

**MEETING NO. 16**  
**September 25, 2003**

**ERIE COUNTY LEGISLATURE**

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The Legislature was called to order by Chairman Swanick.

All Members Present except Legislator Larson.

The invocation was led by Rev. Dr. John R. Scarafia, Jr. Pastor St. John's.

The Pledge of Allegiance was led by Mr. Kuwik.

Item 1 – CHAIRMAN SWANICK directed that Comm. 20E-2 (2002) remain on the table.

Item 2 – MR. RANZENHOFER moved to reconsider Intro. 15-10 (2003) from Meeting #15.  
 MR. WEINSTEIN seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 531

Re: Elma Agricultural District (EC#13) 8-Year  
 Review & Recertification.

A RESOLUTION SUBMITTED BY LEGISLATORS  
 SWANICK, RANZENHOFER, CHASE, CUSACK, FALKNER, LARSON, McCARVILLE,  
 WEINSTEIN, HOLT, DALE, DeBENEDETTI, DUSZA, FISHER, KUWIK, MARINELLI,  
 SCHROEDER & SMITH

**WHEREAS**, the Elma Agricultural District (EC#13), with extensions into the Towns of Aurora and Orchard Park, was initially created June 20, 1979 and recertified in 1987 and 1995, and

**WHEREAS**, Article 25AA of the New York State Agricultural and Markets Law, Section 303-a.1, specifies that the County Legislative body shall review any agricultural district created under this section eight years after the date of its creation and every eight years thereafter, and

**WHEREAS**, pursuant to a resolution on March 6, 2003, the Erie County Legislature directed the Clerk of the Legislature to publish a public notice of the district's review, and

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

**WHEREAS**, on the 14<sup>th</sup> day of July 2003, pursuant to public notice, a public hearing was held within the agricultural district at the Elma Town Hall, and

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

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**WHEREAS**, the following properties are listed as additions and deletions (modifications) resulting in a net decrease of 13.04 acres to the Elma Agricultural District, and

**ADDITIONS**

<b>NAME</b>	<b>PROPERTY LOCATION</b>	<b>ACRES</b>	<b>TAX I.D.</b>
Mark & Sarah Roelofs	1840 Billington Rd., Elma	62.74	155.00-3-27.1
Norman & Alma Zilke	890 Blossom Rd., Elma	65.5	136.01-2-9.11
Mark & Sarah Roelofs	511 Bowen Rd., Elma	1.76	155.00-3-27.2
Ginny Wolski	6501 Clinton St., Elma	47.16	127.03-1-3.11
Michael & Ann Fanelli	541 Schultz Rd., Elma	12.0	146.00-3-54.11
Christopher & Lynn Kerr	502 Jewett Holmwood Rd., Aurora	5.06	174.00-2-31.1
Christopher & Lynn Kerr	492 Jewett Holmwood Rd., Aurora	15.54	174.00-2-51
Jeffrey & Susan Mikula	453 Jewett Holmwood Rd., Aurora	5.5	174.00-3-29.1
Bernard & Michelle Kowalczyk	1154 Jewett Holmwood Rd., Aurora	4.69	174.03-1-12
	<b>Total Additions</b>	<b>219.95 acres</b>	

**DELETIONS**

<b>NAME</b>	<b>PROPERTY LOCATION</b>	<b>ACRES</b>	<b>TAX I.D.</b>
James & Rebecca Wzykiewicz	1930 Bowen Rd., Elma	3.44	146.01-1-10.21
James & Rebecca Wzykiewicz	Bowen Rd., Elma	43.4	146.01-1-10.111
James & Rebecca Wzykiewicz	Rice Rd., Elma	25.0	146.00-4-1
Marie O'Brien	Rice Rd., Elma	72.6	145.00-2-2
James & Rebecca Wzykiewicz	960 Schultz Rd., Elma	40.1	146.02-2-47.11
Creekside Development, LLC	1288 Quaker Rd., Aurora	38.95	163.00-2-19
Jerry Morrow	1045 Willardshire Rd., Aurora	9.5	163.00-1-2
	<b>Total Deletions</b>	<b>232.99 acres</b>	
	<b>Net Decrease</b>	<b>13.04 acres</b>	

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

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Erie County Legislature does hereby approve and reaffirm the existing Elma Agricultural District together with the modifications (additions/deletions) and the Negative Declaration, and be it further

**RESOLVED**, that upon adoption of this resolution, the Clerk of the Legislature is hereby directed to forward the necessary documentation to the appropriate officials of the State of New York in accordance with the Agricultural and Markets Law and that certified copies of this resolution be sent to the Erie County Department of Environment and Planning, and to the Town Supervisors and Town Clerks of Elma, Aurora and Orchard Park.

**FISCAL IMPACT:** To be determined.

MR. RANZENHOFER moved to amend the resolution. MR. WEINSTEIN seconded.

CARRIED UNANIMOUSLY.

- **DELETE** the resolution in its entirety and **REPLACE** with the following:

**WHEREAS**, the Elma Agricultural District (EC#13), with extensions into the Towns of Aurora and Orchard Park, was initially created June 20, 1979 and recertified in 1987 and 1995, and

**WHEREAS**, Article 25AA of the New York State Agricultural and Markets Law, Section 303-a.1, specifies that the County Legislative body shall review any agricultural district created under this section eight years after the date of its creation and every eight years thereafter, and

**WHEREAS**, pursuant to a resolution on March 6, 2003, the Erie County Legislature directed the Clerk of the Legislature to publish a public notice of the district's review, and

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

**WHEREAS**, on the 14<sup>th</sup> day of July 2003, pursuant to public notice, a public hearing was held within the agricultural district at the Elma Town Hall, and

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

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**ERIE COUNTY LEGISLATURE**

**WHEREAS**, the following properties are listed as additions and deletions (modifications) resulting in a net increase of 36.79 acres to the Elma Agricultural District, and

**ADDITIONS**

<b>NAME</b>	<b>PROPERTY LOCATION</b>	<b>ACRES</b>	<b>TAX I.D.</b>
Mark & Sarah Roelofs	1840 Billington Rd., Elma	62.74	155.00-3-27.1
Norman & Alma Zilke	890 Blossom Rd., Elma	65.5	136.01-2-9.11
Mark & Sarah Roelofs	511 Bowen Rd., Elma	1.76	155.00-3-27.2
Ginny Wolski	6501 Clinton St., Elma	47.16	127.03-1-3.11
Michael & Ann Fanelli	541 Schultz Rd., Elma	12.0	146.00-3-54.11
Christopher & Lynn Kerr	502 Jewett Holmwood Rd., Aurora	5.06	174.00-2-31.1
Christopher & Lynn Kerr	492 Jewett Holmwood Rd., Aurora	15.54	174.00-2-51
Jeffrey & Susan Mikula	453 Jewett Holmwood Rd., Aurora	5.5	174.00-3-29.1
Bernard & Michelle Kowalczyk	1154 Jewett Holmwood Rd., Aurora	4.69	174.03-1-12
David P. Jones	655 Luther Rd., Aurora	5.02	174.00-3-45.2
Loretta C. Jones	Luther Rd., Aurora	44.81	174.00-3-45.1
	<b>Total Additions</b>	<b>269.78 acres</b>	

**DELETIONS**

<b>NAME</b>	<b>PROPERTY LOCATION</b>	<b>ACRES</b>	<b>TAX I.D.</b>
James & Rebecca Wyzykiewicz	1930 Bowen Rd., Elma	3.44	146.01-1-10.21
James & Rebecca Wyzykiewicz	Bowen Rd., Elma	43.4	146.01-1-10.111
James & Rebecca Wyzykiewicz	Rice Rd., Elma	25.0	146.00-4-1
Marie O'Brien	Rice Rd., Elma	72.6	145.00-2-2
James & Rebecca Wyzykiewicz	960 Schultz Rd., Elma	40.1	146.02-2-47.11
Creekside Development, LLC	1288 Quaker Rd., Aurora	38.95	163.00-2-19
Jerry Morrow	1045 Willardshire Rd., Aurora	9.5	163.00-1-2
	<b>Total Deletions</b>	<b>232.99 acres</b>	
	<b>Net Increase</b>	<b>36.79 acres</b>	

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

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Erie County Legislature does hereby approve and reaffirm the existing Elma Agricultural District together with the modifications (additions/deletions) and the Negative Declaration, and be it further

**RESOLVED**, that upon adoption of this resolution, the Clerk of the Legislature is hereby directed to forward the necessary documentation to the appropriate officials of the State of New York in accordance with the Agricultural and Markets Law and that certified copies of this resolution be sent to the Erie County Department of Environment and Planning, and to the Town Supervisors and Town Clerks of Elma, Aurora and Orchard Park.

**FISCAL IMPACT:** To be determined.

MR. RANZ moved the approval of the resolution as amended. MR. WEINSTEIN seconded.

CARRIED UNANIMOUSLY.

Item 3 – MR. RANZENHOFER moved the approval of minutes for Meeting No. 14 of 2003. MR. WEINSTEIN seconded. MR. DALE in the negative.

CARRIED. (WEIGHTED VOTE: 14.920 – 0.888)

**MISCELLANEOUS RESOLUTIONS**

Item 4 – MR. DeBENEDETTI, ET AL presented a resolution Honoring 9/27/03 as Baby Joe Mesi Day in Erie County. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

Item 5 – MR. DUSZA, ET AL presented a resolution Honoring the Professional & Businessmen's Association Upon their 100<sup>th</sup> Anniversary. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

Item 6 – MR. DUSZA, ET AL presented a resolution Honoring the Polish Falcon Society of Depew, New York Upon their 100<sup>th</sup> Anniversary. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

Item 7 – MR. SMITH presented a resolution Honoring Pastor Reginald L. & Elect Lady Veronica V. Daymon on their 27<sup>th</sup> Wedding Anniversary. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

Item 8 – MR. HOLT & MR. SMITH presented a resolution Honoring Daisy Bell-Durant-Branch Day. MS. FISHER seconded.

CARRIED UNANIMOUSLY.

Item 9 – MR. HOLT & MR. SMITH presented a resolution Honoring Calvary Baptist Church 65<sup>th</sup> Anniversary. MR. DUSZA seconded.

CARRIED UNANIMOUSLY.

Item 10 – MR. HOLT & MR. SMITH presented a resolution Honoring Elder Alan Core. MR. DUSZA seconded.

CARRIED UNANIMOUSLY.

Item 11 – MR. HOLT & MR. SMITH presented a resolution Honoring the Commissioning Service of Rev. Kenyatta T. Cobb as Missionary for the Lutheran Church Missouri Synod in America. MR. DUSZA seconded.

CARRIED UNANIMOUSLY.

Item 12 – MR. HOLT & MR. SMITH presented a resolution Honoring Raynard Lawler, First African-American to Head Major Hotel Locally in Buffalo. MR. DUSZA seconded.

CARRIED UNANIMOUSLY.

Item 13 – MR. DeBENEDETTI & MR. DALE, ET AL presented a resolution Honoring the Boys & Girls Club of America. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

Item 14 – MR. WEINSTEIN presented a resolution Recognizing the Installation of James H. Bowman as Bishop of the Great Commission Fellowship of Churches International. MR. RANZENHOFER seconded.

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CARRIED UNANIMOUSLY.

Item 15 – MR. McCARVILLE, ET AL presented a resolution Recognizing Girl Scout Troop 685 for their Efforts to Establish Bus Drivers of America Appreciation Day. MR. RANZENHOFER seconded.

CARRIED UNANIMOUSLY.

Item 16 – MR. WEINSTEIN, ET AL presented a resolution Recognizing the Inauguration of Joseph W. Bascuas, Ph. D as the Fifth President of Medaille College. MR. RANZENHOFER seconded.

CARRIED UNANIMOUSLY.

Item 17 – MR. CUSACK, ET AL presented a resolution Recognizing the Boys & Girls Club of Buffalo & the JC Penney Afterschool Fund. MR. RANZENHOFER seconded.

CARRIED UNANIMOUSLY.

Item 18 – MR. KUWIK presented a resolution Celebrating the 50<sup>th</sup> Anniversary of the Blasdell Library. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

**LOCAL LAWS**

Item 19 – CHAIRMAN SWANICK directed that Local Law No. 4 (Print #1) 2002 remain on the table.

Item 20 – CHAIRMAN SWANICK directed that Local Law No. 4 (Print #2) 2002 remain on the table.

Item 21 – CHAIRMAN SWANICK directed that Local Law No. 5 (Print #1) 2002 remain on the table and in the FINANCE & MANAGEMENT COMMITTEE.

Item 22 – CHAIRMAN SWANICK directed that Local Law No. 7 (Print #1) 2002 remain on the table.

Item 23 – CHAIRMAN SWANICK directed that Local Law No. 1 (Print #1) 2003 remain on the table.

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Item 24 – CHAIRMAN SWANICK directed that Local Law No. 1 (Print #2) 2003 remain on the table and in the ECONOMIC DEVELOPMENT COMMITTEE.

Item 25 – CHAIRMAN SWANICK directed that Local Law No. 2 (Print #1) 2003 remain on the table.

Item 26 – CHAIRMAN SWANICK directed that Local Law No. 7 (Print #1) 2003 remain on the table and in the ECONOMIC DEVELOPMENT COMMITTEE.

Item 27 – CHAIRMAN SWANICK directed that Local Law No. 8 (Print #1) 2003 remain on the table.

Item 28 – MR. HOLT moved to reconsider LL Intro. 4-2 (2002). MR. SCHROEDER seconded.

CHAIRMAN SWANICK directed that a roll call vote be taken.

AYES: DALE, DeBENEDETTI, DUSZA, FISHER, HOLT, KUWIK, MARINELLI, SCHROEDER & SMITH. NOES: CHASE, CUSACK, FALKNER, McCARVILLE, RANZENHOFER, SWANICK & WEINSTEIN.

FAILED. [WEIGHTED VOTE: 8.415 – 7.393 (FAILED TO REACH NEEDED 8.501 MAJORITY VOTE)]

Item 29 – MR. HOLT moved to reconsider LL Intro. 8-1 (2003). MR. SCHROEDER seconded.

CHAIRMAN SWANICK directed that a roll call vote be taken.

AYES: DALE, DeBENEDETTI, DUSZA, FISHER, HOLT, KUWIK, MARINELLI, SCHROEDER & SMITH. NOES: CHASE, CUSACK, FALKNER, McCARVILLE, RANZENHOFER, SWANICK & WEINSTEIN.

FAILED. [WEIGHTED VOTE: 8.415 – 7.393 (FAILED TO REACH NEEDED 8.501 MAJORITY VOTE)]

**COMMITTEE REPORTS**

MR. RANZENHOFER presented the following resolution and moved for immediate consideration. MS. CHASE seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 532

September 18, 2003

ECONOMIC DEVELOPMENT  
 COMMITTEE  
 REPORT NO. 11

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

1. RESOLVED, that the following item is hereby received and referred to the REGIONALISM AD HOC COMMITTEE.

- |    |              |   |       |               |
|----|--------------|---|-------|---------------|
|    | Item         | Page  | -2003 | (Intro. 13-8) |
| a. | <b>HOLT:</b> | Potential Casino in Buffalo's Historic Central Terminal.                        |       |               |
|    |              | (5-0) Legislator Falkner absent. Chairman Swanick present as Ex-Officio Member. |       |               |

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

- |    |                   |   |       |              |
|----|-------------------|---|-------|--------------|
|    | Item              | Page  | -2003 | (Comm. 5E-8) |
| a. | <b>SCHROEDER:</b> | Erie Canal Harbor Project Timeline.   |       |              |
|    |                   | (5-0) Legislator Falkner absent. Chairman Swanick present as Ex-Officio Member. |       |              |

- |    |  |   |       |              |
|----|--|---|-------|--------------|
|    | Item   | Page  | -2003 | (Comm. 7M-9) |
| b. | <b>CONGRESSMAN QUINN &amp; MAYOR MASIELLO:</b> | Buffalo Waterfront Projects Update Meeting.                                     |       |              |
|    |  | (5-0) Legislator Falkner absent. Chairman Swanick present as Ex-Officio Member. |       |              |

- |    |                                  |   |       |               |
|----|----------------------------------|---|-------|---------------|
|    | Item                             | Page  | -2003 | (Comm. 10M-1) |
| c. | <b>EMPIRE STATE DEVELOPMENT:</b> | Erie Canal Harbor Project Supplemental Draft EIS – Draft Scoping Report.        |       |               |
|    |                                  | (5-0) Legislator Falkner absent. Chairman Swanick present as Ex-Officio Member. |       |               |

- |    |               |   |       |               |
|----|---------------|---|-------|---------------|
|    | Item          | Page  | -2003 | (Comm. 11M-5) |
| d. | <b>ECIDA:</b> | Buffalo Waterfront Projects – Summary & Update Report.                          |       |               |
|    |               | (5-0) Legislator Falkner absent. Chairman Swanick present as Ex-Officio Member. |       |               |

- |    |                 |   |       |                |
|----|-----------------|---|-------|----------------|
|    | Item            | Page  | -2003 | (Comm. 15M-19) |
| e. | <b>NYS DOT:</b> | Letter in Response to EC Resolution – Buffalo Skyway.                           |       |                |
|    |                 | (5-0) Legislator Falkner absent. Chairman Swanick present as Ex-Officio Member. |       |                |

- |    |                         |      |       |                |
|----|-------------------------|------|-------|----------------|
| 3. | Item                    | Page | -2003 | (Comm. 15E-22) |
|    | <b>COUNTY EXECUTIVE</b> |      |       |                |

WHEREAS, construction of the new Youth Detention Facility is almost complete and the building is about to reopen after the old facility was demolished, and

WHEREAS, the building must be staffed properly so that the New York State accreditation is not lost, and

WHEREAS, the Department of Public Works, Division of Buildings and Grounds is responsible for the maintenance of this new facility, and

WHEREAS, the Deputy Commissioner of Public Works has concluded that two Stationary Engineers (grade 7), one Head Janitor (grade 6) and two Head Laborers (grade 4) are required to maintain the facility, and

WHEREAS, these positions were not added to the 2003 O&M Budget as the date of opening was not known at the time the budget was prepared, and

WHEREAS, these positions are fifty percent (50%) reimbursed by New York State and fifty percent (50%) reimbursed from Youth Detention,

NOW, THEREFORE, BE IT,

RESOLVED, that the Erie County Legislature authorizes the following positions be added to the Department of Public Works, Division of Buildings and Grounds:

Two – Stationary Engineers (grade 7)

One – Head Janitor (grade 6)

Two – Head Laborers (grade 4)

and be it further,

RESOLVED, that two certified copies of this resolution shall be forwarded to the Commissioner of Public Works, the Commissioner of Personnel, the Director of Budget Management & Finance and the Office of the Comptroller.

(5-0) Legislator Falkner absent. Chairman Swanick present as Ex-Officio Member.

4. Item Page -2003 (Comm. 15E-50)

**COUNTY EXECUTIVE**

WHEREAS, the weather during the winter season of 2002-2003 was extremely harsh in the State of New York, particularly Erie County, and

WHEREAS, the Department of Public Works – Road Fund expended all of the 2003 overtime budget and most of the highway supplies budget during the early months of the year, and

WHEREAS, the Department of Public Works – Road Fund is anticipated to close the 2003 fiscal year with a deficit due to the magnitude of costs associated with the extraordinary winter season, and

WHEREAS, the New York State Legislature has passed legislation allowing municipalities to borrow moneys to reimburse extraordinary expenses related to snow and ice removal,

NOW, THEREFORE, BE IT

RESOLVED, that authorization is hereby provided to bond \$2,000,000 over a period of five years, and be it further

RESOLVED, that the 2003 Capital Budget is hereby amended to include this \$2,000,000 snow removal project, and be it further

RESOLVED, that the revenues associated with the pending bond sale be offset by a transfer of funds to Highway Supplies 210-817 (\$1,300,000) and Overtime 210-801(\$700,000) in the Department of Public Works – Road Fund, and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the Commissioner of Public Works, the Director of Budget, Management and Finance and the County Comptroller. (5-0) Legislator Falkner absent. Chairman Swanick present as Ex-Officio Member.

5. Item Page -2003 (Comm. 15E-51)

**COUNTY EXECUTIVE**

WHEREAS, the Department of Public Works planned to perform work on Center Street and Emery Road, and

WHEREAS, as part of that work, the Town of Aurora requested that the Department of Public Works furnish and install 70 feet of steel casing pipes for future water line and road crossings, and

WHEREAS, the Town of Aurora agreed to reimburse the Department of Public Works \$7,841 for this work,

NOW, THEREFORE, BE IT,

RESOLVED, that the Erie County Legislature accepts \$7,841 from the Town of Aurora for furnishing and installing 70 feet of steel casing pipe and appropriates that money in Fund 210-County Road Fund, Account 817 – Highway Supplies, and be it further,

RESOLVED, that two certified copies of this resolution be forwarded to the Department of Public Works, Office of the Commissioner; and one copy to the Division of Budget Management & Finance; and the Office of the Comptroller. (5-0) Legislator Falkner absent. Chairman Swanick present as Ex-Officio Member.

6. Item Page -2003 (Comm. 15E-52)

**COUNTY EXECUTIVE**

WHEREAS, in a resolution dated June 5, 2003, being Communications No. 10-E-23, your Honorable Body approved assuming responsibility for the City of Buffalo's portion of the Contracts-for-Differences until the end of that contract, and

WHEREAS, by that legislation, any money left in the escrow at the end of the contract will be used to implement energy conservation programs throughout County facilities, and

WHEREAS, that contract has now ended and the amount credited to the County exceeds \$750,000, and

WHEREAS, the Department of Public Works now desires to award a Supplemental Agreement to C.J. Brown Energy, P.C. in the amount of \$75,000 from those funds to further our ongoing conservation program, assist in construction and contract review of the Performance Contracts and assist in the implementation of new programs,

NOW, THEREFORE, BE IT,

RESOLVED, that the Erie County Legislature authorizes a Supplemental Agreement be issued to C.J. Brown Energy, P.C. in the amount of \$75,000 to be taken from these funds for work related to energy conservation/utility work, 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.

(5-0) Legislator Falkner absent. Chairman Swanick present as Ex-Officio Member.

7. Item Page -2003 (Comm. 15E-53)

**COUNTY EXECUTIVE**

WHEREAS, in an earlier resolution, dated the 7<sup>th</sup> Day of September 2000, A.D. being Communications No. 18E-29, your Honorable Body authorized the acceptance of funds from HUD for a previous flooding event, and

WHEREAS, the Department of Public Works has worked closely with the HUD Steering Committee to ensure that the funds expended are in accordance with the grant, and

WHEREAS, the HUD Steering Committee has recommended that \$75,000 be awarded to the Department of Public Works for work previously performed and \$26,424.71 in administrative costs, for a total of \$101,424.71, and

WHEREAS, the Department of Public Works wishes to increase the budget in Fund 210- County Road Fund, Account 817- Highway Supplies by \$101,424.71

NOW, THEREFORE, BE IT,

RESOLVED, that the Erie County Legislature authorizes Fund 210 – County Road Fund, Account 817 – Highway Supplies be increased by \$101,424.71, the source of funds being unanticipated Federal Funds awarded by the HUD Steering Committee for a previous flooding event, and be it further,

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

(5-0) Legislator Falkner absent. Chairman Swanick present as Ex-Officio Member.

8. Item Page -2003 (Comm. 15E-54)

**COUNTY EXECUTIVE**

WHEREAS, the Department of Public Works, Division of Highways, is presently experiencing a shortage of funds in Account 817 (Highway Supplies) due to severe weather conditions experienced during the 2002-2003 winter season, and

WHEREAS, additional salting and plowing on State roads is recoverable by contract with New York State, and

WHEREAS, the Division of Highways will realize unanticipated revenues in Account 474 (State-Aid-Snow Plowing) exceeding \$433,395.00,

NOW, THEREFORE, BE IT,

RESOLVED, that appropriations in Account 817 (Highway Supplies) be increased by \$433,395.00, to provide for the payment of materials purchased in 2003 to combat snow and ice, the source of funds being unanticipated revenues in the amount of \$433,395.00 in Account 474 (State-Aid-Snow Plowing), the annual budget for these accounts having being realized, and be it further,

RESOLVED, that the Division of Budget Management & Finance be authorized to increase the budget for revenue and the appropriation for Account 474 (State-Aid-Snow Plowing) by the amount of \$433,395.00 and Account 817 by \$433,395.00, and be it further,

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

(5-0) Legislator Falkner absent. Chairman Swanick present as Ex-Officio Member.

9. Item page -2003 (Comm. 15E-55)

**COUNTY EXECUTIVE**

WHEREAS, Pursuant to New York State Highway Law, Article 6, Section 118A, the Deputy Commissioner of Public Works, Division of Highways, recommends to abandon to the adjacent property owner a portion of existing right-of-way on Milestrip Road, SH 9537 (formerly CR 460), in the Town of Orchard Park that is no longer needed for highway purposes.

NOW, THEREFORE BE IT

RESOLVED, that upon the recommendation of the Deputy Commissioner of Public Works, Division of Highways, a portion of the existing right-of-way as shown on the attached map No. 12-C and description of Parcel No. 255 be abandoned to the adjacent land owner known to be Frank A. Delia for consideration of \$25,000.00 as determined by the Division of Budget, Management and Finance, payable to the County of Erie. The area of the abandonment being 0.566 acres, more or less, and be it further

RESOLVED, that the County Executive be authorized to execute and acknowledge in the name of the County and affix the seal of the County to a quit claim deed of the aforementioned land so to be abandoned, and be it further

RESOLVED, that the Clerk of the County Legislature be instructed to forward five (5) certified copies of this resolution to the Deputy Commissioner-Highways, Department of Public Works and one certified copy each to the Erie County Comptroller, the Commissioner of Public Works, and the County Attorney.

(5-0) Legislator Falkner absent. Chairman Swanick present as Ex-Officio Member.

**AS AMENDED**

10. Item Page -2003 (Intro. 15-33)  
**DUSZA, SCHROEDER, KUWIK, HOLT, DEBENDETTI, SMITH, MARINELLI,  
 DALE, FISHER, RANZENHOFER, LARSON & SWANICK**

WHEREAS, the proud tradition of steel-making is a vital part of our community's history and identity, and our local economy is still very linked to the steel industry as a provider of quality jobs, and

WHEREAS, a thorough Section 201 investigation by the U.S. International Trade Commission (ITC) has concluded that U.S. steel companies, communities, families and other, non-steel manufacturing operations have been injured as a result of illegally-dumped foreign steel, and

WHEREAS, as a result of that investigation, the ITC has recommended immediate action by the U.S. Department of Commerce to curb the illegal dumping of foreign steel in U.S. markets, and

WHEREAS, after receiving the ITC's recommendation and considering a range of remedies, the Department of Commerce and the Bush Administration took legal correction action and instituted limited tariffs on specific steel products for a period of three (3) years, and

WHEREAS, enactment of the tariffs has slowed the illegal dumping of foreign steel and has allowed U.S. steel-makers and their employees to partially recover from the crisis sparked in 1998 by the illegally dumped foreign steel, and

WHEREAS, if the U.S. steel industry is to survive, this recovery must continue, and

**MEETING NO. 16**  
**September 25, 2003**

**ERIE COUNTY LEGISLATURE**

WHEREAS, the U.S. steel industry is currently experiencing wide-scale restructuring and consolidation that will enable the remaining U.S. steel companies to effectively compete in an increasingly global marketplace,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature expresses its support for the continuation of these protective tariffs through their three-year term, and opposes any efforts to terminate these tariffs prematurely, given the devastating effects such a termination would have on our community, and be it further

RESOLVED, that this Honorable Body urges the Bush Administration to allow these tariffs to continue through their term, and to continue to support U.S. steel-makers, steelworkers, and their families and communities, and be it further

RESOLVED, that certified copies of this resolution be transmitted to President George W. Bush, Secretary of Commerce Donald Evans, ITC Chairman Deanna Tanner Okun, and Louis Thomas, Director of District 4 of the United Steelworkers of America (4285 Genesee Street, Suite 110, Cheektowaga, NY 14225-1932).

Fiscal Impact: None for this resolution.

(5-0) Legislator Falkner absent. Chairman Swanick present as Ex-Officio Member.

**MICHAEL H. RANZENHOFER**  
**CHAIRMAN**

MR. RANZENHOFER moved to separate item #4 and moved the approval of the balance of the report. MS. CHASE seconded.

CARRIED UNANIMOUSLY.

CHAIRMAN SWANICK directed that item #4 be sent back to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 31 – MR. RANZENHOFER presented the following resolution and moved for immediate consideration. MR. FALKNER seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 533

September 18, 2003

FINANCE & MANAGEMENT  
COMMITTEE  
REPORT NO. 10

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

1. RESOLVED, that the following item is received, filed and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

- |    |   |  |       |               |
|----|---|--|-------|---------------|
|    | Item  | Page   | -2003 | (Comm. 15E-4) |
| a. | <b>COUNTY EXECUTIVE:</b>  | Response to Comptroller's Audit – Locally Administered Federal Aid Capital Projects – Reimbursement Claiming Process 8/1/00 – 9/30/02. |       |               |
|    | (5-0) Legislator Falkner absent. Chairman Swanick present as Ex-Officio Member. |  |       |               |

2. RESOLVED, that the following items are received and filed.

- |    |   |   |       |              |
|----|---|---|-------|--------------|
|    | Item  | Page  | -2003 | (Comm. 2E-1) |
| a. | <b>DeBENEDETTI:</b>   | Copy of Letter to Comptroller Re: Remaining Balances in Adelphia Parking & HSBC Arena Assistance. |       |              |
|    | (5-0) Legislator Falkner absent. Chairman Swanick present as Ex-Officio Member. |   |       |              |

- |    |   |  |       |               |
|----|---|--|-------|---------------|
|    | Item  | Page   | -2003 | (Comm. 9M-17) |
| b. | <b>CITY OF BUFFALO:</b>   | Sharing of the 8 <sup>th</sup> Penny of Sales Tax. |       |               |
|    | (4-1) Legislator Falkner absent. Chairman Swanick present as Ex-Officio Member. Legislator DeBenedetti voted in the negative. |  |       |               |

- |    |   |   |       |               |
|----|---|---|-------|---------------|
|    | Item  | Page  | -2003 | (Comm. 13M-6) |
| c. | <b>CITY OF BUFFALO:</b>   | Certified Resolution Re: Financial Control Board for City of Buffalo. |       |               |
|    | (5-0) Legislator Falkner absent. Chairman Swanick present as Ex-Officio Member. |   |       |               |

- |    |   |                                     |       |               |
|----|---|-------------------------------------|-------|---------------|
|    | Item  | Page                                | -2003 | (Comm. 14D-1) |
| d. | <b>DIRECTOR OF REAL PROPERTY:</b>   | Auction of County-Owned Properties. |       |               |
|    | (5-0) Legislator Falkner absent. Chairman Swanick present as Ex-Officio Member. |                                     |       |               |

- |    |   |  |       |               |
|----|---|--|-------|---------------|
|    | Item  | Page   | -2003 | (Comm. 14M-5) |
| e. | <b>TOWN OF WALES:</b>   | Copy of Certified Resolution Re: Opposition to Sharing Sales Tax with Buffalo. |       |               |
|    | (5-0) Legislator Falkner absent. Chairman Swanick present as Ex-Officio Member. |  |       |               |

- |    |   |   |       |               |
|----|---|---|-------|---------------|
|    | Item  | Page  | -2003 | (Comm. 15D-5) |
| f. | <b>BUDGET, MANAGEMENT &amp; FINANCE:</b>  | Budget Monitoring Report for Period Ending 5/31/03. |       |               |
|    | (5-0) Legislator Falkner absent. Chairman Swanick present as Ex-Officio Member. |   |       |               |

	Item	Page	-2003	(Comm. 15D-19)
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- g. **BUDGET, MANAGEMENT & FINANCE:** Budget Monitoring Report for Period Ending 6/30/03.  
 (5-0) Legislator Falkner absent. Chairman Swanick present as Ex-Officio Member.

- |  |      |      |       |               |
|--|------|------|-------|---------------|
|  | Item | Page | -2003 | (Comm. 15E-3) |
|--|------|------|-------|---------------|
- h. **COMPTROLLER:** Comprehensive Annual Financial Report for Fiscal Year Ended 12/31/02.  
 (5-0) Legislator Falkner absent. Chairman Swanick present as Ex-Officio Member.

- |  |      |      |       |               |
|--|------|------|-------|---------------|
|  | Item | Page | -2003 | (Comm. 15E-5) |
|--|------|------|-------|---------------|
- i. **COMPTROLLER:** Review of Unfilled Vacant Positions.  
 (5-0) Legislator Falkner absent. Chairman Swanick present as Ex-Officio Member.

- |  |      |      |       |               |
|--|------|------|-------|---------------|
|  | Item | Page | -2003 | (Comm. 15E-6) |
|--|------|------|-------|---------------|
- j. **COMPTROLLER:** Apportionment & Distribution of the 4% Sales Tax for 7/03.  
 (5-0) Legislator Falkner absent. Chairman Swanick present as Ex-Officio Member.

- |  |      |      |       |               |
|--|------|------|-------|---------------|
|  | Item | Page | -2003 | (Comm. 15E-7) |
|--|------|------|-------|---------------|
- k. **COMPTROLLER:** Audited Financial Statements & Management Letter for ECMC for Fiscal Year Ended 12/31/02.  
 (5-0) Legislator Falkner absent. Chairman Swanick present as Ex-Officio Member.

- |  |      |      |       |               |
|--|------|------|-------|---------------|
|  | Item | Page | -2003 | (Comm. 15E-9) |
|--|------|------|-------|---------------|
- l. **COMPTROLLER:** Quarterly Investment Report 4/1/03 – 6/30/03.  
 (5-0) Legislator Falkner absent. Chairman Swanick present as Ex-Officio Member.

- |  |      |      |       |                |
|--|------|------|-------|----------------|
|  | Item | Page | -2003 | (Comm. 15E-12) |
|--|------|------|-------|----------------|
- m. **COMPTROLLER:** Audited Financial Statements for ECC for Fiscal Year Ended 8/31/02.  
 (5-0) Legislator Falkner absent. Chairman Swanick present as Ex-Officio Member.

- |  |      |      |       |                |
|--|------|------|-------|----------------|
|  | Item | Page | -2003 | (Comm. 15E-13) |
|--|------|------|-------|----------------|
- n. **COMPTROLLER:** Apportionment & Distribution of 4% Sales Tax for 8/03.  
 (5-0) Legislator Falkner absent. Chairman Swanick present as Ex-Officio Member.

- |  |      |      |       |                |
|--|------|------|-------|----------------|
|  | Item | Page | -2003 | (Comm. 15E-16) |
|--|------|------|-------|----------------|
- o. **COMPTROLLER:** EC Supplement to the Comprehensive Annual Financial Report for Year Ended 12/31/02.  
 (5-0) Legislator Falkner absent. Chairman Swanick present as Ex-Officio Member.

- |  |      |      |       |                |
|--|------|------|-------|----------------|
|  | Item | Page | -2003 | (Comm. 15E-18) |
|--|------|------|-------|----------------|
- p. **COMPTROLLER:** Interim Financial Reports for 3 Months Ended 3/31/03 & 6 Months Ended 6/30/03.  
 (5-0) Legislator Falkner absent. Chairman Swanick present as Ex-Officio Member.

	Item	Page	-2003	(Comm. 15E-19)
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- q. **COMPTROLLER:** Cost of Borrowing Report – Sale of \$81,540,000 of General Obligation Bonds.  
 (5-0) Legislator Falkner absent. Chairman Swanick present as Ex-Officio Member.

Item Page -2003 (Comm. 15E-20)

- r. **COMPTROLLER:** Cost of Borrowing Report – Sale of a \$90,000,000 Revenue Anticipation Note.  
 (5-0) Legislator Falkner absent. Chairman Swanick present as Ex-Officio Member.

Item Page -2003 (Comm. 15M-2)

- s. **TOWN OF BRANT:** Certified Resolution Re: Opposition to Sharing of 1% Sales Tax.  
 (5-0) Legislator Falkner absent. Chairman Swanick present as Ex-Officio Member.

Item Page -2003 (Comm. 15M-3)

- t. **TOWN OF ALDEN:** Certified Resolution Re: Opposition to Sharing of 1% Sales Tax.  
 (5-0) Legislator Falkner absent. Chairman Swanick present as Ex-Officio Member.

Item Page -2003 (Comm. 15M-13)

- u. **TOWN OF NORTH COLLINS:** Certified Resolution Re: Opposition to Sharing of 1% Sales Tax.  
 (5-0) Legislator Falkner absent. Chairman Swanick present as Ex-Officio Member.

Item Page -2003 (Comm. 15M-14)

- v. **TOWN OF COLDEN:** Certified Resolution Re: Opposition to Sharing of 1% Sales Tax.  
 (5-0) Legislator Falkner absent. Chairman Swanick present as Ex-Officio Member.

Item Page -2003 (Comm. 15M-16)

- w. **TOWN OF EDEN:** Certified Resolution Re: Opposition to Sharing of 1% Sales Tax.  
 (5-0) Legislator Falkner absent. Chairman Swanick present as Ex-Officio Member.

Item Page -2003 (Comm. 15M-21)

- x. **NYS BOARD OF REAL PROPERTY SERVICES:** List of 2003 State Equalization Rates.  
 (5-0) Legislator Falkner absent. Chairman Swanick present as Ex-Officio Member.

Item Page -2003 (Comm. 15M-28)

- y. **NYS BOARD OF REAL PROPERTY SERVICES:** List of Certified 2003 State Equalization Rates.  
 (5-0) Legislator Falkner absent. Chairman Swanick present as Ex-Officio Member.

Item Page -2003 (Comm. 15M-29)

- z. **NYS BOARD OF REAL PROPERTY SERVICES:** List of Certified 2003 Class Equalization Rates.  
 (5-0) Legislator Falkner absent. Chairman Swanick present as Ex-Officio Member.

Item Page -2003 (Comm. 15M-30)





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**ERIE COUNTY LEGISLATURE**

**S-B-L 68.20-1-36**

**142289 AMHERST**

Acct. No. 112                      \$18.59    County  
 Acct. No. 132                      \$23.16    Town/SpecialDist/School

**Charge To :                      142289 AMHERST                      \$23.16**

REFUND - CLERICAL ERROR, THE ASSESMENT WAS ENTERED INCORRECTLY.  
 THE ASSESSED VALUE WAS 129,000 AND SHOULD BE 125,000. RPTL 550(2)A  
 CHECK FOR: ELYSE LYNN S ONDRUSEK

**FISCAL YEAR 2003**

Petition No.                      **203255**

ASSESSOR                      **Refund**                      \$19.12

**S-B-L 68.20-1-36**

**142201 WILLIAMSVILLE**

Acct. No. 112                      \$0.00    County  
 Acct. No. 132                      \$19.12    Town/SpecialDist/School

**Charge To :                      142201 WILLIAMSVILLE                      \$19.12**

**Relevy Village**                      \$16.36    Village of WILLIAMSVILLE

REFUND - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY.  
 THE ASSESSMENT WAS 129,000 AND SHOULD BE 125,000. RPTL 550(2)A  
 CHECK FOR: ELYSE LYNN ONDRUSEK

**FISCAL YEAR 2003**

Petition No.                      **203256**

ASSESSOR                      **Refund**                      \$105.55

**S-B-L 69.13-1-5**

**142201 WILLIAMSVILLE**

Acct. No. 112                      \$0.00    County  
 Acct. No. 132                      \$105.55    Town/SpecialDist/School

**Charge To :                      142201 WILLIAMSVILLE                      \$105.55**

**Relevy Village**                      \$105.55    Village of WILLIAMSVILLE

REFUND - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF  
 25,800 / 30% WAS OMITTED FROM THE TAX ROLL. RPTL 550(2)C  
 CHECK FOR: ELEANOR HERRSCHER











**MEETING NO. 16**  
**September 25, 2003**

**ERIE COUNTY LEGISLATURE**

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$115.71	Town/SpecialDist/School
<b><u>Charge To :</u></b>	<b>142201 WILLIAMSVILLE</b>	<b>\$115.71</b>	

**Relevy Village** \$115.71 Village of WILLIAMSVILLE  
 REFUND - CLERICAL ERROR, THE VETERAN'S EXEMPTION IN THE AMOUNT OF  
 28,825 WAS OMITTED IN ERROR FROM THE TAX ROLL RPTL 550(2)C  
 CHECK FOR: GLEN & LAURA MURRAY

**FISCAL YEAR** 2003                      Petition No.                      **203271**

ASSESSOR                      **Refund**                      \$117.92

**S-B-L** 81.06-2-52    **142201 WILLIAMSVILLE**

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$117.92	Town/SpecialDist/School
<b><u>Charge To :</u></b>	<b>142201 WILLIAMSVILLE</b>	<b>\$117.92</b>	

**Relevy Village** \$117.92 Village of WILLIAMSVILLE  
 REFUND - CLERICAL ERROR, THE VETERAN'S EXEMPTION IN THE AMOUNT OF  
 28,825 WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C  
 CHECK FOR: GLEN & B LAURA MURRAY

**FISCAL YEAR** 2003                      Petition No.                      **203272**

ASSESSOR                      **Cancel**                      \$21.85

**S-B-L** 81.09-1-23.1/68    **142201 WILLIAMSVILLE**

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$21.85	Town/SpecialDist/School
<b><u>Charge To :</u></b>	<b>142201 WILLIAMSVILLE</b>	<b>\$21.85</b>	

**Relevy Village** \$21.85 Village of WILLIAMSVILLE  
 CANCEL - CLERICAL ERROR, THE VETERAN'S EXEMPTION IN THE AMOUNT OF  
 8,900 WAS OMITTED FROM THE TAX ROLL. RPTL 550(2)C



**MEETING NO. 16**  
**September 25, 2003**

**ERIE COUNTY LEGISLATURE**

REFUND - ERROR IN ESSENTIAL FACT, ACREAGE WAS INCORRECT ON TAX ROLL.  
 THE ASSESSED VALUE WA 13,500 AND SHOULD BE 11,800. RPTL 550(3)C  
 CHECK FOR: LAURA K WEYLER

**FISCAL YEAR** 2001                      Petition No.                      **203276**

ASSESSOR                      **Refund**                      \$40.79

**S-B-L** 176.00-2-24-1                      **142289 AURORA**

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$40.79	Town/SpecialDist/School
<b>Charge To :</b>	<b>142289 AURORA</b>	<b>\$40.79</b>	
	<b>Relevy School</b>	\$40.79	144201 IROQUOIS CENTRAL

REFUND- ERROR IN ESSENTIAL FACT, INCORECT ACREAGE USED ON THE TAX ROLL  
 THE ASSESSED VALUE WAS 13,500 AND SHOULD BE 11,800. RPTL 550(3)C  
 CHECK FOR: LAURA K WEYLER

**FISCAL YEAR** 2002                      Petition No.                      **203277**

ASSESSOR                      **Refund**                      \$31.53

**S-B-L** 176.00-2-24.1                      **142289 AURORA**

	Acct. No. 112	\$14.41	County
	Acct. No. 132	\$17.12	Town/SpecialDist/School
	24020 AURORA # 1 FIRE PROTECTION	\$2.68	
<b>Charge To :</b>	<b>142289 AURORA</b>	<b>\$14.44</b>	

REFUND - ERROR IN ESSENTIAL FACT, INCORRECT ACREAGE USED ON TAX ROLL  
 THE ASSESSED VALUE WAS 13,500 AND SHOULD BE 11,800. RPTL 550(3)C  
 CHECK FOR: LAURA K WEYLER

**FISCAL YEAR** 2002                      Petition No.                      **203278**

**MEETING NO. 16**  
**September 25, 2003**

**ERIE COUNTY LEGISLATURE**

ASSESSOR                      **Refund**                      \$40.54

**S-B-L** 176.00-2-24.1    **142289 AURORA**

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$40.54	Town/SpecialDist/School
<b><u>Charge To :</u></b>	<b>142289 AURORA</b>		<b>\$40.54</b>
	<b>Relevy School</b>	\$40.54	144201 IROQUOIS CENTRAL

REFUND - ERROR IN ESSENTIAL FACT, INCORRECT ACREAGE USED ON THE TAX ROLL. ASSESSED VALUE WAS 13,500 AND SHOULD BE 11,800. RPTL. 550(3)C  
 CHECK FOR: LAURA K WEYLER

**FISCAL YEAR** 2003                      Petition No.                      **203279**

ASSESSOR                      **Refund**                      \$30.74

**S-B-L** 176.00-2-24-1    **142289 AURORA**

	Acct. No. 112	\$13.88	County
	Acct. No. 132	\$16.86	Town/SpecialDist/School
	24020 AURORA # 1 FIRE PROTECTION	\$2.20	
<b><u>Charge To :</u></b>	<b>142289 AURORA</b>		<b>\$14.66</b>

REFUND - ERROR IN ESSENTIAL FACT, ACREAGE ON TAX ROLL INCORRECT. THE ASSESSED VALUE WAS 13,500 AND SHOULD BE 11,800. RPTL 550(3)C  
 CHECK FOR: LAURA WEYLER

**FISCAL YEAR** 2003                      Petition No.                      **203280**

ASSESSOR                      **CANCEL**                      \$638.19

**S-B-L** 78.22-6-10    **146489 TONAWANDA**

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$638.19	Town/SpecialDist/School
<b><u>Charge To :</u></b>	<b>41834 BASIC STAR</b>		<b>\$638.19</b>

CANCEL – BASIC STAR EXEMPTION IN THE AMOUNT OF 20,080 WAS OMITTED FROM THE TAX ROLL. RPTL 550(2)C KEN TON SCHOOL

**MEETING NO. 16**  
**September 25, 2003**

**ERIE COUNTY LEGISLATURE**

**FISCAL YEAR 2002**                      Petition No.                      **203281**

                                 ASSESSOR                      **Refund**                      \$330.00

**S-B-L** 211.00-4-30.2                      **142600 BOSTON**

                                 Acct. No. 112                      \$0.00                      County

                                 Acct. No. 132                      \$330.00                      Town/SpecialDist/School

**Charge To :**                      **142600 BOSTON**                      **\$330.00**

REFUND - CLERICAL ERROR, PARCEL IS VACANT LAND AND WAS CHARGED FOR  
 3 UNITS OF GARBAGE. RPTL 550(2)E  
 CHECK FOR: BARBARA SCHUNK

**FISCAL YEAR 2003**                      Petition No.                      **203282**

                                 ASSESSOR                      **Cancel**                      \$546.88

**S-B-L** 242.05-2-21                      **142600 BOSTON**

                                 Acct. No. 112                      \$0.00                      County

                                 Acct. No. 132                      \$546.88                      Town/SpecialDist/School

41854 BASIC STAR EXEMPTION                      \$546.88

**Charge To :**                      **142600 BOSTON**                      **\$0.00**

CANCEL- CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF  
 20,710 WAS OMITTED IN ERROR FROM THE TAX ROLL.  
 HAMBURG CENTRAL

**FISCAL YEAR 2003**                      Petition No.                      **203283**

                                 ASSESSOR                      **Cancel**                      \$723.61

**S-B-L** 90.08-6-25                      **143089 CHEEKTOWAGA**

                                 Acct. No. 112                      \$0.00                      County

                                 Acct. No. 132                      \$723.61                      Town/SpecialDist/School

41854 BASIC STAR EXEMPTION                      \$723.61

**MEETING NO. 16**  
**September 25, 2003**

**ERIE COUNTY LEGISLATURE**

**Charge To :                    143089 CHEEKTOWAGA                    \$0.00**

CANCEL - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF 19,500 WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C  
 UNION FREE

**FISCAL YEAR 2003                    Petition No.                    203284**

**ASSESSOR                    Cancel                    \$723.75**

**S-B-L 92.03-1-11                    143089 CHEEKTOWAGA**

Acct. No. 112	\$0.00	County
Acct. No. 132	\$723.75	Town/SpecialDist/School
<b><u>Charge To :</u></b>	<b>143089 CHEEKTOWAGA</b>	<b>\$723.75</b>
<b>Relevy School</b>	<b>\$723.75</b>	<b>143002 CHEEK. UNION #2</b>

CANCEL - CLERICAL ERROR, PARCEL IS A DUPLICATE PARCEL. PARCEL IS BILLED UNDER SBL 92.03-1-9.111. RPTL 550(2)F

**FISCAL YEAR 2003                    Petition No.                    203285**

**ASSESSOR                    Cancel                    \$340.89**

**S-B-L 103.05-8-9                    143089 CHEEKTOWAGA**

Acct. No. 112	\$0.00	County
Acct. No. 132	\$340.89	Town/SpecialDist/School
41854 BASIC STAR EXEMPTION	\$340.89	
<b><u>Charge To :</u></b>	<b>143089 CHEEKTOWAGA</b>	<b>\$0.00</b>

CANCEL - CLERICAL ERROR, PARCEL RECEIVED THE BASIC STAR IN THE AMOUNT OF 19,500 AND SHOULD HAVE RECEIVED THE ENHANCED STAR IN THE AMOUNT OF 32,500. RPTL 550(2)B

**FISCAL YEAR 2002                    Petition No.                    203286**



**MEETING NO. 16**  
**September 25, 2003**

**ERIE COUNTY LEGISLATURE**

REFUND - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF 30,000 WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C  
 CHECK FOR: ROBERT D ROACH JR CLARENCE CENTRAL

**FISCAL YEAR 2003**                      Petition No.                      **203289**

ASSESSOR                      **Cancel**                      \$110.04

**S-B-L** 329.00-1-32.2                      **143601 COLLINS**

Acct. No. 112                      \$74.02      County  
 Acct. No. 132                      \$36.02      Town/SpecialDist/School

**Charge To :**                      **143601 GOWANDA**                      **\$36.02**

CANCEL - CLERICAL ERROR, PARCEL IS A DUPLICATE. THIS WAS CREATED IN THE VILLAGE OF GOWAND AND THE TOWN OF COLLINS. RPTL 550(2)F

**FISCAL YEAR 2003**                      Petition No.                      **203290**

ASSESSOR                      **Cancel**                      \$406.49

**S-B-L** 246.19-2-16                      **145000 HOLLAND**

Acct. No. 112                      \$0.00      County  
 Acct. No. 132                      \$406.49      Town/SpecialDist/School

41854 BASIC STAR EXEMPTION                      \$406.49

**Charge To :**                      **145000 HOLLAND**                      **\$0.00**

CANCEL - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF 30,400 WAS OMITTED FROM THE TAX ROLL. RPTL 550(2)C  
 HOLLAND CENTRAL

**FISCAL YEAR 2002**                      Petition No.                      **203291**

ASSESSOR                      **Refund**                      \$307.05

**MEETING NO. 16**  
**September 25, 2003**

**ERIE COUNTY LEGISLATURE**

**S-B-L 47.18-1-16**

**145689 NEWSTEAD**

Acct. No. 112	\$0.00	County
Acct. No. 132	\$307.05	Town/SpecialDist/School
41834 NYS STAR ENHANCED EXEMPTION	\$307.05	
<b><u>Charge To :</u></b>	<b>145689 NEWSTEAD</b>	<b>\$0.00</b>

REFUND - CLERICAL ERROR, PARCEL RECEIVED THE BASIC STAR 30,000 AND SHOULD HAVE RECEIVED THE ENHANCED STAR 50,000. RPTL 550(2)B  
 CHECK FOR: ELSIE M MARCONI AKRON CENTRAL

**FISCAL YEAR**

Petition No.

**203292**

**Cancel**

**S-B-L**

Acct. No. 112	\$ 339.83	County
Acct. No. 132		Town/SpecialDist/School
<b><u>Charge To :</u></b>	<b>143889 TOWN OF CONCORD</b>	<b>\$ 00.00</b>

CANCEL - CLERICAL ERROR, THE DELINQUENT WATER IS FOR THE PREVIOUS OWNER. PARCEL WAS SOLD AT COUNTY AUCTION. RPTL 550(2)E

**FISCAL YEAR 2003**

Petition No.

**203293**

ASSESSOR

**Cancel**

\$748.58

**S-B-L 324.00-1-22.112**

**146200 SARDINIA**

Acct. No. 112	\$242.81	County
Acct. No. 132	\$505.77	Town/SpecialDist/School
62019 SARDINIA FIRE PROTECT	\$36.86	
<b><u>Charge To :</u></b>	<b>146200 SARDINIA</b>	<b>\$468.91</b>
<b>Relevy School</b>	<b>\$388.74</b>	<b>048401 PIONEER CENTRAL</b>

CANCEL - CLERICAL ERROR, PARCEL IS INCLUDED WITH 324.00-1-22.121.  
 RPTL 550(2)E





PURCHASED PROPERTIES AS OF AUGUST 26, 2003

City/Town	SBL	Owner	Address	BID PRICE	10% B/P	TTL PUR PRICE	FEES	TTL DUE	DEPOSIT	BALANCE DUE
City of Lackawanna	140900	142.08-1-3	COUNTY OF ERIE	98	100	110	150	260	260	0
		151.07-2-48	COUNTY OF ERIE	98	100	110	150	260	260	0
		151.08-4-21.2	COUNTY OF ERIE	5060	100	110	150	260	200	0
City of Tonawanda	141600	39-71-2-11	COUNTY OF ERIE	38	100	110	150	260	260	0
		53.07-4-38	COUNTY OF ERIE	208	100	110	150	260	0	1750
Town of Alden	142089	95-00-3-14	COUNTY OF ERIE	GENESSEE ST	6000	10	600	6750	5000	0
		97.00-2-3	COUNTY OF ERIE	GENESSEE ST	100	10	110	260	260	0
		88.00-5-11	COUNTY OF ERIE	CRITTENDEN RD	100	10	110	260	0	0
Town of Amherst	142289	26-18-2-8 & 9	COUNTY OF ERIE	271/275	500	50	550	700	700	0
		40.04-2-28 & 29	COUNTY OF ERIE	N FRENCH RD	100	10	110	260	260	0
		41.20-10-38	COUNTY OF ERIE	ELLCOTT CREEK PKWY	100	10	110	260	260	0
		41.20-10-41	COUNTY OF ERIE	HEULT RD (NO FRTG)	100	10	110	260	260	0
		42.04-1-22.1	COUNTY OF ERIE	STUEBEL RD	1600	160	1760	1910	400	1510
		42.04-1-45	COUNTY OF ERIE	210	600	60	660	810	200	610
		54.01-1-10	COUNTY OF ERIE	MUEGEL RD (NO FRTG)	100	10	110	260	260	0
		54.10-3-23.24.25	COUNTY OF ERIE	RIDGE LEA RD (NO FRTG)	100	10	110	260	260	0
		55.19-5-1 & 2	COUNTY OF ERIE	10.26.80 JACK RD (NO FRTG)	100	10	110	260	260	0
		55.19-5-17	COUNTY OF ERIE	18.17 PINEBROOK AVE	100	10	110	260	260	1160
		55.19-5-26	COUNTY OF ERIE	2	1300	130	1430	1580	400	200
		56.20-11-15	COUNTY OF ERIE	336	300	30	330	480	200	500
		67.16-3-13	COUNTY OF ERIE	349	500	50	550	700	448	1792
		68.14-4-2	COUNTY OF ERIE	75	1900	190	2090	2240	448	2258
		68.14-4-5	COUNTY OF ERIE	572	2300	230	2530	2830	190	2490
		69.07-1-33.1	COUNTY OF ERIE	548	2300	230	2530	2830	190	100
		70.71-1-17	COUNTY OF ERIE	AYER RD	100	10	110	260	260	0
			COUNTY OF ERIE	CAESAR BLVD	100	10	110	260	260	0
Town of Aurora	142488	176.00-1-2	COUNTY OF ERIE	BIG TREE RD	100	10	110	150	3450	0
		186.01-1-21	COUNTY OF ERIE	MAUNCHESTER RD	3000	300	3300	3450	3450	0
		198.01-1-40	COUNTY OF ERIE	ELLCOTT RD	100	10	110	150	260	0
Town of Boston	142600	211.00-6-8	ERIE COUNTY	HEINRICH RD	0	0	550	150	700	0
				0	0	0	0	0	0	0
				500	0	50	550	700	0	0
Town of Brant	142889	265.00-1-4	COUNTY OF ERIE	SHAW ROAD	100	10	110	150	260	0
		281.05-1-18	COUNTY OF ERIE	FOX STREET	100	10	110	150	260	0
				0	0	0	0	0	480	0
Village of Depew (Cheektowaga Side)	143003	104.05-3-12	COUNTY OF ERIE	FRENCH RD	300	30	330	150	480	0
				0	0	0	0	0	0	0
Town of Cheektowaga	143089	80.19-1-28	COUNTY OF ERIE	EL EVELAND DR	100	10	110	150	260	200
		82.03-4-4	COUNTY OF ERIE	TRANSIT RD	200	20	220	370	370	0
		90.76-5-13	COUNTY OF ERIE	CAROL DR	100	10	110	150	260	0
		90.76-6-21	COUNTY OF ERIE	CAROL DR	100	10	110	150	260	0
		91.07-6-22.2	COUNTY OF ERIE	HUTH RD	100	10	110	150	260	0
		91.11-10-9 & 10	COUNTY OF ERIE	HEMENWAY RD	100	10	110	150	260	0
		91.18-12-19	COUNTY OF ERIE	FREDERICK DR	100	10	110	150	260	0



PURCHASED PROPERTIES AS OF AUGUST 28, 2003

City/Town	SBL	Owner	Address	BID PRICE	10% B/P	TTL PUR PRICE	FEES	TTL DUE	DEPOSIT	BALANCE DUE
	206.05-1-27	COUNTY OF ERIE	7012 WOODCOCK LFF DR	600	60	660	150	810	200	1440
	206.05-1-29	COUNTY OF ERIE	7022 ROOSEVELT DR	1500	150	1650	150	1800	300	2870
	206.05-2-12,13,14	COUNTY OF ERIE	ROOSEVELT DR	300	30	330	150	480	200	1860
	206.05-2-18	COUNTY OF ERIE	MCKINLEY PKWY	2100	210	2310	150	2460	500	2960
	206.06-7-31,32,33	COUNTY OF ERIE	EDGWOOD DR	1000	100	1100	150	1250	260	1520
	220.15-1-14	COUNTY OF ERIE	CHURCH RD	17500	1750	19250	150	19400	260	19660
	234.28-1-12	COUNTY OF ERIE	LAKE SHORE RD	100	10	110	150	1140	260	910
	234.28-2-2	COUNTY OF ERIE	LAKE SHORE RD	800	80	880	150	1030	260	770
	234.28-2-17	COUNTY OF ERIE	PATTON AVE	100	10	110	150	260	260	0
	235.05-2-56,57	COUNTY OF ERIE	SANDY AVE	100	10	110	150	260	260	0
	235.06-2-10	COUNTY OF ERIE	CLEVELAND AVE	100	10	110	150	260	260	0
	236.00-1-30	COUNTY OF ERIE	HOWLAND RD	100	10	110	150	260	260	0
	236.00-3-10	COUNTY OF ERIE	HOWLAND RD	500	50	550	150	700	200	500
	250.06-1-43	COUNTY OF ERIE	OAK ST	300	30	330	150	480	480	0
	250.06-4-51,52	COUNTY OF ERIE	GREENWOOD PL	100	10	110	150	260	260	0
	250.08-4-43	COUNTY OF ERIE	HARDING AVE	1500	150	1650	150	1800	1800	0
	250.11-4-39	COUNTY OF ERIE	GRANGER ST	100	10	110	150	260	260	0
	250.11-4-25	COUNTY OF ERIE	MONROE AVE	100	10	110	150	260	260	0
	250.12-1-23,26	COUNTY OF ERIE	JEFFERSON AVE	100	10	110	150	260	260	0
	250.12-5-31,32,33	COUNTY OF ERIE	ADAMS AVE	100	10	110	150	260	260	0
	250.12-7-15	COUNTY OF ERIE	KENNEDY AVE	100	10	110	150	260	260	0
	250.12-12-18	COUNTY OF ERIE	FRONTIER ST	100	10	110	150	260	260	0
	250.12-12-39	COUNTY OF ERIE	ESSENOWER AV	100	10	110	150	260	260	0
	250.14-4-3	COUNTY OF ERIE	DAWN AVE	100	10	110	150	260	260	0
	250.14-4-16	COUNTY OF ERIE	DAWN AVE	100	10	110	150	260	260	0
	250.15-3-26,27	COUNTY OF ERIE	LAKE SHORE RD	200	20	220	150	370	370	0
	250.17-2-24	COUNTY OF ERIE	ROSEWOOD AVE	110	11	121	150	280	280	0
	250.17-2-50,51	COUNTY OF ERIE	UTICA ST	110	11	121	150	280	280	0
	250.17-4-29	COUNTY OF ERIE	LAKE SHORE RD	100	10	110	150	260	260	0
	250.17-7-1	COUNTY OF ERIE	REEVES RD	100	10	110	150	260	260	0
	250.17-8-48,49	COUNTY OF ERIE	DELANAV AVE	100	10	110	150	260	260	0
	250.17-9-37	COUNTY OF ERIE	THEODORE AVE	100	10	110	150	260	260	0
	251.13-1-16	COUNTY OF ERIE	EVANS ST	0	0	0	0	0	0	0
	251.13-2-7	COUNTY OF ERIE	EVANS ST	0	0	0	0	0	0	0
Town of Grand Island										
	144600	COUNTY OF ERIE	RANSOM RD	100	10	110	150	260	260	0
	50.04-2-18	COUNTY OF ERIE	FIX RD	100	10	110	150	260	260	0
	51.10-1-55	COUNTY OF ERIE	GLEN AVON	100	10	110	150	260	260	0
Village of Hamburg										
	144803	COUNTY OF ERIE	MILFORD ST	1200	120	1320	150	1470	300	1170
Town of Hamburg										
	144888	COUNTY OF ERIE	SALEM DR	100	10	110	150	260	260	0
	151.12-2-2,3	COUNTY OF ERIE	EAST ST	100	10	110	150	260	260	0
	151.12-3-2	COUNTY OF ERIE	ELLIOTT ST	100	10	110	150	260	260	0
	159.18-2-6	COUNTY OF ERIE	BIG TREE RD	100	10	110	150	260	260	0
	160.08-1-8,11	COUNTY OF ERIE	MILESTRIP RD	100	10	110	150	260	260	0
	160.44-2-49	COUNTY OF ERIE	OLYMPIC AVE	100	10	110	150	260	260	0
	160.44-2-50,51,52	COUNTY OF ERIE	OLYMPIC AVE	100	10	110	150	260	260	0

PURCHASED PROPERTIES AS OF AUGUST 28, 2003

City/Town	SBL	Owner	Address	BID PRICE	10% B/P	TTL PUR PRICE	FEES	TTL DUE	DEPOSIT	BALANCE DUE	
Town of Lancaster	145201	104.65-3-36	COUNTY OF ERIE	100	10	110	150	260	260	0	
	104.84-1-6	COUNTY OF ERIE	OLYMPIC AVE	100	10	110	150	260	260	0	
	104.65-2-1-3	COUNTY OF ERIE	NOTTINGHAM TERR	100	10	110	150	260	260	0	
	104.83-5-19	COUNTY OF ERIE	HARVARD ST	100	10	110	150	260	260	0	
	145203	104.05-1-12	COUNTY OF ERIE	HARVARD ST	100	10	110	150	260	260	0
	104.83-5-19	COUNTY OF ERIE	CORNELL ST	300	30	330	330	480	480	0	
	145209	94.05-1-15	COUNTY OF ERIE	MORLOCK AVE	100	10	110	150	260	260	0
	94.05-1-15	COUNTY OF ERIE	HOFFIELD AVE	100	10	110	150	260	260	0	
	94.05-1-17, 18, 19	COUNTY OF ERIE	ROBINSON AVE	100	10	110	150	260	260	0	
	MULTIPLE	COUNTY OF ERIE	LAKEWOOD DR	100	10	110	150	260	260	0	
Town of Newstead	145209	94.05-1-3	COUNTY OF ERIE	100	10	110	150	260	260	0	
	94.05-1-3	COUNTY OF ERIE	ELMHURST RD	100	10	110	150	260	260	0	
	94.05-1-5	COUNTY OF ERIE	ROSEWOOD TERR	100	10	110	150	260	260	0	
	104.07-4-3-3	COUNTY OF ERIE	HILLSIDE CT	100	10	110	150	260	260	0	
	104.33-1-14, 15, 16	COUNTY OF ERIE	SCHULTZ RD	1200	120	1320	150	1470	1470	0	
	104.34-2-14, 15, 16	COUNTY OF ERIE	KOKOMO ST	100	10	110	150	260	260	0	
	105.00-2-11	COUNTY OF ERIE	SANILAC ST	100	10	110	150	260	260	0	
	115.10-3-4	COUNTY OF ERIE	IDA PLACE	100	10	110	150	260	260	0	
	115.12-5-18	COUNTY OF ERIE	JAMES PL	100	10	110	150	260	260	0	
	115.12-5-18	COUNTY OF ERIE	CHRISTEN CT	100	10	110	150	260	260	0	
Town of Orchard Park	145688	8.00-1-28	COUNTY OF ERIE	100	10	110	150	260	260	0	
	72.00-5-22, 23	COUNTY OF ERIE	KOEPSER RD	100	10	110	150	260	260	0	
	73.00-5-24, 26	COUNTY OF ERIE	NICE RD	100	10	110	150	260	260	0	
	8.00-1-30, 1	COUNTY OF ERIE	THRUWAY	100	10	110	150	260	260	0	
	85.00-1-38	COUNTY OF ERIE	GREENBUSH RD	100	10	110	150	260	260	0	
	145801	289.20-1-16	COUNTY OF ERIE	WAHL RD	100	10	110	150	260	260	0
	145801	289.20-1-16	COUNTY OF ERIE	WOODE AVE	100	10	110	150	260	260	0
	145809	152.13-4-3	COUNTY OF ERIE	WINDOM AVE	100	10	110	150	260	260	0
	152.13-5-27	COUNTY OF ERIE	CENTRAL BLVD	100	10	110	150	260	260	0	
	152.13-5-33	COUNTY OF ERIE	CENTRAL BLVD	100	10	110	150	260	260	0	
Village of North Collins	161.07-2-21	COUNTY OF ERIE	CENTRAL BLVD	100	10	110	150	260	260	0	
	161.07-2-24	COUNTY OF ERIE	MCKINLEY	100	10	110	150	260	260	0	
	161.07-2-24	COUNTY OF ERIE	WASHINGTON AVE	100	10	110	150	260	260	0	
	161.07-2-34	COUNTY OF ERIE	LINCOLN AVE	700	70	770	150	990	990	200	



PURCHASED PROPERTIES AS OF AUGUST 28, 2003

City/Town	SBL	Owner	Address	BID PRICE	10% B/P	TTL PUR PRICE	FEES	TTL DUE	DEPOSIT	BALANCE DUE
	135.78-3-1-2.3	COUNTY OF ERIE	GARFIELD AVE	100	10	110	150	260	260	0
	135.78-3-10.1	COUNTY OF ERIE	GARFIELD AVE	100	10	110	150	260	260	0
	142.12-9-19-22	COUNTY OF ERIE	WILLOWDALE AVE	100	10	110	150	260	260	0
	142.12-12-9.10	COUNTY OF ERIE	ELMVIEW AVE	100	10	110	150	260	260	0
D				\$82,520.00	\$8,150.00	\$90,670.00	\$31,950.00	\$122,620.00	*\$77,740.00	\$42,880.00

(5-0) Legislator Falkner absent. Chairman Swanick present as Ex-Officio Member.

**DALE W. LARSON**  
**CHAIRMAN**

MR. RANZENHOFER moved to separate item #4 and moved the approval of the balance of the report. MR. FALKNER seconded.

CARRIED UNANIMOUSLY.

MR. RANZENHOFER moved the approval of item #4. MR. FALKNER seconded.

CHAIRMAN SWANICK directed that a roll call vote be taken.

AYES: DALE, DeBENEDETTI, DUSZA, FISHER, HOLT, KUWIK, MARINELLI, SCHROEDER, SMITH, CHASE, CUSACK, FALKNER, McCARVILLE, RANZENHOFER, SWANICK & WEINSTEIN. NOES: NONE.

CARRIED. (WEIGHTED VOTE: 15.808-0)

Item 32 – MR. RANZENHOFER presented the following resolution and moved for immediate consideration. MR. McCARVILLE seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 534

September 18, 2003

ENERGY & ENVIRONMENT  
 COMMITTEE  
 REPORT NO. 11

ALL MEMBERS PRESENT.

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

- a. **COUNTY EXECUTIVE:** ECSD No. 2 – Southwest Interceptor & Pumping Station  
 Facilities Evaluation – Change Order No. 7.  
 (5-0)

- b.       Item           Page                               -2003           (Comm. 14E-7)  
**COUNTY EXECUTIVE:** ECSD No. 3 – Engineering Service Agreements – Work Order  
PH-4.  
(5-0)
- c.       Item           Page                               -2003           (Comm. 14M-1)  
**CITY OF BUFFALO:** Copy of Certified Resolution Re: Memorializing EC to Adopt Anti-  
Sprawl Measures – Water.  
(5-0)
- d.       Item           Page                               -2003           (Comm. 15D-7)  
**DEP:** SEQR – Negative Declaration – Greenmeadow Subtrunk & Elimination of  
Greenmeadow Pumping Station.  
(5-0)
- e.       Item           Page                               -2003           (Comm. 15E-63)  
**COUNTY EXECUTIVE:** ECSD Nos. 1-6 – Section 270/271 Resolutions.  
(5-0)
- f.       Item           Page                               -2003           (Comm. 15E-64)  
**COUNTY EXECUTIVE:** EC/SSTA – Engineering Service Agreement Dated 6/1/02 –  
Change Order No. 3 – Stearns & Wheler.  
(5-0)
- g.       Item           Page                               -2003           (Comm. 15E-68)  
**COUNTY EXECUTIVE:** ECSD No. 2 – Engineering Service Agreements – Work Order P-  
3, Legislative Comm. 18E-41.  
(5-0)
2.       Item           Page                               -2003           (Comm. 14E-6)  
**COUNTY EXECUTIVE**  
WHEREAS, the Erie County Department of Environment and Planning has approved Work  
Order No. PH-3 with Pratt & Huth Associates, and
- WHEREAS, there is available fund balance in Erie County Sewer District No. 5 to fund this  
Work Order.
- NOW, THEREFORE, BE IT
- RESOLVED, that the Erie County Department of Environmental and Planning will execute  
Work Order No. PH-3, and be it further

RESOLVED, that the Comptroller is authorized and directed to allocate \$24, 273.52 from Erie County Sewer District No.5, Fund Balance 220 851 299 to use of Fund Balance 220 851 813 698 105 and Contractual Services 220 851 810 830; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send two (2) certified copies of this resolution to Charles J. Alessi, P.E., Department of Environment and Planning, and one certified copy to John S. Rizzo, Deputy Comptroller, Erie County Comptroller's Office and to Gregory Dudek, Assistant County Attorney.

(5-0)

3. Item Page -2003 (Comm. 15E-60)

**COUNTY EXECUTIVE**

WHEREAS, the New York State Department of Environmental Conservation (NYSDEC) has granted approval of the application allocating funding of \$106,500 over two years for the Seneca Bluffs Habitat Restoration Project; and

WHEREAS, the City of Buffalo has committed to \$100,000 in a cash contribution over two years for the Seneca Bluffs Wetland Restoration Project; and

WHEREAS, on May 2, 2002, the New York State Department of State – Great Lakes Coastal Watershed Restoration Program (NYSDOS) has granted approval of the application allocating funding of \$100,000 over two years for a Phase II – Seneca Bluffs Aquatic Habitat Restoration Project to be implemented in Erie County; and

WHEREAS, both the NYSDEC and the NYSDOS awarded grant funding based on the fact that the fifteen acres of riverfront property and de-certified paper streets, known as “Seneca Bluffs,” will be protected from development or other negative impact into perpetuity; and

WHEREAS, on July 22, 2003, the City of Buffalo Common Council voted to approve the transfer of title of the property to the County of Erie for the sum of \$1; and

WHEREAS, a full Environmental Assessment Form has been completed in accordance with SEQR, and it has found that no environmental liability is known to exist on the site; and

WHEREAS, the Cornell Cooperative Extension has awarded a \$4,000 grant to be used for restoration planting materials; and

WHEREAS, the ExxonMobil Foundation has awarded a \$5,000 grant for the Seneca Bluffs Project.

NOW, THEREFORE BE IT

RESOLVED, that the County Executive is authorized to enter into the necessary agreements with the City of Buffalo to accept title transfer of the property known as “Seneca Bluffs” for the sum of \$1; and be it further

RESOLVED, that the County Executive is authorized to enter into an agreement with the Cornell Cooperative Extension to accept \$4,000 for restoration planting materials; and be it further

RESOLVED, that the County Executive is authorized to enter into an agreement with the ExxonMobil Foundation to accept \$5,000 for the Seneca Bluffs Project; and be it further

RESOLVED, that the existing grant budget for the Seneca Bluffs Wetland Restoration Project (Project #578) is hereby revised to include the new grant resources as follows:

**REVENUES:**

<b>Account</b>	<b>Description</b>	<b>Current Budget</b>	<b>Revisions</b>	<b>Revised Budget</b>
360	Other Local Share Revenue	\$100,000	\$5,000	\$105,000
553	State Aid - NYSDEC	106,500	0	106,500
553-400	State Aid - NYSDOS	100,000	0	100,000
641	Federal Aid (U.S. Department of Agriculture)	0	4,000	4,000
686-6200	Interfund Revenue-Environment an Planning	50,000	0	50,000
	<b>Total Revenues</b>	<b>\$356,500</b>	<b>\$9,000</b>	<b>\$365,500</b>

**APPROPRIATIONS:**

<b>Account</b>	<b>Description</b>	<b>Current Budget</b>	<b>Revisions</b>	<b>Revised Budget</b>
800	Salaries	\$120,000	0	\$120,000
805	Fringe Benefits	33,000	0	33,000
824	Travel and Mileage	1,900	0	1,900
826	Other Expenses	1,100	0	1,100
830	Contractual Services	200,500	9,000	209,500
	<b>Appropriations</b>	<b>\$356,500</b>	<b>\$9,000</b>	<b>\$365,500</b>
<b>Total</b>				

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; Lawrence D. Jasinski, Commissioner of Parks, Recreation & Forestry; the County Comptroller; the Deputy Commissioner-Director of Real Property Tax Services; and the County Attorney.

(5-0)

**COUNTY EXECUTIVE**

WHEREAS, Erie County is a member of Clean Communities of Western New York; and

WHEREAS, Erie County has taken a lead role in promoting alternative fuel vehicles in Western New York; and

WHEREAS, Daimler Chrysler has donated a Global Electric Motorcar (GEM) to Erie County; and

WHEREAS, Daimler Chrysler may seek to donate additional GEM's in the future; and

WHEREAS, there is no cost to the County to accept any donated GEM's into the County fleet.

NOW, THEREFORE BE IT

RESOLVED, that the County Executive is hereby authorized to accept any donated GEM's from Daimler Chrysler; and be it further

RESOLVED, that the Division of Information and Support Services is authorized to register said vehicles; 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; the Director of Information and Support Services; Michael Raab, Deputy Commissioner of Environment and Planning; the County Comptroller; and the County Attorney.

(5-0)

5. Item Page -2003 (Comm. 15E-62)

**COUNTY EXECUTIVE**

WHEREAS, the County of Erie has made a commitment to facilitate the Cooperative Pesticide Notification Program for a one-year pilot period (Comm. 10E-41 dated June 5, 2003); and

WHEREAS, the negotiated work plan includes a third party evaluation of the Program; and

WHEREAS, Erie County has committed \$18,000 for evaluation of the Cooperative Pesticide Notification Program (DAC 110 9456208301768); and

WHEREAS, in accordance with Article 19.08 of the County Administrative Code, the Department of Environment and Planning issued a formal Request for Proposals/Qualifications soliciting the services of a consultant to develop and conduct an evaluation of the Cooperative Pesticide Notification Program; and

WHEREAS, proposals received from three qualified consulting firms were reviewed and rated by a consultant selection committee; and

WHEREAS, based upon the Committee's discussions, it is recommended that the County contract with Goldhaber Research Associates, LLC to develop and conduct an evaluation of the pilot Cooperative Pesticide Notification Program.

NOW, THEREFORE BE IT

RESOLVED, that the County Executive is authorized to enter into the necessary agreements with Goldhaber Research Associates, LLC for an amount not to exceed \$18,000 to develop and conduct an evaluation of the pilot Cooperative Pesticide Notification Program; and be it further

RESOLVED, that the source of the funds for this contract shall be money appropriated for this purpose in the budget of the Department of Environment and Planning under DAC 110 9456208301768; 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; the Commissioner of Personnel; and the County Attorney.

(5-0)

6. Item Page -2003 (Comm. 15E-65)  
**COUNTY EXECUTIVE**

WHEREAS; the 2003 Erie County Budget stipulated that all requests for authority to recruit at a higher increment level must be approved by both the Legislature and the Erie County Executive.

NOW, THEREFORE, BE IT

RESOLVED, that the resolution approved by the Erie County Legislature on February 24, 2003 is hereby amended and approved to add the title of Sanitary Engineer at a Job Group 14, Step 3; and be it further

RESOLVED, that the Clerk of the Legislature be authorized and directed to send a certified copy of this resolution to Charles J. Alessi, P.E., Deputy Commissioner of the Department of Environment and Planning; Nancy A. Naples, Erie County Comptroller; Joseph Passafiume, Director Budget and Management; and John Greenan, Commissioner of Personnel.

(5-0)

7. Item Page -2003 (Comm. 15E-66)  
**COUNTY EXECUTIVE**

WHEREAS, the Erie County Legislature did award Contract 7A to Tom Greenauer Development, Inc. for the Erie County Sewer District No. 5 Thompson Extension; 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 acceptance of Contract 7A in the final contract amount of \$43,651.00 which includes Change Order No. 1 (final) a decrease of \$8,669.00, and approval for final payment.

NOW, THEREFORE, BE IT

RESOLVED, that Contract 7A between the County of Erie and Tom Greenauer Development, Inc., P.O. Box 250, Springbrook, New York, 14140 is accepted in the amount of \$43,651.00, which includes Change Order No. 1(final) a decrease of \$8,669.00, and final payment is approved; and be it further

RESOLVED, that the Erie County Comptroller is hereby authorized and directed to finalize Contract 7A between the County of Erie and Tom Greenauer Development, Inc. in the amount of \$43,651.00 and make final payment from Sewer Operating Account of Erie County Sewer District No. 5, No. 220 851 810 826 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 to the Director of Budget and Management, Erie County Comptroller's Office and Gregory Dudek, Assistant County Attorney.  
 (5-0)

8. Item Page -2003 (Comm. 15E-67)  
**COUNTY EXECUTIVE**

WHEREAS, the New York State Energy Research and Development Authority (NYSERDA) has solicited for proposals in accordance with its Program Opportunity Notice (PON) No. 786-03 offering to fund projects for the implementation of innovative and energy efficient wastewater technologies at municipal wastewater treatment facilities; and

WHEREAS, the Department of Environment and Planning has advised the County Legislature that there are benefits to applying for a grant under this NYSERDA Program and has recommended application be made for funding these opportunities under NYSERDA's PON No. 786-03; and

WHEREAS, it is anticipated that NYSERDA will contribute up to \$250,000 for project approval with the balance of the project costs to be paid by the Erie County/Southtowns Sewage Treatment Agency; and

WHEREAS, the New York State Energy Research and Development Authority (NYSERDA) routinely solicits for proposals for various PONs that the Department of Environment & Planning may be able to make benefit of on behalf of the County; and

WHEREAS, the Department of Environment & Planning has advised the Legislature that there are advantages to making application to the NYSERDA for the various applicable PONs as they become available.

NOW, THEREFORE, BE IT

RESOLVED, that the County's Department of Environment and Planning be authorized and directed to make applications to NYSERDA for funding under PON No. 786-03 in the estimated amount of \$250,000 to implement innovative and energy efficient wastewater technologies at the Southtowns Advanced Wastewater Treatment Facility; and be it further

RESOLVED, that past NYSERDA applications for funding made by the Department of Environment & Planning on behalf of the Erie County Sewer Districts and the Southtowns Sewage Treatment Agency be hereby ratified; and be it further

RESOLVED, that an agreement with NYSERDA to implement the innovative and energy efficient technology under PON-786-03 is hereby approved subject to a grant offer being made by NYSERDA; and be it further

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

RESOLVED, that the County's Department of Environment & Planning be authorized and directed to make applications to NYSERDA for various program opportunity notices as may be deemed beneficial to the County and as they become available from NYSERDA; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send two certified copies of this resolution to Charles J. Alessi, P.E., Deputy Commissioner, Department of Environment and Planning, one copy to Nancy Naples, County Comptroller, and one copy to Gregory Dudek, Assistant County Attorney.

(5-0)

9. Item Page -2003 (Comm. 15E-69)  
**COUNTY EXECUTIVE**

WHEREAS, Erie County Sewer District No. 5 desires to retain the services of Fox and Company – Buffalo to provide accounting/auditing services for the analysis of their 1997 through 2003 sewage treatment bills from the Town of Amherst; and

WHEREAS, Fox and Company – Buffalo was awarded a contract in 1997 to audit Erie County Sewer District No. 5's 1996 bills from the Town of Amherst which showed significant overcharges; and

WHEREAS, Erie County Sewer District No. 5 wants to be assured that said overcharges are not continued for 1997 through 2003.

NOW, THEREFORE, BE IT

RESOLVED, that the existing agreement with the firm of Fox and Company – Buffalo be amended at a cost not to exceed \$38,000.00; and be it further

RESOLVED, that the County Executive be, and hereby is, authorized to execute an amended agreement with the firm of Fox and Company – Buffalo, 810 Sheridan Drive, Tonawanda, New York to provide the needed accounting/auditing services subject to approval as to form by the County Attorney's Office; and be it further

RESOLVED, that the Comptroller be authorized and directed to allocate \$38,000.00 from Erie County Sewer District NO. 5, Fund Balance (220851299) to Use of Fund Balance Fund 220 Project, 851 Dept. 813 Account 698-105 and Contractual Services Fund 220 Project 851 Dept. 810 Account 830; 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, Nancy A. Naples, Comptroller and Gregory Dudek, Assistance County Attorney.  
 (5-0)

10. Item Page -2003 (Comm. 15E-70)  
**COUNTY EXECUTIVE**

WHEREAS, Article 5-A, Sections 270 and 271 of County Law requires your Honorable Body to hold a Public Hearing on the Sewer District Assessment Rolls for Erie County Sewer District Nos. 1, 2, 3, 4, 5 and 6; and

WHEREAS, Notice of said Public Hearing shall be published at least once in the official County newspapers and at least five (5) days prior to holding the Public Hearing.

NOW, THEREFORE, BE IT

RESOLVED, that the Sewer District assessment rolls be open for public inspection after October 1, 2003 in the offices of the Division of Sewerage Management, 95 Franklin Street, Buffalo, New York 14202; and be it further

RESOLVED, that a Public Hearing be held in the Chambers of the Erie County Legislature, 92 Franklin Street, 2<sup>nd</sup> Floor, Part 6, Buffalo, NY, at 1:30 p.m., local time, on November 13, 2003, for the purpose of meeting to hear and consider any objections which may be made to the 2004 Sewer District Assessment Rolls for Erie County Sewer District Nos. 1, 2, 3, 4, 5 and 6; and be it further

RESOLVED, that the Clerk of the Legislature be directed to have published in the official County Newspapers, and the Buffalo News, a Notice of Public Hearing no later than the week of October 5, 2003; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send certified copies of this resolution to Charles J. Alessi, P.E., Deputy Commissioner, Department of Environment and Planning, Nancy A. Naples, County Comptroller, and Gregory Dudek Assistant County Attorney. (5-0)

11. Item Page -2003 (Comm. 15E-71)  
**COUNTY EXECUTIVE**

WHEREAS, the Erie County Legislature has secured the services of Pratt & Huth Associates, to assist with the analysis of the Windom Trunk in the Erie County Sewer District No.3, and

WHEREAS, the Erie County Department of Environment and Planning, Division of Sewerage Management has advised the Legislature that all engineering services are now complete, and

WHEREAS, the Erie County Department of Environment and Planning, Division of Sewerage Management has recommended the formal close-out of A/E Agreement dated October 17, 1991 with Pratt & Huth Associates, at the final contract amount of \$59,084.65.

NOW, THEREFORE, BE IT

RESOLVED, that the A/E Agreement dated October 17, 1991 between the County of Erie/Erie County Sewer District No. 3 and Pratt & Huth Associates be formally closed-out in the final contract amount of \$59,084.65; and be it further

RESOLVED, that the Clerk of 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 Gregory Dudek, Assistant County Attorney and John S. Rizzo, Deputy Comptroller. (5-0)

**DALE W. LARSON**  
**CHAIRMAN**

MR. RANZENHOFER moved the approval of the resolution. MR. McCARVILLE seconded.

CARRIED UNANIMOUSLY.

Item 32 – MS. CHASE presented the following resolution and moved for immediate consideration. MS. CUSACK seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 535

September 18, 2003

PUBLIC SAFETY  
 COMMITTEE  
 REPORT NO. 6

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

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

Item Page -2003 (Comm. 4M-9)  
 a. **CITY OF BUFFALO:** Certified Resolution Re: Request for Information Re: Buffalo Police Department & EC Sheriff Consolidation.  
 (5-0) Legislator Falkner absent. Chairman Swanick present as Ex-Officio Member.

Item Page -2003 (Comm. 9E-20)  
 b. **HOLT:** Copy of Letter to Sheriff Re: Status of Merger of Erie County Holding Center with Buffalo Police Department Cellblock & Booking Operation.  
 (5-0) Legislator Falkner absent. Chairman Swanick present as Ex-Officio Member.

2. Item Page -2003 (Comm. 15E-23)  
**COUNTY EXECUTIVE**

**WHEREAS**, the County of Erie has need for the services of an experienced consultant with Erie County Computer Aided Dispatch and Police Record Management System experience to assist the Erie County Department of Central Police Services in the continuing development of the current Complaint History and Record Management System (CHARMS) Law Enforcement software, Juvenile Justice Systems enhancements and E-911 interface programming related to the completion of Phase II Wireless Implementation, and

**WHEREAS**, the Contractor is the consultant who developed the current CHARMS system with the Department of Central Police Services, and

**WHEREAS**, the Contractor has the expertise necessary to provide such services, and

**WHEREAS**, EM Systems has provided software development services to Central Police Services under an agreement which commenced in May, 2001,

**NOW THEREFORE, BE IT**

**RESOLVED**, that The County Executive, through the Department of Central Police Services shall be authorized to amend an agreement with EM Systems and to increase the contract for the countywide Computer Aided Dispatch (CAD) – Record Management System (RMS) in an amount not to exceed \$175,000 (using a fixed rate of \$65.00 per hour times the number of hours required) to enhance and maintain the CHARMS system, and be it further

**RESOLVED**, that the sources of funding shall be the JAIBG Supplemental Funding Grant, account 281 753650933 in the amount of \$57,793, JAIBG Year Four Grant, account 281 585650933 in the amount of \$56,067, the 2003 Capital Project Wireless Communications Infrastructure Implementation Project, account 410 419650933 in the amount of \$ 21,140, the E-911 Equipment account 230 965650933 in the amount of \$20,000 and the E-911 Dues and Fees account 230 965650821 in the amount of \$20,000, and be it further

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

(5-0) Legislator Falkner absent. Chairman Swanick present as Ex-Officio Member.

3. Item Page -2003 (Comm. 15E-24)  
**COUNTY EXECUTIVE**

**WHEREAS**, the Department of Probation and Youth Detention Services is responsible for providing services to address the need of individuals involved in the criminal justice system and improve the quality of life in our community, and

**WHEREAS**, Grant funds from the New York State Crime Victims' Board will allow for enhancement of services to crime victims and the community.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that authorization is hereby provided for the County Executive to enter into contract with the New York State Crime Victims' Board and accept funding in the amount of \$ 40,100 for the time period of October 1, 2003 through September 31, 2004, and be it further

**RESOLVED**, that authorization is hereby provided for the County Executive to enter into a contract with the International Institute of Buffalo New York, Incorporated in the amount of \$1,000, and be it further

**RESOLVED**, that the following budget is hereby authorized, the source of funds being unanticipated state aid:

**Grant Fund**  
**Department 260-Probation**  
**Crime Victims' Board**  
**October 1, 2003 to September 31, 2004**

Appropriation	
Acct. 800 Personnel	\$28,311
Acct.805 Fringe Benefits	8,692
Acct. 824Travel & Mileage	1,000

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Acct. 830 Contractual Services	1,000
Acct. 810 Office Supplies	<u>1,097</u>
Total	\$40,100

and be it further

**RESOLVED**, that a position of Victim Advocate, J.G. 6, is hereby authorized in the Crime Victim Assistance Grant, and be it further

**RESOLVED**, that certified copies of this resolution be sent to the Department of Probation and Youth Detention Services, the Erie County Division of Purchase, the Office of the Comptroller, the Department of Personnel and the Division of Budget, Management and Finance.  
 (5-0) Legislator Falkner absent. Chairman Swanick present as Ex-Officio Member.

4. Item Page -2003 (Comm. 15E-25)  
**COUNTY EXECUTIVE**

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

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

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

**NOW, THEREFORE, BE IT**

**RESOLVED**, that authorization is hereby provided for the County Executive to enter into a contract with the New York State Division of Criminal Justice Services for the receipt of Federal funding in the amount of \$30,000, and be it further

**RESOLVED**, that the County Executive is hereby authorized to enter into an agreement with the First Time/Last Time Program to provide services and receive \$30,000 in funding, and be it further

**RESOLVED**, that authorization is hereby provided to make the following budgetary adjustments in the general fund budget of the department of Probation and Youth Detention Services:

**Probation and Youth Detention Services**  
**Project 946**

<u>Revenue</u>	<u>Increase</u>
Acct. 627 – State Aid Criminal Justice Program	\$30,000
<u>Appropriation</u>	<u>\$30,000</u>
Acct. 830-0262 – Contractual, First Time/Last Time	\$30,000
Net Cost	\$0

and be it further

**RESOLVED**, that certified copies of this resolution be the Division of Budget, Management and Finance, the Office of the Comptroller, and the Erie County Youth Bureau and the Department of Probation and Youth Detention Services.

(5-0) Legislator Falkner absent. Chairman Swanick present as Ex-Officio Member.

5. Item Page -2003 (Comm. 15E-26)

**COUNTY EXECUTIVE**

**WHEREAS**, the Department of Probation and Youth Detention Services is responsible for providing secure and non-secure detention services in Erie County, and

**WHEREAS**, the department is currently working with the Department of Public Works to build a new state of the art Secure Detention Center on East Ferry Street in the City of Buffalo which is scheduled to open September 2003. Since the new Secure Detention state of the art facility will have heating and ventilation systems, several green courtyards, and complicated equipment and locking devices throughout the facility, and

**WHEREAS**, the Department of Public Works- Division of Buildings and Grounds is responsible for providing engineering and custodial staff to maintain the H.V.A.C. heating, ventilation and air conditioning systems, and other mechanical equipment; to clean the buildings and perform general janitorial services; and to do routine manual work in maintaining the green courtyards, laundry, elevators, windows, walkways, shovel snow, cut lawns and trim hedges etc., for the operation and maintenance of the new Secure Detention campus and grounds, and

**WHEREAS**, the Detention facility also has need of some minor equipment items such as television sets, medical cabinets, refrigerators, and benches for the courtyards, and

**WHEREAS**, the Department of Probation and Youth and Detention Services - Detention Division has funds available in Account 830 to cover these services,

**NOW, THEREFORE, BE IT**

**RESOLVED**, that in the Department of Probation and Youth Detention Services, \$65,000 is hereby transferred from Account 830 – Contractual Services, with Account 882-2210 Interdepartmental Payment to the Division of Buildings being increased by \$55,000 to pay the Division of Buildings and Grounds to maintain the building, and Account 933 Lab and Technical Equipment increased by \$10,000, and be it further

**RESOLVED**, that said appropriation be on the condition that the State of New York provide revenues of at least \$32,500 based on a reimbursement formula of 50% for a local youth and 100% for an out-of-state youth receiving secure detention services, and be it further

**RESOLVED**, that certified copies of this resolution be sent to the Department of Probation and Youth Detention Services, the Erie County Personnel Department, the Office of the Comptroller, the Division of Budget, Management and Finance and the Department of Public Works.

(5-0) Legislator Falkner absent. Chairman Swanick present as Ex-Officio Member.

6. Item Page -2003 (Comm. 15E-27)

**COUNTY EXECUTIVE**

**WHEREAS**, the Department of Probation and Youth Detention Services is responsible for adhering to the CO-2 Retention Schedule developed by New York State Archives and Government Records Services and the State Department of Education, and

**WHEREAS**, grant funds in the amount of \$28,205 from the State Department of Education will allow for the preservation of 17,900 files originating from 1995-1996 and 1997, and

**WHEREAS**, grant funds will be used to hire a part-time Clerk (J.G. 1) from September 15, 2003 to July 31, 2004, to prepare identified file folders, and several bids from Document Imaging Services will be secured to complete the microfilming. The electronic images will be delivered to the Probation Department on Compact Discs.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that authorization is hereby provided for the County Executive to enter into contract with the State Department of Education, Local Government Records Management Improvement Fund in the amount of \$28,205 for the time period of September 15, 2003 through July 31, 2004, and be it further

**RESOLVED**, that intent of this project is to preserve the information contained in the probation record documents while maintaining accessibility to these records, and be it further

**RESOLVED**, that the following budget is hereby authorized, the source of funds being unanticipated state aid:

**Grant Fund**

**Department 260-Probation**  
**Local Government Management Improvement Fund**

Appropriation	<u>Amount</u>
Acct. 800 Personnel	\$3,784
Acct. 801 Fringe Benefits	1,021
Acct. 830 Consultant	<u>23,400</u>
Total	\$28,205

And be it further

**RESOLVED**, that a position of part-time Clerk, J.G. 1, is hereby authorized, and be it further

**RESOLVED**, that certified copies of this resolution be sent to the Department of Probation and Youth Detention Services, the Erie County Division of Purchase, the Office of the County Comptroller and the Division of Budget, Management and Finance.

(5-0) Legislator Falkner absent. Chairman Swanick present as Ex-Officio Member.

7. Item Page -2003 (Comm. 15E-28)

**COUNTY EXECUTIVE**

**WHEREAS**, the Departments of Probation and Youth Detention Services and Central Police Services have been working together to establish a networked management information system to improve the coordination of services to youth, and

**WHEREAS**, grant funding will allow Probation Officers to have the ability to provide prompt intervention and assessment of juveniles entering the juvenile justice system

**NOW, THEREFORE, BE IT**

**RESOLVED**, that authorization is hereby provided for the County Executive to enter into a contract and accept funding in the amount of \$165,195 under the Juvenile Accountability Incentive Block Grant (JAIBG) program with the New York State Division of Criminal Justice Services, and extend the contract, and be it further:

**RESOLVED**, that authorization is hereby provided to establish a JAIBG grant in the Central Police Services Department to implement this program as follows:

**Grant Fund**  
**Juvenile Accountability Incentive Block Grant**  
**SFG Project #585 Central Police Services, Dept. 650**  
**October 1, 2002 - December 31, 2003**

Revenue	Increase
ACCT. 627-State Aid - Criminal	\$165,195

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**September 25, 2003**

**ERIE COUNTY LEGISLATURE**

Justice Program

<b>Total Revenue</b>	<u>\$165,195</u>
<b>Appropriation</b>	<b>Increase</b>
Acct 800 Personnel	\$66,099
Acct 801 Overtime	965
Acct 805 Fringe benefits	18,094
Acct 933 Lab and Technical Equipment	80,037
<b>Total Appropriation Dept. 650</b>	<u>\$165,195</u>

**Grant Fund**  
**Department 260-Probation**  
**Juvenile Accountability Incentive Block Grant Fourth Year**  
**October 1, 2002 to December 31, 2003**

Appropriation	Current Budget	Change	Revised Budget
Acct 801- Overtime	\$14,163	0	\$14,163
Acct 805-Fringe Benefits	1,700	0	1,700
Acct 810-Office Supplies	375	0	375
Acct 821-Dues and Fees	1,875	0	1,875
Acct 824- Local Travel	1,280	0	1,280
Acct 830- Contracts	50,000	(+4000)	54,000
Acct 825- Out of Area Travel	2,870	0	2,759
Acct 933- Lab and Technical Equipment	27,450	(- 4000)	23,450
Total Appropriation Dept. 260	99,433	(-111)	99,322
Acct. @627 State Aid	<u>\$99,453</u>	<u>(-111)</u>	<u>\$99,322</u>
Total Revenue	\$99,433	(-111)	\$99,322

**AND BE IT FURTHER**

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

(5-0) Legislator Falkner absent. Chairman Swanick present as Ex-Officio Member.

8. Item Page -2003 (Comm. 15E-32)  
**COUNTY EXECUTIVE**

**WHEREAS**, it is necessary to transfer funds from the Erie County District Attorney’s Asset Forfeiture Trust Fund prior to their being expended, and

**WHEREAS**, said funds are required to be expended for law enforcement and prosecutorial operations and efforts, and

**WHEREAS**, over time it becomes necessary to update the District Attorney’s Office technology with the purchase of various equipment items, including but not limited to, a color copier, which is used to create trial exhibits; and to purchase or replace office furniture and fixtures on an as needed basis,

**NOW, THEREFORE, BE IT**

**RESOLVED**, that \$50,000 in available balances in the Erie County District Attorney’s Assets Forfeiture Trust Fund is hereby transferred to the District Attorney’s Assets Forfeiture Grant, SFG Project 333, and be it further

**RESOLVED**, that the following budgetary transactions are hereby authorized to provide funding for investigative, surveillance and prosecutorial operations to benefit the District Attorney’s Office:

**DISTRICT ATTORNEY ASSET FORFEITURE GRANT**  
**PROJECT 333 - FUND 280**

<u>Revenue</u>	<u>Increase</u>
Acct. 502 District Attorney Asset Forfeitures	<u>\$ 50,000</u>
Total Revenue	<u>\$ 50,000</u>
<u>Appropriation</u>	
Acct. 932 Furniture, Fixtures	\$ 25,000
Acct. 933 Laboratory and Technical Equipment	<u>25,000</u>
Total Appropriations	<u>\$ 50,000</u>

and be it further

**RESOLVED**, that certified copies of this resolution be forwarded to the Erie County District Attorney, the Erie County Comptroller and the Director of Budget, Management and Finance. (5-0) Legislator Falkner absent. Chairman Swanick present as Ex-Officio Member.

9. Item Page -2003 (Comm. 15E-34)  
**COUNTY EXECUTIVE**

**MEETING NO. 16**  
**September 25, 2003**

**ERIE COUNTY LEGISLATURE**

WHEREAS, funds have been received from the United States Environmental Protection Agency to enhance the Erie County's Local Emergency Planning Committee (LEPC) activities, and

WHEREAS, a resolution (3E-36) was passed on February 24, 2003 for this purpose, and

WHEREAS, these funds will be used to enhance the Erie County Local Emergency Planning Committee's activities, and

WHEREAS, a portion of the funds needs to be transferred from other lines of the grant budget to the personnel line, and

WHEREAS, the funds on the personnel line will allow the Department of Emergency Services to extend the time frame of the present part-time intern to complete the activities of the Erie County Local Emergency Planning Committee (LEPC),

NOW THEREFORE BE IT

RESOLVED, that the County Executive, on behalf of the Department of Emergency Services, is hereby authorized to revise the grant from the United States Environmental Protection Agency, to allow the Department of Emergency Services to increase funding to extend the time frame of a part-time intern to allow this person to continue to update the Erie County Local Emergency Planning Committee's activities, and be it further

RESOLVED, that the following budgetary transactions are authorized in order to revise the grant which will assist the Department of Emergency Services for the Erie County Local Emergency Planning Committee:

Department of Emergency Services  
 United States Environmental Protection Agency Grant

Revenue	Current Budget	Proposed Revision	New Total
SFG684 - Federal Aid – Other	<u>\$59,400</u>	<u>\$0</u>	<u>\$59,400</u>
TOTAL	\$59,400	\$0	\$59,400
 Appropriations			
SFG800 – Personnel Costs	\$ 5,000	\$+5000	\$ 10,000
SFG821 – Dues and Fees	10,000		10,000
SFG825 – Long Distance Travel	2,000		2,000
SFG826 – Other Expenditures	5,000		5,000
SFG830 – Contractual	15,000		15,000
SFG933 – Lab and Tech Equip	<u>22,400</u>	\$ -5000	<u>17,400</u>
TOTAL	\$59,400		\$ 59,400

and be it further

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

(5-0) Legislator Falkner absent. Chairman Swanick present as Ex-Officio Member.

10. Item Page -2003 (Comm. 15E-35)

**COUNTY EXECUTIVE**

WHEREAS, funds have been received from the New York State Emergency Management Office through the Federal Government to update the Comprehensive Emergency Management Plan, its annexes and addendum, and

WHEREAS, an agreement with the consultant, Ecology and Environment, Inc., in the amount of \$93,000, was approved by Resolution 2002, 25E-20 to be paid by County funds transferred from the E-911 Reserve Fund Balance to the Department of Emergency Services' operating budget, and

WHEREAS, this grant will pay for Erie County's portion of Ecology and Environment's consultation fees, and

WHEREAS, these funds will also be used to hire two part-time interns, and

WHEREAS, these funds will also be utilized to purchase emergency management software for the proper handling of emergency incidents by all municipalities of Erie County,

NOW THEREFORE BE IT

RESOLVED, that the County Executive, on behalf of the Department of Emergency Services, is hereby authorized to revise the current Legislative Resolution from the New York State Emergency Management Office, to update the Erie County Comprehensive Emergency Management Plan, its annexes, addendums, and to purchase Emergency Management Software, and be it further

RESOLVED, that the following budgetary transactions are authorized in order to revise the present grant which will assist the Department of Emergency Services:

Department of Emergency Services  
 Erie County Comprehensive Emergency Planning Grant

Revenue	Current Budget	Proposed Revision	New Totals
SFG684 - Federal Aid – Other			
<u>\$206,209</u>	<u>0</u>		<u>\$206,209.</u>
TOTAL	\$206,209	0	\$206,209.

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**ERIE COUNTY LEGISLATURE**

Appropriations			
SFG800-000 – Personnel			
(Interns) Fees	50,000	\$ -15000	\$ 35,000
SFG810 - Office Supplies	10,000		10,000
SFG821 – Dues and Fees	8,000	\$+32000	40,000
SFG825 – Long Distance Travel	10,000	\$ - 2000	8,000
SFG826 – Other Expenditures	17,209	\$- 5000	12,209
SFG830 – Contractual	100,000	\$- 10000	90,000
SFG933 – Lab and Tech Equip	<u>11,000</u>	<u>0</u>	<u>11,000</u>
TOTAL	\$206,209	\$ 0	\$206,209

And, be it further

RESOLVED, that two part-time intern positions, JG 1, are hereby created, and be it further

RESOLVED, that Ecology and Environment, Inc. will be paid for Erie County's portion of the costs authorized by Resolution 2002, 25E-20 from this grant, and be it further

RESOLVED, that the necessary emergency management software be purchased for all municipalities of Erie County, 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) Legislator Falkner absent. Chairman Swanick present as Ex-Officio Member.

11. Item Page -2003 (Comm. 15E-38)

**COUNTY EXECUTIVE**

WHEREAS, the Erie County Legislature, on June 20, 2002, adopted a resolution (Communication 11-E-11, 2002) accepting grant monies to purchase videoconferencing equipment for non-court communications, and

WHEREAS, all audio-visual systems are in place and can be utilized at Erie County Family Court, Department of Probation, Erie County Correctional Facility, Erie County Holding Center, and Buffalo City Court, and

WHEREAS, as part of the Byrne Formula Grant Program, Erie County has been awarded \$60,000 by the United States Department of Justice, Bureau of Justice Assistance, to purchase additional audio-visual equipment, and

WHEREAS, the additional audio-visual equipment will be located at the Erie County Attorney's Office and other locations, within Erie County, yet to be determined by the Videoconferencing Working Committee.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into a grant agreement with the United States Department of Justice, Bureau of Justice Assistance, in the amount of \$60,000 for the purchase of additional audio-visual equipment to use in arraignment procedures and non-court communications, and be it further

RESOLVED, that the grant monies be appropriated as follows:

Division of Information & Support Services

<u>Account</u>	<u>Description</u>	<u>Amount</u>
110927510933	DISS – Lab & Tech Equipment	60,000
110927510519100	DISS – Other Misc. Revenue	(60,000)

and be it further

RESOLVED, that certified copies of this resolution be forwarded to the County Executive; the Office of the Comptroller; the Division of Information & Support Services (DISS); the Division of Budget, Management & Finance; Erie County Attorney's Office; and the New York State Division of Criminal Justice Services, Office of Funding and Program Assistance, Byrne Formula Grant Unit, 4 Tower Place, Albany, NY 12203-3764.

(5-0) Legislator Falkner absent. Chairman Swanick present as Ex-Officio Member.

**JEANNE Z. CHASE**  
**CHAIRPERSON**

MS. CHASE moved to separate item #10 and moved the approval of the balance of the report. MS. CUSACK seconded.

CARRIED UNANIMOUSLY.

MS. CHASE moved to amend item #10. MS. CUSACK seconded.

CARRIED UNANIMOUSLY.

**DELETE the fourth WHEREAS clause in its entirety**

**DELETE the first RESOLVE clause in its entirety**

MS. CHASE moved the approval of item #10 as amended. MS. CUSACK seconded.

CARRIED UNANIMOUSLY.

Item 34 – MR. WEINSTEIN presented the following resolution and moved for immediate consideration. MR. RANZENHOFER seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 536

September 18, 2003

HUMAN SERVICES  
 COMMITTEE  
 REPORT NO. 10

ALL MEMBERS PRESENT EXCEPT LEGISLATOR CUSACK.

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

a.	Item	Page	-2003	(Comm. 15M-22)
	<b>ANTHONY INSINNA: Copt of E-Mail to Legislator Weinstein Re: "Welfare to Work" Program.</b>			
	(4-0) Legislator Cusack absent.			

2.	Item	Page	-2003	(Comm. 15E-33)
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**COUNTY EXECUTIVE**

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

**WHEREAS**, the Erie County Department of Mental Health has been awarded \$612,341 over three years by the United States Department of Housing and Urban Development (HUD) to provide rental assistance and supportive services for homeless persons disabled by serious mental illness and/or chemical dependency under the Supportive Housing Program, and

**WHEREAS**, additional matching funds of \$69,450 in New York State Office of Mental Health State Aid Dollars are available to meet the Federal requirements of this award, and

**WHEREAS**, no County funds will be required for Erie County to accept these Federal funds to serve homeless persons disabled by serious mental illness and/or chemical dependency, and

**WHEREAS**, the Erie County Department of Mental Health has identified Spectrum Human Services, Inc., as the recipient of the Request for Proposal (RFP) process associated with this award, and

**WHEREAS**, the Erie County Legislature has already authorized the County and the Department of Mental Health to contract with Spectrum Human Services, Inc.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the County Executive be hereby authorized to enter into a three-year Grant Agreement with the United States Department of Housing and Urban Development (HUD) in the amount of \$612,341 to provide rental assistance and supportive services for homeless persons disabled by serious mental illness and/or chemical dependency, and be it further

**RESOLVED**, that the following grant project and budget be hereby established in the Erie County Department of Mental Health to provide rental assistance and supportive services for homeless persons disabled by serious mental illness and/or chemical dependency for the period July 1, 2003 through December 31, 2003, which represents the first six months of the three year period:

**Department of Mental Health Grant Funds**  
**Project Title: Supportive Housing V**

<u>ACCOUNT</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
830-117	Spectrum Human Services	58,744
640	Federal Aid	51,028
589	State Aid	7,716

The source of these funds being United States Department of Housing and Urban Development funds and New York State Office of Mental Health State Aid Dollars, and be it further

**RESOLVED**, that the County Executive be authorized to amend and increase the 2003 contract with Spectrum Human Services, Inc., for the period January 1, 2003 through December 31, 2003, by an amount not to exceed \$58,744, and be it further

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

3. Item Page -2003 (Comm. 15E-39)

**COUNTY EXECUTIVE**

WHEREAS, public health law requires the reporting of 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 access to HIV counseling and testing and care, and

**MEETING NO. 16**  
**September 25, 2003**

**ERIE COUNTY LEGISLATURE**

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 Erie County Health Department positions funded by the grant.

NOW, THEREFORE, BE IT

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

**HIV PARTNER NOTIFICATION**  
**10/1/02 – 9/30/03**  
**PROJECT #713**

<b>SFG</b>	<b>REVENUE</b>	<b>CURRENT BUDGET</b>	<b>CHANGES</b>	<b>REVISED BUDGET</b>
553	ST AID OTHER	\$ 211,787	\$ 0	\$ 211,787
	<b>TOTAL</b>	<u>\$ 211,787</u>	<u>\$ 0</u>	<u>\$ 211,787</u>
	<b>EXPENSES</b>			
800	PERSONAL SERVICES	\$ 152,191	\$-30,000	\$ 122,191
805	FRINGE BENEFITS	41,061	0	41,061
810	OFFICE SUPPLIES	685	0	685
814	MED'L SUPPLIES	3,000	0	3,000
824	TRAVEL & MILEAGE	1,000	0	1,000
825	OUT OF AREA TRAVEL	1,000	0	1,000
826	OTHER EXPENSES	5,850	-5,850	0
880-4000	I/F-ECMC	0	37,350	37,350
880-5100	I/F-INFO & SUPP SVC	4,500	-1,500	3,000
933	LAB & TECH EQUIP	2,500	0	2,500
	<b>TOTAL</b>	<u>\$ 211,787</u>	<u>\$ 0</u>	<u>\$ 211,787</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 Cusack absent.

4. Item Page -2003 (Comm. 15E-40)

**COUNTY EXECUTIVE**

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

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**September 25, 2003**

**ERIE COUNTY LEGISLATURE**

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

WHEREAS, the Erie County Health Department has received an additional grant award which authorizes the creation of a WIC Vendor Management Program which provides oversight to the retail food stores (vendors) used in the delivery of prescribed foods to WIC Program participants in the 17 counties of the Western Region of the State of New York, and

WHEREAS, Vendor Management activities include application processing, contracting, training and monitoring, and

WHEREAS, the grant includes the funding for the creation of one full-time position of Sr. WIC Vendor Specialist, JG VIII, the creation of two full-time positions of WIC Vendor Specialist, JG VII, and one full-time position of Clerk-Typist, JG I.

NOW, THEREFORE, BE IT

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

**WIC VENDOR MANAGEMENT PROGRAM GRANT**  
**10/1/03 – 9/30/04**

<b>SFG</b>	<b>REVENUE</b>	<b>AMOUNT</b>
574	STATE AID WIC	\$ 244,457
	<b>TOTAL</b>	<u>\$ 244,457</u>
	<b>EXPENSES</b>	
800	PERSONAL SERVICES	\$ 148,924
805	FRINGE BENEFITS	57,868
810	OFFICE SUPPLIES	1,820
816	MAINTENANCE SUPPLIES	200
823	REPAIRS & MAINTAINANCE	525
824	TRAVEL & MILEAGE	6,900
825	OUT OF AREA TRAVEL	2,400
826	OTHER EXPENSES	500
880-5100	INTERFUND-DISS	9,749
880-2700	INTERFUND-ECHD	11,720
931	BUILDINGS & GROUNDS EQUIPMENT	1,250
932	OFFICE EQUIPMENT	<u>2,601</u>
	<b>TOTAL</b>	<u>\$ 244,457</u>

and be it further

RESOLVED, that one full-time position of Sr. WIC Vendor Specialist, JG VIII, two full-time positions of WIC Vendor Specialist, JG VII, and one full-time position of Clerk-Typist, JG I, are hereby created.

The following personnel detail is hereby submitted:

TITLE: Sr. WIC Vendor Specialist	FUNDING: 100% State Funded
JG: VIII	CIVIL SERVICE: Pending
STEP: 0	Jurisdictional Classification
ANNUAL SALARY: \$31,566	CIVIL SERVICE LIST: No
ANNUAL BENEFITS: \$11,680	

TITLE: WIC Vendor Specialist	FUNDING: 100% State Funded
JG: VII	CIVIL SERVICE: Yes
STEP: 0	CIVIL SERVICE LIST: Yes
ANNUAL SALARY: \$29,399	
ANNUAL BENEFITS: \$10,877	

TITLE: Clerk-Typist	FUNDING: 100% State Funded
JG: I	CIVIL SERVICE: Yes
STEP: 0	CIVIL SERVICE LIST: Yes
ANNUAL SALARY: \$21,865	
ANNUAL BENEFITS: \$8,090	

and be it further

RESOLVED, that the Erie County Legislature does hereby approve the following transactions within the accounts of the Department of Health:

Increase Account 685-2709 Interfund Health Grants	\$11,720
Increase Account 932 Office Equipment	\$11,720

and be it further

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

(4-0) Legislator Cusack absent.

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**ERIE COUNTY LEGISLATURE**

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

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

WHEREAS, budgetary adjustments are necessary in order to bring accounts into line with SFG.

NOW, THEREFORE, BE IT

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

**SUPPLEMENTAL FOOD (WIC) PROGRAM**  
**10/1/03 - 9/30/04**  
**PROJECT #701**

<b>SFG</b>	<b>REVENUE</b>	<b>CURRENT BUDGET</b>	<b>CHANGES</b>	<b>REVISED BUDGET</b>
440	Local Source	\$ 4,000	\$ 0	\$ 4,000
549	Misc. Dept. Inc.	800	0	800
574	State Aid – WIC	<u>2,588,744</u>	<u>12,725</u>	<u>2,601,469</u>
	<b>TOTAL</b>	<u><b>\$2,593,544</b></u>	<u><b>\$ 12,725</b></u>	<u><b>\$ 2,606,269</b></u>
 <b>EXPENSES</b>				
800	Personal Services	\$1,922,914	\$-66,286	\$1,856,628
805	Fringe Benefits	453,210	101,168	554,378
810	Office Supplies	5,000	691	5,691
814	Medical Supplies	7,680	0	7,680
816	Maintenance Supplies	800	0	800
821	Dues & Fees	1,000	0	1,000
822	Rental Charges	34,379	0	34,379
823	Repairs & Maintenance	3,000	-2,871	129
824	Travel & Mileage	12,000	-2,500	9,500
825	Out of Area Travel	10,750	0	10,750
826	Other Expenses	20,384	-1,581	18,803
880-1200	Interfund – Comptroller	17,022	-17,022	0
880-2700	Interfund – ECHD	61,701	-3,739	57,962
880-5100	Interfund – DISS	37,660	-4,400	33,260
931	Maintenance Equipment	350	978	1,328
932	Office Equipment	0	4,944	4,944

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933	Technical Equipment	<u>5,694</u>	<u>3,343</u>	<u>9,037</u>
	TOTAL	<u>\$2,593,544</u>	<u>\$12,725</u>	<u>\$2,606,269</u>

and be it further

RESOLVED, that the Erie County Legislature does hereby approve the following transactions within the accounts of the Department of Health:

Decrease Account 685-2709 Interfund Health Grants	\$3,739
Decrease Account 932 Office Equipment	\$3,739

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 Cusack absent.

**AS AMENDED**

6. Item Page -2003 (Comm. 15E-42)

**COUNTY EXECUTIVE**

WHEREAS, the Erie County Department of Health is instituting a Home Visiting Pilot Program for pregnant teens, and

WHEREAS, the pilot project is designed to meet the health needs of pregnant teens and newborns for a five-year period, and

WHEREAS, to efficiently meet the needs of this pilot program, it is necessary to create one full-time position of Nurse Coordinator, JG XII, and delete one full-time position of Public Health Nurse, JG IX, (position number 125820), and

WHEREAS, funds were previously allocated in the 2003 Erie County Adopted Budget.

NOW, THEREFORE, BE IT

RESOLVED, that one full-time position of Nurse Coordinator, JG XII, is hereby created, and one full-time position of Public Health Nurse, JG IX, (position number 125820) is hereby deleted.

The following personnel detail is hereby submitted:

TITLE: Nurse Coordinator	CIVIL SERVICE: Competitive
JG: XII	CIVIL SERVICE LIST: Yes
STEP: A	FUNDING: 2003 Adopted Budget
ANNUAL SALARY: \$65,202	
ANNUAL BENEFITS: \$17,605	

and be it further

RESOLVED, that the Erie County Legislature does hereby approve the following transactions within the accounts of the Department of Health:

Increase Account 800 Personal Services	\$3,566
Increase Account 805 Fringe Benefits	962
Increase Account 824 Travel & Mileage	472
Increase Account 825 Out of Area Travel	3,000
Increase Account 826 Other Expenses	<u>2,000</u>
TOTAL	<u>\$10,000</u>
Decrease Account 830 Contractual	<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 Department of Personnel, the Office of the Comptroller, the Division of Budget, Management and Finance, the Department of Personnel and the Department of Law.  
 (4-0) Legislator Cusack absent.

7. Item Page -2003 (Comm. 15E-43)  
**COUNTY EXECUTIVE**

WHEREAS, the Erie County Health Department provides an important program of supplemental food and nutrition to high risk women, infants and children through its WIC Program check distribution sites in various locations, and

WHEREAS, we wish to renew an agreement to lease space in a building at 546 Abbott Road, Buffalo, New York, being utilized as a WIC check distribution site for the period February 1, 2003 through January 31, 2004, and

WHEREAS, funds are available in the WIC grant budget.

NOW, THEREFORE BE IT

RESOLVED, that the Erie County Legislature hereby approves of this community service and authorizes the County Executive to renew an agreement with Mercy Hospital & Our Lady of Victory Hospital of Buffalo (Catholic Health Systems) whereby Erie County will pay \$4,000 annually for the rental of a lower floor of a two-story building located at 546 Abbott Road, Buffalo, New York for the period February 1, 2003 through January 31, 2004, and be it further

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

(4-0) Legislator Cusack absent.

8. Item Page -2003 (Comm. 15E-44)  
**COUNTY EXECUTIVE**

WHEREAS, the prevalence, hospitalization, missed school days and mortality due to asthma has significantly increased in New York State, and

WHEREAS, the burden of asthma affects numerous sectors of our Western New York communities, including primary and acute health care, public health, education, business, health insurers, etc., and

WHEREAS, asthma-related costs to the New York State taxpayer, while not fully known, exceeded \$160 Million in 1995 alone, and

WHEREAS, the New York State Department of Health has awarded the Erie County Department of Health, as a lead agency of the Asthma Coalition of Western New York, an amount of \$182,714 to develop and implement a systems approach for reducing the burden of asthma in the eight counties of Western New York, and

WHEREAS, the Asthma Coalition of Western New York is a regional collaborative partnership of community stakeholders from diverse sectors who are concerned about the burden of asthma.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Executive is hereby authorized to enter into an agreement with the New York State Health Department to accept the revised grant award which is budgeted as follows:

**SYSTEM APPROACH REDUCING BURDEN OF ASTHMA**  
**07/1/02- 06/30/03**  
**PROJECT #694**

SFG	REVENUE	CURRENT BUDGET	CHANGES	REVISED BUDGET
553	STATE AID	\$ 215,000	-\$32,286	\$ 182,714
	<b>TOTAL</b>	<b>\$ 215,000</b>	<b>-\$32,286</b>	<b>\$ 182,714</b>
<b>EXPENSES</b>				
825	OUT OF AREA TRAVEL	\$ 1,000	\$ 0	\$ 1,000
830-551	CONT-UB FAMILY MED	14,500	4,120	18,620

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	CONT-HLTHY COMM			
830-1186	ALL	11,500	-6,500	5,000
830-1187	CONT-LAKE PLAINS	13,500	-8,500	5,000
830-1209	CONT-AMER LUNG	138,900	-1,715	137,185
830-1210	CONT-NIAG HLTH	21,600	-19,007	2,593
830-1588	CONT-SOUTH TIER	5,000	0	5,000
882-2709	INTERFUND - ECHD	7,191	809	8,000
932	OFFICE EQUIPMENT	500	-184	316
933	LAB & TECH EQUIP	1,309	-1,309	0
	<b>TOTAL</b>	<u>\$ 215,000</u>	<u>-\$32,286</u>	<u>\$182,714</u>

**Partners for Prevention**  
**04/01/03 – 03/31/04**  
**Project #865**

800	PERSONAL SERVICES	\$15,389	\$809	\$16,198
883-2709	INTERFUND - ECHD	-\$12,816	-\$809	-\$13,625

and be it further

RESOLVED, that the County Executive is hereby authorized to enter into a subcontract with Family Medicine Faculty Associates, Inc. in the amount of \$18,620 for project evaluations, and be it further

RESOLVED, that the County Executive is hereby authorized to enter into contracts with three rural health networks, the Lake Plains Community Care Coalition, the Southern Tier Health Care System and the Healthy Community Alliance, each in the amount of \$5,000 to train local volunteer firemen and emergency medical staff on asthma, and be it further

RESOLVED, that the County Executive is hereby authorized to enter into a subcontract with the American Lung Association in the amount of \$137,185 for project coordination and implementation, and be it further

RESOLVED, that the County Executive is hereby authorized to enter into a subcontract with the Niagara Health Quality Coalition in the amount of \$2,593 for evaluating and modifying the "Rules of Two" asthma program through a network of pharmacists, and be it further

RESOLVED, that the subcontracts with the American Lung Association, Family Medicine Faculty Associates, Inc., the Niagara Health Quality Coalition, the Southern Tier Health Care System, the Lake Plains Community Care Coalition and the Healthy Community Alliance are special services which must be provided immediately and continuously and therefore, the RFP procedure required under Section 19.08 of the Erie County Administrative Code is hereby waived, and be it further

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

(4-0) Legislator Cusack absent.

9. Item Page -2003 (Comm. 15E-45)  
**COUNTY EXECUTIVE**

WHEREAS, the Erie County Department of Health currently provides Environmental and Well-Baby services at the Tonawanda Service and Referral Center located at 250 Cortland Avenue, Tonawanda, New York, and

WHEREAS, the current lease expires on August 31, 2003 and the Department wishes to enter into a renewal agreement, and

WHEREAS, a renewal agreement has been received from the Kenmore-Town of Tonawanda Union Free School District.

NOW, THEREFORE, BE IT

RESOLVED, that the lease for the Department of Health's Tonawanda Service and Referral Center located at 250 Cortland Avenue, Tonawanda, New York is hereby renewed for a one year period commencing September 1, 2003 through August 31, 2004 at an annual rate of \$20,034, and be it further

RESOLVED, that the remaining terms and conditions shall be the same as the existing lease, and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the Department of Health, the Real Property Unit in the Division of Budget, Management and Finance, the Comptroller's Office, the Division of Budget, Management and Finance and the Department of Law. (4-0) Legislator Cusack absent.

10. Item Page -2003 (Comm. 15E-46)  
**COUNTY EXECUTIVE**

WHEREAS, the Erie County Department of Health currently operates a Lead Poisoning Prevention Program, and

WHEREAS, the purpose of this grant is to support and enhance local efforts to reduce the prevalence of elevated blood lead levels in children under six years of age through the implementation of a comprehensive program of primary and secondary prevention which includes: public and professional outreach and education; and medical and environmental case management and follow up, and

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**ERIE COUNTY LEGISLATURE**

WHEREAS, the New York State Health Department recently awarded the Erie County Department of Health a revised grant in the amount of \$552,084 which authorizes budgetary adjustments in order to balance the accounts in the grant.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to enter into a revised contract with the New York State Health Department which authorizes the following budgetary adjustments:

**CHILDHOOD LEAD POISONING PROGRAM**  
**1/1/02 – 12/31/02**  
**PROJECT #704**

<b>SFG</b>	<b>REVENUE</b>	<b>CURRENT BUDGET</b>	<b>CHANGES</b>	<b>REVISED BUDGET</b>
553	STATE AID OTHER	\$- 38,582	\$ 590,666	\$ 552,084
573	STATE AID LEAD POIS. PREV.	590,666	- 590,666	0
	<b>TOTAL</b>	<u>\$ 552,084</u>	<u>\$ 0</u>	<u>\$ 552,084</u>
	<b>EXPENSES</b>			
800	PERSONAL SERVICES	\$ 401,070	\$- 6,794	\$ 394,276
801	OVERTIME	3,500	0	3,500
805	FRINGE BENEFITS	107,887	2,111	109,998
810	OFFICE SUPPLIES	240	0	240
814	MEDICAL SUPPLIES	978	0	978
821	DUES & FEES	3,080	0	3,080
823	REPAIRS & MAINT.	1,540	0	1,540
824	TRAVEL & MILEAGE	18,000	-328	17,672
825	OUT OF AREA TRAVEL	1,000	0	1,000
826	OTHER EXPENSES	2,754	0	2,754
933	LAB & TECH EQUIP	12,035	5,011	17,046
	<b>TOTAL</b>	<u>\$ 552,084</u>	<u>\$ 0</u>	<u>\$ 552,084</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 Cusack absent.

11. Item Page -2003 (Comm. 15E-47)  
**COUNTY EXECUTIVE**

**MEETING NO. 16**  
**September 25, 2003**

**ERIE COUNTY LEGISLATURE**

WHEREAS, the Erie County Department of Health operates a Public Health Campaign grant which includes funding for the Model Tuberculosis Control Clinic and the Sexually Transmitted Disease (STD) Prevention Program, and

WHEREAS, the Erie County Department of Health has received a revised grant from the New York State Health Department in the amount of \$555,642 which authorizes budgetary adjustments in order to balance the funds within the grant.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to enter into a revised contract with the New York State Health Department which authorizes the following budgetary adjustments:

**Public Health Campaign**  
**04/01/02 – 03/31/03**  
**Project #709**

		<b>CURRENT</b>		<b>REVISED</b>
<b>SFG</b>	<b>REVENUE</b>	<b>BUDGET</b>	<b>CHANGES</b>	<b>BUDGET</b>
	OTHER LOCAL SOURCE			
360	REV	\$1,000	\$ 0	\$ 1,000
551-	STATE AID-PUB GOOD			
0100	POOL	63,827	0	63,827
553	STATE AID OTHER	490,815	0	490,815
		\$		
	<b>TOTAL</b>	<u>555,642</u>	<u>\$ 0</u>	<u>\$ 555,642</u>
<b>EXPENSES</b>				
		\$		
800	PERSONAL SERVICES	433,735	\$-20,877	\$ 412,858
801	OVERTIME	0	778	778
805	FRINGE BENEFITS	97,707	20,099	117,806
810	OFFICE SUPPLIES	700	0	700
821	DUES & FEES	1,000	0	1,000
824	TRAVEL & MILEAGE	15,500	0	15,500
825	OUT OF AREA TRAVEL	1,000	0	1,000
826	OTHER EXPENSES	6,000	0	6,000
		\$		
	<b>TOTAL</b>	<u>555,642</u>	<u>\$ 0</u>	<u>\$ 555,642</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 Cusack absent.

12. Item Page -2003 (Comm. 15E-48)

**COUNTY EXECUTIVE**

WHEREAS, the Erie County Department of Health operates a Public Health Preparedness Laboratory Response Network through funding from New York State Health Research, Inc. for the development of a high containment emergency preparedness laboratory, and

WHEREAS, the Erie County Department of Health has received a revised grant award in the amount of \$604,000 from New York State Health Research, Inc. (HRI) which authorizes budgetary adjustments.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to accept the revised grant award from HRI which is budgeted as follows:

**Public Health Laboratory Response Network Grant**  
**09/01/02 – 08/30/03**  
**Project #896**

<b>SFG</b>	<b>REVENUE</b>	<b>CURRENT BUDGET</b>	<b>CHANGES</b>	<b>REVISED BUDGET</b>
557-200	NYS HEALTH RESEARCH	\$ 604,000	\$ 0	\$ 604,000
	<b>TOTAL</b>	<b>\$ 604,000</b>	<b>\$ 0</b>	<b>\$ 604,000</b>
<b>EXPENSES</b>				
800-000	PERSONAL SERVICES	\$ 40,361	\$-25,916	\$ 14,445
805-000	FRINGE BENEFITS	10,889	-6,992	3,897
880-2208	DPW-CAPITAL FUNDS	410,000	0	410,000
933	LAB & TECH EQUIP	142,750	32,908	175,658
	<b>TOTAL</b>	<b>\$ 604,000</b>	<b>\$ 0</b>	<b>\$ 604,000</b>

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 Cusack absent.

13. Item Page -2003 (Comm. 15E-49)  
**COUNTY EXECUTIVE**

WHEREAS, Hepatitis C is a liver disease caused by a bloodborne virus. Approximately 25% of people infected with Hepatitis C will become sick with jaundice, and fifty percent of these individuals may go on to develop chronic liver disease, and

WHEREAS, the Erie County Department of Health and the Public Health Laboratory are participating in a study on Hepatitis C Transmission in collaboration with the State University of New York at Buffalo's Research Institute on Addictions and the Prevention Research Center, a division of the Pacific Institute for Research and Evaluation (PIRE), and

WHEREAS, the Health Department has received a revised grant award from Pacific Institute for Research and Evaluation (PIRE) in the amount of \$20,205.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Executive is hereby authorized to enter into a agreement with the Pacific Institute for Research and Evaluation (PIRE) to accept the revised grant to be budgeted as follows:

**HEPATITIS C TRANSMISSION STUDY**  
**08/1/03 - 07/31/04**  
**PROJECT #862**

SFG	REVENUE	CURRENT BUDGET	CHANGES	REVISED BUDGET
521	OTHER REVENUE	\$ 24,255	\$- 4,050	\$ 20,205
	<b>TOTAL</b>	<u>\$ 24,255</u>	<u>\$- 4,050</u>	<u>\$ 20,205</u>
<b>EXPENSES</b>				
801	OVERTIME	\$ 3,000	\$ - 750	\$ 2,250
814	MEDICAL SUPPLIES	1,000	2,750	3,750
821	DUES & FEES	2,000	-2,000	0
825	OUT OF AREA TRAVEL	6,000	-4,125	1,875
826	OTHER EXPENSES	2,500	4,500	7,000
880-2700	I/F-PUBLIC HEALTH LAB	5,755	-1,425	4,330
880-5100	I/F-DISS	500	-500	0

933	LAB & TECH EQUIP	3,500	-2,500	1,000
	<b>TOTAL</b>	\$ 24,255	\$- 4,050	\$ 20,205

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 Cusack absent.

14. Item Page -2003 (Comm. 15E-56)

**COUNTY EXECUTIVE**

**WHEREAS**, the Erie County Legislature has already appropriated funds for the Administration Division and the Congregate Dining Nutrition Program (C-1) and Home Delivered Meals Program (C-2) grants for the period January 1, 2003 to December 31, 2003, and

**WHEREAS**, the Department of Senior Services (Department) oversees the nutrition programs in Erie County and desires to ensure that the kosher-meal component continues intact, and

**WHEREAS**, the Department was notified that the kosher-meal provider, Weinberg Campus, will discontinue the program as of August 30, 2003, and has worked with the Jewish Center of Greater Buffalo to solicit a new provider, and

**WHEREAS**, the Department has worked with the Department of Environment and Planning to identify funds to upgrade the kitchen for kosher-meal preparation, and

**WHEREAS**, the Department of Environment and Planning has agreed to transfer \$20,000 from the Regionalism/Economic Development account to the Administration Interfund Transfer account, and

**WHEREAS**, the Department desires to amend the contract with the Jewish Center of Greater Buffalo to begin kosher-meal preparation for the nutrition programs on September 2, 2003, to enable the Jewish Center to upgrade the kitchen, and

**WHEREAS**, the County budget for the Departments and these grants are in need of revision.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the County Executive be and is hereby authorized to transfer the \$20,000 from the Regionalism/Economic Development account (DAC 110 9043038301299) to the Senior Services Interfund Transfer account (DAC 110 9396308866309), and be it further

**RESOLVED**, that the County Executive be and is hereby authorized to increase the contract with the Jewish Center of Greater Buffalo by \$20,000, effective September 2, 2003 for upgrading the kitchen, and be it further

**RESOLVED**, that the budget for the C-1 grant, Project 762, be revised as follows:

**REVENUES**

<b>Account</b>	<b>Description</b>	<b>CURRENT BUDGET</b>	<b>CHANGES</b>	<b>AMENDED BUDGET</b>
443	In-Kind Revenue	\$8,342	\$6,257	\$14,599
664	Federal Aid	1,372,967	56,316	1,429,283
686/6300	Interfund Revenue	144,210	20,000	164,210
	<b>TOTAL CHANGE</b>		<b>\$82,573</b>	

**APPROPRIATIONS**

805	Fringe Benefits	\$142,446	\$56,316	\$198,762
830/303	Jewish Center of Buffalo	81,438	20,000	101,438
830/315	City of Lackawanna	1,233	325	1,558
830/385	Other Projected Agencies	8,680	5,932	14,612
	<b>TOTAL CHANGE</b>		<b>\$82,573</b>	

and be it further

**RESOLVED**, that the budget for the C-2 grant, Project 764, be revised as follows:

<b>Account</b>	<b>Description</b>	<b>CURRENT BUDGET</b>	<b>CHANGES</b>	<b>AMENDED BUDGET</b>
443	In-Kind Revenue	\$0	\$2,497	\$2,497
664	Federal Aid	812,644	22,475	835,119
	<b>TOTAL CHANGE</b>		<b>\$24,972</b>	
<b>APPROPRIATIONS</b>				
805	Fringe Benefits	\$12,488	\$4,895	\$17,383
824	Local Mileage & Travel	400	214	614
830/385	Other Projected Agencies	0	19,863	19,863
	<b>TOTAL CHANGE</b>		<b>\$24,972</b>	

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 County Attorney, the Department of Environment and Planning and the Department of Senior Services.

(4-0) Legislator Cusack absent.

15. Item Page -2003 (Comm. 15E-57)

**COUNTY EXECUTIVE**

**WHEREAS**, the Erie County Legislature has already appropriated funds for the Area Aging on Aging (AAA) grant for the period January 1, 2003 to December 31, 2003; the Community Services for the Elderly (CSE) and the Expanded In-home Services for the Elderly Program (EISEP) grants for the period April 1, 2003 to March 31, 2004; and the Weatherization Referral and Packaging Program (WRAP-SOFA) and Heating and Energy Assistance Program (HEAP) grants for the periods October 1, 2002 to September 30, 2003, and October 1, 2003 to September 30, 2004, and

**WHEREAS**, the Department of Senior Services (Department) has reviewed the delivery of service and has identified several personnel adjustments that will enhance its service delivery to seniors and maximize the use of grant funds, and

**WHEREAS**, the Department desires to delete three vacant Community Service Aide Part-Time(PT)positions (numbers 792700, 792620, 792720) in AAA, the three vacant Senior Clerk Stenographer positions (numbers 815344, 810577, 810565) in CSE, EISEP and HEAP, respectively, effective 9/22/03, and

**WHEREAS**, the Department desires to create a Receptionist and Senior Clerk positions (both job group 3) in AAA, effective 9/22/03, and

**WHEREAS**, the Department desires to transfer the Community Service Aide Full-Time(FT) position from AAA to CSE, the Community Resource Technician position from EISEP to WRAP-SOFA, the Senior Community Service Aide position from HEAP to EISEP, and the Senior Clerk Typist and Community Service Aide PT positions from WRAP-SOFA to HEAP, effective 9/22/03, and

**WHEREAS**, the AAA and WRAP-SOFA grant budgets are in need of revision, and

**WHEREAS**, no additional County funds are required.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the three vacant Community Service Aide Part-Time positions in AAA and the three vacant Senior Clerk Stenographer positions be deleted in CSE, EISEP and HEAP, respectively, effective 9/22/03, and be it further

**RESOLVED**, that the Receptionist and Senior Clerk positions be created in AAA, effective 9/22/03, and be it further

**RESOLVED**, that the Community Service Aide FT position be transferred from AAA to CSE, the Community Resource Technician position be transferred from EISEP to WRAP-SOFA, the Senior Community Service Aide position be transferred from HEAP to EISEP, and the Senior Clerk

Typist and Community Service Aide PT positions be transferred from WRAP-SOFA to HEAP, all transfers effective 9/22/03, and be it further

**RESOLVED**, that the AAA grant budget, project no. 767, be revised as follows:

		CURRENT BUDGET	CHANGES	AMENDED BUDGET
<b>APPROPRIATIONS</b>				
Account	Description			
800	Personal Services	\$945,152	\$7,000	\$952,152
805	Fringe Benefits	252,936	2,000	254,936
933	Lab & Tech Equipment	10,000	<u>-9,000</u>	1,000
	TOTAL CHANGE		<u><u>\$0</u></u>	

and be it further

**RESOLVED**, that the WRAP-SOFA grant budget, project no. 665, be revised as follows:

		CURRENT BUDGET	CHANGES	AMENDED BUDGET
<b>APPROPRIATIONS</b>				
Account	Description			
800	Personal Services	\$168,992	\$2,950	\$171,942
826	Other Expenses	65,142	<u>-2,950</u>	62,192
	TOTAL CHANGE		<u><u>\$0</u></u>	

and be it further

**RESOLVED**, that certified copies of this resolution be forwarded to the Division of Budget, Management and Finance, the Department of Personnel, the Comptroller's Office and the Department of Senior Services.  
 (4-0) Legislator Cusack absent.

16. Item Page -2003 (Comm. 15E-58)

**COUNTY EXECUTIVE**

**WHEREAS**, the Erie County Legislature has already appropriated funds for the Elder Abuse Prevention (VII), the Disease Prevention and Health Promotion (III-D), the Elder Caregiver Support (III-E) and the Hope for Elderly Independence (HOPE) grants for the period January 1, 2003 to December 31, 2003; the Long Term Care Ombudsman Program (LTCOP), Health Insurance Information, Counseling and Assistance Program (HIICAP) and the New York State Retired Senior Volunteer Program (NYSRSVP) grants for the period April 1, 2003 through March 31, 2004, and

**WHEREAS**, the New York State Office for the Aging has notified the Department of Senior Services (Department) of final federal and state funding allocations, and

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**WHEREAS**, the Department has reviewed the budgets and actual costs of carrying out the programs through the end of the grant years, and

**WHEREAS**, the County budgets and the related agency contracts for these grants are in need of revision, and

**WHEREAS**, no additional County funds are needed.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the County Executive is hereby authorized to amend and increase the contracts with the American Red Cross under the VII and LTCOP grants by \$7,842 and \$3,087, respectively, and to increase the contract with Legal Services for the Elderly under the III-E grant by \$7,000 (\$ 5,000 cash and \$2,000 subcontractor funds) and be it further

**RESOLVED**, that the budget for the VII grant, Project 768, be revised as follows:

	CURRENT BUDGET	CHANGES	AMENDED BUDGET
<b>REVENUES</b>			
Account Description			
664 Federal Aid	\$46,892	<u>\$7,842</u>	\$54,734
TOTAL CHANGE		<u><u>\$7,842</u></u>	

	CURRENT BUDGET	CHANGES	AMENDED BUDGET
<b>APPROPRIATIONS</b>			
830/418 American Red Cross	\$46,892	<u>\$7,842</u>	\$54,734
TOTAL CHANGE		<u><u>\$7,842</u></u>	

and be it further

**RESOLVED**, that the budget for the III-D grant, Project 769, be revised as follows:

	CURRENT BUDGET	CHANGES	AMENDED BUDGET
<b>APPROPRIATIONS</b>			
Account Description			
800 Personal Services	\$47,283	\$5,062	\$52,345
805 Fringe Benefits	\$12,591	\$6,609	19,200
830/385 Other Projected Agencies	\$25,695	-\$12,221	13,474
880/5100 Interfund Expenses	2,000	<u>550</u>	2,550
TOTAL CHANGE		<u><u>\$0</u></u>	

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and be it further

**RESOLVED**, that the budget for the III-E grant, Project 770, be revised as follows:

		CURRENT		AMENDED
		BUDGET	CHANGES	BUDGET
<b>APPROPRIATIONS</b>				
Account	Description			
830/236	Legal Services for the Elderly	\$30,000	\$7,000	\$37,000
830/385	Other Projected Agencies	300,968	<u>-7,000</u>	293,968
	TOTAL CHANGE		<u><u>\$0</u></u>	

and be it further

**RESOLVED**, that the budget for the LTCOP grant, Project 775, be revised as follows:

		CURRENT		AMENDED
		BUDGET	CHANGES	BUDGET
<b>REVENUES</b>				
Account	Description			
	553 State Aid	\$45,325	<u>\$3,087</u>	\$48,412
	TOTAL CHANGE		<u><u>\$3,087</u></u>	
<b>APPROPRIATIONS</b>				
830/418	American Red Cross	\$44,683	<u>\$3,087</u>	\$47,770
	TOTAL CHANGE		<u><u>\$3,087</u></u>	

and be it further

**RESOLVED**, that the budget for the HIICAP grant, Project 781, be revised as follows:

		CURRENT		AMENDED
		BUDGET	CHANGES	BUDGET
<b>REVENUES</b>				
Account	Description			
	664 Federal Aid	\$15,710	<u>-\$11,920</u>	\$3,790
	TOTAL CHANGE		<u><u>-\$11,920</u></u>	
<b>APPROPRIATIONS</b>				
	810 Office Supplies	\$1,000	-\$1,000	\$0
	824 Travel & Mileage	\$5,790	-\$3,150	2,640
	825 Out of Area Travel	0	150	150

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826 Other Expenses	7,920	<u>-7,920</u>	0
TOTAL CHANGE		<u><u>-\$11,920</u></u>	

and be it further

**RESOLVED**, that the budget for the HOPE grant, Project 784, be revised as follows:

		CURRENT		AMENDED
		BUDGET	CHANGES	BUDGET
<b>APPROPRIATIONS</b>				
Account	Description			
800	Personal Services	\$47,938	\$201	\$48,139
805	Fringe Benefits	\$12,766	\$5,039	17,805
830/385	Other Projected Agencies	133,376	<u>-5,240</u>	128,136
	TOTAL CHANGE		<u><u>\$0</u></u>	

and be it further

**RESOLVED**, that the budget for the NYSRSVP grant, Project 785, be revised as follows:

		CURRENT		AMENDED
		BUDGET	CHANGES	BUDGET
<b>REVENUES</b>				
Account	Description			
551	State Aid	\$13,158	<u>-\$1,526</u>	\$11,632
	TOTAL CHANGE		<u><u>-\$1,526</u></u>	
<b>APPROPRIATIONS</b>				
800	Personal Services	\$11,635	<u>-\$1,155</u>	\$10,480
805	Fringe Benefits	\$1,343	<u>-\$191</u>	1,152
823	Repairs & Maintenance	180	<u>-180</u>	0
	TOTAL CHANGE		<u><u>-\$1,526</u></u>	

and be it further

**RESOLVED**, that certified copies of this resolution be forwarded to the Division of Budget, Management and Finance, the Comptroller's Office and the Department of Senior Services.  
 (4-0) Legislator Cusack absent.

**BARRY A. WEINSTEIN, M.D.**  
**CHAIRMAN**

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MR. WEINSTEIN moved to separate item #5 and moved the approval of the balance of the report. MR. RANZENHOFER seconded.

CARRIED UNANIMOUSLY.

MR. WEINSTEIN moved to amend item #5. MR. RANZENHOFER seconded.

CARRIED UNANIMOUSLY.

**DELETE** the following dates: "10/1/03 – 9/30/04" from both the cover memo and the attached resolution and **REPLACE** with the following: "10/1/02 – 9/30/03.

MR. WEINSTEIN moved the approval of item #5 as amended. MR. RANZENHOFER seconded. MR. DeBENEDETTI & MS. MARINELLI in the negative.

CARRIED. (WEIGHTED VOTE: 13.895 – 1.913)

\*\*\* See meeting #17 for further action on Comm. 15E-41.

Item 35 – MR. WEINSTEIN presented the following resolution and moved for immediate consideration. MS. CUSACK seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 537

September 18, 2003

REGIONALISM AD HOC  
 COMMITTEE  
 REPORT NO. 4

ALL MEMBERS PRESENT EXCEPT LEGISLATOR CUSACK.

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

Item Page -2003 (Comm. 15M-38)  
 a. **BILL STODDARD:** Heal WNY Student Service Project.  
 (4-0) Legislator Cusack absent.

2. Item Page -2003 (Comm. 15E-59)  
**COUNTY EXECUTIVE**

**WHEREAS,** The County of Erie, desires to participate in the Master Planning process for the Buffalo Niagara Medical Campus in the City of Buffalo; and

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**WHEREAS**, The Buffalo Niagara Medical Campus Master Plan seeks to create a world-class medical campus capitalizing on institutions such as Buffalo General Hospital, Roswell Park Cancer Institute, and the Center for Excellence in Bioinformatics; and

**WHEREAS**, The expansion of the medical research and product development in Buffalo and Erie County will be a preferred alternative for new industry sectors which will promote the retention of existing jobs and the creation of new jobs; and

**WHEREAS**, Local foundations are also expected to contribute to this master plan implementation effort,

**NOW, THEREFORE, BE IT**

**RESOLVED**, That the County Executive is authorized to enter into contracts with the Buffalo Niagara Medical Campus, in amounts not to exceed a total of \$100,000, for the purpose of funding master planning efforts for the medical campus; and be it further

**RESOLVED**, That the source of these funds shall be \$100,000 available in the Regionalism/Economic Development Fund, DAC 110 904 303 830 1299, which will be transferred to a separate subaccount under 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 Cusack absent.

**BARRY A. WEINSTEIN, M.D.**  
**CHAIRMAN**

MR. WEINSTEIN moved the approval of the resolution. MS. CUSACK seconded.

CARRIED UNANIMOUSLY.

**LEGISLATORS RESOLUTIONS**

Item 36 – MS. CHASE presented the following resolution and moved for immediate consideration. MR. RANZENHOFER seconded.

CARRIED UNANIMOUSLY.

Re: In Support of Great Lakes United's  
 Opposition to Mercury Emissions Trading.

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**ERIE COUNTY LEGISLATURE**

(Intro. 16-1)

A RESOLUTION SUBMITTED BY  
LEGISLATOR CHASE

WHEREAS, mercury in its various forms is a persistent toxin, posing risks to susceptible populations, in particular the developing fetus, children, women of child-bearing age, native populations, and plants, fish and wildlife, and

WHEREAS, the contamination of fish from methylmercury, the most toxic form of mercury, has deprived us of a valuable, nutritious, readily-available food source and is the cause of 95% of the fish advisories in the Great Lakes Basin, and

WHEREAS, the United States and Canada have participated in international and binational agreements that seek to make significant reductions and eliminate sources of mercury, and

WHEREAS, the Congress is reviewing the Clear Skies Act 2003 which initiates a cap-and-trade system for mercury emissions from coal-fired plants, and

WHEREAS, the member organizations of Great Lakes United, at its annual general meeting on June 8, 2003, adopted a policy of opposing the trading of any mercury emissions and reaffirmed its support for the virtual elimination of the human use, generation and release of mercury to the environment,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby affirm its support for Great Lakes United in opposing the trading of mercury emissions and supporting the virtual elimination of the human use, generation and release of mercury to the environment, and be it further

RESOLVED, that certified copies of this resolution be sent to President George Bush, WNY Members of US Senate and US House of Representatives, Gov. George Pataki, WNY Delegation Members, NYSDEC, Erie County Executive Joel Giambra, Erie County Department of Environment & Planning Deputy Commissioner Michael Raab and Margaret Wooster, Executive Director of Buffalo Office of Great Lakes United (BSC-Cassety Hall, 1300 Elmwood Ave., Buffalo, NY 14222)

MS. CHASE moved to amend the resolution to include Et Al Sponsorship. MR. RANZENHOFER seconded.

CARRIED UNANIMOUSLY.

CHAIRMAN SWANICK directed that the resolution be referred to the ENERGY & ENVIRONMENT COMMITTEE.

GRANTED.

**MEETING NO. 16**  
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**ERIE COUNTY LEGISLATURE**

Item 37 – MS. CHASE presented the following resolution and moved for immediate consideration. MR. McCARVILLE seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 539

Re: Appointment of the EC Farm Bureau, Inc.'s  
 Representative to the EC Soil & Water  
 Conservation District. (Intro. 16-2)

A RESOLUTION SUBMITTED BY LEGISLATORS  
 CHASE, McCARVILLE & DALE

**WHEREAS**, the enabling legislation for the creation and maintenance of the Erie County Soil and Water Conservation District allows the Erie County Farm Bureau, Inc. to appoint an individual as their representative to the Board of Directors of the Erie County Soil and Water Conservation District, and

**WHEREAS**, the previous representative of the Erie County Farm Bureau, Inc. to the Board of Directors of the Erie County Soil and Water Conservation District recently resigned his position, and

**WHEREAS**, Erie County Farm Bureau, Inc. seeks to appoint Stanley Travis as their representative to the Board of Directors for the Erie County Soil and Water Conservation District,

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Erie County Legislature does hereby appoint Stanley Travis, 2095 Eastwood Road, East Aurora, NY 14052 as the Erie County Farm Bureau, Inc.'s representative to the Board of Directors for the Erie County Soil and Water Conservation District, and be it further

**RESOLVED**, that said appointment shall begin immediately and will expire on December 31, 2004, and be it further

**RESOLVED**, that certified copies of this resolution be sent to the Board of Directors for the Erie County Soil and Water Conservation District, the Erie County Farm Bureau, Inc., Suite 260, 21 South Grove Street, East Aurora, NY 14052-2387, and Stanley Travis, 2095 Eastwood Road, East Aurora, NY 14052.

**Fiscal Impact:** None for the Resolution.

MS. CHASE moved the approval of the resolution. MR. McCARVILLE seconded.

CARRIED UNANIMOUSLY.

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**ERIE COUNTY LEGISLATURE**

Item 38 – MS. CHASE presented the following resolution and moved for immediate consideration. MR. McCARVILLE seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 540

Re: Transfer of Public Benefit Funds.  
(Intro. 16-3)

A RESOLUTION SUBMITTED BY LEGISLATORS  
CHASE, LARSON, McCARVILLE, DUSZA & SCHROEDER

**WHEREAS**, the Legislature set aside funds in the 2003 Erie County Budget for use by worthy community organizations and governmental agencies, and

**WHEREAS**, the organizations cited in this resolution have successfully met the standards and qualifications to receive public benefit funds from the County of Erie and have completed the application process with a contract approved by the County Attorney, and

**WHEREAS**, the Legislature must now pass a resolution to effect the transfer of funds,

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Erie County Legislature does hereby approve the transfer of \$26,000 from the Legislature – Contractual fund (110905100830) to Fund 110, Project 921, Department 301 Agency Payments & Grants – Public Benefit Services (110921301830) for payment to the following agencies:

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>	<u>SPONSOR</u>
Eden Athletic Association	830/1412	\$2,000	CHASE
ESG LOC 2003	830/1780	\$1,000	CHASE
ESG LOC 2003	830/1780	\$2,500	McCARVILLE
Holy Family Sports Assn.	830/	\$1,000	SCHROEDER
St. John Gualbert Parish Community	830/	\$3,000	DUSZA
Ten Lives Club	830/1563	\$500	CHASE
Town of Cheektowaga (Cheektowaga Senior Recreation Center)	830/1751	\$5,000	DUSZA
Town of Sardinia	830/	\$1,000	LARSON
Village of Lancaster (Vol. Fire Department)	830/0458	\$10,000	LARSON
<b>TOTAL</b>		<b>\$26,000</b>	

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And be it further

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

**RESOLVED**, that \$19,900 be returned to the Legislature – Contractual fund (110905100830) from Fund 110, Project 921, Department 301 Agency Payments & Grants – Public Benefit Services – South Buffalo Community Association (1109213018301052), and be it further

**RESOLVED**, that the Erie County Executive is hereby authorized to enter into contract with the South Buffalo Community Association for the amount of \$45,500 remaining in (1109213018301052) as per Intro. 13-7 (2003), and be it further

**RESOLVED**, that this resolution is intended to replace previously allocated funds to the South Buffalo Community Association and is not in addition to any previously allocated funds for this public benefit agency, 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; Kelly A. Wahl – First Administrative Assistant Erie County Legislature; and Assistant County Attorneys Susannah Bochenek and Melissa Heimerl.

**Fiscal Impact: Appropriation of 2003 budgeted funds**

MS. CHASE moved to amend the resolution. MR. McCARVILLE seconded.

CARRIED UNANIMOUSLY.

- DELETE the First RESOLVED Clause in its entirety and REPLACE with:

**RESOLVED**, that the Erie County Legislature does hereby approve the transfer of \$22,500 from the Legislature – Contractual fund (110905100830) to Fund 110, Project 921, Department 301 Agency Payments & Grants – Public Benefit Services (110921301830) for payment to the following agencies:

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>	<u>SPONSOR</u>
Eden Athletic Association	830/1412	\$2,000	CHASE
Holy Family Sports Assn.	830/	\$1,000	SCHROEDER
St. John Gualbert Parish Community	830/	\$3,000	DUSZA

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Ten Lives Club	830/1563	\$500	CHASE
Town of Cheektowaga (Cheektowaga Senior Recreation Center)	830/1751	\$5,000	DUSZA
Town of Sardinia	830/	\$1,000	LARSON
Village of Lancaster (Vol. Fire Department)	830/0458	\$10,000	LARSON
<b>TOTAL</b>		<b>\$22,500</b>	

MS. CHASE moved the approval of the resolution as amended. MR. McCARVILLE seconded.

CARRIED UNANIMOUSLY.

Item 39 – MR. McCARVILLE presented the following resolution and moved for immediate consideration. MR. RANZENHOFER seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 541

Re: Consideration for Public Benefit Funding.  
(Intro. 16-4)

A RESOLUTION SUBMITTED BY  
LEGISLATOR McCARVILLE

**WHEREAS**, the Legislature set aside Public Benefit Funds in the 2003 Erie County Budget for community organizations and government agencies deemed worthy by the Legislature and for purposes allowable under N.Y. County Law and Erie County Local Law No.3-2002, and

**WHEREAS**, organizations will only be granted Public Benefit Funds upon successful completion of the application process and subsequent approval by the County Attorney of a contract between the County of Erie and the organization,

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Erie County Legislature does hereby authorize Public Benefit Administrator Kelly A. Wahl to send an application for Public Benefit Funding to the following organizations:

<u>NAME</u>	<u>RECOMMENDED AMOUNT</u>	<u>SPONSOR</u>
Collins Fire Company	\$2,000	McCARVILLE

TOTAL	\$2,000
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And be it further

**RESOLVED**, that upon successful completion of the Public Benefit application process and subsequent approval by the County Attorney of a contract between the County of Erie and cited agency, the Erie County Legislature will pass a resolution enabling the transfer of such funds for use by the cited agency; 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; Kelly A. Wahl– First Administrative Assistant Erie County Legislature; and Assistant County Attorneys Susannah Bochenek and Melissa Heimerl.

Fiscal Impact: None

MR. McCARVILLE moved to amend the resolution. MR. RANZENHOFER seconded.

CARRIED UNANIMOUSLY.

- DELETE the First RESOLVED Clause in its entirety and REPLACE with:

**RESOLVED**, that the Erie County Legislature does hereby authorize Public Benefit Administrator Kelly A. Wahl to send an application for Public Benefit Funding to the following organizations:

<u>NAME</u>	<u>RECOMMENDED AMOUNT</u>	<u>SPONSOR</u>
Collins Fire Company	\$2,000	McCARVILLE
L.K. Painter Community Center	\$2,000	McCARVILLE
Orchard Park Youth Baseball	\$1,500	McCARVILLE
Buffalo Building Trades Development Partnership, Inc.	\$2,000	McCARVILLE
Buffalo Building Trades Development Partnership, Inc.	\$5,000	MAJORITY
Springville Boys & Girls Club	\$3,185	McCARVILLE
Mortons Corner Volunteer Fire Co.	\$2,000	McCARVILLE
North Haven Therapeutic Riding Aquatic Center	\$500	McCARVILLE
Clarence Senior Citizens, Inc.	\$3,959	RANZENHOFER
TOTAL	\$22,144	

And be it further

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MR. McCARVILLE moved the approval of the resolution as amended. MR. RANZENHOFER seconded.

CARRIED UNANIMOUSLY.

Item 40 – MR. HOLT presented the following resolution and moved for immediate consideration. MR. DUSZA seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 542

Re: Welcoming New ECIDA Executive  
Director Charles Webb. (Intro. 16-5)

A RESOLUTION SUBMITTED BY LEGISLATORS  
HOLT, SCHROEDER, FISHER, MARINELLI, DUSZA, DEBENEDETTI,  
DALE, SMITH & KUWIK

WHEREAS, the Erie County Industrial Development Agency (ECIDA) is the primary and dominant economic development agency in Erie County, and

WHEREAS, in spring 2001, Erie County Executive Joel Giambra sought and received the resignation of ECIDA Executive Director Ronald Coan, and

WHEREAS, at that point, numerous ECIDA board members including Andrew Rudnick, Robert Brady, Anthony Diina, Susan Grelick, and Mr. Giambra expressed their interest in overhauling the ECIDA and the entire process and system by which economic development is conducted in Erie County, and

WHEREAS, for nearly two years, the ECIDA was co-led by Buffalo Niagara Enterprise President/Chief Executive Officer Thomas Kucharski and Amherst Industrial Development Agency Executive Director James Allen, both of whom maintained their primary employment while serving in interim roles with the ECIDA, and both of whom stepped down in late 2002/early 2003, and

WHEREAS, after a national search, Charles Webb, formerly Executive Vice President of the Greater Cleveland Growth Association, was recommended by the ECIDA's search committee and consultant and approved by the ECIDA Board of Directors, and assumed responsibilities as Executive Director of the ECIDA in late July 2003, and

WHEREAS, Mr. Webb recently provided an interview to a local newspaper in which he briefly discussed some of his thoughts and ideas on the ECIDA and economic development in Erie County,

NOW, THEREFORE, BE IT

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RESOLVED, that the Erie County Legislature respectfully requests that Mr. Webb attend a meeting of the Erie County Legislature's Economic Development Committee in September or October 2003, to introduce himself and to brief legislators on his ideas and concerns about economic development in Erie County and his initial observations regarding the potential for reform and change in the economic development structure in this County, and be it further

RESOLVED, that certified copies of this resolution be transmitted to Charles Webb of the ECIDA and to the ECIDA Board of Directors.

**Fiscal Impact: Positive for Erie County's economic development**

MR. HOLT moved to amend the resolution to include Et Al Sponsorship. MR. DUSZA seconded.

CARRIED UNANIMOUSLY.

MR. HOLT moved the approval of the resolution as amended. MR. DUSZA seconded.

CARRIED UNANIMOUSLY.

Item 41 – CHAIRMAN SWANICK directed that the following resolution be referred to the FINANCE & MANAGEMENT COMMITTEE.

GRANTED.

Intro. 16-6 From LEGISLATORS HOLT, MARINELLI, FISHER, DUSZA, DeBENEDETTI, DALE & SMITH Re: Support for NYS's Tax Incremental Financing Initiative for the Bass Pro Shops Project.

Item 42 – CHAIRMAN SWANICK directed that the following resolution be referred to the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Intro. 16-7 From the MINORITY CAUCUS Re: Calling for an Audit of the Power Generating Capacity of the NYPA's Niagara Power Project.

Item 43 – CHAIRMAN SWANICK directed that the following resolution be referred to the HUMAN SERVICES COMMITTEE.

GRANTED.

Intro. 16-8 From LEGISLATORS HOLT & SMITH Re: Support for the "US National Health Insurance Act" (HR 676).

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Item 44 – CHAIRMAN SWANICK directed that the following resolution be referred to the ECONOMIC DEVELOPMENT COMMITTEE.

GRANTED.

Intro. 16-9 From the MINORITY CAUCUS Re: Funding & Measuring Outcomes for Buffalo Niagara Enterprise.

Item 45 – MR. HOLT presented the following resolution and moved for immediate consideration. MR. DALE seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 543

Re: Possible Closure of Buffalo China's  
 Facilities in Buffalo. (Intro. 16-10)

A RESOLUTION SUBMITTED BY LEGISLATORS  
 HOLT, SCHROEDER, FISHER, MARINELLI, DUSZA, DEBENEDETTI,  
 DALE, SMITH & KUWIK

WHEREAS, in 1997, Buffalo China began a \$13.8 million expansion of its manufacturing and warehousing facilities in Buffalo, forsaking shifting the work to facilities in Mexico, and

WHEREAS, in March 1998, the Erie County Industrial Development Agency approved and provided \$10.8 million in bond financing for Buffalo China's expansion, thus saving the company more than \$1.5 million in property taxes and \$321,000 in sales taxes, and

WHEREAS, in March 1998, the Erie County Legislature approved the creation of a foreign trade sub-zone at Buffalo China's Bailey Avenue facility, and the U.S. Department of Commerce approved the zone in August 1999, allowing the company to save \$8 million over ten years in tariffs and related costs, and

WHEREAS, in February 1999, Empire State Development approved a \$500,000 grant for Buffalo China to enable the company to purchase new equipment, and at that time, the company stated the grant would allow it to maintain its 450-person workforce in Buffalo, and

WHEREAS, in May 1999, Buffalo China shared a \$336,000 grant from Empire State Development for employee training and development, and

WHEREAS, in August 1999, Buffalo China's Bailey Avenue facility expansion was officially completed, with federal, state, county and city officials noting the millions of dollars in government incentives provided to Buffalo China, and at which time Buffalo China stated the expansion had boosted employment in Buffalo to 580 persons, and would rise to 630 persons in the "near future," and

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WHEREAS, in November 2000, Buffalo China received two grants totaling \$365,000 from the New York State Energy Research and Development Authority to help the company save on energy costs as it pursued a new manufacturing technologies, and

WHEREAS, in the early 2000s, Buffalo China's 500 Bailey Avenue facility was placed into the City's Empire Zone, thus providing significant tax savings in the hundreds of thousands of dollars, and

WHEREAS, in May 2002, upon announcing a \$2.3 million purchase of new equipment and renovations at its new Bailey Avenue warehouse, and the establishment of leased space in Cheektowaga, Buffalo China was rewarded with the placement of its new Bailey Avenue warehouse in the City's second Empire Zone (thus providing new, significant tax savings), workforce training and development grants from Erie County of \$205,000 and from the Erie County Workforce Investment Board of \$205,000, and a \$150,000 grant from Empire State Development (total grants of \$560,000), and

WHEREAS, Buffalo China has received, for several years, low-cost electricity allocations from the New York Power Authority, and

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature expresses its concern regarding Buffalo China's recent announcement that it may close or reduce its operations in Buffalo, and be it further

RESOLVED, that this Honorable Body calls on Congressman Jack Quinn, Governor George Pataki, Empire State Development, Assemblyman Brian Higgins, Senator William Stachowski, the ECIDA, Erie County Executive Joel Giambra, and Buffalo Mayor Anthony Masiello to work with Buffalo China officials and members of the Glass, Molders, Pottery, Plastics and Allied Workers International Union to develop strategies and measures by which Buffalo China's Buffalo facilities can remain open, and employing the current force of 450 persons, and be it further

RESOLVED, that the Erie County Legislature expresses its support for effective and tangible measures by which the County of Erie and this Honorable Body can assist Buffalo China to maintain its local facilities and current workforce, including support for worker training initiatives and New York Power Authority low-cost power incentives, and be it further

RESOLVED, that certified copies of this resolution be transmitted to Congressman Jack Quinn, Governor George Pataki, Charles Gargano of Empire State Development (30 South Pearl Street, Albany, NY 12245), the Erie County delegation of the New York State Legislature, ECIDA Executive Director Charles Webb and Chairman Kevin Clarke, Erie County Executive Joel Giambra, Buffalo Mayor Anthony Masiello, Buffalo China Chairman and Chief Executive Officer Peter Kallet and John Kessel of the Buffalo unit of the Glass, Molders, Pottery, Plastics and Allied Workers International Union (c/o P.O. Box 607, 608 East Baltimore Pike, Media, PA 19063-0607).

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Fiscal Impact: The closure of the Buffalo China facilities will be tremendously negative for Erie County.

MR. HOLT moved to amend the resolution to include Et Al Sponsorship. MR. DALE seconded.

CARRIED UNANIMOUSLY.

MR. HOLT moved the approval of the resolution as amended. MR. DALE seconded.

CARRIED UNANIMOUSLY.

Item 46 – CHAIRMAN SWANICK directed that the following resolution be referred to the FINANCE & MANAGEMENT COMMITTEE.

GRANTED.

Intro. 16-11 From LEGISLATORS HOLT, MARINELLI, FISHER, DUSZA, DeBENEDETTI, DALE & SMITH Re: Seeking Information & Clarification Concerning the Proposed EC E-Zone Project.

Item 47 – MS. FISHER presented the following resolution and moved for immediate consideration. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 544

Re: County Funding for the Buffalo Zoo.  
 (Intro .16-12)

A RESOLUTION SUBMITTED BY  
 LEGISLATOR FISHER

WHEREAS, the Buffalo Zoo is an invaluable community resource for local residents and a prime attraction for cultural tourism, and

WHEREAS, Erie County provided government funding to the Zoological Society of Buffalo, Inc. in 2002, and

WHEREAS, contract specifications between the County and the Zoo require the Zoo to refund any unused money for 2002, and

WHEREAS, the Zoo has requested to retain the remaining County allocated 2002 funds totaling \$3,274.68 to be used to cover existing operational needs,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby repeal the 2002 contract specification that requires the Zoological Society of Buffalo, Inc. to return unused 2002 funding, thereby permitting the Zoo to retain remaining funds in the amount of \$3,274.68 to be used for existing operational expenses, and be it further

RESOLVED, that the Clerk of the Legislature, the Director of the Division of Budget, Management & Finance, the County Comptroller 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 forwarded to the County Executive, County Comptroller, Director of Budget, Management & Finance, County Attorney, and Buffalo Zoo Director of Administration & Finance, Denise JB Maloney (Buffalo Zoological Gardens, 300 Parkside Avenue, Buffalo, NY 14214).

**Fiscal Impact:** Appropriation of 2002 budgeted funds.

MS. FISHER moved to amend the resolution to include Et Al Sponsorship. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

MS. FISHER moved to approve the resolution as amended. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

Item 48 – CHAIRMAN SWANICK directed that the following resolution be referred to the ECONOMIC DEVELOPMENT COMMITTEE.

GRANTED.

Intro. 16-13 From LEGISLATORS HOLT, DALE, DUSZA, DeBENEDETTI, FISHER & MARINELLI Re: Creation of an Ad Hoc EC Legislature Committee to Inquire into Allegations of Wrongdoing & the Misapplication of County Funds & Property.

CHALLENGE TO CHAIR.

AYES: DALE, DeBENEDETTI, DUSZA, FISHER, HOLT, KUWIK, MARINELLI, SCHROEDER & SMITH. NOES: CHASE, CUSACK, FALKNER, McCARVILLE, RANZENHOFER, SWANICK & WEINSTEIN.

FAILED. [WEIGHTED VOTE: 8.415 – 7.393 (FAILED TO REACH NEEDED 8.501 MAJORITY VOTE)]

**COMMUNICATIONS DISCHARGED FROM COMMITTEE**

Item 49 – MR. DALE moved to discharge the FINANCE & MANAGEMENT COMMITTEE from further consideration of Intro. 6-16. MR. HOLT seconded.

CHAIRMAN SWANICK directed that a roll call vote be taken.

AYES: DALE, DeBENEDETTI, DUSZA, FISHER, HOLT, KUWIK, MARINELLI, SCHROEDER & SMITH. NOES: CHASE, CUSACK, FALKNER, McCARVILLE, RANZENHOFER, SWANICK & WEINSTEIN.

FAILED. [WEIGHTED VOTE: 8.415 – 7.393 (FAILED TO REACH NEEDED 8.501 MAJORITY VOTE)]

Item 50 – MR. HOLT moved to discharge the FINANCE & MANAGEMENT COMMITTEE from further consideration of Intro. 5-14. MR. DALE seconded.

CHAIRMAN SWANICK directed that a roll call vote be taken.

AYES: DALE, DeBENEDETTI, DUSZA, FISHER, HOLT, KUWIK, MARINELLI, SCHROEDER & SMITH. NOES: CHASE, CUSACK, FALKNER, McCARVILLE, RANZENHOFER, SWANICK & WEINSTEIN.

FAILED. [WEIGHTED VOTE: 8.415 – 7.393 (FAILED TO REACH NEEDED 8.501 MAJORITY VOTE)]

**SUSPENSION OF THE RULES**

Item 51 – MR. RANZENHOFER moved for a suspension of the rules to include an item not on the agenda. MR. FALKNER seconded.

GRANTED.

CHAIRMAN SWANICK directed that the following resolution be referred to the PUBLIC SAFETY COMMITTEE.

GRANTED.

Comm. 16E-31 From the SHERIFF Re: Erie County Sheriff's Office – Personnel Adjustments.

Item 52 – MR. RANZENHOFER moved for a suspension of the rules to include an item not on the agenda. MR. FALKNER seconded.

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GRANTED.

CHAIRMAN SWANICK directed that the following resolution be referred to the PUBLIC SAFETY COMMITTEE.

GRANTED.

Comm. 16E-32 From the SHERIFF Re: Erie County Sheriff's Office – Asset Forfeiture Grant Appropriations – Project #493.

Item 53 – MR. RANZENHOFER moved for a suspension of the rules to include an item not on the agenda. MR. FALKNER seconded.

GRANTED.

CHAIRMAN SWANICK directed that the following resolution be referred to the PUBLIC SAFETY COMMITTEE.

GRANTED.

Comm. 16E-33 From the SHERIFF Re: Erie County Sheriff's Office – Unified Court Security Grant Personnel Adjustment.

Item 54 – MR. RANZENHOFER moved for a suspension of the rules to include an item not on the agenda. MR. FALKNER seconded.

GRANTED.

CHAIRMAN SWANICK directed that the following resolution be referred to the PUBLIC SAFETY COMMITTEE.

GRANTED.

Comm. 16E-34 From the SHERIFF Re: Erie County Sheriff's Office – Personnel Adjustments.

Item 55 – MR. HOLT moved for a suspension of the rules to include an item not on the agenda. MS. FISHER seconded.

GRANTED.

CHAIRMAN SWANICK directed that the following resolution be RECEIVED, FILED & PRINTED.

GRANTED.

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**ERIE COUNTY LEGISLATURE**

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September 25, 2003

Hon. Charles M. Swanick  
Chairman  
Erie County Legislature  
25 Delaware Avenue  
Buffalo, NY 14202

Dear Chairman Swanick,

Per your request I am submitting the names for the Minority Caucus appointments to the Inter-County Association of Western New York.

I am appointing Erie County Legislator Judith P. Fisher, a member of the Legislature's Regionalism Committee and member of the Erie-Niagara Partnership to also serve as the Minority appointment to the Inter-County Association of WNY. I am also appointing Timothy Callan and Janet Jamison as the Minority's alternate delegates for Legislator Fisher.

The contact information for these appointments is as follows:

Hon. Judith P. Fisher  
Erie County Legislator  
374 Delaware Avenue - Suite 208  
Buffalo, NY 14202  
Tel. No. (716) 854-0674  
Fax No. (716) 854-0676  
E-mail – [fisherj@erie.gov](mailto:fisherj@erie.gov)

Timothy Callan  
Erie County Legislator  
25 Delaware Avenue  
Buffalo, NY 14202  
Tel. No. (716) 858-8801  
Fax No. (716) 858-8429  
E-mail – [callant@erie.gov](mailto:callant@erie.gov)

Janet Jamison  
Erie County Legislature  
25 Delaware Avenue  
Buffalo, NY 14202  
Tel. No. (716) 858-8805  
Fax No. (716) 858-8429  
E-mail – [jamisonj@erie.gov](mailto:jamisonj@erie.gov)

Please forward this information to Inter-County Association of Western New York President Hon. Edmund Burdick. If you have any questions, feel free to contact me at 842-0490.

Sincerely,

George A. Holt, Jr.

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Minority Leader  
 Erie County Legislature

cc: Hon. Judith Fisher  
 Timothy Callan  
 Janet Jamison  
 Laurie Manzella, Clerk of the Erie County Legislature

Item 55 – MR. HOLT moved for a suspension of the rules to include an item not on the agenda. MS. MARINELLI seconded.

GRANTED.

CHAIRMAN SWANICK directed that the following resolution be referred to the COMMUNITY ENRICHMENT COMMITTEE.

GRANTED.

Comm. 16E-36 From LEGISLATOR MARINELLI Re: Rivers to Trails Program.

**COMMUNICATIONS FROM ELECTED OFFICIALS**

**FROM THE MAJORITY CAUCUS**

Item 57 – (Comm. 16E-1) Copy of Letter to River & Trails Program Re: Buffalo Olmsted Parks Conservancy Application.

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

**FROM LEGISLATOR LARSON**

Item 58 – (Comm. 16E-2) Consolidation of Finance & Management Committee Items Re: Sharing of 1% Sales Tax.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

**FROM LEGISLATOR CHASE**

Item 59 – (Comm. 16E-3) Consolidation of Public Safety Committee Items Re: City-County Police Merger.

Received and referred to the PUBLIC SAFETY COMMITTEE.

**FROM THE COUNTY EXECUTIVE**

Item 60 – (Comm. 16E-4) New Positions – ERP/SAP Project, Comptroller’s Office.

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

Item 61 – (Comm. 16E-5) Private Sale of Delinquent County Tax Certificates.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 62 – (Comm. 16E-6) District Attorney – Transfer of Funds.

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

Item 63 – (Comm. 16E-7) Regional Cultural Projects & Programs.

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

Item 64 – (Comm. 16E-8) ECSSTA & ECSD Nos. 1-6 – Engineering Service Agreements – Information Technology Plan – Work Order – SW-5, Stearns & Wheler.

Item 65 – (Comm. 16E-9) ECSD No. 2 – Eminent Domain Proceedings – Lakeview Road Relief Sewer – Approval of Resolution.

Item 66 – (Comm. 16E-10) ECSSTA & ECSD Nos. 1, 3 & 4 – Energy Performance Contract.

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

Item 67 – (Comm. 16E-11) Web Enabled Advanced Monitoring – Additional NYSERDA Funding.

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 68 – (Comm. 16E-12) Social Services – Food Stamp Nutrition Education Program.

Item 69 – (Comm. 16E-13) Social Services – Joan A. Male Family Support Center – Crisis Support Respite.

Item 70 – (Comm. 16E-14) Social Services – Bus Tokens & Passes.

Item 71 – (Comm. 16E-15) Social Services – Non-Residential Domestic Violence Contracts.

The above four items were received and referred to the HUMAN SERVICES COMMITTEE.

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Item 72 – (Comm. 16E-16) Surplus Revenue – Road Repair Reserve Fund – Public Hearing Request.

Item 73 – (Comm. 16E-17) EC Regional Public Safety Campus – Contingency Fund Increase – Temporary Relocation of DPW Offices.

Item 74 – (Comm. 16E-18) Buffalo & Erie County Public Library Exterior Building & Site Rehabilitation Contingency Fund Increase.

Item 75 – (Comm. 16E-19) Asbestos Hazard Emergency Response Services.

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

Item 76 – (Comm. 16E-20) Appointment to Senior Services Advisory Board.

RECEIVED, FILED & PRINTED.

September 17, 2003

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

RE: Appointment to Senior Services Advisory Board

Dear Members:

I, Joel A. Giambra, Erie County Executive, pursuant to Erie County Administrative Code Section 11-E-03, do hereby appoint the following individual to fill a vacant position on the Senior Services Advisory Board for the term ending December 31, 2004.

Ms. Jane Stanley  
9033 Rockwood Road  
Boston, New York 14025

Respectfully submitted,

**JOEL A. GIAMBRA**  
**ERIE COUNTY EXECUTIVE**

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JAG/kme

cc: Appointee  
Commissioner Pamela Krawczyk

Item 77 – (Comm. 16E-21) Rural Planning Services – Second Amendatory Agreement.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 78 – (Comm. 16E-22) Lakeshore Shoreline Trail – Phase I Agreement – Design.

Item 79 – (Comm. 16E-23) Outer Harbor Waterfront Trail – Design Agreement.

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

Item 80 – (Comm. 16E-24) ECSD No. 2 – Contract No. 38H – General Lakeshore Pumping Station Elimination Bid Opening.

Item 81 – (Comm. 16E-25) ECSD No. 3 – Engineering Service Agreements – Work Order PH-5.

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

Item 82 – (Comm. 16E-26) Bond Resolution – Lakeshore Shoreline Trail - \$103,000.

Item 83 – (Comm. 16E-27) Bond Resolution – Amending Previous Bonds – Reconstruction of Wehrle/Harris Hill Intersection.

Item 84 – (Comm. 16E-28) Bond Resolution – Outer Harbor Waterfront Trail - \$35,000.

Item 85 – (Comm. 16E-29) Bond Resolution – CPS Training Facility – Additional \$5,000,000.

Item 86 – (Comm. 16E-30) Bond Resolution – Amending Previous Bonds – Reconstruction & Restoration of Times Beach & Construction of Public Access - \$125,000.

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

**COMMUNICATIONS FROM THE DEPARTMENTS**

**FROM THE COUNTY ATTORNEY**

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Item 87 – (Comm. 16D-1) Notice of Approval of Local Law No. 6 – 2003 (Local Law Intro No. 12 – 2003)

RECEIVED, FILED & PRINTED.

September 9, 2003

**VIA HAND DELIVERY**

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

RE: LOCAL LAW No. 6-2003

Dear Laurie:

Enclosed is a certified copy of the above-referenced law for your files.

Very truly yours,

FREDERICK A. WOLF  
Erie County Attorney

BY: MELISSA O. HEIMERL  
Assistant County Attorney

Enclosure

cc: Frederick A. Wolf, Erie County Attorney (w/o enclosure)

\* This Local Law was approved pursuant to Article II, Section 205 of the Erie County Charter.

FROM ECC

Item 88 – (Comm. 16D-2) Meeting Notice.

Received and filed.

FROM THE COUNTY ATTORNEY

Item 89 – (Comm. 16D-3) Notice of Claims.

Item 90 – (Comm. 16D-4) Notice of Claims.

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

FROM THE BUFFALO & ERIE COUNTY PUBLIC LIBRARY

Item 91 – (Comm. 16D-5) Agenda & Minutes.

Received and filed.

FROM THE COUNTY ATTORNEY

Item 92 – (Comm. 16D-6) Notice of Claims.

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM PERSONNEL & LABOR RELATIONS

Item 93 – MR. RANZENHOFER presented the following resolution and moved for immediate consideration. MR. WEINSTEIN seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 545

Re: EC Health Insurance Contract.  
 (Comm. 16D-7)

MR. RANZENHOFER moved to amend the resolution. MR. WEINSTEIN seconded.

CARRIED UNANIMOUSLY.

**A.**

Whereas, the Giambra Administration, in conjunction with Erie County's Collective Bargaining Units, have been negotiating with various health care providers in an attempt to provide dependable and affordable health insurance to Erie County's employees, and

Whereas, Erie County's Collective Bargaining Units were given the opportunity to design a health insurance plan that would best serve the needs of their members, and

Whereas, Upon completion of the design of the plan, local and national health insurance providers were given the opportunity to bid on the plan with the understanding that the winner of the bid would be the sole provider of insurance to Erie County's Employees, and

Whereas, Blue Cross & Blue Shield of Western New York was the low bidder, and

Now therefore be it:

Resolved, that the County Executive, subject to the ratification by the Erie County Collective Bargaining Units, is hereby authorized to enter into a contract with Blue Cross & Blue Shield of Western New York for the sole provision of health insurance to the Erie County employees and retirees represented by said bargaining units that have ratified this agreement, and be it further

Resolved, that those bargaining units which have not ratified this agreement will continue under the terms and conditions of their existing collective bargaining agreement until a successor agreement is reached, and be it further

Resolved, that certified copies of this resolution be forwarded to John Greenan, Commissioner of Personnel, Kathleen O'Hara, Director of Labor Relations and Fredrick Wolf, County Attorney and Joseph Passafiume, Director of the Division of Budget, Management & Finance.

MR. RANZENHOFER moved to further amend the resolution. MR. WEINSTEIN seconded.

CARRIED UNANIMOUSLY.

**B.**

Whereas, the Giambra Administration, in conjunction with Erie County's Collective Bargaining Units, have been negotiating with various health care providers in an attempt to provide dependable and affordable health insurance to Erie County's employees, and

Whereas, Erie County's Collective Bargaining Units were given the opportunity to design a health insurance plan that would best serve the needs of their members, and

Whereas, Upon completion of the design of the plan, local and national health insurance providers were given the opportunity to bid on the plan with the understanding that the winner of the bid would be the sole provider of insurance to Erie County's Employees, and

Whereas, Blue Cross & Blue Shield of Western New York was the low bidder, and

Whereas, as part of the MOU signed with Blue Cross & Blue Shield of Western New York (BCBSWNY), rates are based on Erie County providing a certain level of active and retired employees in the health insurance plan, and

Whereas, Pursuant to the MOU, Managerial Confidential (M/C) employees will be required to enroll in the plan,

Now therefore be it:

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Resolved, that M/C employees will be required to enroll in the new BCBSWNY health insurance plan, and be it further

Resolved, that M/C employees, keeping with the agreement negotiated with BCBSWNY and our various Collective Bargaining Units, will enjoy the same benefits of said plan and be required to make the same pre and post retirement contributions as elected by a majority of Erie County's Collective Bargaining Units, and be it further

Resolved, that certified copies of this resolution be forwarded to John Greenan, Commissioner of Personnel, Kathleen O'Hara, Director of Labor Relations and Fredrick Wolf, County Attorney and Joseph Passafiume, Director of the Division of Budget, Management & Finance.

MR. RANZENHOFER moved the approval of the resolution as amended. MR. WEINSTEIN seconded.

CARRIED UNANIMOUSLY.

Item 94 – (Comm. 16D-8) Collective Bargaining Agreements.

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

**FROM THE COUNTY ATTORNEY**

Item 95 – (Comm. 16D-9) Notice of Claims.

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

**COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES**

**FROM THE EC MENTAL HYGIENE COMMUNITY SERVICES BOARD**

Item 96 – (Comm. 16M-1) Meeting Notice.

Received and filed.

**FROM THE EC ENVIRONMENTAL MANAGEMENT COUNCIL**

Item 97 – (Comm. 16M-2) Meeting Notice, Agenda & Minutes.

Received and filed.

**FROM THE NYS BOARD OF REAL PROPERTY SERVICES**

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Item 98 – (Comm. 16M-3) List of Certified 2003 State Equalization Rates.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

**FROM EMPIRE STATE DEVELOPMENT**

Item 99 – (Comm. 16M-4) Notice of Public Meeting – EC Harbor Project.

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

**FROM THE LAKE PLAINS RESOURCE CONSERVATION & DEVELOPMENT COUNCIL**

Item 100 – (Comm. 16M-5) Forest Management Planning.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

**FROM THE CITY OF BUFFALO**

Item 101 – (Comm. 16M-6) 2004 Transit Mall Service Charge Roll.

Received and filed.

**FROM THE BUFFALO & EC WORKFORCE INVESTMENT BOARD**

Item 102 – (Comm. 16M-7) Copy of Letter to Commissioner of DEP Re: Buffalo China.

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

**MEMORIAL RESOLUTIONS**

Item 103 – Legislator Swanick requested that when the Legislature adjourns, it do so in memory of those killed defending the country.

Item 104 – Legislator Chase requested that when the Legislature adjourns, it do so in memory of Esther Caffrey.

Item 105 – Legislator Holt requested that when the Legislature adjourns, it do so in memory of Judy Johnson.

Item 106 – Legislator Marinelli requested that when the Legislature adjourns, it do so in memory of Fred Sales.

Item 107 – Legislator Schroeder requested that when the Legislature adjourns, it do so in memory of Paul Reilly.

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**ERIE COUNTY LEGISLATURE**

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Item 108 – Legislator Falkner requested that when the Legislature adjourns, it do so in memory of the victims of Hurricane Isabella.

**ADJOURNMENT**

Item 109 – At this time, there being no further business to transact, the Chairman announced that the Chair would entertain a Motion to Adjourn.

MR. RANZENHOFER moved that the Legislature adjourn until 2 p.m. Thursday, October 2, 2003. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

The Chairman declared the Legislature adjourned until Thursday, October 2, 2003 at 2 p.m. Eastern Standard Time.

**LAURIE A. MANZELLA**  
**CLERK**