

MEETING NO. 19
October 4, 2001

ERIE COUNTY LEGISLATURE

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MEETING NO. 19
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The Legislature was called to order by Chairman Swanick.

All Members Present.

The invocation was led by Fr. James Bastian of St. Gregory the Great Roman Catholic Church.

The Pledge of Allegiance was led by Mr. Kuwik.

Item 1 – CHAIRMAN SWANICK directed that Intro. 6-6 remain on the table.

Item 2 – CHAIRMAN SWANICK directed that Intro. 6-7 remain on the table.

Item 3 – CHAIRMAN SWANICK directed that Comm. 13E-45 (2001) remain on the table.

Minutes of the previous meeting were tabled.

MISCELLANEOUS RESOLUTIONS

Item 4 – MR. HOLT presented a resolution Honoring the Anniversary of the Gethsemane Baptist Church. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

Item 5 – MR. HOLT presented a resolution Honoring Families Helping Families Foster Parent Network. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

Item 6 – MS. MARINELLI presented a resolution Congratulating Kenmore Mercy Hospital on its 75th Anniversary. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

LOCAL LAWS

Item 7 – CHAIRMAN SWANICK directed that Local Law No. 2 (Print #3) 2000 remain on the table.

MEETING NO. 19
October 4, 2001

ERIE COUNTY LEGISLATURE

Item 8 – CHAIRMAN SWANICK directed that Local Law No. 5 (Print #1) 2001 remain on the table.

Item 9 – CHAIRMAN SWANICK directed that Local Law No. 5 (Print #2) 2001 remain on the table.

Item 10 – CHAIRMAN SWANICK directed that Local Law No. 5 (Print #3) 2001 remain on the table.

Item 11 – CHAIRMAN SWANICK directed that Local Law No. 9 (Print #1) 2001 remain on the table.

Item 12 – CHAIRMAN SWANICK directed that Local Law No. 9 (Print #2) 2001 remain on the table.

Item 13 – CHAIRMAN SWANICK directed that Local Law No. 9 (Print #3) 2001 remain on the table.

COMMITTEE REPORTS

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 420

September 27,2001

COMMUNITY ENRICHMENT
 COMMITTEE
 REPORT NO. 12

ALL MEMBERS PRESENT EXCEPT LEGISLATOR HOLT.

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

- | | | | | |
|----|-------------------------------|---|-------|----------------|
| | Item | Page | -2001 | (Comm. 13M-13) |
| a. | GRAYCLIFF CONSERVANCY: | Letter to Legislator Marinelli Re: Update on Progress of Restoration Project. | | |
| | (4-0) Legislator Holt absent | | | |
| | Item | Page | -2001 | (Comm. 17E-38) |
| b. | COUNTY EXECUTIVE: | Zoological Society of Buffalo – Retention of 2000 Surplus. | | |
| | (4-0) Legislator Holt absent | | | |

MEETING NO. 19
October 4, 2001

ERIE COUNTY LEGISLATURE

- Item Page -2001 (Comm. 17M-31)
- c. **GRAYCLIFF**: Letter to Legislator Marinelli Re: Report on "Larkin Premium Exposition" & "Moonlight and Jazz."
 (4-0) Legislator Holt absent
- Item Page -2001 (Comm. 17M-42)
- d. **BUFFALO ZOOLOGICAL SOCIETY**: 6/01 Financial Report.
 (4-0) Legislator Holt absent
- Item Page -2001 (Comm. 18M-14)
- e. **BUFFALO & ERIE COUNTY HISTORICAL SOCIETY**: Copy of Letter to Legislator Marinelli Re: Museum Success Due to Pan-Am Centennial Activities.
 (4-0) Legislator Holt absent

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

RESOLVED, that the Community Enrichment Committee does hereby recommend that the full Legislature confirm the appointment of Marianne Hanley of 150 Dorchester Road, Buffalo, NY 14213 as a member of the Erie County Commission on the Status of Women. Her term will expire June 30, 2002.

(4-0) Legislator Holt absent

LYNN M. MARINELLI
CHAIRPERSON

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 421

September 27, 2001

PUBLIC SAFETY
 COMMITTEE
 REPORT NO. 9

ALL MEMBERS PRESENT.

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

Item Page -2001 (Comm. 7M-11)

MEETING NO. 19
October 4, 2001

ERIE COUNTY LEGISLATURE

- a. **JOHN M. VIOLANTI:** Letter to Chairman Swanick Re: Support of Banning Use of Cellular Phones While Driving.
 (5-0)

2. Item Page -2001 (Comm. 17E-31)
COUNTY EXECUTIVE

WHEREAS, the County of Erie, through its Central Police Service, owns and maintains a radio tower at 11470 Moore Road in the Town of Concord, New York ("Townsend Hill Radio Tower"); and

WHEREAS, the Erie County Water Authority wishes to lease vacant space on the Townsend Hill Radio Tower to install an antenna for a prospective vehicle locator system; and

WHEREAS, such use by the Erie County Water Authority would constitute a benefit to the public inasmuch as it would promote greater accountability and efficiency in the delivery of services by the Erie County Water Authority.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Executive is hereby authorized to enter into a lease agreement with the Erie County Water Authority for use of a portion of the Townsend Hill Radio Tower; and be it further

RESOLVED, that the term of the lease agreement shall be five years, with the option to renew for three additional five-year terms; and be it further

RESOLVED, that no rental fee shall be charged for the use of said tower as the Erie County Water Authority is a public benefit corporation performing an essential governmental function pursuant to the powers conferred upon it by the New York State Public Authorities Law; and be it further

RESOLVED, that certified copies of this Resolution shall be forwarded to Central Police Services, the Erie County Office of the Comptroller, the Erie County Department of Law, and the Erie County Water Authority, Attention: Office of Counsel, 350 Ellicott Square Building, 295 Main Street, Buffalo, New York 14203.

(5-0)

3. Item Page -2001 (Comm. 17E-40)
COUNTY EXECUTIVE

WHEREAS, the Erie County Legislature approved a resolution to fund expense related to the activity of the Traffic Safety Board, and

WHEREAS, funding was established in an account unrelated to the type of expenditure required by the Board,

NOW THEREFORE BE IT

RESOLVED, that authorization is hereby provided to transfer available balances of \$4,000 in Account 830, Contractual Expense, to account 826, Other Expenses, in the budget of the STOP-DWI Program Project 460, 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 STOP-DWI Office.
 (5-0)

4. Item Page -2001 (Comm. 18E-7)

SHERIFF

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

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

WHEREAS, there will be no impact on county tax dollars.

NOW, THEREFORE, BE IT

RESOLVED, that \$22,550 in available balances in the Asset Forfeiture Trust Fund is hereby transferred to the Erie County Sheriff's Office Asset Forfeiture Grant, Project #493 to be used to provide training, purchase technical equipment and obtain forfeited automobile (1995 Buick Regal, Vin# 2G4WB12L951491737) from the US Marshall's Office, and be it further

RESOLVED, that the following budgetary transactions are hereby authorized:

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

<u>REVENUE</u>		<u>Increase</u>
502	Forfeiture Crime Proceeds	<u>\$22,550</u>
	Total Revenue	<u>\$22,550</u>
<u>APPROPRIATIONS</u>		<u>Increase</u>
825	Out of Town Travel	\$ 3,000
930	Motor Vehicle Equipment	1,200
933	Technical Equipment	18,350
	Total Appropriations	<u>\$22,550</u>

MEETING NO. 19
October 4, 2001

ERIE COUNTY LEGISLATURE

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

5. Item Page -2001 (Comm. 18E-31)

COUNTY EXECUTIVE

WHEREAS, the County of Erie has been leasing certain space in the Buffalo Police Headquarters Building for the CPS Forensic Laboratory rent free since 1990; and

WHEREAS, said lease, unless renewed, will expire on September 19, 2001.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to renew the lease agreement between the City of Buffalo and the County of Erie covering the CPS Forensic Laboratory at the Buffalo Police Department Headquarters Building, commencing on September 20, 2001 and terminating on September 19, 2006, and be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Office of the Comptroller, Brigid Maloney, Assistant County Attorney, and the Department of Central Police Service.
 (5-0)

6. Item Page -2001 (Comm. 18E-32)

COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Central Police Services Law Enforcement Training Academy conducts Emergency Vehicle Operations Training courses from time to time at the Buffalo-Niagara International Airport; and

WHEREAS, the NFTA requires the County of Erie to indemnify NFTA for any claims that may arise out of the County's use of the airport property.

NOW, THEREFORE, BE IT

RESOLVED, that in consideration for use of a portion of the Buffalo-Niagara International Airport for certain Law Enforcement Training Academy courses, the County Executive is hereby authorized to execute an ongoing indemnification agreement with the NFTA providing that the County of Erie shall defend, indemnify, and hold the NFTA harmless from any claims arising out of the Erie County's use of said airport property, and be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Office of the Comptroller, Brigid Maloney, Assistant County Attorney, and the Director of Training of the Erie County Central Police Services Department Law Enforcement Training Academy.
 (5-0)

7. Item Page -2001 (Comm. 18E-36)

COUNTY EXECUTIVE

WHEREAS, the Department of Emergency Services wishes to modify its 2001 budget so that the Department can provide training programs, purchase needed supplies and equipment, and attend required meetings for the remainder of the year, and

WHEREAS, the Department needs equipment, supplies and out of area travel funds in order to meets its 2001 goals, and

WHEREAS, funds are available in the 2001 Department of Emergency Services' Budget which will be transferred in order to purchase the needed equipment, supplies and fund the necessary travel to the required out of area meetings,

NOW THEREFORE BE IT

RESOLVED, that authorization is hereby granted for the modification of the Department of Emergency Services' 2001 Budget so that the Department can provide training programs, purchase needed supplies and equipment, and attend required meetings for the remainder of the year, as follows:

Department of Emergency Services
Modification to Department's 2001 Budget

<u>Appropriations</u>	Adopted Budget	Amount of Change	Proposed Modification
Acct. 811 Clothing Supplies	7,800	+3,000	10,800
Acct. 821 Dues and Fees	20,823	- 6,000	14,823
Acct. 824 Local Travel	1,800	+1,300	3,100
Acct. 825 Long Distance Travel	3,025	+ 300	3,325
Acct. 826 Other Expenses	<u>24,800</u>	<u>+1,400</u>	<u>26,200</u>
 TOTAL	 <u>58,248</u>	 0	 <u>58,248</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. (5-0)

8. Item Page -2001 (Comm. 18E-37)

COUNTY EXECUTIVE

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

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

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

NOW, THEREFORE BE IT

RESOLVED, that the transfer of funds within the Second Terrorism Consequence Management Preparedness Program Grant will be as follows:

Revenue

	<u>Present Grant</u>	<u>Proposed Transfer</u>	<u>New Balance</u>
SFG Acct. 214 Federal Aid-Other	\$10,200	\$ 0	\$10,200

Appropriations

SFG Acct. 810 Office Supplies	\$ 500	\$ 500	\$ 1,000
SFG Acct. 821 Dues and Fees	1,000	2,000	3,000
SFG Acct. 826 Other Expenses	5,500	700	6,200
SFG Acct. 933 Lab and Tech Equipment	<u>3,200</u>	<u>- 3200</u>	<u>0</u>
TOTAL	\$ 10,200	\$ 0	\$10,200

and be it further

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

9. Item Page -2001 (Comm. 18E-38)

COUNTY EXECUTIVE

WHEREAS, the funds received for the LEPC will be used to conduct a seminar for emergency responders and community officials in conjunction with the New York State Emergency Management Office (SEMO).

NOW, THEREFORE BE IT

RESOLVED, that the Department of Emergency Services is authorized to conduct a hazardous materials planning seminar for emergency responders and community officials in conjunction with SEMO, and be it further

RESOLVED, that the following transactions are authorized to conduct the LEPC seminar:

Department of Emergency Services
 LEPC Grant

Revenue

SFG 361 Other Miscellaneous Receipts (Trust and Agency)	\$1,000.
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Appropriations

SFG 826 Other Expenses	\$1,000.
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and be it further

RESOLVED, that certified copies of this be forwarded to the Division of Budget, Management and Finance, Office of the Comptroller, Department of Law and the Department of Emergency Services. (5-0)

10. Item Page -2001 (Comm. 18E-39)

COUNTY EXECUTIVE

WHEREAS, the funds received for the PSCIM Grant VII will be used to purchase needed new training equipment to continue to conduct this training for the emergency response community.

NOW, THEREFORE BE IT

RESOLVED, that the County Executive, on behalf of the Erie County Department of Emergency Services, is hereby authorized to transfer earmarked funds to purchase new training equipment to continue to conduct Public Safety Critical Incident Management Programs (PSCIM), and be it further

RESOLVED, that the following transactions are authorized for the purchase of new training equipment for the continuation of PSCIM courses

Department of Emergency Services
 PSCIM Grant VII

Revenue

SFG 361 Other Miscellaneous Receipts	\$6507
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Appropriations

SFG 933 Lab and Tech Equipment	\$6507
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MEETING NO. 19
October 4, 2001

ERIE COUNTY LEGISLATURE

and be it further

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

(5-0)

EDWARD J. KUWIK
CHAIRMAN

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 422

September 27, 2001

FINANCE & MANAGEMENT
 COMMITTEE
 REPORT NO. 12

ALL MEMBERS PRESENT EXCEPT LEGISLATOR RANZENHOFER.

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

a. Item Page -2001 (Comm. 11M-5)
BROADWAY MARKET: Copy of Letter to Legislator Olma Re: Board President's Response to Allegations Made by Legislator Olma.
 (4-0) Legislator Ranzenhofer absent.

b. Item Page -2001 (Comm. 11M-17)
TOWN OF AMHERST: Resolution Authorizing Supervisor to Open Negotiations with Erie County to Acquire Parcel at 254 Mill.
 (4-0) Legislator Ranzenhofer absent.

c. Item Page -2001 (Comm. 15D-7)
COUNTY ATTORNEY: Memo to Clerk of Legislature Re: Purchase of Ticor Building – Three Appraisals.
 (4-0) Legislator Ranzenhofer absent.

Item Page -2001 (Comm. 15D-8)

MEETING NO. 19
October 4, 2001

ERIE COUNTY LEGISLATURE

- d. **COUNTY ATTORNEY:** Memo to Clerk of the Legislature Re: Purchase of Ticor Building – Three Appraisals – Addition of Missing Page to Comm. 15D-7.
 (4-0) Legislator Ranzenhofer absent.

Item Page -2001 (Comm. 15E-40)

- e. **COUNTY EXECUTIVE:** Funding for Consultant to Prepare Application to the Community Renewal Program.
 (4-0) Legislator Ranzenhofer absent.

Item Page -2001 (Comm. 16D-3)

- f. **COUNTY ATTORNEY:** Copy of Letter to Phillip A. Thielman Re: 254 Mill Street.
 (4-0) Legislator Ranzenhofer absent.

Item Page -2001 (Comm. 16E-34)

- g. **COMPTROLLER:** Summary of Impact of \$211.7 Million Tobacco Settlement on County Finances.
 (4-0) Legislator Ranzenhofer absent.

Item Page -2001 (Comm. 16M-7)

- h. **TOWN OF AMHERST:** Copy of Memo from Daniel J. Ward to Phillip Thielman Re: 254 Mill Street.
 (4-0) Legislator Ranzenhofer absent.

Item Page -2001 (Comm. 17D-3)

- i. **DPW:** SEQR – Lead Agency Status EC Purchase of Ticor Building, 110 Franklin Street.
 (4-0) Legislator Ranzenhofer absent.

Item Page -2001 (Comm. 17D-30)

- j. **DPW:** SEQR – Negative Declaration – Erie County Purchase of Ticor Building, 110 Franklin Street.
 (4-0) Legislator Ranzenhofer absent.

Item Page -2001 (Comm. 17D-34)

- k. **BUDGET, MANAGEMENT & FINANCE:** Budget Monitoring Report for Period Ending 5/31/01.
 (4-0) Legislator Ranzenhofer absent.

Item Page -2001 (Comm. 17D-48)

- l. **COUNTY ATTORNEY:** Purchase of Ticor Building – Report of SEQR Negative Declaration.
 (4-0) Legislator Ranzenhofer absent.

Item Page -2001 (Comm. 17E-10)

- m. **COMPTROLLER:** Letter to Legislature Re: That No Purchase Contract for Ticor Building be Finalized Until Comptroller's Office Has Time to Review Deal.

(4-0) Legislator Ranzenhofer absent.

- n. Item Page -2001 (Comm. 17E-11)
PAULY: Copy of Letter to Chairman Swanick Re: Review Possibility of Vote Change to Cease Purchase of Ticor Building.
(4-0) Legislator Ranzenhofer absent.

- o. Item Page -2001 (Comm. 17E-16)
SWANICK: Copy of Letter to Comptroller Re: Purchase of Ticor Building.
(4-0) Legislator Ranzenhofer absent.

- p. Item Page -2001 (Comm. 17E-19)
COUNTY EXECUTIVE: Copy of Letter to Comptroller Re: Purchase of Ticor Building.
(4-0) Legislator Ranzenhofer absent.

- q. Item Page -2001 (Comm. 17E-20)
COMPTROLLER: Review of Unfilled Vacant Positions.
(4-0) Legislator Ranzenhofer absent.

- r. Item Page -2001 (Comm. 17E-25)
COUNTY EXECUTIVE: Copy of Letter to Comptroller Re: Ticor Building – 1994 Appraisal by Howard P. Schultz.
(4-0) Legislator Ranzenhofer absent.

- s. Item Page -2001 (Comm. 17E-27)
COMPTROLLER: Review of Proposed Purchase of Ticor Building.
(4-0) Legislator Ranzenhofer absent.

- t. Item Page -2001 (Comm. 17E-29)
PAULY: Unresolved Issues in Comptroller’s Report on Purchase of Ticor Building.
(4-0) Legislator Ranzenhofer absent.

- u. Item Page -2001 (Comm. 17E-60)
COMPTROLLER: Procurement Policy – Departmental Charge Cards.
(4-0) Legislator Ranzenhofer absent.

- v. Item Page -2001 (Comm. 17M-7)
ERIE COUNTY SOIL & WATER CONSERVATION DISTRICT: Copy of Letter to Comptroller Re: Response to Audit Conducted by Comptroller’s Office.
(4-0) Legislator Ranzenhofer absent.

- w. Item Page -2001 (Comm. 17M-19)
TOWN OF AMHERST: Summary of NYS Local Government Information Technology Directors Conference.
(4-0) Legislator Ranzenhofer absent.

x. Item Page -2001 (Comm. 17M-21)
BUFFALO NEWS: Freedom of Information Request of County Executive for Financial Documents Related to Buffalo Niagara Partnership.
 (4-0) Legislator Ranzenhofer absent.

y. Item Page -2001 (Comm. 17M-47)
TOWN OF AMHERST: Request of EC Legislature Permission for All Town of Amherst Departments to Utilize County Purchasing Contracts for Municipal Purchases.
 (4-0) Legislator Ranzenhofer absent.

z. Item Page -2001 (Comm. 18E-4)
COMPTROLLER: Interim Financial Report for Six Months Ending 6/30/01.
 (4-0) Legislator Ranzenhofer absent.

aa. Item Page -2001 (Comm. 18M-2)
CITY OF BUFFALO: 2002 Transit Mall Service Charge Roll.
 (4-0) Legislator Ranzenhofer absent.

2. Item Page - 2001 **AS AMENDED**
 (Comm.1D-9A)

BUDGET, MANAGEMENT & FINANCE

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

EMAIL DOCUMENT IS 202343EM.TXT

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

RESOLVED, that petitions numbered 201310 through 201343 inclusive be hereby approved or denied based upon the recommendation of the Director of Real Property Services and be charged back to the applicable Towns and / or Cities.

Petition No. 201310 / 2002 - ASSESSOR - Cancel - \$555.68

SBL No. 27.17-4-2 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 555.68 - Town/SpecialDist/School

Charge to : SWEET HOME CENTRAL 555.68

CANCEL - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 47,450 (50%) THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR.

MEETING NO. 19
October 4, 2001

ERIE COUNTY LEGISLATURE

RPTL 550(2)C.

Petition No. 201311 / 2002 - ASSESSOR - Cancel - \$1,610.45

SBL No. 42.20-3-1 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 1,610.45 - Town/SpecialDist/School

Charge to : WILLIAMSVILLE CENT 1,610.45

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON THIS PROPERTY. THE ASSESSMENT WAS 247,800 AND WAS REDUCED TO 162,000. RPTL 550(2)A.

Petition No. 201312 / 2002 - ASSESSOR - Cancel - \$563.09

SBL No. 56.10-6-1 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 563.09 - Town/SpecialDist/School

Charge to : BASIC STAR EXEMPTION 563.09

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

WILLIAMSVILLE CENTRAL

Petition No. 201313 / 2002 - ASSESSOR - Cancel - \$563.10

SBL No. 56.13-3-40 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 563.10 - Town/SpecialDist/School

Charge to : BASIC STAR EXEMPTION 563.10

CANCEL - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF

MEETING NO. 19
October 4, 2001

ERIE COUNTY LEGISLATURE

30,000 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM
 THE TAX ROLL. RPTL 550(2)C.
 WILLIAMSVILLE CENTRAL

Petition No. 201314 / 2002 - ASSESSOR - Cancel - \$408.50

SBL No. 67.71-4-20 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 408.50 - Town/SpecialDist/School

Charge to : AMHERST CENTRAL 408.50

CANCEL - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 7,630
 WAS ENTERED INCORRECTLY ON THE TAX ROLL. THE CORRECT AMOUNT OF THE
 EXEMPTION IS 38,150. RPTL 550(2)B.

Petition No. 201315 / 9900 - ASSESSOR - Refund - \$180.22

SBL No. 68.20-3-11 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 180.22 - Town/SpecialDist/School

Charge to : BASIC STAR EXEMPTION 180.22

REFUNDCANCEL - CLERICAL ERROR, THE BASIC EXEMPTION IN THE AMOUNT OF
 7, THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX
 ROLL. RPTL 550(2)C WILLIAMSVILLE CENTRAL
 CHECK IN FAVOR OF: RICHARD M MELDRUM

Petition No. 201316 / 2001 - ASSESSOR - Refund - \$370.37

SBL No. 68.20-3-11 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 370.37 - Town/SpecialDist/School

Charge to : BASIC STAR EXEMPTION 370.37

MEETING NO. 19
October 4, 2001

ERIE COUNTY LEGISLATURE

REFUND - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF

PETITION NUMBER 201316 CONTINUED
 20,000 THAT THIS PARCEL IS ENTITLED TO WAS
 OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C
 WILLIAMSVILLE CENTRAL
 CHECK IN FAVOR OF: RICHARD M MELDRUM

Petition No. 201317 / 2002 - ASSESSOR - Cancel - \$563.10

SBL No. 68.20-3-11 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 563.10 - Town/SpecialDist/School

Charge to : BASIC STAR EXEMPTION 563.10

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

Petition No. 201318 / 2002 - ASSESSOR - Cancel - \$367.89

SBL No. 69.13-3-35 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 367.89 - Town/SpecialDist/School

Charge to : WILLIAMSVILLE CENT 367.89

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY
 ON THE TAX ROLL. THE ASSESSMENT WAS 105,600 AND SHOULD BE 86,000.
 RPTL 550(2)A.

Petition No. 201319 / 2002 - ASSESSOR - Cancel - \$375.39

SBL No. 69.18-7-15 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

MEETING NO. 19
October 4, 2001

ERIE COUNTY LEGISLATURE

Acct. No. 132 - \$ 375.39 - Town/SpecialDist/School

Charge to : WILLIAMSVILLE CENT 375.39

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. THE ASSESSMENT WAS 250,000 AND SHOULD BE 230,000. RPTL 550(2)A.

Petition No. 201320 / 2002 - ASSESSOR - Cancel - \$656.39

SBL No. 79.23-4-3 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 656.39 - Town/SpecialDist/School

Charge to : BASIC STAR EXEMPTION 656.39

CANCEL - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF 30,000 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C
 AMHERST CENTRAL

Petition No. 201321 / 2002 - ASSESSOR - Cancel - \$881.43

SBL No. 80.06-11-24 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 881.43 - Town/SpecialDist/School

Charge to : AMHERST CENTRAL 881.43

CANCEL - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 40,285 (35%) THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C.

Petition No. 201322 / 2002 - ASSESSOR - Cancel - \$259.80

SBL No. 266.18-2-58 - TOWN OF BRANT

MEETING NO. 19
October 4, 2001

ERIE COUNTY LEGISLATURE

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 259.80 - Town/SpecialDist/School

Charge to : LAKE SHORE CENTRAL 259.80

CANCEL - CLERICAL ERROR, PARCEL IS OWNED BY THE VILLAGE OF FARNHAM AND IS WHOLLY EXEMPT FROM TAXES. EXEMPTION OMITTED IN ERROR FROM THE

TAX ROLL. RPTL 550(2)C.

Petition No. 201323 / 2002 - ASSESSOR - Cancel - \$526.67

SBL No. 281.06-1-31 - TOWN OF BRANT

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 526.67 - Town/SpecialDist/School

Charge to : BASIC STAR EXEMPTION 526.67

CANCEL - CLERICAL ERROR, THE BASIC STAR IN THE AMOUNT OF 30,000 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C.

LAKESHORE CENTRAL

Petition No. 201324 / 2002 - ASSESSOR - Cancel - \$1,283.38

SBL No. 44.00-2-29.12 - TOWN OF CLARENCE

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 1,283.38 - Town/SpecialDist/School

Charge to : CLARENCE CENTRAL 1,283.38

CANCEL - CLERICAL ERROR, THE PARCEL WAS SPLIT AND THE PARENT PARCEL WAS NOT REMOVED FROM THE TAX ROLL. SBL 44.00-2-29.121 AND 44.00-2-29.1 RPTL 550(2)E

Petition No. 201325 / 2002 - ASSESSOR - Cancel - \$314.49

SBL No. 57.07-2-2 - TOWN OF CLARENCE

Acct. No. 112 - \$ 0.00 - County

MEETING NO. 19
October 4, 2001

ERIE COUNTY LEGISLATURE

Acct. No. 132 - \$ 314.49 - Town/SpecialDist/School

Charge to : CLARENCE CENTRAL 314.49

CANCEL - ERROR IN ESSENTIAL FACT, THE ACREAGE ON THIS PARCEL IS INCORRECT. THE ASSESSED VALUE WAS 62,800 AND SHOULD BE 43,000. RPTL 550(3)C

Petition No. 201326 / 2002 - ASSESSOR - Cancel - \$1,293.26

SBL No. 273.00-2-13.1 - TOWN OF CONCORD

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 1,293.26 - Town/SpecialDist/School

Charge to : NORTH COLLINS CENT 836.54
 NYS STAR ENHANCED EXEMPTI 456.72

CANCEL - CLERICAL ERROR, THE ENHANCED STAR EXEMPTION IN THE AMOUNT OF 32,470 AND THE SENIOR EXEMPTION IN THE AMOUNT OF 23,793 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR. RPTL 550(2)C.

Petition No. 201327 / 2002 - ASSESSOR - Cancel - \$842.12

SBL No. 336.14-1-2.2 - TOWN OF CONCORD

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 842.12 - Town/SpecialDist/School

Charge to : SPRING-GRIFFITH 842.12

CANCEL - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 32,450 (50%) THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C

Petition No. 201328 / 1999 - ASSESSOR - Cancel - \$118.42

SBL No. 155.00-1-5.2 - TOWN OF ELMA

Acct. No. 112 - \$ 0.00 - County

MEETING NO. 19
October 4, 2001

ERIE COUNTY LEGISLATURE

Acct. No. 132 - \$ 118.42 - Town/SpecialDist/School

Charge to : TOWN OF ELMA 118.42

CANCEL - CLERICAL ERROR, THIS SPECIAL ASSESSMENT WAS PAID WITH THE PILOT PAYMENT MADE TO THE TOWN OF ELMA. RPTL 550(2)F

Petition No. 201329 / 1999 - ASSESSOR - Cancel - \$18.13

SBL No. 155.00-1-8.2 - TOWN OF ELMA

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 18.13 - Town/SpecialDist/School

Charge to : TOWN OF ELMA 18.13

CANCEL - CLERICAL ERROR, THE SPECIAL ASSESSMENT WAS PAID TO THE TOWN OF ELMA WITH THE PILOT PAYMENT. RPTL 550(2)H

Petition No. 201330 / 2002 - ASSESSOR - Cancel - \$273.80

SBL No. 220.00-4-12.1 - TOWN OF EVANS

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 273.80 - Town/SpecialDist/School

Charge to : LAKE SHORE CENTRAL 273.80

CANCEL - CLERICAL ERROR, THE PARCEL HAS BEEN INCLUDED WITH 220.00-4-13 PER HOMEOWNER'S REQUEST. RPTL 550(2)F

Petition No. 201331 / 2002 - ASSESSOR - Cancel - \$593.23

SBL No. 250.14-4-32 - TOWN OF EVANS

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 593.23 - Town/SpecialDist/School

MEETING NO. 19
October 4, 2001

ERIE COUNTY LEGISLATURE

Charge to : LAKE SHORE CENTRAL 593.23

CANCEL - ERROR IN ESSENTIAL FACT, THE BUILDING ON THIS PARCEL WAS REMOVED 12/15/2000. THE ASSESSED VALUE WAS 31,300 AND SHOULD BE REDUCED TO 4,000 LAND VALUE ONLY. RPTL 550(3)A

Petition No. 201332 / 2002 - ASSESSOR - Cancel - \$1,259.00

SBL No. 23.08-1-4.12 - TOWN OF GRAND ISLAND

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 1,259.00 - Town/SpecialDist/School

Charge to : GRND ISLN CENTRAL 1,259.00

CANCEL - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 41,400 (50%) THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FORM THE TAX ROLL. RPTL 550(2)C

Petition No. 201333 / 2002 - ASSESSOR - Cancel - \$37.09

SBL No. 151.62-4-6 - TOWN OF HAMBURG

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 37.09 - Town/SpecialDist/School

Charge to : FRONTIER CENTRAL 37.09

CANCEL - CLERICAL ERROR, THIS PARCEL HAS BEEN MERGED WITH SBL 151.62-4-8.1 PER HOMEOWNER'S REQUEST. RPTL 550(2)F

Petition No. 201334 / 2002 - ASSESSOR - Cancel - \$460.52

SBL No. 170.68-2-47 - TOWN OF HAMBURG

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 460.52 - Town/SpecialDist/School

Charge to : BASIC STAR EXEMPTION 460.52

MEETING NO. 19
October 4, 2001

ERIE COUNTY LEGISLATURE

CANCEL - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF 24,830 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C.
 FRONTIER CENTRAL

Petition No. 201335 / 2002 - ASSESSOR - Cancel - \$237.73

SBL No. 46.00-4-25.2 - TOWN OF NEWSTEAD

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 237.73 - Town/SpecialDist/School

Charge to : AKRON CENTRAL 237.73

CANCEL - CLERICAL ERROR, THIS PARCEL HAS BEEN MERGED WITH SBL 46.00-4-26.1 PER HOMEOWNER'S REQUEST. RPTL 550(2)F

Petition No. 201336 / 2002 - ASSESSOR - Cancel - \$1,771.88

SBL No. 47.48-1-57 - TOWN OF NEWSTEAD

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 1,771.88 - Town/SpecialDist/School

Charge to : AKRON CENTRAL 1,771.88

CANCEL - CLERICAL ERROR, THIS PARCEL IS OWNED BY THE TOWN OF NEWSTEAD MAKING IT WHOLLY EXEMPT FROM TAXES. EXEMPTION WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C

Petition No. 201337 / 2002 - ASSESSOR - Cancel - \$1,624.23

SBL No. 47.48-1-58 - TOWN OF NEWSTEAD

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 1,624.23 - Town/SpecialDist/School

Charge to : AKRON CENTRAL 1,624.23

MEETING NO. 19
October 4, 2001

ERIE COUNTY LEGISLATURE

CANCEL - CLERICAL ERROR, THIS PARCEL IS OWNED BY THE TOWN OF NEWSTEAD MAKING IT WHOLLY EXEMPT FROM TAXES. THE EXEMPTION WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C.

Petition No. 201338 / 2001 - ASSESSOR - Refund - \$284.66

SBL No. 61.00-5-36.2 - TOWN OF NEWSTEAD

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 284.66 - Town/SpecialDist/School

Charge to : BASIC STAR EXEMPTION 284.66
 REFUND - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF 20,000 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C AKRON CENTRAL
 CHECK IN FAVOR OF: MARTIN & KATHLEEN WAHL

Petition No. 201339 / 2002 - ASSESSOR - Cancel - \$442.97

SBL No. 61.00-5-36.2 - TOWN OF NEWSTEAD

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 442.97 - Town/SpecialDist/School

Charge to : BASIC STAR EXEMPTION 442.97

CANCEL - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF 30,000 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C
 AKRON CENTRAL

Petition No. 201340 / 2002 - ASSESSOR - Cancel - \$628.21

SBL No. 53.13-2-29 - TOWN OF TONAWANDA

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 628.21 - Town/SpecialDist/School

Charge to : BASIC STAR EXEMPTION 628.21

MEETING NO. 19
October 4, 2001

ERIE COUNTY LEGISLATURE

CANCEL - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF 21,130 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL.RPTL 550(2)C

KEN-TON SCHOOL DISTRICT

Petition No. 201341 / 2002 - ASSESSOR - Cancel - \$297.01

SBL No. 53.37-3-30 - TOWN OF TONAWANDA

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 297.01 - Town/SpecialDist/School

Charge to : KEN-TON UNION FREE 297.01

CANCEL - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 20,340 (45%) THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL.RPTL 550(2)C

Petition No. 201342 / 2002 - ASSESSOR - Cancel - \$628.20

SBL No. 54.63-1-14 - TOWN OF TONAWANDA

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 628.20 - Town/SpecialDist/School

Charge to : BASIC STAR EXEMPTION 628.20

CANCEL - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF 21,130 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C

KEN-TON SCHOOL DISTRICT

Petition No. 201343 / 2002 - ASSESSOR - Cancel - \$1,046.82

SBL No. 66.26-2-1 - TOWN OF TONAWANDA

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 1,046.82 - Town/SpecialDist/School

Charge to : NYS STAR ENHANCED EXEMPTI 1,046.82

CANCEL - CLERICAL ERROR, THE ENHANCED STAR EXEMPTION IN THE AMOUNT OF 35,210 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C
 KEN-TON SCHOOL DISTRICT
 (4-0) Legislator Ranzenhofer absent.

AS AMENDED
 (Comm. 6E-13)

3. Item Page - 2001

COUNTY EXECUTIVE

WHEREAS, the Division of Budget, Management and Finance did receive a request from the Town of Amherst to acquire this existing parcel which is adjacent to that which is owned by the Town and which is known as "Amherst Town Park", and

WHEREAS, our previous resolution (COMM: 6E-13) to sell this parcel to John S. Militello is withdrawn. Mr. Militello was contacted and agreed to the sale to the Town of Amherst with the restrictions being that this property would not be used for an access road or driveway of any type and that it would be retained in a forever Wild/Green State, and

WHEREAS, the Town of Amherst has agreed to the restrictions, and

WHEREAS, no other adjoining property owners are interested in this parcel, and

WHEREAS, this parcel was reviewed and approved for sale by the Advisory Review Committee,

NOW, THEREFORE BE IT RESOLVED, that the following described parcel of land be sold without public auction pursuant to Article 14, Section 14-1.0 of the Erie County Tax Act to the Town of Amherst for the sum of Five Thousand and 00/100 (\$5,000.00) Dollars;

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Amherst, County of Erie, State of New York being part of Farmlot 6, Township 12, Range 7, being further described as follows:

Beginning at the westerly most corner of premises to John S. Militello & Duane J. Cady as described in Liber 10941 at Page 7331 filed in deeds at the Erie County Clerk's Office,

Thence southwesterly 279.76' to the easterly line of premises to the State of New York as described in Liber 10961 at Page 9821 a filed in deeds at the Erie County Clerk's Office,

Thence southerly along said easterly line to State of New York by aforesaid deed 62.62',

Thence northeasterly 319.44' to the southerly most corner of premises to Militello and Cady by aforesaid deed,

Thence northwesterly along westerly line of premises to Militello and Cady by aforesaid deed 60' to the point of beginning.

MEETING NO. 19
October 4, 2001

ERIE COUNTY LEGISLATURE

Further described on Erie County Tax Maps as Section, Block and Lot No. 69.130-4-18 (254 Mill Street - no frontage 60.00 x 310.00). Intending to convey all land acquired by Erie County as Serial No. 1216 in the County In Rem Tax Foreclosure Action No. 138, and be it further

RESOLVED, that the Erie County Executive is hereby authorized and directed to execute a quit claim deed conveying the interest of the County of Erie in the above described property to the aforesaid purchaser; and be it further

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

(4-0) Legislator Ranzenhofer absent.

AS AMENDED

4. Item Page - 2001 (Int. 15-3)
MC CARVILLE, LARSON, CHASE, GREENAN, RANZENHOFER WEINSTEIN ,
PEOPLES & KUWIK

WHEREAS, the number of farms in New York state continues to decline, with nearly one thousand farms going out of business each year, and

WHEREAS, this rapid decline in farms results in the loss of almost one hundred thousand acres of prime agricultural land annually, and

WHEREAS, it is in the interest of both the state and local government to preserve farming and farmland in rural areas to maintain their essential nature and to enhance the agricultural economy, and

WHEREAS, for individuals entering the farming profession, many are often unable to locate suitable farmland and have a difficult time obtaining sufficient capital required to finance the down payment to purchase farmland and the related, essential equipment, and

WHEREAS, the state of New York is seeking support for a new program to provide financial assistance in cooperation with the federal Agricultural Credit Improvement Act, to provide relevant information on farmland availability and financing to prospective farmers, and to establish a revolving loan program, along with an information program to assist beginning farmers, and

WHEREAS, it is imperative to provide these opportunities to people interested in farming in order to maintain the preservation of agricultural land and this effect will in turn assist the local agricultural economy.

NOW, THEREFORE, BE IT

RESOLVED, that this Honorable Body supports an initiative for state and federal financial assistance for local farms to remain economically viable and believes it is in the best interest of the state to preserve prime agricultural land and to keep it in its' natural state, and further be it

MEETING NO. 19
October 4, 2001

ERIE COUNTY LEGISLATURE

RESOLVED, that the Erie County Legislature does hereby memorialize the New York State Legislature to pass and Governor George Pataki to sign into law, the First Farm Financing Act (S.3552), And be it further

RESOLVED, that a certified copy of this resolution be forwarded to Erie County Executive Joel Giambra, the Western New York delegation to the New York State Senate and Assembly, Governor George Pataki, Carolyn Rosiek, Vice President of the Erie County Farm Bureau, 11086 Brant Reservation Rd., Brant, New York 14027 and Carmen Vacco, 1505 Cain Rd., Angola, NY 14006.

Fiscal Impact: None for Erie County
 (4-0) Legislator Ranzenhofer absent.

AS AMENDED

5. Item Page - 2001 (Int. 15-4)
MC CARVILLE, LARSON, CHASE, GREENAN, RANZENHOFER WEINSTEIN, PEOPLES & KUWIK
 WHEREAS, Farmers that grow Christmas trees are an important part our local agricultural economy, and

WHEREAS, with increased competition from Christmas tree growers from out of state, our local growers are at a great disadvantage and need immediate tax relief with regard to corporate and/or personal income taxes, and

WHEREAS, currently, Christmas tree farmers are excluded from the farmers school tax credit program because they are tied to the forestry and logging industry, which makes them ineligible, and

WHEREAS, there is legislation currently pending in the New York State Assembly Ways and Means Committee that would make the production of Christmas trees whether dug for transplanting or cut from the stump eligible for the agricultural property tax credit against corporate or personal income tax.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby memorialize the New York State Legislature to pass and Governor George Pataki to sign into law New York State legislation, A.2729 and it's companion bill in the Senate, amending the tax law in relation to making Christmas tree farmers eligible for the agricultural property tax credit, And be it further

RESOLVED that a certified copy of this resolution be forwarded to the Western New York State delegation to the Assembly and Senate and to Governor George Pataki.

Fiscal Impact: To be determined
 (4-0) Legislator Ranzenhofer absent.

MEETING NO. 19
October 4, 2001

ERIE COUNTY LEGISLATURE

6. Item Page - 2001 (Comm. 18E-26)

COUNTY EXECUTIVE

WHEREAS, the Division of Budget, Management and Finance did receive a request from Robert and Lillian Sanson who own property adjoining the above County owned parcel of land to purchase this parcel, and

WHEREAS, there are no other adjoining property owners who have indicated an interest in acquiring this parcel, and

WHEREAS, this parcel was reviewed and approved for sale by the Advisory Review Committee,

NOW, THEREFORE BE IT RESOLVED, that the following parcel of land be sold without public auction pursuant to Article 14, Section 14-1.0 of the Erie County Tax Act to Robert W. Sanson and Lillian P. Sanson, 4117 Summit Avenue, Hamburg, New York 14075 for the sum of Five Hundred and 00/100 Dollars (\$ 500.00),

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Hamburg, County of Erie and State of New York being part of Farmlot 2, Township 9, Range 8, Block D, Sublot 17 as filed under Map Cover 464 in the Erie County Clerk's Office and is further described on Erie County Tax Maps as Section, Block and Lot No. 196.130-2-29 (Summit Avenue 21.00 x 45.00). Intending to convey all land acquired by Erie County in the County In Rem Tax Foreclosure Action No. 57 as filed in a deed recorded in the Erie County Clerk's Office on May 8, 1947 under Liber 4108 Page 312, and be it further

RESOLVED, that the Erie County Executive is hereby authorized and directed to execute a quit claim deed conveying the interest of the County of Erie in the above described property to the aforesaid purchaser, and be it further

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

(4-0) Legislator Ranzenhofer absent.

7. Item Page - 2001 (Comm. 18E-27)

COUNTY EXECUTIVE

WHEREAS, the Division of Budget, Management and Finance did receive a request from Robert Stoll who owns property adjoining the above County owned parcel of land to purchase this parcel, and

WHEREAS, there are no other adjoining property owners who have indicated an interest in acquiring this parcel, and

WHEREAS, this parcel was reviewed and approved for sale by the Advisory Review Committee,

MEETING NO. 19
October 4, 2001

ERIE COUNTY LEGISLATURE

NOW, THEREFORE BE IT RESOLVED, that the following parcel of land be sold without public auction pursuant to Article 14, Section 14-1.0 of the Erie County Tax Act to Robert Stoll, 553 Herr Road, Angola, New York 14006 for the sum of Six Hundred Fifty and 00/100 Dollars (\$ 650.00),

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Evans, County of Erie and State of New York being part of Farmlot 81, Township 8, Range 9, Block 1, Sublots 1 & 2 as filed under Map Cover 1113 in the Erie County Clerk's Office and is further described on Erie County Tax Maps as Section, Block and Lot No. 250.080-5-8 (Herr Road 40.00 x 100.00). Intending to convey all land acquired by Erie County as Serial No. 1369 in the County In Rem Tax Foreclosure Action No. 152, and be it further

RESOLVED, that the Erie County Executive is hereby authorized and directed to execute a quit claim deed conveying the interest of the County of Erie in the above described property to the aforesaid purchaser, and be it further

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

(4-0) Legislator Ranzenhofer absent.

8. Item Page - 2001 (Comm. 18E-28)

COUNTY EXECUTIVE

WHEREAS, the Division of Budget, Management and Finance did receive requests from multiple adjoining property owners and/or non-adjoining property owners to purchase the following seventeen (17) listed parcels of County owned inventory, and

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

NOW, THEREFORE BE IT RESOLVED, that the following County owned parcels be offered for sale at the next public auction scheduled to be held on October 15, 2001,

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie and State of New York being part of Farmlot 18, Township 11, Range 7 and is further described on Erie County Tax Maps as Section, Block and Lot No. 91.150-6-1 (Beach Road 462.42 x 200.64). Intending to convey land acquired by Erie County as Serial No. 130 in the County In Rem Tax Foreclosure Action No. 131.

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, Village of Depew, County of Erie and State of New York being part of Farmlot 73, Township 11, Range 7, Sublots 13-15, Block T under Map Cover 512 filed in the Erie County Clerk's Office and is further described on Erie County Tax Maps as Section, Block and Lot No. 103.120-3-18 (Bissell Ave 90.00 x 125.00). Intending to convey land acquired by Erie County in a deed recorded in the Erie County Clerk's Office on September 2, 1936 under Liber 2570 Page 253.

MEETING NO. 19
October 4, 2001

ERIE COUNTY LEGISLATURE

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, Village of Depew, County of Erie and State of New York being part of Farmlot 73, Township 11, Range 7, Sublots 11, 12, Block T under Map Cover 512 filed in the Erie County Clerk's Office and is further described on Erie County Tax Maps as Section, Block and Lot No. 103.120-3-19 (Bissell Ave 60.00 x 125.00). Intending to convey land acquired by Erie County as Serial No. 979 in the County In Rem Tax Foreclosure Action 147.

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Evans, County of Erie and State of New York being part of Farmlot 81, Township 8, Range 9., Sublots 1278 & 1279 under Map Cover 1344 filed in the Erie County Clerk's Office and is further described on Erie County Tax Maps as Section, Block and Lot No. 250.120-10-5 (Adams Ave 40.00 x 100.00). Intending to convey land acquired by Erie County as Serial No. 1126 in the County In Rem Tax Foreclosure Action No. 150.

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Evans, County of Erie and State of New York being part of Farmlot 81, Township 8, Range 9, Sublots 10858, 10859 under Map Cover 1347 filed in the Erie County Clerk's Office and is further described on Erie County Tax Maps as Section, Block and Lot No. 250.110-2-35 (9463 Pine Street 40.00 x 100.00). Intending to convey land acquired by Erie County in a Deed recorded at the Erie County Clerk's Office on September 30, 1983 under Liber 9267 Page 212.

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Evans, County of Erie and State of New York being part of Farmlot 81, Township 8, Range 9, Sublots 10856, 10857 under Map Cover 1347 filed in the Erie County Clerk's Office and is further described on Erie County Tax Maps as Section, Block and Lot No. 250.110-2-36 (Pine Street 40.00 x 100.00). Intending to convey land acquired by Erie County in a Deed recorded at the Erie County Clerk's Office on January 11, 1968.

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Evans, County of Erie and State of New York being part of Farmlot 81, Township 8, Range 9, Sublots 10842 - 10845 under Map Cover 1347 filed in the Erie County Clerk's Office and is further described on Erie County Tax Maps as Section, Block and Lot No. 250.110-2-37 (9464 Pine Street 80.00 x 100.00). Intending to convey land acquired by Erie County as Serial No. 408 in the County In Rem Tax Foreclosure Action No. 137.

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Evans, County of Erie and State of New York being part of Farmlot 87, Township 8, Range 9, Sublots 7317 and 7318 under Map Cover 1132 filed in the Erie County Clerk's Office and is further described on Erie County Tax Maps as Section, Block and Lot No. 250.170-8-49 (150 Reeves Road 40.00 x 100.00). Intending to convey land acquired by Erie County as Serial No. 910 in the County In Rem Tax Foreclosure Action No. 142.

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Grand Island, County of Erie and State of New York being part of Farmlot 22, Township 12, Range 9 and is further described on Erie County Tax Maps as Section, Block and Lot No. 50.040-1-19 (Love Road 3.40 acres).

MEETING NO. 19
October 4, 2001

ERIE COUNTY LEGISLATURE

Intending to convey land acquired by Erie County as Serial No. 911 in the County In Rem Tax Foreclosure Action No. 149.

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Lancaster, County of Erie and State of New York being part of Farmlot 11, Township 11, Section 10, Range 6, Sublots 10 -18, Block 9 under Map Cover 556 as filed in the Erie County Clerk's Office and is further described on Erie County Tax Maps as Section, Block and Lot No. 115.090-1-16 (Fillmore 270.60 x 110.00). Intending to convey land acquired by Erie County as Serial No. 2486 in the County in Rem Tax Foreclosure Action No. 139.

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Lancaster, County of Erie and State of New York being part of Farmlot 11, Township 11, Section 10, Range 6, Sublots 1 - 10, Block M under Map Cover 1190 as filed in the Erie County Clerk's Office and is further described on Erie County Tax Maps as Section, Block and Lot No. 115.090-1-17 (Fillmore 300.00 x 110.00). Intending to convey land acquired by Erie County as Serial No. 2487 in the County in Rem Tax Foreclosure Action No. 139.

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Lancaster, County of Erie and State of New York being part of Farmlot 1, Township 11, Section 11, Range 6, Sublot 66, 67, 68 under Map Cover 477 as filed in the Erie County Clerk's Office and is further described on Erie County Tax Maps as Section, Block and Lot No. 104.070-6-8 (34 Margareta 109.50 x 120.00). Intending to convey land acquired by Erie County as Serial No. 1578 in the County In Rem Tax Foreclosure Action No. 144.

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Lancaster, County of Erie and State of New York being part of Farmlot 1, Township 11, Section 11, Range 6, Sublots 64, 65 under Map Cover 477 as filed in the Erie County Clerk's Office and is further described on Erie County Tax Maps as Section, Block and Lot No. 104.070-6-9 (24 Margareta 72.00 x 120.00). Intending to convey land acquired by Erie County as Serial No. 1579 in the County In Rem Tax Foreclosure Action No. 144.

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Sardinia, County of Erie and State of New York being part of Farmlots 36 & 37, Township 7, Range 5 and is further described on Erie County Tax Maps as Section, Block and Lot No. 311.000-1-1.100 (>< Allen Road 33.00 x 330.00). Intending to convey land acquired by Erie County as Serial No. 1287 in the County In Rem Tax Foreclosure Action No. 150.

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of West Seneca, County of Erie and State of New York being part of Farmlot 322, Township 10, Range 7, Sublot 271, Block V under Map Cover 1430 as filed in the Erie County Clerk's Office and is further described on Erie County Tax Maps as Section, Block and Lot No. 125.650-3-19 (Chestnut Street 30.25 x 100.00). Intending to convey land acquired by Erie County as Serial No. 1434 in the County In Rem Tax Foreclosure Action No. 146.

MEETING NO. 19
October 4, 2001

ERIE COUNTY LEGISLATURE

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of West Seneca, County of Erie and State of New York being part of Farmlot 322, Township 10, Range 7, Sublot 225, Block P under Map Cover 1427 as filed in the Erie County Clerk's Office and is further described on Erie County Tax Maps as Section, Block and Lot No. 125.650-9-2 (Chestnut Street 30.68 x 100.00). Intending to convey land acquired by Erie County as Serial No. 1603 in the County In Rem Tax Foreclosure Action No. 140.

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of West Seneca, County of Erie and State of New York being part of Farmlot 322, Township 10, Range 7, Sublot 223, Block P under Map Cover 1427 as filed in the Erie County Clerk's Office and is further described on Erie County Tax Maps as Section, Block and Lot No. 125.650-9-5 (High Street 25.00 x 124.00). Intending to convey land acquired by Erie County as Serial No. 1604 in the County In Rem Tax Foreclosure Action No. 140.

RESOLVED, that any sale would be subject to the final approval by resolution of the Erie County Legislature, and be it further

RESOLVED, that in addition to the advertisement of the sale in the Buffalo Law Journal and the Buffalo News, all adjoining owners will be sent a letter indicating the date, time and place of the sale in order to give all parties the opportunity to attend the sale and bid, and be it further

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

(4-0) Legislator Ranzenhofer absent.

9. Item Page - 2001 (Comm. 18E-29)

COUNTY EXECUTIVE

WHEREAS, the Division of Budget, Management and Finance did receive a request from a group of property owners who own property adjoining the above County owned parcels of land to purchase these parcels, and

WHEREAS, there are no other adjoining property owners who have indicated an interest in acquiring these parcels, and

WHEREAS, these parcels were reviewed and approved for sale by the Advisory Review Committee,

NOW, THEREFORE BE IT RESOLVED, that the following parcels of land be sold without public auction pursuant to Article 14, Section 14-1.0 of the Erie County Tax Act to Alfred & Libby Grabowski, 220 Tim Tam Terrace, West Seneca, New York 14224; Robert & Maryann Simonick, 226 Tim Tam Terrace, West Seneca, New York 14224; Robert & Deborah Grabowski, 232 Tim Tam Terrace, West Seneca, New York 14224 and John & Cathy Roberts, 208 Tim Tam Terrace, West Seneca, New York for the sum of Three Hundred and 00/100 Dollars (\$ 300.00) each.

MEETING NO. 19
October 4, 2001

ERIE COUNTY LEGISLATURE

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of West Seneca, County of Erie and State of New York being part of Farmlot 322, Township 10, Range 7, Sublot 270. Block V under Map Cover 1430 as filed in the Erie County Clerk's Office and further described on Erie County Tax Maps as Section, Block and Lot No. 125.650-3-20 (Chestnut Street 31.35 x 100.00). Intending to convey land acquired by Erie County as Serial No. 1435 in the County In Rem Tax Foreclosure Action No. 146.

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of West Seneca, County of Erie and State of New York being part of Farmlot 322, Township 10, Range 7, Sublot 224, Block P under Map Cover 1427 as filed in the Erie County Clerk's Office and further described on Erie County Tax Maps as Section, Block and Lot No. 125.650-9-1 (Chestnut Street 30.71 x 100.01). Intending to convey land acquired by Erie County as Serial No. 1602 in the County In Rem Tax Foreclosure Action No. 140.

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of West Seneca, County of Erie and State of New York being part of Farmlot 322, Township 10, Range 7, Sublot 222, Block P under Map Cover 1427 as filed in the Erie County Clerk's Office and further described on Erie County Tax Maps as Section, Block and Lot No. 125.650-9-6 (High Street 25.00 x 124.00). Intending to convey land acquired by Erie County as Serial No. 1605 in the County In Rem Tax Foreclosure Action No. 140, and be it further

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

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

(4-0) Legislator Ranzenhofer absent.

10. Item Page - 2001 (Comm. 18E-30)

COUNTY EXECUTIVE

WHEREAS, the Division of Budget, Management and Finance did receive a request from Horace Gioia, Esq. on behalf of Besseghini Partnership who own property adjoining the above County owned parcel of land to purchase this parcel, and

WHEREAS, there are no other adjoining property owners who have indicated an interest in acquiring this parcel, and

WHEREAS, this parcel was reviewed and approved for sale by the Advisory Review Committee,

NOW, THEREFORE BE IT RESOLVED, that the following parcel of land be sold without public auction pursuant to Article 14, Section 14-1.0 of the Erie County Tax Act to Besseghini Partnership c/o Horace Gioia, Esq. 600 Main Street, Buffalo, New York 14202 for the sum of Five Hundred and 00/100 Dollars (\$ 500.00),

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Clarence, County of Erie and State of New York being part of Farmlot 7, Township 12, Section 9, Range 6, and is further described on Erie County Tax Maps as Section, Block and Lot No. 83.000-1-11 (Barton Road 100.00 x 150.00). Intending to convey all land acquired by Erie County as Serial No. 207 in the County In Rem Tax Foreclosure Action No. 141 A, and be it further

RESOLVED, that the Erie County Executive is hereby authorized and directed to execute a quit claim deed conveying the interest of the County of Erie in the above described property to the aforesaid purchaser, and be it further

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

(4-0) Legislator Ranzenhofer absent.

11. Item Page - 2001 (Comm. 18E-35)

COUNTY EXECUTIVE

WHEREAS, the County has been notified by New York State of the IGT program details and payment schedule for the 2001-2002 State fiscal year, and

WHEREAS, the payment schedule provides for IGT payments to the Erie County Medical Center (ECMC) and the Erie County Home in September and December of 2001, and

WHEREAS, the payment schedule includes an ECMC supplemental IGT reconciliation payment for the 1998-99 program year, and

WHEREAS, the annual county budget includes the IGT program on a net basis only, with subsequent budget amendments to be defined when actual details of gross revenue amounts and local share cost are known, and

WHEREAS, amendments are required in the 2001 budget of the Department of Social Services to reflect the actual 90 percent Medicaid local share cost of the IGT program and the recoupment of this local share from ECMC and the Erie County Home, and

WHEREAS, the IGT program gross revenues, local share costs and net revenues to be realized in 2001 are as follows:

	<u>Gross IGT Revenue</u>	<u>90% Local Share Cost</u>	<u>10% Net Revenue</u>
ECMC - P/Y Reconciliation	\$ 6,293,258	\$ 5,663,932	\$ 629,326
ECMC - Regular	5,341,027	4,806,925	534,102
ECMC - SNF Regular	<u>10,245,066</u>	<u>9,220,560</u>	<u>1,024,506</u>

MEETING NO. 19
October 4, 2001

ERIE COUNTY LEGISLATURE

Total ECMC	\$21,879,351	\$19,691,417	\$2,187,934
Erie County Home Regular	<u>\$53,474,150</u>	<u>\$48,126,736</u>	<u>\$5,347,414</u>
Grand Total	<u>\$75,353,501</u>	<u>\$67,818,153</u>	<u>\$7,535,348</u>

NOW, THEREFORE, BE IT

RESOLVED, that the following amendments are hereby authorized in the 2001 budget of the Department of Social Services, Fund 120, to reflect the 90 percent IGT Medicaid local share cost and the recoupment of same from ECMC and the Erie County Home.

<u>Account</u>	<u>Description</u>	<u>Increase</u>
840-0100	MMIS - IGT Local Share	<u>\$67,818,153</u>
	Total Appropriation	\$67,818,153
510-0100	Refund of Expense – IGT	<u>\$67,818,153</u>
	Total Revenue	\$67,818,153

and be it further,

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

(4-0) Legislator Ranzenhofer absent.

AS AMENDED
(Int. 18-3)

12. Item Page - 2001
MC CARVILLE, GREENAN, CHASE, WEINSTEIN RANZENHOFER LARSON, PEOPLES, KUWIK, & MARINELLI

WHEREAS, agricultural and agribusiness are vital to a stable economy, especially in rural areas troubled by high unemployment, and

WHEREAS, as a legislative body, we need to stimulate new and small business development relating to the use of agricultural and forest products and materials grown and produced in New York State, and

WHEREAS, by establishing an agribusiness development microenterprise revolving loan fund, not-for-profit corporations located in our community would be eligible to apply to the corporation in response to a request for proposals, for a grant of up to one hundred thousand dollars, and

MEETING NO. 19
October 4, 2001

ERIE COUNTY LEGISLATURE

WHEREAS, loans would be made by local accounts for providing start-up funds, working capital, and the acquisition of machinery and equipment for eligible business enterprises in amounts not to exceed ten thousand dollars for each loan.

NOW, THEREFORE, BE IT

RESOLVED, the Erie County Legislature is committed to stimulating the Western New York economy and we are dedicated to assisting the small agribusiness community, and be it further

RESOLVED, this Honorable Body does hereby request that the New York State Legislature pass S.3067 / A.5800 to create a microbusiness revolving loan fund to stimulate business enterprises, and be it further

RESOLVED, that a certified copy of this resolution be forwarded to Governor George Pataki and all of the Western New York State delegation.
 (4-0) Legislator Ranzenhofer absent.

CRYSTAL D. PEOPLES
CHAIRPERSON

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 423

September 27, 2001

ENERGY & ENVIRONMENT
 COMMITTEE
 REPORT NO. 12

ALL MEMBERS PRESENT EXCEPT LEGISLATORS FITZPATRICK AND DUSZA.

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

- | | | | | |
|----|---|------|-------|----------------|
| | Item | Page | -2001 | (Comm. 7 E-10) |
| a. | SWANICK: Copy of Letter to ECWA Commissioners Re: Request to Forgo Use of Rate-Payer Funded Automobiles. | | | |
| | (3-0) Legislators Fitzpatrick and Dusza absent | | | |

MEETING NO. 19
October 4, 2001

ERIE COUNTY LEGISLATURE

- Item Page -2001 (Comm. 8D-3)
b. **DPW:** Copy of Letter to Village of Sloan Re: Comparison of Aggregate Bills During Energy & Environment Meeting of 3/6/01.
(3-0) Legislators Fitzpatrick and Dusza absent
- Item Page -2001 (Comm. 12D-9)
c. **NYSDOT:** Copy of Letter to DPW Re: Red Structural Flag BIN 3328500 – Savage Road Over Dry Creek, Town of Sardinia.
(3-0) Legislators Fitzpatrick and Dusza absent
- Item Page -2001 (Comm. 17D-21)
d. **DEP:** SEQR – Lead Agency Status – Losson Subtrunk & Elimination of Losson Green & Carefree Pumping Station.
(3-0) Legislators Fitzpatrick and Dusza absent
- Item Page -2001 (Comm. 17M-6)
e. **NYPIRG:** Copy of Letter to Chairman Swanick Re: Requesting Meeting to Discuss Pesticide Neighborhood Notification Bill.
(3-0) Legislators Fitzpatrick and Dusza absent
- Item Page -2001 (Comm. 17M-14)
f. **NYSOFT:** Copy of Letter to County Executive Re: New Initiative to Collect Up-to-Date Aerial Imagery to Support GIS Applications.
(3-0) Legislators Fitzpatrick and Dusza absent
- Item Page -2001 (Comm. 18E-45)
g. **COUNTY EXECUTIVE:** ECSD No. 2 – Engineering Service Agreements.
(3-0) Legislators Fitzpatrick and Dusza absent
- Item Page -2001 (Comm. 18M-10)
h. **TIOGA COUNTY LEGISLATURE:** Resolution in Support of Amendments to Brownfield Program.
(3-0) Legislators Fitzpatrick and Dusza absent
- Item Page -2001 (Comm. 16E-11)
2. **COUNTY EXECUTIVE:**
RESOLVED, that the Energy & Environment Committee does hereby recommend that the full Legislature confirm the appointment of the following individuals to the Erie County Environmental Management Council. Their terms will expire May 31, 2003.

I. MUNICIPAL APPOINTMENTS

<u>Municipality</u>	<u>Appointee</u>	<u>Status</u>
Alden	Ms. Deborah Chesna	New appointment

MEETING NO. 19
October 4, 2001

ERIE COUNTY LEGISLATURE

(Town)	c/o Alden Environmental Commission Alden Town Hall 3311 Wende Road Alden, NY 14004	
Amherst (Town)	Mr. Peter W. Warn 225 Lehn Springs Drive Williamsville, NY 14221	Reappointment
Boston (Town)	Ms. Mary Alice Tock 8053 Back Creek Road Hamburg, NY 14075	Reappointment
Buffalo (City)	Sandra Nasca, Esq. Environmental Coordinator Room 920 City Hall Buffalo, NY 14202	Appointment
Cheektowaga (Town)	Mr. John Marriott 2497 Genesee Street Cheektowaga, NY 14225	Reappointment
Clarence (Town)	Mr. Joseph Latona Town Engineer Clarence Town Hall One Town Place Clarence, NY 14031	New Appointment
Colden (Town)	Mary R. Lee 10040 Darien Road Holland, NY 14080	Reappointment
Eden (Town)	Mr. Lamont Beers 2880 Wood Spirit Eden, NY 14057	Reappointment
Evans (Town)	Mr. David Stout 354 Lakeside Road Angola, NY 14006	New Appointment
Grand Island (Town)	Mr. Thomas R. Gilmore 3467 Baseline Road Grand Island, NY 14072	Reappointment
Hamburg	Ms. Leona Rockwood	Reappointment

MEETING NO. 19
October 4, 2001

ERIE COUNTY LEGISLATURE

(Town)	5043 Mt. Vernon Boulevard Hamburg, NY 14075	
Hamburg (Village)	Mr. Kevin B. Hogan 116 S. Lake Street Hamburg, NY 14075	Reappointment
Holland (Town)	Mr. James L. Joyce S-9247 North Protection Road Holland, NY 14080	Reappointment
Marilla (Town)	Mr. Nathan Barnard 2200 Four Rod Road East Aurora, NY 14052	New Appointment
Newstead (Town)	Mr. Kenneth Koehler 5771 Barnum Road Akron, NY 14001	Reappointment
Orchard Park (Town)	Mr. Frank E. Newton 6463 Bunting Road Orchard Park, NY 14127	Reappointment
Tonawanda (Town)	Patricia Mahan 477 Highland Parkway Tonawanda, NY 14223	Reappointment
Wales (Town)	Mr. Peter Tarnawskyj 5716 Vermont Hill Road South Wales, NY 14139	Reappointment
West Seneca (Town)	Mr. Daniel J. Chavanne 86 Greenfield Avenue West Seneca, NY 14224	Reappointment

II AT-LARGE MEMBERS

<u>Appointee</u>	<u>Status</u>
Ms. Joan Bozer 27 St. Catherine Court Buffalo, NY 14222	Reappointment
Mr. Jerold Bastedo S-5215 Orchard Avenue Hamburg, NY 14075	Reappointment

MEETING NO. 19
October 4, 2001**ERIE COUNTY LEGISLATURE**

Mr. David Hahn-Baker 440 Lincoln Parkway Buffalo, NY 14216	Reappointment
Mr. Hal Kreher P.O. Box 410 Clarence, NY 14031-1702	Reappointment
Ms. Nancy Smith 210 Sycamore Street East Aurora, NY 14052	Reappointment
Mr. Will Stoner Citizens Campaign for the Environment 3144 Main Street Buffalo, NY 14212	Reappointment
Mr. Herbert Heimerl, III 274 Brantwood Snyder, NY 14226	Reappointment
Mr. Michael B. Powers (MEMBER & CHAIR) 5845 Creekview Clarence Center, NY 14032	Reappointment
Mr. Walter Simpson 4 Meadowstream Court Amherst, NY 14226	Reappointment
Mr. James Loesch General Manager National Fuel Gas Corporation 10 Lafayette Square, 15th Floor Buffalo, NY 14203	New Appointment
Mr. David P. Flynn, Esq. Partner Phillips, Lytle, Hitchcock, Blaine & Huber LLP, Attorneys 3400 HSBC Center Buffalo, NY 14203	New Appointment
Mr. John R. Whitney District Conservationist USDA Natural Resources Conservation Service	New Appointment

MEETING NO. 19
October 4, 2001

ERIE COUNTY LEGISLATURE

50 Commerce Way
 East Aurora, NY 14052-2185
 (3-0) Legislators Fitzpatrick and Dusza absent

Item Page -2001 (Comm. 18E-34)
 3. **COUNTY EXECUTIVE**

RESOLVED, that the Energy & Environment Committee does hereby recommend that the full Legislature confirm the appointment of Cally E. Miklasz of 18 Oliver Place, Hamburg, NY 14075 to the Erie County Environmental Management Council. Her term will expire May 31, 2003.
 (3-0) Legislators Fitzpatrick and Dusza absent

Item Page -2001 (Comm. 18E-40)
 4. **COUNTY EXECUTIVE**

WHEREAS, Capital Project 430 509, 1977 Increase of Facilities will be closed out in 2001;
 and

WHEREAS, there is a cash balance of \$170,795.65 as of November 30, 2000; and

WHEREAS, there is no debt service remaining for this project; and

WHEREAS, Erie County Sewer District No. 2 has created a Capital Reserve Account for future construction; and

WHEREAS, the use of said cash will have no impact on the approved 2001 Budget.

NOW, THEREFORE, BE IT

RESOLVED, that the cash balance of \$170,795.65 and any additional accrued interest be transferred into Erie County Sewer District No. 2's Capital Reserve Account for future plant improvements, equipment and new sewer extensions; and be it further

RESOLVED, that the Clerk of the Legislature be authorized and directed to send certified copies of this resolution to Charles J. Alessi, PE., Deputy Commissioner, Department of Environment and Planning, Nancy Naples, Erie County comptroller, Joseph Passafiume, Director, Budget and Management, and Gregory Dudek, Assistant County Attorney.
 (3-0) Legislators Fitzpatrick and Dusza absent

Item Page -2001 (Comm. 18E-41)
 5. **COUNTY EXECUTIVE**

WHEREAS, the Erie County Administrative Code permits the procurement of services to make emergency repairs but does not allow for such procurement of engineering services before an actual emergency occurs or without going through a formal Request for Proposal process; and

WHEREAS, the Erie County Department of Environment and Planning through its Division of Sewerage Management has the responsibility to operate and maintain almost one thousand miles

MEETING NO. 19
October 4, 2001

ERIE COUNTY LEGISLATURE

of sewers, 100 pumping stations, 5 overflow retention facilities, and 6 sewage treatment plants worth over an estimated \$1 billion, together with the need to construct additional new facilities; and

WHEREAS, due to age and deterioration of the existing facilities, and since the number of problems requiring engineering solutions in the County sewerage systems is rapidly increasing; and

WHEREAS, the Erie County Department of Environment and Planning, Division of Sewerage Management has limited resources; and

WHEREAS, the Legislature determines it is not practical to go out for proposals on each and every separate small engineering project; and

WHEREAS, the Division of Sewerage Management has solicited proposals from qualified engineering firms and ranked them in accordance with the Administrative Code; and

WHEREAS, the top four (4) ranked firms desiring to be considered for the work have been recommended to perform engineering services related to the design and construction of Sewerage Facilities for the Erie County Sewer Districts and the Southtowns Sewage Treatment Agency.

NOW, THEREFORE BE IT

RESOLVED, that agreements for engineering services with URS Greiner, Inc., 262 Delaware Avenue, Buffalo, New York 14202; Pratt & Huth Associates, LLP, 60 Earhart Drive, Williamsville, New York 14221; Stearns & Wheler, LLC, University Centre, Suite 100, 415 North French Road, Amherst, New York 14223; and Parsons Engineering Services, Inc., 180 Lawrence Bell Drive, Suite 104, Williamsville, New York 14221 not to exceed \$150,000 each is hereby approved; and be it further

RESOLVED, that the County Executive, be and hereby is, authorized to execute said agreements subject to approval as to form by the County Attorney; and be it further

RESOLVED, that the County Comptroller be authorized to allocate \$100,000.00 for each agreement from Erie County Sewer District Capital Accounts and/or Sewer Operating Fund Balances as determined by the Commissioner of Environment and Planning; and be it further

RESOLVED, that the following Sewer Capital Accounts and Sewer Operating Accounts be used as needed and as determined to be necessary by the Commissioner of Environment and Planning:

		<u>Description</u>	<u>Bond Account</u>
<u>SEWER CAPITAL ACCOUNTS:</u>			
ECSD #1	Increase	& Improvement of Facilities (1994)	430-694

MEETING NO. 19
October 4, 2001

ERIE COUNTY LEGISLATURE

ECSD #2	Increase	& Improvement of Facilities (1992)	430-533
ECSD #2	Increase	& Improvement of Facilities (1998)	430-913
ECSD #2	Increase	& Improvement of Facilities (1998)	430-147
ECSD #2	A.P.B.I.	Southwestern Interceptor	430-178
ECSD #2	Increase &	Improvement of Facilities	**
ECSD #3		Boston Valley Extension	430-510
ECSD #3		Southtowns Increased Improvements (1997)	430-915
ECSD #3		A.P.B.I. Greenmeadow SW P.S. Improvements	430-174
ECSD #3	Increase &	Improvement of Facilities	**
ECSD #4		Increase & Improvement of Facilities (1994)	430-693
ECSD #5		Increased Facilities #2	430-507
ECSD #5		Increased Facilities (1987)	430-526
ECSD #5		Meadowlakes Extension	430-534
ECSD #5		Increased Improvements (1996)	430-798
ECSD #5		Sisters of St. Joseph	430-247
ECSD #5		A.P.B.I. Spaulding Lake	410-179
ECSD #5	Increase &	Improvement of Facilities	**
ECSD #6		Lackawanna	430-519
ECSD #6	Increase &	Improvement of Facilities (1991)	430-532
ECSD #6	Increase &	Improvement of Facilities (1995)	430-914

All future bond accounts which may be approved during the three (3) year term of the engineering agreement.

** To Be Assigned

SEWER OPERATING ACCOUNTS:

ECSD #s 1-4-5	220	851	810	830
ECSD #2	220	852	820	830
ECSD #3/Southtowns	220	853	830	830
ECSD #6	220	854	840	830

and be it further

RESOLVED, that the Department of Environment and Planning, Division of Sewerage Management, be required to notify the Legislature of each project assigned to an engineering firm under this resolution; and be further

RESOLVED, that a certified copy of this resolution be sent to Charles J. Alessi, P.E., Deputy Commissioner, Department of Environment and Planning, Gregory J. Dudek, Assistant County Attorney, Nancy Naples, Erie County Comptroller, and Joseph Passafiume, Director, Budget, Management and Finance.

(3-0) Legislators Fitzpatrick and Dusza absent

MEETING NO. 19
October 4, 2001

ERIE COUNTY LEGISLATURE

Item Page -2001 (Comm. 18E-42)
 6. **COUNTY EXECUTIVE**

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

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

NOW, THEREFORE, BE IT

RESOLVED, that a Public Hearing be held in the Chambers of the Erie County Legislature, 25 Delaware Avenue, Buffalo, NY, at 1:30 p.m., local time, on November 8, 2001, for the purpose of meeting to hear and consider any objections which may be made to the 2002 Sewer District Assessment Rolls for Erie County Sewer District Nos. 1, 2, 3, 4, 5 and 6; and be it further

RESOLVED, that the Clerk of the Legislature be directed to have published in the official County Newspapers, and the Buffalo News, a Notice of Public Hearing no later than the week of October 29, 2001; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send certified copies of this resolution to Charles J. Alessi, P.E., Deputy Commissioner, Department of Environment and Planning, Nancy A. Naples, County Comptroller, and Gregory Dudek Assistant County Attorney. (3-0) Legislators Fitzpatrick and Dusza absent

Item Page -2001 (Comm. 18E-46)
 7. **COUNTY EXECUTIVE**

WHEREAS, the New York State Department of Environmental Conservation (NYSDEC) provides grant assistance to municipalities for non-toxic pest management projects; and

WHEREAS, The Erie County Department of Environment and Planning (DEP) in partnership with representatives from the City of Buffalo, the City of Buffalo Pest Management Board, and the Erie County Environmental Management Board developed a grant proposal to address local training needs and submitted it to the NYSDEC requesting assistance for a non-toxic pest management project; and

WHEREAS, the NYSDEC granted approval of the application allocating \$44,060 in State grant funding for a Non-Toxic Pest Management Project in Erie County; and

WHEREAS, a resolution (Comm. 4E-14) dated February 15, 2001, was passed by the Erie County Legislature authorizing the County to accept the grant, enter into a contract with the NYSDEC for a Non-Toxic Pest Management Project, establish a grant budget (SFG-540) for the project, and enter into agreements with the other project partners; and

MEETING NO. 19
October 4, 2001

ERIE COUNTY LEGISLATURE

WHEREAS, during the spring of 2001, the DEP executed the proposed work plan associated with the grant contract and provided a series of alternatives to pesticides training sessions for over 200 government officials; and

WHEREAS, at the conclusion of the training sessions approximately \$12,000 in grant funding was not spent; and

WHEREAS, the NYSDEC and the DEP have agreed upon an amendment to the existing grant work plan to utilize the remaining grant resources and conduct on-site pesticide free demonstrations at a County and a City of Buffalo operated golf course; and

WHEREAS, a revision to the existing grant budget (SFG-540) is required in order to align the remaining resources in the proper budget categories for the newly anticipated expenses; and

WHEREAS, it is also necessary to secure the services of an organic horticulture consultant, AI Festaiuti (A & B Organic Lawn & Supply Company) to provide oversight and technical guidance for the demonstrations,

NOW, THEREFORE, BE IT

RESOLVED, that the existing grant budget for Municipal Non-Toxic Pest Management Training and Structural Repair Grant Project (S.G.-540) be revised as follows:

APPROPRIATIONS:

<u>Account</u>	<u>Description</u>	<u>Current Budget</u>	<u>Revisions</u>	<u>Revised Budget</u>
825	Out of Area Travel	\$ 5,000	(\$5,000.00)	0
826	Other	3,800	(1,943.50)	\$ 1,856.50
822 - 101	Rental/Equipment	0	3,700.00	3,700.00
830	Contractual Services	<u>\$35,260</u>	<u>3243.50</u>	<u>38,503.50</u>
Total Appropriations:		\$44,060	0	\$44,060.00

and be it further

RESOLVED, that the Erie County Executive is hereby authorized to execute an agreement with AI Festaiuti (A & B Organic Lawn & Garden Supply Company, for an amount not to exceed \$7,000 to provide oversight and technical guidance for the demonstrations, and be it further

MEETING NO. 19
October 4, 2001

ERIE COUNTY LEGISLATURE

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

(3-0) Legislators Fitzpatrick and Dusza absent

RAYMOND K. DUSZA
CHAIRMAN

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 424

October 1, 2001

ECONOMIC DEVELOPMENT
 COMMITTEE
 REPORT NO. 8

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

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

Item Page -2001 (Comm. 11E-9)
 a. **SWANICK:** Copy of Letter to Commissioner Lehman Re: Request for Financial & Operational Benefits Analysis of Relocating the Legislature.
 (5-0) Legislator Fitzpatrick absent. Chairman Swanick present as Ex-Officio Member.

Item Page -2001 (Comm. 13D-10)
 b. **DEP:** Letter to Chairman Swanick Re: Legislature Relocation.
 (5-0) Legislator Fitzpatrick absent. Chairman Swanick present as Ex-Officio Member.

Item Page -2001 (Comm. 17D-25)
 c. **DPW:** SEQR – Negative Declaration – Kenmore Avenue Reconstructions – Vulcan to Sheridan.
 (5-0) Legislator Fitzpatrick absent. Chairman Swanick present as Ex-Officio Member.

MEETING NO. 19
October 4, 2001

ERIE COUNTY LEGISLATURE

d. Item Page -2001 (Comm. 17D-50)
DPW: Comm. 15E-9 Award of Contract – Strickler Road Bridge & Two Rod Road Culvert Replacements, Towns of Clarence & Alden.
(5-0) Legislator Fitzpatrick absent. Chairman Swanick present as Ex-Officio Member.

e. Item Page -2001 (Comm. 17D-51)
DPW: Comm. 16E-20 Award of Contract – Ridge Road NYS Thruway to Seneca Street – Seneca Street Ridge Road to Transit Road, Town of West Seneca.
(5-0) Legislator Fitzpatrick absent. Chairman Swanick present as Ex-Officio Member.

f. Item Page -2001 (Comm. 18E-9)
COUNTY EXECUTIVE: EC Family Court – Contingency Fund Increase.
(5-0) Legislator Fitzpatrick absent. Chairman Swanick present as Ex-Officio Member.

g. Item Page -2001 (Comm. 18M-12)
NFTA: Financial Report for First Quarter of Fiscal Year Ending 3/31/02.
(5-0) Legislator Fitzpatrick absent. Chairman Swanick present as Ex-Officio Member.

2. Item Page - 2001 (Comm. 16E-27)
COUNTY EXECUTIVE

WHEREAS, the DPW, Division of Highways, previously received funding approval in the 2000 and 2001 Capital Budget for the Freeman Road Bridge, Milestrip Road Bridges and Merlau Road Bridge, and

WHEREAS, the funding will be provided from Federal Funds, or is in excess of funding originally estimated to be necessary for these projects, and

WHEREAS, if the bond descriptions were modified, the funds could now be utilized to perform much needed design and construction of various County roads.

NOW, THEREFORE, BE IT

RESOLVED, that the amount of \$1,436,000 contained in the 2000 and 2001 Capital Budget Bond Fund Authorization for Freeman Road Bridge (\$1,000,000), Milestrip Road Bridges (\$350,000) and Merlau Road Bridge (\$86,000), be made available for the design and construction of various County roads.

RESOLVED, that certified copies of this resolution be forwarded to the County Executive; Commissioner of Public Works, Maria Lehman; the Deputy Commissioner, Daniel Rider; the County Comptroller; and the Director of Budget, Management and Finance.
(5-0) Legislator Fitzpatrick absent. Chairman Swanick present as Ex-Officio Member.

MEETING NO. 19
October 4, 2001

ERIE COUNTY LEGISLATURE

3. Item Page - 2001 **AS AMENDED**
 (Comm. 17E-51)
COUNTY EXECUTIVE

WHEREAS, the Stadium Lease Agreement between the Buffalo Bills and Erie County designates the County as being responsible for Capital Improvements in an amount of \$2.1 million per year, and

WHEREAS, work at the Stadium over the past few years consisted of State financed Major Renovation Work and County Capital Improvement Work, and

WHEREAS, in order to expedite the foundation and steel work and assure that the Merchandising Expansion project was completed prior to the start of the Buffalo Bills football season, the Buffalo Bills incorporated some County Capital Improvement Work in the amount of \$108,000.00 into the State Major Renovation Project,

NOW, THEREFORE, BE IT,

RESOLVED, that the Commissioner of Public Works is hereby authorized to reimburse the State Major Renovation Project Account for the cost of the County Capital Improvement Work done in an amount not to exceed \$108,000.00, and be it further

RESOLVED, that the Comptroller's Office be authorized to make payments for the above in the amount not to exceed \$108,000.00; \$84,000.00 from the 1998 Stadium Bond Account, Project 826, Fund 410, and \$24,000.00 from the 2001 Ralph Wilson Stadium-Lease Improvements Capital Bond Account, Project 234, Fund 441, and be it further,

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

MICHAEL A. FITZPATRICK
CHAIRMAN

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 425

MEETING NO. 19
October 4, 2001

ERIE COUNTY LEGISLATURE

October 1, 2001

PERSONNEL AD HOC
 COMMITTEE
 REPORT NO. 10

ALL MEMBERS PRESENT.

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

Item Page -2001 (Comm. 12M-1)
 a. **COUNCILMEMBER ELLINGTON:** Letter to Chairman Swanick Re: Requesting an
 Investigation Into an Alleged Breach of Ethics By Legislator Olma.
 (5-0)

Item Page -2001 (Comm. 17M-54)
 b. **DORTHEA GIELINSKI:** Copy of Letter to Chairman Swanick Re: Alleged Misconduct of
 Legislator Olma at 25 Delaware Avenue, 7th Floor.
 (5-0)

CHARLES M. SWANICK
CHAIRMAN

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 426

October 1, 2001

HEALTH/MENTAL HEALTH
 COMMITTEE
 REPORT NO. 12

ALL MEMBERS PRESENT EXCEPT LEGISLATOR HOLT.

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

Item Page -2001 (Comm. 18D-7)
 a. **ECMC:** Notice of Meeting Held 9/13/01 & Minutes of Meeting Held 8/9/01.
 (4-0) Legislator Holt absent.

MEETING NO. 19
October 4, 2001

ERIE COUNTY LEGISLATURE

- Item Page -2001 (Comm. 18M-5)
 b. **EC MENTAL HYGIENE COMMUNITY SERVICES BOARD:** Notice of Meeting to be Held 9/20/01 & Minutes of Meeting Held 7/19/01.
 (4-0) Legislator Holt absent.

2. Item Page - 2001 (Comm. 18E-13)
COUNTY EXECUTIVE

WHEREAS, the Centers for Disease Control and Prevention (CDC) has awarded a revised grant in the amount of \$120,932 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

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

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

INTEGRATION OF HEPATITIS PREVENTION SERVICES
9/30/00 –9/29/01
PROJECT # 588

<u>SFG</u>	<u>REVENUE</u>	<u>CURRENT BUDGET</u>	<u>REVISED CHANGES</u>	<u>BUDGET</u>
521	OTHER UNCLASSIFIED REVENUE	<u>\$120,932</u>	<u>\$0</u>	<u>\$120,932</u>
TOTAL		<u>\$120,932</u>	<u>\$0</u>	<u>\$120,932</u>

EXPENSES

800	PERSONNEL SERVICES	\$19,471	\$ 500	\$19,971
805	FRINGE BENEFITS	3,544	0	3,544
810	OFFICE SUPPLIES	3,200	-2,100	1,100
821	DUES & FEES	500	0	500
824	TRAVEL & MILEAGE	2,500	-1,500	1,000
825	OUT OF AREA TRAVEL	4,340	1,500	5,840
826	OTHER EXPENSES	3,300	1,600	4,900
830	CONTRACTUAL SERVICES	15,000	0	15,000
880-2720	INTERFUND-PUBLIC HEALTH LAB	52,527	0	52,527
880-5100	INTERFUND-INFO & SUPPORT SERV	500	0	500
932	FURNITURE, FIXTURES & OFFICE	1,100	3,750	4,850

MEETING NO. 19
October 4, 2001

ERIE COUNTY LEGISLATURE

933	LAB & TECHNICAL EQUIPMENT	<u>14,950</u>	<u>-3,750</u>	<u>11,200</u>
	TOTAL	<u>\$120,932</u>	<u>\$ 0</u>	<u>\$120,932</u>

and be it further

RESOLVED, that the Erie County Executive is hereby authorized to enter into a subcontract with the New York State University of New York at Buffalo School of Social and Preventative Medicine, in the amount of \$15,000 for consultation and project evaluation purposes, and be it further

RESOLVED, that the subcontract with the New York State University of New York at Buffalo School of Social and Preventive Medicine is a special service which must be provided immediately and continuously and therefore, the RFP procedure required under Erie County Local Law No. 6, 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.

(4-0) Legislator Holt absent.

3. Item Page - 2001 (Comm. 18E-15)

COUNTY EXECUTIVE

WHEREAS, the use of tobacco is a significant risk behavior contributing to the onset of and exacerbating such chronic diseases as heart disease, cancer, respiratory disease and diabetes, and

WHEREAS, the Erie County Department of Health has received a supplemental grant award from the New York State Department of Health in the amount of \$300,000 for the period of 6/1/01 through 5/31/02 to support the Erie Niagara Tobacco Free Coalition, and

WHEREAS, the Roswell Park Cancer Institute has been selected by the Coalition as the lead agency to coordinate coalition activities.

NOW, THEREFORE, BE IT

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

Department of Health
Erie Niagara Tobacco Free Coalition
Supplemental Funding Grant
6/1/01- 5/31/02

SFG

Account	REVENUE	Budget
553	State Aid	<u>\$300,000</u>

MEETING NO. 19
October 4, 2001

ERIE COUNTY LEGISLATURE

	TOTAL	<u>\$300,000</u>
	EXPENSES	
821	Dues & Fees	\$ 1,000
825	Out of Area Travel	1,500
826	Other Expenses	3,000
830-1184	Contractual Services	
	Health Research Institute	
	Roswell Park Division	285,000
932	Furniture, Fixtures, Office Equipment	1,500
933	Lab & Technical Equipment	<u>8,000</u>
	TOTAL	<u>\$300,000</u>

and be it further

RESOLVED, that the Erie County Executive is authorized to enter into an amended subcontract with the Health Research Institute - Roswell Park Division for an additional amount of \$285,000 for the purpose of coordinating Coalition activities, and be it further

RESOLVED, that the subcontract with Health Research Institute - Roswell Park Division is a special service which must be provided immediately and continuously, and therefore the RFP procedure required under Erie County Local Law No. 6, 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.

(4-0) Legislator Holt absent.

4. Item Page - 2001 (Comm. 18E-16)

COUNTY EXECUTIVE

WHEREAS, the Erie County Medical Examiner Division has become a regional entity in providing autopsies to county coroners and other agencies throughout the Western New York region, and

WHEREAS, Chautauqua County wishes to enter into an agreement for performance of autopsies by the Erie County Medical Examiner's Office on a lump-sum basis of \$40,000 per year for up to 55 autopsies per year.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie Legislature authorizes entering into an agreement with Chautauqua County for up to 55 autopsies per year to include internal exams, histology, toxicology, and other related services for the sum of \$40,000, and be it further

RESOLVED, that the term of this agreement shall be August 1, 2001 through July 31, 2002 with up to two one-year extensions at a sum as mutually agreed to by the parties, and be it further

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

(4-0) Legislator Holt absent.

5. Item Page - 2001 (Comm. 18E-17)

COUNTY EXECUTIVE

WHEREAS, New York State requires that the Medical Examiner's Toxicology Laboratory maintain forensic laboratory accreditation, and

WHEREAS, the New York State Legislature appropriated funds to help laboratories pay the costs associated with attaining and maintaining accreditation required by Executive Law Article 49-B, and

WHEREAS, budget revisions are necessary to balance the grant accounts.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Executive is hereby authorized to enter into an amended agreement with the New York State Division of Criminal Justice to accept the revised grant budgeted as follows:

Medical Examiner's Toxicology Lab Aid Grant
4/1/99 - 9/15/01
Project #237

SFG		CURRENT		REVISED
ACCOUNT	REVENUE	BUDGET	CHANGE	BUDGET
553	State Aid Other	\$148,650	\$ 0	\$148,650
	TOTAL	<u>\$148,650</u>	<u>\$ 0</u>	<u>\$148,650</u>

EXPENSES

825	Out of Area Travel	\$ 5,500	- \$1,265	\$ 4,235
933	Lab & Technical Equipment	<u>143,150</u>	<u>+ 1,265</u>	<u>144,415</u>
	TOTAL	<u>\$148,650</u>	<u>\$ 0</u>	<u>\$148,650</u>

and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Department of Health, the Division of the Medical Examiner's Toxicology Laboratory, the Office of the Comptroller, the Division of Budget, Management and Finance, and the Department of Law.

(4-0) Legislator Holt absent.

6. Item Page - 2001 (Comm. 18E-19)

COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Health provides primary and specialty care at various locations throughout Erie County.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature authorizes the County Executive to enter into an agreement with the New York State Department of Health Refugee Health Program for the purpose of providing refugee health assessments at clinics operated by the Erie County Department of Health for reimbursement for services provided, and be it further

RESOLVED, that the term of this agreement shall be from November 1, 2001 to December 31, 2002 with yearly renewals in calendar years 2003, 2004, 2005 and 2006, 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, Office of the Comptroller and the Department of Law.

(4-0) Legislator Holt absent.

7. Item Page - 2001 (Comm. 18E-21)

COUNTY EXECUTIVE

WHEREAS, the Erie County Health Department provides laboratory services to Erie County departments, government agencies, local health care providers and area hospitals, and

WHEREAS, the Kaleida Health has requested that Erie County provide HIV-1 OraSure testing for its Grover Cleveland High School HIV Testing Program.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to enter into an agreement with Kaleida Health to provide Public Health Laboratory services to be budgeted as follows:

Kaleida Health HIV Testing Program
10/1/01-12/31/02

SFG	SUB OBJECT	REVENUE	BUDGET
517	XXX	Other Local Source, Kaleida Health	<u>\$ 4,000</u>
		TOTAL	<u>\$ 4,000</u>
		APPROPRIATION	
814		Medical & Health Supplies	\$ 3,000

MEETING NO. 19
October 4, 2001

ERIE COUNTY LEGISLATURE

825	Out of Area Travel	<u>1,000</u>
	TOTAL	<u>\$ 4,000</u>

and be it further

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

(4-0) Legislator Holt absent.

8. Item Page - 2001 (Comm. 18E-22)

COUNTY EXECUTIVE

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

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

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

WHEREAS, the New York State Department of Health has awarded the Erie County Department of Health, as a representative of the Asthma Coalition of Western New York, an amount of \$200,000 to develop and implement a systems approach for reducing the burden of asthma in the eight counties of Western New York, and

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

NOW, THEREFORE, BE IT

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

A SYSTEMS APPROACH FOR REDUCING THE BURDEN OF ASTHMA

7/1/01-06/30/02

PROJECT #516

SFG ACCOUNT	REVENUE	CURRENT BUDGET	CHANGES	REVISED BUDGET
553	STATE AID	<u>\$ 200,000</u>	<u>\$0</u>	<u>\$ 200,000</u>
	TOTAL	<u>\$ 200,000</u>	<u>\$0</u>	<u>\$ 200,000</u>

MEETING NO. 19
October 4, 2001

ERIE COUNTY LEGISLATURE

EXPENSES

821	DUES & FEES	\$ 2,500	-\$1,500	\$ 1,000
825	OUT OF AREA TRAVEL	2,500	0	2,500
826	OTHER EXPENSES	2,500	-1,000	1,500
830-551	CONTRACTUAL-FAMILY MEDICINE FACULTY ASSOCIATES, INC.	24,779	-4,779	20,000
830-1095	CONTRACTUAL-KALEIDA HEALTH SYSTEMS	5,000	0	5,000
830-1186	CONTRACTUAL-HEALTHY COMMUNITY ALLIANCE	-	2,500	2,500
830-1187	CONTRACTUAL-LAKE PLAINS COMMUNITY CARE COALITION	-	2,500	2,500
830-1209	CONTRACTUAL-AMERICAN LUNG ASSOC.	145,221	-221	145,000
830-1210	CONTRACTUAL-NIAGARA HEALTH QUALITY COALITION	15,000	0	15,000
932	OFFICE EQUIPMENT	500	1,500	2,000
933	LAB & TECHNICAL EQUIPMENT	<u>2,000</u>	<u>1,000</u>	<u>3,000</u>
	TOTAL	<u>\$200,000</u>	<u>\$0</u>	<u>\$ 200,000</u>

and be it further

RESOLVED, that the County Executive is hereby authorized to enter into a subcontract with Family Medicine Faculty Associates, Inc. in the amount of \$20,000 for project evaluations, and be it further

RESOLVED, that the County Executive is hereby authorized to enter into a subcontract with Kaleida Health System in the amount of \$5,000 to conduct four physician training sessions on asthma, and be it further

RESOLVED, that the County Executive is hereby authorized to enter into contract with two rural health networks, the Lake Plains Community Care Coalition and the Healthy Community Alliance, each in the amount of \$2,500 to train local volunteer firemen and emergency medical staff on asthma, and be it further

RESOLVED, that the County Executive is hereby authorized to enter into a subcontract with the American Lung Association in the amount of \$145,000 for project coordination and implementation, and be it further

RESOLVED, that the County Executive is hereby authorized to enter into a subcontract with the Niagara Health Quality Coalition in the amount of \$15,000 for coordination with participant managed care organizations in the support of the Asthma Connections, care management phone line through data and referrals, and be it further

RESOLVED, that the subcontracts with the American Lung Association, Family Medicine Faculty Associates, Inc., the Niagara Health Quality Coalition, Kaleida Health, the Lake Plains Community Care Coalition and the Healthy Community Alliance are special services which must be provided

immediately and continuously and therefore, the RFP procedure required under Erie County Local Law No. 6, Section 19.08 of the Erie County Administrative Code is hereby waived, and be it further

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

(4-0) Legislator Holt absent.

9. Item Page - 2001 (Comm. 18E-23)

COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Health received a revised grant award from the New York State Department of Health in the amount of \$133,160 the purpose of funding breast and cervical cancer screening for low income, asymptomatic, underserved women aged 40 and over, for the period 4/1/01 through 3/31/02 and

WHEREAS, the Erie County Department of Health has received a grant in the amount of \$30,127 for clinical services for the period 9/30/01 to 9/29/02, from Health Research, Inc., and

WHEREAS, the Erie County Healthy Women's Partnership 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

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

NOW, THEREFORE, BE IT

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

HEALTHY WOMEN'S PARTNERSHIP
04/1/01 – 03/31/02

PROJECT # 511

<u>SFG</u>	<u>REVENUE</u>	<u>CURRENT BUDGET</u>	<u>CHANGES</u>	<u>REVISED BUDGET</u>
517	OTHER LOCAL SOURCE	\$14,008	\$(4,008)	\$10,000
553	STATE AID	<u>80,579</u>	<u>42,581</u>	<u>123,160</u>
	TOTAL	<u>\$94,587</u>	<u>\$38,573</u>	<u>\$133,160</u>
	<u>EXPENSES</u>			
825	OUT OF AREA TRAVEL	\$2,000	\$(2,000)	\$0
826	OTHER EXPENSES	2,000	(1,500)	500
830-987	CONTRACTUAL AMERICAN CANCER SOCIETY	44,114	26,885	70,999
830-988	CONTRACTUAL SISTERS OF CHARITY HOSP.	10,000	0	10,000

MEETING NO. 19
October 4, 2001

ERIE COUNTY LEGISLATURE

830-989 CONTRACTUAL CLINICAL SERVICES	35,823	12,601	48,424
880-5100 INTERFUND-DISS	0	1,000	1,000
882-2709 DEPT. OF HEALTH	150	(50)	100
932 OFFICE EQUIPMENT	250	387	637
933 LAB & TECH EQUIPMENT	<u>250</u>	<u>1,250</u>	<u>1,500</u>
 TOTAL	 <u>\$94,587</u>	 <u>\$38,573</u>	 <u>\$133,160</u>

and be it further

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

Breast and Cervical Cancer Early Detection
9/30/01 - 9/29/02

SFG

ACCOUNT	REVENUE	BUDGET
553-200	State Aid - Health Research, Inc.	<u>\$30,127</u>
	TOTAL	<u>\$30,127</u>
	EXPENSES	
830-989	Contractual Clinical Services	<u>\$30,127</u>
	TOTAL	<u>\$30,127</u>

and be it further

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

(4-0) Legislator Holt absent.

10. Item Page - 2001 (Comm. 18E-24)

COUNTY EXECUTIVE

WHEREAS, the New York State Department of Health has awarded a revised contract in the amount of \$100,000 for the Erie County Department of Health to continue a program to provide HIV training services and technical assistance to Western New York health and human services providers and community members to provide the knowledge and skills to protect the Western New York community from HIV infection and provide care to those living with HIV/AIDS, and

WHEREAS, this training focus will assist the New York State Department of Health in meeting its goal of HIV prevention and care.

NOW, THEREFORE, BE IT

MEETING NO. 19
October 4, 2001

ERIE COUNTY LEGISLATURE

RESOLVED, that the County Executive is hereby authorized to enter into a revised contract with the New York State Department of Health to provide services budgeted as follows:

WESTERN REGIONAL TRAINING GRANT
07/01/01 – 06/30/02

PROJECT # 505

SFG	REVENUE	CURRENT BUDGET	REVIS CHANGES	BUDGET
553	STATE AID	<u>\$ 75,000</u>	\$25,000	<u>\$100,000</u>
	TOTAL	<u>\$ 75,000</u>	<u>\$25,000</u>	<u>\$100,000</u>
	EXPENSES			
800	PERSONAL SERVICES	\$ 56,127	4,326	\$ 60,453
805	FRINGE BENEFITS	12,348	4,639	16,987
810	OFFICE SUPPLIES	100	1,000	1,100
825	OUT OF AREA TRAVEL	4,500	7,960	12,460
826	OTHER EXPENSES	1,000	7,500	8,500
830	CONTRACTUAL SERVICES	0	500	500
933	LAB & TECH EQUIPMENT	<u>\$ 925</u>	<u>-925</u>	<u>0-</u>
	TOTAL	<u>\$ 75,000</u>	<u>\$25,000</u>	<u>\$100,000</u>

and be it further

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

(4-0) Legislator Holt absent.

11. Item Page - 2001 (Comm. 18E-25)

COUNTY EXECUTIVE

WHEREAS, the New York State Department of Health has awarded a revised contract in the amount of \$43,750 for the Erie County Department of Health to continue a program to provide training and technical assistance to Western New York county health departments to better enable them to integrate HIV prevention activities into their overall public health effort, and

WHEREAS, this training focus will assist the New York State Department of Health in meeting its goal of strengthening the capacity of local health units.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into a revised contract with the New York State Department of Health to provide services budgeted as follows:

MEETING NO. 19
October 4, 2001

ERIE COUNTY LEGISLATURE

**DEPARTMENT OF HEALTH TRAINING & TECHNICAL
ASSISTANCE
12/1/00 –6/30/01**

Project#333

<u>SFG</u>	<u>REVENUE</u>	<u>CURRENT BUDGET</u>	<u>CHANGES</u>	<u>REVISED BUDGET</u>
552	STATE AID	\$ 43,750	\$ 0	\$43,750
	TOTAL	\$ 43,750	\$ 0	\$43,750
 <u>EXPENSES</u>				
800	PERSONNEL SERVICES	\$31,576	0	\$31,576
805	FRINGES	6,681	1,961	8,642
825	OUT OF AREA TRAVEL	4,820	-1,961	2,859
826	OTHER EXPENSES	<u>673</u>	<u>0</u>	<u>673</u>
	TOTAL	\$43,750	\$ 0	\$43,750

and be it further

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

(4-0) Legislator Holt absent.

**JUDITH P. FISHER
CHAIRPERSON**

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

CARRIED UNANIMOUSLY.

LEGISLATORS RESOLUTIONS

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

CARRIED UNANIMOUSLY.

MEETING NO. 19
October 4, 2001

ERIE COUNTY LEGISLATURE

RESOLUTION NO. 427

RE: Funding for Community Organizations.
(Int. 19-1)

A RESOLUTION SUBMITTED BY LEGISLATOR RANZENHOFER

WHEREAS, the Legislature set aside funds in the 2001 Erie County Budget for use by worthy community organizations and governmental agencies, and

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

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

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$9,500 from the County-wide Accounts - Budget - County Contingency (DAC: 110923310893) to Fund 110, Project 921, Department 301 Agency Payments & Grants - Public Benefit Services, (DAC: 110921301830), for paying the following agencies:

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
Clarence Youth Center	830/	\$7,000
Newstead Historical Society	830/	\$2,500
TOTAL		\$9,500

and be it further

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

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

RESOLVED, that certified copies of this resolution be sent to County Executive Joel A. Giambra, County Comptroller Nancy Naples, Budget Director Joseph Passafiume, Jennifer Anger, Administrative Assistant Erie County Legislature, First Assistant County Attorney Susannah M. Bochenek, John D' Amico, Director, Clarence Youth Center, (9110 Sheridan Drive, Clarence, NY 14031,) and to Arlene Richardson, Newstead Historical Society, (4678 South Newstead Road, Newstead, NY 14001.)

MEETING NO. 19
October 4, 2001

ERIE COUNTY LEGISLATURE

Fiscal Impact: Appropriation of 2001 Budgeted funds.

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 428

RE: Support for Community Organizations.
(Int. 19-2)

A RESOLUTION SUBMITTED BY LEGISLATOR LARSON

WHEREAS, the Legislature set aside funds in the 2001 Erie County Budget for use by worthy community organizations and governmental agencies, and

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

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

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$12,000 from the County-wide Accounts - Budget - County Contingency (DAC: 110923310893) to Fund 110, Project 921, Department 301 Agency Payments & Grants - Public Benefit Services, (DAC: 110921301830), for paying the following agencies:

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
Town of Marilla - Marilla Historical Society	830/	\$5,000
Town of Holland - Holland Boys & Girls Club	830/	\$7,000
TOTAL		\$12,000

and be it further

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

MEETING NO. 19
October 4, 2001

ERIE COUNTY LEGISLATURE

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

RESOLVED, that certified copies of this resolution be sent to County Executive Joel A. Giambra, County Comptroller Nancy Naples, Budget Director Joseph Passafiume, Jennifer Anger, Administrative Assistant Erie County Legislature, First Assistant County Attorney Susannah M. Bochenek, John R. Foss, Supervisor, Town of Marilla- Marilla Historical Society, (1740 Two Rod Road, Marilla, NY 14102,) and to Gordon B. Hessel, Jr., Supervisor, Town of Holland – Holland Boys & Girls Club, (PO Box 36, 47 Pearl Street, Holland, NY 14080.)

Fiscal Impact: Appropriation of 2001 Budgeted funds.

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

CARRIED UNANIMOUSLY.

DELETE the third RESOLVE and REPLACE with the following:

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$3,500 from County-wide Accounts - Budget - County Contingency (DAC: 110923310893) 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 accounts: Interfund-Subsidy revenue (DAC 8209734206863200) \$3,500, and be it further

RESOLVED, that the Erie County Library Budget is hereby amended, to increase the following account: Library Materials (DAC: 820973420938) \$3,500, earmarked for supplies at the West Falls Branch Library, and be it further

RESOLVED, that the Clerk of the Legislature, the Director of the Buffalo & Erie County Public Libraries, 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

DELETE the final RESOLVE and REPLACE with the following:

RESOLVED, that certified copies of this resolution be sent to County Executive Joel A. Giambra, County Comptroller Nancy Naples, Budget Director Joseph Passafiume, Jennifer Anger, Administrative Assistant Erie County Legislature, First Assistant County Attorney Susannah M. Bochenek, Diane Chrisman, Director, Buffalo & Erie County Public Libraries, John R. Foss, Supervisor, Town of Marilla - Marilla Historical Society, (1740 Two Rod Road, Marilla, NY 14102,) and to Gordon B. Hessel, Jr., Supervisor, Town of Holland -Holland Boys & Girls Club, (PO Box 36,47 Pearl Street, Holland, NY 14080.)

MEETING NO. 19
October 4, 2001

ERIE COUNTY LEGISLATURE

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

CARRIED UNANIMOUSLY.

Item 23 – CHAIRMAN SWANICK directed that the following resolution be referred to the HEALTH COMMITTEE.

GRANTED.

Intro. 19-3 From LEGISLATOR HOLT Re: Preventing Tragedies Caused by Unavailable Heat.

Item 24 – MS. PEOPLES presented the following resolution and moved for immediate consideration. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 429

Re: the State of the County Budget. (Int. 19-4)

A RESOLUTION SUBMITTED BY LEGISLATORS SWANICK & PEOPLES

WHEREAS, in November, 2000, the Erie County Legislature adopted and the County Executive approved the county's 2001 budget, and

WHEREAS, said 2001 budget was balanced, and included revenue and expenditure projections for this 2001 fiscal year, and

WHEREAS, in addition to the obvious personal tragedies, the events of September 11, 2001 have had wide ranging effects as they relate to the economies of New York City, New York State, and Western New York, and

WHEREAS, economic impacts of the September 11 tragedies are further exacerbated by the enactment of Governor Pataki's baseline state budget by the state legislature, and

WHEREAS, on October 1, 2001, the County Executive and administration officials briefed legislators concerning the county's fiscal situation within its existing budget and in anticipation of the 2002 budget, and

WHEREAS, officials indicated that the events of September 11, coupled with the state's adoption of a baseline budget, will result in negative impacts upon the county's existing and forthcoming fiscal budgets, and

MEETING NO. 19
October 4, 2001

ERIE COUNTY LEGISLATURE

WHEREAS, officials stated that revenue losses in several areas may amount to a projected budget imbalance of more than \$39 million, and

WHEREAS, revenue losses detailed today, including within the District Attorney's Office, the Departments of Highways, Law, and Probation, were included in the Governor's proposed 2001-02 budget and are a part of the state's current baseline budget, and

WHEREAS, additional concerns have been raised with respect to revenues to be received from the TANF (Temporary Assistance to Needy Families) program, where a negative impact of as much as \$26 million could be experienced by Erie County and

WHEREAS, administration officials noted, however, that an additional \$22 million in revenue to the county will likely be approved by the state by October 15, leaving the administration's predicted budget imbalance for TANF of \$5.5 million, and a total for all programs in the neighborhood of \$17 million, and

WHEREAS, one area of concern which can be dealt with quickly and comprehensively through cooperation among a statewide coalition of county elected officials and state officials is a delay in implementation of the expanded state mandate concerning the PINS program, and

WHEREAS, with respect to other areas of concern with respect to potential budget shortfalls, the administration and the Legislature must look to revenue and expenditure trends within the current budget to assess the true impact of these potential concerns, and, given the County Executive's charter mandate to submit a balanced annual budget, those trends must be further examined by the Legislature in consideration of the County Executive's tentative 2002 budget proposal, and, should the county find itself in fiscal crisis, the County Executive must inform the Legislature accordingly, in order that appropriate actions may be taken,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does once again decry the actions of terrorists on September 11th, with particular respect to the human suffering resulting from such actions, and be it further

RESOLVED, that this Honorable Body does hereby recognize the operational and financial impact that such actions have had on the economies of the City of New York, the State of New York and Erie County and Western New York, and be it further

RESOLVED, that this Honorable Body does hereby recognize the potential for significantly negative financial impact to be realized by the County of Erie as a result of these events, as well as by the state's enactment of Governor Pataki's baseline budgetary minimum revenues for Erie County that may have a deleterious impact upon Erie County's finances, and be it further

MEETING NO. 19
October 4, 2001

ERIE COUNTY LEGISLATURE

RESOLVED, that this Honorable Body does hereby request that the Budget Director provide to the Legislature more detailed information concerning the potential budget impact as detailed within memoranda distributed at the October 1, 2001 briefing for legislators on the impact of the state budget, and does hereby request said information to be delivered as soon as possible, and be it further

RESOLVED, that certified copies of this resolution be sent to Governor George Pataki, Assembly Speaker Sheldon Silver, Senate Majority Leader Joseph Bruno, County Executive Joel Giambra and Budget Director Joseph Passafiume.

MS. PEOPLES moved to amend the resolution. MR. KUWIK seconded.

CARRIED UNANIMOUSLY.

ADD the following after the eleventh (11TH) WHEREAS clause:

WHEREAS, any plans by the Executive and Legislative branches cooperatively address budgetary concerns must be couched in the context of good, reliable information, and

WHEREAS, substantive requests, made in writing to the County Executive already, may be requested by the Legislature in resolution form as well, and

WHEREAS, in a letter sent to the County Executive (and attached hereto), requests have been made for more substantive budgetary information, as well as for the county's Budget Director to attend the October 11 meeting of the Legislature's Finance and Management Committee to discuss the information in great detail, and

DELETE the fourth (4TH) RESOLVE clause in its entirety and replace with the following:

RESOLVED, that this Honorable Body, as a means toward addressing budgetary concerns raised by the administration in a serious fashion, hereby requests the following information be provided to the Legislature as soon as is practicable:

- a. A comprehensive 2001 year-end forecast for all county revenue and expenditure accounts for general and Social Services funds.
- b. A detailed analysis of the schedule of negative budgetary impacts distributed at the October 1 briefing.
- c. Specific methodologies utilized to calculate county sales tax projections for 2001.

And be it further

MEETING NO. 19
October 4, 2001

ERIE COUNTY LEGISLATURE

RESOLVED, that this Honorable Body does hereby call upon the County Executive to engage in a productive dialogue concerning the following matters relative to the fiscal stability of the county, including but not limited to:

- a. The development and release of a multi-year financial plan for Erie County, including the plans for utilizing the county's tobacco asset, and plans for budgetary funding for services provided through public benefit agencies.
- b. Clarification of the County Executive's position and plans for institution of a voluntary cap on the county's annual bonded indebtedness.
- c. A release schedule for the County Executive's 2002 Tentative Erie County Budget, with knowledge of the Legislature's support for release of said tentative budget prior to November 1, 2001.

And be it further

ADD the following after the final RESOLVE clause:

Fiscal Impact: To Be Determined.

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

CARRIED UNANIMOUSLY.

COMMUNICATIONS DISCHARGED FROM COMMITTEE

Item 25 – MR. FITZPATRICK moved to discharge the ECONOMIC DEVELOPMENT COMMITTEE from further consideration of Comm. 17E-52. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 430

RE: 2001 Overlay "D" Program Contingency Fund.

MS. PEOPLES moved to amend the resolution. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

ADD the following resolution:

MEETING NO. 19
October 4, 2001

ERIE COUNTY LEGISLATURE

WHEREAS, the Department of Public Works received bids for the 2001 Overlay "D" Program on June 8, 2001, and

WHEREAS, your Honorable Body has previously awarded a contract to the lowest responsible bidder, Omer Construction Co., Inc. in the amount of \$3,699,924.29, and

WHEREAS, the Department of Public Works was notified on June 21, 2001 that Erie Community College has received fifty percent (50%) matching New York State reimbursement funds in the amount of \$750,000.00 for sidewalk, road and parking lot repairs, and

WHEREAS, to include the matching funds in the 2001 Overlay "D" program a contingency fund increase is necessary, and

WHEREAS, the Overlay "D" Program was bid on a unit price and quantity basis, and

WHEREAS, the contingency fund increase will also be allocated on a unit price and quantity basis,

NOW, THEREFORE, BE IT,

RESOLVED, that the Project 226, Fund 480, be increased by \$400,000.00, and Project 740, Fund 480, be increased by \$350,000.00 to support the increased appropriation from New York State Reimbursement, and be it further,

RESOLVED, that the construction contingency fund for the contract be increased by \$750,000.00 to a new total amount of \$1,150,000 with authorization for the Commissioner of Public Works to approve change orders, and be it further,

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

RESOLVED, that the Comptroller's Office be authorized to make payments for all of the above from Project 226, Fund 480 in the amount of \$400,000.00, and from Project 740, Fund 480 in the amount of \$350,000.00, and be it further,

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

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

CARRIED UNANIMOUSLY.

MEETING NO. 19
October 4, 2001

ERIE COUNTY LEGISLATURE

Item 26 –MR. FITZPATRICK moved to discharge the ECONOMIC DEVELOPMENT COMMITTEE from further consideration of Comm. 17E-53. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 431

RE: Agreement for Maintenance and Repair of
 Amsdell Road (CR 122) Structure Carried
 Over the Thruway at MP 437.66, Contract TAB
 01-35B Town of Hamburg

MS. PEOPLES moved to amend the resolution. MR. FITZPATRICK seconded.

CARRIED UNANIMOUSLY.

ADD the following resolution:

WHEREAS, the New York State Thruway Authority proposes to rehabilitate the structure which carries Amsdell Road, CR 122, over the New York State Thruway at Milepost 437.66 in Contract TAB 01-35B, in the Town of Hamburg, and

WHEREAS, Section 359, Subdivision 4, of the Thruway Act provides that the Municipality shall maintain and repair its municipal highways carried over the Thruway by Authority structures, and

WHEREAS, the parties hereto desire to come to a definite understanding regarding the statutory responsibilities of Authority and Municipality, respectively, for specific contract items on maintenance and repair, and the manner in which the bridge rehabilitation will be performed, and

WHEREAS, the Authority has agreed to be responsible for 100% of the cost of the rehabilitation contract.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be authorized and is hereby directed to enter into an agreement with the New York State Thruway Authority to continue to maintain and repair those items of the Amsdell Road Bridge as required under the provisions of Section 359, Subdivision 4 of the Thruway Act, and be it further

RESOLVED, that the rehabilitation of the Amsdell Road Bridge over the New York State Thruway shall be performed at no cost to the County of Erie, and be it further

RESOLVED, that the Clerk of the Legislature be instructed to forward ten (10) certified copies of this Resolution to the Deputy Commissioner, Highways and one certified copy to the Erie County Comptroller.

MEETING NO. 19
October 4, 2001

ERIE COUNTY LEGISLATURE

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

CARRIED UNANIMOUSLY.

Item 27 – MR. FITZPATRICK moved to discharge the ECONOMIC DEVELOPMENT COMMITTEE from further consideration of Comm. 17E-54. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 432

RE: Agreement with NYSDOT Borden Road Bridge (CR 322) BIN 3-32702-0 Over Buffalo Creek Town of West Seneca PIN 5753.53, Erie County.

MR. FITZPATRICK moved to amend the resolution. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

ADD the following resolution:

WHEREAS, a Project for the Replacement of the Borden Road Bridge (CR 322) over Buffalo Creek, BIN 3-32702-0, in the Town of West Seneca, Erie County, P.I.N. 5753.53 (the "Project") is eligible for funding under Title 23, U.S. Code as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80% Federal funds and 20% non-Federal funds, and

WHEREAS, the County of Erie desires to advance the Project by making commitment of 100% of non-Federal share of the costs the Preliminary Engineering (Design I-VI), Right-of-Way Incidentals and Construction and Construction Inspection Phases of the Project or portions thereof, with the Federal share of such costs to be applied directly by the New York State Department of Transportation ("NYSDOT") pursuant to Agreement

NOW, THEREFORE, the County Legislature of the County of Erie, duly convened does hereby

RESOLVE, that the County Legislature of the County of Erie hereby approves the above subject Project; and be it further

RESOLVED, that the County Legislature of the County of Erie hereby authorizes the County of Erie to pay in the first instance the full non-Federal share of the cost of Preliminary Engineering (Design I-VI), Right-of-Way Incidentals and Construction and Construction Inspection Phases of the project or portions thereof; and be it further

MEETING NO. 19
October 4, 2001

ERIE COUNTY LEGISLATURE

RESOLVED, that the total sum of \$452,000 is hereby appropriated as follows: \$420,600 from available funds in the 1996 Federal Aid Projects Program (SFG 420-727) and \$31,400 from available funds in the 1992 Federal Aid Program (SFG 420-650) in addition to \$108,800 previously appropriated for the project's Preliminary Engineering (Design I-VI) and Right-of-Way Incidentals Phases via Erie County Resolution Nos. 18D-43 and 8D-17 adopted on the 23rd day of September, 1993 and the 11th day of May, 1995, respectively, and made available to cover the cost of participation in the above phases of the project; and be it further

RESOLVED, that in the event the non-Federal share of costs of the project exceed the count appropriated, the County of Erie shall convene its Legislature as soon as possible to appropriate said excess amount immediately upon the notification by the NYSDOT thereof; and be it further

RESOLVED, that the County Executive of the County of Erie be and is hereby authorized to execute all necessary agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the County of Erie with the NYSDOT in connection with the advancement or approval of the Project and providing for the administration of the Project and the Municipality's first instance funding of the non-Federal share of project costs and permanent funding of the local share of Federal-aid and State-aid eligible Project costs and all Project costs within appropriations therefor that are not so eligible; and be it further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation, by attaching it to any necessary Agreement in connection with the Project; and be it further

RESOLVED, that the Clerk of the Legislature forward ten (10) certified copies of this Resolution to the Deputy Commissioner, Highways, to be forwarded to the New York State Department of Transportation and one copy to the Erie County Comptroller.

MR. FITZPATRICK moved the approval of the resolution as amended. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

Item 28 – MR. FITZPATRICK moved to discharge the ECONOMIC DEVELOPMENT COMMITTEE from further consideration of Comm. 17E-55. MR. KUWIK seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 433

RE: Amend Funding to Federal Aid Program –
 Roadway Rehabilitation Abbott Road (CR 4),
 Rte. 20A to Milestrip Road, P.I.N. 5755.84
 Hopkins Road (CR 87), Tonawanda Creek to
 Dodge Road, P.I.N. 5755.86 Seneca Street

MEETING NO. 19
October 4, 2001

ERIE COUNTY LEGISLATURE

(CR 215), Ridge Road to Transit Road, P.I.N.
 5755.85.

MR. FITZPATRICK moved to amend the resolution. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

WHEREAS, the Erie County Legislature on July 13, 2000, at Meeting No.13, passed legislation, Communication No. 16E-12, authorizing the County of Erie to negotiate and enter into a contract with a local Engineering Design firm to provide engineering services for the Reconstruction of Abbott Road (Rte. 20A to Milestrip), Hopkins Road (Tonawanda Creek to Dodge) and Seneca Street (Ridge Road to Transit Road), and

WHEREAS, the firm of Wendel - Duchscherer, Architects and Engineers, P.C. has been selected to provide engineering services for these projects, and

WHEREAS, the negotiations for the projects have concluded in agreed costs as follows:

Abbott Road -	\$ 69,359.00
Hopkins Road	\$165,117.00
Seneca Street	<u>\$159,845.00</u>
Total	\$394,321.00

WHEREAS, it has now become necessary to amend legislation, Communication No. 16E-12, increasing the amount previously authorized (\$340,000) to the total agreed costs of \$394,321.00 and also increasing Erie County's 20% share of the project (\$68,000) by an amount not to exceed \$12,000.00 .

NOW, THEREFORE, BE IT

RESOLVED, that the County Legislature of the County of Erie hereby amends Communication No. 16E-12 increasing the amount previously authorized (\$340,000) to the total agreed costs of \$394,321.00, and be it further

RESOLVED, that Erie County's 20% share (\$68,000) be increased by an amount not to exceed \$12,000, to be allocated from the 2000 Multi-Course Overlay Program for this purpose, and be it further

RESOLVED, that the Clerk of the Legislature be instructed to forward three (3) certified copies of this resolution to the Deputy Commissioner-Highways, Department of Public Works and one certified copy to the Erie County Comptroller.

MR. FITZPATRICK moved the approval of the resolution as adopted. MR. KUWIK seconded.

MEETING NO. 19
October 4, 2001

ERIE COUNTY LEGISLATURE

CARRIED UNANIMOUSLY.

Item 29 – MR. FITZPATRICK moved to discharge the ECONOMIC DEVELOPMENT COMMITTEE from further consideration of Comm. 18E-11. MRS. FISHER seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 444

RE: Erie County medical Center – Renovation
of Building “BB” DPW #KM-01-12.

MR. FITZPATRICK moved to amend the resolution. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

ADD the following resolution:

WHEREAS, the Department of Public Works received bids on September 19, 2001 for the ECMC – Renovations of Health Department, Building BB – Water Lab, and

WHEREAS, the Architect and the Department of Public Works are recommending award to the lowest responsible bidders,

NOW, THEREFORE, BE IT,

RESOLVED, that the County Executive be authorized to enter into the following contracts for the ECMC -Renovations of Health Department, Building BB - Water Lab as follows:

GENERAL CONSTRUCTION

New Era Construction, Inc.

Base Bid	\$ 86,000.00
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MECHANICAL WORK

John W. Danforth Co.

Base Bid	\$118,700.00
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ELECTRICAL WORK

Ferguson Electric Construction Co., Inc.

Base Bid	<u>\$ 83,700.00</u>
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Total	\$288,400.00
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and be it further,

MEETING NO. 19
October 4, 2001

ERIE COUNTY LEGISLATURE

RESOLVED, that the sum of \$40,000.00 be allocated to a construction contingency fund with authorization for the Commissioner of Public Works to approve change orders not to exceed the amount of the contingency, and be it further,

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

RESOLVED, that the sum of \$4,000.00 be allocated for testing and miscellaneous expenses with authorization for the commissioner of Public Works to expend said funds, and be it further,

RESOLVED, that the sum of \$15,000.00 be allocated for project Engineer and Department of Public Works salary expenses with authorization for the Commissioner of Public Works to expend said funds, and be it further,

RESOLVED, that the Comptroller's Office be authorized to make payments from the 2001 Capital Budget, project 199, Fund 410, and be it further,

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

MR. FITZPATRICK moved the approval of the resolution as amended. MRS. FISHER seconded.

CARRIED UNANIMOUSLY.

Item 30 – MRS. FISHER moved to discharge the HEALTH COMMITTEE from further consideration of Comm. 18E-14. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 445

RE: Department of Health Healthy
Neighborhoods Grant Revision 10/1/00 –
9/30/01 Project #330.

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

MEETING NO. 19
October 4, 2001

ERIE COUNTY LEGISLATURE

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
10/1/00 - 09/30/01
PROJECT# 330

SFG	REVENUE	CURRENT BUDGET	CHANGES	REVISED BUDGET
553	STATE AID	<u>\$ 304,054</u>	<u>\$-99,833</u>	<u>\$ 204,221</u>
	TOTAL	<u>\$ 304,054</u>	<u>\$ (99,833)</u>	<u>\$ 204,221</u>
	EXPENSES			
800	SALARIES	\$174,583	\$-34,583	\$140,000
801	OVERTIME	3,000	-1,500	1,500
805	FRINGE BENEFITS	37,577	-4,577	33,000
810	OFFICE SUPPLIES	1,500	-479	1,021
811	CLOTHING SUPPLIES	2,000	-2,000	0
814	MEDICAL & HEALTH SUPPLIES	1,000	-1,000	0
821	DUES & FEES	100	-100	0
824	TRAVEL & MILEAGE EXPENSES	5,193	-1,993	3,200
825	OUT OF AREA TRAVEL	2,000	-500	1,500
826	OTHER EXPENSES	20,187	-8,208	11,981
830	CONTRACTUAL SERVICES	5,000	677	5,677
880-5100	INTERFUND EXP NON-SUB	1,500	0	1,500
883-2709	I/D REDUCT EXP	45,414	-45,414	0
932	FURNITURE, FIXTURES & OFFICE	1,000	145	1,145
933	LABORATORY & TECHNICAL EQUIP	<u>4,000</u>	<u>-303</u>	<u>3,697</u>
	TOTAL	<u>\$ 304,054</u>	<u>\$ (99,833)</u>	<u>\$ 204,221</u>

and be it further

RESOLVED, that the County Executive is hereby authorized to enter into a subcontract with Family Medicine Faculty Associates in the amount of \$5,677, to create a program data base and reports required by New York State, and be it further

RESOLVED, that the subcontract with Family Medicine Faculty Associates is a special service which must be provided immediately and continuously, and therefore the RFP procedure required under Erie County Local Law No.6, Section 19.08 of the Erie County Administrative Code is hereby waived, and be it further

MEETING NO. 19
October 4, 2001

ERIE COUNTY LEGISLATURE

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

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

CARRIED UNANIMOUSLY.

Item. 31 – MRS. FISHER moved to discharge the HEALTH COMMITTEE from further consideration of Comm. 18E-18. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 446

RE: Department of Health Healthy Homes Initiative 2/1/01 – 1/31/04 Project #539.

WHEREAS, the Erie County Department of Health has received a revised grant award from the Federal Department of Housing and Urban Development (HUD), Office of Lead Hazard Control, in the amount of \$918,752 for implementing a Healthy Homes Initiative, and

WHEREAS, the purpose of the Healthy Homes Initiative is to improve the quality of life of children through reduced exposure to health and safety risks associated with the home environment, and

WHEREAS, this will be accomplished through home inspection, distribution of intervention products, provision of services and implementation of an education curriculum to property owners and tenants in the targeted area.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Executive is hereby authorized to enter into an agreement with HUD to accept the revised grant budgeted as follows:

HEALTHY HOMES INITIATIVE PROGRAM
02/01/01 -01/31/04
Project #539

SFG ACCT	SUB-CCT	REVENUE	CURRENT BUDGET	CHANGES	REVISED BUDGET
640	500	HUD- Health Department	\$ 918,752-	\$0	\$918,752
		TOTAL	\$ 918,752	\$0	\$918,752

MEETING NO. 19
October 4, 2001

ERIE COUNTY LEGISLATURE

EXPENSES

800		Personal Services	\$ 404,976	\$ 45,414	\$450,390
805		Fringe Benefits	88,848	0	88,848
810		Office Supplies	9,000	0	9,000
811		Clothing Supplies	1,095	0	1,095
824		Local Travel	13,502	0	13,502
825		Out of Area Travel	8,520	0	8,520
826		Other Expenses	183,457	0	183,457
830	1368	Contractual - SUNYAB Research	47,061	0	47,061
830	1369	Contractual - Channing L. Bete	34,305	0	34,305
830	1370	Contractual - Neigh Housing Serv.	8,544	0	8,544
880	2720	Interfund - Public Health Lab	18,000	0	18,000
880	5100	DISS	3,240	0	3,240
880	6200	Interfund – Envir. & Planning	39,670	0	39,670
882	2709	Interdepartment – Health Grants	45,414	-45,414	0
932		Office Equipment	2,580	0	2,580
933		Lab & Tech Equipment	<u>10,540</u>	<u>0</u>	<u>10,540</u>
		TOTAL	<u>\$ 918,752</u>	<u>\$ 0</u>	<u>\$918,752</u>

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.

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

CARRIED UNANIMOUSLY.

SUSPENSION OF THE RULES

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

GRANTED.

Comm. 19E-26 From: LEGISLATORS PEOPLES & FITZPATRICK Re: Letter to County Executive regarding fiscal crisis.

Referred to the FINANCE & MANAGEMENT COMMITTEE.

MEETING NO. 19
October 4, 2001

ERIE COUNTY LEGISLATURE

Item 33 – MS. PEOPLES moved for a suspension of the rules to include an item not on the agenda. MR. FITZPATRICK seconded.

GRANTED.

Comm. 19E-27 From: LEGISLATOR FITZPATRICK Re: Letter to County Executive regarding PLA for Phase 2 of County Courthouse project.

Referred to the ECONOMIC DEVELOPMENT COMMITTEE.

COMMUNICATIONS FROM ELECTED OFFICIALS

FROM THE COMPTROLLER

Item 34 – (Comm. 19E-1) Notice of Sale of \$35.28 Million in Public Improvement Bonds for General Capital Projects & \$917,000 in Bonds for Various ECSD Purposes.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE COUNTY EXECUTIVE

Item 35 – (Comm. 19E-2) Erie County Courts Master Plan – Project Labor Agreement.

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM LEGISLATOR RANZENHOFER

Item 36 – (Comm. 19E-3) Notice of Absence from Finance & Management Committee Meeting Held 9/27/01.

Received & filed.

FROM THE COMPTROLLER

Item 37 – (Comm. 19E-4) Department of Central Police Services Payroll Audit for Period 1/1/00 – 12/31/00.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE COUNTY EXECUTIVE

Item 38 – MS. PEOPLES presented the following resolution and moved for immediate consideration. MRS. FISHER seconded.

MEETING NO. 19
October 4, 2001

ERIE COUNTY LEGISLATURE

CARRIED UNANIMOUSLY.

RESOLUTION NO. 447

RE: Recommendation to NYS Legislature to Delay Implementation of Chapter 596 of the Laws of 2000 (Raising Age of PINS to 18). (Comm. 19E-5)

WHEREAS, on December 19, 2000, a new law was signed in New York State, raising the maximum age of Persons in Need of Supervision (PINS) to 18 years old, and

WHEREAS, the current PINS program serves youth ages 15 and under, and WHEREAS, the State makes local governments responsible for implementation and delivery of services to PINS youth and families, and

WHEREAS, the State of New York did not appropriate funding to reimburse counties for the significant increase in cost associated with serving the older PINS population, and

WHEREAS, it is anticipated that failure to properly establish the programs required to serve the older population will also take resources away from the younger PINS population, and serve to increase demand for costly detention and placement services, and

WHEREAS, it is estimated that the minimum cost to Erie County will total \$4,500,000 annually, and

WHEREAS, the Vera Institute of Justice, Inc., under contract with the State to research this topic, estimated state wide costs for detention and placements to be at least \$29,000,000,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislative body agrees to seek postponement of Chapter 596 of the NYS Laws of 2000 which raised the maximum age of Persons in Need of Supervision (PINS) to 18 years of age, and be it further

RESOLVED, that the Erie County Legislature requests that said law shall not take effect until such time that the New York State Legislature provides appropriate funding and time for counties to establish programs and services for the proper implementation of this law, and be it further

RESOLVED, that certified copies of this resolution be forwarded to members of our local New York State Legislative delegation, the Governor's Office, the Division of Budget, Management and Finance, the Office of the Comptroller and the Department of Probation.

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

CARRIED UNANIMOUSLY.

Item 39 – (Comm. 19E-6) Centralized Regional GIS/Real Property Tax System.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 40 – (Comm. 19E-7) Federal Aid – Urban Boundary Revision.

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 41 – (Comm. 19E-8) Health Re: Buffalo School Health Enhancement Project –5/1/01 – 7/31/02.

Item 42 – (Comm. 19E-9) Health – “Eat Well, Play Hard” Youth Physical Activity & Nutrition Improvement Initiative.

Item 43 – (Comm. 19E-10) Health – Women’s Health Services – 4/1/01 – 3/31/02.

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

Item 44 – (Comm. 19E-11) Social Services – HEAP Program – Increase Appropriation to Match Final Allocation.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 45 – (Comm. 19E-12) Social Services – Family Resolutions Project.

Received and referred to the PERSONNEL AD HOC COMMITTEE.

Item 46 – (Comm. 19E-13) Social Services – Child Care Block Grant.

Item 47 – (Comm. 19E-14) Personal Service Contract Between County of Erie & David Unmack.

Item 48 – (Comm. 19E-15) Erie County In Rem 158 Tax Foreclosure.

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

Item 49 – (Comm. 19E-16) EC Commission on Status of Women – Transfer of Funds.

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

MEETING NO. 19
October 4, 2001

ERIE COUNTY LEGISLATURE

Item 50 – (Comm. 19E-17) Senior Services – Authorization to Amend CSE Grant Budget.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 51 – (Comm. 19E-18) Senior Services – Authorization to Amend RSVP Grant Budgets.

Item 52 – (Comm. 19E-19) Senior Services – Authorization to Amend HIICAP & III-D Grant Budgets.

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

Item 53 – (Comm. 19E-20) ECSD #1 – Capital Project Close Out & Fund Transfer – Capital Reserve Fund.

Item 54 – (Comm. 19E-21) Erie County Participation in US Dept of HUD “\$1.00 Home Sales to Local Governments” Program.

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

Item 55 – MS. PEOPLES presented the following resolution and moved for immediate consideration. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 448

RE: Funding for Tower Group through Buffalo & Erie County Workforce Investment Board.
 (Comm. 19E-22)

WHEREAS, The County of Erie, desires to participate in the retention and expansion of Tower Group in the City of Buffalo and the Town of Tonawanda; and

WHEREAS, The company was considering options for its customs brokerage and transportation services operations; and

WHEREAS, The expansion of the activity in Buffalo and the Town of Tonawanda will be the preferred alternative for new work which will promote the retention of existing jobs and the creation of approximately 190 new jobs; and

WHEREAS, The offer of job training for existing and new employees at the Erie County facilities was important to Tower Group's decision to stay and grow in Erie County; and

MEETING NO. 19
October 4, 2001

ERIE COUNTY LEGISLATURE

WHEREAS, The Buffalo and Erie County Workforce Investment Board has approved funding in the amount of \$237,500.00 for this project at the meeting of its Economic Development Committee on September 14, 2001,

NOW, THEREFORE, BE IT

RESOLVED, That the County Executive is authorized to enter into contracts with the Buffalo and Erie County Workforce Investment Board, in amounts not to exceed a total of \$237,500.00, for the purpose of providing job skills training to existing and new employees of Tower Group; and be it further

RESOLVED, That the source of these funds shall be \$237,500.00 available in the Regionalism/Economic Development Fund, DAC 110904303830, Subaccount 1299, which will be transferred to Agency Payments monitored by the Department of Environment and Planning, General Fund 110, Project 922, Department 302, Account 830; and be it further

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

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

CARRIED UNANIMOUSLY.

Item 56 – (Comm. 19E-23) ECSD #4 – Capital Project Close Out & Fund Transfer – Capital Reserve Fund.

Item 57 – (Comm. 19E-24) ECSD #2 – Lakeview Pumping Station Elimination Contract No. 39H Change Order #1 – CMH Company, Inc.

Item 58 – (Comm. 19E-25) EC Southtowns Sewage Treatment Agency – A/E Agreement Dated 3/1/99 – Engineering Change Order No. 2 – Stearns & Wheeler LLC.

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

COMMUNICATIONS FROM THE DEPARTMENTS

FROM ECC

Item 59 – (Comm. 19D-1) Board of Trustees Agenda for Meeting Held 9/26/01.

Received and filed.

MEETING NO. 19
October 4, 2001

ERIE COUNTY LEGISLATURE

FROM HEALTH

Item 60 – (Comm. 19D-2) Notice of Board of Health Meeting to be Held 10/18/01 & Minutes of Meeting Held 7/19/01.

Received and referred to the HEALTH COMMITTEE.

FROM ECMC

Item 61 (Comm. 19D-3) Agenda & Previous Minutes for Finance Committee Meeting Held 9/28/01.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM ECC

Item 62 (Comm. 19D-4) Officers – ECC Board of Trustees 2001-02 Academic Year & Minutes of Meeting Held 8/29/01.

Received and filed.

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES

FROM E3 COMMUNICATIONS

Item 63 (Comm. 19M-1) Letter to Legislator Fisher Re: HMO Reimbursement Rates.

Received and referred to the HEALTH COMMITTEE.

FROM THE MARTIN HOUSE RESTORATION CORPORATION

Item 64 (Comm. 19M-2) Erie County FY 2001 CRAB Funding.

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM NYSDEC

Item 65 (Comm. 19M-3) Fact Sheet Re: Fourth Street Site Record of Decision.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE EC ASSOCIATION OF SCHOOL BOARDS

MEETING NO. 19
October 4, 2001

ERIE COUNTY LEGISLATURE

Item 66 (Comm. 19M-4) Copy of Memo to County Executive Re: Grant for Task Force on Collaboration & Shared Services.

Received and referred to the REGIONALISM AD HOC COMMITTEE.

FROM THE GOVERNMENT RESEARCH INSTITUTE OF WNY

Item 67 (Comm. 19M-5) Recommendation on Proposed Comprehensive Study of Erie County Governmental Operations As Submitted by County Executive.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE REGION 9 FOREST PRACTICE BOARD

Item 68 (Comm. 19M-6) Minutes of Meeting Held 9/13/01.

Received and filed.

FROM THE ORANGE COUNTY LEGISLATURE

Item 69 (Comm. 19M-7) Resolution Expressing Allegiance of Orange County and Its Citizens in Response to Tragic Events of 9/11/01.

Received and filed.

FROM THE NIAGARA COUNTY LEGISLATURE

Item 70 (Comm. 19M-8) Niagara County & WNY Program for Bio-Terrorism Preparedness.

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM SHELLY COLLORA

Item 71 (Comm. 19M-9) Letter to All Legislators Re: Putting Prayer Back In Schools.

Received and filed.

FROM THE NFTA

Item 72 (Comm. 19M-10) Board Minutes for Meeting Held 8/20/01.

Received and filed.

FROM THE COALITION FOR ECONOMIC JUSTICE

MEETING NO. 19
October 4, 2001

ERIE COUNTY LEGISLATURE

Item 73 (Comm. 19M-11) Welfare Reform Monitoring Project – Phase II Report

Received and referred to the SOCIAL SERVICES COMMITTEE.

FROM THE ECIDA

Item 74 (Comm. 19M-12) Notice of Meeting to be Held 10/10/01.

Received and filed.

FROM THE ESSEX COUNTY BOARD OF SUPERVISORS

Item 75 (Comm. 19M-13) Resolution Condemning Terrorist Attack of 9/11/01 & Pledging Support for Response Taken by Officials.

Received and filed.

FROM THE STEUBEN COUNTY LEGISLATURE

Item 76 (Comm. 19M-14) Resolution Memorializing State to Cease & Desist Expansion of Existing Programs and Creation of New Programs.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

MEMORIAL RESOLUTIONS

Item 77 – Legislator Swanick requested that when this legislature adjourns, it do so in memory of Catherine “Kay” Quick.

Item 78 – Legislator Swanick requested that when this legislature adjourns, it do so in memory of David Bromley.

ADJOURNMENT

Item 79 – At this time, there being no further business to transact, the Chairman announced that the Chair would entertain a Motion to Adjourn.

MS. PEOPLES moved that the Legislature adjourn until **2 p.m. Thursday, October 18, 2001**. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

MEETING NO. 19
October 4, 2001

ERIE COUNTY LEGISLATURE

The Chairman declared the Legislature adjourned until **Thursday, October 18, 2001 at 2 p.m. Eastern Standard Time.**

LAURIE A. MANZELLA
CLERK