

MEETING NO. 21
November 8, 2001

ERIE COUNTY LEGISLATURE

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The Legislature was called to order by Chairman Swanick.

All Members Present.

A moment of silence was held.

The Pledge of Allegiance was led by Mr. Holt.

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.

MS. PEOPLES moved the approval of the minutes for Meeting No. 15. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

MISCELLANEOUS RESOLUTIONS

Item 4 – MR. WEINSTEIN presented a resolution Recognizing the Green Design 2001: Solar Energy in Buildings Conference. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

Item 5 – MR. McCARVILLE presented a resolution Honoring Angelo Castiglia as He Celebrates His 92nd Birthday. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

Item 6 – MS. MARINELLI presented a resolution Recognizing Officer Julio Lebron on His Capture of a Murder Suspect. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

Item 7 – MR. KUWIK presented a resolution Recognizing Officer Peter A. Tarasow on His Capture of a Murder Suspect. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

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Item 8 – MS. MARINELLI presented a resolution Proclaiming 11/14/01 as “NYS Indoor Air Quality Day.” MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

Item 9 – MS. PEOPLES presented a resolution Celebrating Agnes Bain, Executive Director of African Cultural Center – 22 Years of Service. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

Item 10 – MRS. FISHER presented a resolution Celebrating the Success of Solar Demonstrations & Exhibits at the Pan American Exposition Centennial During the Summer of 2001. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

LOCAL LAWS

Item 11 – CHAIRMAN SWANICK directed that Local Law No. 2 (Print #3) 2000 remain on the table.

Item 12 – CHAIRMAN SWANICK directed that Local Law No. 5 (Print #1) 2001 remain on the table.

Item 13 – CHAIRMAN SWANICK directed that Local Law No. 5 (Print #2) 2001 remain on the table.

Item 14 – CHAIRMAN SWANICK directed that Local Law No. 5 (Print #3) 2001 remain on the table.

Item 15 – CHAIRMAN SWANICK directed that Local Law No. 9 (Print #1) 2001 remain on the table.

Item 16 – CHAIRMAN SWANICK directed that Local Law No. 9 (Print #2) 2001 be referred to the HEALTH COMMITTEE.

Item 17 – CHAIRMAN SWANICK directed that Local Law No. 9 (Print #3) 2001 be referred to the HEALTH COMMITTEE.

Item 18 – CHAIRMAN SWANICK directed that Local Law No. 10 (Print #1) 2001 be referred to the HEALTH COMMITTEE.

COMMITTEE REPORTS

None.

LEGISLATORS RESOLUTIONS

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

GRANTED.

Intro. 21-1 From LEGISLATOR SWANICK Re: Public Benefit Funding.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 497

Re: Support for Video Lottery Gaming at Erie County Race Tracks. (Intro. 21-2)

A RESOLUTION SUBMITTED BY LEGISLATORS
 KUWIK & CHASE

WHEREAS, the New York State Legislature has passed and the New York State Governor has signed into law a bill that allows video lottery games at racetracks licensed pursuant to article three of the racing, pari-mutuel wagering and breeding law and located in a county in which lottery gaming has been authorized pursuant to local law, and

WHEREAS, games of chance and especially video lottery games are a popular form of entertainment, which are compatible with the atmosphere already present at racetracks, and

WHEREAS, the relationship between racetracks and video lottery games will be mutually beneficial with a portion of the revenue collected from video lottery games being reinvested in the racing industry, thereby ensuring the continued success of local racetracks, and

WHEREAS, the County of Erie's own Hamburg racetrack is an ideal venue that would benefit from the addition of video lottery games, and

WHEREAS, the revenue generated from video lottery games will ensure the long and stable future of horse racing at Buffalo Raceway,

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NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby reaffirm its strong commitment to economic development in our region, and be it further

RESOLVED, that this Honorable Body is committed to supporting tourism by promoting the assets of our region, and be it further

RESOLVED, that this Honorable Body conceptually supports video lottery games at Buffalo Raceway, in accordance with the statute recently passed by the State of New York, and be it further

RESOLVED, that this Honorable Body will at the proper time consider a local law authorizing local racetracks to begin offering video lottery games as an added attraction, and be it further

RESOLVED, that certified copies of this resolution be forwarded to New York State Governor George Pataki, New York State Senate Majority Leader Joseph Bruno, New York State Assembly Speaker Sheldon Silver, the Western New York delegation of the New York State Legislature, and the management of Buffalo Raceway.

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

LEGISLATOR FITZPATRICK voted in the negative.

CARRIED. (WEIGHTED VOTE: 16.087 – 0.913)

MR. HOLT moved to reconsider Int. 21-2. MR. KUWIK seconded.

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

ADD the following Co-Sponsor: HOLT.

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

LEGISLATOR FITZPATRICK voted in the negative.

CARRIED. (WEIGHTED VOTE: 16.087 – 0.913)

COMMUNICATIONS DISCHARGED FROM COMMITTEE

Item 21 – MR. FITZPATRICK moved to discharge the ECONOMIC DEVELOPMENT COMMITTEE from further consideration of Comm. 18E-12. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 498

Re: Convention Center Renovations & Improvements (Electrical Improvements) DPW #KM-01-5.

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

CARRIED UNANIMOUSLY.

ADD the following resolution:

WHEREAS, the Department of Public Works received bids on October 1, 2001 for the Buffalo Convention Center Renovations & Electrical Improvements, and

WHEREAS, the Department of Public Works is recommending award to the lowest responsible bidder,

NOW, THEREFORE, BE IT,

RESOLVED, that the County Executive be authorized to enter into the following contract for the Convention Center Renovations & Electrical Improvements:

ELECTRICAL WORK

O'Connell Electric Corp.

Base Bid	\$140,900.00
Alternate Bid #1	\$ 19,000.00
Alternate Bid #2	\$ 19,000.00
Total	\$178,900.00

and be it further,

RESOLVED, that the sum of \$20,000.00 be allocated to a construction contingency fund with authorization for the Commissioner of Public Works to approve change orders not to exceed the amount of the contingency, and be it further,

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

RESOLVED, that the sum of \$2,000.00 be allocated for testing, inspection, and miscellaneous expenses with authorization for the Commissioner of Public Works to expend said funds, and be it further,

RESOLVED, that the sum of \$7,000.00 be allocated for Project Engineer and Department of Public Works salary expenses with authorization for the Commissioner of Public Works to expend said funds, and be it further,

RESOLVED, that the Comptroller's Office be authorized to make payments for all of the above from the 2001 Buffalo Convention Center Bond Account, Project 192, Fund 410, and be it further,

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

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

CARRIED UNANIMOUSLY.

Item 22 – MR. FITZPATRICK moved to discharge the ECONOMIC DEVELOPMENT COMMITTEE from further consideration of Comm. 19E-7. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 499

Re: Federal-Aid Urban Boundary Revision.

WHEREAS, Part (37) of Section 101, Title 23 of U.S.C. defines urbanized area to mean an area with a population of 50,000 or more designated by the Bureau of Census, within boundaries to be fixed by responsible State and local officials in cooperation with each other, subject to approval by the Secretary, and

WHEREAS, such boundaries shall encompass, at a minimum, the entire urbanized area within a State as designated by the Bureau of Census, and

WHEREAS, the Federal Highway Administration (FHWA) issued an Issues Memorandum entitled "Replacement of Federal-Aid Urban Area Boundary with Census Small and Urbanized Area Boundaries", and

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WHEREAS, in that Issues Memorandum, FHWA is now proposing to implement a general policy that eliminates the Federal-Aid Boundary from the Federal-Aid program and instead use the urban and urbanized areas designed by Census, and

WHEREAS, this proposed change will restrict the ability of State and local officials to cooperatively establish a Federal-Aid boundary in this region, and

WHEREAS, this proposed change produces a smaller, highly irregular urban boundary based on block data and not related transportation factors, and

WHEREAS, the boundary issue needs to be considered in conjunction with, rather than separately from, the issue of roadway functional classification, and

WHEREAS, the proposed change is not sensitive to transportation facilities and would result in roadways traversing a metropolitan area to possibly cross the urban boundary several times,

NOW, THEREFORE, BE IT,

RESOLVED, that the Erie County Legislature strongly opposes the rule change and requests FHWA to fully consider the negative implications of the proposed policy change and not change existing policy, and be it further,

RESOLVED, that the Erie County Legislature seeks the aid of the Western New York Federal Delegation to provide assistance in persuading FHWA to not change their existing policy, and be it further,

RESOLVED, that two certified copies of this resolution be forwarded to the Western New York Federal Delegation, two certified copies of this resolution be forwarded to the Western New York State Delegation, two certified copies of this resolution be forwarded to the Department of Public Works, Office of the Commissioner, one copy to the Division of Budget Management and Finance and one copy to the Office of the Comptroller.

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

CARRIED UNANIMOUSLY.

Item 23 – MR. FITZPATRICK moved to discharge the ECONOMIC DEVELOPMENT COMMITTEE from further consideration of Comm. 20E-11. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 500

Re: New Elevator & Basement Storage
Renovations at the Buffalo & Erie County
Central Library.

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WHEREAS, the Department of Public Works has a General Architectural/Engineering Agreement with the firm of Buffalo Engineering, P.C. for providing architectural and engineering services, and

WHEREAS, the firm of Buffalo Engineering, P.C. has the necessary expertise for this project,

NOW, THEREFORE, BE IT,

RESOLVED, that the Commissioner of Public Works be authorized to issue a change order to Buffalo Engineering, P.C.'s General Architectural/Engineering Agreement for providing architectural/engineering services for an amount not to exceed \$60,000.00, including reimbursables, and be it further,

RESOLVED, that the Comptroller's Office be authorized to make payment for all of the above from the 2001 Code Compliance Bond Account, Fund 410, Project 196, in an amount not to exceed \$60,000.00, including reimbursables, and be it further,

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

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

CARRIED UNANIMOUSLY.

Item 24 – MR. DUSZA moved to discharge the ENERGY & ENVIRONMENT COMMITTEE from further consideration of Comm. 11E-26. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 501

Re: Erie County Sewer District No. 6 Contract
 No. 22SA – “G” Contract Close Out Paul J.
 Gallo Contracting, Inc.

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

CARRIED UNANIMOUSLY.

ADD the following resolution:

WHEREAS, the Erie County Legislature did award Contract No. 22SA "G" to Paul J. Gallo contracting, Inc.

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WHEREAS, the Erie County Division of Sewerage Management has advised the Legislature that all scheduled improvements are now completed; and

WHEREAS, the Erie County Division of Sewerage Management and Paul J. Gallo Contracting, Inc. have agreed to close out the contract with the exception of the crack repair claim generated by Paul J. Gallo Contracting, Inc. and the additional engineering cost claim generated by the Erie County Division of Sewerage Management against Paul J. Gallo contracting, Inc.; and

WHEREAS, the exceptions to contract close out, as above stated, are acceptable to the County Attorney's Office; and

WHEREAS, the Erie County Department of Environment and Planning has recommended the final acceptance of Contract No. 22SA "G" in the amount of \$4,428,896.37 which includes Change Order No.2 (final), a decrease of (\$1,103.63) and approve final payment.

NOW, THEREFORE BE IT

RESOLVED, that Contract No. 22SA "G" between the County of Erie and Paul J. Gallo, Contracting, Inc., 4244 Ridge Lea Road, Amherst, New York 14226, be accepted in the amount of \$4,428,896.37 which includes Change Order No.2 (final), a decrease of (\$1,103.63); and be it further

RESOLVED, that the Erie County Comptroller is hereby authorized and directed to finalize Contract No. 22SA "G" between the County of Erie and Paul J. Gallo, Consulting, Inc. in the amount of \$4,428,896.37 and make final payment from Sewer Capital Account SD No.6, Fund No.430, Project No.111, and return the unused portion to Unallocated Account; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send two (2) certified copies of this resolution to Charles J. Alessi, P.E., Department of Environment and Planning, and one certified copy each to Nancy Naples, Erie County Comptroller's Office; Gregory Dudek, Assistant County Attorney and Joseph Passafiume, Director of Budget and Management.

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

CARRIED UNANIMOUSLY.

Item 25 – MR. DUSZA moved to discharge the ENERGY & ENVIRONMENT COMMITTEE from further consideration of Comm. 12E-20. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 502

Re: OPEN ITEM: Erie County Energy.

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

CARRIED UNANIMOUSLY.

ADD the following resolution:

(A)

WHEREAS, in a resolution dated October 21, 1999, the Erie County Legislature authorized an agreement with LepCorp, acting in its contractual capacity, as an Energy Technical Services Provider, to implement procurement management services for the purchase of bulk natural gas, and

WHEREAS, in another resolution dated July 5, 2001, the Erie County Legislature authorized an extension of the agreement with LepCorp to implement procurement management services for the purchase of heating fuel oil, and

WHEREAS, LepCorp's agreement with the County requires it to competitively bid, in accordance with industry standards and practices, the monthly procurement of a portion of the County's energy source (heating oil or natural gas); analyze, from among the competing energy sources, the least expensive source for the next month and make recommendations to the County for the award of a contract to the lowest responsible energy supplier, and

WHEREAS, in order to fully execute LepCorp's agreement with the County and to participate in the monthly acquisition of the competitively priced energy sources, the Commissioner of Public Works is seeking authorization for the County Executive to enter into contracts, on a monthly basis, with various energy suppliers for the supply of either bulk natural gas or heating fuel oil based upon the analysis performed by the Energy Technical Services Provider, currently LepCorp,

NOW, THEREFORE, BE IT,

RESOLVED, that on a monthly basis the County Executive is hereby authorized to contract with energy supplier recommended by the County's Department of Public Works, based upon the analysis performed by the Energy Technical Services Provider, and, be it further,

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

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

CARRIED UNANIMOUSLY.

ADD the following resolution:

(B)

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WHEREAS, in a resolution dated March 4, 1999, Comm. No. 4D-7, the Erie County Legislature authorized a contract with Troy & Banks to provide utility bill review services to Erie County, and

WHEREAS, in that same resolution, payments for services rendered shall be taken from monies recovered, and

WHEREAS, Troy & Banks has examined the street lighting accounts for Erie County and Niagara Mohawk power corporation is offering a refund to Erie County in the amount of \$5,737.80 for these accounts, and

WHEREAS, the Commissioner of Public Works has reviewed this offer from Niagara Mohawk power Corporation and recommends that the County accept this offer,

NOW, THEREFORE, BE IT,

RESOLVED, that the Erie county Legislature authorizes the Commissioner of Public Works to accept the offer made by Niagara Mohawk power Corporation as a refund on its street lighting accounts, and be it further,

RESOLVED, that the payment to Troy & Banks will be made from the money received, and be it further,

RESOLVED, that the Commissioner of Public Works will credit the remainder of the amount to the respective accounts from which these bills were paid, and be it further,

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

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

CARRIED UNANIMOUSLY.

Item 26 – MR. DUSZA moved to discharge the ENERGY & ENVIRONMENT COMMITTEE from further consideration of Comm. 18E-33. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 503

Re: Department of Parks, Recreation & Forestry
State Aid for Snowmobile Development
Additional Funds for 2000-2001.

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WHEREAS, the Department of Parks, Recreation & Forestry desires to receive and disburse additional funds from the New York State Office of Parks, Recreation and Historic Preservation for Snowmobile Trail Development during the 2000-2001 snowmobile season in an amount not to exceed \$18,957.50, and

WHEREAS, the sum of \$1,273.94 is to be received as additional state revenue for the Department of Parks, Recreation & Forestry snowmobile development, and

WHEREAS, this agreement with the State shall pertain to such maintenance as performed by the Erie County Department of Parks, Recreation and Forestry within the County parks and forest lots, as well as similar work performed by the individual Snowmobile Clubs of Erie County on club trails located outside County-owned lands,

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into an agreement with the New York State Office of Parks, Recreation and Historic Preservation for an amount not to exceed \$18,957.50 as pertains to snowmobile trail maintenance performed during the 2000-2001 snowmobile season, and be it further

RESOLVED, that the County Executive is authorized to enter into amended contracts with the individual Snowmobile Clubs of Erie County for a total amount not to exceed \$17,683.56 for the purpose of snowmobile trail maintenance on club trails during the 2000-2001 snowmobile season, provided that the clubs meet all insurance and other requirements deemed necessary by the County, in amounts as follows:

Colden Trail Riders Inc.	\$1,275.84
Eden Trail Blazers Inc.	\$1,127.97
Grand Island Snowmobile Club Inc.	\$1,275.84
Hamburg Snowmobile Club Inc.	\$2,022.77
Holland Sno-Rascals Inc.	\$826.55
Marilla Sno-Mob Inc.	\$2,036.04
Northern Erie Snowseekers Inc.	\$2,754.52
Pioneer Sno-Surfers Inc.	\$968.73
Southern Tier Snowdrifters Inc.	\$2,746.94
W.N.Y. Snowmobile Club of Boston Inc.	<u>\$2,648.36</u>
	\$17,683.56

and be it further,

RESOLVED, that the Erie County Legislature hereby approves the appropriation of anticipated state aid revenue in the Division of Parks, fund 110, project 942, dept. 640, account 553, in the amount of \$17,683.56, and an increase in appropriations in the amount of \$17,683.56, in the Division of Parks, fund 110, project 942, dept. 640, account 830, in order that funds may be

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available to make payment to the individual clubs of the Erie County Federation of Snowmobile Clubs, and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Department of Parks, Recreation and Forestry, the Division of Budget, Management and Finance, the Department of Environment and Planning, the Department of Law, and the Office of the Comptroller.

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

CARRIED UNANIMOUSLY.

Item 27 – MR. DUSZA moved to discharge the ENERGY & ENVIRONMENT COMMITTEE from further consideration of Comm. 18E-43. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 504

Re: Notice of Adoption Erie County Sewer Districts 2002 Assessment Rolls.

WHEREAS, the 2002 Assessment Rolls for Erie County Sewer District Nos. 1-6 describing each lot or parcel of land have been prepared by the Division of Sewerage Management; and

WHEREAS, the Division of Sewerage Management has also assessed the estimate of expenditures and proportioned them to the lots and parcels of land as nearly as may be to the benefit which each lot or parcel will derive therefrom; and

WHEREAS, the Clerk of the Legislature had a Notice of Public Hearing published in the official County newspapers at least five (5) days prior to the date of the Public Hearing which informed the public that the Assessment Rolls would be open for public inspection on and after the first day of October, 2001; and

WHEREAS, said Public Hearing was held in the Chamber of the Erie County Legislature, 25 Delaware Avenue, Buffalo, New York, at 1:30 p.m., local time on November 8, 2001 and that all persons desiring to be heard were duly heard and that all objections have been heard and considered; and

WHEREAS, said Assessment Rolls, estimate of expenditures, and Public Hearing were carried out in accordance with Article 5A, Sections 270 and 271 of County Law.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby affirm and adopt the 2002 Assessment Rolls for Erie County Sewer District Nos. 1, 2, 3, 4, 5 and 6; and be it further

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RESOLVED, that the Clerk of the Legislature be directed to send a certified copy of this resolution to Charles J. Alessi, P.E., Deputy Commissioner, Department of Environment and Planning, Nancy A. Naples, County Comptroller, and Gregory Dudek, Assistant County Attorney

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

CARRIED UNANIMOUSLY.

Item 28 – MR. DUSZA moved to discharge the ENERGY & ENVIRONMENT COMMITTEE from further consideration of Comm. 18E-44. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 505

Re: Erie County Sewer District No. 3 Contract No. 11BV Creekside Sewer Replacement Bid Opening.

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

CARRIED UNANIMOUSLY.

ADD the following resolution:

WHEREAS, the Erie County Department of Environment and Planning has received the following low bid for the Erie County Sewer District No.3, Creekside Sewer Replacement Project, Contract No. 11 BV, on September 27, 2001.

<u>Contract No.</u>	<u>Low Bidder</u>	<u>Amount Bid</u>
11 BV	Tom Greenauer Development, Inc. 2699 Transit Road Elma, New York 14059	\$679,514.00

and

WHEREAS, the aforementioned bidder has been recognized as successfully performing similar work in Erie County; and

WHEREAS, the Town of Boston received a \$90,000.00 Community Development Block Grant for sewer replacement and has assigned this Grant to Erie County Sewer District No. 3 for the Creekside Sewer Replacement Project.

WHEREAS, the Erie County Department of Environment and Planning recommends the award of Contract No. 11 BV to the aforementioned low bidder.

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NOW, THEREFORE, BE IT

RESOLVED, that the Creekside Sewer Replacement Project, Contract No. 11 BV, be awarded to the low bidder as follows:

<u>Contract No.</u>	<u>Low Bidder</u>	<u>Amount Bid</u>
11 BV	Tom Greenauer Development, Inc. 2699 Transit Road Elma, New York 14059	\$679,514.00

and be if further

RESOLVED, that the County Executive be, and hereby is, authorized to execute the Contract with the aforementioned low bidder subject to approval as to form by the County Attorney and certification of availability of Sewer Capital funds 430-510 by the Comptroller's Office; and be it further

RESOLVED, that the Comptroller is authorized and directed to transfer \$90,000.00 (Account No. 29080276208301072) from the Community Development Fund to Sewer Capital Fund 430-510; and be it further

RESOLVED, that the Comptroller is authorized and directed to allocate \$679,514.00 from Sewer Capital, Erie County Sewer District No. 3, Fund No. 430, Project No. 510; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send two (2) certified copies of this resolution to Charles J. Alessi, P.E., Department of Environment and Planning; one certified copy to Thomas Mazur, Erie County Comptroller's Office; and to Gregory Dudek, Assistant County Attorney.

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

LEGISLATOR OLMA voted in the negative.

CARRIED. (WEIGHTED VOTE: 16.112 – 0.888)

Item 29 – MR. DUSZA moved to discharge the ENERGY & ENVIRONMENT COMMITTEE from further consideration of Comm. 19E-20. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

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RESOLUTION NO. 506

Re: Erie County Sewer District No. 1 Capital
 Project Close Out and Fund Transfer – Capital
 Reserve Fund.

WHEREAS, Capital Project 430 500, Construction of Additional Sewer Mains will be closed out in 2001; and

WHEREAS, there is a cash balance of \$47,777.73 as of March 31, 2001; and

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

WHEREAS, Erie County Sewer District No. 1 has created a Capital Reserve Account for future construction; and

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

NOW, THEREFORE, BE IT

RESOLVED, that the cash balance of \$47,777.73 and any additional accrued interest be transferred into Erie County Sewer District No. 1's Capital Reserve Account for future plant improvements, equipment and new sewer extensions; and be it further

RESOLVED, that the Clerk of the Legislature be authorized and directed to send certified copies of this resolution to Charles J. Alessi, P.E., Deputy Commissioner, Department of Environment and Planning, Nancy Naples, Erie County comptroller, Joseph Passafiume, Director, Budget and Management, and Gregory Dudek, Assistant County Attorney.

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

CARRIED UNANIMOUSLY.

Item 30 – MR. DUSZA moved to discharge the ENERGY & ENVIRONMENT COMMITTEE from further consideration of Comm. 19E-23. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 507

Re: Erie County Sewer District No. 4 Capital
 Project Close Out and Fund Transfer – Capital
 Reserve Fund.

WHEREAS, Capital Project 430 518, Increase and Improvement of Facilities (1982) will be closed out in 2001; and

WHEREAS, there is a cash balance of \$316,298.84 as of April 30, 2001; and

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WHEREAS, there is a debt service balance of \$20,175.24 remaining for this project; and

WHEREAS, Erie County Sewer District No. 4 has created a Capital Reserve Account for future construction; and

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

NOW, THEREFORE, BE IT

RESOLVED, that \$20,175.24 be transferred to the Debt Service Fund to satisfy the remaining outstanding debt; and be it further

RESOLVED, that the cash balance of \$296,123.60 and any additional accrued interest be transferred into Erie County Sewer District No. 4's Capital Reserve Account for future plant improvements, equipment and new sewer extensions; and be it further

RESOLVED, that the Clerk of the Legislature be authorized and directed to send certified copies of this resolution to Charles J. Alessi, P.E., Deputy Commissioner, Department of Environment and Planning, Nancy Naples, Erie County comptroller, Joseph Passafiume, Director, Budget and Management, and Gregory Dudek, Assistant County Attorney.

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

CARRIED UNANIMOUSLY.

Item 31 – MR. DUSZA moved to discharge the ENERGY & ENVIRONMENT COMMITTEE from further consideration of Comm. 19E-24. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 508

Re: Erie County Sewer District No. 2 Lakeview
Pumping Station Elimination Contract No. 39H
– Change Order No. 1 CMH Company, Inc.

WHEREAS, the County of Erie, on behalf of the Erie County Sewer District No. 2 and CMH Company, Inc., entered into an agreement for construction services to eliminate the Lakeview Pumping Station in July 2001; and

WHEREAS, the scope of work will change due to a substantial increase in the amount of rock and increased lengths of boring; and

WHEREAS, the contractor is to be compensated and paid based on the actual volume of rock removed and the increased lengths of boring based on unit bid prices.

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NOW, THEREFORE, BE IT

RESOLVED, that Change Order No. 1 with CMH Company, Inc. in an amount not to exceed \$63,525.00 be approved; and be it further

RESOLVED, that the County Comptroller be authorized and directed to allocate \$63,525.00 from the Erie County Sewer District No. 2's Bond Account, Fund No. 430-913 for this purpose; and be it further

RESOLVED, that a certified copy of this resolution be sent to Charles J. Alessi, P.E., Deputy Commissioner, Department of Environment and Planning; Gregory Dudek, Assistant County Attorney; the Erie County Comptroller's Office and the Director of Budget and Management.

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

CARRIED UNANIMOUSLY.

Item 32 – MR. DUSZA moved to discharge the ENERGY & ENVIRONMENT COMMITTEE from further consideration of Comm. 19E-25. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 509

Re: Erie County Southtowns Sewage Treatment Agency A/E Agreement Dated March 1, 1999 Engineering Change Order No. 2 Stearns & Wheler, LLC.

WHEREAS, the Erie County Legislature, at the request of the Erie County/Southtowns Sewage Treatment Agency, awarded a contract to the engineering firm of Stearns & Wheler, LLC to prepare a Wastewater Facilities Report to consider upgrading and increasing the capacity of the Erie County/Southtowns Sewage Treatment Agency's plant; and

WHEREAS, the County of Erie, the Village of Blasdell and the Southtowns Agency desire to make the best use of existing regional assets such as existing sewer capacity; and

WHEREAS, the original Scope of Services in Stearns & Wheler, LLC's contract did not include the alternative of studying a Blasdell connection; and

WHEREAS, a connection to Southtowns from the Village of Blasdell could provide significant cost savings to both parties; and

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WHEREAS, the cost to expand the Scope of Services of Stearns & Wheler, LLC's contract to prepare a cost effective analysis of transmitting sewage from the Village of Blasdell to Southtowns under Stearns & Wheler, LLC's agreement is estimated to be \$58,700.00.

NOW, THEREFORE, BE IT

RESOLVED, that the County Comptroller be authorized and directed to allocate \$58,700.00 from the Southtowns Agency's Fund Balance (220 853 299) to Use of Fund Balance (220 853 831 698 0105) and Contractual Services (220 853 830 830) to pay for the engineering services by Stearns & Wheler, LLC for preparation of a cost effective analysis to consider the alternative of transmitting from the Village of Blasdell to Southtowns sewage flows from the Village of Blasdell; and be it further

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

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

CARRIED UNANIMOUSLY.

Item 33 – MR. DUSZA moved to discharge the ENERGY & ENVIRONMENT COMMITTEE from further consideration of Comm. 20E-26. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 510

Re: Payment in Lieu of Taxes (PILOT) for 3414 Sweet Home Road, Amherst, New York.

WHEREAS, Heritage Christian Home I, L.P. (HCH) has developed housing for developmentally disabled individuals (Project), pursuant to Section 572 of Article XI of the New York Private Housing Finance Law; and

WHEREAS, the project is located at 3414 Sweet Home Road, Amherst, New York and contains 10 residential units for low income developmentally disabled individuals; and

WHEREAS, 3414 Sweet Home Road will be managed by Heritage Christian Home; and

WHEREAS, the Erie County Legislature adopted a policy on Payment in Lieu of Taxes (PILOT) on December 16, 1999, and this PILOT is consistent with said policy; and

WHEREAS, in order to make the Project economically feasible for Heritage Christian Home I, L.P., it is necessary to obtain tax relief from the County of Erie and the Town of Amherst.

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NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to execute a Payment In Lieu of Taxes (PILOT) Agreement with Heritage Christian Home I, L.P. relating to the property located at 3414 Sweet Home Road, Amherst, 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 \$1,676 by HCH 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.

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

CARRIED UNANIMOUSLY.

Item 34 – MR. DUSZA moved to discharge the ENERGY & ENVIRONMENT COMMITTEE from further consideration of Comm. 20E-31. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 511

Re: Erie County Healthy Homes Initiative Program.

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

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

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

WHEREAS, the Erie County Department of Environment and Planning has operated a Radon/Indoor Air Quality Program for several years and has acquired valuable experience and expertise to address these issues integral to the Healthy Homes Initiative; and

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WHEREAS, the Erie County Department of Environment and Planning and the Department of Health have agreed to partner in this worthwhile program for Erie County to provide residents with carbon monoxide/radon risk reduction and awareness; and

WHEREAS, the original budget established by resolution (Comm. 5E-7) on March 1, 2001, does not provide for the full participation of the Department of Environment and Planning.

NOW, THEREFORE, BE IT

RESOLVED, that the following budget revisions are hereby approved in the Department of Environment and Planning:

Department of Environment and Planning Operating Fund Budget

<u>Account</u>	<u>Sub</u>	<u>Description</u>	<u>Current Budget</u>	<u>Revisions</u>	<u>Revised Budget</u>
REVENUES:					
685	2709	Interfund Revenue Health Grants	\$39,670	(\$8,920)	\$30,750
EXPENSES:					
814		Medical Supplies	\$ 6,898	(\$4,395)	\$ 2,503
826		Other Expenses	<u>\$38,242</u>	<u>(\$4,525)</u>	<u>\$33,717</u>
TOTAL			\$45,140	(\$8,920)	\$36,220

SIRG 10 GRANT (SFG PROJECT #281/563)

<u>Account</u>	<u>Sub</u>	<u>Description</u>	<u>Current Budget</u>	<u>Revisions</u>	<u>Revised Budget</u>
REVENUES:					
883	2709	Interdepartmental Billings-Health Grants	0	(\$8,920)	\$ 8,920
EXPENSES:					
800		Salaries	\$37,200	\$7,136	\$44,336
805		Fringe Benefits	<u>\$ 9,300</u>	<u>\$1,784</u>	<u>\$11,084</u>

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TOTAL	\$46,500	\$8,920	\$55,420
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and be it further

RESOLVED, that the sum of \$8,920 is hereby transferred from Interfund - Environment and Planning (Account 880-6200) to Interdepartmental - Environment and Planning Grants (Account 882-6209) within the budget of the Healthy Homes Initiative Grant, and be it further

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

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

CARRIED UNANIMOUSLY.

Item 35 – MR. DUSZA moved to discharge the ENERGY & ENVIRONMENT COMMITTEE from further consideration of Comm. 20E-35. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 512

Re: Post Purchase Counseling and Home Maintenance Workshop Program for Low Income First Time Home Buyers.

WHEREAS, Erie County with funds from the Federal Home Loan Bank of New York (FHLBNY) and the United States Department of Housing and Urban Development (HUD) sponsors the Erie County First Time Home Buyer Targeted Program; and

WHEREAS, the Erie County First Time Home Buyer Targeted Program provides financial assistance to low income home buyers in targeted communities in Erie County; and

WHEREAS, one of the requirements in the contract between the FHLBNY is to provide home buyers participating in the Erie County First Time Home Buyer Targeted Program home maintenance training; and

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into a contract with HomeFront, a private, non profit corporation, for the implementation of a home maintenance training workshop program in conjunction with the Erie County First Time Home Buyer Targeted Program; and be it further.

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RESOLVED, that the amount of the contract shall not exceed \$2,000; and be it further

RESOLVED, that funding for the program will come from the federal HOME Investment Partnership Program; 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, the Director of the Division of Budget, Management, and Finance, the County Attorney and the Erie County Comptroller.

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

CARRIED UNANIMOUSLY.

Item 36 – MR. DUSZA moved to discharge the ENERGY & ENVIRONMENT COMMITTEE from further consideration of Comm. 20E-36. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 513

Re: Erie County sewer District No. 6 (ECSD No. 6)
 A/E Agreement Dated June 24, 1993 Engineering
 Change Order "D" Malcolm Pirnie Inc.

WHEREAS, the Erie County Legislature, at the request of the Erie County Sewer District No. 6 (ECSD No. 6), awarded a contract to the engineering firm of Malcolm Pirnie, Inc, to prepare a Wastewater Facilities Report to consider upgrading and increasing the capacity of the ECSD No. 6's plant; and

WHEREAS, the original Scope of Services in Malcolm Pirnie, Inc.'s contract did not include evaluation of potentially merging ECSSTA wastewater treatment and related services with the Buffalo Sewer Authority (BSA); and

WHEREAS, the services of the Engineer are necessary to assist the County with the evaluation of the feasibility of merging common wastewater services with the Buffalo Sewer Authority, and the Buffalo Sewer Authority has agreed to fund a corresponding amount of the total co-facilitation, merger study costs; and

WHEREAS, the County has been considering the feasibility of merging wastewater treatment services with the Buffalo Sewer Authority. Previous studies considered the possibility of conveying flows from the ECSD No. 6 to the BSA only. The proposed services will include the evaluation of the potential merging of common wastewater services including laboratory, pretreatment, purchasing, and wastewater. The proposed study will evaluate the potential merging of services given the Buffalo Sewer Authority's on-going combined sewer overflow Long-Term

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Control Plan and will include the Department of Environmental Conservation as a team member in the evaluation process; and

WHEREAS, the cost to expand the Scope of Services of Malcolm Pirnie, Inc.'s contract to prepare a cost effective analysis of evaluation of potentially merging common wastewater services with the BSA, Malcolm Pirnie, Inc.'s agreement is estimated to be \$16,500.00.

NOW, THEREFORE, BE IT

RESOLVED, that Change Order No. "D" to the agreement for engineering services with Malcolm Pirnie, Inc. in an amount not to exceed \$16,500.00 is hereby approved; and be it further

RESOLVED, that the following transfers are approved in the 2001 Budget, from the General Fund to the Sewer Fund:

DAC 110 904 303 830 1299	<\$15,000.00>
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Interfund transfer out to the Sewer Fund in the Department of Environment & Planning DAC 110 945 620 886 2200	\$15,000.00
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Interfund Transfer in 220 854 843 686 3030	<\$15,000.00>
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Contractual Services 220 854 840 830	\$15,000.00
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RESOLVED, that the balance of \$1,500.00 will be allocated from Contractual Services (220 854 840 830); and be it further

RESOLVED, that the Deputy Commissioner, Division of Sewerage Management, be and hereby is, authorized to execute the Change Order No. "D" with Malcolm Pirnie, Inc.; and be it further

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

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

CARRIED UNANIMOUSLY.

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DELETE the second RESOLVE and REPLACE with the following:

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$15,000 from the Risk Retention Fund (DAC: 1109616018320742) to Fund 110, Project 945, Department 620 Sewer Fund (DAC: 1109456208862200), and be it further

RESOLVED, that the Sewer Fund is hereby amended, to increase the following accounts: Contractual Services (DAC: 220854840830) \$15,000, and be it further

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

CARRIED UNANIMOUSLY.

Item 37 – MR. DUSZA moved to discharge the ENERGY & ENVIRONMENT COMMITTEE from further consideration of Comm. 20E-37. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

Re: Erie County Sewer District No. 3/Erie
 County Southtowns Sewage Treatment Agency
 Advance Planning Bond Resolution.

RESOLUTION NO. 514-2001
 BOND RESOLUTION DATED November 8, 2001

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. 3, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$1,500,000 STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$1,500,000 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) OCTOBER 16, 2001

(Adopted) NOVEMBER 8, 2001

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 of Erie, New York (herein called "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. 3, including specifications for the proposed expansion or elimination of the Erie County/Southtowns Sewage Treatment Agency Plant. The total estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and to the financing thereof, is \$1,500,000. The plan of financing includes the issuance of \$1,500,000 bonds of the County, and any bond anticipation notes issued in anticipation of the sale of said 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. 3.

Section 2. Bonds of the County in the principal amount of \$1,500,000 are hereby authorized to be issued for the specific object or purpose described in Section 1 hereof, 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 of the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 62. 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 Bond 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 said Local Finance 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 bonds herein authorized, or the renewals thereof, relative to providing for substantially level or declining annual debt service, and relative to prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any notes issued in anticipation of the sale of said bonds or the renewals of said notes, as well as 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

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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.

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

CHAIRMAN SWANICK directed that a roll call vote be taken.

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

CARRIED UNANIMOUSLY.

Item 38 – MS. PEOPLES moved to discharge the FINANCE & MANAGEMENT COMMITTEE from further consideration of Comm. 1D-9(A). MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 515

Re: OPEN ITEM – Corrections of Errors on Petitions.

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

CARRIED UNANIMOUSLY.

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

EMAIL DOCUMENT IS 202471.DOC

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

RESOLVED, that petitions numbered 201393 through 201473 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. 201393 / 102 - ASSESSOR - Cancel - \$563.09

SBL No. 27.15-4-39 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

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

Charge to : BASIC STAR EXEMPTION 563.09

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

WILLIAMSVILLE CENTRAL

Petition No. 201394 / 2001 - ASSESSOR - Refund - \$165.01

SBL No. 40.68-1-41./144A - TOWN OF AMHERST

Acct. No. 112 - \$ 74.32 - County

Acct. No. 132 - \$ 90.69 - Town/SpecialDist/School

Charge to : TOWN OF AMHERST 90.69

REFUND - CLERICAL ERROR, THE CONDO EXEMPTION IN THE AMOUNT OF 17,000 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C.

CHECK IN FAVOR OF: DORIS E REIMANN

Petition No. 201395 / 102 - ASSESSOR - Cancel - \$563.10

SBL No. 56.13-7-3 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

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

Charge to : BASIC STAR EXEMPTION 563.10

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

WILLIAMSVILLE CENTRAL

Petition No. 201396 / 102 - ASSESSOR - Cancel - \$536.06

SBL No. 69.20-2-11 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 536.06 - Town/SpecialDist/School

Charge to : WILLIAMSVILLE CENT 536.06

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. THE ASSESSMENT WAS 184,700 AND SHOULD BE 149,000. RPTL 550(2)A

Petition No. 201397 / 102 - ASSESSOR - Cancel - \$8,101.99

SBL No. 67.12-1-30.11 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 8,101.99 - Town/SpecialDist/School

Charge to : SWEET HOME CENTRAL 8,101.99

CANCEL - CLERICAL ERROR, THE PARCEL WAS INCLUDED WITH SBL 67.12-1-29.111. RPTL 550(2)F

Petition No. 201398 / 102 - ASSESSOR - Cancel - \$563.09

SBL No. 56.05-3-27 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

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

Charge to : BASIC STAR EXEMPTION 563.09

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

WILLIAMSVILLE CENTRAL

Petition No. 201399 / 102 - ASSESSOR - Cancel - \$563.09

SBL No. 28.50-1-2./10G - TOWN OF AMHERST

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Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 563.09 - Town/SpecialDist/School
 Charge to : BASIC STAR EXEMPTION 563.09

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

Petition No. 201400 / 102 - ASSESSOR - Cancel - \$283.72

SBL No. 211.10-1-55 - TOWN OF BOSTON

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 283.72 - Town/SpecialDist/School

Charge to : HAMBURG CENTRAL 283.72

CANCEL - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 11,800 (20%) THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX. RPTL 550(2)C.

Petition No. 201401 / 102 - ASSESSOR - Cancel - \$908.95

SBL No. 258.09-1-2.1 - TOWN OF BOSTON

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 908.95 - Town/SpecialDist/School

Charge to : SPRING-GRIFFITH 908.95

CANCEL - ERROR IN ESSENTIAL FACT, HOUSE WAS REMOVED PRIOR TO MAY 01, 2001 (ACTUAL DEMOLITION WAS 4/21/01). THE ASSESSED VALUE WAS 55,000 AND SHOULD BE 13,500. RPTL 550(3)A

Petition No. 201402 / 9900 - ASSESSOR - Refund - \$514.60

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

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 514.60 - Town/SpecialDist/School

Charge to : NORTH COLLINS CENT 514.60

REFUND - CLERICAL ERROR, THIS PARCEL IS NOW COVERED UNDER SBL 284.00-3-19.1 & 284.00-3-19.2. RPTL 550(2)F.
 CHECK IN FAVOR OF: LEONARD MECCA

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Petition No. 201403 / 9901 - ASSESSOR - Refund - \$412.81

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

Acct. No. 112 - \$ 213.05 - County

Acct. No. 132 - \$ 199.76 - Town/SpecialDist/School

Charge to : TOWN OF BRANT

150.72

BRANT FIRE PROTECTION

49.04

REFUND - CLERICAL ERROR, THIS PARCEL IS NOW COVERED UNDER SBL
 284.00-3-19.1 & 284.00-3-19.2. RPTL 550(2)F.

CHECK IN FAVOR OF: LEONARD MECCA

Petition No. 201404 / 102 - ASSESSOR - Cancel - \$1,362.94

SBL No. 80.17-10-9 - TOWN OF CHEEKTOWAGA

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 1,362.94 - Town/SpecialDist/School

Charge to : CHEEK. UNION #3

1,362.94

CANCEL - UNLAWFUL ENTRY, PARCEL IS WHOLLY EXEMPT FROM TAXES. THIS
 PARCEL IS OWNED BY NEW YORK STATE MORTGAGE AGENCY. RPTL 550(7)A.

Petition No. 201405 / 102 - ASSESSOR - Cancel - \$286.12

SBL No. 91.05-2-17 - TOWN OF CHEEKTOWAGA

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 286.12 - Town/SpecialDist/School

Charge to : CHEEK. UNION #3

286.12

CANCEL - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 8,460
 (20%) THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE
 TAX ROLL. RPTL 550(2)C

Petition No. 201406 / 102 - ASSESSOR - Cancel - \$925.11

SBL No. 91.07-2-7 - TOWN OF CHEEKTOWAGA

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 925.11 - Town/SpecialDist/School

Charge to : CHEEK. UNION #2

925.11

MEETING NO. 21
November 8, 2001

ERIE COUNTY LEGISLATURE

CANCEL - UNLAWFUL ENTRY, THIS PARCEL IS WHOLLY EXEMPT FROM TAXES.
 PARCEL IS OWNED BY NEW YORK STATE MORTGAGE AGENCY. RPTL 550(7)A.

Petition No. 201407 / 102 - ASSESSOR - Cancel - \$334.82

SBL No. 91.09-3-26 - TOWN OF CHEEKTOWAGA
 Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 334.82 - Town/SpecialDist/School
 Charge to : CHEEK. UNION #3 334.82

CANCEL - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF
 21,200 (50%) THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR
 FROM THE TAX ROLL. RPTL 550(2)C

Petition No. 201408 / 102 - ASSESSOR - Cancel - \$412.60

SBL No. 91.10-7-27 - TOWN OF CHEEKTOWAGA

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 412.60 - Town/SpecialDist/School

Charge to : CHEEK. UNION #3 412.60

CANCEL - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF
 13,410 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM
 THE TAX ROLL. RPTL 550(2)C

Petition No. 201409 / 102 - ASSESSOR - Cancel - \$3.32

SBL No. 112.84-5-3.5 - TOWN OF CHEEKTOWAGA

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 3.32 - Town/SpecialDist/School

Charge to : SLOAN UNION #9 3.32

CANCEL - UNLAWFUL ENTRY, PARCEL IS WHOLLY EXEMPT FROM THE TAXES.
 PARCEL IS OWNED BY NEW YORK STATE THRUWAY. RPTL 550(7)A.

Petition No. 201410 / 102 - ASSESSOR - Cancel - \$864.23

SBL No. 125.11-5-13 - TOWN OF CHEEKTOWAGA

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 864.23 - Town/SpecialDist/School

Charge to : WEST SENECA CENT 556.35

MEETING NO. 21
November 8, 2001

ERIE COUNTY LEGISLATURE

NYS STAR ENHANCED EXEMPTI

307.88

CANCEL - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 20,600 AND ENHANCED STAR EXEMPTION IN THE AMOUNT OF 32,500 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C
 WEST SENECA CENTRAL

Petition No. 201411 / 102 - ASSESSOR - Cancel - \$834.52

SBL No. 125.12-13-3 - TOWN OF CHEEKTOWAGA

Acct. No. 112 - \$ 0.00 - County
 Acct. No. 132 - \$ 834.52 - Town/SpecialDist/School

Charge to : WEST SENECA CENT 834.52

CANCEL - CLERICAL ERROR, THE DISABILITY EXEMPTION IN THE AMOUNT OF 30,900 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C

Petition No. 201412 / 102 - ASSESSOR - Cancel - \$4,733.25

SBL No. 30.00-4-61.2 - TOWN OF CLARENCE

Acct. No. 112 - \$ 0.00 - County
 Acct. No. 132 - \$ 4,733.25 - Town/SpecialDist/School

Charge to : CLARENCE CENTRAL 4,733.25

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. THE ASSESSMENT WAS 345,500 AND SHOULD BE 47,500. RPTL 550(2)A.

Petition No. 201413 / 102 - ASSESSOR - Cancel - \$3,341.00

SBL No. 57.18-5-1.111 - TOWN OF CLARENCE

Acct. No. 112 - \$ 0.00 - County
 Acct. No. 132 - \$ 3,341.00 - Town/SpecialDist/School

Charge to : WILLIAMSVILLE CENT 3,341.00

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. THE ASSESSED VALUE WAS 450,000 AND SHOULD BE 272,000. RPTL 550(2)A.

Petition No. 201414 / 102 - ASSESSOR - Cancel - \$371.67

SBL No. 70.06-4-31 - TOWN OF CLARENCE

MEETING NO. 21
November 8, 2001

ERIE COUNTY LEGISLATURE

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 371.67 - Town/SpecialDist/School

Charge to : CLARENCE CENTRAL 371.67

CANCEL - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF
 11,700 SHOULD BE 35,100. RPTL 550(2)B.

Petition No. 201415 / 2001 - ASSESSOR - Refund - \$304.75

SBL No. 72.10-2-3 - TOWN OF CLARENCE

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 304.75 - Town/SpecialDist/School

Charge to : BASIC STAR EXEMPTION 304.75

REFUND - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF
 20,000 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM
 THE TAX ROLL. RPTL 550(2)C CLARENCE CENTRAL

CHECK IN FAVOR OF: JERRY LEE TAYLOR & WIFE

Petition No. 201416 / 102 - ASSESSOR - Cancel - \$476.50

SBL No. 72.10-2-3 - 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

Petition No. 201417 / 102 - ASSESSOR - Cancel - \$476.51

SBL No. 82.06-4-27 - TOWN OF CLARENCE

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 476.51 - Town/SpecialDist/School

Charge to : BASIC STAR EXEMPTION 476.51

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

MEETING NO. 21
November 8, 2001

ERIE COUNTY LEGISLATURE

Petition No. 201418 / 102 - ASSESSOR - Cancel - \$1,202.28

SBL No. 320.00-1-20.22 - TOWN OF CONCORD

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 1,202.28 - Town/SpecialDist/School

Charge to : SPRING-GRIFFITH 1,202.28

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. THE ASSESSMENT WAS 98,000 AND SHOULD BE 51,700. RPTL 550(2)A.

Petition No. 201419 / 102 - ASSESSOR - Cancel - \$297.06

SBL No. 345.00-1-1 - TOWN OF CONCORD

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 297.06 - Town/SpecialDist/School

Charge to : SPRING-GRIFFITH 297.06

CANCEL - CLERICAL ERROR, THE FOREST EXEMPTION IN THE AMOUNT OF 11,440 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C.

Petition No. 201420 / 102 - ASSESSOR - Cancel - \$1,204.88

SBL No. 345.00-1-16 - TOWN OF CONCORD

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 1,204.88 - Town/SpecialDist/School

Charge to : SPRING-GRIFFITH 1,204.88

CANCEL - CLERICAL ERROR, THE FOREST EXEMPTION IN THE AMOUNT OF 46,400 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C

Petition No. 201421 / 102 - ASSESSOR - Cancel - \$1,047.63

SBL No. 209.00-1-4.2 - TOWN OF EDEN

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 1,047.63 - Town/SpecialDist/School

Charge to : HAMBURG CENTRAL 1,047.63

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY

MEETING NO. 21
November 8, 2001

ERIE COUNTY LEGISLATURE

ON THE TAX ROLL. THE ASSESSMENT WAS 149,000 AND SHOULD BE 95,000.
 RPTL 550(2)A.

Petition No. 201422 / 102 - ASSESSOR - Cancel - \$706.55

SBL No. 137.03-5-40.1/32 - TOWN OF ELMA

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 706.55 - Town/SpecialDist/School

Charge to : NYS STAR ENHANCED EXEMPTI 706.55

CANCEL - CLERICAL ERROR, THE ENHANCED STAR EXEMPTION IN THE AMOUNT OF
 3,230 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE
 TAX ROLL. RPTL 550(2)C

IROQUOIS CENTRAL

Petition No. 201423 / 102 - ASSESSOR - Cancel - \$656.24

SBL No. 146.00-5-3.111 - TOWN OF ELMA

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 656.24 - Town/SpecialDist/School

Charge to : IROQUOIS CENTRAL 656.24

CANCEL - CLERICAL ERROR, THIS PARCEL WAS CREATED IN ERROR.
 RPTL 550(2)F.

Petition No. 201424 / 102 - ASSESSOR - Cancel - \$75.46

SBL No. 154.04-2-3 - TOWN OF ELMA

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 75.46 - Town/SpecialDist/School

Charge to : IROQUOIS CENTRAL 75.46

CANCEL - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF
 345 (5%) THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM
 THE TAX ROLL. RPTL 550(2)C

Petition No. 201425 / 2001 - ASSESSOR - Refund - \$273.56

SBL No. 156.00-2-11.1 - TOWN OF ELMA

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 273.56 - Town/SpecialDist/School

Charge to : BASIC STAR EXEMPTION 273.56

MEETING NO. 21
November 8, 2001

ERIE COUNTY LEGISLATURE

REFUND - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF
 1300 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE
 TAX ROLL. RPTL 550(2)C IROQUOIS CENTRAL
 CHECK IN FAVOR OF: GERALD BARRY & WIFE

Petition No. 201426 / 102 - ASSESSOR - Cancel - \$424.37

SBL No. 156.00-2-11.1 - TOWN OF ELMA

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 424.37 - Town/SpecialDist/School

Charge to : BASIC STAR EXEMPTION 424.37

CANCEL - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF
 1,940 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM
 THE TAX ROLL. RPTL 550(2)C IROQUOIS CENTRAL

Petition No. 201427 / 202 - ASSESSOR - Cancel - \$162.97

SBL No. 206.06-3-31.38 - TOWN OF EVANS

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 162.97 - Town/SpecialDist/School

Charge to : LAKE SHORE CENTRAL 162.97

CANCEL - CLERICAL ERROR, THIS PARCEL IS INCLUDED WITH
 SBL 206.06-3-31.37. RPTL 550(2)F

Petition No. 201428 / 202 - ASSESSOR - Cancel - \$565.40

SBL No. 235.05-2-14 - TOWN OF EVANS

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 565.40 - Town/SpecialDist/School

Charge to : LAKE SHORE CENTRAL 565.40

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY
 ON THE TAX ROLL. THE ASSESSMENT WAS 53,900 AND SHOULD BE 33,900.
 RPTL 550(2)A

Petition No. 201429 / 2001 - ASSESSOR - Cancel - \$46.14

SBL No. 250.12-7-2 - TOWN OF EVANS

MEETING NO. 21
November 8, 2001

ERIE COUNTY LEGISLATURE

Acct. No. 112 - \$ 46.14 - County

Acct. No. 132 - \$ 0.00 - Town/SpecialDist/School

Charge to :

CANCEL - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 5,010 WAS MISCALCULATED. THE SENIOR EXEMPTION SHOULD BE IN THE AMOUNT OF 12,525. RPTL 550(2)B

Petition No. 201430 / 102 - ASSESSOR - Cancel - \$1,692.35
 SBL No. 36.00-4-8-22 - TOWN OF GRAND ISLAND

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 1,692.35 - Town/SpecialDist/School

Charge to : GRND ISLN CENTRAL 1,692.35

CANCEL - ERROR IN ESSENTIAL FACT, THE BUILDING WAS REMOVED PRIOR TO MAY 1, 2001. ASSESSED VALUE WAS 67,050 AND SHOULD BE 11,400 LAND ONLY. RPTL 550(3)A.

Petition No. 201431 / 2000 - ASSESSOR - Cancel - \$2,222.04

SBL No. 182.00-2-43.112 - TOWN OF HAMBURG

Acct. No. 112 - \$ 900.23 - County

Acct. No. 132 - \$ 1,321.81 - Town/SpecialDist/School

Charge to : TOWN OF HAMBURG

1,054.19

FIRE D#3 SCRATON

267.62

CANCEL - UNLAWFUL ENTRY, PARCEL IS WHOLLY EXEMPT FROM TAXES. PARCEL IS OWNED BY THE UNITED STATES GOVERNMENT - US POSTAL SERVICES. RPTL 550(7)A.

Petition No. 201432 / 120 - ASSESSOR - Cancel - \$480.17

SBL No. 93.13-2-1 - TOWN OF LANCASTER

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 480.17 - Town/SpecialDist/School

Charge to : BASIC STAR EXEMPTION

480.17

CANCEL - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF 25,310 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C

LANCASTER CENTRAL

MEETING NO. 21
November 8, 2001

ERIE COUNTY LEGISLATURE

Petition No. 201433 / 102 - ASSESSOR - Cancel - \$929.62

SBL No. 94.13-5-22 - TOWN OF LANCASTER

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 929.62 - Town/SpecialDist/School

Charge to : LANCASTER CENTRAL 929.62

CANCEL - ERROR IN ESSENTIAL FACT, BUILDING WAS REMOVED PRIOR TO
MAY 1, 2001. ASSESSED VALUE WAS 50,000 AND SHOULD BE FOR LAND ONLY,
THE CORRECTED ASSESSMENT IS 1,000. RPTL 550(3)A

Petition No. 201434 / 102 - ASSESSOR - Cancel - \$33.51

SBL No. 115.06-5-33 - TOWN OF LANCASTER

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 33.51 - Town/SpecialDist/School

Charge to : DEPEW UNION-CHEEK 33.51

CANCEL - UNLAWFUL ENTRY, PARCEL IS OWNED BY JEHOVAH WITNESS WHICH
IS WHOLLY EXEMPT FROM TAXES. RPTL 550(7)A

Petition No. 201435 / 102 - ASSESSOR - Cancel - \$236.42

SBL No. 139.00-10-35 - TOWN OF MARILLA

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 236.42 - Town/SpecialDist/School

Charge to : NYS STAR ENHANCED EXEMPTI 236.42

CANCEL - CLERICAL ERROR, PARCEL RECEIVED THE BASIC STAR EXEMPTION
IN THE AMOUNT OF 20,000 AND SHOULD HAVE RECEIVED THE ENHANCED STAR
EXEMPTION IN THE AMOUNT OF 33,780. RPTL 550(2)B
IROQUOIS CENTRAL SCHOOL

Petition No. 201436 / 102 - ASSESSOR - Cancel - \$284.46

SBL No. 157.00-1-22 - TOWN OF MARILLA

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 284.46 - Town/SpecialDist/School

Charge to : IROQUOIS CENTRAL 284.46

CANCEL - CLERICAL ERROR, THE AGRICULTURAL EXEMTION IN THE AMOUNT OF

MEETING NO. 21
November 8, 2001

ERIE COUNTY LEGISLATURE

13,500 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM
 THE TAX ROLL. RPTL 550(2)C

Petition No. 201437 / 102 - ASSESSOR - Cancel - \$646.04

SBL No. 269.00-5-18.12 - TOWN OF NORTH COLLINS

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 646.04 - Town/SpecialDist/School
 Charge to : BASIC STAR EXEMPTION 646.04

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.

NORTH COLLINS CENTRAL

Petition No. 201438 / 102 - ASSESSOR - Cancel - \$430.70

SBL No. 269.00-5-20 - TOWN OF NORTH COLLINS

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 430.70 - Town/SpecialDist/School
 Charge to : NYS STAR ENHANCED EXEMPTI 430.70

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

NORTH COLLINS CENTRAL

Petition No. 201439 / 102 - ASSESSOR - Cancel - \$430.70

SBL No. 269.15-2-3 - TOWN OF NORTH COLLINS

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 430.70 - Town/SpecialDist/School

Charge to : NYS STAR ENHANCED EXEMPTI 430.70

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

NORTH COLLINS CENTRAL

Petition No. 201440 / 102 - ASSESSOR - Cancel - \$430.70

SBL No. 269.20-1-6.1 - TOWN OF NORTH COLLINS

Acct. No. 112 - \$ 0.00 - County

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November 8, 2001

ERIE COUNTY LEGISLATURE

Acct. No. 132 - \$ 430.70 - Town/SpecialDist/School

Charge to : NYS STAR ENHANCED EXEMPTI 430.70

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

Petition No. 201441 / 102 - ASSESSOR - Cancel - \$646.05
 SBL No. 269.20-3-26.2 - TOWN OF NORTH COLLINS

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 646.05 - Town/SpecialDist/School

Charge to : BASIC STAR EXEMPTION 646.05

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.
 NORTH COLLINS CENTRAL

Petition No. 201442 / 102 - ASSESSOR - Cancel - \$790.33

SBL No. 269.20-3-24.11 - TOWN OF NORTH COLLINS

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 790.33 - Town/SpecialDist/School

Charge to : NORTH COLLINS CENT 790.33

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTRERED INCORRECTLY
 ON THE TAX ROLL. THE ASSESSMENT WAS 96,100 AND SHOULD BE 59,400.
 RPTL 550(2)A.

Petition No. 201443 / 102 - ASSESSOR - Cancel - \$430.69

SBL No. 285.00-8-5 - TOWN OF NORTH COLLINS

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 430.69 - Town/SpecialDist/School

Charge to : NYS STAR ENHANCED EXEMPTI 430.69

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

MEETING NO. 21
November 8, 2001

ERIE COUNTY LEGISLATURE

Petition No. 201444 / 102 - ASSESSOR - Cancel - \$1,221.03

SBL No. 285.04-1-5 - TOWN OF NORTH COLLINS

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 1,221.03 - Town/SpecialDist/School

Charge to : NORTH COLLINS CENT 1,221.03

CANCEL - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 56,700 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C.

Petition No. 201445 / 102 - ASSESSOR - Cancel - \$430.70

SBL No. 302.00-3-6.2 - TOWN OF NORTH COLLINS

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 430.70 - Town/SpecialDist/School

Charge to : NYS STAR ENHANCED EXEMPTI 430.70

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

Petition No. 201446 / 102 - ASSESSOR - Cancel - \$518.18

SBL No. 303.00-2-3.2 - TOWN OF NORTH COLLINS

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 518.18 - Town/SpecialDist/School

Charge to : NORTH COLLINS CENT 518.18

CANCEL - CLERICAL ERROR, THE AGRICULTURAL EXEMPTION IN THE AMOUNT OF 10,868 WAS MISCALCULATED. THE ACTUAL EXEMPTION SHOULD HAVE BEEN IN THE AMOUNT OF 34,930. RPTL 550(2)B

Petition No. 201447 / 102 - ASSESSOR - Cancel - \$129.25

SBL No. 303.00-3-9 - TOWN OF NORTH COLLINS

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 129.25 - Town/SpecialDist/School

Charge to : NORTH COLLINS CENT 129.25

MEETING NO. 21
November 8, 2001

ERIE COUNTY LEGISLATURE

CANCEL - CLERICAL ERROR, THE AGRICULTURAL EXEMPTION IN THE AMOUNT OF 4,903 WAS MISCALCULATED. THE ACTUAL AMOUNT SHOULD HAVE BEEN 10,905. RPTL 550(2)B.

Petition No. 201448 / 102 - ASSESSOR - Cancel - \$1,007.83

SBL No. 318.00-2-12 - TOWN OF NORTH COLLINS

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 1,007.83 - Town/SpecialDist/School

Charge to : NORTH COLLINS CENT 577.13
 NYS STAR ENHANCED EXEMPTI 430.70

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS 116,400 AND SHOULD HAVE BEEN LISTED ON THE TAX ROLL IN THE AMOUNT OF 89,600. PARCEL RECEIVED THE BASIC STAR EXEMPTION IN THE AMOUNT OF 30,000 AND SHOULD HAVE BEEN THE ENHANCED STAR IN THE AMOUNT OF 50,000. RPTL 550(2)A,B

Petition No. 201449 / 102 - ASSESSOR - Cancel - \$228.49

SBL No. 319.00-1-4.1 - TOWN OF NORTH COLLINS

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 228.49 - Town/SpecialDist/School

Charge to : NORTH COLLINS CENT 228.49

CANCEL - CLERICAL ERROR, THE AGRICULTURAL EXEMPTION IN THE AMOUNT OF 11,180 WAS MISCALCULATED. THE CORRECT AMOUNT OF THE EXEMPTION SHOULD BE 21,490. RPTL 550(2)B

Petition No. 201450 / 102 - ASSESSOR - Cancel - \$1,095.38

SBL No. 152.19-1-20 - TOWN OF ORCHARD PARK

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 1,095.38 - Town/SpecialDist/School

Charge to : ORCH PARK CENTRAL 1,095.38

CANCEL - ERROR IN ESSENTIAL FACT, THE HOUSE WAS REMOVED PRIOR TO MAY 1, 2001. THE ASSESSMENT WAS 68,200 AND IS NOW FOR LAND ONLY IN THE AMOUNT OF 20,100. RPTL 550(3)A.

Petition No. 201451 / 102 - ASSESSOR - Cancel - \$108.45

SBL No. 161.09-4-7.1 - TOWN OF ORCHARD PARK

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November 8, 2001

ERIE COUNTY LEGISLATURE

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 108.45 - Town/SpecialDist/School

Charge to : BASIC STAR EXEMPTION 108.45

CANCEL - CLERICAL ERROR, PARCEL RECEIVED THE BASIC STAR EXEMPTION
 IN THE AMOUNT OF 6,667. THIS WAS MISCALCULATED. THE CORRECT AMOUNT
 OF THE EXEMPTION IS 11,429. RPTL 550(2)B
 ORCHARD PARK CENTRAL

Petition No. 201452 / 102 - ASSESSOR - Cancel - \$519.99

SBL No. 53.12-6-8 - TOWN OF TONAWANDA
 Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 519.99 - Town/SpecialDist/School

Charge to : KEN-TON UNION FREE 519.99

CANCEL - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 26,350 (50%) THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C. INUED

Petition No. 201453 / 102 - ASSESSOR - Cancel - \$628.20

SBL No. 53.13-2-7 - TOWN OF TONAWANDA

Acct. No. 112 - \$ 0.00 - County

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

Charge to : BASIC STAR EXEMPTION 628.20

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

Petition No. 201454 / 102 - ASSESSOR - Cancel - \$628.21

SBL No. 53.71-1-13 - TOWN OF TONAWANDA

Acct. No. 112 - \$ 0.00 - County

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

Charge to : BASIC STAR EXEMPTION 628.21

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

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ERIE COUNTY LEGISLATURE

KEN-TON UNION FREE SCHOOL DISTRICT

Petition No. 201455 / 102 - ASSESSOR - Cancel - \$725.85

SBL No. 125.19-1-7 - TOWN OF WEST SENECA

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 725.85 - Town/SpecialDist/School

Charge to : WEST SENECA CENT 725.85

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. THE ASSESSMENT WAS 45,000 AND SHOULD BE 19,000.

RPTL 550(2)A

Petition No. 201456 / 102 - ASSESSOR - Cancel - \$1,825.81

SBL No. 144.17-8-1 - TOWN OF WEST SENECA

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 1,825.81 - Town/SpecialDist/School

Charge to : WEST SENECA CENT 1,825.81

CANCEL - UNLAWFUL ENTRY, THIS PARCEL IS WHOLLY EXEMPT FROM THE TAX ROLL. PARCEL IS OWNED BY THE SOUTH PARK UNITED METHODIST CHURCH.

RPTL 550(7)A.

Petition No. 201457 / 1 - ASSESSOR - Refund - \$1,111.40

SBL No. 69.16-3-1.1/55 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 1,111.40 - Town/SpecialDist/School

Charge to : WILLIAMSVILLE CENT 1,111.40

REFUND - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. THE ASSEMENT WAS 158,900 AND SHOULD BE 98,900.

RPTL 550(2)A

CHECK IN FAVOR OF: RICHARD & DORIS SEDIA

Petition No. 201458 / 2001 - ASSESSOR - Refund - \$656.64

SBL No. 69.16-3-1.1/55 - TOWN OF AMHERST

Acct. No. 112 - \$ 276.08 - County

Acct. No. 132 - \$ 380.56 - Town/SpecialDist/School

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ERIE COUNTY LEGISLATURE

Charge to : TOWN OF AMHERST
320.38
MAIN TRANSIT FIRE PROTECT 60.18

REFUND - CLERICAL ERROR, ASSESSED VALUE WAS ENTERED INCORRECTLY
ON THE TAX ROLL. THE ASSESSMENT WAS 158,900 AND SHOULD BE 98,900.
RPTL 550(2)A.
CHECK IN FAVOR OF: RICHARD & DORIS SEDIA

Petition No. 201459 / 202 - ASSESSOR - Refund - \$1,126.18

SBL No. 69.16-3-1.1/55 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 1,126.18 - Town/SpecialDist/School
Charge to : WILLIAMSVILLE CENT 1,126.18

REFUND - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY
ON THE TAX ROLL. THE ASSESSMENT WAS 158,90 AND SHOULD BE 98,900.
RPTL 550(2)A
CHECK IN FAVOR OF: RICHARD & DORIS SEDIA

Petition No. 201460 / 102 - ASSESSOR - Refund - \$384.38

SBL No. 31.00-1-7.1 - TOWN OF CLARENCE

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 384.38 - Town/SpecialDist/School

Charge to : CLARENCE CENTRAL 384.38

REFUND - CLERICAL ERROR, THE ASSESSMENT WAS ENTERED INCORRECTLY
ON THE TAX ROLL. THE ASSESSMENT WAS 112,700 AND SHOULD BE 88,500.
RPTL 550(2)A
CHECK IN FAVOR OF: AARON & JULIE A JUDD

Petition No. 201461 / 1999 - ASSESSOR - Refund - \$1,056.87

SBL No. 80.09-15-24 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 1,056.87 - Town/SpecialDist/School

Charge to : TOWN OF AMHERST
1,056.87

REFUND - CLERICAL ERROR, THE SANITARY SEWER FIGURE TO DETERMINE
TAXES IS INCORRECT. THE GALLONAGE FIGURE USED WAS 11,795 AND SHOULD
BE 11,528. RPTL 550(2)E.
CHECK IN FAVOR OF: AMHERST CENTRAL HIGH

MEETING NO. 21
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ERIE COUNTY LEGISLATURE

Petition No. 201462 / 2000 - ASSESSOR - Refund - \$1,226.77

SBL No. 80.09-15-24 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 1,226.77 - Town/SpecialDist/School

Charge to : TOWN OF AMHERST

1,226.77

REFUND - CLERICAL ERROR, THE SANITARY SEWER FIGURE USED TO DETERMINE THE TAX WAS MISCALCULATED. THE GALLONAGE FIGURE USED WAS 8939 AND SHOULD BE 8587. RPTL 550(2)E.

CHECK IN FAVOR OF: AMHERST CENTRAL HIGHT SCHOOL

Petition No. 201463 / 2001 - ASSESSOR - Refund - \$1,354.02

SBL No. 80.09-15-24 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 1,354.02 - Town/SpecialDist/School

Charge to : TOWN OF AMHERST

1,354.02

REFUND - CLERICAL ERROR, THE SANITARY SEWER TAX FIGURE WAS MISCALCULATED ON THE TAX ROLL. THE GALLONAGE FIGURE USED IS 7940 AND SHOULD BE 7559. RPTL 550(2)E.

CHECK IN FAVOR OF: AMHERST CENTRAL HIGH

Petition No. 201464 / 102 - ASSESSOR - Cancel - \$908.95

SBL No. 258.09-1-2.1 - TOWN OF BOSTON

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 908.95 - Town/SpecialDist/School

Charge to : SPRING-GRIFFITH

908.95

CANCEL - ERROR IN ESSENTIAL FACT, HOUSE WAS REMOVED PRIOR TO MAY 1, 2001. THE ASSESSED VALUE WAS 55,000 AND NOW SHOULD REFLECT 13,500 LAND ONLY. RPTL 550(3)A

Petition No. 201465 / 2001 - ASSESSOR - Cancel - \$24.54

SBL No. 263.09-2-2 - TOWN OF HOLLAND

Acct. No. 112 - \$ 0.00 - County

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ERIE COUNTY LEGISLATURE

Acct. No. 132 - \$ 24.54 - Town/SpecialDist/School

Charge to : HOLLAND CENTRAL 24.54

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY NUED
 ON THE TAX ROLL. THE ASSESSMENT WAS 43,490 AND SHOULD BE 41,900.
 RPTL 550(2)A.

Petition No. 201466 / 102 - ASSESSOR - Cancel - \$247.79

SBL No. 60.00-3-6./CO - TOWN OF NEWSTEAD

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 247.79 - Town/SpecialDist/School

Charge to : CLARENCE CENTRAL 247.79

CANCEL - CLERICAL ERROR, THIS IS A DUPLICATE PARCEL. PARCEL WAS
 PAID UNDER SBL 60.00-3-6./187. RPTL 550(2)E.

Petition No. 201467 / 102 - ASSESSOR - Refund - \$75.30

SBL No. 74.00-3-41.11 - TOWN OF NEWSTEAD

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 75.30 - Town/SpecialDist/School

Charge to : AKRON CENTRAL 75.30

REFUND - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY
 ON THE TAX ROLL. THE ASSESSMENT WAS 22,600 AND SHOULD BE 17,500.
 RPTL 550(2)A.
 CHECK IN FAVOR OF: RONALD DULSKI

Petition No. 201468 / 102 - ASSESSOR - Refund - \$369.60

SBL No. 40.06-2-19 - TOWN OF TONAWANDA

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 369.60 - Town/SpecialDist/School

Charge to : BASIC STAR EXEMPTION 369.60

REFUND - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF
 21,130 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM
 THE TAX ROLL. RPTL 550(2)C
 CHECK IN FAVOR OF: MICAEL & PAMELA GIANGRECO

Petition No. 201469 / 102 - ASSESSOR - Cancel - \$2,744.70

SBL No. 53.52-4-7 - TOWN OF TONAWANDA

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ERIE COUNTY LEGISLATURE

Acct. No. 112 - \$ 523.66 - County

Acct. No. 132 - \$ 2,221.04 - Town/SpecialDist/School

Charge to : TOWN OF TONAWANDA

	913.20
KEN-TON UNION FREE	1,253.88
BRIGHTON FIRE DIST	53.96

CANCEL - UNLAWFUL ENTRY, PARCEL IS OWNED BY THE UNITED STATES GOVERNMENT BY A COURT ORDER. RPTL 550(7)A.

Petition No. 202470 / 102 - ASSESSOR - Cancel - \$1,605.45

SBL No. 53.52-4-7 - TOWN OF TONAWANDA

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 1,605.45 - Town/SpecialDist/School

Charge to : KEN-TON UNION FREE 1,605.45

CANCEL - UNLAWFUL ENTRY, THIS PROPERTY IS WHOLLY EXEMPT. PARCEL IS OWNED BY THE UNITED STATES GOVERNMENT THROUGH A COURT ORDER. RPTL 550(7)A

Petition No. 201471 / 102 - ASSESSOR - Refund - \$628.20

SBL No. 66.54-4-37 - TOWN OF TONAWANDA

Acct. No. 112 - \$ 0.00 - County

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

Charge to : BASIC STAR EXEMPTION 628.20

REFUND - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF 21,130 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C KENMORE UNION FREE SCHOOL DISTRICT CHECK IN FAVOR OF: JOYCE PENNY LITTLE

Petition No. 201472 102 Assessor Cancel \$ 75,454.52

SBL No. 28.13-2-50 - TOWN OF AMHERST

Acct. No. 112 0.00 County

Acct. No. 132 75,454.52 Town/Special Dist/School

Charge to: WILLIAMSVILLE CENTRAL SCHOOL 75,454.52

CANCEL - UNLAWFUL ENTRY, PARCEL IS WHOLLY EXEMPT PER A PILOT AGREEMENT. RPTL 550(7)A.

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Petition No. 201473 99/00 Assessor Cancel \$ 857.65

SBL No. 152.15-5-28 TOWN OF ORCHARD PARK

Acct. No. 112 0.00 County

Acct. No. 132 857.65 Town/Special Dist/School

Charge to: TOWN OF ORCHARD PARK 857.65

CANCEL - UNLAWFUL ENTRY, PARCEL IS WHOLLY EXEMPT FROM TAXES INCLUDING SPECIAL ASSESSMENTS PER COURT DECISION. RPTL 550(7)A.

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

CARRIED UNANIMOUSLY.

Item 39 – MS. PEOPLES moved to discharge the FINANCE & MANAGEMENT COMMITTEE from further consideration of Comm. 19E-17. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 516

Re: Erie County Department of Senior Services
 Authorization to Amend the CSE Grant Budget.

WHEREAS, the Erie County Legislature has already appropriated funds for the Community Services for the Elderly (CSE) grant for the period April 1, 2001 to March 31, 2002, and

WHEREAS, remote access automation at community agencies associated with compliance with new state and federal reporting mandates requires the installation of additional wiring and communications technology throughout the County's Senior Services' case management network and related training seminars, and

WHEREAS, the South Buffalo Community Development Association has assumed all provisions of case management services to the area formerly served by Friendship House and has agreed to extend their service coverage, which requires additional resources to complete that shift in responsibility, and

WHEREAS, the Department of Senior Services desires to allocate undesignated funds to cover these costs, and

WHEREAS, the CSE grant budget and the related agency contracts are in need of revision.

NOW, THEREFORE, BE IT

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RESOLVED, that the County Executive is hereby authorized to amend the contracts with the various community agencies as stipulated herein, and be it further

RESOLVED, that the CSE grant budget, Project 428, be revised as follows:

<u>APPROPRIATIONS</u>		<u>CURRENT</u>	<u>CHANGES</u>	<u>AMENDED</u>
<u>Account</u>	<u>Description</u>	<u>BUDGET</u>		<u>BUDGET</u>
824	Local Travel	\$ 2,250	\$-2,000	\$ 250
825	Out of Area Travel	2,000	+ 2,000	4,000
830/228	St. Augustine Community Ctr	44,994	+ 1,910	146,904
/231	Concerned Ecumenical Ministry	31,299	+ 6,000	137,299
/302	Town of Amherst - Sr. Center	23,909	+ 2,400	26,309
/309	Kensington-Bailey Plan.	86,894	+ 1,900	88,794
/317	No. Buffalo Community Dev. Corp	32,854	+ 1,650	34,504
/321	So. Buffalo Community Dev. Assoc	88,988	+27,500	116,488
/355	Bailey Delavan Community Svcs	62,031	+ 1,850	63,881
/356	Northwest Buffalo Comm. Ctr.	54,974	+ 1,800	56,774
/362	Lt. Col. Matt Urban Human Svcs	109,628	+ 1,900	111,528
/373	Bflo. Fed. Neighborhood Ctrs.	98,568	+ 1,800	100,368
/385	Other Projected Agencies	51,545	-51,545	0
/397	Community Concern-Evans/Brant	49,672	+ 2,835	52,507
			<u>\$ -0-</u>	

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 and the Department of Senior Services.

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

CARRIED UNANIMOUSLY.

Item 40 – MS. PEOPLES moved to discharge the FINANCE & MANAGEMENT COMMITTEE from further consideration of Comm. 20E-7. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

Re: Bond Resolution - \$550,000 – Additions & Improvements to the Fire Training Academy.

RESOLUTION NO. 517 - 2001
 BOND RESOLUTION DATED NOVEMBER 8, 2001

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November 8, 2001

ERIE COUNTY LEGISLATURE

BOND RESOLUTION OF THE COUNTY OF ERIE, NEW YORK, AUTHORIZING THE PARTIAL RECONSTRUCTION OF AND CONSTRUCTION OF AN ADDITION AND IMPROVEMENTS TO THE FIRE TRAINING ACADEMY, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$550,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$550,000 BONDS OF THE COUNTY TO PAY THE COST THEREOF.

(Introduced) OCTOBER 16, 2001

(Adopted) NOVEMBER 8, 2001

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 of Erie, New York (herein called "County"), is hereby authorized to partially reconstruct and construct an addition and improvements to the Fire Training Academy at 3359 Broadway in Cheektowaga, including an approximate 4,700 square foot addition, the installation of stadium seating and an additional classroom; the foregoing to include the original equipment, machinery, furnishings, apparatus, and all ancillary and related site and other work required in connection therewith. The estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and to the financing thereof, is \$550,000, and said amount is hereby appropriated therefor pursuant to the duly adopted Capital Budget of said County for fiscal year 2001. To the extent that the details set forth in this resolution are inconsistent with any details set forth in the 2001 Capital Budget of the County, such Budget shall be deemed and is hereby amended. The plan of financing includes the issuance of \$550,000 bonds of the County 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 said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the County in the principal amount of \$550,000 are hereby authorized to be issued for the specific object or purpose described in Section 1 hereof, 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 building to be improved is, and the addition to be constructed thereto will be, of at least Class "B" construction as defined by Section 11.00 a. 11. (b) of the law. Consequently, the period of probable usefulness applicable to the purpose for which the serial bonds authorized pursuant to this resolution are to be issued, within the limitations of Section 11.00 a.12 (a) (2) of the Law, is fifteen (15) 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 Bond 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 said Local Finance 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 bonds herein authorized, or the renewals thereof, relative to providing for substantially level or declining annual debt service, and relative to prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any notes issued in anticipation of the sale of said bonds or the renewals of said notes, as well as 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.

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

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CHAIRMAN SWANICK directed that a roll call vote be taken.

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

CARRIED UNANIMOUSLY.

Item 41 – MS. PEOPLES moved to discharge the FINANCE & MANAGEMENT COMMITTEE from further consideration of Comm. 20E-8. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

Re: Bond Resolution – Amends Bond 152-2001
 – Water Lines.

RESOLUTION NO. 518 – 2001
 BOND RESOLUTION DATED November 18, 2001

BOND RESOLUTION OF THE COUNTY OF ERIE,
 NEW YORK, AMENDING THE BOND RESOLUTION
 ADOPTED APRIL 5, 2001 TO PROVIDE FOR
 IMPROVEMENTS TO WATER LINES AT VARIOUS
 PARKS.

(Introduced) October 16, 2001
 (Adopted) November 18, 2001

Recitals

WHEREAS, the Legislature of the County of Erie, New York, has heretofore duly authorized the financing of various capital projects included in the 2001 Capital Budget of the County, pursuant to the bond resolution adopted April 5, 2001 by said Legislature, and hereinafter referred to; and

WHEREAS, it is now necessary to amend the description of the work to be done in one of the items in said bond resolution;

NOW, THEREFORE, BE IT

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

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SECTION A Section 1. Row 11, column A of the attached schedule to Resolution No. 152-2001 of said County duly adopted by the Legislature on April 5, 2001, entitled:

“Chestnut Ridge Park Water Lines - Phase V (Countywide)” is hereby amended to read as follows:

“Various Park Water Lines Improvements”

Section 2. Row 11, column G of the attached schedule to Resolution No.152-2001 of said County duly adopted by the- Legislature on April 5, 2001, entitled:

“Installation of water supply lines to replace the existing system to provide potable water (final phase)” is hereby amended to read as follows:

“Installation of water supply lines to replace the existing systems to provide potable water at Chestnut Ridge Park (at the estimated maximum cost of \$360,000) and Grover Cleveland Golf Course (at the estimated maximum cost of \$140,000).”

Section (B). The amendment of the bond resolution set forth in Section A of this Resolution shall in no way affect the validity of the liabilities incurred, obligations issued, or action taken pursuant to said bond resolution, and all such liabilities incurred, obligations issued, or action taken shall be deemed to have been incurred, issued or taken pursuant to said bond resolution, as so amended.

Section (C). This Amending Resolution shall take effect immediately upon approval by the County Executive.

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

CHAIRMAN SWANICK directed that a roll call vote be taken.

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

CARRIED UNANIMOUSLY.

Item 42 – MS. PEOPLES moved to discharge the FINANCE & MANAGEMENT COMMITTEE from further consideration of Comm. 20E-17. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 519

Re: Request of the Town of Amherst Purchase
 Contracts Administrative Code Section

3.06 (c) (9).

WHEREAS, the County Law Section 408-A specifically authorizes the County Legislature to allow municipalities to make purchases through the County bidding procedure; and

WHEREAS, the Town of Amherst has requested that the Director of Purchase be authorized to permit the town to utilize County contracts for making purchases; and

WHEREAS, in most instances the provision of such services by the Erie County Purchasing Department will not create any additional cost or burdens upon said department but will serve to reduce the town's operating costs.

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to the provisions of the Erie County Administrative Code Section 3.06 (c) (9) the following are hereby established as the conditions upon which the Purchasing Director may make purchasing services available to the Town of Amherst.

1. When in the opinion of the Director of Purchase it will not create any burden or hardship upon the County and the anticipated prices will not be adversely affected thereby, the Director is authorized when he deems appropriate and as may be requested by the Town of Amherst to provide in any particular County bid specification that the participating municipalities in Erie County shall have the right to make purchases based upon the bids received by the County.
2. The County Purchasing Director within the limits of his time and manpower, shall disseminate relevant contract information to the Town of Amherst.
3. The Town of Amherst participating in County contracts will issue purchase orders directly to vendors within the specified contract period referencing the County contract involved and be liable for any payments due on such purchase orders.

AND BE IT FURTHER

RESOLVED, that certified copies of this resolution be forwarded to the County Executive, the Division of Purchase, the County Comptroller, and the Board of the Town of Amherst.

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

CARRIED UNANIMOUSLY.

Item 43 – MRS. FISHER moved to discharge the HEALTH COMMITTEE from further consideration of Comm. 20E-24. MS. PEOPLES seconded.

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CARRIED UNANIMOUSLY.

RESOLUTION NO. 520

Re: Department of Health Transfer of Funds.

WHEREAS, the Department of Health has analyzed its objects of expense and has determined that in Account 810 - Office Supplies, expenditures will exceed appropriations by \$6,000, 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 2001 fiscal year.

NOW, THEREFORE, BE IT

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

Division of Medical Examiner

Increase - Account, 810 - Office Supplies	\$6,000
Decrease - Account, 814 - Medical Supplies	<u>\$6,000</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.

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

CARRIED UNANIMOUSLY.

Item 44 – MRS. FISHER moved to discharge the HEALTH COMMITTEE from further consideration of Comm. 20E-25. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 521

Re: Department of Health Physician Assistant
 Fee-for-Service Rate Immediate Consideration.

WHEREAS, the Erie County Health Department provides clinical services at various locations throughout Erie County, and

WHEREAS, the Erie County Department of Health wishes to contract with Physician Assistants to provide clinical services, and

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WHEREAS, funds are available in Account 821 Dues & Fees in the 2001 Adopted Budget.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby approves the acquisition by the Erie County Department of Health of such necessary services from qualified individuals within the bounds of the appropriations stated above for those categories as are listed in Exhibit B, incorporated herein, and be it further

RESOLVED, inasmuch as it is impractical to follow the request for proposal (RFP) procedure in the case of doctors, dentists and other professionals, the Erie County Legislature hereby waives the procedure for these categories of service as provided for in Local Law No. 6, Section 19.08.

Exhibit B
 Erie County Department of Health
 Contractual Service Rate for Fee-For-Service Personnel
 Annual Compensation Will Be \$10,000 or More

TITLE	HOURLY RATE
Physician Assistant	\$43.00

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, the Personnel Department and the Department of Law.

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

CARRIED UNANIMOUSLY.

Item 45 – MR. KUWIK moved to discharge the PUBLIC SAFETY COMMITTEE from further consideration of Comm. 20E-9. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 522

Re: Erie County Sheriff's Office New York
 State Governor's Traffic Safety Committee
 Grant.

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November 8, 2001

ERIE COUNTY LEGISLATURE

WHEREAS, the State of New York Governor's Traffic Safety Committee has awarded \$9,000.00 to the Erie County Sheriff's Office to participate in a statewide program to promote safer highways by increased enforcement of the Vehicle and Traffic laws of New York State.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into contract with the State of New York Governor's Traffic Safety Committee to participate in the "BUCKLE UP" New York Campaign and is authorized to accept funding in the amount of \$9,000.00 and be it further,

RESOLVED, that authorization is hereby provided to budget those funds as follows:

DEPARTMENT 931 – Sheriff's Office

<u>REVENUE</u>		<u>Increase</u>
639	State Aid	<u>\$ 9,000</u>
	Total Revenue	<u>\$ 9,000</u>
<u>APPROPRIATIONS</u>		<u>Increase</u>
801	Overtime	<u>\$ 9,000</u>
	Total Appropriations	<u>\$ 9,000</u>

and be it further,

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

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

CARRIED UNANIMOUSLY.

Item 46 – MR. KUWIK moved to discharge the PUBLIC SAFETY COMMITTEE from further consideration of Comm. 20E-18. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 523

Re: Central Police Services Criminal Justice
Records Improvement Program Grant.

MEETING NO. 21
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ERIE COUNTY LEGISLATURE

WHEREAS, Erie County has been awarded funding by the New York State Division of Criminal Justice Services under the Edward Byrne Memorial program, and

WHEREAS, said funds will enable Central Police Services to enhance the departmental computer lab to function as a Crime Mapping Center for use by multiple law enforcement agencies in Erie County for crime analysis activity,

NOW, THEREFORE, BE IT

RESOLVED, that authorization is hereby provided for the County Executive to enter into a contract and accept funding in the amount of \$18,750, with the New York State Division of Criminal Justice Services, and be it further

RESOLVED, that authorization is hereby provided to establish the grant in the budget of the Department of Central Police Services as follows:

Grant Fund - Department 650
 Central Police Services
 Criminal Justice Records Improvement Program
 10/01/01 to 9/30/02

<u>Revenue</u>	<u>Increase</u>
Acct. 627 State Aid Criminal Justice Program	\$18,750
Acct. 686-6500 Interfund Revenue - Grant	<u>6,250</u>
Total Revenue	\$25,000
<u>Appropriation</u>	<u>Increase</u>
Acct. 933 Equipment	<u>\$25,000</u>
Total Appropriation	\$25,000

and be it further

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

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

CARRIED UNANIMOUSLY.

Item 47 – MR. HOLT moved to discharge the SOCIAL SERVICES COMMITTEE from further consideration of Comm. 19E-18. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 524

Re: Erie County Department of Senior Services
 Authorization to Amend the RSVP Grant
 Budgets.

WHEREAS, the Erie County Legislature has already appropriated funds for the Retired and Senior Volunteer Program (RSVP) grants for the periods July 1, 2000 to June 30, 2001 and July 1, 2001 to June 30, 2002, and

WHEREAS, the Corporation for National Service has made available an additional \$3,556 in funds for the 2001/2002 RSVP grant to provide support services to 1,150 RSVP volunteers working in community agencies throughout the county, and

WHEREAS, the County budgets for these programs are in need of revision.

NOW, THEREFORE, BE IT

RESOLVED, that the budget for the RSVP grant, project 282, for the period July 1, 2000 to June 30, 2001, be revised as follows:

		<u>CURRENT</u>	<u>CHANGES</u>	<u>AMENDED</u>
		<u>BUDGET</u>		<u>BUDGET</u>
<u>APPROPRIATIONS</u>				
<u>Account</u>	<u>Description</u>			
805	Fringe Benefits	\$14,300	\$+ 1,700	\$16,000
826	Other Expenses	15,000	<u>-1,700</u>	13,300
	Total Changes		<u>\$ -0-</u>	

and be it further

RESOLVED, that the budget for the RSVP grant, Project 433, for the period July 1, 2001 through June 30, 2002, be revised as follows:

		<u>CURRENT</u>	<u>CHANGES</u>	<u>AMENDED</u>
		<u>BUDGET</u>		<u>BUDGET</u>
<u>REVENUES</u>				
<u>Account</u>	<u>Description</u>			
664	Federal Revenue	\$79,016	<u>\$+3,556</u>	\$82,572

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ERIE COUNTY LEGISLATURE

Total Changes \$+3,556

APPROPRIATIONS

800	Personal Services	\$ 93,823	\$- 14,342	\$ 79,481
805	Fringe Benefits	18,303	-2,942	15,361
822	Rental Charges	3,000	+ 2,000	5,000
824	Travel & Mileage	45,697	+ 7,016	52,713
825	Out of Area Travel	1,286	+ 214	1,500
826	Other Expenses	12,700	+ 1,400	14,100
880	Interfund Expenses	0	+ 6,626	6,626
933	Lab & Technical	0	<u>+ 3,584</u>	3,584
	Total Changes		<u>\$+ 3,556</u>	

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 and the Department of Senior Services.

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

CARRIED UNANIMOUSLY.

Item 48 – MR. HOLT moved to discharge the SOCIAL SERVICES COMMITTEE from further consideration of Comm. 19E-19. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 525

Re: Erie County Department of Senior Services
 Authorization to Amend the HIICAP and III-D
 Grant Budgets.

WHEREAS, the Erie County Legislature has already appropriated funds for the Health Insurance Information, Counseling and Assistance Program (HIICAP) for the period October 1, 2000 to September 30, 2001, and the Disease Prevention and Health Promotion (III-D) grant for the period January 1, 2001 to December 31, 2001, and

WHEREAS, the New York State Office for the Aging has changed the program period for the HIICAP grant to March 16, 2001 to March 31, 2002, and has also provided \$11,920 in additional funds for the Medicare + Choice component of the program, and

WHEREAS, the County budgets for these programs are in need of revision.

NOW, THEREFORE, BE IT

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ERIE COUNTY LEGISLATURE

RESOLVED, that the HIICAP budget, Project 287, reflect the amended time period of March 16, 2001 to March 31, 2002, and be amended as follows:

		<u>CURRENT</u>		<u>AMENDED</u>
		<u>BUDGET</u>	<u>CHANGES</u>	<u>BUDGET</u>
<u>REVENUES</u>				
<u>Account</u>	<u>Description</u>			
664	Federal Aid	\$3,790	<u>\$+11,920</u>	\$15,710
	Total Change		<u>\$+11,920</u>	
<u>APPROPRIATIONS</u>				
824	Travel	\$3,790	+ 2,000	\$ 5,790
826	Other	0	+ 7,920	7,920
880	Interfund Exp	0	+ 2,000	2,000
	Total		<u>\$+11,920</u>	

and be it further

RESOLVED, that the budget for the III-D grant, project 427, for the period January 1, 2001 to December 31, 2001, be revised as follows:

		<u>CURRENT</u>		<u>AMENDED</u>
		<u>BUDGET</u>	<u>CHANGES</u>	<u>BUDGET</u>
<u>APPROPRIATIONS</u>				
<u>Account</u>	<u>Description</u>			
800	Personal Services	\$45,556	\$+1,106	\$46,662
805	Fringe Benefits	6,662	+4,938	11,600
830/385	Other Projected	28,837	<u>-6,044</u>	22,793
	Total Change		<u>\$ - 0 -</u>	

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 and the Department of Senior Services.

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

CARRIED UNANIMOUSLY.

Item 49 – MR. HOLT moved to discharge the SOCIAL SERVICES COMMITTEE from further consideration of Comm. 20E-23. MS. PEOPLES seconded.

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ERIE COUNTY LEGISLATURE

CARRIED UNANIMOUSLY.

RESOLUTION NO. 526

Re: Department of Social Services International
 Institute – Interpreter Services.

WHEREAS, the Department of Social Services is required by law and regulation to fund interpreter services to non-English speaking clientele for their contacts with the Department, for medical visits and for other purposes, and

WHEREAS, the barrier presented by language differences can be a serious detriment to the provision of timely, confidential services, and

WHEREAS, in order to provide for the large number of different languages, the Department contracts with the International Institute which maintains on-call translation services on an as needed basis, and

WHEREAS, the current contract has proven to be insufficient to meet the demand for these services, and the Department is requesting an increase to this contract in the amount of \$8,000 to be funded by a transfer of available funds from the current appropriation for State Training Schools, and

WHEREAS, there is no net fiscal impact to the 2001 budget.

NOW, THEREFORE, BE IT

RESOLVED, that the following budget amendments are hereby authorized in the 2001 Adopted Budget:

Department of Social Services, Department 200, Fund 120

<u>ACCOUNT</u>	<u>DESCRIPTION</u>	<u>INCREASE/ (DECREASE)</u>
830-0209	International Institute	\$8,000
856	State Training Schools	<u>(8,000)</u>
	Total Expenditures	\$ <u>- 0 -</u>

and be it further

RESOLVED, that the County Executive and/or Commissioner of Social Services are hereby authorized to amend the existing contract with the International Institute, and be it further

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ERIE COUNTY LEGISLATURE

RESOLVED, that because these special services are needed immediately, the County Administrative Code requirement in Section 19.08 for a Request for Proposals (RFP) is hereby waived for the continuation of the current contract for this service, 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 the Division of Budget, Management and Finance.

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

CARRIED UNANIMOUSLY.

SUSPENSION OF THE RULES

Item 50 – MS. PEOPLES moved for a suspension of the rules to include an item not in the agenda. MR. FITZPATRICK seconded.

GRANTED.

Comm. 21E-45 From CHAIRMAN SWANICK Re: Letter to the Clerk of the Legislature Regarding the Appointment of LEGISLATOR FITZPATRICK as a Member of the Budget, Finance & Management Committee.

Received, filed and printed.

November 8, 2001

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

Dear Ms. Manzella:

Pursuant to Rule No. 38 of the “Rules of Order for Erie County Legislative Meetings”, and at the request of Majority Leader Crystal D. Peoples, I hereby appoint Legislator *Michael A. Fitzpatrick* as the additional member of the Budget, Finance & Management Committee.

Sincerely,

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ERIE COUNTY LEGISLATURE

Charles M. Swanick
Chairman

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

GRANTED.

Comm. 21E-46 From CHAIRMAN SWANICK Re: Special Session Notice.

Received, filed & printed.

November 8, 2001

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

Dear Ms. Manzella:

Pursuant to Rule 2 of the *RULES OF ORDER* of the Erie County Legislature, you are hereby directed to call a Special Meeting of the Erie County Legislature to be held on **TUESDAY, NOVEMBER 13, 2001, at NINE O’CLOCK** in the morning of that day in the Erie County Legislature Chambers, 25 Delaware Avenue, 7th floor, Buffalo, New York.

The purpose of this meeting will be to send the County Executive’s 2002 Tentative Budget to the Legislature’s Finance & Management – Budget Committee. This will be the only item considered at the meeting.

Thank you.

Sincerely,

CHARLES M. SWANICK
Chairman
Erie County Legislature

Item 52 – MS. PEOPLES moved for a suspension of the rules to include an item not on the agenda. MR. FITZPATRICK seconded.

GRANTED.

Comm. 21D-13 From the CLERK OF THE LEGISLATURE Re: Notice Regarding a Special Session.

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November 8, 2001

ERIE COUNTY LEGISLATURE

Received, filed & printed.

November 8, 2001

To: All Erie County Legislators
 From: Laurie A. Manzella, Clerk of the Legislature
 Subject: **SPECIAL MEETING NOTICE**

PLEASE TAKE NOTICE that pursuant to Rule 2 of the *RULES OF ORDER* of the Erie County Legislature and under the direction of Chairman Charles M. Swanick, there will be a **SPECIAL MEETING** of the Erie County Legislature on ***TUESDAY, NOVEMBER 13, 2001, at nine o'clock in the morning*** of that day in Erie County Legislature Chambers, 25 Delaware Avenue, 7th floor, Buffalo, New York.

The purpose of this meeting is to send the County Executive's 2002 Tentative Budget to the Legislature's Finance & Management – Budget Committee. This will be the only item considered at the meeting.

Thank you.

ATTACHMENT – 1 (Chairman Swanick's Letter)

Item 53 – MS. PEOPLES moved for a suspension of the rules to include an item not on the agenda. MS. MARINELLI seconded.

GRANTED.

Comm. 21E-47 From CHAIRMAN SWANICK Re: Notice Regarding Special Session.

Received, filed & printed.

November 8, 2001

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

Dear Ms. Manzella:

Pursuant to Rule 2 of the *RULES OF ORDER* of the Erie County Legislature, you are hereby directed to call a Special Meeting of the Erie County Legislature to be held on ***MONDAY***,

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November 8, 2001

ERIE COUNTY LEGISLATURE

NOVEMBER 19, 2001, at TWO O'CLOCK in the afternoon of that day in the Erie County Legislature Chambers, 25 Delaware Avenue, 7th floor, Buffalo, New York.

The purpose of this meeting will be to accept the Report of the Budget Committee and to lay the Erie County Executive's 2002 Tentative Budget on the table of the Erie County Legislature.

BE FURTHER ADVISED that I have changed the date of the Session previously scheduled for Tuesday, December 4, 2001 to **WEDNESDAY, NOVEMBER 21, 2001, at TWO O'CLOCK** in the afternoon of that day in the Erie County Legislature Chambers, 25 Delaware Avenue, 7th floor, Buffalo, New York.

The purpose of this meeting will be to vote on the 2002 Erie County Budget.

Thank you.

Sincerely,

CHARLES M. SWANICK
Chairman
Erie County Legislature

Item 54 – MS. PEOPLES moved for a suspension of the rules to include an item not on the agenda. MS. MARINELLI seconded.

GRANTED.

Comm. 21D-14 From the CLERK OF THE LEGISLATURE Re: Notice Regarding Special Session.

Received, filed & printed.

November 8, 2001

To: All Erie County Legislators
From: Laurie A. Manzella, Clerk of the Legislature
Subject: **SPECIAL MEETING NOTICES**

PLEASE TAKE NOTICE that pursuant to Rule 2 of the *RULES OF ORDER* of the Erie County Legislature and under the direction of Chairman Charles M. Swanick, there will be a **SPECIAL MEETING** of the Erie County Legislature on **MONDAY, NOVEMBER 19, 2001, at two o'clock in the afternoon** of that day in the Erie County Legislature Chambers, 25 Delaware Avenue, 7th floor, Buffalo, New York.

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ERIE COUNTY LEGISLATURE

The purpose of this meeting is to accept the Report of the Budget Committee and to lay the Erie County Executive's 2002 Tentative Budget on the table of the Erie County Legislature.

PLEASE TAKE FURTHER NOTICE that pursuant to Rule 2 of the Rules of Order of the Erie County Legislature and under the direction of Chairman Charles M. Swanick, there will be a **SPECIAL MEETING** of the Erie County Legislature on **WEDNESDAY, NOVEMBER 21, 2001, at two o'clock in the afternoon** of that day in the Erie County Legislature Chambers, 25 Delaware Avenue, 7th floor, Buffalo, New York.

The purpose of this meeting is to vote on the 2002 Erie County Budget.

This Session replaces the previously scheduled date of Tuesday, December 4, 2001.

Thank you.

ATTACHMENT – 1 (Chairman Swanick's Letter)

COMMUNICATIONS FROM ELECTED OFFICIALS

FROM THE COMPTROLLER

Item 55 – (Comm. 21E-1) Letter Re: Reported Budget Deficit.

Item 56 – (Comm. 21E-2) Management Letter & Audit of Financial Statements for Year Ended 12/31/00 Prepared by Deloitte & Touche.

Item 57 – (Comm. 21E-3) Apportionment & Distribution of 4% Sales Tax for September.

Item 58 – (Comm. 21E-4) Apportionment & Distribution of 4% Salas Tax for October.

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

FROM THE SHERIFF

Item 59 – MR. KUWIK presented the following resolution and moved for immediate consideration. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 527

Re: Asset Forfeiture Grant Appropriations.
 (Comm. 21E-5)

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ERIE COUNTY LEGISLATURE

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

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

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

NOW, THEREFORE, BE IT

RESOLVED, that \$24,712 in available balances in the Asset Forfeiture Trust Fund is hereby transferred to the Erie County Sheriffs Office Asset Forfeiture Grant, Project #493 to be used as a cash match for the COPS MORE 2001 Grant, and be it further

RESOLVED, that the following budgetary transactions are hereby authorized:

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

<u>REVENUE</u>		<u>Increase</u>
502	Forfeiture Crime Proceeds	<u>\$24,712</u>
	Total Revenue	<u>\$24,712</u>
<u>APPROPRIATIONS</u>		<u>Increase</u>
933	Technical Equipment	<u>\$24,712</u>
	Total Appropriations	<u>\$24,712</u>

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

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

CARRIED UNANIMOUSLY.

Item 60 – MR. KUWIK presented the following resolution and moved for immediate consideration. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 528

Re: COPS MORE 2001 Grant. (Comm. 21E-6)

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ERIE COUNTY LEGISLATURE

WHEREAS, the United States Department of Justice is making available a grant in the amount of \$74,138 to purchase mobile computers. The computers will enhance the ability of our law enforcement agency to conduct traffic stops, run background checks and write tickets.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into a contract with the United States Department of Justice to accept funds in the amount of \$74,138 for a COPS MORE 2001 grant, and be it further,

RESOLVED, that authorization is hereby provided to establish funding for this grant as follows:

SHERIFF'S OFFICE GRANT FUND
 COPS MORE 2001
09/01/01 – 8/31/02

REVENUE

684 - Federal Revenue	<u>\$74,138</u>
TOTAL REVENUE	<u>\$74,138</u>
933 -Technical Equipment	<u>74,138</u>
TOTAL APPROPRIATIONS	<u>\$74, 138</u>

and it be further

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

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

CARRIED UNANIMOUSLY.

Item 61 – MR. KUWIK presented the following resolution and moved for immediate consideration. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

REESOLUTION NO. 529

Re: Request to Accept Donations.
 (Comm. 21E-7)

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ERIE COUNTY LEGISLATURE

WHEREAS, a local organization and citizen of Erie County are willing to make donations to the Erie County Sheriff's Special Services Division and,

WHEREAS, all donations require approval by the Erie County Legislature.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Sheriff's Office is hereby authorized to accept one (1) 1999 Ford Expedition and \$20,000 for the express purpose of purchasing two (2) 2002 Polaris Sportsman All-Terrain vehicles that will benefit the citizens of Erie County, and be it further,

RESOLVED, that the Erie County Sheriff's Office is hereby authorized to accept any and all additional gifts from donors as related to the Erie County Sheriff's Special Services Division, and be it further,

RESOLVED, that the following budgetary transactions are hereby authorized:

ERIE COUNTY SHERIFF'S OFFICE – DEPARTMENT #150

<u>REVENUE</u>		<u>INCREASE</u>
521	Other Unclassified Revenue	<u>\$ 20,000</u>
	Total Revenue	<u>\$ 20,000</u>
<u>APPROPRIATIONS</u>		<u>INCREASE</u>
930	Automotive Expense	<u>\$ 20,000</u>
	Total Appropriations	<u>\$20,000</u>

and be it further,

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

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

CARRIED UNANIMOUSLY.

FROM THE COUNTY EXECUTIVE

Item 62 – MS. PEOPLES presented the following resolution for immediate consideration. MR. KUWIK seconded.

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ERIE COUNTY LEGISLATURE

CARRIED UNANIMOUSLY.

RESOLUTION NO. 530

Re: 2001 Overlay "A2" Abbott Road, Hopkins Road & Seneca Street. (Comm. 21E-8)

WHEREAS, bids were taken for the 2001 Overlay II "A2" Project, which consists of the following roads: Abbott Road (CR 4), from Big Tree Road to Milestrip Road, Towns of Hamburg and Orchard Park (NYS PIN 5755.84) and Hopkins Road (CR 87), from Klein Road to Millersport Highway, Town of Amherst (NYS PIN 5755.86), on October 4, 2001, the low bidder being Janik Paving and Construction, Incorporated of Hamburg, New York, at a low bid amount of \$1,658,552.53, and

WHEREAS, contracts were previously awarded for design and engineering services for the above noted projects to the engineering firm of Wendel Duchscherer Consultants and it has been determined that the contracts must be increased to include construction inspection services.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be authorized and is hereby directed to execute a contract for Project Number FA 4/87-01 for the 2001 Overlay II "A2" Project (Abbott Road in the Towns of Hamburg and Orchard Park and Hopkins Road in the Town of Amherst) between the County of Erie and the low bidder, Janik Paving and Construction, Incorporated, at its low bid of \$1,658,552.53, and be it further

RESOLVED, that an amount of \$1,658,552.53 be allocated from the 2001 Highway Reconstruction Program (SFG 204) for this purpose, and be it further

RESOLVED, that an additional amount of \$260,000.00 be allocated for a construction contingency fund with authorization for the Commissioner of Public Works to approve change orders in an amount not to exceed this amount; and be it further

RESOLVED, that amounts of \$33,000 (Abbott Road), \$50,000 (Hopkins Road), and \$40,000 (Ridge/Seneca Project) be allocated from the 2001 Highway Reconstruction Program (SFG 204) for change orders to the contracts for engineering services with Wendel Duchscherer Consultants, and be it further

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

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

CARRIED UNANIMOUSLY.

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ERIE COUNTY LEGISLATURE

Item 63 – (Comm. 21E-9) ECSD No. 2 – Eminent Domain Proceedings Madison Avenue.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 64 – MS. PEOPLES presented the following resolution and moved for immediate consideration. MR. KUWIK seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 531

Re: PILOT Agreements for Frederick Douglass
 Redevelopment Phase I & II. (Comm. 21E-10)

WHEREAS, Frederick Douglass Associates, L.P. (FDA) is developing housing for very low income households (Project), pursuant to Article XI of the New York Private Housing Finance Law; and

WHEREAS, the project is located on the site of the Frederick Douglass Towers in Buffalo, New York and provides 87 residential townhouse units for very low income families and 112 residential apartments for very low income seniors; and

WHEREAS, Frederick Douglass Redevelopment Phase I and Phase II will be managed by Buffalo Municipal Housing Authority; and

WHEREAS, the Erie County Legislature adopted a policy on Payment in Lieu of Taxes (PILOT) on December 16, 1999, and these PILOTS are consistent with said policy; and

WHEREAS, in order to make the Project economically feasible for Frederick Douglass Associates, L.P., it is necessary to obtain tax relief from the County of Erie and the City of Buffalo.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to execute Payment in Lieu of Taxes (PILOT) Agreements with Frederick Douglass Associates, L.P. and the City of Buffalo relating to the Frederick Douglass Redevelopment Phase I and Phase II and all other agreements necessary to conclude this Project; and be it further

RESOLVED, that said Agreements shall include an annual Payment in Lieu of Taxes (PILOT) of \$7,128.00 for Phase I and \$10,416.36 for Phase II by FDA in the first year of the PILOT Agreements with a three (3) percent increase annually thereafter for a fifteen (15) year period, with the County share of each annual payment being twenty-five (25) percent of the total amount; and be it further

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ERIE COUNTY LEGISLATURE

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.

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

CARRIED UNANIMOUSLY.

Item 65 – MS. PEOPLES presented the following resolution and moved for immediate consideration. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 532

Re: ECMC Renovations at Health Department Building “BB” Water Lab – Contingency Fund Increase. (Comm. 21E-11)

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

WHEREAS, your Honorable Body had previously awarded a contract to the lowest responsible bidders in the total amount of \$288,400.00 and,

WHEREAS, additional space must be renovated immediately for the new Level 3 Bio-Lab, and

WHEREAS, the Health Department Commissioner has determined a need for testing for anthrax, TB, smallpox, etc., and

WHEREAS, change orders will be issued to the contractors to complete this project by January 1, 2002,

NOW, THEREFORE, BE IT,

RESOLVED, that the construction contingency fund be increased by \$300,000 to a new total amount of \$340,000 with authorization for the Commissioner of Public Works to approve change orders, and be it further,

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

RESOLVED, that the sum of \$25,000 be allocated for Architectural/Engineering Services, and be it further,

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

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

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

CARRIED UNANIMOUSLY.

Item 66 – MS. PEOPLES presented the following resolution and moved for immediate consideration. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 533

Re: Flexible Benefits Tax Free Qualified
 Parking. (Comm. 21E-12)

WHEREAS, in October 2001, the Erie County Legislature authorized the County to contract with P & A Administrative Services to administer the Erie County Flexible Benefits and Tax Free Qualified Parking Plans, and

WHEREAS, the current Plan Year 2001 agreement with P & A Administrative Services expires on December 31, 2001, and

WHEREAS, on October 31, 2001, the Erie County Deferred Compensation Committee approved P & A Administrative Services to administer the Erie County Flexible Benefits and Tax Free Qualified Parking Plans for Plan Year 2002;

NOW, THEREFORE BE IT

RESOLVED, that the Erie County Legislature does hereby authorize the Erie County Executive to enter into a one (1) year agreement with P & A Administrative Services, Inc. to administer the Erie County Flexible Benefits and the Tax Free Qualified Parking Plans for the period from January 1, 2002 to December 31, 2002, and be it further

RESOLVED, that the source of funding for the employer-paid \$4.00 monthly fee per Flex spending account participant and the \$2.00 monthly fee per Tax Free Qualified Parking participant shall be from existing departmental fringe benefits appropriations, and be it further

RESOLVED, that the source of funds for the annual \$4,000.00 enrollment fee shall come from year 2001 FICA savings, and be it further

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RESOLVED, that the Department of Budget and Management be authorized to transfer \$4,000.00 from departmental fringe benefit accounts to the contractual expenses account in the Personnel Department's year 2001 budget, DAC code 110 910 610 830, and be it further

RESOLVED, that certified copies of this resolution be forwarded to Erie County's Flexible Benefits Committee, the Office of the Comptroller, the Division of Budget and Management, and the Department of Personnel.

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

CARRIED UNANIMOUSLY.

Item 67 – (Comm. 21E-13) Solid Waste Reduction Project.

Received and referred to the PERSONNEL AD HOC COMMITTEE.

Item 68 – MS. PEOPLES presented the following resolution and moved for immediate consideration. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 534

Re: Deferred Compensation Plan.
 (Comm. 21E-14)

WHEREAS, the New York State Deferred Compensation Rules and Regulations allow participating local employers to enter into contracts with administrative organizations for a period not to exceed five (5) years, and

WHEREAS, the current contract to administer the Erie County Deferred Compensation Plan with Fidelity Investments expires October 31, 2001, and

WHEREAS, the Erie County Legislature in October 2000 approved the third one-year agreement of the (5) five years authorized by the New York State Deferred Compensation Board, and

WHEREAS, on October 31, 2001, the Erie County Deferred Compensation Committee approved the fourth one-year agreement with Fidelity Investments to administer our Deferred Compensation Plan;

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize the Erie County Executive to extend the existing (5) five year contract for (1) one year with Fidelity Investments to

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administer the Erie County Deferred Compensation Plan for the period from November 1, 2001 to October 31, 2002; and be it further

RESOLVED, that copies of this resolution be sent to County Executive Joel A. Giambra; Budget Director, Joseph Passafiume; Personnel Commissioner, Leonard R. Lenihan; Nancy A. Naples, County Comptroller; Michael Bogulski (CSEA) and John Orlando (AFSCME).

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

CARRIED UNANIMOUSLY.

Item 69 – (Comm. 21E-15) Enterprise Resource Planning Project.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 70 – (Comm. 21E-16) Agreement to Use County Forest Facilities for Wind Study.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 71 – MS. PEOPLES presented the following resolution and moved for immediate consideration. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 535

Re: Buffalo Convention Center Interior
Renovations. (Comm. 21E-17)

WHEREAS, the Department of Public Works received bids on October 17, 2001 for the Buffalo Convention Center Interior Renovations, and

WHEREAS, the Department of Public Works is recommending award to the lowest responsible bidders,

NOW, THEREFORE, BE IT,

RESOLVED, that the County Executive be authorized to enter into the following contracts for the Buffalo Convention Center Interior Renovations:

GENERAL CONSTRUCTION WORK

BRD, Inc.

Base Bid

\$394,000.00

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ELECTRICAL WORK

Electrical Service & Systems
 Installation, Inc.

Base Bid \$238,800.00

MECHANICAL WORK

CEM, Inc.

Base Bid \$ 63,000.00

Total \$695,800.00

and be it further,

RESOLVED, that the sum of \$15,000.00 be allocated to a construction contingency fund with authorization for the Commissioner of Public Works to approve change orders not to exceed the amount of the contingency, and be it further,

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

RESOLVED, that the Comptroller's Office be authorized to make payments for all of the above from the 2001 Buffalo Convention Center Bond Account, Project 192, Fund 410, \$692,100 and Project 126, Fund 410, \$18,700, and be it further,

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

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

CARRIED UNANIMOUSLY.

Item 72 – MS. PEOPLES presented the following resolution and moved for immediate consideration. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 536

Re: District Attorney – Victim/Witness
 Assistance & Child Advocacy Program Grants.
 (Comm. 21E-18)

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WHEREAS, the District Attorney through the Victim/Witness Assistance and Child Advocacy Program Grants provides needed services to the residents of Erie County, and

WHEREAS, the Erie County Legislature has already approved the District Attorney's Grant Budgets in Book B for 2001, and

WHEREAS, the contract received from the Crime Victims Board authorizes funding levels different from the adopted budget,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby provide authorization to reallocate funds within the Victim Witness and Child Advocacy Grants to match final state authorized funding levels, to be adjusted as follows:

VICTIM/WITNESS ASSISTANCE GRANT - Project 411
 October 1, 2001 - September 30, 2002

<u>Revenue</u>	<u>ORIGINAL</u>	<u>CHANGE</u>	<u>FINAL</u>
Acct. 627 NYSDCJS	\$270,000	\$(2,679)	\$267,321
Acct. 686 Interfund DA	<u>9,073</u>	<u>17,729</u>	<u>26,802</u>
Total Revenue	<u>\$279,073</u>	<u>\$ 15,050</u>	<u>\$294,123</u>
<u>Appropriation</u>	<u>ORIGINAL</u>	<u>CHANGE</u>	<u>FINAL</u>
Acct. 800 Personal Services	\$227,983	\$ 9,482	\$237,465
Acct. 801 Overtime	5,159	- 0 -	5,159
Acct. 805 Fringe Benefits	51,291	3,523	54,814
Acct. 824 Travel & Mileage	4,640	2,045	6,685
Acct. 883 Interfund-County Exec	<u>(10,000)</u>	<u>- 0 -</u>	<u>(10,000)</u>
Total Appropriations	<u>\$279,073</u>	<u>\$ 15,050</u>	<u>\$294,123</u>

CHILD ADVOCACY GRANT - Project 410
 October 1, 2001 - September 30, 2002

<u>Revenue</u>	<u>ORIGINAL</u>	<u>CHANGE</u>	<u>FINAL</u>
Acct.627 NYSDCJS	\$ 47,025	\$11,354	\$ 58,379
Acct. 686 Interfund DA	<u>10,346</u>	<u>(9,583)</u>	<u>763</u>
Total Revenue	<u>\$ 57,371</u>	<u>\$ 1,771</u>	<u>\$ 59,142</u>
<u>Appropriations</u>			
Acct. 800 Personal Services	\$ 45,000	\$ 2,796	\$ 47,796
Acct. 805 Fringe Benefits	<u>12,371</u>	<u>(1,025)</u>	<u>11,346</u>
Total Appropriations	<u>\$ 57,371</u>	<u>\$ 1,771</u>	<u>\$ 59,142</u>

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and be it further

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

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

CARRIED UNANIMOUSLY.

Item 73 – (Comm. 21E-19) ECSD Nos. 2 & 6 – Transfer of Funds.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 74 – (Comm. 21E-20) Open Item – Sewer District Bond Authorization.

Received and filed.

Item 75 – (Comm. 21E-21) ECSD No. 5 – Farmington Woods – Hidden Oaks Sanitary Sewer Extension – Bid Opening.

Item 76 – (Comm. 21E-22) ECSD No. 6 – Filter Press Steel Frame Installation – Bid Opening.

Item 77 – (Comm. 21E-23) ECSD No. 2 – West Pleasant Pumping Station Elimination – Bid Opening.

Item 78 – (Comm. 21E-24) ECSD No. 1 – Overflow Retention Facility – Contract Close Out.

Item 79 – (Comm. 21E-25) ECSD No. 5 – Thompson Extension – Bid Opening.

Item 80 – (Comm. 21E-26) ECSD No. 5 – Engineering Service Agreements.

Item 81 – (Comm. 21E-27) ECSD No. 5 – Section 271 Resolution.

Item 82 – (Comm. 21E-28) ECSD No. 5 – Engineering Service Agreements.

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

Item 83 – (Comm. 21E-29) Approval of County Owned Properties Bid on at Interim Sale 10/15/01.

Item 84 – (Comm. 21E-30) Sale of County Owned Inventory – 150 Reeves Road, Town of Evans.

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

Item 85 – MS. PEOPLES presented the following resolution and moved for immediate consideration. MRS. FISHER seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 537

Re: Amendment to 2001 Executive Directive
Between Mental Health & Senior Services.
(Comm. 21E-31)

WHEREAS, the Erie County Department of Mental Health is responsible for the delivery of a comprehensive range of mental health services for the residents of Erie County, and

WHEREAS, the Erie County Department of Mental Health has reviewed and approved programs of mental health services for elderly persons receiving services from the Erie County Department of Senior Services, and

WHEREAS, the Erie County Legislature has already authorized the County and the Department of Mental Health to enter into an Executive Directive with the Erie County Department of Senior Services, and

WHEREAS, additional funds of \$125 in 100% New York State Office of Metal Health State Aid dollars are available to compliment the existing provision of case management, outreach and training as it pertains to serving the underserved and frail elderly residents of Erie County, and

WHEREAS, the Erie County Department of Senior Services has secured the required matching funds of \$125.

NOW, THEREFORE, BE IT

RESOLVED, that the 2001 Interfund appropriation for the Erie County Department of Senior Services be increased by a total of \$250, the source of these funds being \$125 New York State Office of Metal Health State Aid dollars, and \$125 inter-departmental reduction of expense-Senior Services, account # 883-6300, and be it further

RESOLVED, that the County Executive be authorized to amend and increase the 2001 Executive Directive between the Erie County Department of Mental Health with the Erie County Department of Senior Services for the period January 1, 2001 through December 31, 2001, by an amount not to exceed \$250, and be it further

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RESOLVED, that certified copies of this resolution be furnished to the Department of Mental Health, Department of Senior Services, the Office of the Comptroller, and the Division of Budget, Management and Finance.

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

CARRIED UNANIMOUSLY.

Item 86 – MS. PEOPLES presented the following resolution and moved for immediate consideration. MRS. FISHER seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 538

Re: Amendment to Contract with Southern Tier Environments for Living. (Comm. 21E-32)

WHEREAS, the Erie County Department of Mental Health is responsible for the delivery of a comprehensive range of mental health services for the residents of Erie County, and

WHEREAS, the Erie County Department of Mental Health has reviewed and approved programs of mental health services for persons receiving rehabilitation services from Southern Tier Environments for Living, Lake Shore Behavioral Health and the Buffalo Federation of Neighborhood Centers, and

WHEREAS, the Erie County Legislature has already authorized the County and the Department of Mental Health to contract with Southern Tier Environments for Living, Lake Shore Behavioral Health and the Buffalo Federation of Neighborhood Centers, and,

WHEREAS, additional funds of \$215,070 in New York State Office of Mental Health State Aid dollars are available to continue providing services to mental health clients needing services.

NOW, THEREFORE, BE IT

RESOLVED, that the 2001 appropriation for Southern Tier Environments for Living be increased by a total of \$35,845, the source of these funds being New York State Office of Mental Health State Aid dollars, and be it further

RESOLVED, that the 2001 appropriation for Lake Shore Behavioral Health be increased by a total of \$71,690, the source of these funds being New York State Office of Mental Health State Aid dollars, and be it further

RESOLVED, that the 2001 appropriation for the Buffalo Federation of Neighborhood Centers be increased by a total of \$107,535, the source of these funds being New York State Office of Mental Health State Aid dollars, and be it further

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RESOLVED, that the County Executive be authorized to amend and increase the 2001 contract with Southern Tier Environments for Living for the period January 1, 2001 through December 31, 2001, by an amount not to exceed \$35,845, and be it further

RESOLVED, that the County Executive be authorized to amend and increase the 2001 contract with Lake Shore Behavioral Health for the period January 1, 2001 through December 31, 2001, by an amount not to exceed \$71,690, and be it further

RESOLVED, that the County Executive be authorized to amend and increase the 2001 contract with Buffalo Federation of Neighborhood Centers for the period January 1, 2001 through December 31, 2001, by an amount not to exceed \$107,535, and be it further

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

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

CARRIED UNANIMOUSLY.

Item 87 – MS. PEOPLES presented the following resolution and moved for immediate consideration. MRS. FISHER seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 539

Re: Amendment to 2001 Appropriations for
 Dues & Fees Within the Accounts of Mental
 Health. (Comm. 21E-33)

WHEREAS, the Erie County Department of Mental Health is responsible for the delivery of a comprehensive range of mental health services for the residents of Erie County, and

WHEREAS, Erie County membership in the New York State Conference of Local Mental Hygiene Directors enables Erie County to participate in, and influence, State policy decisions which impact mental health services provided to its residents, as well as the costs to Erie County of those services, and

WHEREAS, the current appropriation in the accounts of the Erie County Department of Mental Health for the cost of such membership is insufficient to pay the dues assessed to Erie County by the New York State Conference of Local Mental Hygiene Directors for 2001, and

WHEREAS, additional funds of \$4,947 in NYS Office of Mental Health State Aid dollars are available for the payment of such dues.

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NOW, THEREFORE, BE IT

RESOLVED, that the 2001 appropriation for Dues and Fees within the accounts of the Erie County Department of Mental Health be increased by a total of \$4,947, the source of such appropriation being 100% NYS Office of Mental Health State Aid dollars, and be it further

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

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

CARRIED UNANIMOUSLY.

Item 88 – (Comm. 21E-34) Honorable H. Carl McCall – State Comptroller’s Report, “After the World Trade Center Attacks.”

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 89 – (Comm. 21E-35) Emergency Services – Transfer of Funds Within First Terrorism Consequence Management Preparedness Program Grant.

Received and referred to the PUBLIC SAFETY COMMITTEE.

Item 90 – MS. PEOPLES presented the following resolution and moved for immediate consideration. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 540

Re: Senior Services – Amendment to CSC,
 PSA, Administration & POMP Project Budgets.
 (Comm. 21E-36)

WHEREAS, the Erie County Legislature has already appropriated funds for the Community Services Coordinator (CSC) grant, the Protective Services for Adults (PSA) grant and the Administration Division for the period January 1, 2001 to December 31, 2001; and the Performance Outcomes Measures Project (POMP) for the period September 1, 2000 through August 31, 2000, and

WHEREAS, the State Office of Mental Health has provided additional funds for CSC in the form of a cost of living adjustment, and

WHEREAS, the federal Administration on Aging has granted agencies participating in the POMP project a no-cost extension of the program through September 29, 2002, and

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WHEREAS, the County budgets for these programs are in need of revision.

NOW, THEREFORE, BE IT

RESOLVED, that the budget for the CSC grant for the period January 1, 2001 to December 31, 2001, Project 423, be revised as follows:

		<u>CURRENT</u>	<u>CHANGES</u>	<u>AMENDED</u>
		<u>BUDGET</u>		<u>BUDGET</u>
<u>REVENUES</u>				
<u>Account</u>	<u>Description</u>			
685	Interfund Revenue	\$120,000	\$ + 250	\$120,250
686	Interfund Subsidy	24,318	- 125	24,193
TOTAL CHANGE TO REVENUES			<u>\$ + 125</u>	
<u>APPROPRIATIONS</u>				
800	Personal Services	\$113,058	\$ - 3,825	\$109,233
805	Fringe Benefits	23,210	+ 3,450	26,660
824	Local Mileage	4,000	+ 500	4,500
TOTAL CHANGE TO APPROPRIATIONS			<u>\$ + 125</u>	

and be it further

RESOLVED, that the budget for the PSA grant for the period January 1, 2001 to December 31, 2002, Project 420, be revised as follows:

		<u>CURRENT</u>	<u>CHANGES</u>	<u>AMENDED</u>
		<u>BUDGET</u>		<u>BUDGET</u>
<u>APPROPRIATIONS</u>				
<u>Account</u>	<u>Description</u>			
800	Personal Services	\$762,563	\$ -2,000	\$760,563
825	Out of Area Travel	3,500	+2,000	5,500
TOTAL CHANGE TO APPROPRIATIONS			<u>\$---0---</u>	

and be it further

RESOLVED, that the Administration Division budget, Project 939, be revised as follows:

		<u>CURRENT</u>	<u>CHANGES</u>	<u>AMENDED</u>
		<u>BUDGET</u>		<u>BUDGET</u>
<u>APPROPRIATIONS</u>				
<u>Account</u>	<u>Description</u>			
800	Personal Services	\$ 122,865	\$+ 940	\$ 123,805

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825	Out of Area Travel	1,006	+ 520	1,526
830	Contractual Services	160,327	-5,160	155,167
882	J/D Expense - MH	60,000	+ 125	60,125
886	IJF Transfers	1,488,222	-125	1,488,097
932	Furniture & Fixtures	-0-	<u>3,700</u>	3,700
	Total Changes		<u>\$--0--</u>	

and be it further

RESOLVED, that the budget for the POMP grant, Project No. 549, be extended through the period September 29, 2001 and revised as follows:

		<u>CURRENT</u>	<u>CHANGES</u>	<u>AMENDED</u>
		<u>BUDGET</u>		<u>BUDGET</u>
<u>APPROPRIATIONS</u>				
<u>Account</u>	<u>Description</u>			
800	Personal Services	6,739	\$-1,400	\$5,339
825	Out of Area Travel	469	+ 1,400	1,869
TOTAL CHANGE TO APPROPRIATIONS			<u>\$---0---</u>	

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 and the Department of Senior Services.

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

CARRIED UNANIMOUSLY.

Item 91 – MS. PEOPLES presented the following resolution and moved for immediate consideration. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 541

Re: Senior Services – Amendment to WRAP-SOFA & HEAP Grant Budgets.
 (Comm. 21E-37)

WHEREAS, the Erie County Legislature has already appropriated funds for the Weatherization Referral and Packaging (WRAP-SOFA) program for the period October 1, 2001 to September 30, 2002 and for the Home Energy Assistance Program (HEAP) for the period October 1, 2000 to September 30, 2001, and

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WHEREAS, the New York State Office of the Aging has awarded the Department of Senior Services additional federal funds for the WRAP-SOFA grant for the weatherization needs of eligible low-income, energy vulnerable elderly households in Erie County, and

WHEREAS, the Department desires to revise the grant budgets to reflect the additional funds and the actual needs of the programs, and

WHEREAS, no County funds are required.

NOW, THEREFORE, BE IT

RESOLVED, that the budget for the WRAP-SOFA grant for the period October 1, 2001 to September 30, 2002, Project 440, be revised as follows:

		<u>CURRENT</u>	<u>CHANGES</u>	<u>AMENDED</u>
		<u>BUDGET</u>		<u>BUDGET</u>
<u>REVENUES</u>				
<u>Account</u>	<u>Description</u>			
655	Federal Aid	\$255,294	<u>\$+78,518</u>	\$333,812
TOTAL CHANGE TO REVENUES			<u>\$+78,518</u>	
<u>APPROPRIATIONS</u>				
810	Office_Supplies	\$ 2,000	\$+ 500	\$ 2,500
824	Local Travel	3,500	+ 3,500	7,000
825	Out of Area Travel	500	+ 500	1,000
826	Other Expenses	36,025	+60,506	96,531
880	Interfund Expense	3,500	+ 1,500	5,000
933	Lab & Tech Equip	-0-	<u>+12,012</u>	12,012
TOTAL CHANGE TO APPROPRIATIONS			<u>\$+78,518</u>	

and be it further

RESOLVED, that the budget for the HEAP grant for the period October 1, 2000 to September 30, 2001, Project 285, be revised as follows:

		<u>CURRENT</u>	<u>CHANGES</u>	<u>AMENDED</u>
		<u>BUDGET</u>		<u>BUDGET</u>
<u>APPROPRIATIONS</u>				
<u>Account</u>	<u>Description</u>			
800	Personal Services	\$357,795	\$-3,000	\$354,795
880/5100	Interfund Expenses	25,369	<u>+3,000</u>	28,369
TOTAL CHANGE TO APPROPRIATIONS			<u>\$---0---</u>	

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

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

CARRIED UNANIMOUSLY.

Item 92 – (Comm. 21E-38) Agreement Between Health & Instromedix.

Item 93 – (Comm. 21E-39) Health – HIV Testing Survey 9/24/01 – 2/28/02.

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

Item 94 – MS. PEOPLES presented the following resolution and moved for immediate consideration. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 542

Re: Social Services – Transfer of Funds to Dues & Fees. (Comm. 21E-40)

WHEREAS, each year the Department estimates budget needs for the following year based on historical expenditures, and

WHEREAS, the implementation of welfare reform provisions has increased the demand for court ordered medical and psychiatric testing as well as blood and DNA testing for paternity establishment to a point where there is a budget shortfall in the account used to pay for those services, and

WHEREAS, funds are available in Account 826 - Other Expenses for transfer to Account 821 - Dues and Fees, and

WHEREAS, a transfer of funds is needed to avoid delays in payment of vendors for required testing services.

NOW, THEREFORE, BE IT

RESOLVED, that the following budget amendments are hereby authorized in the 2001 Adopted Budget:

Department of Social Services, Department 200, Fund 120

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<u>ACCOUNT</u>	<u>DESCRIPTION</u>	<u>(DECREASE)</u>
821	Dues and Fees	\$110,000
826	Other Expenses	<u>(110,000)</u>
Total Expenditures		<u>-0-</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 the Division of Budget, Management and Finance.

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

CARRIED UNANIMOUSLY.

Item 95 – MS. PEOPLES presented the following resolution and moved for immediate consideration. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 543

Re: Social Services – Renewal of Lease – 478
Main Street. (Comm. 21E-41)

WHEREAS, the County leases space for Social Services operations at 478 Main Street (Hens and Kelly Building) from the Mohawk Group under a lease that will expire on December 31, 2001, and

WHEREAS, the landlord is proposing a new lease for the period January 1, 2002 through December 31, 2006, and

WHEREAS, the proposal includes fixed total annual rent over the five year lease period that is lower than the previous amount of rent paid, and

WHEREAS, the proposed lease includes additional lower level office space at no additional cost, and

WHEREAS, the proposed lease includes a clause enabling the County to vacate upon 12 months notice in the event that the County would consolidate space and choose to move from 478 Main Street, and

WHEREAS, funding for the lease of space at 478 Main Street is included in the annual budget.

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NOW, THEREFORE, BE IT

RESOLVED, the County Executive is authorized to enter into a lease agreement for 128,517 net usable square feet of space at 478 Main Street for the period January 1, 2002 through December 31, 2006 at the annual rental amount of \$1,572,747, and be it further

RESOLVED, that the costs of electric service during the lease term and for tax increases, above that amount paid in year 2002, will be paid by the County as additional rent, and

RESOLVED, section 19.08 of the County Administrative Code requirement for a Request for Proposals (RFP) is waived based on the favorable terms provided, the prohibitive cost of moving and the delay in completion of a comprehensive restructuring and space assessment for all County owned and leased facilities, 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 the Division of Budget, Management and Finance.

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

CARRIED UNANIMOUSLY.

Item 96 – (Comm. 21E-42) Mercury Pollution Prevention Education Program.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 97 – MS. PEOPLES presented the following resolution and moved for immediate consideration. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 544

Re: Authorization for Empire Zone Sales Tax Exemptions. (Comm. 21E-43)

RESOLUTION

of the

Legislature of the County of Erie, providing exemptions from sales and compensating use taxes for receipts from sales of, and consideration given or contracted to be given for, or for the use of, property and services exempt from State sales and compensating use taxes pursuant to subdivision (z) of section 1115 of the New York Tax Law, pursuant to the authority of Article 29 of the Tax Law of the State of New York.

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Be it enacted by the Legislature of the County of Erie, as follows:

SECTION 1. Subdivision (h) of section six of the Erie County Sales and Use Tax Resolution being a resolution adopted by the Board of Supervisors of the County of Erie being Item 8 of Meeting Number 31, held July 27, 1965, Supervisors Proceedings, Page 666, as amended, is amended to read as follows:

(h) For the period beginning March 1, 2001, and ending February 28, 2003, receipts from sales of and consideration given or contracted to be given for, or for the use of, property and services exempt from state sales and compensating use taxes pursuant to subdivision (z) of section 1115 of the New York Tax Law shall also be exempt from sales and compensating use taxes imposed in this jurisdiction.

SECTION 2. This resolution shall take effect March 1, 2002, and shall apply to sales made, services rendered and uses occurring during the period commencing March 1, 2002, and ending February 28, 2003, in accordance with the applicable transitional provisions in sections 1106, 1216 and 1217 of the New York Tax Law.

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

CARRIED UNANIMOUSLY.

Item 98 – MS. PEOPLES presented the following resolution and moved for immediate consideration. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 545

Re: Emergency Services – Acceptance of Funds from FEMA for West Nile Virus Federal Declaration. (Comm. 21E-44)

WHEREAS, the Federal Emergency Management Agency (FEMA) has made available Funds from the West Nile Virus Federal Declaration, and

WHEREAS, the Erie County Department of Emergency Services, on behalf of the Erie County Department of Health and the Town of Amherst, submitted claims for expenditures incurred regarding the West Nile Virus problem, and

WHEREAS, the Funds have been received by the Erie County Department of Emergency Services and are in a special Trust and Agency Account.

NOW, THEREFORE BE IT

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RESOLVED, that the Erie County Department of Emergency Services is authorized to formally accept these funds on behalf of the Erie County Department of Health and the Town of Amherst, and be it further

RESOLVED, that the following transactions are authorized to reimburse the Erie County Department of Health and the Town of Amherst for their expenditures incurred as follows:

Revenue

SFG ACCT, 214-Federal Aid - Other (Dept. of Emergency Services)	\$71,017.42
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Appropriations

SFG ACCT. 932 - Office Equipment (EC Health)	\$25,000.00
SFG ACCT. 933 - Lab and Technical Equipment (Erie County Health Department)	\$24,712.19
SFG ACCT. 830 - Contractual, Town of Amherst (Dept. of Emergency Services)	\$21,305.23

and be it further

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

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

CARRIED UNANIMOUSLY.

DELETE, in its entirety, the second RESOLVE clause, and REPLACE with the following:

RESOLVED, that the following transactions are authorized in the Erie County Department of Health and the Town of Amherst for their expenditures incurred as follows:

Revenue

SFG ACCT, 214-Federal Aid - Other (Trust and Agency)	\$71,017.42
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Appropriations

SFG ACCT. 933 - Lab and Technical Equipment (Erie County Health Department)	\$49,712.19
SFG ACCT. 820 - Contractual (Town of Amherst)	\$21,305.23

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and be it further

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

CARRIED UNANIMOUSLY.

COMMUNICATIONS FROM THE DEPARTMENTS

FROM THE BUFFALO & ERIE COUNTY PUBLIC LIBRARY

Item 99 – (Comm. 21D-1) Notice of Meeting Held 10/18/01 & Minutes of Meeting Held 9/20/01.

Received and filed.

FROM BUDGET, MANAGEMENT & FINANCE

Item 100 – (Comm. 21D-2) Notice that Regionalism & Economic Development Fund Has Been Encumbered.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE COUNTY ATTORNEY

Item 101 – (Comm. 21D-3) Notice of County Executive Public Hearing Intros 17-5, 17-6, 18-5, 19-1 & 19-2.

Received, filed and printed.

October 9,2001

Ms. Laurie Manzella
Clerk of the Legislature
25 Delaware Avenue
Buffalo, New York 14202

Re: Notice of Public Hearing
Resolutions Ref. Intro.17-5, 17-6, 18-5, 19-1 and 19-2

Dear Ms. Manzella:

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Enclosed herewith is a Notice of Public Hearing for the above-captioned resolutions.

Please post a copy of the Notice. Thank you.

Very truly yours,

FREDERJCK A. WOLF
 Erie County Attorney

BY: SUSANNAH M. BOCHENEK
 1st Assistant County Attorney

Enc.

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Erie County Executive, Joel A. Giambra, will hold a public hearing, Thursday, October 18, 2001 at 11:00 a.m., concerning appropriations from the present year's County contingency fund as follows:

University at Buffalo Foundation, Inc.

Public Benefit Services	\$500
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Akron Fire Company

Public Benefit Services	\$8,000
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Newstead Fire Company

Public Benefit Services	\$3,400
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Collins Fire Company

Public Benefit Services	\$5,000
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Aurora Post NO. 362 - American Legion, Inc.

Public Benefit Services	\$2,000
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Orchard Park Council for the Arts

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Public Benefit Services	\$2,000
Town of Brant	
Public Benefit Services	\$3,500
Springville-Griffith Institute Central School District	
Public Benefit Services	\$1,000
Clarence Youth Center	
Public Benefit Services	\$7,000
Newstead Historical Society	
Public Benefit Services	\$2,500
Marilla Historical Society	
Public Benefit Services	\$5,000
Holland Boys & Girls Club	
Public Benefit Services	\$7,000

The hearing will be held in the Erie County Executive's Conference Room on the 16th floor of the Rath Building, 95 Franklin Street, in the City of Buffalo.

On September 6, 2001, the Erie County Legislature adopted Intro. 17-6, and 17-5; on September 20, 2001, the Erie County Legislature adopted Intra. 18-5; on October 4, 2001, the Erie County Legislature adopted Intro. 19-1 and 19-2. Copies of the resolutions are available for public inspection in the office of the Clerk of the Erie County Legislature, on the 7th floor of 25 Delaware Avenue, in the City of Buffalo, New York.

JOEL A. GIAMBRA
 ERIE COUNTY EXECUTIVE

Item 102 – (Comm. 21D-4) Notice of County Executive Approval of Intros 17-5, 17-6, 18-5, 19-1 & 19-2.

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Received, filed and printed.

October 22, 2001

VIA HAND DELIVERY

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

Re: RESOLUTIONS FOR INT. NO. 17-5, 17-6, 18-5, 19-1 and 19-2

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.

Very truly yours,

FREDERICK A. WOLF
Erie County Attorney

By: Susannah M. Bochenek
1st Assistant County Attorney

SMB/fr.

encl.

cc: FREDERICK A. WOLF, Erie County Attorney (w/out enc.)

THOMAS P. DeMARTINO. Sr. Executive Assistant to County Executive (w/out enc.)

JANICE JASKOWIAK. Division of Budget (with enclosures)

A Public Hearing was held on the foregoing Resolution Int. No. 17-5 on Thursday, October 18, 2001, 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 18th day of October, 2001.

JOEL A. GIAMBRA

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A Public Hearing was held on the foregoing Resolution Int. No. 17-6 on Thursday, October 18, 2001, 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 18th day of October, 2001.

JOEL A. GIAMBRA

A Public Hearing was held on the foregoing Resolution Int. No. 18-5 on Thursday, October 18, 2001, 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 18th day of October, 2001.

JOEL A. GIAMBRA

A Public Hearing was held on the foregoing Resolution Int. No. 19-1 on Thursday, October 18, 2001, 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 18th day of October, 2001.

JOEL A. GIAMBRA

A Public Hearing was held on the foregoing Resolution Int. No. 19-2 on Thursday, October 18, 2001, 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 18th day of October, 2001.

JOEL A. GIAMBRA

FROM ECMC

Item 103 – (Comm. 21D-5) Financial Statements for 9/01.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM BUDGET, MANAGEMENT & FINANCE

Item 104 – (Comm. 21D-6) Notice that 2000 Designated Fund Has Been Encumbered.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM ECC

Item 105 – (Comm. 21D-7) Notice of Meeting Held 10/31/01.

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Received and filed.

FROM ECMC

Item 106 – (Comm. 21D-8) Notice of ECMC Board of Managers Meeting to be Held 11/8/01.

Item 107 – (Comm. 21D-9) Notice of ECMC JCC/Planning Committee to be Held 11/27/01.

Item 108 – (Comm. 21D-10) Notice of ECMC Finance Committee Meeting to be Held 12/4/01.

The above three items were received and filed.

FROM THE CLERK OF THE LEGISLATURE

Item 109 – (Comm. 21D-11) Notice of Legislature Public Hearing on 2002 Budget 11/14/01 & Schedule for Budget Hearings.

Received and filed.

FROM ECC

Item 110 – (Comm. 21D-12) Minutes of Meeting Held 9/26/01.

Received and filed.

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES

FROM THE NFTA

Item 111 – (Comm. 21M-1) Final Report on Buffalo Beach Project.

Received and referred to the REGIONALISM AD HOC COMMITTEE.

FROM THE TOWN OF SARDINIA

Item 112 – (Comm. 21M-2) Resolution Requesting Speed Limit Reduction on Pratham Road.

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM THE NYS BOARD OF REAL PROPERTY SERVICES

Item 113 – (Comm. 21M-3) List of 2001 State Equalization Rates.

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Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM NYSDEC

Item 114 – (Comm. 21M-4) Fact Sheet – Cleanup ROCO Limited, Town of Cheektowaga.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE WEST VALLEY CITIZEN TASK FORCE

Item 115 – (Comm. 21M-5) Notice of Meeting Held 10/23/01 & Minutes of Meeting 9/18/01.

Received and filed.

FROM GOVERNOR PATAKI

Item 116 – (Comm. 21M-6) Acknowledgement of Receipt of Resolution.

Received and filed.

FROM THE CITIZENS' ENVIRONMENTAL COALITION

Item 117 – (Comm. 21M-7) Letter to Chairman Swanick in Appreciation of Approval of Superfund Resolution.

Received and filed.

FROM TURNER CONSTRUCTION COMPANY

Item 118 – (Comm. 21M-8) Letter to Chairman Swanick Reporting MBE/WBE Involvement on New Family Court Project.

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM THE NFTA

Item 119 – (Comm. 21M-9) Minutes of Meeting Held 9/17/01.

Received and filed.

FROM CONGRESSMAN QUINN

Item 120 – (Comm. 21M-10) Acknowledgement of Receipt of Resolutions.

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Received and filed.

FROM ASSEMBLYMAN BURLING

Item 121 – (Comm. 21M-11) Acknowledgement of Receipt of Resolutions.

Received and filed.

FROM THE NYS BOARD OF REAL PROPERTY SERVICES

Item 122 – (Comm. 21M-12) List of 2001 State Equalization Rates.

Item 123 – (Comm. 21M-13) List of Certified 2001 Class Equalization Rates.

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

FROM SENATOR RATH

Item 124 – (Comm. 21M-14) Acknowledgement of Receipt of Resolution.

Received and filed.

FROM THE NYS UNIFIED COURT SYSTEM EIGHTH JUDICIAL DISTRICT

Item 125 – (Comm. 21M-15) Procedure & Protocol in Emergency Situations.

Received and referred to PUBLIC SAFETY COMMITTEE.

FROM THE WEST VALLEY CITIZEN TASK FORCE

Item 126 – (Comm. 21M-16) Notice of Meeting to be Held 11/8/01 & Minutes of Meeting Held 10/23/01.

Received and filed.

FROM THE ECIDA

Item 127 – (Comm. 21M-17) Notice of Meeting to be Held 11/14/01.

Received and filed.

MEMORIAL RESOLUTIONS

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Item 128 – Legislator Swanick requested that when this legislature adjourns, it do so in memory of Matthew Murphy.

Item 129 – Legislator Fisher requested that when this legislature adjourns, it do so in memory of Dr. Lawrence Jacobs.

ADJOURNMENT

Item 130 – 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 **9 a.m. Tuesday, November 13, 2001**. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

The Chairman declared the Legislature adjourned until **Tuesday, November 13, 2001 at 9 a.m. Eastern Standard Time**.

LAURIE A. MANZELLA
CLERK