

MEETING NO. 25
November 29, 2001

ERIE COUNTY LEGISLATURE

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The Legislature was called to order by Chairman Swanick.

All Members Present except Legislator Fitzpatrick.

The invocation was led by Bishop William Dockery, Memorial Temple Christian Ministries.

The Pledge of Allegiance was led by Mrs. Fisher.

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

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

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

MS. PEOPLES moved the approval of the minutes of Meetings No. 16 & 17 of 2001. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

MISCELLANEOUS RESOLUTIONS

Item 4 – MS. PEOPLES presented a resolution Recognizing 12/1/01 as World AIDS Day. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

LOCAL LAWS

Item 5 – CHAIRMAN SWANICK directed that Local Law No. 2 (Print #3) 2000 remain on the table.

Item 6 – CHAIRMAN SWANICK directed that Local Law No. 5 (Print #1) 2001 remain on the table.

Item 7 – CHAIRMAN SWANICK directed that Local Law No. 5 (Print #2) 2001 remain on the table.

Item 8 – CHAIRMAN SWANICK directed that Local Law No. 5 (Print #3) 2001 remain on the table.

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

Item 10 – CHAIRMAN SWANICK directed that Local Law No. 9 (Print #2) 2001 be referred to the HEALTH COMMITTEE.

Item 11 – CHAIRMAN SWANICK directed that Local Law No. 9 (Print #3) 2001 be referred to the HEALTH COMMITTEE.

Item 12 – CHAIRMAN SWANICK directed that Local Law No. 10 (Print #1) 2001 be referred to the HEALTH COMMITTEE.

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

CARRIED UNANIMOUSLY.

COUNTY OF ERIE

LOCAL LAW NO. 6

LOCAL LAW INTRO NO. 11 - 2001

A LOCAL LAW consolidating certain functions and duties of the Department of Youth Services with the Department of Health and Probation Department.

BE IT ENACTED BY THE LEGISLATURE OF THE COUNTY OF ERIE AS FOLLOWS:

Section 1. Declaration of Purpose. The Legislature recognizes the special needs of many youths and adults in the County, and further recognizes that through a reorganization of the Departments of Health, Youth Services and Probation, the needs of these youths and adults can be provided in a more effective and efficient manner.

Section 2. Local Law No.1-1959, constituting the Erie County Charter, as amended, is hereby amended as follows:

a. Article V is hereby amended by adding Section 506 which shall read as follows:

Section 506. Division of Services to Persons with Special Needs; deputy commissioner. There shall be in the Department a Division of Services to Persons with Special Needs, headed by a deputy commissioner. The deputy commissioner shall be appointed by the commissioner and serve at the commissioner's pleasure. The deputy commissioner shall insure the continuance of beneficial programs and

implement additional services in the County for adults and youths with special developmental and medical needs.

b. Section 11-F-01 of Article XI-F, entitled "Department of Youth Services" is hereby deleted in its entirety and replaced with the following:

Section 11- F-01. Department of Youth Services; commissioner. There shall be a department of youth services, hereinafter to be known as the "Erie County Youth Bureau", the head of which shall be the commissioner. The commissioner of said department shall be appointed by and shall serve at the pleasure of the county executive. The commissioner may, within the appropriations provided therefor, appoint to serve at his pleasure, such deputies, assistant deputies and other employees as he may deem necessary for the performance of his duties.

c. Subsection "a" of Section 11-F-02 of Article XI-F, entitled "Department of Youth Services" is hereby deleted in its entirety and replaced with the following:

a. Act as a local administrative officer for planning, coordination, and management of services for youth in cooperation with the county executive and the county legislature.

d. Section 1606 of Article XVI is hereby deleted in its entirety and replaced with the following:

Section 1606. Department of Probation and youth Detention. There shall be a Department of Probation and Youth Detention headed by a director who shall be appointed by the county executive, subject to confirmation by the county legislature. Within said department there shall be a Probation Division and a Youth Detention Division, each headed by a deputy director.

Section 3. Local Law No.1-1960, constituting the Erie County Administrative Code, as amended, is hereby amended as follows:

Section 16.06 of Article 16 is hereby deleted in its entirety and replaced with the following:

Section 16.06. Department of Probation and Youth Detention; director. The Department of Probation and Youth Detention shall be headed by a director who shall be appointed on the basis of his administrative experience and his qualifications for the duties of his office. The director shall have and exercise all the powers and duties now or hereafter conferred or imposed upon him by the county charter, by this code, by order or direction of the county executive, or by any other applicable law, not inconsistent with the county charter or this code. The director shall appoint, to serve at his pleasure, a deputy director of the Probation Division and a deputy director for the Youth Detention Division.

a. Probation Division. The Probation Division shall be headed by a deputy director of probation who shall be appointed on the basis of his administrative experience and his qualifications for the duties of his office. The deputy director of probation shall have and exercise all the powers and duties now or hereafter conferred or imposed upon him by the county charter, by this code, by order or direction of the county executive and/or the director of probation and youth detention, by article twelve-A of the executive law as head of a county probation department, and by any other applicable section thereof or by any other applicable law, not inconsistent with the county charter or this code.

b. Youth Detention Division. The Youth Detention Division shall be headed by a deputy director of youth detention who shall be appointed on the basis of his experience and his qualifications for the duties of his office. The deputy director shall have and exercise all the powers and duties now or hereafter conferred or imposed upon him by the county charter, by this code, by order or direction of the county executive and/or the director of probation and youth detention, or by any other applicable law, not inconsistent with the county charter or this code.

Section 4. This local law shall be effective upon the latter of (1) filing with the Secretary of State pursuant to Section 27 of the New York Municipal Home Rule Law, or (2) January 1, 2002.

Legislator John W. Greenan

Legislator Steven P. McCarville

Legislator Barry Weinstein

Legislator Jeanne Z. Chase

Legislator Dale W. Larson

Legislator Michael H. Ranzenhofer

Legislator George A. Holt, Jr.

Legislator Crystal Peoples

Legislator Albert DeBenedetti

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

CARRIED UNANIMOUSLY.

Item 14 – CHAIRMAN SWANICK directed that Local Law No. 12 (Print #1) 2001 remain on the table.

COMMITTEE REPORTS

None.

LEGISLATORS RESOLUTIONS

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 547

Re: Legislative Appointment to NFTA Board of Commissioners. (Intro. 25-1)

A RESOLUTION SUBMITTED BY
 LEGISLATORS KUWIK, SWANICK, & PEOPLES

WHEREAS, the New York State Public Authorities Law, Section 1299-C, provides that of the ten members of the NFTA Board of Commissioners, other than the Chairman, one shall be appointed upon the recommendation of the Erie County Executive, and one on the recommendation of the Erie County Legislature, and

WHEREAS, based upon the 1996 recommendation of the Erie County Legislature, (Intro. 11-4, 1996), the appointment of the incumbent member of the NFTA Board of Commissioners recommended by the Legislature expired on June 30, 2001, and

WHEREAS, Theodore Katra has established a reputation for professionalism in the field of transportation, and would make an able and effective representative of the Legislature, and

WHEREAS, in order to assume the position of Commissioner of the NFTA, Mr. Katra must be appointed by Governor George Pataki and confirmed by the State Senate,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does respectfully call upon the Governor of the State of New York, George Pataki, to appoint Theodore Katra, 66 Shannon Drive, Lackawanna, NY 14218, as a member of the Niagara Frontier Transportation Authority Board of Commissioners, to the balance of a five-year term ending June 30, 2006, and be it further

RESOLVED, that certified copies of this resolution be sent to Governor George Pataki, State Senate Majority Leader Joseph Bruno, and to the Secretary to the NFTA Board of Commissioners.

Fiscal Impact: None for Resolution.

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

CARRIED UNANIMOUSLY.

COMMUNICATIONS DISCHARGED FROM COMMITTEE

Item 16 – MR. DUSZA moved to discharge the ENERGY & ENVIRONMENT COMMITTEE from further consideration of Comm. 21E-16. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 548

Re: Agreement to Use County Forest Facilities
for Wind Study.

WHEREAS, the New York State Energy Research Development Authority (NYSERDA) is sponsoring a wind monitoring project called *Wind Prospecting Development Program* to foster the development of wind resources within New York State; and

WHEREAS, York Research Corporation (York) with support from the Erie County Department of Environment and Planning and a local engineering company, Ecology and Environment, has become a successful bidder on the project; and

WHEREAS, the County forest in the Town of Sardinia was identified as the most suitable site within Erie County for wind monitoring by York; and

WHEREAS, York desires to enter into an agreement with Erie County which will permit York to attach temporary wind monitoring equipment to the County's communications tower located within the forest for the purpose of determining the characteristics and suitability of this County property as a wind-powered generating facility site; and

WHEREAS, York has offered to compensate the County one thousand dollars (\$1,000) per year for such purposes.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter into the necessary agreements with York, permitting York to install and operate meteorological equipment and perform geotechnical studies with the County forest in the Town of Sardinia for one year with the option to renew to two (2) additional one-year terms at an annual rate of one thousand dollars (\$1,000) per year, payable to the County by York, and be it further

RESOLVED, that certified copies of this resolution be sent to Joel A. Giambra, Erie County Executive; Joseph Passafiume, Director of Budget, Management and Finance; Lawrence D. Jasinski, Commissioner of the Department of Parks, Recreation and Forestry; Michael V. Waiters, Commissioner of the Department of Emergency Services; Laurence K. Rubin, Commissioner of

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Environment and Planning; Michael Raab, Deputy Commissioner of Environment and Planning; Gregory J. Dudek, Assistant County Attorney; and Nancy Naples, the County Comptroller.

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

CARRIED UNANIMOUSLY.

Add, following the first RESOLVE clause:

RESOLVED, that unanticipated revenue from this agreement is hereby appropriated to Contractual Services in the Department of Environment and Planning (DAC 110945620830) to be used for environmental education purposes, and be it further

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

CARRIED UNANIMOUSLY.

Item 17 – MS. PEOPLES moved to discharge the FINANCE & MANAGEMENT COMMITTEE from further consideration of Comm. 21E-29. MR. DUSZA seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 549

Re: Approval for County Owned Properties
 Successfully Bid on at Interim Sale October 15,
 2001.

WHEREAS, the Division of Budget, Management and Finance did receive requests from more than one of adjacent property owners or non-adjacent owners to purchase parcels of County owned inventory, and

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

WHEREAS, the Erie County Legislature approved them to be put to sale in a resolution adopted at the 19th Session of the Legislature held on October 4, 2001 (Reference: COMM. 18E-28), and

WHEREAS, in addition to the advertisement of the sale in the Buffalo Law Journal and the Buffalo News, all adjacent owners were sent a letter indicating the date, time and place of the sale in order to give all interested parties the opportunity to attend the sale and bid;

NOW, THEREFORE, BE IT RESOLVED, that the Erie County Legislature is requested to approve the sale of these parcels to the following persons who successfully bid on them at the sale on October 15, 2001.

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ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie and State of New York being part of Farmlot 18, Township 11, Range 7 and is further described on Erie County Tax Maps as Section, Block and Lot No. 91.150-6-1 (Beach Road 462.42 x 200.64). Intending to convey land acquired by Erie County as Serial No. 130 in the County In Rem Tax Foreclosure Action No. 131 to Gerald J. and Theresa H. Brzykcy, 340 Beach Road, Cheektowaga, New York 14225 for the sum of Five Thousand and 00/100 Dollars (\$5,000.00);

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, Village of Depew, County of Erie and State of New York being part of Farmlot 73, Township 11, Range 7, Sublots 13-15, Block T under Map Cover 512 filed in the Erie County Clerk's Office and is further described on Erie County Tax Maps as Section, Block and Lot No. 103.120-3-18 (Bissell Ave. 90.00 x 125.00). Intending to convey land acquired by Erie County in a deed recorded in the Erie County Clerk's Office on September 2, 1936 under Liber 2570 Page 253 to Debra A. Geary, 220 Buchanan Street, Depew, New York 14043 for the sum of One Hundred and 00/100 Dollars (\$ 100.00);

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, Village of Depew, County of Erie and State of New York being part of Farmlot 73, Township 11, Range 7, Sublots 11 and 12, Block T under Map Cover 512 filed in the Erie County Clerk's Office and is further described on Erie County Tax Maps as Section, Block and Lot No. 103.120-3-19 (Bissell Ave 60.00 x 125.00). Intending to convey land acquired by Erie County as Serial No. 979 in the County In Rem Tax Foreclosure Action 147 to Richard P. Irish, 973 Sherwood Ct., Depew, New York 14043 for the sum of One Hundred and 00/100 Dollars (\$ 100.00);

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Evans, County of Erie and State of New York being part of Farmlot 81, Township 8, Range 9, Sublots 1278 and 1279 under Map Cover 1344 filed in the Erie County Clerk's Office and is further described on Erie County Tax Maps as Section, Block and Lot No. 250.120-10-5 (Adams Ave 40.00 x 100.00). Intending to convey land acquired by Erie County as Serial No. 1126 in the County In Rem Tax Foreclosure Action No. 150 to Sandra J. Doemer-Pirog, 594 Kennedy Avenue, Angola, New York 14006 for the sum of Three Hundred and 00/100 Dollars (\$ 300.00);

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Evans, County of Erie and State of New York being part of Farmlot 81, Township 8, Range 9, Sublots 10858 and 10859 under Map Cover 1347 filed in the Erie County Clerk's Office and is further described on Erie County Tax Maps as Section, Block and Lot No. 250.110-2-35 (9463 Pine Street 40.00 x 100.00). Intending to convey land acquired by Erie County in a Deed recorded at the Erie County Clerk's Office on September 30, 1983 under Liber 9267 Page 212 to Warren R. Steigert, 3170 Durham Road, Hamburg, New York 14075 for the sum of Two Hundred Fifty and 00/100 Dollars (\$ 250.00);

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

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Office on January 11, 1968 to Warren R. Steigert, 3170 Durham Road, Hamburg, New York 14075 for the sum of Two Hundred Fifty and 00/100 Dollars (\$ 250.00);

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Evans, County of Erie and State of New York being part of Farmlot 81, Township 8, Range 9, Sublots 10842- 10845 under Map Cover 1347 filed in the Erie County Clerk's Office and is further described on Erie County Tax Maps as Section, Block and Lot No. 250.110-2-37 (9464 Pine Street 80.00 x 100.00). Intending to convey land acquired by Erie County as Serial No. 408 in the County In Rem tax Foreclosure Action No. 137 to Warren R. Steigert, 3170 Durham Road, Hamburg, New York 14075 for the sum of Five Hundred and 00/100 Dollars (\$ 500.00);

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Grand Island, County of Erie and State of New York being part of Farmlot 22, Township 12, Range 9 and is further described on Erie County Tax Maps as Section, Block and Lot No. 50.040-1-19 (Love Road 3.40 acres). Intending to convey land acquired by Erie County as Serial No. 911 in the County In Rem Tax Foreclosure Action No. 149 to Robert F. Mesmer, 2548 Love Road, Grand Island, New York 14072 for the sum of Two Thousand and 00/100 Dollars (\$ 2,000.00);

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Lancaster, County of Erie and State of New York being part of Farmlot 11, Township 11, Section 10, Range 6, Sublots 10-18, Block 9 under Map Cover 556 as filed in the Erie County Clerk's Office and is further described on Erie County Tax Maps as Section, Block and Lot No. 115.090-1-16 (Fillmore Ave 270.60 x 110.00). Intending to convey land acquired by Erie County as Serial No. 2486 in the County In Rem Tax Foreclosure Action No. 139 to James D. Basil, 17 Fennec Lane, East Amherst, New York 14051 for the sum of Two Thousand and 00/100 Dollars (\$ 2,000.00);

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Lancaster, County of Erie and State of New York being part of Farmlot 11, Township 11, Section 10, Range 6, Sublots 1-10, Block M under Map Cover 1190 as filed in the Erie County Clerk's Office and is further described on Erie County Tax Maps as Section, Block and Lot No. 115.090-1-17 (Fillmore Ave 300.00 x 110.00). Intending to convey land acquired by Erie County as Serial No. 2487 in the County In Rem Tax Foreclosure Action No. 139 to James D. Basil, 17 Fennec Lane, East Amherst, New York 14051 for the sum of Two Thousand and 00/100 Dollars (\$ 2,000.00);

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Lancaster, County of Erie and State of New York being part of Farmlot 1, Township 11, Section 11, Range 6, Sublots 66, 67 and 68 under Map Cover 477 as filed in the Erie County Clerk's Office and is further described on Erie County Tax Maps as Section, Block and Lot No. 104.070-6-8 (34 Margaretta 109.50 x 120.00). Intending to convey land acquired by Erie County as Serial No. 1578 in the County In Rem Tax Foreclosure Action No. 144 to Michael L. and Nancy L. Schultz, 64 Hess Place, Lancaster, New York 14086 for the sum of Five Hundred and 00/100 Dollars (\$ 500.00);

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Lancaster, County of Erie and State of New York being part of Farmlot 1, Township 11, Section 11, Range 6, Sublots 64

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and 65 under Map Cover 477 as filed in the Erie County Clerk's Office and is further described on Erie County Tax Maps as Section, Block and Lot No. 104.070-6-9 (24 Margareta 72.00 x 120.00). Intending to convey land acquired by Erie County as Serial No. 1579 in the County In Rem Tax Foreclosure Action No. 144 to Michael L. and Nancy L. Schultz, 64 Hess Place, Lancaster, New York 14086 for the sum of Five Hundred and 00/100 Dollars (\$ 500.00);

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Sardinia, County of Erie and State of New York being part of Farmlots 36 & 37, Township 7, Range 5 and is further described on Erie County Tax Maps as Section, Block and Lot No. 311.000-1-1.100 (>< Allen Road 33.00 x 330.00). Intending to convey land acquired by Erie County as Serial No. 1287 in the County In Rem Tax Foreclosure Action No. 150 to Christine and David E. Eisensmith, 12339 Allen Road, Chaffee, New York 14030 for the sum of Seven Hundred and 00/100 Dollars (\$ 700.00);

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of West Seneca, County of Erie and State of New York being part of Farmlot 322, Township 10, Range 7, Sublot 271, Block V under Map Cover 1430 as filed in the Erie County Clerk's Office and is further described on Erie County Tax Maps as Section, Block and Lot No. 125.650-3-19 (Chestnut Street 30.25 x 100.00). Intending to convey land acquired by Erie County as Serial No. 1434 in the County In Rem Tax Foreclosure Action No. 146 to Grabowski, Simonick, Grabowski and Roberts, 220 Tim Tam Terrace, West Seneca, New York, 14224 for the sum of Three Hundred and 00/100 Dollars (\$ 300.00);

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of West Seneca, County of Erie and State of New York being part of Farmlot 322, Township 10, Range 7, Sublot 225, Block P under Map Cover 1427 as filed in the Erie County Clerk's Office and is further described on Erie County Tax Maps as Section, Block and Lot No. 125.650-9-2 (Chestnut Street 30.68 x 100.00). Intending to convey land acquired by Erie County as Serial No. 1603 in the County In Rem Tax Foreclosure Action No. 140 to Grabowski, Simonick, Grabowski and Roberts, 220 Tim Tam Terrace, West Seneca, New York, 14224 for the sum of Three Hundred and 00/100 Dollars (\$ 300.00);

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of West Seneca, County of Erie and State of New York being part of Farmlot 322, Township 10, Range 7, Sublot 223, Block P under Map Cover 1427 as filed in the Erie County Clerk's Office and is further described on Erie County Tax Maps as Section, Block and Lot No. 125.650-9-5 (High Street 25.00 x 124.00). Intending to convey land acquired by Erie County as Serial No. 1604 in the County In Rem Tax Foreclosure Action No. 140 to Grabowski, Simonick, Grabowski and Roberts, 220 Tim Tam Terrace, West Seneca, New York, 14224 for the sum of Three Hundred and 00/100 Dollars (\$ 300.00);

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

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

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

CARRIED UNANIMOUSLY.

Item 18 – MS. PEOPLES moved to discharge the FINANCE & MANAGEMENT COMMITTEE from further consideration of Intro. 21-1. MR. KUWIK seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 550

Re: Public Benefit Funding.

A RESOLUTION SUBMITTED BY
 LEGISLATOR SWANICK

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

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

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

MS. MARINELLI moved to amend the resolution. MR. GREENAN seconded. LEGISLATORS HOLT AND PEOPLES voted in the negative.

CARRIED. (WEIGHTED VOTE: 14.333-1.754)

ADD the following **RESOLVES**:

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$72,000 from the Extraordinary County Aid to Local Governments-Regionalism / Economic Development Fund (DAC: 1109043038301299) to Fund 110, Project 921, Department 301 Agency Payments & Grants-Public Benefit Services, (DAC: 110921301830), for paying the following agencies:

NAME

LINE

AMOUNT

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Town of Tonawanda	830/0306	\$5,000
Town of Grand Island	830/0452	\$5,000
Town Boys & Girls Club	830/1055	\$62,000
TOTAL		\$72,000

and be it further

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$23,550 from the County-wide Accounts-Budget-County Contingency (DAC: 110923310893) to Fund 110, Project 921, Department 301 Agency Payments & Grants - Public Benefit Services, (DAC: 110921301830), for paying the following agencies:

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
Town of Amherst Youth Board	830/0865	\$7,550
Hutchinson Hose Fire Company	830/0851	\$3,000
Town of Wales	830/0468	\$3,000
Wales Center Fire Company	830/1346	\$4,000
Town of Holland	830/0455	\$3,000
Town of Sardinia	830/0465	\$3,000
TOTAL		\$23,550

and be it further

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$14,000 from County-wide Accounts-Budget-County Contingency (DAC: 110923310893) to General Fund, Interfund Transfers, Interfund-Library (DAC 1109253208864200), and be it further

RESOLVED, that the Erie County Library Budget is hereby amended, to increase the following accounts: Interfund-Subsidy revenue (DAC 8209734206863200) \$14,000, and be it further

RESOLVED, that the Erie County Library Budget is hereby amended, to increase the following account: Library Materials (DAC: 820973420933) \$14,000, earmarked for two youth

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center software packages and computers for each of the following branch libraries: Clarence, Akron, Audobon and Clearfield, and be it further

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$72,850 from the Risk Retention Fund (DAC: 1109616018320742) to Fund 110, Project 921, Department 301 Agency Payments & Grants-Public Benefit Services, (DAC: 110921301830), for paying the following agencies:

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
Town of Amherst	830/0653	\$10,000
Jewish Community Center	830/0624	\$1,000
Town of Amherst Drug Court	830/1389	\$5,000
Clarence Fire Company	830/	\$3,400
Swormville Fire Company	830/	\$3,400
Clarence Center Fire Company	830/	\$3,400
East Amherst Fire Company	830/	\$3,400
Harris Hill Fire Company	830/	\$3,400
Town of Lancaster	830/0457	\$28,000
Town of Orchard Park	830/0463	\$4,350
Blossom Garden School	830/	\$1,500
Town of Marilla	830/0459	\$3,000
Town of Concord	830/0444	\$3,000
TOTAL		\$72,850

and be it further

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$4,150 from the Risk Retention Fund (DAC: 1109616018320742) to General Fund, Interfund Transfers, Interfund-Library (DAC 1109253208864200), and be it further

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RESOLVED, that the Erie County Library Budget is hereby amended, to increase the following accounts: Interfund-Subsidy revenue (DAC 8209734206863200) \$4,150, and be it further

RESOLVED, that the Erie County Library Budget is hereby amended, to increase the following account: Amherst Public Library (DAC: 8209734208301563) \$4,150, and be it further

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$4,000 within Fund 110, Project 921, Department 301 Agency Payments & Grants - Public Benefit Services, (DAC: 110921301830):

<u>NAME</u>	<u>LINE</u>	<u>OLD</u> <u>AMOUNT</u>	<u>+/-</u>	<u>NEW</u> <u>AMOUNT</u>
Southern Christian Leadership Conference	830/1205	\$3,000	(\$3,000)	-0-
Orchard Park Soccer Club	830/	-0-	\$3,000	\$3,000
Elks BPOE #1478	830/1353	\$1,000	(\$1,000)	-0-
Town of Lancaster	830/0457	-0-	\$1,000	\$1,000
TOTAL			-0-	

and be it further,

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$4,150 from the Risk Retention Fund (DAC: 1109616018320742) to General Fund, Legislature, Lab & Tech Equip (DAC 110905100933), and be it further

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$2,878 from the County-wide Accounts-Budget-County Contingency (DAC: 110923310893) to General Fund, Legislature, Lab & Tech Equip (DAC 110905100933), and be it further

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

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

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RESOLVED, that certified copies of this resolution be sent to County Executive Joel A. Giambra, County Comptroller Nancy A. Naples, Budget Director Joseph Passafiume, Jennifer Anger, Administrative Assistant Erie County Legislature, First Assistant County Attorney Susannah M. Bochenek, Ronald H. Moline, Supervisor, Town of Tonawanda, (Tonawanda Town Hall, 2919 Delaware Ave., Kenmore, NY 14217,) Peter A. McMahon, Supervisor, Town of Grand Island, (Grand Island Town Hall, 2255 Baseline Road, Grand Island, NY 14072,) Gary Krasinski, Executive Director, Town Boys & Girls Club, Inc., (54 Riverdale, Buffalo, NY 14207,) Joseph Bachovin, Town of Amherst Youth Board, (4255 Harlem Road, Amherst, NY 14226,) Joe Frese, Hutchinson Hose Fire Company, (5565 Main Street, Williamsville, NY 14221,) Mary A. Weinman, Supervisor, Town of Wales, (Wales Community Center, 12345 Big Tree Road, Wales Center, NY 14169,) Chris Higgins, Wales Center Fire Company, (12300 Big Tree Road, PO Box 124, Wales Center, NY 14069,) Gordon Hessel, Supervisor, Town of Holland, (Holland Town Hall, 47 Pearl Street, Holland, NY 14080,) William F. Hare, Jr., Supervisor, Town of Sardinia, (Community Center, 12320 Savage Rd., Sardinia, NY 14134,) Susan Grelick, Supervisor, Town of Amherst, (Amherst Town Hall, 5583 Main Street, Williamsville, NY 14221,) Michael Hyman, Jewish Community Center, (2640 North Forest Road, Getzville, NY 14068,) Hon. Mark Farrell, Town of Amherst Drug Court, (400 John James Audobon Parkway, W. Amherst, NY 14228,) Mark Heim, Clarence Fire Company, (10355 Main Street, Clarence, NY 14031,) Steve Gnozzo, Swormville Fire Company, (6791 Transit Road, E. Amherst, NY 14051,) Tim Norris, Clarence Center Fire Company, (9415 Clarence Center Road, Clarence Center, NY 14032,) Gary Spoth, East Amherst Fire Company, (9100 Transit Road, E. Amherst, NY 14051,) Robert H. Giza, Supervisor, Town of Lancaster, (Lancaster Town Hall, 21 Central Avenue, Lancaster, NY 14086,) Toni Marinaccio-Cudney, Supervisor, Town of Orchard Park, (Orchard Park Town Hall, S-4295 S. Buffalo St., Orchard Park, NY 14127,) Janice Ninan, Principal, Blossom Garden School, (13961 Sission Highway, Collins, NY 14034,) John R. Foss, Supervisor, Town of Marilla, (Marilla Town Hall, 1740 Two Rod Road, Marilla, NY 14102,) C. Murray Regan, Supervisor, Town of Concord, (Concord Town Hall, 86 Franklin Street, Springville, NY 14141,) Margie Holcombe, Orchard Park Soccer Club, (PO Box 822, Orchard Park, NY 14127,) and to Robert H. Giza, Supervisor, Town of Lancaster, (Lancaster Town Hall, 21 Central Avenue, Lancaster, NY 14086.)

Fiscal Impact: Appropriation of 2001-budgeted funds.

MS. MARINELLI moved the approval of the resolution as amended. MR. GREENAN seconded. LEGISLATORS PEOPLES & HOLT voted in the negative.

CARRIED. (WEIGHTED VOTE: 14.333-1.754)

Item 19 – MRS. FISHER moved to discharge the HEALTH COMMITTEE from further consideration of Comm. 21E-38. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 551

Re: Agreement Between the Erie County
 Department of Health and Instrumentation.

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WHEREAS, the Erie County Department of Health-Division of Emergency Medical Services and Instromedix wish to administer a joint technology evaluation, to Study the potential impact of the pre-hospital twelve (12) lead electrocardiogram (ECG) within the Emergency Medical Services system, and

WHEREAS, Instromedix is desirous of conducting clinical trials of certain electrocardiogram ECG devices as specified in the Study Proposal, at various County sites.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into a Clinical Trial Agreement with Instromedix, and be it further

RESOLVED, the Agreement shall be for a period of ninety (90) days after the effective date of the agreement, and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Department of Health, the Department of Law, the Office of the Comptroller, and the Erie County Medical Center.

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

CARRIED UNANIMOUSLY.

Item 20 – MS. PEOPLES moved to discharge the PERSONNEL AD HOC COMMITTEE form further consideration of Comm. 19E-12. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 552

Re: Department of Social Services Family
Resolutions Project.

WHEREAS, the Department of Social Services has been awarded a special grant award from New York State in the amount of \$70,000 to conduct an innovative program called the Family Resolutions Project, and

WHEREAS, the project includes an intensive group counseling and problem solving session with the extended family with a child in foster care or at risk of foster care placement, and

WHEREAS, this project has-been successfully implemented in eight counties in New York State with children at risk of foster care placement, and in each case a successful plan was achieved and implemented, and

WHEREAS, the design of the program necessitates that families served be provided with a meeting space in a neutral environment as well as meals so that the session may continue

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uninterrupted for whatever time is necessary to achieve resolution and commitment to a plan of action, and

WHEREAS, Legislative action is necessary to accept the State award, to create the new grant fund and to establish appropriations.

NOW, THEREFORE, BE IT

RESOLVED, that the Commissioner of Social Services is authorized to accept the grant award in the amount of \$70,000, and be it further

RESOLVED, that the creation of a new Families Resolution Project grant for this special project is authorized, and be it further

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

Department of Social Services, Department 200, Fun 281

<u>ACCOUNT</u>	<u>DESCRIPTION</u>	<u>INCREASE</u>
800	Personal Services	\$53,315
805	Fringe Benefits	10,685
826	Other Expenses	<u>6,000</u>
	Total Expenditures	<u>\$70,000</u>
596	State Aid	<u>\$70,000</u>
	Total Revenues	<u>\$70,000</u>

and be it further

RESOLVED, that the following position is hereby created effective October 1, 2001 in the Family Resolutions Project grant, Department 200, Fund 281:

Number	Title	Job Grade
1	Family Group Counseling Coordinator	11

and be it further

RESOLVED, that because the Director of the Division of Purchase has deemed it impractical for a single vendor to provide such services as ad-hoc room rental, and meals may be needed

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anywhere in Erie County, the County Administrative Code requirement in Section 19.08 for a Request for Proposals (RFP) is hereby waived, and be it further

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

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

CARRIED UNANIMOUSLY.

Item 21 – MS. PEOPLES moved to discharge the PERSONNEL AD HOC COMMITTEE from further consideration of Comm. 20E-34. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 553

Re: Seneca Bluffs Wetland Restoration Project.

WHEREAS, the New York State Department of Environmental Conservation's Bond Act-Environmental Protection Fund provides grant assistance to implement aquatic habitat restoration and non-agricultural non-point source pollution prevention projects; and

WHEREAS, the New York State Department of Environmental Conservation (NYSDEC) has solicited a proposal from Erie County for participation in the Bond Act-Environmental Protection Fund program; and

WHEREAS, in October, 2000, the Erie County Department of Environment and Planning (DEP) developed and submitted a proposal for funding from NYSDEC to implement a Seneca Bluffs Wetland Restoration Project; and

WHEREAS, on August 9, 2001, the NYSDEC has granted approval of the application allocating funding of \$106,500 over two years for a Seneca Bluffs Wetland Restoration Project to be implemented in Erie County; and

WHEREAS, the City of Buffalo partnered with Erie County in habitat restoration for three pocket parks along the Buffalo River in 1995 and has continued to support Erie County's pursuit of grant funds to complete the Seneca Bluffs Wetland Restoration Project; and

WHEREAS, the City of Buffalo has committed \$100,000 in a cash contribution over two years for the Seneca Bluffs Wetland Restoration Project; and

WHEREAS, the DEP, to maximize the amount of work to be done on the above mentioned grant with the resources available, has incorporated the use of college interns into the workplan and grant budget for the project;

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NOW, THEREFORE BE IT

RESOLVED, that the County Executive is authorized to enter into the necessary agreements with the New York State Department of Environmental Conservation to accept and implement the Seneca Bluffs Wetland Restoration Project in an amount not to exceed \$106,500 in grant resources over the next two years commencing in October 2001; and be it further

RESOLVED, that the County Executive is authorized to enter into the necessary agreements with the City of Buffalo to accept and implement the Seneca Bluffs Wetland Restoration Project in an amount not to exceed \$100,000 over the next two years commencing in May, 2002; and be it further

RESOLVED, that the following position be created to assist in implementing the Seneca Bluffs Wetland Restoration Project:

Solid Waste Recycling Specialist (JG-12);

and be it further

RESOLVED, that the revenue from the Seneca Bluffs Wetland Project is hereby appropriated in the grant fund for the-period beginning October 15, 2001, as follows:

REVENUE:

State Aid - New York State Dept. of Environmental Conservation	\$106,500
Other Local Share Revenue	<u>100,000</u>
TOTAL REVENUE	\$206,500

APPROPRIATION:

800 Salaries	\$ 89,000
805 Fringe Benefits	24,920
824 Travel and Mileage	1,000
830 Contractual Services	<u>91,580</u>
TOTAL	\$206,500

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and be it further

RESOLVED, that the County Executive is authorized to enter into the necessary agreements to secure student interns for the Seneca Bluffs Wetland Project; and be it further

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

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

CARRIED UNANIMOUSLY.

SUSPENSION OF THE RULES

None.

COMMUNICATIONS FROM ELECTED OFFICIALS

FROM THE COMPTROLLER

Item 22 – (Comm. 25E-1) Quarterly Investment Report 7/1/01 – 9/30/01.

Item 23 – (Comm. 25E-2) Information Regarding Sale of \$36,125,000 of General Obligation Bonds.

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

Item 24 – (Comm. 25E-3) Response to “Who Does What?” Commission Recommendation to Pool Cash Balances for Investments.

Received and referred to the REGIONALISM AD HOC COMMITTEE.

FROM THE COUNTY EXECUTIVE

Item 25 – (Comm. 25E-4) Intro 20-4 (2001) Declared Null & Void.

Received and filed.

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FROM LEGISLATOR GREENAN

Item 26 – (Comm. 25E-5) Letter to Chairman Swanick Requesting Legislator McCarville be Appointed as an Additional Member of Budget Committee.

Received, filed & printed.

November 13, 2001

Chairman Charles M. Swanick
25 Delaware Ave.
Buffalo, NY 14202

Dear Chairman Swanick:

Pursuant to Rule No. 38 of the “Rules of Order for Erie County Legislative Meetings,” you have the authority to appoint the members of standing committees of the Legislature.

I would like to request that you appoint **Legislator Steven P. McCarville** as an additional member of the Budget, Finance & Management Committee.

Sincerely,

John W. Greenan
Minority Leader

Cc: Laurie A. Manzella, Clerk
Crystal Peoples, 7th District

FROM LEGISLATOR SWANICK

Item 27 – (Comm. 25E-6) Appointment of Legislator McCarville as Additional Minority Appointee to Budget Committee.

Received, filed & printed.

November 13, 2001

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

Dear Ms. Manzella:

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Pursuant to Rule No. 38 of the “Rules of Order for Erie County Legislative Meetings”, and pursuant to the request of Minority Leader John W. Greenan, I hereby appoint Legislator ***Steven P. McCarville*** as the Minority’s additional appointment to the Budget, Finance & Management Committee.

Sincerely,

Charles M. Swanick
Chairman

FROM THE COMPTROLLER

Item 28 – (Comm. 25E-7) Comments & Observations on County Executive’s 2002 Tentative Budget.

Received and filed.

FROM LEGISLATOR DeBENEDETTI

Item 29 – (Comm. 25E-8) Letter to Chairman Swanick Re: Request for Info Concerning Legislature Staff Titles & Salaries.

Received and filed.

FROM THE COUNTY EXECUTIVE

Item 30 – (Comm. 25E-9) Response to Comptroller Comments & Observations on County Executive’s 2002 Tentative Budget.

Received and filed.

FROM THE COMPTROLLER

Item 31 – (Comm. 25E-10) Response to NYS Comptroller Analysis of County Executive’s 2002 Tentative Budget.

Received and filed.

FROM LEGISLATOR OLMA

Item 32 – (Comm. 25E-11) Copy of Letter to Legislator Elect Dale Re: Broadway Market Finances & Politics.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

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FROM LEGISLATOR RANZENHOFER

Item 33 – MR. GREENAN presented the following resolution and moved for immediate consideration. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 554

Re: Lease Agreement for Legislative Office Space. (Comm. 25E-12)

RESOLVED, that the County Executive is hereby authorized to sign a One (1) Year Lease Agreement between Chestnut Grove Development Co. Inc. located at 8810 Main Street, Williamsville, New York 14221 and Erie County for Legislative Office Space for Erie County Legislator Michael H. Ranzenhofer at a cost of \$600.00 per month.

MR. GREENAN moved the approval of the resolution. MS. PEOPLES seconded. LEGISLATOR RANZENHOFER abstained.

CARRIED UNANIMOUSLY.

FROM THE COMPTROLLER

Item 34 – (Comm. 25E-13) Bond Resolution – \$3,000,000 for Acquisition & Installation of Computer Hardware & Technology.

Item 35 – (Comm. 25E-14) Bond Resolution – \$12,981,000 for Partial Reconstruction of Existing Courthouse Buildings.

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

FROM THE COUNTY EXECUTIVE

Item 36 – MS. PEOPLES presented the following resolution and moved for immediate consideration. MRS. FISHER seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 555

Re: Health – Childhood Lead Poisoning Prevention Program 1/1/01 – 12/31/01. (Comm. 25E-15)

WHEREAS, the Erie County Department of Health currently operates a Lead Poisoning Prevention Program, and

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WHEREAS, the purpose of this grant is to support and enhance local efforts to reduce the prevalence of elevated blood lead levels in children under six years of age through the implementation of a comprehensive program of primary and secondary prevention which includes: public and professional outreach and education; and medical and environmental case management and follow up, and

WHEREAS, the New York State Health Department has awarded the Erie County Department of Health a revised grant in the amount of \$552,084 which authorizes budgetary adjustments.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to enter into a revised contract with the New York State Health Department which authorizes the following budgetary adjustments:

LEAD POISONING PREVENTION PROGRAM

01/1/01 - 12/31/01

PROJECT# 507

<u>SFG</u>	<u>REVENUE</u>	<u>CURRENT</u> <u>BUDGET</u>	<u>CHANGES</u>	<u>REVISED</u> <u>BUDGET</u>
573	STATE AID	\$ 552,084	\$ 0	\$ 552,084
	TOTAL	\$ 552,084	\$ 0	\$ 552,084
	<u>EXPENSES</u>			
800	PERSONNEL SERVICES	\$424,215	\$ -45,794	\$ 378,421
801	OVERTIME	2,000	1,000	3,000
805	FRINGE BENEFITS	93,327	-10,074	83,253
810	OFFICE SUPPLIES	0	1,250	1,250
811	CLOTHING SUPPLIES	500	0	500
814	MEDICAL SUPPLIES	1,435	5,000	6,435
821	DUESANDFEES	5,740	-3,970	1,770
823	REPAIRS & MAINTENANCE	6,260	3,202	9,462
824	TRAVEL & MILEAGE	14,000	3,000	17,000
825	OUT OF AREA TRAVEL	2,000	1,000	3,000
826	OTHER EXPENSES	1,726	25,013	26,739
933	LAB & TECH EQUIP	881	20,373	21,254
	TOTAL	\$552,084	\$ 0	\$ 552,084

and be it further

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

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

CARRIED UNANIMOUSLY.

Item 37 – (25E-16) Health – Personnel Adjustments.

Received and referred to the PERSONNEL AD HOC COMMITTEE.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 556

Re: Health – Refugee & Immigrant Community
 Breast Health Program 12/03/01 – 11/30/02.
 (Comm. 25E-17)

WHEREAS, the Erie County Department of Health has been awarded a Susan G. Komen Cancer Foundation Grant, totaling \$30,000 for the purpose of breast health education and screening in Refugee populations, and

WHEREAS, the Erie County Department of Health has joined with the American Cancer Society to implement this program.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to accept a grant award funded 100% by the Susan G. Komen Breast Cancer Foundation which is budgeted as follows:

Refugee and Immigrant Community Breast Health Program
 12/03/01 – 11/30/02

SFG	REVENUE	BUDGET
517	Susan G. Komen Foundation	<u>\$30,000</u>
	TOTAL	<u>\$30,000</u>
	EXPENSES	

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830-987	Contractual-American Cancer Society	\$ 5,250
830-989	Contractual-Clinical Services	<u>24,750</u>
	TOTAL	<u>\$30,000</u>

and be it further

RESOLVED, that the County Executive is hereby authorized to enter into a subcontract with the American Cancer Society for a sum not to exceed \$5,250 to fulfill the workplan of the project, and be it further

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

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

CARRIED UNANIMOUSLY.

Item 39 – (25E-18) Health – Women, Infants & Children’s Supplemental Nutrition (WIC) Program 10/1/01 – 9/30/02.

Received and referred to the HEALTH COMMITTEE.

Item 40 – MS. PEOPLES presented the following resolution and moved for immediate consideration. MRS. FISHER seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 557

Re: DPW – New Maintenance Facility,
 Contingency Fund Increase. (Comm. 25E-19)

WHEREAS, the Department of Public Works received bids for the DPW Maintenance Facility on, June 21, 2001, and

WHEREAS, your Honorable Body has previously awarded a contract to the lowest responsible bidders – Hadala Corporation and Kandefer Plumbing & Heating, in the amount of \$161,408.00, and

WHEREAS, during the course of work, it was discovered that unforeseen conditions and additional work was required for code compliance requiring an additional \$15,000.00 funding to the construction contingency,

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NOW, THEREFORE, BE IT,

RESOLVED, that the construction contingency fund be increased by \$15,000.00 to a new total amount of \$33,592.00, with authorization for the Commissioner of Public Works to approve change orders, and be it further,

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

RESOLVED, that the Comptroller's Office be authorized to make payments for all of the above from the 2001 Code Compliance Capital Bond Account, Project 196, Fund 410, in the total amount of \$15,000.00, and be it further,

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

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

CARRIED UNANIMOUSLY.

Item 41 – (Comm. 25E-20) ECSD No. 4 – Walden Corridor Extension Erie County Sewer Agency Report.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 42 – (Comm. 25E-21) East Side Transfer Station Budget Revisions.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 43 – (Comm. 25E-22) USEPA Great Lakes National Program Office “PBT Reduction Through Environmentally Preferable Purchasing.”

Received and referred to the PERSONNEL AD HOC COMMITTEE.

Item 44 – MS. PEOPLES presented the following resolution and moved for immediate consideration. MR. OLMA seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 558

Re: Solid Waste Reduction Project (SFG#394)
Budget Revisions. (Comm. 25E-23)

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WHEREAS, the New York State Department of Environmental Conservation (NYSDEC) provides grant assistance to municipalities to implement projects to reduce solid waste in New York State through the New York State Environmental Protection Fund; and

WHEREAS, The Department of Environment and Planning (DEP) provides technical assistance to municipalities and businesses to help address their waste management needs; and

WHEREAS, in October of 1999, Erie County submitted a full application to the NYSDEC for funding from the Environmental Protection Fund for an Erie County Municipal Waste Reduction Project; and

WHEREAS, in May of 2000, the NYSDEC awarded Erie County \$160,530 from the Environmental Protection Fund to implement the Municipal Waste Reduction Project; and

WHEREAS, a resolution passed on July 13, 2000 (Ref: Comm. 15E-15) provided the necessary authorization to execute agreements to accept a State Grant-In-Aid for such a municipal Waste Reduction Project, established a grant-funded staff position to execute the work plan and established a grant project budget to support the project; and

WHEREAS, the addition of new County solid waste initiatives within the DEP has resulted in the need to reallocate the grant budget resources.

NOW, THEREFORE, BE IT

RESOLVED, that the grant budget for the Solid Waste Reduction Program (SFG #394) will be revised as follows:

Appropriations

<u>Account</u>	<u>Description</u>	<u>Current Budget</u>	<u>Revisions</u>	<u>Revised Budget</u>
800	Personal Services	\$129,125.00	\$19,922.00	\$149,047.00
805	Fringe Benefits	34,405.00	4,980.00	39,385.00
810	Office Supplies	0	0	0
825	Out-of-Area Travel	2,000.00	(300.00)	1,700.00
824	Local Mileage and Travel	500.00	100.00	600.00
826	Other	2,000.00	18,973.84	20,973.84
830	Contractual Agencies	<u>249,485.00</u>	<u>(43,675.84)</u>	<u>205,809.16</u>
	TOTAL	\$417,515.00	0	\$417,515.00

and be it further

RESOLVED, that certified copies of this resolution be sent to the Director of Budget, Management, and Finance; the Commissioner of Personnel; Laurence K. Rubin, Commissioner of

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Environment and Planning; Michael Raab, Deputy Commissioner of Environment and Planning; the County Comptroller; and the County Attorney.

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

CARRIED UNANIMOUSLY.

Item 45 – (Comm. 25E-24) Recycling Investment Program – Solid Waste Management Assistance Grant (SFG#362).

Item 46 – (Comm. 25E-25) EC Alternative Fuels Consortium Grant Project & Rebuild WNY Initiative (SFG#223).

The above two items were received and referred to the PERSONNEL AD HOC COMMITTEE.

Item 47 – MS. PEOPLES presented the following resolution and moved for immediate consideration. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 559

Re: Dunn Tire Park (Comm. 14E-69).
 (Comm. 25E-26)

WHEREAS, the sports stadium known as Dunn Tire Park, and ancillary facilities, are regional public assets which benefit the County of Erie; and

WHEREAS, the County of Erie, the City of Buffalo, the Erie County Industrial Development Agency, and the Bisons have had continuing discussions regarding the future operational and capital needs of Dunn Tire Park; and

WHEREAS, these discussions have resulted in the preparation of a term sheet, a copy of which is attached hereto, which reflects the basic principles of restructuring the parties' roles in the management, operation and improvement of Dunn Tire Park for the purpose of improving and effectively using Dunn Tire Park as a regional public asset; and

WHEREAS, the County of Erie desires to progress the goal of improving and effectively using Dunn Tire Park as a regional public asset;

NOW, THEREFORE, BE IT

RESOLVED, that the County Attorney, Commissioner of the Department of Environment and Planning, and the Director of the Division of Budget, Management and Finance be authorized to negotiate and prepare a Memorandum of Understanding with the City of Buffalo, the Erie County Industrial Development Agency, the Bisons, and any other necessary parties which is consistent with

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the provisions of the attached Term Sheet and which shall be subject to the final approval of the Erie County Legislature; and be it further

RESOLVED, that certified copies of this Resolution shall be forwarded to the Erie County Executive, Commissioner of the Department of Environment and Planning, Director of the Division of Budget, Management and Finance, Comptroller, and County Attorney.

MS. PEOPLES moved the approval of the resolution. MR. HOLT seconded.
 LEGISLATOR PAULY voted in the negative.

CARRIED. (WEIGHTED VOTE: 15.035-1.052)

Item 48 – (Comm. 25E-27) ECSD No. 4/Town of Lancaster Proposed Transfer Agreement – Consolidation with Town District Nos. 4,6,7 & 8.

Item 49 – (Comm. 25E-28) ECSD No. 6 – Fee Taking City of Lackawanna.

Item 50 – (Comm. 25E-29) Tow Path Park – Acceptance & Transfer of Grant Funds.

Item 51 – (Comm. 25E-30) ECSD Nos. 1-6 – User Charge Rates.

Item 52 – (Comm. 25E-31) EC Southtowns Sewage Treatment Agency A/E Agreement Dated 4/20/00 – Engineering Change Order No. 2 – R&D Engineering.

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

Item 53 – MRS. FISHER presented the following resolution and moved for immediate consideration. MR. DeBENEDETTI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 560

Re: Request for Transfer of Funds – Department
 of Personnel & Division of Labor Relations.
 (Comm. 25E-32)

Whereas, Account 821 Dues and Fees, in the Division of Labor Relations and Account 826 Other Expenses in the Department of Personnel, have insufficient funds to provide for arbitrations and civil service exam monitoring due to increased activity levels, and

Whereas, these functions are essential for the carrying out the personnel missions of the County, and

Whereas, sufficient monies are available in the Department of Law-Risk Retention, Insurance Charges Account.

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Now, Therefore, be it

RESOLVED, that the following transaction be authorized in the FY 2001 budget to cover expenses for the remainder of 2001:

<u>Department</u>	<u>Account</u>	<u>Increase/ (Decrease)</u>
Labor Relations	821 - Dues and Fees	\$ 5,000
Personnel	826 - Other Expenses	6,000
Law - Risk Retention	832 - Insurance Charges	(\$11,000)

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 Office of the Comptroller, the County Attorney, the Personnel Department and the Division of Labor Relations.

MRS. FISHER moved to amend the resolution. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

Delete the first RESOLVE clause in its entirety, and **Replace** with:

RESOLVED, that the following transaction be authorized in the FY 2001 budget to cover expenses for the remainder of 2001:

<u>Department</u>	<u>Account</u>	<u>Increase/ (Decrease)</u>
Labor Relations	821 - Dues and Fees	\$ 6,000
Personnel	826 - Other Expenses	5,000
Law - Risk Retention	832 - Insurance Charges	(\$11,000)

and be it further

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

CARRIED UNANIMOUSLY.

MEETING NO. 25
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ERIE COUNTY LEGISLATURE

Item 54 – (Comm. 25E-33) Appointments & Reappointments to Erie County Board of Health.

Received, filed & printed.

November 27, 2001

The Honorable
 Erie County Legislature
 25 Delaware Avenue
 Buffalo, NY 14202

Re: Appointment and Reappointment to Erie County Board of Health

Dear Members:

I, Joel A. Giambra, Erie County Executive, pursuant to Erie County Charter Section 503, do hereby appoint/reappoint the following individuals to the Board of Health, for the term stated.

NAME AND ADDRESS

TERM EXPIRATION

Reappointment

Hon. Barry A. Weinstein, M.D.
 5500 Main Street, Suite 204B
 Williamsville, New York 14221

December 31, 2007

Richard Judelsohn, MD
 24 Viscount
 Williamsville, NY 14221

December 31, 2007

Appointment

Anthony F. Perna, MD
 41 Delaware Road
 Kenmore, NY 14217

December 31, 2007

Matthew Dunaif, MD
 120 Knox Road
 East Aurora, NY 14052

December 31, 2007

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ERIE COUNTY LEGISLATURE

Respectfully submitted,

JOEL A. GIAMBRA
ERIE COUNTY EXECUTIVE

JAG:bmc

cc: Appointees

Commissioner Anthony Billittier, Health Department

Item 55 – (Comm. 25E-34) Reappointment to Buffalo & Erie County Public Library Board of Trustees.

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

Item 56 – (Comm. 25E-35) Appointment to Council on the Disabled.

Received and referred to the HEALTH COMMITTEE.

Item 57 – (Comm. 25E-36) Request for Transfer of Funds – Division of Purchase Budget.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 58 – (Comm. 25E-37) Preparation of Village Tax Rolls & Bills.

Received, filed & printed.

November 27, 2001

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

RE: Preparation of Village Tax Rolls & Bills

Your Honorable Body:

Please receive, act upon and print the attached billing for the preparation of Village Tax Rolls and Bills for the year 2001-2002 at you meeting on November 29, 2001.

Pursuant to the amended Erie County Tax Act, the Director of Budget, Management and Finance and/or successor to the Commissioner of Finance, as directed by Section 3-2.2, herewith

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ERIE COUNTY LEGISLATURE

TOTAL 35,540 \$ 14,275.51 \$ 14,275.51

Item 59 – (Comm. 25E-38) Preparation of City of Lackawanna Tax Rolls & Bills.

Received, filed & printed.

November 27, 2001

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

RE: Preparation of City of Lackawanna Tax Rolls & Bills

Your Honorable Body:

Please receive, act upon and print the attached billing for the preparation of City of Lackawanna Tax Rolls and Bills for the year 2001 at you meeting on November 29, 2001.

Pursuant to the amended Erie County Tax Act, the Director of Budget, Management and Finance and/or successor to the Commissioner of Finance, as directed by Section 3-2.2, herewith certifies to the Erie County Legislature that the attached statement and apportionment is the total cost of material and labor in making and spreading City of Lackawanna City Tax Rolls and Bills.

Respectfully,

JOEL A. GIAMBRA
 Erie County Executive

JAG/ms
 Attach.

REF: BMFFMLACKA

TO HONORABLE ERIE COUNTY LEGISLATURE

PREPARATION OF LACKAWANNA CITY TAXES

Tax Bills	\$ 260.00
Tax Rolls, Assessment Roll and Worksheets	510.00
Wages	2,450.00

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ERIE COUNTY LEGISLATURE

Data Processing Time 1,600.00

Total Cost \$4,820.00

Item 60 – (Comm. 25E-39) Preparation of City of Tonawanda Tax Rolls & Bills.

Received, filed & printed.

November 27, 2001

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

RE: Preparation of City of Tonawanda Tax Rolls & Bills

Your Honorable Body:

Please receive, act upon and print the attached billing for the preparation of City of Tonawanda City Tax Rolls and Bills for the year 2001 at you meeting on November 29, 2001.

Pursuant to the amended Erie County Tax Act, the Director of Budget, Management and Finance and/or successor to the Commissioner of Finance, as directed by Section 3-2.2, herewith certifies to the Erie County Legislature that the attached statement and apportionment is the total cost of material and labor in making and spreading City of Tonawanda City Tax Rolls and Bills.

Respectfully,

JOEL A. GIAMBRA
 Erie County Executive

JAG/ms
 Attach.

REF: BMFFMTONA

TO HONORABLE ERIE COUNTY LEGISLATURE

PREPARATION OF TONAWANDA CITY TAXES

Tax Bills	\$ 240.00
Tax Rolls, Assessment Roll and Worksheets	235.00

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ERIE COUNTY LEGISLATURE

Wages	1,000.00
Data Processing Time	1,600.00
<hr/>	
Total Cost	\$3,075.00

Item 61 – (Comm. 25E-40) Preparation of School District Tax Rolls & Bills.

Received, filed & printed.

November 27, 2001

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

RE: Preparation of School District Tax Rolls & Bills

Your Honorable Body:

Please receive, act upon and print the attached billing for the preparation of 2001-2002 School District Tax Rolls at you meeting on November 29, 2001.

Pursuant to the amended Erie County Tax Act, the Director of Budget, Management and Finance and/or successor to the Commissioner of Finance, as directed by Section 4-3.1, herewith certifies to the Erie County Legislature that the attached statement and apportionment is the total cost of material and labor in making and spreading School District Tax Rolls, together with the apportionment to each School District benefited for the year 2001-2002.

Respectfully,

JOEL A. GIAMBRA
 Erie County Executive

JAG/ms
 Attach.

REF: BMFFMSCH

TO THE ERIE COUNTY LEGISLATURE:

STATEMENT, MATERIALS AND LABOR IN PRODUCING SCHOOL DISTRICT TAX BILLS

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ERIE COUNTY LEGISLATURE

AND THE SPREADING OF ASSOCIATED COSTS:

TAX BILLS	\$ 9,000.00
TAX ROLL PAPER	500.00
DATA PROCESSING CHARGES	23,043.30
WAGES	28,378.73
TOTAL	\$ 60,922.03

263,764 PARCELS => => 0.23097173 COST PER PARCEL

AKC1 OUT OF COUNTY	\$ 45.00
CITY OF TONAWANDA	45.00
ATT1 & SCC1 FLAT CHARGE @ \$45.00 EACH	90.00

Total to Spread **\$ 61,102.03**

SCHOOLDISTRICT	CODE	PARCELS	COST
ALDEN CENTRAL SCHOOL DISTRICT #1	AC-1	4706	\$1,086.95
AKRON CENTRAL SCHOOL DISTRICT	AKC1	3406	831.69
AMHERST CENTRAL SCHOOL DISTRICT	AM-I	9132	2,109.23
SWEET HOME CENTRAL SCHOOL DISTRICT	AM- 7	10829	2,501.19
ATTICA CENTRAL SCHOOL DISTRICT	ATT1	0	45.00
EAST AURORA UNION FREE DIST #1	AU-1	5838	1,348.41
CHEEKTOWAGA CENTRAL SCHOOL DIST #1	CH-1	8050	1,859.32
UNION FREE SCHOOL DIST #2 (MARYVALE)	CH-2	7448	1,720.28
UNION FREE SCHOOL DIST #3 (CLEV-HILL)	CH-3	4602	1,062.93
UNION FREE SCHOOL DIST #9 (SLOAN)	CH-9	5173	1,194.82
CLARENCE CENTRAL SCHOOL DISTRICT	CLC1	10059	2,323.34
SPRINGVILLE-GRIFFITH INSTITUTE	CNC1	6387	1,475.22
DEPEW UNION FREE SCHOOL DISTRICT	DUFC	6833	1,578.23

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EDEN CENTRAL SCHOOL DISTRICT #1	EC-1	4733	1,093.19
FRONTIER CENTRAL SCHOOL DIST #4	FR-4	15377	3,551.65
GRAND ISLAND CENTRAL SCHOOL DIST	GIC1	8396	1,939.24
GOWANDACENTRAL SCHOOL DISTRICT	GOC1	1390	321.05
HAMBURG CENTRAL SCHOOL DISTRICT	HC-1	9890	2,284.31
HOLLAND CENTRAL SCHOOL DISTRICT	HDC1	3408	787.15
IROQUOIS CENTRAL SCHOOL DISTRICT #1	IRC1	7540	1,741.53
LACKAWANNA CENTRAL SCHOOL DIST	LK-1	6985	1,613.34
LANCASTER CENTRAL SCHOOL DIST # 1	LC-1	16323	3,770.15
LAKE SHORE CENT. EVANS-BRANT SCHOOLS	LC-1	10398	2,401.64
NORTH COLLINS CENTRAL SCHOOL DIST #1	NCC1	2413	557.33
ORCHARD PARK CENTRAL SCHOOL #1	OPC1	12939	2,988.54
PIONEER CENTRAL SCHOOL DISTRICT	PC-1	887	204.87
SILVER CREEK CENTRAL SCHOOL DIST #1	SCC1	0	45.00
KENMORE-TONAWANDA UNION FREE SCHOOL	UNF1	26489	6,118.21
WILLIAMSVILLE CENTRAL SCHOOL DIST	WMC3	26243	6,061.39
WEST SENECA CENTRAL SCHOOL DISTRICT	WSCI	21399	4,942.56
CITY OF TONAWANDA	TCSD	6491	1,544.24
<hr/>			
TOTAL		263,764	\$61,102.03

Item 62 – MS. PEOPLES presented the following resolution and moved for immediate consideration. MR. HOLT seconded.

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ERIE COUNTY LEGISLATURE

CARRIED UNANIMOUSLY.

RESOLUTION NO. 561

Re: Downtown Pedestrian/Transit Mall Special District – Adoption of Mall District Service Charge Roll for 2002. (Comm. 25E-41)

WHEREAS, after a public hearing, held on September 18, 2001 by Buffalo Place Inc., and upon adoption of Intro 20-3, October 18, 2001, the Erie County Legislature determined that the total amount to be raised by mall district service charges for 2002 for the downtown pedestrian/transit mall special district shall be the sum of \$1,176,983.00, and

WHEREAS, the 2002 Mall District Budget requires that the amount to be raised by Mall District payments in lieu for 2002 for the downtown pedestrian/transit mall special district shall be the sum of \$18,000.00, and

WHEREAS, the Director of Budget, Management and Finance has established the 2002 mall district service charge and payment in lieu roll apportioning the amount to be raised and has transmitted such roll to the Erie County Legislature for adoption.

NOW THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby adopt the mall district service charge and payment in lieu roll established by the Director of Budget, Management and Finance for the purpose of assessing 2002 service charges for the downtown pedestrian/transit mall special district, and be it further

RESOLVED, that 2002 mall district service charges and payment in lieu shall be assessed, due and a lien on benefited properties within the downtown pedestrian/transit mall special district on and as of January 2, 2002 and shall be payable to the Director of Budget, Management and Finance as provided in Erie County Local Law No. 8-1984, and be it further

RESOLVED, that late fees shall be collected on payments made after the dates provided in Erie County Local Law No. 8-1984, and an interest budget line of \$10,000.00 shall be added to the Mall Budget for collection of these late fees, and be it further

RESOLVED, that the Director of Budget, Management and Finance is hereby authorized to make adjustments and modifications as he deems appropriate, and be it further

RESOLVED, that certified copy of this resolution is transmitted to the Division of Budget, Management and Finance, the Erie County Finance Department, the County Attorney and the County Comptroller.

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

CARRIED UNANIMOUSLY.

Item 63 – MS. PEOPLES presented the following resolution and moved for immediate consideration. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 562

Re: Social Services – Medicaid Managed Care Grant. (Comm. 25E-42)

WHEREAS, Erie County has been the leader in the implementation of managed care programs for the Medicaid population, and

WHEREAS, the Department of Social Services has been notified of renewal of a grant award in the amount of \$248,556 for the Medicaid Managed Care program for the 2001-2002 State fiscal year, and

WHEREAS, the grant is used to fund overtime salary expenses for the staff who process managed care enrollments and recertifications, as well as for related travel and contractual costs, and

WHEREAS, continuation of contracts with three organizations are necessary, including the Managed Care Coalition, the Child Advocacy Center of Buffalo and Family Medicine Faculty Associates, Inc., and

WHEREAS, these grant resources are critical for continued implementation and maintenance of mandated managed care enrollments required by New York State, and

WHEREAS, there is no fiscal impact as all expenses are fully reimbursed from State and Federal funds.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive and/or the Commissioner of Social Services are hereby authorized to accept funds from New York State in the amount of \$248,556 and to enter into or extend any necessary contracts with agencies specifically identified in appropriations below for the Medicaid Managed Care Grant, and be it further

RESOLVED, that because these special services are needed immediately, the County Administrative Code requirement in Section 19.08 for a Request for Proposals (RFP) is hereby waived for the continuation of ongoing contracts for the managed care program, and be it further

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RESOLVED, that the following budget is hereby established in the Grant Fund, Fund 281, Department 200 for the Medicaid Managed Care Grant for the period April 1, 2001 through March 31, 2002:

Department of Social Services, Department 200, Fund 281

<u>Account</u>	<u>Description</u>	<u>Amount</u>
596	State Revenue	\$124,278
649	Federal Revenue	<u>124,278</u>
	Total Revenue	<u>\$248,556</u>

<u>Account</u>	<u>Description</u>	<u>Amount</u>
801	Overtime	\$89,500
805	Fringe Benefits	16,455
825	Out of Area Travel	2,000
826	Other Expenses	1,601
830-0886	Managed Care Coalition	3,000
830-0740	Child Advocacy Center of Buffalo	45,000
830-0551	Family Medicine Faculty Associates, Inc.	85,000
880-2006	Allocated Indirect Expenses	<u>6,000</u>
	Total Appropriation	<u>\$248,556</u>

and be it further

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

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 563

Re: Social Services – Lease for STRIDE Office Space. (Comm. 25E-43)

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WHEREAS, since 1989, the Department of Social Services has successfully operated an office in the City of Lackawanna, providing basic entitlement program services to the Lackawanna and Blasdell communities, and

WHEREAS, the current lease for office space located at 609 Ridge Road expires on November 15, 2001, and

WHEREAS, the Department has occupied this office space for nearly six years, and

WHEREAS, the lease will contain a provision for early termination at County option upon 180 days prior written notice, and

WHEREAS, the Department recently issued a Request for Proposals (RFP) for lease of space in Lackawanna, and a proposal for 609 Ridge Road was the sole response to the RFP.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Executive is hereby authorized to enter into a three year lease (11/16/2001 to 11/15/2004) for 4,290 square feet of office space at 609 Ridge Road in the City of Lackawanna, for a total lease cost, including rent, all utilities, cleaning services and janitorial supplies, of \$46,976 per year, and be it further

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

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

CARRIED UNANIMOUSLY.

COMMUNICATIONS FROM THE DEPARTMENTS

FROM ECMC

Item 65 – (Comm. 25D-1) Notice of Meeting to be Held 11/8/01 & Minutes of Previous Meeting.

Received and referred to the HEALTH COMMITTEE.

FROM DEP

Item 66 – (Comm. 25D-2) Memo to Budget Director from Charles J Alessi Re: Comms 20E-33 & 20E-36.

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Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE COUNTY ATTORNEY

Item 67 – (Comm. 25D-3) Notice of Claims.

Item 68 – (Comm. 25D-4) Notice of Claim.

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

FROM ECC

Item 69 – (Comm. 25D-5) Notice of Various Meetings Held 11/19/01, 11/20/01 & 11/28/01.

Received and filed.

FROM THE BUFFALO & ERIE COUNTY PUBLIC LIBRARY

Item 70 – (Comm. 25D-6) Notice of Meeting Held 11/15/01 & Minutes of Meeting Held 10/15/01.

Received and filed.

FROM DEP

Item 71 – (Comm. 25D-7) SEQR – Solicitation for Lead Agency Status – ECSD No. 4 Boundary Extension.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM ECC

Item 72 – (Comm. 25D-8) Notice of Change of Meeting for Academics Committee.

Received and filed.

FROM THE ERIE COUNTY WATER AUTHORITY

Item 73 – (Comm. 25D-9) 2002 Adopted Operating & Maintenance Budget & Capital Budget.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

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FROM ECC

Item 74 – (Comm. 25D-10) Notice of Meeting of Academics Committee to be Held 12/3/01.

Received and filed.

FROM THE BOARD OF ELECTIONS

Item 75 – (Comm. 25D-11) Apportionment of Expenses for Conduction of Year 2000 Elections.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES

FROM THE EC MENTAL HYGIENE COMMUNITY SERVICES BOARD

Item 76 – (Comm. 25M-1) Notice of Meeting Held 11/15/01 & Minutes from Meeting Held 10/18/01.

Received and referred to the HEALTH COMMITTEE.

Item 77 – (Comm. 25M-2) Notice of Meeting Held 11/13/01 & Minutes of Meeting Held 10/16/01.

Received and filed.

FROM THE EC PUBLIC BENEFITS OVERSIGHT COMMITTEE

Item 78 – (Comm. 25M-3) Memo to Swanick, Peoples, Marinelli & Greenan Re: Report Concerning 2002 Funding Levels.

Received and filed.

FROM THE CULTURAL RESOURCES ADVISORY BOARD

Item 79 – (Comm. 25M-4) Memo to All Legislators Re: 2002 Funding Recommendations.

Received and filed.

FROM NYS SENATOR RATH

Item 80 – (Comm. 25M-5) Acknowledgement of Receipt of Resolution.

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Received and referred to the HEALTH COMMITTEE.

FROM THE TOWN OF TONAWANDA

Item 81 – (Comm. 25M-6) Certified Resolution Re: Town Boards Acceptance of the Preliminary Budget.

Item 82 – (Comm. 25M-7) Certified Resolution Re: Town Board Approval of Town Assessment Roll.

The above two items were received and filed.

FROM THE TOWN OF BOSTON

Item 83 – (Comm. 25M-8) Copy of Letter to County Executive Re: Purchase of Compressed Air Breathing Recharging System with \$30,000 Regionalism Grant from Erie County.

Received and referred to the REGIONALISM AD HOC COMMITTEE.

FROM Y VOTE MICHAEL DONOVAN

Item 84 – (Comm. 25M-9) Right to Vote.

Received and filed.

FROM THE MARTIN HOUSE RESTORATION CORPORATION

Item 85 – (Comm. 25M-10) Recent Highlights, Current Events & Transmittal of SEQRA Findings.

Received and filed.

FROM THE NYS ATTORNEY GENERAL

Item 86 – (Comm. 25M-11) Copy of Letter to Chairman Swanick Re: Urging Erie County to Pass a Local Law to Adopt a Pesticide Neighbor Notification Law.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM NYPIRG

Item 87 – (Comm. 25M-12) Letter to Swanick, Peoples & Fisher Re: State Pesticide Neighbor Notification Law.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

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FROM THE NFTA

Item 88 – (Comm. 25M-13) Board Minutes from 10/15/01.

Received and filed.

MEMORIAL RESOLUTIONS

None.

ADJOURNMENT

Item 89 – At this time, there being no further business to transact, the Chairman announced that the Chair would entertain a Motion to Adjourn.

MS. PEOPLES moved that the Legislature adjourn until **2 p.m. Thursday, December 6, 2001**. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

The Chairman declared the Legislature adjourned until **Thursday, December 6, 2001 at 2 p.m. Eastern Standard Time**.

Laurie A. Manzella
CLERK