

**ERIE COUNTY LEGISLATURE**  
**MEETING NO. 4**  
**February 24, 2003**

The Legislature was called to order by Chairman Swanick.

All Members Present except Legislator Holt.

A moment of silence was held.

The Pledge of Allegiance was led by Ms. Cusack.

Item 1 – CHAIRMAN SWANICK directed that the Rules of the Legislature for 2003 remain on the table.

Item 2 – CHAIRMAN SWANICK directed that the following item be taken out of order.

GRANTED.

MR. RANZENHOFER presented the following resolution and moved for immediate consideration. MR. LARSON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 31

Re: Legislature Personnel Adjustments.  
(Intro. 4-6)

A RESOLUTION SUBMITTED BY  
LEGISLATORS SWANICK, RANZENHOFER & HOLT

**WHEREAS**, periodically, due to changes in the composition of the Legislative Staff, the Erie County Legislature deems it necessary to make certain personnel adjustments so as not to increase the cost of the Department's personal services budget,

**NOW, THEREFORE BE IT**

MR. RANZENHOFER moved to amend the resolution. MR. LARSON seconded.

CARRIED UNANIMOUSLY.

- ADD the following RESOLVED clauses:

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**RESOLVED**, that the Erie County Legislature does hereby DELETE one (1) position of ADMIN ASST LEG: Position No. 001109; and one (1) position of SEC ASST LEG DIS RPT Position No. 001363, effective January 1, 2003, and be it further

**RESOLVED**, that the Erie County Legislature does hereby DELETE one (1) position of FIRST ADM ASST LEG: Position No. 001051; one (1) position of ADMIN ASST LEG, Position No. 001172, effective February 12, 2003, and be it further

**RESOLVED**, that the Erie County Legislature does hereby DELETE four (4) positions of SEC ASST LEG DIS OFF: Position No. 001345, Position No. 001346, Position No. 001348 and Position No. 001349; one (1) position of ADM ASST LEG RPT: Position No. 001050, effective February 21, 2003, and, be it further

**RESOLVED**, that the Erie County Legislature does hereby CREATE one (1) new position of EXEC ASST LEG (JG 14, STEP 5), one (1) new position of ADM LIAIS ASST LEG (JG 12, STEP 2), and one (1) new position of SR ADM ASST LEG (JG 11, STEP 5) all to Function 2000 – Clerk’s Staff Admin, effective February 13, 2003, and be it further

**RESOLVED**, that the Erie County Legislature does hereby CREATE one (1) position of JR ADMIN ASST LEG at a variable minimum of (JG 8, STEP 5), and one (1) position of COUNSEL – LEG RPT (a total of 900 hours for the year 2003 at a variable minimum rate of \$22.83 per hour) all to Function 4000 – Minority Staff, effective February 19, 2003, and be it further

**RESOLVED**, that the Erie County Legislature does hereby CREATE one (1) position of SR SEC ASST DIS OFF at a variable minimum rate of (JG 6, STEP 5) to Function 5000 – Clerical Staff, effective February 24, 2003, and be it further

**RESOLVED**, that the Erie County Legislature does hereby establish variable minimums for the following positions under Function 2000 – Clerk’s Staff Admin: EXEC ASST LEG, Position No. 001047 (JG 14, STEP 3), JR ADMIN ASST LEG (JG 8, STEP 5), effective February 13, 2003, and be it further

**RESOLVED**, that the Erie County Legislature does hereby establish variable minimums for the following positions under Function 4000 – Minority Staff: ADM ASST LEG, Position No. 001056 (JG 10, STEP 1); JR ADMIN ASST LEG, Position No. 001181 (JG 8, STEP 5); and ADM CLK LEG, Position No. 001057 (JG 7, STEP 1), effective February 19, 2003, and be it further

**RESOLVED**, that the funds necessary to effectuate these adjustments are available within the Legislature’s 2003 budget for Personal Services as a result of restructuring of the Minority Staff, Clerk’s Staff Admin, and Clerical Staff of the Erie County Legislature, and be it further

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

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

**Fiscal Impact:** Reorganization of 2003 Personal Services Budget resulting in: the elimination of two (2) Full Time Positions; and one (1) Regular Part Time Position, in addition to the cost of fringe benefits totaling approximately \$84,000.

MR. RANZENHOFER moved the approval of the resolution as amended. MR. LARSON seconded.

CARRIED UNANIMOUSLY.

Item 3 – CHAIRMAN SWANICK directed that the communication for the appointment of Majority Staff for the year 2003 be RECEIVED, FILED & PRINTED.

The Hon. Charles M. Swanick  
 Chairman, Erie County Legislature  
 25 Delaware Avenue  
 Buffalo, New York 14202

Dear Chairman Swanick:

The following have been named to serve as members of the staff of the Majority of the Erie County Legislature:

WAHL, HARRY V.	<i>Chief of Staff Legislature</i>
MARCHANT, SCOTT D.	<i>Executive Assistant Legislature</i>
QUICK, KEVIN C.	<i>Executive Assistant Legislature</i>
TURNER, CRAIG W.	<i>First Administrative Assistant Legislature</i>
WAHL, KELLY A.	<i>First Administrative Assistant Legislature</i>
GRABER, ROBERT M.	<i>Administrative Liaison Assistant Legislature</i>
ANGER, JENNIFER D.	<i>Administrative Liaison Assistant Legislature</i>
BEENY, MICHAEL J.	<i>Senior Administrative Assistant Legislature</i>
SPETH, JOSEPH A.	<i>Administrative Assistant Legislature</i>
POSLUSZNY, LISA A.	<i>Administrative Assistant Legislature</i>
JACKSON, SANDRA B.	<i>Administrative Assistant Legislature</i>
ZIEGLER, ERIN R.	<i>Administrative Assistant Legislature</i>
BURKE, BARBARA H.	<i>Junior Administrative Assistant Legislature</i>
MARKS, FRANK L.	<i>Junior Administrative Assistant Legislature</i>
DALLY, LISA M.	<i>Administrative Clerk Legislature</i>
KRESTOS, TRACY P.	<i>Administrative Clerk Legislature</i>
CRUZ, FRANCISCA	<i>Senior Legislature Secretary</i>
SPINO, JOSEPH A.	<i>Senior Legislature Secretary</i>
DUQUIN, CHRISTOPHER J.	<i>Secretary Assistant Legislature</i>
BENNETT, RONALD P.	<i>Counsel - Legislature RPT</i>

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ABT, CHRISTINA M.  
 PLUNKETT, MATTHEW M.  
 AURELIO, THOMAS V.  
 BAPST, ROSEMARY L.

*Senior Secretary Assistant District RPT*  
*Senior Secretary Assistant District RPT*  
*Constituent Service Liaison RPT*  
*Parliamentarian Legislature RPT*

Very truly yours,

**Michael H. Ranzenhofer**  
 Majority Leader, Erie County Legislature  
 Legislator - 16<sup>th</sup> District

CHAIRMAN SWANICK directed that the appointment of the Minority Staff for the year 2003 remain on the table.

\*\* See Meeting No. 5 for Appointments of Minority Staff.

Item 4 – CHAIRMAN SWANICK directed that the communication for the appointment of Majority Counsel for the year 2003 be RECEIVED, FILED AND PRINTED.

We, the undersigned members of the Erie County Legislature, constituting members of the Majority Caucus, pursuant to the 2003 rules of the Erie County Legislature, do hereby designate **Ronald P. Bennett** to serve as **Counsel to the Majority** of the Erie County Legislature in his capacity as Counsel – Legislature RPT.

GREGORY P. FALKNER  
 9<sup>th</sup> District

CHARLES M. SWANICK  
 10<sup>th</sup> District

JEANNE Z. CHASE  
 12<sup>th</sup> District

STEVEN P. McCARVILLE  
 13<sup>th</sup> District

ELISE M. CUSACK  
 14<sup>th</sup> District

BARRY A. WEINSTEIN  
 15<sup>th</sup> District

MICHAEL H. RANZENHOFER  
 16<sup>th</sup> District

DALE W. LARSON  
 17<sup>th</sup> District

CHAIRMAN SWANICK directed that the appointment of the Minority Counsel for 2003 remain on the table.

Item 5 – CHAIRMAN SWANICK directed that the Designation of Newspapers remain on the table.

Item 6 – CHAIRMAN SWANICK directed that Comm. 20E-2 (2002) remain on the table.

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Item 7 – MR. RANZENHOFER moved the approval of minutes of Meeting Nos. 22, 23, 24, 25 of 2002 and Meeting No.1 of 2003. MR. LARSON seconded.

MS. FISHER moved to separate Meeting No. 23 of 2002 and moved the approval of Meeting Nos. 22, 24, 25 of 2002 and Meeting No. 1 of 2003. MR. DALE seconded.

CARRIED UNANIMOUSLY.

MR. RANZENHOFER moved the approval of Meeting No. 23. MR. LARSON seconded.

CHAIRMAN SWANICK directed a roll call vote be taken.

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

CARRIED. (WEIGHTED VOTE: 8.585 – 7.622)

Chairman Swanick directed that the meeting enter into recess at 2:12 p.m.

Item 8 – 2:13 p.m. Notice read for Public Hearing regarding Intro. 4-4 – 2003 Real Property Tax Exemption for Senior Citizens.

Legislator Raymond Dusza was the only speaker.

Being that no one else was present to speak in favor or opposition of this issue, the Clerk of the Legislature declared the Public Hearing closed at 2:16 p.m.

The Chairman declared the meeting reconvened at 2:17 p.m.

**MISCELLANEOUS RESOLUTIONS**

Item 9 – MR. FALKNER presented a resolution Honoring Richard Homer for His Dedicated Service to His Community & the West Seneca Satellite of the Variety Club. MR. RANZENHOFER seconded.

CARRIED UNANIMOUSLY.

Item 10 – MS. CUSACK presented a resolution Recognizing February Twenty-Second as the Official “Gotta Have a Healthy Heart Day.” MR. RANZENHOFER seconded.

CARRIED UNANIMOUSLY.

**LOCAL LAWS**

Item 11– CHAIRMAN SWANICK directed that Local Law No. 4 (Print #1) 2002 remain on the table.

Item 12 – CHAIRMAN SWANICK directed that Local Law No. 4 (Print #2) 2002 remain on the table.

Item 13 – CHAIRMAN SWANICK directed that Local Law No. 5 (Print #1) 2002 be referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 14 – CHAIRMAN SWANICK directed that Local Law No. 7 (Print #1) 2002 remain on the table.

Item 15 – CHAIRMAN SWANICK directed that Local Law No. 1 (Print #1) 2003 remain on the table.

Item 16 – CHAIRMAN SWANICK directed that Local Law No. 1 (Print #2) 2003 be referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 17 – CHAIRMAN SWANICK directed that Local Law No. 2 (Print #1) 2003 remain on the table.

Item 18 – CHAIRMAN SWANICK directed that Local Law No. 3 (Print #1) 2003 remain on the table.

Item 19 – CHAIRMAN SWANICK directed that Local Law No. 4 (Print #1) 2003 remain on the table.

**COMMITTEE REPORTS**

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 32

February 13, 2003

ECONOMIC DEVELOPMENT  
 COMMITTEE  
 REPORT NO. 1

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

1. RESOLVED, that the following item is hereby tabled.

**AS AMENDED**

- |  |      |      |       |              |
|--|------|------|-------|--------------|
|  | Item | Page | -2003 | (Intro. 3-6) |
|--|------|------|-------|--------------|
- a. **HOLT, MINORITY CAUCUS:** Budget Transfer – Roads.  
(6-0) Chairman Swanick present as Ex-Officio Member.

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

- |  |      |      |       |              |
|--|------|------|-------|--------------|
|  | Item | Page | -2003 | (Comm. 3D-1) |
|--|------|------|-------|--------------|
- a. **DPW:** Copy of Memo to County Executive Re: Consultant Contracts Awarded for Various Capital Projects.  
(6-0) Chairman Swanick present as Ex-Officio Member.

**AS AMENDED**

- |  |      |      |       |                |
|--|------|------|-------|----------------|
|  | Item | Page | -2002 | (Comm. 25E-15) |
|--|------|------|-------|----------------|
3. **COUNTY EXECUTIVE**

WHEREAS, there is a need for Highway/Bridge Engineering Services performed by a firm specializing in the provision of such services, and

WHEREAS, the scope of projects proposed for this year is the largest that the DPW-Highways has ever undertaken, and

WHEREAS, after careful review of each firm's capabilities, by the Department of Public Works, several firms were selected having the necessary expertise, experience and manpower to provide the required services, and

WHEREAS, this method of assigning projects to any one of the selected firms will permit a more timely execution of projects.

NOW, THEREFORE, BE IT,

RESOLVED, that your Honorable Body authorize the County Executive to enter into an agreement with each of the following firms to provide General Highway/Bridge Engineering Services for miscellaneous projects:

- |                                    |   |
|------------------------------------|---|
| Abate Engineering Associates, P.C. | Foit-Albert Associates                    |
| Acres International                | FRA Engineering, P.C.                     |
| Bergmann Associates                | GZA GeoEnvironmental of New York          |
| C & S Engineers, Inc.              | Hatch Mott McDonald                       |
| Clark Patterson Associates         | Parsons Brinckerhoff Quade & Douglas, Inc |
| Clough Harbour & Associates, LLP   | Pratt & Huth Associates                   |
| Dewberry-Goodkind, Inc.            | Sear Brown Consultants                    |

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D & S Realty Consultants, Inc.  
 DiDonato Associates, P.E., P.C.  
 Empire Geo Services, Inc.  
 E&M Engineers & Surveyors, P.C.  
 Erdman Anthony & Associates, Inc.

TVGA Consultants  
 Urban Engineers of New York, P.C.  
 URS Corporation  
 Watts Engineers  
 Wendel Duschcherer, P.C.

RESOLVED, that the fees for the contracts to the above noted Engineering firms will be \$1,000,000 or less, and be it further

RESOLVED, that the contract duration will be for one year, with a clause to renew the contract for one additional year at the discretion of the Commissioner of Public Works, and be it further

RESOLVED, that the Engineering fees will be paid to the selected consultants on a project-by-project basis with the amount of each project fee being determined by the Commissioner of Public Works and approved by the Erie County Legislature, and be it further,

RESOLVED, that funding for such services be identified separately for each such project that is to be accomplished, and be it further,

RESOLVED, that two copies of this resolution be sent to the Department of Public Works, Office of the Commissioner and one copy to the Office of the Comptroller.  
 (6-0) Chairman Swanick present as Ex-Officio Member.

4. Item Page -2003 (Comm. 1E-26)

**COUNTY EXECUTIVE**

WHEREAS, between December 24, 2001 and December 28, 2001, Erie County experienced an average snowfall of over 80 inches, and

WHEREAS, due to the weight of that amount of snow, those Erie County owned buildings experiencing distress had the snow removed and those that experienced roof damage were immediately repaired, and

WHEREAS, subsequent to that action, during normal roof inspections, it was determined that further damage at several facilities, including School 84, Erie County Correctional Facility, the Erie County Home and Infirmary, and Erie Community College was sustained that could not be detected prior to this inspection due to the snow, and

WHEREAS, in discussions with officials from Federal Emergency Management Agency (FEMA) / State Emergency Management Office (SEMO), they are willing to cover portions of the loss of these facilities and others damaged during the snow event, and

WHEREAS, further discussions were held with officials from Federal Emergency Management Agency (FEMA) / State Emergency Management Office (SEMO) concerning obtaining a Hazard Mitigation Grant, and



WHEREAS, those negotiations are now nearly complete,

NOW, THEREFORE, BE IT,

RESOLVED, that the Erie County Legislature authorizes the Department of Emergency Services and the Department of Public Works to accept the funds provided by the Federal Emergency Management Agency (FEMA) / State Emergency Management Office (SEMO) for damage to the facilities, and be it further,

RESOLVED, that the revenues and appropriations will be increased in the following funds and projects by these approximate amounts for the FEMA / SEMO aid to be received:

<u>Facility</u>	<u>Project, Fund</u>	<u>Approximate Amount</u>
School 84	296, 410	\$300,000.00 +/-
Erie County Home & Infirmary	296, 410	\$593,589.06 +/-
Erie County Correctional Fac.	296, 410	\$ 2,257.19 +/-
Ralph Wilson Stadium	197, 710	\$ 22,375.00 +/-
Botanical Gardens	203, 410	\$267,730.40 +/-
Parks – Akron Falls	942, 110	\$ 6,866.44 +/-
Parks – Other	942, 110	\$ 19,871.86 +/-
Transfer Station	955, 110	\$ 60,246.07 +/-
Other DSM facilities	851, 220	\$ 3,025.75 +/-
	852, 220	\$ 315.00 +/-
	853, 220	\$ 2,352.00 +/-
	854, 220	\$ 7,901.65 +/-

and be it further,

RESOLVED, that as negotiations are still not finalized due to ongoing discussions of the extent of damage, the above amounts may vary, and be it further,

RESOLVED, that the Department of Public Works will supply final dollar figures to the Erie County Legislature, for information only, and be it further,

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

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

WHEREAS, the Erie County Legislature authorized the County Executive to enter into contracts with three consulting firms specializing in environmental and asbestos abatement services, and

WHEREAS, subsequently contracts were executed for said services with the firms of Chopra-Lee, Inc., Edward O. Watts, P.E., P.C., and UNYSE to provide Environmental Engineering Services on a project-by-project basis, and

WHEREAS, the Erie County Legislature authorized an allocation of \$75,000 to cover the fees for said environmental services, and

WHEREAS, for the past year, services have been provided which have been allocated toward services and will soon be exhausted, and

WHEREAS, in order to assure continuation of these necessary services, the Commissioner of Public Works is requesting an increase in the fee allocation to cover the cost of said additional services,

NOW, THEREFORE, BE IT,

RESOLVED, that the previous \$75,000 fee allocation be increased by \$75,000 to a total of \$150,000, and be it further,

RESOLVED, that the Commissioner of Public Works be authorized to issue change orders to the existing contracts with the amount of the project fee being determined by the Commissioner of Public Works, and be it further,

RESOLVED, that payment for said fees be from the 2002 Asbestos Abatement, Fund 410, Project 297, and be it further,

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

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

**AS AMENDED**  
(Comm. 1E-32)

6. Item Page -2003  
**COUNTY EXECUTIVE**

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

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

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WHEREAS, the Commissioner of Health has requested additional space be renovated for the new Level 3 Bio-Lab for testing of anthrax and smallpox, and

WHEREAS, the Health Department has received a New York State Bio-terrorism Grant to fund the renovation, which needs to be completed by September 2003,

NOW, THEREFORE, BE IT,

RESOLVED, that the construction contingency fund be increased by \$330,000.00 with authorization for the Commissioner of Public Works to approve change orders, and be it further,

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

RESOLVED, that the sum of \$38,000.00 be allocated for additional Cannon Design Architect/Engineer Services, and be it further,

RESOLVED, that the Comptroller's Office be authorized to make payments for all of the above from Project 199, Fund 410, in the amount of \$368,000.00, and be it further,

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

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

7. Item Page -2003 (Comm. 1E-33)

**COUNTY EXECUTIVE**

WHEREAS, the Department of Public Works was notified that Erie Community College has received fifty percent (50%) matching New York State reimbursement funds in the amount of \$200,000.00 for sidewalks, roads and parking lot repairs, and

WHEREAS, including the matching funds for additional work is necessary,

NOW, THEREFORE, BE IT,

RESOLVED, that Project 288, Fund 410, be increased by \$200,000.00 to support the increased appropriation from New York State reimbursement, 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 Department of Public Works, Highways Division; one copy to the Comptroller's Office; and one copy to Budget Management and Finance.

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

**MICHAEL H. RANZENHOFER**

**CHAIRMAN**

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

CARRIED UNANIMOUSLY.

MR. RANZENHOFER moved the approval of item #3. MS. CUSACK seconded. MR. McCARVILLE abstained.

CARRIED. (WEIGHTED VOTE: 15.112 – 0)

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 34

February 13, 2003

FINANCE & MANAGEMENT  
 COMMITTEE  
 REPORT NO. 1

ALL MEMBERS PRESENT.

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

Item Page -2002 (Comm. 17D-3)  
 a. **COMPTROLLER:** Copy of Letter to Probation & Youth Detention Re: Operation Prime Time.  
 (5-0)

Item Page -2002 (Comm. 20E-12)  
 b. **SWANICK:** Copy of Letter to Budget Director Re: Information for EC's Budget Process & Deliberations.  
 (5-0)

Item Page -2002 (Comm. 22E-7)  
 c. **COMPTROLLER:** Letter to All Legislators & County Executive Re: County of Erie 2003 Tentative Budget.  
 (5-0)

Item Page -2002 (Comm. 24E-3)  
 d. **SWANICK:** Proposed Minority Amendments to County Executive's 2003 Tentative Budget.

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(5-0)

- e. Item Page -2002 (Comm. 24E-48)  
**COUNTY EXECUTIVE:** Letter to Clerk of Legislature Declaring Int. 20-6 (2002) & Int. 22-2 (2002) are Null & Void.  
 (4-1) Legislator DeBenedetti in negative.

- f. Item Page -2003 (Comm. 1E-6)  
**DeBENEDETTI:** Copy of Letter to Mark Hamister Re: Request for Information Concerning Bid to Purchase Buffalo Sabres.  
 (5-0)

- g. Item Page -2003 (Comm. 1E-16)  
**COMPTROLLER:** Apportionment & Distribution of 4% Sales Tax Received by EC from NYS for 12/02.  
 (5-0)

- h. Item Page -2003 (Comm. 1E-17)  
**COMPTROLLER:** Interim Financial Report for Nine Months Ended 9/30/02.  
 (5-0)

- i. Item Page -2003 (Comm. 2M-10)  
**LEGAL AID BUREAU OF BUFFALO:** Unaudited Financial Statements for Nine Months Ending 9/30/02.  
 (5-0)

- j. Item Page -2003 (Comm. 2M-11)  
**ECIDA:** Copy of 2003 Budget.  
 (5-0)

- k. Item Page -2003 (Comm. 3E-13)  
**COMPTROLLER:** Apportionment & Distribution of 4% Sales Tax Received by EC from NYS for 1/03.  
 (5-0)

2. Item Page -2003 (Comm. 1E-39)  
**COUNTY EXECUTIVE**  
 WHEREAS, the following grant programs are included in Book B of the 2003 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

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of Budget, Management and Finance with respect to the availability of Federal, State, County and other local source funding for the following grant programs which commence on January 1, 2003:

<u>Department</u>	<u>Grant Program</u>	2003 Budget Book B <u>Page No.</u>
110 - Co. Exec.	Community Coordinating Council on Children and Families	11
110 - Co. Exec.	STOP-DWI Program	11
110 - Co. Exec. Comm. Dev. Fund	Office of Workforce Development	21
140 - Dist. Atty.	Internet Crimes Against Children	26
140 - Dist. Atty.	STOP-DWI Program	27
140 - Dist. Atty.	Motor Vehicle Theft and Insurance Fraud Prevention	28
650 - Central Police Services	Arson Laboratory Improvement Program	67
150 - Sheriff	Public Awareness is Prevention	87
260 - Probation	Intensive Supervision Program	103
260 - Probation	Juvenile Intensive Supervision Program	103
260 - Probation	Juvenile Delinquent - Mental Health Diversion Program	103
260 - Probation	Alternatives to Incarceration	103
260 - Probation	Juvenile Justice Title V Grant	104*
260 - Probation	Preventive Services	105
270 - Health	Early Intervention - Administration	133
270 - Health	Early Intervention - Case Management	133
270 - Health	Facilitated Enrollment For Child/Family	133

	Health Plus and Medicaid	
270 - Health	Childhood Lead Poisoning Prevention Program	134
270 - Health	West Nile Surveillance & Education Grant	134
270 - Health	Kaleida Health HIV Testing Grant	134
270 - Health	Monroe County Health Department Laboratory Services Grant	135
270 - Health	Tuberculosis Elimination Activities	138**
221 - DPW - Bldgs. & Grounds	Court and HIRE Training Grant	233
641 - Parks, Rec. & Forestry	Youth PINS Program	285
200 - Social Svcs.	TANF Services Block Grant	289
200 - Social Svcs.	Outstationed Medicaid Eligibility	290
200 - Social Svcs.	Transitional Services Program	291
200 - Social Svcs.	Comprehensive Employment Programs	291
200 - Social Svcs.	Medicaid Facilitated Enrollment	292
200 - Social Svcs.	PINS and Preventive Services	292
620 - Env. & Plg.	Household Hazardous Waste Disposal	415
620 - Env. & Plg.	Section 18-B Transportation Operating Assistance	415
620 - Env. & Plg.	Conditionally Exempt Small Quantity Generator	415
250 - Youth Bureau	Special Delinquency Prevention Program (SDPP)	423
250 - Youth Bureau	Therapeutic Intervention Models Grant (JJDP)	423

250 - Youth Bureau                      OCFS - Safe Places Grant                      423

\*Begins on 3/1/03  
\*\*Begins on 2/1/03

and be it further

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

(5-0)

**AS AMENDED**  
(Comm. 2D-13)

3.        Item                      Page                      -2003  
                 **BUDGET, MANAGEMENT & FINANCE**

**A.**  
RESOLVED, that petitions numbered        **203078**                      through        **203078**                      inclusive  
be hereby approved or denied base upon the recommendation of the Director of Real Property Services  
and be charged back to the applicable towns and / or cities.

<b>FISCAL YEAR</b> 1999	Petition No.	<b>203,078.00</b>
	<b>ASSESSOR                      Refund</b>	\$2,543.83

**S-B-L** 69.04-1-8.11                      **142289 AMHERST**

<b>Charge To :</b>	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$2,543.83	Town/SpecialDist/School
	<b>142289 AMHERST</b>		<b>\$2,543.83</b>

REFUND- CLERICAL ERROR, PARCEL WAS CHARGED IN ERROR FOR THE SEWER USAGE. THE SBL THAT IS PAYABLE TO 69.04-1-8.131. RPTL 550(2)E  
CHECK FOR: FRANCISCAN MISSIONARY SISTERS OF THE DIVINE CHILLD

**THE DIRECTOR OF REAL PROPERTY, JOSEPH J MACIEJEWSKI IS DENYING THIS PETITION. NEW YORK REAL PROPERTY TAX LAW 556 REQUIRES A PETITION TO REFUND BE FILED WITH 3 YEARS OF THE ANNEXATION OF THE TAX WARRANT BEING ISSUED. PETITION WAS FILED ON JANUARY 23, 2003. THIS PETITION HAD TO BE FILED BY JANUARY 14, 2002.**



**MEETING NO. 4**  
**February 24, 2003**

**ERIE COUNTY LEGISLATURE**

(5-0)

**B.**

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 investigate the validity of such applications ( see attached listing ) now therefore be it,

RESOLVED, that petitions numbered **203001** through **203077** inclusive be hereby approved or denied base upon the recommendation of the Director of Real Property Services and be charged back to the applicable towns and / or cities.

<b>FISCAL YEAR</b>	2001	Petition No.	<b>203,001.00</b>
	ASSESSOR	<b>Refund</b>	\$1,821.23
<b>S-B-L</b>	69.04-1-8.11	<b>142289 AMHERST</b>	
	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$1,821.23	Town/SpecialDist/School
<b>Charge To :</b>	<b>142289 AMHERST</b>		<b>\$1,821.23</b>

REFUND - CLERICAL ERROR, PARCEL WAS CHARGED IN ERROR FOR SEWER USAGE. SEWER USAGE BILLED ON ANOTHER SBL 69.04-1-8.131. RPLT 550(2)E  
 CHECK FOR: FRANCISCAN MISSIONARY SISTERS

<b>FISCAL YEAR</b>	2002	Petition No.	<b>203,002.00</b>
	ASSESSOR	<b>Refund</b>	\$1,412.55
<b>S-B-L</b>	69.04-1-8.11	<b>142289 AMHERST</b>	
	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$1,412.55	Town/SpecialDist/School
<b>Charge To :</b>	<b>142289 AMHERST</b>		<b>\$1,412.55</b>

REFUND - CLERICAL ERROR, PARCEL WAS CHARGED IN ERROR FOR SEWER USAGE. SEWER UASABE BILLED ON ANOTHER SBL 69.04-1-8.131. RPTL 550(2)E  
 CHECK FOR: FRANCISCAN MISSIONARY SISTERS OF THE DIVINE

<b>FISCAL YEAR</b>	2003	Petition No.	<b>203,003.00</b>
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**ERIE COUNTY LEGISLATURE**

	ASSESSOR	<b>Cancel</b>	\$1,633.10	
<b>S-B-L</b>	69.04-1-8.11		<b>142289 AMHERST</b>	
	Acct. No. 112		\$0.00	County
	Acct. No. 132		\$1,633.10	Town/SpecialDist/School
<b><u>Charge To :</u></b>	<b>142289 AMHERST</b>			<b>\$1,633.10</b>

CANCEL - CLERICAL ERROR, THS SEWER USAGE WAS CHARGED TO THIS PARCEL IN ERROR. SEWER CHARGES ARE BILLED TO SBL 69.04-1-8.131.RPTL 550(2)E

<b>FISCAL YEAR</b>	2002	Petition No.	<b>203,004.00</b>	
	ASSESSOR	<b>Refund</b>	\$735.07	
<b>S-B-L</b>	69.04-1-8.131		<b>142289 AMHERST</b>	
	Acct. No. 112		\$0.00	County
	Acct. No. 132		\$735.07	Town/SpecialDist/School
<b><u>Charge To :</u></b>	<b>142289 AMHERST</b>			<b>\$735.07</b>

REFUND - CLERICAL ERROR, THE SANITARY WAS MISCALCULATED ON THE TAX ROLL. RPTL 550(2)E  
CHECK FOR: FRANSICAN MISSIONARY SISTERS

<b>FISCAL YEAR</b>	2003	Petition No.	<b>203,005.00</b>	
	ASSESSOR	<b>Cancel</b>	\$10,155.83	
<b>S-B-L</b>	69.04-1-8.131		<b>142289 AMHERST</b>	
	Acct. No. 112		\$0.00	County
	Acct. No. 132		\$10,155.83	Town/SpecialDist/School
<b><u>Charge To :</u></b>	<b>142289 AMHERST</b>			<b>\$10,155.83</b>

CANCEL - CLERICAL ERROR, THE SEWER TAX WAS MISCALCULATED ON THE THE TAX ROLL. RPTL 550(2)E

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**ERIE COUNTY LEGISLATURE**

<b>FISCAL YEAR</b>	2003	Petition No.	<b>203,006.00</b>
	ASSESSOR	<b>Cancel</b>	
<b>S-B-L</b>	69.12-9-38	<b>142289 AMHERST</b>	
	Acct. No. 112	\$69.74	County
	Acct. No. 132		Town/SpecialDist/School
	22031 MAIN TRANSIT FIRE PROTECTION	\$14.49	
<b>Charge To :</b>	<b>142289 AMHERST</b>		

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. THE ASSESSMENT WAS 180,000 AND SHOULD BE 165,000.  
 RPTL 550(2)A

<b>FISCAL YEAR</b>	2003	Petition No.	<b>203,007.00</b>
	ASSESSOR	<b>Cancel</b>	\$443.36
<b>S-B-L</b>	69.13-1-5	<b>142289 AMHERST</b>	
	Acct. No. 112	\$199.93	County
	Acct. No. 132	\$243.43	Town/SpecialDist/School
<b>Charge To :</b>	<b>142289 AMHERST</b>	<b>\$243.43</b>	

CANCEL - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 43,000 (50%) THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C

<b>FISCAL YEAR</b>	2003	Petition No.	<b>203,008.00</b>
	ASSESSOR	<b>Cancel</b>	\$453.65
<b>S-B-L</b>	69.17-3-79	<b>142289 AMHERST</b>	
	Acct. No. 112	\$204.57	County
	Acct. No. 132	\$249.08	Town/SpecialDist/School
<b>Charge To :</b>	<b>142289 AMHERST</b>	<b>\$249.08</b>	

CANCEL - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 55,000 (50%) THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C

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**ERIE COUNTY LEGISLATURE**

**FISCAL YEAR**    2003                      Petition No.                      **203,009.00**

                         ASSESSOR                      **Cancel**                      \$3,627.15

**S-B-L**    79.08-3-32    **142289 AMHERST**

   Acct. No. 112                      \$1,348.29    County  
   Acct. No. 132                      \$2,278.86    Town/SpecialDist/School

                         22021 SNYDER # 7 FIRE DISTRICT                      \$299.08

**Charge To :**                      **142289 AMHERST**                      **\$1,979.78**

**FISCAL YEAR**    2003                      Petition No.                      **203,010.00**

                         ASSESSOR                      **Cancel**                      \$1,134.00

**S-B-L**    79.25-3-16    **142289 AMHERST**

   Acct. No. 112                      \$0.00    County  
   Acct. No. 132                      \$1,134.00    Town/SpecialDist/School

**Charge To :**                      **142289 AMHERST**                      **\$1,134.00**

**FISCAL YEAR**    2002                      Petition No.                      **203,011.00**

                         ASSESSOR                      **Refund**                      \$500.41

**S-B-L**    80.07-1-6    **142289 AMHERST**

   Acct. No. 112                      \$0.00    County  
   Acct. No. 132                      \$500.41    Town/SpecialDist/School

**Charge To :**                      **142289 AMHERST**                      **\$500.41**  
                         **Relevy School**                      \$500.41    142203 WILLIAMSVILLE CENT

REFUND - CLERICAL ERROR, THE DISABILITY EXEMPTION IN THE AMOUNT OF



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**ERIE COUNTY LEGISLATURE**

REFUND - CLERICAL ERROR, THE SANITARY SEWER WAS OVERCHARGED ON THIS PROPERTY. THE GALLONAGE USED WAS INCORRECT. RPTL 550(2)E  
 CHECK FOR: MISCHLERS FLORIST INC

<b>FISCAL YEAR</b>	2003	Petition No.	<b>203,015.00</b>
	ASSESSOR	<b>Cancel</b>	\$3,242.57
<b>S-B-L</b>	80.12-1-7	<b>142289 AMHERST</b>	
	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$3,242.57	Town/SpecialDist/School
<b>Charge To :</b>	<b>142289 AMHERST</b>		<b>\$3,242.57</b>

CANCEL - CLERICAL ERROR, THE SANITARY SEWER IS ON THE WRONG PARCEL. THE SANITARY SEWER SHOULD BE ON SBL 80.12-1-6. RPTL 550(2)E

<b>FISCAL YEAR</b>	2003	Petition No.	<b>203,016.00</b>
	ASSESSOR	<b>Cancel</b>	\$2,193.28
<b>S-B-L</b>	80.12-2-13	<b>142289 AMHERST</b>	
	Acct. No. 112	\$743.84	County
	Acct. No. 132	\$1,449.44	Town/SpecialDist/School
	22021 SNYDER # 7 FIRE DISTRICT	\$164.96	
<b>Charge To :</b>	<b>142289 AMHERST</b>		<b>\$1,284.48</b>

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. THE ASSESSMENT WAS 105,000 AND SHOULD BE CHANGED TO 95,000 ON THESE 16 PARCELS. RPTL 550(2)A

<b>FISCAL YEAR</b>	2003	Petition No.	<b>203,017.00</b>
	ASSESSOR	<b>Cancel</b>	\$137.08
<b>S-B-L</b>	80.12-2-12	<b>142289 AMHERST</b>	
	Acct. No. 112	\$46.49	County

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**ERIE COUNTY LEGISLATURE**

	Acct. No. 132	\$90.59	Town/SpecialDist/School
	22021 SNYDER # 7 FIRE DISTRICT	\$10.31	
<b>Charge To :</b>	<b>142289 AMHERST</b>		<b>\$80.28</b>

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. THE ASSESSED VALUE WAS 105,000 AND SHOULD BE 95,000.  
 RPTL 550(2)A

<b>FISCAL YEAR</b>	2003	Petition No.	<b>203,018.00</b>
	ASSESSOR	<b>Cancel</b>	\$357.68

**S-B-L** 80.12-7-11 **142289 AMHERST**

	Acct. No. 112	\$128.31	County
	Acct. No. 132	\$229.37	Town/SpecialDist/School
	22022 AMHERST # 1 FIRE PROTECTION	\$27.44	
<b>Charge To :</b>	<b>142289 AMHERST</b>		<b>\$201.93</b>

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. THE ASSESSMENT WAS 129,600 AND SHOULD BE 102,000.  
 RPTL 550(2)A

<b>FISCAL YEAR</b>	2002	Petition No.	<b>203,019.00</b>
	ASSESSOR	<b>Refund</b>	\$2,208.81

**S-B-L** 80.13-5-13 **142289 AMHERST**

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$2,208.81	Town/SpecialDist/School
<b>Charge To :</b>	<b>142289 AMHERST</b>		<b>\$2,208.81</b>
	<b>Relevy School</b>	\$2,208.81	142201 AMHERST CENTRAL

REFUND - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY THE ASSESSMENT WAS 450,000 AND SHOULD BE 350,000. RPTL 550(2)A  
 CHECK FOR: PATRICK J UCCI

<b>FISCAL YEAR</b>	2003	Petition No.	<b>203,020.00</b>
	ASSESSOR	<b>Cancel</b>	\$1,165.01

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**ERIE COUNTY LEGISLATURE**

**S-B-L** 80.13-5-13 **142289 AMHERST**

	Acct. No. 112	\$464.93	County
	Acct. No. 132	\$700.08	Town/SpecialDist/School
	22021 SNYDER # 7 FIRE DISTRICT	\$103.13	
<b><u>Charge To :</u></b>	<b>142289 AMHERST</b>		<b>\$596.95</b>

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. THE ASSESSMENT WAS 450,000 AND SHOULD BE 350,000.  
 RPTL 550(2)A

**FISCAL YEAR** 2003 **Petition No.** **203,021.00**

**ASSESSOR** **Cancel** \$104.81

**S-B-L** 81.05-1-23 **142289 AMHERST**

	Acct. No. 112	\$46.66	County
	Acct. No. 132	\$58.15	Town/SpecialDist/School
<b><u>Charge To :</u></b>	<b>142289 AMHERST</b>		<b>\$58.15</b>

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. THE ASSESSMENT WAS 183,300 AND SHOULD BE 173,000.  
 RPTL 550(2)A

**FISCAL YEAR** 2003 **Petition No.** **203,022.00**

**ASSESSOR** **Cancel** \$155.21

**S-B-L** 164.20-2-37 **142289 AURORA**

	Acct. No. 112	\$118.89	County
	Acct. No. 132	\$36.32	Town/SpecialDist/School
<b><u>Charge To :</u></b>	<b>142289 AURORA</b>		<b>\$36.32</b>

CANCEL - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 6,244 WAS MISCALCULATED. THE SENIOR EXEMPTION SHOULD BE 20,813 (50%). RPTL 550(2)B

**FISCAL YEAR** 2002 **Petition No.** **203,023.00**



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**ERIE COUNTY LEGISLATURE**

ASSESSOR                      **Refund**                      \$745.76

**S-B-L**    125.10-16-14    **143089 CHEEKTOWAGA**

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$745.76	Town/SpecialDist/School
<b>Charge To :</b>	<b>143089 CHEEKTOWAGA</b>	<b>\$745.76</b>	
	<b>Relevy School</b>	\$745.76	146801 WEST SENECA CENT

REFUND - CLERICAL ERROR, THE DISABILITY EXEMPTION IN THE AMOUNT OF 28,860 THAT WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C  
 CHECK FOR: RITA M EAGLE

**FISCAL YEAR**    2001                      Petition No.                      **203,024.00**

ASSESSOR                      **Cancel**                      \$119.13

**S-B-L**    112.44-2-22    **143001 SLOAN**

	Acct. No. 112	\$53.54	County
	Acct. No. 132	\$65.59	Town/SpecialDist/School
<b>Charge To :</b>	<b>143001 SLOAN</b>	<b>\$65.59</b>	
	<b>Relevy Village</b>	\$65.59	Village of SLOAN

CANCEL - CLERICAL ERROR, THE NEW YORK STATE OWNS THIS PARCEL AND IS WHOLLY EXEMPT FROM TAXES. THE EXEMPTION FOR THE STATE WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C

**FISCAL YEAR**    2001                      Petition No.                      **203,025.00**

ASSESSOR                      **Cancel**                      \$2,175.23

**S-B-L**    112.44-2-23    **143001 SLOAN**

	Acct. No. 112	\$977.54	County
	Acct. No. 132	\$1,197.69	Town/SpecialDist/School
<b>Charge To :</b>	<b>143001 SLOAN</b>	<b>\$1,197.69</b>	
	<b>Relevy School</b>	\$1,197.69	

CANCEL - CLERICAL ERROR, THIS PARCEL IS WHOLLY EXEMPT FROM TAXES. THIS IS OWNED BY NEW YORK STATE WHICH PAYS ONLY ON SPECIAL ASSESSMENTS. THE EXEMPTION FOR THE STATE WAS OMITTED. RPTL 550(2)C

**FISCAL YEAR**    2003                      Petition No.                      **203,026.00**

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**ERIE COUNTY LEGISLATURE**

ASSESSOR                      **Cancel**                      \$3,288.60

**S-B-L**    114.04-5-31.1    **143089 CHEEKTOWAGA**

Acct. No. 112    \$0.00    County  
 Acct. No. 132    \$3,288.60    Town/SpecialDist/School

30312 ECSD#1 USER CHARGE                      \$3,288.60

**Charge To :**    **143089 CHEEKTOWAGA**    **\$0.00**

CANCEL - CLERICAL ERROR, THE SANITARY SEWER WAS OVERCHARGED FOR SERVICE. THE WRONG GALLONAGE WAS USED THE FIGURE USED WAS 2875 AND SHOULD BE 1048. RPTL 550(2)E

**FISCAL YEAR**    2003                      Petition No.                      **203,027.00**

ASSESSOR                      **Cancel**                      \$241.26

**S-B-L**    30.00-4-2.1    **143200 CLARENCE**

Acct. No. 112    \$175.29    County  
 Acct. No. 132    \$65.97    Town/SpecialDist/School

**Charge To :**    **143200 CLARENCE**    **\$65.97**

CANCEL - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 18,738 (20%) THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C

**FISCAL YEAR**    2003                      Petition No.                      **203,028.00**

ASSESSOR                      **Cancel**                      \$735.10

**S-B-L**    43.05-4-40.2    **143200 CLARENCE**

Acct. No. 112    \$527.42    County  
 Acct. No. 132    \$207.68    Town/SpecialDist/School

**Charge To :**    **143200 CLARENCE**    **\$207.68**

CANCEL - CLERICAL ERROR, THE VETERAN'S EXEMPTION IN THE AMOUNT OF 115,680 (48%) THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C

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**ERIE COUNTY LEGISLATURE**

<b>FISCAL YEAR</b>	2003	Petition No.	<b>203,029.00</b>
	ASSESSOR	<b>Cancel</b>	\$276.28
<b>S-B-L</b>	57.16-1-3	<b>143200 CLARENCE</b>	
	Acct. No. 112	\$198.22	County
	Acct. No. 132	\$78.06	Town/SpecialDist/School
<b>Charge To :</b>	<b>143200 CLARENCE</b>		<b>\$78.06</b>

CANCEL - CLERICAL ERROR, THE VETERAN'S EXEMPTION IN THE AMOUNT OF 21,740 (20%) AND THE SENIOR EXEMPTION IN THE AMOUNT OF 43,480 (50%) WAS OMITTED FROM THE TAX ROLL. RPTL 550(2)C

<b>FISCAL YEAR</b>	2003	Petition No.	<b>203,030.00</b>
	ASSESSOR	<b>Cancel</b>	\$131.56
<b>S-B-L</b>	57.17-2-30	<b>143200 CLARENCE</b>	
	Acct. No. 112	\$79.33	County
	Acct. No. 132	\$52.23	Town/SpecialDist/School
<b>Charge To :</b>	<b>143200 CLARENCE</b>		<b>\$52.23</b>

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. THE ASSESSED VALUE WAS 20,000 AND SHOULD BE 2,600. RPTL 550(2)A

<b>FISCAL YEAR</b>	2003	Petition No.	<b>203,031.00</b>
	ASSESSOR	<b>Cancel</b>	\$328.35
<b>S-B-L</b>	70.14-3-4	<b>143200 CLARENCE</b>	
	Acct. No. 112	\$235.72	County
	Acct. No. 132	\$92.63	Town/SpecialDist/School
<b>Charge To :</b>	<b>143200 CLARENCE</b>		<b>\$92.63</b>

CANCEL - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 51,700 (50%) FOR COUNTY AND 51,595 FOR TOWN TAX WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C

**MEETING NO. 4**  
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**ERIE COUNTY LEGISLATURE**

<b>FISCAL YEAR</b>	2003	Petition No.	<b>203,032.00</b>
	ASSESSOR	<b>Cancel</b>	\$335.67
<b>S-B-L</b>	70.18-5-23.1	<b>143200 CLARENCE</b>	
	Acct. No. 112		\$181.92 County
	Acct. No. 132		\$153.75 Town/SpecialDist/School
	32023 HARRIS HILL FIRE DIST	\$53.76	
	62019 SARDINIA FIRE PROTECT	\$14.22	
<b>Charge To :</b>	<b>143200 CLARENCE</b>		<b>\$85.77</b>

<b>FISCAL YEAR</b>	2003	Petition No.	<b>203,033.00</b>
	ASSESSOR	<b>Cancel</b>	\$294.44
<b>S-B-L</b>	70.18-6-9	<b>143200 CLARENCE</b>	
	Acct. No. 112		\$159.58 County
	Acct. No. 132		\$134.86 Town/SpecialDist/School
	32023 HARRIS HILL FIRE DIST	\$47.16	
<b>Charge To :</b>	<b>143200 CLARENCE</b>		<b>\$87.70</b>

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. THE ASSESSMENT WAS 40,000 AND SHOULD BE 5,000.  
RPTL 550(2)A

<b>FISCAL YEAR</b>	2003	Petition No.	<b>203,034.00</b>
	ASSESSOR	<b>Cancel</b>	\$399.91
<b>S-B-L</b>	82.10-1-6.1	<b>143200 CLARENCE</b>	
	Acct. No. 112		\$220.72 County
	Acct. No. 132		\$179.19 Town/SpecialDist/School
	32023 HARRIS HILL FIRE DIST	\$62.66	
<b>Charge To :</b>	<b>143200 CLARENCE</b>		<b>\$116.53</b>

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**ERIE COUNTY LEGISLATURE**

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. THE ASSESSMENT WAS 51,500 AND SHOULD BE 5,000.  
 RPTL 550(2)A

<b>FISCAL YEAR</b>	2003	Petition No.	<b>203,035.00</b>
	ASSESSOR	<b>Cancel</b>	\$17.27
<b>S-B-L</b>	82.11-1-27.1	<b>143200 CLARENCE</b>	
	Acct. No. 112		\$3.15 County
	Acct. No. 132		\$14.12 Town/SpecialDist/School
	32023 HARRIS HILL FIRE DIST	\$0.67	
<b>Charge To :</b>	<b>143200 CLARENCE</b>		<b>\$13.45</b>
	<b>Relevy School</b>	\$8.29	143201 CLARENCE CENTRAL

CANCEL - CLERICAL ERROR, THIS PARCEL IS INCLUDED IN SBL 82.11-1-27.1.  
 THIS IS A DUPLICATE PARCEL . RPTL 550(2)F

<b>FISCAL YEAR</b>	2003	Petition No.	<b>203,036.00</b>
	ASSESSOR	<b>Cancel</b>	\$901.19
<b>S-B-L</b>	83.00-1-18./B	<b>143200 CLARENCE</b>	
	Acct. No. 112		\$547.13 County
	Acct. No. 132		\$354.06 Town/SpecialDist/School
<b>Charge To :</b>	<b>143200 CLARENCE</b>		<b>\$354.06</b>

CANCEL - ERROR IN ESSENTIAL FACT, ANTENNA WAS NEVER ERECTED ON THIS PROPERTY. RPTL 550(3)A

<b>FISCAL YEAR</b>		Petition No.	<b>203,037.00</b>
		<b>Cancel</b>	
<b>S-B-L</b>			

**MEETING NO. 4**  
**February 24, 2003**

**ERIE COUNTY LEGISLATURE**

	Acct. No. 112	\$0.00	County
	Acct. No. 132		Town/SpecialDist/School
52500	ERIE CO SEWER #4	\$37.50	
52500	ERIE CO SEWER #4	\$37.50	
52500	ERIE CO SEWER #4	\$37.50	
<b>Charge To :</b>	<b>145289 LANCASTER</b>		<b>\$-75.00</b>

CANCEL - CLERICAL ERROR, THE ERIE COUNTY WATER AUTHORITY IS NOT CHARGED FOR SEWER SERVICE. RPTL 550(2)E

<b>FISCAL YEAR</b>	2001	Petition No.	<b>203,038.00</b>
	ASSESSOR	<b>Refund</b>	\$605.90
<b>S-B-L</b>	104.71-1-15		<b>145289 LANCASTER</b>

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$605.90	Town/SpecialDist/School
41854	BASIC STAR EXEMPTION	\$605.90	
<b>Charge To :</b>	<b>145289 LANCASTER</b>		<b>\$0.00</b>

REFUND - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF 25,310 WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C  
 CHECK FOR PATRICK & BARBARA WACHOWSKI DEPEW UNION FREE

<b>FISCAL YEAR</b>	2003	Petition No.	<b>203,039.00</b>
	ASSESSOR	<b>Cancel</b>	\$51.40
<b>S-B-L</b>	52.20-1-5		<b>146489 TONAWANDA</b>

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$51.40	Town/SpecialDist/School
<b>Charge To :</b>	<b>146489 TONAWANDA</b>		<b>\$51.40</b>

CANCEL - UNLAWFUL ENTRY, PARCEL IS OWNED BY NFTA MAKING IT WHOLLY EXEMPT FROM TAXES. RPTL 550(7)A

<b>FISCAL YEAR</b>	2003	Petition No.	<b>203,040.00</b>
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**MEETING NO. 4**  
**February 24, 2003**

**ERIE COUNTY LEGISLATURE**

ASSESSOR                      **Cancel**                      \$298.97

**S-B-L**    53.78-2-25    **146489 TONAWANDA**

	Acct. No. 112		\$0.00	County
	Acct. No. 132		\$298.97	Town/SpecialDist/School
64024	BRIGHTON FIRE DIST	\$68.99		
<b>Charge To :</b>	<b>146489 TONAWANDA</b>			<b>\$229.98</b>

CANCEL - UNLAWFUL ENTRY, PARCEL IS OWNED BY NFTA MAKING IT WHOLLY EXEMPT FROM TAXES. RPTL 550(7)A

**FISCAL YEAR**    2003                      Petition No.                      **203,041.00**

ASSESSOR                      **Cancel**                      \$268.73

**S-B-L**    66.34-2-27    **146489 TONAWANDA**

	Acct. No. 112		\$0.00	County
	Acct. No. 132		\$268.73	Town/SpecialDist/School
64024	BRIGHTON FIRE DIST	\$60.63		
<b>Charge To :</b>	<b>146489 TONAWANDA</b>			<b>\$208.10</b>

CANCEL - UNLAWFUL ENTRY, PARCEL IS OWNED BY THE NFTA MAKING IT WHOLLY EXEMPT FROM TAXES. RPTL 550(7)A

**FISCAL YEAR**    2000                      Petition No.                      **203,042.00**

ASSESSOR                      **Refund**                      \$310.68

**S-B-L**    67.29-7-9    **146489 TONAWANDA**

	Acct. No. 112		\$0.00	County
	Acct. No. 132		\$310.68	Town/SpecialDist/School
41854	BASIC STAR EXEMPTION	\$310.68		
<b>Charge To :</b>	<b>146489 TONAWANDA</b>			<b>\$0.00</b>

REFUND - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF 13,380 WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C  
 CHECK FOR : FRANCES DE SOTO ETAL    KENMORE UFSD

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**February 24, 2003**

**ERIE COUNTY LEGISLATURE**

**FISCAL YEAR** 2001                      Petition No.                      **203,043.00**

ASSESSOR                      **Refund**                      \$628.21

**S-B-L** 67.29-7-9                      **146489 TONAWANDA**

Acct. No. 112                      \$0.00      County  
 Acct. No. 132                      \$628.21      Town/SpecialDist/School

41854 BASIC STAR EXEMPTION                      \$628.21

**Charge To :**                      **146489 TONAWANDA**                      **\$0.00**

REFUND - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF  
 21,130 WAS OMITTED FROM THE TAX ROLL. RPTL 550(2)C  
 CHECK FOR: FRANCES DE SOTO ETAL

**FISCAL YEAR** 2002                      Petition No.                      **203,044.00**

ASSESSOR                      **Refund**                      \$646.53

**S-B-L** 67.29-7-9                      **146489 TONAWANDA**

Acct. No. 112                      \$0.00      County  
 Acct. No. 132                      \$646.53      Town/SpecialDist/School

41854 BASIC STAR EXEMPTION                      \$646.53

**Charge To :**                      **146489 TONAWANDA**                      **\$0.00**

REFUND - CLERICAL ERRO, THE BASIC STAR EXEMPTION IN THE AMOUNT OF  
 21,130 WAS OMITTED FROM THE TAX ROLL. RPTL 550(2)C  
 CHECK FOR: FRANCES DE SOTO ETAL

**FISCAL YEAR** 2003                      Petition No.                      **203,045.00**

ASSESSOR                      **Cancel**                      \$73.28

**S-B-L** 53.12-6-24                      **146489 TONAWANDA**

Acct. No. 112                      \$0.00      County  
 Acct. No. 132                      \$73.28      Town/SpecialDist/School

**Charge To :**                      **146489 TONAWANDA**                      **\$73.28**



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**ERIE COUNTY LEGISLATURE**

CANCEL - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 9,044 (20%) WAS OMITTED FROM THE TAX ROLL. RPTL 550(2)C

<b>FISCAL YEAR</b>	2003	Petition No.	<b>203,046.00</b>
	ASSESSOR	<b>Cancel</b>	\$73.94
<b>S-B-L</b>	77.32-7-15		<b>146489 TONAWANDA</b>
	Acct. No. 112		\$0.00 County
	Acct. No. 132		\$73.94 Town/SpecialDist/School
	64025 FIRE PROT INDUSTRIAL	\$14.56	
<b>Charge To :</b>		<b>146489 TONAWANDA</b>	<b>\$59.38</b>

CANCEL - UNLAWFUL ENTRY, PARCEL IS OWNED BY NFTA MAKING IT WHOLLY EXEMPT FROM TAXES. RPTL 550(7)A

<b>FISCAL YEAR</b>	2003	Petition No.	<b>203,047.00</b>
	ASSESSOR	<b>Cancel</b>	\$7,511.68
<b>S-B-L</b>	77.08-3-5.1		<b>146489 TONAWANDA</b>
	Acct. No. 112		\$0.00 County
	Acct. No. 132		\$7,511.68 Town/SpecialDist/School
	64025 FIRE PROT INDUSTRIAL	\$7,511.68	
<b>Charge To :</b>		<b>146489 TONAWANDA</b>	<b>\$0.00</b>

CANCEL - UNLAWFUL ENTRY, PARCEL IS OWNED BY NFTA MAKING IT WHOLLY EXEMPT FROM TAXES. RPTL 550(7)A

<b>FISCAL YEAR</b>	2003	Petition No.	<b>203,048.00</b>
	ASSESSOR	<b>Cancel</b>	\$1,210.96
<b>S-B-L</b>	777.00-43-4.1		<b>146489 TONAWANDA</b>

**MEETING NO. 4**  
**February 24, 2003**

**ERIE COUNTY LEGISLATURE**

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$1,210.96	Town/SpecialDist/School
64020	ELLWOOD FIRE DIST	\$199.63	
64021	KENILWORTH FIRE DIST	\$47.41	
64024	BRIGHTON FIRE DIST	\$120.72	
<b>Charge To :</b>	<b>146489 TONAWANDA</b>		<b>\$843.20</b>

CANCEL - UNLAWFUL ENTRY, THIS PARCEL IS OWNED BY NFTA AND IS WHOLLY EXEMPT FROM TAXES . RPTL 550(7)A

**FISCAL YEAR** 2003                      **Petition No.**                      **203,049.00**

ASSESSOR                      **Cancel**                      \$47.86

**S-B-L** 78.64-3-2                      **140200 BUFFALO**

	Acct. No. 112	\$47.86	County
	Acct. No. 132	\$0.00	Town/SpecialDist/School
<b>Charge To :</b>	<b>140200 BUFFALO</b>		<b>\$0.00</b>

CANCEL - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 1,105 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C

**FISCAL YEAR** 2003                      **Petition No.**                      **203,050.00**

ASSESSOR                      **Cancel**                      \$167.26

**S-B-L** 79.37-5-18                      **00 COUNTY**

	Acct. No. 112	\$167.26	County
	Acct. No. 132	\$0.00	Town/SpecialDist/School
<b>Charge To :</b>	<b>00 COUNTY</b>		<b>\$0.00</b>

CANCEL - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 34,750 WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C

**FISCAL YEAR** 2000                      **Petition No.**                      **203,051.00**

**MEETING NO. 4**  
**February 24, 2003**

**ERIE COUNTY LEGISLATURE**

ASSESSOR                      **Cancel**                      \$1,369.81

**S-B-L**     88.51-3-53    **140200 BUFFALO**

Acct. No. 112    \$1,369.81     County  
Acct. No. 132    \$0.00     Town/SpecialDist/School

**Charge To :**    **140200 BUFFALO**    **\$0.00**

CANCEL - CLERICAL ERROR, PROPERTY IS OWNED BY BUFFALO STATE COLLEGE  
NEW YORK STATE EXEMPTION WAS OMITTED IN ERROR FROM THE TAX ROLL.  
RPTL 550(2)C

**FISCAL YEAR**     2003                      Petition No.                      **203,052.00**

ASSESSOR                      **Cancel**                      \$308.45

**S-B-L**     133.46-6-18    **140200 BUFFALO**

Acct. No. 112    \$308.45     County  
Acct. No. 132    \$0.00     Town/SpecialDist/School

**Charge To :**    **140200 BUFFALO**    **\$0.00**

CANCEL - CLERICAL ERROR, AN RPTL 520 TAX WAS PLACED ON THIS PARCEL IN  
ERROR. THE CORRECT SBL # 133.46-6-10 IS WHERE THE TAX ACTUALLY  
BELONGS. RPTL 550(2)E

**FISCAL YEAR**     2003                      Petition No.                      **203,053.00**

ASSESSOR                      **Cancel**                      \$18.24

**S-B-L**     26.12-3-20    **142289 AMHERST**

Acct. No. 112    \$6.97     County  
Acct. No. 132    \$11.27     Town/SpecialDist/School

22026 AMHERST # 9 FIRE PROTECTION     \$1.44

**Charge To :**    **142289 AMHERST**    **\$9.83**

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY  
ON THE TAX ROLL. THE ASSESSMENT WAS 100,000 AND SHOULD BE 98,500.  
RPTL 550(2)A

**MEETING NO. 4**  
**February 24, 2003**

**ERIE COUNTY LEGISLATURE**

<b>FISCAL YEAR</b>	2000	Petition No.	<b>203,054.00</b>
	ASSESSOR	<b>Refund</b>	\$242.15
<b>S-B-L</b>	26.19-1-15.1	<b>142289 AMHERST</b>	
	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$242.15	Town/SpecialDist/School
	41854 BASIC STAR EXEMPTION	\$242.15	
<b>Charge To :</b>	<b>142289 AMHERST</b>		<b>\$0.00</b>

REFUND - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF 20,000 WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C  
CHECK FOR: SHAWN & THERESA KILROY

<b>FISCAL YEAR</b>	2001	Petition No.	<b>203,055.00</b>
	ASSESSOR	<b>Refund</b>	\$371.28
<b>S-B-L</b>	26.19-1-15.2	<b>142289 AMHERST</b>	
	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$371.28	Town/SpecialDist/School
	41854 BASIC STAR EXEMPTION	\$371.28	
<b>Charge To :</b>	<b>142289 AMHERST</b>		<b>\$0.00</b>

REFUND - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF 30,000 WAS OMITTED FROM THE TAX ROLL. RPTL 550(2)C  
CHECK FOR: SHAWN & THERESA KILROY SWEET HOME

<b>FISCAL YEAR</b>	2002	Petition No.	<b>203,056.00</b>
	ASSESSOR	<b>Refund</b>	\$380.90
<b>S-B-L</b>	26.19-1-15.2	<b>142289 AMHERST</b>	
	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$380.90	Town/SpecialDist/School
	41854 BASIC STAR EXEMPTION	\$380.90	
<b>Charge To :</b>	<b>142289 AMHERST</b>		<b>\$0.00</b>

REFUND - CLERICAL ERROR, THE BASIC STAR IN THE AMOUNT OF 30,000

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**February 24, 2003**

**ERIE COUNTY LEGISLATURE**

WAS OMITTED FROM THE TAX ROLL IN ERROR. RPTL 550(2)C  
 CHECK FOR: SHAWN & THERESA KILROY SWEET HOME CENTRAL

**FISCAL YEAR** 2003 **Petition No.** **203,057.00**

**ASSESSOR** **Cancel** \$17,561.76

**S-B-L** 26.19-3-13.1/A **142289 AMHERST**

Acct. No. 112 \$8,461.68 County  
 Acct. No. 132 \$9,100.08 Town/SpecialDist/School  
**Charge To :** **142289 AMHERST** **\$9,100.08**

**FISCAL YEAR** 2003 **Petition No.** **203,058.00**

**ASSESSOR** **Cancel** \$66.46

**S-B-L** 27.20-2-1 **142289 AMHERST**

Acct. No. 112 \$32.45 County  
 Acct. No. 132 \$34.01 Town/SpecialDist/School  
**Charge To :** **142289 AMHERST** **\$34.01**

CANCEL - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 27,930  
 WAS MISCALCULATED. THE CORRECT AMOUNT IS 34,913. RPTL 550(2)B

**FISCAL YEAR** 2003 **Petition No.** **203,059.00**

**ASSESSOR** **Cancel** \$1,504.95

**S-B-L** 28.00-1-4.2 **142289 AMHERST**

Acct. No. 112 \$278.88 County  
 Acct. No. 132 \$1,226.07 Town/SpecialDist/School  
**Charge To :** **142289 AMHERST** **\$1,226.07**  
**Relevy School** \$809.59 142203 WILLIAMSVILLE CENT

**MEETING NO. 4**  
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**ERIE COUNTY LEGISLATURE**

CANCEL - CLERICAL ERROR, THIS IS A DUPLICATE PARCEL . PARCEL IS NOW  
 PART OF 28.00-1-1.211/J. RPTL 550(2)F

<b>FISCAL YEAR</b>	2002	Petition No.	<b>203,060.00</b>
	ASSESSOR	<b>Refund</b>	\$582.44
<b>S-B-L</b>	28.04-2-17	<b>142289 AMHERST</b>	
	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$582.44	Town/SpecialDist/School
	41854 BASIC STAR EXEMPTION	\$582.44	
<b>Charge To :</b>	<b>142289 AMHERST</b>		<b>\$0.00</b>

REFUND - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF  
 30, 000 WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C  
 CHECK FOR: RICHARD & CYNTHIA KRAMER WILLIAMSVILLE CENTRAL

<b>FISCAL YEAR</b>		Petition No.	<b>203,061.00</b>
		<b>Cancel</b>	
<b>S-B-L</b>			
	Acct. No. 112	\$0.00	County
	Acct. No. 132		Town/SpecialDist/School
	41854 BASIC STAR EXEMPTION	\$370.37	
	41854 BASIC STAR EXEMPTION	\$370.37	
<b>Charge To :</b>	<b>142289 AMHERST</b>		<b>\$-370.37</b>

REFUND - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT  
 OF 20,000 WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C  
 CHECK FOR: THOMAS & JUDY BUBAR WILLIAMSVILLE CENTRAL

<b>FISCAL YEAR</b>	2001	Petition No.	<b>203,062.00</b>
	ASSESSOR	<b>Refund</b>	\$563.09
<b>S-B-L</b>	28.08-1-17	<b>142289 AMHERST</b>	

**MEETING NO. 4**  
**February 24, 2003**

**ERIE COUNTY LEGISLATURE**

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$563.09	Town/SpecialDist/School
41854	BASIC STAR EXEMPTION	\$563.09	
<b>Charge To :</b>	<b>142289 AMHERST</b>		<b>\$0.00</b>

REFUND - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF 30,000 WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C  
 CHECK FOR: THOMAS & JUDY BUBAR WILLIAMSVILLE CENTRAL

**FISCAL YEAR** 2002                      **Petition No.**                      **203,063.00**

ASSESSOR                      **Refund**                      \$582.44

**S-B-L** 28.08-1-17                      **142289 AMHERST**

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$582.44	Town/SpecialDist/School
41854	BASIC STAR EXEMPTION	\$582.44	
<b>Charge To :</b>	<b>142289 AMHERST</b>		<b>\$0.00</b>

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

**FISCAL YEAR** 2003                      **Petition No.**                      **203,064.00**

ASSESSOR                      **Cancel**                      \$891.94

**S-B-L** 28.14-4-9                      **142289 AMHERST**

	Acct. No. 112	\$299.88	County
	Acct. No. 132	\$592.06	Town/SpecialDist/School
<b>Charge To :</b>	<b>142289 AMHERST</b>		<b>\$592.06</b>

CANCEL - ERROR IN ESSENTIAL FACT, THE HOUSE WAS DESTROYED BY FIRE  
 THE ASSESSED VALUE WAS 83,900 AND SHOULD BE 19,400. RPTL 550(3)A

**FISCAL YEAR** 2003                      **Petition No.**                      **203,065.00**

**MEETING NO. 4**  
**February 24, 2003**

**ERIE COUNTY LEGISLATURE**

ASSESSOR                      **Cancel**                      \$18,421.16

**S-B-L**    28.25-1-80    **142289 AMHERST**

Acct. No. 112	\$0.00	County
Acct. No. 132	\$18,421.16	Town/SpecialDist/School
<b>Charge To :</b>	<b>142289 AMHERST</b>	<b>\$18,421.16</b>

CANCEL - CLERICAL ERROR, THE GALLONAGE FIGURE USED TO DETERMINE THE SEWER TAX WAS INCORRECT. THE GALLONAGE FIGURE USED WAS 8,385 AND SHOULD BE 83. RPTL 550(2)E

**FISCAL YEAR**    2003                      Petition No.                      **203,066.00**

ASSESSOR                      **Cancel**                      \$285.81

**S-B-L**    41.16-6-51    **142289 AMHERST**

Acct. No. 112	\$139.68	County
Acct. No. 132	\$146.13	Town/SpecialDist/School
<b>Charge To :</b>	<b>142289 AMHERST</b>	<b>\$146.13</b>

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

**FISCAL YEAR**    2002                      Petition No.                      **203,067.00**

ASSESSOR                      **Refund**                      \$37.76

**S-B-L**    42.08-3-2./11    **142289 AMHERST**

Acct. No. 112	\$0.00	County
Acct. No. 132	\$37.76	Town/SpecialDist/School
<b>Charge To :</b>	<b>142289 AMHERST</b>	<b>\$37.76</b>

REFUND - CLERICAL ERROR, THIS PARCEL WAS CHARGED FOR AN EXTRA SEWER TAX. RPTL 550(2)E  
CHECK FOR: MARY & FRANK PERNA



**MEETING NO. 4**  
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**ERIE COUNTY LEGISLATURE**

<b>FISCAL YEAR</b>	2003	Petition No.	<b>203,068.00</b>
	ASSESSOR	<b>Cancel</b>	\$196.93
<b>S-B-L</b>	56.55-1-1./7G	<b>142289 AMHERST</b>	
	Acct. No. 112	\$96.17	County
	Acct. No. 132	\$100.76	Town/SpecialDist/School
<b>Charge To :</b>	<b>142289 AMHERST</b>		<b>\$100.76</b>

CANCEL - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 20,685 (35%) THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C

<b>FISCAL YEAR</b>	2003	Petition No.	<b>203,069.00</b>
	ASSESSOR	<b>Cancel</b>	\$93.66
<b>S-B-L</b>	56.17-2-14	<b>142289 AMHERST</b>	
	Acct. No. 112	\$37.19	County
	Acct. No. 132	\$56.47	Town/SpecialDist/School
	22033 WILLIAMSVILLE FIRE PROTECTION	\$7.85	
<b>Charge To :</b>	<b>142289 AMHERST</b>		<b>\$48.62</b>

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. THE ASSESSMENT WAS 142,000 AND SHOULD BE 134,000. RPTL 550(2)A

<b>FISCAL YEAR</b>	2003	Petition No.	<b>203,070.00</b>
	ASSESSOR	<b>Cancel</b>	\$212.45
<b>S-B-L</b>	55.12-4-10	<b>142289 AMHERST</b>	
	Acct. No. 112	\$82.30	County
	Acct. No. 132	\$130.15	Town/SpecialDist/School
<b>Charge To :</b>	<b>142289 AMHERST</b>		<b>\$130.15</b>

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. THE ASSESSMENT WAS 141,700 AND SHOULD BE 124,000. RPTL 550(2)A

**MEETING NO. 4**  
**February 24, 2003**

**ERIE COUNTY LEGISLATURE**

<b>FISCAL YEAR</b>	2002	Petition No.	<b>203,071.00</b>
	ASSESSOR	<b>Cancel</b>	\$5,841.45
<b>S-B-L</b>	67.12-1-30.11	<b>142289 AMHERST</b>	
	Acct. No. 112		\$2,027.09 County
	Acct. No. 132		\$3,814.36 Town/SpecialDist/School
	22020 EGGERTSVILLE DIST #6	\$525.90	
<b>Charge To :</b>	<b>142289 AMHERST</b>		<b>\$3,288.46</b>

CANCEL - CLERICAL ERROR, THIS PARCEL HAS BEEN MERGED WITH  
 SBL 67.12-1-29.111. RPTL 550(2)F

<b>FISCAL YEAR</b>	2003	Petition No.	<b>203,072.00</b>
	ASSESSOR	<b>Cancel</b>	\$212.91
<b>S-B-L</b>	67.57-4-3	<b>142289 AMHERST</b>	
	Acct. No. 112		\$103.98 County
	Acct. No. 132		\$108.93 Town/SpecialDist/School
<b>Charge To :</b>	<b>142289 AMHERST</b>		<b>\$108.93</b>

CANCEL - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF  
 22,365 (50%) WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C

<b>FISCAL YEAR</b>	2002	Petition No.	<b>203,073.00</b>
	ASSESSOR	<b>Refund</b>	\$1,228.10
<b>S-B-L</b>	68.18-5-16	<b>142289 AMHERST</b>	
	Acct. No. 112		\$0.00 County
	Acct. No. 132		\$1,228.10 Town/SpecialDist/School
<b>Charge To :</b>	<b>142289 AMHERST</b>		<b>\$1,228.10</b>
	<b>Relevy School</b>	\$1,228.10	142201 AMHERST CENTRAL

**MEETING NO. 4**  
**February 24, 2003**

**ERIE COUNTY LEGISLATURE**

REFUND - CLERICAL ERROR, THE CLERGY EXEMPTION IN THE AMOUNT OF 1,500 AND THE SENIOR EXEMPTION IN THE AMOUNT OF 54,100 (50%) WAS OMITTED FROM THE TAX ROLL . CHECK FOR CATHERINE GAINEY

<b>FISCAL YEAR</b>	2003	Petition No.	<b>203,074.00</b>
	ASSESSOR	<b>Cancel</b>	\$529.32
<b>S-B-L</b>	68.18-5-16	<b>142289 AMHERST</b>	
	Acct. No. 112	\$258.50	County
	Acct. No. 132	\$270.82	Town/SpecialDist/School
<b>Charge To :</b>	<b>142289 AMHERST</b>	<b>\$270.82</b>	

CANCEL - CLERICAL ERROR, THE CLERGY EXEMPTION IN THE AMOUNT OF 1,500 AND THE SENIOR EXEMPTION IN THE AMOUNT OF 54,100 THAT THIS PARCEL WAS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL.

<b>FISCAL YEAR</b>	2003	Petition No.	<b>203,075.00</b>
	ASSESSOR	<b>Cancel</b>	\$39.25
<b>S-B-L</b>	40.15-9-31	<b>142289 AMHERST</b>	
	Acct. No. 112	\$13.95	County
	Acct. No. 132	\$25.30	Town/SpecialDist/School
	22026 AMHERST # 9 FIRE PROTECTION	\$2.89	
<b>Charge To :</b>	<b>142289 AMHERST</b>	<b>\$22.41</b>	

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. THE ASSESSMENT WAS 123,000 AND SHOULD BE 120,000.  
 RPTL 550(2)A

<b>FISCAL YEAR</b>	2000	Petition No.	<b>203,076.00</b>
	ASSESSOR	<b>Refund</b>	\$2,129.55
<b>S-B-L</b>	69.04-1-8.11	<b>142289 AMHERST</b>	
	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$2,129.55	Town/SpecialDist/School
<b>Charge To :</b>	<b>142289 AMHERST</b>	<b>\$2,129.55</b>	

**MEETING NO. 4**  
**February 24, 2003**

**ERIE COUNTY LEGISLATURE**

REFUND - CLERICAL ERROR, THIS PARCEL WAS CHARGED FOR SEWER USAGE.  
 THIS CHARGED IS PAYABLE UNDER SBL 69.04-1-8.131. RPTL 550(2)E  
 CHECK FOR : FRANCISCAN MISSIONARY SISTERS OF THE DIVINE CHILD

<b>FISCAL YEAR</b>	2003	Petition No.	<b>203,077.00</b>
	ASSESSOR	<b>Cancel</b>	\$661.25

**S-B-L** 235.20-1-16 **144401 ANGOLA**

	Acct. No. 112	\$88.48	County
	Acct. No. 132	\$572.77	Town/SpecialDist/School
<b>Charge To :</b>	<b>144401 ANGOLA</b>		<b>\$572.77</b>
	<b>Relevy School</b>	\$336.62	144401 LAKE SHORE CENTRAL
	<b>Relevy Village</b>	\$236.15	Village of ANGOLA

CANCEL - CLERICAL ERROR, THIS PARCEL WAS STRUCK TO THE COUNTY OF ERIE  
 ON 9/13/2002. THE VILLAGE AND SCHOOL RELEVY ARE PART OF THE IN REM 157  
 SERIAL 1300 ACTION . RPTL 550(2)E  
 (5-0)

4. Item Page -2003 (Comm. 3E-19)  
**COMPTROLLER**  
 RESOLUTION NO. 33-2003

BOND RESOLUTION DATED \_\_\_\_\_, 2003

BOND RESOLUTION OF THE COUNTY OF ERIE, NEW YORK, AUTHORIZING THE  
 PREPARATION OF SURVEYS, PRELIMINARY AND DETAILED PLANS, SPECIFICATIONS  
 AND ESTIMATES NECESSARY FOR THE RECONSTRUCTION OF VARIOUS STREETS  
 WITHIN THE COUNTY, STATING THE ESTIMATED MAXIMUM COST THEREOF IS  
 \$1,320,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE  
 ISSUANCE OF \$1,320,000 BONDS OF THE COUNTY TO PAY THE COST THEREOF.

(Introduced) February 4, 2003

(Adopted) \_\_\_\_\_, 2003

RESOLVED BY THE COUNTY LEGISLATURE OF THE COUNTY OF ERIE,  
 NEW YORK (by the affirmative vote of not less than two thirds of the voting strength of said  
 Legislature), AS FOLLOWS:

Section 1. The County of Erie, New York (herein called "County"), is hereby  
 authorized to prepare surveys, preliminary and detailed plans, specifications and estimates necessary

for the reconstruction of various streets within the County, including engineering, surveying and other work required in connection therewith. The estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and to the financing thereof, is \$1,320,000, and said amount is hereby appropriated therefor pursuant to the duly adopted Capital Budget of said County for the fiscal year 2001. To the extent that details set forth in this resolution are inconsistent with any details set forth in the 2001 Capital Budget of the County, (Section B, "Home Road Bridge [Alden]"), such Budget shall be deemed and is hereby amended. The plan of financing includes the issuance of \$1,320,000 bonds of the County and any bond anticipation notes issued in anticipation of the sale of such bonds to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds and notes and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the County in the principal amount of \$1,320,000 are hereby authorized to be issued for the specific object or purpose described in Section 1 hereof, pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law") to finance said appropriation.

Section 3. The period of probable usefulness applicable to the purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 62 (2<sup>nd</sup>) of the Law, is five (5) years.

Section 4. The County intends to finance, and the Comptroller of the County is hereby authorized to advance such amounts as are necessary to pay the costs of the object or purpose described in Section 1 hereof prior to the issuance of the bonds or bond anticipation notes authorized out of any available funds of the County, on an interim basis, which amounts are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the County, pursuant to this Bond Resolution, in the maximum amount of bonds herein authorized. This Resolution is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 5. Subject to the provisions of this Resolution and of said Local Finance Law, and pursuant to the provisions of §30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and of §§50.00, 56.00 to 60.00 and 168.00 of said Law, the powers and duties of the County Legislature relative to authorizing the issuance of any notes in anticipation of the sale of the bonds herein authorized, or the renewals thereof, relative to providing for substantially level or declining annual debt service, and relative to prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any notes issued in anticipation of the sale of said bonds or the renewals of said notes, as well as to executing agreements for credit enhancement, are hereby delegated to the Comptroller of the County, as the chief fiscal officer of the County.

Section 6. Each of the bonds authorized by this Resolution and any bond anticipation notes issued in anticipation of the sale thereof shall contain the recital of validity prescribed by §52.00 of said Local Finance Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the County of Erie, payable as to both principal and interest by

general tax upon all the taxable real property within the County without limitation as to rate or amount. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and provision shall be made annually in the budgets of the County by appropriation for (a) the amortization and redemption of the notes and bonds to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 7. The validity of the bonds authorized by this Resolution and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of this Resolution or a summary hereof, are not substantially complied with, and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This Resolution shall take effect immediately upon approval by the County Executive.  
 (5-0)

**DALE W. LARSON**  
**CHAIRMAN**

MR. LARSON moved to separate items #1.e & 4 and moved the approval of the balance of the report. MR. RANZENHOFER seconded.

CARRIED UNANIMOUSLY.

MR. LARSON moved to receive and file item #1.e. MR. RANZENHOFER seconded.

CHAIRMAN SWANICK directed a roll call vote to be taken.

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

CARRIED. (WEIGHTED VOTE: 8.585 – 7.622)

MR. LARSON moved the approval of item #4. MR. RANZENHOFER seconded.

CHAIRMAN SWANICK directed a roll call vote to be taken.

AYES: DALE, DeBENEDETTI, DUSZA, FISHER, KUWIK, MARINELLI, SCHROEDER, SMITH, CHASE, CUSACK, FALKNER, LARSON, McCARVILLE, RANZENHOFER, SWANICK & WEINSTEIN. NOES: NONE.

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 38

February 13, 2003

ENERGY & ENVIRONMENT  
COMMITTEE  
REPORT NO. 1

ALL MEMBERS PRESENT.

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

a. Item Page -2002 (Comm. 24E-13)  
**COUNTY EXECUTIVE:** ECSD No. 3 – Blasdel Extension Agency Report.  
(5-0)

b. Item Page -2002 (Comm. 25E-21)  
**COUNTY EXECUTIVE:** Congestion Mitigation & Air Quality (CMAQ) Project Status –  
Town of Cheektowaga – Various Projects.  
(5-0)

c. Item Page -2003 (Comm. 1D-5)  
**ECWA:** SEQR – Negative Declaration – Notice of Determination of Non-Significance –  
City of Tonawanda Water Improvements.  
(5-0)

d. Item Page -2003 (Comm. 1E-34)  
**COUNTY EXECUTIVE:** ECSD No. 3 – Proposed Extension Consolidation EC Sewer  
Agency Report.  
(5-0)

Item Page -2003 (Comm. 2D-3)

**MEETING NO. 4**  
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**ERIE COUNTY LEGISLATURE**

- e. **DEP: SEQR** – Negative Declaration – Losson Subtrunk & Elimination of Pumping Stations.  
 (5-0)

Item Page -2003 (Comm. 2D-7)

- f. **DEP: SEQR** – Negative Declaration – Proposed Rules & Regulations for ECSD No. 6 Storm Sewers.  
 (5-0)

Item Page -2003 (Comm. 2D-11)

- g. **DEP: SEQR** – Negative Declaration – Union Road Pumping Station & Hyland Avenue Pumping Station.  
 (5-0)

Item Page -2003 (Comm. 2E-31)

- h. **COUNTY EXECUTIVE: ECSD No. 2** – Increase & Improvements of Facilities (2003) EC Sewer Agency Report.  
 (5-0)

Item Page -2003 (Comm. 2E-33)

- i. **COUNTY EXECUTIVE: ECSD No. 6** – A/E Agreement Dated 11/1/02 – Engineering Change Order 1 – Malcolm Pirnie.  
 (5-0)

Item Page -2003 (Comm. 2E-35)

- j. **COUNTY EXECUTIVE: ECSD No. 6** – Construction Inspection Services Agreement Work Order: DG-6, Comm 8E-36.  
 (5-0)

Item Page -2003 (Comm. 2E-36)

- k. **COUNTY EXECUTIVE: Semi-Annual Attendance Records** – Boards of Managers – ECSDs.  
 (5-0)

Item Page -2003 (Comm. 2M-1)

- l. **CHAUTAUQUA COUNTY LEGISLATURE: Copy of Resolution Re: Requesting NYS Assistance Regarding Snowmobile Club Trail Insurance.**  
 (5-0)

Item Page -2003 (Comm. 3E-27)

- m. **COUNTY EXECUTIVE: EC/Southtowns Sewage Treatment Agency** – ECSD No. 6 A/E Agreement Dated 6/1/02 – Engineering Change Order No. 1 – Stearns & Wheler.  
 (5-0)

2. Item Page -2002 **AS AMENDED**  
 (Comm. 4E-45)



**COUNTY EXECUTIVE**

WHEREAS, the Erie County Department of Environment and Planning has received the following low bid for Thompson Extension Project, Contract No. 7A, on January 30, 2003,

<u>Contract No.</u>	<u>Low Bidder</u>	<u>Amount Bid</u>
Contract No. 7A	Tom Greenauer Development, Inc. 2699 Transit Road Elma, New York 14059	\$52,320.00

and

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

NOW, THEREFORE, BE IT

RESOLVED, that the Thompson Extension Project, Contract No. 7A, be awarded to the low bidder as follows:

<u>Contract No.</u>	<u>Low Bidder</u>	<u>Amount Bid</u>
Contract No. 7A	Tom Greenauer Development, Inc. 2699 Transit Road Elma, New York 14059	\$52,320.00

and be it further

RESOLVED, that the County Executive be, and hereby is, authorized to execute the Contract with the aforementioned low bidder subject to approval as to form by the County Attorney and certification of availability of funds from the Project Fund Balance or an authorized advance from the General Fund by the Comptroller's Office; and be it further

RESOLVED, that the Comptroller is authorized and directed to allocate \$52,320.00 from the Sewer Operating Account of Erie County Sewer District No. 5, No. 220 851 810 826, 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 Nancy Naples, Erie County Comptroller's Office and to Gregory Dudek, Assistant County Attorney, John S. Rizzo, Deputy Comptroller.

(5-0)

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**ERIE COUNTY LEGISLATURE**

WHEREAS, the County of Erie has secured the services of Duchscherer Oberst Design, P.C. to design the Northern Region Administration offices and garage rehabilitation in Erie County Sewer District Nos. 1, 4 and 5; and

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

WHEREAS, the Erie County Division of Sewerage Management has recommended the formal close-out of the A/E Agreement dated June 4, 1998 with Duchscherer Oberst Design, P.C. in the amount of \$178,359.60.

NOW, THEREFORE, BE IT

RESOLVED, that the A/E Agreement dated June 4, 1998 between the County of Erie/Erie County Sewer District Nos.1, 4 and 5 and Duchscherer Oberst Design, P.C. be formally closed-out in the final amount of \$178,359.60; and be it further

RESOLVED, that the Erie County Comptroller is hereby authorized and directed to close-out the contract encumbrances in Erie Sewer District Nos.1, 4 and 5, Fund 430-916 relating to the A/E Agreement dated June 4, 1998, with Duchscherer Oberst Design, P.C. and return any unused balances to their respective sewer district operating fund balances; 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., Deputy Commissioner, Department of Environment and Planning, and one (1) certified copy to each James Liddle, Erie County Comptroller's Office and Gregory Dudek, Assistant County Attorney.

(5-0)

**AS AMENDED**  
(Comm. 20E-47)

4. Item Page -2002  
**COUNTY EXECUTIVE**

**A.**

RESOLUTION NO. 35

RESOLUTION DATED \_\_\_\_\_, 2003.

A RESOLUTION CALLING A PUBLIC HEARING FOR THE PURPOSE OF CONSIDERING A PROPOSED EXTENSION OF THE ERIE COUNTY SEWER DISTRICT NO. 2 IN THE COUNTY OF ERIE, NEW YORK.

(Introduced) February 13, 2003

(Adopted) \_\_\_\_\_, 2003

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**ERIE COUNTY LEGISLATURE**

WHEREAS, pursuant to proceedings heretofore had and taken in accordance with the provisions of Article 5-A of the County Law, a report of the Erie County Sewer Agency dated October 17, 2002 and a resolution of the Erie County Sewer District No. 2 Board of Managers dated October 17, 2002, an extension of Sewer District No. 2 of the County of Erie, New York has been proposed; and

WHEREAS, a map and plan have been duly prepared by the County Engineers (Erie County Department of Environment and Planning) relating to such extension of the Erie County Sewer District No. 2, which map and plan have been filed with the County Legislature pursuant to Section 254 of the County Law; and

WHEREAS, there will be no additional capital costs incurred by or on behalf of the Erie County Sewer District No. 2 with respect to the extension of the boundaries of such District, in accordance with applicable flat charges and charges based on units, assessed value and footage, specified in the District's benefit assessment formula and rates, as such formulas currently exist and as amended from time to time; and

WHEREAS, pursuant to Section 258 of the County Law, the consent of the State Comptroller is not required prior to the extension of said Erie County Sewer District No. 2 because such extension is not to be financed by the issuance of bonds, notes, certificates or other evidences of indebtedness of the County; and

WHEREAS, it is now desired to call a public hearing to consider said extension of the Erie County Sewer District No. 2 in accordance with the provisions of Sections 254 and 274 of the County Law;

NOW, THEREFORE, BE IT

RESOLVED, BY THE COUNTY LEGISLATURE OF THE COUNTY OF ERIE, NEW YORK, AS FOLLOWS:

Section 1. A meeting of the County Legislature of the County of Erie, New York, shall be held at the Erie County Legislature, 92 Franklin Street, 2<sup>nd</sup> Floor, Part 6, in Buffalo, New York, in said County, on the 20th day of March, 2003, at 1:30 o'clock P.M., Prevailing Time, for the purpose of conducting a public hearing upon the aforesaid proposal to extend the Erie County Sewer District No. 2 in said County, to be known as the Town of Brant Extension, and for such other action on the part of said County Legislature in relation thereto as may be required by law.

Section 2. The notice of such public hearing shall be in substantially the following form, to-wit:

Section 3. The Clerk of said County Legislature is hereby authorized and directed to cause a copy of the Notice of Public Hearing as set forth in Section 2 hereof to be published once in The Sun and in Front Page, the official newspapers of said County, and the Angola

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**ERIE COUNTY LEGISLATURE**

Pennysaver, not less than ten nor more than twenty days before the date set herein for said public hearing.

Section 4. This resolution shall take effect immediately.

(5-0)

**B.**

RESOLUTION NO. 36

RESOLUTION DATED \_\_\_\_\_, 2003.

A RESOLUTION CALLING A PUBLIC HEARING FOR THE PURPOSE OF CONSIDERING A PROPOSED INCREASE AND IMPROVEMENT OF THE FACILITIES OF ERIE COUNTY SEWER DISTRICT No. 2 IN THE COUNTY OF ERIE, NEW YORK.

(Introduced) February 13, 2003

(Adopted) \_\_\_\_\_, 2003

WHEREAS, pursuant to proceedings heretofore had and taken in accordance with the provisions of Article 5-A of the County Law, including approving orders of the State Comptroller, County Sewer District No. 2 of the County of Erie, New York, (the "District") has heretofore been established, and

WHEREAS, the County Legislature of the County of Erie (the "County") has heretofore duly directed that there be prepared a report and estimate of cost by the County Engineers (Erie County Department of Environment and Planning) relating to a proposed increase and improvement of the facilities of the District which report and estimate of cost have been approved by the Board of Managers of the District on December 19, 2002 and filed with the County Legislature pursuant to Section 268 of the County Law; and

WHEREAS, said report and estimate of cost describe a proposed increase and improvement of the facilities of the District, consisting of the acquisition and installation of a new disinfection system at the Big Sister Creek Waste Water Treatment Plant and the reconstruction of approximately 4,500 linear feet of sewer line, all as more fully described in the report and estimate of cost hereinbefore referred to; and

WHEREAS, the maximum estimated cost of the aforesaid increase and improvement of the facilities of the District is \$2,100,000, to be assessed against a benefited area which consists of the entire area of the District; and

WHEREAS, pursuant to applicable provisions of Section 268 of the County Law, as amended by Chapter 397 of the Laws of 1995, the consent of the State Comptroller is not required prior to the expenditure of funds for said increase and improvement because the cost thereof to the

**MEETING NO. 4**  
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**ERIE COUNTY LEGISLATURE**

Typical Property (as defined in the County Law) is as follows: \$9.00 for the Town of Hamburg, \$9.90 for the Town of Eden, \$8.00 for the Village of North Collins and \$9.12 for the Town of Evans; such costs not being above the Average Estimated Cost to the Typical Properties for similar types of expenditures, as computed by the State Comptroller; and

WHEREAS, it is now desired to call a public hearing to consider said increase and improvement in accordance with the provisions of Section 254 of the County Law; NOW, THEREFORE, BE IT

RESOLVED, BY THE COUNTY LEGISLATURE OF THE COUNTY OF ERIE, NEW YORK, AS FOLLOWS:

Section 1. A meeting of the County Legislature of the County of Erie, New York, shall be held at 92 Franklin Street, 2<sup>nd</sup> Floor, Part 6, Buffalo, New York, in said County, on the 20<sup>th</sup> day of March, 2003, at 1:30 o'clock P.M., Prevailing Time, for the purpose of conducting a public hearing upon the aforesaid proposed increase and improvement of facilities of Erie County Sewer District No. 2 in said County, and for such other action on the part of said County Legislature in relation thereto as may be required by law or proper in the premises.

Section 2. The notice of such public hearing shall be in substantially the following form, to-wit:

Section 3. The Clerk of said County Legislature is hereby authorized and directed to cause a copy of the Notice of Public Hearing as set forth in Section 2 hereof to be published once in the "Hamburg Sun" and in the "Front Page", the official newspapers of said County, and in "Angola Penny Saver" a news paper of general circulation, not less than ten nor more than twenty days before the date set herein for said public hearing. The Clerk is hereby further authorized and directed to file a certified copy of the Notice of Public Hearing with the Comptroller of the State of New York on or about the date of the publication of the Notice of Public Hearing.

Section 4. This resolution shall take effect immediately.

(5-0)

**C.**  
**RESOLUTION NO. 37**

RESOLUTION DATED \_\_\_\_\_, 2003.

A RESOLUTION CALLING A PUBLIC HEARING FOR THE PURPOSE OF CONSIDERING (I) A PROPOSED EXTENSION OF ERIE COUNTY SEWER DISTRICT NO. 3 AND (II) THE CONSOLIDATION OF ERIE COUNTY SEWER DISTRICT NO. 3, INCLUDING ALL EXTENSIONS HERETOFORE AND HEREAFTER ESTABLISHED.

(Introduced) February 13, 2003

(Adopted) \_\_\_\_\_, 2003

WHEREAS, pursuant to proceedings heretofore had and taken in accordance with the provisions of Article 5-A of the County Law, including approving orders of the State Comptroller, County Sewer District No. 3 of the County of Erie, New York, has heretofore been established and created on April 9, 1963 (the "Original District") to provide sewer services to the Village of Orchard Park, the north and central portions of the Town of Orchard Park, the northeast portion of the Town of Hamburg and the southerly portion of the Town of West Seneca, and

WHEREAS, on March 24, 1977 an extension to the Original District known as the Armor-McKinley Extension was formed to provide sewer service the area of the Town of Hamburg north and east of the Village of Hamburg and the Greenmeadow area in the south central part of the Town of Orchard Park, and

WHEREAS, on March 24, 1977 an extension to the Original District known as the Boston Valley Extension was formed to provide sewer service to the southeast part of the Town of Hamburg, the Boston Valley portion of the Town of Boston, the northeast corner of the Town of Eden and one street partially in the southeast corner of the Town of Orchard Park, and

WHEREAS, in the Town of Holland, two extensions to the Original District were formed. The Holland Extension serves the Hamlet of Holland and was formed on July 24, 1980 and the Mountain Meadows Extension on Parker Road at the County Line was formed on February 18, 1975, (the "Town of Holland Extensions") in which no sewers have been installed, (the Original District, the Armor-McKinley Extension, the Boston Valley Extension and the Town of Holland Extensions, hereinafter collectively referred to as the "District"), and

WHEREAS, pursuant to proceedings heretofore had and taken in accordance with the provisions of Article 5-A of the County Law, a report of the Erie County Sewer Agency dated December 11, 2002 and a resolution of the Erie County Sewer District No. 3 Board of Managers dated December 11, 2002, an extension to the District has been proposed; and

WHEREAS, a map and plan have been duly prepared by the County Engineers (Erie County Department of Environment and Planning) relating to such extension of the District, which map and plan have been filed with the County Legislature pursuant to Section 254 of the County Law; and

WHEREAS, the proposed extension includes the reconstruction of approximately 5,000 linear feet of sewer lines; and

WHEREAS, the maximum amount to be expended for such reconstruction and extension shall be \$500,000, and such amount will be apportioned in accordance with applicable flat charges and charges based on units, assessed value and footage, specified in the District's benefit assessment formula and rates, as such formulas currently exist and as amended from time to time; and

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WHEREAS, pursuant to Section 258 of the County Law, the consent of the State Comptroller is not required prior to the extension of the District because the cost thereof to the Typical Property (as defined in the County Law) does not exceed the Average Estimated Cost to the Typical Properties for similar types of expenditures, as computed by the State Comptroller; and

WHEREAS, the estimated cost of hook up fees will be \$200 per home inspection for County built sewers, \$400 per home inspection for subdivision or privately built sewers, and a \$2 permit fee at the time of connection to the District; and

WHEREAS, pursuant to proceedings heretofore had and taken a report of the Erie County Sewer Agency dated December 11, 2002, a resolution of the Erie County Sewer District No. 3 Board of Managers dated December 11, 2002, and pursuant to Section 274-b of the County Law, a consolidation of the District has been proposed; and

WHEREAS, it is now desired to call a public hearing to consider said extension and consolidation of the District in accordance with the provisions of Sections 254, 274 and 274-b of the County Law;

NOW, THEREFORE, BE IT

RESOLVED, BY THE COUNTY LEGISLATURE OF THE COUNTY OF ERIE, NEW YORK, AS FOLLOWS:

Section 1. A meeting of the County Legislature of the County of Erie, New York, shall be held at 92 Franklin Street, 2<sup>nd</sup> Floor, Part 6, in Buffalo, New York, in said County, on the 20th day of March, 2003, at 1:00 o'clock P.M., Prevailing Time, for the purpose of conducting a public hearing upon the aforesaid proposal to (i) extend the District in said County, such extension to be known as "The Blasdell Extension," and (ii) consolidate the District and its extensions heretofore and hereafter established, and for such other action on the part of said County Legislature in relation thereto as may be required by law.

Section 2. It is hereby determined that all expenses of the District, including all extensions heretofore and hereafter established, shall be a charge against the entire area of the District as extended.

Section 3. The notice of such public hearing shall be in substantially the following form, to-wit:

Section 4. The Clerk of said County Legislature is hereby authorized and directed to cause a copy of the Notice of Public Hearing as set forth in Section 2 hereof to be published once in Hamburg Sun and in Front Page, the official newspapers of said County, not less than ten nor more than twenty days before the date set herein for said public hearing.

Section 5. This resolution shall take effect immediately.

(5-0)

5. Item Page -2002 **AS AMENDED**  
 (Comm. 20E-50)  
**COUNTY EXECUTIVE**

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

WHEREAS, the Boards have requested and are desirous of collecting said User Charges or Fees in 2003 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 2003 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	\$ 411,776.46
Sewer District #4	\$ 347,159.42
Sewer District #5	\$ 200,322.00
Sewer District #2 (Original & Extension)	\$ 106,770.12
Sewer District #3 (Original District)	\$ 345,688.15
Sewer District #3 (Boston Valley)	\$ 18,907.20
Sewer District #3 (Armor McKinley)	\$ 98,110.80
Sewer District #3 (Holland)	\$ 17,745.00
Sewer District #6	<u>\$1,078,071.28</u>
	\$2,624,550.43

and be it further

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

(5-0)



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6. Item Page -2002 **AS AMENDED**  
 (Comm. 24E-15)  
**COUNTY EXECUTIVE**

WHEREAS, the Erie County Legislature had awarded Contract No. 12L to Milherst Construction, Inc.; and

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

WHEREAS, the Erie County Department of Environment and Planning has recommended the final acceptance of Contract No. 12L in the amount of \$511,568.90 which includes Change Order No. 1 (final), a decrease of (\$11,075.10) and approve final payment.

NOW, THEREFORE, BE IT

RESOLVED, that Contract No. 12L between the County of Erie and Milherst Construction, Inc., 2601 Millersport Highway, Getzville, New York 14068, be accepted in the amount of \$511,568.90 which includes Change Order No. 1 (final), a decrease of (\$11,075.10); and be it further

RESOLVED, that the Erie County Comptroller is hereby authorized and directed to finalize Contract No. 12L between the County of Erie and Milherst Construction, Inc. in the amount of \$511,568.90 and make final payment from Sewer Capital Account SD No. 5, Fund No. 430, Project No. 798, and return the unused portion \$11,075.10 to Unallocated Account 891; and be it further

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

7. Item Page -2002 **AS AMENDED**  
 (Comm. 24E-16)  
**COUNTY EXECUTIVE**

WHEREAS, the Erie County Legislature had awarded Contract No. 41EV to Kandey 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 No. 41EV in the amount of \$388,940.00 which includes Change Order No.2 (final), a decrease of (\$51,160.00) and approve final payment.

NOW, THEREFORE, BE IT

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RESOLVED, that Contract No. 41EV between the County of Erie and Kandey Company, Inc., 19 Ransier Drive, West Seneca, New York 14224, be accepted in the amount of \$388,940.00 which includes Change Order No.2 (final) , a decrease of (\$51,160.00) ; and be it further

RESOLVED, that the Erie County Comptroller is hereby authorized and directed to finalize Contract No. 41EV between the County of Erie and Kandey Company, Inc. in the amount of \$388,940.00 and make final payment from Sewer Capital Account SD No.2, Fund No. 430, Project No.913, and return the unused portion \$51,160.00 to Unallocated Account 891; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send two (2) certified copies of this resolution to Charles J. Alessi, P.E., Department of Environment and Planning, and one certified copy each to Nancy Naples, Erie County Comptroller; Gregory Dudek, Assistant County Attorney and John S. Rizzo, Deputy Comptroller.

(5-0)

8. Item Page -2003 (Comm. 1E-25)

**COUNTY EXECUTIVE**

WHEREAS, the reclassification of the position of Supervising Maintenance Mechanic, JG 9 to a Sewer Repair Supervisor, JG 10; and the Sewage Facilities Mechanic, JG 7 to a Sr. Sewage Facilities Mechanic, JG 9 in Erie County Sewer District No. 6 has been requested by the Board of Managers; and

WHEREAS, these changes are necessary to more accurately reflect the job duties and responsibilities required for qualified individuals which involve higher level supervisory skills to handle the increased mandates imposed by State and Federal regulations; and

WHEREAS, it is requested to make the changes in the titles to allow for continued cost effective and efficiently run operations at the Lackawanna Treatment Plant.

NOW, THEREFORE, BE IT

RESOLVED, the reclassification of the position of Supervising Maintenance Mechanic, JG 9 to a Sewer Repair Supervisor, JG 10; and the Sewage Facilities Mechanic, JG 7 to a Sr. Sewage Facilities Mechanic, JG 9 in Erie County Sewer District No. 6 in the 2003 Budget is hereby approved; and be it further

RESOLVED, that the increased funding for the changes of the two positions be taken out of 2003 Budget, Erie County Sewer District No. 6, unexpended salaries; and be it further

RESOLVED, that the Clerk of the Legislature be authorized and directed to send certified copies of the approved Resolution to Charles J. Alessi, Deputy Commissioner, Department of Environment and Planning, the Erie County Personnel Department, the Erie County Budget Office and the Erie County Comptroller.

(5-0)

9. Item Page -2003 (Comm. 1E-28)

**COUNTY EXECUTIVE**

**WHEREAS**, The County of Erie, desires to participate in the redevelopment study and planning process for the West Valley Nuclear Facility in Cattaraugus County; and

**WHEREAS**, The West Valley Nuclear Services Center is the source of over 450 jobs for residents of Erie County, providing wages of over \$30 million and contracts with suppliers and vendors in Erie County of over \$20 million; and

**WHEREAS**, The decommissioning activity will result in a reduction in the number of jobs and a negative economic impact to Erie County and all of western New York; and

**WHEREAS**, There is an opportunity to capitalize on the physical infrastructure which exists at the West Valley facility and uniquely talented human capital working on this project; and

**WHEREAS**, The United States Economic Development Agency and Cattaraugus County are also expected to contribute to this redevelopment study and planning effort,

**NOW, THEREFORE, BE IT**

**RESOLVED**, That the County Executive is authorized to enter into contracts with the Southern Tier West Regional Planning and Development Board, in amounts not to exceed a total of \$25,000.00, for the purpose of funding redevelopment studies and planning efforts for West Valley; and be it further

**RESOLVED**, That the source of these funds shall be \$25,000.00 available in the County's Community Development Block Grant Program in the 2002 Program Year, in the Department of Environment and Planning; and be it further

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

10. Item Page -2003 (Comm. 1E-30)

**COUNTY EXECUTIVE**

**WHEREAS**, the Department of Environment and Planning has requested that the positions of Sanitary Engineer, Job Group 14 and Sr. Tax Account Clerk, Job Group 10 be created in the Division of Sewerage Management to assist with the recent Sewer District Expansions; and

**WHEREAS**, the newly created positions will be funded through Advanced Planning Bond Issues and other Sewer Capital Accounts and after one year, said positions will be funded through the Sewer Fund.

**NOW, THEREFORE, BE IT**

RESOLVED, that the creation of the positions Sanitary Engineer, Job Group 14 at a salary of \$71,855 (including Fringe Benefits) and Sr. Tax Account Clerk, Job Group 10 at a salary of \$49,582 (including Fringe Benefits) in the Division of Sewerage Management be approved; and be it further

RESOLVED, that a total of \$121,437 be transferred from the various Advanced Planning Bond Accounts and existing sewer capital accounts as determined by the Commissioner of Environment and Planning to cover the salary costs of these two positions for the remainder of 2003; and be it further

RESOLVED, that certified copies of the approved resolution be sent to Charles J. Alessi, P.E., Deputy Commissioner, Department of Environment and Planning, the Erie County Personnel Department; Joe Passafiume of the Erie County Budget Office and Nancy Naples, Erie County Comptroller.

(4-1) Legislator Dale in the negative.

11. Item Page -2003 (Comm. 2E-19)  
**COUNTY EXECUTIVE**

WHEREAS, the utility aggregate experienced a growth in the number of members enrolled again in 2002, and

WHEREAS, the price of natural gas and electricity experienced fluctuations due to the tragedy of 9/11/01, and

WHEREAS, the actual expenditure for utilities within the Utility Enterprise Fund have exceeded the budget set for the year 2002 by \$5.0 million, and

WHEREAS, the bills paid under the Utility Enterprise Fund are then billed to the various municipalities and County departments as a source of revenue, and

WHEREAS, without an increase in the budget for the Utility Enterprise Fund, the utility bills cannot be paid,

NOW, THEREFORE, BE IT,

RESOLVED, that the budget for the Utility Enterprise Fund shall be increased from \$23,486,389 to \$28,486,389 with the appropriations in Account 820, Utility Expense, and the revenues in Account 487, Other General Services – Other Governments and Account 685, Interfund Revenue each being increased by \$5.0 million, 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)

12. Item Page -2003 (Comm. 2E-20)

**COUNTY EXECUTIVE**

WHEREAS, in a resolution dated May 9, 2002 being Communication No. 9E-24, the Erie County Legislature authorized a contract with Troy & Banks to provide utility bill review services to Erie County, and

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

WHEREAS, Troy & Banks has examined many accounts and is presently negotiating on behalf of Erie County the amount of refunds to be made, and

WHEREAS, the Commissioner of Public Works will review the final negotiated settlement and recommend that the County accept this offer,

NOW, THEREFORE, BE IT,

RESOLVED, that the Erie County Legislature authorizes the Commissioner of Public Works to accept the offers made from various companies as recommended by Troy & Banks, and be it further,

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

RESOLVED, that ten percent (10%) of the negotiated refunds will be kept in the Utility Enterprise Fund to be used for computerization of account data that will aid in preventing future errors that require negotiated refunds, and be it further,

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

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

(5-0)

13. Item Page -2003 (Comm. 2E-28)

**COUNTY EXECUTIVE**

WHEREAS, Erie County, through the Department of Environment and Planning, serves as the administrative agent for the Erie County/Town of West Seneca Community Development Block Grant Consortium and Erie County/Town of West Seneca/Town of Hamburg HOME Investment Partnership Consortium; and

**WHEREAS**, a major responsibility of the Department as the administrative agent, is the submittal to the federal Department of Housing and Urban Development annual grant and program application materials,

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the County Executive, on behalf of the Erie County Community Development Block Grant Consortium and Town of Hamburg/Erie County HOME Consortium, is hereby authorized to submit a Year 2003 consolidated application to the federal Department of Housing and Urban Development (HUD) for the 2003 Program Year having an estimated dollar amount as indicated.

- |    |  |             |
|----|--|-------------|
| 1. | Community Development Block Grant Program: | \$3,764,000 |
| 2. | Emergency Shelter Grant Program:           | \$ 104,000  |
| 3. | HOME Investment Partnership Program:       | \$1,169,000 |

and be it further

**RESOLVED**, that the County Executive on behalf of the Erie County Community Development Block Grant Consortium and Town of Hamburg/Erie County HOME Consortium is hereby authorized to execute any and all agreements with HUD, local governments, and non-profit agencies, necessary to implement the above programs; and be it further

**RESOLVED**, that copies of this resolution shall be forwarded to the Commissioner of the Department of Environment and Planning, the County Comptroller, and the Director of the Division of Budget, Management, and Finance.

(5-0)

14. Item Page -2003 (Comm. 2E-34)

**COUNTY EXECUTIVE**

**WHEREAS**, the Erie County Department of Environment & Planning, Division of Sewerage Management has identified the need to retain an Engineer to prepare electronic, web-based Operations and Maintenance Manuals for the Holland Wastewater Treatment Plant in Erie County Sewer District No. 3; and

**WHEREAS**, Erie County has retained the firm of Malcolm Pirnie, Inc., 40 Centre Drive, Orchard Park, New York 14127, to complete the preparation of electronic, web-based Operations and Maintenance Manuals for Erie County Sewer District Nos. 1, 2, 4, 5, and 6; and

**WHEREAS**, the Department of Environment & Planning has recommended the execution of a change order to Malcolm Pirnie's November 1, 2002 Engineering Agreement with the County to provide for the preparation of the electronic, web-based Operations and Maintenance Manual for the Holland Wastewater Treatment Plant.

**NOW, THEREFORE, BE IT**

RESOLVED, that the engineering firm of Malcolm Pirnie, Inc., be retained at a cost not-to-exceed \$27,076.97 to prepare electronic, web-based Operations and Maintenance Manuals for the Holland Wastewater Treatment Plant in Erie County Sewer District No. 3; and be it further

RESOLVED, that the Deputy Commissioner of the Division of Sewerage Management be, and hereby is, authorized to execute a Change Order to Malcolm Pirnie's Engineering Agreement of November 1, 2002, to provide the needed services, subject to approval as to form by the County Attorney and approval as to content by the Commissioner of the Department of Environment & Planning; and be it further

RESOLVED that the Director of Budget, Management and Finance be directed to allocate funds accordingly, as follows:

ECSD No. 3/Holland Fund Balance 220 853 835 698 105 \$27,076.97 to 220 853 830 Contractual Services;

and be it further,

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

(5-0)

15. Item Page -2003 (Comm. 3E-25)

**COUNTY EXECUTIVE**

**WHEREAS**, the Erie County Department of Environment and Planning monitors the Erie County Agricultural and Farmland Protection Board; and

**WHEREAS**, on December 12, 2002 the New York State Department of Agriculture and Markets selected the Erie County Agricultural and Farmland Protection Board's *Town of Brant Farmland Viability Program for Preservation, Development and Revitalization* proposal for a grant award of \$19,000; and

**WHEREAS**, on December 27, 2002 Town of Brant Supervisor Samuel J. Chiavetta, Jr. requested that Erie County serve as the contracting agent with the New York State Department of Agriculture and Markets,

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Erie County Executive is hereby authorized to enter into a contract with the New York State Department of Agriculture and Markets for an amount not to exceed \$19,000 for the purpose of administering the *Town of Brant Farmland Viability Program for Preservation, Development and Revitalization*; and be it further

**RESOLVED**, that upon execution of said contract, the Erie County Executive is hereby authorized to enter into a contract with the Town of Brant for an amount not to exceed \$19,000 for the purpose of implementing the requirements of said grant award; and be it further

**RESOLVED**, that unanticipated revenue in the amount of \$19,000 from the New York State Department of Agriculture and Markets for completion of the Town of Brant Farmland Viability Program for Preservation, Development and Revitalization be appropriated in the following grant fund account:

<b>Revenues</b>		
<b><u>Account:</u></b>	<b><u>Description</u></b>	<b><u>Budget</u></b>
830	Contractual Services	\$19,000
<b>Total Revenues:</b>		<b><u>\$19,000</u></b>

and be it further

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

16. Item Page -2003 (Comm. 3E-26)

**COUNTY EXECUTIVE**

WHEREAS, the County of Erie has awarded Contract No.52ED to C.M.H. Co, Inc. on June 6, 2002; and

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

WHEREAS, the Erie County Division of Sewerage Management has recommended the final acceptance of Contract No.52ED in the amount of \$324,381.20 which includes the Final Change Order, a decrease of \$68,479.80, and the processing of the final payment and release of retention.

NOW, THEREFORE, BE IT

**RESOLVED**, that Contract No.52ED between the County of Erie/Erie County Sewer District No.2 and C.M.H. Co., Inc., 2067 Old Union Road, Cheektowaga, New York 14227 be accepted in the amount of \$324,381.20, which includes the Final Change Order, a decrease of \$68,479.80; and be it further

**RESOLVED**, that the Erie County Comptroller is hereby authorized and directed to finalize Contract No.52ED between the County of Erie/Erie County Sewer District No.2 and C.M.H. Co.,



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Inc., in the amount of \$324,381.20 and make final payment from Erie County Sewer District No.2 Bond Account, Fund No.430, Project No.913, and return the unused portion of \$68,479.80 to Unallocated Account; and be if 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., Deputy Commissioner, Department of Environment and Planning, and one (1) certified copy each to Gregory Dudek, Assistant County Attorney Joseph Passafiume, Director of Budget Management and Finance, and Nancy Naples, Erie County Comptroller.

(5-0)

17. Item Page -2003 (Comm. 3E-28)

**COUNTY EXECUTIVE**

WHEREAS, Debt Service Project 063330 will be closed out in 2003; and

WHEREAS, there is a cash balance of \$146.68 as of December 31, 2002; and

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

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

WHEREAS, the use of said cash will have no impact on the approved 2003 Budget.

NOW, THEREFORE, BE IT

RESOLVED, that the cash balance of \$146.68 and any additional accrued interest be transferred from the Debt Service Fund into Erie County Sewer District No. 1's Capital Reserve Account for future plant improvements, equipment and new sewer extensions; and be it further

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

(5-0)

18. Item Page -2003 (Comm. 3E-29)

**COUNTY EXECUTIVE**

WHEREAS, Debt Service Project 071303 will be closed out in 2003; and

WHEREAS, there is a cash balance of \$1,067.14 as of December 31, 2002; and

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

WHEREAS, Erie County Sewer District No. 5 has created a Capital Reserve Account for future construction; and

WHEREAS, the use of said cash will have no impact on the approved 2003 Budget.

NOW, THEREFORE, BE IT

RESOLVED, that the cash balance of \$1,067.14 and any additional accrued interest be transferred from the Debt Service Fund into Erie County Sewer District No. 5's Capital Reserve Account for future plant improvements, equipment and new sewer extensions; and be it further

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

19. Item Page -2003 (Comm. 3E-30)

**COUNTY EXECUTIVE**

WHEREAS, these Debt Service Projects will be closed out in 2003; and

WHEREAS, there are cash balances in these projects as of December 31, 2002 as follows:

<u>Debt Service Project</u>	<u>Balance</u>
062301	\$ 45.76
067304	\$ 1,434.37
430-501	\$142,034.62
430-505	\$133,042.18

and

WHEREAS, there is no debt service remaining for these projects; and

WHEREAS, Erie County Sewer District No. 2 has created a Capital Reserve Account for future construction; and

WHEREAS, the use of said cash will have no impact on the approved 2003 Budget.

NOW, THEREFORE, BE IT

RESOLVED, that the cash balances, as listed above, and any additional accrued interest be transferred from the Debt Service Fund into Erie County Sewer District No. 2's Capital Reserve Account for future plant improvements, equipment and new sewer extensions; and be it further

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

(5-0)

20. Item Page -2003 (Comm. 3E-31)

**COUNTY EXECUTIVE**

WHEREAS, the Debt Service Projects listed below will be closed out in 2003; and

WHEREAS, there are cash balances as of December 31, 2002 as follows:

<u>Debt Service Project</u>	<u>Balance</u>
063302	\$340.28
067305	\$ 63.81
072308	\$308.81

and

WHEREAS, there is no debt service remaining for these projects; and

WHEREAS, the use of said cash will have no impact on the approved 2003 Budget.

NOW, THEREFORE, BE IT

RESOLVED, that the cash balances, as listed above, and any additional accrued interest be transferred from the Debt Service Fund into Erie County Sewer District No. 3's Operating Fund; and be it further

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

(5-0)

21. Item Page -2003 (Comm. 3E-33)

**COUNTY EXECUTIVE**

WHEREAS, household hazardous waste is being generated by residents in Erie County, and

WHEREAS, improper disposal of household hazardous waste has the potential of contaminating air, land, and waters of Erie County, and

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WHEREAS, continued storage of hazardous household products in the home constitutes a danger to the occupants and the community, and

WHEREAS, Erie County has successfully conducted a model Household Hazardous Waste Collection Program since 1988, servicing over 32,000 residents within Erie County, and

WHEREAS, the Erie County Program is dependent upon the cooperation and financial and other support of local sponsoring municipalities, and

WHEREAS, the City of Buffalo, Town of Amherst, and the NorthEast SouthTowns (NEST) Solid Waste Board have all indicated an interest and willingness to support a household hazardous waste collection in their respective jurisdictions,

NOW, THEREFORE BE IT

RESOLVED, that the Department of Environment and Planning be authorized to schedule and conduct a household hazardous waste collection event on Saturdays, from 9:00 AM to 2:00 PM, in cooperation with each of the above mentioned jurisdictions, and be it further

RESOLVED, that the tentatively identified location and date for each event is as follows:

<u>Municipality</u>	<u>Location</u>	<u>Date</u>
Amherst	ECC North Campus	May 10, 2003
Orchard Park	ECC South Campus	June 21, 2003
Erie County	To Be Determined	July 19, 2003
Buffalo	To Be Determined	September 6, 2003

and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to Laurence K. Rubin, Commissioner of Environment and Planning; Michael Raab, Deputy Commissioner of Environment and Planning; and the County Comptroller.

(5-0)

22. Item Page -2003 (Comm. 3E-34)

**COUNTY EXECUTIVE**

WHEREAS, the Coalition Against Nuclear Materials in Tonawanda (CANiT) is a bipartisan group of elected officials whose goal is the complete and safe removal of radioactively contaminated material originating from the Manhattan Engineering District Project atomic bomb research and development from the Town of Tonawanda; and

WHEREAS, in order to effectively monitor the work of the United States Department of Energy, it is necessary to retain technical consulting services for interpretation of documents

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associated with the Tonawanda Formerly Utilized Sites Remedial Action Program remedial cleanup actions; and

WHEREAS, a competitive selection process conducted by a committee of CANiT to review proposals from consultants, resulted in the selection of MJW Corporation, Inc. (MJW), for award of a contract; and

WHEREAS, the County Executive, through authorization by Legislative resolution (Ref. Intro. 16-8) dated July 12, 2001, executed a contract with MJW to provide technical consultation support to CANiT; and

WHEREAS, the current contract time period has been extended on an annual basis, and the present expiration date is December 31, 2002; and

WHEREAS, the 2002 Erie County Budget allocated \$20,000 in funds for technical consultant services to CANiT;

NOW, THEREFORE BE IT

RESOLVED, that the County Executive is authorized to enter into an amended contract with MJW to reflect additional funding of \$20,000, and be it further

RESOLVED, that the source of funds for this amendment shall be money appropriated for this purpose in the 2002 Erie County Budget for the Department of Environment and Planning in Account 830, Contractual Services (DAC 110 9456298301477), and be it further

RESOLVED, that the current contract will remain in effect until all allocated funding is depleted or until the contract is terminated in accordance with the provision specified in the current contract, and be it further

RESOLVED, that a certified copy of this resolution be sent to Laurence K. Rubin, Commissioner of Environment and Planning; Michael Raab, Deputy Commissioner of Environment and Planning; the County Attorney; and the Office of the Comptroller.  
 (5-0)

23. Item Page -2003 (Comm. 3E-35)

**COUNTY EXECUTIVE**

WHEREAS, the United States Surgeon General has identified radon gas to be the second leading cause of lung cancer in the United States; and

WHEREAS, the United States Environmental Protection Agency (USEPA) has identified Erie County as high risk for radon potential; and

WHEREAS, Erie County has established and operated a very successful Radon/Indoor Air Quality Program for several years and has acquired valuable experience and expertise; and

WHEREAS, the County Executive received authorization through a resolution (Comm. 14E-40) dated July 6, 2000 to execute contracts for Erie County Department of Environment and Planning to provide residents with radon risk reduction and awareness associated with the New York State Department of Health State Indoor Radon Grant (SIRG) 10 Grant Program; and

WHEREAS, sufficient funds are available within the personnel and fringe benefits accounts of this grant to fund this position.

NOW, THEREFORE BE IT

RESOLVED, that the following position be created in the Department of Environment and Planning funded entirely from the budget for the SIRG 10 Program (SFG #563):

Junior Environmental Education Specialist (JG-7)

and be it further

RESOLVED, that a certified copy of this resolution be sent to the Director of Budget, Management and Finance; the Commissioner of Personnel; Laurence K. Rubin, Commissioner of Environment and Planning; Michael Raab, Deputy Commissioner of Environment and Planning; the County Attorney; and the Office of the Comptroller.  
 (5-0)

24. Item Page -2003 (Comm. 3E-36)  
**COUNTY EXECUTIVE**

WHEREAS, funds have been received from the United States Environmental Protection Agency to enhance the Erie County's Local Emergency Planning Committee's activities, and

WHEREAS, a resolution (20E-35) was passed on December 12, 2002 for this purpose, and

WHEREAS, these funds will be used to enhance the Erie County Local Emergency Planning Committee's activities, and

WHEREAS, funds need to be transferred from Contractual to a personnel line, and

WHEREAS, the funds on the personnel line will allow the Department of Emergency Services to hire an Intern,

NOW THEREFORE BE IT

RESOLVED, that the County Executive, on behalf of the Department of Emergency Services, is hereby authorized to revise the grant from the United States Environmental Protection Agency, to allow the Department of Emergency Services to establish a personnel line to allow the

hiring of an Intern to update the Erie County Local Emergency Planning Committee’s activities, and be it further

RESOLVED, that the following budgetary transactions are authorized in order to revise the grant which will assist the Department of Emergency Services for the Erie County Local Emergency Planning Committee:

Department of Emergency Services  
 United States Environmental Protection Agency Grant

Revenue	Proposed Revision	New Total
SFG684 - Federal Aid – Other	<u>\$0</u>	<u>\$59,400.</u>
TOTAL	\$0	\$59,400.
Appropriations		
SFG800 – Personnel Costs	\$+20,000	\$ 20,000
SFG821 – Dues and Fees		\$ 10,000
SFG825 – Long Distance Travel		2,000
SFG826 – Other Expenditures		5,000
SFG830 – Contractual	\$-20,000	0
SFG933 – Lab and Technical Equipment		<u>22,400</u>
TOTAL		\$ 59,400

and be it further

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

(5-0)

**JEANNE Z. CHASE**  
**CHAIRPERSON**

MS. CHASE moved to separate items #4.a., 4.b., 4.c & 8 and moved the approval of the balance of the report. MR. LARSON seconded.

CARRIED UNANIMOUSLY.

MS. CHASE moved the approval of item #4.a. MR. LARSON seconded.

CARRIED UNANIMOUSLY.

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MS. CHASE moved the approval of item #4.b. MR. LARSON seconded.

CARRIED UNANIMOUSLY.

MS. CHASE moved the approval of item #4.c. MR. LARSON seconded.

CARRIED UNANIMOUSLY.

MS. CHASE moved the approval of item #8. MR. LARSON seconded. MR. DALE voted in the negative.

CARRIED. (WEIGHTED VOTE: 15.319 – 0.888)

Item 24 – MS. CHASE presented the following resolution and moved for immediate consideration. MR. RANZENHOFER seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 39

February 13, 2003

PUBLIC SAFETY  
 COMMITTEE  
 REPORT NO. 1

ALL MEMBERS PRESENT.

1. Item Page -2003 (Comm. 1E-29)  
**COUNTY EXECUTIVE**

**WHEREAS**, the public safety of all residents and the responsibility of the public sector to enhance and improve public safety service delivery in the County is of utmost importance; and

**WHEREAS**, an independent and impartial look at how public safety services delivered is desirable and in the general public's best interest; and

**WHEREAS**, it is the obligation of the Village and Town of Lancaster to explore all options available to improve public safety services; and

**WHEREAS**, it is the objective of this action is to promote and provide public safety service delivery in a more efficient and cost effective manner; and

**WHEREAS**, the Village and Town of Lancaster require the assistance of Erie County to achieve its objective; and



**WHEREAS**, it is the desire of the Village and Town of Lancaster to merge their respective Police Departments to enhance public safety operations in the most equitable, efficient and effective manner in the community.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Erie County Executive is hereby authorized to execute contracts with the Village and Town of Lancaster to assist the merger of their respective police departments in an amount not to exceed \$700,000; and be it further

**RESOLVED**, that the sum of \$700,000 is hereby transferred from the 2002 Regionalism/Economic Development Fund (DAC 110 9043038301299) to a new sub account under Agency Payments monitored by the Department of Environment and Planning, General Fund 110, Project 922, Department 302, Account 830; and be it further

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

(5-0)

2. Item Page -2003 (Comm. 1E-45)

**SHERIFF**

**WHEREAS**, the United States Department of Justice, Community Oriented Policing Services has awarded \$108,992 to The Erie County Sheriff's Office to participate in the COPS – Creating a Culture of Integrity Initiative, and

**WHEREAS**, these funds will be used to create one (1) Deputy Sheriff Reserve, Pay Grade 8 and one (1) Clerk Typist – Part Time, Pay Grade 1, to attend to the duties and responsibilities as outlined in the grant proposal, and

**WHEREAS**, these funds will allow the Sheriff's Office to plan, administer, and analyze the results of a county-wide survey to help create an environment that foster trust and mutual respect between police and citizens.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the County Executive is hereby authorized to enter into a contract with the United States Department of Justice and is authorized to accept funding in the amount of \$108,992, and be it further

**RESOLVED**, that the Sheriff's Office is authorized to create one (1) Deputy Sheriff Reserve, Pay Grade 8 and one (1) Clerk Typist – Part Time, Pay Grade 1 in the grant fund, and be it further

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RESOLVED, that the County Executive is hereby authorized to enter into subcontract with AmeriCorps, to provide one full time civilian to work on this project, and to be a member of the “field survey team”, and be it further

RESOLVED, that the County Executive is hereby authorized to enter into a contract with a consultant, Dr. Debra Ross, Assistant Professor, in the Department of Criminal Justice, Buffalo State College, as listed in the grant application, to assist in the implementation of the grant, and be it further

RESOLVED, that authorization is hereby provided to budget those funds in the grant fund as follows:

SHERIFF'S OFFICE - GRANT FUND  
 COPS – Creating a Culture of Integrity Initiative

<u>REVENUE</u>	<u>Increase</u>
Acct. 684-100 Federal Aid Miscellaneous	<u>108,992</u>
<b>TOTAL REVENUE</b>	<b><u>\$108,992</u></b>
<u>APPROPRIATIONS</u>	<u>Increase</u>
Acct. 800            Personal Services	29,610
Acct. 805            Fringe Benefits	4,531
Acct. 810            Office Supplies	1,000
Acct. 811            Clothing Supplies	1,900
Acct. 821            Dues & Fees	20,974
Acct. 825            Out of Area Travel	2,145
Acct. 826            Miscellaneous Expense	38,205
Acct. 933            Lab & Technical Equipment	<u>10,627</u>
<b>TOTAL APPROPRIATIONS</b>	<b><u>\$108,992</u></b>

and it be further

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

(5-0)

3.     Item            Page                            -2003                            (Comm. 1E-46)  
        **SHERIFF**

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**ERIE COUNTY LEGISLATURE**

WHEREAS, the State of New York Governor's Traffic Safety Committee has awarded \$29,585 to The Erie County Sheriff's Office to participate in the statewide "Selective Traffic Enforcement" Program, and

WHEREAS, these funds will be used to fund overtime and purchase equipment dedicated to reducing unsafe driving behavior in an effort to decrease serious injury or death from traffic accidents.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into a contract with the State of New York Governor's Traffic Safety Committee and is authorized to accept funding in the amount of \$29,585 and it be 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>29,585</u>
TOTAL REVENUE	<u>29,585</u>
<u>APPROPRIATIONS</u>	<u>Increase</u>
Acct. 801 – Overtime	25,485
Acct. 933 – Lab & Technical Equipment	<u>4,050</u>
TOTAL APPROPRIATIONS	<u>29,585</u>

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)

4. Item Page -2003 (Comm. 1E-47)  
**SHERIFF**

WHEREAS, the Sheriff's Office will receive a special one time appropriation of \$10,350 from the State of New York through the Erie County Department of Mental Health to continue their Public Awareness is Prevention Program and,

WHEREAS, that appropriation was not included in the budget adopted by the Erie County Legislature, and

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

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**ERIE COUNTY LEGISLATURE**

NOW, THEREFORE, BE IT

RESOLVED, that the following budgetary transactions are hereby authorized:

**ERIE COUNTY SHERIFF'S OFFICE**  
**PUBLIC AWARENESS IS PREVENTION - PROJECT #523**

<u>APPROPRIATION</u>		<u>Decrease</u>
883-2409	Interdepartment - Mental Health Grants	\$ 10,350
<u>APPROPRIATION</u>		<u>Increase</u>
Account 826	Miscellaneous	10,350
	<b>NET IMPACT</b>	<b><u>\$ 0</u></b>

and be it further

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

(5-0)

5. Item Page -2003 (Comm. 1E-48)

**SHERIFF**

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

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

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

NOW, THEREFORE, BE IT

RESOLVED, that \$24,000 in available balances in the Asset Forfeiture Trust Fund is hereby transferred to the Erie County Sheriff's Office Asset Forfeiture Grant, Project #493 for the purchase of D.A.R.E. training materials, and be it further

RESOLVED, that the following budgetary transactions are hereby authorized:

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

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**ERIE COUNTY LEGISLATURE**

<u>REVENUE</u>		<u>Increase</u>
Account - 502 Forfeiture Crime Proceeds		<u>24,000</u>
	Total Revenue	<u>24,000</u>
<u>APPROPRIATION</u>		<u>Increase</u>
Account - 826	Miscellaneous Expense	<u>24,000</u>
	Total Appropriations	<u>24,000</u>

and be it further

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

6. Item Page -2003 (Comm. 2E-22)  
**COUNTY EXECUTIVE**

WHEREAS, Erie County Local Law #4 (1986) Section 11-c.07-b states that there shall be 21 members of the Erie County Fire Advisory Board, and

WHEREAS, the Department of Emergency Services has three divisions, the Disaster Preparedness, Emergency Medical Services, and the Fire Safety Divisions, and

WHEREAS, each Division has an Advisory Board containing 25 Regular Members, except the Fire Advisory Board, which contains only 21, and

WHEREAS, with the addition of four members to the Fire Advisory Board, a broader representation in the area of Public Safety would be provided,

NOW THEREFORE BE IT

RESOLVED, that the County Executive, on behalf of the Department of Emergency Services, is hereby authorized to change Erie County Local Law #4 (1986) Section 11-c.07-b for the Fire Advisory Board, to conform with the other boards by adding four members to this board to broaden representation in the area of Public Safety, and be it further

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

7. Item Page -2003 (Comm. 2E-23)  
**COUNTY EXECUTIVE**

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**ERIE COUNTY LEGISLATURE**

WHEREAS, funds have been received from the New York State Emergency Management Office through the Federal Government to conduct a Hazard Analysis for each of the 44 communities of Erie County, and

WHEREAS, these funds will be used to assist in conducting the All-Hazard Risk Analysis and to prepare a County-Wide All Hazard Mitigation Plan, and

WHEREAS, this plan must be completed by November 2004 in order to comply with the Federal Mandate, in order to be eligible for FEMA funding after a federal disaster declaration,

NOW THEREFORE BE IT

RESOLVED, that the County Executive, on behalf of the Department of Emergency Services, is hereby authorized to receive funding from the New York State Emergency Management Office through the Federal Government to assist in completion of the All-Hazard Risk Analysis, and be it further

RESOLVED, that funds be utilized to complete the All-Hazard Mitigation Plan to meet the Federal Mandate of November 2004, and be it further

RESOLVED, that the following budgetary accounts be created in order to complete the above tasks:

Department of Emergency Services  
 All-Hazard Mitigation Planning Grant

Revenue

SFG684 - Federal Aid – Other	\$40,000.
TOTAL	\$40,000.

Appropriations

SFG821 – Dues and Fees	\$ 1,000
SFG825 – Long Distance Travel	500
SFG826 – Other Expenditures	5,000
SFG830 – Contractual	28,700
SFG933 – Lab and Technical Equipment	<u>4,800</u>

TOTAL	\$ 40,000
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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.

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**ERIE COUNTY LEGISLATURE**

(5-0)

8. Item Page -2003 (Comm. 2E-24)

**COUNTY EXECUTIVE**

WHEREAS, funds have been received from the Federal Emergency Management Agency (FEMA) through the New York State Emergency Management Office (SEMO), and

WHEREAS, the funds received for the claims submitted by the Department of Emergency Services on behalf of various County, City Departments and Volunteer Fire Departments will be reimbursed to them for their services rendered to New York City in the aftermath of the events of September 11, 2001, and

WHEREAS, the funds received will be utilized to reimburse the County, City and Volunteer Fire Departments and to purchase needed equipment and services, and

WHEREAS, an intern will be retained from a previous grant for the period of November 4, 2002 until December 31, 2002 to update response resources for future emergencies, and

NOW, THEREFORE BE IT

RESOLVED, that the County Executive, on behalf of the Erie County Department of Emergency Services, is hereby authorized to utilize these funds to reimburse Erie County, City Departments and Volunteer Fire Departments in funding from FEMA through SEMO, and be it further

RESOLVED, that the following transactions are authorized for the reimbursement of Erie County, City, and Volunteer Fire Departments for time and services rendered, and retain an intern to update response resources for future emergencies, in the aftermath of the events of September 11, 2001:

Department of Emergency Services  
 Reimbursement of Claims

	Current Budget	Changes	Revised Budget
<u>Revenue</u>			
SFG 684 Federal Revenue - Other	<u>\$51,355</u>	<u>\$+9,000</u>	<u>\$60,355</u>
TOTAL	\$51,355	\$+9,000	\$60,355
<u>Appropriations</u>			
SFG 801 Overtime	\$ 3,000	\$ -3,000	\$ 0
SFG 825 Long Distance Travel	\$ 2,000	\$ 0	\$ 2,000
SFG 933 Lab & Tech. Equip.	\$ 2,250	\$ +1,000	\$ 3,250
SFG830 Contractual-Volunteer Fire Companies and City of Buffalo			

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Fire & Emergency Services	<u>\$44,105</u>	<u>\$+11,000</u>	<u>\$55,105</u>
TOTAL	\$51,355	\$+ 9,000	\$60,355

and be it further

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

(5-0)

9. Item Page -2003 (Comm. 2E-25)

**COUNTY EXECUTIVE**

WHEREAS, the Department of Emergency Services in responding to emergencies throughout Erie County recognizes the need at times for a Chaplain to provide support to emergency first responders and their families, and

WHEREAS, Father Joseph Bayne, OFM, has been fulfilling these needs since his appointment in 1990, and

WHEREAS, constraints upon Father Joseph Bayne's schedule, and current events dictate that more than one Chaplain is necessary to adequately respond to the needs of victims, their families, and emergency response personnel during time of crisis, and

WHEREAS, the need for additional Chaplains and other counselors can be addressed through a Chaplain Corps under the auspices of the Commissioner of the Department of Emergency Services,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby approve the Chaplain Corps under the auspices of the Commissioner of the Department of Emergency Services, and be it further

RESOLVED, that Father Joseph Bayne, OFM, is hereby designated Chief Chaplain and Reverend John R. Gaglione is designated Chaplain; and be it further

RESOLVED, that the Erie County Executive shall have the authority to appoint all Chaplains as may be required, subject to the approval of the Erie County Legislature, and the Erie County Executive is further empowered to designate one Chaplain as Chief Chaplain.

RESOLVED, that the Department of Emergency Services' Chaplains, shall be included within the coverage provided by the Workers' Compensation Law when engaged in rendering services at the direction of the Commissioner of the Department of Emergency Services or his designee, and be it further



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**ERIE COUNTY LEGISLATURE**

RESOLVED, that certified copies of this resolution be forwarded to County Executive Joel A. Giambra, the Erie County Attorney, the County Comptroller, the Erie County Personnel Commissioner and the Commissioner of Emergency Services.  
 (5-0)

**JEANNE Z. CHASE**  
**CHAIRPERSON**

MS. CHASE moved to separate item #6 and moved the approval of the balance of the report.  
 MR. RANZENHFOER seconded.

CARRIED UNANIMOUSLY.

MS. CHASE moved to send item #6 back to the PUBLIC SAFETY COMMITTEE. MR. RANZENHOFER seconded.

CARRIED UNANIMOUSLY.

Item 25 – MR. WEINSTEIN presented the following resolution and moved for immediate consideration. MR. RANZNEHOFER seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 40

February 13, 2003

HUMAN SERVICES  
 COMMITTEE  
 REPORT NO. 1

ALL MEMBERS PRESENT EXCEPT LEGISLATOR FISHER.

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

Item Page -2002 (Intro. 25-13)  
 a. **SWANICK, KUWIK, HOLT, SCHROEDER, FISHER, DALE, PEOPLES & DUSZA:**  
 Opposing Proposed Cuts in Federal Low Income Home Energy Assistance Program  
 (LIHEAP).  
 (4-0) Legislator Fisher absent.

Item Page -2003 (Comm. 2E-2)  
 b. **COMPTROLLER:** Copy of Letter to ECMC Interim CEO Re: ECMC Budget for 2003.  
 (4-0) Legislator Fisher absent.

2. Item Page -2003 (Comm. 1E-35)

**COUNTY EXECUTIVE**

**WHEREAS**, the Department of Social Services is seeking authorization to enter into a contract in an amount not to exceed \$170,000 with Western New York Computing to provide critical computer system consulting services, and

**WHEREAS**, the consulting services to be provided are fundamental to the Department's planning for computer infrastructure integration related to implementation of the County's new Enterprise Resource Planning (ERP) system, and

**WHEREAS**, major computer hardware upgrades and software revisions will be installed during the next two years, and these changes must be carefully executed in order to ensure successful implementation in a context of operational continuity and efficiency, and

**WHEREAS**, Western New York Computing is an approved vendor on State contract as bidding for this consulting service was previously conducted by New York State, and

**WHEREAS**, there is no fiscal impact to the 2003 Adopted Budget, as funds for this purpose are available in a capital budget project for Social Services technology enhancement.

**NOW, THEREFORE, BE IT**

**RESOLVED**, the Commissioner of Social Services and/or the County Executive are authorized to enter into a contract in an amount not to exceed \$170,000 with Western New York Consulting for computer system consulting services, and be it further

**RESOLVED**, that as the proposed vendor has been selected pursuant to a bidding process conducted by New York State and is an approved vendor on State contract, the Request for Proposals (RFP) requirements of section 19.08 of the Erie County Administrative Code are hereby waived, and be it further

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

(4-0) Legislator Fisher absent.

3. Item Page -2003 (Comm. 1E-36)

**COUNTY EXECUTIVE**

**WHEREAS**, the Department of Social Services is seeking authorization to transfer funds within the PINS and Preventive Services grant in the amount of \$176,834 to provide funding for two contracts, and

**WHEREAS**, contracts to be funded are with Child and Adolescent Treatment Services for PINS (Persons in Need of Supervision) Early Intervention Diversion Services in the amount of \$114,592 and with Catholic Charities for Preventive Services Family Mediation in the amount of \$62,242, and

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**WHEREAS**, the Department was uncertain as to the amounts to be provided for these two specific agency services contracts at the time of submission of its funding recommendations for 2003, and

**WHEREAS**, undesignated funds were budgeted for this purpose in the "Other Expenses" account in anticipation of the need to provide these critical services, and

**WHEREAS**, there is no fiscal impact to the 2003 Adopted Budget based on this funds transfer.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the County Executive and/or the Commissioner of Social Services are hereby authorized to execute or amend contracts as necessary with Catholic Charities and Child and Adolescent Treatment Services, and be it further

**RESOLVED**, that the following budget amendments are hereby authorized in the 2003 Adopted Budget:

**Department of Social Services, Department 200, Fund 281, Project 829**

<b><u>ACCOUNT</u></b>	<b><u>DESCRIPTION</u></b>	<b><u>INCREASE/ (DECREASE)</u></b>
830-0427	Catholic Charities	\$62,242
830-0238	Child and Adolescent Treatment Services	114,592
826	Other Expenses	(176,834)
	Total Expenditures	<u>-0-</u>

and be it further

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

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

(4-0) Legislator Fisher absent.

4. Item Page -2003 (Comm. 2E-7)  
**COUNTY EXECUTIVE**

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**ERIE COUNTY LEGISLATURE**

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 \$604,000 from New York State Health Research, Inc. (HRI) for the development of a high containment emergency preparedness laboratory, and

WHEREAS, in an effort to increase the regions' preparedness, the Erie County Public Health Laboratory began construction of a Bio-Safety Level 3 (BSL 3) Laboratory in November of 2001, and

WHEREAS, to date Erie County has invested approximately \$350,000 to the development of this high containment laboratory, and

WHEREAS, the Health Research, Inc. grant will allow the Erie County Public Health Laboratory to complete the upgrade of this laboratory to BSL 3 status, thus providing the Public Health Lab with the capacity to increase response capabilities for the western region of New York State, and

WHEREAS, the funding provided will allow the Public Health Laboratory to not only complete construction but will provide needed funding for necessary equipment and additional staffing to meet the requirements established by the Centers for Disease Control and Prevention, (CDC), and

WHEREAS, in order to efficiently meet the requirements of this award, it is necessary to create one full-time position of Chief Microbiology Laboratory Technician (PH), JG IX, and one full-time position of Administrative Assistant (PHL), JG IX.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to accept the grant award from HRI which is budgeted as follows:

**Department of Health –**  
**Public Health Preparedness Laboratory Response Network**  
**9/1/02 – 8/30/03**

<b>ACCT</b>	<b>SUB-ACCT</b>	<b>REVENUE</b>	<b>NEW BUDGET</b>
557	200	NYS HEALTH RESEARCH INC.	\$ 604,000
		<b>TOTAL</b>	<u>\$ 604,000</u>
		<b>EXPENSES</b>	

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800	000	PERSONAL SERVICES	\$ 40,361
805	000	FRINGE BENEFITS	10,889
880	2208	DPW - CAPITAL FUNDS	410,000
933		LAB & TECHNICAL EQUIP.	<u>142,750</u>
<b>TOTAL</b>			<u>\$ 604,000</u>

and be it further

RESOLVED, that one full-time position of Chief Microbiology Laboratory Technician (PH), JG IX, and one full-time position of Administrative Assistant (PHL), JG IX, are hereby created.

The following personnel detail is hereby submitted:

TITLE: Chief Microbiology Lab Tech (PH) FUNDING: 100% State Funded  
 JG: IX CIVIL SERVICE: Yes  
 STEP: 0 CIVIL SERVICE LIST: No  
 ANNUAL SALARY: \$33,916  
 ANNUAL BENEFITS: \$9,157

TITLE: Administrative Assistant (PHL) FUNDING: 100 % State  
 JG: IX CIVIL SERVICE: Yes  
 STEP: 0 CIVIL SERVICE LIST: No  
 ANNUAL SALARY: \$33,916  
 ANNUAL BENEFITS: \$9,157

and be it further

RESOLVED, that adjustments are hereby authorized for the following accounts in the Capital Projects Fund #410, Renovation of Bldg. BB, Project #199:

Increase Account 685-2709	Interfund Health Grants	\$410,000
Increase Account 975	Renovation of Building BB	\$410,000

and be it further

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

5. Item Page -2003 (Comm. 2E-8)  
**COUNTY EXECUTIVE**

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**ERIE COUNTY LEGISLATURE**

WHEREAS, the Erie County Department of Health has received a grant from the New York State Health Department in the amount of \$167,787 for the period 10/1/02 through 9/30/03, with an option for two one-year extensions, and

WHEREAS, this grant also authorizes a personnel adjustment that deletes one full-time position of Supervising Sanitarian, JG XI, position number 816299, and creates one full-time position of Sr. Investigating Public Health Sanitarian, JG X, and

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

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

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

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

WHEREAS, the County desires to contract for the services of a software developer to create a program that can be used with the existing tablet computers to collect a wide variety of information in the field for not only the Tobacco Enforcement Program but other Health Department Programs and to integrate the developed system with existing State Health Department requirements and conduct the associated training.

NOW, THEREFORE, BE IT

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

**YOUTH TOBACCO ENFORCEMENT & PREVENTION PROGRAM**

**10/1/02 - 09/30/03**

**PROJECT # 705**

<b><u>SFG SUB REVENUE</u></b>		<b><u>CURRENT</u></b>	<b><u>REVISED</u></b>	
		<b><u>BUDGET</u></b>	<b><u>CHANGES</u></b>	
			<b><u>BUDGET</u></b>	
428	PENALTIES & FINES	\$ 10,000	-\$2,000	\$ 8,000
533	UNDEFINED	25,000	-25,000	0
549	101 TFRS FROM PR GRANT PROG	0	53,097	53,097
553	STATE AID	<u>119,736</u>	<u>48,051</u>	<u>167,787</u>
	<b>TOTAL</b>	<b><u>\$154,736</u></b>	<b><u>\$74,148</u></b>	<b><u>\$228,884</u></b>

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**ERIE COUNTY LEGISLATURE**

<u>EXPENSES</u>				
800	PERSONNEL SERVICES	\$ 49,964	\$1,499	\$ 51,463
801	OVERTIME	0	20,000	20,000
805	FRINGE BENEFITS	11,572	2,323	13,895
810	OFFICE SUPPLIES	4,000	0	4,000
821	DUES & FEES	14,000	6,500	20,500
824	TRAVEL & MILEAGE	2,000	400	2,400
825	OUT OF AREA TRAVEL	2,500	2,000	4,500
826	OTHER EXPENSES	3,000	4,994	7,994
830	CONTRACTUAL SERVICES	50,000	9,450	59,450
880 2700	INTERFUND - HEALTH GRANT	0	6,006	6,006
880 5100	INTERFUND - DISS	500	500	1,000
932	OFFICE EQUIPMENT	5,200	1,200	6,400
933	LAB & TECH EQUIPMENT	<u>12,000</u>	<u>19,276</u>	<u>31,276</u>
<b>TOTAL</b>		<u>\$154,736</u>	<u>\$74,148</u>	<u>\$228,884</u>

and be it further

RESOLVED, that the following adjustments are made to the 2003 Health Department budget:

Increase Account 685-2709 Interfund Health Grants	\$6,006
Increase Account 932 Office Equipment	\$6,006

and be it further

RESOLVED, that one full-time position of Supervising Sanitarian, JG XI, position number 816299, is hereby deleted, and one full-time position of Sr. Investigating Public Health Sanitarian, JG X, is hereby created. The following personnel detail is hereby submitted:

TITLE: Sr. Investigating P.H. Sanitarian	FUNDING: 100% State Reimbursed
STEP:0	CIVIL SERVICE: Yes
JG: X	CIVIL SERVICE LIST: Yes
ANNUAL SALARY: \$36,415	
ANNUAL BENEFITS: \$9,832	

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 \$2,500 per year, and be it further

RESOLVED, that the Erie County Legislature hereby authorizes the Erie County Health Department to contract for a computer software developer from qualified individuals within the bounds of the appropriations stated above for those categories as listed in Exhibit B incorporated herein,

**EXHIBIT B**  
 Annual Compensation Less Than \$10,000

TITLE	RATE
Software Developer	\$65.00/hour

and be it further

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

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

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

6. Item Page -2003 (Comm. 2E-9)  
**COUNTY EXECUTIVE**

WHEREAS, the Erie County Legislature authorized the acceptance of a grant award from the New York State Health Department in the amount of \$950,265 on July 18, 2002, Comm. 14E-64, and

WHEREAS, in order to efficiently meet the evolving requirements of this project, it is necessary to create one part-time position of Sr. Clerk Typist, JG IV, to be assigned to the Public Health Lab, and



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**ERIE COUNTY LEGISLATURE**

WHEREAS, the New York State Health Department has combined funding for West Nile Virus activities into the Public Health Preparedness contract effective 1/1/03, and

WHEREAS, in order to continue to monitor West Nile Virus infection, it is necessary to transfer one part-time position of Associate Public Health Sanitarian into this project, and

WHEREAS, in order to enable the Department to prepare for mass immunizations such as smallpox, it is necessary to enter into a contract, not to exceed \$49,284, with Buffalo Computer Graphics, to develop an immunization/smallpox management module on the Erie County Department of Health Disaster LAN.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Executive is hereby authorized to enter into an agreement with Buffalo Computer Graphics for a sum not to exceed \$49,284 for the purpose of developing an immunization/smallpox management module on the Erie County Department of Health Disaster LAN, and be it further

RESOLVED, one part-time position of Sr. Clerk Typist, is hereby created:

The following personnel detail is hereby submitted:

TITLE: Sr. Clerk Typist – Part Time	FUNDING: 100% State Funded
JG: IV	CIVIL SERVICE: Yes - Competitive
STEP: 0	CIVIL SERVICE LIST: No
HOURLY RATE: \$11.59	

and be it further

RESOLVED, that in order to maintain current West Nile Virus activities, one part-time position of Associate Public Health Sanitarian (position number 816300) is hereby transferred into Project #744, effective 1/1/03, and be it further

RESOLVED, that the subcontract with Buffalo Computer Graphics is a special service which must be provided immediately and continuously, and therefore the RFP procedure required under Erie County Local Law No. 6, Section 19.08 of the Erie County Administrative Code, is hereby waived, and be it further

RESOLVED, that funds necessary to effectuate this contract are available in Project #744, Public Health Preparedness Response to Bioterrorism, and be it further

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**ERIE COUNTY LEGISLATURE**

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

(4-0) Legislator Fisher absent.

7. Item Page -2003 (Comm. 2E-10)

**COUNTY EXECUTIVE**

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

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

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

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

WHEREAS, the New York State Health Department has allocated additional funds to create one full-time position of Sr. Caseworker, JG IX.

NOW, THEREFORE, BE IT

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

**HIV PARTNER NOTIFICATION**  
**10/1/02- 9/30/03**  
**PROJECT #713**

<b>SFG</b>	<b>REVENUE</b>	<b>CURRENT BUDGET</b>	<b>CHANGES</b>	<b>REVISED BUDGET</b>
553	STATE AID - OTHER	<u>\$181,102</u>	<u>\$30,685</u>	<u>\$211,787</u>
	<b>TOTAL</b>	<u><u>\$181,102</u></u>	<u><u>\$30,685</u></u>	<u><u>\$211,787</u></u>
<b>EXPENSES</b>				
800	PERS SERVICES	\$104,347	\$47,844	\$152,191
801	OVERTIME	0	0	0
805	FRINGE BENEFITS	24,167	16,894	41,061

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810	OFFICE SUPPLIES	2,000	-1,315	685
814	MEDICAL SUPPLIES	2,000	1,000	3,000
816	MAINT SUPPLIES	0	0	0
821	DUES & FEES	0	0	0
822	RENTAL CHARGES	0	0	0
823	REPAIRS & MAINT	0	0	0
824	TRAVEL & MILEAGE	4,200	-3,200	1,000
825	TRAVEL - CONF	3,000	-2,000	1,000
826	OTHER EXPENSES	2,000	3,850	5,850
880-1200	INTERFUND-COMPTR.	0	0	0
880-2700	INTERFUND - ECHD	0	0	0
880-5100	INTERFUND - DISS	4,900	-400	4,500
931	MAINT EQUIPMENT	0	0	0
932	FURNITURE, EQUIP.	13,250	-13,250	0
933	TECHNICAL EQUIPMENT	21,238	-18,738	2,500
	<b>TOTAL</b>	<u>\$181,102</u>	<u>\$30,685</u>	<u>\$211,787</u>

and be it further

RESOLVED, that one full-time position of Sr. Caseworker, JG IX, is hereby created.

The following personnel detail is hereby submitted:

TITLE: Sr. Caseworker	FUNDING: 100% State Reimbursed
STEP: 0	CIVIL SERVICE: Yes
JG: IX	CIVIL SERVICE LIST: Yes
ANNUAL SALARY: \$33,916	
ANNUAL BENEFITS: \$9,157	

and be it further

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

(4-0) Legislator Fisher absent.

8. Item Page -2003 (Comm. 2E-11)

**COUNTY EXECUTIVE**

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

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**February 24, 2003**

**ERIE COUNTY LEGISLATURE**

WHEREAS, the Erie County Health Department has received a revised grant award in the amount of \$187,500 from the New York State Health Department which authorizes budgetary adjustments.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to accept the revised grant award from the New York State Department of Health for providing a Local Enhanced Drinking Water Protection Program Grant to be budgeted as follows:

**Department of Health**  
**Enhanced Drinking Water Protection Program**  
**1/1/01 – 3/31/03**  
**Project #536**

SFG SUB OBJ	REVENUE	CURRENT BUDGET	CHANGES	REVISED BUDGET
553	STATE AID	<u>\$ 312,500</u>	<u>-\$125,000</u>	<u>\$ 187,500</u>
	<b>TOTAL</b>	<u>\$ 312,500</u>	<u>-\$125,000</u>	<u>\$ 187,500</u>
 <b>EXPENSES</b>				
800	Personal Services	\$ 147,069	-\$31,252	\$115,817
801	Overtime	0	289	289
805	Fringe Benefits	32,355	-16,166	16,189
825	Out of Area Travel	4,000	-3,539	461
932	Office Equipment	2,572	-2,572	0
	Lab & Tech			
933	Equipment	<u>126,504</u>	<u>-71,760</u>	<u>54,744</u>
	<b>TOTAL</b>	<u>\$ 312,500</u>	<u>-\$125,000</u>	<u>\$187,500</u>

and be it further

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

9. Item Page -2003 (Comm. 2E-12)  
**COUNTY EXECUTIVE**

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**ERIE COUNTY LEGISLATURE**

WHEREAS, the Erie County Department of Health operates the WIC Program under a grant from the New York State Health Department, and

WHEREAS, the purpose of this program is to provide nutrition related services to pregnant women, infants and children, and

WHEREAS, budgetary adjustments are necessary in order to bring accounts into line with SFG.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to enter into a contract with the New York State Department of Health for a revised grant which is budgeted as follows:

**SUPPLEMENTAL FOOD (WIC) PROGRAM**  
**10/1/02 - 9/30/03**  
**PROJECT #701**

<b>SFG</b>	<b>REVENUE</b>	<b>CURRENT BUDGET</b>	<b>CHANGES</b>	<b>REVISED BUDGET</b>
440	LOCAL SOURCE	\$ 4,000	\$ 0	\$ 4,000
549	MISC DEPT INC	800	0	800
575	STATE AID	<u>2,882,322</u>	<u>-293,578</u>	<u>2,588,744</u>
	<b>TOTAL</b>	<u>\$ 2,887,122</u>	<u>-\$293,578</u>	<u>\$ 2,593,544</u>
<b>EXPENSES</b>				
800	PERS SERVICES	\$ 2,200,130	-\$277,216	\$ 1,922,914
801	OVERTIME	0	0	0
805	FRINGE BENEFITS	509,549	-56,339	453,210
810	OFFICE SUPPLIES	5,200	-200	5,000
814	MEDICAL SUPPLIES	1,000	6,680	7,680
816	MAINT SUPPLIES	500	300	800
821	DUES & FEES	4,000	-3,000	1,000
822	RENTAL CHARGES	30,000	4,379	34,379
823	REPAIRS & MAINT	500	2,500	3,000
824	TRAVEL & MILEAGE	15,000	-3,000	12,000
825	TRAVEL - CONF	3,200	7,550	10,750
826	OTHER EXPENSES	10,500	9,884	20,384
880-1200	INTERFUND-COMPTR.	15,500	1,522	17,022

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880-2700 INTERFUND - ECHD	59,243	2,458	61,701
880-5100 INTERFUND - DISS	30,000	7,660	37,660
931 MAINT EQUIPMENT	500	-150	350
932 FURNITURE,EQUIP.	1,000	-1,000	0
933 TECHNICAL EQUIPMENT	<u>1,300</u>	<u>4,394</u>	<u>5,694</u>
<b>TOTAL</b>	<u>\$ 2,887,122</u>	<u>-\$293,578</u>	<u>\$ 2,593,544</u>

and be it further

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

(4-0) Legislator Fisher absent.

10. Item Page -2003 (Comm. 2E-13)

**COUNTY EXECUTIVE**

WHEREAS, the Department of Health Women's, Infants and Children's Supplemental Food Program (WIC) has analyzed its objects of expense and has determined that in Account 880-1200 Interfund Billing - Comptrollers, expenses have exceeded appropriations by \$4,500, and

WHEREAS, sufficient funds are available in Account 824 - Local Travel, and Account 826 - Other Expenses, to offset this transfer of funds, and

WHEREAS, a transfer of funds must be made in order to balance the grant accounts.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the following transactions within the accounts of Project 492-270:

Increase – Account 880 - Interfund Billing Comptrollers	\$4,500
Decrease – Account 824 - Local Travel	3,500
Decrease – Account 826 - Other Expenses	<u>1,000</u>
Net Increase	<u>\$ -0-</u>

and be it further

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

(4-0) Legislator Fisher absent.

11. Item Page -2003 (Comm. 2E-14)

**COUNTY EXECUTIVE**

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**ERIE COUNTY LEGISLATURE**

WHEREAS, the Reach Out Program of the Erie County Health Department is designed to comprehensively train adolescent peer educators regarding HIV/AIDS in order to help adolescents in Erie County protect themselves from contracting HIV and/or spreading the virus, and

WHEREAS, the American Red Cross, Buffalo Chapter, utilizes an approved HIV/AIDS curriculum to train peer educators, and

WHEREAS, funds are available in Account 821, Dues and Fees, in the Health Department's 2003 adopted budget.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to enter into a contract effective January 1, 2003 through December 31, 2003, with the American Red Cross, Buffalo Chapter, in an amount not to exceed \$35,000, to provide peer educators and peer education leaders, and be it further

RESOLVED, that rates paid under this contract shall be as follows:

Peer Educator	\$6.60 per hour
Peer Navigator	\$8.80 per hour
Senior Peer Leader	\$11.00 per hour

and be it further

RESOLVED, that the contract with the American Red Cross is for special services that must be provided immediately and continuously, and therefore the Request for Proposal procedure required by Local Law No. 6, Section 19.08 of the Administrative Code is hereby waived, and be it further

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

(4-0) Legislator Fisher absent.

12. Item Page -2003 (Comm. 2E-15)

**COUNTY EXECUTIVE**

WHEREAS, the Erie County Department of Health received a revised grant award from Health Research Inc. in the amount \$57,000 the purpose of funding breast and cervical cancer screening for low income, asymptomatic, underserved women aged 40 and over, and

WHEREAS, the Partners for Prevention, Cancer Screening Services of Erie County is made up of a coalition of concerned community agencies and health care providers, funded by grants from the New York State Health Department, Health Research, Inc. and the United Way of Buffalo and Erie County, and

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**ERIE COUNTY LEGISLATURE**

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

NOW, THEREFORE, BE IT

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

**BREAST AND CERVICAL CANCER**  
**09/30/02 – 6/29/03**  
**PROJECT # 700**

<u>SFG</u>	<u>REVENUE</u>	<u>CURRENT</u> <u>BUDGET</u>	<u>CHANGES</u>	<u>REVISED</u> <u>BUDGET</u>
553- 200	State Aid – HRI. Inc.	\$40,523	\$16,477	\$57,000
	TOTAL	<u>\$40,523</u>	<u>\$16,477</u>	<u>\$57,000</u>
<b>EXPENSES</b>				
830- 989	Contractual Clinical Services	\$39,523	\$15,477	\$55,000
880- 4000	ECMC	800	1,000	1,800
882- 2709	Interfund-Non DISS	<u>200</u>	<u>0</u>	<u>200</u>
	TOTAL	<u>\$40,523</u>	<u>\$16,477</u>	<u>\$57,000</u>

and be it further

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

(4-0) Legislator Fisher absent.

13. Item Page -2003 (Comm. 2E-16)  
**COUNTY EXECUTIVE**

WHEREAS, the Erie County Department of Health has received a revised grant award in the amount of \$78,000 from the New York State Health Department to support the promotion of healthy nutrition and physical activity in order to reduce the prevalence of overweight and related risk factors for chronic disease in preschool-age children, and

WHEREAS, national data has indicated a dramatic increase in pediatric obesity that can have a negative influence on long-term health and result in the development of chronic diseases, and



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**ERIE COUNTY LEGISLATURE**

WHEREAS, nutrition and physical activity are identified as two of the twelve priority areas for public health action in New York State.

NOW, THEREFORE, BE IT

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

**EAT WELL, PLAY HARD NUTRITION GRANT**

**7/1/02 - 6/30/03**

**PROJECT #868**

<b>SFG</b>	<b>ACCOUNT REVENUE</b>	<b>CURRENT BUDGET</b>	<b>CHANGES</b>	<b>REVISED BUDGET</b>
553	STATE AID	<u>\$ 78,000</u>	<u>\$ 0</u>	<u>\$ 78,000</u>
	<b>TOTAL</b>	<u><u>\$ 78,000</u></u>	<u><u>\$ 0</u></u>	<u><u>\$ 78,000</u></u>
	<b>EXPENSES</b>			
825	Travel	\$0	\$1,000	\$1,000
826	Miscellaneous	0	900	900
830-0186	Contractual – Cornell CO-OP Ext. of E.C.	72,100	2,000	74,100
830-0204	Contractual – Wellness Institute	2,000	-2,000	0
932	Furniture	0	1,000	1,000
933	Lab & Technical Equipment	<u>3,900</u>	<u>-2,900</u>	<u>1,000</u>
	<b>TOTAL</b>	<u><u>\$ 78,000</u></u>	<u><u>\$0</u></u>	<u><u>\$ 78,000</u></u>

and be it further

RESOLVED, that the County Executive is hereby authorized to enter into a subcontract with the Cornell Cooperative Extension Service of Erie County in the amount \$74,100 for the purpose of providing coordination services, and be it further

RESOLVED, that the subcontract with the Cornell Cooperative Extension Service of Erie County is a special service which must be provided immediately and continuously, and therefore the RFP procedure required under Erie County Local Law No. 6, Section 19.08 of the Administrative Code is hereby waived, and be it further

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

(4-0) Legislator Fisher absent.

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**ERIE COUNTY LEGISLATURE**

14. Item Page Item -2003 (Comm. 3E-20)

**COUNTY EXECUTIVE**

WHEREAS, the use of tobacco is a significant risk behavior contributing to the onset of and exacerbating such chronic diseases as heart disease, cancer, respiratory disease and diabetes, and

WHEREAS, the Erie County Department of Health has received a continuation grant award from the New York State Department of Health in the amount of 389,400 for the period of 6/1/03 – 5/31/04 to support the Comprehensive Community Based Tobacco Control & Prevention, Erie Niagara Tobacco Free Coalition, and

WHEREAS, the Roswell Park Cancer Institute has been selected by the Coalition as the lead agency to coordinate coalition activities, and

WHEREAS, interdepartmental funds will be allocated to offset accounting costs.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Executive is hereby authorized to enter into an agreement with the New York State Health Department to accept the grant which is budgeted as follows:

**DEPARTMENT OF HEALTH**  
**COMPREHENSIVE COMMUNITY BASED TOBACCO CONTROL & PREVENTION**  
**ERIE NIAGARA TOBACCO FREE COALITION**  
**6/01/03 - 5/31/04 Project #857**

<b>SFG</b>		<b>CURRENT</b>		<b>REVISED</b>
<b>ACCOUNT</b>	<b>REVENUE</b>	<b>BUDGET</b>	<b>CHANGES</b>	<b>BUDGET</b>
553	STATE AID	\$ 389,400	\$0	\$ 389,400
	<b>TOTAL</b>	<u>\$ 389,400</u>	<u>\$0</u>	<u>\$ 389,400</u>
	<b>EXPENSES</b>			
825	OUT OF AREA TRAVEL	\$ 1,000	\$470	\$ 1,470
826	OTHER EXPENSES	3,500	-3,500	0
830-1184	CONTRACTUAL-HRI - ROSWELL	369,930	0	369,930
882-2709	INTERDEPARTMENT – Health Grants	0	2,000	2,000
932	OFFICE EQUIPMENT	3,470	12,530	16,000
933	LAB & TECHNICAL EQUIPMENT	<u>11,500</u>	<u>-11,500</u>	<u>0</u>
	<b>TOTAL</b>	<u>\$ 389,400</u>	<u>\$0</u>	<u>\$ 389,400</u>

and be it further

RESOLVED, that the budgetary adjustments in the Children with Special Health Care Needs (Project #711) grant will be adjusted in a separate resolution, and be it further

RESOLVED, that the Erie County Department of Health is authorized to enter into an amended subcontract with the Health Research Institute – Roswell Park Division in the amount of \$369,930 for the purpose of coordinating Coalition activities, and be it further

RESOLVED, that the subcontract with Health Research Institute – Roswell Park Division is a special service which must be provided immediately and continuously, and therefore the RFP procedure required under Erie County Local Law No. 6, Section 19.08 of the Erie County Administrative Code, is hereby waived, and be it further

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

(4-0) Legislator Fisher absent.

15. Item Page -2003 (Comm. 3E-21)

**COUNTY EXECUTIVE**

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

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

NOW, THEREFORE, BE IT

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

**Healthy Heart Worksite Wellness Grant**  
**4/1/03 – 3/31/04**  
**Project #856**

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

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**EXPENSES**

825	OUT OF AREA TRAVEL	\$1,000	-\$1,000	\$0
826	OTHER EXPENSES	1,000	-500	500
830	CONTRACTUAL	66,500	0	66,500
880	5100 INTERFUND - DISS	500	-500	0
932	OFFICE EQUIPMENT	0	1,000	1,000
933	LAB & TECH EQUIPMENT	<u>1,000</u>	<u>1,000</u>	<u>2,000</u>
	<b>TOTAL</b>	<u>\$ 70,000</u>	<u>\$0</u>	<u>\$ 70,000</u>

and be it further

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

RESOLVED, that the subcontract with the Wellness Institute of Greater Buffalo and Western New York, Inc. is a special service which must be provided immediately and continuously, and therefore, the RFP procedure required under Erie County Local Law No. 6, Section 19.08 of the Erie County Administrative Code, is hereby waived, and be it further

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

(4-0) Legislator Fisher absent.

16. Item Page -2003 (Comm. 3E-22)

**COUNTY EXECUTIVE**

WHEREAS, the Erie County Department of Health operates a Children with Special Health Care Needs Program (CSHCN), and

WHEREAS, the purpose of the grant is to provide individualized service to children with special health care needs and their families. This includes facilitating access to health care coverage and identifying gaps and barriers linking to community services and resources, and

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

NOW, THEREFORE, BE IT

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

**CHILDREN WITH SPECIAL HEALTH CARE NEEDS**

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**10/01/02 - 9/30/03**  
**PROJECT #711**

<u>SFG</u>	<u>SUB</u>	<u>REVENUE</u>	<u>CURRENT</u> <u>BUDGET</u>	<u>CHANGES</u>	<u>REVISED</u> <u>BUDGET</u>
552		STATE AID	\$ 90,000	\$0	\$ 90,000
390		PHC MEDICAID	141,943	-2,000	139,943
685	2520	INTERFUND YOUTH SERVICES	<u>55,000</u>	<u>0</u>	<u>55,000</u>
		<b>TOTAL</b>	<u>\$ 286,943</u>	<u>-\$2,000</u>	<u>\$284,943</u>
		<b><u>EXPENSES</u></b>			
800		PERSONNEL SERVICES	\$225,254	\$0	\$225,254
805		FRINGE BENEFITS	52,169	0	52,169
810		OFFICE SUPPLIES	500	0	500
821		DUES & FEES	220	0	220
823		REPAIRS & MAINTENANCE	300	0	300
824		TRAVEL & MILEAGE	5,000	0	5,000
825		OUT OF AREA TRAVEL	1,500	0	1,500
826		OTHER EXPENSES	500	0	500
880	5100	INTERFUND-DISS	500	0	500
883	2700	INTERDEPARTMENTAL	-1,000	-2,000	-3,000
		FURNITURE, FIXTURES &			
932		EQUIPMENT	<u>2,000</u>	<u>0</u>	<u>2,000</u>
		<b>TOTAL</b>	<u>\$ 286,943</u>	<u>-\$2,000</u>	<u>\$284,943</u>

and be it further

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

(4-0) Legislator Fisher absent.

17. Item Page -2003 (Comm. 3E-23)

**COUNTY EXECUTIVE**

WHEREAS, the Erie County Department of Health operates a Women's Health Services Program that provides family planning services to at-risk adolescents and other medically indigent women and men at various locations within Erie County, and

WHEREAS, the Erie County Department of Health has recently received an amended grant award from the New York State Health Department totaling \$1,774,335 which includes an additional \$5,261 funding award for equipment to comply with HIPAA privacy and security regulations.

NOW, THEREFORE, BE IT

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RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to enter into an agreement with New York State to accept the revised grant which is budgeted as follows:

**WOMEN'S HEALTH SERVICES**  
**4/1/02- 3/31/03**  
**PROJECT #717**

<b>SFG CODE</b>	<b>REVENUE</b>	<b>CURRENT BUDGET</b>	<b>CHANGES</b>	<b>REVISED BUDGET</b>
326	INTEREST & EARNINGS	\$ 84,000	\$ 0	\$ 84,000
386	PRIVATE PAY	2,120	0	2,120
387	MEDICAID	406,257	0	406,257
549-138	PRIOR YEARS ROLLOVER	463,309	0	463,309
549-166	INSURANCE	20,043	0	20,043
551-100	STATE AID-BDCC	200,000	0	200,000
553	STATE AID-OTHER	524,710	+5,261	529,971
685-2700	INTERFUND-NON SUBSIDY	68,635	0	68,635
	<b>TOTAL REVENUE</b>	<b>\$ 1,769,074</b>	<b>\$ +5,261</b>	<b>\$ 1,774,335</b>
<b>APPROPRIATIONS</b>				
800	PERSONAL SERVICES	\$ 809,423	\$ 0	\$ 809,423
803	M/C SALARY ADJUSTMENT	- 1,498	0	- 1,498
805	FRINGE BENEFITS	201,980	0	201,980
810	OFFICE SUPPLIES	11,000	0	11,000
814	MEDICAL SUPPLIES	136,827	0	136,827
816	MAINT SUPPLIES	2,550	0	2,550
821	DUES & FEES	330,142	0	330,142
822	RENTAL CHARGES	500	0	500
823	REPAIRS & MAINT	39,310	0	39,310
824	LOCAL MILEAGE	10,610	0	10,610
825	TRAVEL-OUT OF AREA	12,000	0	12,000
826	OTHER EXPENSES	52,623	0	52,623
880-2700	INTERFUND-HEALTH DEPT.	24,083	0	24,083
880-2720	INTERFUND-PUBLIC HEALTH LAB	22,103	0	22,103
880-4000	INTERFUND-ECMC	42,500	0	42,500
880-5100	INTERFUND-DISS	15,301	0	15,301
883-2709	INTERDEPT-HEALTH GRANTS	- 150	0	- 150
931	BUILDINGS & GROUNDS EQUIP	20,000	0	20,000
932	OFFICE EQUIPMENT	1,400	+5,261	6,661
933	LAB & TECHNICAL EQUIPMENT	38,370	0	38,370



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- c. **COUNTY ATTORNEY:** Letter to Chairman DeBenedetti Re: Weighted Voting for Erie County Legislature.  
(5-0)
- Item Page -2002 (Comm. 7M-4)
- d. **MAYOR MASIELLO:** Copy of 17 Point Recovery Plan for Buffalo.  
(5-0)
- Item Page -2002 (Comm. 10E-4)
- e. **DALE:** Copy of Letter to Andrew Isenburg Re: Comm. 8E-9 (2002).  
(5-0)
- Item Page -2002 (Comm. 11E-4)
- f. **SWANICK:** Copy of Court Transcript of Proceedings Before Honorable John Elfvin III on 4/25/02.  
(5-0)
- Item Page -2002 (Comm. 13M-14)
- g. **HONORABLE JOHN T. ELFVIN, SUSDJ:** Memorandum & Order Re: Korman v Giambra.  
(5-0)
- Item Page -2002 (Intro. 16-8)
- h. **SCHROEDER:** Ensuring Assistance for Hearing Impaired at Public Hearings Held by Erie County Legislature.  
(5-0)
- Item Page -2002 (Comm. 20E-41)
- i. **COUNTY EXECUTIVE:** Reallocation of Salary Lines for Attorneys Fees (Division of Labor Relations).  
(5-0)
- Item Page -2002 (Comm. 22D-4)
- j. **COUNTY ATTORNEY:** Notice of Claims.  
(5-0)
- Item Page -2002 (Comm. 24D-11)
- k. **COUNTY ATTORNEY:** Notice of Claims.  
(5-0)
- Item Page -2002 (Comm. 25D-3)
- l. **COUNTY ATTORNEY:** Notice of Claims.  
(5-0)
- Item Page -2003 (Comm. 1D-10)



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- m. **COUNTY ATTORNEY:** Notice of Claims.  
 (5-0)
- |  |      |      |       |              |
|--|------|------|-------|--------------|
|  | Item | Page | -2003 | (Comm. 1E-4) |
|--|------|------|-------|--------------|
- n. **SWANICK:** Copy of Letter to County Attorney Re: Approval of Revenue & Bond Anticipation Notes by Erie County Legislature.  
 (5-0)
- |  |      |      |       |              |
|--|------|------|-------|--------------|
|  | Item | Page | -2003 | (Comm. 2D-2) |
|--|------|------|-------|--------------|
- o. **COUNTY ATTORNEY:** Notice of Claims.  
 (5-0)
- |  |      |      |       |              |
|--|------|------|-------|--------------|
|  | Item | Page | -2003 | (Comm. 3D-4) |
|--|------|------|-------|--------------|
- p. **DISS:** Memorandum of Understanding – ERP Project.  
 (5-0)
2. 

	Item	Page	-2003	(Comm. 2E-26)
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**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, 2003 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

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Probation Officer (Spanish Speaking)  
 Investigating Public Health Sanitarian  
 Senior LPN  
 Sewage Treatment Plant Operator  
 Social Services Program Specialist  
 Speech Pathologist

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.

(5-0)

3. Item Page -2003 (Comm. 2E-27)

**COUNTY EXECUTIVE**

WHEREAS, the 2003 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, 2003, as follows:

<b><u>DEPARTMENT</u></b>	<b><u>TITLE</u></b>	<b><u>JG/STEP</u></b>
County Clerk	Deputy County Clerk-Legal	13-5
ECMC	Anesthetist	15-4
Environment & Planning	Assistant Chief Treatment Plant Supervisor	13-3
Law	Assistant County Attorney (RPT)	18-4
Law	Assistant County Attorney	16-2
Environment & Planning	Assistant Deputy Commissioner	16-3
Environment & Planning	Assistant Sanitary Engineer	12-3
Legislature	Clerk Typist-Legislature	1-5
ECMC	Clinical Perfusionist	15-5
Environment & Planning	Coordinator, Industrial Assistance Program	14-3
DISS	Deputy Director of Fleet Services	15-2
Health	Dentist	14-3
Health (only)	Dental Assistant	3-3
Health (only)	Dental Hygienist	5-3
Health	Erie County Coordinator-Public Health Preparedness Grant	10-3

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ECMC, Home	Licensed Practical Nurse	4-3
ECMC, Home	Licensed Practical Nurse (2nd & 3rd shift)	4-4
Health	Medical Director (Reproductive Health)	
	(RPT)	18-5
Health	Medical Examiner	15-5
ECMC, Home	Medical Record Administrator	8-3
ECMC	Medical Record Technician	6-3
Health	Medical Specialist	17-5
ECMC	Nuclear Medicine Technologist	8-5
Sheriff (Holding Center)	Nursing Supervisor -Holding Center	12-3
ECMC, Home	Occupational Therapist	10-5
Law	Paralegal (Law)	5-5
ECMC, Home	Pharmacist-ECMC	15-5
ECMC, Home	Physical Therapist	10-5
ECMC	Radiologic Technologist	7-5
Probation	Registered Nurse	8-3
Sheriff (Holding Center)	Registered Nurse (Holding Center)	8-3
ECMC	Respiratory Care Practitioner	6-3
Public Works-Hwy.	Senior Civil Engineer	14-4
Legislature	Secretarial Assistant (Leg)	5-5
Legislature	Secretarial Assistant (Leg)-District Office	5-5
Legislature	Senior Legislative Secretary	6-5
ECMC, Home	Senior Licensed Practical Nurse (Ist 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
Public Works	Senior Project Manager-Federal Aid	14-3
ECMC	Senior Respiratory Care Practitioner	7-3
Legislature	Senior Secretarial Assistant (Leg) Dist. Ofc.	6-5
ECMC	Special Procedures Technologist	8-4
ECMC, Home	Supervising Physical Therapist	12-5
Social Services	Technical Support Systems Director	15-3
Social Services	Utilization Review Nurse	8-3

and be it further

RESOLVED, that once a variable minimum is approved for a particular position or job title, said variable minimum shall be in effect for all employees placed in said position during the year. It is also intended that where a variable minimum is granted for a full time position, the authorization is extended to any regular part-time or part-time position in any department, and be it further

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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.

(5-0)

**STEVEN P. McCARVILLE**  
**CHAIRMAN**

MR. McCARVILLE moved the approval of the resolution. MS. CUSACK seconded.

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 42

February 13, 2003

COMMUNITY ENRICHMENT  
 COMMITTEE  
 REPORT NO. 1

ALL MEMBERS PRESENT EXCEPT LEGISLATOR FISHER.

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

- |    |   |      |       |                |
|----|---|------|-------|----------------|
|    | Item  | Page | -2002 | (Comm. 14M-23) |
| a. | <b>LOCUST STREET NEIGHBORHOOD ART CLASS:</b> Letter to Legislator Cusack Re: Effect of Loss of City of Buffalo Funding to Cultural. |      |       |                |
|    | (4-0) Legislator Fisher absent.   |      |       |                |
|    | Item  | Page | -2002 | (Comm. 14M-24) |
| b. | <b>EL MUSEO:</b> Letter to Legislator Cusack Re: Effect of Loss of City of Buffalo Funding to Cultural.                             |      |       |                |
|    | (4-0) Legislator Fisher absent.   |      |       |                |
|    | Item  | Page | -2002 | (Comm. 14M-27) |
| c. | <b>ARTS COUNCIL IN BUFFALO &amp; ERIE COUNTY:</b> Facing the Challenge – A Changed Landscape for Arts & Culture In Erie County.     |      |       |                |
|    | (4-0) Legislator Fisher absent.   |      |       |                |
|    | Item  | Page | -2002 | (Comm. 16E-6)  |

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- d. **CUSACK:** Memo to Chairman DeBenedetti Re: Cultural Funding Working Group – Final Report.  
 (4-0) Legislator Fisher absent.
- Item Page -2002 (Comm. 16E-7)
- e. **DeBENDETTI:** Copy of Memo to County Executive Re: Cultural Funding Working Group’s Final Report.  
 (4-0) Legislator Fisher absent.
- Item Page -2002 (Comm. 16M-9)
- f. **THEATRE OF YOUTH:** Letter to Chair of Cultural Funding Working Group Re: Cultural Funding.  
 (4-0) Legislature Fisher absent.
- Item Page -2002 (Comm. 16M-10)
- g. **COMMUNITY MUSIC SCHOOL:** Letter to Chair of Cultural Funding Working Group Re: Cultural Funding.  
 (4-0) Legislator Fisher absent.
- Item Page -2002 (Comm. 16M-11)
- h. **YOUNG AUDIENCES OF WNY:** Letter to Chair of Cultural Funding Working Group Re: Cultural Funding.  
 (4-0) Legislator Fisher absent.
- Item Page -2002 (Comm. 16M-15)
- i. **WNY ARTISTS GROUP:** Letter to Chair of Cultural Funding Working Group Re: Cultural Funding.  
 (4-0) Legislator Fisher absent.
- Item Page -2002 (Comm. 19D-9)
- j. **ECC:** 2002-2003 Marketing Goals & Initiatives.  
 (4-0) Legislator Fisher absent.
- Item Page -2002 (Comm. 20M-15)
- k. **ERIE COUNTY CULTURAL RESOURCES ADVISORY BOARD:** Memo to All Legislators Re: Cultural Board’s 2002 Funding Recommendations.  
 (4-0) Legislator Fisher absent.
- Item Page -2003 (Comm. 1M-6)
- l. **LOCUST STREET NEIGHBORHOOD ART CLASSES:** 2002 Final Report for Cultural Funding.  
 (4-0) Legislator Fisher absent.
- Item Page -2003 (Comm. 2M-9)
- m. **SQUEAKY WHEEL:** Final Report for County Cultural Funding for 2002.

(4-0) Legislator Fisher absent.

**ELISE M. CUSACK**  
**CHAIRPERSON**

MS. CUSACK moved the approval of the resolution. MR. McCARVILLE seconded.

CARRIED UNANIMOUSLY.

Item 28 – MR. WEINSTEIN presented the following resolution and moved for immediate consideration. MR. RANZENHOFER seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 43

February 13, 2003

REGIONALISM AD HOC  
 COMMITTEE  
 REPORT NO. 1

ALL MEMBERS PRESENT EXCEPT LEGISLATOR FISHER.

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

a. Item Page -2002 (Comm. 19E-29)  
**SWANICK, FISHER, SCHROEDER & DALE:** Copy of Letter to Comptroller Re:  
 Comm. 18E-14 (2002).  
 (4-0) Legislator Fisher absent.

b. Item Page -2002 (Comm. 20D-3)  
**COMPTROLLER:** Copy of Letter to Legislators Swanick, Fisher & Schroeder Re:  
 Comm. 18E-14 (2002).  
 (4-0) Legislator Fisher absent.

c. Item Page -2002 (Comm. 24M-8)  
**NYPA:** First-Stage Consultation Report – Volume I.  
 (4-0) Legislator Fisher absent.

2. Item Page -2003 (Comm. 3E-32)  
**COUNTY EXECUTIVE**

**WHEREAS,** in 2002 a contribution to Kennedy School of Government at Harvard was made by a private citizen from Erie County; and

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**WHEREAS**, that private citizen requested the Kennedy School provide its services to Erie County; and

**WHEREAS**, the only cost to Erie County for accepting these services is any travel expenses related to meetings and presentations required in our area and made at our request,

**NOW, THEREFORE, BE IT**

**RESOLVED**, that Erie County is authorized to accept the services offered by the Kennedy School of Government; and be it further

**RESOLVED**, that the Department of Environment and Planning is authorized to pay for travel expenses not to exceed \$15,000, related to accepting the Kennedy School's services; and be it further

**RESOLVED**, that the source of funds for this activity shall be: \$15,000 from the Regionalism/Economic Development Fund (DAC 110 9043038301299), which shall be transferred within the 2002 Budget to a new sub account under Account 830, Contractual Services, in Department 302, Project 922, Agency Payments Monitored by the Department of Environment and Planning; and be it further

**RESOLVED**, that the Clerk of the Legislature be directed to send certified copies of this resolution to the Director of the Division of Budget, Management and Finance, the Commissioner of the Department of Environment and Planning, and the County Comptroller.  
 (4-0) Legislator Fisher absent.

**BARRY A. WEINSTEIN, M.D.**  
**CHAIRMAN**

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

CARRIED UNANIMOUSLY.

**LEGISLATORS RESOLUTIONS**

Item 29 – MS. FISHER presented the following resolution and moved for immediate consideration. MR. KUWIK seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 44

Re: Calling for Support for Continuation of Bethlehem Steel Retirees & Widows Health Insurance Coverage. (Intro. 4-1)

**A RESOLUTION SUBMITTED BY**  
**LEGISLATORS HOLT & KUWIK**

WHEREAS, for decades, Bethlehem Steel in Lackawanna anchored Buffalo and Erie County's local economy, providing factory jobs for hundred of thousands of Western New York families over its history, and

WHEREAS, two decades after closure of the majority of its operations, Bethlehem Steel is poised to be purchased for \$1.5 billion by International Steel Group (ISG), and

WHEREAS, according to published reports, ISG's purchase of Bethlehem Steel will result in the termination of health insurance benefits for more than 12,000 local retirees or their beneficiaries, and

WHEREAS, ISG's decision will result in a health care calamity for tens of thousands of senior citizens in Erie County whose dependence upon their collectively bargained health insurance benefits is likely more significant now than ever, and

WHEREAS, with private pension funds, the federal government, through the Pension Benefit Guaranty Corporation (PBGC), protects the retirement incomes of about 44 million American workers in about 32,500 private defined benefit pension plans, and

WHEREAS, with the cost of health care and health insurance skyrocketing as it has over the past several years, a similar program to guarantee health insurance benefits would be an appropriate step for the federal government to take,

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Erie County Legislature does hereby reaffirm its commitment to the retirees of the Bethlehem Steel corporation, and does hereby pledge Erie County's full cooperation to said retirees in their efforts to maintain health insurance coverage scheduled to be eliminated as a result of ISG's purchase of Bethlehem Steel, and be it further

**RESOLVED**, that this Honorable Body does hereby call upon the federal government to devise and implement a plan to guarantee health insurance coverage to retirees whose collectively bargained coverage is compromised in situations akin to that which is occurring as a result of the Bethlehem Steel sale to ISG, and be it further

**RESOLVED**, that this Honorable Body does hereby call upon Western New York's congressional delegation to address this issue forthwith, and be it further

**RESOLVED**, that certified copies of this resolution be sent to US Senators Hillary Rodham Clinton and Charles E. Schumer, US Representatives Jack Quinn, Thomas Reynolds and Louise Slaughter, and to County Executive Joel A. Giambra.



Fiscal Impact: Impact of Loss of Health Insurance is Significant for Retirees.

MS. FISHER moved to amend the resolution to include Et Al Sponsorship. MR. KUWIK seconded.

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 45

Re: Urging the Federal Government to Preserve  
Health Benefits for Bethlehem Steel Retirees.  
(Intro. 4-2)

A RESOLUTION SUBMITTED BY  
LEGISLATORS SWANICK & CHASE

WHEREAS, Bethlehem Steel was at one time one of the region's largest employers, promising their workers a lifetime of employment and a retirement with a good pension that included health coverage, and

WHEREAS, in return for this promise, those employed at Bethlehem Steel worked in dangerous conditions, being exposed to asbestos, lead, and harmful chemicals, and

WHEREAS, many of those who were employed at the steel mill now face health problems, including respiratory loss due to asbestos, arthritis, and other ailments, and

WHEREAS, workers repeatedly made health coverage for employees and retirees a priority in contract negotiations, oftentimes giving up pay increases for the promise of health coverage, and

WHEREAS, these retirees deserve and are entitled to the coverage they worked so hard for, and

WHEREAS, Bethlehem Steel has recently been acquired by the International Steel Group following a declaration of bankruptcy, and

WHEREAS, as part of the acquisition agreement, health coverage for retirees will be eliminated, and

WHEREAS, those over 65 will be eligible for Medicaid, but that will not cover things like prescription drugs that are covered under their current benefits, and

WHEREAS, others will not be eligible for any health benefits, despite facing the health problems that come as a result of a career in the steel industry, and

WHEREAS, it is imperative that health coverage be preserved for these individuals who, through their efforts, helped build this region's and this country's economy for so many years at the expense of their own health,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby thank and commend the former employees of Bethlehem Steel for their contribution to the Western New York economy and community, and be it further

RESOLVED, that this Honorable Body does hereby strongly urge the federal government to establish a federal fund dedicated to providing health care benefits and prescription drug coverage for steelworker retirees and their beneficiaries who are losing their coverage as a result of bankruptcy proceedings, sale of corporate assets, unfair trade practices, or foreign competition, and be it further

RESOLVED, that the aforementioned benefits provided under said fund be equal to the coverage being lost, and be it further

RESOLVED, that certified copies of this resolution be sent to United States President George W. Bush, the Western New York delegation of the United States Congress, United Steelworkers of America District 4 Director Louis Thomas, Retired Employees Benefit Coalition Legal Counsel Bruce Davis, the Pension Benefit Guaranty Corporation, the Western New York delegation of the New York State Assembly, and the Town of Hamburg.

Fiscal Impact: None for resolution.

MS. CHASE moved to amend the resolution to include Et Al Sponsorship. MR. RANZENHOFER seconded.

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

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Item 31 – MR. RANZENHOFER presented the following resolution and moved for immediate consideration. MR. LARSON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 46

Re: Wales (EC No. 12) Agricultural District  
 Recertification. (Intro. 4-3)

A RESOLUTION SUBMITTED BY  
 LEGISLATORS SWANICK, RANZENHOFER, HOLT, LARSON, CHASE, WEINSTEIN,  
 McCARVILLE, CUSACK, FALKNER, KUWIK, DUSZA, DeBENEDETTI, FISHER,  
 MARINELLI, DALE, SCHROEDER & SMITH

**WHEREAS**, the Erie County Legislature held a public hearing on August 1, 2002, regarding the 8-year review of the Wales Agricultural District (#12) which was created in 1978 and recertified every 8 years thereafter, and

**WHEREAS**, the existing Wales Agricultural District boundaries were approved without modification and adopted by the Erie County Legislature by resolution on September 5, 2002, and

**WHEREAS**, the necessary documentation on the Wales Agricultural District was forwarded to the New York State Department of Agriculture and Markets for State review and recertification as required by law, and

**WHEREAS**, the New York State Department of Agriculture and Markets has notified Erie County of the State recertification in a communication dated December 23, 2002,

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Erie County Legislature does hereby approve the recertified Wales Agricultural District (#12) without modification with its anniversary date of November 9, 2002; and be it further

**RESOLVED**, that upon adoption, the Clerk of the Legislature be directed to forward a certified copy of this resolution to Erie County Clerk David J. Swarts, Environment and Planning Commissioner Laurence K. Rubin, Nathan L. Rudgers, Commissioner of the New York State Department of Agriculture and Markets (1 Winners Circle, Albany, NY 12235-0001), the New York State Department of Transportation (Buffalo Office, 125 Main Street, Buffalo, NY 14203), and the Supervisor and Clerk of the Town of Wales.

**Fiscal Impact:** None for resolution

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 47

Re: Real Property Tax Exemption for Senior Citizens. (Intro. 4-4)

A RESOLUTION SUBMITTED BY LEGISLATORS SWANICK,  
 RANZENHOFER, LARSON, CHASE, WEINSTEIN,  
 MCCARVILLE, CUSACK & FALKNER

**WHEREAS**, state legislation has been enacted allowing municipalities to increase the maximum income eligibility for senior citizens to receive a real property tax exemption, and

**WHEREAS**, pursuant to state law, eligible senior citizens are those persons 65 years of age or older who have owned their property for the past 12 consecutive months prior to filing for the exemption and who have incomes that do not exceed the maximum level set by law, and

**WHEREAS**, senior citizens, in order to be eligible for the property tax exemption, must list their property as their legal address and must also reside there, and

**WHEREAS**, a Public Hearing, pursuant to Section 467, paragraph 1(a) of the State Real Property Tax Law, as amended, was duly advertised and held on Monday, February 24, 2003 at 2:00 p.m. by the Erie County Legislature on the proposal to increase the maximum income eligibility level,

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Erie County Legislature, pursuant to Section 467 of the Real Property Tax Law, as amended, hereby grants from the County of Erie real property taxes so as to increase the maximum eligibility levels to the extent of fifty per centum (50%) of the assessed valuation of real property owned by persons 65 years of age or older who qualify therefore under said section, provided said persons do not have incomes in excess of twenty-one thousand five hundred dollars (\$21,500) for the income tax year immediately preceding the date of application for said exemption and to the extent provided in the following schedule:

Annual Income

Percentage of Assessed Valuation  
 Exempt from Taxation By the County of Erie

Up to \$21,500	50 per centum
More than \$21,500 but less than \$22,500	45 per centum
\$22,500 or more, but less than \$23,500	40 per centum

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\$23,500 or more, but less than \$24,500	35 per centum
\$24,500 or more, but less than \$25,400	30 per centum
\$25,400 or more, but less than \$26,300	25 per centum
\$26,300 or more, but less than \$27,200	20 per centum
\$27,200 or more, but less than \$28,100	15 per centum
\$28,100 or more, but less than \$29,000	10 per centum
\$29,000 or more, but less than \$29,900	5 per centum

**RESOLVED**, that the Erie County Legislature hereby applies aforesaid exemption schedule to all taxable status dates assessment rolls in Erie County, applying to rolls prepared on taxable status dates after January 1, 2003, and be it further

**RESOLVED**, that certified copies of this resolution be forwarded to County Executive Joel A. Giambra, Budget Director Joseph Passafiume, Deputy Commissioner of Real Property Tax Joseph Maciejewski, County Attorney Frederick A. Wolf, Senior Services Commissioner Pamela Krawczyk and to the Assessors of each city, town and village in Erie County.

**FISCAL IMPACT:** A total estimated shift of \$4 million in property taxes from exempt to non-exempt taxes results from this resolution. The increased shift in taxes to the average non-exempt parcels in the County, compared with the previous authorization, is \$0.50 annually.

MR. RANZENHOFER moved to amend the resolution to include Et Al Sponsorship. MS. CHASE seconded.

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

Item 33 – MR. KUWIK presented the following resolution and moved for immediate consideration. MR. SCHROEDER seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 48

Re: Support for Federal TEA-21 Funding for Replacement of Section of Existing Route 5 Along Waterfront. (Intro. 4-5)

A RESOLUTION SUBMITTED BY  
 LEGISLATORS KUWIK, SCHROEDER & HOLT

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WHEREAS, Buffalo's waterfront lands are dilapidated and have been in poor condition for many years, and

WHEREAS, efforts to redevelop inner harbor and outer harbor waterfront lands have been hamstrung by bureaucratic red tape and other factors, and

WHEREAS, one such other factor is the current condition of transportation infrastructure to access these lands, and

WHEREAS, a proposal has recently been made public to rehabilitate an existing section of Route 5 in Buffalo and Lackawanna as a six lane, tree-lined waterfront parkway, and

WHEREAS, this parkway would replace a three-mile stretch of the elevated section of Route 5 running along the Outer Harbor of the Buffalo waterfront from the Coast Guard Station on its north end to Ridge Road in the south, and

WHEREAS, of the many benefits of such a proposal, safer, more direct access into and out of the Outer Harbor, Union Ship and City Ship canal areas would result, both for vehicular as well as pedestrian traffic, and

WHEREAS, such a new access route would greatly enhance development potential of downtown areas to encourage private investment in housing, office park and commercial mixed uses, complementing the proposed 80-acre Outer Harbor state park and other public destinations, and improving the overall aesthetic quality of the Outer Harbor waterfront experience, and

WHEREAS, arguably the most attractive feature of this proposal is its construction readiness; this proposal will not require another study or task force report – it can commence almost immediately, and

WHEREAS, beyond its ability to spur additional development in the downtown area, this project would have tangible economic benefits that would be apparent almost immediately, and

WHEREAS, because New York State Department of Transportation (NYSDOT) officials believe the parkway project can have design completed and construction commence by Spring 2005, it will, according to the Federal-Aid Highway Investment program's employment impact formula, result in the creation of 1,650 jobs in the construction trades during the estimated two-year construction schedule for completion of the project, and

WHEREAS, because enhancing economic development and job creation efforts in Buffalo and Erie County are of paramount importance to our region, supporting the proposal for \$35 million in federal TEA-21 funding for this proposal is of critical importance to this Honorable Body.

**NOW, THEREFORE, BE IT**

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RESOLVED, that the Erie County Legislature does hereby reaffirm its commitment to the enhancement of economic development and job creation efforts in Buffalo and Erie County, and is hereby particularly concerned with the redevelopment of Buffalo's waterfront as one means toward that end, and be it further

RESOLVED, that this Honorable Body does hereby endorse the proposed \$35 million request in federal TEA-21 federal highway funding program to construct a six lane, tree-lined waterfront parkway to replace a three-mile stretch of the elevated section of Route 5 running along the Outer Harbor of the Buffalo waterfront from the Coast Guard Station on its north end to Ridge Road in the south, and be it further

RESOLVED, that this Honorable Body does hereby call upon our region's federal representatives to make securing such funds a priority in the federal appropriations process, and does further call upon other local officials in Buffalo, Erie County and Western New York to endorse such efforts, and be it further

RESOLVED, that certified copies of this resolution be sent to United States Senators Hillary Rodham Clinton and Charles E. Schumer, to US Representatives Louise M. Slaughter, Jack Quinn, and Thomas M. Reynolds, to Erie County Executive Joel A. Giambra, to Buffalo Mayor Anthony M. Masiello, to the Buffalo Common Council, to Lackawanna Mayor John Kuryak, to the Lackawanna City Council, to the Board of Commissioners of the NFTA, and to the Mayors and Town Supervisors of all cities and towns within the county of Erie.

Fiscal Impact: Impact of \$35 million Federal investment will be positive for Erie County.

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

CARRIED UNANIMOUSLY.

***ADD the following Co-Sponsors:***

LEGISLATORS CHASE, CUSACK, FALKNER, LARSON, McCARVILLE, WEINSTEIN, DALE, DeBENEDETTI, DUSZA & FISHER.

MR. KUWIK moved the approval of the resolution as amended. MR. SCHROEDER seconded.

CARRIED UNANIMOUSLY.

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

GRANTED.

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Intro. 4-7 From LEGISLATORS HOLT, KUWIK & DUSZA Re: Support for State Legislation Requiring Implementation of E-911 Technology Giving Caller Location Information.

Item 35 – CHAIRMAN SWANICK directed that the following resolution be referred to the ECONOMIC DEVELOPMENT COMMITTEE.

CHALLENGE TO CHAIR.

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

FAILED. (WEIGHTED VOTE: 7.622 – 8.585)

**COMMUNICATIONS DISCHARGED FROM COMMITTEE**

Item 36 – MS. FISHER moved to discharge the HUMAN SERVICES COMMITTEE from further consideration of Intro. 25-7. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 49

Re: Appointment to ECMC Board of Managers.

A RESOLUTION SUBMITTED BY  
 LEGISLATORS SWANICK, KUWIK & DUSZA

WHEREAS, Article XVI. Section 1602-B(1) of the Erie County Charter stipulates that the Majority and Minority caucuses in the Erie County Legislature shall each make one appointment to the Erie County Medical Center Board of Managers, and

WHEREAS, said appointments are subject to the confirmation of the full Legislature, and

WHEREAS, John Kaczorowski has served both with honor and distinction since his initial appointment and clearly merits reappointment, and

WHEREAS, Mr. Kaczorowski has been duly appointed by members of the Minority caucus for a full term as a member of the ECMC Board by virtue of a petition signed by a majority of the caucus membership, and

WHEREAS, the Legislature must approve a resolution confirming said appointment,

NOW, THEREFORE, BE IT



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**ERIE COUNTY LEGISLATURE**

RESOLVED, that the Erie County Legislature does hereby confirm the appointment of **JOHN J. KACZOROWSKI, 60 W. CAVALIER DRIVE, CHEEKTOWAGA, NEW YORK 14227**, as the Minority Caucus appointment to the Erie County Medical Center Board of Managers, and be it further

RESOLVED, that said term of office shall expire December 31, 2007, and be it further

RESOLVED, that certified copies of this resolution be sent to the County Executive, the Interim CEO of ECMC and to the Secretary of the ECMC Board of Managers.

Fiscal Impact: None for Resolution

December 12, 2002

We, the undersigned members of the Minority Caucus of the Erie County Legislature, pursuant to Section 1602(2) of the Erie County Charter do hereby appoint **JOHN J. KACZOROWSKI, 60 W. CAVALIER DRIVE, CHEEKTOWAGA, NEW YORK 14227**, as the Minority Caucus appointment to the Erie County Medical Center Board of Managers. Mr. Kaczorowski's appointment is subject to the confirmation of the full Legislature, and shall be for a five-year term to expire December 31, 2007.

Edward J. Kuwik – 1<sup>st</sup> District

Mark J. F. Schroeder – 2<sup>nd</sup> District

George A. Holt, Jr. – 3<sup>rd</sup> District

Judith P. Fisher – 4<sup>th</sup> District

David Dale – 5<sup>th</sup> District

Crystal D. Peoples – 7<sup>th</sup> District

Raymond K. Dusza – 8<sup>th</sup> District

Charles M. Swanick – 10<sup>th</sup> District

MS. MARINELLI moved to amend the resolution by adding her signature to the petition. MS. FISHER seconded.

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

Item 37 – MR. RANZENHOFER moved to discharge the ECONOMIC DEVELOPMENT COMMITTEE from further consideration of Comm. 2E-30. MS. CHASE seconded.

CARRIED UNANIMOUSLY.

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**ERIE COUNTY LEGISLATURE**

RESOLUTION NO. 50

Re: Refuge Plaza Redevelopment Project.

**WHEREAS**, initiatives that promote the growth and prosperity of business and improve neighborhood services in the County are of utmost importance; and

**WHEREAS**, development programs to rejuvenate an area through the removal blight, and that improve public safety for residents are in the general public's best interest; and

**WHEREAS**, it is the obligation of the public sector to explore all options available to improve development and business opportunities; and

**WHEREAS**, it is the objective of this action to promote and provide greater prospects for business development and enhance neighborhood service delivery in an area depleted of such opportunities; and

**WHEREAS**, this requested action is consistent with the eligibility requirements of Local Law Number 9 enacted in 2002; and

**WHEREAS**, The Greater Refuge Temple Education & Cultural Center, Inc. requires the assistance of Erie County to achieve these objectives; and

**WHEREAS**, it is the desire of The Greater Refuge Temple Education & Cultural Center, Inc. to enhance development opportunities, remove blight, create jobs, and improve public safety in the Fruitbelt community,

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Erie County Executive is hereby authorized to execute contracts with The Greater Refuge Temple Education & Cultural Center, Inc. to assist the development of the Refuge Plaza, for an amount not to exceed \$50,000; and be it further

**RESOLVED**, that the sum of \$50,000 is hereby transferred from the 2002 Regionalism/Economic Development Fund (DAC 110 9043038301299) to a new sub account under Agency Payments monitored by the Department of Environment and Planning, General Fund 110, Project 922, Department 302, Account 803; and be it further

**RESOLVED**, that the Clerk of the Legislature be directed to send certified copies of this resolution to the Director of the Division of Budget, Management and Finance; the Commissioner of the Department of Environment and Planning; and the County Comptroller.

MR. RANZNEHOFER moved the approval of the resolution. MS. CHASE seconded.

CARRIED UNANIMOUSLY.

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**ERIE COUNTY LEGISLATURE**

**SUSPENSION OF THE RULES**

Item 38 – MR. RANZENHOFER moved for a suspension of the rules to include an item not included on the agenda. MS. CUSACK seconded.

GRANTED.

RESOLUTION NO. 51

Re: Appointment to Erie County Medical Center  
Board of Managers. (Intro. 4-9)

A RESOLUTION SUBMITTED BY LEGISLATORS LARSON, SWANICK,  
RANZENHOFER, CHASE, WEINSTEIN, McCARVILLE, CUSACK & FALKNER

**WHEREAS**, Article XVI, Section 1602-B(1) of the Erie County Charter stipulates that the Majority and Minority caucuses in the Erie County Legislature shall each make one appointment to the Erie County Medical Center Board of Managers, and

**WHEREAS**, said appointments are subject to the confirmation of the full Legislature, and

**WHEREAS**, *Kevin E. Cichocki, B.A., B.S., D.C.* has served both with honor and distinction since his initial appointment and clearly merits reappointment, and

**WHEREAS**, *Mr. Cichocki* has been duly appointed by members of the Majority Caucus for a full term as a member of the Erie County Medical Center Board by virtue of a petition signed by a majority of the caucus membership, and

**WHEREAS**, the Legislature must approve a resolution confirming said appointment,

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Erie County Legislature does hereby confirm the appointment of *Kevin E. Cichocki, 171 Enchanted Forest S., Depew, New York 14043*, as the Majority Caucus appointment to the Erie County Medical Center Board of Managers, and be it further

**RESOLVED**, that said term of office shall expire December 31, 2007, and be it further

**RESOLVED**, that certified copies of this resolution be sent to Erie County Executive Joel A. Giambra, the CEO of the Erie County Medical Center and to the Secretary of the Erie County Medical Center Board of Managers.

Fiscal Impact: None for Resolution

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**ERIE COUNTY LEGISLATURE**

We, the undersigned members of the Majority Caucus of the Erie County Legislature, pursuant to Article XVI, Section 1602-B(1) of the Erie County Charter, do hereby appoint *Kevin E. Cichocki, 171 Enchanted Forest S., Depew, New York 14043*, as the Majority Caucus appointment to the Erie County Medical Center Board of Managers.

Mr. Cichocki's appointment is subject to the confirmation of the full Legislature, and shall be for a five-year term to expire December 31, 2007.

GREGORY P. FALKNER  
 9<sup>th</sup> District

CHARLES M. SWANICK  
 10<sup>th</sup> District

JEANNE Z. CHASE  
 12<sup>th</sup> District

STEVEN P. McCARVILLE  
 13<sup>th</sup> District

ELISE M. CUSACK  
 14<sup>th</sup> District

BARRY A. WEINSTEIN  
 15<sup>th</sup> District

MICHAEL H. RANZENHOFER  
 16<sup>th</sup> District

DALE W. LARSON  
 17<sup>th</sup> District

MR. RANZENHOFER moved the approval of the resolution. MS. CUSACK seconded.

CARRIED UNANIMOUSLY.

Item 39 – MR. WEINSTEIN moved for a suspension of the rules to include an item not on the agenda. MR. RANZENHOFER seconded.

GRANTED.

CHAIRMAN SWANICK directed that the following be referred to the HUMAN SERVICES COMMITTEE.

GRANTED.

Comm. 4E-36 From THE COUNTY EXECUTIVE Re: Erie County Departments of Senior Services and Social Services – Authorization to Revise the HEAP Energy Grants.

Item 40 – MR. WEINSTEIN moved for a suspension of the rules to include an item not on the agenda. MR. RANZENHOFER seconded.

GRANTED.

CHAIRMAN SWANICK directed that the following resolution be referred to the HUMAN SERVICES COMMITTEE.

GRANTED.

Comm. 4E-37 From THE COUNTY EXECUTIVE Re: Erie County Department of Senior Services – Authorization to Amend the PSA Grant Budget.

Item 41 – MR. WEINSTEIN moved for a suspension of the rules to include an item not on the agenda. MR. RANZENHOFER seconded.

GRANTED.

CHAIRMAN SWANICK directed that the following be referred to the HUMAN SERVICES COMMITTEE.

GRANTED.

Comm. 4E-38 From THE COUNTY EXECUTIVE Re: Erie County Department of Senior Services – Authorization to Amend the C-1, WRAP-SOFA, HEAP and NYSRSVP Grant Budgets.

Item 42 – MR. WEINSTEIN moved for a suspension of the rules to include an item not on the agenda. MR. RANZENHOFER seconded.

GRANTED.

CHAIRMAN SWANICK directed that the following be referred to the HUMAN SERVICES COMMITTEE.

GRANTED.

Comm. 4E-39 From THE COUNTY EXECUTIVE Re: Erie County Department of Senior Services – Authorization to Amend CSE Grant Budget.

Item 43 – MR. WEINSTEIN moved for a suspension of the rules to include an item not on the agenda. MR. RANZENHOFER seconded.

GRANTED.

CHAIRMAN SWANICK directed that the following be referred to the HUMAN SERVICES COMMITTEE.

GRANTED.

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**ERIE COUNTY LEGISLATURE**

Comm. 4E-40 From THE COUNTY EXECUTIVE Re: Erie County Department of Senior Services – Authorization to Amend the CSE and EISEP Grant Budgets and Related Contracts.

Item 44 – MS. CHASE moved for a suspension of the rules to include an item not on the agenda. MR. RANZENHOFER seconded.

GRANTED.

CHAIRMAN SWANICK directed that the following be referred to the PUBLIC SAFETY COMMITTEE.

GRANTED.

Comm. 4E-41 From THE COUNTY EXECUTIVE Re: Central Police Services Director of Information Services (Variable Minimum).

Item 45 – MR. RANZENHOFER moved for a suspension of the rules to include an item not on the agenda. MR. FALKNER seconded.

GRANTED.

Comm. 4E-42 From CHAIRMAN SWANICK Re: Appointment of Dale Larson to the Audit Committee for Erie County.

RECEIVED, FILED & PRINTED.

February 24, 2003

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

Dear Madam Clerk

Please be advised, pursuant to Section 1813 of the Erie County Charter, I am hereby appointing Legislator **Dale W. Larson** as the Majority Caucus' appointment to the Audit Committee for Erie County.

Very truly yours,

**Charles M. Swanick**  
Chairman, Erie County Legislature

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**ERIE COUNTY LEGISLATURE**

Item 46 – MR. RANZENHOFER moved for a suspension of the rules to include an item not on the agenda. MR. WEINSTEIN seconded.

GRANTED.

Comm. 4E-43 From CHAIRMAN SWANICK Re: 2003 Committee Assignments (Revised).

RECEIVED, FILED & PRINTED.

February 24, 2003

**2003 COMMITTEE ASSIGNMENTS (Revised)**

**ECONOMIC DEVELOPMENT**

Chair: Michael H. Ranzenhofer  
 Vice Chair: Dale W. Larson  
 Members: Gregory P. Falkner  
 Edward J. Kuwik  
 Mark J.F. Schroeder

Clerk: *Barbara Burke 858-8341*

**FINANCE & MANAGEMENT**

Chair: Dale W. Larson  
 Vice Chair: Michael H. Ranzenhofer  
 Members: Gregory P. Falkner  
 Albert DeBenedetti  
 George A. Holt, Jr.

Clerk: *Robert Graber 858-8527*

**ENERGY & ENVIRONMENT**

Chair: Dale W. Larson  
 Vice Chair: Jeanne Z. Chase  
 Members: Michael H. Ranzenhofer  
 Raymond K. Dusza  
 David Dale

Clerk: *Joseph Speth 858-8856*

**HUMAN SERVICES**

Chair: Barry A. Weinstein  
 Vice Chair: Jeanne Z. Chase  
 Members: Elise M. Cusack  
 Judith P. Fisher  
 Demone A. Smith

Clerk: *Robert Graber 858-8527*

**COMMUNITY ENRICHMENT**

Chair: Elise M. Cusack  
 Vice Chair: Barry A. Weinstein  
 Members: Steven P. McCarville  
 Judith P. Fisher  
 Demone A. Smith

Clerk: *Erin Ziegler 858-8859*

**GOVERNMENT AFFAIRS**

Chair: Steven P. McCarville  
 Vice Chair: Jeanne Z. Chase  
 Members: Elise M. Cusack  
 Albert DeBenedetti  
 Lynn M. Marinelli

Clerk: *Joseph Speth 858-8856*

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**ERIE COUNTY LEGISLATURE**

**PUBLIC SAFETY**

Chair: Jeanne Z. Chase  
 Vice Chair: Steven P. McCarville  
 Members: Gregory P. Falkner  
 Edward J. Kuwik  
 Raymond K. Dusza

Clerk: *Erin Ziegler 858-8859*

**REGIONALISM AD HOC**

Chair: Barry A. Weinstein  
 Vice Chair: Steven P. McCarville  
 Members: Elise M. Cusack  
 Judith P. Fisher  
 Mark J.F. Schroeder

Clerk: *Christopher Duquin 858-7942*

Charles M. Swanick – Erie County Legislature Chairman

Item 47 – MR. DALE moved for a suspension of the rules to include an item not on the agenda. MS. MARINELLI seconded.

GRANTED.

Comm. 4E-44 From LEGISLATOR HOLT Re: Appointing Legislator Fisher as Acting Minority Leader.

RECEIVED, FILED & PRINTED.

February 21, 2003

The Honorable Laurie A. Manzella  
 Clerk, Erie County Legislature  
 25 Delaware Ave., 7<sup>th</sup> Floor  
 Buffalo, NY 14202

Dear Madam Clerk:

Late last year, my wife's family scheduled a reunion in California for the period February 21 – February 24, 2003. Because it is usually the case, I reasoned that out of town travel for such a Friday to Monday period would be acceptable, and would not conflict with my legislative duties.

Due to the rescheduling of a legislative session from Thursday, February 20, 2003 to Monday, February 24, 2003, and because notice of such change was very short, I will be forced to miss the rescheduled session for that date.

Accordingly, I hereby designate Legislator Judith P. Fisher to serve as interim Minority Leader in my absence.

Very truly yours,



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**February 24, 2003**

**ERIE COUNTY LEGISLATURE**

GEORGE A. HOLT, JR.  
 Minority Leader  
 Erie County Legislature

**COMMUNICATIONS FROM ELECTED OFFICIALS**

**FROM THE COUNTY EXECUTIVE**

Item 48 – (Comm. 4E-1) Appointment of Chairman of Erie County Legislature.

RECEIVED, FILED & PRINTED.

**APPOINTMENT OF CHAIRMAN OF THE ERIE COUNTY LEGISLATURE**

Whereas, the Erie County Legislature failed to select a Chairman thereof on or before February 1, 2003; and

Whereas, in light of the foregoing, pursuant to Section 302(j) of the Erie County Charter, the Erie County Executive is granted the power and duty to appoint a member of the County Legislature to serve as Chairman of such Legislature for the remainder of the calendar year.

Now, therefore, I, Joel A. Giambra, the Erie County Executive, do hereby appoint Charles M. Swanick, 10<sup>th</sup> District Legislator for the County of Erie, Chairman of the Erie County Legislature for the remainder of the 2003 calendar year.

Joel A. Giambra, Erie County Executive

Date: 2/4/03

**ACKNOWLEDGMENT**

STATE OF NEW YORK

COUNTY OF ERIE

On this 4 day of February, 2003, before me personally appeared JOEL A. GIAMBRA, to me known, and known to me to be the same person described in and who executed the within instrument, and he acknowledged to me that he executed the same.

Lisa Marie Ceglia  
 Notary Public

**FROM CHAIRMAN SWANICK**

Item 49 – (Comm. 4E-2) Cancellation of 2/20/03 Session & Reschedule for 2/24/03.

**MEETING NO. 4**  
**February 24, 2003**

**ERIE COUNTY LEGISLATURE**

RECEIVED, FILED & PRINTED.

February 10, 2003

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

Dear Ms. Manzella:

Be advised that, pursuant to Rule No. 1 of the Erie County Legislature's *RULES OF ORDER*, I am canceling the February 20, 2003 Session and rescheduling it for Monday, February 24, 2003, at 2:00 p.m.

Please notify all legislators of this change.

Sincerely,

**CHARLES M. SWANICK**  
Chairman

**FROM THE COUNTY EXECUTIVE**

Item 50 – (Comm. 4E-3) Appointments\Reappointments to EC Disaster Preparedness Advisory Board.

RECEIVED, FILED & PRINTED.

February 10, 2003

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

Re: Appointments/Reappointments to the Erie County Disaster Preparedness Advisory Board

Dear Honorable Members:

I, Joel A. Giambra, Erie County Executive, pursuant to Erie County Charter Article XI-C-03, do hereby appoint/reappoint the following individuals to the Erie County Disaster Preparedness Advisory Board for the term expiring December 31, 2004.

**APPOINTMENTS**

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**ERIE COUNTY LEGISLATURE**

Hon. Mary Weinman  
 Supervisor  
 Town of Wales  
 12345 Big Tree Road  
 Wales Center, NY 14169

Ernest Matthews  
 Town of Orchard Park  
 Highway Department  
 7267 Chestnut Ridge Road  
 Orchard Park, NY 14127

Paul Kloc  
 4680 Clinton Street  
 West Seneca, NY 14224

**REAPPOINTMENTS**

Edward Gehen  
 West Seneca Police Dept.  
 1250 Union Road  
 West Seneca, NY 14224

Paul M. Gugg  
 USCG Marine Safety Office  
 1 Fuhrman Blvd.  
 Buffalo, NY 14203

Joan A. Kesner  
 Senator Stachowski's Office  
 2030 Clinton Street  
 Buffalo, NY 14206

Judith M. Levan  
 National Weather Service  
 587 Aero Drive  
 Buffalo, NY 14225

Randall J. Rider  
 Erie County Fire District  
 1835 Sheridan Drive  
 Kenmore, NY 14223

Michael J. Sabatino  
 NYSEG  
 150 Erie Street  
 Lancaster, NY 14086

Gary D. Schoffstall  
 US Army Corps  
 1776 Niagara Street  
 Buffalo, NY 14207

George N. White  
 NYS Thruway Authority  
 3901 Genesee Street  
 Cheektowaga, NY 14225

Respectfully submitted,

JOEL A. GIAMBRA  
 ERIE COUNTY EXECUTIVE

JAG:kme

cc: Appointees

Commissioner Michael V. Walters, Emergency Services  
 Deputy Commissioner Dean Messing, Emergency Services

**FROM LEGISLATOR FISHER**

**MEETING NO. 4**  
**February 24, 2003**

**ERIE COUNTY LEGISLATURE**

Item 51 – (Comm. 4E-4) Absence from Various Committee Meetings on 2/13/03.

Received and filed.

**FROM THE COMPTROLLER**

Item 52 – (Comm. 4E-5) State Authorization to Arrange for Underwriting & Private Sale of Bonds or Notes Through Negotiated Agreement.

Item 53 – (Comm. 4E-6) Copy of Letter to Budget Director Re: Review of Collection Procedures for EC Hotel Occupancy Tax for Period 7/1/00 – 6/30/02.

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

**FROM THE COUNTY EXECUTIVE**

Item 54 – MR. RANZENHOFER presented the following resolution and moved for immediate consideration. MS. CUSACK seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 52

Re: Granting Utility Easement to Niagara Mohawk Power Corporation at Secure Youth Detention Facility. (Comm. 4E-7)

WHEREAS, Niagara Mohawk Power Corporation (“Niagara Mohawk”) desires to obtain a utility easement from the County to install and service electrical equipment on lands owned by the County of Erie and occupied by the Secure Youth Detention Facility, 810 East Ferry Street, Buffalo (“YDF”); and

WHEREAS, the installation of such electrical equipment is for the benefit of the County and the YDF; and

WHEREAS, the Department of Public Works has determined that the location of the easement will not interfere with the operations of the YDF.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby grants authority to the County Executive to sign an easement with Niagara Mohawk for the purposes of installing and servicing electrical equipment on lands owned by the County of Erie at 810 East Ferry Street, Buffalo; and be it further

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RESOLVED, that the easement documents prepared by Niagara Mohawk shall be subject to the review and approval of the Commissioner of Public Works and the County Attorney; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the County Executive, County Attorney, Commissioner of Public Works, Director of Budget, Management & Finance and Comptroller.

MR. RANZENHOFER moved the approval of the resolution. MS. CUSACK seconded.

CARRIED UNANIMOUSLY.

Item 55 – (Comm. 4E-8) State of the County Message.

Received and filed.

**FROM CHAIRMAN SWANICK**

Item 56 – (Comm. 4E-9) 2003 Committee Assignments (Revised).

Received and filed.

**FROM THE COMPTROLLER**

Item 57 – (Comm. 4E-10) 2002 Investment Earnings.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

**FROM THE COUNTY EXECUTIVE**

Item 58 – (Comm. 4E-11) New Secure Youth Detention Facility Bid Package No. 2.

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 59 – (Comm. 4E-12) Reimbursed Highway Work.

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 60 – (Comm. 4E-13) Department of Social Services Transitional Services Program Grant.

Received and referred to the HUMAN SERVICES COMMITTEE.

Item 61 – (Comm. 4E-14) Lumsden & McCormick CGR – Reengineering County Government.

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

Item 62 – (Comm. 4E-15) Budget, Management & Finance – Response to Review of Collection Procedures for EC Hotel Occupancy Tax.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 63 – (Comm. 4E-16) Affiliate Data Center Contract Amendment.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 64 – (Comm. 4E-17) County Attorney – Authorizing County to Establish Compliance Activities in Accordance with Health Insurance Accountability Act of 1996.

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

Item 65 – (Comm. 4E-18) NYSDEC – Waste Reduction & Recycling Coordination\Education Grant.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 66 – MR. RANZENHOFER presented the following resolution and moved for immediate consideration. MR. WEINSTEIN seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 53

Re: Agreements & Budget Re: Framework for Regional Growth. (Comm. 4E-19)

**WHEREAS**, Erie and Niagara Counties are desirous of preparing a Framework For Regional Growth; and

**WHEREAS**, said Framework will represent the first bi-county comprehensive planning effort since 1974; and

**WHEREAS**, the Framework will provide a common reference point for County actions that affect physical development in the region, including capital investment, permitting, and review functions; and

**WHEREAS**, the Erie County Department of Environment and Planning has been designated as the lead coordinating agency for preparing the Framework; and

**WHEREAS**, Erie County included \$250,000 for this effort in the 2002 Capital budget; and

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**WHEREAS**, on April 11, 2002 the Erie County Legislature adopted a Bond Resolution which included this project; and

**WHEREAS**, funds have been allocated within the Program Year 2002 and 2003 budgets of the Community Development Block Grant to contribute toward this project; and

**WHEREAS**, on June 18, 2002 the Niagara County Legislature approved an allocation of \$50,000 for said Framework, with subsequent approval of the receipt of said Niagara County funds by the Erie County Legislature on July 18, 2002,

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the County Executive is hereby authorized to execute all necessary agreements with the Buffalo Niagara Partnership, in an amount not to exceed \$60,000, for the purpose of undertaking a Framework For Regional Growth; and be it further

**RESOLVED**, that the County Executive is hereby authorized to execute all necessary Agreements with all other private funding sources in an amount not to exceed \$40,000 for the purpose of undertaking a Framework For Regional Growth; and be it further

**RESOLVED**, that the County Executive is hereby authorized to execute all necessary agreements with Hellmuth, Obata, and Kassabaum, Inc. for an amount not to exceed \$450,000 as said funds are necessary to complete a Framework For Regional Growth project; and be it further

**RESOLVED**, that the budget of Erie County Regional Planning (Countywide) Capital Project (SFG Project #410/305) is hereby revised as follows:

**Revenues:**

<u>Account</u>	<u>Description</u>	<u>Current Budget</u>	<u>Revisions</u>	<u>Revised Budget</u>
691	General Obligation Bond Proceeds	\$250,000		\$250,000
686-6201	Internal Revenue Subsidy - CDBG	-0-	\$ 51,000	\$ 51,000
360	Other Local Source Revenue			
	- Niagara County	-0-	\$ 50,000	\$ 50,000
	- Buffalo Niagara Partnership		\$ 60,000	\$ 60,000
	- Other Private Sources	-0-	\$ 40,000	\$ 40,000
	TOTAL:	\$250,000	\$201,000	\$451,000

**Appropriations:**

<u>Account</u>	<u>Description</u>	<u>Current</u>	<u>Revisions</u>	<u>Revised</u>
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		<u>Budget</u>		<u>Budget</u>
821	Dues & Fees	\$ 1,000	\$450,000	\$451,000
891	Unallocated	\$249,000	(\$249,000)	-0-
	<b>TOTAL:</b>	<b>\$250,000</b>	<b>\$201,000</b>	<b>\$451,000</b>

and be it further

**RESOLVED**, that certified copies of this resolution should be forwarded to the Director of the Division of Budget, Management, and Finance; the County Comptroller; and the Commissioner of the Department of Environment and Planning.

MR. RANZENHOFER moved to amend the resolution. MR. WEINSTEIN seconded.

CARRIED UNANIMOUSLY.

**ATTACH the following to the resolution:**



ATTACHMENT A

NAME OF PROJECT: ERIE-NIAGARA FRAMEWORK FOR REGIONAL GROWTH  
 SKILL REQUIRED: COMPREHENSIVE REGIONAL PLANNING

CONSULTANT RANKINGS:

Committee Members	Wallace Robert Todd, LLC	Calthorpe	HOK	Urban Strategies
Reviewer #1	2	4	1	3
Reviewer #2	3	4	1	2
Reviewer #3	2	4	1	3
Reviewer #4	3	4	2	1
Reviewer #5	3	4	1	2
Reviewer #6	2	3	1	4
Reviewer #7	2	4	1	3
Reviewer #8	2	4	1	3
Reviewer #9	2	4	1	3
<b>Rank</b>	<b>2</b>	<b>4</b>	<b>1</b>	<b>3</b>

*In my opinion in recommending Helmut, Obata & Kassabum, P.C. (HOK), to provide Comprehensive Regional Planning for the Erie - Niagara Framework for Regional Growth, the Department of Environment and Planning (DEP) has complied with all applicable provisions of Section 19.08 of Erie County Administrative Code. Scoring sheets and other material related to this matter are available for review at the DEP offices during regular business hours.*

  
 ANDREW M. ESZAK, Deputy Commissioner  
 Department of Environment and Planning

MS. FISHER moved to further amend the resolution. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

ADD the following before the final RESOLVE clause:

RESOLVED, that the Department of Environment and Planning is hereby requested to file a quarterly report with the Clerk of the Erie County Legislature as to the progress of this project, and be it further

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

CARRIED UNANIMOUSLY.

Item 67 – (Comm. 4E-20) ECC's Generic Environmental Impact Statement & Master Plan.

Tabled.

Item 68 – (Comm. 4E-21) Supplemental Agreement with NYSDOT – Glen Avenue Bridges.

Item 69 – (Comm. 4E-22) Agreement with NYSDOT for Wehrle Drive.

Item 70 – (Comm. 4E-23) Buffalo Convention Center Interior Renovations & Snow Melting System.

The above three items were received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 71 – (Comm. 4E-24) Southtowns Sewage Treatment Agency Professional Engineering Services URS Corporation.

Item 72 – (Comm. 4E-25) ECSD No. 6 – Sludge Filter Press Contract – Change Order No. 1.

Item 73 – (Comm. 4E-26) ECSD Nos. 2, 4 & 6 – Pumping Structural\Cathodic Protection Rehabilitation.

Item 74 – (Comm. 4E-27) ECSD Nos. 1, 4, & 5 – Northern Regional Administration Building Contract 'B' – Mechanical Close-Out.

Item 75 – (Comm. 4E-28) ECSD No. 5 – Sisters of Saint Joseph WWTP Structural Rehabilitation Bid Opening.

Item 76 – (Comm. 4E-29) EC Sewer Construction Projects Annual Change Order Report.

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

Item 77 – (Comm. 4E-30) Funding for Erie Canal Harbor Project.

Item 78 – (Comm. 4E-31) Environmental Engineering Services County-Wide Industrial Hygiene & Indoor Air Quality.

The above two items were received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 79 – (Comm. 4E-32) Performance Contracting Program – Award of Construction Work at Rath Building.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 80 – (Comm. 4E-33) ECC – South Campus – Athletic Field Bleachers & Miscellaneous Work A\E Services.

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 81 – MR. RANZENHOFER presented the following resolution and moved for immediate consideration. MS. CHASE seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 54

Re: Transition Agreement Granting ECC  
 Greater Autonomy. (Comm. 4E-34)

WHEREAS, the Board of Trustees of Erie Community College ("ECC"), the County and the County Executive desire to provide ECC with greater autonomy with regard to purchasing, personnel and payroll functions (collectively the "Functions"); and

WHEREAS, at a special meeting held on February 5, 2003, the Board of Trustees approved of a proposed local law (hereinafter "Local Law") and a transition agreement (hereinafter "Transition Agreement") that both give ECC greater autonomy with regard to these Functions; and

WHEREAS, the Local Law and Transition Agreement have also been approved by the State University of New York at Buffalo, County Comptroller, County Commissioner of Personnel and County Attorney; and

WHEREAS, the Transition Agreement is intended to be a preliminary understanding between the County and ECC which provides, in general terms, that ECC will have the authority to perform its own Functions and that the annual County contribution to the operating budget of ECC shall be paid in one lump sum on or before April 15 of each year; and

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WHEREAS, the approval and execution of the Transition Agreement by ECC provides evidence that ECC has consented to the terms contained therein and in the attached Local Law; and

WHEREAS, the Local Law is intended to provide the mechanism for ECC to perform these Functions.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to execute the Transition Agreement, which is attached hereto and incorporated herein, on behalf of the County; and be it further

RESOLVED, that certified copies of this resolution, together with the attached Transition Agreement, shall be forwarded to the County Executive, County Attorney, County Comptroller, Commissioner of Personnel, Director of Purchasing and President of ECC.

MR. RANZENHOFER moved the approval of the resolution. MS. CHASE seconded.

CARRIED UNANIMOUSLY.

Item 82 – (Comm. 4E-35) Minority Caucus Appointment to Audit Committee.

RECEIVED, FILED & PRINTED.

February 20, 2003

The Honorable Laurie A. Manzella  
Clerk  
Erie County Legislature  
25 Delaware Ave., 7<sup>th</sup> Floor  
Buffalo, NY 14202

Dear Madam Clerk:

Please be advised that Legislator Albert DeBenedetti will serve as the Minority Caucus's appointment to the Audit Committee for Erie County for 2003, in accordance with Section 1813 of the Erie County Charter.

Very truly yours,

GEORGE A. HOLT, JR.  
Minority Leader

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**ERIE COUNTY LEGISLATURE**

Erie County Legislature

c: James Liddle, Secretary, Audit Committee For Erie County

**COMMUNICATIONS FROM THE DEPARTMENTS**

**FROM ECC**

Item 83 – (Comm. 4D-1) Notice of Board of Trustees Meeting.

Received and filed.

**FROM THE COUNTY ATTORNEY**

Item 84 – (Comm. 4D-2) Notice of Public Hearing Local Law Intro. No. 11 – 2002.

RECEIVED, FILED & PRINTED.

February 7, 2003

**VIA HAND DELIVERY**

Ms. Laurie A. Manzella, Clerk  
Erie County Legislature  
25 Delaware Avenue, 7<sup>th</sup> Floor  
Buffalo, New York 14202

RE: Notice of Public Hearing  
Local Law Intro. No. 11-2002

Dear Ms. Manzella:

Enclosed herein is a copy of the Public Hearing Notice for the above-captioned Local Law Intro., which was approved by the Erie County Legislature on February 6, 2003.

Please post the enclosed for the information for anyone who may be interested in attending this hearing.

Very truly yours,

FREDERICK A. WOLF

**MEETING NO. 4**  
**February 24, 2003**

**ERIE COUNTY LEGISLATURE**

Erie County Attorney

By: MELISSA O. HEIMERL  
Assistant County Attorney

encl.

cc: Frederick A. Wolf, Erie County Attorney  
Susannah M. Bochenek, 2nd Assistant County Attorney  
Thomas P. DeMartino, Esq., Senior Executive Assistant (all w/o attachment)

**NOTICE OF PUBLIC HEARING**

**NOTICE IS HEREBY GIVEN** that the Erie County Executive, Joel A. Giambra, will hold a public hearing, Tuesday, February 25, 2003 at 10:00 a.m., concerning:

A LOCAL LAW in relation to support of the Buffalo and Erie County Public Library .

The hearing will be held at the Erie County Executive's office, 95 Franklin Street, 16<sup>th</sup> Floor, in the City of Buffalo, New York.

On February 6, 2003, the Erie County Legislature adopted Erie County Local Law Intro. No. 11 of 2002. Copies of the proposed local law are available for public inspection in the office of the Clerk of the Erie County Legislature, on the 7<sup>th</sup> Floor of 25 Delaware Avenue, in the City of Buffalo, New York.

JOEL A. GIAMBRA  
Erie County Executive

**FROM THE CLERK OF THE LEGISLATURE**

Item 85 – (Comm. 4D-3) Memo to All Legislators Re: Notice that Session Scheduled for 2/20/03 is Rescheduled for 2/24/03.

RECEIVED, FILED & PRINTED.

February 10, 2003

To: All Erie County Legislators and Staff  
From: Laurie A. Manzella, Clerk  
Subject: CHANGE OF SESSION DATE

**MEETING NO. 4**  
**February 24, 2003**

**ERIE COUNTY LEGISLATURE**

The Session of the Erie County Legislature previously scheduled for Thursday, February 20, 2003, has been canceled.

Chairman Charles M. Swanick has rescheduled the Session for **Monday, February 24, 2003, at 2:00 p.m.** This change will not affect any other previously scheduled Session dates.

Be advised that the clock-in deadline for items to be considered at that Session (February 24<sup>th</sup>) will be before 11:00 a.m. on Thursday, February 20, 2003.

Thank you.

ATTACHMENT-1

c: Hon. Joel A. Giambra, County Executive (*w/o Attachment*)  
Hon. Frank J. Clark, District Attorney (*w/o Attachment*)  
Hon. Patrick M. Gallivan, Sheriff (*w/o Attachment*)  
Hon. Nancy A. Naples, Comptroller (*w/o Attachment*)  
Hon. David J. Swarts, County Clerk (*w/o Attachment*)  
Other Interested Parties (*w/o Attachment*)

February 10, 2003

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

Dear Ms. Manzella:

Be advised that, pursuant to Rule No. 1 of the Erie County Legislature's *RULES OF ORDER*, I am canceling the February 20, 2003 Session and rescheduling it for Monday, February 24, 2003, at 2:00 p.m.

Please notify all legislators of this change.

Sincerely,

**CHARLES M. SWANICK**  
Chairman

FROM ECC

**MEETING NO. 4**  
**February 24, 2003**

**ERIE COUNTY LEGISLATURE**

Item 86 – (Comm. 4D-4) Notice of Board of Trustees Meetings.

Received and filed.

**FROM THE COUNTY ATTORNEY**

Item 87 – (Comm. 4D-5) Notice of Claims.

Item 88 – (Comm. 4D-6) Notice of Claims.

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

**FROM ECMC**

Item 89 – (Comm. 4D-7) Notice of Meeting Held 2/13/03 & Agenda & Minutes.

Received and filed.

**FROM THE BUFFALO & ERIE COUNTY PUBLIC LIBRARY**

Item 90 – (Comm. 4D-8) Notice of Meeting Held 2/20/03 & Minutes of Meeting Held 1/16/03.

Received and filed.

**COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES**

**FROM THE TOWN OF CHEEKTOWAGA**

Item 91 – (Comm. 4M-1) Copy of Letter to Legislator Dusza Re: Senior Citizen Property Tax Exemption.

Received and filed.

**FROM NFTA**

Item 92 – (Comm. 4M-2) Copies of 17A Report & Capital Expenditures Report for the 3<sup>rd</sup> Quarter of Year Ending 3/31/03.

Received and filed.

**FROM COORDINATED CARE**



**MEETING NO. 4**  
**February 24, 2003**

**ERIE COUNTY LEGISLATURE**

Item 93 – (Comm. 4M-3) Copy of Letter to Deputy County Executive Calabrese Re: Resignation of James Todaro as Chair of EC Home Health Care Advisory Board.

Received and referred to the HUMAN SERVICES COMMITTEE.

**FROM THE ERIE COUNTY ENVIRONMENTAL MANAGEMENT COUNCIL**

Item 94 – (Comm. 4M-4) Notice of Meeting to be Held 2/20/03 & Agenda.

Item 95 – (Comm. 4M-5) Minutes of Meeting Held 1/15/03.

The above two items were received and filed.

**FROM EARL, DELANGE, MAY, SEAMAN, JONES, HOGAN & BROOKS**

Item 96 – (Comm. 4M-6) Town of Lockport Flood Protection Ordinance Amendment.

Received and filed.

**FROM THE ERIE COUNTY MENTAL HYGIENE COMMUNITY SERVICES BOARD**

Item 97 – (Comm. 4M-7) Notice of Meeting to be Held 2/20/03.

Received and filed.

**FROM NYSDEC**

Item 98 – (Comm. 4M-8) Notice of Meeting to be Held 2/25/03.

Received and filed.

**FROM THE CITY OF BUFFALO**

Item 99 – (Comm. 4M-9) Certified Resolution Re: Request for Information Re: Buffalo Police Department & EC Sheriff Consolidation.

Received and referred to the PUBLIC SAFETY COMMITTEE.

**FROM SENATOR RATH**

Item 100 – (Comm. 4M-10) Receipt of Resolution.

Received and filed.

**MEMORIAL RESOLUTIONS**

Item 101 – Legislator Dale requested that when the Legislature adjourns, it do so in memory of Richard Downey.

Item 102 – Legislator Dusza requested that when the Legislature adjourns, it do so in memory of Stefania Stefaniak.

Item 103 – Legislator McCarville requested that when the Legislature adjourns, it do so in memory of John Orlando.

Item 104 – Legislator Falkner requested that when the Legislature adjourns, it do so in memory of Thomas Zaranski.

Item 105 – Legislator Falkner requested that when the Legislature adjourns, it do so in memory of Henry Schroeder.

Item 106 – Legislator Schroeder requested that when the Legislature adjourns, it do so in memory of Kevin Curry.

Item 107 – Legislator Ranzenhofer requested that when the Legislature adjourns, it do so in memory of Dr. James B. Lee.

Item 108 – Legislator Kuwik requested that when the Legislature adjourns, it do so in memory of Eugene Wojtanik.

Item 109 - Legislator Chase requested that when the Legislature adjourns, it do so in memory of Mrs. Minekine.

**ADJOURNMENT**

Item 110 – At this time, there being no further business to transact, the Chairman announced that the Chair would entertain a Motion to Adjourn.

MR. RANZENHOFER moved that the Legislature adjourn until 2 p.m. Thursday, March 6, 2003. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

The Chairman declared the Legislature adjourned until Thursday, March 6, 2003 at 2 p.m. Eastern Standard Time.

**MEETING NO. 4**  
**February 24, 2003**

**ERIE COUNTY LEGISLATURE**

**LAURIE A. MANZELLA**  
**CLERK**