMS	22,500	-1,500	21,000
830-1186	CONTRACTUAL-HEALTHY COMM. ALLIANCE	22,500	-1,500	21,000
830-1187	CONTRACTUAL-LAKE PLAINS COMM. CARE	22,500	-1,500	21,000
932	OFFICE EQUIPMENT	2,500	500	3,000
933	LAB & TECHNICAL EQUIPMENT	<u>2,500</u>	<u>- 500</u>	<u>2,000</u>
	TOTAL	<u>\$75,000</u>	<u>\$0</u>	<u>\$75,000</u>

and be it further

RESOLVED, that the County Executive is hereby authorized to enter into subcontracts with Kaleida Health, Healthy Community Alliance and Lake Plains Community Care Network for planning of diabetes education and screening events, and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Department of Health, the Office of the Comptroller, the Division of Budget, Management and Finance, and the Department of Law. (4-0) Legislator Holt absent.

3. Item Page - 2001 (Comm. 14E-24)  
**COUNTY EXECUTIVE**

WHEREAS, public health law requires the reporting HIV infection and HIV related disease in addition to AIDS, and

WHEREAS, HIV surveillance data is used to monitor trends in the epidemic, to evaluate resource needs and to target prevention efforts, and

WHEREAS, the identification of partners at risk of exposure to HIV enables them to receive access to HIV counseling and testing and care, and

WHEREAS, in Erie County the HIV Surveillance and Partner Notification program (HIV PNP) is conducted by New York State Health Department staff assisted by three new Erie County Health Department positions funded by the grant.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature authorizes the County Executive to enter into an agreement with the New York State Health Department which is budgeted as follows:

**Department of Health**  
**HIV Partner Notification Program 10/1/00 - 9/30/01**

**Project #498**

<b>SFG ACCOUNT</b>	<b>REVENUE</b>	<b>CURRENT BUDGET</b>	<b>CHANGES</b>	<b>REVISED BUDGET</b>
553	STATE AID	<u>\$172,479</u>	<u>\$-110,246</u>	<u>\$62,233</u>
	TOTAL	<u>\$172,479</u>	<u>\$-110,246</u>	<u>\$62,233</u>
	EXPENSES			
800	PERSONAL SERVICES	\$98,845	\$-70,589	\$28,256
805	FRINGE BENEFITS	21,746	-15,463	6,283
810	OFFICE SUPPLIES	2,000	-1,061	939
814	MEDICAL SUPPLIES	1,300	-1,300	0
824	TRAVEL & MILEAGE	6,200	-6,200	0
825	OUT OF AREA TRAVEL	1,000	248	1,248
826	OTHER EXPENSES	2,000	18,886	20,886
880-5100	DISS	4,900	-3,032	1,868
932	OFFICE EQUIPMENT	21,238	-18,485	2,753
933	LAB & TECHNICAL EQUIPMENT	<u>13,250</u>	<u>-13,250</u>	<u>0</u>
	TOTAL	<u>\$172,479</u>	<u>-110,246</u>	<u>\$62,233</u>

82,233

and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Department of Health, the Office of the Comptroller, the Division of Budget, Management and Finance, and the Department of Law. (4-0) Legislator Holt absent.

4. Item Page - 2001 (Comm. 14E-26)

**COUNTY EXECUTIVE**

WHEREAS, the Erie County Health Department Youth Tobacco Prevention and Enforcement Grant is sponsoring a "We Proof Everyone" campaign, and

WHEREAS, Tops Markets, Wegman's and the American Arab Merchants Association support this campaign and have each donated \$2,500 to help defray the costs of the campaign.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby approves of this campaign and authorizes the County Executive to accept the donations from Tops Markets, Wegman's and the American Arab Merchants Association in the amount of \$7,500 (\$2,500 each), and be it further

RESOLVED, that the sum of \$7,500 is hereby appropriated to Account 821 Dues and Fees, in the Youth Tobacco Prevention and Enforcement Grant budget, the source of funds being \$7,500 in unanticipated revenue from donations, (Account 521, Other Unclassified Revenue) in the Health Department budget, and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Department of Health, the Office of the Comptroller, the Division of Budget, Management and Finance, and the Department of Law. (4-0) Legislator Holt absent.

5. Item Page - 2001 (Comm. 14E-27)

**COUNTY EXECUTIVE**

WHEREAS, the Erie County Department of Health administers programs for immunizations, and

WHEREAS, polio, diphtheria, tetanus, pertussis, measles, mumps, rubella, Haemophilus influenzae type B and hepatitis B all can cause significant morbidity among children. However, they all are preventable with appropriate vaccination.

NOW, THEREFORE, BE IT.

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to accept a grant award for the continuation of the Immunization Action Plan Program in the amount of \$124,400 which is funded 100% from the New York State Health Department which includes budgetary adjustments as follows:

IMMUNIZATION ACTION PLAN  
04/1/01-03/31/02

PROJECT # 503

<u>SFG</u>	<u>REVENUE</u>	<u>CURRENT BUDGET</u>	<u>CHANGES</u>	<u>REVISED BUDGET</u>
553	STATE AID	<u>\$124,400</u>	<u>\$ 0</u>	<u>\$124,400</u>
	TOTAL	<u>\$124,400</u>	<u>\$ 0</u>	<u>\$124,400</u>
 <u>EXPENSES</u>				
800	PERSONNEL SERVICES	\$73,826	\$13,915	\$87,741
805	FRINGE BENEFITS	16,242	3,061	19,303
810	OFFICE SUPPLIES	6,000	-4,000	2,000
814	MEDICAL SUPPLIES	100	0	100
821	DUES & FEES	100	0	100
823	REPAIRS & MAINTENCE	250	-150	100
824	TRAVEL & MILEAGE	500	500	1,000
825	OUT OF AREA TRAVEL	3,000	2,000	5,000
826	OTHER EXPENSES	9,982	-4,226	5,756
830	CONTRACTUAL	5,000	-5,000	0
880-5100	DISS	300	0	300
932	OFFICE EQUIPMENT	100	-100	0
933	LAB & TECH EQUIPMENT	<u>9,000</u>	<u>-6,000</u>	<u>3,000</u>
TOTAL		<u>\$124,400</u>	<u>\$0</u>	<u>\$124,400</u>

and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Department of Health, the Office of the Comptroller, the Division of Budget, Management and Finance, and the Department of Law. (4-0) Legislator Holt absent.

6. Item Page - 2001 (Comm. 14E-28)  
**COUNTY EXECUTIVE**

WHEREAS, the Erie County Health Department operates a Women's Health Services Program which provides comprehensive family planning services to at-risk adolescents and other medically indigent women and men at various locations within Erie County, and

WHEREAS, the Erie County Health Department has recently received an amended grant award from the New York State Health Department which includes an additional \$3,400 for a Family Planning One-Time Funding award for the Women's Health Services Program.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to enter into an agreement with New York State to accept the amended grant award to be budgeted as follows:



WOMEN'S HEALTH SERVICES  
4/1/01- 3/31/02  
PROJECT #493

SFG CODE	REVENUE	CURRENT BUDGET	CHANGES	REVISED BUDGET
386	PRIVATE PAY	\$ 3,300	\$ 0	\$ 3,300
387	MEDICAID	577,616	0	577,616
549-166	INSURANCE	7,500	0	7,500
551-100	STATE AID-BDCC	80,000	0	80,000
553	STATE AID-OTHER	321,493	+3,400	324,893
685-2700	INTERFUND-NON SUBSIDY	<u>69,444</u>	<u>0</u>	<u>69,444</u>
TOTAL REVENUE		<u>\$ 1,059,353</u>	<u>\$ +3,400</u>	<u>\$ 1,062,753</u>
APPROPRIATIONS				
800	PERSONAL SERVICES	\$ 597,310	\$ 0	\$ 597,310
805	FRINGE BENEFITS	131,408	0	131,408
810	OFFICE SUPPLIES	6,000	0	6,000
814	MEDICAL SUPPLIES	72,426	0	72,426
816	MAINT SUPPLIES	250	0	250
821	DUES & FEES	62,537	0	62,537
822	RENTAL CHARGES	500	0	500
823	REPAIRS & MAINT	7,900	0	7,900
824	LOCAL MILEAGE	7,150	0	7,150
825	TRAVEL-OUT OF AREA	5,500	+3,400	8,900
826	OTHER EXPENSES	29,111	0	29,111
880-2700	INTERFUND-HEALTH DEPT.	20,351	0	20,351
880-2720	INTERFUND-PUBLIC HEALTH LAB	16,940	0	16,940
880-4000	INTERFUND-ECMC	56,500	0	56,500
880-5100	INTERFUND-DISS	10,800	0	10,800
883-2709	INTERDEPT-HEALTH GRANTS	(150)	0	(150)
932	OFFICE EQUIPMENT	1,070	0	1,070
933	LAB & TECHNICAL EQUIPMENT	<u>33,750</u>	<u>0</u>	<u>33,750</u>
TOTAL APPROPRIATIONS		<u>\$ 1,059,353</u>	<u>\$ +3,400</u>	<u>\$ 1,062,753</u>

and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Department of Health, the Office of the Comptroller, the Division of Budget, Management and Finance, and the Department of Law. (4-0) Legislator Holt absent.

7. Item Page - 2001 (Comm. 14E-29)

**COUNTY EXECUTIVE**

WHEREAS, it is essential to have the capability for physicians, physician assistants, nurses, and other advanced medical provider members of S.M.A.R.T. to be able to respond to actual and potential medical emergencies, and

WHEREAS, it is essential for S.M.A.R.T. to be established under the authority of the Erie County Departments of Emergency Services and Health Departments and coordinated by the Department of Emergency Medicine at the Erie County Medical Center, and

WHEREAS, based on resource availability, S.M.A.R.T. will respond to actual or potential medical emergencies upon special request of an Incident Commander and/or according to previously established agreements.

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Section 209-bb of the General Municipal Law, the Erie County Departments of Health and Emergency Services are authorized to establish the Specialized Medical Assistance Response Team (S.M.A.R.T.) under the coordination of the Department of Emergency Medicine at the Erie County Medical Center to respond to actual and potential medical emergencies throughout Erie County and Western New York upon request of the Incident Commander who is in charge of the emergency and/or according to previously established agreements, and be it further

RESOLVED, that S.M.A.R.T. members who serve without direct compensation from the County of Erie for services as members of said team shall be included within the coverage provided by the Workmen's Compensation Law when engaged in rendering services under authority of the Commissioners of the Departments of Health and Emergency Services, or their designees, which are incidental to the operation of said team, and be it further

RESOLVED, that any monies received by the team as donations will be accountable to the Commissioner of Health, or his designees, and said monies shall be used for the betterment of S.M.A.R.T., and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Department of Health, the Department of Emergency Services, the Erie County Medical Center, the Office of the Comptroller, the Division of Budget, Management and Finance, and the Department of Law.

(4-0) Legislator Holt absent.

8. Item Page - 2001 (Comm. 14E-30)

**COUNTY EXECUTIVE**

WHEREAS, the Erie County Department of Health has been awarded a continuation of its Healthy Heart Grant totaling \$65,000 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  
7/1/01- 06/30/01  
PROJECT #494

CURRENT

REVISED

SFG	REVENUE	BUDGET	CHANGES	BUDGET
553	STATE AID	<u>\$50,000</u>	<u>\$15,000</u>	<u>\$65,000</u>
	TOTAL	<u>\$50,000</u>	<u>\$15,000</u>	<u>\$65,000</u>
EXPENSES				
825	OUT OF AREA TRAVEL	\$ 1,250	\$-1,250	\$0
830	CONTRACTUAL	47,500	17,500	65,000
933	LAB & TECH EQUIPMENT	<u>1,250</u>	<u>-1,250</u>	<u>0</u>
	TOTAL	<u>\$50,000</u>	<u>\$15,000</u>	<u>\$65,000</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 \$65,000 to fulfill the workplan of the project, and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Department of Health, the Office of the Comptroller, the Division of Budget, Management and Finance and the Department of Law. (4-0) Legislator Holt absent.

9. Item Page - 2001 (Comm. 14E-59)

**COUNTY EXECUTIVE**

WHEREAS, the Erie County Department of Health's Viral Hepatitis Integration Program conducts an HIV Training and Technical Assistance program for County Health Departments funded by a National Association of County and City Health Officials (NACCHO) grant, and

WHEREAS, the Health Department has received a National Association of County and City Health Officials (NACCHO) grant award in the amount of \$10,000 to conduct a Hepatitis C training and education conference for the Western New York Region, and

WHEREAS, this one-time funding is for a conference which must be held by October 15, 2001; the funds must be available by August 1, 2001.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into a contract with the National Association of County and City Health Officials (NACCHO) for \$10,000 to fund Hepatitis C training to be budgeted as follows:

Department of Health  
NACCHO Hepatitis C Training and Education

Conference for the Western New York Region  
4/13/01-10/15/01

SFG	REVENUE	BUDGET
521	Other Revenue	<u>\$10,000</u>
	TOTAL	<u>\$10,000</u>
	EXPENSES	
826	Other Expenses	<u>\$10,000</u>
	TOTAL	<u>\$10,000</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. (4-0) Legislator Holt absent.

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

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 327

June 29, 2001

PERSONNEL AD HOC  
COMMITTEE  
REPORT NO. 9

ALL MEMBERS PRESENT EXCEPT LEGISLATOR DeBENEDETTI.

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

- Item Page -2001 (Comm. 14D-16)
- a. **PERSONNEL:** Copy of Memo to Chairman Swanick Re: EC Flexible Benefits & Parking Plans.

(4-0) Legislator DeBenedetti absent.

- b. Item Page -2001 (Comm. 14E-7)  
**COMPTROLLER:** Review of Unfilled Vacant Positions.

(4-0) Legislator DeBenedetti absent.

- 2. Item Page -2001 (Comm. 11E-30)  
**COUNTY EXECUTIVE**

WHEREAS, the 2001 Erie County budget resolutions stipulate that all requests for authority to recruit at a higher increment level must be approved by both the Legislature and the County Executive, and

WHEREAS, the authorization of a variable minimum is crucial to the delivery of essential public services, and

WHEREAS, the variable minimum for this position has been approved by the Director of Budget, Management and Finance and the Commissioner of Personnel.

NOW, THEREFORE, BE IT

RESOLVED, that a variable minimum is hereby approved for the following title commencing June 11, 2001 as follows:

<u>Title</u>	<u>JG/STEP</u>
Deputy Director of Central Data Processing	16-2

and be it further

RESOLVED, that once a variable minimum is approved for a particular position or job title, said variable minimum shall be in effect for all employees placed in said position during the year, and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the County Executive, the Director of Information and Support Services, the County Comptroller, the County Personnel Commissioner and the Director of Budget, Management and Finance.

(4-0) Legislator DeBenedetti absent.

- 3. Item Page -2001 (Comm. 13E-43)  
**COUNTY EXECUTIVE**

WHEREAS, the New York State Office for the Aging has awarded the Department of Senior Services an annual grant to participate in the Elder Caregiver Support Program (III-E) for the initial period July 1, 2001 through December 31, 2001; and

WHEREAS, the Department of Senior Services (Department) desires to create a Caregiver Resource Center to provide a coordinated and comprehensive system of services for caregivers of seniors 60 years and older and grandparents 60 years and older who are caring for their grandchildren under 19 years of age, and

WHEREAS, the Department desires to provide core caregiver services by creating a Program Coordinator position (Job Grade 12), to forge alliances with state and local offices, other agencies and with individuals who relate to caregivers and their care-receivers; a Senior Case Manager position (Job Grade 9), to provide intensive consultation and direct service assistance; a Research Analyst position (Job Grade 9), to conduct program evaluations as an information specialist, to research and update resource information and to maintain the Center's interactive Web site; and a full time Outreach Aide ( Job Grade 6), to handle administrative functions and to do outreach to the caregiver population; all effective July 1, 2001, the start of the grant, and

WHEREAS, the Department will develop linkages to county employees who are caregivers, working through the department's Wise & Well Program and in conjunction with the County Health Department's Worksite Wellness Institute, and

WHEREAS, the Department desires to contract with existing day care agencies to provide respite services in an aggregate amount not to exceed \$50,000, and

WHEREAS, the Department desires to contract with Legal Services for the Elderly to provide legal assistance for grandparents caring for their grandchildren, in an amount not to exceed \$10,000, and

WHEREAS, \$70,000 of County funds are required for the Project.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be and hereby is authorized to accept the grant from the New York State Office for the Aging for the Elder Caregiver Support Program (III-E) for the period July 1, 2001 through December 31, 2001, and be it further

RESOLVED, that the Program Coordinator position (Job Grade 12), the Senior Case Manager position (Job Grade 9), the Research Analyst position (Job Grade 9) and the full time Outreach Aide (Job Grade 6) be created in the III-E grant, effective July 1, 2001, and be it further

RESOLVED that funds in the amount of \$70,000 are hereby transferred from the Law-Risk Retention fund (DAC1109616018320742) to the account for Interfund Transfers to Senior Services Grants (DAC1109396308866309) in the Department of Senior Services, Administration, and be it further

RESOLVED that the budget for the III-E grant for the period July 1, 2001 through December 31, 2001, be established as follows:

<b>REVENUES</b>		<b>INITIAL BUDGET</b>
<b>Account</b>	<b>Description</b>	
<b>664</b>	<b>Federal Aid</b>	<b>\$202,380</b>

686/6300 Interfund Revenue	<u>70,000</u>
<b>TOTAL REVENUE</b>	<b><u>\$272,380</u></b>
<b>APPROPRIATIONS</b>	
800 Personal Services	\$85,523
805 Fringe Benefits	17,558
810 Office Supplies	6,099
821 Dues and Fees	2,000
824 Local Mileage	1,500
825 Out of Area Travel	1,500
826 Other Expenses	20,000
830/236 Legal Services for the Elderly	10,000
830/385 Other Projected Agencies	42,000
830/392 Day Care Agencies	50,000
880/5100 Interfund Expenses	4,000
932 Furniture and Fixtures	4,200
933 Lab 8t Technical Equip	<u>28,000</u>
<b>TOTAL APPROPRIATIONS</b>	<b><u>\$272,380</u></b>

and be it further

RESOLVED, that the County Executive is hereby authorized to enter into a contract with the following agencies to provide adult day care respite for the period July 1, 2001 through December 31, 2001, in an aggregate amount not to exceed \$50,000:

- Aurora Adult Day Care Center, Inc.**
- Catholic Charities Manpower Services, Inc.**
- Episcopal Church Home & Affiliates, Inc. -Central Adult Day Services**
- Kaleida Health-Amherst Adult Day Care**
- Kaleida Health-DeGraffAdult Day Care**
- Lakeshore Childcare Center, Inc., d/b/a Lakeshore Family Center**
- Lord of Life Adult & Child Services, Inc.**
- People, Inc.**
- Town of Hamburg Adult Day Care**

and be it further

RESOLVED, that the County Executive is hereby authorized to enter into a contract with Legal Services for the Elderly for the period July 1, 2001 through December 31, 2001 for \$10,000, 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, the Department of Law, the Department of Personnel and the Department of Senior Services.

(4-0) Legislator DeBenedetti absent.

4. Item Page -2001 (Comm. 14E-44)

**COUNTY EXECUTIVE**

WHEREAS, the Erie County Department of Health provides environmental health services, and

WHEREAS, increased workload and responsibilities require creation of one full-time position of a Senior Clerk Typist, JG IV, and

WHEREAS, a vacant position of Clerk Stenographer, JG II, will be deleted to help fund the creation of this position, and

WHEREAS, the creation of one full-time position of Secretary to the Director, JG VIII, is required to meet the increased workload and responsibilities in the Office for the Disabled, and

WHEREAS, one regular part-time position of Receptionist, JG III will be deleted to help fund the creation of this position, and

WHEREAS, funds are also available in the personnel services appropriations in the Health Department's Adopted 2001 Budget to achieve the foregoing.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the creation of one full-time position of Senior Clerk Typist, JG IV, and one full-time position of Secretary to the Director -Office for the Disabled, JG VIII, and be it further

RESOLVED, that one vacant full-time position of Clerk Stenographer, (position # 138440) and one regular part-time position of Receptionist (position number 418767) are hereby deleted.

The following personnel detail is hereby submitted:

TITLE: Senior Clerk Typist	CIVIL SERVICE: Competitive
JOB GROUP: IV	CIVIL SERVICE LIST: Yes
STEP: 1	
ANNUAL SALARY: \$24,176	
ANNUAL BENEFITS: \$5,319	

TITLE: Secretary - Director - Office for the Disabled	
JOB GROUP: VIII	
STEP: 1	CIVIL SERVICE: Pending Classification
ANNUAL SALARY: \$31,653	CIVIL SERVICE LIST: No
ANNUAL BENEFITS: \$7,280	

and be it further



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.

(4-0) Legislator DeBenedetti absent.

5. Item Page -2001 (Comm. 14E-55)

**COUNTY EXECUTIVE**

WHEREAS, New York State has consolidated a series of individual allocations into a single block grant referred to as the Temporary Assistance to Needy Families (TANF) Services Block Grant, and

WHEREAS, the Department received State approval to undertake several initiatives as a part of this plan including "Intensive Youth Independence Project for At-Risk Youth," an "Employee Assistance Program for Employed TANF Clients" and the "Full Service Schools to Close the Gap on Student Performance in the Buffalo Schools" program, and

WHEREAS, the State has also approved additional funding in the amount of \$500,000 to enable the Department to supplement the Full Service Schools component, and

WHEREAS, each of these initiatives is focused on critically needed and cost effective services targeted toward families and individuals with incomes under 200 percent of the Federal Poverty Level, and

WHEREAS, the Department has conducted an extensive Request for Proposals (RFP) process consistent with section 19.08 of the County administrative code and has available the details of the RFP review and selection process, and

WHEREAS, Legislative authorization is necessary to execute these contractual agreements, and

WHEREAS, all funding referenced herein is 100% Federal share.

NOW, THEREFORE, BE IT

RESOLVED, that the Department is authorized to accept the additional TANF funding in the amount of \$500,000, and be it further

RESOLVED, that the Commissioner of Social Services and/or the County Executive are authorized to execute contracts with the community providers named in this resolution, and be it further

RESOLVED, that the following budget amendments are hereby authorized in the 2001 Adopted Budget:

**Department of Social Services, Fund 281, Department 200, Project 462**

<u>ACCOUNT</u>	<u>DESCRIPTION</u>	<u>INCREASE/ (DECREASE)</u>
Employee Assistance for Employed TANF Clients: 830-0118	Lakeshore Behavioral Health	76,500

830-0313	Salvation Army	57,750
830-xxxx	Goodwill Industries	34,500
830-0361	Neighborhood Legal Services	18,750
Intensive Youth Independence for At-Risk Youth		
830-0122	Child and Adolescent Treatment Services	265,545
830-xxxx	Care Management Coalition	173,580
Full Service Schools		
830-xxxx	Be a Friend Program	69,110
830-0150	WNY United Against Drugs and Alcohol Abuse	40,635
830-0549	Parents Anonymous	101,805
830-xxxx	Boys and Girls Clubs of Buffalo	60,955
830-xxxx	Life Transitions Center, Inc.	27,495
830-xxxx	Mt. Olive Development Corporation	150,000
830-xxxx	Every Person Influences Children (EPIC)	100,000
830	Contractual Expense	(876,625)
882-2709	Interdept - Health Department Grants	<u>200,000</u>
	Total Appropriations	<u>\$500,000</u>
649	Federal Aid	<u>\$500,000</u>
	Total Revenues	<u>\$500,000</u>

and be it further

RESOLVED, that the following budget is hereby established for an Adolescent Wellness Program grant within the Erie County Department of Health for the period July 1, 2001 through June 30, 2002:

**Department of Health, Fund 281, Department 270**

<b><u>ACCOUNT DESCRIPTION</u></b>	<b><u>INCREASE/ (DECREASE)</u></b>	
800	Personal Services	\$136,811
805	Fringe Benefits	28,731
810	Office Supplies	600
823	Repairs and Maintenance	421
824	Local Area Travel	3,190
826	Other	15,000
932	Office Equipment	447
883-2009	Interdept- Social Services Grants	(200,000)
933	Lab and Technical Equipment	<u>14,800</u>
	Total Appropriations	<u>-0-</u>

and be it further

RESOLVED, that the following positions are hereby created in the Adolescent Wellness Program grant in the Health Department, Fund 281, Department 270:

Number	Title	Job Grade
1	Project Coordinator Teen Wellness	11
1	Management Liaison	10
1	Pregnancy Prevention Specialist RPT	9
1	Senior Clerk Typist	4

(B-100's are attached)

and be it further

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

(4-0) Legislator DeBenedetti absent.

6. Item Page -2001 (Comm. 14E-57)

**COUNTY EXECUTIVE**

WHEREAS, the Erie County Health Department operates a Public Health Campaign Program, and

WHEREAS, the Erie County Department of Health has received a continuing grant from the New York State Health Department in the amount of \$490, 815 for the Public Health Campaign from 4/1/01- 3/31/02, and

WHEREAS, the continuing grant includes funding for the Model Tuberculosis Control Clinic and the Sexually Transmitted Disease (STD) Prevention Program and creates one full-time position of Senior Public Health Aide, JG III and deletes one vacant regular part-time position of Senior Public Health Aide, JG III (position number 813344).

NOW, THEREFORE, BE IT

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

**PUBLIC HEALTH CAMPAIGN**  
**04/1/01- 03/31/02**  
**PROJECT # 502**

<b>SFG</b>	<b>REVENUE</b>	<b>CURRENT BUDGET</b>	<b>CHANGES</b>	<b>REVISED BUDGET</b>
360	OTHER LOCAL SOURCES	\$ 56,668	\$17,580	\$ 74,248
553	STATE AID	<u>490,815</u>	<u>0</u>	<u>490,815</u>
	TOTAL	<u>\$547,483</u>	<u>\$17,580</u>	<u>\$585,063</u>

**EXPENSES**

800	PERSONNEL SERVICES	\$424,822	\$14,246	\$439,068
805	FRINGE BENEFITS	93,461	2,434	95,895
810	OFFICE SUPPLIES	0	300	300
814	MEDICAL SUPPLIES	4,700	0	4,700
821	DUES & FEES	1,000	0	1,000
823	REPAIRS & MAINT.	0	100	100
824	TRAVEL & MILEAGE	16,000	0	16,000
825	OUT OF AREA TRAVEL	500	500	1,000
026	OTHER EXPENSES	7,000	0	7,000
	TOTAL	<u>\$547,483</u>	<u>\$17,580</u>	<u>\$565,063</u>

and be it further

RESOLVED, that one full-time position of Senior Public Health Aide, JG III, is hereby created, and be it further

RESOLVED, that one vacant regular part-time position of Senior Public Health Aide, JG III, (position number 813344) is hereby deleted.

The following personnel detail is hereby submitted:

TITLE: Senior Public Health Aide	FUNDING: 100% State Reimbursed
JG: III	CIVIL SERVICE: Non-Competitive
STEP: 5	CIVIL SERVICE LIST: No
ANNUAL SALARY: \$26,797	
ANNUAL BENEFITS: \$5,940	

and be it further

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.

(4-0) Legislator DeBenedetti absent.

7. Item Page -2001 (Comm. 14E-58)

**COUNTY EXECUTIVE**

WHEREAS, the Centers for Disease Control and Prevention (CDC) has awarded funding to upgrade state and local public health preparedness and response capabilities relative to bioterrorism, and

WHEREAS, the Erie County Department of Health has received a revised grant award in the amount of \$72,000 from the New York State Health Research, Inc. (HRI) to establish a Health Alert Network (HAN) in collaboration with New York State, and

WHEREAS, the Health Alert Network (HAN) will address immunization and infectious disease, environmental health and surveillance and data systems, and

WHEREAS, the funding will support the creation of a Coordinator - Health Alert Network, JG 9, to facilitate the grant's responsibilities.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Executive is hereby authorized to accept a continuing grant award which is budgeted as follows:

Department of Health  
Bioterrorism Health Alert Network  
8/31/01- 8/30/02  
Project #513

BIOTERRORISM-HEALTH ALERT NETWORK  
8/31/01- 08/30/02  
PROJECT #513

SFG	REVENUE	CURRENT BUDGET	CHANGES	REVISED BUDGET
553	STATE AID	<u>\$80,875</u>	<u>\$-8,875</u>	<u>\$72,000</u>
	TOTAL	<u>\$80,875</u>	<u>\$-8,875</u>	<u>\$72,000</u>
	EXPENSES			
800	PERSONEL SERVICES	\$ 0	\$34,016	\$34,016
805	FRINGE BENEFITS	0	7,486	7,486
810	OFFICE SUPPLIES	200	0	200
821	DUES AND FEES	18,000	-18,000	0
824	TRAVEL & MILEAGE	200	2,498	2,698
826	OTHER EXPENSES	600	0	600
933	LAB & TECH EQUIPMENT	<u>61,875</u>	<u>-34,875</u>	<u>27,000</u>
	TOTAL	<u>\$80,875</u>	<u>\$-8,875</u>	<u>\$72,000</u>

and be it further

RESOLVED, that one full-time position of Coordinator - Health Alert Network, JG 9, is hereby created.

The following personnel detail is hereby submitted:

TITLE: Coordinator - Health Alert Network FUNDING: 100% State Reimbursed

JG: 9  
STEP: 9-1  
ANNUAL SALARY: \$34,016  
ANNUAL BENEFITS: \$7,486

CIVIL SERVICE: Competitive  
CIVIL SERVICE LIST: No

and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Department of Health, the Office of the Comptroller, the Division of Budget, Management and Finance, and the Department of Law.  
(4-0) Legislator DeBenedetti absent.

**CHARLES M. SWANICK**  
**CHAIRMAN**

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

CARRIED UNANIMOUSLY.

Item 18 – MR. FITZPATRICK presented the following resolution and moved for immediate consideration. MR. KUWIK seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 328

May 1, 2001

ECONOMIC DEVELOPMENT  
COMMITTEE  
REPORT NO. 7

ALL MEMBERS PRESENT

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

Item Page -2001 (Comm. 14D-14)  
a. **DPW – HIGHWAYS:** Memo to Chairman Swanick Re: Authority for Rental of Private Snow Plow  
Equipment.  
(5-0)

Item Page -2001 (Comm. 14E-25)  
b. **COUNTY EXECUTIVE:** ECMC Toxicology – Pathology Building – HVAC & Miscellaneous  
Renovations.  
(5-0)

2. Item Page -2001 **AS AMENDED**  
(Comm. 13E-29)  
**COUNTY EXECUTIVE**

WHEREAS, the Department of Public Works received bids on June 21, 2001, for the Department of Public Works - New Maintenance Facility, and

WHEREAS, the Department of Public Works is recommending award to the lowest responsible bidders for the Department of Public Works - New Maintenance Facility,

NOW, THEREFORE, BE IT,

RESOLVED, that the 2001 adopted Capital Budget is hereby amended to include a new project entitled, New Maintenance Facility, DPW #JZ-01-11, in the amount of \$180,000.00, which is hereby transferred from the Tobacco Trust Fund to the aforementioned new capital project, and be it further,

RESOLVED, that the County Executive is authorized to enter into contracts for the Department of Public Works - New Maintenance Facility as follows:

GENERAL CONSTRUCTION WORK

Hadala Corp.

Base Bid	\$125,899.00
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PLUMBING WORK

Kandefer Plumbing & Heating

Base Bid	<u>\$ 35,509.00</u>
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Total Award of Contracts:	\$161,408.00
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and be it further,

RESOLVED, that the sum of \$18,592.00 be allocated for a construction contingency fund and miscellaneous DPW expenses with authorization for the Commissioner of Public Works to approve change orders not to exceed the amount of the contingency, and be it further,

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

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

(5-0)

3. Item Page -2001 (Comm. 14E-12)

**COUNTY EXECUTIVE**

WHEREAS, the Department of Public Works received bids for the Botanical Gardens Dome Reconstruction, March 23, 2000, and

WHEREAS, your Honorable Body has previously awarded a contract to the lowest responsible bidder, Infinity Architectural Window Systems, in the amount of \$1,821,350.00, and

WHEREAS, during the course of work, it was discovered that unforeseen conditions and additional work was required in preparation for the reconstruction and restoration of the main dome requiring an additional \$100,000.00 funding to the construction contingency,

NOW, THEREFORE, BE IT,

RESOLVED, that the construction contingency fund be increased by \$100,000.00 to a new total amount of \$360,000.00, with authorization for the Commissioner of Public Works to approve change orders, and be it further,

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

RESOLVED, that the sum of \$25,000.00 be allocated for Architectural/Engineering Services necessary to complete the project, and be it further,

RESOLVED, that the Comptroller's Office be authorized to make payments for all of the above from the 2001 Botanical Gardens Reconstruction Capital Bond Account, Project 203, Fund 410, in the total amount of \$125,000.00, and be it further,

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

(5-0)

4.    Item            Page                   -2001                   (Comm. 14E-20)  
**COUNTY EXECUTIVE**

WHEREAS, the Reconstruction of Existing Court House Buildings requires energy conservation evaluation measures, and

WHEREAS, the firm of C.J. Brown is engaged by the Department of Public Works under an Energy Conservation Engineering Contract for miscellaneous projects, and

WHEREAS, it is now desired to identify utilization of mechanical retrofits and performance contracting,

NOW, THEREFORE, BE IT,

RESOLVED, that the Commissioner of Public Works be authorized to issue a supplemental agreement to C.J. Brown on a not to exceed fee of \$23,000.00, including testing, reimbursables, and miscellaneous expenses relative to the engineering services required, and be it further,

RESOLVED, that the \$23,000.00 fee allocation be taken from Project 164, Fund 410, and be it further,

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

(5-0)

5.    Item            Page                   -2001                   (Comm. 14E-72)



**COUNTY EXECUTIVE**

WHEREAS, the Department of Public Works is recommending that Erie County acquire a parcel of property which is adjacent to the existing East Ferry Street Youth Detention Facility, and

WHEREAS, this parcel will be used to provide a recreational area required for the New Youth Secure Facility, and

WHEREAS, the County has secured a fair market value appraisal on the subject property, and

WHEREAS, funding for this purchase is to be from the Youth Detention Reconstruction bond fund,

NOW, THEREFORE, BE IT,

RESOLVED, that the County Executive is hereby authorized to acquire the vacant parcel of land (approximately 2.23 acres fronting on East Ferry) designated as part of No. SBL 100.36 6-2 (Part) in the Erie County tax system and shown as a shaded area on Attachment "A", and be it further,

RESOLVED, that the purchase price for said property shall not exceed \$150,000.00, and be it further,

RESOLVED, that funds for this purchase shall be appropriated from Youth Detention Facility Reconstruction, Project 806, Fund 410, and be it further,

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

(5-0)

**AS AMENDED**

6. Item Page -2001 (Int. 14-16)

**FITZPATRICK**

WHEREAS, Governor George Pataki recently released his plans to bring casino gambling to the City of Buffalo, and

WHEREAS, Casino Niagara, where 8.5 million bettors - of whom at least half are Americans -generated \$597 million in revenues last year, creating a money drain from the New York side over the years that has been steady and deep, and

WHEREAS, a market analysis commissioned by the city said Buffalo could support a 100,000-square-foot downtown casino and attract 6 million visitors spending more than \$420 million annually, and

WHEREAS, a casino could create 3,633 permanent casino jobs, such as accountants, blackjack dealers, security officers, cashiers and waiters and waitresses, generating \$94 million in annual direct wages and salaries, according to the task force report, and

WHEREAS, a casino will also create about 4,300 indirect jobs and total indirect earnings from these jobs will exceed \$150 million annually, according to the 1998 casino marketing analysis included in the task force report, and

WHEREAS, for the first four years, the state will get 18 percent of the net drop, which is the money after payout of bets but before expenses, with the states take going to 22 percent in years 5 through 7, and then up to 25 percent for the remainder of the agreement, and

WHEREAS, the local governments will get as little as 3 percent of New York States share of the profits from revenues generated at the casino, and

WHEREAS, a number of local projects are urgently needed to provide the proper infrastructure to make the City of Buffalo and Erie County the hub of the Western New York region, and

WHEREAS, building a new convention center in the city to provide adequate space for national and international conventions is an absolute necessity if Buffalo and Erie County are going to compete nationally, and

WHEREAS, providing a proper infrastructure by improving Erie County's roads and extending the mass transit system must be an immediate goal for Western New York, and

WHEREAS, the extend lines ought to fully service the Western New York area with a Tonawanda/Niagara Corridor containing lines to North Buffalo, Niagara Falls and a Niagara River Connection; through an Amherst Corridor with service to the University of Buffalo North Campus; in an Airport Corridor relieving traffic issues at the Buffalo International Airport and providing an East Side Belt Line; and finally, following the Southtowns Corridor with service to Ralph Wilson Stadium and to Western New York's main ski resorts Kissing Bridge and Holiday Valley, and

WHEREAS, funding for the convention center project ought to be made available immediately to Erie County from New York State's projected casino revenues and other state funding for improving Erie County's roads and the expansion of the mass transit system should be immediately provided from the Federal Transit Authority to the Niagara Frontier Transportation Authority,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature is committed to a regional approach to government that provides economic opportunities in livable communities, and be it further

RESOLVED, that this Honorable Body does hereby memorialize members of the New York State Legislature to pass a plan for legalized gambling in the city of Buffalo, and be it further

RESOLVED, that this Honorable Body requests that New York State immediately make available a significant percentage of the projected revenues from the casino along with other state funding, to Erie County for the construction of a new convention center and improvement of Erie County's roads, and to the Niagara Frontier Transportation Authority for the expansion of the mass transit system, and be it further

RESOLVED, that this Honorable Body does hereby ask for support from the Western New York delegation to the United States Congress for an immediate increase in federal funding from the Federal Transit Authority to the Niagara Frontier Transportation Authority for the completion of the mass transit expansion project and for the improvement of Erie County's roads, and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Western New York Delegation to the United States Congress, to New York State Governor George Pataki, New York State Senate Majority Leader Joseph Bruno, New York State Assembly Speaker Sheldon Silver, and the Western New York delegation of the New York State Legislature.

**Fiscal Impact:** positive for Erie County.  
(5-0)

**MICHAEL A. FITZPATRICK**  
**CHAIRMAN**

MR. FITZPATRICK moved to separate item #6 and moved the approval of the balance of the report.  
MR. KUWIK seconded.

CARRIED UNANIMOUSLY.

MR. KUWIK moved to amend the resolution by adding LEGISLATOR PEOPLES as a Co-Sponsor.  
MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

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

MR. PAULY, MR. WEINSTEIN, MR. DeBENEDETTI, MRS. FISHER, MS. MARINELLI, and  
MR. OLMA voted in the negative.

CARRIED.

**LEGISLATORS RESOLUTIONS**

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 329

Re: Retention of Unused Funds for Buffalo  
Zoo. (Intro. 15-1)

A RESOLUTION SUBMITTED BY  
LEGISLATOR FISHER

WHEREAS, the Buffalo Zoo is an invaluable community resource which attracts visitors of all ages to Erie County, and

WHEREAS, in 2000 the Legislature allocated County funding to the Zoological Society of Buffalo, Inc., and

WHEREAS, contract specifications between the County and the Zoo require the Zoo to refund any unused funds for 2000, and

WHEREAS, the Zoo has requested to retain the remaining allocated 2000 funds totaling \$810.90 to be used in 2001 to cover operational costs,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby repeal the 2000 contract specification that requires the Zoo to return unused 2000 funding, thereby permitting the Zoological Society of Buffalo, Inc. to retain remaining funds in the amount of \$810.90 to be used for 2000 operational expenses, and be it further

RESOLVED, that the Clerk of the Legislature and the Director of the Division of Budget, Management & Finance and the County Attorney are hereby authorized to complete any paperwork necessary to re-allocate these 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 Denise JB Maloney, Director of Administration & Finance, Buffalo Zoological Society, Inc., (300 Parkside Avenue, Buffalo, NY 14214-2000.)

**Fiscal Impact:** Re-appropriation of 2000 Funds

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

CARRIED UNANIMOUSLY.

Item 20 – MS. PEOPLES moved that the following resolution be received and filed. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

Intro. 15-2 From Legislator FITZPATRICK Re: Urging the Federal and State Governments to Provide Funding to Integrate the Casino Project Into a Regional Improvement Plan.

Item 21 – CHAIRMAN SWANICK directed that the following resolution be referred to the FINANCE & MANAGEMENT COMMITTEE.

Intro. 15-3 From Legislators McCARVILLE, LARSON, CHASE, GREENAN, RANZENHOFER, & WEINSTEIN Re: In Support for “First Farm Financing Act”.

Item 22 - CHAIRMAN SWANICK directed that the following resolution be referred to the FINANCE & MANAGEMENT COMMITTEE.

Intro. 15-4 From Legislators McCARVILLE, LARSON, CHASE, GREENAN, RANZENHOFER, & WEINSTEIN Re:Agriculture Property Tax Credit for Christmas Tree Farmers.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 330

Re: Support for Neighborhood Libraries. (Intro. 15-5)

A RESOLUTION SUBMITTED BY  
LEGISLATORS MARINELLI & SWANICK

WHEREAS, the Legislature set aside funds in the 2001 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 \$40,000 from the Extraordinary County Aid to Local Governments – Regionalism / Economic Development Fund (DAC: 1109043038301299) to General Fund, Interfund Transfers, Interfund-Library (DAC 1109253208864200), and be it further

RESOLVED, that the Erie County Library Budget is hereby amended, to increase the following account: Interfund-Subsidy revenue (DAC 8209734206863200) \$40,000, and be it further

RESOLVED, that the Erie County Library Budget is hereby amended, to increase the following accounts: Tonawanda Town Libraries (DAC: 820973420830175) and be it further

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

RESOLVED, that certified copies of this resolution be sent to County Executive Joel A. Giambra, County Comptroller Nancy A. Naples, Budget Joseph A. Passafiume, Jennifer Anger – Administrative Assistant Erie County Legislature, First Assistant County Attorney Susannah M. Bochenek, and Diane Crisman, Director, Buffalo & Erie County Public Library.

**Fiscal Impact:** Appropriation of 2001-budgeted funds.

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 331

Re: Funding for Community Organizations. (Intro. 15-6)

A RESOLUTION SUBMITTED BY  
LEGISLATOR RANZENHOFER

WHEREAS, the Legislature set aside funds in the 2001 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 the transfer of funds,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$12,500 from the County-wide Accounts – Budget – County Contingency (DAC: 110923310893) to Fund 110, Project 921, Department 301 Agency Payments & Grants – Public Benefit Services, (DAC: 110921301830), for paying the following agencies:

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
Clarence Concert Association	830/1273	\$ 5,000

UB Amherst Swimming	830/1125	\$ 5,000
Clarence Little League Football	830/1155	\$ 2,500
<b>TOTAL</b>		<b>\$12,500</b>

and be it further

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

RESOLVED, that the Clerk of the Legislature, and the Director of the Division of Budget, Management and Finance are hereby authorized to complete any paperwork necessary to effectuate the 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 Naples, Budget Director Joseph Passafiume, Jennifer Anger, Administrative Assistant Erie County Legislature, First Assistant County Attorney Susannah M. Bochenek, Michael F. Patterson, President, Clarence Concert Association, (PO Box 117, Clarence, NY 14031,) Gavin Miller, President, IB Amherst Swimming, (PO Box 425, Getzville, NY 14068,) and to Greg Riggio, Clarence Little League Football, (PO Box 432, Clarence Center, NY 14032-0432.)

**Fiscal Impact:** Appropriation of 2001-Budgeted funds.

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 332

Re: Rural Economic Development Revitalization.  
(Intro. 15-7)

A RESOLUTION SUBMITTED BY LEGISLATORS CHASE, McCARVILLE, LARSON, GREENAN AND WEINSTEIN

**WHEREAS**, rural New York state shows signs of severe economic distress and lags behind the rest of the state in employment growth and income, and

**WHEREAS**, many rural communities in New York State need sustained assistance to develop the capacity to plan and organize for economic development, to undertake new economic development initiatives, to overcome obstacles to economic development and to fully utilize indigenous resources, and

**WHEREAS**, the Rural Economic Development Revitalization bill would authorize “rural revitalization assistance grants” up to \$100,000 to local not for profit agencies to promote and provide technical assistance for value-added small businesses; grants to finance single-tenant incubator facilities at community colleges; and loans for diversification of farm businesses, and

**WHEREAS**, this legislation would also provide financial support for the creation of local “Rural Enterprise Extension Services,” and offer up to \$50,000 to existing providers of technical assistance services (on a matching basis), enabling them to hire circuit riders to reach small businesses in sparsely populated rural areas, and

**WHEREAS**, revitalization of the state’s rural economy is essential to New York’s economic health and state assistance in this regard is necessary and proper for achieving this public purpose.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that this Honorable Body supports an initiative that will create a rural economic development revitalization program, focusing on developing indigenous small businesses, utilizing existing resources, and providing financing for certain types of agribusiness enterprises, And further be it

**RESOLVED**, the Erie County Legislature does hereby memorialize the New York State Legislature to pass and Governor George Pataki to sign into law, the Rural Economic Development Revitalization bill (S.3080/A.5862), And be it further

**RESOLVED**, that a certified copy of this resolution be forwarded to Erie County Executive Joel A. Giambra, the Western New York delegation to the New York State Legislature, and Governor George Pataki.

**Fiscal Impact: positive for Erie County residents**

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

Item 26 – CHAIRMAN SWANICK directed the following resolution be referred to the ENERGY & ENVIRONMENT COMMITTEE.

Intro. 15-8 From Legislators CHASE, McCARVILLE, LARSON, GREENAN, & WEINSTEIN Re: Amending NYS Insurance Law to Use Lands for Recreational Activities.

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



CARRIED UNANIMOUSLY.

RESOLUTION NO. 333

Re: Support for a Community Organization.  
(Intro. 15-9)

A RESOLUTION SUBMITTED BY  
LEGISLATOR HOLT

WHEREAS, the Legislature set aside funds in the 2001 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 \$10,000 from the legislative contractual (DAC: 110905100830) (2000-designated funds) 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 Federation of Neighborhood Centers	830/373	\$10,000
<b>TOTAL</b>		<b>\$10,000</b>

and be it further

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

RESOLVED, that 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 Bochenek and to Jan Peters, Executive Director, Buffalo Federation of Neighborhood Centers, (97 Lemon Street, Buffalo, NY 14204.)

**Fiscal Impact:** Appropriation of 2000-budgeted funds.

MR. HOLT moved to amend the resolution. MS. PEOPLES seconded. MR. WEINSTEIN voted in the negative.

CARRIED.

**INSERT the following after the second WHEREAS:**

WHEREAS, Majority Leader Peoples has worked to secure a full-scale grocery store in the Black community, and

WHEREAS, these efforts are coming to fruition and the time has now come to secure funding to help in this endeavor, and

WHEREAS, the county's 2001 budget includes funding earmarked for initiatives such as this, and

WHEREAS, the Legislature and the County Executive have maintained a level of undesignated county fund in excess of \$4 million in 2001 for these purposes within the county's Extraordinary Aid to County Governments Regionalism/Economic Development Fund for initiatives such as this, and it is now appropriate to encumber the funds necessary for these purposes,

**INSERT the following after the first RESOLVE:**

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$500,000 from the Extraordinary County Aid to Local Governments – Regionalism /Economic Development Fund (DAC: 1109043038301299) 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>
<b>Buffalo Economic Renaissance Corporation (BERC)</b>	<b>830/1102</b>	<b>\$500,000</b>
<b>TOTAL</b>		<b>\$500,000</b>

and be it further

**DELETE the final RESOLVE in its entirety and REPLACE with the following:**

RESOLVED, that certified copies of this resolution be sent to County Executive Joel A. Giambra, County Comptroller Nancy A. Naples, Budget Director Joseph Passafiume, First Assistant County Attorney Susannah Bochenek, Jennifer Anger, Administrative Assistant Erie County Legislature, Jan Peters, Executive Director, Buffalo Federation of Neighborhood Centers, (97 Lemon Street, Buffalo, NY 14204), and to Alan DeLisle, President, Buffalo Economic Renaissance Corporation, (617 Main Street, Buffalo, NY 14203)

MS. PEOPLES moved the approval of the resolution as amended. Mr. HOLT seconded. MR. WEINSTEIN voted in the negative.

CARRIED.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 334

Re: Funding for Community Groups.  
(Intro. 15-10)

A RESOLUTION SUBMITTED BY  
LEGISLATOR CHASE

WHEREAS, the Legislature set aside funds in the 2001 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 \$6,000 from the County-wide Accounts – Budget - County Contingency (DAC: 110923310893) to Fund 110, Project 921, Department 301 Agency Payments & Grants - Public Benefit Services, (DAC: 110921301830), for paying the following agencies:

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
Evans Disaster Fund	830/	\$1,000
Eden Little Loop	830/1011	\$1,000
Eden Emergency Squad	830/	\$2,000
Evans VFW	830/1413	\$2,000
<b>TOTAL</b>		<b>\$6,000</b>

and be it further

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

RESOLVED, that 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 Joseph A. Passafiume, Jennifer Anger – Administrative Assistant Erie County Legislature, First Assistant County Attorney Susannah M. Bochenek, Charles Danzi, Evans Disaster Coordinator, Evans Disaster Fund, (637 Larkin, Derby, NY 14047,) Gordon Karstedt, Eden Little Loop, (9474 Sisson Highway, Eden, NY 14057,) Paul Shephard, Eden Emergency Squad, (3196 E. Church, Eden, NY 14057,) and Joe Catalano, Commander, Evans VFW,(PO Box 214, RR Ave., Angola, NY 14006.)

**Fiscal Impact:** Appropriation of 2001-budgeted funds.

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

CARRIED UNANIMOUSLY.

Item 29 - MRS. FISHER presented the following resolution and moved for immediate consideration. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 335

Re: Support for AIDS Family Services.  
(Intro. 15-11)

A RESOLUTION SUBMITTED BY  
LEGISLATOR FISHER

WHEREAS, the Legislature set aside funds in the 2001 Erie County Budget for use by worthy community organizations and governmental agencies, and

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

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

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$4,000 from the Extraordinary County Aid to Local Governments – Regionalism / Economic Development Fund (DAC:

110904303830) 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>
AIDS Family Services	830/0505	\$4,000
<b>TOTAL</b>		<b>\$4,000</b>

and be it further

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

RESOLVED, that 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, Ted Kruczynski, AIDS Family Services, (40 Gates Circle, Buffalo, NY 14209.)

**Fiscal Impact:** Appropriation of 2001-budgeted funds.

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

CARRIED UNANIMOUSLY.

Item 30 - MR. McCARVILLE presented the following resolution and moved for immediate consideration. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 336

Re: Funding for Community Groups.  
(Intro. 15-12)

A RESOLUTION SUBMITTED BY  
LEGISLATOR McCARVILLE

WHEREAS, the Legislature set aside funds in the 2001 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 \$18,500 from the County-wide Accounts – Budget - County Contingency (DAC: 110923310893) to Fund 110, Project 921, Department 301 Agency Payments & Grants - Public Benefit Services, (DAC: 110921301830), for paying the following agencies:

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
<b>Brant Fire Company #1</b>	<b>830/0791</b>	<b>\$3,500</b>
<b>Colden Elementary PTA</b>	<b>830/</b>	<b>\$3,000</b>
<b>Hillcrest Fire Company</b>	<b>830/</b>	<b>\$2,000</b>
<b>Town of Boston – Boston Steeple</b>	<b>830/1007</b>	<b>\$2,000</b>
<b>Farnham Fire Department</b>	<b>830/</b>	<b>\$1,000</b>
<b>West Falls Fire Company</b>	<b>830/0787</b>	<b>\$1,000</b>
<b>Colden Fire Company</b>	<b>830/1253</b>	<b>\$1,000</b>
<b>Collins Center Fire Company</b>	<b>830/0790</b>	<b>\$1,000</b>
<b>Gowanda Fire Department</b>	<b>830/</b>	<b>\$1,000</b>
<b>Langford-New Oregon Fire Company</b>	<b>830/0785</b>	<b>\$1,000</b>
<b>Lawtons Fire Company</b>	<b>830/</b>	<b>\$1,000</b>
<b>North Collins Fire Company</b>	<b>830/</b>	<b>\$1,000</b>
<b>TOTAL</b>		<b>\$18,500</b>

and be it further

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

RESOLVED, that 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 Bochenek, Fire Chief David Pero, Jr., Brant Fire Company #1, ( 1231 Brant Farnham Road, P.O. Box 184, Brant, NY 14027-0184,) Betty Conklin, President, Colden Elementary PTA,(8793 Woodview Drive, Colden, NY 14033,) Fire Chief Dan Neaverth, Hillcrest Fire Company, (7125 Ellicott Road, P.O. Box 481, Orchard Park, NY 14127-0481,) Supervisor Lisa M. Rood, Town of Boston - Boston Steeple, (8500 Boston State Road, Boston, NY 14025,) Fire Chief Gerard Wittington, Jr., West Falls Fire Company, (1863 Davis Road, P.O. Box 140, West Falls, NY 14170-0140,) Fire Chief Ellsworth Nolan, Farnham Fire Department, (526 Commercial Street, Farnham, NY 14061,) Fire Chief Daniel Corby, Colden Fire Company, (8448 Gutekunst Road, Colden, NY 14033,) Fire Chief Michael Finch, Collins Center Fire Company,(3514 Main Street, P.O. Box 461, Collins Center, NY 14035-0461,) Fire Chief David Wall, Gowanda Fire Department, (1 East Main Street, Gowanda, NY 14070,) Fire Chief Charles F. Hohman, Langford-New Oregon Fire Company, (Sission Highway (Rt. 75), P.O. Box 666, North Collins, NY 14111-0666,) Fire Chief Terry Lillie, Lawtons Fire Company, (Gowanda State Road, P.O. Box 84, Lawtons, NY 14091-0084,) and Fire Chief David Schrader, Jr., North Collins Fire Company,(10543 Main Street, P.O. Box 448, North Collins, NY 14111-0448.)

**Fiscal Impact:** Appropriation of 2001-budgeted funds.

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

CARRIED UNANIMOUSLY.

Item 31 - MR. FITZPATRICK presented the following resolution and moved for immediate consideration. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 337

Re: Support for Local Businesses.  
(Intro. 15-13)

A RESOLUTION SUBMITTED BY  
LEGISLATOR FITZPATRICK

WHEREAS, the Legislature set aside funds in the 2001 Erie County Budget for use by worthy community organizations and governmental agencies, and

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

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

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$5,000 from the legislative contractual (DAC: 110905100830) (2000-designated funds) 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>
Neighborhood Housing Services Of South Buffalo	830/	\$5,000
<b>TOTAL</b>		<b>\$5,000</b>

and be it further

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

RESOLVED, that 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 Bochenek and to Sheryl Duderich, Executive Director, Neighborhood Housing Services of South Buffalo, (1937 South Park Avenue, Buffalo, NY 14220.)

**Fiscal Impact:** Appropriation of 2000-budgeted funds.

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

CARRIED UNANIMOUSLY.

Item 32 - MR. LARSON presented the following resolution and moved for immediate consideration. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 338

Re: Support for Community Organizations.  
(Intro. 15-14)

A RESOLUTION SUBMITTED BY



LEGISLATOR LARSON

WHEREAS, the Legislature set aside funds in the 2001 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 the transfer of funds,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$9,500 from the County-wide Accounts – Budget - County Contingency (DAC: 110923310893) to the Department of Parks, Recreation & Forestry – Parks (DAC: 110942640816) Maintenance Supplies, of that amount \$3,500 earmarked for Emery Park and \$6,000 earmarked for Como Park, and be it further

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$10,000 from the County-wide Accounts – Budget – County Contingency (DAC: 110923310893) to Fund 110, Project 921, Department 301 Agency Payments & Grants – Public Benefit Services, (DAC: 110921301830), for paying the following agencies:

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
<b>Town of Alden – Teen Center</b>	<b>830/0320</b>	<b>\$1,000</b>
<b>Alden Junior Football Association, Inc.</b>	<b>830/</b>	<b>\$2,500</b>
<b>Marilla Fire Company</b>	<b>830/1343</b>	<b>\$2,500</b>
<b>South Wales Fire Company</b>	<b>830/1345</b>	<b>\$4,000</b>
<b>TOTAL</b>		<b>\$10,000</b>

and be it further

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

RESOLVED, that the Clerk of the Legislature, the Commissioner of Park, Recreation & Forestry, 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 Naples, Budget Director Joseph Passafiume, Jennifer Anger, Administrative

Assistant Erie County Legislature, First Assistant County Attorney Susannah M. Bochenek, Lawrence Jasinski, Commissioner of Parks, Recreation & Forestry, Rick Savage, Supervisor, Town of Alden – Teen Center, (3311 Wende Road, Alden, NY 14004,) Liz Beyer, Treasurer, Alden Junior Football Association, Inc., (PO Box 124, Alden, NY 14004,) Ronald K. Bourgeois, Chief, Marilla Fire Company, (1950 West Avenue, PO Box 124, Marilla, NY 14102-0124,) and to Edward A. Belter, Chief, South Wales Fire Company, (6406 Olean Road, PO Box 94, South Wales, NY 14139-0094.)

**Fiscal Impact:** Appropriation of 2001 Budgeted funds.

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

CARRIED UNANIMOUSLY.

Item 33 - MS. MARINELLI presented the following resolution and moved for immediate consideration. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 339

Re: Support for a Demolition Project.  
(Intro. 15-15)

A RESOLUTION SUBMITTED BY  
LEGISLATORS SWANICK & MARINELLI

WHEREAS, the Legislature set aside funds in the 2001 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 \$75,000 from the Extraordinary County Aid to Local Governments – Regionalism / Economic Development Fund (DAC: 110904303830) 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>
Town of Tonawanda - Highway Department	830/0175	\$75,000
<b>TOTAL</b>		<b>\$75,000</b>

and be it further

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

RESOLVED, that 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 Amy J. Murphy, Councilman, Town of Tonawanda – Highway Department, (2919 Delaware Avenue, Kenmore, NY 14217.)

**Fiscal Impact:** Appropriation of 2001-budgeted funds.

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

CARRIED UNANIMOUSLY.

Item 34 - MR. GREENAN presented the following resolution and moved for immediate consideration. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 340

Re: Support for a Ladies Auxiliary. (Intro. 15-16)

A RESOLUTION SUBMITTED BY LEGISLATORS GREENAN, CHASE, McCARVILLE, WEINSTEIN, RANZENHOFER & LARSON

WHEREAS, the Legislature set aside funds in the 2001 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 the transfer of funds,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$3,000 from the County-wide Accounts – Budget – County Contingency (DAC: 110923310893) to Fund 110, Project 921, Department 301 Agency Payments & Grants – Public Benefit Services, (DAC: 110921301830), for paying the following agency:

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
Ladies Auxiliary of the Erie County Volunteer Fireman’s Assoc.	830/	\$3,000
<b>TOTAL</b>		<b>\$3,000</b>

and be it further

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

RESOLVED, that the Clerk of the Legislature, and the Director of the Division of Budget, Management and Finance are hereby authorized to complete any paperwork necessary to effectuate the 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 Naples, Budget Director Joseph Passafiume, Jennifer Anger, Administrative Assistant Erie County Legislature, First Assistant County Attorney Susannah M. Bochenek, and to Shirley Eberle, Ladies Auxiliary of the Erie County Volunteer Fireman’s Association, (100 Dwyer Street, West Seneca, NY 14224.)

**Fiscal Impact:** Appropriation of 2001 Budgeted funds.

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

CARRIED UNANIMOUSLY.

**COMMUNICATIONS DISCHARGED FROM COMMITTEE**

Item 35 – MS. PEOPLES moved to discharge the COMMUNITY ENRICHMENT COMMITTEE from further consideration of Comm. 14E-36. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 341

Re: ECC – Entrepreneurial Assistance Program.

WHEREAS, Erie Community College (ECC) has been awarded a grant from the Empire State Development Corporation, and

WHEREAS, the grant will help establish a Women's and Minority Business Center at the ECC City Campus, and

WHEREAS, acceptance of the grant requires a local cash match,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the following transfer of funds in the 2001 operating fund of the County, in order to provide ECC with grant cash match requirements for acceptance of the Entrepreneurial Assistance Program grant from the Empire State Development Corporation 2001 Operating Budget

<u>Department 601 Law-Risk Retention</u>	<u>Decrease</u>
Account 832 - Insurance Charges	\$79,431
<u>Department 430 - Erie Community College</u>	<u>Increase</u>
Account 886 - 4300 Special Project Funding	\$79,431

and be it further

RESOLVED, that the County Executive is hereby authorized to enter into any and all agreements required for the implementation of this resolution, and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Erie County Executive's Office, Erie Community College, the County Attorney, the Erie County Comptroller and the Director of Budget, Management and Finance.

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

CARRIED UNANIMOUSLY.

Item 36 - MS. PEOPLES moved to discharge the FINANCE & MANAGEMENT COMMITTEE from further consideration of Intro. 14-14. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 342

Re: Funding for Operation Prime Time.

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

WHEREAS, the Legislature set aside finds in the 2000 and 2001 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 \$35,000 from the legislative contractual (DAC: 110905100830) (2000-budgeted funds) to Fund 110, Project 921, Department 301 Agency Payments & Grants - Public Benefit Services, (DAC:110921301830), for paying the following agency:

NAME	LINE	AMOUNT
Boys & Girls Club of Buffalo - Operation Prime Time	830/	\$35,000
TOTAL		\$35,000

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, Managment & Finance are hereby authorized to complete any paperwork necessary to effectuate this transfer of funds, and be it further

RESOLVED, that the organization file a close-out report with the Legislature after the funds are expended, 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, Assistant County Attorney Brian D. White and to Diane Rowe, Executive Director, Boys & Girls Club of Buffalo, (282 Babcock Street, Buffalo, NY 14210.)

Fiscal Impact: Appropriation of 2000-budgeted funds.

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

CARRIED UNANIMOUSLY.

**DELETE the RESOLVES in their entirety and REPLACE with the following:**

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$35,000 from the legislative contractual (DAC: 110905100830) (2000-budgeted funds) to Fund 110, Project 946, Department 250 Youth Services - Operation Prime Time, (DAC: 1109462508300920) and be it further

RESOLVED, that this funding is a match to \$35,000 that the Department of Youth Services has available in the above-referenced DAC, and be it further

RESOLVED, that a combined total of \$70,000 in funds be expended to the organizations listed on the attached letter from Commissioner Ruffino, and be it further

RESOLVED, that the Clerk of the Legislature, the Acting Commissioner of Youth Services 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 the Acting Commissioner of Youth Services file a close-out report with the Legislature after the funds are expended, 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, Acting Commissioner of Youth Services Patrick Ruffino, Jennifer Anger - Administrative Assistant Erie County Legislature, First Assistant County Attorney Susannah M. Bochenek, and to Diane Rowe, Executive Director, Boys & Girls Club of Buffalo, (282 Babcock Street, Buffalo, NY 14210.)

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

CARRIED UNANIMOUSLY.

Item 37 - MS. PEOPLES moved to discharge the FINANCE & MANAGEMENT COMMITTEE from further consideration of Intro. 14-15. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 343

Re: Waiver of Fees for American Cancer Society  
Relay for Life Run – Showmobile Rental.

**A RESOLUTION SUBMITTED BY LEGISLATOR PEOPLES**

Whereas, on Saturday, July 21<sup>st</sup>, 2001, the American Cancer Society will host it's Relay for Life annual fundraiser at the Johnnie B. Wiley Sports Stadium located on the corner of Best and Jefferson Streets, in Buffalo, New York, and

Whereas, the event will begin a 2:00 pm in the afternoon and continue until 2:00 A.M. on the morning of July 22, 2001, and

Whereas, the event sponsors have secured the Erie County Showmobile, which is a portable stage, for this event at a cost of \$300 for setup and take down as well as \$300 per day for each day the Showmobile is in use, and

Whereas, in order to avoid week-end overtime costs to the County, Erie County Parks Department Commissioner Lawrence Jasinski has agreed to have a work team transport and assemble the showmobile at Johnnie B. Wiley Sports Stadium on Friday, July 20<sup>th</sup>, and to disassemble and transport back to storage on Monday, July 23<sup>rd</sup>, and

Whereas, because of the start and finish times of the Relay For Life Run, the Showmobile will remain on the grounds of the Johnnie B. Wiley Stadium over the entire weekend and as such will incur daily rental fees totaling \$600 for Saturday and Sunday, July 21<sup>st</sup> and 22<sup>nd</sup>, even though the race will be over at 2:00 A.M. on Sunday morning,

Whereas, the Erie County Department of Parks, Recreation and Forestry has advised the American Cancer Society that there will be a \$600 rental fee for Saturday and Sunday, July 21<sup>st</sup> and 22<sup>nd</sup> and

Whereas, the American Cancer Society has requested the Erie County Legislature to assist with a waiver of said fees,

NOW, THEREFORE, BE IT

RESOLVED, That the Erie County Legislature is in support of health and wellness throughout Erie County and fundraising efforts as it relates to fighting the killer called cancer, and be it further

RESOLVED, that the Erie County Legislature does commend and sustain the efforts of the American Cancer Society to raise funds for cancer research, and be it further

RESOLVED, that the Erie County Legislature does hereby direct the Commissioner of the Erie County Department of Parks, Recreation and Forestry to waive the fees for the Erie County Showmobile rental for the Relay for Life fundraising event on July 21<sup>st</sup> and 22<sup>nd</sup>, and be it further

RESOLVED, that certified copies of this resolution be forwarded to County Executive Joel A. Giambra, Budget Director Joseph Passafiume, Commissioner of the Erie County Department of Parks, Recreation and Forestry Lawrence D. Jasinski and to Nanette Kindle, Relay for Life Coordinator, American Cancer Society Satellite Office, 1490 Jefferson Avenue, Buffalo, New York 14208.

Fiscal Impact: \$600

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

CARRIED UNANIMOUSLY.

***DELETE the third RESOLVE and REPLACE with the following:***

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

CARRIED UNANIMOUSLY.



Item 38 - MS. PEOPLES moved to discharge the PERSONNEL AD HOC COMMITTEE from further consideration of Comm. 12E-10. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 344

Re: Department of Health – Personnel  
Adjustments.

WHEREAS, in order to increase services to the residents of Erie County, personnel adjustments are needed within the Budget of the Erie County Department of Health, Division of Medical Examiner and Division of Health, and

WHEREAS, it is necessary to create one full-time position of Administrative Coordinator -Medical Examiner Office, JG XII, and transfer one full-time position of Administrative Assistant -Medical Examiner Office (position number 149326), JG IX, to the Division of Health - Roberto Clemente Health Center, and

WHEREAS, to effectuate this change it is necessary to delete one vacant regular part-time position (position number 144625) of Dentist, JG XV, and

WHEREAS, these changes will result in increased administrative services at the Medical Examiner's Office, and the Jesse Nash and Roberto Clemente Health Centers at no additional cost to the County.

NOW, THEREFORE, BE IT

RESOLVED, that one full-time position of Administrative Coordinator - Medical Examiner Office, JG XII is hereby created:

The following personnel detail is hereby submitted:

TITLE: Administrative Coordinator - Medical Examiner's Office

JG: XII

CIVIL SERVICE LIST: No

STEP: 1

CIVIL, SERVICE: Pending job classification

ANNUAL SALARY: \$43,252

ANNUAL BENEFITS: \$9,515

and be it further

RESOLVED, that one vacant regular part-time position (position number 144625) of Dentist, JG XV is hereby deleted, and be it further

RESOLVED, that one full-time position (position number 149326) of Administrative Assistant -Medical Examiner, JG IX, is hereby transferred to the Division of Health - Roberto Clemente Health Center, and be it further

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.

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

CARRIED UNANIMOUSLY.

Item 39 - MS. PEOPLES moved to discharge the PERSONNEL AD HOC COMMITTEE from further consideration of Comm. 14E-53. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 345

Re: Department of Social Services – Transitional Services Program Grant.

WHEREAS, the County has received a 100% Federal share grant award in the amount of \$90,000 for the Transitional Opportunities Program (TOP) to implement and evaluate a consolidated service delivery model, and

WHEREAS, the Department is proposing that this funding be used to restructure the current Child Assistance Program (CAP) operations into an integrated service delivery system pilot called the Transitional Services Program, and

WHEREAS, after the evaluation of the relative success of this effort, this pilot program may serve as a prototype for future redesign of service delivery and achievement of cost savings through realignment of Department operations, and

WHEREAS, a major stumbling block for full service integration for active cases in diverse social services programs has been a disparity in job titles, career ladders and salary levels of staff in various Department functions, and this resolution will bridge the gap in parity in job titles enabling cross training and multi-functional work assignment on a pilot basis through the Federal grant award, and

WHEREAS, the Department has developed a new, case management based, transitional services job title series for this pilot program to provide integrated client services, and

WHEREAS, there exists a civil service waiver provision of up to 18 months for provisional filling of new job titles as justified by the pilot demonstration basis of new initiatives.

NOW, THEREFORE, BE IT

RESOLVED, that the Child Assistance Grant, Project Number 472 in the Department of Social Services 2001 Adopted Budget for the period April 1, 2001 through March 31, 2002 is renamed as the Transitional Services Program Grant, and be it further

RESOLVED, that the following new positions are hereby authorized effective July 1, 2001 in the Transitional Services Program grant within the Department of Social Services, Department 200, Fund 281, Project Number 472:

Number	Title	Job Grade
1	Chief Transitional Opportunity Worker	13
2	Head Transitional Opportunity Worker	11
14	Transitional Opportunity Worker	8
2	Transitional Opportunity Team Worker	5

(B-100's are attached)

and be it further

RESOLVED, that an equivalent number of current positions in the CAP grant will remain vacant and will be funded at only one dollar each so as to preserve fall-back positions for affected staff pending completion of civil service examination results for the staff assigned to the newly created provisional titles, and be it further

RESOLVED, that the following budget amendments are hereby authorized in the 2001 Adopted Budget:

Department of Social Services, Department 200, Fund 281, Project 472

ACCOUNT	DESCRIPTION	INCREASE
800	Personal Services	\$72,000
801	Overtime Expense	\$10,000
932	Office Equipment	<u>\$ 8,000</u>
	Total Expenditures	<u>\$90,000</u>
649	Federal Aid	<u>\$90,000</u>
	Total Revenues	<u>\$90,000</u>

and be it further

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

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

CARRIED UNANIMOUSLY.

**ADD the following after the fourth RESOLVE clause:**

RESOLVED, that the Erie County Department of Social Services, in accordance with their agreement with the Civil Service Employees Association, develop a memorandum of understanding between the two parties that addresses labor issues prior to the implementation of the TOPS Pilot Program, and be it further

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

CARRIED UNANIMOUSLY.

Item 40 - MS. PEOPLES moved to discharge the SOCIAL SERVICES COMMITTEE from further consideration of Comm. 13E-20. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 346

Re: Department of Youth Services – Authorization to Adjust Homeless & Runaway Program Contracts for Youth Agencies.

WHEREAS, the New York State Office of Children and Families has awarded \$20,000 in Runaway Reimbursement funds and \$10,000 in Homeless Reimbursement programs monies to the Compass House and Franciscan Center programs,

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to increase the following Homeless Program contracts including amendments with the State of New York and the service providers:

	<b>Current State Funding</b>	<b>Adjustment</b>	<b>Recommended State Funding</b>
<b>Homeless Advance Program</b>			
Account 830-566			
Compass House	\$12,240	\$3,000	\$15,240
Franciscan Center	\$3,000	(3,000)	0
<b>Homeless Reimbursement Program</b>			
Account 830-779			
Compass House	\$111,135	\$5,000	\$116,135
Franciscan Center	\$91,980	\$5,000	\$ 96,980
<b>Runaway Advance Program</b>			
Account 830-564			
Compass House	\$64,414	\$8,000	\$72,414
Franciscan Center	8,000	(8,000)	0
<b>Runaway Reimbursement Program</b>			
Account 830 -778			
Compass House	\$70,087	\$10,000	\$80,087
Franciscan Center	\$3,200	\$10,000	\$13,200

and be it further

RESOLVED, that all agencies mentioned above shall provide the required matching funds to qualify for the increased State Aid without an increase in county share, and be it further RESOLVED, that in order to comply with the determinations of the New York State Office of Children and Family Service, the county share of the Homeless Advance Program and the Runaway Advance Program shall be adjusted as follows:

	<b>Current County Share</b>	<b>Adjustment</b>	<b>Recommended County Share</b>
<b>Homeless Advance Program</b>			
Account 830-566			
Franciscan Center	\$2,000	\$3,000	\$5,000
Compass House	8,160	(3,000)	5,160
<b>Runaway Advance Program</b>			
Account 830-564			
Franciscan Center	4,000	8,000	\$12,000
Compass House	44,276	(8,000)	36,276

and be it further

RESOLVED, that authorization is provided to make the following budgetary transactions in order to implement the contract increase:

<u>REVENUE</u>	<u>Increase</u>
Acct 620-0103 State Aid - Runaway Reimbursement	\$20,000
Acct 620-0105 State Aid - Homeless Reimbursement	<u>\$10,000</u>
Total Revenue	\$30,000
<u>APPROPRIATION</u>	
Acct. 830-778 Contractual - Runaway Reimbursement	\$20,000
Acct. 830-779 Contractual - Homeless Reimbursement	<u>\$10,000</u>
Total Appropriation	\$30,000

and be it further

RESOLVED, that the Erie County Legislature hereby makes a finding that it is impracticable to follow the standard RFP procedure, and hereby waives the procedures outlined in Section 19.08 of the Erie County Administrative Code, since the New York State Office of Children and Family Services has selected Compass House and the Franciscan Center to receive the additional state funding and since the Erie County Youth Board has approved these agencies to immediately provide special services for Homeless and Runaway youth programs, and be it further

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

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

CARRIED UNANIMOUSLY.

**DELETE** the proposed resolution in its entirety, and **REPLACE** with the following:

WHEREAS, the New York State Office of Children and Families has awarded \$20,000 in Runaway Advance and Reimbursement funds and \$10,000 in Homeless Advance and Reimbursement programs monies to the Compass House and Franciscan Center programs,

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to increase the following Homeless Program contracts including amendments with the State of New York and the service providers:

	<b>Current State Funding</b>	<b>Increase</b>	<b>Adjusted State Funding</b>
<b>Homeless Reimbursement Program</b>			
Account 830-779			
Compass House	\$111,135	\$6,000	\$117,135
Franciscan Center	\$91,980	\$4,000	\$95,980
<b>Runaway Reimbursement Program</b>			
Account 830 -778			
Compass House	\$70,087	\$12,000	\$82,087
Franciscan Center	\$3,200	\$8,000	\$11,200
and be it further			

RESOLVED, that all agencies mentioned above shall provide the required matching funds to qualify for the increased State Aid without an increase in county share, and be it further

RESOLVED, that authorization is provided to make the following budgetary transactions in order to implement the contract increase:

<u>REVENUE</u>	<u>Increase</u>
Acct 620-0103 State Aid - Runaway Reimbursement	\$20,000
Acct 620-0105 State Aid - Homeless Reimbursement	\$10,000
Total Revenue	\$30,000
<u>APPROPRIATION</u>	
Acct. 830-778 Contractual - Runaway Reimbursement	\$20,000
Acct. 830-779 Contractual - Homeless Reimbursement	\$10,000
Total Appropriation	\$30,000

and be it further

RESOLVED, that the Erie County Legislature hereby makes a finding that it is impracticable to follow the standard RFP procedures, and hereby waives the procedures outlined in Section 19.08 of the Erie County Administrative Code, since these special services to be provided by Compass House and the Franciscan Center have been approved by the Erie County Youth Board, and since these special services must be provided immediately, and be it further

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

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

CARRIED UNANIMOUSLY.

Item 41 - MS. PEOPLES moved to discharge the SOCIAL SERVICES COMMITTEE from further consideration of Comm. 14E-38. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 347

Re: Department of Youth Services – Authorization to Adjust Existing YDDP Contracts.

WHEREAS, the New York State Office of Children and Families, the Erie County Department of Youth Services and the Erie County Youth Board have completed the program application and review process by sponsoring application workshops, soliciting proposals for the 2001 Erie County Youth Development Delinquency Prevention (YDDP) Project and the Erie County Youth Board has conducted hearings on all proposals and has made recommendations on service provider finding levels, as is its responsibility,

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into and/or amend the existing contract with the State of New York for the receipt of YDDP Reimbursement funds, and be it further

RESOLVED, that the County Executive is hereby authorized to amend existing contracts with service providers and to enter into contract with additional community agencies to increase or establish funding in the following amounts:

**Acct. 830-563 Contractual Services-YDDP Reimbursement**

NCCJ - National Conference for Community & Justice	\$ 5,000
Valley Community Center	5,000
NICYO - National Inner City Youth Organization	15,000
Operation Prime Time	16,000
Be-A-Friend	<u>\$8,000</u>

Total Allocation to YDDP Programs \$ 49,000

and be it further

RESOLVED, that authorization is provided to make the following 2001 budgetary transactions in order to implement the increases in the agency contracts:

Youth Services Division - Department 250

<u>REVENUE</u>	<u>Increase</u>
Acct. 620-0101 State Aid Revenues-YDDP Reimbursement	<u>\$49,000</u>

<u>APPROPRIATION</u>	
Acct. 830-563 Contractual Services-YDDP Reimbursement	<u>\$49,000</u>

and be it further

RESOLVED, that the County Executive is hereby authorized to adjust the following contracts including amendments with the State of New York and the service providers:

**Account 830-562 (YDDP) ADVANCE Funds**

Temple of Prayer	(5,000)
Operation Prime Time	5,000

and be it further

RESOLVED, that the Erie County Legislature hereby makes a finding that it is impracticable to follow the standard RFP procedure outlined in Section 19.08 of the Erie County Administrative Code, since the Erie County Youth Board has approved these agencies to provide special services immediately, and be it further

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

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

CARRIED UNANIMOUSLY.

**SUSPENSION OF THE RULES**

Item 42 - MR. OLMMA moved for a suspension of the rules to include an item not on the agenda.

GRANTED.



Comm. 15E-44 From LEGISLATOR OLMA Re: Revised Reapportionment Plan.

MR. OLMA moved the approval of the resolution. MS. PEOPLES objected.

CHAIRMAN SWANICK directed that Comm. 15E-44 be referred to the FINANCE & MANAGEMENT COMMITTEE.

GRANTED.

**COMMUNICATIONS FROM ELECTED OFFICIALS**

**FROM THE COUNTY EXECUTIVE**

Item 43 – (Comm. 15E-1) Various Appointments to Youth Services Board.

Received, filed and printed.

June 19, 2001

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

Re: Appointments to Erie County Youth Services Board

Dear Members:

I, Joel A. Giambra, Erie County Executive, pursuant to Section 11-F-03 of the Erie County Code, do hereby appoint the following individuals to the Erie County Youth Services Board, to fill the unexpired terms of the corresponding members.

<u>Appointee</u>	<u>Replacing</u>	<u>Term Expiration</u>
Jonathan Casado 375 Breckenridge Avenue Buffalo, NY 14213	James Morrell, Jr	12/31/02
Thomas Schultz 3568 Stony Point Road Grand Island, NY 14072	Barnard Tolbert	12/31/02

Amanda Ahmed  
241 Hamilton Drive  
Amherst, NY 14226

Rema Hanash

12/31/02

Larry Mattar  
386 Woodbridge Avenue  
Buffalo, NY 14214

Joseph Murphy

12/31/02

Timothy Doolittle  
Upstate Regional Director  
Governor's Office Of Regional Affairs  
Department of State  
65 Court Street  
Buffalo, NY 14202

Albert J. delValle

12/31/02

Respectfully submitted

JOEL A. GIAMBRA  
ERIE COUNTY EXECUTIVE

JAG:bmc

cc: Appointees

Patrick J. Ruffino, Acting Commissioner, Youth Services

FROM LEGISLATOR CHASE

Item 44 – (Comm. 15E-2) Notice of Absence from Government Affairs Meeting Held 6/26/01.

Received and filed.

FROM THE COMPTROLLER

Item 45 – (Comm. 15E-3) Apportionment & Distribution of 4% Sales Tax Revenue Received from NYS.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE SHERIFF

Item 46 – MR. KUWIK presented the following resolution and moved for immediate consideration. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 348

Re: Family Court Security. (Comm. 15E-4)

WHEREAS, the Office of Court Administration and the Erie County Sheriff's Office are requesting the addition of one (1) Deputy Sheriff Officer, Job Group 8 for the security detail in the new Erie County Family Court Building, and

WHEREAS, funding for this position is available through the Office of Court Administration through the Unified Court Security Grant,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Sheriff's Office be authorized to create one (1) Deputy Sheriff Officer, Job Group 8 position. A B-100 is attached, and be it further

RESOLVED, that the following budgetary transactions are hereby authorized:

**UNIFIED COURT SECURITY GRANT - PROJECT # 525**  
**09/01/01 – 03/31/02**

REVENUE

627	State Aid Revenues	<u>\$32,845</u>
	Total Revenue	<u>\$32,845</u>

APPROPRIATION

800	Personal Services	\$26,146
801	Overtime	1,225
805	Fringe Benefits	<u>5,474</u>
	Total Appropriations	<u>\$32,845</u>

and be it further,

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

MR. KUWIK moved the approval of the resolution. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

FROM THE COUNTY EXECUTIVE

Item 47 – (Comm. 15E-5) Roof Repair – Emergency Response Services, All County-Owned Buildings.

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 48 – (Comm. 15E-6) ECC – Capital Expenditures.

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

Item 49 – (Comm. 15E-7) DPW – General Highway Bridge Engineering Services for Miscellaneous Projects.

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 50 – (Comm. 15E-8) Home Rule Resolutions Permitting Janice Jaskowiak to Apply for & Receive Retirement Credit.

Received and referred to the PERSONNEL AD HOC COMMITTEE.

Item 51 – (Comm. 15E-9) Award of Contract Two Rod Road Bridge 547-1, Town of Alden – Strickler Road Bridge 269-2, Town of Clarence.

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 52 – (Comm. 15E-10) Funding Equipment for Personnel & EC Home.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 53 – (Comm. 15E-11) Agreement with NYSDOT for Mill Road Bridge 47-5 Over East Branch Cazenovia Creek, Village of East Aurora.

Item 54 – (Comm. 15E-12) Supplemental Agreement with NYSDOT Abbott Road from US Route 20A, Big Tree Road to Milestrip Road, Towns of Hamburg & Orchard Park.

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

Item 55 – (Comm. 15E-13) Town of Eden – Comprehensive Plan – Implementation Activities.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 56 – MS. PEOPLES presented the following resolution and moved for immediate consideration. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 349

Re: Agreement with NYSDOT for  
Construction & Construction Inspection  
Glenwood-East Concord Road Bridge,  
Town of Concord. (Comm. 15E-14)

WHEREAS, a Project for the Replacement of the CR 30, NY Route 240X, Glenwood Road Bridge 30-2, over Spencer Brook, BIN 3-04248-0 in the Town of Concord, P.I.N. 5754.53 (the "Project") is eligible for funding under Title 23, U.S. Code as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80% Federal funds and 20% non-Federal funds, and

WHEREAS, the County of Erie desires to advance the Project by making commitment of 100% of non-Federal share of the costs the Construction & Construction Inspection Phases of the Project, PIN 5754.53; and

NOW, THEREFORE, the County Legislature of the County of Erie, duly convened does hereby

RESOLVE, that the County Legislature of the County of Erie hereby approves the above subject Project; and be it further

RESOLVED, that the County Legislature of the County of Erie hereby authorizes the County of Erie to pay in the first instance 100% of the Federal and non-Federal share of the costs of Construction and Construction Inspection Phase of the project or portions thereof; and be it further

RESOLVED, that the sum of \$172,600 is hereby appropriated from the 1996 Federal Aid Projects Program (SFG 727) and made available to cover the cost of participation in the above phases of the project; and be it further

RESOLVED, that in the event the amount required to pay in the first instance 100% of the Federal and non-Federal shares of the costs of the project's Construction and Construction Inspection Phase exceeds the amount appropriated above \$172,600 and/or 100% of the full Federal and Non-Federal shares of the cost of the project's Construction and Construction Inspection Phase exceeds \$863,000, the County of Erie shall convene its Legislature as soon as possible to appropriate said excess amount immediately upon the notification by the NYSDOT thereof; and be it further

RESOLVED, that the County Executive of the County of Erie be and is hereby authorized to execute all necessary agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the County of Erie with the NYSDOT in connection with the advancement or approval of the Project and providing for the administration of the Project and the Municipality's first instance funding of project costs and permanent funding of the local share of Federal-aid eligible Project costs and all Project costs within appropriations therefor that are not so eligible; and be it further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation, by attaching it to any necessary Agreement in connection with the Project; and be it further

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

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

CARRIED UNANIMOUSLY.

Item 57 – (Comm. 15E-15) ECSD No. 5 – A/E Agreement Dated 4/18/99 – Engineering Change Order No. 1 – URS Greiner Woodward Clyde.

Item 58 – (Comm. 15E-16) ECSD No. 2 – Transfer of Funds.

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

Item 59 – (Comm. 15E-17) Roof Replacement – Countywide, ECC North “G” Building & Botanical Gardens.

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 60 – (Comm. 15E-18) EC Community Coordinating Council on Children & Families – Authorization to Enter Into a Contract with Danis Gehl of Norman Gehl Associates.

Received and referred to the HEALTH COMMITTEE.

Item 61 – (Comm. 15E-19) DISS – Personnel Adjustments.

Received and referred to the PERSONNEL AD HOC COMMITTEE.

Item 62 – (Comm. 15E-20) Kenmore Avenue Improvements – GM Plant/Kenmore Avenue, Town of Tonawanda (Tobacco Trust Funds).

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 63 – (Comm. 15E-21) Health - Personnel Adjustments.

Received and referred to the PERSONNEL AD HOC COMMITTEE.

Item 64 – (Comm. 15E-22) Health – Bioterrorism Health Alert Network Grant Revision 8/31/00 – 8/30/01.

Item 65 – (Comm. 15E-23) Health – Healthy Neighborhoods Grant Revision 10/1/00 – 9/30/01.

Item 66 – (Comm. 15E-24) Health – Tuberculosis Elimination Activities Program 2/1/01 – 1/31/02.

Item 67 – (Comm. 15E-25) Health – EMS Division Contract for Ambulance Transportation Services with Rural Metro Medical Services.

Item 68 – (Comm. 15E-26) Request for Legislative Action Authorization – EC to Increase Hourly Rate Paid to Psychiatrists & Establish Hourly Rate for Psych Nurse Practitioners.

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

Item 69 – (Comm. 15E-27) Senior Services – Authorization to Amend Title V Senior Aides Grant Budget.

Item 70 – (Comm. 15E-28) Senior Services – Authorization to Amend Protective Services for Adult Grant Budget.

Item 71 – (Comm. 15E-29) Senior Services – Authorization to Amend Title III-C-1 & III –C-2 Grant Budgets.

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

Item 72 – (Comm. 15E-30) Supplemental Agreement with NYSDOT Hopkins Road, Town of Amherst.

Item 73 – (Comm. 15E-31) Intersection Safety Improvements – William & Aurora and William & Penora, Town of Lancaster.

Item 74 – (Comm. 15E-32) Correctional Facility – Contingency Fund Increase.

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

Item 75 – MR. KUWIK presented the following resolution and moved for immediate consideration. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 350

Re: CPS – Public Safety Facility.  
(Comm. 15E-33)

WHEREAS, the Project Team has completed a Space Assessment Needs Study to determine the requirements of a Public Safety Facility for providing County-wide Administration Support Services & Training for all Law Enforcement Agencies within Erie County, and

WHEREAS, the Project Team is now recommending that we move forward with the UB School of Architecture and Planning for providing Design Competition for a Public Safety Facility, and

WHEREAS, the New York State University at Buffalo, School of Architecture & Planning is willing to provide Design Competition Services among graduate and non-graduate students, and

WHEREAS, the University at Buffalo Foundation, Inc. is willing to enter into agreement for Design Competition Services,

NOW, THEREFORE, BE IT,

RESOLVED, that the Commissioner of Public Works be authorized to enter into an agreement with the University at Buffalo Foundation, Inc. for having the University's School of Architecture & Planning provide Design Competition Services among graduate and under-graduate students for an amount not to exceed \$28,500.00, and be it further,

RESOLVED, that the Comptroller's Office be authorized to make payment for all of the above from the 2001 capital budget, Project No. 191, Fund 441, in the total amount not to exceed \$28,500.00, and be it further,

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

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

CARRIED UNANIMOUSLY.

Item 76 – (Comm. 15E-34) Upgrade of Petroleum Underground Storage Tanks at Various EC Facilities.

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 77 – (Comm. 15E-35) ECSD Nos.1, 4 & 5 – Northern Region Administration Building Contract “D” – Electrical Close Out – Industrial Power & Lighting Corp.

Item 78 – (Comm. 15E-36) ECSD Nos.1, 4 & 5 – Northern Region Administration Building Contract “C” – Plumbing Close Out – A. Garelick & Sons.

Item 79 – (Comm. 15E-37) ECSD Nos.1, 4 & 5 – Northern Region Administration Building Contract “B” – Mechanical Close Out – Joseph Davis.

Item 80 – (Comm. 15E-38) ECSD Nos.1, 4 & 5 – Northern Region Administration Building Contract “A” – General Close Out – Patrick Development of WNY.

Item 81 – (Comm. 15E-39) ECSD No. 2 – Construction Inspection Service Agreement Work Order – DG-1 Comm 8E-36.

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

Item 82 – (Comm. 15E-40) Funding for Consultant to Prepare Application to the Community Renewal Program.

Item 83 – (Comm. 15E-41) Contract Amendment – Tax Maps CAD/GIS Conversion.

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



Item 84 – (Comm. 15E-42) Community Development Cooperation Agreement, City of Tonawanda.

Received and referred to the REGIONALISM AD HOC COMMITTEE.

Item 85 – (Comm. 15E-43) Transfer of County Owned Inventory – West Blood Road, Town of Elma.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

**COMMUNICATIONS FROM THE DEPARTMENTS**

**FROM THE COUNTY ATTORNEY**

Item 86 – (Comm. 15D-1) Notice of County Executive's Approval of Int. 12-4.

Received, filed and printed.

June 19, 2001

**VIA HAND DELIVERY**

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

Re: Resolution Intro. No. 12-4

Dear Laurie:

Enclosed for filing in your office, please find certified copies of the above-referenced Resolution.

Thank you for your assistance with this matter.

Very truly yours,

FREDERICK A. WOLF  
Erie County Attorney

By: Brian D. White  
Assistant County Attorney

Enclosures

cc: (w/enclosures)  
Jennifer D. Anger, Erie County Legislature

A Public Hearing was held on the foregoing Resolution Intro. No. 12-4 on Wednesday, June 13, 2001, due notice thereof having been published in the official newspapers of the County of Erie, and after due deliberation thereon, APPROVE and SIGN said Resolution this 13<sup>th</sup> Day of June, 2001.

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JOEL A. GIAMBRA

FROM ECMC

Item 87 – (Comm. 15D-2) Board of Managers Finance Committee Minutes – Financial Statements for 5/01 – from Meeting Held 6/22/01.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE COUNTY ATTORNEY

Item 88 – (Comm. 15D-3) Memo to Clerk of the Legislature Re: Korman v. Giambra, ET AL.

Received and filed.

FROM THE CLERK OF THE LEGISLATURE

Item 89 – (Comm. 15D-4) Memo to County Attorney Re: Korman v. Giambra, ET AL – Response to Comm. 15D-3.

Received and filed.

FROM THE COUNTY ATTORNEY

Item 90 – (Comm. 15D-5) Notice of County Executive Public Hearing for Local Law No. 6 – 2001 Local Law No. 7 – 2001 & Intros 14-7 & 14-10.

Received, filed and printed.

June 25, 2001

VIA HAND DELIVERY

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

Re: Notice of Public Hearing  
Local Law Intro. No. 6-2001  
Local Law Intro. No. 7-2001  
Contingency Spending Resolution Intros. 14-7 & 14-10

Dear Laurie:

Enclosed herein are copies of the Public Hearing Notices for the above-captioned Local Laws and Resolutions, which were approved by the Erie County Legislature on June 21, 2001.

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

Very truly yours,

FREDERICK A. WOLF  
Erie County Attorney

By: Brian D. White  
Assistant County Attorney

enc.

#### NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Erie County Executive, Joel A. Giambra, will hold a public hearing on Thursday, July 5, 2001 at 10:00 a.m., concerning:

A LOCAL LAW relating to the leasing of Surplus Space in an area located adjacent to the lobby of the Erie County Medical Center, 462 Grider Street, Buffalo, New York.

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 June 21, 2001, the Erie County Legislature adopted Erie County Local Law Introduction Number 6 of 2001. 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.

JOEL A. GIAMBRA  
Erie County Executive

#### NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Erie County Executive, Joel A. Giambra, will hold a public hearing on Thursday, July 5, 2001 at 10:00 a.m., concerning:

A LOCAL LAW relating to the leasing of 3.5 acres of vacant land at 663 Kensington Avenue, Buffalo, New York to the Living Opportunities of DePaul, Inc.

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

On June 21, 2001, the Erie County Legislature adopted Erie County Local Law Introduction Number 7 of 2001. Copies of the proposed local law are available for public inspection in the office of the Clerk of the Erie County Legislature, on the 7<sup>th</sup> Floor of 25 Delaware Avenue, in the City of Buffalo, New York.

JOEL A. GIAMBRA  
Erie County Executive

**NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that the Erie County Executive, Joel A. Giambra, will hold a public hearing, Thursday, July 5, 2001 at 10:00 a.m., concerning appropriations from the present year's County contingency fund as follows:

STAR Swimming

Public Benefit Services \$5,000

Patchin Fire Company

Public Benefit Services \$2,500

Town of Brant-Recreation Center

Public Benefit Services \$2,400

Orchard Park Little Loop Football, Inc.

Public Benefit Services \$5,000

Boys & Girls Club of Orchard Park

Public Benefit Services \$5,000

Boys & Girls Club of East Aurora

Public Benefit Services \$5,000

Town of Boston-Boston Town Band

Public Benefit Services	\$2,500
Boston Fire Department	
Public Benefit Services	\$2,500
North Boston Fire Company	
Public Benefit Services	\$2,500
LK Painter Community Center	
Public Benefit Services	\$3,000
Western New York Railway Historical Society	
Public Benefit Services	\$500

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 June 21, 2001, the Erie County Legislature adopted Resolution Intro. 14-7 and Resolution Intro. 14-10. Copies of the resolutions are available for public inspection in the office of the Clerk of the Erie County Legislature, on the 7<sup>th</sup> Floor of 25 Delaware Avenue, in the City of Buffalo, New York.

JOEL A. GIAMBRA  
Erie County Executive

FROM BUDGET, MANAGEMENT & FINANCE

Item 91 – (Comm. 15D-6) Copy of Letter to Legislator Peoples Re: List of 2001 Tobacco Capital Projects.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE COUNTY ATTORNEY

Item 92 – (Comm. 15D-7) Memo to Clerk of Legislature Re: Purchase of Ticor Building – Three Appraisals.

Item 93 – (Comm. 15D-8) Memo to Clerk of Legislature Re: Purchase of Ticor Building – Three Appraisals – Addition of Missing Page to Comm. 15D-7.

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

**FROM DEP**

Item 94 – (Comm. 15D-9) SEQR – Negative Declaration – Chip Fab Sanitary Sewer Extension.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

**FROM THE COUNTY ATTORNEY**

Item 95 – (Comm. 15D-10) Notice of Claim.

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

**FROM THE CLERK OF THE LEGISLATURE**

Item 96 – (Comm. 15D-11) Copy of Letter to Kevin Hardwick Re: Request for Information.

Received and filed.

**FROM ECC**

Item 97 – (Comm. 15D-12) Board Minutes from Meeting Held 5/30/01.

Item 98 – (Comm. 15D-13) Emergency Meeting of Board Held 6/13/01.

Item 99 – (Comm. 15D-14) Emergency Meeting of Board Held 6/18/01.

Item 100 - (Comm. 15D-15) Board Minutes from Meeting Held 6/27/01.

The above four items were received and filed.

**COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES**

**FROM THE NYS FISH & WILDLIFE MANAGEMENT BOARD**

Item 101 (Comm. 15M-1) Region 9 Fish & Wildlife Management Board Minutes from Meeting Held 6/7/01.

Received and filed.

**FROM OTB**

Item 102 – (Comm. 15M-2) Minutes from Meeting Held 5/2/01 – 5/3/01.

Received and filed.

FROM NYSDEC

Item 103 – (Comm. 15M-3) Fact Sheet.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM DOUGLAS DEDRICK

Item 104 – (Comm. 15M-4) Unwanted Pet Problem.

Received and referred to the HEALTH COMMITTEE.

FROM THE ERIE-NIAGARA TOBACCO-FREE COALITION

Item 105 – (Comm. 15M-5) Letter to Legisaltor Fisher Re: Updates on Indoor Air Quality.

Received and referred to the HEALTH COMMITTEE.

FROM GOVERNOR PATAKI

Item 106 – (Comm. 15M-6) Receipt of Resolutions.

Received and filed.

FROM HAMILTON, HOUSTON, LOWNIE

Item 107 – (Comm. 15M-7) Copy of Letter to the Children's Place of Buffalo & Erie County Re: EC Courts Renovation.

Received and filed.

FROM THE NFTA

Item 108 – (Comm. 15M-8) Minutes from Meeting Held 5/21/01.

Received and filed.

FROM JOE GIAFAGLIONE

Item 109 – (Comm. 15M-9) Letter to Legislature Re: Urging the 40% Rule for Smoking in Bars & Taverns Remains.

Received and referred to the HEALTH COMMITTEE.

FROM THE BUFFALO & ERIE COUNTY WORKFORCE DEVELOPMENT CONSORTIUM

Item 110 – (Comm. 15M-10) Copy of Letter to County Executive Re: Activities & Accomplishments.

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM BUFFALO PLACE

Item 111 – (Comm. 15M-11) Letter to Legislator Holt Re: Information Regarding Proposed Amendment of EC Law No. 8 (1984).

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM HEALTH

Item 112 – (Comm. 15M-12) Notice of Meeting to be Held 7/19/01.

Received and referred to the HEALTH COMMITTEE.

FROM DOUGLAS G DEDRICK

Item 113 – (Comm. 15M-13) Letter to Legislator Fisher Re: Plan to End Unwanted Cat Problems.

Received and referred to the HEALTH COMMITTEE.

FROM THE USA NIAGARA DEVELOPMENT CORPORATION

Item 114 – (Comm. 15M-14) Request for Expressions of Interest.

Received and referred to the REGIONALISM AD HOC COMMITTEE.

FROM THE ECIDA

Item 115 – (Comm. 15M-15) Notice of Meeting to be Held 7/11/01.

Received and filed.

FROM THE NFTA



Item 116 – (Comm. 15M-16) Financial Statements for 3/01 & 2000.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FRON WNY CITIZENS FOR SAFE DRINKING WATER

Item 117 – (Comm. 15M-17) “Does Flouridated Water Fight Cavaties”

Item 118 – (Comm. 15M-18) “Flouride Is Not for Infants”.

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

FROM COUNCIL MEMBER MILLER-WILLIAMS

Item 119 – (Comm. 15M-19) Buffalo Place District Expansion.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 120 – CHAIRMAN SWANICK directed that Intro. 6-6 remain on the table.

Item 121 – CHAIRMAN SWANICK directed that Intro. 6-7 remain on the table.

CHAIRMAN SWANICK declared the Legislature in recess.

CHAIRMAN SWANICK declared the Legisalture reconvened.

Item 122 – CHAIRMAN SWANICK directed that Comm. 13E-45 remain on the table.

**ADJOURNMENT**

Item 123 – 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 p.m. Thursday, July 12, 2001**. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

The Chairman declared the Legislature adjourned until Thursday, July 12, 2001 at 2 p.m. Eastern Standard Time.

**LAURIE MANZELLA**  
**CLERK**