

ERIE COUNTY LEGISLATURE
MEETING NO. 18
October 16, 2003

The Legislature was called to order by Chairman Swanick.

All Members Present.

The invocation was led by Father Robert Yetter, St. Mary's RCC, Swormville.

The Pledge of Allegiance was led by Mr. McCarville.

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

Item 2 – No items for reconsideration from previous meeting.

Item 3 – MR. RANZENHOFER moved the approval of Minutes for Meeting No. 16 of 2003. MR. WEINSTEIN seconded. MR. DALE in the negative.

CARRIED. (WEIGHTED VOTE: 16.112 – 0.888)

Item 4 – CHAIRMAN SWANICK directed that the meeting enter into recess at 2:16 p.m.

Public Hearing opened for Proposed Appropriation from Road Reserve Fund Comm. 17E-24 at 2:17 p.m.

Legislator DeBenedetti spoke on the issue at 2:18 p.m.

Being that no one further spoke in favor of or in opposition to the issue, the Clerk declared the Public Hearing closed at 2:19 p.m.

Item 5 – CHAIRMAN SWANICK directed that the Meeting be reconvened at 2:20 p.m.

MISCELLANEOUS RESOLUTIONS

Item 6 – MS. CHASE presented a resolution Honoring Hamburg Teachers Association & Hamburg Teachers association & Hamburg Central School District for Winning Partnership Award from the American Federation of Teachers. MR. RANZENHOFER seconded.

CARRIED UNANIMOUSLY.

Item 7 – MR. FALKNER presented a resolution Honoring Betty Tanke & Barb Liedke as they Celebrate the 20th Anniversary of "God's Book Shelf." MR. RANZENHOFER seconded.

CARRIED UNANIMOUSLY.

Item 8 – MR. LARSON presented a resolution Honoring the Induction of Richard Young to Distinguished Alumni Wall of Honor at Lancaster High School. MR. RANZENHOFER seconded.

CARRIED UNANIMOUSLY.

Item 9 – MR. FALKNER presented a resolution Recognizing the Charter of the West Seneca Aktion Club. MR. RANZENHOFER seconded.

CARRIED UNANIMOUSLY.

Item 10 – MR. SMITH presented a resolution Honoring the Light, Sydney Wood & Lynn Senegal Day. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

Item 11 – MR. SCHROEDER presented a resolution Honoring Honeywell for Their Assistance to the Seneca-Babcock & Valley Communities. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

Item 12 – MR. SMITH presented a resolution Honoring Lights Out Afterschool Program at the Delavan-Grider Community Center. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

Item 13 – MR. DUSZA, HOLT, DALE, SCHROEDER, ET AL presented a resolution Honoring the Life and Service of Monsignor John Gabalski. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

Item 14 – MR. SMITH presented a resolution In Memory of Jennifer Annette Hawkins. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

Item 15 – MR. HOLT presented a resolution In Memory of Dones J. Core, Jr. MR. SMITH seconded.

CARRIED UNANIMOUSLY.

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Item 16 – MR. HOLT presented a resolution In Memory of Brian Cade. MR. SMITH seconded.

CARRIED UNANIMOUSLY.

LOCAL LAWS

Item 17 – CHAIRMAN SWANICK directed that Local Law No. 4 (Print #1) 2002 remain on the table.

Item 18 – MR. HOLT presented the following Local Law and moved for immediate consideration. 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, LARSON, McCARVILLE, RANZENHOFER, SWANICK & WEINSTEIN.

FAILED. (WEIGHTED VOTE: 8.415 – 8.585)

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

Item 19 – CHAIRMAN SWANICK directed that Local Law No. 5 (Print #1) 2002 remain on the table and in the FINANCE & MANAGEMENT COMMITTEE.

Item 20 – CHAIRMAN SWANICK directed that Local Law No. 7 (Print #1) 2002 remain on the table.

Item 21 – CHAIRMAN SWANICK directed that Local Law No. 1 (Print #1) 2003 remain on the table.

Item 22 – CHAIRMAN SWANICK directed that Local Law No. 1 (Print #2) 2003 remain on the table and in the ECONOMIC DEVELOPMENT COMMITTEE.

Item 23 – CHAIRMAN SWANICK directed that Local Law No. 2 (Print #1) 2003 remain on the table.

Item 24 – CHAIRMAN SWANICK directed that Local Law No. 7 (Print #1) 2003 remain on the table and in the ECONOMIC DEVELOPMENT COMMITTEE.

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Item 25 – MR. HOLT presented the following Local Law and moved for immediate consideration. 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, LARSON, McCARVILLE, RANZENHOFER, SWANICK & WEINSTEIN.

FAILED. (WEIGHTED VOTE: 8.415 – 8.585)

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

Item 26 – CHAIRMAN SWANICK directed that Local Law No. 13 (Print #1) 2003 remain on the table.

COMMITTEE REPORTS

Item 27 – MR. LARSON presented the following resolution and moved for immediate consideration. MR. RANZENHOFER seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 568

October 9, 2003

ENERGY & ENVIRONMENT
 COMMITTEE
 REPORT NO. 13

ALL MEMBERS PRESENT EXCEPT LEGISLATORS RANZENHOFER AND DUSZA.

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

Item Page -2003 (Comm. 11M-6)
 a. **NYSDEC: Fact Sheet – 4th Street Inactive Hazardous Waste Disposal Site.**
 (3-0) Legislators Ranzenhofer and Dusza absent.

2. Item Page -2003 (Intro. 16-1)
CHASE, ET AL

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

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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) (3-0) Legislators Ranzenhofer and Dusza absent.

3. Item Page -2003 (Comm. 17E-26)
COUNTY EXECUTIVE

WHEREAS, the City of Lackawanna and Erie County agreed in 1982 to the transfer to Erie County Sewer District No.6 of the sanitary and storm sewer assets and liabilities of the City; and

WHEREAS, there are two Agreements for underground sewer pipeline crossings of CSX Railroad, previously Conrail, which were not originally transferred, but which properly should be transferred; and

WHEREAS, the City of Lackawanna has been advised by CSX Railroad that two Agreements for sewer pipes crossing railroads need to be assigned to Erie County District No. 6 and the City has asked that these Agreements be assigned; and

WHEREAS, Erie County Sewer District No. 6 is in agreement with transferring these pipeline crossing Agreements.

NOW, THEREFORE, BE IT

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RESOLVED, that the County Executive be, and hereby is, authorized to execute two Assignment of Agreements Numbers CR-242940 and CR-137680, subject to approval as to form by the County Attorney, with CSX Railroad for existing sewer pipes crossing under CSX Railroad's property, with a processing fee of \$650.00 each and annual payments thereafter starting at \$1,500 total and adjusted based on the Federal Consumer Price Index; and be it further

RESOLVED, that certified copies of this resolution be sent to Charles J. Alessi, P.E., Deputy Commissioner of the Department of Environment and Planning, Nancy A. Naples, County Comptroller, Gregory J. Dudek, Assistant County Attorney, and Joseph Passafiume, Director, Budget, Management and Finance.
 (3-0) Legislators Ranzenhofer and Dusza absent.

DALE W. LARSON
CHAIRMAN

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

CARRIED UNANIMOUSLY.

Item 28 – MR. WEINSTEIN presented the following resolution and moved for immediate consideration. MR. RANZENHOFER seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 569

October 9, 2003

HUMAN SERVICES
 COMMITTEE
 REPORT NO. 12

ALL MEMBERS PRESENT.

1. Item Page -2003 (Comm. 17E-13)
COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Health received a revised grant award from Health Research Inc. in the amount \$61,848 for the purpose of funding breast and cervical cancer screening for low income, asymptomatic, underserved women aged 40 and over, and

WHEREAS, the Partners for Prevention, Cancer Screening Services of Erie County is made up of a coalition of concerned community agencies and health care providers, funded by grants from the New York State Health Department, Health Research, Inc. and the United Way of Buffalo and Erie County, and

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

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to accept the revised grant award from Health Research Inc., to be budgeted as follows:

Breast and Cervical Cancer
06/30/03- 06/29/04
PROJECT #866

SFG	REVENUE	CURRENT BUDGET CHANGES		REVISED BUDGET
553 - 200	STATE AID - HRI	<u>\$91,250</u>	<u>\$-29,402</u>	<u>\$ 61,848</u>
	TOTAL	<u><u>\$91,250</u></u>	<u><u>\$-29,402</u></u>	<u><u>\$ 61,848</u></u>
	EXPENSES			
830-989	CONT-CLINICAL SERV	\$91,250	\$-36,250	\$55,000
880-4000	INTERFUND - ECMC	0	6,648	6,648
882-2709	INTERDEPT - HLTH GRTS	<u>0</u>	<u>200</u>	<u>200</u>
	TOTAL	<u><u>\$91,250</u></u>	<u><u>\$-29,402</u></u>	<u><u>\$61,848</u></u>

and be it further

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

(5-0)

2. Item Page -2003 (Comm. 17E-14)
COUNTY EXECUTIVE

WHEREAS, the Centers for Disease Control and Prevention (CDC) has awarded a revised grant in the amount of \$141,511 to the Erie County Department of Health for the purpose of integrating viral hepatitis prevention services into existing Western New York Health Departments' services, and has extend the grant year until March 31, 2004, and

WHEREAS, the regional Integration of Hepatitis Prevention Services project will provide hepatitis prevention counseling to patients at high risk, testing for Hepatitis C and B, vaccination for Hepatitis A and B, referral of infected patients to appropriate substance abuse and medical specialist services, staff training and project evaluation.

NOW, THEREFORE, BE IT

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RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to enter into a revised agreement which extends the grant year until March 31, 2004 with the Centers for Disease Control (CDC) which is budgeted as follows:

Integration of Hepatitis Prevention
9/30/02 – 3/31/04
Project #718

SFG	REVENUE	CURRENT BUDGET	CHANGES	REVISED BUDGET
521	OTHER UNCLASS REV	\$99,428	\$42,083	\$141,511
	TOTAL	<u>\$99,428</u>	<u>\$42,083</u>	<u>\$141,511</u>
	EXPENSES			
800	PERSONAL SERVICES	\$42,787	\$22,448	\$65,235
805	FRINGE BENEFITS	9,841	5,692	15,533
810	OFFICE SUPPLIES	1,100	-800	300
814	MED'L SUPPLIES	1,500	-400	1,100
821	DUES & FEES	8,000	15,383	23,383
824	TRAVEL & MILEAGE	2,000	1,860	3,860
825	OUT OF AREA TRAVEL	2,500	0	2,500
826	OTHER EXPENSES	3,500	900	4,400
880-2700	I/F-HEALTH GRANTS	6,807	-3,000	3,807
880-2720	I/F-HLTH-PH LAB	19,693	0	19,693
880-5100	I/F-INFO & SUPP SVC	1,200	0	1,200
933	LAB & TECH EQUIP	500	0	500
	TOTAL	<u>\$99,428</u>	<u>\$42,083</u>	<u>\$141,511</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	\$3,000
Decrease Account 932	Office Equipment	\$3,000

and be it further

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

(5-0)

3. Item Page -2003 (Comm. 17E-15)

COUNTY EXECUTIVE

WHEREAS, the Erie County Health Department has received a revised grant award from the New York State Department of Health to fund the Healthy Neighborhoods Program, and

WHEREAS, the purpose of the grant is to provide preventive health services and to improve environmental health in various target areas within the City of Buffalo.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to accept a revised grant award from the New York State Department of Health to be budgeted as follows:

Healthy Neighborhoods Program
10/1/02 – 9/30/03
Project #715

SFG	REVENUE	CURRENT BUDGET	CHANGES	REVISED BUDGET
553	ST AID OTHER	\$253,040	\$ -48,819	\$ 204,221
	TOTAL	<u>\$ 253,040</u>	<u>\$ -48,819</u>	<u>\$ 204,221</u>
 EXPENSES				
800	PERSONAL SERVICES	\$178,098	\$-26,168	\$151,930
801	OVERTIME	3,000	0	3,000
805	FRINGE BENEFITS	41,942	973	42,915
810	OFFICE SUPPLIES	2,000	-2,000	0
811	CLOTHING SUPPLIES	2,000	-2,000	0
824	TRAVEL & MILEAGE	4,500	-624	3,876
825	OUT OF AREA TRAVEL	3,000	-3,000	0
826	OTHER EXPENSES	10,000	-7,500	2,500
932	FURNITURE, FIXTURES	3,000	-3,000	0
933	LAB & TECH EQUIP	5,500	-5,500	0
	TOTAL	<u>\$253,040</u>	<u>\$-48,819</u>	<u>\$204,221</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.

(5-0)

4. Item Page -2003 (Comm. 17E-16)

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COUNTY EXECUTIVE

WHEREAS, the Erie County Legislature authorized the acceptance of a grant award from the New York State Health Department in the amount of \$950,265 on July 18, 2002, Comm. 14E-64, and

WHEREAS, it is necessary to make budgetary adjustments in order to balance the accounts within SFG, and

WHEREAS, sufficient funds are available through a transfer within the accounts of the program, and

WHEREAS, in order to deploy the Disaster Lan in Chautauqua County as part of the Regional Plan, it is necessary to contract with Buffalo Computer Graphics in the amount of \$42,635 for services to be provided by 12/31/03, and

WHEREAS, Erie County will be reimbursed for such services by Chautauqua County.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Executive is hereby authorized to accept the revised budget as follows:

**PUBLIC HEALTH PREP & RESPONSE TO
BIOTERRORISM**

**05/1/02-
8/31/03**

**PROJECT
#744**

SFG	REVENUE	CURRENT BUDGET	CHANGES	REVISED BUDGET
360- 2000	BIO - OTHER COUNTIES	\$ 261,183	\$0	\$ 261,183
553-200	STATE AID - HRI	950,265	0	950,265
	TOTAL	<u>\$1,211,448</u>	<u>\$0</u>	<u>\$1,211,448</u>
EXPENSES				
800	PERSONAL SERVICES	\$ 223,801	\$0	\$ 223,801
801	OVERTIME	5,000	0	5,000
805	FRINGE BENEFITS	48,604	0	48,604
810	OFFICE SUPPLIES	1,700	0	1,700
811	CLOTHING SUPPLIES	72,197	-1,000	71,197
814	MEDICAL SUPPLIES	20,000	0	20,000
816	MAINT SUPPLIES	100	0	100

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821-151	DUES & FEES-PHYS ASS'T	344	0	344
821	DUES & FEES	87,856	2,289	90,145
822	RENTAL CHARGES	1,398	0	1,398
824	TRAVEL & MILEAGE	1,000	2,000	3,000
825	OUT OF AREA TRAVEL	26,500	310	26,810
826	OTHER EXPENSES	32,507	0	32,507
830	CONTRACTUAL	404,284	0	404,284
880- 2700	INTERFUND - ECHD	120,504	0	120,504
880- 5100	INTERFUND - DISS	4,760	0	4,760
930	MOTOR VEHICLE EQUIP	23,022	0	23,022
932	OFFICE EQUIPMENT	18,110	0	18,110
933	LAB & TECH EQUIPMENT	119,761	-3,599	116,162
	TOTAL	<u>\$1,211,448</u>	<u>\$0</u>	<u>\$1,211,448</u>

and be it further

RESOLVED, the County Executive is hereby authorized to enter into an agreement with Buffalo Computer Graphics in the amount of \$42,635 for the purpose of providing technical assistance for deployment of the Disaster Lan in Chautauqua County, and be it further

RESOLVED, that the County Executive is hereby authorized to enter into an agreement with Chautauqua County in the amount of \$42,635 for the purpose of reimbursement of expenses, and be it further

RESOLVED, that the contract with Buffalo Computer Graphics is a special service 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, the Office of the Comptroller, the Division of Budget, Management and Finance, and the Department of Law.

(5-0)

5. Item Page -2003 (Comm. 17E-17)

COUNTY EXECUTIVE

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

WHEREAS, polio, diphtheria, tetanus, pertussis, measles, mumps, rubella,

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Haemophilus influenzae type B and hepatitis B all can cause significant morbidity among children. However, they all are preventable with appropriate vaccination.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to accept a revised grant award for the Immunization Action Plan Program in the amount of \$128,399 which is funded 100% from the New York State Health Department which includes budgetary adjustments as follows:

Immunization Action Plan
4/1/03-3/31/04
Project #872

SFG	REVENUE	CURRENT BUDGET	CHANGES	REVISED BUDGET
553	ST AID OTHER	\$ 128,400	\$ -1	\$ 128,399
	TOTAL	<u>\$ 128,400</u>	<u>\$ -1</u>	<u>\$ 128,399</u>
	EXPENSES			
800	PERSONAL SERVICES	\$ 75,889	\$ 6,000	\$ 81,889
801	OVERTIME	0	203	203
805	FRINGE BENEFITS	20,485	1,663	22,148
810	OFFICE SUPPLIES	2,000	-1,000	1,000
821	DUES & FEES	4,000	0	4,000
822	RENTAL CHARGES	300	0	300
823	REPAIRS & MAINT.	100	-100	0
824	TRAVEL & MILEAGE	1,500	0	1,500
825	OUT OF AREA TRAVEL	4,500	-2,000	2,500
826	OTHER EXPENSES	11,993	-4,830	7,163
880-2700	I/F-ECHD	0	4,396	4,396
880-5100	I/F-DISS	300	0	300
932	FURNITURE, FIXTURES	500	0	500
933	LAB & TECH EQUIP	6,833	-4,333	2,500
	TOTAL	<u>\$ 128,400</u>	<u>\$ -1</u>	<u>\$ 128,399</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:

Increase Account 685-2709 Interfund Health Grants	\$4,396
Increase Account 932 Office Equipment	\$4,396

and be it further

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

(5-0)

6. Item Page -2003 (Comm. 17E-18)

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

WHEREAS, the New York State Health Department recently awarded the Erie County Department of Health a revised grant in the amount of \$627,084 which authorizes budgetary adjustments in order to balance the accounts in the grant, and

WHEREAS, this revised grant includes funding for the conversion of the existing computer system to the state supported LeadTrac system, and

WHEREAS, in order to accomplish this conversion it is necessary to increase the contract with the Unisys Corporation in the amount of \$30,000 for technical support.

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 Prevention Program
1/1/03 – 12/31/03
Project #852

SFG	REVENUE	CURRENT BUDGET	CHANGES	REVISED BUDGET
521	OTHER UNCLASS. REV	\$ 0	\$ 5,000	\$ 5,000
553	ST AID OTHER	621,146	5,938	627,084
	TOTAL	<u>\$ 621,146</u>	<u>\$ 10,938</u>	<u>\$ 632,084</u>

EXPENSES

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800	PERSONAL SERVICES	\$ 477,388	\$ -74,952	\$ 402,436
801	OVERTIME	1,500	1,000	2,500
805	FRINGE BENEFITS	129,474	-20,896	108,578
810	OFFICE SUPPLIES	100	1,700	1,800
811	CLOTHING SUPPLIES	200	1,600	1,800
814	MEDICAL SUPPLIES	500	\$ 4,500	\$ 5,000
821	DUES & FEES	870	995	1,865
822	RENTAL CHARGES	200	-200	0
823	REPAIRS & MAINT.	2,000	5,800	7,800
824	TRAVEL & MILEAGE	5,714	12,286	18,000
825	OUT OF AREA TRAVEL	1,000	2,800	3,800
826	OTHER EXPENSES	1,500	20,205	21,705
830	CONTRACTUAL	0	30,000	30,000
932	FURNITURE, FIXTURES	200	1,600	1,800
933	LAB & TECH EQUIP	500	24,500	25,000
	TOTAL	<u>\$621,146</u>	<u>\$10,938</u>	<u>\$632,084</u>

and be it further

RESOLVED, that the Department of Health is authorized to increase its existing Unisys contract in the amount of \$30,000 for the purpose of software conversion, and be it further

RESOLVED, that the contract with Unisys is a special service 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, the Office of the Comptroller, the Division of Budget, Management and Finance and the Department of Law.

(5-0)

7. Item Page -2003 (Comm. 17E-27)

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 United States Department of Housing and Urban Development has approved a Grant transfer from the New York State Office of Mental Health to 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 under the Shelter Plus Care Housing Program, and

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WHEREAS, additional matching funds of \$411,379 in New York State Office of Mental Health State Aid Dollars are available to meet the Federal matching requirements of this award, and

WHEREAS, this contract will be effective for the one-year (1) period from January 1, 2004 through December 31, 2004, 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 Legislature has already authorized the County and the Department of Mental Health in previous years to contract for Housing and Urban Development McKinney Homeless Shelter Plus Care Grants.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be hereby authorized to enter into a one-year Grant Agreement with the United States Department of Housing and Urban Development (HUD) for the period January 1, 2004 through December 31, 2004, in the amount of \$670,920 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 grant project will be established in the 2004 County Budget for the period January 1, 2004 through December 31, 2004, and be it further

RESOLVED, that certified copies of this resolution be furnished to the Department of Mental Health, the Office of the Comptroller, and the Division of Budget, Management and Finance.
(5-0)

BARRY A. WEINSTEIN, M.D.
CHAIRMAN

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

CARRIED UNANIMOUSLY.

Item 29 – MR. McCARVILLE presented the following resolution and moved for immediate consideration. MR. RANZENHOFER seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 570

October 9, 2003

GOVERNMENT AFFAIRS
COMMITTEE

MEETING NO. 18
October 16, 2003

ERIE COUNTY LEGISLATURE

REPORT NO. 10

ALL MEMBERS PRESENT.

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

- | | | | | |
|----|---|-------|-------|-----------------------------------|
| | Item | Page | -2003 | (Intro. 15-14) |
| a. | SWANICK, RANZENHOFER & HOLT: | | | Legislative Personnel Adjustment. |
| | | (5-0) | | |

STEVEN P. McCARVILLE
CHAIRMAN

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 571

October 9, 2003

COMMUNITY ENRICHMENT
 COMMITTEE
 REPORT NO. 9

ALL MEMBERS PRESENT.

1. Item Page -2003 (Comm. 17E-12)

COUNTY EXECUTIVE

WHEREAS, the loss of funding from the City of Buffalo for the African-American Cultural Center, Buffalo Inner City Ballet, Langston Hughes Institute, and Ujima Company, all of which are part of the African American Cultural Arts Collective, has adversely affected the programs and services of these City of Buffalo-based not-for-profit organizations; and

WHEREAS, these organizations have important cultural as well as educational roles that focus on increasing awareness and understanding regarding the African and African American heritage, and each organization places a priority on motivating, educating and training youth through arts and cultural presentations, exhibits and programs; and

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WHEREAS, if supplemental County funds are not provided to each of these organizations, the viability and stability of these organizations will be placed in further jeopardy,

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into the necessary agreements which each of these four African American Cultural Arts Collective organizations, in order to provide County funds needed by the organizations to address operational needs that have resulted from loss of funds from the City of Buffalo; and be it further

RESOLVED, that funds for these four organizations as noted below, in the amount of \$100,000 are hereby transferred from the Extraordinary County Aid to Local Governments Regionalism/Economic Development Funds (DAC 110 9043038301299) to separate sub-accounts under Contractual Services in Department 302, Public Benefit Agencies, as monitored by the Department of Environment and Planning:

African-American Cultural Center, Inc. – \$25,000

Buffalo Inner City Ballet, Inc. – \$25,000

Langston Hughes Institute, Inc. – \$25,000

Ujima Company, Inc. – \$25,000

and be it further

RESOLVED, that certified copies of this resolution be sent to the County Executive; the County Comptroller; the Director of the Division of Budget, Management and Finance; the Commissioner of the Department of Environment and Planning; Agnes Bain, Executive Director, African-American Cultural Center, Inc., 350 Masten Avenue, Buffalo, New York 14209; Marvin Askew, Executive Director, Buffalo Inner City Ballet, Inc., 2495 Main Street, Suite 351, Buffalo, New York 14214; Michael Hill, Executive Director, Langston Hughes Institute, Inc., 25 High Street, Buffalo, New York 14203; and Lorna Hill, Executive Director, Ujima Company, Inc., 545 Elmwood Avenue, Buffalo, New York 14222.

(5-0)

2. Item Page -2003 (Intro. 17-1)
CUSACK

WHEREAS, on July 27, 1999, the New York State Legislature created the Western Erie Canal Heritage Corridor Planning Commission with an act amending the NYS Parks, Recreation and Historic Preservation Law for the purpose of developing a management plan for Western Erie Canal Heritage Corridor, and

WHEREAS, the Western Erie Canal Heritage and the developed management plan includes the five (5) counties of Erie, Niagara, Orleans, Monroe, and Wayne, and

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WHEREAS, the chief elected officials of each county in the Western Erie Canal Heritage Corridor appointed representatives to sit on the planning commission, and

WHEREAS, the planning commission, after significant public participation throughout the canal corridor, developed a comprehensive management plan, attached heretofore and incorporated herein by reference, that encompasses an initial seven (7) year program that will, among other things, support and strengthen economic revitalization and preservation of areas in the Western Erie Canal Heritage Corridor, increase the recreational use of the Erie Canal and Tow Path Trail, and foster interpretative, historical and educational centers in the canal corridor about the history of the Erie Canal and its significance to Western New York, New York State and the United States,

NOW, THEREFORE, BE IT,

RESOLVED, that the Erie County Legislature, after review and discussion of the proposed management plan in accordance with NYS Parks, Recreation and Historic Preservation Law, does hereby approve the Western Erie Canal Heritage Corridor Management Plan, and be it further

RESOLVED, that this Honorable Body does hereby request that the Western Erie Canal Heritage Corridor Planning Commission provide biannual updates to the Community Enrichment Committee of the Erie County Legislature on the progress of the management plan; and be it further

RESOLVED, that upon approval of this management plan by New York State, this Honorable Body does hereby request that the Erie County Legislature participate in the appointments of the representatives to the new administrative entity that will supervise the Western Erie Canal Heritage Corridor Project, and be it further

RESOLVED, that certified copies of this resolution be sent to the Western Erie Canal Heritage Corridor Planning Commission, NYS Department of Parks, Recreation and Historic Preservation, Erie County Executive Giambra, and the Chief Elected Officials of Niagara, Orleans, Monroe, and Wayne Counties.

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

ELISE M. CUSACK
CHAIRPERSON

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 572

October 9, 2003

PUBLIC SAFETY
 COMMITTEE
 REPORT NO. 8

ALL MEMBERS PRESENT EXCEPT LEGISLATOR DUSZA.

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

Item Page -2002 (Comm. 25M-5)
 a. **TOWN OF CHEEKTOWAGA COUNCILMEMBER THOMAS JOHNSON JR:** Copy of Letter to Legislators Dusza & Dale Re: City-County Police Merger. (4-0) Legislator Dusza absent.

Item Page -2003 (Intro. 7-13)
 b. **HOLT, KUWIK, FISHER, DeBENEDETTI, SMITH & MARINELLI:** Calling for a Discussion on the Buffalo Police Department Re-Engineering Project. (4-0) Legislator Dusza absent.

2. Item Page -2003 (Comm. 17E-20)
COUNTY EXECUTIVE

WHEREAS, funds have been received from the New York State Emergency Management Office through the Federal Government to establish a Citizens Corps Council for Erie County, and

WHEREAS, these funds will assist in convening meetings and organizing volunteers for the Citizen Corps Council throughout Erie County, and

NOW THEREFORE BE IT

RESOLVED, that the County Executive, on behalf of the Department of Emergency Services, is hereby authorized to receive funding from the New York State Emergency Management Office through the Federal Government to assist in the establishment of a Citizens Corps Council, and be it further

RESOLVED, that funds be utilized to fund meetings and other functions of the Citizens Corps Council, and be it further

RESOLVED, that the following budgetary accounts be created in order to complete the above tasks:

Department of Emergency Services

Citizens Corps Council Grant

Revenue

SFG684 - Federal Aid – Other	\$ <u>5,000.</u>
TOTAL	\$ 5,000.

Appropriations

SFG810 – Office Equipment and Supplies	\$ 1,000
SFG825 – Long Distance Travel	1,000
SFG826 – Other Expenditures	2,000
SFG830 – Contractual	<u>1,000</u>
TOTAL	\$ 5,000

and be it further

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

3. Item Page -2003 (Comm. 17E-21)
COUNTY EXECUTIVE

WHEREAS, funds have been received from the Federal Emergency Management Agency (FEMA) through the New York State Emergency Management Office (SEMO), and

WHEREAS, the funds received for the claims submitted by the Department of Emergency Services on behalf of various County, City Departments and Volunteer Fire Departments will be reimbursed to them for their services rendered to New York City in the aftermath of the events of September 11, 2001, and

WHEREAS, the funds received will be utilized to reimburse the County, City and Volunteer Fire Departments and to purchase needed equipment and services, and

WHEREAS, the funds will also be utilized to hire an existing intern at a higher rate to research new resources and enter them into the Department of Emergency Services software.

NOW, THEREFORE BE IT

RESOLVED, that the County Executive, on behalf of the Erie County Department of Emergency Services, is hereby authorized to utilize these funds to reimburse Erie County, City Departments and Volunteer Fire Departments in funding from FEMA through SEMO, and be it further

RESOLVED, that the Department of Emergency Services will be allowed to hire an intern, part-time, JG 1, Step V to research and enter resources needed to respond to emergency situations, and be it further

RESOLVED, that there are no changes to the following transactions and are authorized for the reimbursement of Erie County, City, and Volunteer Fire Departments for time and services rendered in the aftermath of the events of September 11, 2001:

Department of Emergency Services
 Reimbursement of Claims

<u>Revenue</u>	<u>Current Budget</u>
SFG 684 Federal Revenue - Other	<u>\$60,355</u>
TOTAL	\$60,355
<u>Appropriations</u>	
SFG 800-000 Personnel Services	\$ 6,000
SFG 825 Long Distance Travel	\$ 2,000
SFG 826 Other Expenses	\$ 2,000
SFG 933 Lab & Tech. Equip.	\$ 5,250
SFG830 Contractual-Volunteer Fire Companies and City of Buffalo Fire & Emergency Services	<u>\$45,105</u>
TOTAL	\$60,355

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 Law and the Department of Emergency Services.

(4-0) Legislator Dusza absent.

4. Item Page -2003 (Comm. 17E-22)
COUNTY EXECUTIVE

WHEREAS, funds have been received from the New York State Emergency Management Office to update Erie County's emergency planning activities, and

WHEREAS, these funds will be used to update local emergency planning activities.

NOW THEREFORE BE IT

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RESOLVED, that the County Executive, on behalf of the Department of Emergency Services, is hereby authorized to enter into contract with the New York State Emergency Management Office, and to accept \$2,000 awarded by them to update local emergency planning activities, and be it further

RESOLVED, that the following budgetary transactions are authorized in order to establish a sixth grant which will assist in updating local emergency planning for the Department of Emergency Services:

Department of Emergency Services
HMTUSA Grant Phase VII

Revenue	
SFG684 - Federal Aid – Other	<u>\$2000</u>
TOTAL	<u>\$2000</u>
Appropriations	
SFG821 – Dues and Fees	\$ 700
SFG825 – Long Distance Travel	1000
SFG826 – Other Expenditures	<u>300</u>
TOTAL	<u>\$2000</u>

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. (4-0) Legislator Dusza absent.

5. Item Page -2003 (Comm. 17E-23)
COUNTY EXECUTIVE

WHEREAS, transmission blackout zones have been an ongoing problem for emergency responders in the Colden area, and

WHEREAS, after researching the problem, the Department of Emergency Services and the Colden Fire District felt that a relocation of their current antenna to the WIVB tower will address these problems and enhance County fire communication in that area, and

WHEREAS, a lease agreement has been reached with WIVB-Television/LIN Television to lease space on their tower in Colden.

NOW, THEREFORE BE IT

RESOLVED, that the County Executive, on behalf of the Department of Emergency Services, is hereby authorized to execute the enclosed contract with WIVB Television/LIN Broadcasting of Buffalo, New York, to use space on the WIVB tower in Colden, New York, for the

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purpose of attaching the Colden Fire Radio antenna to that structure. WIVB agrees to a ZERO dollar lease and term of 99 years renewable indefinitely, 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 Law, and the Department of Emergency Services.
 (4-0) Legislator Dusza absent.

JEANNE Z. CHASE
CHAIRPERSON

MS. CHASE moved to separate item #3 and moved the approval of the balance of the resolution. MR. RANZENHOFER seconded.

CARRIED UNANIMOUSLY.

MS. CHASE moved to send item #3 back to the PUBLIC SAFETY COMMITTEE. MR. RANZENHOFER seconded.

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

LEGISLATORS RESOLUTIONS

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 573

Re: Buffalo Place – Year 2004 Budget.
 (Intro. 18-1)

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

WHEREAS, the Erie County Legislature approved Local Law No. 8-1984, establishing a downtown pedestrian/transit mall special district, and

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WHEREAS, the Erie County Legislature approved on December 19, 1985, a resolution authorizing the County Executive to enter into agreement with Downtown Buffalo Management Corporation, now known as Buffalo Place Inc. (BPI), designating Buffalo Place Inc. as the not-for-profit corporation with which Erie County shall contract for the performance of mall special district services, for which annual contracts were executed in 1986, 1987, 1988, 1989, 1990, 1991, 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002 and 2003, and

WHEREAS, the said Local Law required that the mall corporation present an annual budget to the Legislature regarding the amount to be raised by mall district special charges, and

WHEREAS, pursuant to the said Local Law, Buffalo Place Inc. held a public hearing, on due notice to property owners within the district, regarding the proposed 2004 annual budget on September 16, 2003,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby determine that the total amount to be raised by mall district service charges in 2004 shall be the sum of \$1,212,293 as contained in the attached budget which shall be part of this Resolution, which amount does not exceed 80% of the service charges that could be assessed or levied against properties in the district, and be it further

RESOLVED, that the County of Erie be and hereby is authorized to enter into agreement with Buffalo Place Inc., the not-for-profit corporation described in Section 9 of Erie County Local Law No. 8-1984, providing for the performance by Buffalo Place Inc. of the mall special services set forth in Section 8 of said Local Law; the payment to Buffalo Place Inc. of the proceeds of the mall special district charges, less administrative costs, to be used by Buffalo Place Inc. in providing mall special district services; and such other terms and conditions as to the County Attorney appear necessary or appropriate for the implementation of Erie County Local Law No. 8-1984 and Chapter 673 of the Laws of 1982, and be it further

RESOLVED, that the Erie County Commissioner of Finance shall, not later than November 28, 2003, cause to be established a Mall District Special Charge Roll apportioning the amount herein above determined to be raised by mall district special charges for 2004 in conformance with the formula set forth in Section 7 of Erie County Local Law No. 8-1984 using the latest available final general or special assessment roll prepared by the City of Buffalo, and be it further

RESOLVED, that certified copies of this resolution, in its final form, be forwarded to Erie County Executive Joel A. Giambra, Erie County Budget Director Joseph Passafiume, Erie County Attorney Frederick A. Wolf, Erie County Director of Real Property Tax Services Joseph L. Maciejewski, Buffalo Place Inc. Board Chairman Keith Belanger (671 MAIN ST., BUFFALO 14203), Buffalo Place Inc. Executive Director Michael T. Schmand (same address), and Anthony M. Masiello, Mayor of the City of Buffalo.

FISCAL IMPACT: To Be Determined.

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

CARRIED UNANIMOUSLY.

Item 33 – MS. CHASE presented the following resolution and moved for immediate consideration. MR. RANZENHOFER seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 574

Re: In Support of Great Lakes United's
 Opposition to Artificial Reefs for Restoration of
 Fish Habitat. (Intro. 18-2)

A RESOLUTION SUBMITTED BY
 LEGISLATOR CHASE

WHEREAS, artificial reefs can be a legitimate fishery management tool to enhance productivity of fish and other aquatic organisms, restore or create fish habitat, or to enhance fishing opportunities, and

WHEREAS, Erie County Soil and Water Conservation District's annual fish stocking program, with a spring distribution of bass and minnows, now continues with a fall distribution of rainbow and brook trout, and

WHEREAS, 120,000 lake trout are stocked in Lake Erie each year by the NYSDEC with a goal of re-establishing a self sustaining native fishery, and

WHEREAS, Lake Erie walleye fishing tournaments attract many fishermen from early April through late August, and

WHEREAS, artificial reefs may contribute to over exploitation of vulnerable fish stocks by attracting them to a known location, and

WHEREAS, artificial reefs may attract undesirable invasive species, such as the zebra mussels, round goby, etc., and

WHEREAS, recreational divers and other users may use fish habitat to justify purposefully sinking decommissioned ships and other waste materials in the Great Lakes and St. Lawrence River,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby reaffirm its support for sport fishing and a healthy, natural environment for aquatic life, and be it further

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RESOLVED, that the Erie County Legislature does hereby affirm its support for Great Lakes United in supporting and prioritizing the restoration of natural reefs and aquatic habitat that have been destroyed or degraded due to human activity over the construction of artificial reefs, and be it further

RESOLVED, that the recommendations contained in the International Artificial Reef Policy Statement and Guidelines for Artificial Reefs in the Great Lakes be incorporated into the appropriate policies, and be it further

RESOLVED, that certified copies of this resolution be sent to President George W. Bush, WNY Members of the US Senate and US House of Representatives, Gov. George Pataki, WNY Delegation of the NYS Senate and Assembly, 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.

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

CARRIED UNANIMOUSLY.

Item 34 – MS. CHASE presented the following resolution and moved for immediate consideration. MS. CUSACK seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 575

Re: Transfer of Public Benefit Funds.
(Intro. 18-3)

A RESOLUTION SUBMITTED BY LEGISLATORS
CHASE, CUSACK, LARSON, McCARVILLE, WEINSTEIN,
DUSZA, KUWIK, SCHROEDER & SMITH

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

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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 \$65,200 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>	<u>SPONSOR</u>
Amherst Public Library (Eggertsville Branch)	830/0156	\$2,000	CUSACK
Bishop Timon - St. Jude H.S.	830/	\$5,000	SCHROEDER
Buffalo Public School 72 (Lorraine Elementary)	830/	\$700	SCHROEDER
Eden Corn Festival	830/0948	\$2,500	CHASE
Forever Elmwood Corporation	830/0630	\$1,500	SMITH
Friends of Emery Park	830/1561	\$3,000	MCCARVILLE
Lackawanna City School District	830/	\$1,500	KUWIK
Lancaster Area Chamber of Commerce	830/	\$2,000	LARSON
Lancaster Ponytails	830/	\$10,000	LARSON
Safe Homes (ECCPASA)	830/1517	\$3,000	WEINSTEIN
Seneca-Babcock Community Center	830/0966	\$1,000	SCHROEDER
St. Martin's Sports Committee	830/	\$1,000	SCHROEDER
St. Teresa's RCC Society of Buffalo	830/	\$1,000	SCHROEDER
Ten Lives Club	830/1563	\$500	MCCARVILLE
Town of Lancaster	830/0345	\$2,500	LARSON
Town of Lancaster	830/0345	\$15,000	DUSZA
Tri Town United Soccer Club	830/1198	\$13,000	LARSON
TOTAL		\$65,200	

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 \$6,550 of unspent funds be returned to the Legislature – Contractual fund (110905100830) from the following 2002 Public Benefit Services accounts (110921301830):

<u>NAME</u>	<u>LINE</u>	<u>OLD AMOUNT</u>	<u>+/-</u>	<u>NEW AMOUNT</u>

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Orchard Park Lacrosse	830/1562	\$2,000	-\$2,000	-0-
Boston Fire Department	830/1471	\$1,250	-\$1,250	-0-
Langford/New Oregon Vol. Fire Co.	830/0785	\$1,000	-\$1,000	-0-
Town of East Aurora Historical Society	830/0446	\$1,000	-\$1,000	-0-
Town of Orchard Park Historical Society	830/0463	\$1,000	-\$1,000	-0-
Amherst Center for Senior Services	830/1164	\$300	-\$300	-0-

And be it further

RESOLVED, that \$7,500 be returned to the Legislature – Contractual fund (110905100830) from Fund 110, Project 921, Department 301 Agency Payments & Grants – Public Benefit Services – Town of Evans (1109213018300430), 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. MS. CUSACK 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 \$76,700 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>
Ten Lives Club	830/1563	\$500	MCCARVILLE
Buffalo Public School 72 (Lorraine Elementary)	830/	\$700	SCHROEDER
Seneca-Babcock Community Center	830/0966	\$1,000	SCHROEDER
St. Martin's Sports Committee	830/	\$1,000	SCHROEDER

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St. Teresa's Roman Catholic Church Society of Buffalo	830/	\$1,000	SCHROEDER
Forever Elmwood Corporation	830/0630	\$1,500	SMITH
Lackawanna City School District	830/	\$1,500	KUWIK
Amherst Public Library (Eggertsville Branch)	830/0156	\$2,000	CUSACK
Lancaster Area Chamber of Commerce	830/	\$2,000	LARSON
Eden Corn Festival	830/0948	\$2,500	CHASE
Town of Lancaster	830/0345	\$2,500	LARSON
Friends of Emery Park	830/1561	\$3,000	MCCARVILLE
Safe Homes (ECCPASA)	830/1517	\$3,000	WEINSTEIN
Bishop Timon - St. Jude H.S.	830/	\$5,000	SCHROEDER
Lancaster Ponytails	830/	\$10,000	LARSON
Tri Town United Soccer Club	830/1198	\$13,000	LARSON
Town of Lancaster	830/0345	\$15,000	DUSZA
Village of Lancaster Community Development Corp.	830/1634	\$10,000	LARSON
Williamsville Central School District	830/	\$1,500	WEINSTEIN
TOTAL		\$76,700	

MS. CHASE moved the approval of the resolution as amended. MS. CUSACK seconded.

CARRIED UNANIMOUSLY.

Item 35 – MR. McCARVILLE presented the following resolution and moved for immediate consideration. MR. RANZENHOFER seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 576

Re: Consideration for Public Benefit Funding.
(Intro. 18-4)

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,

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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>
Village of Orchard Park	\$2,000	McCARVILLE
F.I.S.H. of East Aurora, Inc.	\$2,000	McCARVILLE
Orchard Park Penguins	\$1,000	McCARVILLE
Colden Fire Company	\$3,000	McCARVILLE
Mudpies Children's Museum	\$1,000	McCARVILLE
TOTAL	\$9,000	

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 the approval of the resolution. MR. RANZENHOFER seconded.

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 577

Re: Consideration for Public Benefit Funding.
(Intro. 18-5)

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A RESOLUTION SUBMITTED BY
 LEGISLATOR RANZENHOFER

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>
Clarence American Legion	\$5,000	RANZENHOFER
Clarence Concert Association	\$3,000	RANZENHOFER
Clarence High School Band	\$3,000	RANZENHOFER
Clarence Baseball	\$3,000	RANZENHOFER
TOTAL	\$14,000	

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. RANZENHOFER moved to amend the resolution. MS. CHASE seconded.

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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>
Town of Clarence	\$4,168	RANZENHOFER
Clarence Concert Association	\$3,000	RANZENHOFER
Clarence High School Band	\$3,000	RANZENHOFER
Clarence Baseball	\$3,000	RANZENHOFER
Dodge Elementary School Outdoor Fitness Center	\$3,830	RANZENHOFER
Lou Gehrig Youth Baseball/Softball	\$2,500	RANZENHOFER
Amherst Youth Board	\$2,500	RANZENHOFER
Akron Sports League	\$3,416	RANZENHOFER
Akron Sports	\$3,416	RANZENHOFER
Amherst Chamber of Commerce	\$3,000	RANZENHOFER
Clarence Chamber of Commerce	\$3,000	RANZENHOFER
Clarence Hollow Merchants Association	\$3,000	RANZENHOFER
Akron Chamber of Commerce	\$3,000	RANZENHOFER
Cheektowaga Chamber of Commerce	\$3,000	RANZENHOFER
Amherst Senior Center	\$2,500	RANZENHOFER
Clarence Senior Center	\$5,000	RANZENHOFER
Newstead Senior Center	\$15,000	RANZENHOFER
Cheektowaga Senior Center	\$2,500	RANZENHOFER
Newstead Fire Co.	\$2,500	RANZENHOFER
Akron Fire Co	\$2,500	RANZENHOFER
Clarence Fire Co.	\$2,500	RANZENHOFER
Clarence Center Fire Co.	\$2,500	RANZENHOFER
Harris Hill Fire Co.	\$2,500	RANZENHOFER
East Amherst Fire Co.	\$2,500	RANZENHOFER
Hi View Fire District #8	\$4,000	RANZENHOFER
TOTAL	\$87,830	

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 578

Re: Consideration for Public Benefit Funding.
(Intro. 18-6)

A RESOLUTION SUBMITTED BY
LEGISLATOR CHASE

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>
Town of North Collins	\$4,500	CHASE
TOTAL	\$4,500	

And be it further

RESOLVED, that this \$4,500 recommended for the Town of North Collins is intended to REPLACE the \$5,500 that was recommended for the Town of North Collins in Intro 17-2 (2003) and is not in addition to that amount, 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

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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

MS. CHASE 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>
Boston Fire Department	\$1,000	CHASE
Evans Youth Court	\$1,000	CHASE
East Eden Fire Company	\$2,500	CHASE
Brant Volunteer Fire Company	\$3,000	CHASE
North Boston Fire Department	\$1,000	CHASE
Patchin Fire Company	\$1,000	CHASE
Town of North Collins	\$4,500	CHASE
Town of Evans Seniors	\$1,404	CHASE
Town of Eden Police Department	\$3,000	CHASE
Town of Boston Band	\$1,000	CHASE
TOTAL	\$19,404	

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

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RESOLUTION NO. 579

Re: Consideration for Public Benefit Funding.
 (Intro. 18-7)

A RESOLUTION SUBMITTED BY
 LEGISLATOR CUSACK

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>
Alexander Hamilton Elementary School	\$2,500	CUSACK
TOTAL	\$2,500	

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

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 580

Re: Consideration for Public Benefit Funding.
(Intro. 18-8)

A RESOLUTION SUBMITTED BY
LEGISLATOR LARSON

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>
Lancaster Area Chamber of Commerce	\$2,000	LARSON
TOTAL	\$2,000	

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.

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Fiscal Impact: None

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 581

Re: Consideration for Public Benefit Funding.
(Intro. 18-9)

A RESOLUTION SUBMITTED BY
LEGISLATOR DUSZA

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>
Buffalo Swords Youth Hockey	\$1,000	DUSZA
Acciari Memorial – Roswell Cancer Institute	\$1,500	DUSZA
TOTAL	\$2,500	

And be it further

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

CARRIED UNANIMOUSLY.

Item 41 – MR. DeBENEDETTI presented the following resolution and moved for immediate consideration. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 582

Re: Transfer of Public Benefit Funds.
(Intro. 18-10)

A RESOLUTION SUBMITTED BY
LEGISLATOR DEBENEDETTI

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

NOW, THEREFORE, BE IT

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 Library Subsidy revenue (DAC 8209734206863200) \$1,000, and be it further

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RESOLVED, that the Buffalo and Erie County Library Budget is hereby amended to increase the following account: Library Dues and Fees (DAC 820973420821) \$1,000, earmarked for program fees for the Niagara Branch Library, 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 Wahl—First Administrative Assistant Erie County Legislature; Assistant County Attorneys Susannah Bochenek and Melissa Heimerl; and Ken Stone – Buffalo and Erie County Public Library.

Fiscal Impact: Reallocation of 2003 Budgeted Funds

MR. DeBENEDETTI moved the approval of the resolution. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

Item 42 – CHAIRMAN SWANICK directed that the following resolution be referred to the FINANCE & MANAGEMENT COMMITTEE.

GRANTED.

Intro. 18-11 From LEGISLATORS HOLT, DeBENEDETTI, SMITH & SCHROEDER Re: Sharing State Medicaid Relief with City of Buffalo.

Item 43 – CHAIRMAN SWANICK directed that the following resolution be referred to the FINANCE & MANAGEMENT COMMITTEE.

GRANTED.

Intro. 18-12 From LEGISLATORS DeBENEDETTI, HOLT & SMITH Re: Sharing the Temporary Assistance for Extraordinary Financial Difficulties.

Item 44 – CHAIRMAN SWANICK directed that the following resolution be referred to the FINANCE & MANAGEMENT COMMITTEE.

GRANTED.

Intro. 18-13 From LEGISLATORS DeBENEDETTI, HOLT & SMITH Re: Regional Property Tax Stabilization.

Item 45 – MR. RANZENHOFER presented the following resolution and moved for immediate consideration. MR. FALKNER seconded.

CARRIED UNANIMOUSLY.

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RESOLUTION NO. 583

Re: Requesting that the Federal Government
Modify its "Free Trade" Policy. (Intro. 18-14)

A RESOLUTION SUBMITTED BY LEGISLATORS
RANZENHOFER, SWANICK & FALKNER

WHEREAS, the international trade deficit of the United States with other countries like China, Japan, Canada, Mexico and the European Union has widened substantially within the last five years, and

WHEREAS, the gap with China alone has widened by \$46 billion during this period, and

WHEREAS, the size of the United States' international trade deficit can be attributed to the relative inexpensive cost of goods and services produced in foreign countries when compared with goods and services produced in the United States, and

WHEREAS, this relative inexpensive cost of foreign goods and services can be tied to cheaper labor costs, cheaper raw materials and limited or no governmental regulation of business and industry in these foreign countries, and

WHEREAS, this inequality in the international economic playing field between American and foreign products has led to the loss of millions of jobs in the United States within the last five years, and

WHEREAS, this loss of jobs is never more apparent than in the Western New York region which was once a much heralded manufacturing and commerce center, and

WHEREAS, it has been the goal of the Federal government over the last decade to promote "free trade" between nations within the Western hemisphere and around the world, and

WHEREAS, "free trade" has resulted in the loss of complete industries; electronics, garments, textiles, steel, and automobiles in the United States to other countries which can produce these goods with cheaper labor costs, cheaper raw materials and limited or no governmental regulation of business and industry, and

WHEREAS, until something is done to ameliorate this condition to level the international economic playing field, including tariffs, the international trade deficit of the United States with other countries like China, Japan, Canada, Mexico and the European Union will continue to expand and worsen, and

WHEREAS, this situation will cause further severe economic conditions for the United States, and its individual states, cities, towns and villages,

NOW, THEREFORE, BE IT

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RESOLVED, that the Erie County Legislature does hereby call upon the Federal government to take appropriate action to modify its "free trade" policy, including tariffs, to restore equity and fairness to the international economic playing field, and be it further

RESOLVED, that the Erie County Legislature does hereby request that the Federal government take the necessary economic actions to reduce its international trade deficit with its trading partners that continually seek to undercut American goods and services, and be it further

RESOLVED, that certified copies of this resolution be sent to President Bush, Members of Congress Reynolds, Quinn, Slaughter and Houghton, and Senators Schumer and Clinton.

Fiscal Impact: None for resolution.

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

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

GRANTED.

Intro. 18-15 From LEGISLATOR DeBENEDETTI Re: County Assistance for City of Buffalo.

COMMUNICATIONS DISCHARGED FROM COMMITTEE

Item 48 – MR. RANZENHOFER moved to discharge the FINANCE & MANAGEMENT COMMITTEE from further consideration of Comm. 2D-13. MS. CHASE seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 584

Re: Corrections of Errors.

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

CARRIED UNANIMOUSLY.

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

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

RESOLVED, that petitions numbered 203303 through 203354 inclusive be hereby approved or denied based upon the recommendation of the Director of Real Property Services and be charged back to the applicable towns and / or cities.

FISCAL YEAR	2003	Petition No.	203303
	ASSESSOR	Cancel	\$619.80
S-B-L	108.00-1-14.2	142089 ALDEN	
	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$619.80	Town/SpecialDist/School
	41854 BASIC STAR EXEMPTION	\$619.80	
Charge To :	142089 ALDEN		\$0.00

CANCEL - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF 20,510 WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)
 ALDEN CENTRAL

FISCAL YEAR	2003	Petition No.	203304
	ASSESSOR	Cancel	\$329.39
S-B-L	118.00-2-2	142089 ALDEN	
	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$329.39	Town/SpecialDist/School
Charge To :	142089 ALDEN		\$329.39
	Relevy School	\$329.39	142001 ALDEN CENTRAL

CANCEL - ERROR IN ESSENTIAL FACT BUILDING WAS REMOVED PRIOR TO TAXABLE STATUS DATE. ASSESSED VALUE WAS 15,000 AND SHOULD BE 4,100.
 RPTL 550(3)A

FISCAL YEAR	2003	Petition No.	203305
	ASSESSOR	Cancel	\$284.06
S-B-L	119.07-5-1	142001 ALDEN	

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	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$284.06	Town/SpecialDist/School
Charge To :	142001 ALDEN		\$284.06
	Relevy School	\$284.06	142001 ALDEN CENTRAL

CANCEL - UNLAWFUL ENTRY, PROPERTY IS OWNED BY THE STATE OF NEW YORK
 MAKING IT WHOLLY EXEMPT FROM TAXES. RPTL 550(7)A

FISCAL YEAR	2003	Petition No.	203306
	ASSESSOR	Cancel	\$1,103.83

S-B-L 129.00-10-1.2 **142001 ALDEN**

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$1,103.83	Town/SpecialDist/School
Charge To :	142001 ALDEN		\$1,103.83
	Relevy School	\$1,103.83	142001 ALDEN CENTRAL

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON
 THE TAX ROLL. THE ASSESSED VALUE WAS 92,100 AND SHOULD BE 60,000.
 RPTL 550(2)A

FISCAL YEAR	2003	Petition No.	203307
	ASSESSOR	Cancel	\$430.59

S-B-L 16.00-1-23 **142289 AMHERST**

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$430.59	Town/SpecialDist/School
Charge To :	142289 AMHERST		\$430.59
	Relevy School	\$430.59	142001 ALDEN CENTRAL

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON
 THE TAX ROLL. THE ASSESSMENT WAS 70,000 AND SHOULD BE 48,000.
 RPTL 550(2)A

FISCAL YEAR	2003	Petition No.	203308
	ASSESSOR	Cancel	\$43.05

S-B-L 27.00-2-20 **142289 AMHERST**

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$43.05	Town/SpecialDist/School
Charge To :	142289 AMHERST		\$43.05

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Relevy School \$43.05 142203 WILLIAMSVILLE CENT

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. THE ASSESSMENT WAS 108,000 AND SHOULD BE 55,800.
 RPTL 550(2)A

FISCAL YEAR 2003 **Petition No.** **203309**
ASSESSOR **Cancel** \$587.16

S-B-L 28.20-1-43 **142289 AMHERST**

Acct. No. 112	\$0.00	County
Acct. No. 132	\$587.16	Town/SpecialDist/School
41854 BASIC STAR EXEMPTION	\$587.16	
Charge To :	142289 AMHERST	\$0.00

CANCEL - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF 30,000 WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C

FISCAL YEAR 2003 **Petition No.** **203310**
ASSESSOR **Cancel** \$685.02

S-B-L 28.04-2-12 **142289 AMHERST**

Acct. No. 112	\$0.00	County
Acct. No. 132	\$685.02	Town/SpecialDist/School
Charge To :	142289 AMHERST	\$685.02
Relevy School	\$685.02	142203 WILLIAMSVILLE CENT

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. THE ASSESSMENT WAS 75,000 AND SHOULD BE 40,000.
 RPTL 550(2)A

FISCAL YEAR 2001 **Petition No.** **203311**
ASSESSOR **Refund** \$371.28

S-B-L 40.68-1-41.146B **142289 AMHERST**

Acct. No. 112	\$0.00	County
Acct. No. 132	\$371.28	Town/SpecialDist/School
41854 BASIC STAR EXEMPTION	\$371.28	
Charge To :	142289 AMHERST	\$0.00

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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: DONNA R STRAIGHT SWEET HOME CENTRAL

FISCAL YEAR	2002	Petition No.	203312	
	ASSESSOR	Refund	\$380.90	
S-B-L	40.687-1-41./146	142289 AMHERST		
	Acct. No. 112		\$0.00	County
	Acct. No. 132		\$380.90	Town/SpecialDist/School
	41854 BASIC STAR EXEMPTION	\$380.90		
Charge To :	142289 AMHERST		\$0.00	

REFUND - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF
 30,000 WAS OMITTED FROM THE TAX ROLL. RPTL 550(2)C
 CHECK FOR: DONNA R STRAIGHT SWEET HOME CENTRAL

FISCAL YEAR	2003	Petition No.	203313	
	ASSESSOR	Cancel	\$393.96	
S-B-L	40.68-1-41./146B	142289 AMHERST		
	Acct. No. 112		\$0.00	County
	Acct. No. 132		\$393.96	Town/SpecialDist/School
	41854 BASIC STAR EXEMPTION	\$393.96		
Charge To :	142289 AMHERST		\$0.00	

CANCEL - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF
 30,000 WAS OMITTED FROM THE TAX ROLL. RPTL 550(2)C
 SWEET HOME CENTRAL

FISCAL YEAR	2003	Petition No.	203314	
	ASSESSOR	Cancel	\$587.16	
S-B-L	42.05-4-40	142289 AMHERST		
	Acct. No. 112		\$0.00	County
	Acct. No. 132		\$587.16	Town/SpecialDist/School
	41854 BASIC STAR EXEMPTION	\$587.16		
Charge To :	142289 AMHERST		\$0.00	

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CANCEL - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF 30,000 WAS OMITTED IN FROM THE TAX ROLL. RPTL 550(2)C
 WILLIAMSVILLE CENTRAL

FISCAL YEAR	2003	Petition No.	203315
	ASSESSOR	Cancel	\$469.73
S-B-L	42.15-10-13	142289 AMHERST	
	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$469.73	Town/SpecialDist/School
<u>Charge To :</u>	142289 AMHERST	\$469.73	
	Relevy School	\$469.73	142203 WILLIAMSVILLE CENT

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. THE ASSESSED VALUE WAS 299,000 AND SHOULD BE 275,000.
 RPTL 550(2)A

FISCAL YEAR	2003	Petition No.	203316
	ASSESSOR	Cancel	\$587.16
S-B-L	42.20-5-17	142289 AMHERST	
	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$587.16	Town/SpecialDist/School
<u>Charge To :</u>	142289 AMHERST	\$587.16	
	Relevy School	\$587.16	142203 WILLIAMSVILLE CENT

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. THE ASSESSMENT WAS 205,000 AND SHOULD BE 175,000.
 RPTL 550(2)A

FISCAL YEAR	2003	Petition No.	203317
	ASSESSOR	Cancel	\$1,116.22
S-B-L	54.34-1-3.1	142289 AMHERST	
	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$1,116.22	Town/SpecialDist/School
<u>Charge To :</u>	142289 AMHERST	\$1,116.22	
	Relevy School	\$1,116.22	142207 SWEET HOME CENTRAL

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. THE ASSESSMENT WAS 225,000 AND SHOULD BE 140,000.

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RPTL 550(2)A

FISCAL YEAR	2003	Petition No.	203318
	ASSESSOR	Cancel	\$459.45
S-B-L	54.03-1-12./A	142289 AMHERST	
	Acct. No. 112		\$0.00 County
	Acct. No. 132		\$459.45 Town/SpecialDist/School
Charge To :	142289 AMHERST		\$459.45
	Relevy School	\$459.45	142207 SWEET HOME CENTRAL

CANCEL - UNLAWFUL ENTRY, ASSESSED VALUE EXCEEDS THE AMOUNT SET BY THE STATE BOARD. THE VALUE SET WAS 331,000. RPTL 550(7)E

FISCAL YEAR	2003	Petition No.	203319
	ASSESSOR	Cancel	\$19.57
S-B-L	55.20-6-23	142289 AMHERST	
	Acct. No. 112		\$0.00 County
	Acct. No. 132		\$19.57 Town/SpecialDist/School
Charge To :	142289 AMHERST		\$19.57
	Relevy School	\$19.57	142203 WILLIAMSVILLE CENT

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. THE ASSESSMENT WAS 146,000 AND SHOULD BE 145,000.
RPTL 550(2)A

FISCAL YEAR	2002	Petition No.	203320
	ASSESSOR	Refund	\$582.44
S-B-L	56.07-1-2	142289 AMHERST	
	Acct. No. 112		\$0.00 County
	Acct. No. 132		\$582.44 Town/SpecialDist/School
	41854 BASIC STAR EXEMPTION	\$582.44	
Charge To :	142289 AMHERST		\$ 0.00

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: KIM & MICHAEL KOTZ WILLIAMSVILLE CENTRAL

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FISCAL YEAR	2001	Petition No.	203327
	ASSESSOR	Refund	\$161.27
S-B-L	79.12-5-33	142289 AMHERST	
	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$161.27	Town/SpecialDist/School
<u>Charge To :</u>	142289 AMHERST		\$161.27

CANCEL - CLERICAL ERROR, THIS PARCEL WAS CHARGED IN ERROR FOR 2 UNITS OF REFUSE TAX. PARCEL IS A SINGLE FAMILY HOME.RPTL 550(2)E
 CHECK FOR: MARGARET HOUCHENS & RANDALL A RODDA

FISCAL YEAR	2002	Petition No.	203328
	ASSESSOR	Refund	\$169.64
S-B-L	79.12-5-33	142289 AMHERST	
	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$169.64	Town/SpecialDist/School
<u>Charge To :</u>	142289 AMHERST		\$169.64

REFUND- CLERICAL ERROR, PARCEL WAS CHARGED FOR 2 UNITS OF REFUSE TAX. PARCEL IS A SINGLE FAMILY HOME AND SHOULD BE CHARGED FOR 1 UNIT.
 CHECK FOR:MARGARET M HOUCHENS & RANDALL A RODDA

FISCAL YEAR	2003	Petition No.	203329
	ASSESSOR	Refund	\$177.16
S-B-L	79.12-5-33	142289 AMHERST	
	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$177.16	Town/SpecialDist/School
<u>Charge To :</u>	142289 AMHERST		\$177.16

REFUND - CLERICAL ERROR, PARCEL WAS CHARGED FOR 2 UNITS OF REFUSE. PARCEL IS A SINGLE FAMILY HOME AND SHOULD BE CHARGED FOR 1 UNIT.
 CHECK FOR: MARGARET HOUCHENS & RANDALL A RODDA

FISCAL YEAR	2003	Petition No.	203330
	ASSESSOR	Cancel	\$1,254.90

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S-B-L 79.25-1-12 **142289 AMHERST**

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$1,254.90	Town/SpecialDist/School
Charge To :	142289 AMHERST		\$1,254.90
	Relevy School	\$1,254.90	142201 AMHERST CENTRAL

CANCEL - UNLAWFUL ENTRY, PARCEL IS OWNED BY TOWN OF AMHERST AND IS WHOLLY EXEMPT FROM TAXES. PARCEL ACQUIRED ON MARCH 23, 2003.
 RPTL 550(7)A

FISCAL YEAR 2003 **Petition No.** **203331**

ASSESSOR **Cancel** \$201.69

S-B-L 80.05-6-29 **142289 AMHERST**

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$201.69	Town/SpecialDist/School
Charge To :	142289 AMHERST		\$201.69
	Relevy School	\$201.69	142201 AMHERST CENTRAL

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. THE ASSESSMENT WAS 105,000 AND SHOULD BE 96,000.
 RPTL 550(2)A

FISCAL YEAR 2003 **Petition No.** **203332**

ASSESSOR **Cancel** \$215.29

S-B-L 80.08-6-37 **142289 AMHERST**

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$215.29	Town/SpecialDist/School
Charge To :	142289 AMHERST		\$215.29
	Relevy School	\$215.29	142203 WILLIAMSVILLE CENT

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. THE ASSESSMENT WAS 106,000 AND SHOULD BE 95,000.
 RPTL 550(2)A

FISCAL YEAR 2003 **Petition No.** **203333**

ASSESSOR **Cancel** \$717.09

S-B-L 80.10-11-32 **142289 AMHERST**

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	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$717.09	Town/SpecialDist/School
Charge To :	142289 AMHERST	\$717.09	
	Relevy School	\$717.09	142201 AMHERST CENTRAL

CANCEL - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 41,000 (50%) WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C

FISCAL YEAR	2003	Petition No.	203334
	ASSESSOR	Cancel	\$3,288.09

S-B-L 81.02-3-44.11 **142289 AMHERST**

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$3,288.09	Town/SpecialDist/School
Charge To :	142289 AMHERST	\$3,288.09	
	Relevy School	\$3,288.09	142203 WILLIAMSVILLE CENT

CANCEL - CLERICAL ERROR, THIS PARCEL IS UNDER A PILOT AGREEMENT. THE MUNICIPAL IDA EXEMPTION IN THE AMOUNT OF 168,000 WAS OMITTED FROM THE TAX ROLL. RPTL 550(2)C

FISCAL YEAR	2002	Petition No.	203335
	ASSESSOR	Refund	\$582.44

S-B-L 81.08-1-9.1 **142289 AMHERST**

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$582.44	Town/SpecialDist/School
	41854 BASIC STAR EXEMPTION	\$582.44	
Charge To :	142289 AMHERST	\$0.00	

REFUND - CLERICAL ERROR, THE BASIS STAR EXEMPTION IN THE AMOUNT OF 30,000 WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C
CHECK FOR: THOMAS & MARY STODDARD WILLIAMSVILLE CENTRAL

FISCAL YEAR	2003	Petition No.	203336
	ASSESSOR	Cancel	\$587.16

S-B-L 81.08-1-9.1 **142289 AMHERST**

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$587.16	Town/SpecialDist/School

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41854 BASIC STAR EXEMPTION \$587.16

Charge To : 142289 AMHERST \$0.00

CANCEL - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF
 30,000 WAS OMITTED FROM THE TAX ROLL. RPTL 550(2)C
 WILLIAMSVILLE CENTRAL

FISCAL YEAR 2003 **Petition No.** 203337

ASSESSOR **Cancel** \$587.16

S-B-L 81.09-1-23.1/128 **142289 AMHERST**

Acct. No. 112 \$0.00 County
 Acct. No. 132 \$587.16 Town/SpecialDist/School

41854 BASIC STAR EXEMPTION \$587.16

Charge To : 142289 AMHERST \$0.00

CANCEL - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF
 30,000 WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C
 WILLIAMSVILLE CENTRAL

FISCAL YEAR 2003 **Petition No.** 203338

ASSESSOR **Cancel** \$536.89

S-B-L 176.06-1-32 **142289 AURORA**

Acct. No. 112 \$0.00 County
 Acct. No. 132 \$536.89 Town/SpecialDist/School

41854 BASIC STAR EXEMPTION \$536.89

Charge To : 142289 AURORA \$0.00

CANCEL - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF
 16,930 WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C

FISCAL YEAR 2003 **Petition No.** 203339

ASSESSOR **Cancel** \$418.54

S-B-L 211.13-1-45 **142600 BOSTON**

Acct. No. 112 \$0.00 County
 Acct. No. 132 \$418.54 Town/SpecialDist/School

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ASSESSOR **Cancel** \$434.56

S-B-L 24.09-3-10 **144600 GRAND ISLAND**

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$434.56	Town/SpecialDist/School
Charge To :	144600 GRAND ISLAND		\$434.56
	Relevy School	\$434.56	144601 GRND ISLN CENTRAL

CANCEL - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 6,620 WAS MISCALCULATED. THE SENIOR EXEMPTION SHOULD BE IN THE AMOUNT OF 19,860 (30%) . RPTL 550(2)B

FISCAL YEAR 2003 Petition No. **203353**

ASSESSOR **Refund** \$610.48

S-B-L 38.09-1-8 **144600 GRAND ISLAND**

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$610.48	Town/SpecialDist/School
41854 BASIC STAR EXEMPTION		\$610.48	
Charge To :	144600 GRAND ISLAND		\$0.00

REFUND - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF 18,600 WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C
CHECK FOR: DAVID & MARGARET WILSON GRAND ISLAND CENTRAL

FISCAL YEAR 2003 Petition No. **203354**

ASSESSOR **Cancel** \$662.34

S-B-L 38.34-1-1./3062 **144600 GRAND ISLAND**

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$662.34	Town/SpecialDist/School
Charge To :	144600 GRAND ISLAND		\$662.34
	Relevy School	\$662.34	144601 GRND ISLN CENTRAL

CANCEL - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 23,031 WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C

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

CARRIED UNANIMOUSLY.

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Item 49 – MR. RANZENHOFER moved to discharge the ECONOMIC DEVELOPMENT COMMITTEE from further consideration of Comm. 17E-24. MS. CHASE seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 585

Re: Surplus Revenue Road Repair Reserve Fund.

WHEREAS, the Erie County Road Repair Reserve Fund has been established pursuant to Tax Law Section 1432 and General Municipal Law, Section 6-d, and

WHEREAS, the 2003 Adopted budget appropriated \$8,000,000.00 from the Road Repair Reserve Fund for Capital repair of roads, bridges and equipment which repairs are of a type not recurring annually or at shorter intervals during the year, and

WHEREAS, the Road Repair Reserve Fund has an audited surplus from the 2002 Real Property Transfer Tax in the amount of \$1,998,580.85, and

WHEREAS, surplus Road Repair Reserve Funds can only be used for capital repairs of roads and bridges in the County, and

WHEREAS, appropriations from the Road Repair Reserve Fund may be made only following public hearing, and

WHEREAS, a public hearing was held on October 16, 2003 at 2:00 p.m.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the following budget amendments.

		<u>DEBIT (CREDIT)</u>
Road Fund Road Repair Reserve Fund Balance	210-964-224-698-0105	(\$1,998,580.85)
Road Fund Road Repair Reserve Interdepartment Highways	210-964-224-882-2230	\$1,998,580.85
Road Fund Interdepartment -Road Repair Reserve	210-963-223-883-2240	(\$1,998,580.85)
Road Fund Oil & Chip & Road/Bridge Repairs	210-971	\$1,998,580.85

And be it further

RESOLVED, that the following road and bridge repair projects will be initiated during 2003:

<u>2003 TRANSFER TAX PROJECTS</u>	
<u>OIL & CHIPPING</u>	<u>COST</u>
STEINER ROAD	\$ 9,500.00
STAGE ROAD	11,000.00

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RAPIDS ROAD	10,500.00
BURDICK ROAD	11,000.00
SANDHILL ROAD	9,000.00
DORSCH ROAD	9,000.00
FLETCHER ROAD	11,000.00
HAYES HOLLOW ROAD	19,000.00
IRISH ROAD	10,000.00
FALLS ROAD	14,000.00
WEST FALLS ROAD	9,500.00
GROVER ROAD	22,000.00
CRUMP ROAD	14,500.00
SHIRLEY ROAD	12,000.00
NEW OREGON ROAD	23,500.00
JENNINGS ROAD	32,500.00
WOODSIDE ROAD	21,500.00
OTTENBECKER ROAD	4,000.00
PRATHAM ROAD	19,000.00
BROWN HILL ROAD	11,000.00
FOWLerville ROAD	2,000.00
BUFFALO STREET	4,000.00
SHARP STREET	3,500.00
WARNER GULF STREET	7,500.00
HARDT ROAD	8,000.00
ZENNER ROAD	7,500.00
NORTH BOSTON ROAD	9,500.00
ABBOTT ROAD	15,500.00
HAAG ROAD	7,500.00
ECKHARDT ROAD	14,000.00
NEW OREGON ROAD	20,400.00
DELAMETER ROAD	3,000.00
GOWANS ROAD	6,000.00
LOTUS POINT ROAD	7,000.00
HARDPAN ROAD	14,500.00
PONTIAC ROAD	25,500.00
BLEY ROAD	4,000.00
BAUER ROAD	<u>11,000.00</u>

\$ 453,900.00

SLURRY COAT OVERLAY

STOLLE ROAD	\$ 50,000.00
WINSPEAR ROAD	<u>25,000.00</u>

\$ 75,000.00

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ASPHALT OVERLAY

ABBOTT ROAD	\$ 600,000.00
MCKINLEY PARKWAY	560,000.00
MILL ROAD	70,000.00
RIDGE ROAD	<u>239,680.85</u>
	\$1,469,680.85

<u>GRAND TOTAL</u>	\$1,998,580.85
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And be it further

RESOLVED, that certified copies of this resolution be forwarded to the Erie County Executive, Joel A. Giambra; the County Comptroller, Nancy Naples; the Director of Budget and Management, Joseph Passafiume; the First Assistant County Attorney, Andrew Isenberg; the Commissioner of Public Works, Maria Lehman; and the Interim Deputy Commissioner of Highways, Gerard J. Sentz.

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

CARRIED UNANIMOUSLY.

Item 49 – MR. RANZENHOFER moved to discharge the ECONOMIC DEVELOPMENT COMMITTEE from further consideration of Comm. 17E-25. MS. CHASE seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 586

Re: Web Enabled Advanced Monitoring –
 Transfers of Funds to Pay for Overtime.

WHEREAS, NYSERDA has provided almost \$150,000 to implement Web Enabled Advanced Monitoring (WEAM) at many County facilities, and

WHEREAS, in order to have the WEAM monitors fully functional and meet NYSERDA's requirements, electric and data lines are required, and

WHEREAS, due to workload, overtime is needed to accomplish the installation of the electric and data lines, and

WHEREAS, funds are available in the Utility Fund from the Contract-for-Differences to pay for the required overtime,

NOW, THEREFORE, BE IT,

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RESOLVED, that the Erie County Legislature authorizes the transfer of \$5,000 from the Utility Fund to Project 110 912 221 801 to pay for the overtime required to install electric and data lines for the WEAM monitors, and be it further,

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

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

CARRIED UNANIMOUSLY.

SUSPENSION OF THE RULES

Item 50 – MR. RANZENHOFER moved for a suspension of the rules to include an item not on the agenda. MS. CHASE seconded.

GRANTED.

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

GRANTED.

Comm. 18M-11 From CINDY MANARINA Re: Buffalo News Article.

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

GRANTED.

CHAIRMAN SWANICK directed that the following resolution be RECEIVED, FILED & PRINTED.

October 16, 2003

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

Dear Madam Clerk:

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Please be advised that due to illness, I was unable to attend the meeting of the Legislature's Economic Development and Energy and Environment Committees of Thursday, October 9, 2003.

I would ask that this communication be filed in your office, and received, filed and printed by the Legislature at our October 16, 2003 session.

Thank you for your cooperation.

Very Truly Yours,

MICHAEL H. RANZENHOFER
Erie County Legislator
16th District

COMMUNICATIONS FROM ELECTED OFFICIALS

FROM THE COMPTROLLER

Item 52 – (Comm. 18E-1) Federal Financial Assistance Report for Year Ended 12/31/02.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 53 – (Comm. 18E-2) Deloitte & Touche LLP Management Letter – Audit of ECC for Year Ended 8/31/02.

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM LEGISLATOR DUSZA

Item 54 – (Comm. 18E-3) Notice of Absence from Committee Meetings.

RECEIVED, FILED & PRINTED.

October 9, 2003

The Honorable Laurie A. Manzella
Clerk
Erie County Legislature
25 Delaware Ave., 7th Floor
Buffalo, NY 14202

Dear Madam Clerk:

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Please be advised that due to scheduled commitments, I will be unable to attend the upcoming meetings of the Legislature's Energy & Environment and Public Safety Committees, scheduled to be held on Thursday, October 9, 2003.

Regrettably, my appointments on this date cannot be altered. I would ask that this communication be filed in your office, and received, filed and printed by the Legislature at our October 16, 2003 regular session.

Thank you for your cooperation.

Very truly yours,

Raymond K. Dusza
Erie County Legislator
8th District

FROM LEGISLATOR LARSON

Item 55 – (Comm. 18E-4) Copy of Letter to Budget Director Re: Status of 2004 EC Capital Budget.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM LEGISLATOR DALE

Item 56 – (Comm. 18E-5) Copy of Letter to County Attorney Re: Document Request.

Item 57 – (Comm. 18E-6) Copy of Letter to County Attorney Re: Information Request.

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

Item 58 – (Comm. 18E-7) Copy of Letter to Health Commissioner Re: NYS Clean Indoor Air Law.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE COUNTY EXECUTIVE

Item 59 – (Comm. 18E-8) Option & Right-of-Way Entry for Various Roads.

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 60 – (Comm. 18E-9) Pollution Prevention Technical Assistance.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 61 – (Comm. 18E-10) Community Programs for EC Youth.

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

Item 62 – (Comm. 18E-11) Frank Lloyd Wright’s Rowing Boathouse Project.

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

CHALLENGE TO CHAIR.

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

FAILED. (WEIGHTED VOTE: 8.415 – 8.585)

Item 63 – (Comm. 18E-12) Probation & Youth Detention Services – Purchase of Service Contract.

Received and referred to the PUBLIC SAFETY COMMITTEE.

Item 64 – (Comm. 18E-13) Senior Services – Authorization to Amend PSA & CSC Grant Budgets.

Item 65 – (Comm. 18E-14) Senior Services – Authorization to Amend Aides Grant Budget.

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

Item 66 – MR. RANZENHOFER presented the following resolution and moved for immediate consideration. MS. CHASE seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 587

Re: Ratification of CBA Between EC &
 NYSNA for Period 1/1/04 – 12/31/04.
 (Comm. 18E-15)

WHEREAS, the County of Erie and the New York State Nurses Association have reached an agreement covering working conditions, including wages and fringe benefits, for those employees of Erie County who are Registered Nurses and employed in the ECMC network, or the Erie County Department of Health; and

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WHEREAS, said agreement provides for a one year contract for the period from January 1, 2004 through December 31, 2004, for the purposes of wages and health care negotiations, and allows the parties to request bargaining over issues other than health insurance and wages, if so desired;

NOW, THEREFORE, BE IT

RESOLVED, that the attached amendments to the July 1, 2002 through December 31, 2003 collective bargaining agreement are hereby approved, except as otherwise specified and agreed to and shall remain in full force and effect until December 31, 2004; and be it further

RESOLVED, that effective November 1, 2003, the health insurance benefits negotiated in the collective bargaining agreement effective from July 1, 2002 through December 31, 2003 are amended to provide that employees who are on the active payroll as of November 1, 2003, and employees who retired on or after January 1, 2003 shall have a single provider for health insurance; and be it further

RESOLVED, that said insurance benefits be extended to all eligible employees covered by said Agreement who are on the active payroll as of January 1, 2004; and be it further

RESOLVED, that the health insurance benefits negotiated in this Agreement be extended to all eligible former employees who retired on or after January 1, 2003; and be it further

RESOLVED, that the County Executive be authorized to enact said Agreement, and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Personnel Department, Division of Labor Relations, Division of Budget, Management and Finance, Health Department, Erie County Medical Center, and Comptroller.

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

CARRIED UNANIMOUSLY.

Item 67 – MR. RANZENHOFER presented the following resolution and moved for immediate consideration. MS. CHASE seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 588

Re: Ratification of CBA Between AFSCME &
 EC for Period 1/1/04 – 12/31/04.
 (Comm. 18E-16)

WHEREAS, the County of Erie and the American Federation of State, County and Municipal Employees, Local 1095, Council 66, AFL-CIO (“AFSCME”) have reached an agreement covering working conditions, including wages and fringe benefits, for those employees of Erie County who

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are members of the collective bargaining unit represented by Local 1095, AFSCME, and who are employed in the Erie County Sheriff's Office, Erie Community College, and the divisions and departments of the County of Erie; and

WHEREAS, said agreement provides for a one-year contract for the period from January 1, 2004 through December 31, 2004, for the purposes of wages and health care negotiations, and allows the parties to request bargaining over issues other than health insurance and wages, if so desired;

NOW, THEREFORE, BE IT

RESOLVED, that the attached amendments to the January 1, 2000 through December 31, 2003 collective bargaining agreement between the County of Erie and Local 1095, AFSCME are hereby approved, except as otherwise specified and agreed to, and shall remain in full force and effect until December 31, 2004; and be it further

RESOLVED, that effective November 1, 2003, the health insurance benefits negotiated in the collective bargaining agreement are amended to provide that eligible employees who are on the active payroll as of November 1, 2003, and eligible employees who retired on or after January 1, 2003 shall have a single provider for health insurance; and be it further

RESOLVED, that said insurance benefits be extended to all eligible employees covered by said Agreements who are on the active payroll as of November 1, 2003; and be it further

RESOLVED, that the health insurance benefits negotiated in these Agreements be extended to all eligible former employees who retired on or after January 1, 2003; and be it further

RESOLVED, that the County Executive be authorized to enact said Agreements; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Personnel Department, Division of Labor Relations, Division of Budget, Management and Finance, Erie County Sheriff's Office, Erie Community College, the ECMC network, and Comptroller.

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

CARRIED UNANIMOUSLY.

Item 68 – MR. RANZENHOFER presented the following resolution and moved for immediate consideration. MS. CHASE seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 589

Re: Ratification of CBA Between Teamsters,
 EC Sheriff & EC for Period 1/1/04 – 12/31/04.
 (Comm. 18E-17)

WHEREAS, the County of Erie, the Erie County Sheriff, and the Teamsters, Local 264 have reached an agreement covering working conditions, including wages and fringe benefits, for those employees of Erie County who are members of the collective bargaining unit represented by Teamsters, Local 264, and who are employed in the Erie County Sheriff's Office, and the divisions and departments of the County of Erie; and

WHEREAS, said agreement provides for a one-year contract for the period from January 1, 2004 through December 31, 2004, for the purposes of wages and health care negotiations, and allows the parties to request bargaining over issues other than health insurance and wages, if so desired;

NOW, THEREFORE, BE IT

RESOLVED, that the attached amendments to the January 1, 2000 through December 31, 2003 collective bargaining agreement between the County of Erie, the Erie County Sheriff, and the Teamsters are hereby approved, except as otherwise specified and agreed to, and shall remain in full force and effect until December 31, 2004; and be it further

RESOLVED, that effective November 1, 2003, the health insurance benefits negotiated in the collective bargaining agreement are amended to provide that eligible employees who are on the active payroll as of November 1, 2003, and eligible employees who retired on or after January 1, 2003 shall have a single provider for health insurance; and be it further

RESOLVED, that said insurance benefits be extended to all eligible employees covered by said Agreements who are on the active payroll as of November 1, 2003; and be it further

RESOLVED, that the health insurance benefits negotiated in these Agreements be extended to all eligible former employees who retired on or after January 1, 2003; and be it further

RESOLVED, that the County Executive be authorized to enact said Agreements; and be it further

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

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

CARRIED UNANIMOUSLY.

Item 69 – MR. RANZENHOFER presented the following resolution and moved for immediate consideration. MS. CHASE seconded.

CARRIED UNANIMOUSLY.

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RESOLUTION NO. 590

Re: Ratification of CBA Between
Administrators Association of ECC, EC & ECC
for Period 9/1/03 – 8/31/07. (Comm. 18E-18)

WHEREAS, the County of Erie, Erie Community College, and the Administrators Association of Erie Community College have reached an agreement covering working conditions, including wages and fringe benefits, for those employees of Erie County who are members of the collective bargaining unit represented by the Administrators Association and employed at Erie Community College; and

WHEREAS, said agreement provides for a four-year contract for the period from September 1, 2003 through August 31, 2007;

NOW, THEREFORE, BE IT

RESOLVED, that the attached amendments to the September 1, 1999 through August 31, 2003 Collective Bargaining Agreement are hereby approved effective September 1, 2003, except as otherwise specified and agreed to and shall remain in full force and effect until August 31, 2007; and be it further

RESOLVED, that said benefits and salary schedules in percentage increases be extended to all eligible employees covered by said Agreement who are on the active payroll as of September 1, 2003; and be it further

RESOLVED, that effective November 1, 2003, the health insurance benefits negotiated in the collective bargaining agreement are amended to provide that eligible employees who are on the active payroll as of November 1, 2003, and eligible employees who retired on or after January 1, 2003 shall have a single provider for health insurance; and be it further

RESOLVED, that said insurance benefits be extended to all eligible employees covered by said Agreements who are on the active payroll as of November 1, 2003; and be it further

RESOLVED, that the health insurance benefits negotiated in these Agreements be extended to all eligible former employees who retired on or after January 1, 2003; and be it further

RESOLVED, that the County Executive be authorized to enact said Agreements; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Personnel Department, Division of Labor Relations, Division of Budget, Management and Finance, Erie Community College, and Comptroller.

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

CARRIED UNANIMOUSLY.

Item 70 – MR. RANZENHOFER presented the following resolution and moved for immediate consideration. MS. CHASE seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 591

Re: Ratification of Amendments to CBA
Between Faculty Federation of ECC & EC for
Period 9/1/00 – 8/31/05. (Comm. 18E-19)

WHEREAS, the County of Erie and the Faculty Federation of Erie Community College have reached an agreement to amend their collective bargaining agreement covering working conditions, including wages and fringe benefits, for those employees of Erie County who are members of the collective bargaining unit represented by the Faculty Federation and employed at Erie Community College; and

WHEREAS, said agreement provides for an amendment to the five year contract for the period from September 1, 2000 through August 31, 2005 for the purpose of health insurance negotiations;

NOW, THEREFORE, BE IT

RESOLVED, that the attached amendments to the September 1, 2000 through August 31, 2005 collective bargaining agreement with the Faculty Federation are hereby approved, except as otherwise specified and agreed to and shall remain in full force and effect until August 31, 2005; and be it further

RESOLVED, that effective November 1, 2003, the health insurance benefits negotiated in collective bargaining agreement are amended to provide that eligible employees who are on the active payroll as of November 1, 2003, and eligible employees who retired on or after January 1, 2003 shall have a single provider for health insurance; and be it further

RESOLVED, that said insurance benefits be extended to all eligible employees covered by said Agreements who are on the active payroll as of November 1, 2003; and be it further

RESOLVED, that the health insurance benefits negotiated in these Agreements be extended to all eligible former employees who retired on or after January 1, 2003; and be it further

RESOLVED, that the County Executive be authorized to enact said Agreements; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Personnel Department, Division of Labor Relations, Division of Budget, Management and Finance, Erie Community College, and Comptroller.

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

CARRIED UNANIMOUSLY.

Item 71 – (Comm. 18E-20) Health – Lease Agreement for WIC Program Distribution Site – 200 Cazenovia Street.

Item 72 – (Comm. 18E-21) Health – Source Water Assessment Program Revision – 4/1/99 – 3/31/03 – Project #388.

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

Item 73 – (Comm. 18E-22) Sale to Adjoining Owner of County-Owned in REM Property – Saint Mary's Street – Lancaster.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 74 – (Comm. 18E-23) Authorizing ECC Board of Trustees to Implement its Naming Rights Policy.

Item 75 – (Comm. 18E-24) ECC & ECC Foundation Operating Agreement.

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

Item 76 – (Comm. 18E-25) EC/SSTA Engineering Service Agreement – Change Order No. 4.

Item 77 – (Comm. 18E-26) ECSD No. 3 – Village of Blasdell – Proposed Agreement.

Item 78 – (Comm. 18E-27) ECSD No. 1 – French Road Sewer Improvements.

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

Item 79 – MR. RANZENHOFER presented the following resolution and moved for immediate consideration. MS. CHASE seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 592

Re: ECSD No. 3 – Proposed Agreement –
Sanitary Sewer System Evaluation – Blasdell
Sewers. (Comm. 18E-28)

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WHEREAS, the Erie County Sewer District No. 3 acquired ownership and operating and maintenance responsibilities for the Village of Blasdell's sanitary sewer collection system pursuant to merger of services studies, Legislative resolution, and contract execution; and

WHEREAS, the County established a Sewer Capital Account to finance studies to improve the condition of the Erie County Sewer District No. 3's Blasdell sanitary sewer collection system; and

WHEREAS, the Erie County Department of Environment & Planning, Division of Sewerage Management has identified the need to retain an Engineer to complete the detailed engineering evaluations to assess the condition of the collection system; and

WHEREAS, the Erie County Department of Environment & Planning, Division of Sewerage Management has recommended the firm of Malcolm Pirnie, Inc., 40 Centre Drive, P.O. Box 1938, Buffalo, New York 14202 to complete the assignment.

NOW, THEREFORE, BE IT

RESOLVED, that the engineering firm of Malcolm Pirnie, Inc., be retained at a cost not-to-exceed \$206,758.28; 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 content by the Commissioner of the Department of Environment and Planning; and be it further

RESOLVED that the Director of Budget, Management and Finance be directed to allocate funds from ECSD No. 3, Sewer Capital Fund 430 446 830 in the amount of \$206,758.28; 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., Deputy Commissioner, Department of Environment and Planning, and one (1) certified copy each to Nancy Naples, Erie County Comptroller, Gregory Dudek, Assistant County Attorney, and Joseph Passafiume, Director of Budget, Management and Finance.

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

CARRIED UNANIMOUSLY.

Item 80 – (Comm. 18E-29) Times Beach Public Access Project Construction Contract.

Item 81 – (Comm. 18E-30) Seneca Bluffs Habitat Restoration Project Construction Contract.

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

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Item 82 – (Comm. 18E-31) Feasibility Study for a Regional Records Center.

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

Item 83 – (Comm. 18E-32) Community Improvement Projects in EC.

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM THE COMPTROLLER

Item 84 – (Comm. 18E-33) Bond Resolution – Amending Previous Bond Resolutions – Additional Funds for Construction of Various Bridge & Culvert Improvements.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM LEGISLATOR CHASE

Item 85 – (Comm. 18E-34) Copy of Letter to Sheriff Re: Intro. 17-6.

Received and referred to the PUBLIC SAFETY COMMITTEE.

COMMUNICATIONS FROM THE DEPARTMENTS

FROM ECC

Item 86 – (Comm. 18D-1) Officers – ECC Board of Trustees – 2003/2004 Academic Year.

Received and filed.

FROM THE CLERK OF THE LEGISLATURE

Item 87 – (Comm. 18D-2) Memo to Legislators Re: Public Hearing – Road Repair Reserve Fund.

Received and filed.

FROM DEP

Item 88 – (Comm. 18D-3) SEQR – Negative Declaration – Hunters Creek Parking Lot.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE CLERK OF THE LEGISLATURE

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Item 89 – (Comm. 18D-4) Memo to Legislators Re: Cancellation of Economic Development Committee Meeting Previously Scheduled for 10/9/03.

Received and filed.

FROM ECMC

Item 90 – (Comm. 18D-5) Agenda & Minutes.

Received and filed.

FROM THE BUFFALO & ERIE COUNTY PUBLIC LIBRARY

Item 91 – (Comm. 18D-6) Agenda & Minutes.

Received and filed.

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES

FROM ECIDA

Item 92 – (Comm. 18M-1) Receipt of Resolution.

Received and filed.

FROM ASSEMBLYMAN SMITH

Item 93 – (Comm. 18M-2) Copy of Letter to ECWA Re: Acquisition of City of Buffalo Water System.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE NYS BOARD OF REAL PROPERTY SERVICES

Item 94 – (Comm. 18M-3) Certification of County Equalization Rates for 2003 Assessment Rolls.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM BUFFALO PLACE

Item 95 – (Comm. 18M-4) 2004 Budget Proposal.

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Received and filed.

FROM ECIDA

Item 96 – (Comm. 18M-5) Notice of Board of Directors Meeting.

Received and filed.

FROM EC MENTAL HYGIENE COMMUNITY SERVICES BOARD

Item 97 – (Comm. 18M-6) Meeting Notice, Agenda & Minutes.

Received and filed.

FROM TODD & CHERYL ESPOSITO

Item 98 – (Comm. 18M-7) Notice of Claim.

Received and referred to the COUNTY ATTORNEY.

FROM NFTA

Item 99 – (Comm. 18M-8) Board Minutes.

Received and filed.

FROM NYSDEC

Item 100 – (Comm. 18M-9) Fact Sheet – Upcoming Brownfields Site Investigation – 564 Babcock.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM CONGRESSMAN QUINN

Item 101 – (Comm. 18M-10) Receipt of Resolution.

Received and filed.

MEMORIAL RESOLUTIONS

Item 102 – Legislator Swanick requested that when the Legislature adjourns, it do so in memory of the United States soldiers who have lost their lives fighting abroad.

Item 103 – Legislator Marinelli requested that when the Legislature adjourns, it do so in memory of Josephine Billoni.

Item 104 – Legislator Dale requested that when the Legislature adjourns, it do so in memory of Bernard A. Jerbzal.

Item 105 – Legislator Dale requested that when the Legislature adjourns, it do so in memory of Monsignor John Gabalski.

Item 106 – Legislator Dale requested that when the Legislature adjourns, it do so in memory of Dawn Reddin.

Item 107 – Legislator Smith requested that when the Legislature adjourns, it do so in memory of Shakoor Muslin.

Item 108 – Legislator Smith requested that when the Legislature adjourns, it do so in memory of Elesta Lang.

Item 109 – Legislator Smith requested that when the Legislature adjourns, it do so in memory of Jennifer A. Hawkins.

Item 110 – Legislator Holt requested that when the Legislature adjourns, it do so in memory of Frank Johnson, Sr.

Item 111 – Legislator Holt requested that when the Legislature adjourns, it do so in memory of Frank Johnson, Jr.

Item 112 – Legislator Ranzenhofer requested that when the Legislature adjourns, it do so in memory of Evelyn Donner.

Item 113 – Legislator Chase requested that when the Legislature adjourns, it do so in memory of Herb Rose.

ADJOURNMENT

Item 114 – 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, November 13, 2003. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

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The Chairman declared the Legislature adjourned until Thursday, November 13, 2003 at 2 p.m. Eastern Standard Time.

LAURIE A. MANZELLA
CLERK