

MEETING NO. 20
October 18, 2001

ERIE COUNTY LEGISLATURE

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The Legislature was called to order by Chairman Swanick.

All Members Present.

The invocation was led by Rabbi Harry Rosenfeld of Temple Beth Zion.

The Pledge of Allegiance was led by Mr. Fitzpatrick.

Item 1 – CHAIRMAN SWANICK directed that Intro. 6-6 (2000) remain on the table.

Item 2 – CHAIRMAN SWANICK directed that Intro. 6-7 (2000) remain on the table.

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

Minutes of the previous meeting were tabled.

MISCELLANEOUS RESOLUTIONS

Item 4 – MR. WEINSTEIN presented a resolution Recognizing the Amherst Chamber of Commerce Business of the Year Awards. MR. RANZENHOFER seconded.

CARRIED UNANIMOUSLY.

Item 5 – MR. WEINSTEN presented a resolution Recognizing a Memorial Grove Dedicated to Victims of the September 11th Tragedy. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

Item 6 – MR. KUWIK presented a resolution Honoring Ms. Judy Krautsack of the Frontier Central School Transportation Department for her 34 Years of Public Service. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

LOCAL LAWS

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

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2. Item Page - 2001 (Comm. 19E-16)

COUNTY EXECUTIVE

WHEREAS, the Erie County Commission on the Status of Women wishes to modify its 2001 budget in order to purchase needed supplies and equipment, and attend required meetings for the remainder of the year, and

WHEREAS, the proposed expenditures are essential to allow the Erie County Commission on the Status of Women to meet its 2001 goals, and

WHEREAS, funds are available in the Department of Law - Risk Retention Fund, which will be transferred in order to allow the Commission to accomplish the aforementioned purposes,

NOW, THEREFORE, BE IT

RESOLVED, that the sum of \$3070 is hereby transferred from the Department of Law- Risk Retention, Insurance Charges (DAC 110961601832) to the following accounts in the 2001 budget of the Erie County Commission on the Status of Women to allow for the purchase of needed supplies and equipment and to permit attendance at required meetings for the remainder of the year,

Erie County Commission on the Status of Women
2001 Budget Modification

Appropriations	Adopted Budget	Amount of Change	Revised Budget
Account 810 Office Supplies	\$ 500	\$ 520	\$ 1,020
Account 821 Dues & Fees	700	400	1,100
Account 824 Travel & Mileage	500	400	900
Account 825 Out of Area Travel	1,500	650	2,150
Account 933 Lab & Tech. Equip.	0	<u>1,100</u>	1,100
	Total Changes	\$ 3,070	

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 Erie County Commission on the Status of Women.

(5-0)

LYNN M. MARINELLI
CHAIRPERSON

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 450

October 11, 2001

FINANCE & MANAGEMENT
COMMITTEE
REPORT NO. 13

ALL MEMBERS PRESENT.

AS AMENDED
(Comm.1D-9A)

1. Item Page - 2001
BUDGET, MANAGEMENT & FINANCE

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

EMAIL DOCUMENT IS 202392EM.TXT

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

RESOLVED, that petitions numbered 201345 through 201390 inclusive be hereby approved or denied based upon the recommendation of the Director of Real Property Services and be charged back to the applicable Towns and / or Cities.

Petition No. 201345 / 102 - ASSESSOR - Cancel - \$266.53

SBL No. 28.08-5-8 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 266.53 - Town/SpecialDist/School

Charge to : WILLIAMSVILLE CENT 266.53

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL.THE ASSESSMENT WAS 219,400 AND SHOULD BE 175,200.
RPTL 550(2)A.

Petition No. 201346 / 102 - ASSESSOR - Cancel - \$563.10

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SBL No. 55.12-7-25 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

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

Charge to : BASIC STAR EXEMPTION 563.10

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

WILLIAMSVILLE CENTRAL

Petition No. 201347 / 102 - ASSESSOR - Cancel - \$938.49

SBL No. 56.55-1-1,/39F - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 938.49 - Town/SpecialDist/School

Charge to : NYS STAR ENHANCED EXEMPTI 938.49

CANCEL - CLERICAL ERROR, THE ENHANCED STAR EXEMPTION IN THE AMOUNT OF 50,000 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C

WILLIAMSVILLE CENTRAL

Petition No. 201348 / 102 - ASSESSOR - Cancel - \$371.28

SBL No. 67.50-4-39 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 371.28 - Town/SpecialDist/School

Charge to : BASIC STAR EXEMPTION 371.28

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

SWEET HOME CENTRAL

Petition No. 201349 / 102 - ASSESSOR - Cancel - \$317.67

SBL No. 82.09-1-15 - TOWN OF AMHERST

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Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 317.67 - Town/SpecialDist/School

Charge to : NYS STAR ENHANCED EXEMPTI 317.67

CANCEL - CLERICAL ERROR, THIS PARCEL RECEIVED THE BASIC STAR EXEMPTION IN THE AMOUNT OF 30,000 WHEN IN FACT THE PARCEL WAS ENTITLED TO THE ENHANCED STAR EXEMPTION IN THE AMOUNT OF 50,000. RPTL 550(2)B CLARENCE CENTRAL

Petition No. 201350 / 102 - ASSESSOR - Cancel - \$1,226.22

SBL No. 26.02-4-17.12 - TOWN OF BOSTON

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 1,226.22 - Town/SpecialDist/School

Charge to : NYS STAR ENHANCED EXEMPTI 1,226.22

CANCEL - CLERICAL ERROR, THIS PARCEL IS ENTITLED TO THE ENHANCED STAR EXEMPTION IN THE AMOUNT OF 33,470 THAT WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C

HAMBURG CENTRAL

Petition No. 201351 / 102 - ASSESSOR - Cancel - \$519.10

SBL No. 226.02-5-37 - TOWN OF BOSTON

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 519.10 - Town/SpecialDist/School

Charge to: BASIC STAR EXEMPTION 519.10

CANCEL - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF 21,790 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C.

HAMBURG CENTRAL

Petition No. 201352 / 102 - ASSESSOR - Cancel - \$523.91

SBL No. 226.03-1-3 - TOWN OF BOSTON

Acct. No. 112 - \$ 0.00 - County

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Acct. No. 132 - \$ 523.91 - Town/SpecialDist/School

Charge to : BASIC STAR EXEMPTION 523.91

CANCEL - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF 21,790 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C.

HAMBURG CENTRAL

Petition No. 201353 / 102 - ASSESSOR - Cancel - \$647.05

SBL No. 227.00-3-38 - TOWN OF BOSTON

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 647.05 - Town/SpecialDist/School
 Charge to : ORCH PARK CENTRAL 647.05

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. THE ASSESSMENT WAS 101,000 AND SHOULD BE 75,000. RPTL 550(2)A.

Petition No. 201354 / 102 - ASSESSOR - Cancel - \$284.29

SBL No. 257.00-2-1 - TOWN OF BOSTON

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 284.29 - Town/SpecialDist/School

Charge to : NYS STAR ENHANCED EXEMPTI 284.29

CANCEL - CLERICAL ERROR, THIS PARCEL RECEIVED THE BASIC STAR EXEMPTION IN THE AMOUNT OF 21,790 AND WAS ENTITLED TO THE ENHANCED STAR EXEMPTION IN THE AMOUNT OF 36,310. RPTL 550(2)B

EDEN CENTRAL

Petition No. 201355 / 102 - ASSESSOR - Cancel - \$426.63

SBL No. 257.00-3-18 - TOWN OF BOSTON

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 426.63 - Town/SpecialDist/School

Charge to : BASIC STAR EXEMPTION 426.63

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

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21,790 THAT THIS PARCEL IS ENTITLED WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C.

EDEN CENTRAL

Petition No. 201356 / 102 - ASSESSOR - Cancel - \$264.88

SBL No. 284.00-3-19./A - TOWN OF BRANT

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 264.88 - Town/SpecialDist/School

Charge to : NORTH COLLINS CENT 264.88

CANCEL - CLERICAL ERROR, THIS PARCEL IS INCLUDED WITH SBLs 284.00-3-19.1 & 284.00-3-19.2. RPTL 550(2)F

Petition No. 201357 / 102 - ASSESSOR - Cancel - \$317.67

SBL No. 44.11-1-12 - TOWN OF CLARENCE

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 317.67 - Town/SpecialDist/School

Charge to : NYS STAR ENHANCED EXEMPTI 317.67

CANCEL - CLERICAL ERROR, THIS PARCEL RECEIVED THE BASIC EXEMPTION IN THE AMOUNT OF 30,000 WHEN IN FACT IT IS ENTITLED TO THE ENHANCED STAR EXEMPTION IN THE AMOUNT OF 50,000. RPTL 550(2)B.

CLARENCE CENTRAL

Petition No. 201358 / 102 - ASSESSOR - Cancel - \$476.50

SBL No. 43.11-1-56 - TOWN OF CLARENCE

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 476.50 - Town/SpecialDist/School

Charge to : BASIC STAR EXEMPTION 476.50

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

CLARENCE CENTRAL

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Petition No. 201359 / 102 - ASSESSOR - Cancel - \$3,791.47

SBL No. 57.06-3-7 - TOWN OF CLARENCE

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 3,791.47 - Town/SpecialDist/School

Charge to : WILLIAMSVILLE CENT 3,791.47

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY
 ON THE TAX ROLL. THE ASSESSMENT WAS 244,000 AND SHOULD BE 42,000.
 RPTL 550(2)A

Petition No. 201360 / 102 - ASSESSOR - Cancel - \$375.40

SBL No. 57.13-4-16 - TOWN OF CLARENCE

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 375.40 - Town/SpecialDist/School

Charge to : NYS STAR ENHANCED EXEMPTI 375.40

CANCEL - CLERICAL ERROR, THIS PARCEL RECEIVED THE BASIC STAR
 EXEMPTION IN THE AMOUNT OF 30,000 AND SHOULD HAVE RECEIVED THE
 ENHANCED EXEMPTION IN THE AMOUNT OF 50,000. RPTL 550(2)B
 CLARENCE CENTRAL

Petition No. 201361 / 102 - ASSESSOR - Cancel - \$1,103.65

SBL No. 57.18-4-6 - TOWN OF CLARENCE

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 1,103.65 - Town/SpecialDist/School

Charge to : WILLIAMSVILLE CENT 1,103.65

CANCEL - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF
 58,800 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE
 TAX ROLL. RPTL 550(2)C.

Petition No. 201362 / 102 - ASSESSOR - Cancel - \$476.50

SBL No. 71.07-1-18.11 - TOWN OF CLARENCE

Acct. No. 112 - \$ 0.00 - County

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Acct. No. 132 - \$ 476.50 - Town/SpecialDist/School

Charge to : CLARENCE CENTRAL 476.50

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY'
 ON THE TAX ROLL. THE ASSESSMENT WAS 749,000 AND SHOULD BE 719,500.
 RPTL 550(2)A.

Petition No. 201363 / 102 - ASSESSOR - Cancel - \$1,143.60

SBL No. 71.11-1-5 - TOWN OF CLARENCE

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 1,143.60 - Town/SpecialDist/School

Charge to : CLARENCE CENTRAL 1,143.60

CANCEL - CLERICAL ERROR, ASSESSED VALUE WAS ENTERED INCORRECTLY
 ON THE TAX ROLL. THE ASSESSMENT WAS 471,000 AND SHOULD BE 399,000.
 RPTL 550(2)A

Petition No. 201364 / 102 - ASSESSOR - Cancel - \$158.83

SBL No. 82.07-3-30 - TOWN OF CLARENCE

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 158.83 - Town/SpecialDist/School

Charge to : CLARENCE CENTRAL 158.83

CANCE4L - CLERICAL ERROR, THE ASSESSES VALUE WAS ENTERED INCORRECTLY
 ON THE THE TAX ROLL. THE ASSESSMENT WAS 113,000 AND SHOULD BE
 103,000. RPTL 550(2)A.

Petition No. 201365 / 102 - ASSESSOR - Cancel - \$571.52

SBL No. 318.00-3-12 - TOWN OF COLLINS

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 571.52 - Town/SpecialDist/School

Charge to : NORTH COLLINS CENT 571.52

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY

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ON THE TAX ROLL. THE ASSESSMENT WAS 247,000 AND SHOULD BE 224,800.
 RPTL 550(2)A.

Petition No. 201366 / 102 - ASSESSOR - Cancel - \$240.88

SBL No. 330.00-2-4 - TOWN OF COLLINS

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 240.88 - Town/SpecialDist/School

Charge to : GOWANDA CENTRAL 240.88

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY
 ON THE TAX ROLL. THE ASSESSED VALUE WAS 254,000 AND SHOULD BE
 237,060. RPTL 550(2)A

Petition No. 201367 / 102 - ASSESSOR - Cancel - \$268.65

SBL No. 330.00-2-6.1 - TOWN OF COLLINS

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 268.65 - Town/SpecialDist/School

Charge to : SPRING-GRIFFITH 268.65

CANCEL - CLERICAL ERROR, THE AGRICULTURAL EXEMPTION IN THE AMOUNT OF
 14,129 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX
 ROLL. RPTL 550(2)C

Petition No. 201368 / 102 - ASSESSOR - Cancel - \$627.45

SBL No. 330.00-2-7.13 - TOWN OF COLLINS

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 627.45 - Town/SpecialDist/School

Charge to : SPRING-GRIFFITH 627.45

CANCEL - CLERICAL ERROR, THE AGRICULTURAL EXEMPTION IN THE AMOUNT OF
 33,000 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE
 TAX ROLL. RPTL 550(2)C

Petition No. 201369 / 102 - ASSESSOR - Cancel - \$346.46

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SBL No. 343.00-2-14 - TOWN OF COLLINS

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 346.46 - Town/SpecialDist/School

Charge to : SPRING-GRIFFITH 346.46

CANCEL - CLERICAL ERROR, THE AGRICULTURAL EXEMPTION

Petition No. 201370 / 102 - ASSESSOR - Cancel - \$374.56

SBL No. 343.00-3-2 - TOWN OF COLLINS

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 374.56 - Town/SpecialDist/School

Charge to : SPRING-GRIFFITH 374.56

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY
 ON THE TAX ROLL. THE ASSESSMENT WAS 124,300 AND SHOULD BE 104,600.
 RPTL 550(2)A

Petition No. 201371 / 102 - ASSESSOR - Cancel - \$519.87

SBL No. 335.02-1-31 - TOWN OF CONCORD

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 519.87 - Town/SpecialDist/School

Charge to : BASIC STAR EXEMPTION 519.87

CANCEL - CLERICAL ERROR, THIS PARCEL IS ENTITLED TO THE BASIC
 STAR EXEMPTION IN THE AMOUNT OF 20,020 THAT WAS OMITTED IN ERROR FROM
 THE TAX ROLL. RPTL 550(2)C.

SPRINGVILLE GRIFFITH

Petition No. 201372 / 102 - ASSESSOR - Refund - \$195.19

SBL No. 221.00-1-1 - TOWN OF EVANS

Acct. No. 112 - \$ 94.85 - County

Acct. No. 132 - \$ 100.34 - Town/SpecialDist/School

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Charge to : TOWN OF EVANS

100.34

REFUND - CLERICAL ERROR, THE VETERAN'S EXEMPTION IN THE AMOUNT OF 15,450 COUNTY AND THE 10,549 TOWN THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C.

CHECK IN FAVOR OF: WILLIAM & CAROL MACKEY

Petition No. 201373 / 102 - ASSESSOR - Cancel - \$526.73

SBL No. 250.15-5-30 - TOWN OF EVANS

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 526.73 - Town/SpecialDist/School

Charge to : BASIC STAR EXEMPTION

526.73

CANCEL - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF 24,240 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C

Petition No. 201374 / 102 - ASSESSOR - Cancel - \$580.24

SBL No. 64.15-2-16.2 - TOWN OF GRAND ISLAND

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 580.24 - Town/SpecialDist/School

Charge to : BASIC STAR EXEMPTION

580.24

CANCEL - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF 19,080 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C

GRAND ISLAND CENTRAL

Petition No. 201375 / 102 - ASSESSOR - Cancel - \$97.45

SBL No. 20.00-1-41.112 - TOWN OF NEWSTEAD

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 97.45 - Town/SpecialDist/School

Charge to : AKRON CENTRAL

97.45

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CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. THE ASSESSMENT WAS 19,000 AND SHOULD BE 12,400.

RPTL 550(2)A.

Petition No. 201376 / 102 - ASSESSOR - Cancel - \$94.49

SBL No. 20.0-1-41.12 - TOWN OF NEWSTEAD

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 94.49 - Town/SpecialDist/School

Charge to : AKRON CENTRAL 94.49

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. THE ASSESSMENT WAS 18,300 AND SHOULD BE 11,900.

RPTL 550(2)A

Petition No. 201377 / 102 - ASSESSOR - Cancel - \$101.88

SBL No. 20.00-1-41.2 - TOWN OF NEWSTEAD

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 101.88 - Town/SpecialDist/School

Charge to : AKRON CENTRAL 101.88

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. THE ASSESSMENT WAS 19,800 AND SHOULD BE 12,900.

RPTL 550(2)A

Petition No. 201378 / 102 - ASSESSOR - Cancel - \$31.01

SBL No. 33.00-3-7.21 - TOWN OF NEWSTEAD

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 31.01 - Town/SpecialDist/School

Charge to : AKRON CENTRAL 31.01

CANCEL - UNLAWFUL ENTRY, THIS PARCEL IS WHOLLY EXEMPT FROM TAXES. IT IS A CEMETARY WHICH IS OWNED BY ST THERESA'S ROMAN CATHOLIC CHURCH. RPTL 550(7)A.

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Petition No. 201379 / 102 - ASSESSOR - Cancel - \$8,005.56

SBL No. 59.00-1-17.1/A - TOWN OF NEWSTEAD

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 8,005.56 - Town/SpecialDist/School

Charge to : CLARENCE CENTRAL 8,005.56

CANCEL - CLERICAL ERROR, THE AGRICULTURAL EXEMPTION IN THE AMOUNT OF 504,000 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C

Petition No. 201380 / 102 - ASSESSOR - Cancel - \$1,771.88

SBL No. 73.00-3-17.2 - TOWN OF NEWSTEAD

Acct. No. 112 - \$ 0.00 - County

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

Charge to : AKRON CENTRAL 1,771.88

CANCEL - UNLAWFUL ENTRY, THIS PARCEL IS LOCATED IN THE AKRON CENTRAL SCHOOL DISTRICT BUT WAS BILLED FOR CLARENCE CENTRAL. RPTL 550(7)B

Petition No. 201381 / 102 - ASSESSOR - Cancel - \$245.97

SBL No. 173.04-1-7 - TOWN OF ORCHARD PARK

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 245.97 - Town/SpecialDist/School

Charge to : ORCH PARK CENTRAL 245.97

CANCEL - CLERICAL ERROR, THIS PARCEL IS INCLUDED WITH ANOTHER
 SUBLLOT. RPTL 550(2)F.

Petition No. 201382 / 9900 - ASSESSOR - Refund - \$93.62

SBL No. 311.00-3-3.11 - TOWN OF SARDINIA

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 93.62 - Town/SpecialDist/School

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Charge to : BASIC STAR EXEMPTION 93.62

REFUND - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF 8,770 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C. PIONEER CENTRAL
 CHECK IN FAVOR OF: DEBORAH WOLF

Petition No. 201383 / 2001 - ASSESSOR - Refund - \$191.08

SBL No. 311.00-3-3.11 - TOWN OF SARDINIA

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 191.08 - Town/SpecialDist/School

Charge to : BASIC STAR EXEMPTION 191.08

REFUND - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF 16,780 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C PIONEER CENTRAL
 CHECK IN FAVOR OF: DEBORAH WOLF

Petition No. 201384 / 102 - ASSESSOR - Cancel - \$309.93

SBL No. 311.00-3-3.11 - TOWN OF SARDINIA

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 309.93 - Town/SpecialDist/School

Charge to : BASIC STAR EXEMPTION 309.93

CANCEL - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF 24,910 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C.

Petition No. 201385 / 102 - ASSESSOR - Cancel - \$710.50

SBL No. 134.07-3-2.1/740 - TOWN OF WEST SENECA

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 710.50 - Town/SpecialDist/School

Charge to : WEST SENECA CENT 355.25
 NYS STAR ENHANCED EXEMPTI 355.25

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CANCEL - CLERICAL ERROR, THE AGED EXEMPTION IN THE AMOUNT OF 12,725 AND THE ENHANCED STAR EXEMPTION IN THE AMOUNT OF 31,400 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL.
 RPTL 550(2)C

Petition No. 201386 / 102 - ASSESSOR - Cancel - \$14,098.37

SBL No. 134.18.7-2.1 - TOWN OF WEST SENECA

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 14,098.37 - Town/SpecialDist/School

Charge to : WEST SENECA CENT 14,098.37

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. THE ASSESSMENT WAS 3,245,300 AND SHOULD BE 2,740,300
 RPTL 550(2)A

Petition No. 201387 / 102 - ASSESSOR - Cancel - \$1,730.89

SBL No. 134.19-4-9 - TOWN OF WEST SENECA

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 1,730.89 - Town/SpecialDist/School

Charge to : WEST SENECA CENT 865.44
 NYS STAR ENHANCED EXEMPTI 865.45

CANCEL - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 31,000 (50%) AND THE ENHANCED STAR IN THE AMOUNT OF 31,400 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL.
 RPTL 550(2)C

Petition No. 201388 / 102 - ASSESSOR - Cancel - \$525.97

SBL No. 134.61-3-41.1 - TOWN OF WEST SENECA

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 525.97 - Town/SpecialDist/School

Charge to : BASIC STAR EXEMPTION 525.97

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CANCEL - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF 18,840 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C

WEST SENECA CENTRAL

Petition No. 201389 / 102 - ASSESSOR - Cancel - \$4,745.98

SBL No. 143.07-8-21.1 - TOWN OF WEST SENECA

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 4,745.98 - Town/SpecialDist/School

Charge to : WEST SENECA CENT 4,745.98

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. THE ASSESSMENT WAS 323,000 AND SHOULD BE 153,800. RPTL 550(2)A.

Petition No. 201390 / 102 - ASSESSOR - Cancel - \$239.98

SBL No. 143.14-2-11 - TOWN OF WEST SENECA

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 239.98 - Town/SpecialDist/School

Charge to : WEST SENECA CENT 239.98

CANCEL - CLERICAL ERROR, THE DISABLED EXEMPTION IN THE AMOUNT OF 8,596 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C
 (5-0)

2. Item Page - 2001 (Comm.19E-11)

COUNTY EXECUTIVE

WHEREAS, the Department of Social Services has the responsibility for administration of the Home Energy Assistance Program (HEAP) and payment of benefits thereunder, and

WHEREAS, this program is of great significance in enabling Erie County residents to pay for home utility costs and providing emergency utility assistance, and

WHEREAS, payments to utility companies and clients for authorized benefits are expected to exceed the amounts appropriated for the HEAP program by \$5,705,000, and

WHEREAS, these payments cannot be processed in the County's accounting system without an increase in the appropriation for HEAP benefits, and

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WHEREAS, the Department of Social Services has received assurance from the State that all authorizations will be reimbursed, and

WHEREAS, the Department expects the State to increase its HEAP allocation, based on current levels of benefit authorizations, to an amount that exceeds the current budgeted appropriation for these payments, and

WHEREAS, no local County funds will be required for the County to accept additional Federal funds and increase the HEAP appropriation.

NOW, THEREFORE, BE IT

RESOLVED, that Erie County is hereby authorized to accept additional HEAP funds in the amount of \$5,705,000 for the period October 1, 2000 to September 30, 2001, and be it further

RESOLVED, that the following budget amendments are hereby authorized for the current HEAP budget, project number 350:

Department of Social Services, Department 120, Fund 281

	<u>Account</u>	<u>Description</u>	<u>Amount</u>
830-0484		Contractual - Miscellaneous	<u>\$5,705,000</u>
		Total Appropriations	<u>\$5,705,000</u>
653		Federal Aid for Energy Assistance	<u>\$5,705,000</u>
		Total Revenues	<u>\$5,705,000</u>

and be it further

RESOLVED, that Erie County is hereby authorized to accept additional HEAP funds in the amount of \$5,705,000 for the period October 1, 2001 to September 30, 2002, and be it further

RESOLVED, that the following budget amendments are hereby authorized for the next year HEAP budget, project number 473:

Department of Social Services, Department 120, Fund 281

<u>Account</u>	<u>Description</u>	<u>Amount</u>
830-0484	Contractual - Miscellaneous	<u>\$5,705,000</u>
	Total Appropriations	<u>\$5,705,000</u>
653	Federal Aid for Energy Assistance	<u>\$5,705,000</u>
	Total Revenues	<u>\$5,705,000</u>

and be it further

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

3. Item Page - 2001 (Comm.19E-13)
COUNTY EXECUTIVE

WHEREAS, the Department of Social Services has been notified of an increase of \$4,200,000 in the amount of its allocation of State Child Care Block Grant funds to provide child day care for low-income and public assistance families, and

WHEREAS, these additional funds are necessary for the County to continue to make payments for child day care assistance for the balance of the program year, and

WHEREAS, these day care funds will enable additional numbers of low-income parents to have access to quality and affordable day care for their children, and

WHEREAS, access to day care will allow parents to complete their education and continue employment and will allow Family Assistance clients to be engaged in required work activities, and

WHEREAS, no additional County funds are required to accept the grant award.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive and/or the Commissioner of Social Services are hereby authorized to accept additional funds in the amount of \$4,200,000 for the Child Care Block Grant program, and be it further

RESOLVED, that the following budget amendments are hereby authorized for the Child Care Block Grant for the period October 1, 2000 through September 30, 2001:

Department Of Social Services, Department 200, Fund 281, Project 340

<u>Account</u>	<u>Description</u>	<u>Increase</u>
850	Child Care DSS	<u>\$4,200,000</u>
	Total Expenditures	<u>\$4,200,000</u>
551	State Aid	<u>\$4,200,000</u>
	Total Revenues	<u>\$4,200,000</u>

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and be it further

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

(5-0)

4. Item Page - 2001 (Comm.19E-14)

COUNTY EXECUTIVE

WHEREAS, RPTL § 1537 (4) authorizes municipalities which have adopted a resolution subject to permissive referendum providing for a single appointed assessor to enter into an agreement with a county for assessment services; and

WHEREAS, the TOWN OF GRAND ISLAND ("TOWN") has duly adopted a resolution authorizing such agreement in accordance with RPTL § 1537(4); and

WHEREAS, the TOWN and the COUNTY OF ERIE ("COUNTY") have entered into a municipal cooperation agreement pursuant to General Municipal Law Article 5-G whereby the COUNTY is providing such services through an employee or personal services contractor of the Erie County Real Property Tax Service Office designated to act as the TOWN's sole assessor for the 2001-2002 assessment year; and

WHEREAS, in order to provide assessment services to the TOWN, the COUNTY has engaged the services of a New York State certified assessor who is an independent contractor of the County.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Executive is authorized to enter into a personal services agreement with DAVID M. UNMACK, an independent contractor and New York State certified assessor, to assist the County in performing assessment services for the TOWN; and be it further

RESOLVED, that the COUNTY shall pay DAVID M. UNMACK for assessment services rendered hereunder the agreed rate of \$ 50.00 per hour, not to exceed a maximum aggregate of 180 hours (or \$ 9,000.00) plus reimbursement for related expenses; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the Erie County Executive, the Department of Law, the Erie County Real Property Tax Service Office, Division of Budget, Management and Finance and the Office of the Comptroller.

(5-0)

5. Item Page - 2001 (Comm.19E-15)

COUNTY EXECUTIVE

WHEREAS, the Acting Erie County Deputy Commissioner of Finance has transmitted to this Legislature transcripts of tax delinquencies and tax delinquent real properties for foreclosure

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pursuant to the In Rem provisions of the Erie County Tax Act, and has furnished this Legislature with the necessary abstracts from the Finance Department records of such delinquencies.

NOW, THEREFORE BE IT

RESOLVED, that the In Rem provisions of the Erie County Tax Act be applied to the real property and delinquent taxes set forth in such transcripts, as may be determined by the Acting Erie County Deputy Commissioner of Finance, upon which the County of Erie owns a tax sale certificate which has been due and unpaid for a period of at least two (2) years, and be it further

RESOLVED, that the County Attorney commence, conduct and consummate such tax foreclosure action, as directed by this Legislature and determined by the Acting Erie County Deputy Commissioner of Finance, and be it further

RESOLVED, that the County Attorney, in connection with his conduct and consummation of said tax foreclosure action, pursuant to Section 6.01(c) of the Erie County Administrative Code and within the limits of the appropriations provided therefor in the Referee's Account in the Department of Budget, Management & Finance [#610 982210231741001], employ such special counsel, professional, technical or other consultant services, and incur such expenses, as he may deem necessary, and be it further

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

(5-0)

CRYSTAL D. PEOPLES
CHAIRPERSON

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 451

October 11, 2001

HEALTH/MENTAL HEALTH
 COMMITTEE
 REPORT NO.13

ALL MEMBERS PRESENT.

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

- | | | | | |
|----|----------------|--|-------|---------------|
| | Item | Page | -2001 | (Comm. 19D-2) |
| a. | HEALTH: | Notice of Board of Health Meeting to be Held 10/18/01 & Minutes of Meeting Held 7/19/01. | | |
| | | (5-0) | | |

AS AMENDED

- | | | | | |
|----|--|------|--------|-------------|
| 2. | Item | Page | - 2001 | (Int. 18-2) |
| | McCARVILLE, GREENAN, CHASE, WEISNTEIN, RANZENHOFER, LARSON, FISHER, PEOPLES, HOLT, PAULY, & KUWIK | | | |

WHEREAS, the small business community in New York is facing a crisis because access to affordable group-rated health insurance is becoming increasingly more scarce for the smallest of businesses - sole proprietors, and

WHEREAS, since under the Community Rating / Open Enrollment (CR/OE) law in New York State, small business groups are defined as 2-50 subscribers, the law does not offer group-rated health insurance to those in business for themselves, and

WHEREAS, since the inception of the CR/OE, most health plans in the state have offered group-rated products to sole proprietors who purchase health insurance through a chamber of commerce or other association, and

WHEREAS, within the past 18 months, the relationship between health plans and the chambers and associations that sell their products have changed dramatically, resulting in plans throughout New York State to pull out of the sole proprietor market, and

WHEREAS, because of these changes in health care availability, sole proprietors are forced into the "direct pay" market which can cost the average family approximately \$1,200 per month.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature believes that hard work and ambition are qualities that should be rewarded and encouraged, not discouraged by the threat of expensive health insurance, and be it further

RESOLVED, this Honorable Body does hereby request that the New York State Legislature pass A.7413 which supports amending the insurance law in relation to group health insurance, and be it further

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

(5-0)

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3. Item Page - 2001 (Comm. 19E-8)

COUNTY EXECUTIVE

WHEREAS, the Buffalo School District is the largest in Western New York with approximately 55,000 students enrolled in 87 public, private and parochial schools, and

WHEREAS, since 1948, the Erie County Health Department has been responsible for providing school health nursing services to all schools in the City of Buffalo, and

WHEREAS, the current project will increase staffing in the School Health Program which will result in 20 Buffalo schools receiving five-day per week nursing services, and

WHEREAS, this is the first phase of a multi-year project which will improve the provision of school health services in the City of Buffalo, and

WHEREAS, Erie County received payment as a result of a fine ordered by the court for charges to the Buffalo Teachers Federation relating to the recent teachers strike, and

WHEREAS, the Chairman of the Erie County Legislature appointed a Task Force to study current nursing services, provided by the County to the Buffalo public schools; said Task Force included representatives of the Legislature, the Erie County Health Department, Buffalo Board of Education, and the New York State Nurses Association, and

WHEREAS, that said Task Force reported its findings and recommendations to the Legislature and to the County Executive, and

WHEREAS, that one of the findings was to utilize a portion of the fine money to link the 20 school nurse clinics to the Buffalo Public School student information system, school health module.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby reaffirm its commitment to the 1948 agreement between the City and the County to provide effective, high quality nursing services within Buffalo Public Schools, and be it further

RESOLVED, that the Erie County Legislature hereby authorizes budgetary adjustments as follows:

BUFFALO SCHOOL HEALTH ENHANCEMENT PROJECT

5/1/01 - 7/31/02

Project #543

SFG		CURRENT		REVISED
ACCOUNT	REVENUE	BUDGET	CHANGES	BUDGET
685-2700	Department of Health	<u>\$377,369</u>	<u>\$58,000</u>	<u>\$435,369</u>

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	TOTAL	<u>\$377,369</u>	<u>\$58,000</u>	<u>\$435,369</u>
	EXPENSE			
800	Personal Services	\$324,674	\$ 0	\$324,674
805	Fringe Benefits	50,695	0	50,695
824	Local Travel	2,000	0	2,000
932	Furniture, Fixtures & Office Equipment	0	+ 8,000	8,000
933	Lab & Technical Equipment	<u>0</u>	<u>50,000</u>	<u>50,000</u>
	TOTAL	<u>\$377,369</u>	<u>\$58,000</u>	<u>\$435,369</u>

and be it further

RESOLVED, that the Erie County Legislature hereby authorizes the following budgetary transactions:

Increase Account 880-2709 - Interfund - Health Grants	\$58,000
Increase Account 572- State Aid	\$20,880
Decrease Account (DAC: 1109233102882000100)- General Fund	\$37,120
Balance Designated for Buffalo Schools	

and be it further

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

4. Item Page - 2001 (Comm. 19E-9)

COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Health has received a revised grant award in the amount of \$78,000 from the New York State Health Department to support the promotion of healthy nutrition and physical activity in order to reduce the prevalence of overweight and related risk factors for chronic disease in preschool-age children, and

WHEREAS, national data has indicated a dramatic increase in pediatric obesity that can have a negative influence on long-term health and result in the development of chronic diseases, and

WHEREAS, nutrition and physical activity are identified as two of the twelve priority areas for public health action in New York State.

NOW, THEREFORE, BE IT

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

EAT WELL, PLAY HARD NUTRITION GRANT
7/1/01-06/30/02
PROJECT #509

SFG ACCOUNT	REVENUE	CURRENT BUDGET	CHANGES	REVISED BUDGET
553	STATE AID	\$ 78,000	\$ 0	\$ 78,000
	TOTAL	<u>\$ 78,000</u>	<u>\$ 0</u>	<u>\$ 78,000</u>
	EXPENSES			
830-0186	CONTRACTUAL-CORNELL CO-OP EXT. OF E.C.	\$ 71,000	\$1,100	\$ 72,100
830-0204	CONTRACTUAL-WELLNESS INSTITUTE	2,000	0	2,000
933	LABORATORY & TECHNICAL EQUIPMENT	5,000	(1,100)	3,900
	TOTAL	<u>\$ 78,000</u>	<u>\$ 0</u>	<u>\$ 78,000</u>

and be it further

RESOLVED, that the County Executive is hereby authorized to enter into a subcontract with the Cornell Cooperative Extension Service of Erie County in the amount \$72,100 for the purpose of providing coordination services, 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. in the amount of \$2,000 for the purpose of participating in the initiative, and be it further

RESOLVED, that the subcontracts with the Cornell Cooperative Extension Service of Erie County and the Wellness Institute of Greater Buffalo and Western New York, Inc. are special services which must be provided immediately and continuously, and therefore the RFP procedure required under Erie County Local Law No. 6, Section 19.08 of the Administrative Code is hereby waived, and be it further

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

(5-0)

5. Item Page - 2001 (Comm. 19E-10)

COUNTY EXECUTIVE

WHEREAS, the Erie County Health Department operates a Women's Health Services Program which provides a Teen Wellness Program and the Baby Think It Over Infant Simulators as a means to reduce teen pregnancy within Erie County, and

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WHEREAS, the Erie County Health Department has recently received a grant award from the Community Foundation for Greater Buffalo in the amount of \$14,495 to purchase 30 (thirty) Real Care Baby Think It Over Infant Simulators and accessories for the Women's Health Services Program.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to accept the grant award from the Community Foundation for Greater Buffalo in the amount of \$14,495 to be budgeted as follows:

WOMEN'S HEALTH SERVICES
4/1/01- 3/31/02
PROJECT #493

Increase SFG 360 1012 Community Foundation of Greater Buffalo	\$14,495
Increase SFG 933 Lab & Technical Equipment	\$14,495

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)

JUDITH P. FISHER
CHAIRPERSON

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

CARRIED UNANIMOUSLY.

LEGISLATORS RESOLUTIONS

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 452

Re: Collecting Information on Project Labor Agreements. (Intro. 20-8)

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A RESOLUTION SUBMITTED BY LEGISLATORS FITZPATRICK & DUSZA

WHEREAS, when planning and implementing construction projects, one option governments have is to institute a Project Labor Agreement (PLA) in order to set certain guidelines and rules for employment on the project, and

WHEREAS, PLAs have been used on several recent projects, including the first phase of Erie County's Family Courthouse, and

WHEREAS, the next phase of said project is ready to begin, and once again a PLA is one option to be considered, and

WHEREAS, in order to help determine whether a PLA would be beneficial to the county and its taxpayers, there will be an informational meeting of the Erie County Legislature's Economic Development Committee on Wednesday, October 17 at 6 p.m. to examine the issue, and

WHEREAS, both union and non-union representatives have been invited to share their insight on the matter, as have representatives from the administration,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby reaffirm its commitment to exploring the issue of a PLA for the next phase of the county courthouse project, and be it further

RESOLVED, that this Honorable Body does hereby encourage any and all interested parties to attend the informational meeting of the Legislature's Economic Development Committee on Wednesday, October 17 to explore the issue, and be it further

RESOLVED, that certified copies of this resolution be sent to Erie County Executive Joel Giambra and Department of Public Works Commissioner Maria Lehman.

Fiscal Impact: None for resolution.

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

CARRIED UNANIMOUSLY.

ADD the following CO-SPONSORS:

KUWIK, HOLT, FISHER, PEOPLES, SWANICK, MARINELLI & PAULY

DELETE the resolution in its entirety, and replace with the following:

WHEREAS, when planning and implementing construction projects, one option governments have is to institute a Project Labor Agreement (PLA) in order to set certain guidelines and rules for employment on the project, and

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WHEREAS, recent projects that have utilized PLAs include the NFTA Buffalo-Niagara International Airport and the new Erie County Family Courthouse, and

WHEREAS, the Buffalo airport project, which had a PLA in place, came in on-time and under budget, and

WHEREAS, similarly, the courthouse project proved successful in using a PLA, and

WHEREAS, Erie County Executive Joel Giambra is now saying that he does not want a PLA for the next phase of said project, and

WHEREAS, the County Executive's position is contradictory to the fact that PLAs have been successful in our community, and

WHEREAS, it is useful to clear up some of the misconceptions of PLAs, and an ideal place to begin is with our own courthouse project, and

WHEREAS, the courthouse PLA specifies that bidding is allowed from both union and non-union companies, and

WHEREAS, said PLA does not require a non-union contractor to join the union should they be chosen for the project, and

WHEREAS, the PLA does not require a non-union contractor to pay in to the union benefits fund; existing benefits plans can be used, provided they meet or exceed the prevailing rate benefit plan established by New York State — a requirement set in place by the state whether there is a PLA on a project or not, and

WHEREAS, likewise, the prevailing wages are set and required by New York State Municipal Building Law, and are in effect under open bidding and PLAs, and

WHEREAS, the courthouse PLA has served to expedite disputes, provided a resolution for grievances, workers compensation cases and jurisdictional disputes, and has resulted in no job slowdowns or shutdowns on the project, and

WHEREAS, other beneficial provisions of the courthouse PLA include unified start times, a 40 hour work week, no shift differentials, and a Saturday makeup day at straight time, and

WHEREAS, as of December 31, 2000 Erie County's minority workforce goal of 13.2 percent has been beaten by 12.4 percent for a total of 25.6 percent, and the woman workforce goal of 6.9 percent is actually at 7.4 percent, and

WHEREAS, the county's MBE goal of 10 percent and WBE goal of two percent stand as of December 31, 2000 at 12.3 percent and 5.4 percent, respectively, and

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WHEREAS, it is therefore evident from the preceding data that the courthouse PLA has been a success, and that to dismiss a PLA for the next phase of the project is not beneficial to the taxpayers of Erie County,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby commend all those who negotiated and executed the Erie County Family Courthouse Project Labor Agreement for providing a model of success in governmental construction projects, and be it further

RESOLVED, that this Honorable Body does hereby support utilizing a Project Labor Agreement on the next phase of said project, and be it further

RESOLVED, that this Honorable Body does hereby direct the Departments of Law and Public Works to commence proceedings toward drafting a PLA in accordance with this resolution, for submission to the Legislature for final authorization, and be it further

RESOLVED, that said draft PLA be submitted to the Legislature in advance of any and all bidding procedures relating to phase II of the project, and be it further

RESOLVED, that certified copies of this resolution be sent to Erie County Executive Joel Giambra, County Attorney Frederick Wolf, First Assistant County Attorney Susannah Bochenek and Department of Public Works Commissioner Maria Lehman.

Fiscal Impact: Use of PLA positive for the taxpayers of Erie County.

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

CHAIRMAN SWANICK directed that a ROLL CALL vote be taken..

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

CARRIED. (Weighted Vote: 9.550-7.450)

Item 19 – CHAIRMAN SWANICK directed that the following resolution be referred to the FINANCE & MANAGEMENT COMMITTEE.

Intro. 20-1 From LEGISLATOR OLMA Re: Reducing Compensation for the Commissioners of the Erie County Water Authority.

CHALLENGE TO THE CHAIR.

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

FAILED. (Weighted Vote: 4.966-12.034)

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 453

Re: Holland Agricultural District (EC #11)
 Recertification. (Intro. 20-2)

A RESOLUTION SUBMITTED BY LEGISLATORS SWANICK, PEOPLES, KUWIK, FITZPATRICK, HOLT, FISHER, OLMA, DeBENEDETTI, DUSZA, MARINELLI, PAULY, GREENAN, CHASE, McCARVILLE, WEINSTEIN, RANZENHOFER, & LARSON

WHEREAS, the Holland Agricultural District (EC#11), was initially created August 9, 1977 and recertified in 1985 and 1993, and

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

WHEREAS, pursuant to a resolution on April 5, 2001, the Erie County Legislature directed the Clerk of the Legislature to publish a public notice of the district's review, and

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

WHEREAS, on the 26th day of September, 2001, pursuant to public notice, a public hearing was held within the agricultural district at the Holland Town Hall, and

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

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

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NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature concurs in the recommendations and findings made by the Agricultural and Farmland Protection Board and the Department of Environment and Planning and does hereby approve and reaffirm the existing Holland Agricultural District without modification and the Negative Declaration, and be it further

RESOLVED, that upon the adoption of this resolution, the Clerk of the Legislature be directed to forward the necessary documentation to the appropriate officials of the State of New York in accordance with the Agricultural and Markets Law and that copies of this resolution be sent to the Towns of Holland, Colden, Wales and Sardinia, and to the Erie County Department of Environment and Planning (Chet Jandzinski).

FISCAL IMPACT: To Be Determined.

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

CARRIED UNANIMOUSLY.

Item 21 – MR. HOLT presented the following resolution for immediate consideration. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 454

Re: Buffalo Place – Year 2002 Budget.
(Intro. 20-3)

A RESOLUTION SUBMITTED BY LEGISLATORS HOLT, SWANICK, PEOPLES, KUWIK, FITZPATRICK, FISHER, OLMA, DeBENEDETTI, DUSZA, MARINELLI, PAULY, GREENAN, CHASE, McCARVILLE, WEINSTEIN, RANZENHOFER & LARSON

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

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

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

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WHEREAS, pursuant to the said Local Law, Buffalo Place Inc. held a public hearing, on due notice to property owners within the district, regarding the proposed 2002 annual budget on September 18, 2001,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby determine that the total amount to be raised by mall district service charges in 2002 shall be the sum of \$1,176,983 as contained in the attached budget which shall be part of this Resolution, which amount does not exceed 80% of the service charges that could be assessed or levied against properties in the district, and be it further

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

RESOLVED, that the Erie County Commissioner of Finance shall, not later than November 30, 2001, cause to be established a Mall District Special Charge Roll apportioning the amount herein above determined to be raised by mall district special charges for 2002 in conformance with the formula set forth in Section 7 of Erie County Local Law No. 8-1984 using the latest available final general or special assessment roll prepared by the City of Buffalo, and be it further

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

FISCAL IMPACT: To Be Determined.

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

CARRIED UNANIMOUSLY.

Item 22 – MR. KUWIK presented the following resolution for immediate consideration. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

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RESOLUTION NO. 455

Re: Funding for Emergency Services.
(Intro. 20-4)

A RESOLUTION SUBMITTED BY LEGISLATOR KUWIK

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

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

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

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$5,000 from the legislative contractual (DAC: 110905100830) (2000 designated funds) to Fund 110, Project 921, Department 301 Agency Payments & Grants - Public Benefit Services, (DAC: 110921301830), for paying the following agency:

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
City of Lackawanna Department Of Public Safety - Division of Emergency Services	830/	\$5,000
TOTAL		\$5,000

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

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M. Bochenek, and to Sharon Juda, City of Lackawanna Department Of Public Safety - Division of Emergency Services (714 Ridge Road, Lackawanna, NY 14218.)

Fiscal Impact: Appropriation of 2000-budgeted funds.

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

CARRIED UNANIMOUSLY.

REPLACE the first RESOLVE with the following:

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$12,500 from the legislative contractual (DAC: 110905100830) (2000 designated funds) to Fund 110, Project 921, Department 301 Agency Payments & Grants - Public Benefit Services, (DAC: 110921301830), for paying the following agency:

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
City of Lackawanna Department Of Public Safety - Division of Emergency Services	830/	\$5,000
Neighborhood Housing Services of S. Buffalo	830/1462	\$7,500
TOTAL		\$12,500

and be it further

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$45,334 from the Extraordinary County Aid to Local Governments - Regionalism / Economic Development Fund (DAC: 110904303830) to Fund 110, Project 921, Department 301 Agency Payments & Grants - Public Benefit Services, (DAC: 110921301830), for paying the following agencies:

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
Clean Communities of WNY	830/0538	\$45,334
TOTAL		\$45,334

and be it further

DELETE the final RESOLVE and REPLACE with the following:

RESOLVED, that certified copies of this resolution be sent to County Executive Joel A. Giambra, County Comptroller Nancy A. Naples, Budget Director Joseph Passafiume, Jennifer Anger, Administrative Assistant Erie County Legislature, First Assistant County Attorney Susannah

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M. Bochenek, and to Sharon Juda, City of Lackawanna Department Of Public Safety -Division of Emergency Services (714 Ridge Road, Lackawanna, NY 14218,) Sheryl Duderich, Executive Director, Neighborhood Housing Services of South Buffalo, (1937 South Park Avenue, Buffalo, NY 14220,) and to Frederic J. Smeader, President, Clean Communities of WNY, (3131 Sheridan Drive, Amherst NY 14226.)

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

CARRIED UNANIMOUSLY.

Item 23 – MS. PEOPLES presented the following resolution and moved for immediate consideration. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 456

Re: Urging NYS to Pass Supplemental Budget that Provides for Our Underprivileged Residents. (Intro. 20-5)

A RESOLUTION SUBMITTED BY LEGISLATORS HOLT, SWANICK, PEOPLES, KUWIK, FITZPATRICK, FISHER, DUSZA, MARINELLI, & PAULY

WHEREAS, the Erie County Legislature is committed to providing for the health and well being of our underprivileged residents, especially poor women and children, and

WHEREAS, New York State provides needed financial assistance to counties to provide a myriad of social service programs, and

WHEREAS, counties and municipalities are still awaiting the passage of a full budget by New York State after the State Legislature passed a baseline budget earlier this year, and

WHEREAS, awaiting a supplemental budget threatens to inhibit or close an undetermined number of social services programs, as well as health programs offered by ECMC, and

WHEREAS, the impact of this will affect the users of these services and the county employees providing them, and

WHEREAS, the programs are considered necessary to help constituents cope with the economy and to assist families in due course,

NOW, THEREFORE, BE IT

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RESOLVED, that the Erie County Legislature does hereby reaffirm its belief that every underprivileged constituent living in Erie County should have the right to adequate health and social services, and be it further

RESOLVED, that this Honorable Body does hereby memorialize New York State Governor George Pataki and the New York State Legislature to reinstate Erie County TANF funding, which involves several programs and services: Women's Programs, Child Care and Welfare-to-Work programs, and be it further

RESOLVED, that certified copies of this resolution be sent to New York State Governor George Pataki, the Western New York delegation of the New York State Legislature, Erie County Executive Joel Giambra, and Erie County Department of Social Services Commissioner Deborah Merrifield.

Fiscal Impact: None for resolution.

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 447

Re: Strengthening Military Leave for County Employees. (Intro. 20-6)

A RESOLUTION SUBMITTED BY LEGISLATORS FITZPATRICK, KUWIK, SWANICK, HOLT, FISHER, PEOPLES, DUSZA, MARINIELLI & PAULY

WHEREAS, due to the terrorist attacks of September 11, 2001 United States President George W, Bush and New York State Governor George Pataki have activated Reservists and National Guardsmen, respectively, and

WHEREAS, it is important that these brave men and women be justly compensated and retain health insurance and other benefits while in service to our country, and

WHEREAS, to that end this Honorable Body has already taken action on the matter to ensure said coverage for employees of Erie County, and have pledged to revisit the issue for further action if needed, and

WHEREAS, the New York State Correctional Officers and Police Benevolent Association has negotiated a Memorandum of Understanding (MOU) with Governor Pataki that would provide

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an additional 30 days of full military leave, the optional usage of accruals (excluding sick leave) only after exhausting the 30 days of military leave, continued receipt of their full state paycheck (offset by any military pay received), and continued health coverage, and

WHEREAS, the terms of the aforementioned MOU would provide more comprehensive benefits for those called to service than this Honorable Body's previous action, and

WHEREAS, it would be entirely appropriate to adopt the terms of said MOU for use with Erie County employees as well,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby strongly and gratefully reiterate its thanks to the men and women working to preserve this country's democracy in the face of the terrorist threats, and be it further

RESOLVED, that this Honorable Body does hereby request that the administration adopt a plan for all county employees called to service during this war on terrorism which includes:

- An additional 30 days of full military leave,
- The optional usage of accruals (with the exception of sick leave) only after exhausting all military leave,
- The continued receipt of the equivalent of a full county paycheck, off-set by any military pay received,
- The continued receipt of full health benefits as per the employee's current position,

and be it further

RESOLVED, that certified copies of this resolution be sent to Erie County Executive Joel Giambra, Budget Director Joseph Passafiume, Comptroller Nancy Naples, Personnel Commissioner Leonard Lenihan, and County Attorney Frederick Wolf.

Fiscal Impact: To be determined.

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

CARRIED UNANIMOUSLY.

Item 25 – MRS. FISHER presented the following resolution and moved for immediate consideration. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

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RESOLUTION NO. 408

Re: Urging the US Government to Strengthen
Area Hospitals. (Intro. 20-7)

A RESOLUTION SUBMITTED BY LEGISLATORS FISHER, HOLT, PEOPLES, SWANICK,
KUWIK, FITZPATRICK, DUSZA, MARINELLI & PAULY

WHEREAS, this Community's hospitals are charged with protecting the health and welfare of the region, provide employment for many, provide volunteer opportunities for those wishing to serve the public, and serve as a training ground for students at area colleges, and

WHEREAS, these hospitals most important and precious resources are the caregivers and other workers who deliver the high quality services upon which their patients depend, and

WHEREAS, hospitals in our county and throughout the nation are facing immediate, severe and growing shortages of nurses, nurse aids, pharmacists, technicians, therapists, and other essential personnel, and

WHEREAS, the need to attract and retain workers in this period of extreme shortage has increased personnel salary and benefit costs, imposing additional and significant financial strains on hospitals, and

WHEREAS, demographic and societal changes are decreasing the number of persons choosing many health care careers at the same time as the demand for health care services is increasing, and

WHEREAS, the availability of a highly qualified caregiver workforce is essential to fulfilling hospitals' mission of enhancing the health of their patients and the community, and

WHEREAS, the Erie County Legislature is currently working with Erie Community College and Erie County Medical Center on an enhanced nurses training program, and

WHEREAS, there are several bills and steps the federal government can also take on this matter,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby reaffirm its commitment to providing for the health and well being of all our county's residents through Erie County Medical Center and our various departments and programs in county government, and be it further

RESOLVED, that this Honorable Body does hereby memorialize the United States Congress and President George W. Bush to support and enact this year:

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- The American Hospital Preservation Act (H.R.1556 / S.839) to restore a full inflation update for Medicare inpatient services for all PPS hospitals and maintain current funding for the indirect costs of medical education for America's teaching hospitals,
- The Area Wage and Base Payment Act (H.R.1609 / S.885) to assist rural and small community hospitals by adding new Medicare funding to bring all hospitals to the higher of Medicare's two base payments (standardized amounts) and eliminating unreasonable wage treatment of rural and small community hospitals by the Medicare program,
- Investment in Nursing and Other Health Professions Education to expand the health care workforce and assure an adequate future supply of health care workers,
- Protection for Medicaid Safety Net Hospitals that often offer the only alternative for vital health care services to many of our nation's poorest and neediest patients,
- Meaningful Regulatory Relief for America's patients, hospitals and caregivers,

and be it further

RESOLVED, that certified copies of this resolution be sent to United States President George W. Bush, the Western New York delegation of the United States Congress, Erie County Medical Center Chief Executive Officer Sheila Kee, and Healthcare Trustees of New York State Executive Director Joanne Cunningham (One Empire Drive, Rensselaer, NY 12144).

Fiscal Impact: None for resolution.

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

CARRIED UNANIMOUSLY.

Item 26 – MS. PEOPLES presented the following resolution and moved for immediate consideration. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 459

Re: Urging the Federal Government to Repeal the Rescission of Workforce Investment Act Funds for Dislocated Workers. (Intro. 20-9)

A RESOLUTION SUBMITTED BY LEGISLATORS PEOPLES & MAIRINELLI

WHEREAS, in the aftermath of the events of September 11, 2001, the national economy and the local economy in Erie County are suffering adverse effects most immediately seen in the airline and hospitality industries, and

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WHEREAS, the Greater Buffalo Convention and Visitor Bureau informs us that three major conventions were already canceled since September 11, 2001, while the Buffalo International Airport reports a 38% drop in air travel in the month of September, and

WHEREAS, the economic downturn in the airline and hospitality industry has already caused layoffs of hundreds of workers, which is causing a ripple effect that is producing layoffs in other sectors of the economy, and

WHEREAS, most of Erie County's programs to assist dislocated workers are administered through the Buffalo and Erie County Workforce Investment Board and funded under the Federal Workforce investment Act, and

WHEREAS, Congress rescinded about \$110 million in Workforce Investment Act (WIA) dollars, which translated into a \$1.5 million reduction in Erie County's allocation for this 2002 program year, and

WHEREAS, the impact of this reduction on our efforts to assist dislocated workers will be severe, with our current allocation of \$986,000 being exhausted by January of 2002 or only halfway through the 2002 program year, and

WHEREAS, the reauthorization of the Welfare-to-work program will also be essential for Erie County to continue its efforts to aid public assistance recipients moving toward the goal of becoming self-sufficient,

NOW, THEREFORE, BE IT

RESOLVED, that Erie County is committed to the economic stability of our region with immediate concern for the airlines and the hospitality industry, and be it further

RESOLVED, that this Honorable Body does hereby memorialize the United States Congress to repeal the rescission of funds for dislocated workers by restoring the Workforce Investment Act funding for Program Year 2002 to the levels of Program Year 2000 or higher, and be it further

RESOLVED, that this Honorable Body does hereby request that Congress also reauthorize the Welfare-to-Work program and provide needed funding to assist persons in need, helping them to become self-sufficient, and be it further

RESOLVED, that certified copies of this resolution be forwarded to United States Senator Charles Schumer, United States Senator Hilary Clinton, and the Western New York Delegation to the United States Congress.

Fiscal Impact: positive for Erie County

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

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CARRIED UNANIMOUSLY.

ADD the following to the final RESOLVE clause:

... Erie County Executive Joel A. Giambra, Buffalo Mayor Anthony M. Masiello, Workforce Investment Board Executive Director Jim Finamore, Work Force Investment Board Chair Ed Marlette.

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

CARRIED UNANIMOUSLY.

COMMUNICATIONS DISCHARGED FROM COMMITTEE

Item 27 – MS. PEOPLES moved to discharge the FINANCE & MANAGEMENT COMMITTEE from further consideration of Comm. 19E-6. MRS. FISHER seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 450

Re: Centralized Regional GIS/Real Property Tax System.

WHEREAS, the Division of Information and Support Services has begun soliciting towns to participate in the Centralized Regional GIS/Real Property Tax System, and

WHEREAS, the Division of Information and Support Services has received positive responses from many of the towns, and

WHEREAS, the Division of Information and Support Services has received more requests from other agencies wanting to participate, and

WHEREAS, the Division of Information and Support Services is currently investigating the possibility of assuming responsibility for the maintenance and support of the Department of Social Services network and servers, and

WHEREAS, the Division of Information and Support Services will need to request additional funding to expand the capacity of the new systems so that we can accommodate these additional requests,

NOW, THEREFORE, BE IT

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RESOLVED, that the Division of Information and Support Services is authorized to accommodate the additional request from other agencies to participate in the County's Centralized Regional GIS/Real Property Tax System, and be it further

RESOLVED, that the 2001 Capital Budget is hereby amended to increase the Centralized Regional GIS/Real Property Tax System capital project in the amount of \$485,000 for the acquisition of additional equipment, to accommodate these unanticipated requests, and be it further

RESOLVED, that the sum of \$485,000 for the acquisition of equipment necessary to increase the capacity of the Centralized Regional GIS/Real Property Tax System will be provided from proceeds in the Tobacco Trust Account, and be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Division of Budget, Management and Finance, the Office of the Comptroller, the Division of Information and Support Services and the Director of Central Data Processing.

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

CARRIED UNANIMOUSLY.

SUSPENSION OF THE RULES

Item 28 – MR. PAULY moved for a suspension of the rules to include an item not on the agenda. MS. MARINELLI seconded.

GRANTED.

CHAIRMAN SWANICK directed that the following item be referred to the REGIONALISM AD HOC COMMITTEE.

GRANTED.

Comm. 20M-10 From ERIE-NIAGARA REGIONAL PARTNERSHIP Re: Report on Activity.

Item 29 – MR. OLMA moved for a suspension of the rules to include an item not on the agenda. MS. MARINELLI seconded.

GRANTED.

CHAIRMAN SWANICK directed that the following item be referred to the FINANCE & MANAGEMENT COMMITTEE.

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GRANTED.

Comm. 20E-38 From LEGISLATOR OLMA Re: The Selection of the Construction Manager for the Joint Schools Construction Project.

COMMUNICATIONS FROM ELECTED OFFICIALS

FROM THE COMPTROLLER

Item 30 – (Comm. 20E-1) Upgrade of Erie County’s Credit Rating from “A3” to “A2.”

Received and filed.

Item 31 – (Comm. 20E-2) County of Erie Federal Financial Assistance Audit Report for Year Ending 12/31/00.

Item 32 – (Comm. 20E-3) Update on \$85,000,000 Bond Refunding – Delay Due to Events of 9/11/01.

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

Item 33 – (Comm. 20E-4) Certificate of Determination – \$35,205,000 Public Improvement Serial Bonds & \$920,000 Sewer District Serial Bonds – Aggregating \$36,125,000 for Sale.

Received and filed.

Item 34 – (Comm. 20E-5) Management Letter Issued by Deloitte & Touche in Conjunction with Audit of County for Year Ending 12/31/00.

Item 35 – (Comm. 20E-6) Payment-in-Lieu-of-Taxes (PILOT) Program for Period 1/1/00 – 12/31/00.

Item 36 – (Comm. 20E-7) Bond Resolution – \$550,000 Fire Training Academy.

Item 37 – (Comm. 20E-8) Bond Resolution – Amendment of Bond Resolution 152-2001 – \$500,000 to Replace Water Lines at Chestnut Ridge & Grover Golf Course.

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

FROM THE SHERIFF

Item 38 – (Comm. 20E-9) NYS Governor’s Traffic Safety Committee Grant.

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Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM THE COUNTY EXECUTIVE

Item 39 – (Comm. 20E-10) Erie County Parks System Master Plan – Consultant Contracts/Planning.

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

Item 40 – (Comm. 20E-11) New Elevator & Basement Storage Renovations at Buffalo & Erie County Central Library.

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 41 – (Comm. 20E-12) ECSD No. 2 – Engineering Service Agreements – Work Order: SW-1 Comm. 20E-17.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 42 – MS. PEOPLES presented the following resolution and moved for immediate consideration. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 461

Re: Transfer of Funds – Auto Bureau.
 (Comm. 20E-13)

WHEREAS, the Buffalo Branch of the Erie County Auto Bureau will, because of the court facilities renovation project, move from the County Hall Annex at 25 Delaware Avenue to rented facilities at 77 Broadway, and

WHEREAS, the move will necessitate the installation of a new telephone system at 77 Broadway to serve both that location as well as Telephone Information Center which serves the entire county and will be located at 77 Broadway, and

WHEREAS, the County Clerk's Office, working with Assembly Majority Leader Paul Tokasz, earlier this year secured a State grant for Auto Bureau equipment and furnishings, including \$50,000 for the new phone system; the acceptance of said grant having been approved by this Legislature in July, 2001, and

WHEREAS, the County Division of Information and Support Services estimates the cost of the new phone system at \$61,000, and

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WHEREAS, there are other incidental expenses related to the move of the Buffalo Auto Bureau, and

WHEREAS, the 2001 County Budget includes an appropriation of \$60,000 for rental of a Buffalo Branch of the Auto Bureau and \$10,000 for utility charges for that Branch which will not be needed because the Branch will not move until early in 2002.

NOW, THEREFORE, BE IT

RESOLVED, that the following transfers of funds within the 2001 Budget of the County Auto Bureau are hereby approved:

From		
DAC 110916131822 (Rental)		\$60,000
DAC 110916131820 (Utility Charges)		<u>8,000</u>
		\$68,000
To		
DAC 110916131933 (Lab & Tech Equip.)		\$61,000
DAC 110916131932 (Office Equipment)		4,000
DAC 110916131826 (Other)		<u>3,000</u>
		\$68,000

and be it further

RESOLVED, that upon receipt of the State grant, the Director of Budget, Management and Finance is hereby authorized to transfer \$50,000 from the grant to the County's General Fund to repay a portion of the expenses of the new Auto Bureau phone system, and be it further

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

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

CARRIED UNANIMOUSLY.

Item 43 – (Comm. 20E-14) ECSD No. 2 – Contract No. 45EV – Contract Close Out – Milherst Construction.

Item 44 – (Comm. 20E-15) ECSD No. 5 – Contract No. 6L – Contract Close Out – Tom Greenauer Development.

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

Item 45 – MR. KUWIK presented the following resolution and moved for immediate consideration. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 462

Re: Proposed Agreement with WNY Umpire's Association. (Comm. 20E-16)

WHEREAS, the Erie County Department of Parks, Recreation and Forestry (hereinafter "Parks Department") has been the longtime sponsor of the County of Erie Baseball Association (C.E.B.A.); and

WHEREAS, the WNY Umpires' Association (hereinafter "Umpires") has provided officials to umpire games during this past 2001 baseball season to C.E.B.A. under an informal and unwritten agreement; and

WHEREAS, the Umpires is the sole source for providing baseball officials with sufficient personnel as required by the C.E.B.A. season schedule; and

WHEREAS, the Umpires are paid at a rate of \$36.00 per umpire, per game, from an account administered by the Parks Department comprised of budgeted Parks Department funds and registration fees collected from the C.E.B.A. teams; and

WHEREAS, the Umpires have submitted an invoice to the Parks Department in the amount of Twenty- Two Thousand, Four Hundred Sixty-Four and No/100 Dollars (\$22,464.00) for services rendered during this past 2001 C.E.B.A. season; and

WHEREAS, the Comptroller's Office is requiring a written agreement by and between the County and the Umpires in order to pay the invoice.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter into and execute any and all agreements with the Umpires, in an amount not to exceed \$22,464, for the provision of game officials for the C.E.B.A. 2001 baseball season at the rate of \$36.00 per umpire, per game; and be it further

RESOLVED, that funds in the amount of \$15,732 are available in the Recreation Trust Account, and be it further

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RESOLVED, that the sum of \$6,732 is hereby transferred from account 110943641826, Other Expenses, to account 110943641830, Contractual Fees, in the budget of the Division of recreation; and be it further

RESOLVED, that such agreement shall be renewable at the option of the Parks Department, on an annual basis, for a period of three years; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send certified copies of this Resolution to Lawrence D. Jasinski, Commissioner of the Department of Parks, Recreation and Forestry; Nancy A. Naples, Erie County Comptroller; Joseph Passafiume, Director of Budget, Management and Finance; and Gregory J. Dudek, Assistant County Attorney.

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

CARRIED UNANIMOUSLY.

Item 46 – (Comm. 20E-17) Request of Town of Amherst – Purchase Contracts – Administrative Code Section 3.06 (c) (9).

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 47 – (Comm. 20E-18) CPS – Criminal Justice Records Improvement Program Grant.

Received and referred to the PUBLIC SAFETY COMMITTEE.

Item 48 – (Comm. 20E-19) Reappointments & Appointments to Conditional Release Commission.

Received, filed and printed.

October 16, 2001

The Honorable
Erie County Legislature
25 Delaware Avenue
Buffalo, New York 14202

Re: Reappointments & Appointment to Conditional Release Commission

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Dear Members:

I, Joel A. Giambra, Erie County Executive, pursuant to Section 271, New York State Corrections Law Article 12, do hereby appoint the following individuals to the Conditional Release Commission for the terms stated.

REAPPOINTMENTS

NAME AND ADDRESS	TERM EXPIRATION
DR. TALIA HARMON 2220 Northwood Drive Williamsville, NY 14221	September 1, 2003
DORIS A. CARBONELL-MEDINA, ESQ. 254 Rounds Avenue Buffalo, New NY 14215	September 1, 2003
TERRY ANDERSON 618 Columbus Parkway Buffalo, NY 14213	September 1, 2003
RALPH W. GRZEDZICKI Erie County correctional Facility 11581 Walden Avenue Alden, NY 14004	September 1, 2003
H. McCARTHY GIBSON 72 Northington Drive East Amherst, NY 14051	September 1, 2003
ALPINA H. TAYLOR 8 Parliament Court Getzville, NY 14068	September 1, 2003
NICHOLAS L. OTTAVIANI 46 Maria Lane Cheektowaga, NY 14227	September 1, 2003
SELENA J. GARR 449 Richmond Avenue Buffalo, NY 14222	September 1, 2003

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ERIE COUNTY LEGISLATURE

THOMAS F. HIGGINS
 187 Cumberland Avenue
 Buffalo, NY 14220

September 1, 2003

APPOINTMENT

ANDREW JOHNSON, JR.
 Executive Assistant
 NYS Office of Children & Family Services
 52 Washington Street
 Albany, NY 12144

September 1, 2003

Respectfully submitted,

ERIE COUNTY EXECUTIVE

cc: Appointees
 George B. Alexander, Director, Dept. of Probation

Item 49 – (Comm. 20E-20) Appointment to ECMC Board of Managers.

Received and referred to the HEALTH COMMITTEE.

Item 50 – (Comm. 20E-21) Appointment to EC Fire Advisory Board.

Received and referred to the PUBLIC SAFETY COMMITTEE.

Item 51 – MS. PEOPLES presented the following resolution and moved for immediate consideration. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 463

Re: Purchase of 2001 Tax Sale Certificates.
 (Comm. 20E-22)

RESOLVED, that pursuant to Article VII of the Erie County Tax Act, the Acting Erie County Deputy Commissioner of Finance be, and hereby is, authorized to bid for and purchase, on behalf of the County of Erie, all Tax Certificates upon real estate in Erie County for which 2001 real property taxes have not been paid, and be it further

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

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

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CARRIED UNANIMOUSLY.

Item 52 – (Comm. 20E-23) Social Services – International Institute – Interpreter Services.

Received and referred to the SOCIAL SERVICES COMMITTEE.

Item 53 – (Comm. 20E-24) Health – Transfer of Funds.

Item 54 – (Comm. 20E-25) Health – Physician Assistant Fee for Service Rate.

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

Item 55 – (Comm. 20E-26) Payment-In-Lieu-of-Taxes (PILOT) for 3414 Sweet Home Road, Town of Amherst.

Item 56 – (Comm. 20E-27) EC Southtowns Sewage Treatment Agency Engineering Service Agreements Work Order URS-9.

Item 57 – (Comm. 20E-28) ECSD Nos. 1-6 & Southtowns Sewage Treatment Agency – URS Corporation – Change Order No.1.

Item 58 – (Comm. 20E-29) EC Sport Fishery Promotion – BASS Lake Erie / Niagara River Tournament – 2002.

Item 59 – (Comm. 20E-30) ECSD Nos. 1-6 – User Charges – 2002.

Item 60 – (Comm. 20E-31) EC Healthy Homes Initiative Program.

Item 61 – (Comm. 20E-32) EC Southtowns Sewage Treatment Agency – Engineering Service Agreement – Work Order – URS-10.

Item 62 – (Comm. 20E-33) EC/Southtowns Sewage Treatment Agency – A/E Agreement Dated 3/1/99 – Engineering Change Order No. 3 – Stearns & Wheeler.

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

Item 63 – (Comm. 20E-34) Seneca Bluffs Wetland Restoration Project.

Received and referred to the PERSONNEL AD HOC COMMITTEE.

Item 64 – (Comm. 20E-35) Post Purchase Counseling & Home Maintenance Workshop Program for Low Income First Time Home Buyers.

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Item 65 – (Comm. 20E-36) ECSD No. 6 – A/E Agreement Dated 6/24/93 – Engineering Change Order “D” – Malcolm Pirnie.

Item 66 – (Comm. 20E-37) ECSD No. 3/EC Southtowns Sewage Treatment Agency Advance Planning Bond Resolution.

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

COMMUNICATIONS FROM THE DEPARTMENTS

FROM THE BUFFALO & ERIE COUNTY PUBLIC LIBRARY

Item 67 – (Comm. 20D-1) Report of Summer Cyber Camp.

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM ECMC

Item 68 – (Comm. 20D-2) Notice of Board of Managers Meeting Held 10/11/01.

Item 69 – (Comm. 20D-3) Notice of JCC/Planning Committee Meeting to be Held 10/23/01.

Item 70 – (Comm. 20D-4) Notice of Finance Committee Meeting to be Held 10/26/01.

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

FROM ECC

Item 71 – (Comm. 20D-5) Notice of Board of Trustees Meeting to be Held 10/31/01.

Received and filed.

FROM MENTAL HEALTH

Item 72 – (Comm. 20D-6) Minutes of Mental Health Subcommittee Meeting Held 9/10/01.

Item 73 – (Comm. 20D-7) Minutes of Mental Retardation/Developmental Disabilities Subcommittee Meeting Held 9/20/01.

Item 74 – (Comm. 20D-8) Minutes of Alcohol & Substance Abuse Subcommittee from Meeting Held 9/18/01.

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

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FROM THE COUNTY ATTORNEY

Item 75 – (Comm. 20D-9) Notice of Claims.

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM ECMC

Item 76 – (Comm. 20D-10) Minutes from Board of Managers Meeting Held 9/20/01 & Agenda for Meeting Held 10/11/01.

Received and referred to the HEALTH COMMITTEE.

FROM THE CLERK OF THE LEGISLATURE

Item 77 – (Comm. 20D-11) Clock-In Deadline for Session to be Held 11/8/01.

Received, filed and printed.

October 16, 2001

To: All Erie County Legislators & Staff
 From: Laurie A. Manzella, Clerk
 Subject: **CLOCK-IN DEADLINE FOR SESSION TO BE HELD NOV. 8, 2001**

Rule No. 9 of the Legislature's Rules of Order specifically states that "... *all petitions, resolutions, offers or communications of whatever nature shall be submitted to the Clerk of the Legislature before 11:00 a.m., two business days prior to a regular meeting date ...*".

Due to the fact that Tuesday, November 6, 2001 is a County holiday, the official clock-in deadline for the Regular Session to be held November 8, 2001, will be on **Monday, November 5, 2001 at 11:00 a.m.**

Be advised that items clocked-in after 11:00 a.m. on November 5th may not be addressed until the next regular Session scheduled for November 29, 2001.

Please contact me if you have any questions.

c: Hon. Joel A. Giambra, Erie County Executive
 Hon. Frank J. Clark, Erie County District Attorney
 Hon. Patrick M. Gallivan, Erie County Sheriff
 Hon. Nancy A. Naples, Erie County Comptroller
 Hon. David J. Swarts, Erie County Clerk

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Other Interested Parties

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES

FROM NYSAC

Item 78 – (Comm. 20M-1) Copy of Letter to Governor Pataki, Senator Bruno & Assemblyman Silver Urging NYS to Delay Raising Age of PINS to 18.

Received and referred to the SOCIAL SERVICES COMMITTEE.

FROM THE EC MENTAL HYGIENE COMMUNITY SERVICES BOARD

Item 79 – (Comm. 20M-2) Notice of Meeting to be Held 10/18/01 & Minutes of Meeting Held 9/20/01.

Received and referred to the HEALTH COMMITTEE.

FROM THE EC ENVIRONMENTAL MANAGEMENT COUNCIL

Item 80 – (Comm. 20M-3) Notice of Meeting Held 10/16/01.

Received and filed.

FROM THE NYS BOARD OF REAL PROPERTY SERVICES

Item 81 – (Comm. 20M-4) List of Certified 2001 Class Equalization Rates.

Item 82 – (Comm. 20M-5) List of Certified 2001 State Equalization Rates.

Item 83 – (Comm. 20M-6) Certificate of County Equalization Rates for 2001 Assessment Rolls for Municipalities in County of Erie.

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

FROM BUFFALO PLACE

Item 84 – (Comm. 20M-7) 2002 Budget.

Received and filed.

FROM NYSDEC

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Item 85 – (Comm. 20M-8) 1996 Clean Water – Clean Air Bond Act Project Bulletin – 1 Liberty Avenue Cleanup Activities.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM CONGRESSMAN QUINN

Item 86 – (Comm. 20M-9) Receipt of Resolution Concerning Tragic Events of 9/11/01.

Received and filed.

MEMORIAL RESOLUTIONS

Item 87 – Legislator Larson requested that when this legislature adjourns, it does so in memory of Lottie Herdzik.

Item 88 – Legislator Swanick requested that when this legislature adjourns, it does so in memory of Matthew Murphy.

ADJOURNMENT

Item 89 – 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, November 8, 2001**. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

The Chairman declared the Legislature adjourned until **Thursday, November 8, 2001 at 2 p.m. Eastern Standard Time**.

LAURIE A. MANZELLA
CLERK