

**MEETING NO. 5**  
**March 6, 2003**

**ERIE COUNTY LEGISLATURE**

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**MEETING NO. 5**  
**March 6, 2003**

The Legislature was called to order by Chairman Swanick.

All Members Present except Legislators Fisher & DeBenedetti.

The invocation was led by Monsignor William Stanton, Pastor Emertius St. Ambrose.

The Pledge of Allegiance was led by Mr. McCarville.

Item 1 – CHAIRMAN SWANICK directed the following items be taken out of order.

GRANTED.

**MISCELLANEOUS RESOLUTIONS**

Item 2 – MS. CHASE presented a resolution Recognizing Laurie Dooley & Hope Chest Dragon Boat Team for their Endurance in Battling Breast Cancer & For Participating in Dragon Boat Racing. MS. CUSACK seconded.

CARRIED UNANIMOUSLY.

Item 3 – MR. SCHROEDER presented a resolution Honoring NYS Assemblyman Brian M. Higgins Upon his Receipt of Goin' South's 2003 "Irishman of the Year." MR. HOLT seconded.

CARRIED UNANIMOUSLY.

Item 4 – MR. SWANICK presented a resolution Honoring the Members of the Kenmore Volunteer Fire & Police Departments for Their Heroic Fire Rescue on Somerton Avenue. MS. CUSACK seconded.

CARRIED UNANIMOUSLY.

Item 5 – MR. RANZENHOFER presented a resolution Honoring Firefighter Joseph Capan of the Akron Fire Company for 50 Years of Service to the Residents of Akron. MR. LARSON seconded.

CARRIED UNANIMOUSLY.

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Item 6 – MR. RANZENHOFER presented a resolution Honoring Firefighter John Capan of the Akron Fire Company for 50 Years of Service to the Residents of Akron. MR. LARSON seconded.

CARRIED UNANIMOUSLY.

Item 7 – CHAIRMAN SWANICK directed that the Rules of the Legislature for 2003 remain on the table.

Item 8 – CHAIRMAN SWANICK directed that the communication for the appointment of Minority Staff be RECEIVED, FILED & PRINTED.

March 3, 2003

The Honorable Laurie A. Manzella  
Clerk  
Erie County Legislature  
25 Delaware Ave., 7<sup>th</sup> Floor  
Buffalo, NY 14202

**RE: APPOINTMENT OF MINORITY STAFF**

Dear Madam Clerk:

In accordance with Rule 5 of the Rules of the Erie County Legislature, pursuant to the power vested in me as Minority Leader, I hereby appoint the following members of the Minority Staff for 2003:

Sr. Administrative Assistant  
Administrative Assistant  
Jr. Administrative Assistant  
Jr. Administrative Assistant  
Administrative Clerk Leg

Theresa M. Kennedy Tiedemann  
Lisa A. LaTrovato  
Jill Bronner  
Jeremey C. Rosen  
Paul Henderson

Further in accordance with Rule 5, I hereby reserve the right to make additional appointments to the Minority Staff as may be required.

Very truly yours,

GEORGE A. HOLT, JR.  
Minority Leader  
Erie County Legislature

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Item 9 – CHAIRMAN SWANICK directed that the communication for the appointment of Minority Counsel for the year 2003 be RECEIVED, FILED AND PRINTED.

March 3, 2003

The Honorable Laurie A. Manzella  
 Clerk  
 Erie County Legislature  
 25 Delaware Ave., 7<sup>th</sup> Floor  
 Buffalo, NY 14202

**RE: APPOINTMENT OF MINORITY COUNSEL**

Dear Madam Clerk:

In accordance with Rule 5 of the Rules of the Erie county Legislature, pursuant to the power vested in me as Minority Leader, I hereby appoint **JAMES M. SHAW, ESQ.**, as Minority Counsel for 2003.

Very truly yours,

GEORGE A. HOLT, JR.  
 Minority Leader  
 Erie County Legislature

Item 10 – CHAIRMAN SWANICK directed that the communications designating the Majority Newspapers 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 Section 214, Subdivision 2 of the County Law, as amended, do hereby designate the following newspaper, VIZ: **Amherst Bee**, published in Williamsville, New York, having general circulation in the County of Erie, as the official newspaper for the publication of all local laws, notices and other matters required by law to be published for the County of Erie, effective March 7, 2003.

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

**MEETING NO. 5****March 6, 2003****ERIE COUNTY LEGISLATURE**

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

We, the undersigned members of the Erie County Legislature, constituting members of the Majority Caucus, hereby designate the following newspaper , **The Sun & Erie County Independent Newspaper**, published in Hamburg, New York, having general circulation in the County of Erie, for the publication of all Concurrent Resolutions of the New York State Legislature, required by law to be published for the year 2003, effective March 7, 2003.

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

**TABLED ITEMS**

Item 11 – CHAIRMAN SWANICK directed that Comm. 20E-2 (2002) remain on the table.

Item 12 – MR. RANZENHOFER moved to remove Comm. 4E-20 from the table. MR. LARSON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 55

Re: ECC's Generic Environmental Impact Statement & Master Plan.

**WHEREAS**, in 2002 Erie County Community College (ECC) completed an Institutional Assessment of the College's assets and programs; and

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**WHEREAS**, ECC in cooperation with Erie County, desires to perform an Generic Environmental Impact Statement (“GEIS”) pursuant to the State Environmental Quality Review Act (“SEQRA”) and related master planning study pertaining to the future of ECC’s educational programming and institutional infrastructure; and

**WHEREAS**, The GEIS will provide a vehicle for analyzing three proposed ECC campus alternatives, the (“project”); and

**WHEREAS**, Pursuant to §617.4 and §617.6, the project is classified as a Type I Action and will be assessed through coordinated review; and

**WHEREAS**, based on a review of several competitive proposals for these GEIS and planning services, a consultant team headed by the firm of BHN&T Architects, P.C. has been recommended by the subcommittee to the Board of Trustees of Erie Community College and approved by the Board of Trustees to undertake GEIS and planning services for this project; and

**WHEREAS**, the Board of Trustees of ECC desires to serve as the Lead Agency for the purposes of evaluating the three proposed alternatives through SEQRA and the preparation of a GEIS,

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Erie County Executive is hereby authorized to execute contracts with the ECC Board of Trustees to assist the development of a GEIS and Master Plan for ECC not to exceed \$627,000; and be it further

**RESOLVED**, that the source of funds for this contract shall be as follows: \$549,661 from the Convention Center Account (DAC 904303830798) and \$77,339 from the Regionalism/Economic Development Fund (DAC 9043038301299), which shall be transferred within the 2002 Budget to a new sub account under Agency Payments monitored by the Department of Environment and Planning, 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, the President of Erie Community College, and the County Comptroller.

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

CARRIED UNANIMOUSLY.

**DELETE the Sixth WHEREAS clause and REPLACE with the following :**

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**WHEREAS**, the Consultant Services Proposal provided by BHN&T Architects, P.C., attached heretofore and incorporated herein by reference, states the purpose and guiding principles governing the GEIS process it will be undertaking for ECC and Erie County; and

**WHEREAS**, the Erie County Legislature desires to see a full and complete analysis of the feasibility, including the positive and negative impacts, of each of the three alternatives to be studied by the GEIS process; and

**WHEREAS**, the Board of Trustees of ECC desires to serve as the Lead Agency for the purposes of evaluating the three proposed alternatives through SEQRA and the preparation of a GEIS; and

**WHEREAS**, the Erie County Legislature requests that BHN&T Architects, P.C., through the Board of Trustees of ECC, as Lead Agency, provide this Honorable Body with progress reports and executive summaries on the GEIS process every three months from the date of passage of this resolution; and

**WHEREAS**, this Honorable Body will intently study and fully review the Draft GEIS for the three proposed alternatives and Final GEIS for this project with an eye towards its stated purpose and guiding principles, but will not legally bind itself to the final recommendation of BHN&T Architects, P.C. or the Board of Trustees of ECC;

**DELETE the Second RESOLVED clause and REPLACE with the following :**

**RESOLVED**, that Erie County Legislature does hereby require that the GEIS process follow the stated purpose and guiding principles contained in the attached Consultant Services Proposal by BHN&T Architects, P.C.; and be it further

**RESOLVED**, that this Honorable Body will intently study and fully review the Draft GEIS for the three proposed alternatives and Final GEIS for this project with an eye towards its stated purpose and guiding principles, but will not legally bind itself to the final recommendation of BHN&T Architects, P.C. or the Board of Trustees of ECC; and be it further

**RESOLVED**, that the Erie County Legislature requests that BHN&T Architects, P.C., through the Board of Trustees of ECC, as Lead Agency, provide this Honorable Body with progress reports and executive summaries on the GEIS process every three months from the date of passage of this resolution; and be it further

**RESOLVED**, that the source of funds for this contract shall be as follows: \$549,661 from the New Convention Center Account (DAC 904303830798) and \$77,339 from the Regionalism/Economic Development Fund (DAC 9043038301299), which shall be transferred within the 2002 Budget to a new sub account under Agency Payments monitored by the Department of Environment and Planning, Fund 110, Project 922, Department 302, Account 830; and be it further

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

CHAIRMAN SWANICK directed a roll call vote to be taken.

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

CARRIED. (WEIGHTED VOTE: 14.126 – 0.930)

Item 13 – Minutes of the previous meeting were tabled.

Chairman Swanick directed that the meeting enter into recess at 3:36 p.m.

Item 14 – 3:37 p.m. Notice read for Public Hearing regarding LL Intro. 4 – 2003 amending Local Law No. 2-2001, granting a partial exemption from real property taxation, pursuant to Section four hundred fifty-nine-c of the Real Property Tax Law, to persons with disabilities who have limited incomes.

Being that no one was present to speak in favor or opposition of this issue, the Clerk of the Legislature declared the Public Hearing closed at 3:38 p.m.

The Chairman declared the meeting reconvened at 3:39 p.m.

**LOCAL LAWS**

Item 15 – CHAIRMAN SWANICK directed that Local Law No. 4 (Print #1) 2002 remain on the table.

Item 16 – CHAIRMAN SWANICK directed that Local Law No. 4 (Print #2) 2002 remain on the table.

Item 17 – CHAIRMAN SWANICK directed that Local Law No. 5 (Print #1) 2002 be referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 18 – CHAIRMAN SWANICK directed that Local Law No. 7 (Print #1) 2002 remain on the table.

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

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Item 20 – CHAIRMAN SWANICK directed that Local Law No. 1 (Print #2) 2003 be referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 21 – CHAIRMAN SWANICK directed that Local Law No. 2 (Print #1) 2003 remain on the table.

Item 22 – CHAIRMAN SWANICK directed that Local Law No. 3 (Print #1) 2003 remain on the table.

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

CARRIED UNANIMOUSLY.

**COUNTY OF ERIE**  
**LOCAL LAW INTRO. NO. 4 -2003**  
**LOCAL LAW NO. \_\_\_ - 2003**

A LOCAL LAW, amending Local Law No. 2-2001, granting a partial exemption from real property taxation, pursuant to Section four hundred fifty-nine-c of the Real Property Tax Law, to persons with disabilities who have limited incomes.

BE IT ENACTED BY THE ERIE COUNTY LEGISLATURE AS FOLLOWS:

Section 1. Section 1(b) of Local Law No. 2-2001, granting a partial exemption from real property taxation, pursuant to Section four hundred fifty-nine-c of the Real Property Tax Law, to persons with disabilities who have limited incomes, is hereby amended to read as follows:

Section 1(b). To be eligible for the exemption provided by subdivision one of this Local Law, the maximum income of such person shall not exceed twenty-one thousand five hundred dollars. Real property owned by one or more persons with disabilities, or real property owned by a husband and wife, or both, or by siblings, at least one of whom has a disability, and whose income, as hereinafter defined, is limited by reason of such disability, shall be exempt from taxation by the County of Erie to the extent provided in the following table:

<u>Annual Income</u> <u>Exempt from Taxation</u>	Percentage of Assessed Valuation
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
\$23,500 or more, but less than \$24,500	35 per centum

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\$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

Section 2. This Local Law shall be effective immediately.

CHARLES M. SWANICK  
DALE W. LARSON  
BARRY A. WEINSTEIN  
ELISE M. CUSACK  
GEORGE A. HOLT, JR.  
RAYMOND K. DUSZA  
JUDITH P. FISHER  
MARK J.F. SCHROEDER  
DEMONE A. SMITH

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JEANNE Z. CHASE  
STEVEN P. McCARVILLE  
GREGORY P. FALKNER  
EDWARD J. KUWIK  
ALBERT DeBENEDETTI  
LYNN M. MARINELLI  
DAVID DALE

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

**COUNTY OF ERIE**  
**LOCAL LAW NO. \_\_\_\_\_-2003**  
**LOCAL LAW INTRO. NO. 5-2003**

A LOCAL LAW authorizing Erie Community College to have the authority and responsibility for the performance of its own personnel, payroll and purchasing functions.

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

Section 1. Declaration of Purpose. The Board of Trustees of Erie Community College, formerly known as the State University Institute of Applied Arts & Sciences at Buffalo and the Erie County Technical Institute (hereinafter the "College") and the Erie County Executive have requested that the County of Erie provide the College with greater autonomy with regard to Purchasing, Personnel and Payroll functions (collectively the "Functions"). The Board of Trustees and the County Executive believe that granting these Functions to the College will streamline the business

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affairs of the College, reduce costs, and help improve the College's educational services. Furthermore, it is believed that granting the College greater autonomy in connection with these Functions will help facilitate the College's unconditional re-accreditation by the Commission on Higher Education of the Middle States Association. Consequently, the Legislature hereby declares its support for granting the College greater autonomy with regard to these Functions.

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

Article XVI is hereby amended by adding a new Section 1613 which shall read as follows:

Section 1613. Board of trustees of Erie community college, additional powers. The powers of the board of trustees of Erie community college, formerly known as the State University Institute of Applied Arts & Sciences at Buffalo and the Erie county technical institute (hereinafter "Board"), shall continue as provided by law, except that the following additional powers shall be conveyed to the Board:

A. 1. The Board shall have the authority to make all purchases and contracts, including leases of personal property, for all furniture, appliances, fixtures, equipment, materials and supplies necessary for the efficient operation of the college to the extent that appropriations have been provided therefor in the college budget. The Board, or the president of the college acting with the authority of the Board, shall designate an individual to be its purchasing agent who shall supervise and manage the personnel responsible for the purchasing duties and perform the responsibilities hereunder in conformity with the provisions of this section, generally accepted principles of management and procurement, and policies established from time to time by the Board. Except as otherwise provided by law, authority to enter into contracts for capital improvements and real property leases of college property shall continue to be vested in the county.

2. The procedures for purchasing, including public advertising and competitive bidding, shall be the same as those set forth in section three hundred six of the charter and section 3.06 and 3.07 of the administrative code as these sections now exist or hereafter may be amended, except that where those sections specify that actions may be taken by the county legislature, the action of the Board shall be substituted as sufficient, and where those sections specify that action may be taken by the county executive, the division of purchase and/or the purchasing director, the action of the purchasing agent of the college shall be substituted as sufficient.

3. The Board shall have the authority to approve all contracts for professional, technical and other consultant services to be rendered to or for the college, which are not required to be competitively bid pursuant to the General Municipal Law, provided that such services to be rendered to or for the college shall not exceed \$50,000, and provided further that the Board complies with the procedure for requests for proposals set forth in section 19.08 of the administrative code as this section now exists or hereafter may be amended, except that where section 19.08 specifies that action shall be taken by the county legislature, the action of the Board shall be substituted as sufficient, and where section 19.08 specifies that action shall be taken by the department head or administrative unit head, such action may be taken by the president of the college.

4. No services provided by employees of the college shall be contracted out without complying with appropriate existing collective bargaining agreements and following the procedures required by section two hundred nine of the civil service law of the state of New York, if applicable.

5. All contracts entered into pursuant to this subsection A shall not be valid and enforceable until approved as to form by the county attorney. With regard to contracts entered into pursuant to subdivision 1 of this subsection A, such contracts shall be approved by the purchasing agent of the college and the county attorney. With regard to contracts entered into pursuant to subdivision 3 of this subsection A, such contracts shall be approved by the Board and the county attorney. The Board may designate the president of the college to execute, on behalf of the Board, contracts entered into pursuant to subdivision 3 of this subsection A.

6. No purchases shall be made pursuant to this subsection A unless sufficient funds exist therefore from budgetary appropriations or other funding sources, or except as otherwise permitted by law. However, the Board shall not be prevented from entering into any lawful contract or lease of personal property providing for the payment of funds beyond the end of the college's fiscal year.

B. 1. Subject to the civil service law and rules and to all provisions of applicable collective bargaining agreements, the Board shall have the power, through its existing budgetary process, to create and abolish full-time and part-time permanent or temporary positions of employment. The Board, or the president of the college acting with the authority of the Board, will designate a personnel agent who shall act in place of the Erie county commissioner of personnel and have the same powers and duties of the commissioner of personnel as set forth in the Erie county charter and administrative code, with regard to employment and personnel matters within the college. The president or the college's personnel agent, acting with the authority of the Board, may execute all necessary documents relating to the appointment of employees and the payroll of the college. Subject to the requirements of Civil Service law and rules and provisions of existing collective bargaining agreements, the college personnel agent shall submit required documentation to the county commissioner of personnel. Assignment of job groups, to the extent required by law, shall be certified by the Erie county department of personnel. When the college is unable to fill a non-managerial/confidential position with a qualified person at the lowest salary level for the job group assigned to the position, the Board may fill such position at a higher salary increment within the assigned job group.

2. Except as otherwise permitted by law, no position of employment shall be created by the college unless sufficient funds exist therefore from budgetary appropriations or other funding sources. Subject to existing or future laws, regulations and collective bargaining agreements, positions may be created and abolished by the college during its fiscal year.

3. Notwithstanding any provision contained in this subsection B, the county and the college shall negotiate on behalf of the college, and the county attorney shall approve as to form, all collective bargaining agreements and other contracts with civil service unions to which the college is a signatory. With respect to collective bargaining agreements and other contracts with civil service

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unions to which the college is not a signatory, but involve employees at the college, the college shall be permitted to participate in negotiations as part of a negotiating team.

C. All provisions of this charter and the administrative code relating to Erie community college, which have not otherwise been amended by this section or other local laws, shall continue in full force and effect.

Section 3. The annual county contribution to the operating budget of the college, to the extent not previously advanced, shall be paid to the college in one lump sum no later than the fifteenth (15th) day of April in each calendar year. Should the county approve a budgetary increase for the college on or after the fifteenth (15th) day of April for the fiscal year commencing on the first (1st) day of September of the preceding calendar year, the additional contribution shall be paid to the college no later than fifteen (15) days after such approval.

Section 4. Nothing contained in this local law shall prohibit the county, at the request of the college, from contracting with the college to perform one or more Functions, or portions thereof, on behalf of the college.

Section 5. This local law may be amended at any time by a local law that is subsequently enacted by the Erie county legislature.

Section 6. This local law shall be effective upon its filing with the Secretary of State pursuant to Section 27 of the New York Municipal Home Rule Law.

ELISE M. CUSACK  
CHARLES M. SWANICK  
DALE W. LARSON  
STEVEN P. McCARVILLE

BARRY A. WEINSTEIN  
MICHAEL H. RANZENHOFER  
JEANNE Z. CHASE  
GREGORY P. FALKNER

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

CARRIED UNANIMOUSLY.

Item 25 – MR. RANZENHOFER presented the following resolution and moved for immediate consideration. MR. LARSON seconded.

CARRIED UNANIMOUSLY.

**COUNTY OF ERIE  
LOCAL LAW NO. \_\_\_\_-2003  
LOCAL LAW INTRO. NO. 6-2003**

A LOCAL LAW amending Local Law 1-1960, as amended,

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Constituting the Erie County Administrative Code, by enacting an amendment to Article 11-C.07-b thereby increasing the Fire Advisory Board from 21 members to 25 members.

BE IT ENACTED BY THE ERIE COUNTY LEGISLATURE AS FOLLOWS:

Section 1. The Erie County Administrative Code, being Local Law No. 1-1960, as amended is hereby amended by increase the Fire Advisory Board from twenty-one (21) members to twenty-five (25) members.

Article 11-C, Section 11-C.07-b. **Fire Advisory Board.**

This board shall be composed of twenty-five (25) members appointed by the County Executive for two (2) years. At least eight of the members shall be active or exempt members of volunteer fire companies. It shall be the duty of such board to cooperate with the state office of fire prevention and control in effectuating the purposes for which the office was established in relation to programs for fire training and mutual aid; to act as an advisory board to the county executive, the county legislature, the commissioner of emergency services and the deputy commissioner of fire safety in connection with county participation in programs for fire training and mutual aid, county establishment and maintenance of a county fire training school and mutual aid programs for fire and other emergencies in which the services of firemen would be used; and to perform such other duties as the county executive, the county legislature, the commissioner of emergency services or the deputy commissioner of fire safety may prescribe in relation to fire training and mutual aid for fire and other emergencies in which the services of firemen would be used. The members of such board shall be county officers and shall serve without compensation. The terms of the office of the incumbent members of the fire advisory board shall continue for the periods for which such members shall have been appointed.

Section 2. This law shall take effect immediately.

JEANNE Z. CHASE  
DALE W. LARSON  
RAYMOND K. DUSZA  
MICHAEL H. RANZENHOFER  
ELISE M. CUSACK  
GEORGE A. HOLT, JR.  
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BARRY A. WEINSTEIN  
GREGORY P. FALKNER  
ALBERT DeBENEDETTI  
LYNN M. MARINELLI  
DAVID DALE

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

CARRIED UNANIMOUSLY.



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WHEREAS, after many lengthy discussions and the fact that the Department of Public Works has full-time inspection and commissioning services for all aspects of the HVAC system, we can award the contract to J.W. Danforth, and

WHEREAS, awarding the contract to the first lowest responsible bidder, J.W. Danforth in the amount of \$18,519.00 (Base Bid & Alternate #15), will be a \$7,531.00 cost reduction from the second bidder, Air Systems Balancing & Testing Services, Inc., whose bid was \$26,050.00,

NOW, THEREFORE, BE IT,

RESOLVED, that the County Executive be authorized to enter into a contract with J.W. Danforth in the amount of \$18,519.00 (Base Bid & Alternate #15) for the HVAC Testing & Balancing Contract, and be it further,

RESOLVED, that the Comptroller's Office be authorized to make payment for all of the above from Fund 410, Project 806, 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.

3. Item Page -2003 (Comm. 4E-12)

**COUNTY EXECUTIVE**

WHEREAS, in the normal course of duties, the Division of Highways performs work that is then billed to individuals or insurance companies for reimbursement, and

WHEREAS, that work is performed by Division of Highways employees and material used is paid for under various line items contained in the Division of Highways O&M budget, and

WHEREAS, the reimbursement for the work performed by the Division of Highways is made to the General Fund,

NOW, THEREFORE, BE IT,

RESOLVED, that the Erie County Legislature authorizes the reimbursement for work performed by and paid from the Division of Highways to be credited back to the appropriate Division of Highways budget, and be it further,

RESOLVED, that two certified copies of this resolution shall be forwarded to the Commissioner of Public Works, 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.

4. Item Page -2003 (Comm. 4E-21)

**MEETING NO. 5****March 6, 2003****ERIE COUNTY LEGISLATURE****COUNTY EXECUTIVE**

WHEREAS, a Project for the Replacement of the Glen Avenue Bridges (BR 702 and 704) over Ellicott Creek and a Diversion Channel, BINs 3-32886-0 and 3-32885-0, including the Pedestrian Bridge over Ellicott Creek, BIN 2-26391-0, in the Village of Williamsville, PIN 5755.26 (the "Project") funded under Title 23, U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal funds and 20% non-Federal funds, and

WHEREAS, the County of Erie desires to advance the Project by making a commitment of 100% of non-Federal share of the costs of the Preliminary Engineering (Scoping and Design I-VI), Right-of-Way Incidentals and Right-of-Way Acquisition Phases of the Project, PIN 5755.26, and

WHEREAS the project cost for Preliminary Engineering (Scoping and Design I-IV), Right of Way Incidentals and Right of Way Acquisition Phases has increased from \$359,000 to \$372,000, or by \$13,000, and

WHEREAS the project increases the local share required from \$17,950 to \$18,600 or by \$650.00, and

WHEREAS the design and engineering services contract for the project was awarded to Pratt & Huth Associates for a sum not to exceed the original project cost of \$359,000 on July 15, 1999, Communication No. 13D-16.

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

RESOLVE, that the County Legislature of the County of Erie hereby approves the above subject Project, and be it further

RESOLVED, that the Erie County Legislature hereby authorizes an increase of \$13,000 in appropriations to pay in the first instance 100% of the Preliminary Engineering (Scoping and Design I -IV), Right of Way Incidentals and Right of Way Acquisition Phases of the project or portions thereof, and be it further

RESOLVED, that a sum of \$3,000, in addition to the \$71,800 previously appropriated for the project's Preliminary Engineering (Scoping and Design I -IV), Right-of-Way Incidentals and Right-of-Way Acquisition Phases, via County Resolution No. 6D-17 adopted April 29, 1999, is required for the non-Federal share which includes an increase of \$650.00 in local share, financing of which is available from the 1999 Federal Aid Various Road & Bridge Program (SFG 134), and be it further

RESOLVED, that the design and engineering services contract with change orders for the project awarded to Pratt & Huth Associates, be proportionately increased for a sum not to exceed the new project cost of \$372,000, and be it further

RESOLVED, that in the event the amount required to pay in the first instance 100% of the Federal and non-Federal shares of the cost of Preliminary Engineering (Scoping and Design I-VI),

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Right-of-Way Incidentals and Right-of-Way Acquisition Phases exceeds the amount appropriated \$74,800 and/or 100% of the full Federal and non-Federal shares of the cost of Preliminary Engineering (Scoping and Design I-VI), Right-of-Way Incidentals and Right-of-Way Acquisition Phases exceeds \$372,000, the County of Erie shall convene its Legislature as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof, and be it further

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

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

RESOLVED, that the Clerk of the Legislature forward ten (10) certified copies of this Resolution to the Deputy Commissioner, Highways, to be forwarded to the New York State Department of Transportation and one copy each to the Commissioner of Public Works and the Erie County Comptroller.

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

5. Item Page -2003 (Comm. 4E-22)

**COUNTY EXECUTIVE**

WHEREAS, a Project for the Reconstruction and Widening of CR 290, Wehrle Drive from CR 554, Youngs Road to NY Route 78, Transit Road, in the Town of Amherst, Erie County, P.I.N. 5755.19 (the "Project") is eligible for funding under Title 23, U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal funds and 20% non-Federal funds, and

WHEREAS, the County of Erie desires to advance the Project by making a commitment of 100% of the non-Federal share of the costs of the Preliminary Engineering (Scoping & Design I-VI), Right-of-Way Incidentals and Right-of-Way Acquisition Phases of the Project, PIN 5755.19, and

WHEREAS, the Project cost for Preliminary Engineering (Scoping & Design I-VI), Right-of-Way Incidentals and Right-of-Way Acquisition Phases has increased from \$928,000 to \$3,128,100, and

WHEREAS, a Design and Engineering Services contract for the Project was previously awarded to Sear Brown Associates via County Resolution No. 8D-10 on May 20, 1999 for a sum not to exceed \$928,000.

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

RESOLVE, that the County Legislature of the County of Erie hereby approves the above subject Project, and be it further

RESOLVED, that the County Legislature of the County of Erie hereby authorizes the County of Erie to pay 100% of the non-Federal share of the costs of the Preliminary Engineering (Scoping) Phase of the project and in the first instance 100% of the Federal and non-Federal shares of the cost of the Preliminary Engineering (Design I-VI), Right-of-Way Incidentals and Right-of-Way Acquisition Phases of the Project or portions thereof, and be it further

RESOLVED, that the Erie County Legislature hereby authorizes an increase of \$2,200,100 in appropriations for Preliminary Engineering (Design I-VI), Right-of-Way Incidentals and Right-of-Way Acquisition Phases of the Project with financing available in the 1999 Federal Aid Various Road & Bridge Design Program (SFG 134), and be it further

RESOLVED, that the sum of \$440,100 is hereby appropriated from the 1999 Federal Aid Various Road & Bridge Design Program (SFG 134), of which \$103,600 is hereby requested for the Non-Federal Share, an increase of \$72,280 in local share financing which is available from the 1999 Federal Aid Various Bridge & Road Design Program, in addition to \$4,000 previously appropriated for the project's Preliminary Engineering (Scoping) Phase via County Resolution No. 23D-18 adopted December 19, 1996, \$181,600 previously appropriated for the project's Preliminary Engineering (Design I-VI) and Right-of-Way Incidentals Phases via County Resolution No. 9D-26 adopted May 18, 1998, and \$336,500 previously appropriated for the project's Preliminary Engineering (Design I-VI) and Right-of-Way Incidentals Phases via County Resolution No. 16E-23 adopted July 12, 2001 and made available to cover the cost of participation in the above phases of the Project, and be it further

RESOLVED, that in the event the amount required to pay the non-Federal share of the cost of the Project's Preliminary Engineering (Scoping) Phase and in the first instance 100% of the Federal and non-Federal shares of the cost of the project's Preliminary Engineering (Design I-VI), Right-of-Way Incidentals and Right-of-Way Acquisition Phases exceeds the amount appropriated \$625,700 and/or 100% of the full Federal and non-Federal shares of the cost of the Preliminary Engineering (Scoping & Design I-VI), Right of Way Incidentals and Right-of-Way Acquisition Phases exceeds \$3,128,100, the County of Erie shall convene its Legislature as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof, and be it further

RESOLVED, that the County Executive of the County of Erie be and is hereby authorized to execute all necessary agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the County of Erie with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the Municipality's first instance funding of project costs and

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permanent funding of the local share of Federal-aid and State-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and be it further

RESOLVED, that Engineering Services contract change orders with Sear Brown Associates not exceed the total increased Project cost of \$2,200,100, and be it further

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

RESOLVED, that the Clerk of the Legislature forward ten (10) certified copies of this Resolution to the Deputy Commissioner, Highways, to be forwarded to the New York State Department of Transportation, one copy to the Commissioner of Public Works, and one copy to the Erie County Comptroller.

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

**AS AMENDED**

6. Item Page -2003 (Comm. 4E-30)

**COUNTY EXECUTIVE**

**WHEREAS**, The County of Erie desires to participate in the final design and construction of the Erie Canal Harbor Project in the City of Buffalo; and

**WHEREAS**, The Erie Canal Harbor Project seeks to create a first class waterfront which can be a tourism draw and also a premier attraction to the residents of the City and County; and

**WHEREAS**, The development of the waterfront will be an important tool for heritage tourism activity and the attraction of new commerce to the Buffalo Niagara region; and

**WHEREAS**, The City of Buffalo and the State of New York are also contributing to this waterfront development project; and

**WHEREAS**, A non-binding Memorandum of Understanding by and among Erie County, the Empire State Development Corporation, the City of Buffalo and the Buffalo Sewer Authority has been approved and entered into on June 14, 2002; and

**WHEREAS**, A project to be funded by bonds was included in the 2003 approved Erie County Capital Budget for Erie Canal Harbor Improvements for up to \$3,000,000;

**NOW, THEREFORE, BE IT**

**RESOLVED**, That the County Executive is authorized to enter into contracts with the New York State Urban Development Corporation, doing business as the Empire State Development Corporation, in amounts not to exceed a total of \$1,300,000, for the purpose of planning, engineering and construction activities for the Erie Canal Harbor Project; and be it further

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**RESOLVED**, That the 2003 Capital Budget is hereby amended to provide \$1,300,000 of the project's total cost with funds available in the Tobacco Trust Fund; and be it further

**RESOLVED**, that the Department of Environment and Planning provide the clerk of the Economic Development Committee with three-month status reports on the progress of the Erie Canal Harbor Project; 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.

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

7. Item Page -2003 (Comm. 4E-31)

**COUNTY EXECUTIVE**

WHEREAS, the Erie County Legislature authorized the County Executive to enter into contracts with URS Corp. specializing in environmental services, and

WHEREAS, the Commissioner of Public Works has determined a need for Industrial Hygiene & Indoor Air Quality Environmental Engineering Services in many of our County facilities, and

WHEREAS, in order to assure these necessary services, the Commissioner of Public Works is requesting a fee allocation of \$75,000 be paid on a time and material project-by-project basis,

NOW, THEREFORE, BE IT,

**RESOLVED**, that the Commissioner of Public Works be authorized to issue change orders to the General Architectural/Engineering contract with the firm of URS Greiner Corp., and be it further,

**RESOLVED**, that payment for said fees be from the Indoor Air Quality Bond Account, Fund 410, Project 294, and be it further,

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

(5-1) Legislator Larson voted in the negative. Chairman Swanick present as Ex-Officio Member.

**MICHAEL H. RANZENHOFER**  
**CHAIRMAN**

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

CARRIED UNANIMOUSLY.

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Item 28 – MR. LARSON presented the following resolution and moved for immediate consideration. MR. RANZENHOFER seconded. MR. DALE in the negative.

CARRIED. (WEIGHTED VOTE: 14.168 – 0.888)

RESOLUTION NO. 59

February 27, 2003

FINANCE & MANAGEMENT  
COMMITTEE  
REPORT NO. 2

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

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

- |    |   |      |       |               |
|----|---|------|-------|---------------|
|    | Item  | Page | -2002 | (Comm. 10D-8) |
| a. | <b>COMPTROLLER:</b> Previously Issued Audit Reports – Pilot Comm. 20E-6 (2001) & Commissary/Holding Center & Correctional Facility Audit Comm. 3E-2. (5-0) Legislator Holt absent. Chairman Swanick present as Ex-Officio Member. |      |       |               |
|    | Item  | Page | -2002 | (Comm. 11E-9) |
| b. | <b>COMPTROLLER:</b> Expenditure Review of Tobacco Fund Capital Projects for Period 1/1/01 – 2/28/02. (5-0) Legislator Holt absent. Chairman Swanick present as Ex-Officio Member.   |      |       |               |
|    | Item  | Page | -2002 | (Comm. 24E-1) |
| c. | <b>COMPTROLLER:</b> Audit – Public Benefit Agency Contracts Administrated by Erie County Legislature for Period 1/1/01 – 12/31/01. (5-0) Legislator Holt absent. Chairman Swanick present as Ex-Officio Member.                   |      |       |               |
|    | Item  | Page | -2002 | (Comm. 24E-2) |
| d. | <b>COMPTROLLER:</b> Audit – Buffalo & Erie County Botanical Gardens Society Contract Compliance for Period 1/1/01 – 6/30/02. (5-0) Legislator Holt absent. Chairman Swanick present as Ex-Officio Member.                         |      |       |               |
|    | Item  | Page | -2002 | (Comm. 25D-1) |
| e. | <b>BUDGET, MANAGEMENT &amp; FINANCE:</b> Budget Monitoring Report for Period Ending 9/30/02. (5-0) Legislator Holt absent. Chairman Swanick present as Ex-Officio Member.   |      |       |               |
|    | Item  | Page | -2003 | (Comm. 1D-12) |
| f. | <b>ECMC:</b> Copy of Letter to Comptroller Naples Re: ECMC Budget for 2003. (5-0) Legislator Holt absent. Chairman Swanick present as Ex-Officio Member.  |      |       |               |

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- g. Item Page -2003 (Comm. 1E-5)  
**COMPTRROLLER:** Response to Comm. 1D-12.  
 (5-0) Legislator Holt absent. Chairman Swanick present as Ex-Officio Member.
- h. Item Page -2003 (Comm. 3E-15)  
**DALE:** Letter to Clerk of Legislature Re: Vote of Comm. 1E-24 (2003) as Amended to be Changed to No.  
 (5-0) Legislator Holt absent. Chairman Swanick present as Ex-Officio Member.
- i. Item Page -2003 (Comm. 4E-10)  
**COMPTRROLLER:** 2002 Investment Earnings.  
 (5-0) Legislator Holt absent. Chairman Swanick present as Ex-Officio Member.

**AS AMENDED**

2. Item Page -2003 (Comm. 2D-13)  
**BUDGET, MANAGEMENT & FINANCE**

**A.**

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 **203079** through **203153** 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>	2003	Petition No.	<b>203,079.00</b>
	ASSESSOR	<b>Cancel</b>	\$101.06
<b>S-B-L</b>	129.01-3-13	<b>142089 ALDEN</b>	
	Acct. No. 112		\$73.57 County
	Acct. No. 132		\$27.49 Town/SpecialDist/School
<b>Charge To :</b>	<b>142089 ALDEN</b>		<b>\$27.49</b>

CANCEL - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 24,255 WAS MISCALCULATED. THE CORRECT AMOUNT IS 34,650. RPTL550(2)B

<b>FISCAL YEAR</b>	2003	Petition No.	<b>203,080.00</b>
	ASSESSOR	<b>Cancel</b>	\$191.55
<b>S-B-L</b>	97.00-1-5	<b>142089 ALDEN</b>	

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	Acct. No. 112	\$106.44	County
	Acct. No. 132	\$85.11	Town/SpecialDist/School
20019 ALDEN FIRE PROTECTION		\$45.33	
<b>Charge To :</b>	<b>142089 ALDEN</b>		<b>\$39.78</b>

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. THE ASSESSMENT WAS 150,400 AND SHOULD BE 135,360.  
RPTL 550(2)A

<b>FISCAL YEAR</b>	2003	Petition No.	<b>203,081.00</b>
	ASSESSOR	<b>Cancel</b>	\$166.57

**S-B-L** 108.00-1-23.1 **142089 ALDEN**

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$166.57	Town/SpecialDist/School
<b>Charge To :</b>	<b>142089 ALDEN</b>		<b>\$166.57</b>

CANCEL - CLERICAL ERROR, THIS PARCEL WAS CHARGED FOR TWO UNITS OF REFUSE. PARCEL IS A SINGLE FAMILY AND SHOULD BE CHARGED FOR 1 UNIT.  
RPTL 550(2)E

<b>FISCAL YEAR</b>	2002	Petition No.	<b>203,082.00</b>
	ASSESSOR	<b>Refund</b>	\$573.06

**S-B-L** 26.07-3-27 **142289 AMHERST**

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$573.06	Town/SpecialDist/School
<b>Charge To :</b>	<b>142289 AMHERST</b>		<b>\$573.06</b>
	<b>Relevy School</b>	\$573.06	142207 SWEET HOME CENTRAL

REFUND - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 45,135 WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C  
CHECK FOR: JANET BARBEAU

<b>FISCAL YEAR</b>	2003	Petition No.	<b>203,083.00</b>
	ASSESSOR	<b>Cancel</b>	\$405.83

**S-B-L** 26.07-3-37 **142289 AMHERST**

	Acct. No. 112	\$198.19	County
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**MEETING NO. 5****March 6, 2003****ERIE COUNTY LEGISLATURE**

<b>Charge To :</b>	Acct. No. 132	\$207.64	Town/SpecialDist/School
	<b>142289 AMHERST</b>		<b>\$207.64</b>

CANCEL - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 42,627 (50%) WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C

<b>FISCAL YEAR</b>	2002	Petition No.	<b>203,084.00</b>
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ASSESSOR	<b>Refund</b>	\$630.70
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<b>S-B-L</b>	27.15-5-38	<b>142289 AMHERST</b>
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<b>Charge To :</b>	Acct. No. 112	\$92.44	County
	Acct. No. 132	\$538.26	Town/SpecialDist/School
	<b>142289 AMHERST</b>		<b>\$538.26</b>

REFUND - CLERICAL ERROR, THIS PARCEL WAS OVER CHARGED ON THE LIGHT DISTRICT TAX . RPTL 550(2)E  
CHECK FOR: CARMEN & BRIDGET MARINACCIO

<b>FISCAL YEAR</b>	2003	Petition No.	<b>203,085.00</b>
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ASSESSOR	<b>Cancel</b>	\$360.90
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<b>S-B-L</b>	41.16-9-5	<b>142289 AMHERST</b>
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<b>Charge To :</b>	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$360.90	Town/SpecialDist/School
	<b>142289 AMHERST</b>		<b>\$360.90</b>

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

<b>FISCAL YEAR</b>	2003	Petition No.	<b>203,086.00</b>
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ASSESSOR	<b>Refund</b>	\$201.60
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<b>S-B-L</b>	42.07-7-14	<b>142289 AMHERST</b>
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<b>Charge To :</b>	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$201.60	Town/SpecialDist/School
	22029 SWORMSVILE FIRE PROTECTION	\$201.60	
	<b>142289 AMHERST</b>		<b>\$0.00</b>

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REFUND - UNLAWFUL ENTRY, PARCEL IS BEING CHARGED FOR SWORMVILLE  
 FIRE DISTRICT. PROPERTY IS IN E AMHERST FIRE DIST. RPTL 550(7)B  
 CHECK FOR: MICHAEL & ANN ZIMMERMAN

<b>FISCAL YEAR</b>	2003	Petition No.	<b>203,087.00</b>
	ASSESSOR	<b>Cancel</b>	\$194.18
<b>S-B-L</b>	42.07-7-20	<b>142289 AMHERST</b>	
	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$194.18	Town/SpecialDist/School
	22029 SWORMSVILE FIRE PROTECTION	\$194.18	
<b>Charge To :</b>	<b>142289 AMHERST</b>		<b>\$0.00</b>

CANCEL - UNLAWFUL ENTRY, PARCEL IS LOCATED OUTSIDE SWORMSVILE FIRE  
 DISTRICT. PARCEL IS IN THE E AMHERST FIRE DISTRICT. RPTL 550(7)B

<b>FISCAL YEAR</b>	2003	Petition No.	<b>203,088.00</b>
	ASSESSOR	<b>Cancel</b>	\$228.82
<b>S-B-L</b>	42.10-5-1.1	<b>142289 AMHERST</b>	
	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$228.82	Town/SpecialDist/School
<b>Charge To :</b>	<b>142289 AMHERST</b>		<b>\$228.82</b>

CANCEL - CLERICAL ERROR, THE PARCEL IS VACANT LAND. THE SEWER TAX AND  
 THE GARBAGE TAX WAS PLACED ON THIS PARCEL IN ERROR. RPTL 550(2)E

<b>FISCAL YEAR</b>	2003	Petition No.	<b>203,089.00</b>
	ASSESSOR	<b>Cancel</b>	\$20,855.10
<b>S-B-L</b>	55.01-1-3.1/B	<b>142289 AMHERST</b>	
	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$20,855.10	Town/SpecialDist/School
<b>Charge To :</b>	<b>142289 AMHERST</b>		<b>\$20,855.10</b>
	<b>Relevy School</b>	\$20,855.10	142203 WILLIAMSVILLE CENT

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CANCEL - CLERICAL ERROR, THE RPTL 520 INCLUDED A SCHOOL TAX THAT WAS PREVIOUSLY PAID DIRECTLY TO THE SCHOOL DISTRICT. RPTL 550(2)H

<b>FISCAL YEAR</b>	2002	Petition No.	<b>203,090.00</b>
	ASSESSOR	<b>Refund</b>	\$582.44
<b>S-B-L</b>	56.05-8-23	<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: NICHOLAS & BARBARA CHRETIS WILLIAMSVILLE CENTRAL

<b>FISCAL YEAR</b>	2003	Petition No.	<b>203,091.00</b>
	ASSESSOR	<b>Cancel</b>	\$1,054.08
<b>S-B-L</b>	67.72-4-40	<b>142289 AMHERST</b>	
	Acct. No. 112		\$218.35 County
	Acct. No. 132		\$835.73 Town/SpecialDist/School
<b>Charge To :</b>	<b>142289 AMHERST</b>		<b>\$835.73</b>
	<b>Relevy School</b>	\$684.73	142201 AMHERST CENTRAL

CANCEL - CLERICAL ERROR, THE DISABILITY EXEMPTION IN THE AMOUNT OF 31,000 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C

<b>FISCAL YEAR</b>	2002	Petition No.	<b>203,092.00</b>
	ASSESSOR	<b>Refund</b>	\$578.95
<b>S-B-L</b>	68.08-1-23	<b>142289 AMHERST</b>	
	Acct. No. 112		\$0.00 County
	Acct. No. 132		\$578.95 Town/SpecialDist/School
<b>Charge To :</b>	<b>142289 AMHERST</b>		<b>\$578.95</b>
	<b>Relevy School</b>	\$578.95	142203 WILLIAMSVILLE CENT

REFUND - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 29,820 (30%) WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C

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CHECK FOR: GEORGE A BLACK

<b>FISCAL YEAR</b>	2003	Petition No.	<b>203,093.00</b>
	ASSESSOR	<b>Cancel</b>	\$295.25
<b>S-B-L</b>	68.08-1-23	<b>142289 AMHERST</b>	
	Acct. No. 112	\$144.19	County
	Acct. No. 132	\$151.06	Town/SpecialDist/School
<b>Charge To :</b>	<b>142289 AMHERST</b>	<b>\$151.06</b>	

CANCEL - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 31,013 (40%) WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C

<b>FISCAL YEAR</b>	2002	Petition No.	<b>203,094.00</b>
	ASSESSOR	<b>Refund</b>	\$662.64
<b>S-B-L</b>	79.25-3-9	<b>142289 AMHERST</b>	
	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$662.64	Town/SpecialDist/School
	41854 BASIC STAR EXEMPTION	\$662.64	
<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: ROBERT TURECKI & ANNA GIACCO AMHERST CENTRAL

<b>FISCAL YEAR</b>	2001	Petition No.	<b>203,095.00</b>
	ASSESSOR	<b>Refund</b>	\$230.00
<b>S-B-L</b>	211.00-4-30.111	<b>142600 BOSTON</b>	
	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$230.00	Town/SpecialDist/School
<b>Charge To :</b>	<b>142600 BOSTON</b>	<b>\$230.00</b>	

REFUND - CLERICAL ERROR, THE PARCEL IS A SINGLE FAMILY HOME A WAS CHARGED FOR 3 UNITS OF REFUSE WHEN IT SHOULD BE 1 UNIT. RPTL 550(2)E  
CHECK FOR: DANIEL E SCHUNK

**MEETING NO. 5****March 6, 2003****ERIE COUNTY LEGISLATURE**

<b>FISCAL YEAR</b>	975	Petition No.	<b>203,096.00</b>
	ASSESSOR	<b>Refund</b>	\$220.00
<b>S-B-L</b>	211.00-4-30.111	<b>142600 BOSTON</b>	
	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$220.00	Town/SpecialDist/School
<b>Charge To :</b>	<b>142600 BOSTON</b>		<b>\$220.00</b>

REFUND - CLERICAL ERROR, THIS IS A SINGLE FAMILY HOME AND WAS CHARGED FOR 3 UNITS OF REFUSE WHEN IT SHOULD BE ONLY 1 UNIT. RPTL 550(2)E  
CHECK FOR: DANIEL E SCHUNK

<b>FISCAL YEAR</b>	2003	Petition No.	<b>203,097.00</b>
	ASSESSOR	<b>Cancel</b>	\$220.00
<b>S-B-L</b>	211.00-4-30.111	<b>142600 BOSTON</b>	
	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$220.00	Town/SpecialDist/School
<b>Charge To :</b>	<b>142600 BOSTON</b>		<b>\$220.00</b>

CANCEL - CLERICAL ERROR, THIS IS A SINGLE FAMILY HOME AND WAS CHARGED FOR 3 UNITS OF REFUSE WHEN IT SHOULD HAVE ONLY BEEN CHARGED FOR 1 UNIT OF REFUSE. RPTL 550(2)E

<b>FISCAL YEAR</b>	2001	Petition No.	<b>203,098.00</b>
	ASSESSOR	<b>Refund</b>	\$115.00
<b>S-B-L</b>	211.00-4-30.112	<b>142600 BOSTON</b>	
	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$115.00	Town/SpecialDist/School
<b>Charge To :</b>	<b>142600 BOSTON</b>		<b>\$115.00</b>

REFUND - CLERICAL ERROR, THIS PARCEL IS A TWO FAMILY UNIT AND WAS CHARGED FOR 3 UNITS OF REFUSE IT SHOULD BE ONLY 2 UNITS. RPTL 550(2)E  
CHECK FOR: RICHARD SCHUNK

<b>FISCAL YEAR</b>	2002	Petition No.	<b>203,099.00</b>
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**MEETING NO. 5****March 6, 2003****ERIE COUNTY LEGISLATURE**

	ASSESSOR	<b>Refund</b>	\$110.00
<b>S-B-L</b>	211.00-4-30.112	<b>142600 BOSTON</b>	
	Acct. No. 112		\$0.00 County
	Acct. No. 132		\$110.00 Town/SpecialDist/School
<b>Charge To :</b>	<b>142600 BOSTON</b>		<b>\$110.00</b>

REFUND- CLERICAL ERROR, THIS PARCEL IS A 2 UNIT HOME AND WAS CHARGED FOR 3 UNITS OF REFUSE WHEN IT SHOULD ONLY 2 UNITS. RPTL 550(2)E  
CHECK FOR: RICHARD A SCHUNK

<b>FISCAL YEAR</b>	2003	Petition No.	<b>203,100.00</b>
	ASSESSOR	<b>Cancel</b>	\$3,433.25
<b>S-B-L</b>	91.15-1-7.2	<b>143089 CHEEKTOWAGA</b>	
	Acct. No. 112		\$88.68 County
	Acct. No. 132		\$3,344.57 Town/SpecialDist/School
<b>Charge To :</b>	<b>143089 CHEEKTOWAGA</b>		<b>\$3,344.57</b>
	<b>Relevy School</b>		\$844.57 143003 CHEEK. UNION #3

CANCEL - CLERICAL ERROR, THE PARCEL WAS PURCHASED AT THE COUNTY AUCTION OCTOBER,2002. DEBRIS REMOVAL AND RELEVY SCHOOL ARE PART OF THE IN REM ACTION. RPTL 550(2)E

<b>FISCAL YEAR</b>	2003	Petition No.	<b>203,101.00</b>
	ASSESSOR	<b>Cancel</b>	\$104,716.
<b>S-B-L</b>	102.03-2-20.2	<b>143089 CHEEKTOWAGA</b>	
	Acct. No. 112		\$0.00 County
	Acct. No. 132		\$104,716.39 Town/SpecialDist/School
<b>Charge To :</b>	<b>143089 CHEEKTOWAGA</b>		<b>\$104,716.39</b>

CANCEL - CLERICAL ERROR, THIE PARCEL IS EXEMPT FROM SANITARY SEWER AND DRAINAGE TAXES. RPTL 550(2)E

<b>FISCAL YEAR</b>	2003	Petition No.	<b>203,102.00</b>
	ASSESSOR	<b>Cancel</b>	\$104,750.

**MEETING NO. 5****March 6, 2003****ERIE COUNTY LEGISLATURE****S-B-L** 102.03-2-20.3**143089 CHEEKTOWAGA**

Acct. No. 112	\$0.00	County
Acct. No. 132	\$104,750.28	Town/SpecialDist/School
<b>Charge To :</b>	<b>143089 CHEEKTOWAGA</b>	<b>\$104,750.28</b>

CANCEL - CLERICAL ERROR, THIS PARCEL IS EXEMPT FROM SANITARY SEWER AND DRAINAGE TAXES. RPTL 550(2)E

<b>FISCAL YEAR</b>	2003	Petition No.	<b>203,103.00</b>
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ASSESSOR	<b>Cancel</b>	\$104,750.
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**S-B-L** 102.03-2-20.4**143089 CHEEKTOWAGA**

Acct. No. 112	\$0.00	County
Acct. No. 132	\$104,750.28	Town/SpecialDist/School
<b>Charge To :</b>	<b>143089 CHEEKTOWAGA</b>	<b>\$104,750.28</b>

CANCEL - CLERICAL ERROR, THIS PARCEL IS EXEMPT FROM SANITARY SEWER AND DRAINAGE TAXES. RPTL 550(2)E

<b>FISCAL YEAR</b>	2002	Petition No.	<b>203,104.00</b>
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ASSESSOR	<b>Refund</b>	\$49.49
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**S-B-L** 103.08-1-40**143089 CHEEKTOWAGA**

Acct. No. 112	\$0.00	County
Acct. No. 132	\$49.49	Town/SpecialDist/School
<b>Charge To :</b>	<b>143089 CHEEKTOWAGA</b>	<b>\$49.49</b>
<b>Relevy School</b>	\$49.49	145201 LANCASTER CENTRAL

REFUND - CLERICAL ERROR, THE ASSESSED VALUE WAS 56,100 AND SHOULD BE 54,100 ON THE TAX ROLL. RPTL 550(2)A  
CHECK FOR: RICHARD P BUZIAK

<b>FISCAL YEAR</b>	2003	Petition No.	<b>203,105.00</b>
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ASSESSOR	<b>Cancel</b>	\$36.37
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**S-B-L** 103.08-1-40**143089 CHEEKTOWAGA**

Acct. No. 112	\$14.84	County
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**MEETING NO. 5****March 6, 2003****ERIE COUNTY LEGISLATURE**

	Acct. No. 132	\$21.53	Town/SpecialDist/School
30800 EC#4 SS DEPEW CHK	\$1.53		
<b>Charge To :</b>	<b>143089 CHEEKTOWAGA</b>		<b>\$20.00</b>

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. THE ASSESSMENT WAS 56,100 AND SHOULD BE 54,100.  
RPTL 550(2)A

<b>FISCAL YEAR</b>	2003	Petition No.	<b>203,106.00</b>
	ASSESSOR	<b>Cancel</b>	\$648.20

**S-B-L** 103.18-1-4.1 **143089 CHEEKTOWAGA**

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$648.20	Town/SpecialDist/School
30300 ERIE CO SEW DST 1	\$200.00		
30312 ECSD#1 USER CHARGE	\$448.20		
<b>Charge To :</b>	<b>143089 CHEEKTOWAGA</b>		<b>\$0.00</b>

CANCEL - CLERICAL ERROR, PARCEL WAS CHARGED IN ERROR FOR A SEWER UNIT AND A USER CHARGE. RPTL 550(2)E

<b>FISCAL YEAR</b>	2003	Petition No.	<b>203,107.00</b>
	ASSESSOR	<b>Cancel</b>	\$294.49

**S-B-L** 82.10-1-19 **143200 CLARENCE**

	Acct. No. 112	\$159.58	County
	Acct. No. 132	\$134.91	Town/SpecialDist/School
32023 HARRIS HILL FIRE DIST	\$47.16		
<b>Charge To :</b>	<b>143200 CLARENCE</b>		<b>\$87.75</b>

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

<b>FISCAL YEAR</b>	2003	Petition No.	<b>203,108.00</b>
	ASSESSOR	<b>Cancel</b>	\$17.27

**S-B-L** 82.11-1-27.2 **143200 CLARENCE**

**MEETING NO. 5****March 6, 2003****ERIE COUNTY LEGISLATURE**

	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 BEING ASSESSED UNDER SBL  
82.11-1-27.1. RPTL 550(2)F

**FISCAL YEAR** 2003      **Petition No.**      **203,109.00**

ASSESSOR      **Cancel**      \$391.77

**S-B-L** 215.00-4-21.41      **143400 COLDEN**

	Acct. No. 112		\$209.37	County
	Acct. No. 132		\$182.40	Town/SpecialDist/School
34021	COLDEN FIRE DIST	\$85.21		
<b>Charge To :</b>	<b>143400 COLDEN</b>		<b>\$97.19</b>	

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY  
ON THE TAX ROLL. THE ASSESSMENT WAS 148,600 AND SHOULD BE 122,700.  
RPTL 550(2)A

**FISCAL YEAR** 2003      **Petition No.**      **203,110.00**

ASSESSOR      **Cancel**      \$215.67

**S-B-L** 278.00-1-17.112      **143889 CONCORD**

	Acct. No. 112		\$119.19	County
	Acct. No. 132		\$96.48	Town/SpecialDist/School
38019	CONCORD FIRE PROTECT	\$36.19		
<b>Charge To :</b>	<b>143889 CONCORD</b>		<b>\$60.29</b>	

CANCEL - CLERICAL ERROR, THE ASSESSMENT WAS ENTERED INCORRECTLY ON  
THE TAX ROLL. THE ASSESSED VALUE WAS 98,700 AND SHOULD BE 83,200.  
RPTL 550(2)A

**FISCAL YEAR** 2003      **Petition No.**      **203,111.00**

ASSESSOR      **Cancel**      \$117.06

**S-B-L** 335.19-5-22      **143889 CONCORD**

**MEETING NO. 5****March 6, 2003****ERIE COUNTY LEGISLATURE**

	Acct. No. 112	\$92.27	County
	Acct. No. 132	\$24.79	Town/SpecialDist/School
<b>Charge To :</b>	<b>143889 CONCORD</b>		<b>\$24.79</b>

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. THE ASSESSMENT WAS 56,400 AND SHOULD BE 44,400.  
RPTL 550(2)A

<b>FISCAL YEAR</b>	2003	Petition No.	<b>203,112.00</b>
	ASSESSOR	<b>Cancel</b>	\$348.53

**S-B-L** 209.00-4-6 **144000 EDEN**

	Acct. No. 112	\$250.57	County
	Acct. No. 132	\$97.96	Town/SpecialDist/School
<b>Charge To :</b>	<b>144000 EDEN</b>		<b>\$97.96</b>

CANCEL - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 45,700 (50%) FOR COUNTY TAX AND 22,850 (25%) FOR TOWN TAXES WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C

<b>FISCAL YEAR</b>	2002	Petition No.	<b>203,113.00</b>
	ASSESSOR	<b>Refund</b>	\$460.76

**S-B-L** 238.15-2-11 **144000 EDEN**

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$460.76	Town/SpecialDist/School
41854 BASIC STAR EXEMPTION		\$460.76	
<b>Charge To :</b>	<b>144000 EDEN</b>		<b>\$0.00</b>

REFUND - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF 27,000 ENTITLED TO WAS OMITTED IN FROM THE ROLL. RPTL 550(2)C  
CHECK FOR: FRANCIS & CECELI RENAUD EDEN CENTRAL

<b>FISCAL YEAR</b>	2003	Petition No.	<b>203,114.00</b>
	ASSESSOR	<b>Cancel</b>	\$16,950.86

**S-B-L** 126.03-3-31 **144200 ELMA**

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$16,950.86	Town/SpecialDist/School





**MEETING NO. 5****March 6, 2003****ERIE COUNTY LEGISLATURE**

REFUND - CLERICAL ERROR, THE FRONTAGE WAS MISCALCULATED ON THE SEWER DISTRICT TAX. FRONTAGE WAS 150.00 FT AND SHOULD BE 45. FT. RPTL 550(2A)  
CHECK FOR: KATHRYN TIMM

<b>FISCAL YEAR</b>	2001	Petition No.	<b>203,121.00</b>
	ASSESSOR	<b>Refund</b>	\$159.86
<b>S-B-L</b>	220.19-5-22.2	<b>144489 EVANS</b>	
	Acct. No. 112		\$2.36 County
	Acct. No. 132		\$157.50 Town/SpecialDist/School
	44068 ERIE CO SEW DST 2	\$157.50	
<b>Charge To :</b>	<b>144489 EVANS</b>		<b>\$0.00</b>

REFUND - CLERICAL ERROR, THIS PARCEL IS LANDLOCKED WITH NO FRONTAGE ON THE SEWER TAX. SEWER TAX WAS MISCALCULATED. RPTL 550(2)E  
CHECK FOR: DONALD & KATHRYN TIMM

<b>FISCAL YEAR</b>	2002	Petition No.	<b>203,122.00</b>
	ASSESSOR	<b>Refund</b>	\$157.50
<b>S-B-L</b>	220.19-5-22.2	<b>144489 EVANS</b>	
	Acct. No. 112		\$0.00 County
	Acct. No. 132		\$157.50 Town/SpecialDist/School
	44068 ERIE CO SEW DST 2	\$157.50	
<b>Charge To :</b>	<b>144489 EVANS</b>		<b>\$0.00</b>

REFUND - CLERICAL ERROR, PARCEL IS LANDLOCKED WITH NO FRONTAGE. THE SEWER TAX WAS MISCALCULATED USING FRONTAGE. RPTL 550(2)E  
CHECK FOR: DONALD & KATHRYN TIMM

<b>FISCAL YEAR</b>	2003	Petition No.	<b>203,123.00</b>
	ASSESSOR	<b>Cancel</b>	\$157.50
<b>S-B-L</b>	220.19-5-22.2	<b>144489 EVANS</b>	
	Acct. No. 112		\$0.00 County
	Acct. No. 132		\$157.50 Town/SpecialDist/School
	44068 ERIE CO SEW DST 2	\$157.50	
<b>Charge To :</b>	<b>144489 EVANS</b>		<b>\$0.00</b>

**MEETING NO. 5**  
**March 6, 2003**

**ERIE COUNTY LEGISLATURE**

CANCEL - CLERICAL ERROR, THIS PARCEL IS LANDLOCKED WITH NO FRONTAGE.  
 THE SEWER TAX WAS MISCALCULATED USING A FRONTAGE. RPTL 550(2)E

<b>FISCAL YEAR</b>	2003	Petition No.	<b>203,124.00</b>
	ASSESSOR	<b>Cancel</b>	\$110.25
<b>S-B-L</b>	220.19-5-22.3	<b>144489 EVANS</b>	
	Acct. No. 112		\$0.00 County
	Acct. No. 132		\$110.25 Town/SpecialDist/School
	44068 ERIE CO SEW DST 2	\$110.25	
<b>Charge To :</b>	<b>144489 EVANS</b>		<b>\$0.00</b>

CANCEL - CLERICAL ERROR, THE FRONTAGE USED ON THIS PARCEL WAS  
 INCORRECT. THE FRONTAGE WAS 150. FT AND SHOULD BE 45 FT FOR THE SEWER  
 TAX. RPTL 550(2)E

<b>FISCAL YEAR</b>	2003	Petition No.	<b>203,125.00</b>
	ASSESSOR	<b>Refund</b>	\$62.93
<b>S-B-L</b>	235.11-1-28	<b>144489 EVANS</b>	
	Acct. No. 112		\$62.93 County
	Acct. No. 132		\$0.00 Town/SpecialDist/School
<b>Charge To :</b>	<b>144489 EVANS</b>		<b>\$0.00</b>

REFUND - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 10,703  
 WAS MISCALCULATED. THE CORRECT AMOUNT IS 21,407 (50%) RPTL 550(2)B  
 CHECK FOR: CLARENCE W DICKEY

<b>FISCAL YEAR</b>	2003	Petition No.	<b>203,126.00</b>
	ASSESSOR	<b>Cancel</b>	\$2,757.68
<b>S-B-L</b>	235.15-5-2.2	<b>144489 EVANS</b>	
	Acct. No. 112		\$621.21 County
	Acct. No. 132		\$2,136.47 Town/SpecialDist/School
	44076 ERIE CO SEW DST 2	\$90.54	
<b>Charge To :</b>	<b>144489 EVANS</b>		<b>\$2,045.93</b>
	<b>Relevy School</b>	\$1,717.46	144401 LAKE SHORE CENTRAL

**MEETING NO. 5****March 6, 2003****ERIE COUNTY LEGISLATURE**

CANCEL - UNLAWFUL ENTRY, THIS PARCEL IS WHOLLY EXEMPT FROM TAXES  
AND SHOULD BE IN ROLL SECTION 8. RPTL 550(7)A

<b>FISCAL YEAR</b>	2003	Petition No.	<b>203,127.00</b>
	ASSESSOR	<b>Refund</b>	\$21.93
<b>S-B-L</b>	235.19-2-41.1	<b>144489 EVANS</b>	
	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$21.93	Town/SpecialDist/School
	44076 ERIE CO SEW DST 2	\$21.93	
<b>Charge To :</b>	<b>144489 EVANS</b>	<b>\$0.00</b>	

REFUND- CLERICAL ERROR THE VALUE USED FOR SEWER TAX WAS 58,900 AND  
SHOULD BE 3,000. RPTL 550(2)E  
CHECK FOR: MICHAEL A CEPPAGLIA

<b>FISCAL YEAR</b>	2003	Petition No.	<b>203,128.00</b>
	ASSESSOR	<b>Refund</b>	\$21.93
<b>S-B-L</b>	235-19-2-41.2	<b>144489 EVANS</b>	
	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$21.93	Town/SpecialDist/School
	44076 ERIE CO SEW DST 2	\$21.93	
<b>Charge To :</b>	<b>144489 EVANS</b>	<b>\$0.00</b>	

REFUND - CLERICAL ERROR, THE VALUE USED FOR SEWER TAX WAS 58,900 AND  
SHOULD 3,000. RPTL 550(2)E  
CHECK FOR: DAVID & DIANN G HOSLER

<b>FISCAL YEAR</b>	2003	Petition No.	<b>203,129.00</b>
	ASSESSOR	<b>Cancel</b>	\$149.38
<b>S-B-L</b>	250.12-1-32	<b>144489 EVANS</b>	
	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$149.38	Town/SpecialDist/School
<b>Charge To :</b>	<b>144489 EVANS</b>	<b>\$149.38</b>	

**MEETING NO. 5****March 6, 2003****ERIE COUNTY LEGISLATURE**

CANCEL - CLERICAL ERROR, THE DELINQUENT WATER WAS PLACED ON THE WRONG SBL. THE CORRECT SBL IS 250.12-11-32. RPTL 550(2)E

<b>FISCAL YEAR</b>	2003	Petition No.	<b>203,130.00</b>
	ASSESSOR	<b>Cancel</b>	\$95.15
<b>S-B-L</b>	250.12-10-44.12	<b>144489 EVANS</b>	
	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$95.15	Town/SpecialDist/School
<b>Charge To :</b>	<b>144489 EVANS</b>		<b>\$95.15</b>

CANCEL - CLERICAL ERROR, THE FRONTAGE ON THE WATER DISTRICT IS INCORRECT. THE FRONTAGE USED WAS 305. FT AND SHOULD BE 125. FT. RPTL 550(2)E

<b>FISCAL YEAR</b>	2003	Petition No.	<b>203,131.00</b>
	ASSESSOR	<b>Cancel</b>	\$363.88
<b>S-B-L</b>	250.17-1-16	<b>144489 EVANS</b>	
	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$363.88	Town/SpecialDist/School
<b>Charge To :</b>	<b>144489 EVANS</b>		<b>\$363.88</b>

CANCEL - CLERICAL ERROR, THE DELINQUENT WATER WAS PLACED ON THE PARCEL IN ERROR. THE CORRECT SBL IS 250.17-10-16. RPTL 550(2)E

<b>FISCAL YEAR</b>	2003	Petition No.	<b>203,132.00</b>
	ASSESSOR	<b>Refund</b>	\$292.19
<b>S-B-L</b>	252.00-2-12	<b>144489 EVANS</b>	
	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$292.19	Town/SpecialDist/School
<b>Charge To :</b>	<b>144489 EVANS</b>		<b>\$292.19</b>

REFUND - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 29,250 FOR THE TOWN TAX WAS OMITTED FROM THE TAX BILL. RPTL 550(2)B  
CHECK FOR: BETTY GESL

**MEETING NO. 5**  
**March 6, 2003**

**ERIE COUNTY LEGISLATURE**

<b>FISCAL YEAR</b>	2000	Petition No.	<b>203,133.00</b>
	ASSESSOR	<b>Refund</b>	\$113.56
<b>S-B-L</b>	220.19-5-22.1	<b>144489 EVANS</b>	
	Acct. No. 112		\$3.31 County
	Acct. No. 132		\$110.25 Town/SpecialDist/School
	44068 ERIE CO SEW DST 2	\$110.25	
<b>Charge To :</b>	<b>144489 EVANS</b>		<b>\$0.00</b>

REFUND - CLERICAL ERROR, THE FRONTAGE USED FOR SEWER TAX IS INCORRECT.  
 THE FRONTAGE USED FOR 150.FT AND SHOULD BE 45.FT. RPTL 550(2)E  
 CHECK FOR: KATHRYN TIMM

<b>FISCAL YEAR</b>	2000	Petition No.	<b>203,134.00</b>
	ASSESSOR	<b>Refund</b>	\$164.59
<b>S-B-L</b>	220.19-5-22.2	<b>144489 EVANS</b>	
	Acct. No. 112		\$7.09 County
	Acct. No. 132		\$157.50 Town/SpecialDist/School
	44068 ERIE CO SEW DST 2	\$157.50	
<b>Charge To :</b>	<b>144489 EVANS</b>		<b>\$0.00</b>

REFUND - CLERICAL ERROR, THIS PARCEL IS LANDLOCKED AND SHOULD NOT  
 HAVE BEEN CHARGED FOR FRONTAGE ON THE SEWER TAX . RPTL 550(2)E  
 CHECK FOR: DONALD R & KATHRYN TIMM

<b>FISCAL YEAR</b>	2003	Petition No.	<b>203,135.00</b>
	ASSESSOR	<b>Cancel</b>	\$965.39
<b>S-B-L</b>	37.01-3-15	<b>144600 GRAND ISLAND</b>	
	Acct. No. 112		\$590.27 County
	Acct. No. 132		\$375.12 Town/SpecialDist/School
<b>Charge To :</b>	<b>144600 GRAND ISLAND</b>		<b>\$375.12</b>

CANCEL - CLERICAL ERROR, THE VETERAN'S EXEMPTION IN THE AMOUNT OF  
 75,100 (100%) WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C

**MEETING NO. 5**  
**March 6, 2003**

**ERIE COUNTY LEGISLATURE**

<b>FISCAL YEAR</b>	2002	Petition No.	<b>203,136.00</b>
	ASSESSOR	<b>Refund</b>	\$784.51
<b>S-B-L</b>	169.19-12-37	<b>144489 EVANS</b>	
	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$784.51	Town/SpecialDist/School
	41834 NYS STAR ENHANCED EXEMPTION	\$784.51	
<b>Charge To :</b>	<b>144489 EVANS</b>		<b>\$0.00</b>

REFUND - CLERICAL ERROR, THE SENIOR ENHANCED STAR IN THE AMOUNT OF 41,380 WAS OMITTED FROM THE TAX ROLL. RPTL 550(2)C  
 CHECK FOR: JENNIE F CRAIN

<b>FISCAL YEAR</b>	2003	Petition No.	<b>203,137.00</b>
	ASSESSOR	<b>Cancel</b>	\$1,190.58
<b>S-B-L</b>	215.02-1-14.1	<b>145000 HOLLAND</b>	
	Acct. No. 112	\$579.28	County
	Acct. No. 132	\$611.30	Town/SpecialDist/School
	50020 HOLLAND FIRE DIST #1	\$174.35	
<b>Charge To :</b>	<b>145000 HOLLAND</b>		<b>\$436.95</b>

CANCEL - CLERICAL ERROR, THE PARCEL IS A GROUP HOME OWNED BY NEW YORK STATE AND PAYS TAXES ONLY ON WHICH IT RECEIVED A DIRECT BENEFIT. RPTL 550(2)C

<b>FISCAL YEAR</b>	2002	Petition No.	<b>203,138.00</b>
	ASSESSOR	<b>Refund</b>	\$138.58
<b>S-B-L</b>	247.00-3-23	<b>145000 HOLLAND</b>	
	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$138.58	Town/SpecialDist/School
<b>Charge To :</b>	<b>145000 HOLLAND</b>		<b>\$138.58</b>
	<b>Relevy School</b>	\$138.58	145001 HOLLAND CENTRAL

REFUND - CLERICAL ERROR, THE AGRICULTURAL EXEMPTION IN THE AMOUNT OF 10,757 WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C  
 CHECK FOR: JOANNE SZULEWSKI

**MEETING NO. 5**  
**March 6, 2003**

**ERIE COUNTY LEGISLATURE**

<b>FISCAL YEAR</b>	2003	Petition No.	<b>203,139.00</b>
	ASSESSOR	<b>Cancel</b>	\$84.72
<b>S-B-L</b>	247.00-3-23	<b>145000 HOLLAND</b>	
	Acct. No. 112	\$50.26	County
	Acct. No. 132	\$34.46	Town/SpecialDist/School
<b>Charge To :</b>	<b>145000 HOLLAND</b>	<b>\$34.46</b>	

CANCEL - CLERICAL ERROR, THE AGRICULTURAL EXEMPTION IN THE AMOUNT OF 10,757 WAS OMITTED FROM THE TAX ROLL. RPTL 550(2)C

<b>FISCAL YEAR</b>	2003	Petition No.	<b>203,140.00</b>
	ASSESSOR	<b>Cancel</b>	\$112.23
<b>S-B-L</b>	264.00-2-9	<b>145000 HOLLAND</b>	
	Acct. No. 112	\$66.58	County
	Acct. No. 132	\$45.65	Town/SpecialDist/School
<b>Charge To :</b>	<b>145000 HOLLAND</b>	<b>\$45.65</b>	

CANCEL - CLERICAL ERROR, THE VETERAN'S EXEMPTION IN THE AMOUNT OF 14,250 WAS OMITTED FROM THE TAX ROLL. RPTL 550(2)C

<b>FISCAL YEAR</b>	2002	Petition No.	<b>203,141.00</b>
	ASSESSOR	<b>Refund</b>	\$127.90
<b>S-B-L</b>	115.70-1-18	<b>145289 LANCASTER</b>	
	Acct. No. 112	\$65.46	County
	Acct. No. 132	\$62.44	Town/SpecialDist/School
<b>Charge To :</b>	<b>145289 LANCASTER</b>	<b>\$62.44</b>	

REFUND - CLERICAL ERROR, THE VETERAN'S EXEMPTION IN THE AMOUNT OF 11,400 WAS OMITTED FROM THE TAX ROLL. RPTL 550(2)C  
 CHECK FOR: ROBERT SCHIERSING

<b>FISCAL YEAR</b>	2003	Petition No.	<b>203,142.00</b>
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**MEETING NO. 5**  
**March 6, 2003**

**ERIE COUNTY LEGISLATURE**

	ASSESSOR	<b>Cancel</b>	\$136.05	
<b>S-B-L</b>	115.70-1-18		<b>145289 LANCASTER</b>	
	Acct. No. 112		\$62.78	County
	Acct. No. 132		\$73.27	Town/SpecialDist/School
<b>Charge To :</b>		<b>145289 LANCASTER</b>		<b>\$73.27</b>

CANCEL - CLERICAL ERROR, THE VETERAN'S EXEMPTION IN THE AMOUNT OF 11,400 WAS OMITTED FROM THE TAX ROLL IN ERROR. RPTL 550(2)C

<b>FISCAL YEAR</b>	2003	Petition No.	<b>203,143.00</b>	
	ASSESSOR	<b>Refund</b>	\$127.11	
<b>S-B-L</b>	116.05-5-23		<b>145289 LANCASTER</b>	
	Acct. No. 112		\$58.65	County
	Acct. No. 132		\$68.46	Town/SpecialDist/School
<b>Charge To :</b>		<b>145289 LANCASTER</b>		<b>\$68.46</b>

REFUND - CLERICAL ERROR, THE VETERAN'S EXEMPTION IN THE AMOUNT OF 10,650 WAS OMITTED FROM THE TAX ROLL. RPTL 550(2)C  
CHECK FOR: JOSEPH LESNIAK

<b>FISCAL YEAR</b>	2000	Petition No.	<b>203,144.00</b>	
	ASSESSOR	<b>Refund</b>	\$233.37	
<b>S-B-L</b>	555.00-33-1		<b>145889 NORTH COLLINS</b>	
	Acct. No. 112		\$92.29	County
	Acct. No. 132		\$141.08	Town/SpecialDist/School
	58019 NO COLLINS FIRE DIST	\$23.89		
<b>Charge To :</b>		<b>145889 NORTH COLLINS</b>		<b>\$117.19</b>

REFUND - CLERICAL ERROR, THIS PARCEL IS DUPLICATED UNDER SBL 555.00-5-1. RPTL 550(2)F  
CHECK FOR: LAWTONS WATER CO

<b>FISCAL YEAR</b>	2000	Petition No.	<b>203,145.00</b>	
	ASSESSOR	<b>Refund</b>	\$323.77	



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	Acct. No. 112	\$70.08	County
	Acct. No. 132	\$93.99	Town/SpecialDist/School
58019 NO COLLINS FIRE DIST	\$21.62		
<b>Charge To :</b>	<b>145889 NORTH COLLINS</b>		<b>\$72.37</b>

REFUND - CLERICAL ERROR, THIS PARCEL IS A DUPLICATE OF SBL  
555.00-5-1. RPTL 550(2)F  
CHECK FOR: LAWTONS WATER CO

<b>FISCAL YEAR</b>	2002	Petition No.	<b>203,149.00</b>
	ASSESSOR	<b>Refund</b>	\$294.85

**S-B-L** 555.00-33-1 **145889 NORTH COLLINS**

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$294.85	Town/SpecialDist/School
<b>Charge To :</b>	<b>145889 NORTH COLLINS</b>		<b>\$294.85</b>
	<b>Relevy School</b>	\$294.85	145801 NORTH COLLINS CENT

REFUND - CLERICAL ERROR, THIS PARCEL IS A DUPLICATE SBL  
555.00-5-1. RPTL 550(2)F  
CHECK FOR: LAWTONS WATER CO

<b>FISCAL YEAR</b>	2003	Petition No.	<b>203,150.00</b>
	ASSESSOR	<b>Cancel</b>	\$462.03

**S-B-L** 78.21-1-28 **146489 TONAWANDA**

	Acct. No. 112	\$299.87	County
	Acct. No. 132	\$162.16	Town/SpecialDist/School
<b>Charge To :</b>	<b>146489 TONAWANDA</b>		<b>\$162.16</b>

CANCEL - CLERICAL ERROR, THE VETERAN'S EXEMPTION IN THE AMOUNT OF  
38,509 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>203,151.00</b>
	ASSESSOR	<b>Cancel</b>	\$13,862.81

**S-B-L** 134.07-3-13.2 **146800 WEST SENECA**

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$13,862.81	Town/SpecialDist/School



**MEETING NO. 5****March 6, 2003****ERIE COUNTY LEGISLATURE**

<b>FISCAL YEAR</b>	1999	Petition No.	<b>203,154.00</b>
	ASSESSOR	<b>Refund</b>	\$180.21
<b>S-B-L</b>	81.06-3-26	<b>142289 AMHERST</b>	
	Acct. No. 112		\$0.00 County
	Acct. No. 132		\$180.21 Town/SpecialDist/School
	41854 BASIC STAR EXEMPTION	\$180.21	
<b>Charge To :</b>	<b>142289 AMHERST</b>		<b>\$0.00</b>

REFUND - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF 7,200 WAS OMITTED FROM THE TAX ROLL. RPTL 550(2)C  
CHECK FOR : TIMOTHY & SUSAN HANSON WILLIAMSVILLE CENTRAL

**THE DIRECTOR OF REAL PROPERTY TAX SERVICES, JOSEPH MACIEJEWSKI HAS DETERMINED THAT THIS PETITION BE DENIED. NEW YORK REAL PROPERTY TAX LAW REQUIRES THAT AN APPLICATION TO REFUND BE FILED WITHIN 3 YEARS OF THE ANNEXATION OF THE TAX WARRANT. THIS APPLICATION WAS RECEIVED ON FEBRUARY 19, 2003. TO RECEIVE THE REFUND THE APPLICATION HAD TO BE RECEIVED BY OUR OFFICE BY SEPTEMBER 14, 2002.**

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

3. Item Page -2003 (Comm. 4E-5)  
**COMPTROLLER**

**A.**

WHEREAS, the County's authority to arrange for the underwriting of bonds or notes at private sale through negotiated agreement expires on June thirty, two thousand three; and

WHEREAS, Senate Bill S. 843 and Assembly Bill A. 1785, now pending before the New York State Legislature, would authorize extension of the County's authority to arrange for underwriting of bonds or notes at private sale through negotiated agreement through June thirty, two thousand four;

NOW THEREFORE, BE IT RESOLVED, THAT A HOME RULE REQUEST IS MADE TO THE NEW YORK STATE LEGISLATURE AS FOLLOWS:

TO THE LEGISLATURE:

Pursuant to Article IX of the Constitution, the County of Erie requests the enactment of Senate Bill S. 843, entitled "AN ACT to amend the local finance law, in relation to the sale of municipal obligations by the county of Erie."

It is hereby declared that a necessity exists for the enactment of such legislation, and that the facts establishing such necessity are as follows:

The local government does not have power to enact such legislation by local law.

**MEETING NO. 5****March 6, 2003****ERIE COUNTY LEGISLATURE**

Such request is made by the chief executive officer of such municipality, concurred with by a majority of the total membership of the local legislative body.

AND BE IT FURTHER RESOLVED, that the Clerk of the Legislature be directed to forward copies of this home rule request, certified by the Erie County Executive and the Clerk of the Erie County Legislature, two copies to the New York State Senate and two copies to the New York State Assembly.

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

**B.**

WHEREAS, the County's authority to arrange for the underwriting of bonds or notes at private sale through negotiated agreement expires on June thirty, two thousand three; and

WHEREAS, Assembly Bill A. 1785 and Senate Bill S. 843, now pending before the New York State Legislature, would authorize extension of the County's authority to arrange for underwriting of bonds or notes at private sale through negotiated agreement through June thirty, two thousand four;

NOW THEREFORE, BE IT RESOLVED, THAT A HOME RULE REQUEST IS MADE TO THE NEW YORK STATE LEGISLATURE AS FOLLOWS:

TO THE LEGISLATURE:

Pursuant to Article IX of the Constitution, the County of Erie requests the enactment of Assembly Bill A. 1785, entitled "AN ACT to amend the local finance law, in relation to the sale of municipal obligations by the county of Erie."

It is hereby declared that a necessity exists for the enactment of such legislation, and that the facts establishing such necessity are as follows:

The local government does not have power to enact such legislation by local law.

Such request is made by the chief executive officer of such municipality, concurred with by a majority of the total membership of the local legislative body.

AND BE IT FURTHER RESOLVED, that the Clerk of the Legislature be directed to forward copies of this home rule request, certified by the Erie County Executive and the Clerk of the Erie County Legislature, two copies to the New York State Assembly and two copies to the New York State Senate.

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

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

**MEETING NO. 5****March 6, 2003****ERIE COUNTY LEGISLATURE**

MR. LARSON moved to separate items #3.a & 3.b. and moved the approval of the balance of the report. MR. RANZENHOFER seconded. MR. DALE in the negative.

CARRIED. (WEIGHTED VOTE: 14.168 – 0.888)

MR. LARSON moved the approval of item #3.a. MR. RANZENHOFER seconded.

CHAIRMAN SWANICK directed a roll call vote to be taken.

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

CARRIED UNANIMOUSLY.

MR. LARSON moved the approval of item #3.b. MR. RANZENHOFER seconded.

CHAIRMAN SWANICK directed a roll call to be taken.

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

CARRIED UNANIMOUSLY.

\*\* See Meeting No. 6 for further action on this item.

Item 29 – MR. LARSON presented the following resolution and moved for immediate consideration. MR. RANZENHOFER seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 58

February 27, 2003

ENERGY & ENVIRONMENT  
COMMITTEE  
REPORT NO. 2

ALL MEMBERS PRESENT.

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

	Item	Page	-2002	(Comm. 3E-27)
a.	<b>COUNTY EXECUTIVE:</b>	OPEN ITEM:	Erie County Energy.	

**MEETING NO. 5****March 6, 2003****ERIE COUNTY LEGISLATURE**

(5-0)

- b. Item Page -2003 (Comm. 4E-25)  
**COUNTY EXECUTIVE:** ECSD No. 6 – Sludge Filter Press Contract – Change Order No.

1.

(5-0)

- c. Item Page -2003 (Comm. 4E-26)  
**COUNTY EXECUTIVE:** ECSD Nos. 2, 4 & 6 – Pumping Station Structural/Cathodic Protection Rehabilitation.

(5-0)

- d. Item Page -2003 (Comm. 4E-29)  
**COUNTY EXECUTIVE:** EC Sewer Construction Projects Annual Change Order Report.

(5-0)

**AS AMENDED**

2. Item Page -2002 (Intro. 22-8)  
**DALE, DUSZA, LARSON, CUSACK, RANZENHOFER & FISHER**

WHEREAS, the County of Erie Department of Environment and Planning Division of Sewerage Management is proposing capital improvement projects within its Sewer District No. 1, commonly known as the Hyland Avenue Interceptor Sewer, Losson Subtrunk Sewer and Union Road Pumping Station and Forcemain, and

WHEREAS, the County has solicited the Town of Cheektowaga for Lead Agency Status pursuant to provisions of part 617 of the New York State Environmental Conservation Law – State Environmental Quality Review, and

WHEREAS, the County's project will require the conveyance of easements from the Town of Cheektowaga to the County of Erie for the installation of sewer infrastructure on Town lands within Kelly Park and within a Town drainage corridor near Groell Avenue, Rushford Lane and Hillpine Road, and

WHEREAS, the County of Erie has agreed to make certain drainage improvements within Kelly Park as part of their capital project which will benefit the Town of Cheektowaga, and

WHEREAS, the Town of Cheektowaga Environmental Advisory Committee, the Town of Cheektowaga Conservation Advisory Council, and the Cheektowaga Town Historian has reviewed the County's proposed projects and have expressed concerns for the potential disturbance of natural and cultural resources, and

WHEREAS, the County of Erie has performed cultural resource surveys and tree surveys and has made revisions to their plans to minimize tree disturbances, and

**MEETING NO. 5****March 6, 2003****ERIE COUNTY LEGISLATURE**

WHEREAS, the County has agreed to provide tree replacements within Town-owned lands, and on privately-owned lands required to be removed as part of said project, and

WHEREAS, the Town of Cheektowaga has indicated that it will approve all necessary easement documents for conveyance to the County of Erie with the acknowledgement that the County of Erie provide for (63) sixty-three replacement trees in the Losson Subtrunk contract instead of (57) fifty-seven trees, and

WHEREAS, the Town of Cheektowaga has also requested that the County of Erie consider providing for replacement trees within the County-owned Overflow Retention Facility (ORF) lands leased to the Town, for those trees being displaced by the Union Road Pumping Station and Forcemain project, and

WHEREAS, the Town of Cheektowaga has further requested that the County of Erie's contract specifications for the aforesaid projects include provisions to ensure compliance with all rules and regulations mandated by the New York State Department of Environmental Conservation for stream bank disturbances and stream crossings, as well as provisions for protection of trees; and that an action plan be provided should archeological resources be unearthed inasmuch as the ORF site has been determined to contain significant Native American archeological materials, and such may be present elsewhere along the paths of the respective projects,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby direct the Erie County Department of Environment and Planning Division of Sewerage Management to include in its Losson Subtrunk contract an acknowledgement that (63) sixty-three replacement trees are warranted in capital improvement projects concerning Sewer District No. 1, commonly known as the Hyland Avenue Interceptor Sewer, Losson Subtrunk Sewer and Union Road Pumping Station and Forcemain, and be it further

RESOLVED, that the Erie County Legislature does hereby direct the Erie County Department of Environment and Planning, Division of Sewerage Management include within its contract for the Union Road Pumping Station and Forcemain Project connecting to the sanitary Sewer District No. 1 ORF through lands leased by the Town of Cheektowaga from the County of Erie, provision for replacement of trees removed by planting five (5) additional trees of good species elsewhere in the property leased by the Town of Cheektowaga, and be it further

RESOLVED, that this Honorable Body does further direct the Erie County Department of Environment and Planning Division of Sewerage Management to include in any contract for work on said project specific plans for protecting archeological resources which, if disturbed or unearthed, shall be conserved and investigated by a professional archeologist, and acknowledgement that agents of the Cheektowaga Conservation Advisory Council and/or the Cheektowaga Town Historian be allowed full access to inspect any such artifacts and items associated with Native American burials or other significant finds determined to be located within the aforementioned projects and sites, and be it further

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**RESOLVED**, That certified copies of this resolution be forwarded to the County Executive, the Commissioner of the Department of Environment and Planning, the Deputy Commissioner of the Department of Environment and Planning for Sewerage Management, the Supervisor of the Town of Cheektowaga and to all Cheektowaga Town Board members.

**FISCAL IMPACT:** To be Determined.  
(5-0)

3. Item Page -2003 (Comm. 4E-16)

**COUNTY EXECUTIVE**

**WHEREAS**, Erie County is an Affiliate Data Center of the New York State Data Center, having an Agreement authorized by the Erie County Legislature and executed by the County Executive for the period January 1, 2000 to December 31, 2002; and

**WHEREAS**, Affiliate Data Center Agreements are amended every two years for a new two-year term; and

**WHEREAS**, Erie County needs to amend the existing Agreement to cover the current two-year period ending on December 31, 2004,

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the County Executive is hereby authorized to enter into an amended Agreement with New York State for continuation of the County's status as an Affiliate Data Center through December 31, 2004; and be it further

**RESOLVED**, that said Agreement shall have no funds associated with it; and be it further

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

4. Item Page -2003 (Comm. 4E-18)

**COUNTY EXECUTIVE**

**WHEREAS**, the Erie County Department of Environment and Planning (DEP) provides support to the Northeast and Southtowns Communities (N.E.S.T.) and the other solid waste management planning units in Erie County; and

**WHEREAS**, the Erie County DEP is committed to coordinate, oversee, and support the development of the N.E.ST. Solid Waste Management Plan; and

**WHEREAS**, the DEP has identified sufficient resources for the completion of this initiative;  
and

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

WHEREAS, the DEP provides technical assistance to municipalities and businesses to help address their waste management needs; and

WHEREAS, a resolution passed on December 12, 2002 (Comm. 25E-13) authorized the existing budget for this program; and

WHEREAS, the addition of this solid waste recycling initiative necessitates staffing changes within the Erie County DEP.

NOW, THEREFORE BE IT

RESOLVED, that the following position is hereby created in the DEP grant fund, and this position will be funded from the budget of the Solid Waste Reduction Grant Project (SFG #394):

Assistant Coordinator – Solid Waste Recycling Project (RFT, JG-9)

and be it further

RESOLVED that the following position is hereby deleted in the Department of Environment and Planning (SFG Project #394):

Solid Waste Recycling Specialist (RPT, JG12)

and be it further

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

(5-0)

5. Item Page -2003 (Comm. 4E-24)

**COUNTY EXECUTIVE**

WHEREAS, consolidation of Sewer Services between the Village of Blasdell and Erie County Southtowns Sewage Treatment Agency and Erie County Sewer District No. 3 requires infrastructure modifications and additions;

WHEREAS, Professional Engineering Services are required for these modifications and additions and;

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WHEREAS, the Department of Environment and Planning, in conformance with Local Law No. 6, has recommended the firm of URS Corporation, 282 Delaware Avenue, Buffalo, New York 14202 be retained at cost not to exceed \$925,117.88;

NOW, THEREFORE, BE IT

RESOLVED, that the engineering firm of URS Corporation, be retained at a cost not to exceed \$925,117.88; and be it further

RESOLVED, that the County Executive be, and hereby is, authorized to execute an Agreement with the firm of URS Corporation, 282 Delaware Avenue, Buffalo, New York 14202-1805, to provide the needed engineering services subject to approval as to form by the County Attorney's Office; and be it further

RESOLVED, that the County Comptroller be authorized and directed to allocate \$925,117.88 for payment of the agreement from the Erie County Sewer District Capital Account 430-374; 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, Erie County Comptroller; Gregory Dudek, Assistant County Attorney and John Rizzo, Deputy Comptroller.  
(5-0)

6. Item Page -2003 (Comm. 4E-32)

**COUNTY EXECUTIVE**

WHEREAS, in Comm. No. 12E-20 [C], dated July 5, 2001, authorization was received to enter into contracts with two Performance Contracting firms, and

WHEREAS, the Commissioner of Public Works has assigned several of its facilities to each of the contracted firms, including assigning the Rath Building and Court facilities to CMS Viron, and

WHEREAS, the first step in a Performance Contract is to perform a preliminary energy audit, and

WHEREAS, reasonable Energy Conservation Measures were found during the preliminary energy audit and a construction program was proposed, and

WHEREAS, the cost of the construction to implement the Energy Conservation Measures is estimated at approximately \$1,800,000 with energy savings estimated at an average of almost \$125,000 per year over the fifteen-year program and other associated savings and incentives totaling nearly \$30,000 per year over the program period, and

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WHEREAS, the Commissioner of Public Works recommends acceptance of the program and the construction be implemented,

NOW, THEREFORE, BE IT,

RESOLVED, that the Commissioner of Public Works is authorized to issue a Supplemental Agreement to the County's Performance Contractor, CMS Viron, to perform the Energy Conservation Measures Program derived from their preliminary energy audit work to be taken from Fund 410 – 379, and be it further,

RESOLVED, that two certified copies of this resolution be sent to the Commissioner of Public Works, the Director of Budget Management and Finance and the Office of the Comptroller.  
(5-0)

**DALE W. LARSON  
CHAIRMAN**

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

CARRIED UNANIMOUSLY.

Item 30 – MR. WEINSTEIN presented the following resolution and moved for immediate consideration. MR. RANZENHOFER seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 59

March 3, 2003

HUMAN SERVICES  
COMMITTEE  
REPORT NO. 2

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

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

- |    |  |      |       |               |
|----|--|------|-------|---------------|
|    | Item   | Page | -2002 | (Comm. 20E-1) |
| a. | <b>PEOPLES:</b> Copy of Letter to ECOM Chairman of Board of Managers Re: Update on Progress of Search for Permanent CEO.<br>(5-0)                            |      |       |               |
|    | Item   | Page | -2003 | (Comm. 4M-3)  |
| b. | <b>COORDINATED CARE:</b> Copy of Letter to Deputy County Executive Calabrese Re: Resignation of James Todaro as Chair of EC Home Health Care Advisory Board. |      |       |               |

**MEETING NO. 5****March 6, 2003****ERIE COUNTY LEGISLATURE**

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

2. Item Page -2002 **AS AMENDED**  
(Comm. 24E-45)

**COUNTY EXECUTIVE**

**WHEREAS**, the Erie County Health Department received a grant award in the amount of \$950,265 from New York State Health Research. Inc. to plan and develop response capacity to a bioterrorism event in collaboration with NYS, and

**WHEREAS**, in order to efficiently meet the requirements of this award it is necessary to recruit in JG, X, Step 3, for the position of Erie County Coordinator (position number 816188) in the Public Health Preparedness/Response to Bioterrorism Grant, and

**WHEREAS**, funds are available in the Personnel Services appropriation of the Public Health Preparedness/Response to Bioterrorism Grant.

NOW, THEREFORE, BE IT

**RESOLVED**, that the Erie County Legislature authorizes the establishment of a variable minimum in JG X, Step 3 for the position of Erie County Coordinator, position number 816188, effective from December 2, 2002 through December 31, 2002, and be it further

**RESOLVED**, that this honorable body hereby authorizes the establishment of the variable minimum in JG X, Step 3 for the position of Erie County Coordinator, position number 816188, in the 2003 Erie County Budget, and be it further

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

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

3. Item Page -2003 (Comm. 4E-13)

**COUNTY EXECUTIVE**

**WHEREAS**, the County has received an additional 100% Federal share grant award in the amount of \$20,000 for the Transitional Services Program (TSP) to provide for employee overtime to conduct a taxpayer assistance service for clients modeled after the Volunteer Income Tax Assistance (VITA) program, and

**WHEREAS**, transitional services staff focus on a holistic approach to service delivery in a single location with a single worker providing most direct services necessary for a client during the transition from public assistance to self sufficiency, and

**WHEREAS**, staff has received training to enable them to assist clients in accurate income tax return preparation, and

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**WHEREAS**, this VITA service component is consistent with the design of providing an array of services to clients to remain self sufficient.

**NOW, THEREFORE, BE IT**

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

**Department of Social Services, Department 200, Fund 281, Project 826**

<b><u>ACCOUNT</u></b>	<b><u>DESCRIPTION</u></b>	<b><u>INCREASE</u></b>
801	Overtime	<u>\$20,000</u>
	Total Expenditures	<u>\$20,000</u>
649	Federal Aid	<u>\$20,000</u>
	Total Revenues	<u>\$20,000</u>

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, the Director of the Division of Budget, Management and Finance and the Commissioner of Personnel.

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

4. Item Page -2003 **AS AMENDED**  
 (Comm. 4E-36)  
**COUNTY EXECUTIVE**

**WHEREAS**, the Erie County Legislature has already appropriated funds for the Heating and Energy Assistance Program (HEAP) for the periods October 1, 2002 to September 30, 2003, and October 1, 2003 to September 30, 2004, and

**WHEREAS**, the heating season is here and the Department of Senior Services (Department) has seen an increase in demand for energy services, and

**WHEREAS**, energy costs are extremely volatile and an increased number of senior citizens are incurring drastically high energy costs, and

**WHEREAS**, the Department of Senior Services (Department) desires to continue the effective energy assistance to the senior citizens of Erie County, and wishes to expand the much needed energy outreach services to senior citizens, and

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**WHEREAS**, the Department desires to create a Senior Community Service Aide (job group 6) position in HEAP, effective 3/31/03, and

**WHEREAS**, the revisions to the HEAP grant will require the same changes in the respective grants in the Department of Social Services, and

**WHEREAS**, no additional County funds are required.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Senior Community Services Aide position be created in HEAP, effective 3/31/03, and be it further

**RESOLVED**, that the HEAP grant, Project 661, be revised as follows:

		CURRENT BUDGET	CHANGES	AMENDED BUDGET
<b>APPROPRIATIONS</b>				
Account	Description			
800	Personal Services	\$373,988	\$16,812	\$390,800
805	Fringe Benefits	66,492	3,688	70,180
883/2009	Interdept. Expense Reduction	-478,080	-20,500	-498,580
	<b>TOTAL CHANGE</b>		<u>\$0</u>	

and be it further

**RESOLVED**, that the Social Services HEAP grant, Project 602, be revised as follows:

		CURRENT BUDGET	CHANGES	AMENDED BUDGET
<b>REVENUES</b>				
Account	Description			
653	Federal Aid for Energy	\$39,287,428	\$20,500	\$39,307,928
	<b>TOTAL CHANGE</b>		<u>\$20,500</u>	

<b>APPROPRIATIONS</b>				
882/6309	Interdept. Expense	\$478,080	\$20,500	\$498,580
	<b>TOTAL CHANGE</b>		<u>\$20,500</u>	

and be it further

**RESOLVED**, that the HEAP grant, Project 779, be revised as follows:

CURRENT	AMENDED
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		BUDGET CHANGES		BUDGET
<b>APPROPRIATIONS</b>				
Account	Description			
800	Personal Services	\$408,107	\$34,841	\$442,948
805	Fringe Benefits	79,498	9,159	88,657
883/2009	Interdept. Expense Reduction	-525,204	-44,000	-569,204
	<b>TOTAL CHANGE</b>		<u>\$0</u>	

and be it further

**RESOLVED**, that the Social Services HEAP grant, Project 825, be revised as follows:

		CURRENT	AMENDED
		BUDGET CHANGES	BUDGET
<b>REVENUES</b>			
Account	Description		
653	Federal Aid for Energy	\$38,679,615	\$44,000
	<b>TOTAL CHANGE</b>		<u>\$44,000</u>

<b>APPROPRIATIONS</b>			
882/6309	Interdept. Expense	\$525,204	\$44,000
	<b>TOTAL CHANGE</b>		<u>\$44,000</u>

and be it further

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

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

5. Item Page -2003 (Comm. 4E-37)

**COUNTY EXECUTIVE**

**WHEREAS**, the Erie County Legislature has already appropriated funds for the Protective Services for Adults (PSA) grants for the period January 1, 2002 to December 31, 2002, and

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

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

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the budget for the PSA grant, Project 645, be revised as follows:

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	CURRENT BUDGET	CHANGES	AMENDED BUDGET
<b>REVENUES</b>			
Account Description			
326 Interest & Earnings	\$9,000	-\$4,161	\$4,839
685/2000 Interfund Revenue	1,044,076	8,378	1,052,454
<b>TOTAL CHANGE</b>		<u>\$4,217</u>	
<b>APPROPRIATIONS</b>			
800 Personal Services	\$811,273	-\$3,519	\$807,754
805 Fringe Benefits	185,113	7,887	193,000
810 Office Supplies	3,500	-499	3,001
824 Local Mileage	20,800	-1,050	19,750
826 Other Expenses	1,500	-201	1,299
880/5100 Interfund Expenses	26,000	1,599	27,599
<b>TOTAL CHANGE</b>		<u>\$4,217</u>	

and be it further

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

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

6. Item Page -2003 (Comm. 4E-38)

**COUNTY EXECUTIVE**

**WHEREAS**, the Erie County Legislature has already appropriated funds for the Congregate Dining Nutrition Program (C-1) for the period January 1, 2002 to December 31, 2002; the Weatherization Referral and Packaging Program (WRAP-SOFA) and the Home Energy Assistance Program (HEAP) for the period October 1, 2001 through September 30, 2002; and the New York State Retired Senior Volunteer Program (NYSRSVP) grant for the period April 1, 2002 through March 31, 2003, and

**WHEREAS**, the Department of Senior Services has reviewed the budgets and actual costs of carrying out the programs through program-end, and

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

**WHEREAS**, two of the nutrition sites served more meals during 2002, and the related contracts for clean-up reimbursement need to be amended to fully reimburse the agencies, and

**WHEREAS**, the Department desires to transfer the payroll costs of the part time Community Service Aide position, position number 792462, (for which the incumbent transports the NYSRSVP

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program volunteers) to the NYSRSVP grant for the period August 12, 2002 through March 31, 2003, and

**WHEREAS**, no additional County funds are needed.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the County Executive is hereby authorized to amend the contracts with the two agencies as detailed below, and be it further

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

		CURRENT		AMENDED
		BUDGET	CHANGES	BUDGET
<b>APPROPRIATIONS</b>				
Account	Description			
800	Personal Services	\$522,298	-\$3,750	\$518,548
805	Fringe Benefits	139,084	3,750	142,834
830/315	City of Lackawanna	904	144	1,048
830/385	Other Projected Agencies	692	-281	411
830/1514	Town of Aurora	1,200	137	1,337
TOTAL CHANGE			<u>\$0</u>	

and be it further

**RESOLVED**, that the budget for the WRAP-SOFA grant, Project 440, be revised as follows:

		CURRENT		AMENDED
		BUDGET	CHANGES	BUDGET
<b>APPROPRIATIONS</b>				
Account	Description			
800	Personal Services	\$152,384	-\$41	\$152,343
805	Fringe Benefits	37,997	-2,465	35,532
810	Office Supplies	2,500	-173	2,327
824	Travel and Mileage	4,500	-254	4,246
825	Out of Area Travel	1,000	-925	75
826	Last Resort, Weatherization	111,431	8,829	120,260
880/5100	Interfund Expenses	9,000	-4,641	4,359
932	Furniture & Fixtures	2,988	-88	2,900
933	Lab & Technical Equipment	12,012	-242	11,770
TOTAL CHANGE			<u>\$0</u>	

and be it further



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**RESOLVED**, that the County Executive is hereby authorized to amend the contract with Bailey Delavan Community Services to increase the contract by \$90,134 (\$ 82,134 Cash and \$8,000 Subcontractor funds) to continue case management and related services to the northeast section of the City of Buffalo for the period April 1, 2003 to March 31, 2004, and be it further

**RESOLVED**, that inasmuch as it is impractical to follow the request for proposal procedure in this case, since this special service must be provided immediately and continuously, the Erie County Legislature waives this procedure for this services at this time as provided for in Section 19.08 of the Administrative Code, and be it further

**RESOLVED**, that the Department of Senior Services be authorized to issue a 25% advance to Bailey-Delavan Community Services for the additional County cash funds, and be it further

**RESOLVED**, that the CSE grant budget, Project 771, be revised as follows:

		CURRENT	AMENDED	
		BUDGET CHANGES		BUDGET
<b>APPROPRIATIONS</b>				
Account	Description			
830/355	Bailey Delavan Community Serv	\$64,191	\$90,134	\$154,325
830/385	Other Projected Agencies	90,134	-90,134	0
TOTAL CHANGE			<u>\$0</u>	

and be it further

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

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

8. Item Page -2003 (Comm. 4E-40)

**COUNTY EXECUTIVE**

**WHEREAS**, the Erie County Legislature has already appropriated funds for the Community Services for the Elderly (CSE) grant and the Expanded In-home Services for the Elderly Program (EISEP) for the period April 1, 2002 to March 31, 2003, and

**WHEREAS**, the Department has completed its analysis of actual costs of the programs and full use of funds by subcontract agencies, and

**WHEREAS**, the Department has met with several of the subcontract agencies to discuss expanded services and to solidify CSE and EISEP funds that will not be spent by the agencies by the end of the program year, and has identified four agencies with funds that will not be spent by program yearend after expanding services, and

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**WHEREAS**, the Department desires to allocate these unspent funds to benefit these agencies and the entire case management network by purchasing replacement computers for their use, and

**WHEREAS**, the CSE and EISEP grant budgets and related contracts are in need of revision.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the County Executive is hereby authorized to amend the contracts with the four agencies as detailed below, and be it further

**RESOLVED**, that the CSE grant budget, Project 653, be revised as follows:

		CURRENT		AMENDED
		BUDGET	CHANGES	BUDGET
<b>APPROPRIATIONS</b>				
Account	Description			
800	Personal Services	\$161,014	-\$11,000	\$150,014
805	Fringe Benefits	34,768	11,000	45,768
830/228	St. Augustine's Comm. Center	147,374	-3,000	144,374
830/231	Concerned Ecumenical Ministry	136,299	-2,000	134,299
830/317	North Buffalo Comm. Dev. Corp.	35,014	-1,000	34,014
830/355	Bailey Delavan Comm. Services	154,325	-1,500	152,825
933	Lab & Technical Equipment	0	7,500	7,500
<b>TOTAL CHANGE</b>			<u>\$0</u>	

and be it further

**RESOLVED**, that the EISEP grant budget, Project 654, be revised as follows:

		CURRENT		AMENDED
		BUDGET	CHANGES	BUDGET
<b>APPROPRIATIONS</b>				
	Account	Description		
800	Personal Services		-\$7,500	\$410,477
805	Fringe Benefits	88,434	20,200	108,634
826	Other Expenses	9,930	- 7,000	2,930
830/231	Concerned Ecumenical Ministry	101,873	-10,000	91,873
933	Lab & Technical Equipment	0	4,300	4,300
<b>TOTAL CHANGE</b>			<u>\$0</u>	

and be it further

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

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

**BARRY A. WEINSTEIN, M.D.  
CHAIRMAN**

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

CARRIED UNANIMOUSLY.

**LEGISLATORS RESOLUTIONS**

Item 31 – CHAIRMAN SWANICK directed the following resolution to be referred to the ECONOMIC DEVELOPMENT COMMITTEE.

GRANTED.

Intro. 5-1 From LEGISLATORS HOLT, SMITH, MARINELLI & FISHER Re: Supporting Reauthorization of Article 15-A of NYS Executive Law.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 60

Re: Consideration for Public Benefit Funding.  
(Intro. 5-2)

**A RESOLUTION SUBMITTED BY  
LEGISLATOR SCHROEDER**

**WHEREAS**, the Legislature set aside Public Benefit Funds in the 2003 Erie County Budget for community organizations and government agencies deemed worthy by the Legislature and for purposes allowable under N.Y. County Law and Erie County Local Law No.3-2002, and

**WHEREAS**, organizations will only be granted Public Benefit Funds upon successful completion of the application process and subsequent approval by the County Attorney of a contract between the County of Erie and the organization,

**NOW, THEREFORE, BE IT**

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**RESOLVED**, that the Erie County Legislature does hereby authorize Public Benefit Administrator Kelly A. Wahl to send an application for Public Benefit Funding to the following organizations:

<b><u>NAME</u></b>	<b><u>RECOMMENDED AMOUNT</u></b>	<b><u>SPONSOR</u></b>
ABLEY	\$15,000	SCHROEDER
AmeriCorps	\$12,000	SCHROEDER
Iron Island Preservation Society	\$2,500	SCHROEDER
NHS of South Buffalo	\$22,596	SCHROEDER
Old First Ward Community Center	\$10,000	SCHROEDER
South Buffalo Alive	\$5,000	SCHROEDER
South Buffalo Community Association	\$81,404	SCHROEDER
<b>TOTAL</b>	<b>\$148,500</b>	

And be it further

**RESOLVED**, that upon successful completion of the Public Benefit application process and subsequent approval by the County Attorney of a contract between the County of Erie and cited agency, the Erie County Legislature will pass a resolution enabling the transfer of such funds for use by the cited agency; and be it further

**RESOLVED**, that certified copies of this resolution be sent to County Executive Joel A. Giambra; County Comptroller Nancy A. Naples; Budget Director Joseph Passafiume; Kelly Brown – First Administrative Assistant Erie County Legislature; and First Assistant County Attorney Susannah M. Bochenek.

Fiscal Impact: None

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

CARRIED UNANIMOUSLY.

Item 33 – MR. KUWIK presented the following resolution and moved for immediate consideration. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 61

Re: Consideration for Public Benefit Funding.  
(Intro. 5-3)

A RESOLUTION SUBMITTED BY  
LEGISLATOR KUWIK

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**WHEREAS**, the Legislature set aside Public Benefit Funds in the 2003 Erie County Budget for community organizations and government agencies deemed worthy by the Legislature and for purposes allowable under N.Y. County Law and Erie County Local Law No.3-2002, and

**WHEREAS**, organizations will only be granted Public Benefit Funds upon successful completion of the application process and subsequent approval by the County Attorney of a contract between the County of Erie and the organization,

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Erie County Legislature does hereby authorize Public Benefit Administrator Kelly A. Wahl to send an application for Public Benefit Funding to the following organizations:

<u>NAME</u>	<u>RECOMMENDED AMOUNT</u>	<u>SPONSOR</u>
Bett-Toomey Detachment – Marine Corps League	\$1,500	KUWIK
Big Tree Vol FC	\$2,000	KUWIK
Blasdell Public Library	\$2,000	KUWIK
Blasdell Vol. FC	\$2,000	KUWIK
Character First of Hamburg	\$500	KUWIK
Discover Lackawanna, Inc.	\$2,000	KUWIK
Friendship House (Lackawanna)	\$4,000	KUWIK
Hamburg Buildings & Grounds Dept. (Lakefront Access Project)	\$15,000	KUWIK
Hamburg Chamber of Commerce	\$3,000	KUWIK
Hamburg DARE Program	\$10,000	KUWIK
Hamburg Development Companies	\$3,000	KUWIK
Hamburg Natural History Soc., Inc.	\$3,000	KUWIK
Hamburg Senior Citizens	\$2,000	KUWIK
Lackawanna BOYS Association	\$3,500	KUWIK
Lackawanna Chamber of Commerce	\$3,000	KUWIK
Lackawanna City Drug Court	\$4,000	KUWIK
Lackawanna Community Boxing, Inc.	\$1,000	KUWIK
Lackawanna Community Development Corp.	\$3,000	KUWIK
Lackawanna Community Development Corp. (Veterans Stadium Rest. Proj.)	\$2,000	KUWIK
Lackawanna DARE Program	\$5,000	KUWIK
Lackawanna Department of Public Works	\$15,000	KUWIK
Lackawanna Fire Department	\$2,000	KUWIK
Lackawanna Food Pantry	\$1,500	KUWIK

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Lackawanna Little Loop Football	\$3,500	KUWIK
Lackawanna Public Library	\$2,000	KUWIK
Lackawanna Recreation Department	\$3,500	KUWIK
Lackawanna Senior Citizens	\$2,000	KUWIK
Lackawanna Yemen Soccer Club Inc.	\$3,500	KUWIK
Lackawanna Youth Board & Youth Bureau	\$2,500	KUWIK
Lake Shore Little League	\$3,500	KUWIK
Lake Shore Vol. FC	\$2,000	KUWIK
Lakeshore Public Library	\$2,000	KUWIK
Miracles Basketball	\$2,000	KUWIK
Polish Community Center (Dulski Center)	\$2,000	KUWIK
Southtowns Walleye Assoc. of WNY	\$3,000	KUWIK
Village of Blasdell - Freedom Fest	\$2,000	KUWIK
Village of Blasdell – Independence Day Celebration	\$1,500	KUWIK
Village of Blasdell - National Night Out	\$1,500	KUWIK
Village of Blasdell - Sidewalks	\$7,500	KUWIK
Woodlawn Community Revitalization Corp.	\$4,000	KUWIK
Woodlawn Vol. FC	\$2,000	KUWIK

TOTAL \$140,000

And be it further

**RESOLVED**, that upon successful completion of the Public Benefit application process and subsequent approval by the County Attorney of a contract between the County of Erie and cited agency, the Erie County Legislature will pass a resolution enabling the transfer of such funds for use by the cited agency; and be it further

**RESOLVED**, that certified copies of this resolution be sent to County Executive Joel A. Giambra; County Comptroller Nancy A. Naples; Budget Director Joseph Passafiume; Kelly Brown – First Administrative Assistant Erie County Legislature; and First Assistant County Attorney Susannah M. Bochenek.

Fiscal Impact: None

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

CARRIED UNANIMOUSLY.

- **DELETE the First RESOLVED clause and REPLACE with:**

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**RESOLVED**, that the Erie County Legislature does hereby authorize Public Benefit Administrator Kelly A. Wahl to send an application for Public Benefit Funding to the following organizations:

<u>NAME</u>	<u>RECOMMENDED AMOUNT</u>	<u>SPONSOR</u>
Bett-Toomey Detachment – Marine Corps League	\$1,500	KUWIK
Big Tree Vol FC	\$2,000	KUWIK
Blasdell Vol. FC	\$2,000	KUWIK
Character First of Hamburg	\$500	KUWIK
Discover Lackawanna, Inc.	\$2,000	KUWIK
Friendship House (Lackawanna)	\$4,000	KUWIK
Hamburg Buildings & Grounds Dept. (Lakefront Access Project)	\$15,000	KUWIK
Hamburg Chamber of Commerce	\$3,000	KUWIK
Hamburg DARE Program	\$10,000	KUWIK
Hamburg Development Companies	\$3,000	KUWIK
Hamburg Natural History Soc., Inc.	\$3,000	KUWIK
Hamburg Senior Citizens	\$2,000	KUWIK
Lackawanna BOYS Association	\$3,500	KUWIK
Lackawanna Chamber of Commerce	\$3,000	KUWIK
Lackawanna City Drug Court	\$4,000	KUWIK
Lackawanna Community Boxing, Inc.	\$1,000	KUWIK
Lackawanna Community Development Corp.	\$3,000	KUWIK
Lackawanna Community Development Corp. (Veterans Stadium Rest. Proj.)	\$2,000	KUWIK
Lackawanna DARE Program	\$5,000	KUWIK
Lackawanna Department of Public Works	\$15,000	KUWIK
Lackawanna Fire Department	\$2,000	KUWIK
Lackawanna Food Pantry	\$1,500	KUWIK
Lackawanna Little Loop Football	\$3,500	KUWIK
Lackawanna Recreation Department	\$3,500	KUWIK
Lackawanna Senior Citizens	\$2,000	KUWIK
Lackawanna Yemen Soccer Club Inc.	\$3,500	KUWIK
Lackawanna Youth Board & Youth Bureau	\$2,500	KUWIK
Lake Shore Little League	\$3,500	KUWIK
Lake Shore Vol. FC	\$2,000	KUWIK
Miracles Basketball	\$2,000	KUWIK
Polish Community Center (Dulski Center)	\$2,000	KUWIK
Southtowns Walleye Assoc. of WNY	\$3,000	KUWIK
Village of Blasdell – Freedom Fest	\$2,000	KUWIK

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Village of Blasdell – Independence Day Celebration	\$1,500	KUWIK
Village of Blasdell – National Night Out	\$1,500	KUWIK
Village of Blasdell - Sidewalks	\$7,500	KUWIK
Woodlawn Community Revitalization Corp.	\$4,000	KUWIK
Woodlawn Vol. FC	\$2,000	KUWIK
<b>TOTAL</b>	<b>\$134,000</b>	

And be it further

**RESOLVED**, that the Erie County Legislature does hereby approve the transfer of \$6,000 from the Legislature – Contractual Expense (DAC: 110905100830) to General Fund, Interfund Transfers, Interfund-Library (DAC 1109253208864200), and be it further

**RESOLVED**, that the Erie County Library Budget is hereby amended, to increase the following account: Interfund-Subsidy revenue (DAC 8209734206863200) \$6,000, and be it further

**RESOLVED**, that the Erie County Library Budget is hereby amended, to increase the following accounts: Lackawanna Public Libraries (DAC 820973420830169) \$2,000; Hamburg Public Libraries (DAC 8209734208300168) \$4,000 (\$2,000 earmarked for the Blasdell Branch Library and \$2,000 earmarked for the Lakeshore Public Library Branch), and be it further

**Fiscal Impact:** Appropriation of \$6,000 from Legislature Contractual Fund.

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 62

Re: Memorializing State Legislation (A03780)  
to Prohibit the Sale or Rental of Certain Video  
Games to Minors. (Intro. 5-4)

A RESOLUTION SUBMITTED BY LEGISLATORS  
SWANICK, RANZENHOFER, LARSON, CHASE, WEINSTEIN,  
McCARVILLE, CUSACK & FALKNER

**WHEREAS**, video games came into existence over 30 years ago and have evolved from early strategy and action games like Pac-man to more in-depth reality games that often depict violence, sexual deviation and drug use, and

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**WHEREAS**, recent studies indicate that 79% of American children under the age of 18 now play computer or video games on a regular basis with children between the ages of seven and seventeen playing for an average of eight hours a week, and

**WHEREAS**, concern is now being raised because children under the age of 18 are allowed to rent, purchase and play such controversial video games as Grand Theft Auto: Vice City, released in October of 2002 and slated to sell upwards of 10 million copies, and which promotes violence, sexual deviation, drug use and other illegal activities, and

**WHEREAS**, concern about the effects of video game violence on children is warranted with studies showing that there is a consistent pattern of physiological arousal, aggressive thoughts, aggressive emotions and aggressive actions in those children and youths who play violent video games, and

**WHEREAS**, equally disturbing as the violence found in some video games is the portrayal of woman as sexual objects who are submitted to glamorized violence such as in Grand Theft Auto: Vice City where woman are portrayed as prostitutes and can be brutally murdered, and

**WHEREAS**, those who defend these games say they are targeted towards adult players and not children, which is invalidated by recent studies that indicate the immense popularity of these video games amongst preteen and teen males while many adults are not aware of the existence or the content of these games, and

**WHEREAS**, legislation (A03780) pending in the New York State would amend the general business law in relation to prohibiting the sale or rental of certain video games, which are pornographic or promote violence or illegal drug use, to minors and require warning labels on such video game,

**NOW, THEREFORE, BE IT**

**RESOLVED**, that this honorable body affirms its commitment to protect all residents of Erie County and especially those most vulnerable, and

**RESOLVED**, that this honorable body memorializes the New York State Assembly to pass A03870, which will help our children grow in positive ways by limiting their exposure to offensive depictions that may negatively influence their behaviors, and

**RESOLVED**, that certified copies of this resolution be forwarded to New York State Governor George E. Pataki, New York State Senate Majority Leader Joseph L. Bruno, New York State Assembly Speaker Sheldon Silver, and the Western New York delegation of the New York State Legislature.

**Fiscal Impact: NONE**

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 63

Re: Consideration for Public Benefit Funding.  
(Intro. 5-5)

A RESOLUTION SUBMITTED BY  
LEGISLATOR FALKNER

**WHEREAS**, the Legislature set aside Public Benefit Funds in the 2003 Erie County Budget for community organizations and government agencies deemed worthy by the Legislature and for purposes allowable under N.Y. County Law and Erie County Local Law No.3-2002, and

**WHEREAS**, organizations will only be granted Public Benefit Funds upon successful completion of the application process and subsequent approval by the County Attorney of a contract between the County of Erie and the organization,

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Erie County Legislature does hereby authorize Public Benefit Administrator Kelly A. Wahl to send an application for Public Benefit Funding to the following organizations:

<u>NAME</u>	<u>RECOMMENDED AMOUNT</u>	<u>SPONSOR</u>
Safehomes (Parent Handbook)	\$2,500.00	FALKNER
West Seneca Historical Society	\$5,000.00	FALKNER
Firemen's Memorial Exhibit Center of WNY, Inc.	\$5,000.00	FALKNER
Allied Sportsmen of WNY	\$5,000.00	FALKNER
Literacy Vol. of America	\$3,000.00	FALKNER
Suburban Adult Services, Inc.	\$2,500.00	FALKNER

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West Seneca Satellite of Variety Club Telethon	\$20,000.00	FALKNER
TOTAL	\$43,000.00	

**TOTAL**

And be it further

**RESOLVED**, that upon successful completion of the Public Benefit application process and subsequent approval by the County Attorney of a contract between the County of Erie and cited agency, the Erie County Legislature will pass a resolution enabling the transfer of such funds for use by the cited agency; and be it further

**RESOLVED**, that certified copies of this resolution be sent to County Executive Joel A. Giambra; County Comptroller Nancy A. Naples; Budget Director Joseph Passafiume; Kelly Brown – First Administrative Assistant Erie County Legislature; and First Assistant County Attorney Susannah M. Bochenek.

**Fiscal Impact: None**

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

CARRIED UNANIMOUSLY.

- To the First RESOLVED clause, ADD the following and AMEND the total as indicated:

<u>NAME</u>	<u>RECOMMENDED AMOUNT</u>	<u>SPONSORS</u>
Town of Elma	\$2,365	FALKNER
West Seneca Auxiliary Police	\$3,000	FALKNER
TOTAL	\$48,365	

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

CARRIED UNANIMOUSLY.

Item 36 – MR. SCHROEDER presented the following resolution and moved for immediate consideration. MR. DUSZA seconded.

CARRIED UNANIMOUSLY.

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RESOLUTION NO. 64

Re: Consideration for Public Benefit Funding  
(Intro. 5-6)

A RESOLUTION SUBMITTED BY  
LEGISLATORS SCHROEDER, DUSZA, MARINELLI,  
WEINSTEIN, FALKNER, CUSACK & MCCARVILLE

**WHEREAS**, the Legislature set aside Public Benefit Funds in the 2003 Erie County Budget for community organizations and government agencies deemed worthy by the Legislature and for purposes allowable under N.Y. County Law and Erie County Local Law No.3-2002, and

**WHEREAS**, organizations will only be granted Public Benefit Funds upon successful completion of the application process and subsequent approval by the County Attorney of a contract between the County of Erie and the organization,

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Erie County Legislature does hereby authorize Public Benefit Administrator Kelly A. Wahl to send an application for Public Benefit Funding to the following organizations:

<u>NAME</u>	<u>RECOMMENDED AMOUNT</u>	<u>SPONSORS</u>
United Irish American Assoc of Erie County	\$500	CUSACK
United Irish American Assoc of Erie County	\$500	DUSZA
United Irish American Assoc of Erie County	\$1,000	MARINELLI
United Irish American Assoc of Erie County	\$1,000	MCCARVILLE
United Irish American Assoc of Erie County	\$1,500	WEINSTEIN
United Irish American Assoc of Erie County	\$2,500	SCHROEDER
United Irish American Assoc of Erie County	\$2,500	FALKNER
<b>TOTAL</b>	<b>\$9,500</b>	

And be it further

**RESOLVED**, that upon successful completion of the Public Benefit application process and subsequent approval by the County Attorney of a contract between the County of Erie and cited agency, the Erie County Legislature will pass a resolution enabling the transfer of such funds for use by the cited agency; and be it further

**RESOLVED**, that certified copies of this resolution be sent to County Executive Joel A. Giambra; County Comptroller Nancy A. Naples; Budget Director Joseph Passafiume; Kelly Brown – First Administrative Assistant Erie County Legislature; and First Assistant County Attorney Susannah M. Bochenek.

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MR. SCHROEDER moved to amend the resolution. MR. DUSZA seconded.

CARRIED UNANIMOUSLY.

- DELETE the First RESOLVED clause in its entirety and REPLACE with:

**RESOLVED**, that the Erie County Legislature does hereby authorize Public Benefit Administrator Kelly A. Wahl to send an application for Public Benefit Funding to the following organizations:

<u>NAME</u>	<u>RECOMMENDED AMOUNT</u>	<u>SPONSORS</u>
United Irish American Assoc of Erie County	\$500	CUSACK
United Irish American Assoc of Erie County	\$500	DUSZA
United Irish American Assoc of Erie County	\$1,000	MARINELLI
United Irish American Assoc of Erie County	\$1,000	MCCARVILLE
United Irish American Assoc of Erie County	\$1,000	WEINSTEIN
United Irish American Assoc of Erie County	\$1,500	SCHROEDER
United Irish American Assoc of Erie County	\$2,500	FALKNER
<b>TOTAL</b>	<b>\$8,000</b>	

MR. SCHROEDER moved the approval of the resolution as amended. MR. DUSZA seconded.

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 65

Re: Consideration for Public Benefit Funding.  
(Intro. 5-7)

A RESOLUTION SUBMITTED BY  
LEGISLATOR CUSACK

**WHEREAS**, the Legislature set aside Public Benefit Funds in the 2003 Erie County Budget for community organizations and government agencies deemed worthy by the Legislature and for purposes allowable under N.Y. County Law and Erie County Local Law No.3-2002, and

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**WHEREAS**, organizations will only be granted Public Benefit Funds upon successful completion of the application process and subsequent approval by the County Attorney of a contract between the County of Erie and the organization,

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Erie County Legislature does hereby authorize Public Benefit Administrator Kelly A. Wahl to send an application for Public Benefit Funding to the following organizations:

<u>NAME</u>	<u>RECOMMENDED AMOUNT</u>	<u>SPONSOR</u>
Amherst Symphony Orchestra	\$2,000	CUSACK
Amherst Task Force	\$2,000	CUSACK
Amherst Youth Board	\$3,000	CUSACK
Amherst Youth Foundation	\$2,500	CUSACK
Eggertsville Hose Company	\$10,000	CUSACK
Heritage Heights Elementary School	\$5,000	CUSACK
New Creation Fellowship	\$2,000	CUSACK
Town of Cheektowaga	\$1,200	CUSACK
<b>TOTAL</b>	<b>\$27,700</b>	

And be it further

**RESOLVED**, that upon successful completion of the Public Benefit application process and subsequent approval by the County Attorney of a contract between the County of Erie and cited agency, the Erie County Legislature will pass a resolution enabling the transfer of such funds for use by the cited agency; and be it further

**RESOLVED**, that certified copies of this resolution be sent to County Executive Joel A. Giambra; County Comptroller Nancy A. Naples; Budget Director Joseph Passafiume; Kelly Brown – First Administrative Assistant Erie County Legislature; and First Assistant County Attorney Susannah M. Bochenek.

**Fiscal Impact: None**

MS. CUSACK moved the approval of the resolution. MR. RANZENHOFER seconded.

CARRIED UNANIMOUSLY.

Item 38 – MR. WEINSTEIN presented the following resolution and moved for immediate consideration. MR. RANZENHOFER seconded.

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CARRIED UNANIMOUSLY.

RESOLUTION NO. 66

Re: Consideration for Public Benefit Funding.  
(Intro. 5-8)

A RESOLUTION SUBMITTED BY  
LEGISLATOR WEINSTEIN

**WHEREAS**, the Legislature set aside Public Benefit Funds in the 2003 Erie County Budget for community organizations and government agencies deemed worthy by the Legislature and for purposes allowable under N.Y. County Law and Erie County Local Law No.3-2002, and

**WHEREAS**, organizations will only be granted Public Benefit Funds upon successful completion of the application process and subsequent approval by the County Attorney of a contract between the County of Erie and the organization,

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Erie County Legislature does hereby authorize Public Benefit Administrator Kelly A. Wahl to send an application for Public Benefit Funding to the following organizations:

<u>NAME</u>	<u>RECOMMENDED AMOUNT</u>	<u>SPONSOR</u>
Amherst Library	\$20,000	WEINSTEIN
Amherst Symphony Orchestra	\$2,000	WEINSTEIN
Amherst Task Force	\$2,000	WEINSTEIN
Amherst Youth Board	\$10,000	WEINSTEIN
Girl Scouts of Buffalo & Erie County	\$5,000	WEINSTEIN
Heritage Heights Elementary School	\$5,000	WEINSTEIN
Town of Amherst	\$10,000	WEINSTEIN
Williamsville Business Association	\$1,800	WEINSTEIN
<b>TOTAL</b>	<b>\$55,800</b>	

And be it further

**RESOLVED**, that upon successful completion of the Public Benefit application process and subsequent approval by the County Attorney of a contract between the County of Erie and cited agency, the Erie County Legislature will pass a resolution enabling the transfer of such funds for use by the cited agency; and be it further

**RESOLVED**, that certified copies of this resolution be sent to County Executive Joel A. Giambra; County Comptroller Nancy A. Naples; Budget Director Joseph Passafiume; Kelly Brown –

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First Administrative Assistant Erie County Legislature; and First Assistant County Attorney  
Susannah M. Bochenek.

**Fiscal Impact: None**

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

CARRIED UNANIMOUSLY.

Item 39 – MR. HOLT presented the following resolution and moved for immediate consideration. MR. SMITH seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 67

Re: Consideration for Public Benefit Funding.  
(Intro. 5-9)

A RESOLUTION SUBMITTED BY  
LEGISLATOR HOLT

**WHEREAS**, the Legislature set aside Public Benefit Funds in the 2003 Erie County Budget for community organizations and government agencies deemed worthy by the Legislature and for purposes allowable under N.Y. County Law and Erie County Local Law No.3-2002, and

**WHEREAS**, organizations will only be granted Public Benefit Funds upon successful completion of the application process and subsequent approval by the County Attorney of a contract between the County of Erie and the organization,

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Erie County Legislature does hereby authorize Public Benefit Administrator Kelly A. Wahl to send an application for Public Benefit Funding to the following organizations:

<u>NAME</u>	<u>RECOMMENDED AMOUNT</u>	<u>SPONSOR</u>
NICYO	\$100,000	HOLT
Group Ministries	\$50,000	HOLT
TOTAL	\$150,000	

And be it further

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**RESOLVED**, that upon successful completion of the Public Benefit application process and subsequent approval by the County Attorney of a contract between the County of Erie and cited agency, the Erie County Legislature will pass a resolution enabling the transfer of such funds for use by the cited agency; and be it further

**RESOLVED**, that certified copies of this resolution be sent to County Executive Joel A. Giambra; County Comptroller Nancy A. Naples; Budget Director Joseph Passafiume; Kelly Brown – First Administrative Assistant Erie County Legislature; and Second Assistant County Attorney Susannah M. Bochenek.

**Fiscal Impact: None**

MR. HOLT moved the approval of the resolution. MR. SMITH seconded.

CARRIED UNANIMOUSLY.

Item 40 – MR. DUSZA presented the following resolution and moved for immediate consideration. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 68

Re: Consideration for Public Benefit Funding.  
(Intro. 5-10)

A RESOLUTION SUBMITTED BY  
LEGISLATOR DUSZA

**WHEREAS**, the Legislature set aside Public Benefit Funds in the 2003 Erie County Budget for community organizations and government agencies deemed worthy by the Legislature and for purposes allowable under N.Y. County Law and Erie County Local Law No.3-2002, and

**WHEREAS**, organizations will only be granted Public Benefit Funds upon successful completion of the application process and subsequent approval by the County Attorney of a contract between the County of Erie and the organization,

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Erie County Legislature does hereby authorize Public Benefit Administrator Kelly A. Wahl to send an application for Public Benefit Funding to the following organizations:

<u>NAME</u>	<u>RECOMMENDED AMOUNT</u>	<u>SPONSOR</u>
Neighborhood Information Center	\$15,000	DUSZA

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TOTAL \$15,000

And be it further

**RESOLVED**, that upon successful completion of the Public Benefit application process and subsequent approval by the County Attorney of a contract between the County of Erie and cited agency, the Erie County Legislature will pass a resolution enabling the transfer of such funds for use by the cited agency; and be it further

**RESOLVED**, that certified copies of this resolution be sent to County Executive Joel A. Giambra; County Comptroller Nancy A. Naples; Budget Director Joseph Passafiume; Kelly Brown – First Administrative Assistant Erie County Legislature; and Second Assistant County Attorney Susannah M. Bochenek.

Fiscal Impact: None

MR. DUSZA moved to amend the resolution. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

- To the First RESOLVED clause, ADD the following and AMEND the total as indicated:

<u>NAME</u>	<u>RECOMMENDED AMOUNT</u>	<u>SPONSORS</u>
Union Occupational Health Center	\$25,000	DUSZA
Friends of the Woods	\$2,500	DUSZA
TOTAL	\$42,500	

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

CARRIED UNANIMOUSLY.

Item 41 – MR.RANZENHOFER presented the following resolution and moved for immediate consideration. MS. CUSACK seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 69

Re: Consideration for Public Benefit Funding.  
(Intro. 5-11)

A RESOLUTION SUBMITTED BY

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**LEGISLATOR RANZENHOFER**

**WHEREAS**, the Legislature set aside Public Benefit Funds in the 2003 Erie County Budget for community organizations and government agencies deemed worthy by the Legislature and for purposes allowable under N.Y. County Law and Erie County Local Law No.3-2002, and

**WHEREAS**, organizations will only be granted Public Benefit Funds upon successful completion of the application process and subsequent approval by the County Attorney of a contract between the County of Erie and the organization,

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Erie County Legislature does hereby authorize Public Benefit Administrator Kelly A. Wahl to send an application for Public Benefit Funding to the following organizations:

<b><u>NAME</u></b>	<b><u>RECOMMENDED AMOUNT</u></b>	<b><u>SPONSOR</u></b>
Amherst Task Force	\$2,000	RANZENHOFER
TOTAL	\$2,000	

And be it further

**RESOLVED**, that upon successful completion of the Public Benefit application process and subsequent approval by the County Attorney of a contract between the County of Erie and cited agency, the Erie County Legislature will pass a resolution enabling the transfer of such funds for use by the cited agency; and be it further

**RESOLVED**, that certified copies of this resolution be sent to County Executive Joel A. Giambra; County Comptroller Nancy A. Naples; Budget Director Joseph Passafiume; Kelly Brown – First Administrative Assistant Erie County Legislature; and First Assistant County Attorney Susannah M. Bochenek.

**Fiscal Impact: None**

MR. RANZENHOFER moved the approval of the resolution. MS. CUSACK seconded.

CARRIED UNANIMOUSLY.

Item 42 – MR. RANZENHOFER presented the following resolution and moved for immediate consideration. MS. CHASE seconded.

CARRIED UNANIMOUSLY.

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RESOLUTION NO. 70

Re: Consideration for Public Benefit Funding.  
(Intro. 5-12)

A RESOLUTION SUBMITTED BY  
LEGISLATOR SWANICK

**WHEREAS**, the Legislature set aside Public Benefit Funds in the 2003 Erie County Budget for community organizations and government agencies deemed worthy by the Legislature and for purposes allowable under N.Y. County Law and Erie County Local Law No.3-2002, and

**WHEREAS**, organizations will only be granted Public Benefit Funds upon successful completion of the application process and subsequent approval by the County Attorney of a contract between the County of Erie and the organization,

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Erie County Legislature does hereby authorize Public Benefit Administrator Kelly A. Wahl to send an application for Public Benefit Funding to the following organizations:

<u>NAME</u>	<u>RECOMMENDED AMOUNT</u>	<u>SPONSOR</u>
American Legion Post #3264	\$5,000	SWANICK
Grand Island Chamber of Commerce	\$5,500	SWANICK
Grand Island Reality Café	\$1,000	SWANICK
Grand Island Jr. Football	\$1,000	SWANICK
Grand Island Jr. Soccer	\$1,000	SWANICK
Grand Island Little League	\$1,000	SWANICK
Grand Island Special Olympics Program	\$1,000	SWANICK
Greater Niagara Frontier Boy Scouts	\$5,000	SWANICK
Kenmore Police Department	\$5,000	SWANICK
Kenmore Vol. Fire Department	\$5,000	SWANICK
Ken-Ton School District	\$15,000	SWANICK
Kibler Veteran Housing	\$5,000	SWANICK
Tonawanda Sr. Handicapped Van	\$15,000	SWANICK
Town Boys & Girls Club	\$10,000	SWANICK
Vietnam Veterans	\$3,000	SWANICK
<b>TOTAL</b>	<b>\$78,500</b>	

And be it further

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**RESOLVED**, that upon successful completion of the Public Benefit application process and subsequent approval by the County Attorney of a contract between the County of Erie and cited agency, the Erie County Legislature will pass a resolution enabling the transfer of such funds for use by the cited agency; and be it further

**RESOLVED**, that certified copies of this resolution be sent to County Executive Joel A. Giambra; County Comptroller Nancy A. Naples; Budget Director Joseph Passafiume; Kelly Brown – First Administrative Assistant Erie County Legislature; and Second Assistant County Attorney Susannah M. Bochenek.

Fiscal Impact: None

MR. RANZENHOFER moved to amend the resolution. MS. CHASE seconded.

CARRIED UNANIMOUSLY.

- To the First RESOLVED clause, ADD the following and AMEND the total as indicated:

<u>NAME</u>	<u>RECOMMENDED AMOUNT</u>	<u>SPONSORS</u>
Tonawanda Sr. Handicapped Van	\$15,000	CUSACK
TOTAL	\$93,500	

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

CARRIED UNANIMOUSLY.

Item 43 – MR. RANZENHOFER presented the following resolution and moved for immediate consideration. MR. McCARVILLE seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 71

Re: Consideration for Public Benefit Funding.  
(Intro. 5-13)

A RESOLUTION SUBMITTED BY  
LEGISLATOR SWANICK, RANZENHOFER, FALKNER,  
CHASE, MCCARVILLE, CUSACK, WEINSTEIN & LARSON

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**WHEREAS**, the Legislature set aside Public Benefit Funds in the 2003 Erie County Budget for community organizations and government agencies deemed worthy by the Legislature and for purposes allowable under N.Y. County Law and Erie County Local Law No.3-2002, and

**WHEREAS**, organizations will only be granted Public Benefit Funds upon successful completion of the application process and subsequent approval by the County Attorney of a contract between the County of Erie and the organization,

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Erie County Legislature does hereby authorize Public Benefit Administrator Kelly A. Wahl to send an application for Public Benefit Funding to the following organizations:

<u>NAME</u>	<u>RECOMMENDED AMOUNT</u>	<u>SPONSOR</u>
Institute for Local Governance & Regional Growth	\$37,000	MAJORITY
TOTAL	\$37,000	

And be it further

**RESOLVED**, that upon successful completion of the Public Benefit application process and subsequent approval by the County Attorney of a contract between the County of Erie and cited agency, the Erie County Legislature will pass a resolution enabling the transfer of such funds for use by the cited agency; and be it further

**RESOLVED**, that certified copies of this resolution be sent to County Executive Joel A. Giambra; County Comptroller Nancy A. Naples; Budget Director Joseph Passafiume; Kelly Brown – First Administrative Assistant Erie County Legislature; and Second Assistant County Attorney Susannah M. Bochenek.

**Fiscal Impact: None**

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

CARRIED UNANIMOUSLY.

Item 44 – MR. DALE presented the following resolution and moved for immediate consideration. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

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RESOLUTION NO. 72

Re: Consideration for Public Benefit Funding.  
(Intro. 5-14)A RESOLUTION SUBMITTED BY  
LEGISLATOR DALE

**WHEREAS**, the Legislature set aside Public Benefit Funds in the 2003 Erie County Budget for community organizations and government agencies deemed worthy by the Legislature and for purposes allowable under N.Y. County Law and Erie County Local Law No.3-2002, and

**WHEREAS**, organizations will only be granted Public Benefit Funds upon successful completion of the application process and subsequent approval by the County Attorney of a contract between the County of Erie and the organization,

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Erie County Legislature does hereby authorize Public Benefit Administrator Kelly A. Wahl to send an application for Public Benefit Funding to the following organizations:

<u>NAME</u>	<u>RECOMMENDED AMOUNT</u>	<u>SPONSOR</u>
Polish American Veterans Assn.	\$1,000	DALE
Sloan Active Hose Co. No. 1	\$2,000	DALE
General Pulaski Assn.	\$5,000	DALE
Cheektowaga Patriotic Committee	\$550	DALE
Broadway Market	\$25,000	DALE
Sloan Boy Scout Troop & Pack 6	\$1,000	DALE
Neighborhood Information Center	\$72,950	DALE
Village of Sloan Senior Services	\$500	DALE
Pine Hill Drum & Bugle Corps	\$1,000	DALE
Buffalo Raiders - Mt. Olive Dev. Corp.	\$500	DALE
Greater Cheektowaga Town Park		
Homeowners Assn.	\$1,500	DALE
Village of Sloan	\$25,000	DALE
Pine Hill Fire Co.	\$2,000	DALE
Rescue Fire Co.	\$2,000	DALE
NICYO	\$10,000	DALE
<b>TOTAL</b>	<b>\$150,000</b>	

And be it further

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**RESOLVED**, that upon successful completion of the Public Benefit application process and subsequent approval by the County Attorney of a contract between the County of Erie and cited agency, the Erie County Legislature will pass a resolution enabling the transfer of such funds for use by the cited agency; and be it further

**RESOLVED**, that certified copies of this resolution be sent to County Executive Joel A. Giambra; County Comptroller Nancy A. Naples; Budget Director Joseph Passafiume; Kelly Brown – First Administrative Assistant Erie County Legislature; and Second Assistant County Attorney Susannah M. Bochenek.

**Fiscal Impact: None**

MR. DALE moved the approval of the resolution. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

\*\* See Meeting No. 6 for further action on this item.

Item 45 – CHAIRMAN SWANICK directed that the following resolution be referred to the ECONOMIC DEVELOPMENT COMMITTEE.

GRANTED.

Intro. 5-15 From LEGISLATORS HOLT, KUWIK, SCHROEDER, FISHER, DALE, DeBENEDETTI, SMITH, DUSZA & MARINELLI Re: Supporting Working Men and Women in Erie County.

Item 46 – MR. RANZENHOFER presented the following resolution and moved for immediate consideration. MR. FALKNER seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 73

Re: Requesting Additional Federal Assistance for the Low Income Home Energy Assistance Program (LIHEAP). (Intro. 5-16)

A RESOLUTION SUBMITTED BY  
LEGISLATORS CHASE, LARSON, CUSACK, McCARVILLE,  
FALKNER, WEINSTEIN, SWANICK & RANZENHOFER

**WHEREAS**, typical winters in Western New York often result in higher energy costs when compared with other areas of the country, and

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**WHEREAS**, the winter of 2002-2003 has been particularly brutal with steady snowfall, frigid temperatures, and high winds when compared with other winters, and

**WHEREAS**, this winter has been particularly difficult for many Western New York families who have been faced with the challenge of affording to heat their homes during this winter season, and

**WHEREAS**, National Fuel Gas Company recently announced that residential natural gas rates will increase 32 percent for the month of March just as consumers begin to feel the pinch from February's spike in commodity prices, and

**WHEREAS**, this surge in natural gas prices will mean that the 400,000 households in the Buffalo Niagara region will be paying the *second-highest* monthly price ever to heat their homes and apartments, and

**WHEREAS**, the Low Income Home Energy Assistance Program (LIHEAP) is a federally funded program that has served to help the residents of Erie County stay warm during the winter months by providing assistance with paying their utility bills, and

**WHEREAS**, the conditions of this winter have acutely demonstrated the need for LIHEAP to help those in need of assistance,

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Erie County Legislature does hereby reaffirm its commitment to support the Low Income Home Energy Assistance Program and its undertaking to provide assistance to families, senior citizens and others in need of assistance in addressing heating costs during winter months, and be it further

**RESOLVED**, that this Honorable Body does hereby request that continued funding resources be provided to LIHEAP to cover any shortfall resulting for the extreme conditions of this winter, and be it further

**RESOLVED**, that certified copies of this resolution be sent to President George W. Bush, the Western New York Delegation to the U.S. House of Representatives, U.S. Senators Charles E. Schumer and Hillary Rodham Clinton, NYS Governor George E. Pataki, Members of the Western New York Delegation to the NYS Legislature, Erie County Executive Joel A. Giambra, Erie County Commissioner of Social Services Deborah Merrifield, and Commissioner of Senior Services Pamela Krawczyk.

**FISCAL IMPACT:** None for Resolution

MR. RANZENHOFER moved to amend the resolution to include Et Al Sponsorship. MR. FALKNER seconded.

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 74

Re: Consideration for Public Benefit Funding.  
 (Intro. 5-17)

A RESOLUTION SUBMITTED BY  
 LEGISLATOR FISHER

**WHEREAS**, the Legislature set aside Public Benefit Funds in the 2003 Erie County Budget for community organizations and government agencies deemed worthy by the Legislature and for purposes allowable under N.Y. County Law and Erie County Local Law No.3-2002, and

**WHEREAS**, organizations will only be granted Public Benefit Funds upon successful completion of the application process and subsequent approval by the County Attorney of a contract between the County of Erie and the organization,

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Erie County Legislature does hereby authorize Public Benefit Administrator Kelly A. Wahl to send an application for Public Benefit Funding to the following organizations:

<u>NAME</u>	<u>RECOMMENDED AMOUNT</u>	<u>SPONSOR</u>
Buffalo Green Fund	\$50,000	FISHER
TOTAL	\$50,000	

And be it further

**RESOLVED**, that upon successful completion of the Public Benefit application process and subsequent approval by the County Attorney of a contract between the County of Erie and cited agency, the Erie County Legislature will pass a resolution enabling the transfer of such funds for use by the cited agency; and be it further

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**RESOLVED**, that certified copies of this resolution be sent to County Executive Joel A. Giambra; County Comptroller Nancy A. Naples; Budget Director Joseph Passafiume; Kelly Brown – First Administrative Assistant Erie County Legislature; and First Assistant County Attorney Susannah M. Bochenek.

**Fiscal Impact: None**

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

CARRIED UNANIMOUSLY.

Item 48 – MS. MARINELLI presented the following resolution and moved for immediate consideration. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 75

Re: Consideration for Public Benefit Funding.  
(Intro. 5-18)

A RESOLUTION SUBMITTED BY  
LEGISLATOR MARINELLI

**WHEREAS**, the Legislature set aside Public Benefit Funds in the 2003 Erie County Budget for community organizations and government agencies deemed worthy by the Legislature and for purposes allowable under N.Y. County Law and Erie County Local Law No.3-2002, and

**WHEREAS**, organizations will only be granted Public Benefit Funds upon successful completion of the application process and subsequent approval by the County Attorney of a contract between the County of Erie and the organization,

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Erie County Legislature does hereby authorize Public Benefit Administrator Kelly A. Wahl to send an application for Public Benefit Funding to the following organizations:

<u>NAME</u>	<u>RECOMMENDED AMOUNT</u>	<u>SPONSOR</u>
Ken Ton Musical Theatre	\$2,500	MARINELLI
TOTAL	\$2,500	

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And be it further

**RESOLVED**, that upon successful completion of the Public Benefit application process and subsequent approval by the County Attorney of a contract between the County of Erie and cited agency, the Erie County Legislature will pass a resolution enabling the transfer of such funds for use by the cited agency; and be it further

**RESOLVED**, that certified copies of this resolution be sent to County Executive Joel A. Giambra; County Comptroller Nancy A. Naples; Budget Director Joseph Passafiume; Kelly Brown – First Administrative Assistant Erie County Legislature; and Second Assistant County Attorney Susannah M. Bochenek.

**Fiscal Impact: None**

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

CARRIED UNANIMOUSLY.

Item 49 – MS. MARINELLI presented the following resolution and moved for immediate consideration. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 76

Re: Consideration for Public Benefit Funding.  
(Intro. 5-19)

A RESOLUTION SUBMITTED BY  
LEGISLATORS FISHER & MARINELLI

**WHEREAS**, the Legislature set aside Public Benefit Funds in the 2003 Erie County Budget for community organizations and government agencies deemed worthy by the Legislature and for purposes allowable under N.Y. County Law and Erie County Local Law No.3-2002, and

**WHEREAS**, organizations will only be granted Public Benefit Funds upon successful completion of the application process and subsequent approval by the County Attorney of a contract between the County of Erie and the organization,

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Erie County Legislature does hereby authorize Public Benefit Administrator Kelly A. Wahl to send an application for Public Benefit Funding to the following organizations:

**RECOMMENDED**

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<u>NAME</u>	<u>AMOUNT</u>	<u>SPONSOR</u>
Parkside Community Association	\$5,000	FISHER
Parkside Community Association	\$5,000	MARINELLI
TOTAL	\$10,000	

And be it further

**RESOLVED**, that upon successful completion of the Public Benefit application process and subsequent approval by the County Attorney of a contract between the County of Erie and cited agency, the Erie County Legislature will pass a resolution enabling the transfer of such funds for use by the cited agency; and be it further

**RESOLVED**, that certified copies of this resolution be sent to County Executive Joel A. Giambra; County Comptroller Nancy A. Naples; Budget Director Joseph Passafiume; Kelly Brown – First Administrative Assistant Erie County Legislature; and Second Assistant County Attorney Susannah M. Bochenek.

**Fiscal Impact: None**

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

CARRIED UNANIMOUSLY.

Item 50 – MR. RANZENHOFER presented the following resolution and moved for immediate consideration. MR. FALKNER seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 77

Re: Elma Agricultural District (EC NO. 13)  
8-Year Review. (Intro. 5-20)

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 has received notification of the eight-year review requirement of the Elma Agricultural District (EC#13), which was created in 1979 and recertified every 8 years thereafter, and

**WHEREAS**, a copy of this Agricultural District map is on file in the County Clerk's office and the Elma, Aurora and Orchard Park Town Halls,

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**RESOLVED**, that the Clerk of the Legislature be directed to publish a public notice in a newspaper having general circulation within the area of the above agricultural district, that notice be posted in at least five conspicuous places within the district, and that notice also be sent to the affected municipalities, being the Towns of Elma, Aurora and Orchard Park, and be it further

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

**RESOLVED**, that a certified copy of this resolution be sent to the Erie County Department of Environment and Planning and the Towns of Elma, Aurora and Orchard Park (Supervisor and Town Clerk of each town).

**Fiscal Impact:** To be determined.

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

CARRIED UNANIMOUSLY.

Item 51 – MS. MARINELLI presented the following resolution and moved for immediate consideration. MS. CHASE seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 78

Re: Consideration for Public Benefit Funding.  
(Intro. 5-21)

A RESOLUTION SUBMITTED BY  
LEGISLATORS FISHER, MARINELLI & CHASE

**WHEREAS**, the Legislature set aside Public Benefit Funds in the 2003 Erie County Budget for community organizations and government agencies deemed worthy by the Legislature and for purposes allowable under N.Y. County Law and Erie County Local Law No.3-2002, and

**WHEREAS**, organizations will only be granted Public Benefit Funds upon successful completion of the application process and subsequent approval by the County Attorney of a contract between the County of Erie and the organization,

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Erie County Legislature does hereby authorize Public Benefit Administrator Kelly A. Wahl to send an application for Public Benefit Funding to the following organizations:

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<u>NAME</u>	<u>RECOMMENDED AMOUNT</u>	<u>SPONSOR</u>
Buffalo Green Fund	\$1,700	FISHER
Buffalo Green Fund	\$1,700	MARINELLI
Buffalo Green Fund	\$1,700	CHASE
TOTAL	\$5,100	

And be it further

**RESOLVED**, that upon successful completion of the Public Benefit application process and subsequent approval by the County Attorney of a contract between the County of Erie and cited agency, the Erie County Legislature will pass a resolution enabling the transfer of such funds for use by the cited agency; and be it further

**RESOLVED**, that certified copies of this resolution be sent to County Executive Joel A. Giambra; County Comptroller Nancy A. Naples; Budget Director Joseph Passafiume; Kelly Wahl – First Administrative Assistant Erie County Legislature; and Second Assistant County Attorney Susannah M. Bochenek.

**Fiscal Impact: None**

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

CARRIED UNANIMOUSLY.

- To the First RESOLVED clause, ADD the following and AMEND the total as indicated:

<u>NAME</u>	<u>RECOMMENDED AMOUNT</u>	<u>SPONSORS</u>
Buffalo Green Fund	\$1,700	MCCARVILLE
Buffalo Green Fund	\$1,700	FALKNER
Buffalo Green Fund	\$1,700	CUSACK
Buffalo Green Fund	\$1,700	WEINSTEIN
TOTAL	\$11,900	

MS. MARINELLI moved to further amend the resolution. MS. CHASE seconded.

CARRIED UNANIMOUSLY.

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- ADD the following Co-Sponsors:

LEGISLATORS SWANICK, CUSACK, FALKNER, McCARVILLE, WEINSTEIN & HOLT.

MS. MARINELLI moved the approval of the resolution as amended. MS. CHASE seconded.

CARRIED UNANIMOUSLY.

**COMMUNICATIONS DISCHARGED FROM COMMITTEE**

Item 53 – MR. RANZENHOFER moved to discharge the ECONOMIC DEVELOPMENT COMMITTEE from further consideration of Comm. 4E-33. MS. CHASE seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 79

Re: ECC - South Campus - Athletic Field Bleachers & Miscellaneous Work - A/E Services.

WHEREAS, Architectural/Engineering design services were required to implement the Erie Community College, South Campus, Athletic Field Bleachers and miscellaneous work, and

WHEREAS, the firm of EI Team presently has a General Engineering contract with the County of Erie to provide design services, and

WHEREAS, the ECC Administration requested the firm of EI Team for design services, and

WHEREAS, the firm of EI Team has completed Design and Construction Services for the completed project,

NOW, THEREFORE, BE IT,

RESOLVED, that the Commissioner of Public Works be authorized to issue a supplemental agreement to EI Team for the Athletic Field Bleachers and miscellaneous work at the South Campus on a fee not to exceed \$50,302, including reimbursables, and be it further,

RESOLVED, that the ECC Board of Trustees has approved funding for the project, 50% from the ECC Capital Charge Back Account and 50% from NYS Aid, and be it further,

RESOLVED, that Erie Community College transfer the fee allocation in the amount of \$50,302 and deposit it into DPW Capital Project 190, Fund 480, and be it further,

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RESOLVED, that Project 190, Fund 480 be increased in the amount of \$50,302 to cover the cost of the Design Services, and be it further,

RESOLVED, that the Comptroller's Office be authorized to make payments for all of the above from DPW Capital Project 190, Fund 480, 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; one copy to the Office of the Comptroller; and one copy to Erie Community College.

MR. RANZENHOFER moved the approval of the resolution. MS. CHASE seconded.

CARRIED UNANIMOUSLY.

Item 52 – MR. RANZENHOFER moved to discharge the PUBLIC SAFETY COMMITTEE from further consideration of Intro. 3-5. MS. CHASE seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 79

Re: Urging Peace Officer Status for ECMC Security Officers.

A RESOLUTION SUBMITTED BY LEGISLATORS  
CHASE & SWANICK

**WHEREAS**, ECMC's Security Department must often handle and manage potentially volatile situations in the course of business at the hospital; and

**WHEREAS**, security officers at ECMC are not currently considered peace officers under New York State law, but are considered private citizens; and

**WHEREAS**, this type of designation restricts the abilities of security officers and denies liability protection to these officers; and

**WHEREAS**, various members of ECMC's Security Department have completed peace officer training, military police training and other types of law enforcement training programs making them eminently qualified to enjoy peace officer status; and

**WHEREAS**, granting peace officer status to security officers in ECMC's Security Department will be extremely beneficial to these officers, the hospital and its staff and the general public that utilize the services of ECMC; and

**WHEREAS**, peace officer status would allow ECMC security officers numerous benefits and protections including the return of escaped prisoners, the use of emergency warning lights in

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responding to incidents at off site clinics, the detention of absconding patients, and the search and detention of trespassers without arrest; and

**WHEREAS**, portions of traffic and parking ticket monies generated by the ECMC Security Department would be returned to ECMC if officers were granted peace officer status; and

**WHEREAS**, this status would also allow the ECMC Security Department to apply for state and federal grants and to attend Central Police Services Academy for training; and

**WHEREAS**, such a change in status would not affect job descriptions nor require any salary adjustments, or increases in staffing;

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Erie County Legislature does hereby support peace officer status for security officers at ECMC; and be it further

**RESOLVED**, that this Honorable Body does hereby urge County Executive Giambra to seek peace officer status for ECMC's Security Department from the New York State Legislature; and be it further

**RESOLVED**, that this Honorable Body does hereby further urge the Western New York delegation to the Assembly and Senate to authorize peace officer status for security officers in ECMC's Security Department; and be it further

**RESOLVED**, that certified copies of this resolution be sent to County Executive Giambra, the Western New York delegation to the Assembly and Senate, the Board of Managers at ECMC and the ECMC Security Department.

**Fiscal Impact:** None for the Resolution

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.

**SUSPENSION OF THE RULES**

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Item 54 – MR. HOLT moved for a suspension of the rules to include an item not on the agenda. MR. SMITH seconded.

LEGISLATOR RANZENHOFER objected.

CHAIRMAN SWANICK directed that the following resolution be referred to the FINANCE & MANAGEMENT COMMITTEE.

GRANTED.

Intro. 5-22 From LEGISLATORS HOLT, KUWIK, SCHROEDER, FISHER, DALE, DeBENEDETTI, SMITH, DUSZA & MARINELLI Re: Joining the Comptroller's Call for a Completed December 2002 Budget Monitoring Report and for Compliance with Erie County Legislature Resolution Intro. 6-1 (2002), as Amended.

**COMMUNICATIONS FROM ELECTED OFFICIALS****FROM THE COMPTROLLER**

Item 55 – (Comm. 5E-1) Copy of Letter to Acting Comptroller City of Buffalo Re: Information Request.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 56 – (Comm. 5E-2) Certificate of Determination Re: Sale & Issuance of \$1,352,775 EFC Sewer System Bonds.

Received and filed.

**FROM THE COUNTY EXECUTIVE**

Item 57 – MR. RANZENHOFER presented the following resolution and moved for immediate consideration. MR. LARSON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 81

Re: Reappointment to NYS Region 9 Fish & Wildlife Management Board. (Comm. 5E-3)

**RESOLVED**, that the Erie County Legislature does hereby confirm the reappointment of James H. Agle of 7915 Gowanda State Road, Eden, New York 14057 to the New York State Region 9 Fish and Wildlife Management Board for a term to expire December 31, 2004.

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

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CARRIED UNANIMOUSLY.

FROM THE COMPTROLLER

Item 58 – (Comm. 5E-4) Apportionment & Distribution of 4% Sales Tax for 2/03.

Item 59 – (Comm. 5E-5) Request for a 12/02 BMR & Forecast of 2002 Operations.

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

Item 60 – (Comm. 5E-6) ECC – Local Law Authorizing ECC's Authority & Responsibility for Performance of its Own Personnel, Payroll & Purchasing.

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM LEGISLATOR FISHER

Item 61 – (Comm. 5E-7) Absence from Session on 3/6/03.

RECEIVED, FILED & PRINTED.

March 3, 2003

The Honorable Laurie A. Manzella  
Clerk  
Erie County Legislature  
25 Delaware Ave., 7<sup>th</sup> Floor  
Buffalo, NY 14202

**RE: ABSENCE FROM LEGISLATIVE SESSION MARCH 6, 2003**

Dear Madam Clerk:

Due to the recent and sudden death of a close relative of my husband, I will be absent from the scheduled session of the Erie County Legislature on March 6, 2003.

Please enter this communication in the Official Proceedings of the Erie County Legislature. Thank you.

Very truly yours,

JUDITH P. FISHER  
Erie County Legislator

**MEETING NO. 5**  
**March 6, 2003**

**ERIE COUNTY LEGISLATURE**

4<sup>th</sup> District

FROM LEGISLATOR SCHROEDER

Item 62 – (Comm. 5E-8) Erie Canal Harbor Project Timeline.

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM LEGISLATOR McCARVILLE

Item 63 – (Comm. 5E-9) Explanation for Abstention on the Vote for Comm. 25E-15.

RECEIVED, FILED & PRINTED.

March 3, 2003

Hon. Charles M. Swanick  
Chairman, Erie County Legislature  
Old County Hall Annex -7<sup>th</sup> Floor  
25 Delaware Avenue  
Buffalo, NY 14202

Dear Chairman Swanick:

Pursuant to the Rules of Order for the Erie County Legislature, please allow this letter to serve as my explanation for my abstention on the vote for Comm. 25-E-15.

At present, I am employed part-time by TVGA Consultants, but my duties for TVGA Consultants do not directly involve the procurement, preparation, or performance of any contract between TVGA Consultants and the County of Erie. In addition, any wages that I receive from employment with TVGA Consultants are in no way directly affected by any contract between TVGA Consultants and Erie County.

I trust that the above will suffice. Thank you.

Very truly yours,

Steven P. McCarville  
Erie County Legislator  
13<sup>th</sup> District

cc: Laurie A. Manzella  
Clerk, Erie County Legislature

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**FROM THE COMPTROLLER**

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

CARRIED UNANIMOUSLY.

Re: Bond Resolution Authorizing Payment of Settled Claim against County – Chrymko vs County of Erie & June Vandewater - \$1,900,000. (Comm. 5E-10)

MS. MARINELLI moved to send the resolution to the FINANCE & MANAGEMENT COMMITTEE. MR. HOLT seconded.

CHAIRMAN SWANICK directed that a roll call vote be taken.

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

FAILED. (WEIGHTED VOTE: 6.471 – 8.585)

MR. RANZENHOFER moved the approval of the resolution. MS. CHASE seconded.

CHAIRMAN SWANICK directed that a roll call vote be taken.

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

FAILED. [WEIGHTED VOTE: 8.585 – 6.471 (DID NOT MEET REQUIRED 11.339 THRESHOLD.)]

Received and filed.

Item 65 – (Comm. 5E-11) Minority Appointment to Board of Directors of Buffalo-Niagara Convention & Visitors Bureau.

RECEIVED, FILED & PRINTED.

March 3, 2003

The Honorable Laurie A. Manzella  
 Clerk

**MEETING NO. 5****March 6, 2003****ERIE COUNTY LEGISLATURE**

Erie County Legislature  
 25 Delaware Ave., 7<sup>th</sup> Floor  
 Buffalo, NY 14202

**RE:           MINORITY CAUCUS APPOINTMENT TO BOARD OF DIRECTORS OF  
 THE BUFFALO-NIAGARA CONVENTION & VISITORS BUREAU**

Dear Madam Clerk:

Please be advised that, in accordance with the by-laws of the aforementioned organization, Legislator Demone A. Smith will serve as the Minority Caucus appointment to the Board of Directors of the Buffalo-Niagara Convention & Visitors Bureau.

Please see that this item is received, filed & printed at the legislative session scheduled for March 6. Thank you.

Very truly yours,

GEORGE A. HOLT, JR.  
 Minority Leader  
 Erie County Legislature

c:     Hon. Demone A. Smith, Erie County Legislator, 7<sup>th</sup> District  
       Mr. Richard Geiger, CEO, Buffalo-Niagara Convention & Visitors Bureau

**FROM THE COUNTY EXECUTIVE**

Item 66 – (Comm. 5E-12) Sale of Delinquent Tax Liens to State of NY Municipal Bond Bank Agency.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 67 – (Comm. 5E-13) Health – Western Regional Training Grant 7/1/02 – 6/3/03 Project No. 706.

Received and referred to the HUMAN SERVICES COMMITTEE.

Item 68 – (Comm. 5E-14) ECSD No. 3 – Engineering Agreement Close-Out – A/E Agreement Dated 10/17/91 – Pratt & Huth.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 69 – (Comm. 5E-15) Establishing EC Regional Assets Program.

**MEETING NO. 5****March 6, 2003****ERIE COUNTY LEGISLATURE**

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 70 – MR. RANZENHOFER presented the following resolution and moved for immediate consideration. MR. FALKNER seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 82

Re: Special Funding Initiative for Buffalo Philharmonic Orchestra. (Comm. 5E-16)

**Whereas**, the Buffalo Philharmonic Orchestra Society, Inc. (BPO) has requested extraordinary funding assistance from Erie County, in the amount of \$200,000, as part of a special funding initiative to address the Orchestra's significant fiscal challenges that have resulted from the national economic downturn throughout the last several months; and

**Whereas**, the BPO has long been recognized by Erie County as a national and regional cultural asset, and the importance of the BPO has been enhanced in recent years due to its ability to promote and enhance the business of cultural tourism in our region; and

**Whereas**, remarkably the BPO has experienced significant artistic success in the last several months despite its economic challenges, and based on the BPO's legacy of such accomplishments, Erie County has provided substantial funds to the Buffalo Philharmonic Orchestra for more than two decades to sustain and enhance the role of this important cultural resource; and

**Whereas**, it is important to understand that this recent special funding initiative request to Erie County from the BPO, which requested financial assistance to address the BPO's immediate fiscal challenges, is one component in the BPO's comprehensive strategy that has been established to address its immediate fiscal needs, as well as its long-term artistic and fiscal challenges, and this strategy includes securing an additional \$900,000 in special funding donations, as well as establishing a panel to work on developing strategies to deal with the Orchestra's long-term fiscal and artistic viability; and

**Whereas**, if such extraordinary County funds are not provided, the BPO's ability to continue its artistically successful performance and educational outreach role in our community will be diminished and jeopardized,

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the County Executive is hereby authorized to enter into the necessary agreement with the Buffalo Philharmonic Orchestra Society, Inc., which will enable the County to provide extraordinary funding assistance, in the amount of \$200,000, to the Buffalo Philharmonic Orchestra, as part of the BPO's special funding initiative; and be it further

**MEETING NO. 5****March 6, 2003****ERIE COUNTY LEGISLATURE**

**RESOLVED**, that \$200,000 is hereby appropriated to address the BPO's extraordinary funding needs, the source of funds being unanticipated tobacco residual funds (DAC Code: 110 923310528 0100); and be it further

**RESOLVED**, that certified copies of this resolution be sent to the County Executive, the County Comptroller, the Commissioner of the Department of Environment and Planning; the Director of the Division of Budget, Management and Finance; and Lawrence Ribits, President and CEO, Buffalo Philharmonic Orchestra, 71 Symphony Circle, Buffalo, NY 14201.

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

CARRIED UNANIMOUSLY.

After the 2<sup>nd</sup> RESOLVE clause, ADD the following:

**RESOLVED**, that the Erie County Legislature does hereby request representatives of the Buffalo Philharmonic Orchestra to appear before this Body at a future meeting of the Community Enrichment Committee to report plans for distribution of this one-time extraordinary county funding and the long-term strategy for BPO fiscal stability, and be it further

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

CHAIRMAN SWANICK directed that a roll call vote be taken.

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

CARRIED UNANIMOUSLY.

Item 71 – (Comm. 5E-17) Buffalo & Erie County Historical Society's Request for Extraordinary County Funding.

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

Item 72 – (Comm. 5E-18) Award of Contract & Supplemental for Construction Inspection Services – Reconstruction of Bullis Road Bridge.

Item 73 – (Comm. 5E-19) Agreement with NYSDOT Hall Road Bridge.

Item 74 – (Comm. 5E-20) Supplemental Agreement with NYSDOT – Glenwood – East Concord Road Bridge.

**MEETING NO. 5****March 6, 2003****ERIE COUNTY LEGISLATURE**

Item 75 – (Comm. 5E-21) New Elevator & Basement Storage Renovations at Buffalo & Erie County Central Library – A/E Supplemental Agreement.

Item 76 – (Comm. 5E-22) ECC – North & South Campus – Medium Voltage Switch Replacement – Contingency Fund Increase.

Item 77 – (Comm. 5E-23) Additional Senior Civil Engineer Position in DPW to Satisfy Labor Settlement.

Item 78 – (Comm. 5E-24) Erie County Main Library Exterior Building Rehabilitation & Sitework.

Item 79 – (Comm. 5E-25) ECC City Campus – Athletic Facility Locker Room Renovations.

Item 80 – (Comm. 5E-26) New Family Court Building – Acceptance of NYSERDA Funding & Additional Energy Conservation Work.

Item 81 – (Comm. 5E-27) Grover Cleveland Waterline Improvements – Phase I – Contingency Fund Increase.

Item 82 – (Comm. 5E-28) Roof & Waterproofing of Various County Facilities.

The above eleven items were received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

**COMMUNICATIONS FROM THE DEPARTMENTS****FROM THE CLERK OF THE LEGISLATURE**

Item 83 – (Comm. 5D-1) Notice of Public Hearing – Local Law Intro. No. 4 – 2003.

RECEIVED, FILED & PRINTED.

February 21, 2003

To: All Erie County Legislators & Staff

From: Laurie A. Manzella, Clerk

Subject: ***NOTICE OF PUBLIC HEARING – LOCAL LAW INTRO. NO. 4 - 2003***

**MEETING NO. 5****March 6, 2003****ERIE COUNTY LEGISLATURE**

On February 20, 2003, the following proposed local law was clocked-in and laid on the table of the Erie County Legislature. It will have sufficiently 'aged' by the date of our next regular session scheduled for March 6, 2003, at 2:00 p.m.

- Local Law Intro. No. 4 – 2003 entitled, *A LOCAL LAW, amending Local Law No. 2 – 2001, granting a partial exemption from real property taxation, pursuant to Section four hundred fifty-nine-c of the Real Property Tax Law, to persons with disabilities who have limited incomes.*

The County Attorney's office has advised me that the Erie County Legislature should hold a public hearing on this local law BEFORE considering it for approval.

Therefore, at the beginning of our next regular Session, scheduled for March 6, 2003, at 2:00 p.m., Chairman Charles M. Swanick will call for a brief recess in order for the hearing to be held.

A copy of the NOTICE OF PUBLIC HEARING, which was sent to the county's official newspapers for publication, is attached for your information. A copy of Local Law Intro. No. 4 – 2003 is also attached.

Thank you.

## ATTACHMENTS

- c: *Susannah M. Bochenek, 1<sup>st</sup> Assistant County Attorney (with attachments)*  
*Melissa O. Heimerl, Assistant County Attorney (with attachments)*  
*Joseph Maciejewski, Dir. of Real Property Tax Services (with attachments)*

## LEGAL NOTICE

## NOTICE OF PUBLIC HEARING

**NOTICE IS HEREBY GIVEN** that, the Erie County Legislature will hold a Public Hearing on Thursday, March 6, 2003 at 2:00 p.m. concerning Erie County LOCAL LAW INTRO. NO. 4 – 2003, entitled:

A LOCAL LAW, amending Local Law No. 2 – 2001, granting a partial exemption from real property taxation, pursuant to Section four hundred fifty-nine-c of the Real Property Tax Law, to persons with disabilities who have limited incomes.

The Public Hearing will be held in the Chambers of the Erie County Legislature located in the Ceremonial Courtroom, Part 6, 2<sup>nd</sup> floor of the old County Hall, 92 Franklin Street, in the City of Buffalo, New York.

**MEETING NO. 5****March 6, 2003****ERIE COUNTY LEGISLATURE**

A copy of the proposed local law is available for public inspection Monday through Friday from 9:00 a.m. to 5:00 p.m. in the office of the Clerk of the Legislature on the 7<sup>th</sup> floor of 25 Delaware Avenue, in the City of Buffalo, New York.

LAURIE A. MANZELLA  
Clerk  
Erie County Legislature

**FROM THE COUNTY ATTORNEY**

Item 84 – (Comm. 5D-2) Special Counsel – Sabres Bankruptcy.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

**FROM THE ECMC**

Item 85 – (Comm. 5D-3) Board of Managers Finance Committee 2/28/03 Agenda, Minutes & Financial Statements.

Received and filed.

**FROM THE DEP**

Item 86 – (Comm. 5D-4) Approving Extension of ECSD No. 2.

Item 87 – (Comm. 5D-5) Approving An Increase & Improvement of Facilities of ECSD No. 2.

Item 88 – (Comm. 5D-6) Approving Extension of ECSD NO. 3 & Consolidation of ECSD No. 3.

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

**COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES****FROM THE DUTCHESS COUNTY LEGISLATURE**

Item 89 – (Comm. 5M-1) Resolution Adopted Encouraging Support of Upstate Dairy Industry.

Received and filed.

**MEETING NO. 5**  
**March 6, 2003**

**ERIE COUNTY LEGISLATURE**

**FROM CONGRESSMAN QUINN**

Item 90 – (Comm. 5M-2) Receipt of Resolution.

Received and filed.

**FROM THE ERIE-NIAGARA TOBACCO-FREE COALITION**

Item 91 – (Comm. 5M-3) Copy of Letter to Chairman Swanick Re: Clean Indoor Air Law.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

**FROM NYS COMPTROLLER HEVESI**

Item 92 – (Comm. 5M-4) Economic Impact Statement Re: Buffalo Sabres.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

**FROM THE ACTING COMPTROLLER CITY OF BUFFALO**

Item 93 – (Comm. 5M-5) Copy of Letter to Deputy Comptroller Erie County Re: Information Request.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

**FROM NFTA**

Item 94 – (Comm. 5M-6) Minutes from Meeting Held 1/27/03.

Received and filed.

**FROM CONGRESSMAN QUINN**

Item 95 – (Comm. 5M-7) Receipt of Resolutions.

Received and filed.

**FROM ECIDA**

Item 96 – (Comm. 5M-8) Notice of Meeting to be Held 3/12/03.

Received and filed.

**MEMORIAL RESOLUTIONS**

**MEETING NO. 5****March 6, 2003****ERIE COUNTY LEGISLATURE**

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Item 97 – Legislator Schroeder requested that when the Legislature adjourns, it do so in memory of Bartholemew Harrigan.

Item 98 – Legislator Dale requested that when the Legislature adjourns, it do so in memory of Alfred Cichowicz.

Item 99 – Legislator Dale requested that when the Legislature adjourns, it do so in memory of Elnora Gist.

Item 100 – Legislator Smith requested that when the Legislature adjourns, it do so in memory of Michael Mazurek.

Item 101 – Legislator Dale requested that when the Legislature adjourns, it do so in memory of Dan Kurza.

Item 102 – Legislator Dale recognized Minority Chief of Staff, Charles Eaton’s last Legislative Session and wished him a happy and successful future.

**ADJOURNMENT**

Item 103 – 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 20, 2003. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

The Chairman declared the Legislature adjourned until Thursday, March 20, 2003 at 2 p.m. Eastern Standard Time.

**LAURIE A. MANZELLA  
CLERK**