

**ERIE COUNTY LEGISLATURE  
MEETING NO. 25  
OCTOBER 12, 2005**

The Legislature was called to order by Chairman Holt.

All Members Present.

A Moment of Silence was held.

The Pledge of Allegiance was led by Ms. Marshall.

Item 1 – CHAIRMAN HOLT directed that the Rules of the Legislature for 2005 Remain on the table.

Item 2 – No tabled items.

Item 3 – No items for reconsideration from previous meetings.

Item 4 – The Minutes of the previous meeting were left on the table.

Item 5 - No Public Hearings.

**MISCELLANEOUS RESOLUTIONS**

Item 6 – MR. DeBENEDETTI presented the a resolution Honoring Mr. Joseph Passafiume for Outstanding Service to Erie County.

MS. MARINELLI moved for immediate consideration of the above item. MR. SWANICK seconded.

CARRIED UNANIMOUSLY.

MS. MARINELLI moved to amend the above item by including ET AL sponsorship. MR. SWANICK seconded.

CARRIED UNANIMOUSLY.

MS. MARINELLI moved for the approval of the above item as amended. MR. SWANICK seconded.

CARRIED UNANIMOUSLY.

**LOCAL LAWS**

Item 7 - CHAIRMAN HOLT directed that Local Law No. 10 (Print #1) 2004 remain on the table and in the Community Services Committee.

GRANTED.

Item 8 – CHAIRMAN HOLT directed that Local Law No. 15 (Print #1) 2004 remain on the table.

GRANTED.

Item 9 – CHAIRMAN HOLT directed that Local Law No. 17 (Print #1) 2004 remain on the table.

GRANTED.

Item 10 – CHAIRMAN HOLT directed that Local Law No. 2 (Print #1) 2005 remain on the table.

GRANTED.

Item 11 – CHAIRMAN HOLT directed that Local Law No. 7 (Print #1) 2005 remain on the table.

GRANTED.

**COMMITTEE REPORTS**

Item 12 – MR. DUSZA presented the following report and moved for immediate consideration and approval. MR. SWANICK seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 270

OCTOBER 6, 2005

ENERGY & ENVIRONMENT COMMITTEE  
REPORT NO. 11

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

1. RESOLVED, that the following items are hereby received and filed.
  - a. COMM. 22E-6 (2005)  
**COUNTY EXECUTIVE:** Diesel School Bus Initiative  
(5-0)
  - b. COMM. 24D-2 (2005)  
**COUNTY EXECUTIVE:** West Nile Virus & Other Arbovirus Five-Year Report  
(5-0)
2. COMM. 24E-11 (2005)

**COUNTY EXECUTIVE**

WHEREAS, the COUNTY is proceeding with its Variable Speed Drive (VSD) replacement program including the evaluation and replacement (where applicable) of deficient VSD's throughout the COUNTY's sanitary sewer system; and

WHEREAS, the COUNTY has retained a consulting firm to provide engineering services necessary for the VSD replacement program (Comm. 8E-17); and

WHEREAS, the Iroquois Pumping Station (Iroquois Station) is owned by the Town of Lancaster (TOWN), operated and maintained by the COUNTY and is tributary to the COUNTY sanitary sewer system; and

WHEREAS, the COUNTY and TOWN are desirous of including the Iroquois Station and related equipment in the COUNTY's VSD replacement program for the purpose of more effectively and efficiently operating respective sanitary sewer assets; and

WHEREAS, the TOWN will compensate the COUNTY for engineering services related to the VSD replacement program at the Iroquois pumping station; and

WHEREAS, an Intermunicipal Agreement is necessary to make provisions for the TOWN to evaluate, redesign and replace deficient VSD's and related mechanical equipment at the Iroquois Station, in Erie County Sewer District No. 4, using the services of the COUNTY's Engineer.

NOW, THEREFORE BE IT

RESOLVED, that an Intermunicipal Agreement between the COUNTY, on behalf of Erie County Sewer District No. 4, and the Town of Lancaster on behalf of Lancaster Town Sewer District No. 2 for the purpose of evaluating, redesigning and replacing deficient VSD's and related mechanical equipment at the Iroquois Station in the Town of Lancaster as necessary is hereby approved; and

BE IT FURTHER,

RESOLVED that the County Executive be, and hereby is, authorized to execute the agreement subject to approval as to form by the County Attorney, and content by the Commissioner of the Department of Environment and Planning, and be it further

RESOLVED, that the Clerk of the Legislature be directed to send two (2) certified copies of the Resolution to Charles J. Alessi, P.E., Deputy Commissioner, Department of Environment and Planning, and one certified copy each to Joel A. Giambra, County Executive, Gregory Gach, Erie County Comptroller's Office; Gregory Dudek, Assistant County Attorney; Joseph Passafiume, Director of Budget and Management; and Robert Giza, Supervisor, Town of Lancaster.  
 (5-0)

3. COMM. 24E-12 (2005)  
**COUNTY EXECUTIVE**

**MEETING NO. 25**  
**OCTOBER 12, 2005**

**ERIE COUNTY LEGISLATURE**

WHEREAS, the 2005 Budget for Erie County Sewer District Nos. 1-4-5 (ECSD Nos. 1-4-5) and Erie County Sewer District No. 6 (ECSD No. 6) Debt Service Fund contains sufficient funds for payment of their annual debt service costs; and

WHEREAS, when the 2005 Budget was prepared, the bond sale had not taken place until after the budget submittal and said budgeted funds were already approved and in place; and

WHEREAS, funds need to be transferred from the Principal Code, where there is sufficient funds, into the Interest Code to make interest payments required until the end of the year; and

NOW, THEREFORE, BE IT

RESOLVED, that the following amounts be transferred from each respective Account in the Debt Service Fund by the Budget Office as appropriate and placed into the proper Sewer District No. 1-4-5 and Sewer District No. 6 Debt Service Fund Accounts as follows:

<u>Fund</u>	<u>Cost Center</u>	<u>Account</u>	<u>Amount</u>
310	1730010	550000	-\$24,000
310	1730010	550800	\$24,000
310	1760010	550000	-\$ 3,900
310	1760010	550800	\$ 3,900

and other adjustments in the Operating and/or Debt Service Funds if necessary by the Budget Office; and be it further

RESOLVED, that the Clerk of the Legislature be authorized and directed to send certified copies of this resolution to Joel A. Giambra, County Executive; Charles J. Alessi, P.E., Deputy Commissioner, Department of Environment and Planning, James Hartman, Erie County Comptroller, and Director, Budget and Management.

(5-0)

4. COMM. 24E-16 (2005)

**COUNTY EXECUTIVE**

WHEREAS, the 2005 Budget for Erie County Sewer District No. 3/Southtowns Sewage Treatment Agency has insufficient funds budgeted in the New York State Department of Environmental Facilities Corporation (NYSEFC) Account for payment of Administrative Fees mandated by NYSEFC; and

WHEREAS, when the 2005 Budget was prepared, the NYSEFC borrowing had not taken place until after the budget submittal and said budgeted funds were already approved and in place; and

WHEREAS, funds need to be transferred in the 2005 Operating Budget for payment of the above NYSEFC fees due in 2005.

**MEETING NO. 25**  
**OCTOBER 12, 2005**

**ERIE COUNTY LEGISLATURE**

NOW, THEREFORE, BE IT

RESOLVED, that the following amount be transferred in the Sewer Operating Fund by the Budget Office as follows:

E.C.S.D. 3/Southtowns Sewage Treatment Agency

The amount of \$3,200 from Fund 220, Cost Center 18310, Account 516020, Maintenance Contracts to Account 550500, NYSEFC Administrative Fees; and any other adjustments if required in the Operating and/or Debt Service Funds by the Budget Office

and be it further

RESOLVED, that the Clerk of the Legislature be authorized and directed to send certified copies of this resolution to Joel A. Giambra, County Executive; Charles J. Alessi, P.E., Deputy Commissioner, Department of Environment and Planning, James Hartman, Erie County Comptroller, and Director, Budget and Management.

(5-0)

**RAYMOND K. DUSZA**  
**CHAIRMAN**

Item 13 – MR. KUWIK presented the following report and moved for immediate consideration and approval. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 271

OCTOBER 6, 2005

PUBLIC SAFETY COMMITTEE  
 REPORT NO. 5

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

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

a. INTRO 13-7 (2004)

**CHASE & SWANICK:** Peace Officer Status for Qualified Personnel in Erie County  
 Emergency Services Department Related to Strategic National Stockpile (SNS)  
 (4-0) Chairman Holt absent.

b. COMM. 10E-29 (2005)

**COUNTY EXECUTIVE:** Probation & Youth Detention Services - Adjustment in Personnel  
 Budget  
 (4-0) Chairman Holt absent

2. INTRO 24-1 (2005)

**AS AMENDED**

**SMITH & KENNEDY**

WHEREAS, there is a growing concern in this community and across the state concerning sexual offenders living in our communities, including many whose presence, for a variety of reasons, is unknown to local school districts, their neighbors, parents and other pertinent entities – especially those living in the City of Buffalo, and

WHEREAS, there is also a backlog of criminal warrants across the county and the state – a backlog that could conceivably be reduced through the widespread dissemination of the criminal warrants, along with photographs and other relevant data to the community at large, and leading to the arrest and detention of those with pending warrants.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby express its support for, and calls on the Director of the Erie County Division of Information and Support Services to work with the New York State Division of Criminal Justice Services establish highly visible links on the Erie County web site (home page) that will provide access to members of this community to the New York State sexual offender database and other pertinent facts concerning sexual offenders living in Erie County, and be it further

RESOLVED, that the Erie County Legislature does hereby express its support for, and calls on the Director of the Erie County Division of Information and Support Services to coordinate with the Erie County Sheriff, Erie County Commissioner of Probation, Erie County Department of Central Police Services, the New York State Police, the New York State Division of Probation and Correctional Alternatives, New York State Division of Parole, New York State Division of Criminal Justice Services, Federal Bureau of Investigation, Drug Enforcement Administration, and the chief law enforcement officers of each town, village and city in Erie County, to establish a warrant database on the Erie County government web site (home page) to enable local residents to assist law enforcement to locate those with criminal warrants, and be it further

RESOLVED, that certified copies of this resolution be transmitted to the Erie County Executive, Director of Information and Support Services, Erie County Probation Commissioner, Commissioner of Central Police Services, Erie County Sheriff, the New York State Police, the New York State Division of Probation and Correctional Alternatives, New York State Division of Parole, New York State Division of Criminal Justice Services, Federal Bureau of Investigation, Drug Enforcement Administration, and the, chief law enforcement officers of each town, village and city in Erie County.

(3-2) Legislators Swanick and Chase in the negative.

3. COMM. 24E-21 (2005)

**COUNTY EXECUTIVE**

WHEREAS, the District Attorney through the Operation IMPACT Grant provides needed services to the residents of Erie County, and

WHEREAS, the Erie County Legislature has already approved the District Attorney's Operation IMPACT Grant Budget in Book B for 2005, and

WHEREAS, the contract received from the New York State Division of Criminal Justice Services authorizes funding levels different from the adopted budget.

NOW, THEREFORE, BE IT

RESOLVED, that authorization is hereby provided to create one position of Paralegal, Job Group 5, in the District Attorney’s Operation IMPACT Grant (B-100 #969) to be filled upon execution of this resolution, and be it further

RESOLVED, that the Erie County Legislature does hereby provide authorization to reallocate funds within the Operation IMPACT Grant to match authorized state funding levels, to be adjusted as follows:

**OPERATION IMPACT GRANT  
114IMPACT0506  
July 1, 2005 – June 30, 2006**

<b>Revenue</b>	<b>ORIGINAL</b>	<b>CHANGE</b>	<b>FINAL</b>
409000 State Revenue	\$ 611,692	\$ 343,008	\$ 954,700
<b>Total Revenue</b>	<b><u>\$ 611,692</u></b>	<b><u>\$ 343,008</u></b>	<b><u>\$ 954,700</u></b>
<b>Appropriation</b>	<b>ORIGINAL</b>	<b>CHANGE</b>	<b>FINAL</b>
500000 Full Time Salaries	\$ 316,566	\$ 54,917	\$ 371,483
502000 Fringe Benefits	104,544	17,173	121,717
505000 Office Supplies	3,000	- 0 -	3,000
510100 Out of Area Travel	3,000	2,000	5,000
516010 Cnt Pmts – Buffalo Police Dept.	174,000	194,983	368,983
516010 Cnt Pmts – Catholic Charities	- 0 -	10,000	10,000
530000 Other Expenses	- 0 -	3,000	3,000
911400 ID District Attorney Services	10,582	(10,582)	- 0 -
912600 ID Probation Services	- 0 -	71,517	71,517
<b>Total Appropriations</b>	<b><u>\$ 611,692</u></b>	<b><u>\$ 343,808</u></b>	<b><u>\$ 954,700</u></b>

And be it further

RESOLVED, that the County Executive is hereby authorized to enter into a contract with the Buffalo Police Department in an amount not to exceed \$368,983, and be it further

RESOLVED, that the contract with the Buffalo Police Department are for special services which must be provided immediately and therefore, the Request For Proposal (RFP) procedure required under Section 19.08 of the Erie County Administrative Code is hereby waived, and be it further

RESOLVED, that the County Executive is hereby authorized to enter into a contract with the Catholic Charities in an amount not to exceed \$10,000, and be it further

**MEETING NO. 25  
OCTOBER 12, 2005**

**ERIE COUNTY LEGISLATURE**

RESOLVED, that the contract with the Catholic Charities are for special services which must be provided immediately and therefore, the Request For Proposal (RFP) procedure required under Section 19.08 of the Erie County Administrative Code is hereby waived, and be it further

RESOLVED, that Erie County Probation provides the services of a Probation Officer to fulfill the grant objectives of the Operation IMPACT Contract with the New York State Division of Criminal Justice Services for an amount not to exceed \$71,517, and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Erie County District Attorney, Erie County Probation, the Erie County Executive, the Erie County Comptroller, Erie County Personnel and the Director of Budget, Management and Finance.  
(4-0) Legislator Swanick absent.

**EDWARD J. KUWIK  
CHAIRMAN**

Item 14 – MR. SMITH presented the following item and moved for immediate consideration. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 271

OCTOBER 6, 2005

FINANCE & MANAGEMENT COMMITTEE  
REPORT NO. 12

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

1. RESOLVED, that the following items are hereby received and filed
  - a. COMM. 20E-6 (2005)  
**SHERIFF: Response To Intro 17-1**  
(5-0)
  - b. INTRO 23-2 (2005)  
**WEINSTEIN: A Taxpayer Bill of Rights**  
(5-0)
  - c. COMM. 24M-6 (2005)  
**CITY OF BUFFALO - DEPT. OF ASSESSMENT & TAXATION: Transit Mall Service Charge Extension**  
(5-0)
2. COMM. 1D-21 (2004)  
**DIRECTOR OF BUDGET, MANAGEMENT, & FINANCE**



**MEETING NO. 25  
OCTOBER 12, 2005**

**ERIE COUNTY LEGISLATURE**

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

WHEREAS, the Director has investigated the validity of such applications ( see attached listing )

NOW THEREFORE BE IT,

RESOLVED, that petitions numbered 205277 through 205363 inclusive be hereby approved or denied base upon the recommendation of the Director of Real Property Services and be charged back to the applicable towns and / or cities.

<b>FISCAL YEAR</b> 2005	Petition No.	<b>205277</b>	
	<b>ASSESSOR</b>	<b>Cancel</b>	\$948.02
<b>S-B-L</b> 108.00-4-11		<b>142089 ALDEN</b>	
	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$948.02	Town/SpecialDist/School
	41834 NYS STAR ENHANCED EXEMPTION	\$948.02	
<b><u>Charge To :</u></b>	<b>142089 ALDEN</b>		<b>\$0.00</b>

CANCEL - CLERICAL ERROR, THE ENHANCED STAR EXEMPTION IN THE AMOUNT OF 31,350 WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C ALDEN CENTRAL SCHOOL

<b>FISCAL YEAR</b> 2205	Petition No.	<b>205278</b>	
	<b>ASSESSOR</b>	<b>Cancel</b>	\$568.80
<b>S-B-L</b> 119.06-2-7		<b>142089 ALDEN</b>	
	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$568.80	Town/SpecialDist/School
	41854 BASIC STAR EXEMPTION	\$568.80	
<b><u>Charge To :</u></b>	<b>142089 ALDEN</b>		<b>\$0.00</b>

CANCEL - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF 18,810 WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C





**MEETING NO. 25  
OCTOBER 12, 2005**

**ERIE COUNTY LEGISLATURE**

**S-B-L 28.33-1-73**

**142289 AMHERST**

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$38.94	Town/SpecialDist/School
<b><u>Charge To :</u></b>	<b>142289 AMHERST</b>	<b>\$38.94</b>	
	<b>Relevy School</b>	\$38.94	142203 WILLIAMSVILLE CENT

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. THE ASSESSED VALUE WAS 87,000 AND SHOULD BE 85,000.  
RPTL 550(2)A

**FISCAL YEAR 2005**

Petition No. **205285**

ASSESSOR **Cancel** \$413.77

**S-B-L 28.33-1-114**

**142289 AMHERST**

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$413.77	Town/SpecialDist/School
	41834 NYS STAR ENHANCED EXEMPTION	\$413.77	
<b><u>Charge To :</u></b>	<b>142289 AMHERST</b>	<b>\$0.00</b>	

CANCEL - CLERICAL ERROR, THIS PARCEL RECEIVED THE BASIC STAR IN THE THE AMT OF 31,870 AND SHOULD BE THE ENHANCED STAR IN THE AMT OF 53,120. RPTL 550(2)B  
WILLIAMSVILLE CENTRAL

**FISCAL YEAR 2005**

Petition No. **205286**

ASSESSOR **Cancel** \$6,960.40

**S-B-L 40.07-1-16.21**

**142289 AMHERST**

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$6,960.40	Town/SpecialDist/School
<b><u>Charge To :</u></b>	<b>142289 AMHERST</b>	<b>\$6,960.40</b>	
	<b>Relevy School</b>	\$6,960.40	142207 SWEET HOME CENTRAL

CANCEL - CLERICAL ERROR, THIS PARCEL IS INCLUDED WITH 40.07-1-5.11 MAKING THIS A DUPLICATE PARCEL. RPTL 550(2)F





**MEETING NO. 25**  
**OCTOBER 12, 2005**

**ERIE COUNTY LEGISLATURE**

CANCEL - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF 31,870 WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C  
 WILLIAMSVILLE CENTRAL

**FISCAL YEAR 2005**                      Petition No.                      **205293**

ASSESSOR                      **Cancel**                      \$924.91

**S-B-L** 56.62-1-1./90M7                      **142289 AMHERST**

Acct. No. 112                      \$0.00      County

Acct. No. 132                      \$924.91      Town/SpecialDist/School

41834 NYS STAR ENHANCED EXEMPTION                      \$462.45

**Charge To :**                      **142289 AMHERST**                      **\$462.46**

**Relevy School**                      \$462.46      142203 WILLIAMSVILLE CENT

CANCEL - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMT OF 23,750 (50%) AND THE ENHANCED STAR IN THE AMT OF 53,120 WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C      WILLIAMSVILLE CENT

**FISCAL YEAR 2005**                      Petition No.                      **205294**

ASSESSOR                      **Cancel**                      \$2,163.78

**S-B-L** 67.06-1-16                      **142289 AMHERST**

Acct. No. 112                      \$0.00      County

Acct. No. 132                      \$2,163.78      Town/SpecialDist/School

**Charge To :**                      **142289 AMHERST**                      **\$2,163.78**

**Relevy School**                      \$2,163.78      142207 SWEET HOME CENTRAL

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. THE ASSESSED VALUE WAS 560,100 AND SHOULD BE 468,000. RPTL 550(2)A

**FISCAL YEAR 2005**                      Petition No.                      **205295**

ASSESSOR                      **Cancel**                      \$1,636.57

**S-B-L** 67.16-8-92                      **142289 AMHERST**











**MEETING NO. 25**  
**OCTOBER 12, 2005**

**ERIE COUNTY LEGISLATURE**

41834 NYS STAR ENHANCED EXEMPTION \$798.34

**Charge To :**                    **142289 AMHERST**                    **\$798.35**  
    **Relevy School**                    \$798.35    142203 WILLIAMSVILLE CENT

CANCEL - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMT OF 41,000 (50%) AND THE ENHANCED STAR 53,120 WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C                    WILLIAMSVILLE CENT

**FISCAL YEAR 2205**                    Petition No.                    **205307**

ASSESSOR                    **Cancel**                    \$275.72

**S-B-L** 81.06-2-89                    **142289 AMHERST**

   Acct. No. 112                    \$0.00    County  
    Acct. No. 132                    \$275.72    Town/SpecialDist/School  
**Charge To :**                    **142289 AMHERST**                    **\$275.72**  
    **Relevy School**                    \$275.72    142203 WILLIAMSVILLE CENT

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. THE ASSESSMENT WAS 140,000 AND SHOULD BE 125,000. RPTL 550(2)A

**FISCAL YEAR 2005**                    Petition No.                    **205308**

ASSESSOR                    **Cancel**                    \$1,692.10

**S-B-L** 82.05-9-13                    **142289 AMHERST**

   Acct. No. 112                    \$0.00    County  
    Acct. No. 132                    \$1,692.10    Town/SpecialDist/School  
    41834 NYS STAR ENHANCED EXEMPTION    \$839.10  
**Charge To :**                    **142289 AMHERST**                    **\$853.00**  
    **Relevy School**                    \$853.00    143201 CLARENCE CENTRAL

CANCEL - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMT OF 54,000 (50%) AND THE ENHANCED STAR 53,120 WAS OMITTED FROM THE TAX ROLL. RPTL 550(2)C                    CLARENCE CENTRAL

**FISCAL YEAR 2005**                    Petition No.                    **205309**

ASSESSOR                    **Cancel**                    \$869.46

**MEETING NO. 25  
OCTOBER 12, 2005**

**ERIE COUNTY LEGISLATURE**

**S-B-L 211.00-5-43**

**142600 BOSTON**

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$869.46	Town/SpecialDist/School
	41834 NYS STAR ENHANCED EXEMPTION	\$869.46	
<b><u>Charge To :</u></b>	<b>142600 BOSTON</b>		<b>\$0.00</b>

CANCEL - CLERICAL ERROR, THE ENHANCED STAR IN THE AMOUNT OF 55,850 WAS OMITTED FROM THE TAX ROLL. RPTL 550(2)C  
HAMBURG CENTRAL

**FISCAL YEAR 2005**

Petition No.

**205310**

ASSESSOR      **Cancel**      \$865.25

**S-B-L 226.01-5-16**

**142600 BOSTON**

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$865.25	Town/SpecialDist/School
	41834 NYS STAR ENHANCED EXEMPTION	\$865.25	
<b><u>Charge To :</u></b>	<b>142600 BOSTON</b>		<b>\$0.00</b>

CANCEL - CLERICAL ERROR, THE ENHANCED STAR IN THE AMOUNT OF 55,580 WAS OMITTED FROM THE TAX ROLL IN ERROR. RPTL 550(2)C  
HAMBURG CENTRAL

**FISCAL YEAR 2005**

Petition No.

**205311**

ASSESSOR      **Cancel**      \$892.34

**S-B-L 240.00-3-18**

**142600 BOSTON**

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$892.34	Town/SpecialDist/School
	41834 NYS STAR ENHANCED EXEMPTION	\$892.34	
<b><u>Charge To :</u></b>	<b>142600 BOSTON</b>		<b>\$0.00</b>

CANCEL - CLERICAL ERROR, THE ENHANCED STAR IN THE AMOUNT OF 55,850 WAS OMITTED FROM THE TAX ROLL IN ERROR. RPTL 550(2)C  
EDEN CENTRAL









**MEETING NO. 25  
OCTOBER 12, 2005**

**ERIE COUNTY LEGISLATURE**

**FISCAL YEAR 2005**                      Petition No.                      **205320**

ASSESSOR                      **Cancel**                      \$1,408.23

**S-B-L** 114.19-1-89.11                      **143089 CHEEKTOWAGA**

Acct. No. 112	\$0.00	County
Acct. No. 132	\$1,408.23	Town/SpecialDist/School
<b>Charge To :</b>	<b>143089 CHEEKTOWAGA</b>	<b>\$1,408.23</b>
<b>Relevy School</b>	<b>\$1,408.23</b>	<b>143001 CHEEKTO. CENTRAL</b>

CANCEL - ERROR IN ESSENTIAL FACT, THE BUILDING WAS NOT COMPLETE AS OF MAY 1, 2005. ASSESSMENT WAS 123,500 AND SHOULD BE 71,500. RPTL 550(3)B

**FISCAL YEAR 2002**                      Petition No.                      **205321**

ASSESSOR                      **Refund**                      \$497.16

**S-B-L** 19.00-2-12.1                      **143200 CLARENCE**

Acct. No. 112	\$0.00	County
Acct. No. 132	\$497.16	Town/SpecialDist/School
41854 BASIC STAR EXEMPTION	\$497.16	
<b>Charge To :</b>	<b>143200 CLARENCE</b>	<b>\$0.00</b>

REFUND - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF 30,000 WAS OMITTED FROM THE TAX ROLL. RPTL 550(2)C  
CHECK FOR: BRET A REITMEIER                      CLARENCE CENTRAL

**FISCAL YEAR 2003**                      Petition No.                      **205322**

ASSESSOR                      **Refund**                      \$505.38

**S-B-L** 19.00-5-12.1                      **143200 CLARENCE**

Acct. No. 112	\$0.00	County
Acct. No. 132	\$505.38	Town/SpecialDist/School
41854 BASIC STAR EXEMPTION	\$505.38	
<b>Charge To :</b>	<b>143200 CLARENCE</b>	<b>\$0.00</b>

**MEETING NO. 25  
OCTOBER 12, 2005**

**ERIE COUNTY LEGISLATURE**

REFUND - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF  
30,000 WAS OMITTED FROM THE TAX ROLL. RPTL 550(2)C  
CHECK FOR: BRET REITMEIER CLARENCE CENTRAL

**FISCAL YEAR 2004**                      Petition No.                      **205323**

ASSESSOR                      **Refund**                      \$497.99

**S-B-L** 19.00-5-12.1                      **143200 CLARENCE**

Acct. No. 112                      \$0.00                      County

Acct. No. 132                      \$497.99                      Town/SpecialDist/School

41854 BASIC STAR EXEMPTION                      \$497.99

**Charge To :**                      **143200 CLARENCE**                      **\$0.00**

REFUND - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF  
30,000 WAS OMITTED FROM THE TAX ROLL. RPTL 550(2)C  
CHECK FOR: BRET A REITMEIER

**FISCAL YEAR 2005**                      Petition No.                      **205324**

ASSESSOR                      **Cancel**                      \$511.47

**S-B-L** 43.20-2-12                      **143200 CLARENCE**

Acct. No. 112                      \$0.00                      County

Acct. No. 132                      \$511.47                      Town/SpecialDist/School

41854 BASIC STAR EXEMPTION                      \$511.47

**Charge To :**                      **143200 CLARENCE**                      **\$0.00**

CANCEL - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF  
32,380 WAS OMITTED FROM THE TAX ROLL IN ERROR. RPTL 550(2)C  
CLARENCE CENTRAL

**FISCAL YEAR 2005**                      Petition No.                      **205325**

ASSESSOR                      **Cancel**                      \$511.47

**S-B-L** 71.03-3-21                      **143200 CLARENCE**





**MEETING NO. 25  
OCTOBER 12, 2005**

**ERIE COUNTY LEGISLATURE**

**FISCAL YEAR 2005**                      Petition No.                      **205331**

ASSESSOR                      **Cancel**                      \$368.29

**S-B-L 289.00-1-21.1**                      **143889 CONCORD**

Acct. No. 112                      \$0.00      County  
Acct. No. 132                      \$368.29      Town/SpecialDist/School

**Charge To :**                      **143889 CONCORD**                      **\$368.29**  
**Relevy School**                      \$368.29      143801 SPRING-GRIFFITH

CANCEL - CLERICAL ERROR, THE AGRICULTURAL EXEMPTION IN THE AMOUNT OF 10,529 WAS OMITTED FROM THE TAX ROLL IN ERROR. RPTL 550(2)C

**FISCAL YEAR 2005**                      Petition No.                      **205332**

ASSESSOR                      **Cancel**                      \$585.37

**S-B-L 307.00-2-34.11**                      **143889 CONCORD**

Acct. No. 112                      \$0.00      County  
Acct. No. 132                      \$585.37      Town/SpecialDist/School

**Charge To :**                      **143889 CONCORD**                      **\$585.37**  
**Relevy School**                      \$585.37      143801 SPRING-GRIFFITH

CANCEL - CLERICAL ERROR, THE AGRICULTURAL EXEMPTION IN THE AMOUNT OF 16,735 WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C

**FISCAL YEAR 2005**                      Petition No.                      **205333**

ASSESSOR                      **Cancel**                      \$70.69

**S-B-L 307.00-2-55.1**                      **143889 CONCORD**

Acct. No. 112                      \$0.00      County  
Acct. No. 132                      \$70.69      Town/SpecialDist/School

**Charge To :**                      **143889 CONCORD**                      **\$70.69**  
**Relevy School**                      \$70.69      143801 SPRING-GRIFFITH

**MEETING NO. 25  
OCTOBER 12, 2005**

**ERIE COUNTY LEGISLATURE**

CANCEL - CLERICAL ERROR, THE AGRICULTURAL EXEMPTION IN THE AMOUNT OF 2,021 WAS OMITTED FROM THE TAX ROLL IN ERROR. RPTL 550(2)C

**FISCAL YEAR 2005**                      Petition No.                      **205334**

ASSESSOR                      **Cancel**                      \$59.99

**S-B-L 307.00-2-55.3**                      **143889 CONCORD**

Acct. No. 112                      \$0.00      County  
Acct. No. 132                      \$59.99      Town/SpecialDist/School

**Charge To :**                      **143889 CONCORD**                      **\$59.99**  
**Relevy School**                      \$59.99      143801 SPRING-GRIFFITH

CANCEL - CLERICAL ERROR, THE AGRICULTURAL EXEMPTION IN THE AMOUNT OF 1,715 WAS OMITTED FROM THE TAX ROLL IN ERROR., RPTL 550(2)C

**FISCAL YEAR 2005**                      Petition No.                      **205335**

ASSESSOR                      **Cancel**                      \$681.77

**S-B-L 308.00-1-15**                      **143889 CONCORD**

Acct. No. 112                      \$0.00      County  
Acct. No. 132                      \$681.77      Town/SpecialDist/School

**Charge To :**                      **143889 CONCORD**                      **\$681.77**  
**Relevy School**                      \$681.77      143801 SPRING-GRIFFITH

CANCEL - CLERICAL ERROR, THE AGRICULTURAL EXEMPTION IN THE AMOUNT OF 19,491 WAS OMITTED FROM THE TAX ROLL IN ERROR. RPTL 550(2)C

**FISCAL YEAR 2005**                      Petition No.                      **205336**

ASSESSOR                      **Cancel**                      \$1,031.66

**S-B-L 308.00-2-10.1**                      **143889 CONCORD**

Acct. No. 112                      \$0.00      County  
Acct. No. 132                      \$1,031.66      Town/SpecialDist/School

**Charge To :**                      **143889 CONCORD**                      **\$1,031.66**



**MEETING NO. 25  
OCTOBER 12, 2005**

**ERIE COUNTY LEGISLATURE**

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$1,997.19	Town/SpecialDist/School
<b><u>Charge To :</u></b>	<b>144000 EDEN</b>	<b>\$1,997.19</b>	
	<b>Relevy School</b>	\$1,997.19	144001 EDEN CENTRAL

CANCEL - CLERICAL ERROR, THIS PARCEL IS INCLUDED WITH SBL  
238.11-1-12.1. THIS IS A DUPLICATE PARCEL. RPTL 550(2)F

**FISCAL YEAR 2005**                      Petition No.                      **205340**

ASSESSOR                      **Refund**                      \$825.00

**S-B-L** 145.01-5-27                      **144200 ELMA**

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$825.00	Town/SpecialDist/School
<b><u>Charge To :</u></b>	<b>144200 ELMA</b>	<b>\$825.00</b>	
	<b>Relevy School</b>	\$825.00	144201 IROQUOIS CENTRAL

REFUND - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 355  
SHOULD BE 3550. RPTL 550(2)B  
CHECK FOR: ARTHUR A & ALAN J HERDZIK

**FISCAL YEAR 2005**                      Petition No.                      **205341**

ASSESSOR                      **Cancel**                      \$387.32

**S-B-L** 154.00-3-33.117                      **144200 ELMA**

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$387.32	Town/SpecialDist/School
<b><u>Charge To :</u></b>	<b>144200 ELMA</b>	<b>\$387.32</b>	
	<b>Relevy School</b>	\$387.32	144201 IROQUOIS CENTRAL

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY  
ON THE TAX ROLL. THE ASSESSMENT WAS 2,500 AND SHOULD BE 1,000.  
RPTL 550(2)A

**FISCAL YEAR 2003**                      Petition No.                      **205342**







**MEETING NO. 25  
OCTOBER 12, 2005**

**ERIE COUNTY LEGISLATURE**

**Relevy School** \$103.71 143201 CLARENCE CENTRAL

CANCEL - CLERICAL ERROR, THIS PARCEL IS INCLUDED WITH SBL  
46.00-4-5.1. THIS IS A DUPLICATE BILL. RPTL 550(2)F

**FISCAL YEAR 2005** Petition No. **205348**

ASSESSOR **Cancel** \$454.36

**S-B-L** 47.07-2-30 **145689 NEWSTEAD**

Acct. No. 112 \$0.00 County

Acct. No. 132 \$454.36 Town/SpecialDist/School

41854 BASIC STAR EXEMPTION \$454.36

**Charge To :** **145689 NEWSTEAD** **\$0.00**

CANCEL - CLERICAL ERROR, THE BASIC STAR IN THE AMOUNT OF  
30,770 WAS OMITTED FROM THIS PARCEL IN ERROR. RPTL 550(2)C  
AKRON CENTRAL

**FISCAL YEAR 2005** Petition No. **205349**

ASSESSOR **Cancel** \$396.77

**S-B-L** 61.00-4-47 **145689 NEWSTEAD**

Acct. No. 112 \$0.00 County

Acct. No. 132 \$396.77 Town/SpecialDist/School

**Charge To :** **145689 NEWSTEAD** **\$396.77**

**Relevy School** \$396.77 145601 AKRON CENTRAL

CANCEL - CLERICAL ERROR, THE AGRICULTURAL EXEMPTION IN THE AMOUNT OF  
14,968 SHOULD BE 43,868. RPTL 550(2)B

**FISCAL YEAR 2005** Petition No. **205350**

ASSESSOR **Cancel** \$302.85

**S-B-L** 86.00-1-26 **145689 NEWSTEAD**

**MEETING NO. 25  
OCTOBER 12, 2005**

**ERIE COUNTY LEGISLATURE**

Acct. No. 112	\$0.00	County
Acct. No. 132	\$302.85	Town/SpecialDist/School
41834 NYS STAR ENHANCED EXEMPTION	\$302.85	
<b><u>Charge To :</u></b>	<b>145689 NEWSTEAD</b>	<b>\$0.00</b>

CANCEL - CLERICAL ERROR., THE BASIC STAR EXEMPTION IN THE AMOUNT OF 30,770 SHOULD BE THE ENHANCED STAR IN THE AMOUNT OF 51,280 ON THIS PARCEL. RPTL 550(2)B

<b>FISCAL YEAR 2005</b>	Petition No.	<b>205351</b>
ASSESSOR	<b>Cancel</b>	\$401.63

**S-B-L 145689 NEWSTEAD**

Acct. No. 112	\$0.00	County
Acct. No. 132	\$401.63	Town/SpecialDist/School
<b><u>Charge To :</u></b>	<b>145689 NEWSTEAD</b>	<b>\$401.63</b>
<b>Relevy School</b>	\$401.63	145601 AKRON CENTRAL

CANCEL - CLERICAL ERROR, THIS PARCEL IS INCLUDED WITH SBL 86.00-1-39.11. THIS IS A DUPLICATE PARCEL. RPTL 550(2)F

<b>FISCAL YEAR 2005</b>	Petition No.	<b>205352</b>
ASSESSOR	<b>Cancel</b>	\$7.81

**S-B-L 555.00-12-1 145689 NEWSTEAD**

Acct. No. 112	\$0.00	County
Acct. No. 132	\$7.81	Town/SpecialDist/School
<b><u>Charge To :</u></b>	<b>145689 NEWSTEAD</b>	<b>\$7.81</b>
<b>Relevy School</b>	\$7.81	145601 AKRON CENTRAL

CANCEL - UNLAWFUL ENTRY, THS STATE BOARD CERTIFIED THIS ASSESSMENT AT 25,484 NOT 26,013. RPTL 550(7)E

<b>FISCAL YEAR 2005</b>	Petition No.	<b>205353</b>
ASSESSOR	<b>Cancel</b>	\$337.61

**MEETING NO. 25  
OCTOBER 12, 2005**

**ERIE COUNTY LEGISLATURE**

**S-B-L 311.00-3-31 146200 SARDINIA**

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$337.61	Town/SpecialDist/School
	41854 BASIC STAR EXEMPTION	\$337.61	
<b><u>Charge To :</u></b>	<b>146200 SARDINIA</b>		<b>\$0.00</b>

CANCEL - CLERICAL ERROR, THE BASIC STAR IN THE AMOUNT OF 20,600 WAS OMITTED FROM THIS PARCEL IN ERROR. RPTL 550(2)C  
PIONEER CENTRAL

**FISCAL YEAR 2005**                      Petition No.                      **205354**

ASSESSOR                      **Cancel**                      \$6,292.79

**S-B-L 53.78-1-12.2 146489 TONAWANDA**

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$6,292.79	Town/SpecialDist/School
<b><u>Charge To :</u></b>	<b>146489 TONAWANDA</b>	<b>\$6,292.79</b>	
	<b>Relevy School</b>	\$6,292.79	146401 KEN-TON UNION FREE

CANCEL - CLERICAL ERROR, THS ASSESSED VALUE WAS ENTERED INCORRECTLY ON THIS PARCEL. THE ASSESSMENT WAS 946,200 AND SHOULD BE 762,500.  
RPTL 550(2)A

**FISCAL YEAR 2005**                      Petition No.                      **205355**

ASSESSOR                      **Cancel**                      \$342.56

**S-B-L 53.78-1-15 146489 TONAWANDA**

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$342.56	Town/SpecialDist/School
<b><u>Charge To :</u></b>	<b>146489 TONAWANDA</b>	<b>\$342.56</b>	
	<b>Relevy School</b>	\$342.56	146401 KEN-TON UNION FREE

CANCEL - CLERICAL ERROR, THIS PARCEL IS OWNED BY THE MT ST MARY ACADEM  
THE EXEMPTION IN THE AMOUNT OF 10,000 WAS OMITTED FROM THE TAX ROLL IN ERROR,. RPTL 550(2)C



**MEETING NO. 25  
OCTOBER 12, 2005**

**ERIE COUNTY LEGISLATURE**

CANCEL - CLERICAL ERROR, THE ENHANCED STAR IN THE AMOUNT OF 30,500  
WAS OMITTED FROM THE PARCEL IN ERROR. RPTL 550(2)C  
KEN-TON UNION FREE SCHOOL

**FISCAL YEAR 2005**                      Petition No.                      **205359**

ASSESSOR                      **Refund**                      \$356.59

**S-B-L** 125.73-5-19.1                      **146800 WEST SENECA**

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$356.59	Town/SpecialDist/School
<b>Charge To :</b>	<b>146800 WEST SENECA</b>	<b>\$356.59</b>	
	<b>Relevy School</b>	\$356.59	146801 WEST SENECA CENT

REFUND - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF  
11,040 (20% WAS OMITTED FROM THE TAX ROLL IN ERROR. RPTL 550(2)C  
CHECK FOR: RONALD & SHIRLEY CASTLE

**FISCAL YEAR 2005**                      Petition No.                      **205360**

ASSESSOR                      **Cancel**                      \$875.34

**S-B-L** 133.43-1-24                      **146800 WEST SENECA**

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$875.34	Town/SpecialDist/School
	41834 NYS STAR ENHANCED EXEMPTION	\$875.34	
<b>Charge To :</b>	<b>146800 WEST SENECA</b>	<b>\$0.00</b>	

CANCEL - CLERICAL ERROR, THE ENHANCED STAR IN THE AMOUNT OF 28,380  
WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C  
WEST SENECA CENTRAL

**FISCAL YEAR 2005**                      Petition No.                      **205361**

ASSESSOR                      **Cancel**                      \$802.66

**S-B-L** 134.07-3-2.1/817                      **146800 WEST SENECA**

**MEETING NO. 25  
OCTOBER 12, 2005**

**ERIE COUNTY LEGISLATURE**

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$802.66	Town/SpecialDist/School
	41834 NYS STAR ENHANCED EXEMPTION	\$802.66	
<b><u>Charge To :</u></b>	<b>146800 WEST SENECA</b>		<b>\$0.00</b>

CANCEL - CLERICAL ERROR, THE ENHANCED STAR EXEMPTION IN THE AMOUNT OF 28,830 WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C  
WSEST SENECA CENTRAL

<b>FISCAL YEAR 2005</b>	Petition No.	<b>205362</b>
ASSESSOR	<b>Cancel</b>	\$327.52

**S-B-L 153.05-6-3 146800 WEST SENECA**

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$327.52	Town/SpecialDist/School
<b><u>Charge To :</u></b>	<b>146800 WEST SENECA</b>		<b>\$327.52</b>
	<b>Relevy School</b>	\$327.52	146801 WEST SENECA CENT

CANCEL - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 10,140 (20%) WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C

<b>FISCAL YEAR 2005</b>	Petition No.	<b>205363</b>
ASSESSOR	<b>Cancel</b>	\$1,616.76

**S-B-L 555.00-12-1.2 146800 WEST SENECA**

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$1,616.76	Town/SpecialDist/School
<b><u>Charge To :</u></b>	<b>146800 WEST SENECA</b>		<b>\$1,616.76</b>
	<b>Relevy School</b>	\$1,616.76	143009 SLOAN UNION #9

CANCEL - UNLAWFUL ENTRY, THE STATE BOARD SET THE ASSESSED VALUE AT 464,776 NOT 494,781 THAT WAS USED TO DETERMINE THE TAX.  
RPTL 550(7)E  
(5-0)

**DEMONE A. SMITH  
CHAIRMAN**



**MEETING NO. 25**  
**OCTOBER 12, 2005**

**ERIE COUNTY LEGISLATURE**

MS. MARINELLI moved for the approval of the report. MR. DeBENEDETTI seconded.

CARRIED UNANIMOUSLY.

Item 15 – MR. KENNEDY presented the following report and moved for immediate consideration and approval. MR. DUSZA seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 273

OCTOBER 6, 2005

COMMUNITY SERVICES COMMITTEE  
 REPORT NO. 9

ALL MEMBERS PRESENT.

1. RESOLVED, that the following items are hereby received and filed.
  - a. INTRO 20-14 (2004)  
**SMITH:** Establishment of a Warrant Alert System Forwarding Warrants to Community Based Organizations, Churches & Block Clubs Added to EC Website  
 (5-0)
  - b. COMM. 19E-2 (2005)  
**COUNTY EXECUTIVE:** Appointment to ECC Board of Trustees  
 (5-0)
2. COMM. 23E-23 (2005)  
**COUNTY EXECUTIVE**  
 WHEREAS, the Erie County Department of Mental Health is responsible for the delivery of a comprehensive range of mental health services for the residents of Erie County, and

WHEREAS, the Erie County Department of Mental Health already contracts for services with Preventionfocus, Inc., and Jewish Family Services, Inc., in 2005, and

WHEREAS, the New York State Office of Alcoholism and Substance Abuse Services (OASAS) has awarded 100% State Aid funding of \$64,593 for Preventionfocus, Inc., and \$74,992 for Jewish Family Services, Inc., for strengthening community based chemical dependency prevention services and expanded gambling addiction treatment and prevention services.

NOW, THEREFORE, BE IT

RESOLVED, that the 2005 appropriation for Preventionfocus, Inc., be increased by a total of \$64,593, the source of these funds being New York State Office of Alcoholism and Substance Abuse Services (OASAS) State Aid dollars, and be it further

**MEETING NO. 25**  
**OCTOBER 12, 2005**

**ERIE COUNTY LEGISLATURE**

RESOLVED, that the 2005 appropriation for Jewish Family Services, Inc., be increased by a total of \$74,992, the source of these funds being New York State Office of Alcoholism and Substance Abuse Services (OASAS) State Aid dollars, and be it further

RESOLVED, that the County Executive be authorized to amend and increase the 2005 contract with Preventionfocus, Inc., for the period January 1, 2005 through December 31, 2005, by an amount not to exceed \$64,593, and be it further

RESOLVED, that the County Executive be authorized to amend and increase the 2005 contract with Jewish Family Services, Inc., for the period January 1, 2005 through December 31, 2005, by an amount not to exceed \$74,992, and be it further

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

3. COMM. 23E-28 (2005)

**COUNTY EXECUTIVE**

WHEREAS, the Erie County Legislature has already appropriated funds for the Area Agency on Aging (III-B), the Congregate Dining (III-C-1), Home Delivered Meals (III-C-2), the Disease Prevention Health Promotion (III-D), the Elder Caregiver Support Grant (III-E), and the Hope for Elderly Independence (HOPE) grants for the period January 1, 2005 through December 31, 2005, and

WHEREAS, the final federal funding allocations have been issued by the New York State Office for the Aging, and

WHEREAS, the total federal funding available for the Elder Caregiver Support Grant (III-E) grant program is less than originally adopted, and

WHEREAS, with the Going Places system services significantly curtailed due to the budget crisis, the participant contributions will correspondingly be reduced in the respective Area Agency on Aging (III-B) grant, and

WHEREAS, the Department desires to increase the allocation for adult day care services and provide funding for case management software support and modifications in the Area Agency on Aging (III-B) grant, and

WHEREAS, the Department currently contracts with the Jewish Family Services to provide geriatric counseling under the Elder Caregiver Support Program(III-E) grant, and

WHEREAS, the Department desires to increase the contract with the Jewish Family Services by \$8,000, and

WHEREAS, the geriatric counseling contract with Jewish Family Services in the Elder Caregiver Support Program (III-E) grant will increase by \$8,000, and

**MEETING NO. 25  
OCTOBER 12, 2005**

**ERIE COUNTY LEGISLATURE**

WHEREAS, the Department has reviewed the budgets and actual costs of carrying out the grant programs through the end of the year, and

WHEREAS, the grant budgets need to be revised.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be and is hereby authorized to amend the Elder Caregiver Support Program (III –E) contract with the Jewish Family Services by the amount detailed herein, and be it further

RESOLVED, that the III-B grant, 163III-B2005, be revised as follows:

		<b>CURRENT BUDGET</b>	<b>CHANGES</b>	<b>AMENDED BUDGET</b>
<b>REVENUES</b>				
Account	Description			
409000	State Aid Revenues	\$1,407,292	\$94,677	\$1,501,969
466000	Miscellaneous Revenue	\$34,000	\$4,435	38,435
	Other Revenue-Grant			
466100	Program	27,800	-20,300	7,500
	<b>TOTAL CHANGE</b>		<u>\$78,812</u>	
<b>APPROPRIATIONS</b>				
502000	Fringe Benefits	\$270,163	\$19,212	\$289,375
510200	Training & Education	5,000	1,700	6,700
516020	Adult Day Care Services	61,000	37,900	98,900
	Software Support &			
516020	Modifications	0	20,000	20,000
	<b>TOTAL CHANGE</b>		<u>\$78,812</u>	

and be it further

RESOLVED, that the congregate Dining Nutrition Program(III-C-1) grant, 163III-C-12005, be revised as follows:

**MEETING NO. 25  
OCTOBER 12, 2005**

**ERIE COUNTY LEGISLATURE**

		<b>CURRENT BUDGET</b>	<b>CHANGES</b>	<b>AMENDED BUDGET</b>
<b>REVENUES</b>				
Account	Description			
409000	State Aid Revenues	\$1,339,412	\$18,714	\$1,358,126
466000	Miscellaneous Revenue	4,614	2,080	6,694
	Other Revenue-Grant			
466100	Program	752,628	29,703	782,331
	<b>TOTAL CHANGE</b>		<b>\$50,497</b>	

<b>APPROPRIATIONS</b>				
502000	Fringe Benefits	\$159,681	\$46,720	\$206,401
510200	Training & Education	1,502	-300	1,202
516010	Salvation Army	55,574	-4,160	51,414
516010	Town of Amherst	99,306	-6,928	92,378
516010	Jewish Center	75,547	-24,635	50,912
516010	Contractual Services	0	6,762	6,762
516020	Meal Preparation Services	1,163,800	35,576	1,199,376
516020	Clean-up & Escort Services	71,948	-4,917	67,031
	Professional Services &			
516020	Fees	9,214	2,379	11,593
	<b>TOTAL CHANGE</b>		<b>\$50,497</b>	

and be it further

RESOLVED, that the Home Delivered Nutrition Program(III-C-2) grant, 163III-C-22005, be revised as follows:

		<b>CURRENT BUDGET</b>	<b>CHANGES</b>	<b>AMENDED BUDGET</b>
<b>REVENUES</b>				
Account	Description			
409000	State Aid Revenues	\$803,868	\$54,898	\$858,766
466000	Miscellaneous Revenue	38,843	6,100	44,943
	Other Revenue-Grant			
466100	Program	611,211	-81,436	529,775
	<b>TOTAL CHANGE</b>		<b>-\$20,438</b>	
<b>APPROPRIATIONS</b>				
502000	Fringe Benefits	\$15,077	\$5,000	\$20,077
516020	Meals on Wheels	1,399,807	-25,438	1,374,369
	<b>TOTAL CHANGE</b>		<b>-\$20,438</b>	

and be it further

**MEETING NO. 25**  
**OCTOBER 12, 2005**

**ERIE COUNTY LEGISLATURE**

RESOLVED, that the Disease Prevention & Health Promotion Services (III-D) grant, 163III-D2005, be revised as follows:

		<b>CURRENT BUDGET</b>	<b>CHANGES</b>	<b>AMENDED BUDGET</b>
<b>APPROPRIATIONS</b>				
Account	Description			
502000	Fringe Benefits	\$15,783	\$5,000	\$20,783
	Professional Services &			
516020	Fees	31,782	<u>-5,000</u>	26,782
	<b>TOTAL CHANGE</b>		<u><u>\$0</u></u>	

and be it further

RESOLVED, that the Elder Caregiver Support Program(III-E) grant, 163III-E2005, be revised as follows:

		<b>CURRENT BUDGET</b>	<b>CHANGES</b>	<b>AMENDED BUDGET</b>
<b>REVENUES</b>				
Account	Description			
409000	State Aid Revenues	\$833,259	-\$200,139	\$633,120
466000	Miscellaneous Revenue	32,480	<u>-17,000</u>	15,480
	<b>TOTAL CHANGE</b>		<u><u>-\$217,139</u></u>	

<b>APPROPRIATIONS</b>				
500000	Full Time - Salaries	\$434,065	-\$19,230	\$414,835
502000	Fringe Benefits	\$131,255	\$206	131,461
516010	Town of Amherst	\$60,680	-\$17,000	43,680
516020	Home Care Services	\$150,000	-\$100,000	50,000
516020	Adult Day Care Services	191,000	-89,615	101,385
516020	Geriatric Counseling	20,000	8,000	28,000
	Professional Services &			
516020	Fees	0	1,000	1,000
530000	Other Expenses	2,500	<u>-500</u>	2,000
	<b>TOTAL CHANGE</b>		<u><u>-\$217,139</u></u>	

and be it further

RESOLVED, that the HOPE for Elder Independence Grant (HOPE) , 163HOPE2005, be revised as follows:

		<b>CURRENT BUDGET</b>	<b>CHANGES</b>	<b>AMENDED BUDGET</b>
<b>APPROPRIATIONS</b>				
Account	Description			
502000	Full Time - Salaries	\$81,128	\$2,159	\$83,287
502000	Fringe Benefits	\$24,878	\$9,077	33,955
	Professional Services &			
516020	Fees	88,074	<u>-11,236</u>	76,838
	<b>TOTAL CHANGE</b>		<u><u>\$0</u></u>	

and be it further

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

4. COMM. 23E-30 (2005)

**COUNTY EXECUTIVE**

WHEREAS, the Erie County Legislature has already appropriated funds for the Protective Services for Adults (PSA) and Community Services Coordinator (CSC) programs for the period January 1, 2005 to December 31, 2005, and

WHEREAS, the Department of Senior Services (Department) has reviewed the budgets and actual costs of carrying out the programs through year-end, and

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

NOW, THEREFORE, BE IT

RESOLVED, that the budget for the Protective Services for Adults (PSA) program, cost center 1632030, be revised as follows:

		<b>CURRENT BUDGET</b>	<b>CHANGES</b>	<b>AMENDED BUDGET</b>
<b>APPROPRIATIONS</b>				
Account	Description			
500000	Personal Services	\$947,367	-\$101,500	\$845,867
502000	Fringe Benefits	\$234,317	\$86,000	320,317
	Local Mileage			
510000	Reimbursement	\$18,600	\$4,000	22,600
510100	Out of Area Travel	\$287	\$1,500	1,787
	Lab & Technical			
561410	Equipment	0	<u>10,000</u>	10,000
	<b>TOTAL CHANGE</b>		<u><u>\$0</u></u>	

and be it further

**MEETING NO. 25  
OCTOBER 12, 2005**

**ERIE COUNTY LEGISLATURE**

RESOLVED, that the budget for the Community Services Coordinator (CSC) program, cost center 1632070, be revised as follows:

APPROPRIATIONS		CURRENT BUDGET	CHANGES	AMENDED BUDGET
Account	Description			
505000	Office Supplies	\$960	-\$112	\$848
	Local Mileage			
510000	Reimbursement	1,000	2,812	3,812
980000	ID DISS Services	2,700	-2,700	0
	TOTAL CHANGE		<u>\$0</u>	

and be it further

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

(5-0)

5. COMM. 23E-48 (2005)

**COUNTY EXECUTIVE**

WHEREAS, the Erie County Health Department has a contract with the New York State Department of Health to conduct an Enhanced Drinking Water Protection Program, and

WHEREAS, the Erie County Health Department has received a revised grant award in the amount of \$250,000 from the New York State Health Department which authorizes a subcontract with the Research Foundation of the State University of New York and extends the grant year until 8/31/06.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to accept the revised grant award from the New York State Department of Health for providing a Local Enhanced Drinking Water Protection Program Grant which extends the grant year until 8/31/06, and be it further

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to enter into a subcontract with the Research Foundation of the State University of New York in the amount of \$25,700 for the purpose of conducting a ground water/surface water study, and be it further

RESOLVED, that the sufficient funds for this subcontract are available in Account 516020 – Contractual Services, and be it further

RESOLVED, that the subcontract with the Research Foundation of the State University of New York is a special service which must be provided immediately and continuously, and

**MEETING NO. 25**  
**OCTOBER 12, 2005**

**ERIE COUNTY LEGISLATURE**

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

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

6. COMM. 23E-51 (2005)  
**COUNTY EXECUTIVE**

WHEREAS, the Erie County Health Department has received a donation of two folding litters, one scoop backboard, two Physio 710 defibrilators and a trainer for the Physio 710, and

WHEREAS, the original purchase price of the equipment was approximately \$7,500.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Executive is hereby authorizes the acceptance of two folding litters, one scoop backboard, two Physio 710 defibrilators and a trainer for the Physio 710, and be it further

RESOLVED, that said equipment will be used by the Division of Emergency Medical Services for E.M.S. training, and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Office of the County Executive, the Office of the Comptroller, the Department of Health, the Main-Transit Fire Department, Inc. and the Department of Law.  
 (5-0)

7. COMM. 23E-55 (2005)  
**COUNTY EXECUTIVE**

WHEREAS, the Erie County Legislature has already appropriated funds for the Weatherization Referral and Packaging Program (WRAP-SOFA) grants for the periods October 1, 2004 to September 30, 2005 and October 1, 2005 to September 30, 2006; the Supplemental Nutrition Assistance Program (SNAP) grant and the Health Insurance Information, Counseling and Assistance Program (HIICAP) grant for the period April 1, 2005 to March 31, 2006; and the Operation Restore Trust (ORT) grant for the period July 1, 2005 to June 30, 2006, and

WHEREAS, the New York State Office for the Aging has advised the Department of Senior Services (Department) of the final allocations for Weatherization Referral and Packaging Program(WRAP-SOFA), Supplemental Nutrition Assistance Program(SNAP), Health Insurance Information, Counseling and Assistance Program(HIICAP) and Operation Restore Trust(ORT), and

WHEREAS, the Department has reviewed the budgets and actual costs of carrying out each grant's objectives, and



**MEETING NO. 25**  
**OCTOBER 12, 2005**

**ERIE COUNTY LEGISLATURE**

WHEREAS, the Department desires to increase the amount of funding under the Weatherization Referral and Packaging Program(WRAP) grants for last resort weatherization for eligible seniors to enable them to receive the weatherization packaging they need to remain in their homes, and

WHEREAS, the Department desires to use a portion of the Health Insurance Information, Counseling and Assistance Program(HIICAP) funds to cover the payroll costs of the respective Senior Case Manager funded under the Expanded In-Home Services for the Elderly Program grant who assists in the dissemination of the Health Insurance Information, Counseling and Assistance Program(HIICAP) information in Erie County during the period October 1, 2005 to March 31, 2006, and

WHEREAS, the Department has identified a portion of the Coordinator of Neighborhood Services salary as other local matching funds for the ORT grant from the Community Services for the Elderly grant, and

WHEREAS, the County budgets for these grants are in need of revision, and

WHEREAS, these grants are 100% federally funded.

NOW, THEREFORE, BE IT

RESOLVED, that the budget for the Weatherization Referral and Packaging Program(WRAP-SOFA) grant, 163WRAP-SOFA0405, be revised as follows:

		CURRENT	CHANGES	AMENDED
		BUDGET		BUDGET
REVENUES				
Account	Description			
409000	State Aid Revenues (Federal)	\$303,195	-\$12,222	\$290,973
	TOTAL CHANGE		<u>-\$12,222</u>	
APPROPRIATIONS				
500000	Personal Services	\$172,710	-\$17,148	\$155,562
502000	Fringe Benefits	\$63,557	-\$7,555	56,002
505000	Office Supplies	\$2,000	-\$1,650	350
	Local Mileage			
510000	Reimbursement	\$3,500	\$1,600	5,100
510100	Out of Area Travel	\$500	-\$400	100
	Other Expenses			
530000	(Weatherization)	\$56,082	\$14,677	70,759
980000	ID DISS Services	4,846	-1,746	3,100
	TOTAL CHANGE		<u>-\$12,222</u>	

and be it further

**MEETING NO. 25**  
**OCTOBER 12, 2005**

**ERIE COUNTY LEGISLATURE**

RESOLVED, that the budget for the Weatherization Referral and Packaging (WRAP-SOFA) grant, 163WRAP-SOFA0506, be revised as follows:

		CURRENT BUDGET	CHANGES	AMENDED BUDGET
REVENUES				
Account	Description			
409000	State Aid Revenues (Federal)	\$290,973	\$44,393	\$335,366
	TOTAL CHANGE		<u>\$44,393</u>	
APPROPRIATIONS				
502000	Fringe Benefits	\$55,028	\$16,098	\$71,126
530000	Other Expenses( Weatherization)	48,125	28,295	76,420
	TOTAL CHANGE		<u>\$44,393</u>	

and be it further

RESOLVED, that the budget for the Supplemental Nutrition Assistance Program(SNAP) grant, 163SNAP0506, be revised as follows:

		CURRENT BUDGET	CHANGES	AMENDED BUDGET
REVENUES				
Account	Description			
409000	State Aid Revenues	\$696,111	\$38,370	\$734,481
466100	Program Income	637,906	-116,205	521,701
	TOTAL CHANGE		<u>-\$77,835</u>	
APPROPRIATIONS				
516010	Meals on Wheels of Buffalo & Erie	\$1,334,017	-\$77,835	\$1,256,182
	TOTAL CHANGE		<u>-\$77,835</u>	

and be it further

RESOLVED, that the budget for the Health Insurance Information, Counseling and Assistance Program (HIICAP) grant, 163HIICAP0506, be revised as follows:

**MEETING NO. 25  
OCTOBER 12, 2005**

**ERIE COUNTY LEGISLATURE**

		CURRENT BUDGET	CHANGES	AMENDED BUDGET
<b>REVENUES</b>				
Account	Description			
	State Aid Revenues			
409000	(Federal)	\$3,790	\$23,623	\$27,413
	<b>TOTAL CHANGE</b>		<u>\$23,623</u>	
<b>APPROPRIATIONS</b>				
500000	Full Time - Salaries	\$0	\$11,754	\$11,754
502000	Fringe Benefits	\$0	\$4,820	4,820
505000	Office Supplies	\$0	\$439	439
	Local Mileage			
510000	Reimbursement	\$2,640	-\$1,140	1,500
510100	Out of Area Travel	150	1,250	1,400
	Professional Fees &			
516020	Services	0	3,000	3,000
530000	Other Expenses	0	2,300	2,300
545000	Rental Expense	0	1,000	1,000
980000	ID DISS Service	1,000	200	1,200
	<b>TOTAL CHANGE</b>		<u>\$23,623</u>	

and be it further

RESOLVED, that the budget for the Operation Restore Trust(ORT) grant, 163ORT0506, be revised as follows:

		CURRENT BUDGET	CHANGES	AMENDED BUDGET
<b>REVENUES</b>				
Account	Description			
	State Aid Revenues			
409000	(Federal)	\$8,500	\$2,178	\$10,678
466000	Miscellaneous Revenue	2,834	726	3,560
	<b>TOTAL CHANGE</b>		<u>\$2,904</u>	
<b>APPROPRIATIONS</b>				
500000	Full Time - Salaries	\$0	\$1,060	\$1,060
516010	American Red Cross	11,334	-1,334	10,000
530000	Other Expenses	0	1,000	1,000
545000	Rental Expense	0	1,400	1,400
980000	ID DISS Services	0	778	778
	<b>TOTAL CHANGE</b>		<u>\$2,904</u>	

and be it further

**MEETING NO. 25**  
**OCTOBER 12, 2005**

**ERIE COUNTY LEGISLATURE**

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

(5-0)

8. COMM. 24E-5 (2005)

**COUNTY EXECUTIVE**

WHEREAS, the Erie County Department of Mental Health is responsible for the delivery of a comprehensive range of mental health services for the residents of Erie County, and

WHEREAS, the Erie County Department of Mental Health already has been authorized by the Legislature to enter into a Shelter Plus Care Housing Contract with the WNY Veteran's Housing Coalition, Inc., and

WHEREAS, the required match of supportive services will be provided entirely by the agency, and

WHEREAS, the additional dollars are derived entirely from the U.S Department of Housing and Urban Development renewal grant agreement for this specific agency.

NOW, THEREFORE, BE IT

RESOLVED, that the 2005 appropriation for the WNY Veteran's Housing Coalition, Inc., be increased by an amount not to exceed \$20,000, the source of these funds being U.S. Department of Housing and Urban Development renewal grant dollars, and be it further

RESOLVED, that the County Executive be authorized to amend and increase the 2005 contract with the WNY Veteran's Housing Coalition, Inc., for the period January 1, 2005 through December 31, 2005, by an amount not to exceed \$20,000, and be it further

RESOLVED, that certified copies of this resolution be furnished to the Office of the County Executive, the Department of Mental Health, the Office of the Comptroller, and the Division of Budget, Management and Finance.

(5-0)

9. COMM. 24E-6 (2005)

**COUNTY EXECUTIVE**

WHEREAS, the New York State Department of Health is contracting with Health Research, Inc. for the development of the Clinic Data Management System intended for use by the Erie County Health Department, and

WHEREAS, the Erie County Department of Health has received a donation of one HP Laserjet 2430tn printer as part of the Clinic Data Management System Project, and

WHEREAS, the equipment is valued at \$867.00.

NOW, THEREFORE, BE IT

**MEETING NO. 25**  
**OCTOBER 12, 2005**

**ERIE COUNTY LEGISLATURE**

RESOLVED, that the Erie County Executive is hereby authorized to accept one HP Laserjet 2430tn printer from Health Research, Inc., and be it further

RESOLVED, that said equipment will be used as part of the Clinic Data Management System Project, and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Office of the County Executive, the Office of the Comptroller, the Department of Health, the New York State Health Department and the Department of Law.

(5-0)

10. COMM. 24E-7 (2005)

**COUNTY EXECUTIVE**

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

WHEREAS, the Erie County Department of Health wishes to contract with Breastfeeding Peer Counselors to improve the successful breastfeeding rate of mothers in low income or minority communities, and

WHEREAS, funds are available in Account 516020, Professional Services Contract and Fees, in the WIC grant 2005-2006 adopted budget, and

WHEREAS, to efficiently meet the needs of the WIC Program, it is necessary to create one-full time position of Sr. Nutritionist, JG XI, and delete one full-time position of Nutritionist, JG X, and

WHEREAS, funds are available in Account 500000 Personal Services in the WIC grant 2005-2006 adopted budget, and

WHEREAS, the Erie County Health Department wishes to enter into a lease agreement with Sisters of Charity Hospital of Buffalo New York for space located at the Seton Professional Building, 2121 Main Street, Buffalo, NY to be utilized as a WIC check distribution site, for the period 10/1/05 – 9/30/10, at the following rate:

Year 1: \$1,448.75 per month

Year 2: \$1,454.02 per month

Year 3: \$1,490.87 per month

Year 4: \$1,527.73 per month

Year 5: \$1,566.34 per month

and

WHEREAS, the yearly lease shall include all required renovations, utilities, and janitorial services, and

WHEREAS, funds are available in Account 545000 Rental Charges in the WIC grant 2005-2006 adopted budget, and

WHEREAS, the Erie County Health Department wishes to provide lactation counseling services to patients of Sisters of Charity Hospital of Buffalo New York who are enrolled in the WIC Program. The Hospital will reimburse the County for the actual cost of providing this service under a contract which will run from 10/1/05 to 9/30/10.

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 for those categories as are listed in Exhibit A, 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 A  
 Erie County Department of Health  
 Contractual Service Rate for Fee-For-Service Personnel  
 Annual Compensation Will Be Less Than \$10,000

TITLE	RATE
Breastfeeding Peer Counselor	\$8.00 per hour
Breastfeeding Peer Counselor Coordinator	\$9.00 per hour

and be it further

RESOLVED, that one full-time position Nutritionist, JG X, is hereby deleted and one full-time position of Sr. Nutritionist, JG XI is hereby created in the WIC Grant.

The following personnel detail is hereby submitted:

TITLE: Sr. Nutritionist	CIVIL SERVICE: Competitive
JG: XI	CIVIL SERVICE LIST: Yes
STEP: 1	FUNDING: 100% Grant Funded
ANNUAL SALARY: \$43,667	
ANNUAL BENEFITS: \$13,537	

and be it further

RESOLVED, that the Erie County Executive is hereby authorized to enter into a lease agreement with Sisters of Charity Hospital of Buffalo New York for space located at the Seton Professional Building, 2121 Main Street, Buffalo, NY to be utilized as a WIC check distribution site, for the period 10/1/05 – 9/30/10, at the following rate:

Year 1: \$1,448.75 per month  
 Year 2: \$1,454.02 per month  
 Year 3: \$1,490.87 per month  
 Year 4: \$1,527.73 per month  
 Year 5: \$1,566.34 per month

and be it further

RESOLVED, that the lease shall include all required renovations, utilities, and janitorial services, and be it further

RESOLVED, that the Erie County Executive is hereby authorized to enter into a contract with Sisters of Charity Hospital whereby the Erie County Department of Health will provide lactation counseling services to patients of Sisters of Charity Hospital of Buffalo who are enrolled in the WIC Program. Sisters of Charity Hospital of Buffalo will reimburse the County for the actual cost of providing this service which will run from 10/1/05 to 9/30/10, and be it further

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

11. COMM. 24E-9 (2005)

**COUNTY EXECUTIVE**

WHEREAS, the Erie County Department of Health has received a grant from the New York State Health Department in the amount of \$163,278 for the period 10/1/05 through 9/30/06, and

WHEREAS, this grant authorizes the creation of one full-time position of Principal Clerk, JG VI, Step 0, to manage the clerical/administrative requirements of the grant, and

WHEREAS, over 300,000 people in the United States die of causes directly related to smoking, and

WHEREAS, most smokers start using tobacco before the age of eighteen, and

WHEREAS, the Health Department's Environmental Health Unit will conduct an informational campaign targeted toward merchants, informing them of the New York State Law prohibiting the sale of tobacco products to persons under the age of eighteen, and

WHEREAS, the County desires to subcontract with various Police agencies in Erie County and the Wellness Institute of Greater Buffalo and Western New York, Inc. to conduct compliance checks of merchants by using underage operatives who will attempt to purchase tobacco products, and

WHEREAS, the County desires to subcontract for the services of 2 software

**MEETING NO. 25  
OCTOBER 12, 2005**

**ERIE COUNTY LEGISLATURE**

developers to maintain the program that was developed to be used with the existing tablet computers to collect a wide variety of information in the field for not only the Tobacco Enforcement Program but other Health Department Programs and to integrate the developed system with existing State Health Department requirements and conduct the associated training.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Executive is hereby authorized to enter into a contract for a grant award with the New York State Health Department to be budgeted as follows:

**YOUTH TOBACCO  
10/1/05 – 9/30/06  
SAP Title:127YTOB0506**

		CURRENT		REVISED
SAP	REVENUE	BUDGET	CHANGES	BUDGET
409000	State Aid	\$ 155,338	\$ 157,940	\$ 313,278
416090	Penalties & Fines	0	10,000	10,000
466100	Other Revenue	8,000	-8,000	0
	<b>TOTAL</b>	<b>\$ 163,338</b>	<b>\$ 159,940</b>	<b>\$ 323,278</b>
<b>EXPENSES</b>				
500000	Personal Services	\$ 76,873	\$ 28,714	\$ 105,587
501000	Overtime	10,000	7,940	17,940
502000	Fringe Benefits	24,800	7,879	32,679
505000	Office Supplies	2,525	0	2,525
510000	Travel & Mileage	1,600	0	1,600
510100	Out Of Area Travel	2,000	0	2,000
516010	Contractual	14,000	31,000	45,000
	Professional Services			
516020	Dues/Fees	5,200	12,800	18,000
530000	Other Expenses	9,750	0	9,750
561410	Equipment (Lab & Tech)	0	67,857	67,857
561420	Equipment (Office)	2,250	2,750	5,000
912700	ID-Indirects	14,340	0	14,340
980000	DISS	0	1,000	1,000
	<b>TOTAL</b>	<b>\$ 163,338</b>	<b>\$ 159,940</b>	<b>\$ 323,278</b>

and be it further

RESOLVED, that one full-time position of Principal Clerk, JG VI, is hereby created. The following personnel detail is hereby submitted:

TITLE: Principal Clerk  
STEP: 0

FUNDING: 100% State Reimbursed  
CIVIL SERVICE: Yes



**MEETING NO. 25**  
**OCTOBER 12, 2005**

**ERIE COUNTY LEGISLATURE**

JG: VI  
 ANNUAL SALARY: \$27,944  
 ANNUAL BENEFITS: \$8,649

CIVIL SERVICE LIST: Recall List

and be it further

RESOLVED, that the County Executive is hereby authorized to subcontract with the Erie County Sheriff's Department and other police agencies, and the Wellness Institute of Greater Buffalo and Western New York, Inc. to conduct compliance checks of merchants by using underage operatives to attempt to purchase tobacco products to carry out this project, and be it further

RESOLVED, that police agencies will be reimbursed at the rate of \$40.00 per compliance check, and be it further

RESOLVED, that the Wellness Institute of Greater Buffalo and Western New York, Inc. will be reimbursed at a sum not to exceed \$3,000 per year, and be it further

RESOLVED, that the Erie County Executive is hereby authorized to enter into a subcontract with Patrick J. Artieri and Timothy M. Kleinhans for the sum of \$5,000 each to maintain the program which was developed to be used with the existing tablet computers to collect a wide variety of information in the field for not only the Tobacco Enforcement Program but other Health Department Programs and to integrate the developed system with existing State Health Department requirements and conduct the associated training, and be it further

RESOLVED that the subcontracts with the Software Developers, Mr. Artieri and Mr. Kleinhans, the Wellness Institute of Greater Buffalo and Western New York, Inc., and various police agencies are special services which must be provided immediately and continuously, and therefore the RFP procedure required under Erie County Local Law No. 6, Section 19.08 of the Erie County Administrative Code, is hereby waived, and be it further

RESOLVED, that one half of the fines collected by the Health Department will be returned to the subcontracted police agencies where the violation occurred to be used for educational programs designed to prevent adolescents from smoking as provided in Article 13-F of the New York State Public Health Law, and be it further

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

(5-0)

12. COMM. 24E-10 (2005)

**COUNTY EXECUTIVE**

WHEREAS, the Erie County Department of Health has been awarded a Worksite Wellness (HRI) grant totaling \$45,000 for the purpose of researching and promoting heart health in area worksites, and

**MEETING NO. 25  
OCTOBER 12, 2005**

**ERIE COUNTY LEGISLATURE**

WHEREAS, the Erie County Department of Health has joined with the Western New York Public Health Alliance, Inc., and the Cornell Cooperative Extension of Allegany and Cattaraugus Counties in the amount of \$16,189 for the period 9/1/05 – 6/29/06.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to accept a grant award funded by Health Research Inc. (HRI), which is budgeted as follows:

**Worksite Wellness HRI Grant – The Business Case  
9/1/05 – 6/29/06**

<b>SAP</b>	<b>REVENUE</b>	<b>BUDGET</b>
	HRI	<u>\$45,000</u>
	<b>TOTAL</b>	<u>\$45,000</u>
	<b>EXPENSES</b>	
510100	Out of Area Travel	\$3,000
516020	Professional Services Contracts & Fees	18,189
530000	Other Expenses	2,000
561410	Lab & Technical Equipment	6,000
912700	ID – Health Services	<u>15,811</u>
	<b>TOTAL</b>	<u>\$45,000</u>

and be it further

RESOLVED, that the following adjustments are made in the Health Department budget:

Increase SAP Account 912700 ID-Health Services	\$15,811
Increase SAP Account 516020 Pro Service Contracts & Fees	\$15,811

and be it further

RESOLVED, that the County Executive is hereby authorized to enter into a subcontract with the Cornell Cooperative Extension of Allegany, in the amount of \$16,189 for the period 9/1/05 – 6/29/06, and be it further

RESOLVED, that the subcontract with the Cornell Cooperative Extension of Allegany are a special service which must be provided immediately and continuously, and therefore the RFP procedure required under Section 19.08 of the Erie County Administrative Code, is hereby waived, and be it further

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

(5-0)

11. COMM. 24E-18 (2005)

**COUNTY EXECUTIVE**

WHEREAS, the Erie County Legislature has eliminated all vacant positions throughout Erie County via Intro 15-9, dated June 14, 2005, and

WHEREAS, the Department of Senior Services (Department) has 9 vacant positions that are deemed deleted by the above-mentioned legislation (see attached Job Creation Summary Report Forms) ; eight of these positions are 100% federally reimbursed under the Home Energy Assistance Program (HEAP), and one is 87.5% federal/state reimbursed under the Title XX Protective Services for Adults Program(PSA), and

WHEREAS, the County share attributable to the one position equates to the local match required to receive the Protective Services for Adults Program(PSA) funds in total, and

WHEREAS, the Department has continuously streamlined administrative costs, maximizing Federal and State funds and addressing the ever increasing need for services to seniors, the fastest growing segment of Erie County's population, and

WHEREAS, the Department has been successful in providing core supportive services to "at-risk" seniors in Erie County that result in maintaining their independence in the community rather than facing more costly institutional care under the Medicaid program, and

WHEREAS, the failure to fill these positions jeopardizes the safety, health and well being of our most frail, "at-risk" population, as well as hinders our ability to draw down all available funds to provide energy assistance and protective services, and

WHEREAS, the Department desires to recreate the 8 Seasonal Energy Crisis Worker I positions in the Home Energy Assistance Program(HEAP) program (100% federally reimbursed) and the Case Manager position in Protective Services for Adults program(PSA)(87.5% combined federal and state reimbursed), and

WHEREAS, the Department has effectively delivered Home Energy Assistance Program(HEAP)services to the elderly by matching peak loads and processing of applications with seasonal employees, and

WHEREAS, Protective Services are mandated by New York State and Erie County is responsible for providing this service and funds have been allocated in the 2005 budget, and a cost savings has not only been established, but surpassed, and staff currently carries an average of 35; whereas recommended case loads are 20-25, and

WHEREAS, these position adjustments are reflected in the SAP system on B-100 position authorization forms, Control numbers 1271 and 1272, and

WHEREAS, sufficient appropriations exist in the respective personal services lines, and

WHEREAS, no additional County funds are required.

NOW, THEREFORE, BE IT

RESOLVED, that the positions be recreated in the respective programs in order to maintain the safety, health and well-being of our elder population, and be it further

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

12. COMM. 24E-19 (2005)  
**COUNTY EXECUTIVE**

WHEREAS, the Erie County Department of Mental Health is responsible for the delivery of a comprehensive range of mental health services for the residents of Erie County, and

WHEREAS, the Erie County Department of Mental Health has reviewed and approved programs of mental health services for individuals and families receiving services from the Erie County Medical Center, and

WHEREAS, the Erie County Legislature has already authorized the County and the Department of Mental Health to contract with Erie County Medical Center, and

WHEREAS, additional funds of \$4,000 in New York State Office of Mental Health State Aid dollars are available to be used for costs related to the purchase of clothing, other personal care items, rewards, and other discharge needs for foster care children and adolescents served by the inpatient adolescent psychiatric unit of the Erie County Medical Center.

NOW, THEREFORE, BE IT

RESOLVED, that the 2005 appropriation for the Erie County Medical Center, be increased by a total of \$4,000, the source of these funds being New York State Office of Mental Health State Aid dollars, and be it further

RESOLVED, that the County Executive be authorized to amend and increase the 2005 contract with the Erie County Medical Center, for the period January 1, 2005 through December 31, 2005, by an amount not to exceed \$4,000, and be it further

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

**TIMOTHY M. KENNEDY  
CHAIRMAN**

Item 16 – MS. MARINELLI presented the following item and moved for immediate consideration and approval. MR. SWANICK seconded.

**MEETING NO. 25**  
**OCTOBER 12, 2005**

**ERIE COUNTY LEGISLATURE**

CARRIED UNANIMOUSLY.

RESOLUTION NO. 274

OCTOBER 6, 2005

GOVERNMENT AFFAIRS COMMITTEE  
 REPORT NO. 10

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

1. RESOLVED, the following items are hereby received and filed:
  - a. COMM. 23D-4 (2005)  
**COUNTY ATTORNEY:** CSEA vs. County of Erie, et al.  
 (5-0)
  - b. COMM. 23D-15 (2005)  
**COUNTY ATTORNEY:** Copy of Letter to South Buffalo Community Center Re: Lease  
 Between County of Erie and South Buffalo Community Center  
 (5-0)
  - c. COMM. 24D-5 (2005)  
**COUNTY ATTORNEY:** Local Law Intro 11-2005  
 (5-0)
2. COMM. 23E-41 (2005)  
**COUNTY EXECUTIVE**  
 WHEREAS, the Erie County Department of Probation and Youth Detention Services had a  
 funding in the 2005 Adopted Budget for the position of Administrative Clerk (Job Group 7), and  
  
 WHEREAS, the incumbent in that position retired as of April 29, 2005, and  
  
 WHEREAS, there is an immediate need to fill the position as there is no other staff that can  
 perform those functions.  
  
 NOW THEREFORE, BE IT  
  
 RESOLVED, that authorization is hereby requested for the Erie County Executive to delete  
 position #2976, PT Detention Home Intake Worker (Job Group 8), to create the position of Payroll  
 Clerk (Job Group 5) to replace the eliminated position of Administrative Clerk, and be it further,  
  
 RESOLVED, that the Erie County Executive can immediately fill the position of Payroll  
 Clerk in the Department of Probation and Youth Detention Services.  
  
 RESOLVED, that authorization is hereby provided to make the following budgetary  
 adjustment in the Division of Youth Detention Services, Fund Center 12620

**SALARIES**

**Increase**

Payroll Clerk (for the period Aug 1 – Dec 31, 2005)	\$13,435
Fringe Benefits @ 25%	<u>3,359</u>
Total Cost:	\$16,794

**Decrease**

Source of funds being:	
Delete of PT Detention Home Intake Worker (Position #2976)	\$16,794

and be it further

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

3. **COMM. 24E-17 (2005)**  
**COUNTY EXECUTIVE**

WHEREAS, the Division of Budget, Management and Finance has examined its appropriation for Office Supplies and has determined that current funds will not be adequate for 2005.

NOW, THEREFORE, BE IT

RESOLVED, that the following transactions are hereby authorized in the 2005 Adopted Budget of the Division of Budget, Management and Finance:

<u>Account</u>	<u>Commitment Item</u>	<u>Increase (Decrease)</u>
505000	Office Supplies	1,500
516030	Maintenance Contracts	<u>-1,500</u>
	Net Change	-0-

and be it further

RESOLVED, that certified copies of this resolution shall be sent to the County Executive, the Director of Budget, Management and Finance and the County Comptroller.  
(5-0)

4. **COMM. 24E-20 (2005)**  
**COUNTY EXECUTIVE**

**MEETING NO. 25  
OCTOBER 12, 2005**

**ERIE COUNTY LEGISLATURE**

WHEREAS, Erie Community College has applied for a grant from the Local Government Records Management Improvement Fund to implement an imaging system for active payroll and personnel records, and

WHEREAS, the grant has been approved in the amount of \$44,780.

NOW THEREFORE BE IT

RESOLVED, that the County Executive on behalf of Erie Community College, is hereby authorized to accept a grant from the New York State Local Government Records Management Improvement Fund for purposes of implementing an imaging system for active payroll and personnel records, and be it further

RESOLVED, that unanticipated state revenues in the amount of \$44,780 be directed to Erie Community College to be appropriated as follows:

Personal Services	\$16,500
Fringe Benefits	1,262
Supplies and Materials	21,800
Equipment	<u>5,218</u>
	\$44,780

and be it further

RESOLVED, that two (2) temporary part-time positions of Clerk Typist and Data Entry Clerk are hereby created and authorized for this project, and be it further

RESOLVED, that the Division of the Budget is authorized to create the necessary accounts for this purpose; and be it further

RESOLVED, that certified copies of this resolution be sent to the County Executive, the County Clerk, the County Comptroller, the President of Erie Community College, and the Director of the Division of Budget, Management and Finance.

(5-0)

**LYNN M. MARINELLI  
CHAIRPERSON**

**LEGISLATOR RESOLUTIONS**

Item 17 – MS. MARINELLI presented the following resolution and moved for immediate consideration and approval. MR. SWANICK seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 275

RE: Taking Note of the Positive Effects  
of Sheriff's Road Patrols in Erie County  
(INTRO 25-1)

A RESOLUTION TO BE SUBMITTED BY  
THE MAJORITY CAUCUS

**RE: TAKING NOTE OF THE POSITIVE EFFECTS OF THE SHERIFF'S ROAD  
PATROLS IN ERIE COUNTY**

WHEREAS, Erie County government is mandated to provide a minimum level of government services to residents and taxpayers each day, and

WHEREAS, among the many different types of services are Sheriffs Office road patrols, and

WHEREAS, Sheriff road patrols amount to a basic layer of public safety and protection for motorists, residents and visitors to Erie County, and notwithstanding the presence of policing agencies in particularized communities throughout the county (including, but not limited to, Buffalo, Cheektowaga, Lancaster, Tonawanda and Hamburg), the Sheriffs road patrols are legally empowered to exercise policing functions throughout Erie County, and

WHEREAS, the Sheriff s road patrol arrests or issues summonses to more than 10,000 motorists each year, and the added policing manpower that the road patrol provides to county residents can unquestionably be tied to lives saved, and

WHEREAS, one example of the effectiveness of Erie County's Sheriffs road patrols was evidenced, only a few days ago, and

WHEREAS, on October 2, Deputy Timothy Dusza performed a routine arrest for Driving While Intoxicated (DWI) in the Town of Alden - an action that in and of itself represents a significant service to local motorists -that later turned out to be of even greater significance, and

WHEREAS, upon performance of a computer check of the suspect's record, Deputy Dusza determined that the suspect was the subject of a felony warrant in the State of Pennsylvania for the charge of vehicular homicide; authorities in Pennsylvania subsequently confirmed that they will extradite the suspect for trial within their jurisdiction, and

WHEREAS, this recent example is but one such case where the presence of Sheriffs road patrol in Erie County has resulted in accused suspects being brought to justice to stand trial, and an incidence where lives may well have been saved.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby recognize the effective service performed each day by the men and women in uniform and all civilian employees of the Office of the Sheriff, and does hereby offer special commendation to the men and, women that perform road patrol duties, and be it further

RESOLVED, that this Honorable Body does hereby call upon the County Executive to work collectively with the Legislature and the Sheriff to construct a plan for



the continuation of Sheriff's Road Patrols that will benefit the residents of the whole of the County of Erie, and be it further

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

Item 18 - MS. MARINELLI presented the following resolution and moved for immediate consideration. MR. SWANICK seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 276

RE: Senior Citizen Transportation in City of Buffalo (INTRO 25-2)

**A RESOLUTION SUBMITTED BY  
LEGISLATOR MARINELLI**

WHEREAS, due to the 2005 Erie County Budget cuts, the Going Places senior citizen transportation service in the City of Buffalo was eliminated, leaving hundreds of seniors with little-to-no transportation service or option for getting to physician appointments, grocery shopping, and other needs, and

WHEREAS, the Buffalo Community Center Collaborative, a grouping of 12 non-profit organizations including ABLEY, Concerned Ecumenical Ministry, CRUCIAL, Bailey Delevan Community Services, University Heights CDA/Gloria J. Parks Community Center, Matt Urban Human Services Center, North Buffalo Community Center, Northwest Buffalo Community Center, Old First Ward, Seneca Babcock Community Center, Valley Community Center, and West Side Community Services, has been working with the Erie County Department of Senior Services to apply for a Federal Transit Administration Section 5310 Grant from the New York State Department of Transportation (NYSDOT) in order to purchase and operate 5 vans for a low-cost senior transportation system in the city, and

WHEREAS, due to a series of administrative and bureaucratic issues, the NYSDOT has informed the collaborative that the grant application will not be considered for 2005-2006,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature expresses its support for the efforts of the collaborative, and any group or coordinated effort to provide no-cost or low-cost senior transportation in the City of Buffalo, and be it further

RESOLVED, that the Erie County Legislature calls on the NYSDOT to reconsider its decision and to allow the collaborative to continue its 2005-2006 Section 5310 grant application, and be it further

RESOLVED, that the Erie County Legislature requests that the local state delegation use their influence to persuade NYSDOT to allow the collaborative to continue its 2005-2006 Section 5310 grant application, and be it further

RESOLVED, that certified copies of this resolution be transmitted to Governor George Pataki, Acting NYSDOT Commissioner Thomas Madison, Jr. (50 Wolf Road, Albany, NY 12232), Michael Baker of the NYSDOT Passenger Transportation Division (4-134 Harriman State Office Building Campus, 1220 Washington Avenue, Albany, NY 12232-0414), the local state delegation, Erie County Commissioner of Senior Services Pamela Krawczyk, and to Jody Harvey, Executive Director of the Buffalo Community Center Collaborative (1081 Broadway, Buffalo, NY 14212).

MS. MARINELLI moved to amend the item for co-sponsorship. MR. SWANICK seconded.

CARRIED UNANIMOUSLY.

ADD the following Co-Sponsors: HOLT, KENNEDY, SMITH, KUWIK, DeBENEDETTI, CUSACK, WROBLEWSKI, and DUSZA.

MS. MARINELLI moved to approve the item as amended. MR. SWANICK seconded.

CARRIED UNANIMOUSLY.

Item 19 - Chairman Holt directed that the following item be directed to the COMMUNITY SERVICES COMMITTEE.

GRANTED.

INTRO 25-3 from HOLT Re: Strengthening and Supporting Johnnie B. Wiley Sports Pavilion

**COMMUNICATIONS DISCHARGED FROM COMMITTEE**

Item 20 – MS. MARINELLI moved to discharged the ECONOMIC DEVELOPMENT COMMITTEE from further consideration of COMM. 24E-25. MR. DeBENEDETTI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 277

RE: DPW - Times Beach Public Access Project  
 - Phase II Award Contract

WHEREAS, the County of Erie wishes to lead the effort to provide facilities for public access to the unique natural environment available at Times Beach in the City of Buffalo; and

WHEREAS, the Times Beach Public Access Project seeks to create a first-class wildlife viewing area which can be a tourism draw and a premier attraction to the residents of the City, the County and the nation; and

WHEREAS, Erie County has committed \$125,000 through the 2003 Capital Improvement Projects Budget for the design of the Times Beach Public Access Project; and

**MEETING NO. 25  
OCTOBER 12, 2005**

**ERIE COUNTY LEGISLATURE**

WHEREAS, the New York State Office of Parks, Recreation and Historic Preservation (NYSOPRHP) awarded Erie County \$350,000 in grant funding for Phase II of the Times Beach Public Access Project; and

WHEREAS, the contract between Erie County and the NYSOPRHP for Phase II received final state approval on August 17, 2005; and

WHEREAS, the \$350,000 from NYSOPRHP needs to be incorporated into the Times Beach budget; and

WHEREAS, Erie County formerly contracted in the amount of \$133,000 with Peter J. Smith & Company, Inc. for Phase I and Phase II design services; and

WHEREAS, additional interpretive signage design and construction inspection services are necessary to complete Phase II of the project; and

WHEREAS, the cost of this additional work is \$30,000; and

WHEREAS, the Erie County Department of Public Works has received the following low bid for the Times Beach Public Access Project, Phase II:

Base Bid	Paul J. Gallo Contracting	\$385,088.00
Alternate No. 1 – Add Synthetic Decking		<u>24,000.00</u>
Total Award of Contract		\$409,088.00

NOW, THEREFORE, BE IT

RESOLVED, that Project A.00100 (old SFG Project 450, Fund 410) for the Times Beach Public Access Trail Project is hereby amended to increase revenue and appropriations by \$350,000 to accept the additional funding from the NYSOPRHP; and be it further

RESOLVED, that the Commissioner of Public Works is authorized to approve a change order in the amount of \$30,000 to an existing contract with Peter J. Smith & Company, Inc., for the additional design and construction inspection services needed to proceed with Phase II, and be it further,

RESOLVED, that \$40,000.00 be allocated to a construction contingency fund, with authorization for the Commissioner of Public Works to approve change orders not to exceed the construction contingency, and deduct change orders will result in funds being returned to the construction contingency fund, and be it further,

RESOLVED, that the County Executive is authorized to execute a contract with the aforementioned low bidder subject to approval as to form by the County Attorney and certification of availability of funds from the project fund balance or an authorized advance from the General Fund by the Comptroller’s Office; and be it further

**MEETING NO. 25**  
**OCTOBER 12, 2005**

**ERIE COUNTY LEGISLATURE**

RESOLVED, that the Comptroller's Office be authorized to make all the above payments from Project A.00100, Times Beach Public Access Project in an amount not to exceed \$479,088.00, and be it further,

RESOLVED, that certified copies of this resolution be sent to the County Executive; the Director of Budget, Management and Finance; Commissioner of Environment and Planning; Commissioner of the Department of Public Works; Commissioner of the Department of Parks, Recreation and Forestry; Deputy Commissioner of Environment and Planning; the County Comptroller; and the County Attorney.

MS. MARINELLI moved for the approval of the item. MR. DeBENEDETTI seconded.

CARRIED UNANIMOUSLY.

Item 21 – MS. MARINELLI moved to discharge the GOVERNMENT AFFAIRS COMMITTEE from further consideration of COMM. 20D-2. MR. DeBENEDETTI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 278

RE: 2005 Erie County Budget - BOE - Part  
Time Wages & Personal Services Wages

WHEREAS, the Erie County Board of Elections has an obligation to meet its constitutional and statutory duties to conduct fair, accurate and impartial election in 2005, and

WHEREAS, the Erie County Board of Elections is required to hire, in addition to sufficient full-time personnel, part-time employees at the Erie County Board of Elections to maintain the bi-partisan structure of positions so as to operate a "minimum level of serviceability" within the amounts appropriated by the local legislative body, and

WHEREAS, amounts have been appropriated by the Erie County Legislature for the Erie County Board of Elections to hire part-time employees (2005 Board of Elections, Fund 110, Fund Center 15000, Account# 500010 – Part Time Wages) as the need shall arise, and

WHEREAS, the Erie County Legislature hereby finds that the services of such part-time positions at the Erie County Board of Elections must be provided immediately on an uninterrupted basis in order for the Erie County Board of Elections to meet its constitutional and statutory duties to conduct fair, accurate and impartial elections in 2005, and

WHEREAS, due to the unique State and Federal constitutional nature and statutory duties imposed upon Boards of Elections, the June 23, 2005 (Comm. 17-15) passed by the Erie County Legislature regarding deletion of "vacant" positions should not apply to the Erie County Board of Elections.

NOW, THEREFORE, BE IT

**MEETING NO. 25  
OCTOBER 12, 2005**

**ERIE COUNTY LEGISLATURE**

RESOLVED, that the Erie County Board of Elections shall be permitted to employ part-time personnel in number and duration as determined by such board within the amounts previously appropriated by this legislative body, and be it further

RESOLVED, that the June 23, 2005 (Comm. 17-15) passed by this legislative body regarding deletion of "vacant" positions shall not be interpreted to apply to positions at the Erie County Board of Elections, and be it further

RESOLVED, that certified copies of this resolution be transmitted to the County Executive, the Director of Budget, Management and Finance, the County Comptroller, the Commissioner of the Erie County Department of Personnel, and the County Attorney.

MS. MARINELLI moved to amend the item. MR. DeBENEDETTI seconded.

CHAIRMAN HOLT directed that a roll-call vote be taken.

AYES: WEINSTEIN, DeBENEDETTI, DUSZA, HOLT, KENNEDY, KUWIK, MARINELLI, SMITH and WROBLEWSKI. NOES: CHASE, CUSACK, MARSHALL, McCARVILLE, RANZENHOFER and SWANICK.

CARRIED.

AN AMENDMENT TO COMM. 20D-2  
TO BE SUBMITTED BY LEGISLATORS HOLT, MARINELLI AND DeBENEDETTI

DELETE the resolution in its entirety and REPLACE with the following:

WHEREAS, the Board of Elections is in need of additional staffing to fulfill its requirements to administer elections, including the forthcoming 2005 General Election on November 8, 2005, and until the end of FY2005.

NOW, THEREFORE, BE IT

RESOLVED, that the following budgetary adjustments shall be made immediately:

Transfer from:

Fund	Fund Center	Account	Name	Amount
100	120	525000	MMIS-Medicaid Local Share	\$234,208

Transfer to:

Fund	Fund Center	Account	Name	Amount
110	15000	500000	Personal Services	\$201,000
		530000	Other: (Cost of Primary Election paper ballots -Phoenix Graphics, Inc.)	\$33,208

TOTAL: \$234,208

And be it further

RESOLVED, that the Legislature requests that the Erie County Comptroller conduct a management audit of the Board of Elections for 2005-2006, and be it further

RESOLVED, that the Board of Elections is directed to create a detailed plan for the streamlining of its operations, including making more use of seasonal and part-time staff and to submit said plan to the Legislature and Executive, and be it further

RESOLVED, that the Board of Elections is directed to create a detailed operations plan, including financial needs, for complying with the Help America Vote Act in 2006, and to submit that plan to the Legislature and Executive, and be it further

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

MS. MARINELLI moved to approve the item as amended. MR. DeBENEDETTI seconded.

CHAIRMAN HOLT directed that a roll-call vote be taken.

AYES: WEINSTEIN, DeBENEDETTI, DUSZA, HOLT, KENNEDY, KUWIK, MARINELLI, SMITH and WROBLEWSKI. NOES: CHASE, CUSACK, MARSHALL, McCARVILLE, RANZENHOFER and SWANICK.

CARRIED.

### **SUSPENSION OF THE RULES**

Item 22 - MS. MARINELLI moved for a suspension of the rules to include an item not on the agenda.

GRANTED.

INTRO 25-4 from HOLT Re: Buffalo Place Year 2005 Budget

MS. MARINELLI moved the item for immediate consideration and approval. MS. CHASE seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 279

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

**MEETING NO. 25**  
**OCTOBER 12, 2005**

**ERIE COUNTY LEGISLATURE**

WHEREAS, the Erie County Legislature approved on December 19, 1985, a resolution authorizing the County Executive to enter into agreement with Downtown Buffalo Management Corporation, now known as Buffalo Place Inc. (BPI), designating Buffalo Place Inc. as the not-for-profit corporation with which Erie County shall contract for the performance of mall special district services, for which annual contracts were executed in 1986, 1987, 1988, 1989, 1990, 1991, 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, and 2005, and

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

WHEREAS, pursuant to the said Local Law, Buffalo Place Inc. held a public hearing, on due notice to property owners within the district, regarding the proposed 2006 annual budget on September 20, 2005.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby determine that the total amount to be raised by mall district service charges in 2006 shall be the sum of \$1,212,293 as contained in the attached budget which shall be part of this Resolution which amount does not exceed 80% of the service charges that could be assessed or levied against properties in the district, and be it further

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

RESOLVED, that the Erie County Commissioner of Finance shall, not later than November 15, 2005, cause to be established a Mall District Special Charge Roll apportioning the amount herein above determined to be raised by mall district special charges for 2006 in conformance with the formula set forth in Section 7 of Erie County Local Law No. 8-1984 using the latest available final general or special assessment roll prepared by the City of Buffalo, and be it further

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

Item 23 – MS. MARINELLI moved for a suspension of the rules to include an item not on the agenda.

GRANTED.

**MEETING NO. 25**  
**OCTOBER 12, 2005**

**ERIE COUNTY LEGISLATURE**

COMM. 25E-12 from the COUNTY EXECUTIVE/COUNTY ATTORNEY Re: Copy of Letter to Mayor Re: Jonnie B. Wiley Sports Pavillion

CHAIRMAN HOLT directed the item be referred to the COMMUNITY SERVICES COMMITTEE.

Item 24 - MS. MARINELLI moved for a suspension of the rules to include an item not on the agenda.

GRANTED.

COMM. 25E-13 from HOLT Re: Appointment to Finance & Management/Budget Committee

CHAIRMAN HOLT directed that the item be Received, Filed and Printed.

October 12, 2005

Mr. Kevin M. Kelley  
Clerk  
Erie County Legislature  
92 Franklin Street  
Buffalo, New York 14202

Dear Mr. Kelley:

Please be advised that I am appointing Legislator Timothy M. Wroblewski to serve as a member of the Finance & Management/Budget Committee.

Thank you.

Very Truly Yours,

George A. Holt Jr.

Item 25 - MS. MARINELLI moved for a suspension of the rules to include an item not on the agenda.

GRANTED.

COMM. 25E-14 from WROBLEWSKI Re: Copy of Letter to Chairman of EC Charter Revision Commission Re: Consideration for County Manager Form of Government

CHAIRMAN HOLT directed that the item be referred to the GOVERNMENT AFFAIRS COMMITTEE.

**COMMUNICATIONS FROM ELECTED OFFICIALS**



**MEETING NO. 25**  
**OCTOBER 12, 2005**

**ERIE COUNTY LEGISLATURE**

FROM CHAIRMAN HOLT

Item 26 – (Comm. 25E-1) Appointment to Charter Revision Commission

Received, Filed and Printed.

October 3, 2005

Mr. Kevin Kelley  
Clerk  
Erie County Legislature  
92 Franklin Street  
Buffalo, New York 14202

Dear Mr. Kelley

Please be advised that I am appointing Mr. George K. Arthur, 154 Roebling Street, Buffalo, New York 14215 to serve as Chairman of the Charter Revision Commission.

Thank you.

Sincerely,

George A. Holt Jr.  
Chairman

FROM THE COMPTROLLER

Item 27 – (Comm. 25E-2) Copy of Letter to Chairman of ECFSA Re: Four-Year Plan

Received and referred to the FINANCE & MANAGEMENT COMMITTEE

FROM LEGISLATOR MARINELLI

Item 28 – (Comm. 25E-3) Copy of Letter to The Buffalo News Re: Reforms

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE COUNTY EXECUTIVE

Item 29 – (Comm. 25E-4) Request for Authorization to Transfer Funds Within Dept. of Mental Health in Order to Meet 2005 EC Assessment for Membership in the NYS Conference of Local Mental Hygiene Directors

Received and referred to the COMMUNITY SERVICES COMMITTEE.

Item 30 – MS. MARINELLI presented the following resolution and moved for immediate consideration and approval. MR. DeBENEDETTI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 280

Re: Emergency Services - Accept Grant  
WM05834250 - State Homeland Security  
Program (SHSP) (Comm. 25E-5)

WHEREAS: the New York State Office of Homeland Security has agreed to provide funding in the amount of \$1,250,000.00 from the State Homeland Security Program; and

WHEREAS: the grant will be used to fund further development of Erie County's upgrade to the first responder communications system; and

WHEREAS: the grant will fund the cost of equipment, supplies and other expenses involved with the State Homeland Security Program;

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive, on behalf of the Department of Emergency Services is authorized to enter into the necessary agreements with the New York State Office of Homeland Security to accept grant funding in the amount of \$1,250,000 in order to upgrade the first responder communications system; and be it further

RESOLVED, that the following Budget be accepted:

**BUDGET – STATE HOMELAND SECURITY PROGRAM  
SAP GRANT NAME: HS167HSGPF050407**

414000 TOTAL FEDERAL REVENUE	\$1,250,000.00
561410 Lab & Tech Equipment - Countywide Interoperable Communications System	\$1,250,000.00
TOTAL EXPENSE	\$1,250,000.00

and be it further

RESOLVED, that the Director of Budget, Management and Finance is hereby authorized to implement any budget adjustments as required to comply with Federal and State approved funding requirements; and be it further

RESOLVED, that certified copies of this resolution be sent to the Erie County Executive; Director of Budget, Management and Finance; Commissioner of Central Police Services; Commissioner of Emergency Services; Erie County Comptroller; and the Erie County Attorney.

Item 31 – (Comm. 25E-6) DEP - Synthesis/Mapping Environmental Data, Niagara River Tributaries

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 32 – (Comm. 25E-7) Health - Transfer of Funds - Medical Examiner's Division

Received and referred to the COMMUNITY SERVICES COMMITTEE.

Item 33 – (Comm. 25E-8) ECSD No. 2 - Engineer Term Agreement - Work Order: MPI-2

Item 34 – (Comm. 25E-9) DEP - Lakeshore Shoreline Trail - Phase I (AKA Evans Multi-Use Pathway): Construction, Construction Inspection and Related Services

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

Item 35 – MS. MARINELLI presented the following resolution and moved for immediate consideration and approval. MR. SWANICK seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 281

RE: Appointment of Commissioner of Budget,  
Management and Finance (Comm. 25E-10)

RESOLVED, the Erie County Legislature does hereby confirm the appointment of Kenneth J. Vetter to the position of Commissioner of Budget, Management and Finance. This appointment is effective October 10, 2005.

Item 36 – MS. MARINELLI presented the following resolution and moved for immediate consideration and approval. MR. SWANICK seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 282

RE: Parks, Recreation and Forestry - Forest  
Management Program (Comm. 25E-11)

WHEREAS, the County of Erie Board of Supervisors created the Erie County Bureau of Forestry on November 15, 1927, and

WHEREAS, in meeting # 40 of said year, it was established that a principal objective to be considered in the maintenance of such lands shall be the sale of forest products, and that those revenues be entered into the general fund, and

WHEREAS, between the years of 1928 – 1938 approximately 7.5 million trees were planted on Erie County Forest lands by the Civilian Conservation Corp. in a plantation style to manage at a later date, and

WHEREAS, in 2003 the County of Erie undertook a formal comprehensive Forest Management Plan of its 3,486 acres of forest land in the towns of Boston, Holland, Concord and Sardinia, and

WHEREAS, during the Forest Management planning process, the highest standards were adhered to governing the principles of proper forest management concentrating on environmental, biological, recreational, economic, educational, and public safety considerations, and

WHEREAS, the Department of Parks, Recreation & Forestry recently sent out an RFP on September 10, 2005 with two respondents conducting a site visit on September 16, 2005, and

WHEREAS, only one firm submitted a formal proposal to the Department of Parks, Recreation and Forestry to prepare and thin approximately 790,000 board feet of timber yielding an estimated \$ 830,000.00 in sales for 2006, and

WHEREAS, such proposal was submitted by Hillview Logging Inc. of Holland, New York, which proposes to manage forest lots with the assistance of a DEC Consulting Forester, and

WHEREAS, the Parks Department will maintain final approval and control of the Forest Management Program.

NOW, THEREFORE, BE IT

RESOLVED, that the Commissioner of Parks, Recreation and Forestry is authorized to negotiate a contract with Hillview Logging Inc. to manage Erie County Forests, and be it further

RESOLVED, that the County Executive is authorized to execute the necessary agreements with Hillview Logging Inc. to manage Erie County Forests for a period of one year with the option to renew for five additional one year terms with compensation to Hillview Logging Inc. ranging from 30% to 50% of sales of forest products, and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Erie County Executive, the Department of Parks, Recreation & Forestry, the County Comptroller, the Department of Law and the Division of Budget, Management and Finance.

**COMMUNICATIONS FROM THE DEPARTMENTS**

**FROM THE BOARD OF ELECTIONS**

Item 37 – (Comm. 25D-1) 2006 Changes in County Budget HAVA Legislation

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

**FROM THE COUNTY ATTORNEY**

Item 38 – (Comm. 25D-2) Swarts vs. Erie County Legislature, et al.

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

**FROM THE COMMUNITY COLLEGE**

**MEETING NO. 25**  
**OCTOBER 12, 2005**

**ERIE COUNTY LEGISLATURE**

Item 39 – (Comm. 25D-3) Minutes of Board of Trustees Meeting Held 8/24

Item 40 – (Comm. 25D-4) Officers - ECC Board of Trustees - 2005/2006 Academic Year

The above two items were received and filed.

FROM REAL PROPERTY

Item 41 – (Comm. 25D-5) Copy of Memo to EC Town Supervisors Re: Budget Preparation

Received and filed.

FROM ENVIRONMENT & PLANNING

Item 42 – (Comm. 25D-6) SEQR - Solicitation for Lead Agency Status - Southtowns  
Advanced Wastewater Treatment Plant - Facility Expansion - Phase II

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE COUNTY ATTORNEY

Item 43 – (Comm. 25D-7) Transmittal of New Claims Against Erie County

Received and filed.

FROM PARKS, RECREATION AND FORESTRY

Item 44 – (Comm. 25D-8) Erie County Golf Course Monitoring Report for 9/05

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

**COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES**

FROM THE ASSOCIATION OF ERIE COUNTY GOVERNMENTS

Item 45 – (Comm. 25M-1) Certified Resolution Re: Sheriff's Road Patrols

Received and filed.

FROM BUFFALO PLACE

Item 46 – (Comm. 25M-2) 2006 Budget

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM GEORGE K. ARTHUR

Item 47 – (Comm. 25M-3) Acceptance as Chair of Charter Revision Commission

Received and filed.

FROM THE LEGAL AID BUREAU

Item 48 – (Comm. 25M-4) 2004 Financial Statements, 2004 Annual Report, and a Copy of Minutes from Annual Board of Directors Meeting

Received and referred to the COMMUNITY SERVICES COMMITTEE.

**MEMORIAL RESOLUTIONS**

Item 49 – Ms. Chase requested that when the Legislature adjourns, it do so in memory of Joseph Duke Abram.

Item 50 – Mr. Dusza requested that when the Legislature adjourns, it do so in memory of Victor Mohr.

Item 51 – Ms. Cusack requested that when the Legislature adjourns, it do so in memory of Mark Connelly.

**ADJOURNMENT**

Item 52 - At this time, there being no further business to transact, the Chairman announced that the Chair would entertain a Motion to Adjourn.

MR. WEINSTEIN moved that the Legislature adjourn until Thursday, October 27, 2005 at 2 p.m. Eastern Standard Time. MR. DUSZA seconded.

CARRIED UNANIMOUSLY.

The Chairman declared the Legislature adjourned until Thursday, October 27, 2005 at 2 p.m. Eastern Standard Time.

**KEVIN M. KELLEY  
CLERK**