

ERIE COUNTY LEGISLATURE
MEETING NO. 3
February 3, 2000

The Legislature was called to order by Chairman Swanick.

All Members Present.

The invocation was given by Rev. Dr. Sharon Harris-Ewing from the North Presbyterian Church.

The Pledge of Allegiance was led by Mr. Holt.

CHAIRMAN SWANICK directed that the designation of Minority Newspapers for the year 2000 be RECEIVED, FILED AND PRINTED.

January 4, 2000

RESOLVED, that pursuant to Section 214, Subdivision 2 of the Erie County Law as amended, the following newspaper, Amherst Bee, published in Williamsville, 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 6, 2000.

John W. Greenan
9th District

Frederick J. Marshall
13th District

Dale W. Larson
17th District

Michael H. Ranzenhofer
16th District

Barry A. Weinstein, M.D.
15th District

Jeanne Z. Chase
12th District

January 4, 2000

We, the undersigned, a majority of the members of the Erie County Legislature representing the Republican Party, which is one of the principle parties into which the people of the county are divided, do hereby designate the Hamburg Sun, published in Hamburg, New York, and fairly representing the political party to which we belong, to publish the Concurrent Resolutions of the New York State Legislature as required by law to be published for the year 2000.

John W. Greenan
9th District

Frederick J. Marshall
13th District

Dale W. Larson
17th District

Michael H. Ranzenhofer
16th District

Barry A. Weinstein, M.D.
15th District

Jeanne Z. Chase
12th District

MS. PEOPLES moved to approve the minutes of Meeting 25 of 1999, and Meetings 1 and 2 of 2000. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

MISCELLANEOUS RESOLUTIONS

Item 1 – MR. GREENAN presented a resolution Honoring West Seneca Chamber of Commerce 1999 Community Award Winners. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

Item 2 – MS. CHASE presented a resolution Honoring Joseph S. Schiavone as 1999 Evans/Brant Chamber of Commerce Citizen of the Year. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

Item 3 – MR. MARSHALL presented a resolution Sending Congratulations to Walter & Helen Zylka Sr. Upon Celebrating Their 60th Wedding Anniversary. MR. LARSON seconded.

CARRIED UNANIMOUSLY.

Item 4 – MR. KUWIK presented a resolution Congratulating Edward Sabuda Jr. Past Commander, Matthew Glab Post # 1477. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

LOCAL LAWS

Item 5 – CHAIRMAN SWANICK directed that Local Law Intro No. 4 (Print #2) 1999 remain on the table.

COMMITTEE REPORTS

Item 6 – MR. KUWIK presented the following resolution and moved for immediate consideration. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 22

January 25, 2000

PUBLIC SAFETY
COMMITTEE
REPORT NO. 1

ALL MEMBERS PRESENT.

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

a. Item Page -1999 (Comm. 8D-4)
ERIE COUNTY AUTO BUREAU: Security Survey.
(5-0)

b. Item Page -1999 (Comm. 8E-1)
SHERIFF: Bomb Threat Information.
(5-0)

2. Item Page - 1999 (Comm. 25E-32)
COUNTY EXECUTIVE

RESOLVED, that the Department of Emergency Services is hereby authorized to donate surplus radio equipment with a value of \$100. to Wyoming County Emergency Services, and be it further

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

3. Item Page - 2000 (Comm. 2E-7)
COUNTY EXECUTIVE

RESOLVED, that \$63,100 in available balances in the Erie County Assets Forfeiture Trust Fund is hereby appropriated into the District Attorney's Assets Forfeiture Grant, SFG Project 333, and be it further

RESOLVED, that the following budgetary transactions are hereby authorized to provide funding for investigative, surveillance and prosecutorial purposes to benefit the Probation Department and the District Attorney's Office.

**DISTRICT ATTORNEY ASSET FORFEITURE GRANT
SFG PROJECT 333 FUND 280**

Revenue
Acct. 502 - District Attorney Asset Forfeitures

Increase
\$63,100

Total Revenue \$63,100

Appropriation

Acct. 930 - Automotive Equipment	\$27,600
Acct. 932 - Furniture, Fixtures & Office Equipment	12,000
Acct. 933 - Laboratory and Technical Equipment	8,500
Acct. 880 - Probation	<u>\$15,000</u>
Total Appropriation	<u>\$63,100</u>

PROBATION DEPARTMENT OPERATING FUND

Revenue

Acct. 685 - District Attorney	<u>\$15,000</u>
Total Revenue	<u>\$15,000</u>

Appropriation

Acct. 821 - Dues and Fees	<u>\$15,000</u>
Total Appropriation	<u>\$15,000</u>

and be it further

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

4. Item Page - 2000 (Comm. 2E-26)

COUNTY EXECUTIVE

RESOLVED, that the County Executive is hereby authorized to enter into contract and receive funding from both the Federal Bureau of Justice Assistance, Bulletproof Vest Partnership Grant and the New York State Department of Criminal Justice Services, Soft Body Armor reimbursement program, and be it further

RESOLVED, that authorization is hereby provide to adjust the 2000 budget for the appropriation of said funds as follows:

Department 150 – Sheriff’s Division

<u>Revenue</u>		<u>Increase</u>
Acct. 627 State Aid		\$6,020
Acct. 684-0100 Federal Aid		<u>6,020</u>
	Total Revenue	\$12,040
<u>Appropriation</u>		
Acct. 811 - Clothing Supplies		<u>\$12,040</u>
	Total Appropriation	\$12,040
	Net Change	<u>\$0</u>

Department 260 - Probation

<u>Revenue</u>		<u>Increase</u>
Acct. 684-0100 Federal Aid		<u>\$675</u>
	Total Revenue	\$675
<u>Appropriation</u>		
Acct. 811 -Clothing Supplies		<u>\$675</u>
	Total Appropriation	\$675
	Net Change	<u>\$0</u>

and be it further

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

(5-0)

5. Item Page - 2000 (Comm. 2E-36)
COUNTY EXECUTIVE

RESOLVED, that authorization is hereby provided to establish the following budget in order to establish a new Hazardous Materials Response Team grant which will provide supplies for the volunteers who are responding to hazardous materials incidents:

Department of Emergency Services
Hazardous Materials Response Team Grant VI

Revenue

SFG Acct. #361 Miscellaneous Receipts
(Trust and Agency) 3775

Appropriations

SFG Acct. #826 Other Expenses or Charges - Misc. 3775

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 - 2000 (Comm. 2E-45)

COUNTY EXECUTIVE

WHEREAS, the State of New York Division of Criminal Justice Services has awarded \$10,000 to the Erie County Sheriff's Office to purchase one Electronic Total Work Station and,

WHEREAS, this equipment will increase the accuracy and efficiency of crime and accident investigations.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into contract with the State of New York Division of Criminal Justice Services and is authorized to accept funding in the amount of \$10,000 and be it further,

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

Department 931 – Sheriff's Office

<u>REVENUE</u>	<u>Increase</u>
Acct. 639 State Aid Miscellaneous	<u>10,000</u>
TOTAL REVENUE	<u>10,000</u>
<u>APPROPRIATIONS</u>	<u>Increase</u>
Acct. 933 - Lab & Tech Equipment	<u>10,000</u>

TOTAL APPROPRIATIONS

10,000

and it be further

RESOLVED, that certified copies be forwarded to the Division of Budget, Management and Finance, and the Office of Sheriff for implementation.
(5-0)

**EDWARD J. KUWIK
CHAIRMAN**

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

CARRIED UNANIMOUSLY.

Item 7 – MR. DUSZA presented the following resolution and moved for immediate consideration. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 23

January 25, 2000

GOVERNMENT AFFAIRS
COMMITTEE
REPORT NO. 1

ALL MEMBERS PRESENT EXCEPT LEGISLATOR FISHER. CHAIRMAN SWANICK PRESENT AS EX-OFFICIO MEMBER.

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

a. Item Page -1999 (Comm. 16M-18)
TOWN OF CHEEKTOWAGA: Certified Copy of Resolution Re: Opposing City of Buffalo Comptroller's Proposal to Send Buffalo Firefighters to Suburban Communities. (5-0) Legislator Fisher absent. Chairman Swanick present as Ex-Officio Member.

b. Item Page -1999 (Comm. 16M-20)
TOWN OF AMHERST: Certified Copy of Resolution Re: Opposing City of Buffalo Comptroller's Proposal to Send Buffalo Firefighters to Suburban Communities. (5-0) Legislator Fisher absent. Chairman Swanick present as Ex-Officio Member.

c. Item Page -1999 (Comm. 25D-7)
COUNTY ATTORNEY: Notices of Claim. (5-0) Legislator Fisher absent. Chairman Swanick present as Ex-Officio Member.

- d. Item Page -2000 (Comm. 1D-13)
COUNTY ATTORNEY: Notices of Claim.
(5-0) Legislator Fisher absent. Chairman Swanick present as Ex-Officio Member.
2. Item Page - 1999 (Comm. 25E-25)
COUNTY EXECUTIVE
RESOLVED, that in accordance with Section 2.06 of the Erie County Administrative Code, a revolving Change-Making Fund is hereby increased in the following department in the amount stated: Erie County Auto Bureau - Cheektowaga from \$2,400 to \$2,900, and be it further

RESOLVED, that certified copies of this resolution be sent to the office of the Comptroller, the Division of Budget, Management and Finance and to the County Clerk.
(5-0) Legislator Fisher absent. Chairman Swanick present as Ex-Officio Member.

RAYMOND K. DUSZA
CHAIRMAN

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

CARRIED UNANIMOUSLY.

Item 8 – MR. DeBENEDETTI presented the following resolution and moved for immediate consideration. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 24

January 25, 2000

ENERGY & ENVIRONMENT
COMMITTEE
REPORT NO. 1

ALL MEMBERS PRESENT.

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

- a. Item Page -1999 (Comm. 24M-7)
ERIE COUNTY WATER AUTHORITY: 2000 Adopted Operating & Maintenance Budget & Capital Budget.
(5-0)

- b. Item Page -1999 (Comm. 25D-20)
DEP: SEQR Negative Declaration Notice of Determination of Non-Significance - Foot of Ontario Street at Niagara River, City of Buffalo.
(5-0)

- | | | | | |
|----|--|---|-------|----------------|
| | Item | Page | -1999 | (Comm. 25E-3) |
| c. | COUNTY EXECUTIVE: | Guiding Principles for Countywide Land Use Planning.
(5-0) | | |
| | Item | Page | -1999 | (Comm. 25E-33) |
| d. | COUNTY EXECUTIVE: | EC Southtowns Sewage Treatment Agency Contract "A"
Contract Close-Out Kenaidan Construction Corporation.
(5-0) | | |
| | Item | Page | -1999 | (Comm. 25E-37) |
| e. | COUNTY EXECUTIVE: | EC Southtowns Sewage Treatment Agency Waste Paper Pulp
& Polymer Feed Facilities & Misc. Modifications Contract Close Out Contract "D".
(5-0) | | |
| | Item | Page | -1999 | (Comm. 25M-10) |
| f. | EC ENVIRONMENTAL MANAGEMENT COUNCIL: | Notice & Agenda for
Meeting Held on 12/14/99.
(5-0) | | |
| | Item | Page | -1999 | (Comm. 25M-12) |
| g. | MELINDA HOLLAND: | Summary of Citizen Task Force Meeting Held 11/30/99 &
Notice of Meeting to be Held 2/15/00.
(5-0) | | |
| | Item | Page | -2000 | (Comm. 1M-3) |
| h. | NYSDEC: | 1999 NYS Inactive Hazardous Waste Disposal Site Remedial Plan.
(5-0) | | |
| | Item | Page | -2000 | (Comm. 1M-8) |
| i. | ERIE COUNTY FISHERIES ADVISORY BOARD: | 1999 Annual Report.
(5-0) | | |
| | Item | Page | -2000 | (Comm. 2E-40) |
| j. | COUNTY EXECUTIVE: | Semi- Annual Attendance Records Board of Managers
ECSDs.
(5-0) | | |
| | Item | Page | -2000 | (Comm. 2E-41) |
| k. | COUNTY EXECUTIVE: | EC Sewer Construction Projects Annual Change Order
Report.
(5-0) | | |
| | Item | Page | -2000 | (Comm. 2M-4) |
| l. | RICHARD VOEHRINGER: | Copy of Saratoga County Board of Supervisors
Resolution Re: Opposing NYSDEC Remapping of Designated Wetlands.
(5-0) | | |

m. Item Page -2000 (Comm. 2M-9)
NYSDEC: Fact Sheet - LTV/Donner Hanna Coke Site.
(5-0)

2. Item Page - 1999 **AS AMENDED**
COUNTY EXECUTIVE
(Comm. 24E-20)

WHEREAS, the Boards of Managers for Erie County Sewer District 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 2000 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 2000 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	\$	370,360.74
Sewer District #4	\$	273,700.91
Sewer District #5	\$	232,503.00
Sewer District #2	\$	89,866.16
(Original District & Extension 1B)		
Sewer District #3	\$	281,865.60
(Original District)		
Sewer District #3	\$	17,043.20
(Boston Valley)		
Sewer District #3	\$	100,164.80
(Armor McKinley)		
Sewer District #3	\$	15,165.00
(Holland)		
Sewer District #6	\$	<u>1,239,465.51</u>
	\$	2,620,134.92

and be it further

RESOLVED, that the Clerk of the Legislature be directed to send a certified copy of this resolution to Joseph Passafiume, Director of Budget and Management; Charles J. Alessi, Deputy Commissioner of Environment and Planning and Stephen F. Gawlik, Assistant County Attorney.
(5-0)

3. Item Page - 1999 (Comm. 25E-28)
 COUNTY EXECUTIVE

WHEREAS, Erie County Sewer District No. 1 needs to retain the service of an Engineer to provide engineering services required in the design and construction of the proposed Union Road Pumping Station and Hyland Subtrunk Sewer; and

WHEREAS, the Board of managers and the Department of Environment and Planning have recommended the firm of Pratt & Huth Associates, LLP, 60 Earhart Drive, Williamsville, New York.

NOW, THEREFORE, BE IT

RESOLVED, that the engineering firm of Pratt & Huth Associates, LLP be retained at a cost not to exceed \$248,002.56; and be it further

RESOLVED, that the County Executive be, and hereby is, authorized to execute an Agreement with the firm of Pratt & Huth Associates, LLP, 60 Earhart Drive, Williamsville, New York, to provide the needed engineering services subject to approval as to form by the County Attorney's Office; and be it further

RESOLVED, that the Comptroller be authorized and directed to allocate \$248,002.56 from Sewer Capital, Erie County Sewer District No. 1, Fund No. 430, Project No. 694 for payment of the engineering services contained in the Agreement; and be it further

RESOLVED, that the Clerk of the Legislature send a certified copy of the resolution to Charles J. Alessi, P.E., Deputy Commissioner, Department of Environment and Planning, and Stephen Gawlik, Assistant County Attorney, the Erie County Comptroller's office and the Director of Budget and Management.
(5-0)

4. Item Page - 1999 (Comm. 25E-29)
 COUNTY EXECUTIVE

WHEREAS, the Erie County Legislature had awarded the Felber Lane Pumping Station Elimination - Contract 15 to Visone Construction, Inc., 79 Sheldon Avenue, Depew, New York 14043; 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 the Felber Lane Pumping Station Elimination - Contract 15 in the amount of \$218,891.30.

NOW, THEREFORE, BE IT

RESOLVED, that the Felber Lane Pumping Station Elimination - Contract 15 between the County of Erie and Visone Construction, Inc., 79 Sheldon Avenue, Depew, New York 14043, be accepted in the amount of \$218,891.30, which includes Change Order No.1 (Final) an increase of \$78,236.55 and Payment No.5 (Final) in the amount of \$78,755.71; and be it further

RESOLVED, that the Erie County Comptroller is hereby authorized and directed to finalize the Felber Lane Pumping station Elimination - Contract 15 in the amount of \$218,891.30 and make final payment from Erie County Sewer District No.1, Sewer Capital Account, Fund 430, Project No. 694 Between the County of Erie and Visone Construction, Inc.; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send two (2) certified copies of the resolution to Charles J. Alessi, P.E., of the Department of Environment and Planning and one (1) certified copy each to the Director of Budget and Management, the Erie County Comptroller's Office and Stephen F. Gawlik, Assistant County Attorney.
(5-0)

5. Item Page - 1999 (Comm. 25E-30)

COUNTY EXECUTIVE

WHEREAS, Erie County Sewer District Nos. 1, 4 and 5 have established a new Capital Account Fund No. 430 Project No. 916 for the purpose of a New Building Construction and its Design; and

WHEREAS, Erie County Sewer District Nos. 1, 4 and 5 desire to compensate the Engineering firm for additional services; and

WHEREAS, the engineering firm of Duchscherer Oberst Design, P.C. is under contract for design services and the Department of Environment and Planning recommends they be compensated for the additional printing of bid documents and variance fees at a cost not to exceed \$4,350.08; and

WHEREAS, the use of fund balances and capital reserve are necessary to fund the additional engineering work.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Comptroller be authorized and directed to make the following allocations and transfer those allocations to Fund 430 Project 916: Erie County Sewer District No. 1, \$1,696.53 from Fund Balance No. Fund 220, Project 851; Erie County Sewer District No. 4, \$2,305.54 from Capital Reserve No. Fund 430, Project 771; and Erie County Sewer District No. 5, \$348.01 from Fund Balance No. Fund 220, Project 851 for the purpose of the additional engineering services and payment of Change Order No. 2, 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 (1) certified copy each to the Director of Budget and Management, the Erie County Comptroller's Office and Steve Gawlik, Assistant County Attorney.
(5-0)

6. Item Page - 1999 (Comm. 25E-38)
COUNTY EXECUTIVE

WHEREAS, the Erie County Legislature had awarded Contract "C" (Plumbing) to Kipphut and Neumann Company, 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 "C" (Plumbing) in the amount of \$52,600.00 which includes Change Order C1 (final), a decrease of \$5,000.00, and the processing of the final payment.

NOW, THEREFORE, BE IT

RESOLVED, that Contract "C" (Plumbing) between the County of Erie and Kipphut and Neumann Company, Inc., 120 West Tupper Street, Buffalo, New York 14201-2192, be accepted in the amount of \$52,600.00, which includes change Order C1 (final), a decrease of \$5,000.00; and be it further

RESOLVED, that the Erie County Comptroller is hereby authorized and directed to finalize Contract "C" (Plumbing) between the County of Erie and Kipphut and Neumann Company, Inc. in the amount of \$52,600.00 and make final payment from Erie County Southtowns Bond Account No. 430, Pkoject No. 514, and return the unused portion, \$5,000.00, to the 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 to the Director of Budget and Management, the Erie County Comptroller's Office and Stephen Gawlik, Assistant County Attorney.
(5-0)

7. Item Page - 1999 **AS AMENDED**
COUNTY EXECUTIVE (Comm. 25E-42)

WHEREAS, the Erie County Legislature had awarded Contract No. 28L to Ontario Specialty Contracting, Inc.; and

WHEREAS, the Erie County Department of Environment and Planning/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/Division of Sewerage Management has recommended the final acceptance of Contract No. 28L in the amount of \$237,335.60 which includes Change Order No. 1 (final), a decrease of (\$30,564.40), and final payment.

NOW, THEREFORE, BE IT

RESOLVED, that Contract No. 28L between the County of Erie and Ontario Specialty Contracting, Inc., 333 Ganson Street, Buffalo, New York 14203, be accepted in the amount of \$237,335.60, which includes Change Order No. 1 (final), a decrease of (\$30,564.40), and Final Payment; and be it further

RESOLVED, that the Erie County Comptroller is hereby authorized and directed to finalize Contract No. 28L between the County of Erie and Ontario Specialty Contracting, Inc., in the amount of \$237,335.60 and make final payment from Sewer Capital Account SD No. 4, Fund No. 430, Project No. 502 and return the unused portion, \$30,564.40 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 to the Erie County Comptroller's Office and Stephen Gawlik, Assistant County Attorney.

(5-0)

8. Item Page - 2000 (Comm. 2E-11)

COUNTY EXECUTIVE

WHEREAS, the Erie County Legislature had awarded the Bowmansville/Warner Road Pumping Stations, Contract "A", to Kenaidan Construction Corporation; 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 the Bowmansville/Warner Road Pumping stations, Contract "A", in the amount of \$2,213,244.48 which includes Change Order No. 2 (final) an increase of \$64,568.28 and approve final payment.

NOW, THEREFORE, BE IT

RESOLVED, that the Bowmansville/Warner Road Pumping Stations, Contract "A" between the County of Erie and Kenaidan Construction Corporation, 430 Lawrence Bell Drive, Suite 16, Williamsville, New York 14221 be accepted in the amount of \$2,213,244.48, which

includes Change Order No. 2 (final) an increase of \$64,568.28, and approve final payment; and be it further

RESOLVED, that the Erie County Comptroller is hereby authorized and directed to finalize Bowmansville/Warner Road Pumping Station, Contract "A" in the amount of \$2,213,244.48 and make final payment from Sewer Capital Account SD #4, Fund No. 430, Project No. 693, between the County of Erie and Kenaidan Construction Corporation; 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 Stephen Gawlik, Assistant County Attorney.
(5-0)

9. Item Page - 2000 (Comm. 2E-12)
COUNTY EXECUTIVE

WHEREAS, the Erie County Legislature awarded Contract "B" - Heating, Ventilation and Air Conditioning to John W. Danforth Company; 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 "B" - Heating, Ventilation and Air Conditioning in the amount of \$199,310.00 which includes Change Order B2 (final), a decrease of \$5,000.00, and the processing of the final payment.

NOW, THEREFORE, BE IT

RESOLVED, that Contract "B" - Heating, Ventilation and Air Conditioning between the County of Erie and John W. Danforth Company, 1940 Fillmore Avenue, Buffalo, New York 14214, be accepted in the amount of \$199,310.00, which includes Change Order B2 (final), a decrease of \$5,000.00; and be it further

RESOLVED, that the Erie County Comptroller is hereby authorized and directed to finalize Contract "B" - Heating, Ventilation and Air Conditioning between the County of Erie and John W. Danforth Company in the amount of \$199,310.00 and make final payment from Erie County Southtowns Bond Account No. 430, Project No. 514, and return the unused portion, \$5,000.00 to the 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 to the Director of Budget and Management, the Erie County Comptroller's Office and Stephen Gawlik, Assistant County Attorney.
(5-0)

10. Item Page - 2000 (Comm. 2E-42)

COUNTY EXECUTIVE

WHEREAS, the Erie County Legislature awarded Contract "D" (Electrical) to CIR Electrical Construction Corporation; 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 "D" (Electrical) in the amount of \$255,003.11 which includes Change Order D3 (final), a decrease of \$9,781.89, and the processing of the final payment.

NOW, THEREFORE, BE IT

RESOLVED, that Contract "D" (Electrical) between the County of Erie and CIR Electrical Construction Corporation, 2750 Kenmore Avenue, Tonawanda, New York 14150, be accepted in the amount of \$255,003.11, which includes Change Order D3 (final), a decrease of \$9,781.89; and be it further

RESOLVED, that the Erie County Comptroller is hereby authorized and directed to finalize Contract "D" (Electrical) between the County of Erie and CIR Electrical Construction Corporation in the amount of \$255,003.11 and make final payment from Erie County Southtowns Bond Account No. 430, Project No. 514, and return the unused portion, \$9,781.89, to the 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 to the Director of Budget and Management, the Erie County Comptroller's office and Stephen Gawlik, Assistant County Attorney.
(5-0)

ALBERT DeBENEDETTI
CHAIRMAN

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

CARRIED UNANIMOUSLY.

Item 9 – MS. PEOPLES presented the following resolution and moved for immediate consideration. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 25

January 25, 2000

PERSONNEL AD HOC
COMMITTEE
REPORT NO. 2

ALL MEMBERS PRESENT EXCEPT LEGISLATOR DeBENEDETTI.

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

Item Page -2000 (Intro. 1-4)
a. **MARINELLI**: Personnel Adjustment – District Office.
(4-0) Legislator DeBenedetti absent.

2. Item Page - 2000 (Comm. 2E-6)
COUNTY EXECUTIVE

RESOLVED, that the position of Child Care Worker, job group 7, position number 009335, in the Department of Youth Services Division of Detention, shall be reclassified to a Youth Detention Worker, job group 6, the appropriate B-100 form is attached, and be it further

RESOLVED, that certified copies of this resolution be forward to the Division of Budget, Management & Finance, Department of Personnel, the Office of the Comptroller and the Department of Youth Services.
(4-0) Legislator DeBenedetti absent.

3. Item Page - 2000 (Comm. 2E-14)
COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Social Services (ECDSS) has been awarded \$450,000 in Federal Temporary Assistance to Needy Families (TANF) funding to conduct an Intensive Preventive Home-Based Services for Substance Abusing Families Program, and

WHEREAS, TANF families with active substance abuse problems and with children currently in or at risk of out of home placement in foster care require intensive intervention and require a multi-faceted, comprehensive program designed specifically to meet their circumstances so that barriers to employment of the parent can be overcome and the need to place children in foster care can be reduced, and

WHEREAS, these families will receive the necessary drug and alcohol assessments and will receive support and preventive services during treatment, and

WHEREAS, the ECDSS Clinical Specialists will be responsible for monitoring progress of the family as they receive services provided directly to clients as well as those services purchased from and treatment arranged by the provider agency, and

WHEREAS, the expertise of the Clinical Specialists will allow timely and accurate assessment for determining when to discontinue Intensive Preventive Home-Based Home Based Services as a result of either successful attainment of goals or lack of progress despite comprehensive program efforts, and

WHEREAS, Intensive Service Therapists will be available 24 hours per day, 7 days per week for necessary intervention through a purchase of service agreement with Parents Anonymous, which is a community provider certified by the State to provide intensive Home-Based Services with demonstrated expertise in the provision of Intensive Preventive Home-Based Services to this particular population.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Department of Social Services is hereby authorized to accept Federal funds in the amount of \$450,000 from the New York State Office of Temporary and Disability Assistance in order to operate an Intensive Preventive Home-Based Services Program for Substance Abusing Families, and be it further

RESOLVED, that the following grant budget is hereby authorized for the period January 1, 2000 through December 31, 2000:

<u>Account</u>	<u>Description</u>	<u>Increase</u>
800	Personal Services	\$114,123
805	Fringe Benefits	24,148
825	Out of Area Travel	8,000
826	Other Expenses	5,000
830-0148	Parents Anonymous	291,229
932	Office Equipment	3,000
<u>933</u>	Laboratory and Technical Equipment	<u>4,500</u>
	Total Appropriations	<u>\$450,000</u>
649	Federal Aid	<u>\$450,000</u>
	Total Revenue	<u>\$450,000</u>

and be it further

RESOLVED, that the following positions are hereby created in the grant for the period January 1, 2000 through December 31, 2000:

<u>Number</u>	<u>Title</u>	<u>Job Grade/Step</u>
2	Clinical Specialists	11/3
1	Social Services Team Worker	5/3

(B-100's for above positions to be provided under separate cover)

and be it further

RESOLVED, that the County Executive and/or Commissioner of Social Services are hereby authorized to execute a contract in the amount of \$291,229 with Parents Anonymous to provide Intensive Preventive Home-Based Services to Substance Abusing Families for the period January 1, 2000 through December 31, 2000, and be it further

RESOLVED, that because these special services from a State-certified provider of Intensive Preventive Home-Based Services are needed immediately, the County code requirement in Section 19.08 for a Request for Proposals (RFP) is hereby waived, and be it further

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

(4-0) Legislator DeBenedetti absent.

4. Item Page - 2000 (Comm. 2E-15)
COUNTY EXECUTIVE

WHEREAS, Learnfare is a program mandated by New York State in all counties which is designed to keep children engaged in educational activities by monitoring school attendance of children in receipt of Family Assistance (FA) benefits, and

WHEREAS, Learnfare requires that counseling be provided to a child after that child has three (3) unexcused absences in an academic quarter, and

WHEREAS, the occurrence of two (2) additional absences within the academic quarter requires that the school district notify the Department of Social Services which is required to reduce the FA household grant by \$60 for each offending child for a three (3) month period, and

WHEREAS, FA funds are restored to the child's family if the attendance in the following quarter improves to acceptable level, and

WHEREAS, the Department will pilot this program by targeting counseling services to nine (9) schools that experience high rates of absenteeism in the City of Buffalo, and

WHEREAS, whereas this counseling is to be provided by Department of Social Services staff through a Memorandum of Understanding (MOU) with each affected school, and

WHEREAS, funds for the above expansion are provided as a 100% Federal share award, and no local share is required.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Department of Social Services is hereby authorized to accept Federal funds in the amount of \$178,107 from the New York State Office of Temporary and Disability Assistance in order to operate the Learnfare Program, and be it further

RESOLVED, that the following grant budget is hereby authorized for the Learnfare Program for the period January 1, 2000 through December 31, 2000:

<u>Account</u>	<u>Description</u>	<u>Increase</u>
800	Personal Services	\$137,271
825	Fringe Benefits	29,047
826	Other Expenses	5,000
932	Office Equipment	1,789
933	Lab and tech Equipment	<u>5,000</u>
	Total Appropriations	<u>\$178,107</u>
649	Federal Aid - Soc Serv Admin	<u>\$178,107</u>
	Total Revenue	<u>\$178,107</u>

and be it further

RESOLVED, that the following positions are hereby created in the Learnfare Program grant for the period January 1, 2000 through December 31, 2000:

Number	Title	Job Grade/Step
3	Senior Caseworker	9/3
1	Social Services Team Worker	5/3

(B- 100's for above positions to be provided under separate cover)

and be it further

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

(4-0) Legislator DeBenedetti absent.

5. Item Page - 2000 (Comm. 2E-17)
COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Social Services has received an award of Federal Temporary Assistance to Needy Families (TANF) funding from New York State in the amount of \$500,000 under a program the State has designated as Building Independence for the Long Term (BILT), and

WHEREAS, the Department is requesting authorization to utilize this BILT award in two ways, the first of which is to continue a currently budgeted initiative called the Local Flexibility Pilot and the second of which is to fund a new local initiative named after the funding stream to be called the BILT Pilot, and

WHEREAS, the functions performed by staff currently funded with the Local Flexibility Pilot program are now incorporated within the program rules of the BILT grant award and the Local Flexibility Pilot no longer exists as a separate funding stream, and

WHEREAS, the Department began this initiative in 1999 as an up-front diversion strategy located in the major intake point for applicants for all assistance programs in the Department called the Front Door, and

WHEREAS, the Department calls this intake function the Front Door, and this operation has become a model for many social services districts across New York State where clients are provided with benefits counseling, case management and information and referral functions to meet the short term needs of potential recipients and achieves assistance program diversion by meeting immediate, short-term, one-time needs, and

WHEREAS, no further budget action is necessary for the Local Flexibility Pilot component which is already included in the total amount of \$113,064 in the 2000 Adopted Grant Budget, and

WHEREAS, the BILT Pilot is a new initiative designed to meet the needs of TANF families that are also active in Child Welfare Services cases, and these TANF families are often struggling with many barriers and problems that inhibit the client and the family from achieving the joint goals of child welfare and employment, and this initiative will operate in a holistic fashion to more fully integrate case management around the related issues of employment and family functioning, and

WHEREAS, the families to be served by the BILT Pilot program will have one or more children in or at risk of being placed in out-of-home foster care placement, and these families will often be in receipt of services designed to prevent out-of-home foster care placement or to hasten return home of children who are currently in out-of-home foster care placement, and

WHEREAS, these families often have very significant barriers to achieving long-term self-sufficiency including job related skills deficiencies as well as serious problems of substance abuse, family violence and mental health diagnoses, and

WHEREAS, it is estimated that there are approximately 1,600 families in Erie County with significant barriers to achieving long term self-sufficiency through employment who are also involved in the child welfare system, and the current traditional Social Services funding of child welfare services and employment services in New York State does not, at this time, readily accommodate services to comprehensively address the dual functions of employment and family functioning, and

WHEREAS, a BILT Pilot unit with a Unit Supervisor, six (6) Senior Caseworkers and a Social Services Team Worker is necessary to provide comprehensive, intensive and specialized Welfare to Work and Family Independence program services, and

WHEREAS, a total of \$386,936 is available from the \$500,000 BILT award to fund the proposed BILT Pilot, and

WHEREAS, there is no additional local share required and there is no fiscal impact for this TANF award.

NOW, THEREFORE, BE IT

RESOLVED, that the Department of Social Services is hereby authorized to accept Federal TANF funds in the total amount of \$500,000 for the Building Independence for the Long Term (BILT) program, and be it further

RESOLVED, that the following budget is hereby authorized in the 2000 Adopted Budget for the new BILT Pilot grant initiative for the period January 1, 2000 through December 31, 2000:

Department of Social Services, Department 200, Fund 281

<u>ACCOUNT</u>	<u>DESCRIPTION</u>	<u>INCREASE</u>
800	Personal Services	\$283,593
805	Fringe Benefits	60,000
825	Out of Area Travel	10,000
826	Other Expenses	9,343
932	Office Equipment	8,000
933	Lab and Technical Equipment	<u>16,000</u>
	Total Expenditures	<u>\$386,936</u>
649	Federal Aid	<u>\$386,936</u>
	Total Revenues	<u>\$386,936</u>

and be it further

RESOLVED, that the following positions are hereby authorized in the BILT Pilot grant within the Department of Social Services, Department 200, Fund 281:

Number	Title	JG/Step
1	Unit Supervisor	11/3
6	Sr. Caseworker	9/3
1	Social Services Team Worker	5/3

and be it further

RESOLVED, that the balance of the total BILT program grant award shall be used to fund the existing Local Flexibility Pilot grant, Department of Social Services, Department 200,

Fund 281, Project 353 which was included in the 2000 Adopted Grant Budget in the total amount of \$113,064 in anticipation of the award of BILT funds, and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the Commissioner of the Department of Social Services, the Erie County Comptroller and the Director of Budget and Management.
(4-0) Legislator DeBenedetti absent.

6. Item Page - 2000 (Comm. 2E-19)

COUNTY EXECUTIVE

WHEREAS, the 2000 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, 2000, as follows:

<u>DEPARTMENT</u>	<u>TITLE</u>	<u>JG/STEP</u>
ECMC	Anesthetist	15-4
Legislature	Clerk Typist	1-5
ECMC	Clinical Perfusionist	15-5
Environment & Planning	Coordinator, Industrial Assistance Prog.	14-3
Health	Dentist	14-3
ECMC, Home	Licensed Practical Nurse	4-3
ECMC, Home	Licensed Practical Nurse (2 nd & 3 rd Shift)	4-4
Health	Medical Director (Reproductive Health) (RPT)	18-5
Social Services	Medical Director (SS) (RPT)	20-5
Health	Medical Examiner	15-5
ECMC, Home	Medical Record Administrator	8-3
ECMC	Medical Record Technician	6-3
Health	Medical Specialist	17-5
ECMC	Nuclear Medicine Technologist	8-5
Health	Nurse Practitioner	10-3
Sheriff (Holding Center)	Nursing Supervisor – Holding Center	12-3
ECMC, Home	Occupational Therapist	10-5
Corr. Facility	Pharmacist	12-5
ECMC, Home	Pharmacist-ECMC	15-5
ECMC, Home	Physical Therapist	10-5
ECMC	Radiologic Technologist	7-5
Youth	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
Legislature	Secretarial Assistant (Leg)	5-2
Legislature	Secretarial Assistant (Leg)-District Ofc.	5-5

<u>DEPARTMENT</u>	<u>TITLE</u>	<u>JG/STEP</u>
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 and be it further	Utilization Review Nurse	8-3

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.
(4-0) Legislator DeBenedetti absent.

7. Item Page - 2000 (Comm. 2E-25)

COUNTY EXECUTIVE

WHEREAS, enrollment of uninsured children into adequate health coverage is a national, state and local priority, and

WHEREAS, the New York State Department of Health has funded the Western New York Healthcare Association to oversee a \$400,000 grant that facilitates enrollment of children in Erie, Niagara, Cattaraugus and Chautauqua counties, and

WHEREAS, the Erie County Department of Health will be responsible for coordinating the enrollment of children in both Erie and Niagara Counties, and

WHEREAS, the Western New York Healthcare Association has named the Erie County Department of Health as a subcontractor to this grant to receive an annualized amount of \$167,279.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Executive is hereby authorized to enter into an agreement with the Western New York Healthcare Association to be budgeted as follows:

**Facilitated Enrollment for Child Health Plus and Medicaid
1/1/00 - 12/31/00
Project #**

SFG ACCOUNT	REVENUE	BUDGET
521	Other Local Source	<u>\$167,278</u>
	TOTAL	<u>\$167,278</u>
	EXPENSES	
800	Personal Services	\$118,329
805	Fringe Benefits	31,949
810	Office Supplies	1,000
824	Local Mileage	7,000
826	Other Expenses	5,500
881-5100	D. I. S. S.	<u>3,500</u>
	TOTAL	<u>\$167,278</u>

and be it further

RESOLVED, that one full time position of Senior Caseworker, JG IX two full time positions of Child Health Enrollment Specialist, JG VI and one full time Clerk Typist position, JG I are hereby created:

The following personnel detail is hereby submitted:

TITLE: Senior Caseworker
JG: IX
STEP: 5 (Promotional)
ANNUAL SALARY: \$40,695
ANNUAL BENEFITS: \$8,546
FUNDING: 100% Reimbursed
CIVIL SERVICE: Yes

TITLE: Child Health Enrollment Specialist
JG: VI
STEP: 1
ANNUAL SALARY: \$26,603
ANNUAL BENEFITS: \$5,587
FUNDING: 100% Reimbursed
CIVIL SERVICE: Yes

TITLE: Clerk Typist
JG: I
STEP: 5
FUNDING: 100% Reimbursed
CIVIL SERVICE: Yes

ANNUAL SALARY: \$24,428
ANNUAL BENEFITS: \$5,130

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 DeBenedetti absent.

8. Item Page - 2000 (Comm. 2E-27)
 COUNTY EXECUTIVE

WHEREAS, many Erie County Competitive and Non-Competitive Class Civil Service positions require specialized training and experience which is difficult to obtain or unavailable outside of County service, and

WHEREAS, in order to fill these Competitive Class and Non-Competitive Class positions, it is necessary to hire individuals and provide specialized training to them, and

WHEREAS, in order to facilitate the hiring of individuals to receive this specialized training and experience, certain County positions are filled on a trainee or underfill basis from trainee Civil Service lists or in the absence of a valid trainee list, on a provisional or temporary basis, and

WHEREAS, since the specific budget amendment authorizing the filling of County positions on a trainee or underfill basis was eliminated from the budget, departments will not be able to fill such positions which will then impair the departments ability to render services to the public,

NOW, THEREFORE, BE IT

RESOLVED, that effective January 1, 2000 funds appropriated for the Competitive and Non-Competitive Class positions listed below, may be used to pay a trainee or underfill a lesser amount until such employee becomes qualified to fill such positions:

Charge Nurse
Child Protective Worker
Computer Operator
Computer Programmer
Interne Personnel Specialist
Probation Officer
Probation Officer (Spanish Speaking)
Investigating Public Health Sanitarian
Sewage Treatment Plant Operator
Social Services Program Specialist

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.
(4-0) Legislator DeBenedetti absent.

9. Item Page - 2000 (Comm. 2E-44)
COUNTY EXECUTIVE

WHEREAS, the Erie County Sheriff's Office is requesting the deletion of two Deputy Sheriff Reserve PT, Job Group 8, one Nurse Practitioner RPT, Job Group 10 and one Holding Center Medical Aide PT, Job Group 7 and,

WHEREAS, the Erie County Sheriff's Office is requesting the addition of two Reserve Deputy Aviation Mechanic PT, Job Group 13 and one Nurse Practitioner, Job Group 10 and,

WHEREAS, funds are available in the 2000 Adopted Budget to cover the costs of these personnel adjustments.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Sheriff's Office be authorized to delete two Deputy Sheriff Reserve PT, Job Group 8, one Nurse Practitioner RPT, Job Group 10 and one Holding Center Medical Aide PT, Job Group 7 and,

RESOLVED, that the Erie County Sheriff's Office be authorized to create two Reserve Deputy Aviation Mechanic PT, Job Group 13 and one Nurse Practitioner, Job Group 10 and be it further,

RESOLVED, that certified copies be forwarded to the Division of Budget, Management, and Finance, Department of Personnel, and the Office of the Sheriff for implementation.
(4-0) Legislator DeBenedetti absent.

10. Item Page - 2000 (Comm. 2E-50)
COUNTY EXECUTIVE

RESOLVED, that the Personnel Ad Hoc Committee does hereby recommend that the full Legislature confirm the appointment of Louis Palma of Derby, New York as Veterans Service Officer effective January 18, 2000.
(4-0) Legislator DeBenedetti absent.

CHARLES M. SWANICK
CHAIRMAN

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

CARRIED UNANIMOUSLY.

Item 10 –MR. FITZPATRICK presented the following resolution and moved for immediate consideration. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 26

January 27, 2000

ECONOMIC DEVELOPMENT
COMMITTEE
REPORT NO. 1

ALL MEMBERS PRESENT EXCEPT LEGISLATOR FITZPATRICK. CHAIRMAN SWANICK PRESENT AS EX-OFFICIO MEMBER.

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

Item Page -1999 (Comm. 25D-10)
a. **DPW: EC Family Court Building - Bid Package #9.**
(5-0) Legislator Fitzpatrick absent. Chairman Swanick present as Ex-Officio Member.

Item Page -1999 (Comm. 25D-11)
b. **DPW: EC Main Library Site & Handicapped Improvements.**
(5-0) Legislator Fitzpatrick absent. Chairman Swanick present as Ex-Officio Member.

Item Page -1999 (Comm 25D-12)
c. **DPW: ECC - Dental Hygiene Lab Renovations.**
(5-0) Legislator Fitzpatrick absent. Chairman Swanick present as Ex-Officio Member.

Item Page -1999 (Comm. 25D-13)
d. **DPW: Renovations to Cafeteria, ECMC.**
(5-0) Legislator Fitzpatrick absent. Chairman Swanick present as Ex-Officio Member.

2. RESOLVED, that the following item is hereby received, filed and referred to the Government Affairs Committee:

Item Page -1999 (Comm. 25M-2)
a. **SHARON S. TOWNSEND, SUPERVISING FAMILY COURT JUDGE:** Letter to Chairman Swanick Re: Naming New Courthouse in Honor of Frank J. Boccio.
(5-0) Legislator Fitzpatrick absent. Chairman Swanick present as Ex-Officio Member.

3. RESOLVED, that the following items are hereby received, filed and referred to the Regionalism Ad Hoc Committee:

- a. Item Page -1999 (Comm. 25M-3)
NORTHWEST SOLID WASTE MANAGEMENT BOARD: Phase I - Feasibility
Study for Regional Compost Facility.
(5-0) Legislator Fitzpatrick absent. Chairman Swanick Present as Ex-Officio Member.
- b. Item Page -1999 (Comm. 25M-6)
EC SOIL & WATER CONSERVATION DISTRICT: Erie County Regionalism Grant
Interim Report 12/1/99.
(5-0) Legislator Fitzpatrick absent. Chairman Swanick present as Ex-Officio Member.
4. Item Page - 1999 (Comm. 25D-14)
DPW

WHEREAS, a project for the Rehabilitation of County Road 87, Hopkins Road Bridge over I-990, the Lockport Expressway, Bridge Slab and Approach Rehabilitation Project, in the Town of Amherst, Erie County, PIN 5126.27 (the "Project"), is eligible for funding under Title 23, U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 90% Federal funds and 10% non-Federal funds, and

WHEREAS, the County of Erie desires to advance the above Project by making commitment of 100% of the non-Federal share of the costs of the Construction Phase of the Rehabilitation of the CR 87, Hopkins Road Bridge over I-990, BIN 1-07440-0 in conjunction with PIN 5126.27.

NOW, THEREFORE, the County Legislature of the County of Erie convened does hereby

RESOLVED, that the County Legislature of the County of Erie approves the Project; and be it further

RESOLVED that the County Legislature of the County of Erie hereby authorizes the County of Erie to pay the non-federal share of the cost of the Construction Phase of the Rehabilitation of the CR 87, Hopkins Road Bridge over I-990, BIN 1-07440-0, in conjunction with PIN 5126.27, the project or portions thereof, with the federal share of such costs to be applied directly by the New York State Department of Transportation ("NYSDOT") pursuant to Agreement; and be it further

RESOLVED, that the sum of \$6,000 is hereby appropriated from the 1993 Bridge Design and Construction Program (SFG 659) and made available to cover the cost of participation in the above phase of the Project; and be it further

RESOLVED, that in the event the full non-federal share of the cost of the Hopkins Road Bridge over I-990 portion of the project exceeds the amount appropriated above, the County of Erie shall convene its Legislature as soon as possible to appropriate said excess amount immediately upon the notification by the NYSDOT thereof; and be it further

RESOLVED, that the County Executive of the County of Erie be and is hereby authorized to execute all necessary agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the County of Erie with the NYSDOT in connection with the advancement or approval of the Project and providing for the administration of the Project and the Municipality's funding of the local share of federal aid eligible Project costs and all Project costs within appropriations therefor that are not so eligible; and be it further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary agreement in connection with the Project; and be it further

RESOLVED, that the Clerk of the Legislature forward ten (10) certified copies of this Resolution to the Deputy Commissioner-Highways, to be forwarded to the New York State Department of Transportation and one certified copy to the Erie County Comptroller. (5-0) Legislator Fitzpatrick absent. Chairman Swanick present as Ex-Officio Member.

5. Item Page - 1999 (Comm. 25D-17)
DPW

WHEREAS, the Erie County Legislature approved a contract for engineering services with Foit-Albert Associates Consulting Engineers and the County of Erie to design and prepare plans for the Reconstruction of East Creek Road Bridge 387-3, in the Town of Wales, in Meeting Number 12, held on June 20, 1996, Communication Number 11D-11, and

WHEREAS, it has been determined that the Contract must be increased by an amount of \$27,000 for additional engineering services required to complete the design for the Reconstruction of the East Creek Road Bridge Project.

NOW, THEREFORE, BE IT

RESOLVED, that an amount of \$27,000 be allocated from the 1999 Consolidated Highway Improvement Program (SFG 139), for a change order to the contract for engineering services with Foit-Albert Associates; and be it further

RESOLVED, that the Clerk of the Legislature be instructed to forward three (3) certified copies of this resolution to the Deputy Commissioner-Highways, Department of Public Works and one certified copy to the Erie County Comptroller. (5-0) Legislator Fitzpatrick absent. Chairman Swanick present as Ex-Officio Member.

6. Item Page - 1999 (Comm. 25D-19)
DPW

WHEREAS, your Honorable Body passed a resolution on June 3, 1999 authorizing the award of construction contracts for the Site Rehabilitation Project at the Rath Building, and

WHEREAS, as part of the approved resolution a number of accounts were authorized to fund this project and,

WHEREAS, the Department of Public Works and the Office of Budget, Management & Finance now wish to add another account as an additional funding source,

NOW, THEREFORE, BE IT,

RESOLVED, that unanticipated revenues in Payment in Lieu of Taxes in the General Fund, Countywide Undistributed, monitored by Budget (DAC 110923310304) are hereby appropriated in the amount of \$231,522, the annual budget for this account having been realized, and are hereby made available for the subject project, and be it further,

RESOLVED, that the Director of Budget and Management is hereby authorized to make the necessary interfund transactions, and be it further,

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

(5-0) Legislator Fitzpatrick absent. Chairman Swanick present as Ex-Officio Member.

7. Item Page - 2000 (Comm. 2D-9)

DPW

WHEREAS, the balance of the 1999 Capital Budget, Main Library Building Rehabilitation, Phase 4, is approximately \$500,000, and

WHEREAS, the firm of Trautman Associates is already engaged by the Department of Public Works under an Architect/Engineer contract for Phases 1, 2, 3, and 4 work at the Central Library, and

WHEREAS, it is now also desired to start design of Phase 5, Site Work & Exterior Building Rehabilitation, so this project can be bid in 2000,

NOW, THEREFORE, BE IT,

RESOLVED, that the Commissioner of Public Works be authorized to issue a supplemental agreement to Trautman Associates, on a percentage of construction basis, not to exceed \$32,000.00, including testing, reimbursables, and miscellaneous expenses relative to the engineering design services required for the Main Library Mechanical Systems & Building Rehabilitation, and be it further,

RESOLVED, that the \$32,000.00 fee location be taken from the 1999 Main Library Mechanical Systems & Building Rehabilitation, Project 143, Fund 490, 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 Erie County Library; one copy to the Division of Budget Management & Finance; and one copy to the Office of the Comptroller.

(5-0) Legislator Fitzpatrick absent. Chairman Swanick present as Ex-Officio Member.

8. Item Page - 2000 (Comm. 2D-10)
DPW

WHEREAS, the Department of Public Works received bids on December 14, 1999 for the Main Library Mechanical System & Building Rehabilitation, Phase IV, and

WHEREAS, the Engineer and the Department of Public Works are recommending award to the lowest responsible bidders,

NOW, THEREFORE, BE IT,

RESOLVED, that the County Executive be authorized to enter into the following contracts for the Main Library Mechanical System & Building Rehabilitation, Phase IV:

HVAC WORK

Quackenbush Co., Inc.			
Base Bid	\$508,700.00		
Alternate Bid HVAC-1	<u>49,900.00</u>	\$558,600.00	

ELECTRICAL WORK

Weydman Electric, Inc.			
Base Bid	\$ 34,300.00		
Alternate Bid E-1	<u>1,240.00</u>	<u>\$ 35,540.00</u>	
Total		\$594,140.00	

RESOLVED, that the sum of \$70,000.00 be allocated to a construction contingency fund with authorization for the Commissioner of Public Works to approve change orders not to exceed the amount of the contingency, and be it further,

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

RESOLVED, that the Comptroller's Office be authorized to make payments for all of the above from the 1999 Main Library Mechanical Systems & Building Rehabilitation, Project 143, Fund 490, and be it further,

RESOLVED, that two certified copies of this resolution be sent to the Department of Public Works, Office of the Commissioner; one copy to the Division of Budget, Management & Finance; one copy to the Office of the Comptroller; and one copy to the Library.
(5-0) Legislator Fitzpatrick absent. Chairman Swanick present as Ex-Officio Member.

9. Item Page - 2000 (Comm. 2D-11)
DPW

WHEREAS, the administration of the Erie County Medical Center has determined the need for renovations to the cafeteria, and

WHEREAS, bids were received on October 28, 1999 for the Renovations to the Cafeteria, Erie County Medical Center project, and

WHEREAS, the Architect and the Department of Public Works recommend award to the lowest responsible bidders,

NOW, THEREFORE, BE IT,

RESOLVED, that the Erie County Board of Managers authorize the Erie County Medical Center's Chief Executive Officer to enter into contracts for the Renovations to the Cafeteria, Erie County Medical Center, to the following:

GENERAL CONSTRUCTION WORK

Newcal Construction

Base Bid	\$45,750.00	
Alternate #1	<u>\$ 2,750.00</u>	
Total		\$ 48,500.00

HVAC WORK

Argy & Sons Heating & Sheet Metal, Inc.

Base Bid	\$ 35,928.00
----------	--------------

ELECTRICAL WORK

All County Electric Construction, Inc.

Base Bid	\$ 27,850.00
----------	--------------

PLUMBING WORK

H&M Plumbing & Mechanical Contracting, Inc.

Base Bid	<u>\$ 7,950.00</u>
Total cost of all contracts:	\$120,228.00

and be it further,

RESOLVED, that the sum of \$19,772.00 be allocated to a construction contingency fund and miscellaneous expenses with authorization for the Commissioner of Public Works to approve change orders in an amount not to exceed the 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 Erie County Medical Center's Board of Managers does hereby approve the transfer of \$140,000.00 from the ECMC O&M Account to the Department of Public Works, 1994 Bond Fund, ECMC Renovations and Improvements, SFG 895, Fund 511, for the purpose of the Renovations to the Cafeteria, Erie County Medical Center, and be it further,

RESOLVED, that the Comptroller's Office be authorized to make payments for all of the above from the 1994 Bond Fund - ECMC -Renovations and Improvements, SFG 895, Fund 511, in the total amount of \$140,000.00, and be it further,

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

(5-0) Legislator Fitzpatrick absent. Chairman Swanick present as Ex-Officio Member.

10. Item Page - 2000 (Comm. 2D-12)
DPW

WHEREAS, the Department of Public Works received bids on November 30, 1999 for the Erie County Court Facility, Bid Package No. 9, Elevators, and

WHEREAS, the Architect/Construction Manager and the Department of Public Works are recommending award to the lowest responsible bidder,

NOW, THEREFORE, BE IT,

RESOLVED, that the County Executive be authorized to enter into the following contract for the Erie County Family Court Facility, Bid Package No. 9, Elevators:

BID PACKAGE NO. 9 - ELEVATORS

Schindler Elevator Corp.	
Base Bid	\$1,292,830.00
Alt. Bid ELV-2A	<u>+ 192,610.00</u>
Total	\$1,485,440.00

and be it further,

RESOLVED, that the amount of \$10,000.00 be allocated to cover the maximum amount of bonus/liquidated damages to the contractor permitted by the contract, and be it further,

RESOLVED, that the construction contingency fund be increased by \$74,272.00 to a new total amount of \$983,473.00 with authorization for the Commissioner of Public Works to approve change orders in an amount not to exceed the amount of the 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 \$20,000.00 be allocated for DPW overhead and Project Engineer salaries, and be it further,

RESOLVED, that all these authorizations are contingent upon the funds being made available, and be it further,

RESOLVED, that the Comptroller's Office be authorized to make payments for all of the above from the Court Facilities Improvements, Project 750, Fund 410, and be it further,

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

(5-0) Legislator Fitzpatrick absent. Chairman Swanick present as Ex-Officio Member.

AS AMENDED

11. Item Page - 2000 (Comm. 2D-13)
DPW

WHEREAS, the Department of Public Works received bids on January 21, 2000 for the Erie County Court Facility, Bid Package No. 15, General Trades, and

WHEREAS, the Architect/Construction Manager and the Department of Public Works are recommending award to the lowest responsible bidder,

NOW, THEREFORE, BE IT,

RESOLVED, that the County Executive be authorized to enter into the following contract for the Erie County Family Court Facility, Bid Package No. 15, General Trades:

BID PACKAGE NO. 15 - GENERAL TRADES

Louis P. Ciminelli Construction Co., Inc.

Base Bid	\$4,692,000
Alt. Bid GT-2	-(165,000)
Alt. Bid GT-7	-(6,000)
Total	\$4,521,000

and be it further,

RESOLVED, that the amount of \$25,000.00 be allocated to cover the maximum amount of bonus/liquidated damages to the contractor permitted by the contract, and be it further,

RESOLVED, that the construction contingency fund be increased by \$545,896.00 to a new total amount of \$1,529,369.00 with authorization for the Commissioner of Public Works to approve change orders in an amount not to exceed the amount of the 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 Commissioner of Public Works is authorized to accept or not accept deduct Alternate Bid GT-2 in the amount of \$165,000.00 and add Alternate Bid GT-8 in the amount of \$184,000.00 depending on the results of future bid package tabulations, and be it further,

RESOLVED, that said alternates shall be accepted or not accepted by the use of change orders, and be it further,

RESOLVED, that the sum of \$10,000.00 be allocated for DPW overhead and Project Engineer salaries, and be it further,

RESOLVED, that all these authorizations are contingent upon the funds being made available, and be it further,

RESOLVED, that the Comptroller's Office be authorized to make payments for all of the above from the Court Facilities Improvements Project 750, Fund 410, and be it further,

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

(5-0) Legislator Fitzpatrick absent. Chairman Swanick present as Ex-Officio Member.

GEORGE A. HOLT, JR.
VICE-CHAIRMAN

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

CARRIED UNANIMOUSLY.

Item 11 – MS. PEOPLES presented the following resolution and moved for immediate consideration. MR. DUSZA seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 27

January 27, 2000

FINANCE & MANAGEMENT
COMMITTEE
REPORT NO. 1

ALL MEMBERS PRESENT EXCEPT LEGISLATOR FITZPATRICK.

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

- a. Item Page -1999 (Comm. 1E-5)
COUNTY CLERK: Establishment of a Mobile Auto Bureau.
(4-0) Legislator Fitzpatrick absent.
- b. Item Page -1999 (Comm. 9E-1)
COUNTY EXECUTIVE: BPI Application TEA-21. Response to City of Buffalo Re:
County Funding for Enhanced Lighting Program on Buffalo's Pedestrian Mall.
(4-0) Legislator Fitzpatrick absent.
- c. Item Page -1999 (Int. 16-12)
MARSHALL, GREENAN, CHASE, RANZENHOFER, LARSON & WEINSTEIN:
Property Tax.
(4-0) Legislator Fitzpatrick absent.
- d. Item Page -1999 (Comm. 21E-2)
COMPTROLLER: Audit of County Flexible Benefits Program with Health Economics
Group, Inc. as of the Plan Year Ended 12/31/98.
(4-0) Legislator Fitzpatrick absent.
- e. Item Page -1999 (Int. 25-11)
WEINSTEIN: Appointments by an Out-Going County Executive.
(4-0) Legislator Fitzpatrick absent.
- f. Item Page -2000 (Comm. 1D-12)
COUNTY ATTORNEY: Letter to Legislature Re: Comptroller's Risk Retention Fund
Audit.
(4-0) Legislator Fitzpatrick absent.
- g. Item Page -2000 (Comm. 1E-2)
COMPTROLLER: Management Letter Issued by Deloitte & Touche Re: Audit of Erie
County's Financial Statements for Year Ended 12/31/98.
(4-0) Legislator Fitzpatrick absent.
- h. Item Page -2000 (Comm. 1E-4)
COMPTROLLER: Year 2000 Inquiry Letter Issued by Deloitte & Touche Re: Audit of
Erie County's Financial Statements for Year Ended 12/31/98.
(4-0) Legislator Fitzpatrick absent.

AS AMENDED
(Comm. 1D-15A)

2. Item Page - 1999
BUDGET, MANAGEMENT & FINANCE

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

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

RESOLVED, that petitions numbered 201414 through 201461 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. 201414 / 2000 - ASSESSOR - Cancel - \$99.26

SBL No. 88.67-3-80 - CITY OF BUFFALO

Acct. No. 112 - \$ 99.26 - County

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

Charge to :

CANCEL - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 17,288 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C.

Petition No. 201415 / 1999 - ASSESSOR - Cancel - \$473.44

SBL No. 101.65-2-19 - CITY OF BUFFALO

Acct. No. 112 - \$ 473.44 - County

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

Charge to :

CANCEL - CLERICAL ERROR, THE RPTL 520 IN THE AMOUNT OF 473.44 WAS PLACED ON THIS PARCEL IN ERROR. THIS WAS SOLD BY THE CITY OF BUFFALO AT THEIR AUCTION. RPTL 550(2)B.

Petition No. 201416 / 2000 - ASSESSOR - Cancel - \$624.81

SBL No. 142.38-7-1 - CITY OF LACKAWANNA

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 624.81 - Town/SpecialDist/School

Charge to : 992 DISTRICT NOT FOUND

CANCEL - CLERICAL ERROR, THE GALLONAGE FIGURE USED WAS 399 WHEN IT SHOULD HAVE BEEN 46 TO DETERMINE THE ERIE COUNTY SEWER TAX. RPTL 550

(2)E.

Petition No. 201417 / 9900 - ASSESSOR - Refund - \$1,295.54

SBL No. 26.04-1-12 - TOWN OF AMHERST

Acct. No. 112 - \$ 123.11 - County

Acct. No. 132 - \$ 1,172.43 - Town/SpecialDist/School

Charge to : SWEET HOME CENTRAL 1,172.43

REFUND - CLERICAL ERROR, THIS PARECL WAS SPLIT INTO SEPARATE UNITS.
THIS IS A DUPLICATE CHARGE THAT WAS PAID IN ERROR. RPTL 550(2)F.
CHECK IN FAVOR OF: NORTH FOREST DEV

Petition No. 201418 / 9900 - ASSESSOR - Refund - \$180.21

SBL No. 55.08-5-16 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

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

Charge to :

REFUND - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF
7,200 THAT THIS PARCEL WAS GRANTED WAS OMITTED IN ERROR FROM THE
TAX ROLL. RPTL 550(2)C.
CHECK IN FAVOR OF: ROBERT D LOESCH

Petition No. 201419 / 1998 - ASSESSOR - Cancel - \$1,715.32

SBL No. 56.19-6-28 - TOWN OF AMHERST

Acct. No. 112 - \$ 671.01 - County

Acct. No. 132 - \$ 1,044.31 - Town/SpecialDist/School

Charge to : TOWN OF AMHERST

949.25
MAIN TRANSIT FIRE PROTECT 95.06

CANCEL - CLERICAL ERROR, THIS PARCEL IS A DUPLICATE TAX. THIS IS
INCLUDED IN SBL 56.19-6-28.2. RPTL 550(2)F.

Petition No. 201420 / 9900 - ASSESSOR - Refund - \$288.42

SBL No. 67.58-5-3 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 288.42 - Town/SpecialDist/School

Charge to : AMHERST CENTRAL 288.42

REFUND- CLERICAL ERROR, THIS PARCEL IS A DUPLICATE CHARGE. THIS PARCEL IS ENCLUDED IN 67.58-5-2.1. RPTL 550(2)F.
CHECK IN FAVOR OF : GUENTER W SCHNEIDER

Petition No. 201421 / 9900 - ASSESSOR - Refund - \$180.22

SBL No. 69.13-2-29 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 180.22 - Town/SpecialDist/School

Charge to : BASIC STAR EXEMPTION 180.22

REFUND - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF 7,200 THAT THIS PARCEL WAS GRANTED WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C.
CHECK IN FAVOR OF: SAMUEL & STEPHANIE SPRITZER

Petition No. 201422 / 2000 - ASSESSOR - Cancel - \$398.28

SBL No. 188.00-2-5.1 - TOWN OF AURORA

Acct. No. 112 - \$ 398.28 - County

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

Charge to :
CANCEL - CLERICAL ERROR, THE RPTL 520 THAT WAS PLACED ON THIS PARCEL SHOULD HAVE BEEN PLACED ON SBL 188.00-2-5.2. RPTL 550(2)E.

Petition No. 201423 / 2000 - ASSESSOR - Cancel - \$59.69

SBL No. 201.15-1-18 - TOWN OF AURORA

Acct. No. 112 - \$ 42.44 - County

Acct. No. 132 - \$ 17.25 - Town/SpecialDist/School

Charge to : TOWN OF AURORA 17.25

CANCEL - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 4,632 WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C.

Petition No. 201424 / 2000 - ASSESSOR - Cancel - \$333.28

SBL No. 113.55-9-10 - TOWN OF CHEEKTOWAGA

Acct. No. 112 - \$ 170.98 - County

Acct. No. 132 - \$ 162.30 - Town/SpecialDist/School

Charge to : TOWN OF CHEEKTOWAGA
160.57
FIRE # 1 DOYLE 1.73

CANCEL - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 18,700 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C.

Petition No. 201425 / 2000 - ASSESSOR - Cancel - \$198.98

SBL No. 114.07-11-14 - TOWN OF CHEEKTOWAGA

Acct. No. 112 - \$ 84.23 - County

Acct. No. 132 - \$ 114.75 - Town/SpecialDist/School

Charge to : TOWN OF CHEEKTOWAGA
114.75

CANCEL - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 15,352 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C

Petition No. 201426 / 2000 - ASSESSOR - Cancel - \$44.11

SBL No. 43.17-6-1 - TOWN OF CLARENCE

Acct. No. 112 - \$ 28.26 - County

Acct. No. 132 - \$ 15.85 - Town/SpecialDist/School

Charge to : TOWN OF CLARENCE
11.01
TRANSIT FIRE PROTECT 2.94
ERIE CO SEWER DIST #5 1.90

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. THE ASSESSMENT WAS 155,000 AND SHOULD BE 150,000. RPTL 550(2)A.

Petition No. 201427 / 2000 - ASSESSOR - Cancel - \$228.59

SBL No. 57.18-2-18 - TOWN OF CLARENCE

Acct. No. 112 - \$ 178.66 - County

Acct. No. 132 - \$ 49.93 - Town/SpecialDist/School

Charge to : TOWN OF CLARENCE
49.93

CANCEL - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 31,613 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX

PETITION NUMBER 201427 CONTINUED
ROLL. RPTL 550(2)C.

Petition No. 201428 / 2000 - ASSESSOR - Cancel - \$147.69

SBL No. 58.06-4-21 - TOWN OF CLARENCE

Acct. No. 112 - \$ 82.52 - County

Acct. No. 132 - \$ 65.17 - Town/SpecialDist/School

Charge to : TOWN OF CLARENCE

65.17

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY
ON THE TAX ROLL. THE ASSESSMENT WAS 189,600 AND SHOULD BE 175,000.
RPTL 550(2)A.

Petition No. 201430 / 2000 - ASSESSOR - Cancel - \$280.63

SBL No. 71.00-2-12.1 - TOWN OF CLARENCE

Acct. No. 112 - \$ 219.33 - County

Acct. No. 132 - \$ 61.30 - Town/SpecialDist/School

Charge to : TOWN OF CLARENCE

61.30

CANCEL - CLERICAL ERROR, THE AGRICULTURAL EXEMPTION IN THE AMOUNT OF
36,810 THAT THIS PARCEL WAS ENTITLED TO WAS OMITTED IN ERROR FROM
THE TAX ROLL. RPTL 550(2)C.

Petition No. 201431 / 2000 - ASSESSOR - Cancel - \$40.42

SBL No. 71.00-3-24./BE - TOWN OF CLARENCE

Acct. No. 112 - \$ 22.60 - County

Acct. No. 132 - \$ 17.82 - Town/SpecialDist/School

Charge to : TOWN OF CLARENCE

12.04

CLARENCE FIRE DIST

5.78

CANCEL - CLERICAL ERROR, THIS PARCEL IS INCLUDED WITH SBL 71.00-3-24.
RPTL 550(2)F.

Petition No. 201432 / 2000 - ASSESSOR - Cancel - \$42.31

SBL No. 71.00-3-24./CG - TOWN OF CLARENCE

Acct. No. 112 - \$ 23.73 - County

Acct. No. 132 - \$ 18.58 - Town/SpecialDist/School

Charge to : TOWN OF CLARENCE

12.51

CLARENCE FIRE DIST

6.07

CANCEL - CLERICAL ERROR, THIS PARCEL IS INCLUDED WITH 71.00-3-24.
RPTL 550(2)F.

Petition No. 201433 / 2000 - ASSESSOR - Cancel - \$49.80

SBL No. 71.00-3-24./DQ - TOWN OF CLARENCE

Acct. No. 112 - \$ 28.26 - County

Acct. No. 132 - \$ 21.54 - Town/SpecialDist/School

Charge to : TOWN OF CLARENCE

14.31

CLARENCE FIRE DIST

7.23

CANCEL - CLERICAL ERROR, THIS PARCEL IS INCLUDED WITH 71.00-3-24.
RPTL 550(2)F.

Petition No. 201434 / 2000 - ASSESSOR - Cancel - \$78.82

SBL No. 71.00-3-24./GU - TOWN OF CLARENCE

Acct. No. 112 - \$ 45.78 - County

Acct. No. 132 - \$ 33.04 - Town/SpecialDist/School

Charge to : TOWN OF CLARENCE

21.33

CLARENCE FIRE DIST

11.71

CANCEL - CLERICAL ERROR, THIS PARCEL IS INCLUDED WITH SBL 71.00-3-24.
RPTL 550(2)F.

Petition No. 201435 / 2000 - ASSESSOR - Cancel - \$41.38

SBL No. 71.00-3-24./L - TOWN OF CLARENCE

Acct. No. 112 - \$ 23.17 - County

Acct. No. 132 - \$ 18.21 - Town/SpecialDist/School

Charge to : TOWN OF CLARENCE

12.28

CLARENCE FIRE DIST

5.93

CANCEL - CLERICAL ERROR, THIS PARCEL IS INCLUDED WITH SBL 71.00-3-24.L
RPTL 550(2)F.

Petition No. 201436 / 2000 - ASSESSOR - Cancel - \$39.50

SBL No. 71.00-3-24./N - TOWN OF CLARENCE

Acct. No. 112 - \$ 22.04 - County

Acct. No. 132 - \$ 17.46 - Town/SpecialDist/School

Charge to : TOWN OF CLARENCE

11.82

CLARENCE FIRE DIST

5.64

CANCEL - CLERICAL ERROR, THIS PARCEL IS INCLUDED WITH SBL 71.00-3-4.
RPTL 550(2)F.

Petition No. 201437 / 2000 - ASSESSOR - Cancel - \$118.85

SBL No. 71.11-1-7 - TOWN OF CLARENCE

Acct. No. 112 - \$ 70.65 - County

Acct. No. 132 - \$ 48.20 - Town/SpecialDist/School

Charge to : TOWN OF CLARENCE

30.12

CLARENCE FIRE DIST

18.08

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY
ON THE ASSESSED VALUE. THE ASSESSED VALUE WAS 382,500 AND SHOULD BE
370,000. RPTL 550(2)A.

PETITION NUMBER 201437 CONTINUED

Petition No. 201438 / 2000 - ASSESSOR - Cancel - \$143.54

SBL No. 84.06-2-2 - TOWN OF CLARENCE

Acct. No. 112 - \$ 84.78 - County

Acct. No. 132 - \$ 58.76 - Town/SpecialDist/School

Charge to : TOWN OF CLARENCE

37.07

CLARENCE FIRE DIST

21.69

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY
ON THE TAX ROLL. THE ASSESSED VALUE WAS 40,000 AND SHOULD BE 25,000.
RPTL 550(2)A.

Petition No. 201439 / 9900 - ASSESSOR - Refund - \$80.52

SBL No. 256.00-1-15.2 - TOWN OF EDEN

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 80.52 - Town/SpecialDist/School

Charge to : EDEN CENTRAL 80.52

REFUND - CLERICAL ERROR, THIS PARCEL IS INCLUDED WITH SBL
256.00-1-16.21. RPTL 550(2)F.

CHECK IN FAVOR OF: BARBARA L HOWARD EST

Petition No. 201440 / 2000 - ASSESSOR - Cancel - \$9.24

SBL No. 126.00-1-21.2 - TOWN OF ELMA

Acct. No. 112 - \$ 8.65 - County

Acct. No. 132 - \$ 0.59 - Town/SpecialDist/School

Charge to : TOWN OF ELMA
0.59

CANCEL - UNLAWFUL ENTRY, PARCEL IS OWNED BY ERIE COUNTY SEWER DISTRICT
#4 AND IS WHOLLY EXEMPT FROM COUNTY AND TOWN TAXES. RPTL 550(7)A.

Petition No. 201441 / 2000 - ASSESSOR - Cancel - \$55.96

SBL No. 126.03-3-18.1 - TOWN OF ELMA

Acct. No. 112 - \$ 43.20 - County

Acct. No. 132 - \$ 12.76 - Town/SpecialDist/School

Charge to : TOWN OF ELMA
5.54
ELMA FIRE PROTECT 7.22

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY
ON THE TAX ROLL. THE ASSESSMENT WAS 10,600 AND SHOULD BE 10,10.
RPTL 550(2)A.

Petition No. 201442 / 2000 - ASSESSOR - Cancel - \$11.20

SBL No. 126.03-3-18.2 - TOWN OF ELMA

Acct. No. 112 - \$ 8.64 - County

Acct. No. 132 - \$ 2.56 - Town/SpecialDist/School

Charge to : TOWN OF ELMA
1.11
ELMA FIRE PROTECT 1.45

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY
ON THE TAX ROLL. THE ASSESSMENT WAS 6,200 AND SHOULD BE 6,100.
RPTL 550(2)A.

Petition No. 201443 / 2000 - ASSESSOR - Cancel - \$349.81

SBL No. 137.00-3-9 - TOWN OF ELMA

Acct. No. 112 - \$ 216.03 - County

Acct. No. 132 - \$ 133.78 - Town/SpecialDist/School

Charge to : TOWN OF ELMA

	97.67
ELMA FIRE PROTECT	36.11

CANCEL - ERROR IN ESSENTIAL FACT, THE HOME IS NO LONGER IN EXISTENCE. HOUSE BURNED DOWN. THE ASSESSMENT WAS 3,300 AND NOW IS FOR LAND ONLY 800. RPTL 550(3)A.

Petition No. 201444 / 2000 - ASSESSOR - Cancel - \$111.95

SBL No. 138.00-3-15 - TOWN OF ELMA

Acct. No. 112 - \$ 86.42 - County

Acct. No. 132 - \$ 25.53 - Town/SpecialDist/School

Charge to : TOWN OF ELMA

	11.08
ELMA FIRE PROTECT	14.45

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. THE ASSESSMENT WAS 13,700 AND SHOULD BE 12,700. RPTL 550(2)A.

Petition No. 201445 / 2000 - ASSESSOR - Cancel - \$2,271.26

SBL No. 145.01-2-24 - TOWN OF ELMA

Acct. No. 112 - \$ 771.45 - County

Acct. No. 132 - \$ 1,499.81 - Town/SpecialDist/School

Charge to : TOWN OF ELMA

	77.74
IROQUOIS CENTRAL	1,295.73
SPRINGBROOK FIRE PROTECT	126.34

CANCEL - CLERICAL ERROR, THE ASSESSMENT WAS ENTERED INCORRECTLY ON THE TAX ROLL. THE ASSESSED VALUE WAS 11,400 AND SHOULD BE 5,200. RPTL 550(2)A.

Petition No. 201446 / 2000 - ASSESSOR - Cancel - \$55.95

SBL No. 155.20-1-2.1 - TOWN OF ELMA

Acct. No. 112 - \$ 43.21 - County

Acct. No. 132 - \$ 12.74 - Town/SpecialDist/School

Charge to : TOWN OF ELMA

5.52

ELMA FIRE PROTECT

7.22

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. THE ASSESSMENT WAS 700 AND SHOULD BE 200. RPTL 550(2)A.

Petition No. 201447 / 9900 - ASSESSOR - Refund - \$184.25

SBL No. 206.08-7-24 - TOWN OF EVANS

Acct. No. 112 - \$ 17.50 - County

Acct. No. 132 - \$ 166.75 - Town/SpecialDist/School

Charge to : BASIC STAR EXEMPTION

166.75

REFUND - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF 8,030 THAT WAS GRANTED FOR THIS PARCEL WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C.

CHECK IN FAVOR OF: CHARLES & HEATHER KENCER

Petition No. 201448 / 2000 - ASSESSOR - Cancel - \$233.59

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

Acct. No. 112 - \$ 133.39 - County

Acct. No. 132 - \$ 100.20 - Town/SpecialDist/School

Charge to : TOWN OF EVANS

100.20

CANCEL - CLERICAL ERROR, THE VETERAN'S EXEMPTION THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C.

Petition No. 201449 / 2000 - ASSESSOR - Cancel - \$281.71

SBL No. 235.19-2-15 - TOWN OF EVANS

Acct. No. 112 - \$ 162.31 - County

Acct. No. 132 - \$ 119.40 - Town/SpecialDist/School

Charge to : TOWN OF EVANS

119.40

CANCEL - CLERICAL ERROR, THE SENIOR EXEMPTION THAT THIS PARCEL IS ENTITLED TO WAS MISCALCULATED ON THE TAX ROLL. RPTL 550(2)B.

Petition No. 201450 / 2000 - ASSESSOR - Cancel - \$108.44

SBL No. 235.19-3-24 - TOWN OF EVANS

Acct. No. 112 - \$ 108.44 - County

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

Charge to :

CANCEL - CLERICAL ERROR, THE SENIOR EXEMPTION FOR COUNTY TAXES ONLY
WAS MISCALCULATED ON THE TAX ROLL. THE EXEMPTION IS 15,000.
RPTL 550(2)B.

Petition No. 201451 / 2000 - ASSESSOR - Cancel - \$265.70

SBL No. 237.00-4-16 - TOWN OF EVANS

Acct. No. 112 - \$ 265.70 - County

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

Charge to :

CANCEL - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 36,750
THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX
ROLL. RPTL 550(2)C.

Petition No. 201452 / 2000 - ASSESSOR - Cancel - \$130.50

SBL No. 250.09-3-90 - TOWN OF EVANS

Acct. No. 112 - \$ 56.40 - County

Acct. No. 132 - \$ 74.10 - Town/SpecialDist/School

Charge to : TOWN OF EVANS

74.10

CANCEL - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 7,800
THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX
ROLL. RPTL 550(2)C.

Petition No. 201453 / 2000 - ASSESSOR - Cancel - \$1,596.44

SBL No. 169.16-4-1 - TOWN OF HAMBURG

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 1,596.44 - Town/SpecialDist/School

Charge to : FRONTIER CENTRAL

1,596.44

CANCEL - CLERICAL ERROR, THE PARCEL WAS OVERCHARGED FOR THE RPTL 520.
THE EXEMPTION WAS ENTERED AS 159659 AND SHOULD BE 15,659.
RPTL 550(2)B.

Petition No. 201454 / 2000 - ASSESSOR - Cancel - \$165.00

SBL No. 170.06-2-4.1 - TOWN OF HAMBURG

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 165.00 - Town/SpecialDist/School

Charge to : TOWN OF HAMBURG

165.00

CANCEL - CLERICAL ERROR, THIS PARCEL WAS CHARGED FOR 4 UNITS ON THE SEWER TAX WHEN IT SHOULD HAVE BEEN 1 UNIT. RPTL 550(2)E.

Petition No. 201455 / 2000 - ASSESSOR - Cancel - \$945.14

SBL No. 183.18-14-16 - TOWN OF HAMBURG

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 945.14 - Town/SpecialDist/School

Charge to : VILLAGE OF HAMBURG

945.14

CANCEL - CLERICAL ERROR, THE RPTL 520 ON THE COUNTY TAX BILL WAS FOR THE VILLAGE TAX. THE EXEMPTION ON THIS PARCEL SHOULD NOT HAVE BEEN REMOVED. RPTL 550(2)C.

Petition No. 201456 / 9900 - ASSESSOR - Refund - \$149.31

SBL No. 194.09-2-31 - TOWN OF HAMBURG

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 149.31 - Town/SpecialDist/School

Charge to : BASIC STAR EXEMPTION

149.31

REFUND - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF 8,330 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C.

CHECK IN FAVOR OF: MARY T KNOTT

Petition No. 201457 / 9900 - ASSESSOR - Cancel - \$88.57

SBL No. 47.07-2-16.11/AD - TOWN OF NEWSTEAD

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 88.57 - Town/SpecialDist/School

Charge to : BASIC STAR EXEMPTION

88.57

REFUND - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF 6,300 WAS OMITTED FROM ONE OF THE MOBILE HOMES. RPTL 550(2)C.

CHECK IN FAVOR OF: AKRON MOBILE HOME PARK

Petition No. 201458 / 9900 - ASSESSOR - Refund - \$153.41

SBL No. 73.00-3-6 - TOWN OF NEWSTEAD

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 153.41 - Town/SpecialDist/School

Charge to : TOWN OF NEWSTEAD

	1.52
BASIC STAR EXEMPTION	151.89

REFUND - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF 10,030 THAT THIS PARCEL WAS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 55092)C.
CHECK IN FAVOR OF: GERARD GRUBER

Petition No. 201459 / 1999 - ASSESSOR - Refund - \$214.23

SBL No. 74.00-1-2.1 - TOWN OF NEWSTEAD

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 214.23 - Town/SpecialDist/School

Charge to : TOWN OF NEWSTEAD

214.23

REFUND - UNLAWFUL ENTRY, THIS PARCEL IS NOT LOCATED IN THE WATER DISTRICT FOR WHICH IT IS BEING FOR. RPTL 550(7)B.
CHECK IN FAVOR OF: CHARLES,ANDY & MARILYN KELKENBURG

Petition No. 201460 / 2000 - ASSESSOR - Cancel - \$59.37

SBL No. 53.76-3-27 - TOWN OF TONAWANDA

Acct. No. 112 - \$ 15.79 - County

Acct. No. 132 - \$ 43.58 - Town/SpecialDist/School

Charge to : TOWN OF TONAWANDA

	38.30
BRIGHTON FIRE DIST	5.28

PETITION NUMBER 201460 CONTINUED
CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. THE ASSESSMENT WAS 57,300 AND SHOULD BE 52,000.
RPTL 550(2)A.

Petition No. 201461 / 2000 - ASSESSOR - Cancel - \$127.90

SBL No. 164.08-2-20 - TOWN OF ELMA

Acct. No. 112 - \$ 127.90 - County
Acct. No. 132 - \$ 0.00 - Town/SpecialDist/School

Charge to :

CANCEL - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 2,220 SHOULD BE 3,700 ON THE TAX ROLL. RPTL 550(2)B.

(4-0) Legislator Fitzpatrick absent.

3. Item Page - 2000 (Comm. 1E-9)

COUNTY EXECUTIVE

WHEREAS, the following grant programs are included in Book B of the 2000 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 and Management with respect to the availability of Federal, State, County and other local source funding for the following programs which commence on January 1, 2000:

<u>Department</u>	<u>Grant Program</u>	<u>2000 Budget Book B Page No.</u>
110 - Co. Exec.	Community Coordinating Council on Children and Families	13
110 - Co. Exec.	STOP-DWI Program	13
140 - Dist. Atty.	Gun Retrieval and Interdiction Program (GRIP)	28
140 - Dist. Atty.	STOP-DWI Program	28
650 - Central Police Services	Arson Laboratory Improvement Program	67
650 - Central Police Services	Law Enforcement Information Management System	68
150 - Sheriff	COPS - Universal Hiring Grant II	85
150 - Sheriff	Public Awareness is Prevention	86
150 - Sheriff	COPS - Universal Hiring Grant	86

2000 Budget

<u>Department</u>	<u>Grant Program</u>	<u>Book B</u> <u>Page No.</u>
260 - Probation	Intensive Supervision Program	111
260 - Probation	Juvenile Intensive Supervision Program	111
260 - Probation	Alternatives to Incarceration	111
260 - Probation	Juvenile Delinquent-Mental Health Diversion Prg.	111
270 - Health	Tuberculosis Elimination Activities	134*
270 - Health	Childhood Lead Poisoning Prevention Program	134
270 - Health	Asthma Initiative Pilot Program	136
200 - Social Svcs.	Safety Net Employment Programs	227
200 - Social Svcs.	Outstationed Medicaid Eligibility	228
200 - Social Svcs.	Comprehensive Employment Division Programs	229
200 - Social Svcs.	Family Assistance Employment Program	230
200 - Social Svcs.	Local Flexibility Incentive Pilot	230
200 - Social Svcs.	Enhanced Drug and Alcohol Svcs. to Victims of Domestic Violence	231**
620 - Env. & Plg.	Section 18-b Transportation Operating Assistance	355
620 - Env. & Plg.	Household Hazardous Waste Disposal	355

250 - Youth Svcs.	Special Delinquency Prevention Program (SDPP)	361
250 - Youth Svcs.	Juvenile Justice Delinquency Prevention Grant (JJDP)	361
	OCFS - Safe Places Grant	362

* Begins on 2/1/00
**Begins on 3/1/00

<u>Department</u>	<u>Grant Program</u>	<u>2000 Budget Book B Page No.</u>
251 - Youth Svcs. Detention	Alternative Home Services	361
251 - - Youth Svcs. Detention	Coordinated Children's Services Initiative (CCSI)	361

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, Social Services, Environment and Planning, Youth Services, Law, Comptroller and Budget, Management and Finance.
(4-0) Legislator Fitzpatrick absent.

4. Item Page - 2000 (Comm. 2E-32)
COUNTY EXECUTIVE

WHEREAS, the towns in Erie County according to Real Property Tax Law and the Erie County Tax Act hold their grievance hearings on the first Tuesday in July each year, and

WHEREAS, the Independence Day holiday falls on the scheduled first Tuesday of July in the year 2000,

NOW, THEREFORE, BE IT RESOLVED, that the Erie County Legislature is requested to approve the date of Wednesday, July 5, 2000 for Grievance Day hearings in the Towns of Erie County, 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 County Attorney's Office, the Director of Real Property Tax Services, Assessor offices in the towns in Erie County and the New York State Office of Real Property Services.

(4-0) Legislator Fitzpatrick absent.

CRYSTAL D. PEOPLES
CHAIRPERSON

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

CARRIED UNANIMOUSLY.

Item 12 – MR. HOLT presented the following resolution and moved for immediate consideration. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 28

January 27, 2000

SOCIAL SERVICES
COMMITTEE
REPORT NO. 1

ALL MEMBERS PRESENT.

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

Item Page -2000 (Comm. 2D-4)
a. **SENIOR SERVICES:** Solution for Closure of Clarkson Center.
(4-0) Legislator Marshall absent for vote.

Item Page -2000 (Comm. 2D-5)
b. **YOUTH SERVICES:** 1999 Summer Prime Time Final Report.
(4-0) Legislator Marshall absent for vote.

2. Item Page - 2000 **AS AMENDED**
(Comm. 2E-9)
COUNTY EXECUTIVE

WHEREAS, the Department of Senior Services submitted in the 2000 Budget, a list of community organizations and agencies to provide and operate congregate dining facilities for the elderly residents of Erie County, and

WHEREAS, the amended Budget Resolutions inadvertently deleted one agency and incorrectly listed the amount of the contract for another, and

WHEREAS, the Department of Senior Services contracts with U.S. Ethicare Erie Corporation, d/b/a Staff Builders Services, Inc. To provide home care services to elderly residents of Erie County, and

WHEREAS, the Department has received official notice that Staff builders has changed their name to Tender Loving Care Health Care Services, Inc.

NOW, THEREFORE BE IT

RESOLVED, that the County Executive is authorized to enter into contract with the following agencies to provide Congregate dining for the elderly for the period January 1, 00 to December 31, 00

- Erie Regional Housing Development Corporation \$1,927.00
- Kensington-Bailey Area Planning Committee 904.00

and be it further

RESOLVED, that the County Executive is authorized to enter into contract for the period of April 1,2000 to March 31, 2001 and amend the contract for the period April 1, 1999 to march 31, 2000 with Tender Loving Care Health Care Services, Inc. formerly US Ethicare Erie Corporation, d/b/a Staff Builders Services Inc., to provide home care services to the elderly, and be it further

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

3. Item Page - 2000 (Comm. 2E-28)
COUNTY EXECUTIVE

WHEREAS, the Department of Social Services has been awarded \$35,000 in Federal Temporary Assistance to Needy Families (TANF) funding under the Merit Incentives Program, and

WHEREAS, this is one-time funding which is to be used to reward seventh, eighth or ninth grade students in receipt of TANF benefits who are excelling in academic studies and are participating in community service with a 501-3c organization, and

WHEREAS, the Department presented and New York approved a plan whereby personal computers and basic computer training will be provided to thirty (30) students, and

WHEREAS, the program is targeted to all Erie County school systems and is limited to children currently enrolled in the Child Assistance program (CAP), and

WHEREAS, there are currently 400 cases in the CAP program and approximately 70 of the CAP participants may be potentially eligible to receive a computer under this program, and

WHEREAS, the identification of students to receive the computers will be conducted by the CAP program administrative team in consultation with respective casework staff, and

WHEREAS, the computers provided through this program will be comparable to computers used by students in school classrooms, and

WHEREAS, this funding is an overwhelming opportunity to provide students of excellence with a learning resource and tool that they would otherwise not have during their junior high school years.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Department of Social Services is hereby authorized to accept Federal funds in the amount of \$35,000 from the New York State Office of Temporary and Disability Assistance in order to operate the Merit Incentive Program, and be it further

RESOLVED, that the following budget changes are hereby authorized for the period January 1, 2000 through December 31, 2000:

Department of Social Services, Department 200, Fund 120

<u>ACCOUNT</u>	<u>DESCRIPTION</u>	<u>INCREASE</u>
842	Family Assistance	<u>\$35,000</u>
	Total Appropriation	<u>\$35,000</u>
826	Federal Aid- Family Assistance	<u>\$35,000</u>
	Total Revenue	<u>\$35,000</u>

and be it further

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

(4-0) Legislator Marshall absent for vote.

4. Item Page - 2000 (Comm. 2E-33)

COUNTY EXECUTIVE

WHEREAS, the Department of Social Services has received an award of \$200,000 of Temporary Assistance to Needy Families (TANF) funds to continue and expand the Model Approach to Coordinated Services (MACS) Initiative, and this award is a continuation of a prior

year initiative named the Enhanced Drug and Alcohol Services to Victims of Domestic Violence program, and

WHEREAS, the amount of the current budget for year 2000 is \$168,852, and this resolution appropriates the additional funds in the amount of \$31,148 available from the increased Federal award, and

WHEREAS, the Department wishes to use the additional funds to supplement contracts with the two (2) community providers of service in the program, the original funding level having proven inadequate, and

WHEREAS, Parents Anonymous currently provides respite services to families with children who are either discharged or who are about to be discharged from out of home foster care placement, and respite services are vital in maintaining substance abuse recovery and will allow the parents the opportunity to continue in treatment, attend AA or seek employment, and

WHEREAS, respite child care services are available 24 hours a day, seven days a week for Children up to 12 years of age who are eligible for this respite service and who are authorized between 4 to 8 hours of service per day, and

WHEREAS, Child and Family Services currently provides services focused on specialized group therapy sessions which address both the domestic violence issues as well as the substance abuse issues, and Child and Family Services - Family Violence Intervention Project conducts separate treatment groups for adults and for children, and

WHEREAS, adult group activities include safety and legal issues, identification of violence in relationships, effects of drug and alcohol use, healthier lifestyle alternatives, problem solving skills and development of positive support networks, and child group activities include myths and facts of domestic violence, expressing feelings in non-violent ways, communication skills, problem solving skills, drug and alcohol education, effects of drug use and alternative recreational activities, and

WHEREAS, there is no local share requirement or fiscal impact for acceptance of these funds.

NOW, THEREFORE, BE IT

RESOLVED, that the title of the Enhanced Drug and Alcohol Services to Victims of Domestic Violence grant, project number 354 is hereby changed to the Model Approach to Coordinated Services (MACS) initiative consistent with the Federal grant award, and be it further

RESOLVED, that the existing contracts with Parents Anonymous and Child and Family Services shall be amended consistent with the appropriation amendments authorized herein, and be it further

RESOLVED, that the following budget amendments are hereby authorized in the 2000 Adopted Budget:

Department of Social Services, Department 200, Fund 281, Project 354

<u>ACCOUNT</u>	<u>DESCRIPTION</u>	<u>INCREASE</u>
830-0196	Child and Family Services	\$12,755
830-0549	Parents Anonymous	<u>\$18,393</u>
	Total Appropriations	<u>\$31,148</u>
649	Federal Aid	<u>\$31,148</u>
	Total Revenues	<u>\$31,148</u>

and be it further

RESOLVED, that certified copies of this resolution will be forwarded to the Commissioner of the Department of Social Services, the Erie County Comptroller and the Director of Budget and Management.
(4-0) Legislator Marshall absent for vote.

GEORGE A. HOLT, JR.
CHAIRMAN

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 29

January 27, 2000

HEALTH/MENTAL HEALTH
COMMITTEE
REPORT NO. 1

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

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

a. Item Page -1999 (Comm. 25D-3)
ECMC: Notice to Reschedule Board of Managers Meeting from 12/9/99 to 12/16/99.
(5-0)

b. Item Page -1999 (Comm. 25 D-9)
ECMC: Agenda for Board of Managers Committee Meeting Held 12/16/99.
(5-0)

c. Item Page -1999 (Comm. 25M-9)
EC MENTAL HYGIENE COMMUNITY SERVICES BOARD: Notice of Board Meeting to be Held 12/16/99.
(5-0)

d. Item Page -2000 (Comm. 2D-1)
ECMC: Board of Managers Finance Committee 1/7/00 & Financial Statements for 11/99.
(5-0).

e. Item Page -2000 (Comm. 2D-6)
ECMC: Agenda for Board of Managers Annual Meeting Held 1/13/00.
(5-0)

f. Item Page -2000 (Comm. 2M-7)
EC MENTAL HYGIENE COMMUNITY SERVICES BOARD: Agenda for Board Meeting to be Held 1/20/00.
(5-0)

2. Item Page - 1999 (Comm. 25E-21)
COUNTY EXECUTIVE
WHEREAS, the Erie County Department of Health operates an Infant/Child Health Assessment Program (ICHAP), and

WHEREAS, the purpose of the grant is to continue the developmental screens on children at risk of developmental delay, per the expanded State eligibility criteria for the Infant/Child Health Assessment Program (ICHAP), and

WHEREAS, budgetary adjustments are necessary in order to balance the grant's accounts.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Executive is hereby authorized to make the following budgetary adjustments:

**Department of Health
Infant/Child Health Assessment
Project #783
10/1/98 - 9/30/99**

SFG	ACCOUNT REVENUE	CURRENT BUDGET	CHANGE	REVISED BUDGET
553	State Aid	<u>\$254,705</u>	<u>0</u>	<u>\$254,705</u>
	TOTAL	<u>\$254,705</u>	<u>0</u>	<u>\$254,705</u>
EXPENSES				
800	Personal Services	\$177,603	\$16,682	\$194,285
805	Fringe Benefits	48,681	959	49,640
810	Office Supplies	500	0	500
823	Repairs & Maintenance	500	- 500	0
824	Travel & Mileage	5,000	0	5,000
825	Out of Area Travel	1,000		1,000
826	Other Expenses	3,000	- 2,500	500
880-5100	Information & Support Services	3,000	780	3,780
890	Contractual Salary Reserves	14,533	- 14,533	0
933	Lab & Technical Equipment	<u>888</u>	<u>- 888</u>	<u>0</u>
	TOTAL	<u>\$254,705</u>	<u>0</u>	<u>\$254,705</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.

(5-0)

3. Item Page - 1999 (Comm. 25E-35)

COUNTY EXECUTIVE

WHEREAS, the Erie County Health Department provides an important program of medical care through its Well Child Clinics, offering free immunizations and physical exams to preschool children at various community based clinics throughout the County.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby approves of this community service and authorizes the County Executive to enter into an agreement with the following community

agency to provide space for a Health Department Well Child Clinic for a term not to exceed three (3) years effective January 1, 2000 through December 31, 2003 at a rate of \$50.00 per session which is sufficient to offset maintenance and operating costs as mutually agreed upon subject to the availability of funds in the budget of the Health Department:

University United Methodist Church
410 Minnesota

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.
(5-0)

4. Item Page - 2000 (Comm. 2E-8)

COUNTY EXECUTIVE

WHEREAS, the New York State Department of Health has awarded a revised contract in the amount of \$75,000 for the Erie County Department of Health to continue a program to provide training and technical assistance to Western New York county health departments to better enable them to integrate HIV prevention activities into their overall public health effort, and

WHEREAS, this training focus will assist the New York State Department of Health in meeting its goal of strengthening the capacity of local health units.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into a revised contract with the New York State Department of Health to provide services budgeted as follows:

**DEPARTMENT OF HEALTH TRAINING & TECHNICAL
ASSISTANCE
12/1/99 - 11/30/00
PROJECT # 793**

<u>SFG</u>	<u>REVENUE</u>	<u>CURRENT BUDGET</u>	<u>CHANGES</u>	<u>REVISED BUDGET</u>
552	STATE AID	\$75,000	0	\$75,000
	TOTAL	\$75,000	0	\$75,000
	<u>EXPENSES</u>			
800	PERSONNEL SERVICES	\$57,830	698	\$ 58,528
805	FRINGE BENEFITS	15,933	-3,548	12,385

810	OFFICE SUPPLIES	100	0	100
825	OUT OF AREA TRAVEL	443	3,059	3,502
826	OTHER EXPENSES	<u>694</u>	<u>-209</u>	<u>\$ 485</u>
	TOTAL	<u>\$75,000</u>	<u>\$ -</u>	<u>\$ 75,000</u>

and be it further

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

(5-0)

5. Item Page - 2000 (Comm. 2E-18)

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 grant award in the amount of \$11,000 from the New York State Health Research Institute (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 enter into an agreement with Health Research, Inc. to accept the grant which is budgeted as follows:

BIOTERRORISM - HEALTH ALERT NETWORK

1/1/00 - 8/30/00

Project #

SFG ACCOUNT	REVENUE	BUDGET
553	State Aid	<u>\$11,000</u>
	TOTAL	<u>\$11,000</u>
	EXPENSES	
810	Office Supplies	\$ 200
821	Dues & Fees	7,000
824	Travel & Mileage	200
826	Other Expenses	700
933	Lab & Technical Equipment	<u>2,900</u>
	TOTAL	<u>\$11,000</u>

and be it further

RESOLVED, that a Fee-for-Service rate of \$13.00 per hour be established for a SUNYAB School of Social & Preventive Medicine Intern to work on the Bioterrorism-Health Alert Network and that this intern be reimbursed for local mileage at the approved county rate, and be it further

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

6. Item Page - 2000 (Comm. 2E-20)
COUNTY EXECUTIVE

WHEREAS, the Erie County Health Department operates a Public Health Campaign Program, and

WHEREAS, the Erie County Health Department has received a revised grant from the New York State Health Department in the amount of \$490,815 for the Public Health Campaign from 4/1/99 - 3/31/00 which authorizes budgetary adjustments, and

WHEREAS, the revised grant includes funding for the Model Tuberculosis Control Clinic and Sexually Transmitted Disease (STD)Prevention Program and increases funding for STD office and medical supplies, staff training, educational and clinical equipment.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby approves revisions to be budgeted as follows:

PUBLIC HEALTH CAMPAIGN
04/1/99-03/31/00
PROJECT # 198

<u>SFG</u>	<u>REVENUE</u>	<u>CURRENT BUDGET</u>	<u>REVISED CHANGES</u>	<u>BUDGET</u>
360	OTHER LOCAL SOURCES	42,941	24,658	\$67,599
553	STATE AID	<u>\$453,815</u>	<u>37,000</u>	<u>490,815</u>

TOTAL

EXPENSES

800	PERSONNEL SERVICES	370,681	24,538	395,219
801	OVERTIME	0	0	0
805	FRINGE BENEFITS	102,370	-675	101,695

810	OFFICE SUPPLIES	0	303	303
814	MEDICAL SUPPLIES	0	11,126	11,126
821	DUES & FEES	1,500	-300	1,200
823	REPAIRS & MAINT.	300	0	300
824	TRAVEL & MILEAGE	14,522	1,228	15,750
825	OUT OF AREA TRAVEL	250	3,576	3,826
826	OTHER EXPENSES	6,633	367	7,000
880-5100	INTERFUND-DISS		500	-500
932	OFFICE EQUIPMENT	0	3,817	3,817
933	LAB & TECH EQUIPMENT	0	18,178	18,178
TOTAL		\$	<u>496,756</u>	<u>61,658</u>
				<u>\$558,414</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.

(5-0)

7. Item Page - 2000 (Comm. 2E-21)

COUNTY EXECUTIVE

WHEREAS, the Erie County Health Department operates community health centers, and

WHEREAS, the New York State Department of Health has awarded the Erie County Health Department a revised grant in the amount of \$331,553, which authorizes budgetary adjustments.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to enter into an agreement with the New York State Department of Health for the purpose of continuing the Women's Health Services Program to be budgeted as follows:

**WOMEN'S HEALTH SERVICES
4/1/99-3/31/00
PROJECT#189**

SFG CODE	REVENUE	CURRENT BUDGET	CHANGES	REVISED BUDGET
386	PRIVATE PAY	\$ 3,835	\$ 0	\$ 3,835
387	MEDICAID	504,570	0	504,570
575	STATE AID	312,331	+19,222	331,553
685-2700	INTERFUND-NON SUBSIDY	<u>88,266</u>	<u>0</u>	<u>88,266</u>

	TOTAL REVENUE	<u>\$ 909,002</u>	<u>+\$19,222</u>	<u>\$ 928,224</u>
	APPROPRIATIONS			
800	PERSONAL SERVICES	\$ 516,110	\$ +825	\$ 516,935
805	FRINGE BENEFITS	131,866	+175	132,041
810	OFFICE SUPPLIES	5,500	0	5,500
814	MEDICAL SUPPLIES	62,000	+6,200	68,200
816	MAINT SUPPLIES	125	0	125
821	DUES & FEES	60,261	+3,000	63,261
822	RENTAL CHARGES	500	0	500
823	REPAIRS & MAINT	4,000	0	4,000
824	LOCAL MILEAGE	6,500	0	6,500
825	TRAVEL-OUT OF AREA	2,500	0	2,500
826	OTHER EXPENSES	28,000	+500	28,500
880-2700	INTERFUND-HEALTH DEPT.	14,325	0	14,325
880-2720	INTERFUND-PUBLIC HEALTH LAB	10,052	0	10,052
880-4000	INTERFUND-ECMC	37,200	0	37,200
880-5100	INTERFUND-DISS	8,781	0	8,781
932	OFFICE EQUIPMENT	2,000	+700	2,700
933	LAB & TECHNICAL EQUIPMENT	<u>19,282</u>	<u>+7,822</u>	<u>27,104</u>
	TOTAL APPROPRIATIONS	<u>\$ 909,002</u>	<u>\$ +19,222</u>	<u>\$928,224</u>

and be it further

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

(5-0)

8. Item Page - 2000 (Comm. 2E-22)

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 community 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
10/1/99 - 3/31/00
Project #

SFG ACCOUNT	REVENUE	BUDGET
553	State Aid	<u>\$70,000</u>
	TOTAL	<u>\$70,000</u>
	EXPENSES	
825	Out of Area Travel	300
826	Other Expenses	2,600
830	Contractual Expenses	66,500
932	Office Equipment	300
933	Lab & Technical Equipment	<u>300</u>
	TOTAL	<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.
(5-0)

9. Item Page - 2000 (Comm. 2E-23)

COUNTY EXECUTIVE

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

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

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

NOW, THEREFORE, BE IT

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

LEAD POISONING PREVENTION PROGRAM
 01/1/99 - 12/31/99
PROJECT # 191

<u>SFG</u> <u>ACCOUNT</u>	<u>REVENUE</u>	<u>CURRENT</u> <u>BUDGET</u>	<u>CHANGES</u>	<u>REVISED</u> <u>BUDGET</u>
553	STATE AID	\$552,084	-0	\$552,084
	TOTAL	\$552,084	\$ -0	\$552,084
 <u>EXPENSES</u> 				
800	PERSONNEL SERVICES	\$410,921	-12,840	\$398,081
801	OVERTIME	1,000	0	1,000
805	FRINGES	104,994	3,080	108,074
823	REPAIRS & MAINTENANCE	18,875	-13,900	4,975
824	TRAVEL & MILEAGE	13,000	0	13,000
825	OUT OF AREA TRAVEL	1,000	0	1,000
826	OTHER EXPENSES	2,294	8,660	10,954
933	LAB & TECHNICAL EQUIP.	<u>0</u>	<u>15,000</u>	<u>15,000</u>
	TOTAL	\$552,084	\$ -0	\$552,084

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.

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

10. Item Page - 2000 (Comm. 2E-24)
COUNTY EXECUTIVE

WHEREAS, Hepatitis C is a liver disease caused by a bloodborne virus. Approximately 25% of people infected with Hepatitis C will become sick with jaundice, and fifty percent of these individuals may go on to develop chronic liver disease, and

WHEREAS, through November 1999 Erie County has 3,707 reported positive laboratory tests for Hepatitis C that are persons who are chronic or asymptomatic, and

WHEREAS, the Erie County Department of Health's Sexually Transmitted Disease Program and Public Health Laboratory are participating in a study on Hepatitis C Transmission

in collaboration with the State University of New York at Buffalo's Research Institute on Addictions and the Prevention Research Center, a division of the Pacific Institute for Research and Evaluation (PIRE), and there are nursing, laboratory and data processing costs associated with the study, and

WHEREAS, the Health Department has received a grant award from Pacific Institute for Research and Evaluation (PIRE) in the amount of \$24,578 to cover these costs.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Executive is hereby authorized to enter into an agreement with the Pacific Institute for Research and Evaluation (PIRE) to accept the grant budgeted as follows:

HEPATITIS C TRANSMISSION STUDY
12/01/99 - 7/31/00
Project #

SFG ACCOUNT	REVENUE	BUDGET
521	Other Unclassified Revenue	<u>\$24,578</u>
	TOTAL	<u>\$24,578</u>
	EXPENSES	
801	Overtime	\$10,000
814	Lab and Medical Supplies	7,128
825	Out of Area Travel	<u>7,450</u>
	TOTAL	<u>\$24,578</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.

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

11. Item Page - 2000 (Comm. 2E-30)
COUNTY EXECUTIVE

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

WHEREAS, the Erie County Health Department wishes to renew an agreement to lease space at the Northwest Buffalo Community Center located at 155 Lawn Avenue, Buffalo, New York, being utilized as a WIC check distribution site.

NOW, THEREFORE BE IT

RESOLVED, that the Erie County Legislature hereby approves of this community service and authorizes the County Executive to renew an agreement with the City of Buffalo to continue to pay as rent the sum of \$1,500 annually, for the period October 1, 1998 through September 30, 2001, with an option to renew for two one-year periods and be it further

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

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

12. Item Page - 2000 (Comm. 2E-31)

COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Health has received a grant from the New York State Health Department in the amount of \$90,050 for the period 10/1/99 through 9/30/00, with an option for two one-year extensions, and

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

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

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

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

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Executive is hereby authorized to enter into an amended contract with the New York State to be budgeted as follows:

YOUTH TOBACCO ENFORCEMENT & PREVENTION PROGRAM
10/1/99 - 9/30/00
Project #201

<u>SFG</u>	<u>REVENUE</u>		<u>CURRENT BUDGET</u>	<u>CHANGES</u>	<u>REVISED BUDGET</u>
428	PENALTIES & FINES	\$	20,000	(10,000)	\$ 10,000
553	STATE AID		86,000	4,050	90,050
553	STATE AID PRIOR YEAR		<u>0</u>	<u>16,212</u>	<u>16,212</u>
	TOTAL		<u>\$106,000</u>	<u>10,262</u>	<u>\$116,262</u>

EXPENSES

800	PERSONNEL SERVICES	\$ 41,494	4,103	\$ 45,597
805	FRINGE BENEFITS	11,847	(1,922)	9,925
810	OFFICE SUPPLIES	500	500	1,000
821	DUES & FEES	100	2,900	3,000
824	TRAVEL & MILEAGE	2,000	0	2,000
825	OUT OF AREA TRAVEL	1,000	(1,000)	0
826	OTHER EXPENSES	5,000	(2,900)	2,100
830	CONTRACTUAL SERVICES	40,000	5,225	45,225
880-5100	INTERFUND DISS	1,500	(1,250)	250
932	OFFICE EQUIPMENT	1,059	2,691	3,750
933	LAB & TECH EQUIPMENT	<u>1,500</u>	<u>1,915</u>	<u>3,415</u>
	TOTAL	<u>\$106,000</u>	<u>10,262</u>	<u>\$116,262</u>

and be it further

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

RESOLVED, that police agencies will be reimbursed at the rate of \$35.00 per compliance check, and be it further

RESOLVED, that the Wellness Institute of Greater Buffalo and Western New York, Inc. will be reimbursed at a sum not to exceed \$1,750 per year, and be it further

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

RESOLVED, that the Erie County Health Department will work with agencies involved in youth programs in an attempt to find effective ways to convince children not to smoke, and be it further

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

(5-0)

AS AMENDED
(Comm. 2E-34)

13. Item Page - 2000
COUNTY EXECUTIVE

WHEREAS, diabetes is a major cause of death and disability for Western New Yorkers, and

WHEREAS, the Erie County Department of Health has been a leader, through the Western New York Public Health Coalition, in addressing regional public health concerns, and

WHEREAS, the Erie County Department of Health received a grant award from New York State Health Research Inc., (HRI) in the amount of \$37,500 on behalf of the Western New York Coalition for Diabetes Prevention.

NOW, THEREFORE, BE IT

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

Department of Health
WNY Coalition for Diabetes Prevention
1/1/00 - 6/30/00
Project #

SFG

ACCOUNT	REVENUE	BUDGET
XXX	Health Research, Inc.	<u>\$37,500</u>
	TOTAL	<u>\$37,500</u>
EXPENSES		
830	Contractual - Kaleida Health	5,625
830	Contractual - Lockport Memorial Hospital	5,625
830	Contractual - Healthy Community Alliance	11,250
830	Contractual - Lake Plains Community Care Network	11,250
922	Office Equipment	350
923	Lab & Technical Equipment	<u>3,400</u>
	TOTAL	<u>\$37,500</u>

and be it further

RESOLVED, that the County Executive is hereby authorized to enter into a subcontract with Kaleida Health, Lockport Memorial Hospital, Healthy Community Alliance and Lake Plains Community Care Network for planning of diabetes education and screening events, and be it further

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

(5-0)

14. Item Page - 2000 (Comm. 2E-43)

COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Health received revised grant awards from the New York State Department of Health and Health Research, Inc., (HRI) to support the continuation of a network of breast and cervical cancer screening providers for low income, asymptomatic, underserved women aged 40 and over, and

WHEREAS, breast and cervical cancer is a serious health problem in New York State, and

WHEREAS, the New York State Department of Health has funded breast screening projects in high risk areas since 1988, and

WHEREAS, the Erie County Healthy Women's Partnership is made up of a coalition of concerned community agencies and health care providers, and

WHEREAS, the Erie County Health Women's Partnership receives revenue from two sources namely: 1) New York State Department of Health and 2) Health Research, Inc. (HRI), and

WHEREAS, HRI and the New York State Department of Health are operating on different fiscal years.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to accept a revised grant award in the amount of \$40,523 from the New York State Department of Health and authorizes the following transactions:

HEALTHY WOMEN'S PARTNERSHIP
04/1/99 - 03/31/00
PROJECT # 217

<u>SFG</u>	<u>REVENUE</u>	<u>CURRENT BUDGET</u>	<u>CHANGES</u>	<u>REVISED BUDGET</u>
517	OTHER LOCAL SOURCE	\$23,473	0	\$23,473
553	STATE AID	<u>104,526</u>	<u>-47,416</u>	<u>\$57,110</u>
	TOTAL	<u>\$127,999</u>	<u>-47,416</u>	<u>\$80,583</u>

EXPENSES

830-987 CONTRACTUAL AMERICAN CANCER SOCIETY	\$44,336	0	\$44,336
830-988 CONTRACTUAL SISTERS OF CHARITY HOSP.	\$10,000	0	\$10,000
830-989 CONTRACTUAL CLINICAL SERVICES	\$69,188	-47,416	21,772
880-2700 DEPT. OF HEALTH	100	0	100
933 LAB & TECH EQUIPMENT	<u>4,375</u>	<u>0</u>	<u>4,375</u>
TOTAL	<u>\$127,999</u>	<u>(47,416)</u>	<u>\$80,583</u>

and be it further

RESOLVED, is Erie County Legislature hereby authorizes the County Executive to accept a grant from Health Research, Inc. which is budgeted as follows:

Breast & Cervical Cancer Early Detection Program
9/30/99 - 9/29/00
Project #

SFG ACCOUNT	REVENUE	BUDGET
XXX	Health Research, Inc.	<u>\$40,523</u>
	TOTAL	<u>\$40,523</u>
EXPENSES		
830-989	Contractual Clinical Services	<u>\$40,523</u>
	TOTAL	<u>\$40,523</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.
(5-0)

15. Item Page - 2000 (Int. 2-5)
PEOPLES, ET AL

WHEREAS, Often the families of recently deceased persons need to obtain a copy of an autopsy report for legal reasons after the death, and

WHEREAS, The County of Erie currently charges \$35 per copy for Medical Examiner Autopsy/Toxicology reports, and

WHEREAS, In a letter responding to legislator concerns about the fee, Erie County Health Commissioner Dr. Arnold Lubin stated, "To the best of my knowledge, this fee is not related to any cost associated with providing said copy," and

WHEREAS, Autopsies are performed systematically in certain types of death, and reports for these autopsies are automatically issued, averaging three to five pages in length, and

WHEREAS, The \$35 fee for the copy of the report is essentially therefore only for the copying of a three to five page report and does not pay for the autopsy itself or for the initial transcription of the report, and

WHEREAS During this time of grieving and dealing with the pain and expense of the funeral, the last thing a family needs is to be unduly charged this inflated fee for an autopsy report, and

WHEREAS, This Honorable Body has the power to approve, modify, or eliminate the fee, and

WHEREAS, Since revenues from the fee have already been budgeted for fiscal year 2000, in order not to cause a deficit within the Health Department it would be prudent to see the fee reduction implemented in the 2001 budget,

NOW, THEREFORE, BE IT

RESOLVED, That the Erie County Legislature does hereby state its full intent to see the autopsy fee decrease from its present \$35 to \$5 - a fee that will cover the costs of reproduction but not result in an unfair over-pricing of the service, and be it further

RESOLVED, That this Honorable Body does therefore direct the Director of Budget, Management and Finance and the Commissioner of the Department of Health to budget Medical Examiner Autopsy/Toxicology report fees in the amount of \$5 per copy in the Fiscal Year 2001 budget, and to so note the aforesaid in the FY 2001 budget resolutions, and be it further

RESOLVED, That certified copies of this resolution be sent to the County Executive, the Commissioner of the Department of Health, and the Director of Budget, Management and Finance.

Fiscal Impact: Reduction of Medical Examiner Autopsy/Toxicology report fee from \$35 per copy to \$5 per copy in FY 2001.

(5-0)

**JUDITH P. FISHER
CHAIRPERSON**

MS. FISHER moved to separate item #15 and moved the approval of the balance of the report. MR. DeBENEDETTI seconded.

CARRIED UNANIMOUSLY.

MS. FISHER moved to amend item #15. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

DELETE, in its entirety, the eighth WHEREAS clause, and REPLACE with the following:

WHEREAS, The Health Department's financial staff stated at the January 27, 2000 Legislature Health/Mental Health Committee meeting that the department does not need the revenue budgeted in the year 2000 from the fees, and that the reduction of that revenue would not adversely affect the department in any way,

DELETE, in its entirety, the second RESOLVE clause, and REPLACE with the following:

RESOLVED, That this Honorable Body does therefore direct the Director of Budget, Management and Finance and the Commissioner of the Department of Health to reduce the cost per copy of Medical Examiner Autopsy/Toxicology reports to \$5, effective immediately upon passage of this resolution, and be it further

DELETE, in its entirety, the FISCAL IMPACT statement, and REPLACE with the following:

Fiscal Impact: Reduction of Medical Examiner/Toxicology report fee from \$35 per copy to \$5 per copy would result in a decrease of approximately \$12,000 in revenue for FY2000, which will not adversely affect the Department of Health in any way.

MR. RANZENHOFER moved to amend the amendment to include et al sponsorship. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

LEGISLATORS RESOLUTIONS

Item 14 – CAIRMAN SWANICK directed that the following resolution be referred to the PUBLIC SAFETY COMMITTEE.

GRANTED.

Intro. 3-1 From LEGISLATORS RANZENHOFER, CHASE, GREENAN, WEINSTEIN, MARSHALL & LARSON Re: Support for Permanent Revocation of a Driver's License for Certain Alcohol or Drug Related Offenses.

Item 15 – CHAIRMAN SWANICK directed that the following resolution be referred to the PUBLIC SAFETY COMMITTEE.

GRANTED.

Intro. 3-2 From LEGISLATORS RANZENHOFER, CHASE, WEINSTEIN, MARSHALL & LARSON Re: Support for Lowering the Per Se Intoxication Level From 10 Percent to .08 Percent Blood Alcohol Content.

Item 16 – CHAIRMAN SWANICK directed that the following resolution be referred to the PUBLIC SAFETY COMMITTEE.

GRANTED.

Intro. 3-3 From LEGISLATORS RANZENHOFER, CHASE, GREENAN, WEINSTEIN, MARSHALL & LARSON Re: Support for an Act to Amend the Penal Law, in Response to Vehicular Manslaughter in the First Degree and Vehicular Assault in First Degree.

Item 17 – CHAIRMAN SWANICK directed that the following resolution be referred to the PERSONNEL AD HOC COMMITTEE.

GRANTED.

Intro. 3-4 From LEGISLATORS RANZENHOFER, GREENAN, WEINSTEIN, CHASE, MARSHALL & LARSON Re: Appointments of the Legislature.

Item 18 – MS. PEOPLES presented the following resolution and moved for immediate consideration. MR. DeBENEDETTI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 30

Re: Brant-Evans Agricultural
District Nos. 1 & 2 (Erie County #9
& #10) 8-Year Review. (Intro. 3-5)

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

WHEREAS, the Erie County Legislature has received notification of the eight-year review requirement of the Brant-Evans Agricultural Districts, Nos. 1 and 2 (Erie County #9 and #10), which were created in 1976 and recertified every 8 years thereafter, and

WHEREAS, a copy of this Agricultural District map is on file in the County Clerk's office and the Brant, Evans and North Collins Town Halls,

NOW, THEREFORE, BE IT

RESOLVED, that the Clerk of the Legislature be directed to publish a public notice in a newspaper having general circulation within the area of the above agricultural districts, that notice be posted in at least five conspicuous places within the districts, and that notice also be sent to the affected municipalities, being the Towns of Brant, Evans and North Collins, and be it further

RESOLVED, that after this 30 day period, the Legislature directs the Clerk to refer the Brant-Evans Agricultural Districts to the Erie County Department of Environment and Planning and the Agricultural and Farmland Protection Board for a report and recommendations, and be it further

RESOLVED, that a certified copy of this resolution be sent to the Erie County Department of Environment and Planning (Chet C. Jandzinski) and the Towns of Brant, Evans and North Collins.

FISCAL IMPACT: None.

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

CARRIED UNANIMOUSLY.

Item 19 – CHAIRMAN SWANICK directed that the following resolution be referred to the PUBLIC SAFETY COMMITTEE.

GRANTED.

Intro. 3-6 From LEGISLATOR PEOPLES Re: Supporting President Clinton's Five Point Crime Control Initiative.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 31

Re: Examining the Quality of
Medical Care in the Erie County
Health System. (Intro. 3-7)

A RESOLUTION SUBMITTED BY LEGISLATOR FISHER

WHEREAS, the County of Erie provides various health services and programs through the Health Department, and

WHEREAS, the County also supports the operation of the area's only public hospital, Erie County Medical Center (ECMC), and

WHEREAS, the Institute of Medicine recently released a report estimating that 98,000 patients are killed every year due to mistakes in American hospitals, and

WHEREAS, although the possibility of human error may always be present in the medical world every precaution should be taken to ensure the safest possible delivery of medical services,

NOW, THEREFORE, BE IT

RESOLVED, the Erie County Legislature does hereby reaffirm its belief that Erie County residents have a right to quality, safe health care, and be it further

RESOLVED, that this Honorable Body further wishes to ensure the safest possible delivery of County health services, and be it further

RESOLVED, that this Honorable Body requests the presence of Paul Candino, Chief Executive Officer of ECMC and Dr. Arnold Lubin, M.D. Erie County Health Commissioner to a future meeting of the Legislature's Health/Mental Health Committee to examine the issue of medical quality, and be it further

RESOLVED, that certified copies of this resolution be forwarded to Erie County Executive Joel Giambra, Erie County Health Commissioner Dr. Arnold Lubin, M.D., and to ECMC Chief Executive Officer Paul Candino.

Fiscal Impact: None for resolution.

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

CARRIED UNANIMOUSLY.

Item 21 – MS. FISHER presented the following resolution and moved for immediate consideration. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 32

Re: Funding for Neighborhood
Libraries. (Intro. 3-8)

A RESOLUTION SUBMITTED BY
LEGISLATOR FISHER

WHEREAS, the Buffalo & Erie County Public Library has identified a shortfall in funding for drop boxes for the Fairfield and Crane Branch Libraries and Children's Spanish Language Materials for the Niagara Branch Library, and will require additional funds, 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 \$6,000 from the General Fund, Legislature, Contractual Expense (DAC: 110905100830) to General Fund , Interfund Transfers, Interfund-Library (DAC 1109253208864200), and be it further

RESOLVED, that the Erie County Library Budget is hereby amended, to increase the following accounts: Interfund-Subsidy revenue (DAC 8209734206863200) \$6,000; Erie County Library Buildings & Grounds Equipment (DAC 820973420931) \$4,000 and Library Materials (DAC 820973420938) \$2,000, and be it further

RESOLVED, that the Clerk of the Legislature, the Director of the Division of Budget, Management & Finance, and the Director of the Buffalo & Erie County Public Library, 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 Joseph A. Passfiume, Jennifer Anger – Administrative Assistant Erie County Legislature, First Assistant County Attorney Susannah Bochenek and one copy to Diane Crisman, Director, Buffalo & Erie County Public Library.

Fiscal Impact: Appropriation of 2000-budgeted funds.

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

CARRIED UNANIMOUSLY.

Item 22 – MR. FITZPATRICK presented the following resolution and moved for immediate consideration. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 33

Re: Funding for Community Organizations. (Intro. 3-9)

A RESOLUTION SUBMITTED BY
LEGISLATOR FITZPATRICK

WHEREAS, the Legislature set aside funds in the 2000 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 \$17,500 from the legislative contractual (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>OLD</u> <u>AMOUNT</u>	<u>+/-</u>	<u>NEW</u> <u>AMOUNT</u>
SOUTH BUFFALO COMMUNITY ASSOCIATION	830/0321	\$57,000	\$17,500	\$74,500
TOTAL			\$17,500	

and be it further

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$1,000 from the legislative contractual (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>OLD</u> <u>AMOUNT</u>	<u>+/-</u>	<u>NEW</u> <u>AMOUNT</u>
IRON ISLAND PRESERVATION SOCIETY OF LOVEJOY, INC.	830/0676	\$2,500	\$1,000	\$3,500
TOTAL			\$1,000	

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 Joseph A. Passfiume, Jennifer Anger – Administrative Assistant Erie County Legislature, First Assistant County Attorney Susannah Bochenek and one (1) copy to Richard McFail, Director of Administration, (South Buffalo Community Association, 2219 South Park Avenue, Buffalo, NY 14220) and Marge Thielman Hastreiter, Vice President (Iron Island Preservation Society of Lovejoy, Inc., 192 Benzinger Street, Buffalo, NY 14206.)

Fiscal Impact: Appropriation of 2000-budgeted funds.

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 34

Re: Support for Senate Bill (S.6200) to Increase Income Eligibility for Elderly Pharmaceuticals Insurance Coverage (EPIC) Program. (Intro. 3-10)

**A RESOLUTION SUBMITTED BY LEGISLATORS
RANZENHOFER, LARSON, CHASE, MARSHALL, WEINSTEIN, and GREENAN**

WHEREAS, for the past 12 years the Elderly Pharmaceuticals Insurance Coverage (EPIC) program has provided low income seniors with affordable prescription drug coverage, and

WHEREAS, currently, participation in the EPIC program is restricted to individuals with annual incomes below \$18,500 and couples below \$24,400, and

WHEREAS, between 1992 and 1997, prescription drug costs have risen 11 percent each year placing a tremendous financial burden on our elderly population, and

WHEREAS, New York State Senate Bill S.6200 proposes to increase the income eligibility for the EPIC program to up to \$35,000 a year for individual seniors and up to \$50,000 a year for senior couples, and

WHEREAS, this legislation would allow twice as many seniors to enroll in the EPIC program and reduce the average out of pocket expense for prescriptions by an average of 22 percent per year for current members,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does seek to help ease the financial burden placed on low and moderate income seniors by rising pharmaceutical costs, and be it further

RESOLVED, that this Honorable Body does hereby memorialize the New York State Legislature to approve and Governor George E. Pataki to sign into law Senate Bill S.6200, providing for increased income eligibility for the Elderly Pharmaceuticals Insurance Coverage (EPIC) program, and be it further

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

Fiscal Impact: None to County

MS. PEOPLES moved to amend the resolution to include et al sponsorship. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

MR. MARSHALL moved to amend the resolution to attach Senate Bill S.6200. MS. CHASE seconded.

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

Item 24 – CHAIRMAN SWANICK directed that the following resolution be referred to the SOCIAL SERVICES COMMITTEE.

GRANTED.

Intro. 3-11 From LEGISLATORS CHASE & FISHER Re: Support for Senate Bill to License Social Workers in New York State (S.2990-D).

Item 25 – CHAIRMAN SWANICK directed that the following resolution be referred to the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Intro. 3-12 From LEGISLATOR SWANICK Re: Naming the County’s New Courthouse the “Erie County Family Court Building.”

MS. PEOPLES moved to amend the resolution by adding Legislator Marinelli as a co-sponsor. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

Item 26 – CHAIRMAN SWANICK directed that the following resolution be referred to the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Intro. 3-13 From THE DEMOCRATIC MAJORITY Re: Funding for Labor Day Parade.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 35

Re: Transfer of Funding for
a Community Organization.
(Intro. 3-14)

A RESOLUTION SUBMITTED BY
LEGISLATOR WEINSTEIN

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$1,000 within 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>OLD AMOUNT</u>	<u>+/-</u>	<u>NEW AMOUNT</u>
AMHERST CHAMBER OF COMMERCE	830/	\$1,000	(\$1,000)	-0-
AMHERST COMMUNITY FOUNDATION	830/	-0-	\$1,000	\$1,000
	TOTAL	-0-		

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 Joseph A. Passfiume, Jennifer Anger – Administrative Assistant Erie County Legislature, First Assistant County Attorney Susannah Bochenek and one (1) copy to Lyn Stockman, Amherst Chamber of Commerce (325 Essjay Road, Suite 200, Williamsville, NY 14221.)

Fiscal Impact: Re-appropriation of 1999-budgeted funds.

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

CARRIED UNANIMOUSLY.

DELETE THE RESOLUTION IN ITS ENTIRETY AND REPLACE WITH THE FOLLOWING:

WHEREAS, the Legislature set aside funds in the 1999 and 2000 Erie County Budgets 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 \$300 from the legislative contractual (DAC: 110905100830) to Fund 110, Project 921, Department 301 Agency Payments & Grants - Public Benefit Services, (DAC: 110921301830) in the 2000 budget, for paying the following agency:

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
Lake View Community Association	N/A	\$300
TOTAL		\$300

and be it further

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$1,000 within Fund 110, Project 921, Department 301 Agency Payments & Grants - Public Benefit Services, (DAC: 110921301830) in the 1999 budget, for paying the following agency:

<u>NAME</u>	<u>LINE</u>	<u>OLD</u> <u>AMOUNT</u>	<u>+/-</u>	<u>NEW</u> <u>AMOUNT</u>
Amherst Chamber Of Commerce	830/	\$1,000	(\$1,000)	-0-
Amherst Community Foundation	830/	-0-	\$1,000	\$1,000
TOTAL	-0-			

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 Joseph A. Passfiume, Jennifer Anger – Administrative Assistant Erie County Legislature, First Assistant County Attorney Susannah Bochenek and one (1) copy to Lyn Stockman, Amherst Chamber of Commerce (325 Essjay Road, Suite 200, Williamsville, NY 14221) and Mark Taylor, (Vice President, Lake View Athletics, PO Box 252, Lake View, NY 14085.)

Fiscal Impact: Re-appropriation of 1999-budgeted funds and Appropriation of 2000-budgeted funds.

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

CARRIED UNANIMOUSLY.

Item 28 – MR. OLMA presented the following resolution and moved for immediate consideration. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 36

Re: Funding for Library
Internet Access. (Intro. 3-15)

A RESOLUTION SUBMITTED BY
LEGISLATOR OLMA

WHEREAS, the Buffalo & Erie County Public Library has identified a shortfall in funding for computers and computer-internet access for the Cheektowaga Library, and will require additional funds, 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 \$4,000 from the General Fund, Legislature, Contractual Expense (DAC: 110905100830) to General Fund, Interfund Transfers, Interfund-Library (DAC 1109253208864200), and be it further

RESOLVED, that the Erie County Library budget is hereby amended, to increase the following accounts: Interfund-Subsidy revenue (DAC 8209734206863200) \$4,000 and Erie County Library Lab & Tech Equipment (DAC 820973420933) \$4,000, and be it further

RESOLVED, that the Clerk of the Legislature, the Director of the Division of Budget, Management & Finance, and the Director of the Buffalo & Erie County Public Library, 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 Joseph A. Passfiume, Jennifer Anger – Administrative Assistant Erie County Legislature, First Assistant County Attorney Susannah Bochenek and one copy to Diane Crisman, Director, Buffalo & Erie County Public Library. Fiscal Impact: Appropriation of 2000-budgeted funds.

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

CARRIED UNANIMOUSLY.

Item 29 – CHAIRMAN SWANICK directed that the following resolution be referred to the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Intro. 3-16 From LEGISLATORS HOLT & PEOPLES Re: Naming the County's New Courthouse the "Thurgood Marshall" Erie County Family Courthouse.

MR. HOLT moved to amend the resolution to add Legislators Fisher and Olma as co-sponsors. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 37

Re: Correction of 2000
Budget Resolution Number
18. (Intro. 3-17)

A RESOLUTION SUBMITTED BY
LEGISLATORS SWANICK & PEOPLES

WHEREAS, in late November, the Erie County Legislature adopted the 2000 Erie County Budget, and

WHEREAS, within the adopted county budget were resolutions intended to facilitate implementation of the budget, and

WHEREAS, one budget resolution, numbered 18, authorized the Commissioner of Public Works, subject to the approval of the County Legislature, to complete a specific list of road projects within FY 2000, and

WHEREAS, said resolution included several road projects completed within previous fiscal years, and

WHEREAS, the Department of Public Works – Division of Highways has forwarded to the Legislature the substance of its year 2000 road repair plan, and

WHEREAS, it would be in the public interest for the Legislature to amend 2000 budget resolution number 18 to include the correct citation of road projects for FY 2000,

NOW, THEREFORE, BE IT

RESOLVED, that 2000 Erie County Budget resolution number 18 is hereby deleted and replaced with the following resolution:

“RESOLVED, that the Commissioner of Public Works is hereby authorized, subject to the prior approval of the County Legislature, to complete the following list of road projects for the 2000 fiscal year:

TEA 21

<u>ROAD</u>	<u>SEGMENT</u>	<u>MILES</u>	<u>TOWN</u>
Abbott	20A to Milestrip	1.29	Orchard Park
Seneca	Ridge to Transit	4.49	West Seneca
Hopkins	Tonawanda Creek to Dodge	3.10	Amherst
TOTAL		8.88	

BID OVERLAY

<u>ROAD</u>	<u>SEGMENT</u>	<u>MILES</u>	<u>TOWN</u>
Thorn	Rt. 20A to Rt. 277	0.90	Orchard Park
Mineral Springs	City Line to Indian Church	1.37	West Seneca
Clarence Center	Rt. 93 to Salt	4.55	Newstead
TOTAL		6.82	

IN HOUSE OVERLAY

<u>ROAD</u>	<u>SEGMENT</u>	<u>MILES</u>	<u>TOWN</u>
Long/Huth	West River to Stony Point	2.30	Grand Island
Baseline	E. River to Long	0.68	Grand Island
Shimerville	Wehrle to Sheridan (top only)	1.10	Clarence
Newhouse	Roll to Clarence Center (top only)	0.90	Clarence
Two Mile Creek	Kenmore to City Line	1.59	Tonawanda
Salt	County to Main	3.40	Clarence
Davison	Howe to Clarence Center	0.50	Clarence/Newstead
New	Dodge to County Line	3.48	Amherst
Cedar	Rt. 93 to Scotland	2.50	Newstead
Buckwheat	N. Millgrove to S. Newstead	1.75	Alden/Newstead

Westwood	Pavement to Sandridge	4.99	Lancaster/Alden
Rice	Rt. 16 to Girdle	3.60	Elma
Girdle	Top only	2.37	Elma
Pavement	Top only	4.50	Lancaster
Aero	Wehrle to Transit	1.50	Cheektowaga
Townline	Bullis to Broadway	3.57	Marilla/Alden/Elma/Lancaster
Feddick	Zimmerman to N. Boston	5.74	Boston
Milestrip	Reservation to Angola-Brant	2.30	Brant
Heltz	Lakeview to Pleasant	1.20	Hamburg
Taylor	E of Eckhardt to Town Line	0.90	Hamburg
Old Lakeshore	Sturgeon Pt. To Lake	2.96	Evans
Fisher	Abbott to Orchard Park	1.00	West Seneca
Bauer	Bley to Shadagee	2.25	Eden
East Eden	Haig to Eckhardt	4.20	Eden
Girdle	Jamison to Porterville	2.01	Elma/Aurora
Omphalius	Boston State to Lower East Hill	2.60	Boston
Creek/Hemstreet	Stolle to Porterville	2.91	Elma/Marilla
Scherff	Ward to Rt. 240 (top only)	2.30	Orchard Park
Darien	Boies to Lewis	1.70	Colden
Liberia	Two Rod to E. Blood	2.80	Marilla
Schang	Rt. 78 to County Line	3.10	Wales
Holland-Glenwood	Crump to Rt. 240	3.70	Colden
Genesee	New Oregon to Rt. 75	2.25	North Collins
Genesee	Sugar Shack to Pratham	2.00	Concord
Lone	Gowanda-Zoar to Foster	0.75	Collins
Brown	Rt. 75 to Rt. 39	2.90	Collins
Sharp	Genesee to Middle	1.40	Concord
Pratham	Genesee to Middle	1.50	Sardinia
Transitline	Genesee to Skyview	1.10	Concord
Moore	Genesee to Trevvett	2.60	Concord
Drake	Genesee to Skyview	1.35	Concord
Allen	Pratham to Domes	0.75	Sardinia
Collins Center-Zoar	Rt. 39 to Foster	0.30	Collins

TOTAL 97.30

OIL & CHIP

<u>ROAD</u>	<u>SEGMENT</u>	<u>MILES</u>	<u>TOWN</u>
Creekside	Niag. Falls Blvd. To Park	0.95	Tonawanda
New Oregon	Rt. 75 to Langford	4.25	Eden/N. Collins
S. Main	Cain to Lake	2.14	Evans
Lewis	Darien to Emery	2.50	Aurora/Colden
Hayes Hollow	Irish to Falls	3.00	Colden
Warner Hill	E. Creek to Vermont Hill	3.45	Wales
Crump	Center to Holland-Glenwood	2.60	Colden
Grover	Falls to Jewett-Holmwood	4.35	Aurora
West Falls	Mill to Falls	1.89	Aurora
Dutchtown	Rt. 16 to S. Protection	0.20	Sardinia
N. Protection	Olean to Savage	0.40	Holland
New Oregon	Langford to Woodside	4.60	North Collins/Collins
Zoar Valley	Foster to Groth	5.00	Collins
Ketchum	Shirley to Genesee	1.75	North Collins

Marshfield	Quaker to Ketchum	0.75	North Collins
Groth	Zoar Valley to Top Hill	0.50	Concord
Jennings	Rt. 249 to Genesee	2.50	North Collins
Gowanda-Zoar	Lone to Railroad	3.00	Collins
Scrabble Hill/Dupont	Becker to Becker	2.20	Collins
Concord	Morton's Corners to Spaulding	2.25	Concord
Trevett	Rt. 39 to Genesee	2.65	Concord
Matteson Corners	Savage to Warner Gulf	0.80	Concord
Summit	Genesee to Dead End	0.50	Concord
Pratham	Allen to Genesee	1.75	Concord
Allen	Pratham to Mehm	1.50	Sardinia
Snyder	Drake to Boston-Sp'ville	1.50	Concord
Genesee	Rt. 16 to County Line	0.75	Concord
Brown Hill	Rt. 219 to Trevett	1.00	Collins
TOTAL		58.73	

And be it further

RESOLVED, that any change in the aforementioned schedule of road repair projects enumerated above, including the addition or deletion of any road repair projects scheduled for in-house repairs or repairs through competitive bidding, shall require the authorization of the County Legislature, and be it further

RESOLVED, that certified copies of this resolution be sent to the County Executive, the Commissioner of Public Works, the Deputy Commissioner of Public Works – Highways and the County Attorney.”

Fiscal Impact: Authorization of Road Repairs Funded in 2000 Budget.

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

CARRIED UNANIMOUSLY.

DELETE in the second RESOLVE clause the sixth street under IN HOUSE OVERLAY and REPLACE with the following:

<u>ROAD</u>	<u>SEGMENT</u>	<u>MILES</u>	<u>TOWN</u>
Salt	County to Tonawanda Creek	3.3	Clarence

DELETE in the second RESOLVE clause the ninth street under IN HOUSE OVERLAY and REPLACE with the following:

<u>ROAD</u>	<u>SEGMENT</u>	<u>MILES</u>	<u>TOWN</u>
Cedar	Rt. 93 to County Line	2.54	Newstead

MR. RANZENHOFER moved to amend the resolution to include ET AL Sponsorship. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

Item 31 – MR. DUSZA presented the following resolution and moved for immediate consideration. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 38

Re: Transfer of 1999 Funds.
(Intro. 3 -18)

A RESOLUTION SUBMITTED BY
LEGISLATOR DUSZA

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$1,500 within 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>OLD</u> <u>AMOUNT</u>	<u>+/-</u>	<u>NEW</u> <u>AMOUNT</u>
Msgr. James A. Healy Foundation, Inc.	N/A	\$1,500	(\$1,500)	\$-0-
Neighborhood Information Center Inc.	830/0741	\$-0-	\$1,500	\$1,500
TOTAL			\$-0-	

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 Joseph A. Passfiume, Jennifer Anger – Administrative Assistant Erie County Legislature, First Assistant County Attorney Susannah

Bochenek and one (1) copy to Stanley Wrobel, Executive Director, (Neighborhood Information Center, Inc., 1170 Broadway, Buffalo, NY 14212.)

Fiscal Impact: Re-appropriation of 1999-budgeted funds

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

CARRIED UNANIMOUSLY.

Item 32 – CHAIRMAN SWANICK directed that the following resolution be referred to the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Intro. 3-19 From LEGISLATORS WEINSTEIN & RANZENHOFER Re: Forming of Task Group to Name the New Erie County Courthouse.

Item 33 – CHAIRMAN SWANICK directed that the following resolution be referred to the HEALTH COMMITTEE.

GRANTED.

Intro. 3-20 From LEGISLATOR WEINSTEIN Re: Calling for the Erie County Medical Center to Comply with New OSHA Directives and Use Modern Anti - Needstick Medical Technology.

Item 34 – MR. KUWIK presented the following resolution and moved for immediate consideration. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 39

Re: Update on Conditions at
Youth Detention Facility.
(Intro. 3-21)

A RESOLUTION SUBMITTED BY
LEGISLATORS HOLT, KUWIK, SWANICK, DUSZA, OLMA, and DeBENEDETTI

WHEREAS, Erie County has a youth detention facility designed to house youth in need of supervision either for criminal or severe behavioral problems, and

WHEREAS, the 59-bed facility which holds youth under secure or non-secure conditions often exceeds and has at times nearly doubled its intended capacity, and

WHEREAS, although incidence of runaways have declined from 10 in 1995 to 4 in 1999 the runaway problem still exists, and

WHEREAS, the facility, located on East Ferry Street, has deteriorating conditions resulting in operation under a month-by-month permit rather than an annual State accreditation, and

WHEREAS, detention center staff have report being overworked leading to twice the amount of overtime costs originally projected in the 1999 budget,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature believes the safety and well-being of the youth and staff at the Erie County youth detention facility is of paramount importance, and be it further

RESOLVED, that this Honorable Body does hereby request the attendance of Youth Services Commissioner James B. Ward, Jr. and Deputy Commissioner of Detention Richard T. Nelson to a future meeting of the Legislature's Public Safety Committee to further discuss the conditions at Erie County's Youth Detention Facility, and be it further

RESOLVED, that certified copies of this resolution be forwarded to Erie County Executive Joel Giambra, Erie County Youth Department Commissioner James B. Ward, Jr., and to Deputy Commissioner of Detention Richard T. Nelson.

Fiscal Impact: None for resolution.

MS. PEOPLES moved to amend the resolution by adding Legislators WEINSTEIN, RANZENHOFER, MARSHALL AND GREENAN as co-sponsors. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

Item 35 – MS. PEOPLES presented the following resolution and moved for immediate consideration. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 40

Re: Funding for Children's
Place of Buffalo & Erie
County. (Intro. 3-22)

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

WHEREAS, the Children's Place of Buffalo and Erie County is a non-profit daycare facility founded in 1985, and

WHEREAS, since it opened the Children's Place has provided quality child care services to approximately 500 Erie County families, and

WHEREAS, the Children's Place provides affordable care with scaled tuition based on the parents' salary, and

WHEREAS, the Children's Place is in need of funding to purchase equipment for the daycare facility, and

WHEREAS, the Legislature set aside funds in the 2000 Erie County Budget for use by worthy community organizations and governmental agencies, and

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

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

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$5,000 from the legislative contractual (DAC: 110905100830) 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>
The Children's Place of Buffalo & Erie County	830/	\$5,000
TOTAL		\$5,000

and be it further

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

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

RESOLVED, that certified copies of this resolution be sent to County Executive Joel A. Giambra, County Comptroller Nancy A. Naples, Budget Joseph A. Passfiume, Jennifer Anger – Administrative Assistant Erie County Legislature, First Assistant County Attorney Susannah Bochenek and one (1) copy to Cathy VanGalio, Director, (The Children’s Place of Buffalo & Erie County, 25 Delaware Avenue, Buffalo, NY 14202.)

Fiscal Impact: Appropriation of 2000-budgeted funds.

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 41

Re: Urging the State
Attorney General to
Investigate the Cause of
Increasing Diesel Fuel Costs.
(Intro. 3-23)

A RESOLUTION SUBMITTED BY
LEGISLATORS SWANICK, PEOPLES, KUWIK, FITZPATRICK, HOLT,
PAULY, & DeBENEDETTI,

WHEREAS, the recent, exponential rise in the price of diesel fuel has begun to take its toll on the Northeastern United States, forcing truck operators and those that use heating oil to make tough choices; in effect balancing the desire to conserve their use of fuel with the need to stay warm, carry on with business, and not lose money, and

WHEREAS, since January 20, 2000, the price of diesel fuel has risen more than 40%, while the cost of heating oil has skyrocketed to an increase of 50% within the last two weeks in parts of the Northeast, and

WHEREAS, figures released from the New York State Motor Truck Association, Inc. indicate that from January 20th to January 24th, the price of diesel fuel in the Northeastern U.S. has leapt to \$2.059 from just \$1.449 per gallon, and

WHEREAS, although local petroleum distributors cited two factors for soaring prices; the incredible cold that has gripped several Northeastern states, including New York and speculation that the Organization of Petroleum Exporting Countries will further production cuts that curtail crude supplies, suspicion remains as to whether or not fuel companies are raising prices more than is necessary or sensible, and

WHEREAS, truck operators and those who use heating oil have become understandably concerned about the rise in prices generating \$300 million in emergency heating funds for poor families and causing a 60-cent-per-gallon increase within just a few days,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby express its concern regarding the recent, sharp increases in fuel prices taking place in this state and in parts of the Northeast; and be it further

RESOLVED, that this Honorable Body urges State Attorney General Eliot Spitzer to investigate the causes of soaring diesel fuel prices and put an end to any possible inequitable practices that may be taking place; and be it further

RESOLVED, that certified copies of this resolution be forwarded to New York State Governor George E. Pataki, State Senate Majority Leader Joseph Bruno, Assembly Speaker Sheldon Silver, the Western New York delegation of the New York State Legislature, State Attorney General Eliot Spitzer, and G. Joyce, Jr., President of the New York State Motor Truck Association, Inc.

Fiscal Impact: None for resolution.

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

CARRIED UNANIMOUSLY.

1. ADD the following after the 2nd WHEREAS clause:

WHEREAS, while the cost of natural gas has remained the same, home heating oil prices have increased 58% just in the last year to reach an all-time high, surpassing even the high prices brought on by the Arab oil embargo of the 1970s, and

WHEREAS, an alarming number of cases of possibly unnecessary and excessive price increases relative to gains in home heating oil reported to the Consumer Protection Board within a 13 day period, totaling close to 200, has alerted lawmakers to potentially questionable increases in price, and

MS. PEOPLES moved to amend the resolution to include ET AL Sponsorship. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 42

Re: In Support of Pharmacy
Choice Law. (Intro. 3-24)

A RESOLUTION SUBMITTED BY
LEGISLATORS SWANICK, KUWIK, HOLT, FITZPATRICK, OLMA, DUZA
DeBENEDETTI, & PAULY

WHEREAS, the inequitable policy recently promoted by Blue Cross & Blue Shield of Western New York (BCBSWNY) requires that prescriptions be filled by an exclusive and limited number of pharmacies, and

WHEREAS, subsequently and because of this policy, BCBSWNY has been a subject of public discontent, creating new obstacles for those in need of prescriptions filled, and

WHEREAS, neighborhood pharmacies in the past did provide the public a service, especially to disabled persons, senior citizens, and those otherwise unable to drive a great distance to fill a prescription, and

WHEREAS, under new guidelines proscribed by BCBSWNY, many small, neighborhood and independently owned pharmacies no longer qualify for insurance coverage, and

WHEREAS, in accordance with a bill proposed last year by State Senators Maziarz and Nanula, Assemblyman Tokasz has sponsored legislation that would deny health insurance coverage providers the right to withhold reimbursements to registered pharmacies whose pharmaceutical products are not approved by the insurer, and

WHEREAS, existing Assembly bill A. 5906 would promote equity in competition among pharmacies, amending sections of the Insurance Law to preclude the fund, employer or union from rejecting pharmacies for reimbursement that are willing to meet minimum standards for participation, and

WHEREAS, this legislation is consumer-friendly, guaranteeing freedom to choose which pharmacy is best suited to an individual's needs,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature has previously and emphatically communicated its displeasure with Blue Cross and Blue Shield's new and restrictive regulations concerning its prescription drug program; and be it further

RESOLVED, that this Honorable Body does hereby announce its support for the amendments to the Insurance Law as recommended by Assemblyman Tokasz; and be it further

RESOLVED, that the Erie County Legislature again memorializes the New York State Legislature and Governor Pataki to enact any bill with the aforementioned characteristics, including prohibiting health insurers from excluding pharmacies willing to abide by certain basic standards set forth by the insurance company; and be it further

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

Fiscal Impact: None for resolution.

MS. PEOPLES moved to amend the resolution to include ET AL Sponsorship. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 43

Re: Urging NYS to Adopt
Leg. that Holds Counties
Harmless for HCRA Costs.
(Intro. 3-25)

A RESOLUTION SUBMITTED BY LEGISLATORS SWANICK, PEOPLES, KUWIK,
DUSZA, OLMA, DeBENEDETTI, GREENAN, CHASE, MARSHALL, WEINSTEIN,
RANZENHOFER AND LARSON

WHEREAS, New York State has enacted the Health Care Reform Act (HCRA 2000) which establishes a Family Health Plus program which will provide health coverage to nearly one million uninsured state residents, and

WHEREAS, access to quality, affordable health care should be available to all American families, and

WHEREAS, unanimous approval of Intro. 1-1 and Intro. 2-2 demonstrates the Erie County Legislature strong, united support for fully State funded HCRA 2000 legislation, and

WHEREAS, as written now the HCRA 2000 legislation mandates New York's counties to pay for 25 percent of the costs associated with HCRA, resulting in another unfunded state mandate, costing Erie County taxpayers more than \$12 million annually by 2003, and

WHEREAS, the impact of such costs could be devastating to Erie County taxpayers, effectively eliminating the County's share of the tobacco settlement, already earmarked for debt reduction and tax relief, and

WHEREAS, cigarette tax and fund surpluses provide New York State with the means and ability to pay for such a worthy program, and

WHEREAS, Democrats and Republicans in the State Assembly and Senate have announced new legislation that eliminates the 25 percent cost to counties holding New York State counties harmless for the costs associated with the HCRA 2000/Family Health Plus Program, and

WHEREAS, Senate bill S6201 and Assembly bill A9409 are similar forms of legislation which provide for the payment of all expenses of the Family Health Plus program by the State,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature reaffirms its belief that all citizens of Erie County and New York State deserve access to quality, affordable health care, and be it further

RESOLVED, that this Honorable Body commends State lawmakers for their bi-partisan support of legislation that lifts the unfunded State mandate associated with HCRA 2000, a cost which would have been devastating to Erie County taxpayers, and be it further

RESOLVED, that this Honorable Body calls upon members of the Senate and Assembly to recognize the importance of adopting legislation that hold counties harmless for the costs associated with HCRA 2000 by working out their differences between S6201 and A9409 in conference and adopting legislation acceptable by both the Senate and Assembly, and be it further

RESOLVED, that this Honorable Body further calls upon Governor Pataki to also understand the importance of legislation that holds counties harmless for the costs associated with HCRA 2000 and sign said legislation into law, and be it further

RESOLVED, that certified copies of this resolution be forwarded to Governor George E. Pataki, Senate Majority Leader Joseph Bruno, Assembly Speaker Sheldon Silver, County Executive Joel Giambra, ECMC Board of Directors, the New York State Association of Counties and the entire Western New York delegation of the New York State Assembly and Senate.

Fiscal Impact: Positive for Erie County taxpayers.

MS. PEOPLES moved to amend the resolution to include ET AL Sponsorship. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

COMMUNICATIONS DISCHARGED FROM COMMITTEE

Item 39 – MR. DeBENEDETTI moved to discharge the ENERGY & ENVIRONMENT COMMITTEE from further consideration of Comm. 2E-29. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 44

Re: Department of Parks, Recreation
& Forestry State Aid for
Snowmobile Development, 1999-
2000.

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 1999 - 2000 snowmobile season in an amount not to exceed \$59,604, and

WHEREAS, the sum of \$1,000 is budgeted as a state revenue for snowmobile development in the 2000 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

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 \$59,604 as pertains to snowmobile trail maintenance performed during the 1999-2000 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 \$56,084 for the

purpose of snowmobile trail maintenance on club trails during the 1999-2000 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.	\$ 4,160
Eden Trail Blazers Inc.	\$ 2,880
Grand Island Snowmobile Club Inc.	\$ 4,160
Hamburg Snowmobile Club Inc.	\$ 5,800
Holland Sno-Rascals Inc..	\$ 2,540
Marilla Sno-Mob Inc..	\$ 6,640
Northern Erie Snowseekers Inc.	\$ 9,144
Pioneer Sno-Surfers Inc	\$ 3,160
Southern Tier Snowdrifters Inc..	\$ 8,960
W.N.Y. Snowmobile Club of Boston Inc.	\$ 8,640
.....	\$56,084

and be it further

RESOLVED, that the Erie County Legislature hereby approves the appropriation of anticipated state aid revenue in the Division of Parks, fund 110, project 942, dept. 640, account 553, in the amount of \$56,084, and an increase in appropriations in the amount of \$56,084 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 Director of Budget and Management, the Commissioner of the Department of Environment and Planning, the County Comptroller and the Commissioner of the Department of Parks, Recreation and Forestry.

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

CARRIED UNANIMOUSLY.

Item 40 – MR. KUWIK moved to discharge the PUBLIC SAFETY COMMITTEE from further consideration of Comm. 2E-5. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 45

Re: Central Police Services – Police Academy Authorization to Lease.

WHEREAS, the Erie County Department of Central Police Services operates the Police Training Academy, and

WHEREAS, the County wishes to lease space for the Academy at its current site, the Advanced Training Center, formerly funded through Erie Community College,

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into a three year lease agreement with the Advanced Training Center of Buffalo and Erie County Inc. to provide space for the Department of Central Police Services Police Training Academy, and be it further

RESOLVED, that said lease shall provide 7,304 square feet of space at 275 Oak Street, Buffalo, New York with a base rate of \$95,000 for January 1, 2000 through December 31, 2000, and said lease shall be paid through available funds in account 822 - rental charges, in the Department of Central Police Services' 2000 budget, and be it further

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

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

CARRIED UNANIMOUSLY.

DELETE THE RESOLUTION IN ITS ENTIRETY AND REPLACE WITH THE FOLLOWING:

WHEREAS, the Erie County Department of Central Police Services operates the Police Training Academy, and

WHEREAS, the County wishes to lease space for the Academy at its current site, the Advanced Training Center, formerly funded through Erie Community College,

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into a three year lease agreement with the Advanced Training Center of Buffalo and Erie County Inc. to provide space for the Department of Central Police Services Police Training Academy, and be it further

RESOLVED, that said lease shall provide 7,304 square feet of space at 275 Oak Street, Buffalo, New York with a base rate of \$95,000 for January 1, 2000 through December 31, 2000, and said lease shall be paid through available funds in account 822 – rental charges, in the Department of Central Police Services' 2000 budget, and be it further

RESOLVED, that authorization is also provided to enter into contract for said lease in the second and third year, as per the terms of the agreement which provide for increases based on the Consumer Price Index for All Urban Consumers from the United States Department of Labor, and be it further

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

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

CARRIED UNANIMOUSLY.

SUSPENSION OF THE RULES

Item 41 – MR. KUWIK moved for a suspension of the rules to include an item not on the agenda. MS. PEOPLES seconded.

GRANTED.

RESOLUTION NO. 46

Re: Office of Traffic Safety –
Budget Adjustment. (Comm.
3E-33)

RESOLVED, that authorization is hereby provided to make the following budgetary adjustments in the Grant Fund for the Office of Traffic Safety:

Office of Traffic Safety
Project 311
October 1, 2000 - September 30, 2001

	<u>Current</u> <u>Budget</u>	<u>Amt. Change</u>	<u>Adjusted</u> <u>Budget</u>
<u>Revenue</u>			
Acct. 686 - Interfund County Executive	\$5,050	(\$5,050)	\$0

<u>Appropriation</u>			
Acct. 826 - Other Expense	\$11,288	(\$5,050)	\$6,238

Project 172
October 1, 1999 - September 30, 2000

<u>Revenue</u>			
Acct. 686 - Interfund County Executive	0	\$5,050	\$5,050
<u>Appropriation</u>			
Acct. 826 - Other Expense	\$10,333	\$5,050	\$15,383

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 Office of Traffic Safety.

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

CARRIED UNANIMOUSLY.

Item 42 – MS. PEOPLES moved for a suspension of the rules to include an item not on the agenda. MS. FISHER seconded.

GRANTED.

RESOLUTION NO. 47

Re: Lease Agreement for
Legislative Office Space.
(Comm. 3E-34)

RESOLVED, that the County Executive is hereby authorized to sign a One (1) Year Lease Agreement between George P. Harrigan, owner of The Lemman Group of Real Estate Services as agent of the owner 1045 Oak Street Jacksonville, Florida 32204 and Erie County for Legislative Office Space for Erie County Legislator Gregory Olma at a cost of \$560.00 per month.

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

CARRIED UNANIMOUSLY.

Item 43 - MS. PEOPLES moved for a suspension of the rules to include an item not on the agenda.

GRANTED.

Intro. 3-26 From LEGISLATORS SWANICK, PEOPLES, KUWIK, FITZPATRICK, HOLT, FISHER, DeBENEDETTI AND DUSZA Re: Opposing NYS Thruway Authority Plan to Raise Thruway Tolls.

CHAIRMAN SWANICK directed that Intro. 3-26 be referred to the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

COMMUNICATIONS FROM ELECTED OFFICIALS

FROM LEGISLATOR MARSHALL

Item 44 - (Comm. 3E-1) Minority's Appointment to Audit Committee for Erie County.

Received, filed and printed.

January 19, 2000

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

Dear Madam Clerk:

Please be advised that I will serve as the Minority's appointment to the Audit Committee for Erie County.

Yours truly,

Frederick J. Marshall
Minority Leader
Legislator- 13th District

FROM CHAIRMAN SWANICK

Item 45 – (Comm. 3E-2) 2000 Committee Assignments.

Received, filed and printed.

January 20, 2000

2000 COMMITTEE ASSIGNMENTS

COMMUNITY ENRICHMENT

Chair: Lynn M. Marinelli
V. Chair: Judith P. Fisher
Members: George A. Holt, Jr.
William A. Pauly
Dale W. Larson

Clerk: *Brad Rybczynski*

ECONOMIC DEVELOPMENT

Chair: Michael A. Fitzpatrick

GOVERNMENT AFFAIRS

Chair: Raymond K. Dusza
V. Chair: Judith P. Fisher
Members: Lynn M. Marinelli
John W. Greenan
Frederick J. Marshall

Clerk: *Kimberly Conidi*

HEALTH/MENTAL HEALTH

Chair: Judith P. Fisher

V. Chair: George A. Holt, Jr.
Members: Edward J. Kuwik
Michael H. Ranzenhofer
John W. Greenan
Clerk: *Jeremy Rosen*

V. Chair: Crystal D. Peoples
Members: George A. Holt, Jr.
William A. Pauly
Barry A. Weinstein
Clerk: *Robert Graber*

ENERGY & ENVIRONMENT

Chair: Albert DeBenedetti
V. Chair: Edward J. Kuwik
Members: Raymond K. Dusza
William A. Pauly
John W. Greenan
Clerk: *Patrick Foster*

PERSONNEL AD HOC

Chair: Charles M. Swanick
V. Chair: Albert DeBenedetti
Members: Edward J. Kuwik
William A. Pauly
John W. Greenan
Clerk: *Kimberly Conidi*

FINANCE & MANAGEMENT

Chair: Crystal D. Peoples
V. Chair: Edward J. Kuwik
Members: Michael A. Fitzpatrick
Michael H. Ranzenhofer
Dale W. Larson
Clerk: *Stephen Hicks*

PUBLIC SAFETY

Chair: Edward J. Kuwik
V. Chair: Raymond K. Dusza
Members: Lynn M. Marinelli
Dale W. Larson
Jeanne Z. Chase
Clerk: *Jeremy Rosen*

REGIONALISM AD HOC

Chair: William A. Pauly
V. Chair: Crystal D. Peoples
Members: Albert DeBenedetti
Barry A. Weinstein
Jeanne Z. Chase
Clerk: *Tod Kniazuk*

SOCIAL SERVICES

Chair: George A. Holt, Jr.
V. Chair: Gregory B. Olma
Members: Judith P. Fisher
Jeanne Z. Chase
Frederick J. Marshall
Clerk: *Patrick Foster*

Charles M. Swanick, Chairman

FROM THE COUNTY EXECUTIVE

Item 46 – (Comm. 3E-3) Appointment of Michael Weiner as Commissioner of Mental Health.

Received and referred to the PERSONNEL AD HOC COMMITTEE.

Item 47 – (Comm. 3E-4) Appointment of Pamela Krawczyk as Commissioner of Senior Services.

Received, filed and printed.

January 19, 2000

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

Re: Appointment of Pamela Krawczyk

Dear Honorable Members:

In accordance with section 11-E-01 of the Erie County Charter, I hereby appoint Pamela Krawczyk of Buffalo, New York as Commissioner of Senior Services effective February 1, 2000.

Pamela Krawczyk has both the education and previous experience to ably perform the duties and responsibilities of this position. In accordance with section 3.09(e) of the Erie County Administrative Code, I hereby certify the necessity of filling this position.

As you are aware, the Erie County Legislature is not required to approve this appointment. Nevertheless, I wanted to keep you informed of our activity concerning this important position.

Very truly yours,

Joel A. Giambra
Erie County Executive

Item 48 – (Comm. 3E-5) Appointment of Joseph X. Martin as Director of Purchasing.

Received, filed and printed.

January 19, 2000

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

Re: Appointment of Joseph X. Martin

Dear Honorable Members:

In accordance with section 306 of the Erie County Charter and section 3.06 of the Erie County Administrative Code, I hereby appoint Joseph X. Martin of West Seneca, New York as Director of Purchasing effective January 10, 2000.

Joseph X. Martin possesses both the education and previous experience to ably perform the duties of this position. In accordance with section 3.09 (e) of the Erie County Administrative Code, I hereby certify the necessity of filling this position.

As you know, the Erie County Legislature is not required to approve this appointment. Nevertheless, I wanted to keep you informed of our activity concerning this important position.

Very truly yours,

Joel A. Giambra
Erie County Executive

Item 49 – (Comm. 3E-6) Appointment of Kevin J. Helfer as Director of Contract Compliance.

Received and referred to the PERSONNEL AD HOC COMMITTEE.

FROM THE COMPTROLLER

Item 50 – (Comm. 3E-7) Interim Financial Report for 9 Months Ended 9/30/99.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE COUNTY EXECUTIVE

Item 51 – (Comm. 3E-8) Letter Urging Governor Pataki to Sign Into Law Senate Bill No. S. 6231 Re: Imposing Sales & Use Taxes by Erie County.

Received and filed.

FROM CHAIRMAN SWANICK

Item 52 – (Comm. 3E-9) Re-Appointments to EC Agricultural & Farmland Protection Board.

Received, filed and printed.

January 26, 2000

Ms. Laurie A. Manzella, Clerk
Erie County Legislature
25 Delaware Avenue, 7th Floor
Buffalo, NY 14202

Dear Ms. Manzella:

Please be advised that, pursuant to Section 302 of the New York State Agricultural District Law, Article 25-AA, I hereby re-appoint the following individuals to the Erie County Agricultural and Farmland Protection Board:

Bruce C. Luno, 9167 Mayo Road, Springville, NY 14141
Earl Gingerich, Jr., 4089 Four Rod Road, East Aurora, NY 14052

At the request of the Erie County Farm Bureau, Mr. Gingerich is being re-appointed as the Bureau's representative to the Board. The term of Messrs. Luno and Gingerich are to expire in March, 2004.

Sincerely,

CHARLES M. SWANICK
Chairman

CMS/ss

cc: Chet Jandzinski, ECDEP

FROM THE SHERIFF

Item 53 – (Comm. 3E-10) Sheriff – Unified Court Security – Personnel Adjustment.

Received and referred to the PERSONNEL AD HOC COMMITTEE.

FROM THE COUNTY EXECUTIVE

Item 54 – MS. PEOPLES presented the following resolution and moved for immediate consideration. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 48

Re: Extension of County's
One-Percent Sales Tax.
(Comm. 3E-11)

RESOLUTION
of the

Legislature of Erie County, amending the Erie County Sales and Use Tax Resolution which imposes taxes on sales and uses of tangible personal property and on certain services, and on occupancy of hotel rooms, admission charges and club dues, pursuant to Article 29 of the Tax Law of the State of New York, to continue the imposition of the additional 1% rate of tax, pursuant to Chapter 2 of the Laws of 2000.

Be it enacted by the Legislature of the County of Erie, as follows:

Section 1. The first sentence of section two of the Erie County Sales and Use Tax Resolution, being a resolution adopted by the Board of Supervisors of the County of Erie being Item 8 of Meeting Number 31, held July 27, 1965, Supervisors Proceedings, page 666, as amended, is amended to read as follows:

SECTION 2. Imposition of sales tax. On and after March first, nineteen hundred eighty-nine, there is hereby imposed and there shall be paid a tax of three percent upon, and for the period commencing March first, nineteen hundred eighty-nine and ending February [twenty-ninth, two thousand] twenty-eighth, two thousand one, there is hereby imposed and there shall be paid an additional tax of one percent upon:

Section 2. Subdivisions (h) and (i) of section three of the Erie County Sales and Use Tax Resolution, being a resolution adopted by the Board of Supervisors of the County of Erie being Item 8 of Meeting Number 31, held July 27, 1965, Supervisors Proceedings, page 666, as amended, are hereby amended to read as follows:

(h) With respect to the additional tax of 1 percent imposed for the period commencing March 1, 1989, and ending February [29, 2000] 28, 2001, the provisions of subdivisions (a), (b), (c), (d), (e), (f) and (g) of this section apply, except that for the purposes of this subdivision, all references in said subdivisions (a), (b), (d) and (e) to an effective date shall be read as referring to March 1, 1989, all references in said subdivision (a) to the date four months prior to the effective date shall be read as referring to November 1, 1988, and the reference in subdivision (b) to the date immediately preceding the effective date shall be read as referring to February 28, 1989.

Nothing herein shall be deemed to exempt from tax at the rate in effect prior to March 1, 1989, any transaction which may not be subject to the additional tax imposed effective on that date.

(i) The taxes imposed under subdivisions (a), (c) and (d) of Section 2 shall be paid at the rate of 3 percent upon all sales made and services rendered on or after March first, [two thousand] two thousand one. With respect to the tax rate of 3 percent effective March first, [two thousand] two thousand one, the provisions of subdivisions (b), (c), (d), (e) and (f) of this section apply, except that for the purposes of this subdivision, all references in said subdivisions (b), (c), (d) and (e) to an effective date shall be read as referring to March first, [two thousand] two thousand one, and the reference in subdivision (b) to the date immediately preceding the effective date shall be read as referring to February [twenty-nine, two thousand] twenty-eight, two thousand one. Nothing herein shall be deemed to exempt from tax at the rate in effect prior to March first, [two thousand] two thousand one any transaction which may not be subject to the lowered tax rate in effect on that date.

Section 3. Section four of the Erie County Sales and Use Tax Resolution, being a resolution adopted by the Board of Supervisors of the County of Erie being Item 8 of Meeting

Number 31, held July 27, 1965, Supervisors Proceedings, page 666, as amended, is amended to read as follows:

SECTION 4. Imposition of compensating use tax.

(a) Except to the extent that property or services have already been or will be subject to the sales tax under this resolution, there is hereby imposed on every person a use tax for the use within this taxing jurisdiction on and after March first, nineteen hundred eighty-nine, except as otherwise exempted under this enactment, (A) of any tangible personal property purchased at retail, (B) of any tangible personal property (other than computer software used by the author or other creator) manufactured, processed or assembled by the user, (i) if items of the same kind of tangible personal property are offered for sale by him in the regular course of business, or (ii) if items are used as such or incorporated into a structure, building or real property, by a contractor, subcontractor or repairman in erecting structures or buildings, or building on, or otherwise adding to, altering, improving, maintaining, servicing or repairing real property, property or land, as the terms real property, property or land are defined in the real property tax law, if items of the same kind are not offered for sale as such by such contractor, subcontractor or repairman or other user in the regular course of business, (C) of any of the services described in paragraphs (1), (7), and (8) of subdivision (c) of section 2, (D) of any tangible personal property, however acquired, where not acquired for the purposes of resale, upon which any of the services described under paragraphs (2), (3) and (7) of subdivision (c) of section 2 have been performed, (E) of any telephone answering service described in subdivision (b) of section 2, and (F) of any computer software written or otherwise created by the user if the user offers software of a similar kind for sale as such or as a component part of other property in the regular course of business.

(b) For purposes of clause (A) of subdivision (a) of this section, the tax shall be at the rate of four percent, and on and after March first, [two thousand] two thousand one, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for such property, or for the use of such property, including any charges for shipping or delivery as described in paragraph three of subdivision (b) of section one, but excluding any credit for tangible personal property accepted in part payment and intended for resale.

(c) For purposes of subclause (i) of clause (B) of subdivision (a) of this section, the tax shall be at the rate of four percent, and on and after March first, [two thousand] two thousand one, the tax shall be at the rate of three percent, of the price at which items of the same kind of tangible personal property are offered for sale by the user, and the mere storage, keeping, retention or withdrawal from storage of tangible personal property by the person who manufactured, processed or assembled such property shall not be deemed a taxable use by him.

(d) For purposes of subclause (ii) of clause (B) of subdivision (a) of this section, the tax shall be at the rate of four percent, and on and after March first, [two thousand] two thousand one, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for the tangible personal property manufactured, processed or assembled into the tangible personal property the use of which is subject to tax, including any charges for shipping or delivery as described in paragraph three of subdivision (b) of section one.

(e) Notwithstanding the foregoing provisions of this section, for purposes of clause (B) of subdivision (a) of this section, there shall be no tax on any portion of such price which represents the value added by the user to tangible personal property which he fabricates and installs to the specifications of an addition or capital improvement to real property, property or land, as the terms real property, property or land are defined in the real property tax law, over and above the prevailing normal purchase price prior to such fabrication of such tangible personal property which a manufacturer, producer or assembler would charge an unrelated contractor who similarly fabricated and installed such tangible personal property to the specifications of an addition or capital improvement to such real property, property or land.

(f) For purposes of clauses (C), (D) and (E) of subdivision (a) of this section, the tax shall be at the rate of four percent, and on and after March first, [two thousand] two thousand one, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for the service, including the consideration for any tangible personal property transferred in conjunction with the performance of the service and also including any charges for shipping and delivery of the property so transferred and of the tangible personal property upon which the service was performed as such charges are described in paragraph three of subdivision (b) of section one.

(g) For purposes of clause (F) of subdivision (a) of this section, the tax shall be at the rate of four percent, and on and after March first, [two thousand] two thousand one, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for the tangible personal property which constitutes the blank medium, such as disks or tapes, used in conjunction with the software, or for the use of such property, and the mere storage, keeping, retention or withdrawal from storage of computer software described in such clause (F) by its author or creator shall not be deemed a taxable use by such person.

Section 4. Subdivision (D) of clause (1) of Section 11 of the Erie County Sales and Use Tax Resolution, being a resolution adopted by the Board of Supervisors of the County of Erie being Item 8 of Meeting Number 31, held July 27, 1965, Supervisors Proceedings, page 666, as amended, is amended to read as follows:

(D) With respect to the additional tax of one percent imposed effective for the period beginning March first, nineteen hundred eighty-nine, and ending February [twenty-nine, two thousand] twenty-eight, two thousand one, in respect to the use of property used by the purchaser in this County prior to March first, nineteen hundred eighty-nine.

Section 5. This enactment shall take effect March first, two thousand.

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

CHAIRMAN SWANICK directed that a roll call vote be taken.

AYES: CHASE, GREENAN, LARSON, MARSHALL, PAULY, RANZENHOFER, WEINSTEIN, DeBENEDETTI, DUSZA, FISHER, FITZPATRICK, HOLT, KUWIK, MARINELLI, OLMA, PEOPLES, & SWANICK NOES: AYES – 17, NOES – 0.

CARRIED.

Item 55 – (Comm. 3E-12) Staff Adjustments County Executive’s Office & Division of Budget, Management & Finance.

Received and referred to the PERSONNEL AD HOC COMMITTEE.

Item 56 – (Comm. 3E-13) Social Services – Oracle Software Development Authorization to Renew Contract.

Received and referred to the SOCIAL SERVICES COMMITTEE.

Item 57 – (Comm. 3E-14) Social Services – Multi- Service System Collaboration Demonstration Initiative (MSSCDI).

Received and referred to the HEALTH COMMITTEE.

Item 58 – (Comm. 3E-15) Parks, Recreation & Forestry – Transfer for Technical Equipment.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 49

Re: Staffing Adjustment –
County Executive’s Office.
(Comm. 3E-16)

WHEREAS, in the Office of the County Executive the position of Special Aide (County Executive) was previously deleted, and

WHEREAS, the County Executive now requires the assistance of a Special Aide (County Executive) part-time to act as a chauffeur and to assist in other related duties, and

WHEREAS, funds necessary to create this part-time position are available within the department's 2000 County Budget Personal Services Account,

NOW, THEREFORE, BE IT

RESOLVED, that one position of Special Aide (County Executive) part-time, is hereby created in the Office of the County Executive, and also that a variable minimum hiring rate of job group VIII, step III is approved,

and be it further

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

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

CARRIED UNANIMOUSLY.

Delete the first resolve clause in its entirety and replace with the following:

RESOLVED, that one position of Special Aide (County Executive) part-time, is hereby created in the Office of the County Executive, at the variable minimum hiring rate of job group VIII, step III, \$16.409 hourly, to work a maximum of 19 hours per week, not to exceed \$17,000 annually,

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

CARRIED UNANIMOUSLY.

Item 60 – (Comm. 3E-17) Salary Scale Creation; Designation of Titles.

Item 61 – (Comm. 3E-18) Social Services – Family Court – Drug Court Program.

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

Item 62 – (Comm. 3E-19) Health – Revised Immunization Action Plan 11/1/99 – 10/31/00.

Item 63 – (Comm. 3E-20) Health – Supplemental Aid to Localities Grant Medical Examiner's Toxicology Laboratory 4/1/99 – 3/31/01.

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

Item 64 – (Comm. 3E-21) Senior Services – Authorization to Amend CSE & EISEP Grant Budgets.

Received and referred to the SOCIAL SERVICES COMMITTEE.

Item 65 – (Comm. 3E-22) Community Development – Personal Services Contract – Year 2000.

Item 66 – (Comm. 3E-23) 2000 Community Development Block Grant, Emergency Shelter Grant, & Home Investment Participation Program & 2000-04 Consolidated Plan.

Item 67 – (Comm. 3E-24) County & Grant Funded Internships Within DEP.

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

Item 68 – (Comm. 3E-25) Appointment of Daniel Drury as Coordinator of Pre-Trial Release Office.

Item 69 – (Comm. 3E-26) Appointment of Christopher Jacobs as Deputy Commissioner for Economic Development/Planning, DEP.

Item 70 – (Comm. 3E-27) Appointment of Susan Davidson as Coordinator of Coordinating Council of Child & Family Services.

Item 71 – (Comm. 3E-28) Appointment of James McCullough as Deputy Commissioner of Fire Services.

Item 72 – (Comm. 3E-29) Appointment of Leon Colucci as Veterans 1st Service Officer.

Item 73 – (Comm. 3E-30) Appointment of Kenneth Beam as Director of Central Data Processing, DISS.

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

Item 74 – (Comm. 3E-31) Appointment of Rosanne Herman to ECMC Board of Managers.

Received and referred to the HEALTH COMMITTEE.

Item 75 – (Comm. 3E-32) Draft of Local Law That Expands Property Tax Relief for Persons with Certain Disabilities.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

COMMUNICATIONS FROM THE DEPARTMENTS

FROM THE BUFFALO & ERIE COUNTY PUBLIC LIBRARY

Item 76 – (Comm. 3D-1) Agenda for Board of Trustees Meeting Held 1/20/00.

Received and filed.

FROM DEP

Item 77 – (Comm. 3D-2) City of Tonawanda 1997 County Consolidation Funding.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM ECC

Item 78 – (Comm. 3D-3) Agenda for Board of Trustees Meeting Held 1/26/00.

Received and filed.

FROM THE COUNTY ATTORNEY

Item 79 – (Comm. 3D-4) Letter Urging Governor to Sign Into Law Senate Bill No. S. 6231 Re: Imposition of Sales & Use Taxes by Erie County.

Received and filed.

FROM THE COMMISSION ON THE STATUS OF WOMEN

Item 80 – (Comm. 3D-5) Minutes of Meeting Held 1/12/00.

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM PURCHASE

Item 81 – (Comm. 3D-6) User Friendly Purchase Department.

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM DPW

Item 82 – (Comm. 3D-7) City Riverwalk Renovations DPW #JZ-99-2.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES

FROM ASSEMBLY SPEAKER SILVER

Item 83 – (Comm. 3M-1) Acknowledgement of Receipt of Resolution.
Received and filed.

FROM THE TOWN OF BOSTON

Item 84 – (Comm. 3M-2) Update of Regionalism Grant Received from Erie County.

Received and referred to the REGIONALISM AD HOC COMMITTEE.

FROM THE LOCUST STREET NEIGHBORHOOD ART CLASSES INC.

Item 85 – (Comm. 3M-3) 1999 Final Report – For Use of EC Cultural Funds.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM JOHN REDMAN III

Item 86 – (Comm. 3M-4) Letter Supporting Work Release as Alternative to Incarceration.

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM GOVERNOR PATAKI

Item 87 – (Comm. 3M-5) Acknowledgement of Receipt of Resolution.

Received and filed.

FROM ASSEMBLY SPEAKER SILVER

Item 88 – (Comm. 3M-6) Acknowledgement of Receipt of Resolution.

Received and filed.

FROM THE NFTA

Item 89 – (Comm. 3M-7) Minutes of Board Meeting Held 12/20/99.

Received and filed.

FROM THE NYS BOARD OF REAL PROPERTY SERVICES

Item 90 – (Comm. 3M-8) List of Certified 1999 State Equalization Rates.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM JUDGE SHARON S. TOWNSEND

Item 91 – (Comm. 3M-9) Naming New Family Courthouse on Memory of Hon. M. Dolores Denman.

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM LEGAL SERVICES FOR THE
ELDERLY, DISABLED OR DISADVANTAGED OF WNY

Item 92 – (Comm. 3M-10) Letter to Chairman Swanick Re: Medicare Advocacy Program (MAP) Funding.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE BOYS & GIRLS CLUBS OF BUFFALO

Item 93 – (Comm. 3M-11) Final Report for 1999 Summer Prime Time Program & Seeking Funding for Upcoming Season.

Received and referred to the SOCIAL SERVICES COMMITTEE.

MEMORIAL RESOLUTIONS

Item 94 – Legislator Marinelli requested that when this legislature adjourns, it do so in memory of John E. Croft and Herman P. Zaehring.

Item 95 – Legislator Swanick requested that when this legislature adjourns, it do so in memory of the victims of the Alaska Airlines disaster.

Item 96 – Legislator Fitzpatrick requested that when this legislature adjourns, it do so in memory of Gerald Schlee.

ADJOURNMENT

Item 97 – At this time, there being no further business to transact, the Chairman announced that the Chair would entertain a Motion to Adjourn.

MS. PEOPLES moved that the Legislature adjourn until **2:00 p.m. Thursday, February 17, 2000**. MR. MARSHALL seconded.

CARRIED UNANIMOUSLY.

The Chairman declared the Legislature adjourned until **Thursday, February 17, 2000 at 2 p.m. Eastern Standard Time**.

LAURIE MANZELLA
CLERK