

MEETING NO. 3
January 24, 2002

ERIE COUNTY LEGISLATURE

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MEETING NO. 3
January 24, 2002

The Legislature was called to order by Chairman DeBenedetti.

All Members Present.

A moment of silence was held.

The Pledge of Allegiance was led by Mr. Schroeder.

Item 1 – CHAIRMAN DeBENEDETTI directed that Comm. 13E-45 (2001) remain on the table.

The minutes for previous meetings were tabled.

MISCELLANEOUS RESOLUTIONS

Item 2 – MR. LARSON presented a resolution Honoring John Jurek for His 55 Years of Service to Millgrove Fire Department in Town of Alden. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

Item 3 – MR. LARSON presented a resolution Honoring Richard Johnson for His 70 Years of Service to Millgrove Fire Department. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

Item 4 – MS. CHASE presented a resolution Honoring 2001 Evans-Brant Chamber of Commerce Honorees. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

Item 5 – MS. CHASE presented a resolution Honoring North Evans Fire Department for 75 Years of Service to the Community. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

Item 6 – MS. CHASE presented a resolution Honoring Stephen & Carole Kin for Being Named “Citizens of the Year” by Evans-Brant Chamber of Commerce. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

Item 7 – MR. RANZENHOFER presented a resolution Honoring Laurene Elbers for Her 21 Years of Service as Clarence Town Court Clerk. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

Item 8 – MR. LARSON presented a resolution Honoring Walter Raichel for His 60 Years of Service – Twin District Fire Company in Lancaster. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

Item 9 – MS. MARINELLI presented a resolution Congratulating Harold Furlong on His 90th Birthday. MR. SCHROEDER seconded.

CARRIED UNANIMOUSLY.

Item 10 – MR. GREENAN presented a resolution Honoring Reserve Hose Fire Company on Celebrating 75 Years of Service to West Seneca Residents. MR. RANZENHOFER seconded.

CARRIED UNANIMOUSLY.

Item 11 – MR. GREENAN presented a resolution Honoring the West Seneca Chamber of Commerce Awardees. MR. RANZENHOFER seconded.

CARRIED UNANIMOUSLY.

Item 12 – MR. SWANICK presented a resolution Honoring Judge Doyle for His Accomplishments. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

LOCAL LAWS

Item 13 – CHAIRMAN DeBENEDETTI directed that Local Law No. 5 (Print #1) 2001 remain on the table.

Item 14 – CHAIRMAN DeBENEDETTI directed that Local Law No. 5 (Print #2) 2001 remain on the table.

Item 15 – CHAIRMAN DeBENEDETTI directed that Local Law No. 5 (Print #3) 2001 remain on the table.

Item 16 – CHAIRMAN DeBENEDETTI directed that Local Law No. 9 (Print #1) 2001 remain on the table.

Item 17 – CHAIRMAN DeBENEDETTI directed that Local Law No. 9 (Print #2) 2001 be referred to the HUMAN SERVICES COMMITTEE.

Item 18 – CHAIRMAN DeBENEDETTI directed that Local Law No. 9 (Print #3) 2001 be referred to the HUMAN SERVICES COMMITTEE.

Item 19 – CHAIRMAN DeBENEDETTI directed that Local Law No. 10 (Print #1) 2001 be referred to the HUMAN SERVICES COMMITTEE.

COMMITTEE REPORTS

Item 20 – MR. RANZENHOFER presented the following resolution and moved for immediate consideration. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 14

January 17, 2002

ECONOMIC DEVELOPMENT
 COMMITTEE
 REPORT NO. 1

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

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

- | | | | | |
|----|--|------|-------|----------------|
| a. | Item | Page | -2001 | (Comm. 17E-59) |
| | COUNTY EXECUTIVE: Space Utilization & Needs Assessment for Social Services. | | | |
| | (6-0) Chairman DeBenedetti present as Ex-Officio member. | | | |

- | | | | | |
|----|-------------------------|------|-------|------------------------------------|
| 2. | Item | Page | -2002 | AS AMENDED
(Comm. 1E-42) |
| | COUNTY EXECUTIVE | | | |

WHEREAS, the Department of Public Works received bids on December 3, 2001 for the Erie County Rath Building Site Rehabilitation, Phase II project, and

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WHEREAS, the Architect/Engineer and the Department of Public Works are recommending award to the lowest responsible bidder for the Erie County Rath Building Site Rehabilitation, Phase II, project,

NOW, THEREFORE, BE IT,

RESOLVED, that the County Executive be authorized to enter into a contract for the above named project as follows:

GENERAL CONSTRUCTION WORK

STS Construction

Base Bid	\$1,148,000.00
Alternate Bid G1	\$ 1,045.00
Alternate Bid G2	<u>\$ 330.00</u>
Total	\$1,149,375.00

and be it further,

RESOLVED, that the sum of \$220,000.00 be allocated for a construction contingency fund with authorization for the Commissioner of Public Works to approve change orders in an amount not to exceed the construction contingency, 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 sum of \$10,000.00 be allocated for testing, inspection, and miscellaneous expenses with authorization for the Commissioner of Public Works to expend said funds, and be it further,

RESOLVED, that the sum of \$20,000.00 be allocated for Project Engineer and Department of Public Works salary expenses with authorization for the Commissioner of Public Works to expend said funds, and be it further,

RESOLVED, that the sum of \$100,000.00 be allocated for Architectural / Engineering Services necessary to complete the project, and be it further,

RESOLVED, that the Comptroller's Office be authorized to make payments from the following account: Fund 410, Project 195, in the amount of \$1,499,375, and be it further,

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

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(6-0) Chairman DeBenedetti present as Ex-Officio Member.

3.	Item	Page	-2002	AS AMENDED (Comm. 1E-43)
	COUNTY EXECUTIVE			

WHEREAS, the 2001 budget includes funding to replace the fire alarm system and install a security system in the Rath Building, and

WHEREAS, the firm of M/E Engineering, P.C. currently has a General Engineering agreement with the County of Erie to provide design services,

NOW, THEREFORE, BE IT,

RESOLVED, that the County Executive be authorized to issue a supplemental agreement to M/E Engineering, P.C. to prepare a Project Initiation Report for the Rath Building Fire Alarm and Security Systems project, and be it further,

RESOLVED, that the total amount paid for consulting services be a fee not to exceed \$23,000.00, including reimbursables, and be it further,

RESOLVED, that the Comptroller's Office be authorized to make the payments indicated above and be charged to Fund 410, Project 194, 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.

(6-0) Chairman DeBenedetti present as Ex-Officio Member.

MICHAEL H. RANZENHOFER
CHAIRMAN

MR. RANZENHOFER moved the approval of the resolution. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

Item 21 – MR. LARSON presented the following resolution and moved for immediate consideration. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 15

January 17, 2002

FINANCE & MANAGEMENT
 COMMITTEE

REPORT NO. 1

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

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

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|----|---|------|-------|---------------|
| | Item | Page | -2001 | (Comm. 4M-6) |
| a. | TOWN OF AMHERST: Watchdog Budget Committee.
(6-0) Chairman DeBenedetti present as Ex-Officio Member. | | | |
| | Item | Page | -2001 | (Comm. 7M-15) |
| b. | CHEEKTOWAGA TOWN BOARD: Certified Resolution Re: Requests the County to Share the \$114 Million of Additional Sales Tax Revenue with Town of Cheektowaga.
(6-0) Chairman DeBenedetti present as Ex- Officio Member. | | | |
| | Item | Page | -2001 | (Comm. 7M-28) |
| c. | VILLAGE OF DEPEW: Certified Resolution Re: Request to Share Excess Revenue From Sales Tax.
(6-0) Chairman DeBenedetti present as Ex-Officio Member. | | | |
| | Item | Page | -2001 | (Comm. 7M-29) |
| d. | WILLIAM STREET CITIZENS' AND TAXPAYERS' PROTECTIVE ASSOCIATION: Copy of Letter to County Executive Re: Sharing County Sales Tax.
(6-0) Chairman DeBenedetti present as Ex-Officio Member. | | | |
| | Item | Page | -2001 | (Comm. 9M-4) |
| e. | TOWN OF ORCHARD PARK: Certified Resolution Re: Requesting Share of \$114 Million Generated by "Extra Penny" of Sales Tax.
(6-0) Chairman DeBenedetti present as Ex-Officio Member. | | | |
| | Item | Page | -2001 | (Comm. 11E-7) |
| f. | DEBENEDETTI & OLMA: DeBenedetti/Olma Reapportionment Reform Commission Final Report & Recommendation.
(6-0) Chairman DeBenedetti present as Ex-Officio Member. | | | |
| | Item | Page | -2001 | (Comm. 11M-2) |
| g. | CSEA: Copy of Letter to County Executive Re: RFP for Tax Mapping Technology.
(6-0) Chairman DeBenedetti present as Ex-Officio Member. | | | |
| | Item | Page | -2001 | (Comm. 11M-6) |
| h. | BUFFALO BOARD OF EDUCATION: Sharing of County Sales Tax Extra Penny.
(6-0) Chairman DeBenedetti present as Ex-Officio Member. | | | |

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|----|---|------|-------|----------------|
| | Item | Page | -2001 | (Comm. 11M-12) |
| i. | TOWN OF LANCASTER: Resolution Calling for Erie County to Share Additional 1% of Sales Tax.
(6-0) Chairman DeBenedetti present as Ex-Officio Member. | | | |
| | Item | Page | -2001 | (Comm. 13M-5) |
| j. | HISPANICS FOR FAIR & EQUITABLE REAPPORTIONMENT: Proposed Redistricting Plan.
(6-0) Chairman DeBenedetti present as Ex-Officio Member. | | | |
| | Item | Page | -2001 | (Comm. 15D-6) |
| k. | BUDGET, MANAGEMENT & FINANCE: Copy of Letter to Legislator Peoples Re: List of 2001 Tobacco Capital Projects.
(6-0) Chairman DeBenedetti present as Ex-Officio Member. | | | |
| | Item | Page | -2001 | (Comm. 15E-44) |
| l. | DEBENEDETTI & OLMA: DeBenedetti/Olma Reapportionment Reform Commission – Revised Version of Final Report.
(6-0) Chairman DeBenedetti present as Ex-Officio Member. | | | |
| | Item | Page | -2001 | (Comm. 15M-11) |
| m. | BUFFALO PLACE: Letter to Legislator Holt Re: Information Regarding Proposed Amendment of EC Law No. 8 (1984).
(6-0) Chairman DeBenedetti present as Ex-Officio Member. | | | |
| | Item | Page | -2001 | (Comm. 15M-19) |
| n. | COUNCIL MEMBER MILLER – WILLIAMS: Buffalo Place District Expansion.
(6-0) Chairman DeBenedetti present as Ex-Officio Member. | | | |
| | Item | Page | -2001 | (Comm. 17M-5) |
| o. | WILLIAM F KOCH VICE CHAIR EC PRESERVATION BOARD: Copy of Letter to County Executive Re: Opposition to Changes to Ticor Building that Would Do Damage to its Historic & Architectural Fabric.
(6-0) Chairman DeBenedetti present as Ex-Officio Member. | | | |
| | Item | Page | -2001 | (Comm. 17M-43) |
| p. | TOWN OF COLLINS: Copy of Letter to County Executive Re: Requesting Equitable Financial Assistance to All Towns & School Districts in Light of \$5 Million to Buffalo.
(6-0) Chairman DeBenedetti present as Ex-Officio Member. | | | |
| | Item | Page | -2001 | (Comm. 18D-12) |
| q. | BUDGET, MANAGEMENT & FINANCE: Budget Monitoring Report for Period Ending 6/30/01.
(6-0) Chairman DeBenedetti present as Ex-Officio Member. | | | |

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- r. Item Page -2001 (Comm. 18D-14)
BUDGET, MANAGEMENT & FINANCE: Response to Audit – DPW – Utility Fund
1/1/00 – 9/3-/00.
(6-0) Chairman DeBenedetti present as Ex-Officio Member.
- s. Item Page -2001 (Comm. 18E-3)
COMPTROLLER: Audit – Board of Elections – Payroll Audit – 1/1/00 –12/31/00.
(6-0) Chairman DeBenedetti present as Ex-Officio Member.
- t. Item Page -2001 (Comm. 18M-1)
KEVIN HARDWICK: Copy of Letter to County Executive Re: City of Tonawanda Water
System Turnover to ECWA.
(6-0) Chairman DeBenedetti present as Ex-Officio Member.
- u. Item Page -2001 (Comm. 19D-3)
ECMC: Agenda & Previous Minutes for Finance Committee Meeting Held 9/28/01.
(6-0) Chairman DeBenedetti present as Ex-Officio Member.
- v. Item Page -2001 (Comm. 19E-4)
COMPTROLLER: Department of Central Police Services Payroll Audit for Period 1/1/00 –
12/31/00.
(6-0) Chairman DeBenedetti present as Ex-Officio Member.
- w. Item Page -2001 (Comm. 19E-26)
PEOPLES: Letter to County Executive Re: Fiscal Crisis.
(6-0) Chairman DeBenedetti present as Ex-Officio Member.
- x. Item Page -2001 (Comm. 19M-5)
GOVERNMENT RESEARCH INSTITUTE OF WNY: Recommendation on Proposed
Comprehensive Study of Erie County Governmental Operations As Submitted by County
Executive.
(6-0) Chairman DeBenedetti present as Ex-Officio Member.
- y. Item Page -2001 (Comm. 19M-14)
STEUBEN COUNTY LEGISLATURE: Resolution Memorializing State to Cease &
Desist Expansion of Existing Programs and Creation of New Programs.
(6-0) Chairman DeBenedetti present as Ex-Officio Member.
- z. Item Page -2001 (Comm. 20E-2)
COMPTROLLER: County of Erie Federal Financial Assistance Audit Report for Year
Ending 12/13/00.
(6-0) Chairman DeBenedetti present as Ex-Officio Member.
- aa. Item Page -2001 (Comm. 20E-38)
OLMA: Copy of Letter to County Executive Re: Joint Schools Construction.

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(6-0) Chairman DeBenedetti present as Ex-Officio Member.

- Item Page -2001 (Comm. 20M-4)
 bb. **NYS BOARD OF REAL PROPERTY SERVICES:** List of Certified 2001 Class Equalization Rates.

(6-0) Chairman DeBenedetti present as Ex-Officio Member.

- Item Page -2001 (Comm. 20M-5)
 cc. **NYS BOARD OF REAL PROPERTY SERVICES:** List of Certified 2001 State Equalization Rates.

(6-0) Chairman DeBenedetti present as Ex-Officio Member.

- Item Page -2001 (Comm. 21D-5)
 dd. **ECMC:** Financial Statements for 9/01.

(6-0) Chairman DeBenedetti present as Ex-Officio Member.

- Item Page -2001 (Comm. 21E-1)
 ee. **COMPTROLLER:** Letter Re: Reported Budget Deficit.

(6-0) Chairman DeBenedetti present as Ex-Officio Member.

- Item Page -2001 (Comm. 21E-2)
 ff. **COMPTROLLER:** Management Letter & Audit of Financial Statements for Year Ended 12/31/00 Prepared by Deloitte & Touche.

(6-0) Chairman DeBenedetti present as Ex-Officio Member.

- Item Page -2001 (Comm. 21E-3)
 gg. **COMPTROLLER:** Apportionment & Distribution of 4% Sales Tax for September.

(6-0) Chairman DeBenedetti present as Ex-Officio Member.

- Item Page -2001 (Comm. 21E-4)
 hh. **COMPTROLLER:** Apportionment & Distribution of 4% Sales Tax for October.

(6-0) Chairman DeBenedetti present as Ex-Officio Member.

- Item Page -2001 (Comm. 21M-3)
 ii. **NYS BOARD OF REAL PROPERTY SERVICES:** List of 2001 State Equalization Rates.

(6-0) Chairman DeBenedetti present as Ex-Officio Member.

- Item Page -2001 (Comm. 21M-12)
 jj. **NYS BOARD OF REAL PROPERTY SERVICES:** List of 2001 State Equalization Rates.

(6-0) Chairman DeBenedetti present as Ex-Officio Member.

- Item Page -2001 (Comm. 21M-13)
 kk. **NYS BOARD OF REAL PROPERTY SERVICES:** List of Certified 2001 Class Equalization Rates.

(6-0) Chairman DeBenedetti present as Ex-Officio Member.

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|-----|--|------|-------|-------------------|
| | Item | Page | -2001 | (Comm. 25E-1) |
| ll. | COMPTROLLER: Quarterly Investment Report 7/1/01 – 9/30/01.
(6-0) Chairman DeBenedetti present as Ex-Officio Member. | | | |
| | Item | Page | -2001 | (Comm. 25E-11) |
| mm. | OLMA: Copy of Letter to Legislator Elect Dale Re: Broadway Market Finances & Politics.
(6-0) Chairman DeBenedetti present as Ex-Officio Member. | | | |
| | Item | Page | -2001 | (Comm. 26E-1) |
| nn. | COMPTROLLER: Apportionment & Distribution of 4% Sales Tax Revenue Received by Erie County from NYS for Month of November.
(6-0) Chairman DeBenedetti present as Ex-Officio Member. | | | |
| | Item | Page | -2001 | (Comm. 26E-6) |
| oo. | COUNTY EXECUTIVE: CPS – Response to Payroll Audit for Period 1/1/00 – 12/1/00.
(6-0) Chairman DeBenedetti present as Ex-Officio Member. | | | |
| | Item | Page | -2001 | (Comm. 27E-1) |
| pp. | COMPTROLLER: Letter to Clerk of Legislature Re: County’s Interim Financial Report for Nine Months Ended 11/30/01.
(6-0) Chairman DeBenedetti present as Ex-Officio Member. | | | |
| | Item | Page | -2001 | (Comm. 27E-2) |
| qq. | COUNTY CLERK: Letter to Chairman Re: Copy of Semi-Annual Report of Mortgage Tax Receipts & Disbursements for Period Covering 4/01 – 9/01.
(6-0) Chairman DeBenedetti present as Ex-Officio Member. | | | |
| | Item | Page | -2002 | (Comm. 1E-1) |
| rr. | FITZPATRICK: Phase-In of Redistribution of 1% Sales Tax.
(5-1) Legislator Peoples in the negative. Chairman DeBenedetti present as Ex-Officio Member. | | | |
| | Item | Page | -2002 | (Comm. 1E-10) |
| ss. | COMPTROLLER: Apportionment & Distribution of 4% Sales Tax Revenue Received by EC from NYS for Month of December.
(6-0) Chairman DeBenedetti present as Ex-Officio Member. | | | |
| | Item | Page | -2002 | (Comm. 1M-12) |
| tt. | NFTA: Letter to Clerk of Legislature Re: Metro Cash Flow Statements.
(6-0) Chairman DeBenedetti present as Ex-Officio Member. | | | |
| | | | | AS AMENDED |
| 2. | Item | Page | -2002 | (Comm. 1D-9A) |
| | COUNTY EXECUTIVE: | | | |

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

EMAIL DOCUMENT IS 202536EM.DOC

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

RESOLVED, that petitions numbered 202037 through 202063 inclusive be hereby approved or denied based upon the recommendation of the Director of Real Property Services and be charged back to the applicable Towns and / or Cities.

Petition No. 202037 / 9900 - ASSESSOR - Cancel - \$79.88

SBL No. 82.09-7-31 - TOWN OF AMHERST

Acct. No. 112 - \$ 8.73 - County

Acct. No. 132 - \$ 71.15 - Town/SpecialDist/School

Charge to : TOWN OF AMHERST

69.92

MAIN TRANSIT FIRE PROTECT

1.23

CANCEL - CLERICAL ERROR, THIS PARCEL IS HAS BEEN SPLIT. PARCELS ARE NOW 82.09-7-10.11 AND 82.09-7-10.21. RPTL 550(2)F.

Petition No. 202038/ 2002 - ASSESSOR - Cancel - \$239.87

SBL No. 164.16-1-39 - TOWN OF AURORA

Acct. No. 112 - \$ 186.61 - County

Acct. No. 132 - \$ 53.26 - Town/SpecialDist/School

Charge to : TOWN OF AURORA

53.26

CANCEL - CLERICAL ERROR, THE VETERAN'S DISABILITY EXEMPTION IN THE AMOUNT OF 5500 SHOULD BE 27,500. RPTL 550(2)B

Petition No. 202039 / 2002 - ASSESSOR - Cancel - \$584.16

SBL No. 80.20-14-18 - TOWN OF CHEEKTOWAGA

Acct. No. 112 - \$ 299.69 - County

Acct. No. 132 - \$ 284.47 - Town/SpecialDist/School

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Charge to : TOWN OF CHEEKTOWAGA

284.47

CANCEL - CLERICAL ERROR, THE RPTL 520 WAS MISCALCULATED. THE WRONG TRANSFER DATE WAS USED. RPTL 550(2)E.

Petition No. 202040 / 2002 - ASSESSOR - Cancel - \$2,262.20

SBL No. 30.00-4-61 - TOWN OF CLARENCE

Acct. No. 112 - \$ 1,643.75 - County

Acct. No. 132 - \$ 618.45 - Town/SpecialDist/School

Charge to : TOWN OF CLARENCE

618.45

CANCEL - CLERICAL ERROR, THIS PARCEL HAS A PILOT AGREEMENT WITH THE TOWN, COUNTY AND SCHOOL. THE IDA EXEMPTION IN THE AMOUNT OF 345,500 THAT THIS PARCEL WAS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C.

Petition No. 202041 / 2002 - ASSESSOR - Cancel - \$202.31

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

Acct. No. 112 - \$ 115.15 - County

Acct. No. 132 - \$ 87.16 - Town/SpecialDist/School

Charge to : TOWN OF CLARENCE

87.16

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. THE ASSESSMENT WAS 112,700 AND SHOULD BE 88,500. RPTL 550(2)A.

Petition No. 202042 / 2002 - ASSESSOR - Cancel - \$10,443.64

SBL No. 43.16-1-10 & 94 OTHERS - TOWN OF CLARENCE

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 10,443.64 - Town/SpecialDist/School

Charge to : TOWN OF CLARENCE

10,443.64

CANCEL - CLERICAL ERROR, PARCEL WAS CHARGED IN ERROR FOR TOWN COUNTY SEWER DISTRICT NO# 6 IN ERROR. THESE PARCELS DO NOT HAVE SEWER. RPTL 550(2)E.

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Petition No. 202043
 SBL No. 44.00-2-29.12 - TOWN OF CLARENCE

Acct. No. 112 - \$ 527.14 - County

Acct. No. 132 - \$ 453.69 - Town/SpecialDist/School

Charge to : TOWN OF CLARENCE

453.69

CANCEL - CLERICAL ERROR, THIS PARCEL HAS BEEN SPLIT. THE PARCEL IS NOW PART OF 44.00-2-29.121 & 44.00-2-29.122. RPTL 550(2)F

Petition No. 202044 / 2002 - ASSESSOR - Cancel - \$1,672.38

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

Acct. No. 112 - \$ 961.04 - County

Acct. No. 132 - \$ 711.34 - Town/SpecialDist/School

Charge to : TOWN OF CLARENCE

518.75

TRANSIT FIRE PROTECT

121.49

ERIE CO SEWER DIST #5

71.10

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

Petition No. 202045 / 2002 - ASSESSOR - Cancel - \$155.14

SBL No. 57.07-2-2 - TOWN OF CLARENCE

Acct. No. 112 - \$ 94.21 - County

Acct. No. 132 - \$ 60.93 - Town/SpecialDist/School

Charge to : TOWN OF CLARENCE

60.93

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. THE ASSESSMENT WAS 62,800 AND SHOULD BE 43,000. RPTL 550(2)A.

Petition No. 202046 / 2002 - ASSESSOR - Cancel - \$288.75

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

Acct. No. 112 - \$ 209.81 - County

Acct. No. 132 - \$ 78.94 - Town/SpecialDist/School

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Charge to : TOWN OF CLARENCE

78.94

CNCEL - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 44,100 (50%) THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C

Petition No. 202047 / 2002 - ASSESSOR - Cancel - \$1,473.68

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

Acct. No. 112 - \$ 846.86 - County

Acct. No. 132 - \$ 626.82 - Town/SpecialDist/School

Charge to : TOWN OF CLARENCE

457.11

TRANSIT FIRE PROTECT 107.06

ERIE CO SEWER DIST #5 62.65

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

Petition No. 202048 / 2002 - ASSESSOR - Cancel - \$114.90

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

Acct. No. 112 - \$ 83.50 - County

Acct. No. 132 - \$ 31.40 - Town/SpecialDist/School

Charge to : TOWN OF CLARENCE

31.40

CANCEL - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 17,550 FOR COUNTY TAX SHOULD BE 35,100 (30%) AND FOR TOWN TAX THE AMOUNT WAS 11,700 AND SHOULD BE 29,250 (25%). RPTL 550(2).

Petition No. 202049 / 2002 - ASSESSOR - Cancel - \$247.17

SBL No. 70.10-2-30 - TOWN OF CLARENCE

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 247.17 - Town/SpecialDist/School

Charge to : TOWN OF CLARENCE

247.17

CANCEL - CLERICAL ERROR, PARCEL IS BEING CHARGED FOR TCSD #7 (TOWN SEWER) WHEN IN FACT IT SHOULD BE ONLY CHARGED FOR ECSD#5 (ERIE COUNTY

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SEWER. RPTL 550(2)E.

Petition No. 202050 / 2002 - ASSESSOR - Cancel - \$193.53

SBL No. 70.10-2-31 - TOWN OF CLARENCE

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 193.53 - Town/SpecialDist/School

Charge to : TOWN OF CLARENCE

193.53

CANCEL - CLERICAL ERROR, PARCEL IS BEING CHARGED FOR TCSD #7 (TOWN SEWER) WHEN IN FACT IT SHOULD ONLY BE CHARGED FOR ECSD#5 (ERIE COUNTY SEWER). RPTL 550(2)E.

Petition No. 202051 / 2002 - ASSESSOR - Cancel - \$284.63

SBL No. 70.10-2-32 - TOWN OF CLARENCE

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 284.63 - Town/SpecialDist/School

Charge to : TOWN OF CLARENCE

284.63

CANCEL - CLERICAL ERROR, PARCEL IS BEING CHARGED FOR TCSD#7 (TOWN SEWER) WHEN IN FACT IT SHOULD ONLY BE CHARGED FOR ECSD#5 (ERIE COUNTY SEWER). RPTL 550(2)E.

Petition No. 202052 / 2002 - ASSESSOR - Cancel - \$341.06

SBL No. 70.10-2-33 - TOWN OF CLARENCE

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 341.06 - Town/SpecialDist/School

Charge to : TOWN OF CLARENCE

341.06

CANCEL - CLERICAL ERROR, PARCEL IS BEING CHARGED FOR TCSD #7 (TOWN SEWER) WHEN IN FACT IS SHOULD ONLY BE CHARGED FOR ECSD#5 (ERIE COUNTY SEWER). RPTL 550(2)E.

Petition No. 202053 / 2000 - ASSESSOR - Refund - \$2,928.48

SBL No. 71.00-3-25 - TOWN OF CLARENCE

Acct. No. 112 - \$ 2,288.86 - County

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Acct. No. 132 - \$ 639.62 - Town/SpecialDist/School

Charge to : TOWN OF CLARENCE

639.62

REFUND - CLERICAL ERROR, THE BUSINESS EXEMPTION IN THE AMOUNT OF 405,000 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C.
 CHECK IN FAVOR OF: E.F.P.B. LLC

Petition No. 202054 / 2002 - ASSESSOR - Cancel - \$2,357.14

SBL No. 71.00-3-25 - TOWN OF CLARENCE

Acct. No. 112 - \$ 1,712.74 - County

Acct. No. 132 - \$ 644.40 - Town/SpecialDist/School

Charge to : TOWN OF CLARENCE

644.40

CANCEL - CLERICAL ERROR, THE BUSINESS EXEMPTION IN THE AMOUNT OF 360,000 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C

Petition No. 202055 / 2002 - ASSESSOR - Cancel - \$257.82

SBL No. 71.7-1-18.11 - TOWN OF CLARENCE

Acct. No. 112 - \$ 140.35 - County

Acct. No. 132 - \$ 117.47 - Town/SpecialDist/School

Charge to : TOWN OF CLARENCE

75.76

CLARENCE FIRE DIST

41.71

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

Petition No. 202056 / 2002 - ASSESSOR - Cancel - \$629.25

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

Acct. No. 112 - \$ 342.54 - County

Acct. No. 132 - \$ 286.71 - Town/SpecialDist/School

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Charge to : TOWN OF CLARENCE
184.90
CLARENCE FIRE DIST 101.81

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

Petition No. 202057 / 2002 - ASSESSOR - Cancel - \$83.60

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

Acct. No. 112 - \$ 47.57 - County

Acct. No. 132 - \$ 36.03 - Town/SpecialDist/School

Charge to : TOWN OF CLARENCE
26.68
HARRIS HILL FIRE DIST 9.35

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

Petition No. 202058 / 102 - ASSESSOR - Refund - \$659.49

SBL No. 80.17-5-1.12 - TOWN OF CHEEKTOWAGA

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 659.49 - Town/SpecialDist/School

Charge to : BASIC STAR EXEMPTION 659.49

REFUND - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF
19,500 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM
THE TAX ROLL. RPTL 550(2)C CLEVELAND HILL SCHOOL
CHECK IN FAVOR OF: KENNETH LIDGE

Petition No. 202059 / 1 - ASSESSOR - Refund - \$273.84

SBL No. 238.10-3-28.1 - TOWN OF EDEN

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 273.84 - Town/SpecialDist/School

Charge to : BASIC STAR EXEMPTION 273.84

REFUND - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF
18,130 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM
THE TAX ROLL. RPTL 550(2)C EDEN CENTRAL SCHOOL
CHECK IN FAVOR OF: KATHLEEN M DAVISON

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Petition No. 202060 / 102 - ASSESSOR - Refund - \$423.59

SBL No. 238.10-3-28.1 - TOWN OF EDEN

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 423.59 - Town/SpecialDist/School

Charge to : BASIC STAR EXEMPTION 423.59

REFUND - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF
26,820 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM
THE TAX ROLL. RPTL 550(2)C EDEN CENTRAL SCHOOL
CHECK IN FAVOR OF: KATHLEEN M DAVISON

Petition No. 202061/ 2002 - ASSESSOR - Cancel - \$5,460.26

SBL No. 82.04-1-3.111 - TOWN OF LANCASTER

Acct. No. 112 - \$ 2,296.62 - County

Acct. No. 132 - \$ 3,163.64 - Town/SpecialDist/School

Charge to : TOWN OF LANCASTER
2,334.46
ERIE CO SEWER #4 62.86
GENERAL FIRE PROT 766.32

CANCEL - ERROR IN ESSENTIAL FACT, THE BUILDING IS ON SBL 82.04-1-3.112
THE ASSESSD VALUE WAS 438,600 AND SHOULD BE 38,600. RPTL 550(3)B.

Petition No. 202062/ 2001 - ASSESSOR - Refund - \$129.54

SBL No. 83.00-5-2.12 - TOWN OF LANCASTER

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 129.54 - Town/SpecialDist/School

Charge to : TOWN OF LANCASTER
129.54

REFUND - CLERICAL ERROR, THIS PARCEL WAS CHARGED IN ERROR FOR REFUSE.
PARCEL USES A PRIVATE CONTRACTOR. RPTL 550(2)E.
CHECK IN FAVOR OF: FIX ASSOCIATES LLC

Petition No. 202063 / 2002 - ASSESSOR - Cancel - \$129.53

SBL No. 83.00-5-2.12 - TOWN OF LANCASTER

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Acct. No. 112 - \$	0.00	- County
Acct. No. 132 - \$	129.53	- Town/SpecialDist/School
Charge to : TOWN OF LANCASTER		
		129.53

CANCEL - CLERICAL ERROR, THIS PARCEL IS BEING CHARGED IN ERROR FOR REFUSE. PARCEL USES A PRIVATE CONTRACTOR . RPTL 550(2)E

(5-0)

3. Item Page -2001 (Comm. Int. 7-8)
GREENAN, LARSON, McCARVILLE, CHASE, RANZENHOFER & WEINSTEIN
 WHEREAS, proposal has been advanced by the Town of Cheektowaga and other local governments to "share" revenues generated from the county's eighth penny sales tax, and

WHEREAS, Presently, Erie County retains all the revenue from the "extra penny" sales tax, projected to generate \$114 million to the county coffers this year, and

WHEREAS, Erie County, as part of the sales tax distribution formula, provided more than \$218 million to cities, towns, villages and school districts, and

WHEREAS, If Erie County were to add the extra penny to the sales tax distribution formula, the county would realize a direct loss of \$73 million in sales tax revenue, and

WHEREAS, The Cheektowaga Town Board's proposal represents a shift of tax revenue away from the county that would erase the 34 percent property tax cut achieved over the last two years or force massive cuts in programs and services, and

WHEREAS, the loss of \$73 million in sales tax revenue would severely cripple the county's role as this community's regional leader and would make it impossible for the county to be in a sound financial position to provide assistance to regional efforts like the improvement of the Village of Lancaster's water system, General Motors Powertrain in Tonawanda and Quebecor in Depew and the demolition of decrepit housing in Buffalo, to name a few examples,

WHEREAS, the sharing of sales tax revenue was opposed by former Erie County Executive Dennis T. Gorski and is currently opposed by Erie County Executive Joel A. Giambra

NOW, THEREFORE, BE IT

RESOLVED, that Erie County is committed to continuing to serve as this community's regional government and in that capacity must have the financial resources necessary in order to fulfill this important role, and be it further

RESOLVED, that the Erie County Legislature believes strongly that such a loss of revenue would undermine the financial stability of the County of Erie and would erase the 34.2 percent property tax cut realized over the last two years and/or result in a significant reduction of important programs and services presently available to county residents, and be it further

RESOLVED, that the Erie County Legislature does hereby oppose any sharing of revenues generated by the "extra penny" sales tax because of the projected loss of more than \$73 million in revenue to the county, and be it further

RESOLVED, that a certified copy of this resolution be forwarded to County Executive Joel A. Giambra, County Budget Director Joseph Passafiume, to all city, town and village governments in Erie County, and to the Association of Erie County Governments.

Fiscal Impact: Potential loss of \$73 million to Erie County.

(4-2) Legislators Peoples & Swanick in the Negative. Chairman DeBenedetti present as Ex-Officio Member.

4. Item Page -2002 (Comm. 1E-16)

COUNTY EXECUTIVE

WHEREAS, Erie County has undertaken a Village Center Reinvestment Pilot Program through the federally funded Community Development Block Grant; and

WHEREAS, the pilot program provides targeted financial and technical assistance in the event of housing, economic development, and general planning to the Villages of Angola, Gowanda, Springville, and Town of Holland; and

WHEREAS, in order to successfully carry out the pilot program professional planning services are required on a regular basis to said communities; and

WHEREAS, the professional planning services will include grant writing, project management, housing program marketing, development of a commercial loan facade program, and other technical activities; and

WHEREAS, the four municipalities have passed resolutions indicating their support of the deliberations of the Consultant Selection Committee as pertains to the recommendation of Stuart I. Brown Associates, Inc. as the preferred consultants,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Executive is hereby authorized to execute a contract with Stuart I. Brown Associates, Inc. for circuit rider planning services for an amount not to exceed \$55,000; and be it further

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ERIE COUNTY LEGISLATURE

RESOLVED, that the Clerk of the Erie County Legislature be directed to forward certified copies of this resolution to the County Executive, the Commissioner of the Department of Environment and Planning, the Director of the Division of Budget, Management, and Finance, the County Attorney, and the Erie County Comptroller.

(6-0) Chairman DeBenedetti present as Ex-Officio Member.

5. Item Page -2002 (Comm. 1E-35)

COUNTY EXECUTIVE

WHEREAS, the following grant programs are included in Book B of the 2002 Adopted Budget.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into contracts with grantor agencies for the purpose of receiving grants, following review and approval by the Director of Budget, Management and Finance with respect to the availability of Federal, State, County and other local source funding for the following programs which commence on January 1, 2002:

<u>Department</u>	<u>Grant Program</u>	<u>2002 Budget Book B Page No.</u>
110 – Co. Exec.	Community Coordinating Council on Children and Families	9
110 – Co. Exec.	STOP-DWI Program	9
110 – Co. Exec. Comm. Dev. Fund	Office of Workforce Development	19
140 – Dist. Atty.	STOP-DWI Program	24
650 – Central Police Services	Arson Laboratory Improvement Program	65
150 – Sheriff	Public Awareness is Prevention	85
260 – Probation	Intensive Supervision Program	101
260 – Probation	Juvenile Intensive Supervision Program	101

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260 – Probation	Juvenile Delinquent - Mental Health Diversion Prg.	101
260 – Probation	Alternatives to Incarceration	101
270 – Health	West Nile Surveillance & Education Grant	121
270 – Health	Monroe County Health Department Laboratory Services	122
270 – Health	Western New York Coalition For Diabetes Prevention	124*
270 – Health	Tuberculosis Elimination Activities	125**
270 – Health	Childhood Lead Poisoning Prevention Program	125
221 – DPW-Bldgs. & Grounds	Court and HIRE Supervision	229
641 – Parks, Rec. & Forestry	Youth PINS Program	273
200 – Social Svcs.	TANF Services Block Grant	277
200 – Social Svcs.	TANF Drug & Alcohol Assessment/Services	277
200 – Social Svcs.	Safety Net Employment Programs	278
200 – Social Svcs.	New York Works Block Grant (NYWBG)	278
200 – Social Svcs.	Outstationed Medicaid Eligibility	279
200 – Social Svcs.	Domestic Violence Assessment/Services	279
200 – Social Svcs.	Family Assistance Employment Programs	280
200 – Social Svcs.	Safety Net Drug & Alcohol Assessment	281
200 – Social Svcs.	Transitional Services Program	281

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200 – Social Svcs.	Comprehensive Employment Division Programs -2002	281
200 – Social Svcs.	Medicaid Facilitated Enrollment	281
620 – Env. & Plg.	Household Hazardous Waste Disposal	419
620 – Env. & Plg.	Section 18-b Transportation Operating Assistance	419
620 – Env. & Plg.	Conditionally Exempt Small Quantity Generator	419
250 – Youth Bureau	Special Delinquency Prevention Program (SDPP)	427
250 – Youth Bureau	OCFS-Safe Places Grant	427

and be it further

RESOLVED, that certified copies of this resolution be forwarded to the following administrative units: County Executive, District Attorney, Central Police Services, Sheriff, Health, Probation, Public Works - Office of the Commissioner, Parks, Recreation and Forestry, Social Services, Environment and Planning, Youth Bureau, Department of Law, the Office of the Comptroller and the Division of Budget, Management and Finance.

(6-0) Chairman DeBenedetti present as Ex-Officio Member.

6. Item Page -2002 (Comm. 1E-40)

COUNTY EXECUTIVE

WHEREAS, the Division of Budget, Management and Finance did receive a request from Starr Yax and Raymond Wartinger who own property adjoining the above County owned parcels of land to purchase this land, and

WHEREAS, these parcels were reviewed and approved for sale by the Advisory Review Committee, and

NOW, THEREFORE, BE IT RESOLVED, that the following parcels of land be sold without public auction pursuant to Article 14, Section 14-1.0 of the Erie County Tax Act to Starr Yax and Raymond Wartinger, 271 Hyland Avenue, Depew, New York 14043 for the sum of Two Hundred Fifty and 00/100 Dollars (\$250.00) each,

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 74, Township 11, Range 7, Sublot 255 under

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ERIE COUNTY LEGISLATURE

Map Cover 1575 filed in the Erie County Clerk's Office and is further described on Erie County Tax Maps as Section, Block and Lot No. 92.150-5-16 (Hyland Avenue 40.00 x 110.00). Intending to convey land acquired by Erie County as Serial No.706 in the County In Rem Tax Foreclosure Action No.148, and

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 74, Township 11, Range 7, Sublot 254 under Map Cover 1575 filed in the Erie County Clerk's Office and is further described on Erie County Tax Maps as Section, Block and Lot No. 92.150-5-17 (Hyland Avenue 40.00 x 110.00). Intending to convey land acquired by Erie County as Serial No.707 in the County In Rem Tax Foreclosure Action No.148, and be it further

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

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

(6-0) Chairman DeBenedetti present as Ex-Officio Member.

7. Item Page -2002 (Comm. 1E-41)

COUNTY EXECUTIVE

WHEREAS, the Division of Budget, Management and Finance did receive a request from Alison Mathien who owns property adjoining the above County owned parcel of land to purchase this land, and

WHEREAS, this parcel was reviewed and approved for sale by the Advisory Review Committee with the provision that there be a twenty (20) foot easement along the frontage to be granted to the Erie County Sewer District #2 , and

NOW, THEREFORE, BE IT RESOLVED, that the following parcel of land be sold without public auction pursuant to Article 14, Section 14-1.0 of the Erie County Tax Act to Alison Mathien, 589 Kennedy Avenue, Angola, New York 14006 for the sum of Five Hundred and 00/100 Dollars (\$500.00),

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 1211 – 1213 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. 250.120-10-25 (Eisenhower Ave 60.00 x 100.00). Intending to convey land acquired by Erie County as Serial No.1039 in the County In Rem Tax Foreclosure Action No.151, and be it further

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RESOLVED, that the Erie County Executive is hereby authorized and directed to execute a quit claim deed conveying the interest of the County of Erie in the above described property to the aforesaid purchaser, and be it further

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

DALE W. LARSON
CHAIRMAN

MR. LARSON moved to separate item #3 and moved the approval of the balance of the report. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

MR. LARSON moved to send item #3 back to the FINANCE & MANAGEMENT COMMITTEE. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

Item 22 – MR. GREENAN presented the following resolution and moved for immediate consideration. MR. RANZENHOFER seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 16

January 17, 2002

ENERGY & ENVIRONMENT
 COMMITTEE
 REPORT NO. 1

ALL MEMBERS PRESENT.

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

a. Item Page -2001 (Comm. 2D-7)
DPW: SEQR – Solicitation for lead Agency Status – Building/Plaza Rehab for 95 Franklin Street.
 (5-0)

Item Page -2001 (Comm. 4D-4)

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ERIE COUNTY LEGISLATURE

- b. **DPW:** SEQR – Solicitation for Lead Agency Status – Reconstruction of Glen Avenue Bridges, Village of Williamsville.
 (5-0)

Item Page -2001 (Comm. 5D-6)

- c. **DEP:** SEQR – Negative Declaration – Scoby Hill Road.
 (5-0)

Item Page -2001 (Int. 5-17)

- d. **OLMA & DeBENEDETTI:** Dialogue on the Appointments and Qualifications of Erie County Water Authority Commissioners.
 (5-0)

Item Page -2001 (Int. 5-18)

- e. **OLMA & DeBENEDETTI:** Compensation of Commissioner of the Erie County Water Authority.
 (5-0)

Item Page -2001 (Comm. 6D-6)

- f. **DPW:** SEQR Lead Agency Status Erie County Secure Youth Detention Facility, 810 East Ferry Street.
 (5-0)

Item Page -2001 (Comm. 6D-7)

- g. **DPW:** SEQR Negative Declaration – Reconstruction of Glen Avenue Bridges, Village of Williamsville.
 (5-0)

Item Page -2001 (Int. 7-28)

- h. **DUSZA:** Opposing Efforts to Shut Down Telespectrum Worldwide Call Center in Cheektowaga.
 (5-0)

Item Page -2001 (Comm. 12D-10)

- i. **ERIE COUNTY WATER AUTHORITY:** Improvement & Extension of Bond Resolution for Year Ending 12/31/00.
 (5-0)

Item Page -2001 (Comm. 15E-36)

- j. **COUNTY EXECUTIVE:** ECSN Nos. 1,4 &5 – Northern Region Administration Building Contract “C” – Plumbing Close Out – A. Garelick & Sons.
 (5-0)

Item Page -2001 (Comm. 15E-38)

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- k. **COUNTY EXECUTIVE:** ECSD Nos. 1,4 & 5 – Northern Region Administration Building Contract “A” – General Close Out – Patrick Development of WNY.
 (5-0)
- Item Page -2001 (Comm. 17D-40)
- l. **DEP:** SEQR – Negative Declaration – Old Lakeshore Road Between Bennet Road & Wendt Beach County Park..
 (5-0)
- Item Page -2001 (Comm. 19M-3)
- m. **NYSDEC:** Fact Sheet Re: Fourth Street Site Record of Decision.
 (5-0)
- Item Page -2001 (Comm. 20E-12)
- n. **COUNTY EXECUTIVE:** ECSD No. 2 – Engineering Service Agreements – Work Order: SW-1 Comm. 20E-17.
 (5-0)
- Item Page -2001 (Comm. 20E-27)
- o. **COUNTY EXECUTIVE:** EC Southtowns Sewage Treatment Agency Engineering Service Agreements Work Order URS-9.
 (5-0)
- Item Page -2001 (Comm. 20E-28)
- p. **COUNTY EXECUTIVE:** ECSD Nos. 1-6 & Southtowns Sewage Treatment Agency – URS Corporation – Change Order No.1.
 (5-0)
- Item Page -2001 (Comm. 20E-32)
- q. **COUNTY EXECUTIVE:** EC Southtowns Sewage Treatment Agency – Engineering Service Agreement – Work Order – URS – 10.
 (5-0)
- Item Page -2001 (Comm. 20M-8)
- r. **NYSDEC:** 1996 Clean Water – Clean Air Bond Act Project Bulletin – 1 Liberty Avenue Cleanup Activities.
 (5-0)
- Item Page -2001 (Comm. 21E-9)
- s. **COUNY EXECUTIVE:** ECSD No. 2 – Eminent Domain Proceedings Madison Avenue.
 (5-0)
- Item Page -2001 (Comm. 21E-26)
- t. **COUNTY EXECUTIVE:** ECSD No. 5 – Engineering Service Agreements.
 (5-0)

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ERIE COUNTY LEGISLATURE

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|-----|--|------|-------|----------------|
| u. | Item | Page | -2001 | (Comm. 21E-27) |
| | COUNTY EXECUTIVE: ECSD No. 5 – Section 271 Resolution. | | | |
| | (5-0) | | | |
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| v. | Item | Page | -2001 | (Comm. 21E-28) |
| | COUNTY EXECUTIVE: ECSD No. 5 – Engineering Service Agreements. | | | |
| | (5-0) | | | |
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| w. | Item | Page | -2001 | (Comm. 21M-4) |
| | NYSDEC: Fact Sheet – Cleanup ROCO Limited, Town of Cheektowaga. | | | |
| | (5-0) | | | |
| | | | | |
| x. | Item | Page | -2001 | (Comm. 25D-2) |
| | DEP: Memo to Budget Director from Charles J. Alessi Re: Comms. 20E-23 & 20E-36. | | | |
| | (5-0) | | | |
| | | | | |
| y. | Item | Page | -2001 | (Comm. 25D-7) |
| | DEP: SEQR – Solicitation for Lead Agency Status – ECSD No. 4 Boundary Extension. | | | |
| | (5-0) | | | |
| | | | | |
| z. | Item | Page | -2001 | (Comm. 25E-20) |
| | COUNTY EXECUTIVE: ECSD No. 4 – Walden Corridor Extension Erie County Sewer Agency Report. | | | |
| | (5-0) | | | |
| | | | | |
| aa. | Item | Page | -2001 | (Comm. 25E-30) |
| | COUNTY EXECUTIVE: ECSD Nos. 1-6 – User Charge Rates. | | | |
| | (5-0) | | | |
| | | | | |
| bb. | Item | Page | -2001 | (Comm. 25E-31) |
| | COUNTY EXECUTIVE: EC Southtowns Sewage Treatment Agency A/E Agreement Dated 4/20/00 – Engineering Change Order No. 2 – R&D Engineering. | | | |
| | (5-0) | | | |
| | | | | |
| cc. | Item | Page | -2001 | (Comm. 27M-1) |
| | NYSDEC: Fact Sheet Re: Pfohl Brothers Landfill. | | | |
| | (5-0) | | | |
| | | | | |
| dd. | Item | Page | -2002 | (Comm. 1D-5) |
| | DEP: SEQR – Negative Declaration – Notice of Determination of Non-Significance Unlisted. | | | |
| | (5-0) | | | |
| | | | | |
| | Item | Page | -2002 | (Comm. 1D-10) |

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ee. **DEP:** SEQR – Solicitation for Lead Agency Status – Unlisted Action.
 (5-0)

	Item	Page	-2002	(Comm. 1E-31)
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ff. **COUNTY EXECUTIVE:** ECSD No. 2 – Construction Inspection Service Agreement.
 (5-0)

	Item	Page	-2002	(Comm. 1E-32)
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gg. **COUNTY EXECUTIVE:** ECSD No. 2 – Lakeview Pumping Station Elimination Contract
 No. 39H – Change Order No. 2 – CMH Company.
 (5-0)

	Item	Page	-2002	(Comm. 1M-5)
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hh. **NYSDEC:** Fact Sheet – Upcoming Brownfields Site Investigation 237 Kensington Avenue –
 Trinidad Park.
 (5-0)

2.	Item	Page	-2001	(Int. 9-15)
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RANZENHOFER

WHEREAS, the New York State Thruway Authority wants to improve traffic flow on the Interstate 90 east of Buffalo and is considering moving the Williamsville toll to the east along the 18-mile corridor between the present toll and exit 48A in Pembroke, and

WHEREAS, the authority's consulting firm has analyzed each mile along the stretch, and by using a scoring system that incorporates engineering and environmental factors, has identified three potential sites, and

WHEREAS, the sites chosen are between mile markers 404-405 east of Crittenden Road, between mile markers 408-409 west of South Newstead Road and mile marker 410 west of North Millgrove Road near Ransom Road, and

WHEREAS, the proposed solution to moving the toll barrier has simply been to move all the Williamsville toll barrier problems to the communities of Clarence, Newstead and Lancaster, and

WHEREAS, this conditions of air and noise pollution created by the toll barrier will not get resolved or go away by simply moving the toll barrier along with its serious environmental issues from one community to another, and

WHEREAS, the areas of Clarence, Newstead and Lancaster offer residents a beautiful and clean suburban/rural environment - moving the current Williamsville Toll Barrier would be irresponsible to the residents who live there and in due course negatively affect the quality of life in those communities forever, and

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature looks to provide viable solutions and conditions that best protect all residents of Erie County, and be it further

RESOLVED, that this Honorable Body does hereby call upon the New York State Department of Transportation and the New York State Thruway Authority to develop a creative plan that will fully address air and noise pollution conditions created by the toll barrier before even considering moving the facility in the communities of Clarence, Newstead and north eastern Lancaster, and be it further

RESOLVED, that a certified copy of this resolution be forwarded to Governor Pataki, the New York State Department of Transportation, the New York State Thruway Authority, the New York Department of Environmental Conservation and members of the Western New York delegation.

(5-0)

3. Item Page -2001 (Comm. 19E-21)

COUNTY EXECUTIVE

WHEREAS, the United States Department of Housing and Urban Development (HUD) has an inventory of single and two-family houses in Erie County, which are available for resale on the open market; and

WHEREAS, those houses which are not sold within six months become eligible for resale to local governments for \$1.00, provided the local government agrees to undertake a disposition strategy whereby the houses will be rehabilitated and sold to low- and moderate-income first time homebuyers; and

WHEREAS, a local government, as part of the disposition strategy, may indicate that it intends to purchase the properties and convey them to a non-profit organization for rehabilitation and resale to first time homebuyers or some other public purpose objective; and

WHEREAS, Erie County is desirous of participating in the federal Department of Housing and Urban Development's "\$1.00 Home Sales to Local Governments" Program,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Executive is hereby authorized to execute all appropriate agreements, contracts of sale, and related documents with HUD and/or its duly authorized agent as pertains to the purchase of eligible properties under the federal \$1.00 Home Sales to Local Governments Program; and be it further

RESOLVED, that the cost of each property shall not exceed \$1.00; and be it further

RESOLVED, that the Erie County Executive is hereby authorized to execute all necessary and appropriate agreements, contracts of sale, and related documents with Erie County certified not-for-profit organizations and/or their duly authorized agents as pertains to the sale, at no cost, of eligible properties under the federal \$1.00 Home Sales to Local Governments Program; and be it further

RESOLVED, that said non-profit organization shall be responsible for all closing costs, liens filed against the property, any and all taxes, including transfer taxes, title insurance, and any property insurance; and be it further

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

				AS AMENDED
4.	Item	Page	-2001	(Comm. 20E-14)
	COUNTY EXECUTIVE			

WHEREAS, the Erie County Legislature had awarded Contract No. 45EV to Milherst Construction, Inc.; and

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

WHEREAS, the Erie County Department of Environment and Planning has recommended the final acceptance of Contract No. 45EV in the amount of \$508,399.45 which includes Change Order No.1 (final), a decrease of (\$25,544.55) and approve final payment.

NOW, THEREFORE, BE IT

RESOLVED, that Contract No. 45EV between the County of Erie and Milherst Construction, Inc. 2601 Millersport Highway, P.O. Box 631, Getzville, New York 14068, be accepted in the amount of \$508,399.45 which includes Change Order No. 1 (final), a decrease of (\$25,544.55); and be it further

RESOLVED, that the Erie County Comptroller is hereby authorized and directed to finalize Contract No. 45EV between the County of Erie and Milherst Construction, Inc. in the amount of \$508,399.45 and make final payment from Sewer Capital Account SD No. 2, Fund No. 430, Project No. 913, and return the unused portion \$25,544.55 to Unallocated Account 891; and be it further

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

(5-0)

				AS AMENDED
5.	Item	Page	-2001	(Comm. 20E-15)
	COUNTY EXECUTIVE			

WHEREAS, the Erie County Legislature had awarded Contract No. 6L to Tom Greenauer Development, Inc.; and

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

WHEREAS, the Erie County Department of Environment and Planning has recommended the final acceptance of Contract No. 6L in the amount of \$745,546.20 which includes Change Order No.1 (final), a decrease of (\$33,898.80) and approve final payment.

NOW, THEREFORE, BE IT

RESOLVED, that Contract No. 6L between the County of Erie and Tom Greenauer Development, Inc., 2699 Transit Road, Elma, New York 14059, be accepted in the amount of \$745,546.20 which includes Change Order No.1 (final), a decrease of (\$33,898.20); and be it further

RESOLVED, that the Erie County Comptroller is hereby authorized and directed to finalize Contract No. 6L between the County of Erie and Tom Greenauer Development, Inc. in the amount of \$745,546.20 and make final payment from Sewer Capital Account SD No. 2, Fund No. 430, Project No. 534, and return the unused portion to Unallocated Account; and be it further

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

(5-0)

				AS AMENDED
6.	Item	Page	-2001	(Comm. 20E-29)
	COUNTY EXECUTIVE			

WHEREAS, the Erie County Department of Environment and Planning monitors the Erie County Sports Fishery through the County Sport Fishery Promotion Program and the Erie County Fisheries Advisory Board; and

WHEREAS, B.A.S.S., LLC of Montgomery, Alabama, has contacted the Buffalo Niagara Convention and Visitors Bureau that they have identified Lake Erie and the Niagara River to hold and conduct a BASS Tournament on said areas in summer, 2002; and

MEETING NO. 3
January 24, 2002

ERIE COUNTY LEGISLATURE

WHEREAS, Erie County as 'Host' of said Tournament stands to gain national attention to its Bass Fishery and also gain \$1,000,000+ in economic impact from said Tournament; and

WHEREAS, the Buffalo Convention and Visitors Bureau has requested that Erie County identify funding to pay B.A.S.S. the sum not to exceed \$30,000 to be paid within five (5) days after the conclusion of said Tournament; and

NOW, THEREFORE BE IT

RESOLVED, that the Erie County Executive is hereby authorized to enter into a contract with Buffalo Niagara Convention and Visitors Bureau for an amount not to exceed \$30,000 for the purpose of bringing a national BASS Tournament to Erie County in summer, 2002; and be it further

RESOLVED, that the source of said funds for said contract shall be money appropriated in the Agency Payments monitored by the Department of Environment and Planning, Account 830, sub-account 894, Sports Development Fund within the 2001 Erie County Budget; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Commissioner of the Department of Environment and Planning, the County Comptroller, the Director of Budget, Management and Finance, and the Buffalo Niagara Convention and Visitors Bureau.
(5-0)

AS AMENDED
(Comm. 20E-30)

7. Item Page -2001

COUNTY EXECUTIVE

WHEREAS, the Board of Managers for Erie County Sewer Districts Nos. 1, 2, 3, 4, 5 & 6 have a system of Sewer District User Charges or Fees; and

WHEREAS, the Boards have requested and are desirous of collecting said User Charges or Fees in 2002 for properties in the same manner and fashion as the regular sewer district taxes as has been done in the past year.

NOW, THEREFORE, BE IT

RESOLVED, that the Director of Budget, Management and Finance is hereby authorized and directed to spread said 2002 Sewer District User Charges or Fees against properties within Erie County Sewer District Nos. 1, 2, 3, 4, 5, & 6 liable therefore as provided by law; and be it further

RESOLVED, that the following amounts be collected:

Sewer District #1	\$ 367,689.21
Sewer District #4	\$ 321,851.19
Sewer District #5	\$ 190,002.00
Sewer District #2	

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(Original & Extension)	\$ 92,631.84
Sewer District #3	
(Original District)	\$ 290,557.83
Sewer District #3	
(Boston Valley)	\$ 17,230.40
Sewer District #3	
(Armor McKinley)	\$ 91,780.80
Sewer District #3	
(Holland)	\$ 13,254.00
Sewer District #6	<u>\$1,139,601.48</u>
	\$2,524,598.75

and be it further

RESOLVED, that the Clerk of the Legislature be authorized and directed to send a certified copy of this resolution to Charles J. Alessi, P.E., Deputy Commissioner; Nancy Naples, Erie County Comptroller; Joseph Maciejewski, Deputy Commissioner, Real Property; Gregory Dudek, Assistant County Attorney and Joseph Passafiume, Director of Budget, Management and Finance.
 (5-0)

8. Item Page -2001 (Comm. 20E-33)

COUNTY EXECUTIVE

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

WHEREAS, the original Scope of Services in Stearns & Wheler, LLC's contract did not include evaluation of potentially merging ECSSTA wastewater treatment and related services with the Buffalo Sewer Authority (BSA); and

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

WHEREAS, the County has been considering the feasibility of merging wastewater treatment services with the Buffalo Sewer Authority. Previous studies considered the possibility of conveying flows from the ECSSTA to the BSA only. The proposed services will include the evaluation of the potential merging of common wastewater services including laboratory, pretreatment, purchasing, and wastewater. The proposed study will evaluate the potential merging of services given the Buffalo Sewer Authority's on-going combined sewer overflow Long-Term Control Plan and will include the Department of Environmental Conservation as a team member in the evaluation process; and

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WHEREAS, the cost to expand the Scope of Services of Stearns & Wheler, LLC's contract to prepare a cost effective analysis of evaluation of potentially merging common wastewater services with the BSA, Stearns & Wheler, LLC's agreement is estimated to be \$30,000.00.

NOW, THEREFORE, BE IT

RESOLVED, that Change Order No. 3 to the agreement for engineering services with Stearns & Wheler, LLC in an amount not to exceed \$30,000.00 is hereby approved; and be it further

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

DAC 110 904 303 830 1299	<\$30,000.00>
Interfund transfer out to the Sewer Fund in the Department of Environment & Planning DAC 110 945 620 886 2200	\$30,000.00
Interfund Transfer in 220 853 831 686 3030	<\$30,000.00>
Contractual Services 220 853 830 830	\$30,000.00

RESOLVED, that the Deputy Commissioner, Division of Sewerage Management, be and hereby is, authorized to execute the Change Order No.3 with Stearns & Wheler, LLC; and be it further

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

(5-0)

9. Item Page -2001 (Comm. 21E-19)

COUNTY EXECUTIVE

WHEREAS, based on actual to date costs and projected year end costs, it is estimated that there will be insufficient funds available in the Fringe Benefits Accounts for the Erie County Sewer District No. 2 and 6 Operating Codes for the remainder of the 2001 Budget Year; and

WHEREAS, transfers of funds are necessary to cover the costs of Fringe Benefits in each District for the remainder of the 2001 Budget Year; and

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WHEREAS, there are sufficient funds available in other Operating Codes in the 2001 Operating Fund in Erie County Sewer District Nos. 2 and 6 in their 2001 Budgets.

NOW, THEREFORE, BE IT

RESOLVED, that the following amounts be transferred from the 2001 Operating Funds in Erie County Sewer District Nos. 2 and 6 to provide sufficient funds for Fringe Benefits costs for the remainder of 2001:

1. The amount of \$13,000.00 from Fund 220, Project 852, Department 820, Account 826, Other Expenses, to Fund 220, Project 852, Department 820, Account 805, Fringe Benefits; and
2. The amount of \$30,000.00 from Fund 220, Project 854, Department 840, Account 935, Unanticipated Replacement, to Fund 220, Project 854, Department 840, Account 805, Fringe Benefits;

and be it further

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

(5-0)

10. Item Page -2001 (Comm. 25E-27)

COUNTY EXECUTIVE

WHEREAS, the Town of Lancaster, on behalf of Town Sewer District Nos. 4, 6, 7, & 8, has requested Erie County Sewer District No. 4 to assume ownership of Town Sewer District Nos. 4, 6, 7, & 8 sanitary sewer lines; and

WHEREAS, an intermunicipal agreement is necessary to consolidate the ownership of the Lancaster Town Sewer District Nos. 4, 6, 7, & 8 sewers with Erie County Sewer District No. 4.

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 Town Sewer District Nos. 4, 6, 7 & 8 for the purpose of transferring ownership of Town Sewer District Nos. 4, 6, 7 & 8 sewer lines and appurtenances to Erie County Sewer District No. 4 is hereby approved, and that the County Executive be, and hereby is, authorized to execute the agreement subject to approval as to form by the County Attorney; and be it further

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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 (1) certified copy each to Nancy Naples, County Comptroller; Gregory Dudek, Assistant County Attorney; and Joseph Passafiume, Director of Budget, Management and Finance.
 (5-0)

11. Item Page -2001 (Comm. 25E-29)

COUNTY EXECUTIVE

WHEREAS, Erie County obtained title to Tow Path Park from the City of Buffalo in 1999;
 and

WHEREAS, Erie County received grant award funds through the New York State Environmental Bond Fund Program for improvements to Tow Path Park; and

WHEREAS, Erie County and the City of Buffalo executed an Intermunicipal Agreement on August 17, 1999 relating to the ownership transfer and administration of outstanding State grant awards for Tow Path Park,

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to the grant agreement executed between Erie County and the New York State Office of Parks, Recreation, and Historic Preservation on April 11, 2000, the Erie County Comptroller is hereby authorized to accept payment of \$87,534 from New York State pursuant to the aforementioned agreement; and be it further

RESOLVED, that pursuant to the Intermunicipal Agreement executed between Erie County and the City of Buffalo on August 17, 1999 relative to Tow Path Park, the Erie County Comptroller is hereby authorized to transfer to the City of Buffalo \$87,534 in New York State Environmental Bond Fund Grant funds received by Erie County as reimbursement for work undertaken by the City at Tow Path Park; and be it further

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

12. Item Page -2001 (Comm. 26E-18)

COUNTY EXECUTIVE

RESOLVED, that the Energy & Environment Committee does hereby recommend that the full Legislature confirm the appointment of Edward G. Meyer of 54 Laverack Avenue, Lancaster, New York 14086 as a Member of the Erie County Sewer District Board #4.
 (5-0)

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ERIE COUNTY LEGISLATURE

13. Item Page -2001 (Comm. 27E-26)

COUNTY EXECUTIVE

WHEREAS, the Erie County Legislature had awarded Contract "A", to Patrick Development of WNY, Inc. for the Erie County Sewer District Nos. 1, 4 & 5 Northern Region Administration Building Project; and

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

WHEREAS, the Erie County Department of Environment and Planning has recommended the acceptance of Contract "A" in the final contract amount of \$1,454,908.60 which includes Change Order No. A-4 (final) a decrease of \$420.00, and approval for final payment.

NOW, THEREFORE, BE IT

RESOLVED, that Contract "A" between the County of Erie and Patrick Development of WNY, Inc. 8610 Transit Road, East Amherst, New York 14051, is accepted in the amount of \$1,454,908.60, which includes Change Order No.4 (final) a decrease of \$420.00, and final payment is approved; and be it further

RESOLVED, that the Erie County Comptroller is hereby authorized and directed to finalize Contract "A" between the County of Erie and Patrick Development of WNY, Inc in the amount of \$1,454,908.60 and make final payment from Sewer Capital Account SD #1, 4 & 5, Fund No.430, Project No. 916.; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send two (2) certified copies of this resolution to Charles J. Alessi, P.E., Department of Environment and Planning, and one certified copy to the Director of Budget and Management, Erie County Comptroller's Office and Gregory Dudek, Assistant County Attorney.
 (5-0)

14. Item Page -2001 (Comm. 27E-27)

COUNTY EXECUTIVE

WHEREAS, the Erie County Legislature had awarded Contract "C", to A. Gareleck and Sons, Inc. for the Erie County Sewer District Nos. 1, 4 & 5 Northern Region Administration Building Project; and

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

WHEREAS, the Erie County Department of Environment and Planning has recommended the acceptance of Contract "C" in the final contract amount of \$196,813.44, which includes Change Order No. C-2 (final) a decrease of (\$1,638.00), and approval for final payment.

NOW, THEREFORE, BE IT

RESOLVED, that Contract "C" between the County of Erie and A. Gareleck and Sons, Inc., 125 Arthur Street, Buffalo, New York 14207, is accepted in the amount of \$196,813.44, which includes Change Order No. C-2 (final) a decrease of (\$1,638.00), and final payment is approved; and be it further

RESOLVED, that the Erie County Comptroller is hereby authorized and directed to finalize Contract "C" between the County of Erie and A. Gareleck and Sons, Inc. in the amount of \$196,813.44 and make final payment from Sewer capital Account SD Nos. 1, 4 & 5 Fund No. 430, Project No. 916; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send two (2) certified copies of this resolution to Charles J. Alessi, P.E., Department of Environment and Planning, and one certified copy to the Director of Budget and Management, Erie County Comptroller's Office and Gregory Dudek, Assistant County Attorney.
 (5-0)

15. Item Page -2002 (Comm. 1E-30)

COUNTY EXECUTIVE

WHEREAS, "The County of Erie/Erie County Southtowns Sewage Treatment Agency and Erie County Sewer District No. 6 herein called the "Municipal Applicant" after thorough consideration of the various aspects of the project and study of available data, has hereby determined that the Project generally described as the Southtowns Sewage Treatment Plant/Lackawanna Treatment Plant Joint Connection to the Buffalo Sewer Authority, herein called the "Project" is desirable and in the public interest, and to that end it is necessary that action preliminary to the construction of said Project be taken immediately; and

WHEREAS, Article 56 of the Environmental Conservation Law authorizes State assistance to municipalities for environmental projects by means of a contract and the Municipality deems it to be in the public interest and benefit under this law to enter into a contract therewith; and

NOW, THEREFORE, BE IT RESOLVED BY ERIE COUNTY LEGISLATURE as follows:

1. The filing of an application for State assistance in the form required by the State of New York in conformity with the Clean Water/Clean Air Bond Act is hereby authorized, including all understandings and assurances contained in said application.
2. The following person (s) is/are directed and authorized as the official representative (s) of the Municipal Applicant to execute and deliver the State Assistance Contract and any other documents necessary to receive financial assistance from the State for the Project described, to act in connection with the Project and to provide such additional information and documentation as may be required and to make such agreements on behalf of the Municipal Applicant as may be required.

The COUNTY EXECUTIVE
 (Authorized Representative)

The ERIE COUNTY COMPTROLLER
 (Chief Fiscal Officer)

3. The official (s) designated above is/are authorized to make application for financial assistance under the Clean Water/Clean Air Bond Act.
4. That the Municipality agrees that it will fund its portion of the cost of the Project and that funds will be available to initiate the Project's field work within twelve (12) months of written approval of its application by the Department of Environmental Conservation;
5. That one (1) certified copy of this Resolution be prepared and sent to the Albany Office of the New York State Department of Environmental Conservation together with the *Application for State Assistance Payments*; that five (5) certified copies of this resolution be prepared and sent to Charles J. Alessi, P.E., Department of Environment and Planning, Division of Sewerage Management; and that one (1) certified copy of this resolution be prepared and sent to Nancy A. Naples, Erie County Comptroller.
6. The Resolution shall take effect immediately.

(5-0)

16. Item Page -2002 (Comm. 1E-38)

COUNTY EXECUTIVE

WHEREAS, the Department of Parks, Recreation & Forestry desires to enter into an agreement with the New York State Office of Parks, Recreation and Historic Preservation for Snowmobile Trail Development during the 2001-2002 snowmobile season in an amount not to exceed \$53,334.27, and

WHEREAS, the sum of \$1,000 is budgeted as a state revenue for snowmobile development in the 2002 Adopted Budget of the Division of Parks, and

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

NOW, THEREFORE, BE IT

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RESOLVED, that the County Executive is hereby authorized to enter into an agreement with the New York State Office of Parks, Recreation and Historic Preservation for an amount not to exceed \$53,334.27 as pertains to snowmobile trail maintenance performed during the 2001-2002 snowmobile season, and be it further

RESOLVED, that the County Executive is authorized to enter into contracts with the individual Snowmobile Clubs of Erie County for a total amount not to exceed \$49,174.27 for the purpose of snowmobile trail maintenance on club trails during the 2001-2002 snowmobile season, provided that the clubs meet all insurance and other requirements deemed necessary by the County, in amounts as follows:

Colden Trail Riders Inc.	\$3,546.30
Eden Trail Blazers Inc.	\$3,137.10
Grand Island Snowmobile Club Inc.	\$3,546.30
Hamburg Snowmobile Club Inc.	\$5,626.35
Holland Sno-Rascals Inc.	\$2,301.70
Marilla Sno-Mob Inc.	\$5,660.50
Northern Erie Snowseekers Inc.	\$7,658.62
Pioneer Sno-Surfers Inc.	\$2,693.80
Southern Tier Snowdrifters Inc.	\$7,638.20
W.N.Y. Snowmobile Club of Boston Inc.	<u>\$7,365.40</u>
	\$49,174.27

RESOLVED, that the Erie County Legislature hereby approves the appropriation of anticipated state aid revenue in the Division of Parks, fund 110, project 942, dept. 640, account 553, in the amount of \$49,174.27, and an increase in appropriations in the amount of \$49,174.27, in the Division of Parks, fund 110, project 942, dept. 640, account 830, in order that funds may be available to make payment to the individual clubs of the Erie County Federation of Snowmobile Clubs, and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Division of Budget and Management and Finance, Commissioner of the Department of Environment and Planning, Assistant County Attorney, Greg Dudek, of the Law Department, and the Commissioner of the Department of Parks, Recreation and Forestry.
 (5-0)

JOHN W. GREENAN
CHAIRMAN

MR. GREENAN moved to separate items #2 and #3 and moved the approval of the balance of the report. MR. RANZENHOFER seconded.

CARRIED UNANIMOUSLY.

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MR. GREENAN moved to send item # 2 back to the ENERGY & ENVIRONMENT COMMITTEE. MR. WEINSTEIN seconded. MR. RANZENHOFER voted in the negative.

CARRIED.

MR. GREENAN moved the approval of item #3. MR. WEINSTEIN seconded.

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 17

January 17, 2002

PUBLIC SAFETY
 COMMITTEE
 REPORT NO. 1

ALL MEMBERS PRESENT.

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

- | | | | | | | | | | | | | | |
|---|---|-------|----------------|-------|----------------|---|--|--|--|-------|--|--|--|
| a. | <table border="0"> <tr> <td style="padding-right: 20px;">Item</td> <td style="padding-right: 20px;">Page</td> <td style="padding-right: 20px;">-2001</td> <td>(Comm. 7M-13)</td> </tr> <tr> <td colspan="4">NYS UNIFIED COURT SYSTEM 8TH JUDICIAL DISTRICT: Memo to Justices & Judges Chief Clerks & Supervisors Re: Magnetometer/X-Ray Weapons Screening 2000.</td> </tr> <tr> <td colspan="4">(5-0)</td> </tr> </table> | Item | Page | -2001 | (Comm. 7M-13) | NYS UNIFIED COURT SYSTEM 8TH JUDICIAL DISTRICT: Memo to Justices & Judges Chief Clerks & Supervisors Re: Magnetometer/X-Ray Weapons Screening 2000. | | | | (5-0) | | | |
| Item | Page | -2001 | (Comm. 7M-13) | | | | | | | | | | |
| NYS UNIFIED COURT SYSTEM 8TH JUDICIAL DISTRICT: Memo to Justices & Judges Chief Clerks & Supervisors Re: Magnetometer/X-Ray Weapons Screening 2000. | | | | | | | | | | | | | |
| (5-0) | | | | | | | | | | | | | |
| b. | <table border="0"> <tr> <td style="padding-right: 20px;">Item</td> <td style="padding-right: 20px;">Page</td> <td style="padding-right: 20px;">-2001</td> <td>(Comm. 11M-16)</td> </tr> <tr> <td colspan="4">NYS DEFENDERS ASSOCIATION: Letter to Clerk of Erie County Legislature Re: Seeking Support to Ask NYS to Reform Public Defense System.</td> </tr> <tr> <td colspan="4">(5-0)</td> </tr> </table> | Item | Page | -2001 | (Comm. 11M-16) | NYS DEFENDERS ASSOCIATION: Letter to Clerk of Erie County Legislature Re: Seeking Support to Ask NYS to Reform Public Defense System. | | | | (5-0) | | | |
| Item | Page | -2001 | (Comm. 11M-16) | | | | | | | | | | |
| NYS DEFENDERS ASSOCIATION: Letter to Clerk of Erie County Legislature Re: Seeking Support to Ask NYS to Reform Public Defense System. | | | | | | | | | | | | | |
| (5-0) | | | | | | | | | | | | | |
| c. | <table border="0"> <tr> <td style="padding-right: 20px;">Item</td> <td style="padding-right: 20px;">Page</td> <td style="padding-right: 20px;">-2001</td> <td>(Comm. 12M-6)</td> </tr> <tr> <td colspan="4">PATRICIA VACCARO: Letter to Legislator Kuwik Re: Support for 800 Mhz Radio System.</td> </tr> <tr> <td colspan="4">(5-0)</td> </tr> </table> | Item | Page | -2001 | (Comm. 12M-6) | PATRICIA VACCARO: Letter to Legislator Kuwik Re: Support for 800 Mhz Radio System. | | | | (5-0) | | | |
| Item | Page | -2001 | (Comm. 12M-6) | | | | | | | | | | |
| PATRICIA VACCARO: Letter to Legislator Kuwik Re: Support for 800 Mhz Radio System. | | | | | | | | | | | | | |
| (5-0) | | | | | | | | | | | | | |
| d. | <table border="0"> <tr> <td style="padding-right: 20px;">Item</td> <td style="padding-right: 20px;">Page</td> <td style="padding-right: 20px;">-2001</td> <td>(Comm. 12M-7)</td> </tr> <tr> <td colspan="4">JOHN VACCARO, SR.: Letter to Legislator Kuwik Re: Support for 800 Mhz Radio System.</td> </tr> <tr> <td colspan="4">(5-0)</td> </tr> </table> | Item | Page | -2001 | (Comm. 12M-7) | JOHN VACCARO, SR.: Letter to Legislator Kuwik Re: Support for 800 Mhz Radio System. | | | | (5-0) | | | |
| Item | Page | -2001 | (Comm. 12M-7) | | | | | | | | | | |
| JOHN VACCARO, SR.: Letter to Legislator Kuwik Re: Support for 800 Mhz Radio System. | | | | | | | | | | | | | |
| (5-0) | | | | | | | | | | | | | |

MEETING NO. 3**January 24, 2002****ERIE COUNTY LEGISLATURE**

e. Item Page -2001 (Comm. 21M-15)
NYS UNIFIED COURT SYSTEM EIGHTH JUDICIAL DISTRICT: Procedures &
Protocol in Emergency Situations.
(5-0)

f. Item Page -2002 (Comm. 1E-18)
COUNTY EXECUTIVE: Reappointment to Central Police Services Board of Trustees.
(5-0)

2. Item Page -2001 (Int. 4-5)
GREENAN, CHASE, McCARVILLE, RANZENHOFER, WEINSTEIN & LARSON
WHEREAS, according to current New York State law, harassing communications via telephone, telegraph, mail and other forms of written communication are considered aggravated harassment in the second degree, and

WHEREAS, the current law does not include harassing communications via computer network to be aggravated harassment in the second degree, and

WHEREAS, the use of the Internet and Electronic Mail to communicate information has created an increased opportunity for harassment, and

WHEREAS, people should be protected by the law from the effects of computer network generated harassment, and

WHEREAS, New York State Senate Bill (S.684), which has been sent to the State Assembly, would include harassing communications via computer network to the crime of aggravated harassment in the second degree, and

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature supports including harassment via computer network to the crime of aggravated harassment in the second degree, and be it further

RESOLVED, that this Honorable Body does hereby memorial the New York State Assembly to pass, and Governor Pataki to sign into law (S.684) making the aforementioned action aggravated harassment in the second degree, and be it further

RESOLVED, that a certified copy of this resolution be forwarded to Governor Pataki and all of the Western New York delegation.
(5-0)

3. Item Page -2001 (Int. 7-2)
WEINSTEIN, GREENAN, CHASE, McCARVILLE, RANZENHOFER & LARSON

WHEREAS, recently the National Safe Kids Campaign conducted a study which graded the child occupant protection laws of each state in the Nation, and

WHEREAS, the study found that nearly half of the individual states received failing grades, and New York State was among the 18 that received a grade of 'D,' and

WHEREAS, the Erie County Legislature does not accept anything but the highest standards regarding the welfare of the community's children, especially pertaining to car seat safety and therefore, this honorable body wishes to correct the imperfections noted in the study, and

WHEREAS, the State of New York does not legislatively mandate a public education campaign about the proper use of car seats, and the age-specific requirements for young passengers, and

WHEREAS, this Honorable Body believes Public Service Announcements are an important and successful instrument in educating the public and would be a worthy initiative for the New York State Legislature, and

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature recognizes the importance of car seat safety for children and continuously strives to make any necessary improvements in this area, and be it further

RESOLVED, that this Honorable Body does hereby call upon the New York State Legislature to increase the number of public service announcements regarding car seat safety in an effort to better educate the public, and be it further

RESOLVED, that certified copies of this resolution be sent to Governor George Pataki and Members of the New York State Delegation, and to Martin R. Eichelberger, M.D., President and founder of the National Safe Kids Campaign.

(5-0)

4. Item Page -2001 (Comm. 20E-21)

COUNTY EXECUTIVE

RESOLVED, that the Public Safety Committee does hereby recommend that the full Legislature confirm the appointment of Paul R. Morley, Sr. of 59 Sunset Lane, Springville, New York 14141 as a Member of the Erie County Fire Advisory Board for a term to expire May 31, 2002.

(5-0)

5. Item Page -2001 (Comm. 21E-35)

COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Emergency Services has been awarded a first grant from the federal government through the New York State Emergency Management Office, and

MEETING NO. 3
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WHEREAS, the Erie County Department of Emergency Services needs to meet the requirements of the first grant in order to retain advanced funding, and

WHEREAS, the requirements of this first grant need to be completed.

NOW, THEREFORE, BE IT

RESOLVED, that the transfer of funding within the first Terrorism Consequence Management Preparedness Program Grant will be as follows:

Revenue

	<u>Present</u> <u>Grant</u>	<u>Proposed</u> <u>Transfer</u>	<u>New</u> <u>Balance</u>
SFG Acct. 214 Federal Aid-Other	\$17,800	\$ 0	\$17,800

Appropriations

SFG Acct. 810 Office Supplies	\$ 200	\$ 0	\$ 200
SFG Acct. 820 Contractual	15,000	- \$2,000	\$13,000
SFG Acct. 826 Other Expenses	<u>2,600</u>	<u>+\$2,000</u>	<u>\$ 4,600</u>
TOTAL	\$17,800	\$ 0	\$17,800

and be it further

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

6. Item Page -2001 (Comm. 27E-16)

COUNTY EXECUTIVE

WHEREAS, the Departments of Probation, Central Police Services and Youth Services have been working together to establish a networked management information system to improve the coordination of services to youth, and

WHEREAS, grant funding will allow Probation Officers to have the ability to provide prompt assessment of juveniles entering the juvenile justice system during weekend, evening and night shifts, and

WHEREAS, the Department of Central Police Services will contract with Child and Adolescent Treatment Services to continue the work of a Family Resource Worker, a position established by the Buffalo Police Department in the first year of the JAIBG grant,

NOW, THEREFORE, BE IT

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RESOLVED, that authorization is hereby provided for the County Executive to enter into contract and accept funding in the amount of \$274,340 for third year funding under the Juvenile Accountability Incentive Block Grant (JAIBG) Program with the New York State Division of Criminal Justice Services, and be it further

RESOLVED, that authorization is hereby provided to establish third year JAIBG grant in the Probation Department and the Department of Central Police Services to implement this program as follows:

Grant Fund
 Department 260 - Probation
 Juvenile Accountability Incentive Block Grant - Third Year
 October 1, 2001 - September 30, 2002

<u>Revenue</u>	<u>Increase</u>
Acct. 627-State Aid Criminal Justice	\$94,780
Acct. 685-2600-Interfund Revenue	<u>10,532</u>
Total Revenue	\$105,312

<u>Appropriation</u>	
Acct. 801-Overtime	\$15,000
Acct. 805-Fringe Benefits	1,200
Acct. 810-Office Supplies	400
Acct. 821-Dues and Fees	2,000
Acct. 824-Local Travel	1,000
Acct. 830-Contractual Services	51,012
Acct. 825-Out of Area Travel	3,000
Acct. 933-Lab and Technical Equipment	<u>31,700</u>
Total Appropriation	\$105,312

Grant Fund
 Department 650 – Central Police Services
 Juvenile Accountability Incentive Block Grant
 October 1, 2001 - September 30, 2002

<u>Revenue</u>	<u>Increase</u>
Acct. 627-State Aid Criminal Justice	\$179,560
Acct. 685-2600-Interfund Revenue	<u>19,950</u>
Total Revenue	\$199,510

Appropriation

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Acct. 800-Personal Services	\$58,383
Acct. 805-Fringe Benefits	13,510
Acct. 810-Office Supplies	500
Acct. 933-Lab and Technical Equipment	122,000
Acct. 825-Out of Area Travel	2,000
Acct. 821-Dues and Fees	<u>3,117</u>
Total Appropriation	\$199,510

and be it further

RESOLVED, that the County Executive is hereby authorized to enter into a subcontract with Child and Adolescent Treatment Services, in an amount not to exceed \$51,012, to continue the work of the Family Resource Worker for the Buffalo Police Department, and be it further

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

(5-0)

7. Item Page -2002 (Comm. 1E-13)

SHERIFF

WHEREAS, the Erie County Sheriff's Office is no longer in need of a Data Entry Operator position, and

WHEREAS, the Erie County Sheriff's Office will be able to lower expense and properly fill a personnel need by deleting one Data Entry Operator position and creating one Receptionist position, and

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Sheriff's Office be authorized to delete one (1) Data Entry Operator Job Group IV position, and create one (1) Receptionist position, Grade III. A copy of the B100 is attached, and be it further

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

(5-0)

8. Item Page -2002 (Comm. 1E-20)

COUNTY EXECUTIVE

WHEREAS, the District Attorney through the BE-SAFE Program Grant provides needed services to the residents of Erie County, and

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WHEREAS, the Erie County Legislature has already approved the District Attorney's Grant Budgets in Book B for 2001, and

WHEREAS, the contract received from the Federal Government authorizes funding levels different from the adopted budget,

NOW, THEREFORE, BE IT

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

BE-SAFE GRANT - Project 412
 October 1, 2001 - September 30, 2002

<u>Revenue</u>	<u>ORIGINAL</u>	<u>CHANGE</u>	<u>FINAL</u>
Acct. 684 120 Federal	\$235,938	\$ - 0 -	\$235,938
Acct. 686 Interfund DA	<u>- 0 -</u>	<u>- 0 -</u>	<u>- 0 -</u>
Total Revenue	<u>\$235,938</u>	<u>\$ - 0 -</u>	<u>\$235,938</u>
<u>Appropriation</u>	<u>ORIGINAL</u>	<u>CHANGE</u>	<u>FINAL</u>
Acct. 800 Personal Services	\$147,998	\$ 2,438	\$150,436
Acct. 805 Fringe Benefits	34,040	(5,944)	28,096
Acct. 810 Office Supplies	1,200	(1,200)	- 0 -
Acct. 821 Dues & Fees	1,200	(1,200)	- 0 -
Acct. 822 Rental Charges	150	(150)	- 0 -
Acct. 825 Out of Area Travel	16,000	(5,694)	10,306
Acct. 826 Other Expenses	2,200	(2,200)	- 0 -
Acct. 830 Contractual Services	<u>33,150</u>	<u>13,950</u>	<u>47,100</u>
Total Appropriations	<u>\$235,938</u>	<u>\$ - 0 -</u>	<u>\$235,938</u>

and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Erie County District Attorney, the Erie County Comptroller and the Director of Budget, Management and Finance.
 (5-0)

9. Item Page -2002 (Comm. 1E-21)
COUNTY EXECUTIVE

WHEREAS, the District Attorney through the BE-SAFE Program Grant provides needed services to the residents of Erie County, and

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WHEREAS, the Erie County Legislature has already approved the District Attorney's Grant Budgets in Book B for 2000, and

WHEREAS, all grant accounts need to be closed out on Erie County's general ledger,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby provide authorization to reallocate funds within the BE-SAFE Grant to properly close out the grant as of September 30, 2001, to be adjusted as follows:

BE-SAFE GRANT - Project 246
 October 1, 2000 - September 30, 2001

<u>Revenue</u>	<u>ORIGINAL</u>	<u>CHANGE</u>	<u>FINAL</u>
Acct. 684 Federal Aid	<u>\$212,931</u>	<u>\$ - 0 -</u>	<u>\$212,931</u>
Total Revenue	<u>\$212,931</u>	<u>\$ - 0 -</u>	<u>\$212,931</u>
<u>Appropriation</u>	<u>ORIGINAL</u>	<u>CHANGE</u>	<u>FINAL</u>
Acct. 800 Personal Services	\$ 98,613	\$ 8,387	\$107,000
Acct. 805 Fringe Benefits	21,695	- 0 -	21,695
Acct. 810 Office Supplies	659	- 0 -	659
Acct. 821 Dues & Fees	3,360	- 0 -	3,360
Acct. 825 Out of Area Travel	14,640	(8,387)	6,253
Acct. 830 Contractual Services	<u>73,964</u>	<u>- 0 -</u>	<u>73,964</u>
Total Appropriations	<u>\$212,931</u>	<u>\$- 0 -</u>	<u>\$212,931</u>

and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Erie County District Attorney, the Erie County Comptroller and the Director of Budget, Management and Finance.
 (5-0)

10. Item Page -2002 (Comm. 1E-22)

COUNTY EXECUTIVE

WHEREAS, the District Attorney through the BE-SAFE NOW Program Grant provides needed services to the residents of Erie County, and

WHEREAS, the Erie County Legislature has already approved the District Attorney's Grant Budgets in Book B for 2000, and

WHEREAS, all grant accounts need to be closed out on Erie County's general ledger,

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NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby provide authorization to reallocate funds within the BE-SAFE NOW Grant to properly close out the grant as of September 30, 2001, to be adjusted as follows:

BE-SAFE NOW GRANT - Project 248
 October 1, 2000 - September 30, 2001

<u>Revenue</u>	<u>ORIGINAL</u>	<u>CHANGE</u>	<u>FINAL</u>
Acct. 627 State Aid	\$ 93,750	\$ - 0 -	\$ 93,750
Acct. 686 1400 Interfund	24,091	- 0 -	24,091
Total Revenue	<u>\$117,841</u>	<u>\$ - 0 -</u>	<u>\$117,841</u>
<u>Appropriation</u>	<u>ORIGINAL</u>	<u>CHANGE</u>	<u>FINAL</u>
Acct. 800 Personal Services	\$ 88,978	\$ - 0 -	\$ 88,978
Acct. 801 Overtime	- 0 -	297	297
Acct. 805 Fringe Benefits	20,863	2,700	23,563
Acct. 810 Office Supplies	500	- 0 -	500
Acct. 821 Dues & Fees	5,000	(2,997)	2,003
Acct. 825 Out of Area Travel	1,000	- 0 -	1,000
Acct. 826 Other Expenses	<u>1,500</u>	<u>- 0 -</u>	<u>1,500</u>
Total Appropriations	<u>\$117,841</u>	<u>\$ - 0 -</u>	<u>\$117,841</u>

and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Erie County District Attorney, the Erie County Comptroller and the Director of Budget, Management and Finance.
 (5-0)

JEANNE Z. CHASE
CHAIRPERSON

MS. CHASE moved to separate items #1f, #2 and #3 and moved the approval of the balance of the report. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

MS. CHASE moved to RECEIVE, FILE AND PRINT item #1f. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

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ERIE COUNTY LEGISLATURE

January 4, 2002

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

Re: Reappointment to Central Police Services Board of Trustees

Dear Members:

I, Joel A. Giambra, Erie County Executive, pursuant to Article 11-D-03 of the Erie County Administrative Code, do hereby reappoint Patrick Curley to the Central Police Services Board of Trustees, for a one-year term expiring December 31, 2002.

Respectfully submitted,

JOEL A. GIAMBRA
 ERIE COUNTY EXECUTIVE

cc: Appointee
 Commissioner Kevin Comerford

MR. SWANICK moved to amend item #2. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

ADD the following co-sponsors: SWANICK, KUWIK, SCHROEDER, HOLT, FISHER, DALE, PEOPLES, DUSZA & MARINELLI

DELETE the fifth WHEREAS and REPLACE with the following:

WHEREAS, New York State Senate Bill (S.684) and New York State Assembly Bill (A.49), would include harassing communications via computer network to the crime of aggravated harassment in the second degree, and

DELETE the second RESOLVE and REPLACE with the following:

RESOLVED, that this Honorable Body does hereby memorialize Governor Pataki to sign into law (S.684) and (A.49) making the aforementioned action aggravated harassment in the second degree, and be it further

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MS. CHASE moved the approval of the resolution as amended. MR. SWANICK seconded.

CARRIED UNANIMOUSLY.

MR. SWANICK moved to amend item #3 to include ET AL sponsorship. MS. CHASE seconded.

CARRIED UNANIMOUSLY.

MS. CHASE moved the approval of the resolution as amended. MR. SWANICK seconded.

CARRIED UNANIMOUSLY.

Item 24 – MR. WEINSTEIN presented the following resolution and moved for immediate consideration. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 18

January 17, 2002

HUMAN SERVICES COMMITTEE
 COMMITTEE
 REPORT NO. 1

ALL MEMBERS PRESENT EXCEPT LEGISLATOR FISHER.

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

a. Item Page -2001 (Int. 4-8)
WEINSTEIN, FISHER, CHASE, GREENAN, RANZENHOFER, McCARVILLE & PEOPLES: Requiring Body Piercers to Obtain Educational Certification of Aftercare Instruction.

(4-0) Legislator Fisher Absent.

b. Item Page -2001 (Int. 4-9)
OLMA: Expanded Women's Health Care Coverage by New York State.

(4-0) Legislator Fisher Absent.

AS AMENDED

c. Item Page -2001 (Int. 5-12)
FISHER, MARINELLI, OLMA, PEOPLES & WEINSTEIN: Support for State Legislation to Guarantee Expanded Health Care Coverage for Women.

(4-0) Legislator Fisher Absent.

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- d. Item Page -2001 (Comm. 8D-2)
YOUTH SERVICES: Impact of Amendment of PINS Law of 2000 Which Will Allow 16 & 17 Year Olds Into Population.
(4-0) Legislator Fisher Absent.
- e. Item Page -2001 (Comm. 8M-11)
EC ENVIRONMENTAL MANAGEMENT COUNCIL: Recommendations for Control of West Nile Virus.
(4-0) Legislator Fisher Absent.
- f. Item Page -2001 (Comm. 12D-11)
ECMC: Copy of Resolution to be Submitted to JCC Planning Committee Re: Development of Retail Space at ECMC.
(4-0) Legislator Fisher Absent.
- g. Item Page -2001 (Comm. 15M-4)
DOUGLAS DEDRICK: Unwanted Pet Problem.
(4-0) Legislator Fisher Absent.
- h. Item Page -2001 (Comm. 15M-13)
DOUGLAS G. DEDRICK: Letter to Legislator Fisher Re: Plan of End Unwanted Cat Problems.
(4-0) Legislator Fisher Absent.
- i. Item Page -2001 (Comm. 17M-51)
CHILDREN'S HOSPITAL OF BUFFALO: Report of Efforts to Provide Uninterrupted Continuum on Care in Light of Radiology Assoc of Buffalo No Longer Providing Service.
(4-0) Legislator Fisher Absent.
- j. Item Page -2001 (Comm. 19M-1)
E3 COMMUNICATIONS: Letter to Legislator Fisher Re: HMO Reimbursement Rates.
(4-0) Legislator Fisher Absent.
- k. Item Page -2001 (Comm. 19M-11)
COALITION FOR ECONOMIC JUSTICE: Welfare Reform Monitoring Project – Phase II Report.
(4-0) Legislator Fisher Absent.
- l. Item Page -2001 (Comm. 20D-2)
ECMC: Notice of Board of Managers Meeting Held 10/11/01.
(4-0) Legislator Fisher Absent.
- m. Item Page -2001 (Comm. 20D-3)
ECMC: Notice of JCC/Planning Committee Meeting to be Held 10/23/01.
(4-0) Legislator Fisher Absent.

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- n. Item Page -2001 (Comm. 20D-4)
ECMC: Notice of Finance Committee Meeting to be Held 10/26/01.
(4-0) Legislator Fisher Absent.
- o. Item Page -2001 (Comm. 20D-6)
MENTAL HEALTH: Minutes of Mental Health Subcommittee Meeting Held 9/10/01.
(4-0) Legislator Fisher Absent.
- p. Item Page -2001 (Comm. 20D-7)
MENTAL HEALTH: Minutes of Mental Retardation/Developmental Disabilities
Subcommittee Meeting Held 9/20/01.
(4-0) Legislator Fisher Absent.
- q. Item Page -2001 (Comm. 20D-8)
MENTAL HEALTH: Minutes Of Alcohol & Substance Abuse Subcommittee from Meeting
Held 9/18/01.
(4-0) Legislator Fisher Absent.
- r. Item Page -2001 (Comm. 20D-10)
ECMC: Minutes from Board of Managers Meeting Held 9/20/01 & Agenda for Meeting
Held 10/11/01.
(4-0) Legislator Fisher Absent.
- s. Item Page -2001 (Comm. 20E-20)
COUNTY EXECUTIVE: Appointment to ECMC Board of Managers.
(4-0) Legislator Fisher Absent.
- t. Item Page -2001 (Comm. 20M-1)
NYSAC: Copy of Letter to Governor Pataki, Senator Bruno & Assemblyman Silver Urging
NYS to Delay Raising Age of PINS to 18.
(4-0) Legislator Fisher Absent.
- u. Item Page -2001 (Comm. 20M-2)
EC MENTAL HYGIENE COMMUNITY SERVICES BOARD: Notice of Meeting to be
Held 10/18/01 & Minutes of Meeting Held 9/20/01.
(4-0) Legislator Fisher Absent.
- v. Item Page -2001 (Comm. 25D-1)
ECMC: Notice of Meeting to be Held 11/8/01 & Minutes of Previous Meeting.
(4-0) Legislator Fisher Absent.
- w. Item Page -2001 (Comm. 25M-1)
EC MENTAL HYGIENE COMMUNITY SERVICES BOARD: Notice of Meeting Held
11/15/01 & Minutes for Meeting Held 10/18/01.

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(4-0) Legislator Fisher Absent.

- x. Item Page -2001 (Comm. 25M-5)
NYS SENATOR RATH: Acknowledgement of Receipt of Resolution.
(4-0) Legislator Fisher Absent.

- y. Item Page -2001 (Comm. 26D-4)
ECMC: Notice of Finance Committee Meeting Held 12/4/01, Minutes & Financial
Statements for 10/01.
(4-0) Legislator Fisher Absent.

2. Item Page -2001 (Comm. 27E-3)
COUNTY EXECUTIVE

RESOLVED, that the Human Services Committee does hereby recommend that the full Legislature confirm the reappointment of James T. Keefe of Fiddler and Company, LLP, One Towne Centre, 501 John James Audubon Parkway, Amherst, New York 14228 to the ECMC Board of Managers for a term to expire December 31, 2006, and be it further

RESOLVED, that the Human Services Committee does hereby recommend that the full Legislature confirm the appointment of the following to the ECMC Board of Managers for a term to expire December 31, 2006:

Douglas H. Baker
4959 Sheridan Drive
Williamsville, New York 14221

John D. Kennedy
27 Arundel Road
Buffalo, New York 14216

Neal Fatin
121 Tillinghast Place
Buffalo, New York 14216

(4-0) Legislator Fisher Absent.

3. Item Page -2001 (Comm. 27E-22)
COUNTY EXECUTIVE

WHEREAS, in order to avoid the layoff of experienced nursing staff and to maximize nursing resources within the Erie County Health Department, and

WHEREAS, these personnel adjustments will facilitate the delivery of necessary public health services in the School Health Program and the Adult Medicine Program at the Dr. Matt Gajewski Health Center, and

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WHEREAS, these personnel adjustments can be accomplished without additional funding,
and

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the deletion of two vacant positions of Public Health Nurse, N 2, Regular Part Time (position number 128983 and position number 128984), and be it further

RESOLVED, that two positions of Registered Nurse, Regular Part Time, JG N 1, (10 month positions) and one position of Registered Nurse, Regular Part Time, JG N 1, (12 month position) are hereby created.

The following personnel detail is hereby submitted:

TITLE: Registered Nurse-Regular Part Time	CIVIL SERVICE: Non-Competitive
JG: N 1	CIVIL SERVICE LIST: No
STEP: I	
ANNUAL SALARY: \$15.08 hourly	

and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Department of Health, Department of Personnel, the Office of the Comptroller, the Division of Budget, Management and Finance, and the Department of Law.
(4-0) Legislator Fisher Absent.

4. Item Page -2002 (Comm. 1E-14)
COUNTY EXECUTIVE

WHEREAS, the Department of Social Services is seeking Legislative authorization to contract with the Center for Governmental Research for the purpose of developing a "Blueprint for Change" to recommend improvements in both the organization and delivery systems of Erie County's human services, and

WHEREAS, this study will involve the Departments of Social Services, Health, Mental Health, Probation, Senior Services, the Division of Youth Detention and the Youth Bureau, and

WHEREAS, a selection committee has recommended this contract with the Center for Governmental Research based on review of the responsiveness, comprehensive nature and the clarity of their proposal and their experience among nine (9) submissions to a Request for Proposal (RFP) released in June 2001, and

WHEREAS, overall County coordination of the Blueprint for Change study will be through a steering committee chaired by the Coordinating Council for Children and Families, and

WHEREAS, funds in the amount of \$250,000 for phase one of this two-year study are budgeted in the 2002 Adopted Budget of the Department of Social Services, and there is no current year fiscal impact to the 2002 Adopted Budget.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive and/or the Commissioner of Social Services are hereby authorized to enter into a one year renewable contract with the Center for Governmental Research in the amount of \$250,000, and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the Coordinating Council on Children and Families, the Division of Budget, Management and Finance and the Departments of Social Services, Health, Mental Health, Probation, Senior Services and the Erie County Comptroller.

(4-0) Legislator Fisher Absent.

5. Item Page -2002 (Comm. 1E-19)

COUNTY EXECUTIVE

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

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

NOW, THEREFORE, BE IT

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

Healthy Heart Worksite Wellness Grant
4/1/02 - 3/31/03
Project #693

SFG	REVENUE	CURRENT BUDGET	CHANGES	REVISED BUDGET
553	STATE AID	<u>\$70,000</u>	<u>\$0</u>	<u>\$70,000</u>
	TOTAL	<u>\$70,000</u>	<u>\$0</u>	<u>\$70,000</u>
	EXPENSES			

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825	OUT OF AREA TRAVEL	\$1,000	-\$1,000	\$0
826	OTHER EXPENSES	1,000	0	1,000
830	CONTRACTUAL	66,500	0	66,500
880	5100 INTERFUND - DISS	500	-500	0
932	OFFICE EQUIPMENT	0	1,000	1,000
933	LAB & TECH EQUIPMENT	<u>1,000</u>	<u>500</u>	<u>1,500</u>
	TOTAL	<u>\$ 70,000</u>	<u>\$0</u>	<u>\$ 70,000</u>

and be it further

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

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

(4-0) Legislator Fisher Absent.

6. Item Page -2002 (Comm. 1E-23)

COUNTY EXECUTIVE

WHEREAS, public health law requires the reporting of HIV infection and HIV related disease in addition to AIDS, and

WHEREAS, HIV surveillance data is used to monitor trends in the epidemic, to evaluate resource needs and to target prevention efforts, and

WHEREAS, the identification of partners at risk of exposure to HIV enables access to HIV counseling and testing and care, and

WHEREAS, in Erie County the HIV Surveillance and Partner Notification program (HIV PNP) is conducted by New York State Health Department staff assisted by three Erie County Health Department positions funded by the grant.

NOW, THEREFORE, BE IT

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

HIV PARTNER NOTIFICATION PROGRAM

10/1/01 - 09/30/02

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<u>SFG</u>	<u>SUB</u>	<u>REVENUE</u>	<u>CURRENT BUDGET</u>
553		STATE AID	<u>\$174,168</u>
		TOTAL	<u>\$174,168</u>
		<u>EXPENSES</u>	
800		PERSONNEL SERVICES	\$103,956
805		FRINGES	24,077
810		OFFICE SUPPLIES	1,685
814		MEDICAL SUPPLIES	3,000
821		DUES & FEES	9,000
822		RENTAL CHARGES	1,000
824		TRAVEL & MILEAGE	3,500
825		OUT OF AREA TRAVEL	2,500
826		OTHER EXPENSES	16,450
880	5300	INTERFUND-DISS	3,000
932		OFFICE EQUIPMENT	1,000
933		LAB & TECH EQUIPMENT	<u>5,000</u>
		TOTAL	<u>\$174,168</u>

and be it further

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

(4-0) Legislator Fisher Absent.

7. Item Page -2002 (Comm. 1E-24)

COUNTY EXECUTIVE

WHEREAS, the Centers for Disease Control and Prevention (CDC) has awarded a continuation grant in the amount of \$116,546 to the Erie County Department of Health for the purpose of integrating viral hepatitis prevention services into existing Western New York health departments' services, and

WHEREAS, the regional Integration of Hepatitis Prevention Services project will provide hepatitis prevention counseling to patients at high risk, testing for Hepatitis C and B, vaccination for Hepatitis A and B, referral of infected patients to appropriate substance abuse and medical specialist services, staff training and project evaluation.

NOW, THEREFORE, BE IT

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RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to accept a continuation of a grant with the Centers for Disease Control (CDC) which is budgeted as follows:

INTEGRATION OF HEPATITIS PREVENTION SERVICES
 9/30/01 – 9/29/02
 PROJECT#

<u>SFG</u>	<u>REVENUE</u>	<u>BUDGET</u>
521	OTHER UNCLASSIFIED REVENUE	\$ <u>116,546</u>
	TOTAL	\$ <u>116,546</u>

EXPENSES

800	PERSONNEL SERVICES	\$ 39,174
805	FRINGE BENEFITS	6,872
814	MEDICAL SUPPLIES	9,000
824	LOCAL TRAVEL	2,000
825	OUT OF AREA TRAVEL	5,500
821	DUES & FEES	5,000
880-2720	INTERFUND-PUBLIC HEALTH LAB	38,500
880-4000	INTERFUND-ECMC	10,000
880-5100	INTERFUND-DISS	<u>500</u>
	TOTAL	\$ <u>116,546</u>

and be it further

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

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

TITLE	HOURLY RATE
Office Assistant	\$10.00

and be it further

RESOLVED, that the budget for the Erie County Department of Health - Public Health Laboratory Division is hereby adjusted as follows:

Increase Account 814 - Medical & Health Supplies	\$38,500
Increase Account 685-2709 - Interfund Health Grants	\$38,500

and be it further

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

(4-0) Legislator Fisher Absent.

8. Item Page -2002 (Comm. 1E-25)

COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Health received a revised grant award from Health Research Inc. in the amount \$55,250 of for the purpose of funding breast and cervical cancer screening for low income, asymptomatic, underserved women aged 40 and over, for the period 9/30/01 to 9/29/02 and

WHEREAS, the Erie County Healthy Women's Partnership is made up of a coalition of concerned community agencies and health care providers, funded by grants from the New York State Health Department, Health Research, Inc. and the United Way of Buffalo and Erie County, and

WHEREAS, the Erie County Health Department is the fiscal intermediary for this project.

NOW, THEREFORE, BE IT

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

BREAST AND CERVICAL CANCER
 09/30/01 - 09/29/02
 PROJECT# 510

<u>SFG</u>	<u>REVENUE</u>	<u>CURRENT BUDGET</u>	<u>CHANGES</u>	<u>REVISED BUDGET</u>
553-200	STATE AID-HRI, INC.	\$30,127	\$25,123	\$55,250
	TOTAL	\$30,127	\$25,123	\$55,250

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	<u>EXPENSES</u>			
830-989	CONTRACTUAL CLINICAL SERVICES	<u>\$30,127</u>	<u>\$25,123</u>	<u>\$55,250</u>
	TOTAL	<u>\$30,127</u>	<u>\$25,123</u>	<u>\$55,250</u>

and be it further

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

(4-0) Legislator Fisher absent.

9. Item Page -2002 (Comm. 1E-26)

COUNTY EXECUTIVE

WHEREAS, New York State requires that the Medical Examiner's Toxicology Laboratory maintain forensic laboratory accreditation, and

WHEREAS, the New York State Legislature appropriated funds to help laboratories pay the costs associated with attaining and maintaining accreditation required by Executive Law Article 49-B, and

WHEREAS, the Medical Examiner's Toxicology Laboratory will purchase analytical instrumentation, and

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Executive is hereby authorized to enter into a revised agreement with the New York State Division of Criminal Justice to accept the grant budgeted as follows:

MEDICAL EXAMINER'S TOXICOLOGY LAB AID GRANT

04/01/01 - 03/31/03

PROJECT# 572

<u>SFG</u>	<u>REVENUE</u>	<u>CURRENT BUDGET</u>	<u>CHANGES</u>	<u>REVISED BUDGET</u>
553	STATE AID OTHER	<u>\$ 48,160</u>	\$108,264	<u>\$ 156,424</u>
	TOTAL	<u>\$ 48,160</u>	<u>\$108,264</u>	<u>\$ 156,424</u>
	<u>EXPENSES</u>			
800	PERSONNEL SERVICES	\$ 31,660	1,268	\$ 32,928
805	FRINGE BENEFITS	7,000	244	7,244
814	MEDICAL & HEALTH SUPPLIES	1,500	-250	1,250

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825	OUT OF AREA TRAVEL	1,050	1,375	2,425
826	OTHER EXPENSES	0	500	500
933	LAB & TECHNICAL EQUIPMENT	<u>6,950</u>	<u>105,127</u>	<u>112,077</u>
	TOTAL	<u>\$ 48,160</u>	<u>108,264</u>	<u>\$156,424</u>

and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Department of Health, the Division of the Medical Examiner's Toxicology Laboratory, the Office of the Comptroller, the Division of Budget, Management and Finance, and the Department of Law. (4-0) Legislator Fisher absent.

10. Item Page -2002 (Comm. 1E-27)

COUNTY EXECUTIVE

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

WHEREAS, the Erie County Department of Health has received a revised grant award in the amount of \$73,989 from the New York State Health Research, Inc. (HRI) to establish a Health Alert Network (HAN) in collaboration with New York State, and

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

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Executive is hereby authorized to accept a continuing grant award which is budgeted as follows:

BIOTERRORISM-HEALTH ALERT NETWORK

8/31/01 – 08/30/02

PROJECT# 513

SFG	REVENUE	CURRENT BUDGET	CHANGES	REVISED BUDGET
553	STATE AID	<u>\$72,000</u>	<u>\$1,989</u>	<u>\$73,989</u>
	TOTAL	<u>\$72,000</u>	<u>\$1,989</u>	<u>\$73,989</u>
	EXPENSES			
800	PERSONEL SERVICES	\$34,016	\$0	\$34,016

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805	FRINGE BENEFITS	7,486	0	7,486
810	OFFICE SUPPLIES	200	0	200
824	TRAVEL & MILEAGE	1,698	89	1,787
825	OUT OF AREA TRAVEL	1,000	500	1,500
826	OTHER EXPENSES	600	400	1,000
933	LAB & TECH EQUIPMENT	<u>27,000</u>	<u>1,000</u>	<u>28,000</u>
	TOTAL	<u>\$72,000</u>	<u>\$1,989</u>	<u>\$73,989</u>

and be it further

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

(4-0) Legislator Fisher absent.

11. Item Page -2002 (Comm. 1E-39)

COUNTY EXECUTIVE

WHEREAS, the Erie County Legislature has already appropriated funds for the Congregate Dining Nutrition Program (III-C-1) grant for the period January 1, 2002 to December 31, 2002, and

WHEREAS, the Department of Senior Services (Department) is continually reviewing potential locations to expand the Stay Fit Dining program throughout Erie County, and

WHEREAS, the Department recommends that a new congregate dining site, the Town of Aurora Senior Center, be added to the Stay Fit Dining program since the seniors in this rural community are not currently served by the County's meal program, and

WHEREAS, the Department desires to contract with the Town of Aurora Senior Center to begin serving meals on February 4, 2002, and

WHEREAS, the County budget for this grant is in need of revision.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be and is hereby authorized to enter into a contract with the Town of Aurora, effective February 4, 2002 through December 31, 2002, for \$1,200, and be it further

RESOLVED, that the budget for the III-C-1 grant, Project 644, be revised as follows:

	Current Budget	Changes	Amended Budget
APPROPRIATIONS			

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ACCOUNT	DESCRIPTION			
830/385	Other Projected Agencies	\$2,383	-\$1,200	1,183
830/	Town of Aurora	0	1,200	1,200
	TOTAL CHANGE		\$0	

and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Division of Budget, Management and Finance, the County Attorney's Office, the Comptroller's Office and the Department of Senior Services.
 (4-0) Legislator Fisher absent.

BARRY A. WEINSTEIN
CHAIRMAN

MR. WEINSTEIN moved to separate items #1b, #1c, #1k and #4 and moved the approval of the balance of the report. MR. GREENAN seconded.

MR. WEINSTEIN moved to receive and file item #1b. MR. GREENAN seconded. MS. FISHER, MR. DALE, MS. MARINELLI and MS. PEOPLES voted in the negative.

CARRIED. (WEIGHTED VOTE: 13.212 – 3.788)

MR. WEINSTEIN moved to receive and file item #1c. MR. GREENAN seconded. MS. FISHER, MR. DALE, MS. MARINELLI and MS. PEOPLES voted in the negative.

CARRIED. (WEIGHTED VOTE: 13.212 – 3.788)

MR. WEINSTEIN moved to receive and file item #1k. MR. GREENAN seconded. MS. FISHER, MR. DALE, MS. MARINELLI, MS. PEOPLES and MR. SCHROEDER voted in the negative.

CARRIED. (WEIGHTED VOTE: 12.299 – 4.701)

MR. SWANICK moved to amend item #4. MR. KUWIK seconded.

CARRIED UNANIMOUSLY.

INSERT the following after the second RESOLVE:

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RESOLVED, that the Center for Governmental Research submit a report to the Clerk of the Erie County Legislature detailing the expenditure of the aforementioned funds upon completion of phase one of this study, and be it further

RESOLVED, that the extension of this contractual agreement shall be subject to subsequent authorization by the Legislature, and be it further

MR. WEINSTEIN moved the approval of the resolution as amended. MR. SWANICK seconded.

CARRIED UNANIMOUSLY.

Item 25 – MS. CUSACK presented the following resolution and moved for immediate consideration. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 19

January 17, 2002

COMMUNITY ENRICHMENT
 COMMITTEE
 REPORT NO. 1

ALL MEMBERS PRESENT EXCEPT LEGISLATOR FISHER.

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

- | | | | | |
|----|--|--|-------|----------------|
| | Item | Page | -2001 | (Comm. 6E-4) |
| a. | MARINELLI: | Memo to Clerk Re: Who Does What? Commission Items to Community Enrichment. | | |
| | (4-0) Legislator Fisher Absent. | | | |
| | Item | Page | -2001 | (Comm. 12D-2) |
| b. | PARKS, RECREATION & FORESTRY: | "To Do" List Regarding Restrooms & Amenities at Various County Parks. | | |
| | (4-0) Legislator Fisher Absent. | | | |
| | Item | Page | -2001 | (Comm. 18M-11) |
| c. | GREATER BUFFALO CONVENTION & VISITORS BUREAU: | Amateur Sports Study. | | |
| | (4-0) Legislator Fisher Absent. | | | |
| | Item | Page | -2001 | (Comm. 19M-2) |
| d. | MARTIN HOUSE RESTORATION CORPORATION: | Erie County FY 2001 CRAB Funding. | | |

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(4-0) Legislator Fisher Absent.

- e. Item Page -2001 (Comm. 26E-5)
MARINELLI: Copy of Letter to Buffalo & Erie County Public Library Re: Library Services
Short Term Planning.
(4-0) Legislator Fisher Absent.

- f. Item Page -2002 (Comm. 1M-8)
MAYOR MASIELLO: Letter to Chairman Swanick Re: Recommendation that Sharon
Thomas be Reappointed to Buffalo & Erie County Public Library Board of Trustees.
(4-0) Legislator Fisher Absent.

2. Item Page -2001 (Comm. 27E-13)
COUNTY EXECUTIVE

RESOLVED, that the Community Enrichment Committee does hereby recommend that the full Legislature confirm the appointment of Raul Vazquez, MD of 3 Foxchase Court, East Amherst, New York 14051 as a Member of the Buffalo & Erie County Public Library Board of Trustees for a term expiring December 31, 2004.
(4-0) Legislator Fisher Absent.

3. Item Page -2002 (Comm. 1E-2)
COUNTY EXECUTIVE

RESOLVED, that the Community Enrichment Committee does hereby recommend that the full Legislature confirm the appointment of Roger Simon of 11 Huxley Drive, Snyder, New York 14226 as a Member of the Erie County Cultural Resources Advisory Board for a term expiring December 31, 2003, and be it further

RESOLVED, that the Community Enrichment Committee does hereby recommend that the full Legislature confirm the reappointment of the following:

REAPPOINTMENTS:

TERM EXPIRES

Robert B. Skerker
CEO, Robinson Knife
2615 Walden Avenue
Buffalo, NY 14225

December 31, 2003

Steven G. Biltekoff
600 Main Street
Buffalo, NY 14202

December 31,2003

Thomas A. Jambro
Supervisor of Art
Buffalo Public Schools

December 31,2003

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City Hall, Room 807
 Buffalo, NY 14202

LeRoi C. Johnson
 484 Delaware Avenue
 Buffalo, NY 14202

December 31, 2003

Barbra T. Baker
 4959 Sheridan Drive
 Williamsville, NY 14221

December 31, 2003

Sandy White
 Buffalo City Hall, Room 920
 65 Niagara Square
 Buffalo, NY 14202

December 31, 2003

Burton Notarius
 President, Prime Wines
 3455 Delaware Avenue
 Kenmore, NY 14217

December 31, 2003

Hal Payne
 Cleveland Hall, Room 513
 1300 Elmwood Avenue
 Buffalo, NY 14222

December 31, 2003

Margaret Roblin
 29 Colonial Circle
 Buffalo, NY 14222

December 31, 2003

Catherine Schweitzer
 Baird Foundation
 P.O. Box 1210
 Buffalo, NY 14205
 (4-0) Legislator Fisher Absent.

December 31, 2003

4. Item Page -2002 (Comm. 1E-6)

COUNTY EXECUTIVE

RESOLVED, that the Community Enrichment Committee does hereby recommend that the full Legislature confirm the appointment of Audrey J. Czesak-Kennedy of 2284 East River Road, Grand Island, New York 14072 as a Member of the Erie County Commission on the Status of Women for a term expiring June 30, 2003.

(4-0) Legislator Fisher Absent.

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5. Item Page -2002 (Comm. 1E-8)

COUNTY EXECUTIVE

RESOLVED, that the Community Enrichment Committee does hereby recommend that the full Legislature confirm the reappointment of Sharon A. Thomas of 76 Benwood Avenue, Buffalo, New York 14214 as a Member of the Buffalo & Erie County Public Library Board of Trustees for a term expiring December 31, 2006.

(4-0) Legislator Fisher Absent.

6. Item Page -2002 (Comm. 1E-29)

COUNTY EXECUTIVE

RESOLVED, that the Community Enrichment Committee does hereby recommend that the full Legislature confirm the appointment of Dr. John B. Long of 1550 Colvin Boulevard, Tonawanda, New York 14223 as a Member of the Buffalo & Erie County Public Library Board of Trustees for a term expiring December 31, 2006.

(4-0) Legislator Fisher Absent.

7. Item Page -2002 (Comm. 1E-33)

COUNTY EXECUTIVE

WHEREAS, the Department of Central Police Services (CPS) operates the Police Training Academy in space which is leased, and

WHEREAS, CPS has been working with Erie Community College (ECC) to develop collaborative efforts to improve police training, and

WHEREAS, ECC has agreed to provide space for the Academy at its North Campus, which requires renovation and remodeling to provide for the needs of the police officers in training, and

WHEREAS, the renovation plan was approved by the ECC Board of Trustees at its August, 2001 meeting, and

WHEREAS, the cost of the plan includes \$217,000 for renovation and \$33,000 for equipment, and

WHEREAS, ECC will apply for 50% reimbursement for the renovation portion of the project through State funding sources, and

WHEREAS, total funding for the project is available through the use of tobacco proceeds,

NOW, THEREFORE, BE IT

RESOLVED, that the 2002 Capital Budget is hereby amended and authorization is hereby provided to establish a capital project in the amount of \$250,000 to be utilized for Erie Community College North Campus remodeling and renovations to provide space for the Central Police Service Training Academy, and be it further

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RESOLVED, that the source of funding for this project shall be \$250,000 in funding from Erie County through available Tobacco Trust Fund Proceeds, and be it further

RESOLVED, that the Director of Budget, Management and Finance is hereby authorized to make all budgetary transactions required to implement this project, and be it further

RESOLVED, that tobacco proceeds shall be returned to the Tobacco Trust Fund if the State agrees to reimburse a portion of the expense, and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Division of Budget, Management and Finance, the Department of Central Police Services, the Office of the Comptroller and Erie Community College.
(4-0) Legislator Fisher Absent.

ELISE CUSACK
CHAIRPERSON

MS. CUSACK moved to separate item #3 and moved the approval of the balance of the report. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

MS. CUSACK moved to RECEIVE, FILE AND PRINT item #3. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

December 28, 2001

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

Re: Appointment & Reappointments to Erie County Cultural Resources Advisory Board

Dear Members:

Pursuant to Article III, Section 3.02(f) of the Erie County Charter and Article 19, Section 19.01 of the Erie County Administrative Code, I hereby appoint/reappoint the following individuals to the Erie County Cultural Resources Advisory Board for the term stated.

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ERIE COUNTY LEGISLATURE

APPOINTMENT:

Roger Simon
 11 Huxley Drive
 Snyder, NY 14226

TERM EXPIRES
 December 31, 2003

REAPPOINTMENTS:

Robert B. Skerker
 CEO, Robinson Knife
 2615 Walden Avenue
 Buffalo, NY 14225

TERM EXPIRES
 December 31, 2003

Steven G. Biltekoff
 600 Main Street
 Buffalo, NY 14202

December 31, 2003

Thomas A. Jambro
 Supervisor of Art
 Buffalo Public Schools
 City Hall, Room 807
 Buffalo, NY 14202

December 31, 2003

Cultural Resources Advisory Board
 December 28, 2001
 Page 2

LeRoi C. Johnson
 484 Delaware Avenue
 Buffalo, NY 14202

December 31, 2003

Barbra T. Baker
 4959 Sheridan Drive
 Williamsville, NY 14221

December 31, 2003

Sandy White
 Buffalo City Hall, Room 920
 65 Niagara Square
 Buffalo, NY 14202

December 31, 2003

Burton Notarius
 President, Prime Wines
 3455 Delaware Avenue
 Kenmore, NY 14217

December 31, 2003

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ERIE COUNTY LEGISLATURE

Hal Payne
 Cleveland Hall, Room 513
 1300 Elmwood Avenue
 Buffalo, NY 14222

December 31, 2003

Margaret Roblin
 29 Colonial Circle
 Buffalo, NY 14222

December 31, 2003

Catherine Schweitzer
 Baird Foundation
 P.O. Box 1210
 Buffalo, NY 14205

December 31, 2003

Very truly yours,

JOEL A. GIAMBRA
 ERIE COUNTY EXECUTIVE

JAG:bmc

cc: Appointees

Commissioner Laurence Rubin
 Charlene Ritter-Lester

Item 26 – MR. McCARVILLE presented the following resolution and moved for immediate consideration. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 20

January 17, 2002

GOVERNMENT AFFAIRS
 COMMITTEE
 REPORT NO. 1

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

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

- | | | | | |
|----|--------------------------|---|-------|---------------|
| | Item | Page | -2001 | (Comm. 2E-31) |
| a. | COUNTY EXECUTIVE: | Clerk's Office – Personnel Adjustments. | | |
| | (5-0) | | | |

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ERIE COUNTY LEGISLATURE

- | | | | | |
|----|--|------|-------|----------------|
| b. | Item | Page | -2001 | (Comm. 5E-35) |
| | DISTRICT ATTORNEY: Staff Adjustments. | | | |
| | (5-0) | | | |
| c. | Item | Page | -2001 | (Comm. 15D-10) |
| | COUNTY ATTORNEY: Notice of Claim. | | | |
| | (5-0) | | | |
| d. | Item | Page | -2001 | (Comm. 16D-1) |
| | COUNTY ATTORNEY: Notice of Claims. | | | |
| | (5-0) | | | |
| e. | Item | Page | -2001 | (Comm. 17D-9) |
| | COUNTY ATTORNEY: Notice of Claim. | | | |
| | (5-0) | | | |
| f. | Item | Page | -2001 | (Comm. 17D-47) |
| | COUNTY ATTORNEY: Notice of Claims. | | | |
| | (5-0) | | | |
| g. | Item | Page | -2001 | (Comm. 18D-4) |
| | COUNTY ATTORNEY: Notice of Claim. | | | |
| | (5-0) | | | |
| h. | Item | Page | -2001 | (Comm. 18D-5) |
| | COUNTY ATTORNEY: Notice of Claim. | | | |
| | (5-0) | | | |
| i. | Item | Page | -2001 | (Comm. 18E-20) |
| | COUNTY EXECUTIVE: Health – Personnel Adjustments. | | | |
| | (5-0) | | | |
| j. | Item | Page | -2001 | (Comm. 20D-9) |
| | COUNTY ATTORNEY: Notice of Claims. | | | |
| | (5-0) | | | |
| k. | Item | Page | -2001 | (Comm. 25D-3) |
| | COUNTY ATTORNEY: Notice of Claims. | | | |
| | (5-0) | | | |
| l. | Item | Page | -2001 | (Comm. 25D-4) |
| | COUNTY ATTORNEY: Notice of Claim. | | | |
| | (5-0) | | | |

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ERIE COUNTY LEGISLATURE

Item Page -2002 (Comm. 1D-7)
 m. **COUNTY ATTORNEY:** Notice of Claims.
 (6-0) Chairman DeBenedetti present as Ex-Officio Member.

2. Item Page -2001 (Comm. 17E-9)
COUNTY EXECUTIVE

RESOLVED, that the Government Affairs Committee does hereby recommend that the full Legislature confirm the appointment of Paul A. Atkinson of Consumer Credit Counseling Services of Buffalo, Inc., 3980 Sheridan Drive, Suite 308, Amherst, New York 14226 as a Member of the Erie County Consumer Protection Committee for a term to expire December 31, 2002.
 (5-0)

3. Item Page -2001 (Comm. 25E-22)
COUNTY EXECUTIVE

WHEREAS, the United States Environmental Protection Agency-Great Lakes National Program Office (USEPA-GLNPO) requested a proposal from the Erie County Department of Environment and Planning (DEP) and has agreed to provide Erie County with \$45,000 in Federal assistance to implement *PBT Reduction through Environmentally Preferable Purchasing*; and

WHEREAS, it is necessary for DEP to enter into an agreement with the USEPA-GLNPO to accept the grant resources and implement *PBT Reduction through Environmentally Preferable Purchasing*;

NOW, THEREFORE BE IT

RESOLVED, that the unanticipated Federal revenue from the *PBT Reduction through Environmentally Preferable Purchasing* is hereby established in the grant fund as follows:

<u>ACT</u>	<u>DESCRIPTION</u>	<u>BUDGET</u>
800	Salaries	\$30,400
805	Fringe Benefits	8,515
826	Other	3,585
933	Lab & Technical Equipment	<u>2,500</u>
	Total Expenditures	\$45,000

and be it further

RESOLVED, that the following full time position be created in the Department of Environment and Planning that will be funded from the newly established budget for the USEPA-GLNPO grant:

Junior Environmental Education Specialist (JG 7);

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.

(6-0) Chairman DeBenedetti present as Ex-Officio Member.

4. Item Page -2001 (Comm. 25E-24)

COUNTY EXECUTIVE

WHEREAS, both the United States Environmental Protection Agency (USEPA) and the NYS Department of Economic Development, Empire State Development's Environmental Management Investment Group (EMIG) provide grant assistance to municipalities and not-for-profit corporations to implement projects to increase waste recycling; and

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

WHEREAS, construction and demolition waste was identified as a targeted waste stream by the Town of Amherst, the Northwest Communities Solid Waste Management Board, and the Northeast Southtowns Solid Waste Management Board in their New York State approved Solid Waste Management Plans; and

WHEREAS, on November 4, 1999, this Legislative Body passed a resolution (Comm. 19E-28) authorizing the County Executive to enter into the necessary agreement with USEPA to accept \$36,250 in grant resources to support a solid waste management assistance project and assist municipalities in developing markets for construction and demolition waste; and

WHEREAS, on April 6, 2000, this Legislative Body passed a resolution (Comm. 6E-28) authorizing the County Executive to enter into the necessary agreement with the NYS Department of Economic Development, Empire State Development's Environmental Management Investment Group (EMIG) to accept a \$70,000 grant to continue and expand the County Solid Waste Management Assistance Project; and

WHEREAS, on July 13, 2001, this Legislative Body passed a resolution (Comm. 15E-15) authorizing the County Executive to enter into the necessary agreement with USEPA to accept an additional \$29,900 in grant resources to continue to expand the Solid Waste Management Assistance Project and specifically develop a City of Buffalo Deconstruction Pilot program; and

WHEREAS, the use of the Buffalo Architectural Salvage Committee of the Allentown Association, Inc., to implement the City of Buffalo Deconstruction project will provide the technical expertise necessary to determine whether buildings scheduled for demolition have architectural significance and are appropriate candidates for deconstruction; and

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WHEREAS, the final combination of these three grants into one grant effort has resulted in the necessity to revise the overall grant budget (SFG #362) to best meet the anticipated future needs of the specific State and Federal grant workplans; and

WHEREAS, on June 21, 2001, this Legislative Body passed a resolution (Comm. 13E-16) allocating funding for a Senior Account clerk of which 50% was designated to come from the Solid Waste Management Assistance Project (SFG #362) which will require a transfer of \$12,297 from Personnel and Fringes to Interfund account.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter into the necessary agreements (not to exceed \$2,000) with the Buffalo Architectural Salvage Committee of the Allentown Association, Inc., who will provide the technical expertise to determine whether the buildings scheduled for demolition have architectural significance and are appropriate candidates for deconstruction, and be it further

RESOLVED, that the grant budget for the Solid Waste Management Assistance Project (SFG #362) will be revised to include the recently appropriated funds as follows:

<u>Account</u>	<u>Description</u>	<u>Current Budget</u>	<u>Revisions</u>	<u>Revised Budget</u>
800	Salaries	\$ 91,193	(\$9,838)	\$ 81,355
805	Fringe Benefits	23,475	(2,459)	21,016
810	Office Supplies	1,700	(1,000)	700
824	Travel & Mileage	300	0	300
825	Out of Area Travel	2,000	1,200	3,200
826	Other Expenses	4,248	(1,200)	3,048
830	Contractual Services	6,500	2,000	8,500
880	Interfund	4,607	12,297	16,904
932	Furniture/Fixture	127	0	127
933	Lab & Tech	<u>2,000</u>	<u>(1,000)</u>	<u>1,000</u>
	TOTAL	\$136,150	0	\$136,150

and be it further

RESOLVED, that the following position is hereby deleted from the Department of Environment and Planning Solid Waste Management Assistance Grant Budget (SFG #362):

Environmentalist -Energy Conservation (RPT) (JG 9)

and be it further

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RESOLVED, that the following position is hereby created in the Department of Environment and Planning and will be funded from the Solid Waste Management Assistance Grant Budget (SFG #362):

Assistant Solid Waste Recycling Specialist (JG 9)

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

(6-0) Chairman DeBenedetti present as Ex-Officio Member.

			AS AMENDED
5.	Item	Page	(Comm. 25E-25)
		-2001	
	COUNTY EXECUTIVE		

WHEREAS, the Federal Highway Administration (FHWA) has provided the New York State Department of Transportation (NYSDOT) with funds for the purpose of implementing the Congestion Mitigation and Air Quality (CMAQ) Improvement Program; and

WHEREAS, the Niagara Frontier has qualified for CMAQ program funds as a result of being in non-attainment of Federal air quality standards; and

WHEREAS, NYSDOT has entered into agreement with Erie County to administer the allocated \$376,000 in CMAQ program funds; and

WHEREAS, a resolution (Comm. 6E-21) passed April 13, 2000, provided the necessary authorization to accept CMAQ funding; and

WHEREAS, NYSDOT will enter into agreement with Erie County to provide an additional \$104,000 from CMAQ Program funding; and

WHEREAS, the New York State Energy Research and Development Authority (NYSERDA), through an agreement with the U.S. Department of Energy Rebuild America Program, has been charged with organizing community based regional partnerships to promote energy-efficient products and services throughout New York State; and

WHEREAS, in April of 2000, NYSERDA accepted Erie County's proposal to serve as the local coordinator and agreed to support the coordinator's position; and

WHEREAS, through Legislative authorization, provided by a resolution (Comm. 6E-21) dated April 13, 2000, the Department of Environment and Planning has accepted this role and successfully coordinated the Rebuild Partnership in Western New York; and

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WHEREAS, the realignment of position will enable the County to redirect the existing grant resources to effectively accomplish the original objectives of the grant contract, and enable a current employee to transfer from a grant position where funding is about to expire to a completely funded NYSERDA grant.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to execute the agreements necessary to accept an additional grant of \$104,000 in funding from NYSDOT to provide site drainage and enhancement to the compressed natural gas fueling station at the Erie County Medical Center, and be further

RESOLVED, that the existing grant-funded regular JG 1 (Environmental Intern) position is deleted and is replaced with a grant funded JG 9 (Environmental Education Specialist) position, 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 Environment and Planning; Michael Raab, Deputy Commissioner of Environment and Planning; the County Comptroller; and the County Attorney.

(6-0) Chairman DeBenedetti present as Ex-Officio Member.

6. Item Page -2002 (Comm. 1E-36)

COUNTY EXECUTIVE

WHEREAS, the County Legislature on January 18,2001, approved a contract with Biel's, West Seneca, New York, for the backscanning and indexing of records dating to 1980 which are recorded at the Erie County Clerk's Office, and

WHEREAS, the required work in this project has been completed, and

WHEREAS, the source of funds for this project was a \$1 million appropriation included in the 2000 County Budget; \$116,234 of that amount remaining available, and

WHEREAS, the County Clerk has requested that the contract with Biel's be extended in the additional amount of \$116,234, to permit further electronic conversion of records in the Clerk's Office, under the same terms and conditions as were approved in the January 18,2001 resolution,

NOW, THEREFORE, BE IT

RESOLVED, that the sum of \$116,234 is hereby approved for an extension of the contract between the County and Biel's, as approved by this Legislature on January 18, 2001; the source of said funds being the 2000 Budget (DAC 110915130830), and be it further

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

(6-0) Chairman DeBenedetti present as Ex-Officio Member.

STEVEN P. McCARVILLE
CHAIRMAN

MR. McCARVILLE moved the approval of the resolution. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

Item 27 – MR. WEINSTEIN presented the following resolution and moved for immediate consideration. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 21

January 17, 2002

REGIONALISM AD HOC
 COMMITTEE
 REPORT NO. 1

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

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

- | | | | | |
|----|---|------|-------|--|
| | Item | Page | -2001 | (Comm. 5M-2) |
| a. | UB INSTITUTE FOR LOCAL GOVERNANCE & REGIONAL GROWTH: | | | Interim Report: WNY REDD. |
| | (6-0) Chairman DeBenedetti present as Ex-Officio Member. | | | |
| | Item | Page | -2001 | (Comm. 8M-18) |
| b. | TOWN OF AMHERST: | | | Copy of Letter to County Executive Re: Analysis of Report from Who Does What Commission. |
| | (6-0) Chairman DeBenedetti present as Ex-Officio Member. | | | |
| | Item | Page | -2001 | (Comm. 9E-5) |
| c. | COUNTY EXECUTIVE: | | | Copy of Letter to Town of Amherst Comptroller Re: Response to Comptroller's Critique of "Who Does What Commission" Report. |
| | (6-0) Chairman DeBenedetti present as Ex-Officio Member. | | | |

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- d. Item Page -2001 (Comm. 9M-7)
BUFFALO NIAGARA PARTNERSHIP: Opposition to Lawrence Southwick’s Critique of Regionalism.
(6-0) Chairman DeBenedetti present as Ex-Officio Member.
- e. Item Page -2001 (Comm. 12M-11)
AMHERST CHAMBER OF COMMERCE: Copy of Letter to Amherst Councilmember Ward Re: Consolidation of IDAs.
(6-0) Chairman DeBenedetti present as Ex-Officio Member.
- f. Item Page -2001 (Comm. 15M-14)
USA NIAGARA DEVELOPMENT CORPORATION: Request for Expressions of Interest.
(6-0) Chairman DeBenedetti present as Ex-Officio Member.
- g. Item Page -2001 (Comm. 17M-17)
NFTA: Report of Activity on Recreational Beach Area on Site Adjacent to Small Boat Harbor.
(6-0) Chairman DeBenedetti present as Ex-Officio Member.
- h. Item Page -2001 (Comm. 17M-20)
TOWN OF AMHERST: Erie County Regional GIS Proposal.
(6-0) Chairman DeBenedetti present as Ex-Officio Member.
- i. Item Page -2001 (Comm. 17M-46)
CITY OF LACKAWANNA: Resolution Endorsing Establishment of “Lackawanna-Buffalo-Niagara Renewal Community.”
(6-0) Chairman DeBenedetti present as Ex-Officio Member.
- j. Item Page -2001 (Comm. 19M-4)
EC ASSOCIATION OF SCHOOL BOARDS: Copy of Memo to County Executive Re: Grant for Task Force on Collaboration & Shared Services.
(6-0) Chairman DeBenedetti present as Ex-Officio Member.
- k. Item Page -2001 (Comm. 21M-1)
NFTA: Final Report on Buffalo Beach Project.
(6-0) Chairman DeBenedetti present as Ex-Officio Member.
- l. Item Page -2001 (Comm. 25M-8)
TOWN OF BOSTON: Copy of Letter to County Executive Re: Purchase of Compressed Air Breathing Recharging System with \$30,000 Regionalism Grant from Erie County.
(6-0) Chairman DeBenedetti present as Ex-Officio Member.

BARRY A. WEINSTEIN
CHAIRMAN

MR. WEINSTEIN moved the approval of the resolution. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

LEGISLATORS RESOLUTIONS

Item 28 – CHAIRMAN DeBENEDETTI directed that the following resolution be referred to the ECONOMIC DEVELOPMENT COMMITTEE.

GRANTED.

Intro. 3-1 From LEGISLATOR PEOPLES Re: The Niagara Frontier Transportation Authority's Release of Their Buffalo/Niagara Transit Assessment.

Item 29 – MR. HOLT presented the following resolution and moved for immediate consideration. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 22

Re: Implementing Measures in the Snow Removal Process to Assure Adequate Service is Equally Distributed to All City Districts.
 (Intro. 3-2)

A RESOLUTION SUBMITTED BY LEGISLATOR HOLT

WHEREAS, the recent snow event reached an unparalleled 82.3 inches of snowfall placing Buffalo in the national spotlight, and

WHEREAS, Erie County was greatly impacted by the abundance of snowfall, and

WHEREAS, the recovery efforts for the City of Buffalo included the assistance of private crews, the National Guard Troops, state crews from the Department of Transportation and the state Thruway Authority, and

WHEREAS, the 3rd Legislative District Office received an abundance of calls from small business owners and constituents in the Lovejoy & Fillmore District expressing deep concerns with the lack of equivalent service provided by the City of Buffalo and Erie County, and

WHEREAS, many of the people who rely on public transportation in the City of Buffalo reside in the Lovejoy and Fillmore District, and

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WHEREAS, these areas lacked the equivalent service received in other parts of the city, and

WHEREAS, residential and small business owners within the Lovejoy & Fillmore District wrestle with limited parking, hazardous waiting areas for public transportation, and side streets mirroring valleys thus making any emergency rescue attempts nearly impossible,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby reaffirm its strong commitment to providing safety for the well being of all our constituents, and be it further

RESOLVED, that this Honorable Body commends all involved in the clean-up efforts, and be it further

RESOLVED, that this Honorable Body request that information on the schedule of snow removal and garbage pickup, especially during storm events, be made available to Legislative District Offices so that people contacting said office can receive such information without having to make further phone calls, and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Erie County Executive (Joel Giambra), the Mayor of the City of Buffalo (Anthony M. Masiello), Senator (Charles E. Schumer), Senator (Hilary Rodham Clinton), New York State Governor (George Pataki), Deputy Street Commissioner of the City of Buffalo (Paul Sullivan).

Fiscal Impact: None for resolution.

MR. GREENAN moved to amend the resolution to include ET AL sponsorship. MR. SWANICK seconded.

CARRIED UNANIMOUSLY.

MR. HOLT moved the approval of the resolution as amended. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

Item 30 – MR. SWANICK presented the following resolution and moved for immediate consideration. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 23

Re: Opposition to Costly New State Mandated Programs. (Intro. 3-3)

A RESOLUTION SUBMITTED BY LEGISLATORS SWANICK,

SCHROEDER, HOLT & PEOPLES

WHEREAS, Erie County is mandated to balance its budget in advance of each fiscal year through reasonable and financially sound analyses of revenue and expenditure trends, and

WHEREAS, each year, Erie County and counties across New York State must assemble budgets which assume costs associated with governmental programs which are mandated by the state of New York, and which carry a local share cost to Erie County, and

WHEREAS, an example of such a state mandate is the Medicaid program, for which Erie County budgeted more than \$130 million in local funds for the 2002 fiscal year, and

WHEREAS, a portion of that appropriation was made to cover the local share costs of Family Health Plus, a portion of the Health Care Reform Act (HCRA) 2000 proposal which extended health insurance benefits to the uninsured, and

WHEREAS, when HCRA 2000 was adopted, assurances were given that counties would receive funding to “hold harmless” county governments against the local share costs of the program, and

WHEREAS, state leaders have recently begun public discussion of a proposal to consider and adopt sweeping new health care legislation which would increase taxes on cigarettes and would significantly expand health coverage for poor and disabled New Yorkers, and

WHEREAS, while this Honorable Body recognizes and supports efforts to provide expanded coverage to those without such benefits, focus needs to be trained upon the cost of such a mandated program to county governments like Erie County, and

WHEREAS, while negotiations concerning this proposal remain secretive, information leaked to several sources would indicate that county governments throughout New York State will be mandated to assume costs, that, in the first year of the program’s full implementation, would approach \$400 million over a three-year period, and

WHEREAS, Erie County Executive Joel A. Giambra was briefed on this program in advance of Governor Pataki’s State of the State message on January 9, but has yet to make a public comment on the matter, and

WHEREAS, private comments concerning the proposed program have sought to assure counties that there will be no detrimental impact upon county governments throughout the state, although due to the secretiveness of the negotiations, no comprehensive analysis to contradict the initial reports has been released to stand up to public scrutiny, and

WHEREAS, the costs of yet another costly state mandate cannot and must not be foisted upon the property taxpayers in Erie County, and it is the responsibility of this Honorable Body to

send a message to state leaders and to our local delegation concerning our opposition to such additional mandates,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby reaffirm its commitment to the property taxpayers of Erie County and in so doing does further commit to cutting the overall cost of government through detailed analyses of county operations and a sincere vow to eliminate wasteful spending in county government, and be it further

RESOLVED, that this Honorable Body does hereby oppose efforts on the state level to impose new unfunded mandated programs upon Erie County government and the several county governments throughout the State of New York, and be it further

RESOLVED, that this Honorable Body does further reaffirm its support for programs and initiatives on the state level which seek to extend health care services and benefits to those who cannot afford them, but does oppose efforts on the state level to initiate programs to such effect which include a local county funding match, and be it further

RESOLVED, that this Honorable Body does further call upon state leaders to publicly discuss and debate the merits of the proposed health care legislation, including its financial impact upon county governments, toward developing a proposal to “hold harmless” county governments financially from such effects, and be it further

RESOLVED, that certified copies of this resolution be sent to Governor George E. Pataki, Assembly Speaker Sheldon Silver, Senate Majority Leader Joseph Bruno, the local delegations to the State Assembly and State Senate, and the County Executive.

Fiscal Impact: Impact of New State Mandate Upon Local Property Taxpayers Is Negative.

MR. SWANICK moved to amend the resolution. MR. KUWIK seconded.

CARRIED UNANIMOUSLY.

ADD THE FOLLOWING AS CO-SPONSORS: KUWIK, HOLT, FISHER, DUSZA & MARINELLI

DELETE ALL WHEREAS AND RESOLVE CLAUSES IN THEIR ENTIRETY AND REPLACE WITH THE FOLLOWING:

WHEREAS, Erie County is mandated to balance its budget in advance of each fiscal year through reasonable and financially sound analyses of revenue and expenditure trends, and

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WHEREAS, each year, Erie County and counties across New York State must assemble budgets which assume costs associated with governmental programs which are mandated by the state of New York, and which carry a local share cost to Erie County, and

WHEREAS, an example of such a state mandate is the Medicaid program, for which Erie County budgeted more than \$130 million in local funds for the 2002 fiscal year, and

WHEREAS, a portion of that appropriation was made to cover the local share costs of Family Health Plus, a portion of the Health Care Reform Act (HCRA) 2000 proposal which extended health insurance benefits to the uninsured, and

WHEREAS, when HCRA 2000 was adopted, assurances were given that counties would receive funding to “hold harmless” county governments against the local share costs of the program, and

WHEREAS, while this Honorable Body recognizes and supports efforts to provide expanded coverage to those without such benefits, focus needs to be trained upon the cost of such a mandated program to county governments like Erie County, and

WHEREAS, information from the New York State Association of Counties (NYSAC) indicates that county governments throughout New York State will be mandated to assume costs that would approach \$400 million over a three-year period, and

WHEREAS, a critical component to the new state legislation is the assumption that the federal government will increase New York State’s share of Medicaid reimbursement from 50% to 53%, and

WHEREAS, in a recent news story, federal officials stated that such a proposal is unlikely to receive federal administration support, indicating that the federal government does not favor a change in the current Medicaid reimbursement formula, and

WHEREAS, without the federal increase in Medicaid reimbursement, counties throughout New York State will be forced to pay significant additional costs for this program, and

WHEREAS, no comprehensive analysis to contradict the initial reports of higher costs to counties has yet been released to stand up to public scrutiny, and

WHEREAS, the costs of yet another costly state mandate cannot and must not be foisted upon the property taxpayers in Erie County, and it is the responsibility of this Honorable Body to send a message to state leaders and to our local delegation concerning our opposition to such additional mandates,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby reaffirm its commitment to the property taxpayers of Erie County and in so doing does further commit to cutting the overall cost of government through detailed analyses of county operations and a sincere vow to eliminate wasteful spending in county government, and be it further

RESOLVED, that this Honorable Body does hereby oppose efforts on the state level to impose new unfunded mandated programs upon Erie County government and the several county governments throughout the State of New York, and be it further

RESOLVED, that this Honorable Body does further reaffirm its support for programs and initiatives on the state level which seek to extend health care services and benefits to those who cannot afford them, but does oppose efforts on the state level to initiate programs to such effect which include a local county funding match, and be it further

RESOLVED, that this Honorable Body does further call upon state leaders to publicly discuss and debate the merits of the proposed health care legislation, including its financial impact upon county governments, toward developing a proposal to “hold harmless” county governments financially from such effects, and be it further

RESOLVED, that certified copies of this resolution be sent to Governor George E. Pataki, Assembly Speaker Sheldon Silver, Senate Majority Leader Joseph Bruno, the local delegations to the State Assembly and State Senate, the County Executive, to the Chairs of the Legislative Boards of all New York State Counties, and to the New York State Association of Counties.

Fiscal Impact: Impact of New State Mandate Upon Local Property Taxpayers Is Negative.

MR. SWANICK moved the approval of the resolution as amended. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

Item 31 – CHAIRMAN DeBENEDETTI directed that the following resolution be referred to the FINANCE & MANAGEMENT COMMITTEE.

GRANTED.

Intro. 3-4 From LEGISLATORS DALE & SCHROEDER Re: Establishment of a Task Force to Study Sharing Portions of the Additional 1% of the County’s Sales Tax.

Item 32 – MS. CUSACK presented the following resolution and moved for immediate consideration. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

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RESOLUTION NO. 24

Re: Requesting Permission of New York State
for Electronic Court Appearance Procedures in
Erie & Niagara Counties. (Intro. 3-5)

A RESOLUTION SUBMITTED BY LEGISLATORS
CUSACK, McCARVILLE, WEINSTEIN, DeBENEDETTI, RANZENHOFER, GREENAN,
CHASE & LARSON

WHEREAS, Article 182 of the New York State Criminal Procedure Law provides rules and guidelines for the use of electronic court appearances, and

WHEREAS, to date a total of 19 counties throughout New York State – Albany, Bronx, Broome, Kings, New York, Oneida, Onondaga, Ontario, Queens, Richmond, St. Lawrence, Tompkins, Chautauqua, Cattaraugus, Clinton, Montgomery, Rensselaer, Westchester, and Franklin – have received authorization to institute electronic court appearances for certain procedures as set forth in Sections 182.20 and 182.30 of the Criminal Procedure Law, and

WHEREAS, the Chief Administrator of the courts has set forth rules and procedures to ensure that the rights of the defendant are safeguarded in the use of electronic court appearances, and

WHEREAS, the fiscal benefits of electronic court appearances are savings related to transportation, court accompaniment and police overtime expenses, and

WHEREAS, public safety is improved under said system due to the elimination of direct contact between the defendant and police officers, court personnel and crime victims, and

WHEREAS, Erie and Niagara Counties are interested in exploring and pursuing the feasibility of electronic court appearances for our communities, and

WHEREAS, permission to allow Erie and Niagara Counties to participate in electronic court appearances is dependent upon approval of the New York State Legislature,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby request that the New York State Legislature enact legislation to include Erie and Niagara Counties in Section 182.20 of the New York State Criminal Procedure Law to authorize electronic court appearances in Erie and Niagara Counties, and be it further

RESOLVED, that certified copies of this resolution be sent to New York State Assembly Speaker Sheldon Silver, New York State Senate Majority Leader Joseph Bruno, the Western New York delegation of the New York State Legislature, Niagara County (c/o Niagara County Legislature Clerk Paul Oates), Erie County District Attorney Frank Clark, the Bar Association of Erie County (Statler Building, Buffalo, NY 14202), Buffalo Chief City Court Judge Thomas Amodeo (50

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Delaware Ave., Buffalo, NY 14202), Eighth Judicial District Administrative Justice Vincent E. Doyle, the Erie County Minority Bar Association (c/o Mark Pearce, Suite 728 Ellicott Square Building, 295 Main St., Buffalo, NY 14203), Erie County Magistrates Association President Hon. Doug Marky (471 Main St., East Aurora, NY 14052), the Aid to Indigent Prisoners Society (c/o Robert Lonski, 670 Statler Towers, Buffalo, NY 14202), and the Women's Bar Association of WNY (c/o Melinda Saran, Associate Dean, UB Law School).

Fiscal Impact: Potential savings for Erie and Niagara Counties.

MR. SWANICK moved to amend the resolution. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

ADD the following Co-Sponsors: SWANICK, KUWIK, SCHROEDER, FISHER, DUSZA & MARINELLI.

MS. CUSACK moved the approval of the resolution as amended. MR. GREENAN seconded.

CHAIRMAN DeBENEDETTI directed that a roll call vote be taken.

AYES: DUSZA, FISHER, KUWIK, MARINELLI, SCHROEDER, SWANICK, CHASE, CUSACK, DeBENEDETTI, GREENAN, LARSON, McCARVILLE, RANZENHOFER & WEINSTEIN. NOES: DALE, HOLT & PEOPLES.

CARRIED. (WEIGHTED VOTE: 14.358 – 2.642)

Item 33 – CHAIRMAN DeBENEDETTI directed that the following resolution be referred to the COMMUNITY ENRICHMENT COMMITTEE.

GRANTED.

Intro. 3-6 From LEGISLATORS DeBENEDETTI, CUSACK, WEINSTEIN, GREENAN, RANZENHOFER, LARSON, McCARVILLE & CHASE Re: Preserving Our County's Historic Residences.

Item 34 – CHAIRMAN DeBENEDETTI directed that the following resolution be referred to the PUBLIC SAFETY COMMITTEE.

GRANTED.

Intro. 3-7 From DeBENEDETTI, GREENAN, LARSON, RANZENHOFER, CHASE, WEINSTEIN, McCARVILLE & CUSACK Re: Calling for an Amendment of the General

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Municipal Law in Rel to Granting Additional Points in a Service Award Program for Volunteer Firefighters.

Item 35 – MR. GREENAN presented the following resolution and moved for immediate consideration. MR. RANZENHOFER seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 25

Re: Personnel Adjustments – Legislature.
(Intro. 3-8)

A RESOLUTION SUBMITTED BY
LEGISLATORS DeBENEDETTI, GREENAN & SWANICK

WHEREAS, the Erie County Legislature has deemed it necessary to make certain personnel adjustments, effective for the 2002 Session, and

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby delete eleven (11) of the positions CLERK TYP (LEG) PT, Position No. 001714, Position No. 001718, Position No. 001732, Position No. 001736, Position No. 001739, Position No. 001743, Position No. 00001744, Position No. 001751, Position No. 001753, Position No. 001764, Position No. 001755 for a total of 8,034 hours, one (1) position of SEC ASST LEG (Position No. 001034), and one (1) position of SR LEG SEC, Position No. 001119 effective January 9, 2002, and, be it further

RESOLVED, that the Erie County Legislature does hereby delete one (1) position of SR ADM ASST LEG (Position No. 001668), effective February 22, 2002, and be it further

RESOLVED, that the Erie County Legislature does hereby create two (2) new positions of SR SEC ASST DIS OFF (JG 6, STEP 5), all to Function 5000 – Clerical Staff, effective January 9, 2002, and be it further

RESOLVED, that the Erie County Legislature does hereby create one (1) new position of ADM ASST LEG RPT (a total of 1248 RPT hours for the year 2002 at a variable minimum rate of \$21.748 per hour (JG10, STEP 5)), one (1) position of FIRST ADM ASST LEG at a variable minimum of (JG 13, STEP A), and one (1) position of JR ADMIN ASST LEG (JG 8, STEP 1) all to Function 2000 – Clerk’s Staff – Admin, effective January 9, 2002, and be it further

RESOLVED, that the Erie County Legislature does hereby establish the following variable minimums for the following positions all to Function 2000 – Clerk’s Staff – Admin, effective January 9, 2002,

<u>TITLE</u>	<u>POSITION NUMBER</u>	<u>JG</u>	<u>STEP</u>
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EXEC ASST LEG	001047	14	5
FIRST ADM ASST LEG	001041	13	4
ADMIN ASST LEG	001110	10	4
JR ADMIN ASST LEG	001199	8	4

and, be it further

RESOLVED, that the Erie County Legislature does hereby delete one (1) position of SR CLK TYPIST LEG (Position No. 001661), one (1) position of COUNSEL - LEG (RPT) (Position No. 001304), one (1) position of ADM ASST LEG RPT (Position No. 001306) and one (1) position of CLERK TYP (LEG) PT (Position No. 001777), effective January 9, 2002, and be it further

RESOLVED, that the Erie County Legislature does hereby create one (1) new position of SR ADMIN ASST LEG (JG 11, STEP 3), one (1) new position of ADMIN ASST LEG (JG 10, STEP 2), and one (1) new position of ADMIN CLK LEG (JG 7, STEP 2,) all to Function 4000 – Minority Staff, effective January 9, 2002, and be it further,

RESOLVED, that the funds necessary to effectuate this adjustment are available within the Legislature's 2002 budget for Personal Services as a result of restructuring of the Minority Staff, Clerk's Staff and Clerical Staff of the Erie County Legislature, and be it further

RESOLVED, that the Clerk of the Legislature, the Commissioner of the Department of Personnel, and the Director of the Division of Budget, Management & Finance are hereby authorized to complete all necessary paperwork to effectuate these personnel changes, and be it further,

RESOLVED, that certified copies of this resolution be sent to the Commissioner of the Department of Personnel and the Director of the Division of Budget, Management & Finance.

FISCAL IMPACT: Reappropriation of 2002 Personal Services Funds

MR. GREENAN moved the approval of the resolution. MR. RANZENHOFER seconded.

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 26

Re: Support for a Youth Organization.
(Intro. 3-9)

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A RESOLUTION SUBMITTED BY
 LEGISLATOR SWANICK

WHEREAS, the Legislature set aside funds in the 2002 Erie County Budget for use by worthy community organizations and governmental agencies, and

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

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

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$30,000 from the Legislature – Contractual Expense (DAC: 110905100830) to Fund 110, Project 921, Department 301 Agency Payments & Grants - Public Benefit Services, (DAC: 110921301830), for paying the following agency:

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
Town Boys & Girls Club, Inc.	830/1055	\$30,000
TOTAL		\$30,000

and be it further

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

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

RESOLVED, that certified copies of this resolution be sent to County Executive Joel A. Giambra, County Comptroller Nancy A. Naples, Budget Director Joseph Passafiume, Jennifer Anger – Administrative Assistant Erie County Legislature, First Assistant County Attorney Susannah Bochenek, and to Gary Krasinski, Town Boys & Girls Club, (54 Riverdale Avenue, Buffalo, NY 14207.)

Fiscal Impact: Appropriation of 2002-budgeted funds.

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

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CARRIED UNANIMOUSLY.

Item 37 – MS. PEOPLES presented the following resolution and moved for immediate consideration. MR. DALE seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 37

Re: Funding for a Human Services
 Organization. (Intro. 3-10)

A RESOLUTION SUBMITTED BY
 LEGISLATORS PEOPLES, DALE & HOLT

WHEREAS, the Legislature set aside funds in the 2002 Erie County Budget for use by worthy community organizations and governmental agencies, and

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

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

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$70,000 from the Legislature – Contractual Expense (DAC: 110905100830) to Fund 110, Project 921, Department 301 Agency Payments & Grants - Public Benefit Services, (DAC: 110921301830), for paying the following agency:

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
NICYO	830/0916	\$70,000
TOTAL		\$70,000

and be it further

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

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

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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 Bochenek, and to NICYO.

Fiscal Impact: Appropriation of 2002-budgeted funds.

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 28

Re: Support for a Community Organization.
(Intro. 3-11)

A RESOLUTION SUBMITTED BY
LEGISLATOR MARINELLI

WHEREAS, the Legislature set aside funds in the 2002 Erie County Budget for use by worthy community organizations and governmental agencies, and

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

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

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$1,890 from the Legislature – Contractual Expense (DAC: 110905100830) to Fund 110, Project 921, Department 301 Agency Payments & Grants - Public Benefit Services, (DAC: 110921301830), for paying the following agency:

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
Brighton Volunteer Fire Co.	830/	\$1,890

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TOTAL

\$1,890

and be it further

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

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

RESOLVED, that certified copies of this resolution be sent to County Executive Joel A. Giambra, County Comptroller Nancy A. Naples, Budget Director Joseph Passafiume, Jennifer Anger – Administrative Assistant Erie County Legislature, First Assistant County Attorney Susannah Bochenek, F. Peter Casey, Brighton Volunteer Fire Co., (50 Jamacia Road, Tonawanda, NY 14150.)

Fiscal Impact: Appropriation of 2002-budgeted funds.

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

CARRIED UNANIMOUSLY.

Item 39 – MS. PEOPLES presented the following resolution and moved for immediate consideration. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 29

Re: Funding for Various Community
 Organizations. (Intro. 3-12)

A RESOLUTION SUBMITTED BY
 LEGISLATOR PEOPLES

WHEREAS, the Legislature set aside funds in the 2002 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,

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NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$51,000 from the Legislature – Contractual Expense (DAC: 110905100830) to Fund 110, Project 921, Department 301 Agency Payments & Grants - Public Benefit Services, (DAC: 110921301830), for paying the following agency:

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
Landmark Society of WNY	830/	\$2,000
Juneteenth, Inc.	830/1202	\$4,000
Sickle Cell Association	830/0756	\$5,000
JUSENDO	830/1419	\$40,000
TOTAL		\$51,000

and be it further

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

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

RESOLVED, that certified copies of this resolution be sent to County Executive Joel A. Giambra, County Comptroller Nancy A. Naples, Budget Director Joseph Passafiume, Jennifer Anger – Administrative Assistant Erie County Legislature, First Assistant County Attorney Susannah Bochenek, Landmark Society of WNY, Juneteenth, Inc., Sickle Cell Association and JUSENDO.

Fiscal Impact: Appropriation of 2002-budgeted funds.

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

CARRIED UNANIMOUSLY.

***DELETE* the first RESOLVE and *REPLACE* with the following:**

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$51,600 from the Legislature – Contractual Expense (DAC: 110905100830) to Fund 110, Project 921,

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

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
Landmark Society of WNY	830/	\$2,000
Juneteenth, Inc.	830/1202	\$4,000
Sickle Cell Association	830/0756	\$5,000
JUSENDO	830/1419	\$40,000
Excalibur Leisure Skills	830/0691	\$600
TOTAL		\$51,600

and be it further

***DELETE* the final RESOLVE and *REPLACE* with the following:**

RESOLVED, that certified copies of this resolution be sent to County Executive Joel A. Giambra, County Comptroller Nancy A. Naples, Budget Director Joseph Passafiume, Jennifer Anger – Administrative Assistant Erie County Legislature, First Assistant County Attorney Susannah Bochenek, Landmark Society of WNY, Juneteenth, Inc., Sickle Cell Association, JUSENDO and Excalibur Leisure Skills.

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

CARRIED UNANIMOUSLY.

Item 40 – MS. MARINELLI presented the following resolution and moved for immediate consideration. MR. SWANICK seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 30

Re: Funding for a Community Organization.
 (Intro. 3-13)

A RESOLUTION SUBMITTED BY
 LEGISLATORS MARINELLI & SWANICK

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WHEREAS, the Legislature set aside funds in the 2002 Erie County Budget for use by worthy community organizations and governmental agencies, and

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

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

NOW, THEREFORE, BE IT

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

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
Kenmore Fire Department	830/0959	\$5,000
TOTAL		\$5,000

and be it further

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

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

RESOLVED, that certified copies of this resolution be sent to County Executive Joel A. Giambra, County Comptroller Nancy A. Naples, Budget Director Joseph Passafiume, Jennifer Anger – Administrative Assistant Erie County Legislature, First Assistant County Attorney Susannah Bochenek, Jeffrey C. Tamsen, Kenmore Fire Dept., (16 Nash Road, Kenmore, NY 14217.)

Fiscal Impact: Appropriation of 2002-budgeted funds.

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

CARRIED UNANIMOUSLY.

Item 41 – MR. DUSZA presented the following resolution and moved for immediate consideration. MR. SWANICK seconded.

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CARRIED UNANIMOUSLY.

RESOLUTION NO. 31

Re: Support for Various Community
 Organizations. (Intro. 3-14)

A RESOLUTION SUBMITTED BY
 LEGISLATOR DUSZA

WHEREAS, the Legislature set aside funds in the 2002 Erie County Budget for use by worthy community organizations and governmental agencies, and

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

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

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$120,000 from the Legislature – Contractual Expense (DAC: 110905100830) 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>
Neighborhood Information Center	830/0741	\$90,000
Olivencia Community Center	830/0568	\$ 3,000
Central Referral Service, Inc.	830/0358	\$ 7,000
West Side Community Services	830/0547	\$10,000
Hispanics United of Buffalo	830/0220	\$10,000
TOTAL		\$120,000

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

RESOLVED, that certified copies of this resolution be sent to County Executive Joel A. Giambra, County Comptroller Nancy A. Naples, Budget Director Joseph Passafiume, Jennifer Anger – Administrative Assistant Erie County Legislature, First Assistant County Attorney Susannah Bochenek, Stanley Wrobel, Executive Director, Neighborhood Information Center, (1170 Broadway, Buffalo, NY 14212,) Chito Olivencia, Olivencia Community Center, (261 Swan Street, Buffalo, NY 14204,) Douglas Frank, Executive Director, Central Referral Service, Inc., (24th Floor City Hall, Buffalo, NY 14202,) Lucy Candelario, Executive Director, West Side Community Services, (161 Vermont Street, Buffalo, NY 14213,) and Israel Gonzalez, Executive Director, Hispanics United of Buffalo, (254 Virginia Street, Buffalo, NY 14201.)

Fiscal Impact: Appropriation of 2002-budgeted funds.

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

CARRIED UNANIMOUSLY.

ADD the following Co-Sponsors: FISHER.

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

CARRIED UNANIMOUSLY.

Item 42 – MR. WEINSTEIN presented the following resolution and moved for immediate consideration. MS. CUSACK seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 32

Re: Funding for Community Organizations.
(Intro. 3-15)

A RESOLUTION SUBMITTED BY
LEGISLATORS WEINSTEIN & CUSACK

WHEREAS, the Legislature set aside funds in the 2002 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 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

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

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$86,100 from the Legislature – Contractual fund (DAC: 110905100830) to fund 110, Project 221, Department 301 Agency Payments & Grants – Public Benefit Services, (DAC: 110921301830), for paying the following agency:

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
Amherst Public Library	830/	\$25,000
Amherst Youth Board	830/0865	\$12,000
Amherst Symphony Orchestra	830/0654	\$2,000
Amherst Senior Services	830/	\$10,000
Amherst Museum	830/0887	\$5,000
Amherst Youth Foundation	830/1454	\$1,000
Sweet Home Park	830/	\$10,000
Village of Williamsville	830/1380	\$12,000
Williamsville Business Association	830/1084	\$1,500
Amherst Task Force	830/	\$2,000
Safe Homes	830/	\$3,000
Amherst Saxophone Society	830/	\$2,000
Excalibur Leisure Skills Center, Inc.	830/	\$600
TOTAL		\$86,100

And be it further

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

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

RESOLVED, that certified copies of this resolution be sent to County Executive Joel A. Giambra, County Comptroller Nancy A. Naples, Budget Director Joseph A. Passafiume, Kelly Brown – First Administrative Assistant Erie County Legislature, First Assistant County Attorney Susannah M. Bochenek, Mary Bobinski, Amherst Public Library (350 John James Audobon Parkway, Amherst, NY 14228), Joseph Bachovchin, Amherst Youth Board (4255 Harlem Road, Amherst, NY 14226), Edward Fisher, Amherst Symphony Orchestra (P.O. Box 1083, Amherst, NY 14231), Mary Ellen Walsh, Amherst Senior Services (370 John James Audubon Parkway, Amherst, NY 14228), Lynn Beman, Amherst Museum (3755 Tonawanda Creek Road, Amherst, NY 14228), Mary Diane Pouli, Amherst Youth Foundation (4255 Harlem Road, Amherst, NY 14226), Richard Wojtowicz, Sweet Home Park (5583 Main Street, Amherst, NY 1422, Village of Williamsville (5583 Main Street, Amherst, NY 14221), Trey Measer, Williamsville Business Association (5429 Main Street, Amherst, NY 14226), Sally Yageric, Amherst Task Force (4255 Harlem Road, Amherst, NY 14226), Sally Yageric, Safe Homes (4255 Harlem Road, Amherst, NY 14226), Steve Rosenthal, Amherst Saxophone Society (64 Roycroft Blvd, Amherst, NY 14226), James Catalano, Excalibur Leisure Skills Center, Inc. (90 North Drive, Buffalo, NY 14216).

Fiscal Impact: Appropriation of 2002-budgeted funds.

MR. WEINSTEIN moved to amend the resolution. MS. CUSACK seconded.

CARRIED UNANIMOUSLY.

- In the first RESOLVED clause, DELETE the amount \$86,100 and REPLACE with \$125,177
- In the first RESOLVED clause, DELETE the following:

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
Amherst Symphony Orchestra	830/0654	\$2,000

- In the first RESOLVED clause, ADD the following:

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
Main Transit Fire Company	830/1284	\$4,500
Village of Williamsville Fire Department	830/851	\$4,000

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Getzville Fire Company	830/0614	\$2,577
Snyder Fire Department	830/0991	\$6,000
Sweet Home Park	830/	\$20,000
Amherst Symphony Orchestra	830/0654	\$4,000

- In the fourth RESOLVED clause, ADD the following:

James Lawida, Fire Chief, Main Transit Fire Company (6777 Main Street, Amherst, NY 14221), Chris Petrie, Fire Chief, Village of Williamsville Fire Department (5565 Main Street, Amherst, NY 14221), Blake Strom, Fire Chief, Getzville Fire Company (1871 North Forest Road, Amherst, NY 14221), John Fildes, Fire Chief, Snyder Fire Department (4531 Main Street, Amherst, NY 14226), Richard Wojtowicz, Sweet Home Park (5583 Main Street, Amherst, NY 14221).

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

CARRIED UNANIMOUSLY.

COMMUNICATIONS DISCHARGED FROM COMMITTEE

Item 43 – MR. LARSON moved to discharge the FINANCE & MANAGEMENT COMMITTEE from further consideration of Comm. 27E-25. MR. RANZENHOFER seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 34

Re: GIS Needs Assessment Grant.

WHEREAS, Erie County has been awarded an \$89,400.00 grant from the New York State Archives for a multi-participant Geographic Information System (GIS) Needs Assessment; and

WHEREAS, the Department of Environment and Planning is the lead agency for this grant, which will assess GIS needs, requirements, and implementation plans for deploying GIS in County government, the Town of Cheektowaga, the Town of Wales, and the Buffalo and Erie County Public Library System; and

WHEREAS, the Department of Environment and Planning has completed a consultant selection process in accordance with Section 19.08 of the Erie County Administrative Code;

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NOW, THEREFORE, BE IT

RESOLVED, that unanticipated State revenue for a GIS Needs Assessment project is hereby appropriated in the Grant Fund in the Department of Environment and Planning as follows:

Act	821	Dues & Fees	\$	88,800
	825	Out of Area Travel		600
		Total Appropriations	\$	89,400
		State Aid - NYS Archives	\$	89,400
		Total Revenues	\$	89,400

And be it further

RESOLVED, that the County Executive is hereby authorized to enter into agreement with D'Alba and Donovan, GIS Resource Group in an amount not to exceed \$88,800 to perform a Geographic Information System Needs Assessment; and be it further

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

MR. LARSON moved the approval of the resolution. MR. RANZENHOFER seconded.

CARRIED UNANIMOUSLY.

Item 44 – MS. CHASE moved to discharge the PUBLIC SAFETY COMMITTEE from further consideration Comm. 1E-34. MR. RANZENHOFER seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 33

Re: Department of Central Police Services
 Amendment to Agreement with EM Systems,
 Inc. (Comm. 1E-34)

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

WHEREAS, these systems and services comprise complex police support services and management services to provide a standardized Computer Aided Dispatch - Record Management System with interface capabilities to each of its user police agencies, and

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

WHEREAS, EM Systems was found to have the preferred software design, experience and desired management support, and

WHEREAS, EM Systems has provided software development services to Central Police Services under an agreement which commenced in May 2001,

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive, through the Department of Central Police Services, shall be authorized to amend an agreement with EM Systems and to increase the contract for a countywide Computer Aided Dispatch (CAD) - Record Management System (RMS) in an amount not to exceed \$38,000, and be it further

RESOLVED, that the source of funding shall be from the Police Mobile Data Capital Project, account 410 619650933 in the amount of \$38,000, and be it further

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

MS. CHASE moved the approval of the resolution. MR. RANZENHOFER seconded.

CARRIED UNANIMOUSLY.

SUSPENSION OF THE RULES

Item 45 – MR. GREENAN moved for a suspension of the rules to include an item not on the agenda. MR. RANZENHOFER seconded.

GRANTED.

Comm. 3E-42 From LEGISLATOR GREENAN Re: Designation of Official Majority Newspaper.

RECEIVED, FILED & PRINTED.

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RESOLVED, that pursuant to Section 214, Subdivision 2 of the Erie County Law, as amended, the following newspaper, The Sun, published in Hamburg, New York, having a general circulation in the County of Erie is hereby designated as the official newspaper for the publication of all local laws, notices and other matters required by law to be published for the County of Erie, effective January 24, 2002.

AL DeBENEDETTI
 6th District

JOHN W. GREENAN
 9th District

STEVEN P. McCARVILLE
 13th District

JEANNE Z. CHASE
 12th District

ELISE M. CUSACK
 14th District

BARRY A. WEINSTEIN
 15th District

MICHAEL H. RANZENHOFER
 16th District

DALE W. LARSON
 17th District

COMMUNICATIONS FROM ELECTED OFFICIALS

FROM THE COMPTROLLER

Item 46 – (Comm. 3E-1) Countywide Review of Erie County’s Passenger Vehicle Fleet as of 4/30/01.

Item 47 – (Comm. 3E-2) Sheriff’s Office Commissary Audit as of 1/20/01.

The above two items were received and filed.

FROM LEGISLATOR SWANICK

Item 48 – (Comm. 3E-3) Copy of Letter to Chairman DeBenedetti Re: Minority Recommendations for Appointments to Legislature’s Committees.

RECEIVED, FILED & PRINTED.

January 10, 2002

The Honorable Albert DeBenedetti
 Chairman
 Erie County Legislature

MEETING NO. 3
January 24, 2002

ERIE COUNTY LEGISLATURE

25 Delaware Ave., 7th Floor
 Buffalo, NY 14202

Dear Chairman DeBenedetti:

As per your request, listed below are my recommendations for appointments to the Legislature's eight standing committees.

Community Enrichment:	Marinelli, Fisher
Economic Development:	Kuwik, Holt
Energy & Environment:	Dusza, Dale
Finance & Management:	Peoples, Swanick
Government Affairs:	Swanick, Marinelli
Human Services:	Fisher, Holt
Public Safety:	Kuwik, Dusza
Regionalism <i>Ad Hoc</i>	Schroeder, Dale

Very truly yours,

Charles M. Swanick
 Minority Leader

FROM THE COMPTROLLER

Item 49 – (Comm. 3E-4) Copy of Letter to Budget Director Re: Erie County's Financial Condition.

Received and referred to the FINANCE AND MANAGEMENT COMMITTEE.

FROM THE COUNTY EXECUTIVE

Item 50 – (Comm. 3E-5) Appointment to Erie County Home Health Care Advisory Board.

RECEIVED, FILED & PRINTED.

MEETING NO. 3
January 24, 2002

ERIE COUNTY LEGISLATURE

January 10, 2002

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

Re: Appointment to Home Health Care Advisory Board

Dear Members:

I, Joel A. Giambra, Erie County Executive, pursuant to Section 2, Local Law No. 5 do hereby appoint the following individual to the Erie County Home Health Care advisory Board for the term ending December 31, 2003.

Amy Alvarez, MD
957 Delaware Avenue
Buffalo, NY 14209

Dr. Alvarez is replacing Joseph M. Grieco, MD, who has resigned.

Respectfully submitted,

JOEL A. GIAMBRA
ERIE COUNTY EXECUTIVE

JAG:bmc

cc: Appointee

James Totaro, President, Coordinated Care

Item 51 - (Comm. 3E-6) Reappointment & Appointment to Erie County Board of Ethics.

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

Item 52 – MR. GREENAN presented the following resolution and moved for immediate consideration. MR. RANZENHOFER seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 36

Re: Appointment to Erie County Fisheries
Advisory Board. (Comm. 3E-7)

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RESOLVED, that the Erie County Legislature does hereby confirm the appointment of David L. Barus of 2246 Center Street, East Aurora, New York 14052 as a Member of the Erie County Fisheries Advisory Board for a term to expire December 31, 2004.

MR. GREENAN moved the approval of the resolution. MR. RANZENHOFER seconded.

CARRIED UNANIMOUSLY.

FROM CHAIRMAN DeBENEDETTI

Item 53 – (Comm. 3E-8) 2002 Committee Assignments.

RECEIVED, FILED & PRINTED.

January 11, 2002

2002 Committee Assignments

ECONOMIC DEVELOPMENT

Chair: Michael H. Ranzenhofer
 Vice Chair: Dale W. Larson
 Members: John W. Greenan
 Edward J. Kuwik
 George A. Holt, Jr.
Clerk: Barbara Burke

FINANCE AND MANAGEMENT

Chair: Dale W. Larson
 Vice Chair: Michael H. Ranzenhofer
 Members: John W. Greenan
 Crystal D. Peoples
 Charles M. Swanick
Clerk: Brad Rybczynski

ENERGY AND ENVIRONMENT

Chair: John W. Greenan
 Vice Chair: Michael H. Ranzenhofer
 Members: Jeanne Z. Chase
 Raymond K. Dusza
 David Dale
Clerk: Kathy LaRue

HUMAN SERVICES

Chair: Barry A. Weinstein
 Vice Chair: Dale W. Larson
 Members: Jeanne Z. Chase
 Judith P. Fisher
 George A. Holt, Jr.
Clerk: Robin Sion

COMMUNITY ENRICHMENT

Chair: Elise M. Cusack
 Vice Chair: Barry A. Weinstein
 Members: Steven P. McCarville
 Lynn M. Marinelli
 Judith P. Fisher
Clerk: Brad Rybczynski

GOVERNMENT AFFAIRS

Chair: Steven P. McCarville
 Vice Chair: Jeanne Z. Chase
 Members: Elise M. Cusack
 Charles M. Swanick
 Lynn M. Marinelli
Clerk: Joseph Speth

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PUBLIC SAFETY

Chair: Jeanne Z. Chase
 Vice Chair: Dale W. Larson
 Members: Steven P. McCarville
 Edward J. Kuwik
 Raymond K. Dusza
Clerk: Joseph Spino, Jr.

REGIONALISM AD HOC

Chair: Barry A. Weinstein
 Vice Chair: Steven P. McCarville
 Members: Elise M. Cusack
 Mark J. F. Schroeder
 David Dale
Clerk: Tod Kniazuk

Albert DeBenedetti, Chairman

FROM LEGISLATOR SWANICK

Item 54 – (Comm. 3E-9) Copy of Letter to Governor Pataki, Sen Bruno & Assemblyman Silver Re: Proposed Health Care Legislation & Impact on Local Governments.

Received and filed.

FROM CHAIRMAN DeBENEDETTI

Item 55 – MR. GREENAN presented the following resolution and moved for immediate consideration. MR. RANZENHOFER seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 37

Re: Lease for Legislative Office Space.
 (Comm. 3E-10)

RESOLVED, that the County Executive is hereby authorized to sign a Two (2) Year Lease Agreement between Northwest Buffalo Community Center, 155 Lawn Avenue, Buffalo, New York 14207 and Erie County for Legislative Office Space for Erie County Legislator Albert DeBenedetti at a cost of \$440.00 per month.

MR. GREENAN moved the approval of the resolution. MR. RANZENHOFER seconded. MR. DeBENEDETTI abstained.

CARRIED UNANIMOUSLY.

FROM LEGISLATOR FISHER

Item 56 – (Comm. 3E-11) Letter to Clerk Re: Notice of Absence for Committee Meetings & Special Session on 1/17/02.

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RECEIVED, FILED & PRINTED.

January 14, 2002

The Honorable Laurie A. Manzella
Clerk
Erie County Legislature
25 Delaware Ave., 7th Floor
Buffalo, NY 14202

Dear Madam Clerk:

Please be advised that due to previously scheduled out-of-town commitments, I will be unable to attend the upcoming meetings of the Legislature's Health Services and Community Enrichment Committees, scheduled to be held on January 17, 2002.

Please be further advised that I will be unable to attend the recently scheduled Special Session of the Legislature slated for noon on the day.

These plans were set well in advance of the release of the Legislative schedule for 2002 and, regrettably, cannot be altered. I would ask that this communication be filed in you office, and received, filed and printed by the Legislature at our January 24 regular session.

Thank you for your cooperation.

Very truly yours,

Judith P. Fisher
Erie County Legislator
4th District

FROM LEGISLATOR MARINELLI

Item 57 – (Comm. 3E-12) Copy of Memo to Legislator Cusack Re: ECC Meeting.

Received and filed.

FROM LEGISLATOR DALE

Item 58 – (Comm. 3E-13) Copy of Letter to Chairman DeBenedetti Re: Establishment of 8% Sales Tax Task Force.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

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January 24, 2002

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FROM LEGISLATOR SWANICK

Item 59 – (Comm. 3E-14) Letter to Clerk Re: Minority Appointment of Legislator Peoples to Audit Committee.

RECEIVED, FILED & PRINTED.

January 17, 2002

The Honorable Laurie A. Manzella
 Clerk, Erie County Legislature
 25 Delaware Ave., 7th Floor
 Buffalo, NY 14202

Dear Madam Clerk:

Please be advised that, pursuant to Section 1813 of the Erie County Charter, Legislator Crystal D. Peoples will serve as the Minority Caucus's appointment to the Audit Committee for Erie County.

Very truly yours,

Charles M. Swanick
 Minority Leader

FROM LEGISLATOR KUWIK

Item 60 – MR. GREENAN presented the following resolution and moved for immediate consideration. MR. RANZENHOFER seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 38

Re: Lease for Legislative Office Space.
 (Comm. 3E-15)

RESOLVED, that the County Executive is hereby authorized to sign a Two (2) Year Lease Agreement between Peter Vinolus, 609 Ridge Road, Lackawanna, New York 14218 and Erie County for Legislative Office Space for Erie County Legislator Edward J. Kuwik at a cost of \$600.00 per month.

MR. GREENAN moved the approval of the resolution. MR. RANZENHOFER seconded. MR. KUWIK abstained.

CARRIED UNANIMOUSLY.

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FROM THE COUNTY EXECUTIVE

Item 61 – (Comm. 3E-16) Extension of Erie County’s 1% Sales & Compensation Use Tax Amendment of EC Sales Tax & Use Tax Resolution.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM CHAIRMAN DeBENEDETTI

Item 62 – (Comm. 3E-17) Letter to Clerk of Legislature Re: Cancellation of 2/21/02 Session & Rescheduling on 2/28/02.

RECEIVED, FILED & PRINTED.

January 22, 2002

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

Dear Ms. Manzella:

Be advised that, pursuant to Rule No.1 of the Erie County Legislature’s *RULES OF ORDER*, I am canceling the February 21, 2002 Session and rescheduling it for Thursday, February 28, 2002, at 2:00 p.m.

Please notify all legislators of this change.

Sincerely,

ALBERT DeBENEDETTI
Chairman

FROM LEGISLATOR SWANICK

Item 63 – (Comm. 3E-18) Letter to Clerk of Legislature Re: Supplementary Appointments to Minority Staff.

RECEIVED, FILED & PRINTED.

January 22, 2002

The Honorable Laurie A. Manzella

MEETING NO. 3
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ERIE COUNTY LEGISLATURE

Clerk
 Erie County Legislature
 25 Delaware Ave., 7th Floor
 Buffalo, NY 14202

Dear Madam Clerk:

Pursuant to the power vested in me by Rule 5 of the Rules of the Erie County Legislature, and subsequent to certain budgetary changes in the Minority Staff function of the Legislature's budget, I hereby make the following supplementary appointments to the Legislature's Minority Staff:

Theresa M. Kennedy	Senior Administrative Assistant
Robert M. Graber	Administrative Assistant
Sandra B. Jackson	Administrative Clerk

The aforementioned appointments shall be retroactive to January 9, 2002, in accordance with the aforementioned budgetary alterations.

Very truly yours,

Charles M. Swanick
 Minority Leader

FROM THE COUNTY EXECUTIVE

Item 64 – (Comm. 3E-19) ECMC – Capital Funding for ECMC.

Item 65 – (Comm. 3E-20) Funding for Village of Lancaster Water System Upgrades & Repairs.

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

Item 66 – MR. GREENAN presented the following resolution and moved for immediate consideration. MR. RANZENHOFER seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 39

Re: Staff Adjustments – Board of Elections.
 (Comm. 3E-21)

WHEREAS, additional manpower in the Board of Elections is necessary to provide adequate services to the public, and

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WHEREAS, funds are available through a transfer from the County Legislature's 2002 Contractual Expense appropriation,

NOW, THEREFORE BE IT

RESOLVED, that four (4) positions of Junior Election Clerk, job group 4, are hereby created in the 2002 adopted budget of the Board of Elections, and be it further

RESOLVED, that the sum of \$125,506 is hereby transferred from the County Legislature's Contractual Expense Account, (DAC 110905100830) to the Board of Election's Personal Services Account (DAC 110918500800) in the amount of \$99,608 and to the Fringe Benefits Account (DAC 110918500805) in the amount of \$25,898, in the same administrative unit, and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the Commissioners of the Board of Elections, the Clerk of the Legislature, the Commissioner of Personnel, the County Comptroller and the Division of Budget, Management and Finance.

MR. GREENAN moved the approval of the resolution. MR. RANZENHOFER seconded. MR. DALE voted in the negative.

CARRIED. (WEIGHTED VOTE: 16.112 – 0.888)

Item 67 – (Comm. 3E-22) District Attorney – Assets Forfeiture Appropriations.

Received and referred to the PUBLIC SAFETY COMMITTEE.

Item 68 – MR. GREENAN presented the following resolution and moved for immediate consideration. MR. SWANICK seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 40

Re: Resolution for the Refinancing of NYS
 Dormitory Authority Bonds for ECC.
 (Comm. 3E-23)

WHEREAS, the County of Erie (hereinafter "Local Sponsor") has provided for the refinancing of not exceeding one-half of the capital costs of certain projects (hereinafter "Project") for Erie Community College (hereinafter "College"); and

WHEREAS, the Legislature of the County of Erie (hereinafter "Legislature") has authorized the Dormitory Authority of the State of New York (hereinafter "Authority") to provide for the refinancing of not to exceed one-half of the amount of capital costs of the Project by the issuance of its bonds (hereinafter "Bonds"); and

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WHEREAS, the Legislature wishes to authorize approval of the Second Supplemental Financing Agreement (hereinafter "Agreement") between the Local Sponsor, the Authority and the College pertaining, among other matters, to said proposed Authority refinancing of one-half of the capital costs of said Project and to grant approval to the Board of Trustees of the College to execute and deliver the Agreement.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Executive is hereby authorized to execute and deliver to Authority the Agreement for refinancing of the State of New York's 50% share of the capital costs of certain Projects of the Community College financed by certain Series 2002 bond issues of the Authority, subject to the approval of the content of such Agreement by the Erie County Comptroller, and subject to the approval of the form of said Agreement by the Erie County Attorney; the execution thereof by the County Executive shall constitute conclusive evidence of the approval of the Local Sponsor; and be it further

RESOLVED, that the Board of Trustees of the College is hereby authorized to approve, execute and deliver the Agreement to the Authority, and the Local Sponsor knows of no regulation or limitation which has been established and prescribed by the State University of New York which would prohibit the Board of Trustees of the Community College from executing the Agreement or carrying out the provisions thereof; and be it further

RESOLVED, that the Board of Trustees of the College is hereby authorized to do all things necessary and proper to effectuate the performance of the Project in accordance with the provisions of this Agreement; and be it further

RESOLVED, that the County Executive is authorized to execute and deliver all necessary or appropriate documents, and the County Executive and the Comptroller are authorized to furnish all information requested by the Authority in connection with the Agreement; and be it further

RESOLVED, that this resolution shall take effect immediately; and be it further

RESOLVED, that a certified copy of this Resolution shall be forwarded to the Director of Budget, Management & Finance, the Comptroller, the County Attorney, and the President of the College.

MR. GREENAN moved the approval of the resolution. MR. SWANICK seconded.

CARRIED UNANIMOUSLY.

Item 69 – MR. GREENAN presented the following resolution and moved for immediate consideration. MR. RANZENHOFER seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 41

Re: Health – Provider Agreement NYSDOH
Refugee Health Program. (Comm. 3E-24)

WHEREAS, the Erie County Department of Health provides primary and specialty care at various locations throughout Erie County, and

WHEREAS, Communication 18E-19 dated October 4, 2001 authorized the County Executive to enter into an agreement with the New York State Department of Health Refugee Health Program for the purpose of providing refugee health assessments at clinics operated by the Erie County Department of Health for reimbursement for services provided for the term November 1, 2001 through December 31, 2002 with yearly renewals in calendar years 2003, 2004, 2005 and 2006, and

WHEREAS, the delay in passing the Federal budget has made it necessary to amend the term of the contract.

NOW, THEREFORE, BE IT

RESOLVED, that the term of this agreement shall be from March 31, 2002 through March 30, 2003 with yearly renewals in calendar years 2003, 2004, 2005 and 2006, and be it further

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

MR. GREENAN moved the approval of the resolution. MR. RANZENHOFER seconded.

CARRIED UNANIMOUSLY.

Item 70 – (Comm. 3E-25) County Attorney – Transfer of Funds.

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

Item 71 – (Comm. 3E-26) Health – Family Health Plus Facilitated Enrollment (1/1/02 – 12/31/02).

Received and referred to the HUMAN SERVICES COMMITTEE.

Item 72 – (Comm. 3E-27) OPEN ITEM: Erie County Energy.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 73 – (Comm. 3E-28) OPEN ITEM: Erie County Courts Renovations Projects.

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Item 74 – (Comm. 3E-29) OPEN ITEM: Federal Aid Projects.

Item 75 – (Comm. 3E-30) OPEN ITEM: New Youth Detention Facility.

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

Item 76 – (Comm. 3E-31) Appointments to Local Early Intervention Coordinating Council.

RECEIVED, FILED & PRINTED.

January 22, 2002

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

Re: Appointments to Local Early Intervention Coordinating Council

Dear Members:

I, Joel A. Giambra, Erie County Executive, pursuant to N.Y.P.L. 99-457 (H), do hereby appoint the following individuals to the Local Early Intervention Coordinating Council for a term expiring December 31, 2003.

Parent Members:

Marilyn Webster
404 LaSalle Avenue
Buffalo, NY 14215

Andi Chella
42 Autumnview Road
Williamsville, NY 14221

Luanne Cox
218 Shetland Drive
Williamsville, NY 14221

Susan Davidson

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Coordinator, Coordinating Council on Children & Families
4820 Sawmill Road
Clarence, NY 14031

Provider Members:

Marybeth Gannon
Personal Care Therapeutics
417-1/2 Linwood Avenue
Buffalo, NY 14209

Mary Iwanenko
Director, South Shore Comprehensive Therapies
697 Ridge Road
Lackawanna, NY 14218

Ilene Simon
EI Program Manager
People, Inc.
2128 Elmwood Avenue
Buffalo, NY 14207

Vicki Rubin
Director, Early Childhood Direction Center
Kaleida Health
888 Delaware Avenue
Buffalo, NY 14209

Childcare Provider:

Richard Grisanti
Colors and Shapes DayCare
119 Columbia Boulevard
Kenmore, NY 14217

Designees from Dept. of Social Services, Mental Health and/or Health

Joseph Donofrio
Mental Health Representative
Erie County Department of Mental Health
95 Franklin Street, Room 1237
Buffalo, NY 14202

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Delia Gomez
Social Services Representative
Erie County Department of Social Services
291 Pearl Street
Buffalo, NY 14202

Local Developmental Disabilities Office:

Richard Gould
Western New York Developmental Disabilities Office
Jamestown Building, Suite One
Jamestown, NY 14701

CPSE Representatives:

Anita Polizzi
Buffalo CPSE
84 Harrison Street
Buffalo, NY 14210

Dr. Judith Bondurant-Utz
Exceptional Education Department
1300 Elmwood Avenue
Buffalo, NY 14222-1095

Respectfully submitted,

JOEL A. GIAMBRA
ERIE COUNTY EXECUTIVE

JAG:bmc

cc: Appointees

Patrick J. Ruffino, 1ST Deputy Commissioner, Dept. of Health
Maria Gambino, Director of Services for Children with Special Needs

Item 77 – (Comm. 3E-32) Appointment to Erie County Cultural Resources Advisory Board.

RECEIVED, FILED & PRINTED.

January 22, 2002

The Honorable
Erie County Legislature

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January 24, 2002

ERIE COUNTY LEGISLATURE

25 Delaware Avenue
 Buffalo, New York 14202

Re: Appointment to Erie County Cultural Resources Advisory Board

Dear Members:

Pursuant to Article III, Section 3.02(f) of the Erie County Charter and Article 19, Section 19.01 of the Erie County Administrative Code, I hereby appoint the following individual to the Erie County Cultural Resources Advisory Board for the term stated.

NAME AND ADDRESS	TERM EXPIRES
Dennis H. Wisniewski 31 Westgate Drive East Aurora, NY 14052	December 31, 2003

Sincerely,

JOEL A. GIAMBRA
 ERIE COUNTY EXECUTIVE

JAG:bmc

cc: Appointee

Commissioner Laurence Rubin
 Charlene Ritter-Lester

Item 78 – (Comm. 3E-33) DEP – Division of Sewerage Management – Information Technology Engineer Position.

Item 79 – (Comm. 3E-34) 2002 Community Development Block Grant, Emergency Shelter Grant & Home Investment Partnership Program.

Item 80 – (Comm. 3E-35) ECSD No. 2 – 18 Mile Creek & Sweetland Road Pumping Station Modifications.

Item 81 – (Comm. 3E-36) Funding for Phase I Environmental Study.

Item 82 – (Comm. 3E-37) Funding for Southtowns Water Consortium Feasibility Study.

Item 83 – (Comm. 3E-38) Erie County Sport Fishery Promotion Program 2002.

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

Item 84 – MR. GREENAN presented the following resolution and moved for immediate consideration. MR. RANZENHOFER seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 42

Re: Personnel – Variable Minimums.
 (Comm. 3E-39)

WHEREAS, the 2002 Erie County Budget stipulates that all requests for authority to recruit at a higher increment level must be approved by both the Legislature and the County Executive, and

WHEREAS, the authorization of variable minimums is crucial to the delivery of medical and other essential public services,

NOW, THEREFORE, BE IT

RESOLVED, that variable minimums are hereby approved for the following titles commencing January 1, 2002, as follows:

DEPARTMENT	TITLE	JG/STEP
Legislature	Administrative Liaison Assistant Legislature	12-5
ECMC	Anesthetist	15-4
Environment & Planning	Assistant Chief Treatment Plant Supervisor	13-3
Environment & Planning	Assistant Deputy Commissioner	16-3
Environment & Planning	Assistant Sanitary Engineer	12-3
Legislature	Clerk Typist	1-5
ECMC	Clinical Perfusionist	15-5
Environment & Planning	Coordinator, Industrial Assistance Prog.	14-3
Health	Dentist	14-3
Health (only)	Dental Assistant	3-3
Health (only)	Dental Hygienist	5-3
ECMC, Home	Licensed Practical Nurse	4-3
ECMC, Home	Licensed Practical Nurse (2nd & 3rd shift)	4-4
Health	Medical Director (Reproductive Health)	
	(RPT)	18-5
Health	Medical Examiner	15-5
ECMC, Home	Medical Record Administrator	8-3
ECMC	Medical Record Technician	6-3
Health	Medical Specialist	17-5

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ECMC	Nuclear Medicine Technologist	8-5
Sheriff (Holding Center)	Nursing Supervisor -Holding Center	12-3
ECMC, Home	Occupational Therapist	10-5
ECMC, Home	Pharmacist-ECMC	15-5
ECMC, Home	Physical Therapist	10-5
ECMC	Radiologic Technologist	7-5
Probation	Registered Nurse	8-3
Sheriff (Holding Center)	Registered Nurse (Holding Center)	8-3
ECMC	Respiratory Care Practitioner	6-3
Public Works-Hwy.	Senior Civil Engineer	14-4
Social Services	School Collaboration Coordinator	12-3
Legislature	Secretarial Assistant (Leg)	5-2
Legislature	Secretarial Assistant (Leg)-District Ofc.	5-5
ECMC, Home	Senior Licensed Practical Nurse (1st Shift)	5-3
ECMC, Home	Senior Licensed Practical Nurse (2nd & & 3rd shifts only)	5-4
Health	Senior Nurse Practitioner	11-3
ECMC, Home	Senior Pharmacist-ECMC	16-4
ECMC	Senior Respiratory Care Practitioner	7-3
Legislature	Senior Secretarial Assistant (Leg) Dist. Ofc.	6-5
ECMC	Special Procedures Technologist	8-4
ECMC, Home	Supervising Physical Therapist	12-5
Social Services	Technical Support Systems Director	15-3
Social Services	Utilization Review Nurse	8-3

and be it further

RESOLVED, that once a variable minimum is approved for a particular position or job title, said variable minimum shall be in effect for all employees placed in said position during the year. It is also intended that where a variable minimum is granted for a full time position, the authorization is extended to any regular part-time or part-time position in any department, 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 Department of Personnel and the Office of the Comptroller.

MR. GREENAN moved to amend the resolution. MR. RANZENHOFER seconded. MS. PEOPLES voted in the negative.

CARRIED. (WEIGHTED VOTE: 16.039 – 0.961)

- In the first RESOLVED clause, DELETE the following:

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<u>DEPARTMENT</u>	<u>TITLE</u>	<u>JG/STEP</u>
Legislature	Administrative Liaison Assistant Legislature	12-5

- In the first RESOLVED clause, ADD the following:

<u>DEPARTMENT</u>	<u>TITLE</u>	<u>JG/STEP</u>
County Clerk	Deputy County Clerk – Legal	13-5

MR. GREENAN moved the approval of the resolution as amended. MR. RANZENHOFER seconded.

CARRIED UNANIMOUSLY.

Item 85 – (Comm. 3E-40) Personnel – Underfill (Trainee) Authorization.

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

Item 86 – MR. GREENAN presented the following resolution and moved for immediate consideration. MR. SWANICK seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 43

Re: Youth Detention – Authorization to Enter Into Contract. (Comm. 3E-41)

WHEREAS, the Erie County Department of Probation and Youth Detention Services, Division of Youth Detention, desires to provide community-based housing for non-secure youth remanded to their custody, and

WHEREAS, the Division of Youth Detention conducted a thorough RFP process to identify the most qualified and cost effective agencies to provide this service, and

WHEREAS, the Erie County Youth Bureau and the Youth Services' Board have completed the program application and review process by sponsoring application workshops, soliciting proposals for the 2002 Erie County Youth Development Delinquency Prevention Project, the Special Delinquency Prevention Program Project, the Runaway Assistance Project, the Homeless Youth Project, the PINS/JD Diversion Project, the Division of Criminal Justice Services Title 5, Office of Children and Family Services Safe Places, the Operation Prime Time Initiative, and the Juvenile Justice Delinquency Prevention Project (J.J.D.P.), and has conducted hearings on all proposals and the Youth Services Board is making final recommendations as is its responsibility.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into contracts and amendments to these contracts, with the following organizations to provide non-secure detention services for the Erie County Department of Probation and Youth Detention Services -Detention Division.

Berkshire Farm Center and Services for Youth

Refuge Temple

Care Management Coalition of W.N.Y.

Lead agencies: New Directions Youth & Family Services Inc. and Baker Victory Services
 Hopevale Inc.

and be it further

RESOLVED, that the County Executive is hereby authorized to enter into and execute any application, contracts including amendments with the State of New York and the service providers, for the 2002 Erie County Youth Development Delinquency Prevention Project, the Special Delinquency Prevention Program Project, the Runaway Assistance Project, the Homeless Youth Project, the PINS/JD Diversion Project, the Division of Criminal Justice Services Title 5, Office of Children and Family Services Safe Places, the Operation Prime Time Initiative, and the Juvenile Justice Delinquency Prevention Project (J.J.D.P.), and be it further

RESOLVED, that the Erie County Legislature hereby makes a finding that it is impracticable to follow the RFP procedures and hereby waives the procedures outlined in section 19.08 of the Erie County administrative Code, and be it further

RESOLVED, that said appropriation is on the condition that the funds are eligible to receive at least 50% reimbursement from the State of New York, and be it further

RESOLVED, that the necessary funds to cover the cost of these contracts have been appropriated in the 2002 Erie County Budget, and be it further

RESOLVED, that certified copies of this resolution be sent to the Department of Probation and Youth Detention Services, the Youth Bureau, the Office of the Comptroller, the Division of Budget, Management and Finance, and the County Attorney's Office.

MR. GREENAN moved to amend the resolution. MR. SWANICK seconded.

CARRIED UNANIMOUSLY.

ADD the following italicized language to the second RESOLVE:

... and the juvenile Justice Delinquency Prevention Project (J.J.D.P.), which are included in the 2002 Erie County Budget, and

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***DELETE* the third RESOLVE in its entirety.**

MR. GREENAN moved the approval of the resolution as amended. MR. RANZENHOFER seconded.

CARRIED UNANIMOUSLY.

COMMUNICATIONS FROM THE DEPARTMENTS

FROM THE COUNTY ATTORNEY

Item 87 – (Comm. 3D-1) County Executive Approval of Local Law No. 6 – 2001 (Local Law Intro No. 11 – 2001).

RECEIVED, FILED & PRINTED.

January 7, 2002

VIA HAND DELIVERY

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

RE: LOCAL LAW No. 6-2001

Dear Laurie:

Enclosed is a certified copy of the above-referenced law for your files.

Very truly yours,

FREDERICK A. WOLF
Erie County Attorney

BY: SUSANNAH M. BOCHENEK
1ST Assistant County Attorney

SMB/fr
Encl.

cc: Frederick A. Wolf, Erie County Attorney (w/o encl.)

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Thomas P. DeMartino, Esq., Sr. Executive Assistant to the County Executive (w/o encl.)

A Public Hearing was held on the foregoing Local Law Intro. No. 11-2001 on Thursday, December 20, 2001, due notice thereof having been published in the official newspapers of the County of Erie designated for this purpose, and after due deliberation thereon, I JOEL A. GIAMBRA, County Executive of Erie County, do hereby APPROVE and SIGN said Local Law this 20th day of December, 2001.

Joel A. Giambra

Item 88 – (Comm. 3D-2) County Executive Approval of Local Law No. 7 – 2001 (Local Law Intro No.12 – 2001).

RECEIVED, FILED & PRINTED.

January 7, 2002

VIA HAND DELIVERY

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

RE: LOCAL LAW No. 7-2001

Dear Laurie:

Enclosed is a certified copy of the above-referenced law for your files.

Very truly yours,

FREDERICK A. WOLF
 Erie County Attorney

BY: SUSANNAH M. BOCHENEK
 1st Assistant County Attorney

SMB/fr
 Encl.

cc: Frederick A. Wolf, Erie County Attorney (w/o encl.)
 Thomas P. DeMartino, Esq., Sr. Executive Assistant to the County Executive (w/o encl.)

A Public Hearing was held on the foregoing Local Law Intro. No. 12-2001 on Thursday, December 20, 2001, due notice thereof having been published in the official newspapers of the County of Erie

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designated for this purpose, and after due deliberation thereon, I, JOEL A. GIAMBRA, County Executive of Eire County, do hereby APPROVE and SIGN said Local Law this 20th day of December, 2001.

Joel A. Giambra

FROM ECMC

Item 89 – (Comm. 3D-3) Notice of Finance Committee Meeting Held 1/8/02 & Minutes of Previous Meeting.

Item 90 – (Comm. 3D-4) Notice of Rescheduled Board of Managers Meeting Held 1/17/02.

Item 91 – (Comm. 3D-5) Notice of JCC/Planning Committee Meeting Held 1/8/02.

Item 92 – (Comm. 3D-6) Notice of Finance Committee Meeting Held 1/8/02.

The above four items were received and filed.

FROM THE BUFFALO & ERIE COUNTY PUBLIC LIBRARY

Item 93 – (Comm. 3D-7) Copy of Letter to Legislators Marinelli & DeBenedetti Re: Moratorium on New Library Building or Expansion.

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

Item 94 – (Comm. 3D-8) Notice & Agenda for Board of Trustees Meeting Held 1/17/02.

Received and filed.

FROM ECMC

Item 95 – (Comm. 3D-9) Notice of Board of Managers Annual Meeting to be Held 1/17/02 & Minutes of Previous Meeting.

Received and filed.

FROM ECC

Item 96 – (Comm. 3D-10) Notice & Agenda for Institutional Assessment Focus Area Consolidation Team Meeting Held 1/17/02.

Received and filed.

FROM THE COUNTY ATTORNEY

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Item 97 – (Comm. 3D-11) County Executive Approval of Local Law No. 1 – 2002 (Local Law Int No. 13 – 2001).

RECEIVED, FILED & PRINTED.

January 17, 2002

VIA HAND DELIVERY

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

RE: LOCAL LAW No. 1-2002

Dear Laurie:

Enclosed is a certified copy of the above-referenced law for your files.

Very truly yours,

FREDERICK A. WOLF
Erie County Attorney

BY: SUSANNAH M. BOCHENEK
1st Assistant County Attorney

SMB/fr
Encl.

cc: Frederick A. Wolf, Erie Count Attorney (w/o encl.)
Thomas P. DeMartino, Esq., Sr. Executive Assistant to the County Executive (w/o encl.)

A Public Hearing was held on the foregoing Local Law Intro. No. 13-2001 on Thursday, January 3, 2002, due notice thereof having been published in the official newspapers of the County of Erie designated for this purpose, an after due deliberation thereon, I, JOEL A GIAMBRA, County Executive of Erie County, do hereby APPROVE and SIGN said Local Law this 3rd day of January 3, 2002.

Joel A. Giambra

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Item 98 – (Comm. 3D-12) Response to Amendment to Intro 20-8 (2001) – Project Labor Agreement.

Received and filed.

FROM THE CLERK OF THE LEGISLATURE

Item 99 – (Comm. 3D-13) Memo to All Legislators Re: Notice that Session Scheduled for 2/21/02 is Rescheduled for 2/28/02.

RECEIVED, FILED & PRINTED.

January 22, 2002

To: All Erie County Legislators and Staff
 From: Laurie A. Manzella, Clerk
 Subject: CHANGE OF SESSION DATE

The Session of the Erie County Legislature previously scheduled for Thursday, February 21, 2002, has been canceled.

Chairman Albert DeBenedetti has rescheduled the Session for **Thursday, February 28, 2002, at 2:00 p.m.** This change will not affect any other previously scheduled Session dates.

Be advised that the clock-in deadline for items to be considered at that Session (February 28th) will be before 11:00 a.m. on Tuesday, February 26, 2002.

Thank you.

ATTACHMENT – 1

c: Hon. Joel A. Giambra, County Executive *(w/o Attachment)*
 Hon. Frank J. Clark, District Attorney *(w/o Attachment)*
 Hon. Patrick M. Gallivan, Sheriff *(w/o Attachment)*
 Hon. Nancy A. Naples, Comptroller *(w/o Attachment)*
 Hon. David J. Swarts, County Clerk *(w/o Attachment)*
 Erie County Department Heads *(w/o Attachment)*
 Other Interested Parties *(w/o Attachment)*

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

Dear Ms. Manzella:

Be advised that, pursuant to Rule No. 1 of the Erie County Legislature's *RULES OF ORDER*, I am canceling the February 21, 2002 Session and rescheduling it for Thursday, February 28, 2002, at 2:00 p.m.

Please notify all legislators of this change.

Sincerely,

ALBERT DeBENEDETTI
Chairman

FROM BUDGET, MANAGEMENT & FINANCE

Item 100 – (Comm. 3D-14) EC Board of Elections Response to Payroll Audit Report for Period 1/1/00 – 12/31/00.

Received and filed.

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES

FROM THE TOWN OF AURORA

Item 101 – (Comm. 3M-1) SEQR – Negative Declaration – Notice of Non-Significance – Extension No. 5 of Water District No. 10.

Received and filed.

FROM THE WEST VALLEY CITIZEN TASK FORCE

Item 102 – (Comm. 3M-2) Notice & Agenda for Meeting Held 1/8/02.

Received and filed.

FROM LOCUST STREET NEIGHBORHOOD ART CLASSES

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Item 103 – (Comm. 3M-3) 2001 Final Report for Use of County Cultural Funds.

Received and filed.

FROM THE TOWN OF TONAWANDA

Item 104 – (Comm. 3M-4) Resolution from Town Board Re: Request for Direct Payment of Erie County Sales Tax to Town.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE BUFFALO NIAGARA ENTERPRISE

Item 105 – (Comm. 3M-5) Study Funded by ENRP “Sites Analysis and Development for Erie and Niagara Counties.”

Received and filed.

FROM THE NYS DEPARTMENT OF AGRICULTURE & MARKETS

Item 106 – (Comm. 3M-6) Notice of Anniversary of Agricultural District No. 12 & Need for Review.

Received and filed.

FROM THE EC ENVIRONMENTAL MANAGEMENT COUNCIL

Item 107 – (Comm. 3M-7) Notice & Agenda for Meeting Held 1/15/02.

Received and filed.

FROM THE EC MENTAL HYGIENE COMMUNITY SERVICES BOARD

Item 108 – (Comm. 3M-8) Notice of Meeting Held 1/17/02.

Received and filed.

FROM THE NIAGARA COUNTY DEPARTMENT OF PLANNING,
DEVELOPMENT & TOURISM

Item 109 – (Comm. 3M-9) 2001: A Fish Odyssey – Final Report.

Received and filed.

FROM THE WEST VALLEY CITIZEN TASK FORCE

Item 110 – (Comm. 3M-10) Copy of Letter to Senator Clinton Re: Requests Assistance in Clean Up of West Valley Nuclear Site.

Received and filed.

FROM SENATOR RATH

Item 111 – (Comm. 3M-11) Receipt of Various Resolutions.

Received and filed.

FROM THE WEST VALLEY CITIZEN TASK FORCE

Item 112 – (Comm. 3M-12) Notice & Agenda for Meeting Held 1/22/01.

Received and filed.

FROM THE SENATOR RATH

Item 113 – (Comm. 3M-13) Receipt of Various Resolutions.

Received and filed.

MEMORIAL RESOLUTIONS

Item 114 – Legislator McCarville requested that when this legislature adjourns, it do so in memory of Brian Rick.

Item 115 – Legislator Schroeder requested that when this legislature adjourns, it do so in memory of Judge John Callahan, New York State Appellate Court Justice.

Item 116 – Legislator Dusza requested that when this legislature adjourns, it do so in memory of Michaeline Wyrobek.

Item 117 – Legislator Chase requested that when this legislature adjourns, it do so in memory of Jim Snyder.

Item 118 – Legislator Larson requested that when this legislature adjourns, it do so in memory of Stephanie Gonparz.

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ADJOURNMENT

Item 119 – At this time, there being no further business to transact, the Chairman announced that the Chair would entertain a Motion to Adjourn.

MR. GREENAN moved that the Legislature adjourn until 2 p.m. Thursday, February 7, 2002. MR. SWANICK seconded.

CARRIED UNANIMOUSLY.

The Chairman declared the Legislature adjourned until Thursday, February 7, 2002 at 2 p.m. Eastern Standard Time.

LAURIE A. MANZELLA
CLERK