

**MEETING NO. 19**  
**September 21, 2000**

**ERIE COUNTY LEGISLATURE**

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**MEETING NO. 19**  
**September 21, 2000**

The Legislature was called to order by Chairman Swanick.

All Members Present.

The Invocation was led by Rev. Kenyatta Cobb of Mt. Olive Baptist Church.

The Pledge of Allegiance was led by Mr. Ranzenhofer.

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.

MS. PEOPLES moved to approve the minutes of Meetings #14 and #15 of 2000. MR. MARSHALL seconded.

CARRIED UNANIMOUSLY.

**MISCELLANEOUS RESOLUTIONS**

Item 3 – MR. PAULY presented a resolution Recognizing Eagle Scout Gregory M. Jacques. MR. WEINSTEIN seconded.

CARRIED UNANIMOUSLY.

Item 4 – MR. SWANICK presented a resolution Congratulating Carol J. Farnes on Her Retirement from Erie County Department of Personnel. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

Item 5 – MR. RANZENHOFER presented a resolution Proclaiming Tuesday 10/10/00 SCORE Day. MR. MARSHALL seconded.

CARRIED UNANIMOUSLY.

Item 6 – MR. GREENAN presented a resolution Honoring Robert Wohlfeil for His Service with the Union Fire Company. MS. CHASE seconded.

CARRIED UNANIMOUSLY.

**LOCAL LAWS**

Item 7 – CHAIRMAN SWANICK directed that Local Law No. 4 (Print #2) 1999 remain on the table.

Item 8 – CHAIRMAN SWANICK directed that Local Law No. 2 (Print #3) 2000 remain on the table.

**COMMITTEE REPORTS**

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 367

September 13, 2000

COMMUNITY ENRICHMENT  
 COMMITTEE  
 REPORT NO. 8

ALL LEGISLATORS PRESENT EXCEPT LEGISLATOR HOLT. CHAIRMAN SWANICK PRESENT AS EX-OFFICIO MEMBER.

1. Item Page -2000 (Comm. 16E-16)

**COUNTY EXECUTIVE**

Whereas: Erie Community College seeks to research opportunities for alternative delivery of educational programs, and

Whereas: The College needs to assess the needs of the Erie County community in order to better serve the Erie County residents, and

Whereas: The College conducted a request for proposal for a community needs assessment, and

Whereas: Clarus Corporation was the lowest, responsible bidder to fulfill all bidding requirements in the request for proposal, and

Whereas: The funding for this project will come from the \$1.7 million grant in the 2000-2001 budget given to Erie Community College from the County of Erie pertinent to the institutional assessment discussed in the 2000-2001 budget.

Now, Therefore be it

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Resolved: That Erie County approves the execution of this contract between Erie Community College and Clarus Corporation for an amount not to exceed \$65,000, and be it further

Resolved: That the President of Erie Community College is authorized to enter into agreement with Clarus Corporation, and be it further

Resolved: That certified copies of this resolution shall be forwarded to Erie Community College, the Division of Budget, Management and Finance, and the Office of the Comptroller.

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

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

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 368

September 13, 2000

PERSONNEL AD HOC  
 COMMITTEE  
 REPORT NO. 11

ALL MEMBERS PRESENT.

**ALL ITEMS ARE HEREBY TABLED.**

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

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 369

September 13, 2000

ENERGY & ENVIRONMENT  
 COMMITTEE  
 REPORT NO. 10

ALL MEMBERS PRESENT. CHAIRMAN SWANICK PRESENT AS EX-OFFICIO MEMBER.

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

- |   |  |       |                |       |                |   |  |  |  |       |  |  |  |
|---|--|-------|----------------|-------|----------------|---|--|--|--|-------|--|--|--|
| a.  | <table border="0"> <tr> <td style="padding-right: 20px;">Item</td> <td style="padding-right: 20px;">Page</td> <td style="padding-right: 20px;">-1999</td> <td>(Comm. 2E-24)</td> </tr> <tr> <td colspan="4"><b>COUNTY EXECUTIVE:</b> ECSD No. 4 – Contract No. 25L Contract Close-Out John Schuler.</td> </tr> <tr> <td colspan="4">(5-0)</td> </tr> </table>                      | Item  | Page           | -1999 | (Comm. 2E-24)  | <b>COUNTY EXECUTIVE:</b> ECSD No. 4 – Contract No. 25L Contract Close-Out John Schuler.                 |  |  |  | (5-0) |  |  |  |
| Item  | Page   | -1999 | (Comm. 2E-24)  |       |                |   |  |  |  |       |  |  |  |
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| (5-0)   |  |       |                |       |                |   |  |  |  |       |  |  |  |
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| Item  | Page   | -2000 | (Comm. 2E-39)  |       |                |   |  |  |  |       |  |  |  |
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| Item  | Page   | -2000 | (Comm. 10E-10) |       |                |   |  |  |  |       |  |  |  |
| <b>COUNTY EXECUTIVE:</b> Proposed Implementation of a Tee Time Reservation System.                      |  |       |                |       |                |   |  |  |  |       |  |  |  |
| (5-0)   |  |       |                |       |                |   |  |  |  |       |  |  |  |
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| Item  | Page   | -2000 | (Comm. 18D-14) |       |                |   |  |  |  |       |  |  |  |
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| Item  | Page   | -2000 | (Comm. 18D-28) |       |                |   |  |  |  |       |  |  |  |
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g. **COUNTY EXECUTIVE:** ECSD No. 2 – Eminent Domain Proceedings – Lakeview Road Pumping Station Elimination.  
 (5-0)

Item Page -2000 (Comm. 18E-55)

h. **COUNTY EXECUTIVE:** ECSD Board of Managers – Semi-Annual Attendance Records.  
 (5-0)

Item Page -2000 (Comm. 18E-61)

i. **COUNTY EXECUTIVE:** ECSD Nos. 1-6 – Section 270/271 Resolutions.  
 (5-0)

Item Page -2000 (Comm. 18E-62)

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

Item Page -2000 (Comm. 18E-63)

k. **COUNTY EXECUTIVE:** Erie County/Southtowns Sewage Treatment Agency – Modification of Plans – Erie County Sewer Agency Report.  
 (5-0)

Item Page -2000 (Comm. 18E-64)

l. **COUNTY EXECUTIVE:** Engineering Service Agreements – Legislature Comm. 20E-17 – ECSD Nos. 3, 4, 5 & 6 – Pumping Station Cathodic Protection.  
 (5-0)

**AS AMENDED**

2. Item Page -1999 (Comm. 1E-23)

**COUNTY EXECUTIVE**

(A)

RESOLUTION NO. 369

RESOLUTION DATED \_\_\_\_\_,2000

A RESOLUTION CALLING A PUBLIC HEARING FOR THE PURPOSE OF CONSIDERING A PROPOSED MODIFICATION OF PLANS FOR THE INCREASE AND IMPROVEMENT OF THE SOUTHTOWNS ADVANCED WASTEWATER TREATMENT FACILITY IN THE COUNTY OF ERIE, NEW YORK.

(Introduced) September 13, 2000

(Adopted) , 2000

WHEREAS, the Erie County-Southtowns Sewage Treatment Agency (the "Southtowns Agency") has heretofore been created pursuant to an inter-municipal agreement dated December 30, 1974, as amended, (the "Southtowns Agreement") for the purpose of establishment, construction, operation, and maintenance of the Southtowns Advanced Wastewater Treatment Facility (the "Southtowns Treatment Facility") for the benefit of Erie County Sewer District No. 3, the Hamburg Master Sewer District, Amsdell Heights, Locksley Park, Cloverbank, Benz and Taylor Road Sewer Districts being Sewer District Nos. 21, 7, 10, 5, 4, 8, and 11 of the Town of Hamburg, Wanakah Sewer District No. 3, Mount Vernon Sewer District No. 2, and the Village of Hamburg; and

WHEREAS, pursuant to the Southtowns Agreement the County, acting for and on behalf of Erie County Sewer District No. 3, is responsible for financing the total project costs for improvements to the Southtowns Treatment Facility; and

WHEREAS, pursuant to proceedings heretofore had and taken in accordance with the provisions of Article 5-A of the County Law, including the resolution of this County Legislature dated October 9, 1997 and the approving order of the State Comptroller dated April 21, 1998, an increase and improvement of facilities for such Southtowns Treatment Facility has been authorized by such County Legislature; and

WHEREAS, such County Legislature has heretofore duly directed that there be prepared a report and estimate of cost by the County Engineers (Erie County Department of Environment and Planning) relating to a proposed modification of plans for such increase and improvement of the facilities of said Southtowns Treatment Facility which report and estimate of cost have been filed with the County Legislature pursuant to Section 253-b of the County Law; and

WHEREAS, said report and estimate of cost describe a proposed modification of plans for such increase and improvement of the facilities of said Southtowns Treatment Facility in said County, consisting of the replacement of clarifier mechanisms, rebuilding of sand filters, and provision of new controls and auxiliary equipment for both treatment processes, all as more fully described in the report and estimate of cost hereinbefore referred to; and

WHEREAS, it is now desired to call a public hearing to consider said modification of plans for such increase and improvement in accordance with the provisions of Section 254 of the County Law; NOW, THEREFORE, BE IT

**RESOLVED, BY THE COUNTY LEGISLATURE OF THE COUNTY OF ERIE, NEW YORK, AS FOLLOWS:**

Section 1. A meeting of the County Legislature of the County of Erie, New York, shall be held at the Chambers of the Erie County Legislature, in the Erie County Hall, Buffalo, New York, in said County, on the 2<sup>ND</sup> day of November 2000, at 1:30 o'clock P.M., Prevailing Time, for the purpose of conducting a public hearing upon the aforesaid proposal for modification of plans for such increase and improvement of the facilities of the Southtowns Treatment Facility in said County,

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and for such other action on the part of said County Legislature in relation thereto as may be required by law or proper in the premises.

Section 2. The notice of such public hearing shall be in substantially the following form, to-wit:

**NOTICE OF PUBLIC HEARING**

PLEASE TAKE NOTICE that a meeting of the County Legislature of the County of Erie, New York, shall be held-at the Chambers of the Erie County Legislature, in the Erie County Hall, Buffalo, New York, in said County, on the 2<sup>nd</sup> day of November 2000, at 1:30 o'clock P.M., Prevailing Time, for the purpose of conducting a public hearing upon a proposed modification of plans for increase and improvement of the facilities of the Southtowns Treatment Facility in said County.

The modification of plans for increase and the improvement of the facilities consists of the replacement of clarifier mechanisms, rebuilding of sand filters, and provision of new controls and auxiliary equipment for both treatment processes, all as more fully described in the report and estimate of cost prepared by the County Engineers (Erie County Department of Environment and Planning) which has been filed with the County Legislature and which has been approved by the Erie County Sewer Agency, pursuant to a written report dated June 1, 2000, which also has been filed with said County Legislature.

Dated: Buffalo, New York,  
\_\_\_\_\_, 2000.

BY ORDER OF THE COUNTY  
LEGISLATURE OF THE  
COUNTY OF  
ERIE, NEW YORK

By \_\_\_\_\_  
Clerk, County Legislature

Section 3. The Clerk of said County Legislature is hereby authorized and directed to cause a copy of the Notice of Public Hearing as set forth in Section 2 hereof to be published once in the "Amherst Bee" and in the "Front Page", the official newspapers of said County, and in "The Buffalo News", not less than ten nor more than twenty days before the date set herein for said public hearing.

Section 4. This resolution shall take effect immediately.  
(5-0)

(B)

RESOLUTION NO.   370

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**ERIE COUNTY LEGISLATURE**

RESOLUTION DATED \_\_\_\_\_, 2000.

A RESOLUTION CALLING A PUBLIC HEARING FOR THE PURPOSE OF CONSIDERING A PROPOSED MODIFICATION OF PLANS FOR THE INCREASE AND IMPROVEMENT OF THE FACILITIES OF THE ERIE COUNTY SEWER DISTRICT No. 6 IN THE COUNTY OF ERIE, NEW YORK.

(Introduced) September 13, 2000.

(Adopted) \_\_\_\_\_, 2000

WHEREAS, pursuant to proceedings heretofore had and taken in accordance with the provisions of Article 5-A of the County Law, including approving orders of the State Comptroller, County Sewer District No. 6 of the County of Erie, New York, has heretofore been established and an increase and improvement of facilities for such District has been authorized by the County Legislature of the County of Erie, New York on July 15, 1999; and

WHEREAS, such County Legislature has heretofore duly directed that there be prepared a report and estimate of cost by the County Engineers (Erie County Department of Environment and Planning) relating to a proposed modification of plans for such increase and improvement of the facilities of said District No. 6 which report and estimate of cost have been filed with the County Legislature pursuant to Section 253-b of the County Law; and

WHEREAS, said report and estimate of cost describe a proposed modification of plans for such increase and improvement of the facilities of said District No. 6 in said County, consisting of the reconstruction of and additions to all major District facilities, all as more fully described in the report and estimate of cost hereinbefore referred to; and

WHEREAS, the maximum estimated cost of the aforesaid reconstruction of and additions to all major facilities is \$3,064,500, to be apportioned against a benefited area which consists of the entire area of Sewer District No. 6; and

WHEREAS, it is now desired to call a public hearing to consider said modification of plans for such increase and improvement in accordance with the provisions of Section 254 of the County Law; NOW, THEREFORE, BE IT

RESOLVED, BY THE COUNTY LEGISLATURE OF THE COUNTY OF ERIE, NEW YORK, AS FOLLOWS:

Section 1. A meeting of the County Legislature of the County of Erie, New York, shall be held at the ERIE COUNTY HALL, in BUFFALO, in New York, in said County, on the on the 2<sup>nd</sup> day of NOVEMBER, 2000, at 1:30 o'clock P.M., Prevailing Time, for the purpose of conducting a public hearing upon the aforesaid proposal for modification of plans for such increase and



improvement of the facilities of Erie County Sewer District No. 6 in said County, and for such other action on the part of said County Legislature in relation thereto as may be required by law or proper in the premises.

Section 2. The notice of such public hearing shall be in substantially the following form, to-wit:

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that a meeting of the County Legislature of the County of Erie, New York, shall be held at the ERIE COUNTY HALL, in BUFFALO, New York, in said County, on the 2<sup>ND</sup> day of November 2000, at 1:30 o'clock P.M., Prevailing Time, for the purpose of conducting a public hearing upon a proposed modification of plans for increase and improvement of the facilities of Erie County Sewer District No. 6 in said County.

The modification of plans for increase and the improvement of the facilities consists of the reconstruction of and additions to all major District facilities, all as more fully described in the report and estimate of cost prepared by the County Engineers (Erie County Department of Environment and Planning) which has been filed with the County Legislature and which has been approved by the Erie County Sewer Agency, pursuant to a written report dated July 24, 2000, which also has been filed with said County Legislature.

The maximum estimated cost of the aforesaid design, engineering and construction of facilities is \$3,064,500 to be apportioned against a benefited area which consists of the entire area of Erie County Sewer District No. 6.

Dated: Buffalo, New York,  
\_\_\_\_\_, 2000.

BY ORDER OF THE COUNTY  
LEGISLATURE OF THE COUNTY OF  
ERIE, NEW YORK

By \_\_\_\_\_  
Clerk, County Legislature

Section 3. The Clerk of said County Legislature is hereby authorized and directed to cause a copy of the Notice of Public Hearing as set forth in Section 2 hereof to be published once in the "Amherst Bee" and in the "Front Page", the official newspapers of said County, and in "The Buffalo News", not less than ten nor more than twenty days before the date set herein for said public hearing.

Section 4. This resolution shall take effect immediately.

(5-0)

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WHEREAS, the County of Erie has secured the services of C&S Engineers, Inc. to provide Engineering Design Services; and

WHEREAS, the Erie County Division of Sewerage Management has advised the Legislature that all engineering services are now completed: and

WHEREAS, the Erie County Division of Sewerage Management has recommended the formal close-out of the A/E Agreement dated November 21, 1995 with C&S Engineers, Inc. at the final contract amount of \$32,840.32.

NOW, THEREFORE, BE IT

RESOLVED, that the A/E Agreement dated November 21, 1995 between the County of Erie and C&S Engineers, Inc. be formally closed-out in the final contract amount of \$32,840.32; and be it further

RESOLVED, the Erie County Comptroller is hereby authorized and directed to cancel the contract encumbrance, relating to the A/E Agreement dated November 21, 1995 between Erie County and C&S Engineers, Inc.; the unused balances should be returned to fund balance in Fund 220, Project 851 and the unallocated account in Fund 430 Project 509, and be it further

RESOLVED, that the Clerk of the Legislature send a certified copy of the resolution to Charles J. Alessi, P.E., Deputy Commissioner, Department of Environment and Planning, Stephen Gawlik, Assistant County Attorney, the Erie County Comptroller's Office and the Director of Budget and Management.

(5-0)

4. Item Page -2000 (Comm. 18E-25)

**COUNTY EXECUTIVE**

WHEREAS, Sturgeon Point Marina in the Town of Evans serves as a regional waterfront facility by offering boat mooring and launching facilities to thousands of County residents; and

WHEREAS, the Town of Evans has incurred substantial costs associated with dredging the harbor due to low Lake Erie water levels and severe rainstorms; and

WHEREAS, said costs have greatly exceeded the amount budgeted by the Town for such services; and

WHEREAS, the Town is seeking \$30,000 from Erie County as a partial reimbursement of the \$80,000 the Town has expended on dredging costs thus far in 2000,

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive shall execute a contract with the Town of Evans in the amount of \$30,000 for the purpose of reimbursing the Town for a portion of the costs associated with dredging the Sturgeon Point Marina; and be it further

RESOLVED, that funding for said payment to the Town of Evans shall be established in the 2000 Operating Budget of the County as follows:

**Department 310 - Countywide Accounts**  
**Monitored by Budget and Management**

<u>Revenue</u>	<u>Increase</u>
Acct. 301 - Sec. 520 Exemption Removal Revenue	\$10,000

**Department 302 - Agency Payments Public Benefit**  
**Monitored by Environment and Planning**

<u>Appropriation</u>	<u>Decrease</u>
Acct. 830 - 0894 Sports Development Fund	\$20,000
	<u>Increase</u>
Acct. 830 – 0449 Town of Evans	<u>30,000</u>
Net Change	\$0

and be it further

RESOLVED, that certified copies of this resolution be forwarded to the County Executive, the Commissioner of the Department of Environment and Planning, and the Director of the Division of Budget, Management and Finance, the County Attorney and the Erie County Comptroller.  
 (5-0)

5. Item Page -2000 (Comm. 18E-26)

**COUNTY EXECUTIVE**

WHEREAS, Erie County Sewer District No. 4 is eliminating the Southpoint sanitary sewage pumping station making the 50 feet wide by 35 feet deep parcel on which the pumping station was located surplus; and

WHEREAS, the Erie County Department of Environment and Planning received a request asking the County to sell the 50 feet wide by 35 feet deep parcel of land to the adjacent homeowner; and

WHEREAS, the sale of this County owned land to the adjacent homeowner will return the parcel to the tax rolls; and

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WHEREAS, the sale of this land will have no effect on Erie County Sewer District No. 4's ability to operate and maintain the sanitary sewer line since an easement will be maintained for the existing sanitary sewer crossing this parcel; and

WHEREAS, the value of the sale of this parcel will be determined by the Director of Real Property; and

WHEREAS, the Advisory Review Committee has reviewed this matter and recommends the sale of this County land.

NOW, THEREFORE, BE IT

RESOLVED, that the sale of a 50 feet wide by 35 feet deep parcel of land, SBL126.11-3-36.2 in the Town of Lancaster, New York to the adjacent homeowner, Joseph and Bonnie Marchese is authorized; and be it further

RESOLVED, that the value of the parcel be determined by the Division of Real Property; and be it further

RESOLVED, that the County Executive be and hereby is authorized to sign said sale of this County owned land subject to approval by the County Attorney; and be it further

RESOLVED, that the net proceeds from this sale be returned to Erie County Sewer District No. 4; and be it further

RESOLVED, that the Clerk of the Legislature send a certified copy of the resolution to Charles J. Alessi, P.E., Deputy Commissioner, Department of Environment and Planning; Stephen F. Gawlik, Assistant County Attorney; Joseph Passafiume, Director of Budget and Management; and Nancy Naples, Erie County Comptroller.  
 (5-0)

6. Item Page -2000 (Comm. 18E-36)

**COUNTY EXECUTIVE**

WHEREAS, two (2) parks are in need of Turfcut Rotary Mowers and the Turf Utility Vehicle is required for the Riverwalk, and

WHEREAS, there are sufficient funds in Repairs and Maintenance Account 823 in the Division of Parks to provide for the purchase of these items.

NOW, THEREFORE, BE IT

RESOLVED, that the amount of \$32,000 be transferred to Buildings and Grounds Equipment in the Division of Parks, DAC 110942640931, from the account for Repairs and Maintenance, DAC 110942640823 in the same administrative unit, and be it further

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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 Parks, Recreation and Forestry.

(5-0)

7. Item Page -2000 (Comm. 18E-37)  
**COUNTY EXECUTIVE**  
 RESOLUTION NO. 371 - 2000

BOND RESOLUTION DATED \_\_\_\_-, 2000

BOND RESOLUTION OF THE COUNTY OF ERIE, NEW YORK, AUTHORIZING THE PREPARATION OF SURVEYS, PRELIMINARY AND DETAILED PLANS, SPECIFICATIONS AND ESTIMATES NECESSARY FOR PLANNING AN INCREASE AND IMPROVEMENT OF FACILITIES FOR ERIE COUNTY SEWER DISTRICT NO. 2, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$1,600,000, STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$1,600,000 BONDS HEREIN AUTHORIZED; PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS; AND PROVIDING FOR REIMBURSEMENT TO SAID COUNTY.

(Introduced) September 7, 2000

(Adopted) \_\_\_\_\_, 2000

RESOLVED BY THE COUNTY LEGISLATURE OF THE COUNTY OF ERIE, NEW YORK (by the affirmative vote of not less than two-thirds of the voting strength of said Legislature), AS FOLLOWS:

Section 1. The County is hereby authorized to undertake preparation of surveys, preliminary and detailed plans, specifications and estimates necessary for planning an increase and improvement of facilities for Erie County Sewer District No. 2, including engineering services related to Southwest Interceptor and Pumping Stations improvements. The total estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and to the financing thereof, is \$1,600,000, and said amount is hereby appropriated therefor pursuant to the duly adopted Capital Budget of said County for fiscal year 2000. To the extent that the details set forth in this resolution are inconsistent with any details set forth in the 2000 Capital Budget of the County, such Budget shall be deemed and is hereby amended. The plan of financing includes the issuance of \$1,600,000 bonds of the County and any bond anticipation notes issued in anticipation of the sale of such bonds to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the County to pay the principal of and interest on said bonds and notes, the said principal and interest to be reimbursed to the County by the assessment and levy on the real property in Erie County Sewer District No. 2.

Section 2. Bonds of the County in the principal amount of \$1,600,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law), to finance said appropriation.

Section 3. The period of probable usefulness for the specific object or purpose for which the \$1,600,000 bonds herein authorized are to be issued, within the limitations of §11.00 a. 62(2nd) of the Law, is five (5) years.

Section 4. The County intends to finance, and the Comptroller of the County is hereby authorized to advance such amounts as are necessary to pay the costs of the object or purpose described in Section 1 hereof prior to the issuance of the bonds or bond anticipation notes authorized out of any available funds of the County, on an interim basis, which amounts are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the County, pursuant to this Resolution, in the maximum amount of bonds herein authorized. This Resolution is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 5. Subject to the provisions of this Resolution and of the Law, and pursuant to the provisions of §30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and of §§50.00, 56.00 to 60.00 and 168.00 of said Law, the powers and duties of the County Legislature relative to authorizing the issuance of any notes in anticipation of the sale of the respective amounts of bonds herein authorized, or the renewals thereof, relative to providing for substantially level or declining annual debt service, relative to prescribing the terms, form and contents and as to the sale and issuance of the respective amounts of bonds herein authorized, and of any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and relative to executing agreements for credit enhancement, are hereby delegated to the Comptroller of the County, as the chief fiscal officer of the County.

Section 6. Each of the bonds authorized by this Resolution and any bond anticipation notes issued in anticipation of the sale thereof shall contain the recital of validity prescribed by §52.00 of said Local Finance Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the County of Erie, payable as to both principal and interest by general tax upon all the taxable real property within the County without limitation as to rate or amount. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and provision shall be made annually in the budgets of the County by appropriation for (a) the amortization and redemption of the notes and bonds to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 7. The validity of the bonds authorized by this Resolution and of any notes issued in anticipation of the sale of said bonds may be contested only if:

(a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of this Resolution or a summary hereof, are not substantially complied with, and an action, suit or

proceeding contesting such validity is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This Resolution shall take effect immediately upon approval by the County Executive.  
 (5-0)

8. Item Page -2000 (Comm. 18E-38)

**COUNTY EXECUTIVE**

WHEREAS, the New York State Department of Environmental Conservation requires that each Planning Unit in New York State prepare a solid waste management plan, and

WHEREAS, thirty-seven communities in Erie County have collaborated solid waste management activities by forming a regional solid waste planning unit called the Northeast Southtowns Solid Waste Management Board (NEST), and

WHEREAS, the thirty-seven NEST communities are in need of a solid waste management plan to comply with state law and to manage solid waste effectively, and

WHEREAS, the Department of Environment and Planning provided technical assistance to municipalities for solid waste management, and

WHEREAS, a resolution (Comm. 15E-15) passed July 13, 2000 provided authorization to accept and appropriate the necessary funds for a NEST Solid Waste Management Plan Contractor, and

WHEREAS, pursuant to Section 19.08 of the Erie County Administrative Code, the Department of Environment and Planning requested and reviewed proposals from bidders to conduct the program evaluation, and a summary of the RFP review process is attached to this resolution, and

WHEREAS, the RFP review committee has recommended the Department of Environment and Planning award the contract to the Tellus Institute,

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter into the necessary agreements with Tellus Institute to prepare a solid waste management plan for an amount not to exceed \$158,184, the source of funds being the Solid Waste Management and Reduction Grant, and be it further,

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

**MEETING NO. 19**  
**September 21, 2000**

**ERIE COUNTY LEGISLATURE**

(5-0)

9. Item Page -2000 (Comm. 18E-53)

**COUNTY EXECUTIVE**

RESOLUTION NO.\_-2000

BOND RESOLUTION DATED \_\_\_\_\_, 2000

BOND RESOLUTION OF THE COUNTY OF ERIE, NEW YORK, AUTHORIZING THE PREPARATION OF SURVEYS, PRELIMINARY AND DETAILED PLANS, SPECIFICATIONS AND ESTIMATES NECESSARY FOR PLANNING THE PROPOSED SPAULDING LAKE EXTENSION TO ERIE COUNTY SEWER DISTRICT NO. 5, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$800,000, STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$800,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS.

(Introduced) September 7, 2000  
 (Adopted)\_\_\_\_, 2000

RESOLVED BY THE COUNTY LEGISLATURE OF THE COUNTY OF ERIE, NEW YORK (by the affirmative vote of not less than two-thirds of the voting strength of said Legislature), AS FOLLOWS:

Section 1. The County is hereby authorized to undertake preparation of surveys, preliminary and detailed plans, specifications and estimates necessary for planning the proposed Spaulding Lake extension to Erie County Sewer District No. 5. The total estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and to the financing thereof, is \$800,000, and said amount is hereby appropriated therefor pursuant to the duly adopted Capital Budget of said County for fiscal year 2000. To the extent that the details set forth in this resolution are inconsistent with any details set forth in the 2000 Capital Budget of the County, such Budget shall be deemed and is hereby amended. The plan of financing includes the issuance of \$800,000 bonds of the County and any bond anticipation notes issued in anticipation of the sale of such bonds to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the County to pay the principal of and interest on said bonds and notes.

Section 2. Bonds of the County in the principal amount of \$800,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"), to finance said appropriation.

Section 3. The period of probable usefulness for the specific object or purpose for which the \$800,000 bonds herein authorized are to be issued, within the limitations of §11.00 a. 62(2nd) of the Law, is five (5) years.



Section 4. The County intends to finance, and the Comptroller of the County is hereby authorized to advance such amounts as are necessary to pay the costs of the object or purpose described in Section 1 hereof prior to the issuance of the bonds or bond anticipation notes authorized out of any available funds of the County, on an interim basis, which amounts are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the County, pursuant to this Resolution, in the maximum amount of bonds herein authorized. This Resolution is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 5. Subject to the provisions of this Resolution and of the Law, and pursuant to the provisions of §30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and of §§50.00, 56.00 to 60.00 and 168.00 of said Law, the powers and duties of the County Legislature relative to authorizing the issuance of any notes in anticipation of the sale of the respective amounts of bonds herein authorized, or the renewals thereof, relative to providing for substantially level or declining annual debt service, relative to prescribing the terms, form and contents and as to the sale and issuance of the respective amounts of bonds herein authorized, and of any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and relative to executing agreements for credit enhancement, are hereby delegated to the Comptroller of the County, as the chief fiscal officer of the County.

Section 6. Each of the bonds authorized by this Resolution and any bond anticipation notes issued in anticipation of the sale thereof shall contain the recital of validity prescribed by §52.00 of said Local Finance Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the County of Erie, payable as to both principal and interest by general tax upon all the taxable real property within the County without limitation as to rate or amount. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and provision shall be made annually in the budgets of the County by appropriation for (a) the amortization and redemption of the notes and bonds to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 7. The validity of the bonds authorized by this Resolution and of any notes issued in anticipation of the sale of said bonds may be contested only if:

(a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of this Resolution or a summary hereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the Constitution.

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**September 21, 2000**

**ERIE COUNTY LEGISLATURE**

Section 8. This Resolution shall take effect immediately upon approval by the County Executive.  
 (5-0)

10. Item Page -2000 (Comm. 18E-58)

**COUNTY EXECUTIVE**

WHEREAS, the Erie County Department of Environment and Planning administers a Housing Rehabilitation Program for low/moderate income homeowners on behalf of the Erie County Community Development Block Grant Consortium and HOME Investment Partnership Consortium; and

WHEREAS, the federal Department of Housing and Urban Development has issued regulations pertaining to lead based paint hazards in housing units assisted with federal funds; and

WHEREAS, said regulations are effective September 15, 2000 and require a variety of lead based paint hazard assessments and clearance tests by federally certified inspectors on all housing units participating in the Erie County Housing Rehabilitation Program.

NOW, THEREFORE BE IT

RESOLVED, that the County Executive is hereby authorized to enter into a lead based paint hazard inspection agreement for an amount not to exceed \$140,000, with Stohl Environmental, LLC.; and be it further

RESOLVED, that said agreement shall extend through March 31, 2002; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the Commissioner of Environment and Planning, the Commissioner of Health, and the County Comptroller.  
 (5-0)

11. Item Page -2000 (Comm. 18E-59)

**COUNTY EXECUTIVE**

WHEREAS, Title II of the National Affordable Housing Act of 1990, authorizes the Secretary of the United States Department of Housing and Urban Development (HUD) to make grants to units of general local government through the federal HOME Investment Partnership Program (HOME); and

WHEREAS, the Erie County/Town of West Seneca/Town of Hamburg HOME Consortium has been designated a participating jurisdiction for the HOME program for the 2000, 2001 and 2003 Program Years; and

WHEREAS, Erie County has established a First Time Home Buyer Program (FTHB) through funding assistance from the federal HOME Investment Partnership Program; and

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**September 21, 2000**

**ERIE COUNTY LEGISLATURE**

WHEREAS, the County desires to enter into an agreement with a preferred lender for the purpose of providing home mortgages and related services to applicants participating in the First Time Home Buyer Program; and

WHEREAS, the request for proposal provision of Section 19.08 of the Erie County Administrative Code was complied with and a summary of the process is attached to this resolution.

NOW THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into all necessary agreements with HSBC Bank USA for the purpose of serving as a preferred home mortgage lender under the Erie County First Time Home Buyer Program, and be it further

RESOLVED, that said contract shall extend through March 31, 2003, and be it further

RESOLVED, that a certified copy of this resolution be forwarded to the Division of Budget, Management and Finance, the Department of Environment and Planning and the Department of Law.

(5-0)

12. Item Page -2000 (Comm. 18E-60)

**COUNTY EXECUTIVE**

WHEREAS, there are insufficient funds presently available in the Sewer Operating Fund 220, Project 853, Department 830, Code 820 for Erie County Sewer District No. 3/ Southtowns Sewage Treatment Agency for the remainder of the 2000 Budget Year for fuel costs; and

WHEREAS, it is necessary to transfer the amount of \$50,000.00 to handle fuel oil costs which have increased from \$0.55/gallon to \$0.95 /gallon.

NOW, THEREFORE, BE IT

RESOLVED, that the following amount be transferred to adequately provide funds to cover the increase in costs of fuel oil for the remainder of the years:

The amount of \$50,000.00 from Fund 220, Project 853, Department 830, Account 880 2211, Interfund-Utilities Enterprise Fund to Fund 220, Project 853, Department 830, Account 820, Utilities; 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, P.E., Deputy Commissioner, Department of Environment and Planning, Nancy Naples, Erie County Comptroller, and Joseph Passafiume, Director, Budget and Management.

(5-0)

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**ERIE COUNTY LEGISLATURE**

**ALBERT DeBENEDETTI**  
**CHAIRMAN**

MR. DeBENEDETTI moved to separate item #9 and return to committee. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

MR. DeBENEDETTI moved to separate items #4 and #7 and moved to approve the balance of the resolution. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

MR. DeBENEDETTI moved to amend item #4. MS. CHASE seconded.

CARRIED UNANIMOUSLY.

**Add, following the second RESOLVE clause:**

RESOLVED, that, as per the Town of Evans' application to the federal government for FEMA emergency aid, should the town receive reimbursement for this cost a like amount not exceeding the amount allocated to the town in this resolution shall be reimbursed to the county, and be it further

MR. DeBENEDETTI moved the approval of item #4 as amended. MS. PEOPLES seconded.

CHAIRMAN SWANICK directed that a roll call vote be taken.

AYES: KUWIK, FITZPATRICK, HOLT, FISHER, OLMA, DeBENEDETTI, PEOPLES, DUSZA, SWANICK, MARINELLI, GREENAN, CHASE, MARSHALL, PAULY, WEINSTEIN, RANZENHOFER, & LARSON. AYES – 17, NOES – 0.

CARRIED UNANIMOUSLY.

MR. DeBENEDETTI moved the approval of item #7. MS. PEOPLES seconded.

CHAIRMAN SWANICK directed that a roll call vote be taken.

AYES: KUWIK, FITZPATRICK, HOLT, FISHER, OLMA, DeBENEDETTI, PEOPLES, DUSZA, SWANICK, MARINELLI, GREENAN, CHASE, MARSHALL, PAULY, WEINSTEIN, RANZENHOFER, & LARSON. AYES – 17, NOES – 0.

CARRIED UNANIMOUSLY.

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**ERIE COUNTY LEGISLATURE**

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 372

September 13, 2000

HEALTH  
 COMMITTEE  
 REPORT NO. 8

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

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

a. Item Page -2000 (Comm. 16D-1)  
**ECMC: Financial Statements for 5/00.**  
 (4-0) Legislator Holt absent.

b. Item Page -2000 (Comm. 18D-13)  
**ECMC: Financial Statements for 6/00.**  
 (4-0) Legislator Holt absent.

c. Item Page -2000 (Comm. 18M-2)  
**EC MENTAL HYGIENE COMMUNITY SERVICES BOARD: Notice of Meeting Held 7/20/00 & Minutes of Meeting Held 6/15/00.**  
 (5-0) Legislator Holt absent. Chairman Swanick present as Ex-Officio Member.

2. Item Page -2000 (Comm.18E-43)  
**COUNTY EXECUTIVE**

WHEREAS, the Department of Health has analyzed its objects of expense within the Division of Emergency Medical Services, and has determined that in Account 823, Repairs and Maintenance, expenditures will exceed appropriations by an estimated \$4,455, and

WHEREAS, a transfer of funds must be made in order to continue the provision of vital public health services for the remainder of the 2000 fiscal year.

NOW, THEREFORE, BE IT

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

<u>Division of Emergency Medical Services</u>	
Increase - Account, 823 Repairs and Maintenance	\$4,455

Decrease - Account, 933 Lab and Technical Equipment	<u>4,455</u>
Net Increase	<u>\$ -0-</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.

3. Item Page -2000 (Comm.18E-44)

**COUNTY EXECUTIVE**

WHEREAS, the Erie County Department of Health leases space at the Jesse Nash Health Center located at 608 William Street, Buffalo, New York to Kaleida Health for the purpose of providing pediatric health services, and

WHEREAS, the Division of Budget, Management and Finance - Real Property Unit has negotiated a lease renewal for the period July 1, 1999 through December 31, 2002 at the following rates:

\$2,326.22 monthly for the period 7/1/99 - 12/31/99  
 \$2,396.01 monthly for the period 1/1/00 - 12/31/00  
 \$2,467.89 monthly for the period 1/1/01 - 12/31/01  
 \$2,541.92 monthly for the period 1/1/02 - 12/31/02

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Executive is hereby authorized to enter into a lease agreement with Kaleida Health for the period July 1, 1999 through December 31, 2002 at rates negotiated by the Division of Budget, Management and Finance - Real Property Unit for space utilized by Kaleida Health at the Jesse Nash Health Center, 608 William Street, Buffalo, New York, 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 – Real Property Unit, the Office of the Comptroller and the Department of Law.

(4-0) Legislator Holt absent.

4. Item Page -2000 (Comm. 18E-45)

**COUNTY EXECUTIVE**

WHEREAS, the Erie County Department of Health has been awarded a Healthy Heart Worksite Wellness grant totaling \$70,000 for the purpose of promoting heart health in community area worksites, and

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WHEREAS, the Erie County Department of Health has joined with the Wellness Institute of Greater Buffalo and Western New York, Inc. to implement this program.

NOW, THEREFORE, BE IT

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

**Healthy Heart Worksite Wellness Grant**  
**4/1/00 - 3/31/01**  
**Project #**

<b>SFG</b>	<b>REVENUE</b>	<b>BUDGET</b>
<b>ACCOUNT</b>		
553	State Aid	<u>\$70 000</u>
	TOTAL	<u>\$70 000</u>
	 <b>EXPENSES</b>	
825	Out of Area Travel	1,600
826	Other Expenses	1,300
830	Contractual Expenses	66,500
932	Office Equipment	300
933	Lab & Technical Equipment	<u>300</u>
	TOTAL	<u>\$70 000</u>

and be it further

RESOLVED, that the County Executive is hereby authorized to enter into a subcontract with the Wellness Institute of Greater Buffalo and Western New York, Inc. for a sum not to exceed \$66,500 to fulfill the workplan of the project, and be it further

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

(4-0) Legislator Holt absent.

5. Item Page -2000 (Comm.18E-46)

**COUNTY EXECUTIVE**

WHEREAS, diabetes is a major cause of death and disability for Western New Yorkers, and

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

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

NOW, THEREFORE, BE IT

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

**Department of Health**  
**WNY Coalition for Diabetes Prevention**  
**7/1/00 – 6/30/01**  
**Project #**

<b>SFG ACCOUNT</b>	<b>REVENUE</b>	<b>BUDGET</b>
XXX	Health Research, Inc.	<u>\$75,000</u>
	TOTAL	<u>\$75,000</u>
	<b>EXPENSES</b>	
825	Out of Area Travel	\$ 2,500
830	Contractual - Kaleida Health	22,500
830	Contractual - Healthy Community Alliance	22,500
830	Contractual - Lake Plains Community	
831	Care Network	22,500
932	Office Equipment	1,500
933	Lab & Technical Equipment	<u>3,500</u>
	TOTAL	<u>\$75,000</u>

and be it further

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

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

(4-0) Legislator Holt absent.



**MEETING NO. 19**  
**September 21, 2000**

**ERIE COUNTY LEGISLATURE**

**COUNTY EXECUTIVE**

WHEREAS, the Erie County Health Department operates a Tuberculosis Control Elimination Activities Program, and

WHEREAS, the Erie County Department of Health has received an increased grant award in the amount of \$82,650 for the enhancement of the Tuberculosis Elimination Activities Program by providing more TB educational presentations, and

WHEREAS, the purpose of this program is to provide follow up of active TB cases, suspect cases, persons receiving preventive therapy for TB and persons exposed to tuberculosis, including outreach services and targeted screening and preventive therapy at risk groups.

NOW, THEREFORE, BE IT

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

**Department of Health**  
**Tuberculosis Elimination Activities Program**  
**2/1/00 -1/31/01**  
**Project #324**

<b>SFG Account</b>	<b>Revenue</b>	<b>Current Budget</b>	<b>Changes</b>	<b>Revised Budget</b>
582	State Aid	<u>\$67,650</u>	<u>\$15,000</u>	<u>\$82,650</u>
	TOTAL	<u>\$67,650</u>	<u>\$15,000</u>	<u>\$82,650</u>
<b>Expenses</b>				
800	Personnel	\$52,500	\$ 0	\$52,500
805	Fringe Benefits	10,950	0	10,950
814	Medical & Health Related Supplies	1,000	275	1,275
824	Travel & Mileage	1,200	0	1,200
826	Other Expenses	2,000	6,900	8,900
933	Lab & Technical Equipment	<u>0</u>	<u>7,825</u>	<u>7,825</u>
	TOTAL	<u>\$67,650</u>	<u>\$ 15,000</u>	<u>\$82,650</u>

and be it further

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

Department of Law.  
 (4-0) Legislator Holt absent.

7. Item Page -2000 (Comm.18E-48)

**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 grant award from the New York State Department of Health in the amount of \$89,400 for the period of 6/1/00 through 5/31/01 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**  
**6/1/00 – 5/31/01**  
**Project #**

<b>SFG ACCOUNT</b>	<b>REVENUE</b>	<b>BUDGET</b>
553	State Aid	<u>\$ 89,400</u>
	<b>TOTAL</b>	<u>\$ 89,400</u>
	<b>EXPENSES</b>	
825	Out of Area Travel	\$ 1,470
826	Other Expenses	1,000
830	Contractual Services	
	Health Research Institute - Roswell Park Division	84,930
932	Furniture, Fixtures, Office Equipment	500
933	Lab & Technical Equipment	<u>1,500</u>
	<b>TOTAL</b>	<u>\$ 89,400</u>

and be it further

RESOLVED, that the Erie County Department of Health is authorized to enter into a subcontract with the Health Research Institute - Roswell Park Division for the amount of \$84,930 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.

**AS AMENDED**  
 (Comm.18E-50)

8. Item Page -2000

**COUNTY EXECUTIVE**

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

WHEREAS, the Erie County Department of Health has received a revised grant award in the amount of \$11,000 from the New York State Health Research Institute (HRI) to establish a Health Alert Network (HAN) in collaboration with New York State, and

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

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Executive is hereby authorized to accept a revised grant award which includes budgetary adjustments as follows:

INCREASE Account 830 Contractual - Calspan - UB Research Center	\$4,500
DECREASE Account 810 Office Supplies	180
DECREASE Account 821 Dues and Fees	2,986
DECREASE Account 826 Other Expenses	600
DECREASE Account 824 Travel & Mileage Expenses	121
DECREASE Account 933 Lab & Technical Equipment	613

and be it further

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to enter into an agreement with Calspan - UB Research Center in an amount not to exceed \$4,500 for the purpose of developing a backend data base to collect bioterrorism data utilizing the Center for Transportation Injury Research (CentTIR's) software program for electronic data gathering for emergency medical services, and be it further

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

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

9. Item Page -2000 (Comm.18E-51)  
**COUNTY EXECUTIVE**

WHEREAS, the Erie County Department of Health, Public Health Laboratory Division is responsible for laboratory services for Erie County departments, other government agencies, local health care providers and hospitals, and

WHEREAS, the installation of a Public Health Laboratory Information System would significantly improve the efficiency of the Public Health Laboratory and have a positive impact on the day to day operation of that office, and

WHEREAS, a request for proposals was issued January 18, 2000 which resulted in a number of proposals which were submitted, and which are available for public inspection during regular business hours, and

WHEREAS, a committee appointed by the Commissioner of Health reviewed said proposals and has recommended a Public Health Laboratory Information System submitted by M MGMT Corporation, and

WHEREAS, Unisys Corporation will provide and install the required file server and associated equipment.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into a contract with M MGMT Corporation not to exceed the amount of \$217,580 for the purpose of providing a Public Health Laboratory Information System for Erie County, said contract to include system integration, application software, software maintenance, training, customized reports and consulting, and be it further

RESOLVED, that the County Executive is authorized to enter into a contract with the Unisys Corporation not to exceed the amount of \$40,500 for the purpose of providing and installing the required file server and associated hardware and software, and be it further

RESOLVED, that the 1999 Budget included \$265,000 under Account 933 Lab & Technical Equipment which was allocated for this project, and be it further

RESOLVED, that the following budgetary adjustments are hereby authorized:

INCREASE Account 830-0776	Contractual - Unisys	\$ 40, 500
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INCREASE Account 830	Contractual - M MGMT	\$217,580
DECREASE Account 933	Lab & Technical Equipment	\$253,500
DECREASE Bad Debt & Charity Care Reserve		\$ 4,580

and be it further

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

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

10. Item Page -2000 (Comm.18E-56)

**COUNTY EXECUTIVE**

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

WHEREAS, the Erie County Health Department wishes to renew an agreement to lease space at the Northwest Buffalo Community Center located at 155 Lawn Avenue, Buffalo, New York, being utilized as a WIC distribution site.

NOW, THEREFORE BE IT

RESOLVED, that the Erie County Legislature hereby approves of this community service and authorizes the County Executive to renew an agreement with the City of Buffalo to pay as rent the sum of \$2,100 annually, for the period October 1, 2000 through September 30, 2001, with an option to renew for an additional one-year period 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.

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

11. Item Page -2000 (Comm.18E-57)

**COUNTY EXECUTIVE**

WHEREAS, the New York State Department of Health has awarded \$77,500 to the Erie County Department of Health for the purpose of continuing the HIV Seroprevalence Study for a twelve-month period ending 6/30/01.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Executive is hereby authorized to accept a revised contract with the New York State Department of Health for the purpose of receiving reimbursement for participating in the HIV Seroprevalence Study which is budgeted as follows:

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**HIV SEROPREVALANCE GRANT**  
**07/01/00 - 06/30/01**  
**PROJECT #328**

<u>SFG</u>	<u>SUB</u>	<u>REVENUE</u>	<u>CURRENT BUDGET</u>	<u>CHANGES</u>	<u>REVISED BUDGET</u>
388		HIV COUNSELING & TESTING	\$ 39,525	-7,500	\$ 32,025
553		STATE AID	<u>\$ 70,000</u>	<u>7,500</u>	<u>\$ 77,500</u>
		TOTAL	<u>\$ 109,525</u>	0	<u>\$ 109,525</u>
		<b><u>EXPENSES</u></b>			
800		PERSONNEL SERVICES	\$ 90,397	0	\$ 90,397
805		FRINGES	<u>\$ 19,128</u>	0	<u>\$ 19,128</u>
		TOTAL	<u>\$109,525</u>	0	<u>\$109,525</u>

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.

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

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

MS. FISHER moved the approval of the resolution. MS. PEOPLES seconded.  
 CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 373

September 14, 2000

ECONOMIC DEVELOPMENT  
 COMMITTEE  
 REPORT NO. 6

ALL MEMBERS PRESENT.

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

a. Item Page -2000 (Comm. 12E-14)  
**COUNTY EXECUTIVE:** DPW - ECC City - Ground Floor Alterations.  
 (5-0)

b. Item Page -2000 (Comm. 14E-17)  
**COUNTY EXECUTIVE:** County Fuel Management System.  
 (5-0)

c. Item Page -2000 (Comm. 14E-25)  
**COUNTY EXECUTIVE:** DPW – ECC North – Food Lab – Erie Room Renovations.  
 (5-0)

d. Item Page -2000 (Comm. 15E-12)  
**COUNTY EXECUTIVE:** CPS – New Training Facility – Assessment of Space Needs  
 Study.  
 (5-0)

e. Item Page -2000 (Comm. 15E-32)  
**COUNTY EXECUTIVE:** DPW - EC Home – Repair of Parapet Walls – Phase II.  
 (5-0)

f. Item Page -2000 (Comm. 16D-3)  
**DPW:** SEQR – Supplemental Environmental Assessment – EC Courts Master Plan  
 Implementation Project.  
 (5-0)

g. Item Page -2000 (Comm. 16M-8)  
**TOWN OF ALDEN:** Certified Resolution Requesting Certain Traffic Improvements at  
 Sandridge & Westwood Roads.  
 (5-0)

h. Item Page -2000 (Comm. 18D-23)  
**DPW:** Highways – Paving Schedule.  
 (5-0)

i. Item Page -2000 (Comm. 18E-52)  
**COUNTY EXECUTIVE:** DPW – Two Mile Creek Greenway, Contingency Fund Increase.  
 (5-0)

j. Item Page -2000 (Comm. 18M-10)  
**NIAGARA FALLS BRIDGE COMMISSION:** Plan Update – One Frontier, Two Counties,  
 Four Bridges.

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(5-0)

- Item Page -2000 (Comm. 18M-16)  
 k. **NFTA:** 17A Report & Capital Expenditure Reports for First Quarter of Fiscal Year Ending 3/31/01.  
 (5-0)

- Item Page -2000 (Comm. 18M-7)  
 l. **BUFFALO PRESERVATION BOARD:** Copy of Letter to DEP Opposing Plan to Create Plaza at Franklin, West Eagle & Niagara Streets.  
 (5-0)

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

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

CARRIED UNANIMOUSLY.

Item 14 – MS. PEOPLES presented the following resolution. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 374

September 14, 2000

FINANCE & MANAGEMENT  
 COMMITTEE  
 REPORT NO. 10

ALL MEMBERS PRESENT.

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

- Item Page -1999 (Comm. 5E-6)  
 a. **COMPTROLLER:** Tobacco Settlement Financing Plan.  
 (4-0) Legislator Larson absent for vote.

- Item Page -1999 (Comm. 16M-12)  
 b. **CITY OF BUFFALO COMPTROLLER:** Analyzing the County Executive's Proposal Regarding the Master Settlement Agreement with Tobacco Manufacturers.  
 (4-0) Legislator Larson absent for vote.

- Item Page -1999 (Comm. 17M-9)  
 c. **NYS COMPTROLLER:** Tobacco Settlement Principles.



(4-0) Legislator Larson absent for vote.

- d. Item Page -1999 (Comm. 19E-2)  
**COMPTROLLER:** Follow Up to Letter Dated 2/26/99 Re: Erie County's Share of the Tobacco Settlement.

(4-0) Legislator Larson absent for vote.

- e. Item Page -1999 (Comm. 25M-1)  
**NYS ATTORNEY GENERAL:** Letter to Chairman Swanick Re: Final Approval of Tobacco Settlement.

(4-0) Legislator Larson absent for vote.

- f. Item Page -2000 (Comm. 5M-4)  
**CITY OF BUFFALO COUNCILMEMBER FISHER:** Copy of Letter to County Executive Re: Sharing of Extra Sales Tax With City of Buffalo.

(4-0) Legislator Larson absent for vote.

- g. Item Page -2000 (Comm. 5M-5)  
**CITY OF BUFFALO COUNCILMEMBER FISHER:** Letter to Chairman Swanick Re: Sharing of Extra Sales Tax With City of Buffalo.

(4-0) Legislator Larson absent for vote.

- h. Item Page -2000 (Intro. 6-18)  
**MARSHALL, GREENAN, CHASE, RANZENHOFER, WEINSTEIN & LARSON:** Enactment of Designation of Surplus Sales Tax Revenue for "Real Property Tax Relief Fund."

(4-0) Legislator Larson absent for vote.

- i. Item Page -2000 (Comm. 7M-19)  
**HUNT REAL ESTATE CORP:** Letter to Legislator Greenan Re: Real Property Taxes.

(4-0) Legislator Larson absent for vote.

- j. Item Page -2000 (Comm. 7M-20)  
**GREATER BUFFALO ASSOCIATION OF REALTORS:** Resolution Repealing EC Transportation Assistance Tax Law (No. 5-1990) is not Substantive Tax Relief.

(4-0) Legislator Larson absent for vote.

- k. Item Page -2000 (Intro. 7-5)  
**CHASE, WEINSTEIN, LARSON, RANZENHOFER & MARSHALL:** Support of the Repeal of Article 6 of Section 626 of the Real Property Tax Law.

(4-0) Legislator Larson absent for vote.

- l. Item Page -2000 (Comm. 9E-6)  
**COMPTROLLER:** Findings Upon Examination of Broadway Market Financial Statements & Independent Auditor's Report for Six Months Ended 12/31/99.

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(4-0) Legislator Larson absent for vote.

- m.           Item           Page                           -2000           (Comm. 9E-49)  
**COMPTROLLER:** Copy of Letter to Chairman Swanick Re: Broadway Market Management.

(4-0) Legislator Larson absent for vote.

- n.           Item           Page                           -2000           (Comm. 9M-1)  
**WNY METRO/ROSE KIRSCH REALTOR:** Letter to Legislator Kuwik Urging Legislature to Adopt EC Local Law Intro. No. 2 - 2000.

(4-0) Legislator Larson absent for vote.

- o.           Item           Page                           -2000           (Comm. 10M-3)  
**DAVID PINTABONA:** Copy of Letter to Legislator Kuwik Urging Legislature to Adopt Erie County Local Law Intro No. 2 – 2000.

(5-0)

- p.           Item           Page                           -2000           (Comm. 10M-4)  
**WEINHEIMERS INC:** Copy of Letter to Legislator Kuwik Urging Legislature to Adopt Erie County Local Law Intro No. 2 – 2000.

(5-0)

- q.           Item           Page                           -2000           (Comm. 12E-4)  
**SWANICK:** Copy of Letter to Deputy Comptroller Re: County Funds Provided to Broadway Market.

(5-0)

- r.           Item           Page                           -2000           (Comm. 12M-2)  
**ESSEX HOMES OF WNY:** Copy of Letter to Legislator Swanick Urging Legislature to Adopt EC Local Law Intro No. 2 – 2000.

(5-0)

- s.           Item           Page                           -2000           (Comm. 14E-5)  
**COMPTROLLER:** Sale of Bonds for Capital Projects 6/00.

(5-0)

- t.           Item           Page                           -2000           (Comm. 14E-12)  
**COMPTROLLER:** ECMC Financial Report for Year Ended 12/31/99.

(5-0)

- u.           Item           Page                           -2000           (Comm. 15E-6)  
**COMPTROLLER:** 6/00 Report – 4% Sales Tax Revenue.

(5-0)

Item           Page                           -2000           (Comm. 15E-8)

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**ERIE COUNTY LEGISLATURE**

- v. **COMPTROLLER:** Quarterly Investment Report 1/1/00 – 3/31/00.  
(5-0)
- |  |      |      |       |               |
|--|------|------|-------|---------------|
|  | Item | Page | -2000 | (Comm. 16D-4) |
|--|------|------|-------|---------------|
- w. **BUDGET:** Letter Re: Institution of EC Capital Spending Cap.  
(5-0)
- |  |      |      |       |               |
|--|------|------|-------|---------------|
|  | Item | Page | -2000 | (Comm. 16E-1) |
|--|------|------|-------|---------------|
- x. **PEOPLES:** Copy of Letters Urging Legislature to Adopt Local Law Intro 2 – 2000.  
(5-0)
- |  |      |      |       |               |
|--|------|------|-------|---------------|
|  | Item | Page | -2000 | (Comm. 16E-5) |
|--|------|------|-------|---------------|
- y. **COMPTROLLER:** Comprehensive Annual Financial Report for Year Ended 12/31/99.  
(5-0)
- |  |      |      |       |               |
|--|------|------|-------|---------------|
|  | Item | Page | -2000 | (Comm. 16M-5) |
|--|------|------|-------|---------------|
- z. **NFTA:** Annual Public Authority Data Request for Fiscal Year Ended 3/31/00.  
(5-0)
- |  |      |      |       |               |
|--|------|------|-------|---------------|
|  | Item | Page | -2000 | (Comm. 18D-9) |
|--|------|------|-------|---------------|
- aa. **BUDGET:** 2000 Annual Report – Division of Real Property Tax.  
(5-0)
- |  |      |      |       |               |
|--|------|------|-------|---------------|
|  | Item | Page | -2000 | (Comm. 18E-7) |
|--|------|------|-------|---------------|
- bb. **COMPTROLLER:** Cost of Borrowing Report & Annual Scheduled Maturities for Amounts Borrowed.  
(5-0)
- |  |      |      |       |               |
|--|------|------|-------|---------------|
|  | Item | Page | -2000 | (Comm. 18E-8) |
|--|------|------|-------|---------------|
- cc. **COMPTROLLER:** Budgetary Comparison Report for General, Special Revenue & Debt Service Funds for Year Ended 12/31/99.  
(5-0)
- |  |      |      |       |                |
|--|------|------|-------|----------------|
|  | Item | Page | -2000 | (Comm. 18E-11) |
|--|------|------|-------|----------------|
- dd. **COMPTROLLER:** Apportionment & Distribution of 4% Sales Tax Revenue for the Month of July.  
(5-0)
- |  |      |      |       |                |
|--|------|------|-------|----------------|
|  | Item | Page | -2000 | (Comm. 18E-12) |
|--|------|------|-------|----------------|
- ee. **COMPTROLLER:** Quarterly Investment Report 4/1/00 – 6/30/00.  
(5-0)
- |  |      |      |       |                |
|--|------|------|-------|----------------|
|  | Item | Page | -2000 | (Comm. 18E-14) |
|--|------|------|-------|----------------|
- ff. **COMPTROLLER:** Interim Financial Report for Three Months Ended 3/31/00.  
(5-0)

- |     |  |  |       |                |
|-----|--|--|-------|----------------|
|     | Item                                       | Page   | -2000 | (Comm. 18E-20) |
| gg. | <b>COMPTROLLER</b>                         | Summary of Vacant Positions – General, Road & Social Services Funds – Comparison 6/30/00 to 7/2/99 & 3/24/00.<br>(5-0)                     |       |                |
|     | Item                                       | Page   | -2000 | (Comm. 18E-22) |
| hh. | <b>COMPTROLLER</b>                         | Apportionment & Distribution of 4% Sales Tax Revenue for Month of August.<br>(5-0)   |       |                |
|     | Item                                       | Page   | -2000 | (Comm. 18M-23) |
| ii. | <b>LEGAL AID BUREAU OF BUFFALO</b>         | Financial Statements for 3 Months Ending 3/31/00; 1999 Financial Statements 1999 Annual Report & Minutes of Meeting Held 6/13/00.<br>(5-0) |       |                |
|     | Item                                       | Page   | -2000 | (Comm. 18M-33) |
| jj. | <b>BUFFALO OLMSTED PARKS CONSERVANCY</b>   | Letter to Chairman Swanick Re: 2000 County Funds for Botanical Gardens.<br>(5-0)   |       |                |
|     | Item                                       | Page   | -2000 | (Comm. 18M-34) |
| kk. | <b>NYS BOARD OF REAL PROPERTY SERVICES</b> | State Equalization Rates, Town of Wales.<br>(5-0)  |       |                |
|     | Item                                       | Page   | -2000 | (Comm. 18M-35) |
| ll. | <b>NYS BOARD OF REAL PROPERTY SERVICES</b> | State Equalization Rate, Town of Holland & Town of Wales.<br>(5-0)   |       |                |
|     | Item                                       | Page   | -2000 | (Comm. 18M-41) |
| mm. | <b>CITY OF BUFFALO</b>                     | Transit Mall Service Charge Roll.<br>(5-0)   |       |                |

2. Item Page - 2000 (Comm. 16E-29)  
**COUNTY EXECUTIVE**

WHEREAS, Belmont Shelter Corporation is developing housing for elderly individuals (Project), pursuant to Section 421-d of the Real Property Tax Law and Article XVIII of the New York Private Housing Financed Law; and

WHEREAS, the Project is located at 4791 William Street, Lancaster, New York will contain 70 one-bedroom apartments and 16 two-bedroom apartments for low and moderate income elderly individuals; and

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WHEREAS, Woodland Place Apartments will be managed by Belmont Shelter Corporation;  
 and

WHEREAS, in order to make the Project economically feasible for Belmont Shelter Corporation, it is necessary to obtain tax relief from the County of Erie and the Town of Lancaster.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to execute a PILOT Agreement with Belmont Shelter Corporation, relating to the property located at 4791 William Street, Lancaster, New York and all other agreements necessary to conclude this Project; and be it further

RESOLVED, that said agreement shall include an annual Payment in Lieu of Taxes (PILOT) of \$22,591 by Belmont Shelter Corporation in the first year of the PILOT Agreement, with a three (3) percent increase annually thereafter for a fifteen year period, with the County share of each annual payment being twenty-five (25) percent of the total amount; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the Director of Budget and Management, the Commissioner of the Department of Environment and Planning, the County Comptroller, and the County Attorney.  
 (5-0)

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

**\*\*NOTE\*\* LEGISLATOR LARSON WAS LISTED AS NOT PRESENT FOR VOTE IN ERROR.**

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 375

September 14, 2000

SOCIAL SERVICES  
 COMMITTEE  
 REPORT NO. 8

**MEETING NO. 19**  
**September 21, 2000**

**ERIE COUNTY LEGISLATURE**

ALL MEMBERS PRESENT. CHAIRMAN SWANICK PRESENT AS EX-OFFICIO MEMBER.

1. Item Page - 2000 (Comm. 18E-30)

**COUNTY EXECUTIVE**

WHEREAS, the Department of Social Services (DSS) has been informed that increased Federal funding is available to supplement activities related to the Family Court Foster Care Improvement grant, and

WHEREAS, this funding has been awarded for a special overtime project to increase casework activities to finalize adoptions for children now in foster care, and

WHEREAS, DSS and the Erie County Family Court have jointly been designated as one of two pilot project sites in New York State to conduct a DSS/Family Court Foster Care Improvement Project, and

WHEREAS, this model program is one of the first of its kind in the nation designed to improve outcomes for children through collaboration and problem solving among the levels of government that have joint responsibility for these outcomes, and

WHEREAS, with the use of the additional overtime funding in 2000, the Department expects to achieve an overall increase of between 185 and 195 in the number of completed adoption packages as compared to 1999, and

WHEREAS, these added resources will enable the Department to further increase pre-adoptive placements and the ratio of children adopted to those freed for adoption, while decreasing the length of time children wait between pre-adoptive placement and finalization, and

WHEREAS, the Department of Social Services will make information about the outcomes of this project available following its conclusion, and

WHEREAS, there is no local share fiscal impact, as the supplemental award is 100% Federal funds.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive and/or Commissioner of Social Services are hereby authorized to accept \$25,000 of 100 percent Federal funds for a special overtime project to expedite adoptions in conjunction with the Family Court Foster Care Improvement grant, and be it further

RESOLVED, that the following appropriation and revenue budget amendments are hereby authorized in the Department of Social Services, Department 200, Fund 120:

Account	Description	Amount
801	Overtime	<u>\$25,000</u>

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	Total Expenditures	<u>\$25,000</u>
649	Federal Aid	<u>\$25,000</u>
	Total Revenues	<u>\$25,000</u>

and be it further

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

(5-0) Legislator Olma absent for vote. Chairman Swanick present as Ex-Officio Member.

2. Item Page -2000 (Comm. 18E-34)

**COUNTY EXECUTIVE**

WHEREAS, the Erie County Legislature has already appropriated funds for the Cash-in-Lieu of Commodities (CIL) grant for the period October 1, 1998 to September 30, 1999 and the Supplemental Nutrition Assistance Program (SNAP) grant for the period April 1, 2000 to March 31, 2001, and

WHEREAS, additional funds were received from the New York State Office for the Aging, and

WHEREAS, the Department of Senior Services desires to revise the above grant budgets to reflect the actual needs of the grants which service those elderly most at risk, and to revise the contract with Meals on Wheels of Buffalo and Erie County, Inc.

WHEREAS, no additional County funds are required.

NOW, THEREFORE, BE IT

RESOLVED, that the budget for the CIL grant, project 821, for the period October 1, 1998 to September 30, 1999 be amended as follows:

**APPROPRIATIONS**

<u>Account</u>	<u>Description</u>	<u>CURRENT</u> <u>BUDGET</u>	<u>CHANGES</u>	<u>REVISED</u> <u>BUDGET</u>
826	Other Expenses	\$290,640	\$+17,496	\$ 308,136
830/141	Meals on Wheels	405,096	<u>-17,496</u>	387,600
			<u>\$0</u>	

and be it further

RESOLVED, that the budget for the SNAP grant, project 281, for the period April 1, 2000 to March 31, 2001 be amended as follows:

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		<u>AMENDED</u> <u>BUDGET</u>	<u>CHANGES</u>	<u>CURRENT</u> <u>BUDGET</u>
<u>REVENUES</u>				
<u>Account</u>	<u>Description</u>			
440	Unclassified Fees	\$473,901	\$+46,457	\$ 520,358
616	State Aid	634,288	<u>+61, 823</u>	696,111
	TOTAL CHANGE TO REVENUE		<u>\$108,280</u>	

APPROPRIATIONS

		<u>AMENDED</u> <u>BUDGET</u>	<u>CHANGES</u>	<u>CURRENT</u> <u>BUDGET</u>
<u>Account</u>	<u>Description</u>			
830/141	Meals on Wheels	\$ 1,108,189	<u>+108,280</u>	\$ 1,216,469
	TOTAL CHANGE TO APPROPRIATIONS		<u>\$+108,280</u>	

and be it further

RESOLVED, that the County Executive is authorized to amend the contract with Meals on Wheels of Buffalo and Erie County, Inc. to \$3,073,048 for the period January 1, 2000 to December 31, 2000, and be it further

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

(5-0)

3. Item Page - 2000 **AS AMENDED**  
 (Comm. 18E-35)

**COUNTY EXECUTIVE**

WHEREAS, the New York State Office for the Aging has made funding available to the Department of Senior Services through the New York State Long Term Care Ombudsman Program to expand the availability of ombudsman volunteer services to residents of area long term care facilities, and

WHEREAS, the Department currently contracts with the American Red Cross Buffalo Chapter to operate the Erie County Long Term Care Ombudsman Program, and

WHEREAS, the Department currently contracts with Los Tainos Senior Citizen Center to pay for insurance costs associated with their Senior Citizen programs and activities, and

WHEREAS, the County wishes to support Los Tainos Senior Citizen Center in their efforts to improve fund raising and planning activities, and



WHEREAS, there are available funds in the Correctional Facility budget to assist Los Tainos Senior Citizen Center in their fund raising and planning activities, and

NOW, THEREFORE, BE IT

RESOLVED, that the New York State Long Term Care Ombudsman Program (LTCOP) grant budget for the period April 1, 2000 to March 31, 2001, be established as follows:

REVENUES		INITIAL BUDGET
Account	Description	
	State Aid	<u>\$45,325</u>
	<b>TOTAL REVENUES</b>	<u>\$45,325</u>
APPROPRIATIONS		
830/418	American Red Cross	<u>\$45,325</u>
	<b>TOTAL APPROPRIATIONS</b>	<u>\$45,325</u>

and be it further

RESOLVED, that funding in the amount of \$1,000, for the Los Tainos Senior Citizen Center, shall be transferred from available balances in the budget of the Correctional Facility, account 814 clothing supplies, to the Department of Senior Services - Administration Division, account 8300208 contractual expense Los Tainos Senior Citizen Center, and be it further

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

4. Item Page - 2000 (Comm. 18E-54)

**COUNTY EXECUTIVE**

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

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

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

NOW, THEREFORE, BE IT

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RESOLVED, that authorization is hereby provided to enter into a contract with the New York State Division of Criminal Justice Services for the receipt of Federal funding in the amount of \$10,000, and be it further

RESOLVED, that the County Executive is hereby authorized to enter into an agreement with the First Time/Last Time Program to provide services and receive \$10,000 in funding, and be it further

RESOLVED, that authorization is hereby provided to make the following budgetary adjustments in the Department of Youth Services, Division of Youth:

Department of Youth Services  
 Division of Youth  
 Project 946

<u>Revenue</u>	<u>Increase</u>
Acct. 627 - State Aid Criminal Justice Program	\$10,000
<u>Appropriation</u>	
Acct. 830 - Contractual First Time/Last Time	<u>\$10 000</u>
Net Cost	\$0

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 Youth Services.  
 (5-0)

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

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

CARRIED UNANIMOUSLY.

**LEGISLATORS RESOLUTIONS**

Item 16 – CHAIRMAN SWANICK directed that the following resolution be referred to the PUBLIC SAFETY COMMITTEE.

GRANTED.

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**ERIE COUNTY LEGISLATURE**

Intro. 19-1 From LEGISLATOR GREENAN Re: Control Over Speed Limits on County Highways.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 376

Re: Urging NYS to Fully Repay  
 State Insurance Fund to Lower  
 Workers' Comp Rates.  
 (Intro. 19-2)

A RESOLUTION SUBMITTED BY LEGISLATOR FITZPATRICK

**WHEREAS**, A recent national study conducted by Actuarial & Technical Solutions and analyzed by the Business Council found that in the year ending January 1, 2000 workers' compensation rates paid by manufacturers in New York State were approximately 30 percent more than the national average, and

**WHEREAS**, A Business Council spokesperson asserted that our higher workers' comp rates put us at a competitive disadvantage with other states that have lower rates, further hurting our economic development and job creation efforts, and

**WHEREAS**, Workers' compensation rates are set through the New York State Office of Workers' Compensation and are based on funds available in said office's State Insurance Fund, and

**WHEREAS**, Since 1983 New York State's past and present administrations have borrowed over \$1.6 billion from the State Insurance Fund, negatively impacting the ability of the Office of Workers' Compensation to offer lower rates to businesses in the state, and

**WHEREAS**, In 1996 the New York Employment Safety and Security Act prohibited this type of borrowing in the future, but made no provision to mandate repayment of the \$1.6 billion already borrowed, and

**WHEREAS**, In order to foster economic development and job creation efforts in Erie County and throughout the state, it is essential that said funds be repaid, and

**WHEREAS**, Legislation was introduced in 1997 and again in 1999 to require the state to repay said funds at a rate of \$300 million per year but has languished in committee without action being taken, to the detriment of the businesses and workers in our state,

**NOW, THEREFORE, BE IT**

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**ERIE COUNTY LEGISLATURE**

**RESOLVED**, That the Erie County Legislature does hereby reaffirm its strong commitment to providing a positive climate for job creation and economic development in our region, and be it further

**RESOLVED**, That this Honorable Body does hereby memorialize the New York State Legislature approve and New York State Governor George Pataki sign into law A.226, requiring the state to repay the \$1.6 borrowed from the State Insurance Fund at a rate of \$300 million per year, and be it further

**RESOLVED**, That certified copies of this resolution be sent to New York State Governor George Pataki and to the Western New York delegation of the New York State Legislature.

**Fiscal Impact:** None for resolution.

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 377

Re: Funding for Emergency  
 Services Equipment.  
 (Intro. 19-3)

A RESOLUTION SUBMITTED BY  
 LEGISLATOR WEINSTEIN

WHEREAS, the Legislature set aside funds in the 2000 Erie County Budget for use by worthy community organizations and governmental agencies, and

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

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

NOW, THEREFORE, BE IT

**RESOLVED**, that the Erie County Legislature does hereby approve the transfer of \$2,500 from the legislative contractual (DAC: 110905100830) to Fund 110, Project 921, Department

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**ERIE COUNTY LEGISLATURE**

301 Agency Payments & Grants - Public Benefit Services, (DAC: 110921301830), for paying the following agency:

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
Main Transit Fire Company	830/	\$2,500
<b>TOTAL</b>		<b>\$2,500</b>

and be it further

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

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

RESOLVED, that certified copies of this resolution be sent to County Executive Joel A. Giambra, County Comptroller Nancy A. Naples, Budget Director Joseph Passafiume, Jennifer Anger, Administrative Assistant Erie County Legislature, First Assistant County Attorney Susannah M. Bochenek and to Jim Lawida, Main Tranist Fire Company, (6777 Main Street, Williamsville, NY 14221.)

**Fiscal Impact:** Appropriation of 2000-budgeted funds.

MR. WEINSTEIN moved to amend the resolution by adding Legislator Ranzenhofer as a co-sponsor. MR. MARSHALL seconded.

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

Item 19 – CHAIRMAN SWANICK directed that the following resolution be referred to the SOCIAL SERVICES COMMITTEE.

GRANTED.

Intro. 19-4 From LEGISLATOR HOLT Re: The Future of Erie County’s Youth Detention Facility.

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**ERIE COUNTY LEGISLATURE**

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 378

Re: Reinforcing the  
 Legislature's Stand Against  
 Racism & Bigotry. (Intro 19-5)

A RESOLUTION SUBMITTED BY  
 LEGISLATORS PEOPLES & HOLT

WHEREAS, years ago, officials in positions of political and economic power used bigotry and racism – and the underlying element thereof, fear – to exact control over various facets of our society, and

WHEREAS, many ethnic groups have faced this type of bigotry, and

WHEREAS, for generations, African Americans were denied the right to vote, and were not afforded requisite opportunities for appropriate secondary and higher education, and

WHEREAS, Irish Americans, long hamstrung in large cities by the acronym “NINA” (No Irish Need Apply”), also fought for civil rights for their ethnic group, and

WHEREAS, Italian Americans for years have been unfairly slurred by the stereotype of Organized Crime, and have fought successfully to demonstrate that this portrayal of their culture is an inaccurate one, and

WHEREAS, Polish Americans have similarly suffered from a particularly egregious stereotype, and, partially by virtue of their status among our region's elected leadership, have demonstrated time and again the contribution Polonia has made to Buffalo, Erie County and Western New York, and

WHEREAS, dozens of other ethnic and religious groups, from Catholics and Jews to Arabs and Native Americans have fought to realign the thinking of Americans toward a society that is more color-blind, and is, overall, more tolerant of the differences that people have, for it is those differences that make our society stronger, and

WHEREAS, indeed, any focus individual places upon racial and ethnic stereotypes has the potential to tear a community apart and makes our society less than it wants and needs to be, regressing our community to a time and a place where tolerance was not widespread and our society allowed the racial and ethnic differences to cleave a chasm between our people, and

WHEREAS, the Erie County Legislature has, for many years, taken a stand against racism and ethnic bigotry in all forms, and

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WHEREAS, in years past, and recently, resolutions were unanimously adopted stating the sense of the Legislature on matters of that kind, and

WHEREAS, in 1994, the Erie County Legislature unanimously adopted resolution Intro. 14-4 (1994), which condemned the use of ethnic slurs against Polish Americans in Western New York, as they were uttered repeatedly on a local radio station, and

WHEREAS, said condemnation rightly rejected the use of derogatory epithets leveled against Polish Americans throughout our community, and

WHEREAS, at the last session of the Legislature, resolution Intro. 18-13 (2000) was approved, again unanimously, condemning bigotry and racism in any form, reinforcing the Legislature's commitment to foster a "positive environment for learning, and to (ensure) the safety, rights and dignity of every member of our community," and to "discourage and prohibit any distinction, exclusion, restriction or preference based on race, color, descent, or national or ethnic origin, which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms," and

WHEREAS, slurs leveled against any racial or ethnic group are harmful to the community at large and undermine the efforts of the residents of Buffalo, Erie County and Western New York who see our society in a color-blind manner, and

WHEREAS, the Legislature must, once again, proclaim its virulent opposition to racial and ethnic bigotry in all of its forms, and must back up its words with appropriate action,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby reject racism and bigotry in all of its forms, and be it further

RESOLVED, that this Honorable Body does hereby reaffirm its commitment to fostering a positive environment for learning and to ensuring the safety, rights and dignity of every member of our community, regardless of race, color, ethnicity or religion, to foster a sensitivity to our differences that will strengthen and move our community forward, and not backward into the divisiveness of the past, and be it further

RESOLVED, that this Honorable Body does further reaffirm its commitment to making our society one that is color-blind, recognizing that the diversity of our community is one of its great strengths, and can be used as a building block for future successes throughout Buffalo and Western New York, and be it further

RESOLVED, that certified copies of this resolution be sent to the County Executive.

Fiscal Impact: None for Resolution.

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

CARRIED UNANIMOUSLY.

ADD the following after the final WHEREAS clause:

WHEREAS, another critically important aspect of American society is the concept of due process of law; as a part of our constitutional system and legal procedure, due process of law ensures the presumption of innocence, and

WHEREAS, the protection of due process rights is a standard worth protecting within our society, as valuable as a community's need to take a stand against racism and bigotry,

ADD the following after the third RESOLVE clause:

RESOLVED, that this Honorable Body does further reaffirm its commitment to the preservation of the constitutional system and ideals incorporated in the due process of law, and does hereby recognize with concomitant importance the concept of "innocent before proven guilty" as an important building block of the legal structure of our society, and be it further

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

CARRIED UNANIMOUSLY.

DELETE THE 3<sup>rd</sup> WHEREAS clause and replace with the following:

WHEREAS, for generations, African Americans and women were denied the right to vote, and were not afforded requisite opportunities for appropriate secondary and higher education, and

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

CHAIRMAN SWANICK directed that a roll call vote be taken.

AYES: KUWIK, FITZPATRICK, HOLT, FISHER, OLMA, DeBENEDETTI, PEOPLES, DUSZA, SWANICK, MARINELLI, GREENAN, CHASE, MARSHALL, PAULY, WEINSTEIN, RANZENHOFER, & LARSON. AYES – 17, NOES – 0.

CARRIED UNANIMOUSLY.

Item 21 – CHAIRMAN SWANICK directed that the following resolution be referred to the FINANCE & MANAGEMENT COMMITTEE.

GRANTED.



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**ERIE COUNTY LEGISLATURE**

Intro. 19-6 From LEGISLATORS GREENAN, LARSON, CHASE, WEINSTEIN, MARSHALL & RANZENHOFER Re: Support to Give Homeowners a 10% School Tax Rebate in Addition to Current STAR Savings.

CHALLENGE TO THE CHAIR.

AYES: CHASE, GREENAN, LARSON, MARSHALL, RANZENHOFER, & WEINSTEIN.  
 NOES: PAULY, DeBENEDETTI, DUSZA, FISHER, FITZPATRICK, HOLT, KUWIK, MARINELLI, OLMA, PEOPLES, & SWANICK. AYES – 6, NOES – 11.

DEFEATED.

Item 22 – CHAIRMAN SWANICK directed that the following resolution be referred to the FINANCE & MANAGEMENT COMMITTEE.

GRANTED.

Intro. 19-7 From LEGISLATOR PEOPLES Re: Establishing a Blue Ribbon Commission to Develop a Countywide Minimum Standard for Housing.

LEGISLATOR PEOPLES moved to amend the resolution. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

**NOTE: FOR THE FINAL VERSION OF THIS RESOLUTION AS AMENDED, PLEASE SEE FINANCE & MANGEMENT COMMITTEE REPORT NO. 13 IN MEETING # 22 – 2000.**

**COMMUNICATIONS DISCHARGED FROM COMMITTEE**

Item 23 – MR. DUSZA moved to discharge the GOVERNMENT AFFAIRS COMMITTEE from further consideration of Intro. 18-14. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 379

Re: Procedure for Naming New  
 Erie County Family Courthouse.

A RESOLUTION SUBMITTED BY LEGISLATORS SWANICK, PEOPLES & DUSZA

WHEREAS, Erie County is currently constructing a new family courthouse, and

WHEREAS, Several suggestions for naming said facility have already been suggested in early 2000, and

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WHEREAS, Based on the myriad of suggestions presented, it was determined that it would be useful to have a procedure in place to use when considering possible names for the facility, and

WHEREAS, For several months legislative staff have researched naming policies in municipalities throughout the United States and Canada has been conducted, and

WHEREAS, Information on several municipalities' naming procedures have been gathered, analyzed, and applied to Erie County, and

WHEREAS, The ultimate goal in naming the facility should be to provide a relevant name that will provide a positive example to the users of the building,

NOW, THEREFORE, BE IT

RESOLVED, That, following a review of comparable documents and procedures, the Erie County Legislature does hereby establish the following procedure for consideration of possible names for the new Erie County family courthouse:

1. The person for whom the building would be named should have been deceased for at least five years so that any objective analysis of that person's life and achievements is possible.
2. The proposed name should have as direct a connection as possible to the particular field of the facility.
3. The person should be of sufficient prominence at the national, state or local level as to be known by the average reasonably well informed resident of Erie County.
4. Said person should also be in some way a positive inspiration for users of the facility.
5. Solicitations for naming ideas should be made to the public. Responses should meet the aforementioned guidelines, and be accompanied by a written background and detail of accomplishment of the person being recommended.
6. A committee consisting of representatives from the Erie County Legislature, the County Administration, and preferably users of the facility should be convened to review submissions and make a recommendation for consideration by the Legislature;

and be it further

**RESOLVED**, That certified copies of this resolution be sent to Erie County Executive Joel Giambra, and Erie County Attorney Frederick Wolf.

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**Fiscal Impact:** None for resolution.

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

CARRIED UNANIMOUSLY.

**ADD the following co-sponsors:** ET AL.

**ADD, following the last WHEREAS clause:**

**WHEREAS,** A constituent of Legislator Marinelli suggested that rather than naming the entire courthouse after one person, individual rooms should be dedicated to worthy individuals,

**DELETE, in their entirety, the first and second RESOLVE clauses, and REPLACE with the following:**

**RESOLVED,** That the new court facility shall hereby be named the “Erie County Family Courthouse,” and be it further

**RESOLVED,** That a committee shall be established with the charge of developing a procedure and criteria for naming individual rooms within the Erie County Family Courthouse, soliciting suggestions for potential names, determining what rooms should be so dedicated, and making recommendations for dedications to the Chair of the Erie County Legislature, and be it further

**RESOLVED,** That said committee shall be comprised of one appointment of the Legislature’s Majority, one appointment of the Legislature’s Minority, one appointment of the Erie County Executive, the Supervising Family Court Judge or a designee, and the 8<sup>th</sup> Judicial District Administrative Judge or a designee, and be it further

**RESOLVED,** That said committee shall solicit input for potential dedications no less than once per year so long as the committee determines that there are rooms available for naming, and shall make recommendation yearly to the Chair of this Honorable Body no later than May 1 of each year for consideration by this Honorable Body, and be it further

**RESOLVED,** That certified copies of this resolution be sent to Erie County Executive Joel Giambra, County Attorney Frederick Wolf, 8<sup>th</sup> Judicial District Administrative Judge Vincent Doyle, and Supervising Family Court Judge Sharon Townsend.

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

CARRIED UNANIMOUSLY.

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Item 24 – MR. DUSZA moved to discharge the GOVERNMENT AFFAIRS COMMITTEE from further consideration of Comm. 18E-31. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 380

Re: Division of Information and Support Services Department of Central Police Services T1 data telecommunication network for Erie County police agencies.

WHEREAS, Erie County's Department of Central Police Services hosts critical public safety information systems and data for Erie County police agencies, and

WHEREAS, Erie County's Division of Information and Support Services provides telecommunications services and information systems support for Department of Central Police Services, and

WHEREAS, these systems and services comprise a complex public safety wide area network (WAN) of the highest importance, and

WHEREAS, Erie County has a need to upgrade the WAN and provide more data capacity than can be provided today to facilitate the deployment of an imaging system for fingerprints and palmprints to the police agencies, and

WHEREAS, a request for proposal was issued following the provisions of Section 19.08 of the Administrative Code, and

WHEREAS, AT&T was found to have the preferred network design, the lowest price over three years and the desired network management support.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive, through the Division of information and Support Services, shall be authorized to enter a three (3) year contract with AT&T for network service and management support, and be it further,

RESOLVED, that the County Executive, through the Division of Information and Support Services, is authorized to extend this service to additional police agencies and county departments as required, and be it further,

RESOLVED, that the source of funding shall be the 2000 Adopted Budget, Division of Information and Support Services (DAC 110 927510826) Utilities account, and be it further,

RESOLVED, that funding for future years shall be appropriated in the Division of

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Information and Support Services (DAC 110 927510826) Utilities account, and be it further,

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

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

CARRIED UNANIMOUSLY.

Item 25 – MR. DUSZA moved for discharge the GOVERNMENT AFFAIRS COMMITTEE from further consideration of Comm. 18E-33. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 381

Re: Division of Information and  
 Support Services – Unisys  
 System.

WHEREAS, the Division of Information and Support Services maintains a Unisys mainframe for use by the Departments of Central Police Services and Social Services, and

WHEREAS, the current Unisys contract is expiring and Unisys is the sole source for the necessary hardware and software, and

WHEREAS, the proposed replacement Unisys system will be a Unisys ClearPath mainframe designed to facilitate migration to open systems while fully supporting critical legacy applications still in use, and

WHEREAS, the Unisys proposal includes mass storage that can be shared by many servers, and

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive, through the Division of Information and Support Services, is authorized to enter into a five (5) year contract with Unisys Corporation for hardware, software, mass storage, maintenance, support, and training, and be it further,

RESOLVED, that the County Executive, through the Division of Information and Support Services is authorized to enter into a five (5) year contract with EMC Corporation for service and support for hardware, software and training used to provide mass storage, and be it further

RESOLVED, the five (5) year contract with Unisys Corporation and the five (5) year contract with EMC Corporation are hereby approved in anticipation of a bond resolution for this purpose, and be it further

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

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

CARRIED UNANIMOUSLY.

Item 26 – MR. KUWIK moved to discharge the PUBLIC SAFETY COMMITTEE from further consideration of Comm. 18E-41. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 382

Re: District Attorney's Office  
 Internet Crimes Against Children  
 (ICAC).

WHEREAS, partial reimbursement toward funding of the salary and fringe benefits of a Confidential Criminal Investigator, equipment and training is available from the NYS Division of Criminal Justice Services in the amount of \$60,000.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into a contract with the NYS Division of Criminal Justice Services for the purpose of the District Attorney's Office participating in a pilot project to enhance the investigation, enforcement and prosecution of sexual exploitation of children on the Internet, and be it further

RESOLVED, that authorization is hereby provided to establish the District Attorney's Internet Crimes Against Children Grant as follows:

GRANT FUND  
 DISTRICT ATTORNEY  
 INTERNET CRIMES AGAINST CHILDREN  
 (3/1/00 – 2/28/01)

REVENUE	INCREASE
Account 627 - State Aid Criminal Justice Program	<u>\$60,000</u>
Total Revenue	<u>\$60,000</u>
APPROPRIATION	
Account 800 - Personnel	\$ 4,440
Account 805 - Fringe Benefits	5,377

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Account 810 - Supplies	3,000
Account 824 - Local Travel	400
Account 825 - Out of Area Travel	10,000
Account 826 - Other Expense	8,116
Account 933 - Technical Equipment	<u>28,667</u>
Total Appropriation	<u>\$60,000</u>

and be it further

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

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

CARRIED UNANIMOUSLY.

Item 27 – MR. MARSHALL moved to discharge the SOCIAL SERVICES COMMITTEE from further consideration of Comm. 16E-28. MS. CHASE seconded.

CHAIRMAN SWANICK directed that a roll call vote be taken.

AYES: CHASE, GREENAN, LARSON, MARSHALL, RANZENHOFER, WEINSTEIN, & DeBENEDETTI. NOES: PAULY, DUSZA, FISHER, FITZPATRICK, HOLT, KUWIK, MARINELLI, OLMA, PEOPLES, & SWANICK. AYES – 7, NOES – 10.

DEFEATED.

**SUSPENSION OF THE RULES**

Item 28 – MS. PEOPLES moved for a suspension of the rules to include an item not on the agenda.

GRANTED.

CHAIRMAN SWANICK directed that Comm. 19D-10 be referred to the SOCIAL SERVICES COMMITTEE.

GRANTED.

Comm. 19D-10 From the INTERIM COMMISSIONER OF YOUTH SERVICES Re: PINS RFP Proposal.

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Item 29 – MR. HOLT moved for a suspension of the rules to include an item not on the agenda.

GRANTED.

CHAIRMAN SWANICK directed that Comm. 19M-19 be referred to the PERSONNEL AD HOC COMMITTEE.

GRANTED.

Comm. 19M-19 From CONCERNED CITIZENS AGAINST POLICE ABUSE Re: Greg Olma, Erie County Legislator.

Item 30 – MR. HOLT moved for a suspension of the rules to include an item not on the agenda.

GRANTED.

CHAIRMAN SWANICK directed that Comm. 19M-20 be referred to the PERSONNEL AD HOC COMMITTEE.

GRANTED.

Comm. 19M-20 From the NAACP Re: Lack of Provision in the Erie County Legislature's Charter for Removal or Censure of a Legislator.

**COMMUNICATIONS FROM ELECTED OFFICIALS**

**FROM THE COMPTROLLER**

Item 31 – (Comm. 19E-1) Letter to Legislature Re: Actions Taken by ECMC Board & Former CEO Paul Candino.

Item 32 – (Comm. 19E-2) Copy of Letter to ECMC Board of Managers Re: Actions Taken by ECMC Board & Former CEO Paul Candino.

Item 33 – (Comm. 19E-3) Interim Financial Report for 6 Months Ended 6/30/00.

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

**FROM THE COUNTY EXECUTIVE**



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Item 34 – (Comm. 19E-4) Appointments & Re-Appointments to EC Mental Hygiene Community Services Board.

Received and filed.

**FROM THE COMPTROLLER**

Item 35 – (Comm. 19E-5) Management Letter – Deloitte & Touche – ECMC Year Ended 12/31/99.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

**FROM THE COUNTY EXECUTIVE**

Item 36 – (Comm. 19E-6) Health – Tobacco Cessation & Education Program.

Item 37 – (Comm. 19E-7) ECMC – Ambulatory/Recovery Special Procedures Area.

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

Item 38 – (Comm. 19E-8) Social Services - Food Bank of WNY.

Item 39 – (Comm. 19E-9) Social Services – International Institute – Interpreter Services.

Item 40 – (Comm. 19E-10) Social Services – Consumer Directed Personal Assistant Program.

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

Item 41 – (Comm. 19E-11) County Attorney – Personnel Adjustment.

Received and referred to the PERSONNEL AD HOC COMMITTEE.

Item 42 – (Comm. 19E-12) Emergency Services – Acceptance of Grant for J-Fire of WNY Program.

Received and referred to the PUBLIC SAFETY COMMITTEE.

Item 43 – (Comm. 19E-13) County Clerk – Acceptance of Grant for Technology Improvements.

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

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Item 44 – (Comm. 19E-14) Eighteen Mile Creek Fishing Access – NYS Environmental Protection Fund & Bond Act Application.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 45 – (Comm. 19E-15) Budget – Intergovernmental Transfer (IGT) Program.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 46 – (Comm. 19E-16) Senior Services – Authorization to Amend Title III Grant Payments.

Item 47 – (Comm. 19E-17) Contract Amendment – Rural Van Transportation Services Van Replacement.

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

Item 48 – (Comm. 19E-18) District Attorney's Assets Forfeiture Appropriations.

Received and referred to the PUBLIC SAFETY COMMITTEE.

Item 49 – (Comm. 19E-19) Appointments to EC Council on the Disabled.

Received and referred to the PERSONNEL AD HOC COMMITTEE.

**COMMUNICATIONS FROM THE DEPARTMENTS**

**FROM ECMC**

Item 50 – (Comm. 19D-1) Financial Statements for 7/00.

Received and referred to the HEALTH COMMITTEE.

**FROM THE CLERK OF THE LEGISLATURE**

Item 51 – (Comm. 19D-2) Copy of Letter to County Executive Re: Resolution Statement from Broadway Market Board of Directors Requesting Special Funding.

Received and filed.

**FROM ECC**

Item 52 – (Comm. 19D-3) Notice of Board of Trustees Meeting to be Held 9/27/00.

**MEETING NO. 19**  
**September 21, 2000**

**ERIE COUNTY LEGISLATURE**

Item 53 – (Comm. 19D-4) Minutes of Board of Trustees Meeting Held 6/28/00.

The above two items were received and filed.

FROM ECMC

Item 54 – (Comm. 19D-5) Notice of Special Meeting of Board of Managers Held 9/12/00.

Item 55 – (Comm. 19D-6) Notice of Board of Managers Meeting Held 9/14/00.

The above two items were received and filed.

FROM ECC

Item 56 – (Comm. 19D-7) Notice of Board of Trustees Meeting Held 9/20/00.

Received and filed.

FROM THE COUNTY ATTORNEY

Item 57 – (Comm. 19D-8) Notice of County Executive's Approval of Intros. 16-4 & 16-12 & Comms. 14E-23 & 15E-36.

RECEIVED, FILED & PRINTED.

September 15, 2000

VIA HAND DELIVERY

Laurie A. Manzella  
Clerk of the Erie County Legislature  
25 Delaware Avenue  
Buffalo, New York 14202

RE: RESOLUTIONS FOR INT. NO. 16-4, 14E-23, 15E-36 and 16-12

Dear Laurie:

Enclosed for filing in your office, please find certified copies of the above-referenced Resolutions.

Thank you for your assistance with this matter.

**MEETING NO. 19**  
**September 21, 2000**

**ERIE COUNTY LEGISLATURE**

Very truly yours,

FREDERICK A. WOLF  
 Erie County Attorney

BY Susannah M. Bochenek  
 First Assistant County Attorney

SMB/cc  
 Enc.

A Public Hearing was held on the foregoing Resolution Int. No. 16-4, as amended, on Thursday, August 24, 2000, due notice thereof having been published in the official newspapers of the County of Erie, and after due deliberation thereon, I, JOEL A. GIAMBRA, County Executive of Erie County, do hereby APPROVE and SIGN said Resolution this 24<sup>th</sup> day of August, 2000.

\_\_\_\_\_  
 Joel A. Giambra

A Public Hearing was held on the foregoing Resolution Int. No. 14E-23, as amended, on Tuesday, September 5, 2000, due notice thereof having been published in the official newspapers of the County of Erie, and after due deliberation thereon, I, JOEL A. GIAMBRA, County Executive of Erie County, do hereby APPROVE and SIGN said Resolution this 5<sup>th</sup> day of September, 2000.

\_\_\_\_\_  
 Joel A. Giambra

A Public Hearing was held on the foregoing Resolution Int. No. 15-36, as amended, on Thursday, August 24, 2000, due notice thereof having been published in the official newspapers of the County of Erie, and after due deliberation thereon, I, JOEL A. GIAMBRA, County Executive of Erie County, do hereby APPROVE and SIGN said Resolution this 24<sup>th</sup> day of August, 2000.

\_\_\_\_\_  
 Joel A. Giambra

A Public Hearing was held on the foregoing Resolution Int. No. 16-12, as amended, on Thursday, August 31, 2000, due notice thereof having been published in the official newspapers of the County of Erie, and after due deliberation thereon, I, JOEL A. GIAMBRA, County Executive of Erie County, do hereby APPROVE and SIGN said Resolution this 31<sup>st</sup> day of August, 2000.

\_\_\_\_\_  
 Joel A. Giambra

**FROM THE BUFFALO & ERIE COUNTY PUBLIC LIBRARY**

**MEETING NO. 19**  
**September 21, 2000**

**ERIE COUNTY LEGISLATURE**

Item 58 – (Comm. 19D-9) Agenda for Board of Trustees Meeting to be Held 9/21/00 & Minutes of Meeting Held 8/17/00.

Received and filed.

**COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES**

**FROM THE BROADWAY MARKET**

Item 59 – (Comm. 19M-1) Resolution Statement from Board of Directors Requesting Special Funding.

Received and filed.

**FROM FUNK LAWN CARE**

Item 60 – (Comm. 19M-2) Copy of Letter to Legislator DeBenedetti Opposing Bill S. 8233 – Pesticide 48 Hour Pre-Notification.

Received and referred to the HEALTH COMMITTEE.

**FROM DUKE, HOLZMAN, YEAGER & PHOTIADIS**

Item 61 – (Comm. 19M-3) Copy of Letter to Legislator DeBenedetti Re: Pfohl Landfill.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

**FROM THE NYS BOARD OF REAL PROPERTY SERVICES**

Item 62 – (Comm. 19M-4) List of Certified 2000 State Equalization Rates.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

**FROM FUNK LAWN CARE**

Item 63 – (Comm. 19M-5) Duplicate of 19M-2.

Received and filed.

**FROM THE CITY OF BUFFALO**

Item 64 – (Comm. 19M-6) Certified Copy of Resolution Re: Lease Agreements for Federally Subsidized Housing.

Received and filed.

**MEETING NO. 19**  
**September 21, 2000**

**ERIE COUNTY LEGISLATURE**

FROM THE ECIDA

Item 65 – (Comm. 19M-7) Notice of Meeting Held 9/20/00.

Received and filed.

FROM GRAYCLIFF CONSERVANCY

Item 66 – (Comm. 19M-8) Copy of Letter to Legislator Marinelli Re: Update on Graycliff Estate Project.

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM ROSWELL PARK CANCER INSTITUTE

Item 67 – (Comm. 19M-9) Copy of Letter to Legislator Pauly Re: Resources for Mosquito Control & Need for Campaign to Promote Smoking Cessation & Prev.

Received and referred to the HEALTH COMMITTEE.

FROM THE ERIE COUNTY FARM BUREAU

Item 68 – (Comm. 19M-10) Duplicate of 18M-37.

Received and filed.

FROM THE EC ENVIRONMENTAL MANAGEMENT COUNCIL

Item 69 – (Comm. 19M-11) Notice of Meeting Held 9/19/00.

Received and filed.

FROM THE ERIE COUNTY BOARD OF HEALTH

Item 70 – (Comm. 19M-12) Notice of Meeting to be Held 10/17/00 & Minutes of Meeting Held 7/11/00.

Received and referred to the HEALTH COMMITTEE.

FROM THE ERIE COUNTY MENTAL HYGIENE COMMUNITY SERVICES BOARD

Item 71 – (Comm. 19M-13) Notice & Agenda for Meeting to be Held 9/21/00 & Minutes of Meeting Held 7/10/00.

**MEETING NO. 19**  
**September 21, 2000**

**ERIE COUNTY LEGISLATURE**

Received and referred to the HEALTH COMMITTEE.

**FROM WEST VALLEY CITIZEN TASK FORCE**

Item 72 – (Comm. 19M-14) Notice of Meeting to be Held 9/25/00.

Received and filed.

**FROM BUFFALO OLMSTED PARKS CONSERVANCY**

Item 73 – (Comm. 19M-15) Copy of Letter to Legislator Marinelli Re: County Funding for Capital Work in South Park.

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

**FROM BUFFALO NIAGARA PARTNERSHIP**

Item 74 – (Comm. 19M-16) Business Plan to Address Long Term Viability of Broadway Market.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

**FROM THE NIAGARA COUNTY LEGISLATURE**

Item 75 – (Comm. 19M-17) Certified Resolution Supporting Creation of an Economic Development Database Action Plan & Pilot Project.

Received and referred to the REGIONALISM AD HOC COMMITTEE.

**FROM ASSEMBLYMAN HIGGINS**

Item 76 – (Comm. 19M-18) Request for \$400,000 in County Funds for Development of “Gallagher Beach”.

Received and referred to the REGIONALISM AD HOC COMMITTEE.

**MEMORIAL RESOLUTIONS**

Item 77 – Legislator Peoples requested that when this Legislature adjourns, it do so in memory of Jannie Ann Davis Johnson.

**ADJOURNMENT**

**MEETING NO. 19**  
**September 21, 2000**

**ERIE COUNTY LEGISLATURE**

Item 78 – 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 5, 2000**.  
MR. MARSHALL seconded.

CARRIED UNANIMOUSLY.

The Chairman declared the Legislature adjourned until **Thursday, October 5, 2000 at 2 p.m. Eastern Standard Time**.

**LAURIE MANZELLA**  
**CLERK**