

MEETING NO. 16
September 5, 2002

ERIE COUNTY LEGISLATURE

ERIE COUNTY LEGISLATURE
MEETING NO. 16
September 5, 2002

The Legislature was called to order by Chairman DeBenedetti.

All Members Present except Legislator Fisher.

The invocation was led by Bishop William Henderson, El-Bethel Assembly.

The Pledge of Allegiance was led by Mr. Weinstein.

Item 1 – CHAIRMAN DeBENEDETTI directed that Comm. 13E-45 (2001) remain on the table.

MR. GREENAN moved the approval of the minutes of Meeting Nos. #5, 6, 7, 8, 9, 10, 11, 12, 13 & 14 of 2002. MR. RANZENHOFER seconded.

CARRIED UNANIMOUSLY.

MISCELLANEOUS RESOLUTIONS

Item 2 – MS. CUSACK presented a resolution Honoring Michaelangelo's Hair Fashion on Its 45th Anniversary. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

Item 3 – MR. WEINSTEIN presented a resolution Congratulating Evans National Bank on Their New Amherst Branch. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

Item 4 – MR. DeBENEDETTI presented a resolution Declaring 8/24/02 as the Eleventh Anniversary of Independence in Ukraine. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

Item 5 – MR. DeBENEDETTI presented a resolution Honoring Erie County Students Awarded Scholarships by the One Hundred Club of Buffalo and WNY. MR. LARSON seconded.

CARRIED UNANIMOUSLY.

MEETING NO. 16
September 5, 2002

ERIE COUNTY LEGISLATURE

Item 6 – MS. CHASE presented a resolution Honoring Hamburg Resident Thomas O’Neill for Providing Equipment in the Rescue of Miners in Pennsylvania. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

Item 7 – MR. LARSON presented a resolution Honoring Jacob Casell as He Obtains the Eagle Scout Award. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

Item 8 – MR. DUSZA presented a resolution Honoring Aloisious C. Kajdan for 55 Years of Membership in Catholic War Veterans Memorial Post No. 1313. MR. SWANICK seconded.

CARRIED UNANIMOUSLY.

Item 9 – MR. DUSZA presented a resolution Commemorating the 25th Anniversary of the Cheektowaga Bee. MR. SWANICK seconded.

CARRIED UNANIMOUSLY.

Item 10 – MS. MARINELLI presented a resolution Honoring Community Grief Center of Western New York Upon Receiving the 2002 New York State Dr. Martin Luther King Jr. Humanitarian Award. MR. SWANICK seconded.

CARRIED UNANIMOUSLY.

Item 11 – MR. DUSZA presented a resolution Congratulating Cheektowaga Senior Citizen Center Upon Their 20th Anniversary. MR. DALE seconded.

CARRIED UNANIMOUSLY.

Item 12 – MR. SWANICK presented a resolution recognizing Mark Leitner for 23 Years at WBEN Radio. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

Item 13 – MS. PEOPLES presented a resolution Recognizing Citizens Who Have Contributed to Western New York Through Excellence in Citizenship and Ethical Prowess. MR. SWANICK seconded.

CARRIED UNANIMOUSLY.

MEETING NO. 16
September 5, 2002

ERIE COUNTY LEGISLATURE

Item 14 – MS. PEOPLES presented a resolution Congratulating Shirley Marcelle Suber as She Fulfills Her Dream of Becoming a Commercial Passenger Airline Pilot. MR. SWANICK seconded.

CARRIED UNANIMOUSLY.

Item 15 – MS. PEOPLES presented a resolution Congratulating Mr. and Mrs. George A. Davis, Jr. on Their 40th Anniversary. MR. SWANICK seconded.

CARRIED UNANIMOUSLY.

LOCAL LAWS

Item 16 – CHAIRMAN DeBENEDETTI directed that Local Law No. 9 (Print #1) 2001 be referred to the HUMAN SERVICES COMMITTEE.

Item 17 – CHAIRMAN DeBENEDETTI directed that Local Law No. 9 (Print #2) 2001 be referred to the HUMAN SERVICES COMMITTEE.

Item 18 – CHAIRMAN DeBENEDETTI directed that Local Law No. 9 (Print #3) 2001 be referred to the HUMAN SERVICES COMMITTEE.

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

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

Item 21 – CHAIRMAN DeBENEDETTI directed that Local Law No. 5 (Print #1) 2002 be referred to the FINANCE & MANAGEMENT COMMITTEE.

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

Item 23 – CHAIRMAN DeBENEDETTI directed that Local Law No. 8 (Print #1) 2002 remain on the table.

COMMITTEE REPORTS

None.

LEGISLATORS RESOLUTIONS

Item 24 – CHAIRMAN DeBENEDETTI directed the following resolution to be referred to the HUMAN SERVICES COMMITTEE.

GRANTED.

Intro. 16-1 From LEGISLATOR DUSZA Re: Support for Continued Outreach and Promotion of Veterans' Services.

Item 25 – CHAIRMAN DeBENEDETTI directed the following resolution to be referred to the PUBLIC SAFETY COMMITTEE.

GRANTED.

Intro. 16-2 From LEGISLATORS DeBENEDETTI, CHASE, RANZENHOFER, GREENAN, WEINSTEIN, CUSACK, McCARVILLE, & LARSON Re: Support for the Implementation of the Amber Alert Broadcast in Erie County.

Item 26 – MS. CHASE presented the following resolution and moved for immediate consideration. MR. McCARVILLE seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 355

Re: Initiating Insurance Coverage of
Mammograms for Women of Any Age or
Family History. (Intro. 16-3)

A RESOLUTION SUBMITTED BY LEGISLATORS CHASE, McCARVILLE,
CUSACK, WEINSTEIN, & RANZENHOFER

WHEREAS, breast cancer is a terrifying disease that may effect as many as one in nine women in New York State during their lifetime, and

WHEREAS, several studies have shown that mammography screening before the age of 50 has reduced breast cancer deaths by 30 percent, however most public health officials, including the Commissioner of the NYS Department of Health, Antonia Novella, recommend that women start screening by age 40, and

WHEREAS, New York State has high rate of breast cancer, and early detection is the key to fighting small malignancies before spreading throughout a women's body, and

MEETING NO. 16
September 5, 2002

ERIE COUNTY LEGISLATURE

WHEREAS, modern medicine has encouraged women to conduct monthly self breast examinations in order to determine any abnormalities no matter what the woman's age. Once a lump is detected, a mammogram or further tests can determine the presence of a malignancy and the degree of severity, and

WHEREAS, the cost of a mammogram may deter, a woman under the age of forty or fifty from seeking the accuracy that a mammogram can provide, thereby putting herself in danger, and

WHEREAS, the New York State Legislature has recently passed, and is waiting for the Governor to sign, the Women's Health and Wellness Act, which allows for any woman 35 years and older to receive an annual mammogram regardless of family history, and allows any woman with a first tier family history of breast cancer an annual mammogram at any age, and

WHEREAS, the Erie County Legislature seeks to protect all women, regardless of age and family history of breast cancer by endorsing an amendment to the NYS Insurance Law removing any restrictions to mammogram insurance coverage.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature is highly supportive of women's healthcare regardless of cost and seeks an amendment to the NY Insurance Law to provide insurance coverage for annual mammograms to all women regardless of age and family history, and further be it

RESOLVED, that this Honorable Body invites the Erie County Health Department, representatives from various local Health Maintenance Organizations, representatives from the NYS Assembly and Senate and the American Cancer Society to appear at a future Human Services Committee meeting of the Erie County Legislature to discuss the possibility of amending the NY Insurance Law to provide for coverage of mammograms for women of any age, regardless of family history, if they so choose, and further be it

RESOLVED, that a copy of this resolution be forwarded to Erie County Executive Joel Giambra, Erie County Health Commissioner Dr. Anthony Billittier, the New York State Health Commissioner Antonia Novella, the Western New York State Legislative Delegation, Governor George Pataki, local Health Maintenance Organizations and the Medical Society of Erie County.

Financial Impact: None for Resolution

MR. GREENAN moved to amend the resolution to include ET AL Sponsorship. MS. CHASE seconded.

CARRIED UNANIMOUSLY.

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

MEETING NO. 16
September 5, 2002

ERIE COUNTY LEGISLATURE

CARRIED UNANIMOUSLY.

Item 27 – MR. McCARVILLE presented the following resolution and moved for immediate consideration. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 356

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

A RESOLUTION SUBMITTED BY LEGISLATOR McCARVILLE

WHEREAS, the Legislature set aside funds in the 2002 Erie County Budget for use by worthy community organizations and governmental agencies, and

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

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

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$7,200 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>
North Collins Emergency Squad <i>(protective gear)</i>	830/	\$2,200
WNY Jets Track Club <i>(Summer training and competition)</i>	830/1574	\$500
Hawk Creek <i>(Environmental Education Center)</i>	830/	\$2,000
Orchard Park Post Prom <i>(Safe, alcohol, drug-free events)</i>	830/1400	\$500
Community Concern	830/0397	\$2,000

MEETING NO. 16
September 5, 2002

ERIE COUNTY LEGISLATURE

(Senior Programs)

TOTAL **\$7,200**
 and be it further

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$1,000 from the Legislature – Contractual Expense (DAC: 110905100830) to General Fund, Interfund Transfers, Interfund-Library (DAC 1109253208864200), and be it further

RESOLVED, that the Erie County Library Budget is hereby amended, to increase the following account: Interfund-Subsidy revenue (DAC 8209734206863200) \$1,000, and be it further

RESOLVED, that the Erie County Library Budget is hereby amended, to increase the following account: Aurora Town Public (DAC 8209734208300158) \$1,000, 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 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 A. Passafiume; Kelly Brown – First Administrative Assistant Erie County Legislature; First Assistant County Attorney Susannah M. Bochenek; Janice Catalano, North Collins Emergency Squad (P.O. Box 477, 2037 Sherman Avenue, North Collins, NY 14111); Robert A. Daniels, WNY Jets Track Club (4159 N. Buffalo Street, # 80-4, Orchard Park, NY 14127); Loretta C. Jones, Executive Director, Hawk Creek (P.O. Box 662, East Aurora, NY 14052-0662); Lisa Aragona, Orchard Park Post Prom; Lee Ainsworth-Mahaney, Director, Aurora Public Library (550 Main Street, East Aurora, NY 14052); Kenneth Stone, Buffalo & Erie County Public Library)

Fiscal Impact: Appropriation of 2002-budgeted funds

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

CARRIED UNANIMOUSLY.

Item 28 – MS. CUSACK presented the following resolution and moved for immediate consideration. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

MEETING NO. 16
September 5, 2002

ERIE COUNTY LEGISLATURE

RESOLUTION NO. 357

Re: Funding for Various Community
 Organizations. (Intro. 16-5)

A RESOLUTION SUBMITTED BY LEGISLATOR CUSACK

WHEREAS, the Legislature set aside funds in the 2002 Erie County Budget for use by worthy community organizations and governmental agencies, and

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

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

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$2,850 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>
Muslim Community Center – Amherst Community Association <i>(Youth programming)</i>	830/	\$2,500
Town of Amherst <i>(Amherst Memorial Hill Grove- Sept. 11 Memorial)</i>	830/0653	\$350
TOTAL		\$2,850

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 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

MEETING NO. 16
September 5, 2002

ERIE COUNTY LEGISLATURE

RESOLVED, that certified copies of this resolution be sent to County Executive Joel A. Giambra; County Comptroller Nancy A. Naples; Budget Director Joseph A. Passafiume; Kelly Brown – First Administrative Assistant Erie County Legislature; First Assistant County Attorney Susannah M. Bochenek; Susan Grelick, Supervisor, Town of Amherst (5583 Main Street, Williamsville, NY 14221); Joseph Abdallah, Youth Services, Muslim Community Center- Amherst (141 Jeanmoor Road, Amherst, NY 14228).

Fiscal Impact: Appropriation of 2002- budgeted funds

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

CARRIED UNANIMOUSLY.

Item 29 – MS. CHASE presented the following resolution and moved for immediate consideration. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 358

Re: Funding for Public Safety Initiative.
 (Intro. 16-6)

A RESOLUTION SUBMITTED BY LEGISLATOR CHASE

WHEREAS, the Legislature set aside funds in the 2002 Erie County Budget for use by worthy community organizations and governmental agencies, and

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

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

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$5,000 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>
Erie County Mounted, Inc. <i>(portable police radios)</i>	830/	\$5,000

MEETING NO. 16
September 5, 2002

ERIE COUNTY LEGISLATURE

TOTAL

\$5,000

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 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 A. Passafiume; Kelly Brown – First Administrative Assistant Erie County Legislature; First Assistant County Attorney Susannah M. Bochenek; James E. Coyle, President, Erie County Mounted, Inc. (E4746 Zenner Road, Eden, NY 14057-6455)

Fiscal Impact: Appropriation of 2002 - budgeted funds

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

CARRIED UNANIMOUSLY.

Item 30 – MR. RANZENHOFER presented the following resolution and moved for immediate consideration. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 359

Re: Funding for Various Community Organizations. (Intro. 16-7)

A RESOLUTION SUBMITTED BY LEGISLATOR RANZENHOFER

WHEREAS, the Legislature set aside funds in the 2002 Erie County Budget for use by worthy community organizations and governmental agencies, and

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

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

MEETING NO. 16
September 5, 2002

ERIE COUNTY LEGISLATURE

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$10,874 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>
Clarence Youth Center <i>(children's furniture)</i>	830/1142	\$6,000
Town of Amherst <i>(Plow- snow removal)</i>	830/0653	\$4,874
TOTAL		\$10,874

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 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 A. Passafiume; Kelly Brown – First Administrative Assistant Erie County Legislature; First Assistant County Attorney Susannah M. Bochenek; John D'amico, Clarence Youth Center (P.O. Box 583, Clarence, NY 14031); and to Tom Wic, Town of Amherst Highway Department (1042 North Forest, Williamsville, NY 14221).

Fiscal Impact: Appropriation of 2002- budgeted funds

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

CARRIED UNANIMOUSLY.

Item 31 – CHAIRMAN DeBENEDETTI directed the following resolution to be referred to the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

MEETING NO. 16
September 5, 2002

ERIE COUNTY LEGISLATURE

Intro. 16-8 From LEGISLATOR SCHROEDER Re: Ensuring Assistance for Hearing Impaired at Public Hearings Held by Erie County Legislature.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 360

Re: Funding for Youth Programming.
 (Intro. 16-9)

A RESOLUTION SUBMITTED BY LEGISLATOR DeBENEDETTI

WHEREAS, the Legislature set aside funds in the 2002 Erie County Budget for use by worthy community organizations and governmental agencies, and

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

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

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$2,000 from Fund 110, Project 921, Department 301 Agency Payments & Grants – Public Benefit Services (110921301830) for payment to the following agency:

<u>NAME</u>	<u>LINE</u>	<u>OLD</u> <u>AMOUNT</u>	<u>+/-</u>	<u>NEW</u> <u>AMOUNT</u>
Black Rock Food Panty	830/1570	\$2,000	(\$2,000)	-0-
Friends to the Elderly <i>(youth programming)</i>	830/0263	-0-	\$2,000	\$2,000
TOTAL				-0-

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

MEETING NO. 16
September 5, 2002

ERIE COUNTY LEGISLATURE

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 A. Passafiume; Kelly Brown – First Administrative Assistant Erie County Legislature; First Assistant County Attorney Susannah M. Bochenek; Dorothy Collier, Friends of the Elderly, Executive Director (118 East Utica Street, Buffalo, NY 14209).

Fiscal Impact: Appropriation of 2002- budgeted funds

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

CARRIED UNANIMOUSLY.

Item 33 – MR. GREENAN presented the following resolution and moved for immediate consideration. MR. SWANICK seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 361

Re: Wales Agricultural District (EC No. 12)
 Recertification. (Intro. 16-10)

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

WHEREAS, the Wales Agricultural District (EC#12), was initially created November 9, 1978 and recertified in 1986 and 1994, and

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

WHEREAS, pursuant to a resolution on May 23, 2002, 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 1st day of August 2002, pursuant to public notice, a public hearing was held within the agricultural district at the Wales Community Center, and

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

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

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature concurs in the recommendations and findings made by the Agricultural and Farmland Protection Board and the Department of Environment and Planning and does hereby approve and reaffirm the existing Wales Agricultural District without modification 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 copies of this resolution be sent to the Town of Wales, and to the Erie County Department of Environment and Planning (Chet Jandzinski).

FISCAL IMPACT: To be determined.

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

CARRIED UNANIMOUSLY.

Item 34 – MR. SCHROEDER presented the following resolution and moved for immediate consideration. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 362

Re: Support for NFTA Relinquishment of Possession & Control of Waterfront Lands & Establishment of State Park at “Gallagher Beach.” (Intro. 16-11)

WHEREAS, during the 1950s, the Niagara Frontier Transportation Authority (NFTA) took possession of hundreds of acres of land along Buffalo’s waterfront in anticipation of the need for expansion of Buffalo’s port facilities, and

MEETING NO. 16
September 5, 2002

ERIE COUNTY LEGISLATURE

WHEREAS, that expansion proved unnecessary with the opening in 1959 of the St. Lawrence Seaway which precipitated Buffalo's decline as a waterfront port in the shipping industry, and

WHEREAS, since the 1950s, several proposals have been put forth for use of waterfront lands, and each has included a component to utilize space for public recreational use, in deference to widespread public support for greater recreational access to Buffalo's waterfront, and

WHEREAS, a proposal has been put forth by State Assemblyman Brian M. Higgins to have the State of New York assume control of a 75-80 acre parcel, including a 7-acre parcel along the waterfront currently known as "Gallagher Beach," (so named, colloquially, for former NFTA Board Chairman Raymond F. Gallagher), and

WHEREAS, in advance of such a proposal, state, county and city funds were secured and appropriated to refurbish "Gallagher Beach" for enhanced recreational use, but also as a pilot project to demonstrate the potential for redevelopment of other waterfront areas, and

WHEREAS, following the infusion of state and local funds, within 16 months of its inception, "Gallagher Beach" is nearly fully operational as a recreational asset, and is used daily by jet skiers, wind surfers and others who enjoy the beach, boardwalk and hiking areas, and

WHEREAS, despite its successes, other problems exist, with particular attention to the existing prohibition on swimming in the area, and the lack of beach sand that is conducive to sunbathing, and

WHEREAS, the New York State Department of Parks has an outstanding reputation for operation of beaches, marinas, parks and linear park systems, and

WHEREAS, the proposal to convert this area to state parkland has the potential to elevate "Gallagher Beach" and the surrounding area to its highest and best use, and

WHEREAS, with the adjacent Buffalo small boat harbor including more than 1,000 dock slips and supporting infrastructure and facilities as well as a 24-acre parking facility, such an area, in combination with an improved "Gallagher Beach" area complete with expanded recreational uses, represents an outstanding opportunity to create a high quality waterfront park in downtown Buffalo, and

WHEREAS, in order for this proposal to become reality, discussions must commence between the state of New York and the NFTA concerning the Authority's relinquishment of property rights in these areas, and

WHEREAS, in previous annual budgets, the Erie County Legislature ensured the inclusion of county funds toward the refurbishment of the existing area; concomitant with additional state

MEETING NO. 16
September 5, 2002

ERIE COUNTY LEGISLATURE

resources set aside for establishment of the entire area as a state park, Erie County may again wish to play a limited financial role in the establishment of such a state park in downtown Buffalo, and

WHEREAS, this Honorable Body wishes to convey its support for additional recreational waterfront resources for residents of Buffalo, Erie County and Western New York, with such additional resources placed on a “fast-track” status,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby reaffirm its support for expanded waterfront development in downtown Buffalo and does further reaffirm its support for expansion and improvement of public recreational space along Buffalo’s waterfront, and be it further

RESOLVED, that this Honorable Body does hereby endorse proposals to convert the current “Gallagher Beach” area and adjoining parcels to parkland under the auspices of the New York State Office of Parks, Recreation and Historic Preservation for the purposes of the fast-track establishment of a 75-80 acre state park along Buffalo’s waterfront, and be it further

RESOLVED, that certified copies of this resolution be sent to Governor George Pataki, Assembly Speaker Sheldon Silver, Senate Majority Leader Joseph Bruno, Assemblyman Brian Higgins, Senator William Stachowski, the members of the Western New York Delegation to New York State Legislature, and to County Executive Joel Giambra.

Fiscal Impact: To Be Determined.

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

CARRIED UNANIMOUSLY.

Item 35 – MR. GREENAN presented the following resolution and moved for immediate consideration. MR. SWANICK seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 363

Re: Designation of Authorized Tourism
 Promotion Agency for Erie County for 2002.
 (Intro. 16-12)

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

WHEREAS, the promotion, development, and expansion of the tourist travel, report, and vacation business are vital and necessary concerns to the citizens of Erie County, since such tourism

MEETING NO. 16
September 5, 2002

ERIE COUNTY LEGISLATURE

business strengthens the county's economy, increases employment opportunities, and promotes the general welfare of county residents, and

WHEREAS, the New York State Legislature, in 1977, recognizing the value of local and state involvement and assistance in tourism promotion, enacted the New York State Tourism Protection Act, and

WHEREAS, this Tourism Protection Act authorizes the state's Department of Commerce to initiate a program of matching state funds for non-profit tourist promotion agencies designated by county legislative bodies as agencies authorized to apply for and receive grants for recognized media advertising programs, and

WHEREAS, on several occasions, the Erie County Legislature has expressed its sincere concern for the county's efforts with respect to tourism activities, particularly concerning cultural tourism and the resultant manners by which the county's many and various cultural institutions can be used to more effectively market Erie County and Western New York for tourism, and

WHEREAS, the Buffalo Niagara Convention and Visitors Bureau, a non-profit tourism promotion association, has begun to bring together many new segments of the county, servicing the tourism industry in a coordinated effort, and

NOW, THEREFORE, BE IT

RESOLVED, that the Buffalo Niagara Convention and Visitors Bureau, having been designated as the authorized tourism promotion agency for Erie County in 1974, is hereby re-designated as such for 2002, and be it further

RESOLVED, that this Honorable Body does hereby request that the Buffalo Niagara Convention and Visitors Bureau make the appropriate application to the Commissioner of the New York State Department of Commerce for state matching funds to assist said tourism promotion agency in the financing of a recognized media advertising program, as defined and set forth in the New York State Tourism Protection Act, and be it further

RESOLVED, that officials of the Convention and Visitors Bureau are hereby requested to appear at a future meeting of the Legislature's Community Enrichment Committee to discuss the status of the aforementioned state matching fund grants and other matters relating to the furtherance of tourist activities within Erie County and Western New York, and be it further

RESOLVED, that certified copies of this resolution be sent to the Commissioner of the New York State Department of Commerce, and to Richard Geiger and David Lacki of the Greater Buffalo Convention and Visitors Bureau, 617 Main Street, Suite 400, Buffalo, New York 14203-1496, State Assembly Tourism, Arts, and Sports Development Committee Chairman Joseph D. Morelle, State Senate Tourism, Recreation and Sports Development Committee Chairman John DeFrancisco, and to Erie County Executive Joel A. Giambra.

MEETING NO. 16
September 5, 2002

ERIE COUNTY LEGISLATURE

Fiscal Impact: None for Resolution

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

CARRIED UNANIMOUSLY.

COMMUNICATIONS DISCHARGED FROM COMMITTEE

None.

SUSPENSION OF THE RULES

Item 36 – MR. GREENAN moved for a suspension of the rules to include an item not on the agenda. MR. RANZENHOFER seconded.

GRANTED.

RESOLUTION NO. 364

Re: Remembering the Victims of the Terrorist
 Attacks on September 11, 2002. (Intro. 16-13)

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

WHEREAS, on the beautiful morning of September 11, 2001, a gruesome and despicable act of cowardice and terrorism was committed on the citizens and military personnel of the United States of America, and

WHEREAS, more than 300 firefighters, police officers, and emergency personnel died trying to save the lives of the innocent men and women that were caught in the attacks, and

WHEREAS, almost 3,000 innocent men and women lost their lives in New York City, Washington D.C., and Pennsylvania, and

WHEREAS, the devastation that this has created for the families of the victims has deeply affected each and every one of us, and

WHEREAS, the tremendous spirit of this Great Nation will never succumb to acts of terrorism and will never allow the memory of those who lost their lives to be forgotten, and

MEETING NO. 16
September 5, 2002

ERIE COUNTY LEGISLATURE

WHEREAS, numerous members of the United States Armed Forces have been called and will be called to serve in the War on Terrorism, and

WHEREAS, the men and women of our Armed Forces have, and will continue to, put their lives in danger to protect the lives of the citizens of the United States of America,

NOW, THEREFORE BE IT,

RESOLVED, that the Erie County Legislature wishes to pause in its deliberations today to pay tribute to those who lost their lives in New York City, Washington D.C., and Pennsylvania, and be it further

RESOLVED, that this Honorable Body wishes to further pause to honor the men and women that responded to this tragedy, that lost their lives in protecting our freedoms, and the men and women who are currently involved in, and in the future who will be involved in, protecting our nation, and be it further,

RESOLVED, that certified copies of this resolution be forwarded to President George W. Bush, Governor George Pataki, and County Executive Joel Giambra.

Fiscal Impact: None for Resolution

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

CARRIED UNANIMOUSLY.

Item 37 – MR. GREENAN moved for a suspension of the rules to include an item not on the agenda. MR. WEINSTEIN seconded.

GRANTED.

CHAIRMAN DeBENEDETTI directed the following resolution to be referred to the COMMUNITY ENRICHMENT COMMITTEE.

GRANTED.

Intro. 16-14 From LEGISLATORS CUSACK, DeBENEDETTI, & WEINSTEIN Re: Increased Autonomy for Erie Community College.

Item 38 – MR. GREENAN moved for a suspension of the rules to include an item not on the agenda. MR. RANZENHOFER seconded.

MEETING NO. 16
September 5, 2002

ERIE COUNTY LEGISLATURE

GRANTED.

RESOLUTION NO. 365

Re: Transfer of Funds in the Erie County Board
of Elections 2002 Budget. (Comm. 16D-16)

WHEREAS, during the development of the 2002 budget, the redistricting had not been finalized, and

WHEREAS, the amount of the additional costs incurred needs to be transferred within the Board's budget to the appropriate account, Other Expenses, and

WHEREAS, funds exist in the 2002 departmental budget of the Erie County Board of Elections necessary to pay for these unexpected postage increases, there is no additional cost to the County.

NOW, THEREFORE, BE IT

RESOLVED, that this Honorable Body does hereby authorize the sum of \$90,000 to be transferred from Account 810 – Office and Stationary Supplies to Account 826 – Other Expenses.

Account 810 – Office and Stationary Supplies:	\$90,000
---	----------

Account 826 – Other Expenses:	\$90,000
-------------------------------	----------

and be it further

RESOLVED, that certified copies of this resolution be sent to the County Executive, Erie County Comptroller, Director of Budget and Management and the Commissioners of the Erie County Board of Elections.

Fiscal Implications: None

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

CARRIED UNANIMOUSLY.

COMMUNICATIONS FROM ELECTED OFFICIALS

FROM THE COMPTROLLER

Item 39 – (Comm. 16E-1) Response to Report of Examination Prepared by NYS Comptroller's Office.

MEETING NO. 16
September 5, 2002

ERIE COUNTY LEGISLATURE

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 40 – (Comm. 16E-2) Audited Financial Statements & Management Letter for ECC.

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

Item 41 – (Comm. 16E-3) EC's Comprehensive Annual Financial Report for Fiscal Year Ended 12/31/01.

Item 42 – (Comm. 16E-4) Quarterly Investment Report 4/1/02 – 6/30/02.

Item 43 – (Comm. 16E-5) Apportionment & Distribution of 4% Sales Tax Received by EC from NYS for 7/02.

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

FROM LEGISLATOR CUSACK

Item 44 – (Comm. 16E-6) Memo to Chairman DeBenedetti Re: Cultural Funding Working Group – Final Report.

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM CHAIRMAN DeBENEDETTI

Item 45 – (Comm. 16E-7) Copy of Memo to County Executive Re: Cultural Funding Working Group's Final Report.

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM THE COUNTY EXECUTIVE

Item 46 – MR. GREENAN presented the following resolution and moved for immediate consideration. MR. RANZENHOFER seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 366

Re: Appointments & Reappointments to Erie County Fire Advisory Board. (Comm. 16E-8)

MEETING NO. 16
September 5, 2002

ERIE COUNTY LEGISLATURE

RESOLVED, that the Erie County Legislature does hereby confirm the appointment/reappointment of the following individuals to the Erie County Fire Advisory Board for the terms stated:

APPOINTMENTS

<u>Name</u>	<u>Term Expires</u>
Bernard Boehringer 271 Elmsford Drive West Seneca, NY 14224	December 31, 2003
James Lawida 15 Amherston Drive Buffalo, NY 14221	December 31, 2003
Ed Saternus 27 Zeller Lane Cheektowaga, NY 14227	December 31, 2003
John Wicka 5791 Apollo Drive Lakeview, NY 14085	December 31, 2003

REAPPOINTMENTS

<u>Name</u>	<u>Term Expires</u>
Eugene Burger 4032 Ellsworth Avenue Hamburg, NY 14075	December 31, 2003
John Capriotto 80 Hillside Avenue Orchard Park, NY 14127	December 31, 2003
James R. Carr P.O. Box 252 North Boston, NY 14110	December 31, 2003
Donald Connolly 116 Kingsbury Lane	December 31, 2003

MEETING NO. 16
September 5, 2002

ERIE COUNTY LEGISLATURE

Tonawanda, NY 14150

Keith Dillingham
2161 Shirley Road
N. Collins, NY 14111

December 31, 2003

Daniel Kamman
93 King Street
Tonawanda, NY 14223

December 31, 2003

Douglas Larkin
5170 Bank Street
Clarence, NY 14031

December 31, 2003

Richard Litfin
7 Washington Street
Akron, NY 14001

December 31, 2003

Thomas Miller
439 Fletcher Street
Tonawanda, NY 14150

December 31, 2003

Robert Mueller
6471 Broadway
Lancaster, NY 14086

December 31, 2003

Tony Schueckler
231 California Drive
Williamsville, NY 14221

December 31, 2003

Clinton Soemann
1097 Brookwood Drive
Derby, NY 14047

December 31, 2003

Gerard Whittington
2391 Bullis Road
Elma, NY 14059

December 31, 2003

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

CARRIED UNANIMOUSLY.

FROM THE COMPTROLLER

MEETING NO. 16
September 5, 2002

ERIE COUNTY LEGISLATURE

Item 47 – (Comm. 16E-9) Management Letter for ECMC Healthcare Network for Fiscal Year Ended 12/31/01.

Item 48 – (Comm. 16E-10) Review of Unfilled Vacant Positions.

Item 49 – (Comm. 16E-11) Supplement to Comprehensive Annual Financial Report for Year Ended 12/31/01.

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

FROM LEGISLATORS DUSZA & DALE

Item 50 – (Comm. 16E-12) Copy of Letter to Health Commissioner Re: Beach Closures.

Received and referred to the HUMAN SERVICES COMMITTEE.

FROM CHAIRMAN DeBENEDETTI

Item 51 – (Comm. 16E-13) Copy of Letter to County Attorney Re: Adelpia Memorandum of Understanding.

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM THE COMPTROLLER

Item 52 – (Comm. 16E-14) County's Interim Financial Report for Three Months Ended 3/31/02.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM LEGISLATOR FISHER

Item 53 – MR. SWANICK presented the following resolution and moved for immediate consideration. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 367

Re: Lease for Legislative Office Space.
(Comm. 16E-15)

MEETING NO. 16
September 5, 2002

ERIE COUNTY LEGISLATURE

RESOLVED, that the County Executive is hereby authorized to sign a One (1) Year and Five (5) Month Lease Agreement between Pitt Petri, Jr. located at 374 Delaware Avenue, Buffalo, New York 14202 and Erie County for Legislative Office Space for Erie County Legislator Judith P. Fisher at a cost of \$650.00 per month.

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

CARRIED UNANIMOUSLY.

FROM THE COUNTY EXECUTIVE

Item 54 – (Comm. 16E-16) District Attorney – Aid to Prosecution Grant.

Item 55 – (Comm. 16E-17) District Attorney – Multijurisdictional Program Grant.

Item 56 – (Comm. 16E-18) District Attorney – Assets Forfeitures Grant.

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

Item 57 – MR. GREENAN presented the following resolution and moved for immediate consideration. MR. RANZENHOFER seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 368

Re: Purchase of 45 Oak Street – Public Safety
 Campus Training Facility. (Comm. 16E-19)

WHEREAS, the parcel of land known as 45 Oak Street in the City of Buffalo is available for purchase; and

WHEREAS, the public safety of all residents and the responsibility of the public sector to enhance and assist the improvement of the facilities for public safety in the County is of utmost importance; and

WHEREAS, it is the desire of the owners of 45 Oak Street have offered the property to the County for purchase at an acquisition price of \$3,100,000; and

WHEREAS, an independent appraisal obtained by the County supports such acquisition price; and

WHEREAS, in order to effectuate the County's public objectives for enhancing public safety and the training of public safety personnel, it is necessary for the County to enter into various agreements including, but not limited to, a contract of purchase for the aforementioned property with said owners

MEETING NO. 16
September 5, 2002

ERIE COUNTY LEGISLATURE

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Executive is hereby authorized to enter into a contract of sale for an acquisition price of \$3,100,000 and such ancillary agreements necessary or appropriate to effectuate the purchase of 45 Oak Street in the City of Buffalo, NY, upon completion of reviews under New York State Environmental Quality Review Act by Erie County Department of Environment and Planning; and be it further

RESOLVED, that the 2002 Capital Budget is hereby amended to include the purchase of 45 Oak Street in the amount of \$3,100,000.00; and be it further

RESOLVED, that the sum of \$3,100,000.00, for the purchase of 45 Oak Street will be provided from the proceeds of the Tobacco Trust Account; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the Erie County Executive, the Commissioner of the Department of Environment and Planning, the Commissioner of Central Police Services, the Director of the Division of Budget, Management and Finance, the County Comptroller, and County Attorney.

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

CARRIED UNANIMOUSLY.

Item 58 – (Comm. 16E-20) District Attorney – Victim/Witness Assistance & Child Advocacy Program Grants.

Received and referred to the PUBLIC SAFETY COMMITTEE.

Item 59 – (Comm. 16E-21) ERP Project – Addition of RPT Position.

Item 60 – (Comm. 16E-22) Legal Aid Bureau – Retention of 2001 Surplus.

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

Item 61 – (Comm. 16E-23) Youth Bureau – Contract with First Time/Last Time Program.

Received and referred to the HUMAN SERVICES COMMITTEE.

Item 62 – (Comm. 16E-24) Approval of Sublease Agreement for Cellular Tower from Buffalo Bills to Upstate Cellular Network.

MEETING NO. 16
September 5, 2002

ERIE COUNTY LEGISLATURE

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

Item 63 – MR. GREENAN presented the following resolution and moved for immediate consideration. MR. RANZENHOFER seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 369

Re: Appointment & Reappointments to County
 Development Coordination Board.
 (Comm. 16E-25)

RESOLVED, that the Erie County Legislature does hereby confirm the appointment/reappointment of the following individuals to the County Development Coordination Board for the term stated:

Appointment

NAME	TERM EXPIRATION
Sandy White 533 Humboldt Parkway Buffalo, New York 14208	December 31, 2003

Reappointments

NAME	TERM EXPIRATION
John S. Bis 142 Lexington Street Buffalo, New York 14222	December 31, 2003
Ronald R. Norman 1869 East River Road Grand Island, New York 14072	December 31, 2003
Laurie Dann Waterfest Inc. 14 Lafayette Square, Suite 410 Buffalo, New York 14203	December 31, 2003
Catharine M. Weiss 70 Fennec Lane East Amherst, New York 14051	December 31, 2003

MEETING NO. 16
September 5, 2002

ERIE COUNTY LEGISLATURE

Anthony Illos 68 Heritage Road West Williamsville, New York 14221	December 31, 2003
Salvatore C. Muscarella 77 Crosby Avenue Kenmore, New York 14217	December 31, 2003
Paul Battaglia 162 Washington Highway Snyder, New York 14226	December 31, 2003
Philip L. DiCarlo 136 Green Acres Road Tonawanda, New York 14150	December 31, 2003
Rosanne Lettieri 24 Kennedy Road Cheektowaga, New York 14227	December 31, 2003
Thomas Ruffino 370 LeBrun Road Buffalo, New York 14226	December 31, 2003

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

CARRIED UNANIMOUSLY.

Item 64 – MR. GREENAN presented the following resolution and moved for immediate consideration. MR. RANZENHOFER seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 370

Re: Appointment to EC Fire Advisory Board.
(Comm. 16E-26)

RESOLVED, that the Erie County Legislature does hereby confirm the appointment of Dennis Gibbs, 10 Nantucket Drive West, Cheektowaga, New York 14225 to the Erie County Fire Advisory Board for a term to expire December 31, 2003.

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

MEETING NO. 16
September 5, 2002

ERIE COUNTY LEGISLATURE

CARRIED UNANIMOUSLY.

Item 65 – (Comm. 16E-27) Modification of Collective Bargaining Agreement (CSEA)
Insertion of “Child Rearing Leave.”

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

Item 66 – (Comm. 16E-28) Budget, Management & Finance – Intergovernmental Transfer &
Upper Payment Limit Programs.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 67 – (Comm. 16E-29) Emergency Services – Hazardous Materials Transportation
Uniform Safety Act.

Received and referred to the PUBLIC SAFETY COMMITTEE.

Item 68 – (Comm. 16E-30) Social Services – Parents Anonymous – Crisis Support Respite.

Item 69 – (Comm. 16E-31) Social Services – Medicaid Revenue Maximization Contract.

Item 70 – (Comm. 16E-32) Health – West Nile Virus Surveillance & Education Grant.

Item 71 – (Comm. 16E-33) Health – Transfer of Funds WIC Food Program.

Item 72 – (Comm. 16E-34) Health – Lease Agreement for WIC Program Distribution Site.

Item 73 – (Comm. 16E-35) Health – Integration of Hepatitis Prevention Services Grant
Program.

Item 74 – (Comm. 16E-36) Health – Breast & Cervical Cancer Program.

Item 75 – (Comm. 16E-37) Health – Medical Examiner’s Office – Personnel Adjustment.

Item 76 – (Comm. 16E-38) Health – Western Regional Training Grant.

Item 77 – (Comm. 16E-39) Health – Youth Detention Medical Clinic Personnel Adjustments.

Item 78 – (Comm. 16E-40) Mental Health – Request for Action on Contract with Housing
Options Made Easy.

Item 79 – (Comm. 16E-41) Mental Health – Request for Action Re: 2002 Appropriation to
Restoration Society.

MEETING NO. 16
September 5, 2002

ERIE COUNTY LEGISLATURE

The above twelve items were received and referred to the HUMAN SERVICES COMMITTEE.

Item 80 – (Comm. 16E-42) Agreement with NYSDOT for Borden Road Bridge, Town of West Seneca.

Item 81 – (Comm. 16E-43) Agreement with NYSDOT for Bullis Road Bridge, Town of Marilla.

Item 82 – (Comm. 16E-44) Acquisition of Property for Right-of-Way, Town of Boston.

Item 83 – (Comm. 16E-45) Agreement with NYSDOT for Como Park Boulevard, Town of Cheektowaga.

Item 84 – (Comm. 16E-46) Agreement with NYSDOT – Preliminary Engineering Right-of-Way Phases – Lapp Road Bridges, Town of Clarence.

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

Item 85 – MR. GREENAN presented the following resolution and moved for immediate consideration. MR. RANZENHOFER seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 371

Re: Empire Opportunity Fund Grant
 Application for Buffalo & EC Botanical
 Gardens. (Comm. 16E-47)

WHEREAS, the County of Erie intends to continue its role in the redevelopment and restoration of the Buffalo and Erie County Botanical Gardens as outlined in its 2001 master plan; and

WHEREAS, the Buffalo and Erie County Botanical Gardens Restoration Project seeks to construct a classroom/learning lab, restrooms, passenger elevator, heating system upgrades, and administrative space, which will allow the organization to accommodate more visitors, and develop its potential as a tourism venue and a premier attraction for the residents of the City and County, and for visitors from the region and beyond; and

WHEREAS, the renovation of the Buffalo and Erie County Botanical Gardens is essential for the Botanical Gardens' role in furthering the redevelopment plans for South Park, and this Park is a significant component of the National Register-designated Frederick Law Olmsted Parks System in Buffalo, New York; and

MEETING NO. 16
September 5, 2002

ERIE COUNTY LEGISLATURE

WHEREAS, the New York State Empire Opportunity Fund is making grant funding available for projects such as the Buffalo and Erie County Botanical Gardens Restoration Project,

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to submit an application to the Empire State Development Corporation for the Buffalo and Erie County Botanical Gardens Restoration Project for planning, design and construction activities; and be it further

RESOLVED, that the County Executive is authorized to enter into contracts with the Empire State Development Corporation, to receive any funds granted to Erie County for this project in amounts not to exceed a total of \$1,020,375.00, for the purpose of planning, engineering and construction activities for the Buffalo and Erie County Botanical Gardens Restoration Project; and be it further

RESOLVED, that the proposed project is consistent with existing plans for the Buffalo and Erie County Botanical Gardens Society; and be it further

RESOLVED, that the proposed financing is appropriate for the Buffalo and Erie County Botanical Gardens Restoration Project; and be it further

RESOLVED, that the project facilitates effective and efficient use of existing and future public resources so as to promote tourism development; 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, the County Attorney, and Mary Miranda, Executive Director of the Buffalo and Erie County Botanical Gardens, located at 2451 South Park Avenue, Buffalo, New York, 14218.

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

CARRIED UNANIMOUSLY.

Item 86 – MR. GREENAN presented the following resolution and moved for immediate consideration. MR. RANZENHOFER seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 372

Re: Empire Opportunity Fund Grant
Application for Erie Canal Harbor Project.
(Comm. 16E-48)

MEETING NO. 16
September 5, 2002

ERIE COUNTY LEGISLATURE

WHEREAS, the County of Erie, desires to participate in the final design and construction of the Erie Canal Harbor Project in the City of Buffalo; and

WHEREAS, the Erie Canal Harbor Project seeks to create a first class waterfront which can be a tourism draw and also a premier attraction to the residents of the City and County; and

WHEREAS, the development of the waterfront will be an important tool for tourism and convention activity and the attraction of new industry to the Buffalo Niagara region; and

WHEREAS, the New York State Empire Opportunity Fund is making grant funding available for projects such as the Erie Canal Harbor Project,

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to submit an application to the Empire State Development Corporation for the Erie Canal Harbor Project for planning, design and construction activities; and be it further

RESOLVED, that the County Executive is authorized to enter into contracts with the Empire State Development Corporation, to receive any funds granted to Erie County for this project in amounts not to exceed a total of \$11,800,000.00, for the purpose of planning, engineering and construction activities for the Erie Canal Harbor Project; and be it further

RESOLVED, that the proposed project is consistent with existing plans for the Erie Canal Harbor and the Inner Harbor; and be it further

RESOLVED, that the proposed financing is appropriate for the Erie Canal Harbor project; and be it further

RESOLVED, that the project facilitates effective and efficient use of existing and future public resources so as to promote both economic development and conservation of natural resources; and be it further

RESOLVED, that the project develops and enhances infrastructure and other facilities in a manner that will attract, create and sustain long term employment opportunities; 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.

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

CARRIED UNANIMOUSLY.

MEETING NO. 16
September 5, 2002

ERIE COUNTY LEGISLATURE

Item 87 – MR. GREENAN presented the following resolution and moved for immediate consideration. MR. RANZENHOFER seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 373

Re: Empire Opportunity Fund Grant
 Application for “Public Access to Times Beach”
 Project. (Comm. 16E-49)

WHEREAS, the County of Erie desires to participate in the restoration and enhancement of Times Beach in the City of Buffalo; and

WHEREAS, the “Public Access to Times Beach” Project seeks to create a first-class wildlife viewing area which can be a tourism draw and also a premier attraction to the residents of the City, the County, and the nation; and

WHEREAS, the development of the waterfront will be an important tool for tourism and convention activity in the Buffalo Niagara region; and

WHEREAS, the New York State Empire Opportunity Fund is making grant funding available for projects such as the “Public Access to Times Beach” Project.

NOW, THEREFORE BE IT

RESOLVED, that the County Executive is authorized to submit an application to the Empire State Development Corporation for the “Public Access to Times Beach” Project for planning, design, and construction activities, and be it further

RESOLVED, that the County Executive is authorized to enter into contracts with the Empire State Development Corporation to receive any funds granted to Erie County for this project in amounts not to exceed \$274,000 for the purpose of planning, engineering, and construction activities for the “Public Access to Times Beach” Project, and be it further

RESOLVED, that the proposed project is consistent with existing plans for the waterfront; and be it further,

RESOLVED, that the proposed financing is appropriate for the “Public Access to Times Beach” Project, and be it further

RESOLVED, that the project facilitates effective and efficient use of existing and future public resources so as to promote both economic development and conservation of natural resources, and be it further

MEETING NO. 16
September 5, 2002

ERIE COUNTY LEGISLATURE

RESOLVED, that the project develops and enhances infrastructure and other facilities in a manner that will attract, create, and sustain long-term employment opportunities, and be it further

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

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

CARRIED UNANIMOUSLY.

Item 88 – MR. GREENAN presented the following resolution and moved for immediate consideration. MR. RANZENHOFER seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 374

Re: Empire Opportunity Fund Grant
 Application for Sea Lion/River Otter Complex –
 Buffalo Zoo. (Comm. 16E-50)

WHEREAS, the Buffalo Zoological Society has submitted an application for Empire State Opportunity Funds to further the redevelopment and renovation of the Buffalo Zoo as outlined in its master plan; and

WHEREAS, the Zoological Society of Buffalo seeks to construct a Sea Lion/River Otter Complex which will introduce the Zoo's new water theme and enhance the Zoo's role as a tourism destination for residents of the City, County, region and beyond; and

WHEREAS, the redevelopment of the Buffalo Zoo is an important project which will promote regional tourism by providing a premier family attraction that appeals to the broadest possible demographic audience, and Erie County has recognized the Buffalo Zoo's existing and potential cultural tourism role by providing significant funding on an annual basis; and

WHEREAS, the New York State Empire Opportunity Fund is making grant funding available for projects such as the Sea Lion/River Otter Complex.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature supports the Buffalo Zoo's Empire Opportunity Fund Sea Lion/River Otter Complex application which requests funds for planning, design and construction activities; and be it further

RESOLVED, that the proposed project is consistent with existing plans for the Buffalo Zoo; and be it further

RESOLVED, that the proposed financing is appropriate for the Sea Lion/River Otter Complex; and be it further

RESOLVED, that the project facilitates effective and efficient use of existing and future public resources so as to promote tourism development; and be it further

RESOLVED, that the project develops and enhances infrastructure and other facilities in a manner that will attract, create and sustain long term employment opportunities; 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, the County Attorney, and Donna Fernandes, President of the Zoological Society of Buffalo, located at 300 Parkside Avenue, Buffalo, New York, 14214.

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

CARRIED UNANIMOUSLY.

Item 89 – (Comm. 16E-51) PILOT – St. Paul’s Place Apartments.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 90 – (Comm. 16E-52) NYS Indoor Radon Grant – Year 10 Program Funding.

Item 91 – (Comm. 16E-53) ECSD No. 1 – Engineering Services Agreements.

Item 92 – (Comm. 16E-54) ECSD No. 2 – Lakeview Pumping Station Elimination – Contract Close-Out.

Item 93 – (Comm. 16E-55) Semi-Annual Attendance Records for Boards of Managers – ECSDs.

Item 94 – (Comm. 16E-56) Notice of Public Hearing – ECSD’s 2003 Assessment Rolls.

Item 95 – (Comm. 16E-57) ECSD Nos. 1-6 – Section 270/271 Resolutions.

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

Item 96 – (Comm. 16E-58) Personnel – Personnel Adjustment.

MEETING NO. 16
September 5, 2002

ERIE COUNTY LEGISLATURE

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE SHERIFF

Item 97 – MR. GREENAN presented the following resolution and moved for immediate consideration. MR. RANZENHOFER seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 375

Re: Correctional Facility – Transfer of Funds.
 (Comm. 16E-59)

WHEREAS, The Erie County Correctional Facility provides food and prescription medications to both Holding Center and Correctional Facility inmates housed there, and

WHEREAS, budgeted funds for the year 2002 are not sufficient to provide for the anticipated expenses in these accounts for the balance of the year, and

WHEREAS, The Erie County Budget Office has identified available funds from the Fund Balance Designated for Structural Budget Repair Account to cover these shortages.

NOW, THEREFORE, BE IT

RESOLVED, that the following budget amendments are hereby authorized:

<u>Appropriation</u>	<u>Decrease</u>
Fund 110 – Department 923	
3102881999200 – Fund Balance for Structural Repair	<u>\$300,000</u>
TOTAL DECREASE	\$300,000
<u>Appropriation</u>	<u>Increase</u>
Fund 110 - Department 660	
812 – Food Supplies	\$160,000
814 – Medical Supplies	<u>\$140,000</u>
TOTAL INCREASE	\$300,000
NET IMPACT	<u>\$ 0.00</u>

MEETING NO. 16
September 5, 2002

ERIE COUNTY LEGISLATURE

and be it further,

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

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

CARRIED UNANIMOUSLY.

FROM THE COMPTROLLER

Item 98 – (Comm. 16E-60) Bond Resolution – \$500,000 in Additional Funds for Convention Center Reconstruction.

Item 99 – (Comm. 16E-61) Bond Resolution – \$9,300 Additional for Como Park Boulevard & \$7,450 Additional for Lapp Road Bridge.

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

COMMUNICATIONS FROM THE DEPARTMENTS

FROM THE COUNTY ATTORNEY

Item 100 – (Comm. 16D-1) Notice that Local Law No. 2 – 2002 was Received by NYS Department of State.

Received and filed.

FROM BUDGET, MANAGEMENT & FINANCE

Item 101 – (Comm. 16D-2) Budget Monitoring Report for the Period Ending 5/31/02.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM DEP

Item 102 – (Comm. 16D-3) SEQR – Solicitation for Lead Agency Status – Unlisted Action.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

MEETING NO. 16
September 5, 2002

ERIE COUNTY LEGISLATURE

FROM BUDGET, MANAGEMENT & FINANCE

Item 103 – (Comm. 16D-4) 2002 Year Annual Report of Division of Real Property Tax with 2001 Equalization Rates & 2002 Tax Rates.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM ECMC

Item 104 – (Comm. 16D-5) Agenda & Minutes of Previous Meeting & Financial Statements for 6/02.

Received and filed.

FROM ECC

Item 105 – (Comm. 16D-6) Notice of Various Meetings of Board of Trustees.

Received and filed.

FROM THE COUNTY ATTORNEY

Item 106 – (Comm. 16D-7) Notice of Claims.

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM ECMC

Item 107 – (Comm. 16D-8) Notice of Board of Managers Meeting Held 8/8/02 & Minutes of Previous Meeting.

Received and filed.

FROM ECC

Item 108 – (Comm. 16D-9) Draft Agreement Between County Executive, Legislature & Board of Trustees of ECC for Operation & Administration of ECC.

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM BUDGET, MANAGEMENT & FINANCE

Item 109 – (Comm. 16D-10) Budget Monitoring Report for Period Ending 6/30/02.

MEETING NO. 16
September 5, 2002

ERIE COUNTY LEGISLATURE

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE BUFFALO & ERIE COUNTY PUBLIC LIBRARY

Item 110 – (Comm. 16D-11) Notice of Meeting Held 8/15/02 & Proposed Agenda & Minutes.

Received and filed.

FROM ECMC

Item 111 – (Comm. 16D-12) Notice of JCC/Planning Meeting Rescheduled & Held 9/5/02.

Item 112 – (Comm. 16D-13) Notice of Finance Meeting Rescheduled & Held 9/5/02.

Item 113 – (Comm. 16D-14) Notice of Board of Managers Regular Meeting to be Held 9/12/02.

The above three items were received and filed.

FROM LEGISLATURE STAFF

Item 114 – (Comm. 16D-15) Letter to Clerk of Legislature Re: Relocation of Local Laws.

RECEIVED, FILED & PRINTED.

September 3, 2002

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

Re: Relocation of Local Laws

Dear Ms. Manzella:

Due to the construction currently under way to our chambers on the 7th Floor of the Old Erie County Hall Annex, I removed all presently tabled Local Laws from Legislators' desks in order to keep them intact and secure.

On August 28, 2002, I included Local Law Intro. 4 (Print #2) & Local Law Intro. 8 (Print #1) with the other tabled Local Laws as they were clocked in during the transition.

MEETING NO. 16
September 5, 2002

ERIE COUNTY LEGISLATURE

All these local laws were then taken to the temporary chambers located on the 2nd Floor of Old Erie County Hall, Part 6 on September 3, 2002.

Attached is a notarized affidavit further explaining this process.

Sincerely,

LISA POSLUSZNY
Administrative Assistant
Erie County Legislature

Attachment

STATE OF NEW YORK :
COUNTY OF ERIE : SS:-
CITY OF BUFFALO :

Lisa Posluszny, being duly sworn, deposes and says:

1. That on the 27th day of August, 2002, I, as Administrative Assistant, removed from the Legislators' desks in the session hall, located on the 7th Floor of the Old Erie County Hall Annex, the following Local Laws:

- Local Law Intro. 9 (Print #1)
- Local Law Intro. 9 (Print #2)
- Local Law Intro. 9 (Print #3)
- Local Law Intro. 4 (Print #1)
- Local Law Intro. 5 (Print #1)
- Local Law Intro. 7 (Print #1)

2. That on the 28th day of August, 2002, Local Law Intro. 4 (Print #2) & Local Law 8 (Print #1) were added to the above referenced Local Laws as they were clocked in during the transition.

3. That on the 3rd day of September, 2002, these Local Laws were taken to the temporary chambers located at Part 6 on the 2nd Floor of Old Erie County Hall.

LISA POSLUSZNY

Sworn to before me this
3RD day of September, 2002

MEETING NO. 16
September 5, 2002

ERIE COUNTY LEGISLATURE

SCOTT D. MARCHANT
Notary Public

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES

FROM THE ORCHARD PARK POLICE DEPARTMENT

Item 115 – (Comm. 16M-1) Letter to Legislator Chase Re: Support for Downtown Public Safety Campus.

Received and filed.

FROM NYPA

Item 116 – (Comm. 16M-2) Letter to Clerk of Legislature Re: Update on Power Authority's Alternative Licensing Procedure.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE CATTARAUGUS COUNTY LEGISLATURE

Item 117 – (Comm. 16M-3) Certified Resolution Re: Agreement to Maintain Portion of Pedestrian Fishing Bridge.

Received and filed.

FROM SENATOR RATH.

Item 118 – (Comm. 16M-4) Receipt of Certified Resolution.

Item 119 – (Comm. 16M-5) Receipt of Certified Resolution.

The above two items were received and filed.

FROM NYSDEC

Item 120 – (Comm. 16M-6) Fact Sheet – Pierce & Stevens Plant.

Received and filed.

FROM THE NFTA

MEETING NO. 16
September 5, 2002

ERIE COUNTY LEGISLATURE

Item 121 – (Comm. 16M-7) Board Minutes for Meeting Held 6/17/02.

Received and filed.

FROM THE AUDIT COMMITTEE FOR ERIE COUNTY

Item 122 – (Comm. 16M-8) 2001 Annual Report.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE THEATRE OF YOUTH

Item 123 – (Comm. 16M-9) Letter to Chair of Cultural Funding Working Group Re: Cultural Funding.

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM THE COMMUNITY MUSIC SCHOOL

Item 124 – (Comm. 16M-10) Letter to Chair of Cultural Funding Working Group Re: Cultural Funding.

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM YOUNG AUDIENCES OF WNY

Item 125 – (Comm. 16M-11) Letter to Chair of Cultural Funding Working Group Re: Cultural Funding.

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM THE NYS COMPTROLLER

Item 126 – (Comm. 16M-12) Inmate Medical Costs at EC Holding Center & Alden Correctional Facility.

Received and referred to the HUMAN SERVICES COMMITTEE.

FROM THE BUFFALO CITY CLERK

Item 127 – (Comm. 16M-13) Certified Resolution Re: Removal of I-190 from Waterfront.

Received and filed.

MEETING NO. 16
September 5, 2002

ERIE COUNTY LEGISLATURE

FROM SENATOR RATH

Item 128 – (Comm. 16M-14) Receipt of Certified Resolution.

Received and filed.

FROM THE WNY ARTISTS GROUP

Item 129 – (Comm. 16M-15) Letter to Chair of Cultural Funding Working Group Re: Cultural Funding.

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM NYSDEC

Item 130 – (Comm. 16M-16) Fact Sheet – Bern-Universal Metals.

Item 131 – (Comm. 16M-17) Fact Sheet – Old Land Reclamation.

The above two items were received and filed.

FROM SENATOR RATH

Item 132 – (Comm. 16M-18) Receipt of Certified Resolution.

Received and filed.

FROM ASSEMBLYMAN BURLING

Item 133 – (Comm. 16M-19) Receipt of Certified Resolutions.

Item 134 – (Comm. 16M-20) Receipt of Certified Resolutions.

The above two items were received and filed.

FROM THE ECIDA

Item 135 – (Comm. 16M-21) Notice of Meeting Held 8/14/02.

Received and filed.

FROM VAN NESS FELDMAN

MEETING NO. 16
September 5, 2002

ERIE COUNTY LEGISLATURE

Item 136 – (Comm. 16M-22) Copy of Letter to FERC Re: Notice of Intent to File Application for New License for Niagara Power Project.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE NYS DEPARTMENT OF AGRICULTURE

Item 137 – (Comm. 16M-23) Letter to Clerk of Legislature Re: Notice to Initiate Review of Agricultural District No. 13.

Received and filed.

FROM NYSDEC REGION 9

Item 138 – (Comm. 16M-24) Response to Certified Resolution Re: Williamsville Toll Barrier.

Received and filed.

FROM THE NYS BOARD OF REAL PROPERTY SERVICES

Item 139 – (Comm. 16M-25) List of Certified 2002 State Equalization Rates.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE ECIDA

Item 140 – (Comm. 16M-26) Agenda & Minutes for Meeting Held 8/14/02.

Received and filed.

FROM THE NYS BOARD OF REAL PROPERTY SERVICES

Item 141 – (Comm. 16M-27) List of Certified 2002 State Equalization Rates.

Item 142 – (Comm. 16M-28) List of Certified 2002 State Equalization Rates.

Item 143 – (Comm. 16M-29) List of Certified 2002 State Equalization Rates.

Item 144 – (Comm. 16M-30) List of Certified 2002 Class Equalization Rates.

MEETING NO. 16
September 5, 2002

ERIE COUNTY LEGISLATURE

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

FROM THE NFTA

Item 145 – (Comm. 16M-31) Board Minutes.

Received and filed.

FROM THE NYS COMPTROLLER

Item 146 – (Comm. 16M-32) Increase & Improvements of Facilities for ECSD No. 2.

Item 147 – (Comm. 16M-33) Increase & Improvements of Facilities for ECSD No. 3.

The above two items were received and filed.

FROM A & B ORGANIC LAWN & GARDEN SUPPLY

Item 148 – (Comm. 16M-34) Letter to All Legislators Re: Support for Pesticide Neighbor Notification.

Received and filed.

FROM THE NFTA

Item 149 – (Comm. 16M-35) 17A Report & Capital Expenditure Reports for First Quarter of Fiscal Year Ending 3/31/02.

Received and filed.

FROM THE NYS BOARD OF REAL PROPERTY SERVICES

Item 150 – (Comm. 16M-36) List of Certified 2002 State Equalization Rates.

Item 151 – (Comm. 16M-37) List of Certified 2002 Class Equalization Rates.

Item 152 – (Comm. 16M-38) List of Certified 2002 Class Equalization Rates.

Item 153 – (Comm. 16M-39) List of Certified 2002 State Equalization Rates.

Item 154 – (Comm. 16M-40) List of Certified 2002 State Equalization Rates.

MEETING NO. 16
September 5, 2002

ERIE COUNTY LEGISLATURE

Item 155 – (Comm. 16M-41) List of Certified 2002 Class Equalization Rates.

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

FROM THE ECIDA

Item 156 – (Comm. 16M-42) Notice of Meeting to be Held 9/11/02.

Received and filed.

MEMORIAL RESOLUTIONS

Item 157 – Legislator Peoples requested that when this legislature adjourns, it do so in memory of Gerald Butch Higgs.

Item 158 – Legislator Peoples requested that when this legislature adjourns, it do so in memory of Willy C. Shingles.

Item 159 – Legislator Peoples requested that when this legislature adjourns, it do so in memory of George Saunders.

Item 160 – Legislator Peoples requested that when this legislature adjourns, it do so in memory of Minnie Jackson.

Item 161 – Legislator Weinstein requested that when this legislature adjourns, it do so in celebrations of Rosh Hashanah.

Item 162 – Legislator McCarville requested that when this legislature adjourns, it do so in memory of Joyce Anderson.

Item 163 – Legislator McCarville requested that when this legislature adjourns, it do so in memory of Robert F. Brown.

Item 164 – Legislator McCarville requested that when this legislature adjourns, it do so in memory of Caroline Graham.

Item 165 – Legislator Marinelli requested that when this legislature adjourns, it do so in memory of Bernard Butler.

Item 166 – Legislator Marinelli requested that when this legislature adjourns, it do so in memory of Chester L. Horner.

Item 167 – Legislator Chase requested that when this legislature adjourns, it do so in memory of Terry Addison.

Item 168 – Legislator Chase requested that when this legislature adjourns, it do so in memory of Paul Puccia.

Item 169 – Legislator Swanick requested that when this legislature adjourns, it do so in memory of Monsignor Graeber, former Pastor of St. Andrew’s Church.

Item 170 – Legislator Holt requested that when this legislature adjourns, it do so in memory of Everlois Scott.

Item 171 – Legislator Holt requested that when this legislature adjourns, it do so in memory of Meghee Wagstaff.

Item 172 – Legislator Schroeder requested that when this legislature adjourns, it do so in memory of Peggy Flynn.

Item 173 – Legislator Dale requested that when this legislature adjourns, it do so in memory of John Skowron, Sr.

Item 174 – Legislator Dale requested that when this legislature adjourns, it do so in memory of Judith Karpinski.

Item 175 – Legislator Dale requested that when this legislature adjourns, it do so in memory of Leonard Michalski.

Item 176 – Legislator Dale requested that when this legislature adjourns, it do so in memory of Peter Lis.

Item 177 – Legislator Dale requested that when this legislature adjourns, it do so in memory of Edward Wabik.

Item 178 – Legislator Dusza requested that when this legislature adjourns, it do so in memory of Richard Jeziut.

Item 179 – Legislator Dusza requested that when this legislature adjourns, it do so in memory of Marion Leszkowicz.

ADJOURNMENT

MEETING NO. 16
September 5, 2002

ERIE COUNTY LEGISLATURE

Item 180 – At this time, there being no further business to transact, the Chairman announced that the Chair would entertain a Motion to Adjourn.

MR. GREENAN moved that the Legislature adjourn until 2 p.m. Thursday, September 19, 2002. MR. SWANICK seconded.

CARRIED UNANIMOUSLY.

The Chairman declared the Legislature adjourned until Thursday, September 19, 2002 at 2 p.m. Eastern Standard Time.

LAURIE A. MANZELLA
CLERK