

**MEETING NO. 7**  
**March 21, 2002**

**ERIE COUNTY LEGISLATURE**

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**MEETING NO. 7**  
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The Legislature was called to order by Chairman DeBenedetti.

All Members Present.

The invocation was led by Pastor Bill Petri of the Grace Family Bible Church.

The Pledge of Allegiance was led by Ms. Fisher.

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

MR. GREENAN moved the approval of the minutes of Meeting No. 21 of 2001. MR. RANZENHOFER seconded.

CARRIED UNANIMOUSLY.

**MISCELLANEOUS RESOLUTIONS**

Item 2 – MS. CHASE presented a resolution Recognizing Municipal Clerk's Week 4/28/02 – 5/4/02. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

Item 3 – MR. McCARVILLE presented a resolution Honoring Travis Mayer, US Olympic Free Style Skier. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

Item 4. MR. DALE presented a resolution Honoring Hon. Michael Battle Upon His Appointment to Position of United States Attorney for Western District of New York. MR. SWANICK seconded.

CARRIED UNANIMOUSLY.

Item 5 – MR. SCHROEDER presented a resolution Honoring Southside Elementary School Upon Their Observance of a Career Day. MR. SWANICK seconded.

CARRIED UNANIMOUSLY.

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Item 6 – MS. MARINELLI presented a resolution Congratulating Recipients of 2002 Erie Community College Distinguished Alumni Award. MR. SWANICK seconded.

CARRIED UNANIMOUSLY.

Item 7 – MR. SCHROEDER presented a resolution Congratulating Robert Rush, Goin' South's Irishman of the Year. MR. SWANICK seconded.

CARRIED UNANIMOUSLY.

Item 8 – MR. DUSZA presented a resolution Commemorating Depew Middle School Sertoma Contest Champions. MR. SWANICK seconded.

CARRIED UNANIMOUSLY.

Item 9 – MR. SCHROEDER presented a resolution Congratulating Parish of the Holy Family on the Occasion of Their Centennial Anniversary. MR. SWANICK seconded.

CARRIED UNANIMOUSLY.

Item 10 – MS. PEOPLES presented a resolution Honoring the 2002 Inductees Into Western New York Women's Hall of Fame. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

Item 11 – MR. SCHROEDER presented a resolution Honoring Bishop Timon-Saint Jude High School Ice Hockey Team, NYS Catholic Champions. MR. SWANICK seconded.

CARRIED UNANIMOUSLY.

Item 12 – MR. HOLT presented a resolution Celebrating 30<sup>th</sup> Anniversary of Rev. & Mrs. John Hilliard's Service to Humboldt Parkway Baptist Church. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

Item 13 – MR. HOLT presented a resolution Honoring Rosa Gibson as Recipient of the Buffalo News "Citizen of the Year" Award. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

**LOCAL LAWS**

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Item 14 – CHAIRMAN DeBENEDETTI directed that Local Law No. 5 (Print #1) 2001 be received and filed.

Item 15 – CHAIRMAN DeBENEDETTI directed that Local Law No. 5 (Print #2) 2001 be received and filed.

Item 16 – CHAIRMAN DeBENEDETTI directed that Local Law No. 5 (Print #3) 2001 be received and filed.

\*\* Local Law Intros. 5-1, 5-2 & 5-3 reconsidered at Session #8 of the Erie County Legislature held on 4/11/02.

Item 17 – CHAIRMAN DeBENEDETTI directed that Local Law No. 9 (Print #1) 2001 be referred to the HUMAN SERVICES COMMITTEE.

Item 18 – CHAIRMAN DeBENEDETTI directed that Local Law No. 9 (Print #2) 2001 be referred to the HUMAN SERVICES COMMITTEE.

Item 19 – CHAIRMAN DeBENEDETTI directed that Local Law No. 9 (Print #3) 2001 be referred to the HUMAN SERVICES COMMITTEE.

Item 20 – CHAIRMAN DeBENEDETTI directed that Local Law No. 10 (Print #1) 2001 be referred to the HUMAN SERVICES COMMITTEE.

Item 21 – CHAIRMAN DeBENEDETTI directed that Local Law No. 1 (Print #1) 2002 be received and filed.

Item 22 – CHAIRMAN DeBENEDETTI directed that Local Law No. 1 (Print #2) 2002 be received and filed.

Item 23 – CHAIRMAN DeBENEDETTI directed that Local Law No. 1 (Print #3) 2002 be received and filed.

Item 24 – CHAIRMAN DeBENEDETTI directed that Local Law No. 1 (Print #4) 2002 be received and filed.

CHALLENGE TO THE CHAIR.

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

FAILED. (WEIGHTED VOTE: 8.498 – 8.502)

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\*\* Local Law Intros. 1-1, 1-2, 1-3 & 1-4 reconsidered at Session #8 of the Erie County Legislature held on 4/11/02.

Item 25 – MR. DALE moved to consider Intro. 7-10 out of order. MR. SWANICK seconded.

CHAIRMAN DeBENEDETTI defeated the motion.

**COMMITTEE REPORTS**

Item 26 – MR. RANZENHOFER presented the following resolution and moved for immediate approval. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 116

March 14, 2002

ECONOMIC DEVELOPMENT COMMITTEE  
 REPORT NO. 4

ALL MEMBERS PRESENT EXCEPT LEGISLATOR HOLT.

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

	Item	Page	-2001	(Int. 4-11)
a.	<b>OLMA:</b>	Support for Project Labor Agreement for Buffalo Schools Construction Project.		
		(4-0) Legislator Holt absent.		

	Item	Page	-2002	(Comm. 6E-15)
b.	<b>COUNTY EXECUTIVE:</b>	Ralph Wilson Stadium – 2002 Capital Rehabilitation Project.		
		(4-0) Legislator Holt absent.		

				<b>AS AMENDED</b>
2.	Item	Page	-2001	(Comm. 18E-10)
	<b>COUNTY EXECUTIVE</b>			

WHEREAS, the Erie County Legislature approved a contract for the 2001 Overlay "D" Program, Project Number CHIPS OP-01D, between Omer Construction Company, Inc. and the County of Erie, in Meeting Number 14, held on June 21, 2001, Communication Number 14E-31, and

WHEREAS, additional work needs to be performed on the project that was not initially anticipated and the County needs to increase the project in order to expeditiously perform intersection safety improvement work at the intersection of William and Aurora Streets, in the Town of Lancaster, and

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WHEREAS, the cost for the additional work exceeds the contingency amount previously authorized for this project, and

WHEREAS, the cost for this work was approved in the 2001 Capital Budget under a bonded project for Various Intersection Improvements

NOW, THEREFORE, BE IT

RESOLVED, that the contract amount be increased by an additional amount of \$650,000.00 to be allocated from the Construction of Intersection/Signal Improvements at the Intersection of William and Aurora Streets Program, for a change order to the construction contract with Omer Construction Co. Inc.; and be it further

RESOLVED, that the Clerk of the Legislature be instructed to forward three (3) certified copies of this resolution to the Deputy Commissioner-Highways, Department of Public Works and one copy to the County Comptroller.  
 (4-0) Legislator Holt absent.

3. Item Page -2002 (Comm. 5E-38)

**COUNTY EXECUTIVE**

WHEREAS, Erie County has had a contractual relationship with the New York State Department of Transportation (NYSDOT) for snow plowing roads owned by NYSDOT for many years, and

WHEREAS, after a preliminary audit performed by NYSDOT over the last five-year period, it was determined that Erie County under billed for services by \$72,415, and

WHEREAS, to further investigate the under billing, NYSDOT performed a more thorough investigation, and

WHEREAS, in that comprehensive audit, it was determined that Erie County further under billed by \$93,345, and

WHEREAS, the sum of these two findings will be forwarded from NYSDOT to Erie County,

NOW, THEREFORE, BE IT,

RESOLVED, that the total reimbursement from NYSDOT be accepted by Erie County, and be it further,

RESOLVED, that the funds received will be used by the Department of Public Works to investigate and implement as feasible a GPS system for its highway apparatus, including the

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potential of linking that system to the County's GIS system including the necessary hardware and software, and be it further,

RESOLVED, that the first contract in this investigation work be awarded to URS as a change order to their existing contract with Erie County for a sum not to exceed \$20,000, 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 certified copy of this resolution be forwarded to the Department of Emergency Services; one copy to the Division of Budget Management and Finance; and one copy to the Office of the Comptroller.

(4-0) Legislator Holt absent.

4. Item Page -2002 (Comm. 5E-40)

**COUNTY EXECUTIVE**

WHEREAS, Architectural/Engineering design services are required in order to implement the Erie Community College, North Campus, Dental Hygiene Lab Renovations, and

WHEREAS, the firm of Stievater & Associates presently has a General Engineering contract with the County of Erie to provide design services, and

WHEREAS, the ECC Administration requested the firm of Stievater & Associates for design services,

NOW, THEREFORE, BE IT,

RESOLVED, that the Commissioner of Public Works be authorized to issue a supplemental agreement to Stievater & Associates for the Dental Hygiene Lab Renovations at the North Campus on a percentage of construction based upon a construction budget of \$2,000,000 in the total amount of \$170,000, including reimburseables, and be it further,

RESOLVED, that the Comptroller's Office be authorized to make payments for all of the above from the 1999 Dental Hygiene Lab Renovations, Project 141, 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.

(4-0) Legislator Holt absent.

**AS AMENDED**

5. Item Page -2002 (Comm. 5E-42)

**COUNTY EXECUTIVE**

WHEREAS, the 2002 capital budget contains \$2.3 million for Rehabilitation Work at Ralph Wilson Stadium in accordance with the terms of the new Lease Agreement between the Buffalo Bills and Erie County, and

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WHEREAS, the Buffalo Bills have requested that the County proceed with this work which should be completed before the regular football season begins in order not to jeopardize the operation and safety of the Stadium, and

WHEREAS, in order to comply, DiDonato Associates, P.E., P.C. must begin design on this project immediately. The Department of Public Works must receive bids and issue construction contracts as soon as possible,

WHEREAS, DiDonato Associates, P.E., P.C. has a General Architectural/Engineering Agreement with Erie County and,

WHEREAS, DiDonato Associates, P.E., P.C. has designed and constructed various projects at the stadium in the past,

NOW, THEREFORE, BE IT,

RESOLVED, that the Commissioner of Public Works be authorized to issue a Supplemental Agreement to DiDonato Associates, P.E., P.C. to prepare contract documents and provide design and inspection services for the 2002 Ralph Wilson Stadium Capital Rehabilitation Project on a lump sum fee basis not to exceed \$60,000, including reimbursables, and be it further,

RESOLVED, that the Comptroller's Office be authorized to make payments for all of the above from the Stadium Renovations, Project 826, Fund 410, 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 and Finance; and one copy to the Office of the Comptroller.

(4-0) Legislator Holt absent.

6. Item Page -2002 (Comm. 5E-43)

**COUNTY EXECUTIVE**

WHEREAS, funds were authorized and contracts were awarded by the Department of Public Works for the Roof Repair - Emergency Response Services - All County-owned Buildings, and

WHEREAS, a contract was awarded to Jameson Roofing Co., in the maximum amount of \$70,000.00, the total expenditure of which shall be based upon a project-by-project basis,

NOW, THEREFORE, BE IT,

RESOLVED, that the total expenditure be increased from \$70,000.00 to \$170,000.00, with authorization for the Commissioner of Public Works to approve the work based upon the NYS Department of Labor Prevailing Wage Rate Schedule and for all materials furnished and installed for each emergency response repair, and be it further,

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RESOLVED, that the Comptroller's Office be authorized to make payment for all of the above from the 2001 Roof Replacement & Waterproofing account, Project 197, Fund 410, and be it further,

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

(4-0) Legislator Holt absent.

7. Item Page -2002 (Comm. 5E-44)

**COUNTY EXECUTIVE**

WHEREAS, the Erie County Legislature approved a contract for the 2001 Overlay "B" Program, Project Number CHIPS OP-01B, between Amherst Paving, Incorporated of Amherst, New York and the County of Erie, in Meeting Number 13, held on June 7, 2001, Communication Number 13E-19, and

WHEREAS, additional work needs to be performed on the project that was not initially anticipated and the County needs to increase the project in order to expeditiously perform the replacement of the Mineral Springs Road Culvert and repairs to Mill Road and Freeman Road Bridges and the Taylor Road Culvert, and

WHEREAS, the cost for the additional work exceeds the contingency amount previously authorized for this project, and

WHEREAS, the cost for this work was approved in the 2001 Capital Budget under a bonded project for Bridge Reconstruction

NOW, THEREFORE, BE IT

RESOLVED, that the contract amount be increased by an additional amount of \$78,700.00 to be allocated from the Bridge Construction Program, for a change order to the construction contract with Amherst Paving, Incorporated; and be it further

RESOLVED, that the Clerk of the Legislature be instructed to forward three (3) certified copies of this resolution to the Deputy Commissioner-Highways, Department of Public Works and one copy to the County Comptroller.

(4-0) Legislator Holt absent.

8. Item Page -2002 (Comm. 5E-45)

**COUNTY EXECUTIVE**

WHEREAS, the Department of Public Works received bids on December 20, 2001, for the Grover Cleveland Park Water System Improvements-Phase I, and



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WHEREAS, the Department of Public Works is recommending award to the lowest responsible bidder,

NOW, THEREFORE, BE IT,

RESOLVED, that the County Executive be authorized to enter into a contract for Grover Cleveland Park Water System Improvements - Phase I, as follows:

**PLUMBING WORK**

Collana Construction	
Base Bid	\$105,920.00

and be it further,

RESOLVED, that the sum of \$50,000.00 be allocated to a construction contingency fund with authorization for the Commissioner of Public Works to approve change orders not to exceed the amount of the contingency, and be it further,

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

RESOLVED, that the sum of \$8,000.00 be allocated for testing, surveying, additional engineering services, and miscellaneous expenses with authorization for the Commissioner of Public Works to expend said funds, and be it further,

RESOLVED, that the Comptroller's Office be authorized to make payment for all of the above from Improvements to Water Lines at Various Parks, Fund 410, Project 202, and be it further,

RESOLVED, that two certified copies of this resolution be sent to the Department of Public Works, Office of the Commissioner; one copy to the Division of Budget Management & Finance; one copy to the Office of the Comptroller; and one copy to the Department of Parks & Recreation. (4-0) Legislator Holt absent.

9.     Item           Page                           -2002           (Comm. 6E-7)  
**COUNTY EXECUTIVE**

WHEREAS, the Department of Public Works received bids on December 20, 2001 for the CNG (Compressed Natural Gas) Fueling Station at ECMC, and

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

NOW, THEREFORE, BE IT,

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RESOLVED, that the County Executive be authorized to enter into the following contract for the CNG (Compressed Natural Gas) Fueling Station at ECMC as follows:

CONSTRUCTION CONTRACT NO.1

Beavers Petroleum	
Base Bid	\$384,950.00

and be it further,

RESOLVED, that the sum of \$10,050.00 be allocated to a construction contingency fund with authorization for the Commissioner of Public Works to approve change orders not to exceed the amount of the contingency, and be it further,

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

RESOLVED, that the sum of \$12,000.00 be allocated for additional engineering services, and miscellaneous expenses with authorization for the Commissioner of Public Works to expend said funds, 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 costs of the project's Construction and Construction Inspection Phase exceeds the amount appropriated above \$114,800 and/or 100% of the full Federal and non-Federal shares of the cost of the project's Construction and Construction Inspection Phase exceeds \$574,000, "the County of Erie shall convene its Legislature as soon as possible to appropriate said excess amount immediately upon the notification by the NYSDOT thereof", and be it further,

RESOLVED, that this project is funded by a Federal CMAQ (Congestion Mitigation & Air Quality) Grant, Fund 281, Project 223 for \$407,000.00, and be it further,

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

(4-0) Legislator Holt absent.

10.    Item            Page                               -2002               (Comm. 6E-16)  
          **COUNTY EXECUTIVE**

WHEREAS, in a resolution dated November 2, 2000 being Comm. Number 22E-15, the Erie County Legislature authorized an extension of the Snow and Ice Agreement with New York State Department of Transportation for a period of one year being July 1, 2000 to June 30, 2001, and

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WHEREAS, in a resolution dated June 21, 2001 being Comm. Number 14E-66, the Erie County Legislature authorized an extension of the Snow and Ice Agreement with New York State Department of Transportation for a yearly period up to three years being July 1, 2001 to June 30, 2004, and

WHEREAS, payment of these previous contracts was based on a Time and Materials type method, and

WHEREAS, after negotiations with New York State Department of Transportation, it was determined that an Indexed Lump Sum payment contract would be beneficial to Erie County, and

WHEREAS, the Commissioner of Public Works recommends that the type of payment for these contracts be changed to an Indexed Lump Sum contract,

NOW, THEREFORE, BE IT,

RESOLVED, that the Erie County Legislature authorizes the execution of new contracts with New York State Department of Transportation for similar work as previously authorized; however, changing the method of payment for the work for a three year period to expire June 30, 2003, with yearly extension reviewed thereafter, and be it further,

RESOLVED, that the Clerk of the Legislature is hereby directed to transmit nine (9) certified copies of this resolution to the Commissioner of Public Works, one (1) certified copy to the County Comptroller, and on (1) certified copy to the Deputy Commissioner of Public Works, Division of Highways, and one (1) certified copy to Budget Management & Finance.  
 (4-0) Legislator Holt absent.

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

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 117

March, 14, 2002

FINANCE & MANAGEMENT  
 COMMITTEE  
 REPORT NO. 4

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ALL MEMBERS PRESENT EXCEPT LEGISLATOR SWANICK.

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

Item Page -2001 (Comm. 26E-3)  
 a. **COMPTROLLER:** Review of Erie County's Takeover of East Side Transfer Station (ESTS) as of 7/1/01.  
 (4-0) Legislator Swanick absent.

Item Page -2002 (Comm. 3E-4)  
 b. **COMPTROLLER:** Copy of Letter to Budget Director Re: Erie County's Financial Condition.  
 (4-0) Legislator Swanick absent.

Item Page -2002 (Comm. 4M-10)  
 c. **BUFFALO ECONOMIC RENAISSANCE CORPORATION:** Letter to Clerk Re: Grant to Buffalo Economic Renaissance Corporation - Tops Supermarket – Jefferson Avenue.  
 (4-0) Legislator Swanick absent.

Item Page -2002 (Comm. 6E-1)  
 d. **COMPTROLLER:** Apportionment & Distribution of 4% Sales Tax Revenue Received from NYS for February.  
 (4-0) Legislator Swanick absent.

Item Page -2002 (Comm. 6E-4)  
 e. **COMPTROLLER:** 2001 Investment Earnings.  
 (4-0) Legislator Swanick absent.

2. Item Page -2002 **AS AMENDED**  
 (Comm. 1D-9A)  
**BUDGET, MANAGEMENT & FINANCE**

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

EMAIL DOCUMENT IS 202705EM.TXT

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

RESOLVED, that petitions numbered 202627 through 202705 inclusive be hereby approved or denied based upon the recommendation of the Director of Real Property Services and be charged back to the applicable Towns and / or Cities.

Petition No. 202064 / 2002 - ASSESSOR - Cancel - \$221.23

SBL No. 89.83-1-4 - CITY OF BUFFALO

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Acct. No. 112 - \$ 221.23 - County

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

Charge to :

CANCEL - CLERICAL ERROR, RPTL 520 PLACECD ON PARCEL IN ERROR. THE SENIOR EXEMPTION IN THE AMOUNT OF 12,750 (50%) THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)A,C

Petition No. 202065 / 2002 - ASSESSOR - Cancel - \$48,401.89

SBL No. 27.15-5-10 & 115 OTHERS - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 48,401.89 - Town/SpecialDist/School

Charge to : TOWN OF AMHERST 48,401.89

CANCEL - CLERICAL ERROR, THE LIGHT DISTRICT TAX RATE WAS MISCALCULATED RPTL 550(2)E.

Petition No. 202066 / 2002 - ASSESSOR - Cancel - \$7,880.35

SBL No. 56.15-2-1./1G - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 7,880.35 - Town/SpecialDist/School

Charge to : TOWN OF AMHERST 7,880.35

CANCEL - CLERICAL ERROR, THE SANITARY SEWER CHARGE WAS MISCALCULATED. INCORECT GALLONAGE FIGURE USED. GALLONS WAS 4,147 AND SHOULD BE 41. RPTL 550(2)E.

Petition No. 202067 / 2002 - ASSESSOR - Cancel - \$169.64

SBL No. 67.65-1-25.1 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 169.64 - Town/SpecialDist/School

Charge to : TOWN OF AMHERST 169.64

CANCEL - CLERICAL ERROR, THIS PARCEL WAS CHARGED FOR TWO UNITS OF GARBAGE TAX. PARCEL SHOULD BE CHARGED FOR ONE UNIT OF GARBAGE. RPTL 550(2)E.

Petition No. 202068 / 2002 - ASSESSOR - Cancel - \$4,007.35

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SBL No. 69.09-5-12 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 4,007.35 - Town/SpecialDist/School

Charge to : TOWN OF AMHERST 4,007.35

CANCEL - CLERICAL ERROR, THE SANITARY SEWER TAX WAS MISCALCULATED.  
 INCORRECT GALLONAGE FIGURES USED. GALLONS WAS 2,210 AND SHOULD BE  
 122. RPTL 550(2)E

Petition No. 202069 / 2002 - ASSESSOR - Cancel - \$6,880.44

SBL No. 69.14-5-8.1 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 6,880.44 - Town/SpecialDist/School

Charge to : TOWN OF AMHERST 6,880.44

CANCEL - CLERICAL ERROR, THE SANITARY SEWER WAS MISCALCULATED.  
 INCORRECT GALLONAGE FIGURES USED TO DETERMINE TAX. THE GALLONAGE  
 WAS 10,922 AND SHOULD BE 7,337. RPTL 550(2)E

Petition No. 202070 / 2002 - ASSESSOR - Cancel - \$329.57

SBL No. 80.12-7-3 - TOWN OF AMHERST

Acct. No. 112 - \$ 170.14 - County

Acct. No. 132 - \$ 159.43 - Town/SpecialDist/School

Charge to : TOWN OF AMHERST 159.43

CANCEL - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF  
 23,400 SHOULD BE 58,500. RPTL 550(2)C

Petition No. 202071 / 2002 - ASSESSOR - Cancel - \$127.17

SBL No. 212.00-4-24 - TOWN OF BOSTON

Acct. No. 112 - \$ 88.75 - County

Acct. No. 132 - \$ 38.42 - Town/SpecialDist/School

Charge to : TOWN OF BOSTON 38.42

CANCEL - CLERICAL ERROR, THE VETERAN'S EXEMPTION IN THE AMOUNT OF  
 13,012 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM  
 THE TAX ROLL. RPTL 550(2)C.

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Petition No. 202072 / 2002 - ASSESSOR - Cancel - \$562.13

SBL No. 258.09-1-2.1 - TOWN OF BOSTON

Acct. No. 112 - \$ 225.24 - County

Acct. No. 132 - \$ 336.89 - Town/SpecialDist/School

Charge to : TOWN OF BOSTON	250.23
BOSTON FIRE PROTECTION	80.45
EC#3 BOSTON VALLEY	6.21

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. THE ASSESSMENT WAS 55,000 AND SHOULD BE 13,500.  
 RPTL 550(2)A.

Petition No. 202073 / 2002 - ASSESSOR - Refund - \$133.98

SBL No. 101.84-3-13 - TOWN OF CHEEKTOWAGA

Acct. No. 112 - \$ 133.98 - County

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

Charge to :  
 REFUND - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 17,280 (45%) THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C

Petition No. 202074 / 2002 - ASSESSOR - Refund - \$10,246.60

SBL No. 114.13-1-4.1 - TOWN OF CHEEKTOWAGA

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 10,246.60 - Town/SpecialDist/School

Charge to : NYS STAR ENHANCED EXEMPTI	10,246.60
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REFUND - CLERICAL ERROR, THIS IS A MOBILE PARK WHERE SOME PARCELS DID NOT RECEIVE THE STAR EXEMPTION THAT THEY WERE ENTITLED TO .  
 RPTL 550(2)C  
 CHECK IN FAVOR OF: HENRY & ARLENE FRONKOWIAK

Petition No. 202075 / 2002 - ASSESSOR - Cancel - \$78.92

SBL No. 58.00-1-5.113 - TOWN OF CLARENCE

Acct. No. 112 - \$ 0.00 - County

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**March 21, 2002**

**ERIE COUNTY LEGISLATURE**

Acct. No. 132 - \$ 78.92 - Town/SpecialDist/School

Charge to : TOWN OF CLARENCE 78.92

CANCEL - CLERICAL ERROR, THE TCSD#2 IS TO BE REMOVED FROM THE TAX BILL  
 THIS PARCEL IS NOT CONNECTED TO THE SEWER LINE. RPTL 550(2)E

Petition No. 202076 / 2002 - ASSESSOR - Cancel - \$487.90

SBL No. 58.00-1-5.114 - TOWN OF CLARENCE

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 487.90 - Town/SpecialDist/School

Charge to : TOWN OF CLARENCE 487.90

CANCEL - CLERICAL ERROR, THE TCSD#2 IS TO BE REMOVED FROM THE TAX BILL  
 THE SEWER LINE IS NOT CONNECTED TO THIS PARCEL. RPTL 550(2)E

Petition No. 202077 / 2002 - ASSESSOR - Refund - \$358.75

SBL No. 58.00-1-10.9 - TOWN OF CLARENCE

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 358.75 - Town/SpecialDist/School

Charge to : TOWN OF CLARENCE 358.75

REFUND - CLERICAL ERROR, TCSD #2 IS TO BE REMOVED FROM THE TAX BILL.  
 THE SEWER LINE IS NOT CONNECTED TO THIS PARCEL. RPTL 550(2)E.  
 CHECK IN FAVOR OF: CARL & JANICE NORECK

Petition No. 202078 / 2002 - ASSESSOR - Refund - \$258.30

SBL No. 58.00-1-22.112 - TOWN OF CLARENCE

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 258.30 - Town/SpecialDist/School

Charge to : TOWN OF CLARENCE 258.30

REFUND - CLERICAL ERROR, TCSD#2 IS TO BE REMOVED FROM THIS TAX BILL.  
 THE SEWER LINE IS NOT CONNECTED TO THIS PARCEL. RPTL 550(2)E  
 CHECK IN FAVOR OF: ANDREW & CHRISTINE HAYES

Petition No. 202079 / 2002 - ASSESSOR - Cancel - \$272.65

SBL No. 58.00-1-10.321 - TOWN OF CLARENCE



**MEETING NO. 7**  
**March 21, 2002**

**ERIE COUNTY LEGISLATURE**

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 272.65 - Town/SpecialDist/School

Charge to : TOWN OF CLARENCE 272.65

CANCEL - CLERICAL ERROR, THE TCSD#2 IS TO BE REMOVED FROM THE TAX BILL  
 THE SEWER LINE IS NOT CONNECTED TO THIS PARCEL. RPTL 550(2)E

Petition No. 202080 / 2002 - ASSESSOR - Cancel - \$322.87

SBL No. 58.00-1-22.4 - TOWN OF CLARENCE

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 322.87 - Town/SpecialDist/School

Charge to : TOWN OF CLARENCE 322.87

CANCEL - CLERICAL ERROR, THE TCSD#2 IS TO BE REMOVED FROM THE TAX ROLL  
 THE SEWER LINE IS NOT CONNECTED TO THIS PARCEL. RPTL 550(2)E

Petition No. 202081 / 2002 - ASSESSOR - Refund - \$93.27

SBL No. 58.00-1-22.12 - TOWN OF CLARENCE

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 93.27 - Town/SpecialDist/School

Charge to : TOWN OF CLARENCE 93.27

REFUND - CLERICAL ERROR, THE TCSD#2 IS TO BE REMOVED FROM THE TAX BILL  
 THE SEWER LINE IS NOT CONNECTED TO THIS PARCEL. RPTL 550(2)E  
 CHECK IN FAVOR: CHARLES & PAMELA GRIFFASI

Petition No. 202082 / 2002 - ASSESSOR - Cancel - \$315.70

SBL No. 58.00-1-13.12 - TOWN OF CLARENCE

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 315.70 - Town/SpecialDist/School

Charge to : TOWN OF CLARENCE 315.70

CANCEL - CLERICAL ERROR, THE TCSD#2 IS TO BE REMOVED FROM THE TAX BILL  
 THE SEWER LINE IS NOT CONNECTED TO THIS PARCEL. RPTL 550(2)E

Petition No. 202083 / 2002 - ASSESSOR - Cancel - \$100.45

**MEETING NO. 7**  
**March 21, 2002**

**ERIE COUNTY LEGISLATURE**

SBL No. 5800-2-15.21A - TOWN OF CLARENCE

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 100.45 - Town/SpecialDist/School

Charge to : TOWN OF CLARENCE 100.45

CANCEL - CLERICAL ERROR, THE TCSD#2 IS TO BE REMOVED FROM THE TAX BILL  
 THE SEWER LINE IS NOT HOOKED INTO THIS PARCEL. RPTL 550(2)E

Petition No. 202084 / 2002 - ASSESSOR - Cancel - \$215.25

SBL No. 58.00-2-37.2 - TOWN OF CLARENCE

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 215.25 - Town/SpecialDist/School

Charge to : TOWN OF CLARENCE 215.25

CANCEL - CLERICAL ERROR, THE TCSD#2 IS TO BE REMOVED FROM THE TAX BILL  
 THE SEWER LINE IS NOT CONNECTED TO THIS PARCEL. RPTL 550(2)E

Petition No. 202085 / 2002 - ASSESSOR - Cancel - \$147.00

SBL No. 209.00-2-27.1 - TOWN OF EDEN

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 147.00 - Town/SpecialDist/School

Charge to : TOWN OF EDEN 147.00

CANCEL - CLERICAL ERROR, THIS PARCEL IS A SINGLE FAMILY HOME AND  
 WAS CHARGED FOR 2 UNITS OF GARBAGE WHEN IN FACT IS SHOULD ONLY BE  
 CHARGED FOR ONE UNIT. RPTL 550(2)E

Petition No. 202086 / 2002 - ASSESSOR - Cancel - \$294.00

SBL No. 254.00-3-15.2 - TOWN OF EDEN

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 294.00 - Town/SpecialDist/School

Charge to : TOWN OF EDEN 294.00

CANCEL - CLERICAL ERROR, PARCEL WAS CHARGED FOR 3 UNITS OF REFUSE  
 AND SHOULD ONLY BE CHARGED FOR 1 UNIT. RPTL 550(2)E

**MEETING NO. 7**  
**March 21, 2002**

**ERIE COUNTY LEGISLATURE**

Petition No. 202087 / 2002 - ASSESSOR - Cancel - \$147.00

SBL No. 255.00-3-17.12 - TOWN OF EDEN

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 147.00 - Town/SpecialDist/School

Charge to : TOWN OF EDEN 147.00

CANCEL - CLERICAL ERROR, THIS PARCEL IS VACANT LAND AND WAS CHARGED FOR GARBAGE IN ERROR. RPTL 550(2)E

Petition No. 202088 / 2001 - ASSESSOR - Refund - \$301.50

SBL No. 192.15-1-5 - TOWN OF EVANS

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 301.50 - Town/SpecialDist/School

Charge to : ERIE CO SEW DST 2 301.50

REFUND - CLERICAL ERROR, THIS PARCEL IS AN EXEMPT PARCEL. THE MAINTENANCE CHARGE OF THE SEWER DISTRICT TAX WAS CHARGED IN ERROR. RPTL 550(2)E  
 CHECK IN FAVOR OF: CLADAGH COMMISSIONER INC

Petition No. 202089 / 2002 - ASSESSOR - Cancel - \$310.69

SBL No. 192.15-1-5 - TOWN OF EVANS

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 310.69 - Town/SpecialDist/School

Charge to : ERIE CO SEW DST 2 310.69

CANCEL - CLERICAL ERROR, THIS PARCEL IS AN EXEMPT PARCEL. THE MAINTENANCE CHARGE OF THE SEWER DISTRICT TAX WAS CHARGED IN ERROR. RPTL 550(2)E

Petition No. 202090 / 2001 - ASSESSOR - Refund - \$105.22

SBL No. 192.16-3-40.1 - TOWN OF EVANS

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 105.22 - Town/SpecialDist/School

Charge to : ERIE CO SEW DST 2 105.22

**MEETING NO. 7**  
**March 21, 2002**

**ERIE COUNTY LEGISLATURE**

REFUND - CLERICAL ERROR, THIS PARCEL IS AN EXEMPT PARCEL. THE  
 MAINTENANCE CHARGE OF THE SEWER DISTRICT TAX WAS CHARGED IN ERROR.  
 RPTL 550(2)E  
 CHECK IN FAVOR OF: CLADDAGH COMMISSION

Petition No. 202091 / 2002 - ASSESSOR - Cancel - \$108.43

SBL No. 192.16-3-40.1 - TOWN OF EVANS

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 108.43 - Town/SpecialDist/School

Charge to : ERIE CO SEW DST 2 108.43

CANCEL - CLERICAL ERROR, THIS PARCEL IS AN EXEMPT PARCEL. THE  
 MAINTENANCE CHARGE OF THE SEWER DISTRICT TAX WAS CHARGED IN ERROR.  
 RPTL 550(2)E

Petition No. 202092 / 2001 - ASSESSOR - Refund - \$1,541.66

SBL No. 205.00-1-4.1 - TOWN OF EVANS

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 1,541.66 - Town/SpecialDist/School

Charge to : ERIE CO SEW DST 2 1,541.66

REFUND - CLERICAL ERROR, THIS PARCEL IS AN EXEMPT PARCEL. THE  
 MAINTENANCE CHARGE OF THE SEWER DISTRICT TAX WAS CHARGED IN ERROR.  
 RPTL 550(2)E  
 CHECK IN FAVOR OF: CLADDAGH COMMISSION

Petition No. 202093 / 2002 - ASSESSOR - Cancel - \$1,588.66

SBL No. 205.00-1-4.1 - TOWN OF EVANS

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 1,588.66 - Town/SpecialDist/School

Charge to : ERIE CO SEW DST 2 1,588.66

CANCEL - CLERICAL ERROR, THIS PARCEL IS AN EXEMPT PARCEL. THE  
 MAINTENANCE CHARGE OF THE SEWER DISTRICT TAX WAS CHARGED IN ERROR.  
 RPTL 550(2)E

Petition No. 202094 / 2001 - ASSESSOR - Refund - \$169.84

SBL No. 205.00-1-4.3 - TOWN OF EVANS

**MEETING NO. 7**  
**March 21, 2002**

**ERIE COUNTY LEGISLATURE**

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 169.84 - Town/SpecialDist/School

Charge to : ERIE CO SEW DST 2 169.84

REFUND - CLERICAL ERROR, THIS PARCEL IS AN EXEMPT PARCEL. THE  
 MAINTENANCE CHARGE OF THE SEWER DISTRICT TAX WAS CHARGED IN ERROR.  
 RPTL 550(2)E  
 CHECK IN FAVOR OF: CLADDAGH COMMISSION

Petition No. 202095 / 2002 - ASSESSOR - Cancel - \$175.02

SBL No. 205.00-1-4.3 - TOWN OF EVANS

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 175.02 - Town/SpecialDist/School

Charge to : ERIE CO SEW DST 2 175.02

CANCEL - CLERICAL ERROR, THIS PARCEL IS AN EXEMPT PARCEL. THE  
 MAINTENANCE CHARGE OF THE SEWER DISTRICT TAX WAS CHARGED IN ERROR.  
 RPTL 550(2)E

Petition No. 202096 / 2001 - ASSESSOR - Refund - \$160.80

SBL No. 205.00-1-4.4 - TOWN OF EVANS

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 160.80 - Town/SpecialDist/School

Charge to : ERIE CO SEW DST 2 160.80

REFUND - CLERICAL ERROR, THIS PARCEL IS AN EXEMPT PARCEL. THE  
 MAINTENANCE CHARGE OF THE SEWER DISTRICT TAX WAS CHARGED IN ERROR.  
 RPTL 550(2)E  
 CHECK FAVOR OF: CLADDAGH COMMISSION

Petition No. 202097 / 2002 - ASSESSOR - Cancel - \$165.70

SBL No. 205.00-1-4.4 - TOWN OF EVANS

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 165.70 - Town/SpecialDist/School

Charge to : ERIE CO SEW DST 2 165.70

CANCEL - CLERICAL ERROR, THIS PARCEL IS AN EXEMPT PARCEL. THE  
 MAINTENANCE CHARGE OF THE SEWER DISTRICT TAX WAS CHARGED IN ERROR.

**MEETING NO. 7**  
**March 21, 2002**

**ERIE COUNTY LEGISLATURE**

RPTL 550(2)E

Petition No. 202098 / 2002 - ASSESSOR - Cancel - \$310.69

SBL No. 206.00-3-39.6 - TOWN OF EVANS

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 310.69 - Town/SpecialDist/School

Charge to : ERIE CO SEW DST 2 310.69

CANCEL - CLERICAL ERROR, THIS PARCEL IS AN EXEMPT PARCEL. THE MAINTENANCE CHARGE OF THE SEWER DISTRICT TAX WAS CHARGED IN ERROR.  
 RPTL 550(2)E

Petition No. 202099 / 2001 - ASSESSOR - Refund - \$124.32

SBL No. 220.00-2-26.1 - TOWN OF EVANS

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 124.32 - Town/SpecialDist/School

Charge to : ERIE CO SEW DST 2 124.32

REFUND - CLERICAL ERROR, THIS PARCEL IS AN EXEMPT PARCEL. THE MAINTENANCE CHARGE OF THE SEWER DISTRICT TAX WAS CHARGED IN ERROR.  
 RPTL 550(2)E

CHECK IN FAVOR OF: CLADDAGH COMMISSION

Petition No. 202100 / 2002 - ASSESSOR - Cancel - \$128.11

SBL No. 220.00-2-26.1 - TOWN OF EVANS

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 128.11 - Town/SpecialDist/School

Charge to : ERIE CO SEW DST 2 128.11

CANCEL - CLERICAL ERROR, THIS PARCEL IS AN EXEMPT PARCEL. THE MAINTENANCE CHARGE OF THE SEWER DISTRICT TAX WAS CHARGED IN ERROR.  
 RPTL 550(2)E

Petition No. 202102 / 2001 - ASSESSOR - Refund - \$70.35

SBL No. 235.11-2-36 - TOWN OF EVANS

Acct. No. 112 - \$ 0.00 - County

**MEETING NO. 7**  
**March 21, 2002**

**ERIE COUNTY LEGISLATURE**

Acct. No. 132 - \$ 70.35 - Town/SpecialDist/School

Charge to : ERIE CO SEW DST 2 70.35

REFUND - CLERICAL ERROR, THIS PARCEL IS AN EXEMPT PARCEL. THE  
 MAINTENANCE CHARGE OF THE SEWER DISTRICT TAX WAS CHARGED IN ERROR.  
 RPTL 550(2)E  
 CHECK IN FAVOR OF: CLADDAGH COMMISSION

Petition No. 202103 / 2002 - ASSESSOR - Cancel - \$72.49

SBL No. 235.11-2-36 - TOWN OF EVANS

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 72.49 - Town/SpecialDist/School

Charge to : ERIE CO SEW DST 2 72.49

CANCEL - CLERICAL ERROR, THIS PARCEL IS AN EXEMPT PARCEL. THE  
 MAINTENANCE CHARGE OF THE SEWER DISTRICT TAX WAS CHARGED IN ERROR.  
 RPTL 550(2)E

Petition No. 202104 / 2001 - ASSESSOR - Refund - \$110.55

SBL No. 235.12-1-5.2 - TOWN OF EVANS

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 110.55 - Town/SpecialDist/School

Charge to : ERIE CO SEW DST 2 110.55

REFUND - CLERICAL ERROR, THIS PARCEL IS AN EXEMPT PARCEL. THE  
 MAINTENANCE CHARGE OF THE SEWER DISTRICT TAX WAS CHARGED IN ERROR.  
 RPTL 550(2)E  
 CHECK IN FAVOR : CLADDAGH COMMISSION

Petition No. 202105 / 2002 - ASSESSOR - Cancel - \$113.92

SBL No. 235.12-1-5.2 - TOWN OF EVANS

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 113.92 - Town/SpecialDist/School

Charge to : ERIE CO SEW DST 2 113.92

CANCEL - CLERICAL ERROR, THIS PARCEL IS AN EXEMPT PARCEL. THE  
 MAINTENANCE CHARGE OF THE SEWER DISTRICT TAX WAS CHARGED IN ERROR.  
 RPTL 550(2)E

**MEETING NO. 7**  
**March 21, 2002**

**ERIE COUNTY LEGISLATURE**

Petition No. 202106 / 2001 - ASSESSOR - Refund - \$128.64

SBL No. 235.19-5-49.2 - TOWN OF EVANS

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 128.64 - Town/SpecialDist/School

Charge to : ERIE CO SEW DST 2 128.64

REFUND - CLERICAL ERROR, THIS PARCEL IS AN EXMEPT PARCEL. THE MAINTENANCE CHARGE OF THE SEWER DISTRICT TAX WAS CHARGED IN ERROR. RPTL 550(2)E  
 CHECK IN FAVOR OF: CLADDAGH COMMISSION

Petition No. 202107 / 2002 - ASSESSOR - Refund - \$74.04

SBL No. 235.19-2-46.1 - TOWN OF EVANS

Acct. No. 112 - \$ 43.81 - County

Acct. No. 132 - \$ 30.23 - Town/SpecialDist/School

Charge to : TOWN OF EVANS 30.23

REFUND - CLERICAL ERROR, THE DISABILITY EXEMPTION IN THE AMOUNT OF 7,130 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C  
 CHECK IN FAVOR OF: TERRY L FLICKINGER

Petition No. 202108 / 2002 - ASSESSOR - Cancel - \$132.56

SBL No. 235.19-5-49.2 - TOWN OF EVANS

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 132.56 - Town/SpecialDist/School

Charge to : ERIE CO SEW DST 2 132.56

CANCEL - CLERICAL ERROR, THIS PARCEL IS AN EXEMPT PARCEL. THE MAINTENANCE CHARGE OF THE SEWER DISTRICT TAX WAS CHARGED IN ERROR. RPTL 550(2)E

Petition No. 202109 / 2002 - ASSESSOR - Cancel - \$3,079.49

SBL No. 250.14-4-32 - TOWN OF EVANS

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 3,079.49 - Town/SpecialDist/School



**MEETING NO. 7**  
**March 21, 2002**

**ERIE COUNTY LEGISLATURE**

Charge to : TOWN OF EVANS 3,079.49

CANCEL - CLERICAL ERROR, DEMOLITION CHARGE PLACED ON PARCEL IN  
 ERROR. RPTL 550(2)E

Petition No. 202110 / 2001 - ASSESSOR - Refund - \$150.55

SBL No. 250.17-1-9 - TOWN OF EVANS

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 150.55 - Town/SpecialDist/School

Charge to : ERIE CO SEW DST 2 150.55

REFUND - CLERICAL ERROR, THIS PARCEL IS AN EXEMPT PARCE. THE  
 MAINTENANCE CHARGE OF THE SEWER DISTRICT TAX WAS CHARGED IN ERROR.  
 RPTL 550(2)E

CHECK IN FAVOR OF: CLADDAGH COMMISSION

Petition No. 202111 / 2002 - ASSESSOR - Cancel - \$155.14

SBL No. 250.17-1-9 - TOWN OF EVANS

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 155.14 - Town/SpecialDist/School

Charge to : ERIE CO SEW DST 2 155.14

CANCEL - CLERICAL ERROR, THIS PARCEL IS AN EXEMPT PARCEL. THE  
 MAINTENANCE CHARGE OF THE SEWER DISTRICT TAX WAS CHARGED IN ERROR.  
 RPTL 550(2)E

Petition No. 202112 / 2002 - ASSESSOR - Refund - \$138.34

SBL No. 251.00-4-19 - TOWN OF EVANS

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 138.34 - Town/SpecialDist/School

Charge to : TOWN OF EVANS 138.34

REFUND - CLERICAL ERROR, PARCEL IS VACANT LAND AND SHOULD NOT BE  
 CHARGED FOR THE GARBAGE TAX. RPTL 550(2)E  
 CHECK IN FAVOR OF: EVANS ROD & GUN CLUB

Petition No. 202113 / 2002 - ASSESSOR - Cancel - \$399.02

**MEETING NO. 7**  
**March 21, 2002**

**ERIE COUNTY LEGISLATURE**

SBL No. 12.14-2-10 - TOWN OF GRAND ISLAND

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 399.02 - Town/SpecialDist/School

Charge to : TOWN OF GRAND ISLAND 399.02

CANCEL - CLERICAL ERROR, THE DELINQUENT WATER AND SEWER WERE  
 PLACED ON THIS TAX BILL IN ERROR. RPTL 550(2)E

Petition No. 202114 / 2002 - ASSESSOR - Cancel - \$349.94

SBL No. 159.19-1-20./16 - TOWN OF HAMBURG

Acct. No. 112 - \$ 70.78 - County

Acct. No. 132 - \$ 279.16 - Town/SpecialDist/School

Charge to : TOWN OF HAMBURG 260.62  
 BIG TREE FIRE PROTECT 18.54

CANCEL - CLERICAL ERROR, THIS PARCEL WAS CREATED IN ERROR.  
 RPTL 550(2)A

Petition No. 202115 / 2002 - ASSESSOR - Refund - \$163.00

SBL No. 169.12-1-30 - TOWN OF HAMBURG

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 163.00 - Town/SpecialDist/School

Charge to : TOWN OF HAMBURG 163.00

REFUND - CLERICAL ERROR, BUILDING DEMOLISHED. SEWER CHARGE FOR  
 MT VERNON WAS PLACED ON TAX BILL IN ERROR. RPTL 550(2)E  
 CHECK IN FAVOR: J SIMET

Petition No. 202116 / 2002 - ASSESSOR - Refund - \$165.00

SBL No. 196.04-1-23.112 - TOWN OF HAMBURG

Acct. No. 112 - \$ 0.00 - County

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

Charge to : EC#3 BOSTON VALLEY 165.00

REFUND - CLERICAL ERROR, PARCEL WAS OVERCHARGED ON SEWER UNITS

**MEETING NO. 7**  
**March 21, 2002**

**ERIE COUNTY LEGISLATURE**

PARCEL WAS CHARGED FOR 5 UNITS AND SHOULD BE CHARGED FOR 4 UNITS.  
 RPTL 550(2)E  
 CHECK IN FAVOR OF: JAMES H PREISS

Petition No. 202117 / 2002 - ASSESSOR - Cancel - \$173.26

SBL No. 2625.07-1-4 - TOWN OF HOLLAND

Acct. No. 112 - \$ 173.26 - County

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

Charge to :

CANCEL - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF  
 29,400 (35%) THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR  
 FROM THE TAX ROLL. RPTL 550(2)C

Petition No. 202118 / 2002 - ASSESSOR - Cancel - \$844.58

SBL No. 93.17-5-62 - TOWN OF LANCASTER

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 844.58 - Town/SpecialDist/School

Charge to : VILLAGE OF DEPEW 844.58

CANCEL - CLERICAL ERROR, THE VILLAGE RELEVY WAS PLACED ON THE  
 WRONG PARCEL. THIS RELEVY SHOULD BE ON SBL 93.17-6-52.  
 RPTL 550(2)E

Petition No. 202119 / 2002 - ASSESSOR - Cancel - \$40.86

SBL No. 8.00-1-1.11 - TOWN OF NEWSTEAD

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 40.86 - Town/SpecialDist/School

Charge to : TOWN OF NEWSTEAD 40.86

CANCEL - CLERICAL ERROR, THE DISABILITY EXEMPTION WAS OMITTED  
 FROM THE TOWN TAX IN THE AMOUNT OF 25,000 (50%). RPTL 550(2)C

Petition No. 202120 / 2002 - ASSESSOR - Cancel - \$64.00

SBL No. 46.00-2-2.2 & 2 OTHERS - TOWN OF NEWSTEAD

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 64.00 - Town/SpecialDist/School

**MEETING NO. 7**  
**March 21, 2002**

**ERIE COUNTY LEGISLATURE**

Charge to : TOWN OF NEWSTEAD 64.00

CANCEL - CLERICAL ERROR, PARCEL IS LOCATED IN THE AGRICULTURAL DISTRICT AND DOES NOT PAY WATER DISTRICT #5 TAX. RPTL 550(2)E

Petition No. 202121 / 2002 - ASSESSOR - Cancel - \$48.24

SBL No. 47.48-1-43 - TOWN OF NEWSTEAD

Acct. No. 112 - \$ 35.71 - County

Acct. No. 132 - \$ 12.53 - Town/SpecialDist/School

Charge to : TOWN OF NEWSTEAD 12.53

CANCEL - CLERICAL ERROR, THE RPTL 520 THAT WAS PLACED IN THIS PARCEL WAS MISCALCULATED. THE WRONG SALE DATE WAS USED TO DETERMINE PETITION NUMBER 202684 CONTINUED THE 520 CHARGE. RPTL 550(2)E

Petition No. 202122 / 2002 - ASSESSOR - Cancel - \$135.00

SBL No. 61.00-5-35 - TOWN OF NEWSTEAD

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 135.00 - Town/SpecialDist/School

Charge to : TOWN OF NEWSTEAD 135.00

CANCEL - CLERICAL ERROR, THIS PARCEL IS VACANT LAND AND SHOULD NOT BE CHARGED FOR REFUSE. RPTL 550(2)E

Petition No. 202123 / 2002 - ASSESSOR - Cancel - \$1,376.88

SBL No. 184.08-2-19 - TOWN OF ORCHARD PARK

Acct. No. 112 - \$ 295.26 - County

Acct. No. 132 - \$ 1,081.62 - Town/SpecialDist/School

Charge to : TOWN OF ORCHARD PARK 236.35  
 ORCH PARK CENTRAL 797.05  
 ORCHARD PARK FIRE PR 28.40  
 ERIE CO SEW DST 3 19.82

CANCEL - CLERICAL ERROR, THIS PARCEL WAS CREATED IN ERROR. RPTL 550(2)A

Petition No. 202124 / 2002 - ASSESSOR - Cancel - \$1,364.32

**MEETING NO. 7**  
**March 21, 2002**

**ERIE COUNTY LEGISLATURE**

SBL No. 184.08-2-46 - TOWN OF ORCHARD PARK

Acct. No. 112 - \$ 304.05 - County

Acct. No. 132 - \$ 1,060.27 - Town/SpecialDist/School

Charge to : TOWN OF ORCHARD PARK	223.79
ORCH PARK CENTRAL	788.26
ORCHARD PARK FIRE PR	28.40
ERIE CO SEW DST 3	19.82

CANCEL - CLERICAL ERROR, THIS PARCEL WAS CREATED IN ERROR.  
 RPTL 550(2)A

Petition No. 202125 / 102 - ASSESSOR - Refund - \$424.85

SBL No. 54.53-4-2 - TOWN OF TONAWANDA

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 424.85 - Town/SpecialDist/School

Charge to : KEN-TON UNION FREE	424.85
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REFUND - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF  
 17,325 (35%) WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C  
 CHECK IN FAVOR OF: CAROLYN DAMICO

Petition No. 202126 / 2002 - ASSESSOR - Refund - \$318.35

SBL No. 54.53-4-2 - TOWN OF TONAWANDA

Acct. No. 112 - \$ 182.74 - County

Acct. No. 132 - \$ 135.61 - Town/SpecialDist/School

Charge to : TOWN OF TONAWANDA	135.61
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REFUND - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF  
 24,750 FOR COUNTY TAX AND 17,325 FOR TOWN TAX WAS OMITTED IN ERROR  
 FROM THE TAX ROLL. RPTL 550(2)C  
 CHECK IN FAVOR OF: CAROLYN DAMICO

Petition No. 202127 / 1 - ASSESSOR - Refund - \$788.90

SBL No. 133.0-9-56 - TOWN OF WEST SENECA

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 788.90 - Town/SpecialDist/School

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Charge to : NYS STAR ENHANCED EXEMPTI 788.90

REFUND - CLERICAL ERROR, THE ENHANCED STAR EXEMPTION IN THE AMOUNT OF 31,890 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C WEST SENECA CENTRAL  
 CHECK IN FAVOR OF: JOHN C OTREMBA JR

Petition No. 202128 / 2001 - ASSESSOR - Refund - \$857.57

SBL No. 133.20-9-56 - TOWN OF WEST SENECA

Acct. No. 112 - \$ 327.41 - County

Acct. No. 132 - \$ 530.16 - Town/SpecialDist/School

Charge to : TOWN OF WEST SENECA 530.16

REFUND - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 40,850 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C  
 CHECK IN FAVOR OF: JOHN C OTREMBA JR

Petition No. 202129 / 102 - ASSESSOR - Refund - \$1,208.13

SBL No. 133.20-9-56 - TOWN OF WEST SENECA

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 1,208.13 - Town/SpecialDist/School

Charge to : WEST SENECA CENT 331.52  
 NYS STAR ENHANCED EXEMPTI 876.61

REFUND - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 11,875 AND THE ENHANCED STAR EXEMPTION IN THE AMOUNT OF 31,400 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C CHECK IN FAVOR OF: JOHN C OTREMBA JR

Petition No. 202130 / 2002 - ASSESSOR - Cancel - \$1,586.79

SBL No. 133.20-9-56 - TOWN OF WEST SENECA

Acct. No. 112 - \$ 623.54 - County

Acct. No. 132 - \$ 963.25 - Town/SpecialDist/School

Charge to : TOWN OF WEST SENECA 963.25

CANCEL - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 1995 FOR COUNTY TAX AND 1663 FOR TOWN TAX AND THE VETERAN'S EXEMPTION  
 IN THE AMOUNT OF 40,850 WAS REMOVED IN ERROR FROM THE TAX ROLL.

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THE RPTL 520 WAS PLACED ON THIS PARCEL IN ERROR.RPTL 550(2)C,E

Petition No. 202131 / 2002 - ASSESSOR - Cancel - \$20,686.49

SBL No. 134.14-2-8.22 - TOWN OF WEST SENECA

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 20,686.49 - Town/SpecialDist/School

Charge to : TOWN OF WEST SENECA 20,686.49

CANCEL - CLERICAL ERROR, THE SANITARY SEWER WAS MISCALCULATED.  
 THE GALLONAGE FIGURE USED WAS 16,270,000 AND SHOULD BE 6,270,000.  
 RPTL 550(2)E

Petition No. 202132 / 2002 - ASSESSOR - Cancel - \$78.46

SBL No. 135.17-1-48 - TOWN OF WEST SENECA

Acct. No. 112 - \$ 28.37 - County

Acct. No. 132 - \$ 50.09 - Town/SpecialDist/School

Charge to : TOWN OF WEST SENECA 50.09

CANCEL - CLERICAL ERROR, THE VETERAN'S EXEMPTION IN THE AMOUNT OF  
 3,920 SHOULD BE 7,470. RPTL 55092)B

Petition No. 202133 / 102 - ASSESSOR - Refund - \$603.02

SBL No. 143.17-4-3 - TOWN OF WEST SENECA

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 603.02 - Town/SpecialDist/School

Charge to : WEST SENECA CENT 603.02

REFUND - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF  
 26,500 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM  
 THE TAX ROLL. RPTL 550(2)C  
 CHECK IN FAVOR OF : JOSEPHINE & RONALD WILCZAK

Petition No. 202134 / 2002 - ASSESSOR - Cancel - \$462.71

SBL No. 143.17-4-3 - TOWN OF WEST SENECA

Acct. No. 112 - \$ 167.26 - County

Acct. No. 132 - \$ 295.45 - Town/SpecialDist/School

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Charge to : TOWN OF WEST SENECA 295.45

CANCEL - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 20,935 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C

Petition No. 202135 / 2002 - ASSESSOR - Cancel - \$1,054.27

SBL No. 144.17-1-2 - TOWN OF WEST SENECA

Acct. No. 112 - \$ 381.10 - County

Acct. No. 132 - \$ 673.17 - Town/SpecialDist/School

Charge to : TOWN OF WEST SENECA 673.17

CANCEL - CLERICAL ERROR, THE VETERAN'S EXEMPTION IN THE AMOUNT OF 47,700 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C

Petition No. 202135 / 1 - ASSESSOR - Refund - \$788.90

SBL No. 152.06-2-29 - TOWN OF WEST SENECA

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 788.90 - Town/SpecialDist/School

Charge to : NYS STAR ENHANCED EXEMPTI 788.90

REFUND - CLERICAL ERROR, THE ENHANCED STAR EXEMPTION IN THE AMOUNT OF 31,890 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C WEST SENECA CENTRAL CHECK IN FAVOR OF: ERNEST & SOPHIE FLATT

Petition No. 202136 / 2002 - ASSESSOR - Cancel - \$4,814.94

SBL No. 152.06-1-47 & 25 OTHERS - TOWN OF WEST SENECA

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 4,814.94 - Town/SpecialDist/School

Charge to : TOWN OF WEST SENECA 4,814.94

CANCEL - CLERICAL ERROR, THESE PARCEL WERE OVERCHARGED FOR THE LIGHT TAX. RPTL 550(2)E

Petition No. 202137 / 2002 - ASSESSOR - Cancel - \$213.11



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SBL No. 152.06-4-25 - TOWN OF WEST SENECA

Acct. No. 112 - \$ 27.92 - County

Acct. No. 132 - \$ 185.19 - Town/SpecialDist/School

Charge to : TOWN OF WEST SENECA 185.19

CANCEL - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 17,475 SHOULD BE 20,970. THE LIGHT TAX WAS MISCALCULATED ON THE TAX BILL. RPTL 550(2)B.E

Petition No. 202138 / 2002 - ASSESSOR - Cancel - \$597.20

SBL No. 152.06-2-29 - TOWN OF WEST SENECA

Acct. No. 112 - \$ 215.88 - County

Acct. No. 132 - \$ 381.32 - Town/SpecialDist/School

Charge to : TOWN OF WEST SENECA 381.32

CANCEL- CLERICAL ERROR, THE VETERAN'S EXEMPTION IN THE AMOUNT OF 27,020 WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C

Petition No. 202139 / 2001 - ASSESSOR - Refund - \$567.24

SBL No. 152.06-2-24 - TOWN OF WEST SENECA

Acct. No. 112 - \$ 216.57 - County

Acct. No. 132 - \$ 350.67 - Town/SpecialDist/School

Charge to : TOWN OF WEST SENECA 350.67

REFUND - CLERICAL ERROR, THE VETERAN'S EXEMPTION IN THE AMOUNT OF 27,020 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C  
 CHECK IN FAVOR OF: ERNEST & SOPHIE FLATT

Petition No. 202140 / 2002 - ASSESSOR - Cancel - \$165.00

SBL No. 211.00-4-29 - TOWN OF BOSTON

Acct. No. 112 - \$ 0.00 - County

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

Charge to : EC#3 BOSTON VALLEY 165.00

CANCEL - CLERICAL ERROR, THE ERIE COUNTY SEWER DISTRICT CHARGED 2 UNITS OF SERVICE WHEN IN FACT THERE SHOULD BE ONLY ONE.

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RPTL 550(2)E

Petition No. 202141 / 2002 - ASSESSOR - Cancel - \$548.17

SBL No. 209.00-1-4.2 - TOWN OF EDEN

Acct. No. 112 - \$ 293.42 - County

Acct. No. 132 - \$ 254.75 - Town/SpecialDist/School

Charge to : TOWN OF EDEN	223.31
FIRE PROTECTION	31.44

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. THE ASSESSED VALUE WAS 149,000 AND SHOULD BE 95,000. RPTL 550(2)A

(4-0) Legislator Swanick absent.

3. Item Page -2001 (Intro. 9-1)

**CHASE, GREENAN, McCARVILLE, RANZENHOFER & LARSON**

**WHEREAS**, Erie County encompasses a large part of rural farmland that generates bountiful produce for local and national markets consistently year after year, and

**WHEREAS**, in an ever increasingly competitive global market, it is becoming difficult, especially for small businesses, to remain successful with the burden of rising taxes, and

**WHEREAS**, our farmers and fishermen deserve real tax relief that will keep local farmers in business, and will allow for them to reinvest their hard earned dollars in equipment and new technology to produce higher quality products that will in turn benefit farmers and consumers alike, and

**WHEREAS**, the United States Senate has introduced legislation to allow an eligible commercial farmer or fisherman a deduction, of up to 20 percent of such commercial farmer's or fisherman's taxable income which is attributable to an eligible commercial farming or fishing business, for the amount paid in cash by such commercial farmer or fisherman into a Farm, Fishing and Ranch Management Account, and

**WHEREAS**, the legislation also amends the Internal Revenue Code and title II of the Social Security Act to exclude net earnings from a lease agreement from income with respect to farmland, and

**WHEREAS**, this legislation exempts certain small issue agriculture bonds from the State volume cap and sets forth a rule for determining the amount of the deduction allowable for a charitable contribution of food inventory.

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**NOW, THEREFORE BE, IT**

**RESOLVED**, the Erie County Legislature recognizes the need for more favorable tax treatment of our agricultural farmers, fishermen and businessmen to increase the cap on funds for beginner farmers and to encourage incentives for farmer food donations to food banks and hunger programs, and be it further

**RESOLVED**, that this Honorable Body does hereby memorialize the Tax Empowerment and Relief for Farmers and Fishermen Act, (S.312), aiding farmers and fishermen against high taxes, and be it further

**RESOLVED**, that a certified copy of this resolution be forwarded to United States Senator Charles E. Schumer and Senator Hillary Rodham Clinton.

**Fiscal Impact: to be determined**

(4-0) Legislator Swanick absent.

4. Item Page -2002 (Comm. 5E-5)

**COMPTROLLER**

RESOLUTION NO. \_\_-2002

BOND RESOLUTION DATED \_\_\_\_\_, 2002

BOND RESOLUTION OF THE COUNTY OF ERIE, NEW YORK, AMENDING THE BOND RESOLUTION ADOPTED APRIL 5, 2001, AND AMENDED NOVEMBER 8, 2001 TO PROVIDE FOR ADDITIONAL FUNDS FOR THE RECONSTRUCTION OF THE EAST CHURCH STREET BRIDGE

(Introduced) **FEBRUARY 19**, 2002

(Adopted) \_\_\_\_\_, 2002

Recitals

WHEREAS, the Legislature of the County of Erie (hereinafter, the "Legislature" and "County," respectively), New York, has heretofore duly authorized the financing of various capital projects included in the 2001 Capital Budget of the County, pursuant to the bond resolution adopted

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on April 5, 2001 and thereafter amended on November 8, 2001, by the Legislature, and hereinafter referred to; and

WHEREAS, it is now necessary to provide \$527,000 additional funds for the Reconstruction of the East Church Street Bridge, including \$500,650 expected to be received from the United States of America and/or the State of New York;

NOW, THEREFORE, BE IT

RESOLVED BY THE LEGISLATURE OF THE COUNTY OF ERIE, NEW YORK (by the favorable vote of not less than two-thirds of all members of said Legislature) AS FOLLOWS:

SECTION (A) Section 1. Row 22 column B of the attached schedule to Resolution 152-2001 of said County duly adopted by the Legislature on April 5, 2001 which states "\$1,452,000" is hereby amended to state "\$1,979,000."

Section 2. Row 22 column C of the attached schedule to Resolution 152-2001 of said County duly adopted by the Legislature on April 5, 2001 stating "\$72,600" is hereby amended to state "\$98,950." Bonds of the County in the principal amount of \$26,350 are hereby authorized to be issued, in addition to \$72,600 already authorized and as described above, pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"), to finance said appropriation.

Section 3. Row 22 column D of the attached schedule to Resolution 152-2001 of said County duly adopted by the Legislature on April 5, 2001 stating "\$1,379,400" is hereby amended to state "\$1,880,050."

Section 4. Resolution No. 152-2001 of said County duly adopted by the Legislature on April 5, 2001 and amended November 8, 2001, entitled:

"BOND RESOLUTION OF THE COUNTY OF ERIE, NEW YORK,  
AUTHORIZING VARIOUS CAPITAL PROJECTS INCLUDED IN  
THE 2001 CAPITAL BUDGET OF THE COUNTY, STATING THE

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TOTAL ESTIMATED MAXIMUM COST OF SUCH PROJECTS IS \$44,593,116, APPROPRIATING SAID AMOUNT THEREFOR, INCLUDING THE EXPENDITURE OF \$5,007,700 EXPECTED TO BE RECEIVED IN STATE OR FEDERAL AID, AND THE EXPENDITURE OF \$2,600,000 IN COUNTY FUNDS AVAILABLE OR TO BE AVAILABLE; AND AUTHORIZING THE ISSUANCE OF \$36,985,416 BONDS OF THE COUNTY TO FINANCE THE BALANCE OF SAID APPROPRIATION; AND FURTHER AUTHORIZING ANY AMOUNTS RECEIVED FROM THE UNITED STATES OF AMERICA AND/OR THE STATE OF NEW YORK OR THE EXPENDITURE OF COUNTY FUNDS AVAILABLE OR TO BE AVAILABLE TO BE EXPENDED TOWARDS THE COST OF CERTAIN OF SUCH CAPITAL PROJECTS AS INDICATED HEREIN, OR REDEMPTION OF ANY NOTES AND BONDS ISSUED THEREFOR OR TO BE BUDGETED AS AN OFFSET TO THE TAXES FOR PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SAID NOTES AND BONDS,"

is hereby amended to read as follows:

BOND RESOLUTION DATED \_\_\_\_\_, 2002, AMENDING THE BOND RESOLUTION ADOPTED APRIL 5, 2001 AND AMENDED NOVEMBER 8, 2001.

"BOND RESOLUTION OF THE COUNTY OF ERIE, NEW YORK, AUTHORIZING VARIOUS CAPITAL PROJECTS INCLUDED IN THE 2001 CAPITAL BUDGET OF THE COUNTY, STATING THE TOTAL ESTIMATED MAXIMUM COST OF SUCH PROJECTS IS \$45,120,116, APPROPRIATING SAID AMOUNT THEREFOR, INCLUDING THE EXPENDITURE OF \$5,508,350 EXPECTED TO BE RECEIVED IN STATE OR FEDERAL AID, AND THE EXPENDITURE OF \$2,600,000 IN COUNTY FUNDS AVAILABLE OR TO BE AVAILABLE; AND AUTHORIZING THE ISSUANCE OF \$37,011,766 BONDS OF THE COUNTY TO FINANCE THE BALANCE OF SAID APPROPRIATION; AND FURTHER AUTHORIZING ANY AMOUNTS RECEIVED FROM THE UNITED STATES OF AMERICA AND/OR THE STATE OF NEW YORK OR THE EXPENDITURE OF COUNTY FUNDS AVAILABLE OR TO BE AVAILABLE TO BE EXPENDED TOWARDS THE COST OF CERTAIN OF SUCH CAPITAL PROJECTS AS INDICATED HEREIN, OR REDEMPTION OF ANY NOTES AND BONDS ISSUED THEREFOR OR TO BE BUDGETED AS AN OFFSET TO THE TAXES FOR PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SAID NOTES AND BONDS."

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SECTION (B) The amendment of the bond resolution set forth in Section (A) of this Resolution shall in no way affect the validity of the liabilities incurred, obligations issued, or action taken pursuant to said bond resolution, and all such liabilities incurred, obligations issued or actions taken shall be deemed to have been incurred, issued or taken pursuant to said bond resolution, as so amended.

SECTION (C) This Amending Bond Resolution shall take effect immediately upon the approval of the County Executive.  
 (4-0) Legislator Swanick absent.

5. Item Page -2002 (Comm. 5E-6)

**COMPTROLLER**

RESOLUTION NO. \_\_\_-2002

BOND RESOLUTION DATED \_\_\_\_\_, 2002

BOND RESOLUTION OF THE COUNTY OF ERIE, NEW YORK, AUTHORIZING THE CONSTRUCTION OF INTERSECTION/SIGNAL IMPROVEMENTS AT THE INTERSECTION OF WILLIAM STREET (CR 338) AND AURORA STREET (CR 243), STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$650,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$650,000 BONDS OF THE COUNTY TO PAY THE COST THEREOF.

(Introduced) **FEBRUARY 19**, 2002

(Adopted) \_\_\_\_\_, 2002

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

Section 1. The County of Erie, New York (herein called "County"), is hereby authorized to construct intersection/signal improvements at the intersection of William Street (CR 338) and Aurora Street (CR 243), including the addition of left turn lanes on all four legs,

installation of a closed drainage system with curbing, new signals and controls, and paving of the intersection and roadway approaches. The estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and to the financing thereof, is \$650,000, and said amount is hereby appropriated therefor pursuant to the duly adopted Capital Budget of said County for fiscal year 2001. To the extent that the details set forth in this resolution are inconsistent with any details set forth in the 2001 Capital Budget of the County, such Budget shall be deemed and is hereby amended. The plan of financing includes the issuance of \$650,000 bonds of the County to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the County in the principal amount of \$650,000 are hereby authorized to be issued for the specific object or purpose described in Section 1 hereof, pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law") to finance said appropriation.

Section 3. The period of probable usefulness for the specific object or purpose for which said \$650,000 bonds herein authorized are to be issued, within the limitations of §11.00 a. 91 of the Law, is fifteen (15) years.

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

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

Section 6. Each of the bonds authorized by this Resolution and any bond anticipation notes issued in anticipation of the sale thereof shall contain the recital of validity prescribed by §52.00 of said Local Finance Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the County of Erie, payable as to both principal and interest by general tax upon all the taxable real property within the County without limitation as to rate or amount. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and provision shall be made annually in the budgets of the County by appropriation for (a) the amortization and redemption of the notes and bonds to mature in such year and (b) the payment of interest to be due and payable in such year.

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

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

(b) the provisions of law which should be complied with at the date of the publication of this Resolution or a summary hereof, are not substantially complied with,



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and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or

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

Section 8. This Resolution shall take effect immediately upon approval by the

County Executive.

(4-0) Legislator Swanick absent.

6. Item Page -2002 (Comm. 5E-7)

**COMPTROLLER**

RESOLUTION NO. \_\_\_\_\_ OF 2002

BOND RESOLUTION DATED \_\_\_\_\_, 2002

BOND RESOLUTION OF THE COUNTY OF ERIE, NEW YORK, AUTHORIZING THE CONSTRUCTION OF THE ERIE COUNTY SECURE YOUTH DETENTION FACILITY; STATING THE ESTIMATED TOTAL COST THEREOF IS \$16,000,000, APPROPRIATING \$8,000,000 THEREFOR IN ADDITION TO \$8,000,000 PREVIOUSLY APPROPRIATED THEREFOR, WHICH PREVIOUS APPROPRIATION INCLUDED THE EXPENDITURE OF \$1,000,000 COUNTY FUNDS CURRENTLY AVAILABLE THEREFOR; AND AUTHORIZING THE ISSUANCE OF \$8,000,000 BONDS OF THE COUNTY TO PAY THE BALANCE OF THE COST THEREOF, IN ADDITION TO \$7,000,000 BONDS PREVIOUSLY AUTHORIZED THEREFOR, AND FURTHER AUTHORIZING ANY AMOUNTS RECEIVED FROM THE UNITED STATES OF AMERICA AND/OR THE STATE OF NEW YORK TO BE EXPENDED TOWARDS THE COST THEREOF, OR REDEMPTION OF ANY NOTES AND BONDS ISSUED THEREFOR OR TO BE BUDGETED AS AN OFFSET TO THE TAXES FOR PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SAID NOTES AND BONDS.

(Introduced) **FEBRUARY 19**, 2002

(Adopted) \_\_\_\_\_, 2002

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

Section 1. The County of Erie, New York (herein called "County") is hereby authorized to continue existing capital project No. 410-806, consisting of the construction of the Erie County Secure Youth Detention Facility on East Ferry Street in the city of Buffalo, and all of

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the original equipment, furnishings, machinery, apparatus and ancillary or related site, demolition and other work required in connection therewith. The estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and to the financing thereof, is \$16,000,000, and \$8,000,000 is hereby appropriated therefor, in addition to the \$8,000,000 previously appropriated therefor. To the extent that the details and amounts set forth in this resolution are inconsistent with any details set forth in the 2001 Capital Budget of the County, such Budget shall be deemed and is hereby amended. The plan of financing includes the expenditure of \$1,000,000 County current funds, the issuance of \$8,000,000 bonds of the County and any bond anticipation notes issued in anticipation of the sale of such bonds to finance said appropriation, in addition to the \$7,000,000 bonds previously authorized therefor pursuant to Resolution No. 281 of 2001 adopted on June 21, 2001, and the levy and collection of taxes on all the taxable real property in the County to pay the principal of and interest on said bonds and notes as the same shall become due and payable. Any amounts received by the County from the United States of America and/or the State of New York are hereby authorized to be expended, towards the cost of the applicable specific objects or purposes or classes of objects or purposes or the redemption of any notes and bonds issued therefor or to be budgeted as an offset to the taxes for the repayment of the principal of and interest on said notes and bonds.

Section 2. Bonds of the County in the principal amount of \$8,000,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"), to finance said appropriation.

Section 3. The buildings to be constructed will be of Class "A" construction as defined by Section 11.00 a. 11.(a) of the Law. Consequently, the period of probable usefulness of the specific object or purpose for which said \$8,000,000 bonds herein authorized are to be issued within the limitations of said Section 11.00 a. 11(a) of the Law, is thirty (30) years.

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

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

Section 6. Each of the bonds authorized by this Resolution and any bond anticipation notes issued in anticipation of the sale thereof shall contain the recital of validity prescribed by §52.00 of said Local Finance Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the County of Erie, payable as to both principal and interest by general tax upon all the taxable real property within the County without limitation as to rate or amount. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and provision shall be made annually in the budgets of the

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County by appropriation for (a) the amortization and redemption of the notes and bonds to mature in such year and (b) the payment of interest to be due and payable in such year.

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

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

(b) the provisions of law which should be complied with at the date of the publication of this Resolution or a summary hereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or

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

Section 8. This Resolution shall take effect immediately upon approval by the County Executive.  
 (4-0) Legislator Swanick absent.

8. Item Page -2002 (Comm. 5E-24)

**COUNTY EXECUTIVE**

WHEREAS, Heritage Christian Home II, L.P. (HCH) has developed housing for developmentally disabled individuals (Project), pursuant to Section 577 of Article XI of the New York Private Housing Finance Law; and

WHEREAS, the project is located at 2982 Stony Point Road, Grand Island, New York and contains 6 residential units for low income developmentally disabled individuals; and

WHEREAS, 2982 Stony Point Road will be managed by Heritage Christian Home; and

WHEREAS, in order to make the Project economically feasible for Heritage Christian Home II, L.P., it is necessary to obtain tax relief from the County of Erie and the Town of Grand Island.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to execute a Payment in Lieu of Taxes (PILOT) Agreement with Heritage Christian Home II, L.P. relating to the property located at

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2982 Stony Point Road, Grand Island, New York and all other agreements necessary to conclude this Project; and be it further

RESOLVED, that said agreement shall include an annual Payment in Lieu of Taxes (PILOT) of \$2,400 by HCH in the first two years of the PILOT Agreement, with a three (3) percent increase annually thereafter for a fifteen year period, with the County share of each annual payment being twenty-five (25) percent of the total amount; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the Director of Budget and Management, the Commissioner of the Department of Environment and Planning, the County Comptroller, and the County Attorney.  
 (4-0) Legislator Swanick absent.

9. Item Page -2002 (Comm. 5E-46)

**COUNTY EXECUTIVE**

RESOLVED that the following abstracts of the adopted town budgets for the ensuing year, as certified and presented to this Legislature by the appropriate town officers, be printed by the Clerk in the minutes of the proceedings of this Legislature, and be it further

RESOLVED that the amounts in said budgets that are required to be raised by taxes are hereby levied upon, and shall be collected from, the taxable property situated in the respective Towns and liable therefore, and be it further

RESOLVED that the Commissioner of Finance is hereby directed to spread said taxes to be raised for such budgets against the taxable property liable therefore provided by law:

**AMHERST**  
**FOR THE YEAR 2002**

**APPROPRIATION**

**ESTIMATED**  
**REVENUES**

**TAX LEVY**

	APPROPRIATION	ESTIMATED REVENUES	TAX LEVY
GENERAL FUND TOWN ONLY	\$40,387,147.00	\$25,629,400	\$14,757,747.00
GENERAL FUND VILLAGE ONLY	\$1,971,177.00	\$615,916	\$1,355,261.00
GENERAL FUND-OUTSIDE VILLAGE	\$3,463,931.00	\$1,138,705	\$2,325,226.00
HIGHWAY FUNDS TOWN ONLY	\$7,555,470.00	\$1,029,000	\$6,526,470.00
CENTRAL ALARM	\$1,054,155.00	\$319,552	\$734,603.00
COMMUNITY DEVELOPMENT	\$703,000.00	\$703,000	\$0
TOTAL TOWN & HIGHWAY	\$55,134,880.00	\$29,435,573	\$25,699,307.00
FIRE DISTRICTS	\$1,930,051.00	\$0	\$1,930,051.00
SANITARY SEWERS DISTRICT	\$18,755,311.00	\$6,061,411	\$12,693,900.00
FIRE PROTECTION DIST.	\$4,017,482.00	\$177,925	\$3,839,557.00
STORM SEWER DISTRICTS	\$4,483,841.00	\$689,000	\$3,794,841.00

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WATER DISTRICTS	\$1,020,198.00	\$302,198	\$718,000.00
TOTAL SPECIAL DISTRICTS	\$30,206,883.00	\$7,230,534	\$22,976,349.00
SPECIAL ASMT SANITARY SEWER	\$5,604.00	\$0	\$5,604.00
SPECIAL ASMT STORM SEWER	\$9,546.00	\$0	\$9,546.00
SPECIAL ASMT WATER DISTRICT	\$3,846.00	\$0	\$3,846.00
H.O.M.E.	\$1,091,000.00	\$1,091,000	\$0.00
SPECIAL ASMT LIGHT DISTRICT	\$3,335,607.00	\$312,600	\$3,023,007.00
SIDEWALKS	\$9,614.00	\$0	\$9,614.00
SPECIAL ASMT GARBAGE	\$6,704,375.00	\$1,144,456	\$5,559,919.00
DELINQUENT WATER - ECWA	\$17,287.00	\$0	\$17,287.00
DELINQUENT SEWER RENTAL	\$0	\$0	\$0
DELINQUENT SEWER - VILLAGE	\$2,671.00	\$0	2,671.00
PRETREATMENT SURCHARGE	\$240,489.00	\$0	\$240,489.00
DELINQUENT WATER - VILLAGE	\$0	\$0	\$0
CODE VIOLATIONS	\$22,122.79	\$0	\$22,122.79
DEMOLITION CHARGE	\$0	\$0	\$0
OMITTED TAX (AM-7)	\$4,467.53	\$0	\$4,467.53
TOTAL SPECIAL ASSESS'MT	\$11,446,629.32	\$2,548,056	\$8,898,573.32
GRAND TOTALS	\$96,788,392.32	\$39,214,163	\$57,574,229.32

RESOLVED that the following abstracts of the adopted town budgets for the ensuing year, as certified and presented to this Legislature by the appropriate town officers, be printed by the Clerk in the minutes of the proceedings of this Legislature, and be it further

RESOLVED that the amounts in said budgets that are required to be raised by taxes are hereby levied upon, and shall be collected from, the taxable property situated in the respective Towns and liable therefore, and be it further

RESOLVED that the Commissioner of Finance is hereby directed to spread said taxes to be raised for such budgets against the taxable property liable therefore provided by law:

<b>AURORA</b> FOR THE YEAR 2002	<b>APPROPRIATION</b>	<b>ESTIMATED REVENUES</b>	<b>TAX LEVY</b>
GENERAL FUND TWNWDE	\$2,076,176.00	\$979,400	\$1,096,776.00

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GENERAL FUND-TOWN	\$729,227.00	\$549,200	\$180,027.00
HIGHWAY - TOWN	\$824,825.00	\$452,000	\$372,825.00
RISK RETENTION	\$0	\$0	\$0
SPECIAL GRANTS FUND	\$0	\$0	\$0
TOTAL TOWN & HWY	\$3,630,228.00	\$1,980,600	\$1,649,628.00
RUBBISH RES & REC	\$375,650.00	\$45,068	\$330,582.00
WATER DISTRICTS	\$741,930.00	\$309,265	\$432,665.00
FIRE PROTECTION	\$280,363.00	\$7,000	\$273,363.00
RUBBISH COLLECTION	\$83,000.00	\$13,000	\$70,000.00
LIGHTING DISTRICTS	\$19,700.00	\$1,350	\$18,350.00
SEWER DISTRICTS	\$126,150.00	\$100,700	\$25,450.00
AURORA-COLDEN FIRE	\$243,805.05	\$0	\$243,805.05
AURORA-WALES FIRE	\$99,902.30	\$0	\$99,902.30
DELINQUENT REFUSE	\$208.32	\$0	\$208.32
DELINQUENT WATER	\$1,261.14	\$0	\$1,261.14
TOTAL SPECIAL DST	\$1,971,969.81	\$476,383	\$1,495,586.81
GRAND TOTALS	\$5,602,197.81	\$2,456,983	\$3,145,214.81

RESOLVED that the following abstracts of the adopted town budgets for the ensuing year, as certified and presented to this Legislature by the appropriate town officers, be printed by the Clerk in the minutes of the proceedings of this Legislature, and be it further

RESOLVED that the amounts in said budgets that are required to be raised by taxes are hereby levied upon, and shall be collected from, the taxable property situated in the respective Towns and liable therefore, and be it further

RESOLVED that the Commissioner of Finance is hereby directed to spread said taxes to be raised for such budgets against the taxable property liable therefore provided by law:

**BOSTON**  
**FOR THE YEAR 2002**

**APPROPRIATION**

**ESTIMATED  
REVENUES**

**TAX LEVY**

GENERAL FUND TOWNWIDE	\$1,234,206.00	\$1,058,820	\$175,386.00
HIGHWAY FUNDS	\$904,565.00	\$353,395	\$551,170.00
TOTAL TOWN & HIGHWAY	\$2,138,771.00	\$1,412,215	\$726,556.00

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FIRE PROTECTION	\$538,907.00	\$26,150	\$512,757.00
AMBULANCE	\$111,977.00	\$20,000	\$91,977.00
REFUSE & GARBAGE	\$352,625.00	\$42,315	\$310,310.00
SEWER DISTRICT	\$94,983.00	\$94,983	\$0.00
WATER DISTRICTS	\$317,738.00	\$136,748	\$180,990.00
IN LIEU OF TOWN TAX	\$6,000.00	\$0	\$6,000.00
LIGHTING DISTRICTS	\$26,378.00	\$0	\$26,378.00
FOREST TAX LAW	\$3,986.16	\$0	\$3,986.16
UNPAID WATER	\$441.05	\$0	\$441.05
DEMOLITION CHARGES	\$0	\$0	\$0
TOTAL SPECIAL DISTRICT	\$1,453,035.21	\$320,196	\$1,132,839.21
GRAND TOTALS	\$3,591,806.21	\$1,732,411	\$1,859,395.21

RESOLVED that the following abstracts of the adopted town budgets for the ensuing year, as certified and presented to this Legislature by the appropriate town officers, be printed by the Clerk in the minutes of the proceedings of this Legislature, and be it further

RESOLVED that the amounts in said budgets that are required to be raised by taxes are hereby levied upon, and shall be collected from, the taxable property situated in the respective Towns and liable therefore, and be it further

RESOLVED that the Commissioner of Finance is hereby directed to spread said taxes to be raised for such budgets against the taxable property liable therefore provided by law:

**CHEEKTOWAGA**  
**FOR THE YEAR 2002**

**APPROPRIATION**

**ESTIMATED  
REVENUES**

**TAX LEVY**

	APPROPRIATION	ESTIMATED REVENUES	TAX LEVY
GENERAL FUND TOWNWIDE	\$31,917,634.00	\$8,680,790.00	\$23,236,844.00
GENERAL FUND-TOWN ONLY	\$836,414.00	\$836,414.00	\$0.00
RISK RETENSION FUND	\$1,906,500.00	\$1,906,500.00	\$0.00
GEN FUND SPEC ASSMNT	\$78,532.03	\$0	\$78,532.03
HIGHWAY FUNDS	\$7,565,495.00	\$7,565,495.00	\$0.00
DEBT SERVICE	\$5,383,065.00	\$5,383,065.00	\$0
TOTAL TOWN & HIGHWAY	\$47,687,640.03	\$24,372,264.00	\$23,315,376.03
CONSOLIDATED GARBAGE	\$7,712,002.00	\$771,000.00	\$6,941,002.00
GENERAL LIGHT	\$2,558,654.00	\$335,000.00	\$2,223,654.00



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WATER DISTRICT	\$47,588.00	\$29,890.00	\$17,698.00
LEGAL SANITARY SEWER	\$0	\$0	\$0
STORM SEWER	\$549,273.00	\$16,000.00	\$533,273.00
SANITARY SEWER	\$9,150,589.00	\$2,285,762.00	\$6,864,827.00
HYDRANT DISTRICT	\$510,715.00	\$71,000.00	\$439,715.00
FIRE DISTRICTS	\$5,324,826.71	\$92,100.00	\$5,232,726.71
SEWER - LATERAL	\$521.00	\$0	\$521.00
SIDEWALKS - UNION RD	\$19,365.50	\$0	\$19,365.50
SIDEWALKS	\$11,597.58	\$0	\$11,597.58
DELINQUENT WATER	\$515.40	\$0	\$515.40
OMITTED TAX	\$0	\$0	\$0
CLEAN UP DEBRIS	\$30,701.00	\$0	\$30,701.00
TOTAL SPEC ASSESSMNT	\$25,916,348.19	\$3,600,752.00	\$22,315,596.19
GRAND TOTALS	\$73,603,988.22	\$27,973,016.00	\$45,630,972.22

RESOLVED that the following abstracts of the adopted town budgets for the ensuing year, as certified and presented to this Legislature by the appropriate town officers, be printed by the Clerk in the minutes of the proceedings of this Legislature, and be it further

RESOLVED that the amounts in said budgets that are required to be raised by taxes are hereby levied upon, and shall be collected from, the taxable property situated in the respective Towns and liable therefore, and be it further

RESOLVED that the Commissioner of Finance is hereby directed to spread said taxes to be raised for such budgets against the taxable property liable therefore provided by law:

**COLDEN**  
**FOR THE YEAR 2002**

**APPROPRIATION**

**ESTIMATED  
REVENUES**

**TAX LEVY**

	APPROPRIATION	ESTIMATED REVENUES	TAX LEVY
GENERAL FUND TOWNWIDE	\$714,440.00	\$695,095	\$19,345.00
HIGHWAY FUNDS	\$503,992.00	\$118,375	\$385,617.00
TOTAL TOWN & HIGHWAY	\$1,218,432.00	\$813,470	\$404,962.00
AURORA-COLDEN FIRE	\$28,194.95	\$0	\$28,194.95
COLDEN FIRE DISTRICT	\$352,000.00	\$0	\$352,000.00
REFUSE DISTRICT	\$168,324.00	\$14,100	\$154,224.00

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COMMUNITY DEV FUND	\$0	\$0	\$0.00
LIGHTING DISTRICTS	\$26,500.00	\$3,100	\$23,400.00
TOTAL SPECIAL DISTRICT	\$575,018.95	\$17,200	\$557,818.95
GRAND TOTALS	\$1,793,450.95	\$830,670	\$962,780.95

RESOLVED that the following abstracts of the adopted town budgets for the ensuing year, as certified and presented to this Legislature by the appropriate town officers, be printed by the Clerk in the minutes of the proceedings of this Legislature, and be it further

RESOLVED that the amounts in said budgets that are required to be raised by taxes are hereby levied upon, and shall be collected from, the taxable property situated in the respective Towns and liable therefore, and be it further

RESOLVED that the Commissioner of Finance is hereby directed to spread said taxes to be raised for such budgets against the taxable property liable therefore provided by law:

**COLLINS**  
**FOR THE YEAR 2002**

APPROPRIATION

ESTIMATED  
REVENUES

TAX LEVY

	APPROPRIATION	ESTIMATED REVENUES	TAX LEVY
GENERAL FUND TOWNWIDE	\$568,735.00	\$268,333.00	\$300,402.00
GENERAL FUND-TOWN ONLY	\$145,003.00	\$145,003.00	\$0.00
HIGHWAY TOWNWIDE	\$5,000	\$0	\$5,000.00
HIGHWAY - TOWN ONLY	\$705,585.00	\$562,896.35	\$142,688.65
TOTAL TOWN & HIGHWAY	\$1,424,323.00	\$976,232.35	\$448,090.65
FIRE PROT DIST	\$109,143.65	\$67,940.00	\$41,203.65
COLLINS FIRE DIST	\$121,527.17	\$0	\$121,527.17
LIGHT DISTRICTS	\$12,000.00	\$4,500.00	\$7,500.00
REFUSE & GARBAGE	\$54,931.00	\$51,800.00	\$3,131.00
LIBRARY FUND	\$88,000.00	\$0	\$88,000.00
WATER DISTRICT	\$313,926.00	\$242,593.00	\$71,333.00
DELINQUENT WATER	\$8,301.38	\$0	\$8,301.38
CLEAN-UP & REMVL	\$0	\$0	\$0
DEMOLITION	\$4,725.00	\$0	\$4,725.00
TOTAL SPECIAL DISTRICT	\$712,554.20	\$366,833	\$345,721.20

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**ERIE COUNTY LEGISLATURE**

GRAND TOTALS	\$2,136,877.20	\$1,343,065.35	\$793,811.85
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RESOLVED that the following abstracts of the adopted town budgets for the ensuing year, as certified and presented to this Legislature by the appropriate town officers, be printed by the Clerk in the minutes of the proceedings of this Legislature, and be it further

RESOLVED that the amounts in said budgets that are required to be raised by taxes are hereby levied upon, and shall be collected from, the taxable property situated in the respective Towns and liable therefore, and be it further

RESOLVED that the Commissioner of Finance is hereby directed to spread said taxes to be raised for such budgets against the taxable property liable therefore provided by law:

<b>EDEN FOR THE YEAR 2002</b>	<b>APPROPRIATION</b>	<b>ESTIMATED REVENUES</b>	<b>TAX LEVY</b>
GENERAL FUND TOWNWIDE	\$1,679,699.00	\$1,238,972.00	\$440,727.00
HIGHWAY FUNDS	\$994,635.00	\$221,500.00	\$773,135.00
TOTAL TOWN & HIGHWAY	\$2,674,334.00	\$1,460,472.00	\$1,213,862.00
WATER DISTRICT	\$103,354.36	\$987.06	\$102,367.30
FIRE PROTECTION DIST.	\$211,775.00	\$20,000	\$191,775.00
LIGHTING DISTRICTS	\$56,000.00	\$6,000.00	\$50,000.00
REFUSE & GARBAGE	\$448,044.00	\$21,450.00	\$426,594.00
HAMBURG WATER IMPV	\$3,134.28	\$0	\$3,134.28
DELINQUENT WATER	\$3,651.08	\$0	\$3,651.08
OMITTED TAX	\$447.25	\$0	\$447.25
DELINQ EVANS WTR	\$737.65	\$0	\$737.65
DRAINAGE	\$4,000.00	\$0	\$4,000.00
DELINQUENT GARBAGE	\$588.00	\$0	\$588.00
TOTAL SPECIAL DISTRICT	\$831,731.62	\$48,437.06	\$783,294.56
GRAND TOTALS	\$3,506,065.62	\$1,508,909.06	\$1,997,156.56

RESOLVED that the following abstracts of the adopted town budgets for the ensuing year, as certified and presented to this Legislature by the appropriate town officers, be printed by the Clerk in the minutes of the proceedings of this Legislature, and be it further

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RESOLVED that the amounts in said budgets that are required to be raised by taxes are hereby levied upon, and shall be collected from, the taxable property situated in the respective Towns and liable therefore, and be it further

RESOLVED that the Commissioner of Finance is hereby directed to spread said taxes to be raised for such budgets against the taxable property liable therefore provided by law:

**EVANS**  
**FOR THE YEAR 2002**

**APPROPRIATION**

**ESTIMATED**  
**REVENUES**

**TAX LEVY**

EVANS FOR THE YEAR 2002	APPROPRIATION	ESTIMATED REVENUES	TAX LEVY
GENERAL FUND TOWNWIDE	\$3,367,540.00	\$1,348,450.00	\$2,019,090.00
GENERAL FUND-TOWN ONLY	\$2,807,181.00	\$1,766,635.00	\$1,040,546.00
HIGHWAY FUNDS - TOWN ONLY	\$1,877,347.00	\$561,275.00	\$1,316,072.00
DEBT SERVICE	\$508,231.00	\$508,231.00	\$0.00
COMMUNITY DEVELOPMENT	\$200,000.00	\$200,000.00	\$0.00
RISK RETEN/INS RESERVE	\$325,000.00	\$325,000.00	\$0.00
HIGHWAY FUNDS - TOWNWIDE	\$22,000.00	\$500.00	\$21,500.00
TOTAL TOWN & HIGHWAY	\$9,107,299.00	\$4,710,091.00	\$4,397,208.00
REFUSE & GARBAGE COLLECTION	\$943,450.00	\$117,550.00	\$825,900.00
STREET LIGHTING	\$262,460.00	\$21,000.00	\$241,460.00
FIRE PROTECTION	\$715,825.00	\$20,500.00	\$695,325.00
HYDRANT	\$5,225.00	\$50.00	\$5,175.00
WATER DISTRICTS	\$2,111,456.00	\$1,968,242.00	\$143,214.00
DEMOLITION	\$16,528.84	\$0	\$16,528.84
FIRE DISTRICTS	\$486,000.00	\$46,000.00	\$440,000.00
DELINQUENT WATER	\$221,785.27	\$0	\$221,785.27
OMITTED TAX	\$1,006.19	\$0	\$1,006.19
EDEN WATER DIST	\$987.06	\$0	\$987.06
TOTAL SPECIAL DISTRICT	\$4,764,723.36	\$2,173,342.00	\$2,591,381.36
GRAND TOTALS	\$13,872,022.36	\$6,883,433.00	\$6,988,589.36

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**ERIE COUNTY LEGISLATURE**

RESOLVED that the following abstracts of the adopted town budgets for the ensuing year, as certified and presented to this Legislature by the appropriate town officers, be printed by the Clerk in the minutes of the proceedings of this Legislature, and be it further

RESOLVED that the amounts in said budgets that are required to be raised by taxes are hereby levied upon, and shall be collected from, the taxable property situated in the respective Towns and liable therefore, and be it further

RESOLVED that the Commissioner of Finance is hereby directed to spread said taxes to be raised for such budgets against the taxable property liable therefore provided by law:

<b>HOLLAND</b> FOR THE YEAR 2002	<b>APPROPRIATION</b>	<b>ESTIMATED</b> <b>REVENUES</b>	<b>TAX LEVY</b>
GENERAL FUND TOWNWIDE	\$637,990.00	\$480,336	\$157,654.00
HIGHWAY FUNDS	\$564,695.00	\$176,432	\$388,263.00
TOTAL TOWN & HIGHWAY	\$1,202,685.00	\$656,768	\$545,917.00
WATER DISTRICT	\$152,815.00	\$152,815	\$0.00
HOLLAND FIRE DISTRICT	\$234,240.00	\$23,100	\$211,140.00
JAVA SHELDON HOLLAND FIRE PROT DIST	\$3,580.00	\$0	\$3,580.00
DELINQUENT REFUSE	\$161.34	\$0	\$161.34
DELINQUENT WATER	\$9,647.03	\$0	\$9,647.03
LIGHTING DISTRICTS	\$25,000.00	\$0	\$25,000.00
OMITTED TAX	\$0	\$0	\$0
ARGIC PENALTY	\$74.53	\$0	\$74.53
GARBAGE DIST	\$187,994.00	\$6,000	\$181,994.00
TOTAL SPECIAL DISTRICT	\$613,511.90	\$181,915	\$431,596.90
GRAND TOTALS	\$1,816,196.90	\$838,683	\$977,513.90

RESOLVED that the following abstracts of the adopted town budgets for the ensuing year, as certified and presented to this Legislature by the appropriate town officers, be printed by the Clerk in the minutes of the proceedings of this Legislature, and be it further

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**ERIE COUNTY LEGISLATURE**

RESOLVED that the Commissioner of Finance is hereby directed to spread said taxes to be raised for such budgets against the taxable property liable therefore provided by law:

<b>LANCASTER FOR THE YEAR 2002</b>	<b>APPROPRIATION</b>	<b>ESTIMATED REVENUES</b>	<b>TAX LEVY</b>
GENERAL FUND TOWNWIDE	\$5,914,014.00	\$2,307,386	\$3,606,628.00
GENERAL FUND-TOWN ONLY	\$4,309,502.00	\$3,385,350	\$924,152.00
HIGHWAY TOWNWIDE	\$30,180.00	\$4,300	\$25,880.00
HIGHWAY PART TOWN	\$2,162,435.00	\$409,600	\$1,752,835.00
COMMUNITY DEVELOP	\$0	\$0	\$0
RISK RETENTION	\$0	\$0	\$0
TOTAL TOWN & HIGHWAY	\$12,416,131.00	\$6,106,636	\$6,309,495.00
GARBAGE COLLECTION	\$1,713,800.00	\$89,500	\$1,624,300.00
LIGHTING DISTRICT	\$280,028.00	\$8,000	\$272,028.00
FIRE PROTECTION	\$2,264,572.00	\$168,500	\$2,096,072.00
SEWER DISTRICTS	\$189,314.00	\$512	\$188,802.00
WATER DISTRICTS	\$169,094.00	\$41,000	\$128,094.00
OMITTED TAX	\$0	\$0	\$0
GRASS CUTTING	\$75.00	\$0	\$75.00
DELINQ WTR ECWA	\$3,688.35	\$0	\$3,688.35
TOTAL SPEC DIST	\$4,620,571.35	\$307,512	\$4,313,059.35
GRAND TOTALS	\$17,036,702.35	\$6,414,148	\$10,622,554.35

RESOLVED that the following abstracts of the adopted town budgets for the ensuing year, as certified and presented to this Legislature by the appropriate town officers, be printed by the Clerk in the minutes of the proceedings of this Legislature, and be it further

RESOLVED that the amounts in said budgets that are required to be raised by taxes are hereby levied upon, and shall be collected from, the taxable property situated in the respective Towns and liable therefore, and be it further

RESOLVED that the Commissioner of Finance is hereby directed to spread said taxes to be raised for such budgets against the taxable property liable therefore provided by law:

<b>NEWSTEAD FOR THE YEAR 2002</b>	<b>APPROPRIATION</b>	<b>ESTIMATED REVENUES</b>	<b>TAX LEVY</b>
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**ERIE COUNTY LEGISLATURE**

GENERAL FUND TOWNWIDE	\$1,047,430	\$498,100	\$549,330.00
GENERAL FUND-TOWN ONLY	\$90,409.00	\$90,409	\$0.00
HIGHWAY FUND TOWNWIDE	\$6,769.00	\$100	\$6,669.00
HIGHWAY FUND-TOWN ONLY	\$652,528.00	\$652,528	\$0.00
TOTAL TOWN & HIGHWAY	\$1,797,136.00	\$1,241,137	\$555,999.00
WATER DIST CAP & O M	\$508,294.00	\$141,615	\$366,679.00
OMITTED TAX	\$133.43	\$0	\$133.43
REFUSE/GARBAGE	\$233,265.00	\$12,226	\$221,039.00
FIRE PROTECTION DIST.	\$304,454.00	\$3,000	\$301,454.00
DELINQUENT WATER	\$2,213.75	\$0	\$2,213.75
DELINQUENT REFUSE	\$235.00	\$0	\$235.00
DELINQUENT ECWA WTR	\$719.23	\$0	\$719.23
SEWER DISTRICT	\$21,400.00	\$21,400	\$0.00
TOTAL SPECIAL DISTRICT	\$1,070,714.41	\$178,241	\$892,473.41
GRAND TOTALS	\$2,867,850.41	\$1,419,378	\$1,448,472.41

RESOLVED that the following abstracts of the adopted town budgets for the ensuing year, as certified and presented to this Legislature by the appropriate town officers, be printed by the Clerk in the minutes of the proceedings of this Legislature, and be it further

RESOLVED that the amounts in said budgets that are required to be raised by taxes are hereby levied upon, and shall be collected from, the taxable property situated in the respective Towns and liable therefore, and be it further

RESOLVED that the Commissioner of Finance is hereby directed to spread said taxes to be raised for such budgets against the taxable property liable therefore provided by law:

**NEWSTEAD**  
**FOR THE YEAR 2002**

**APPROPRIATION**

**ESTIMATED  
REVENUES**

**TAX LEVY**

GENERAL FUND TOWNWIDE	\$1,047,430	\$498,100	\$549,330.00
GENERAL FUND-TOWN ONLY	\$90,409.00	\$90,409	\$0.00
HIGHWAY FUND TOWNWIDE	\$6,769.00	\$100	\$6,669.00
HIGHWAY FUND-TOWN ONLY	\$652,528.00	\$652,528	\$0.00
TOTAL TOWN & HIGHWAY	\$1,797,136.00	\$1,241,137	\$555,999.00

**MEETING NO. 7**  
**March 21, 2002**

**ERIE COUNTY LEGISLATURE**

WATER DIST CAP & O M	\$508,294.00	\$141,615	\$366,679.00
OMITTED TAX	\$133.43	\$0	\$133.43
REFUSE/GARBAGE	\$233,265.00	\$12,226	\$221,039.00
FIRE PROTECTION DIST.	\$304,454.00	\$3,000	\$301,454.00
DELINQUENT WATER	\$2,213.75	\$0	\$2,213.75
DELINQUENT REFUSE	\$235.00	\$0	\$235.00
DELINQUENT ECWA WTR	\$719.23	\$0	\$719.23
SEWER DISTRICT	\$21,400.00	\$21,400	\$0.00
TOTAL SPECIAL DISTRICT	\$1,070,714.41	\$178,241	\$892,473.41
GRAND TOTALS	\$2,867,850.41	\$1,419,378	\$1,448,472.41

RESOLVED that the following abstracts of the adopted town budgets for the ensuing year, as certified and presented to this Legislature by the appropriate town officers, be printed by the Clerk in the minutes of the proceedings of this Legislature, and be it further

RESOLVED that the amounts in said budgets that are required to be raised by taxes are hereby levied upon, and shall be collected from, the taxable property situated in the respective Towns and liable therefore, and be it further

RESOLVED that the Commissioner of Finance is hereby directed to spread said taxes to be raised for such budgets against the taxable property liable therefore provided by law:

**NORTH COLLINS**  
**FOR THE YEAR 2002**

**APPROPRIATION**

**ESTIMATED  
REVENUES**

**TAX LEVY**

GENERAL FUND TOWNWIDE	\$571,154.00	\$233,956	\$337,198.00
GENERAL FUND-TOWN ONLY	\$136,512.00	\$45,712	\$90,800.00
HIGHWAY TOWNWIDE	\$51,051.00	\$1,000	\$50,051.00
HIGHWAY - TOWN ONLY	\$334,984.00	\$249,919	\$85,065.00
CAPITAL PROJECTS	\$21,500.00	\$21,500	\$0.00
TOTAL TOWN & HIGHWAY	\$1,115,201.00	\$552,087	\$563,114.00
FIRE PROTECTION DIST.	\$150,000.00	\$0	\$150,000.00
GARBAGE & REFUSE	\$128,724.00	\$0	\$128,724.00
OMITTED TAX	\$497.30	\$0	\$497.30



**MEETING NO. 7**  
**March 21, 2002**

**ERIE COUNTY LEGISLATURE**

TOTAL SPECIAL DISTRICT	\$279,221.30	\$0	\$279,221.30
GRAND TOTALS	\$1,394,422.30	\$552,087	\$842,335.30

RESOLVED that the following abstracts of the adopted town budgets for the ensuing year, as certified and presented to this Legislature by the appropriate town officers, be printed by the Clerk in the minutes of the proceedings of this Legislature, and be it further

RESOLVED that the amounts in said budgets that are required to be raised by taxes are hereby levied upon, and shall be collected from, the taxable property situated in the respective Towns and liable therefore, and be it further

RESOLVED that the Commissioner of Finance is hereby directed to spread said taxes to be raised for such budgets against the taxable property liable therefore provided by law:

**WALES**  
**FOR THE YEAR 2002**

APPROPRIATION

ESTIMATED  
REVENUES

TAX LEVY

	APPROPRIATION	ESTIMATED REVENUES	TAX LEVY
GENERAL FUND TOWNWIDE	\$466,190.00	\$437,386	\$28,804.00
HIGHWAY FUNDS	\$278,925.00	\$187,550	\$91,375.00
TOTAL TOWN & HIGHWAY	\$745,115.00	\$624,936	\$120,179.00
FIRE PROTECTION	\$105,206.00	\$500	\$104,706.00
AURORA WALES FIRE DST	\$65,568.70	\$0	\$65,568.70
LIGHT DISTRICT #1	\$3,673.00	\$0	\$3,673.00
LIGHT DISTRICT #2	\$2,400.00	\$349	\$2,051.00
OMITTED TAX	\$0	\$0	\$0
AGRIC PENALTY	\$0	\$0	\$0
REFUSE DISTRICT	\$153,629.00	\$12,057	\$141,572.00
TOTAL SPECIAL DISTRICT	\$330,476.70	\$12,906	\$317,570.70
GRAND TOTALS	\$1,075,591.70	\$637,842	\$437,749.70

(4-0) Legislator Swanick absent.

10. Item Page  
**COMPTROLLER**  
(A)

-2002

(Comm. 5E-55)

**MEETING NO. 7**  
**March 21, 2002**

**ERIE COUNTY LEGISLATURE**

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 two; and

WHEREAS, Senate Bill S.6159 and Assembly Bill A.9741, 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 three;

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.6159, 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 Senate and two copies to the New York State Assembly.

(4-0) Legislator Swanick absent.

(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 two; and

WHEREAS, Assembly Bill A.9741 and Senate Bill S.6159, 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 three;

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

TO THE LEGISLATURE:

**MEETING NO. 7**  
**March 21, 2002**

**ERIE COUNTY LEGISLATURE**

Pursuant to Article IX of the Constitution, the County of Erie requests the enactment of Assembly Bill A.9741, 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.

(4-0) Legislator Swanick absent.

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

MR. LARSON moved to separate items #4, #5 & #6 and moved the approval of the balance of the report. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

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

CHAIRMAN DeBENEDETTI directed that a roll call vote be taken.

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

CARRIED. (WEIGHTED VOTE: 15.102 – 1.898)

MR. LARSON moved the approval of item #5. MR. GREENAN seconded.

CHAIRMAN DeBENEDETTI directed that a roll call vote be taken.

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

**MEETING NO. 7**  
**March 21, 2002**

**ERIE COUNTY LEGISLATURE**

CARRIED. (WEIGHTED VOTE: 16.087 – 0.913)

MR. LARSON moved the approval of item #6. MR. GREENAN seconded.

CHAIRMAN DeBENEDETTI directed that a roll call vote be taken.

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

CARRIED UNANIMOUSLY.

Item 28 – MR. GREENAN presented the following resolution and moved for immediate consideration. MR. RANZENHOFER seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 121

March 14, 2002

ENERGY & ENVIRONMENT  
 COMMITTEE  
 REPORT #3

ALL MEMBERS PRESENT EXCEPT LEGISLATOR DUSZA.

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

- |    |  |      |       |                |
|----|--|------|-------|----------------|
|    | Item   | Page | -2001 | (Comm. 12E-20) |
| a. | <b>COUNTY EXECUTIVE:</b> OPEN ITEM: DPW – General Energy Related Issues.<br>(4-0) Legislator Dusza absent.   |      |       |                |
|    | Item   | Page | -2001 | (Comm. 21E-25) |
| b. | <b>COUNTY EXECUTIVE:</b> ECSD No. 5 – Fee Taking City of Lackawanna.<br>(4-0) Legislator Dusza absent.   |      |       |                |
|    | Item   | Page | -2002 | (Comm. 4D-6)   |
| c. | <b>DEP:</b> SEQR – Negative Declaration – Notice of Determination of Non-Significance – Southtowns Sewage Treatment Plant, S3690 Lake Shore Road, Hamburg.<br>(4-0) Legislator Dusza absent. |      |       |                |
|    | Item   | Page | -2002 | (Comm. 4D-7)   |
| d. | <b>ECWA:</b> Copy of Unaudited Comparative Financial Statements for Years Ending 12/31/01 & 12/31/00.  |      |       |                |

**MEETING NO. 7**  
**March 21, 2002**

**ERIE COUNTY LEGISLATURE**

(4-0) Legislator Dusza absent.

- e. Item Page -2002 (Comm. 4D-9)  
**DEP: SEQR** – Solicitation for Lead Agency Status – Type I Action – City of Buffalo, City of Lackawanna & Town of Hamburg.  
 (4-0) Legislator Dusza absent.

- f. Item Page -2002 (Comm. 4E-36)  
**COUNTY EXECUTIVE: ECSD** Nos. 1, 4 & 5 – Northern Region Administration Building Contract “D” – Electrical Close-Out – Industrial Power & Lighting.  
 (4-0) Legislator Dusza absent.

- g. Item Page -2002 (Comm. 4E-40)  
**COUNTY EXECUTIVE: ECSDs** – Semi-Annual Attendance Records – Board of Managers.  
 (4-0) Legislator Dusza absent.

- h. Item Page -2002 (Comm. 4E-41)  
**COUNTY EXECUTIVE: EC** Sewer Construction Projects – Annual Change Order Report.  
 (4-0) Legislator Dusza absent.

- i. Item Page -2002 (Comm. 4E-46)  
**COUNTY EXECUTIVE: ECSD** No. 2 – 18 Mile Creek & Sweetland Road Pumping Station Modifications – Contract No. 37EV“A” General Change Order No. A-1 – Paul Gallo Contract.  
 (4-0) Legislator Dusza absent.

- j. Item Page -2002 (Comm. 5E-9)  
**DeBENEDETTI:** Letter to Legislator Greenan Re: Attached Letter from Robert Lichtenthal Concerning His Candidacy for ECWA’s Board of Commissioners.  
 (4-0) Legislator Dusza absent.

- k. Item Page -2002 (Comm. 5E-10)  
**GREENAN:** Letter to Robert Lichtenthal Re: Notice of Energy & Environment Meeting for Purpose of Interview for ECWA’s Board of Commissioners.  
 (4-0) Legislator Dusza absent.

- l. Item Page -2002 (Comm. 5E-29)  
**COUNTY EXECUTIVE: ECSD** No. 2 – Paul Gallo Contracting – Contract No. 37EV “A” – Dispensation of Hours.  
 (4-0) Legislator Dusza absent.

Item Page -2002 (Comm. 5E-31)

**MEETING NO. 7****March 21, 2002****ERIE COUNTY LEGISLATURE**

- m. **COUNTY EXECUTIVE:** ECSD No. 2 – 18 Mile Creek & Sweetland Road Pumping Station Modifications – Contract No. 37EV “A” – General Change Order No. A-2 Paul Gallo.  
(4-0) Legislator Dusza absent.

- Item Page -2002 (Comm. 5E-34)  
n. **COUNTY EXECUTIVE:** ECSD No. 2 – Contract No. 44EV – Town of Evans – Change Order No. 1.  
(4-0) Legislator Dusza absent.

- Item Page -2002 (Comm. 5M-8)  
o. **NY POWER AUTHORITY:** Copy of Memo Re: Niagara Power Project – Request to Utilize Alternative Licensing Procedures.  
(4-0) Legislator Dusza absent.

- Item Page -2002 (Comm. 5M-20)  
p. **ROBERT LICHTENTHAL:** Letter to Chairman DeBenedetti Re: Candidacy for ECWA Commissioner.  
(4-0) Legislator Dusza absent.

- Item Page -2002 (Comm. 6D-1)  
q. **DEP:** SEQR – Negative Declaration – Notice of Determination of Non-Significance.  
(4-0) Legislator Dusza absent.

- Item Page -2002 (Comm. 6E-17)  
r. **COUNTY EXECUTIVE:** ECSD No. 2 – 18 Mile Creek & Sweetland Road Pumping Station Modifications – Contract No. 37EV “B” Electrical Change Order No. B-2 – Tunney Elect.  
(4-0) Legislator Dusza absent.

- Item Page -2002 (Comm. 6E-18)  
s. **COUNTY EXECUTIVE:** ECSD No. 2 – Increase & Improvement of Facilities (2001) – EC Sewer Agency Report.  
(4-0) Legislator Dusza absent.

2. Item Page -2001 **AS AMENDED**  
(Comm. 21E-21)  
**COUNTY EXECUTIVE**

WHEREAS, the Erie County Department of Environment and Planning has received the following low bid for Farmington Woods/Hidden Oaks Pump Station Elimination Project, Contract No. 12L, on March 5, 2002,

**Contract No.****Low Bidder****Amount Bid**

**MEETING NO. 7**  
**March 21, 2002**

**ERIE COUNTY LEGISLATURE**

Contract No. 12L	Milherst Construction, Inc. 2601 Millersport Highway Getzville, New York 14068	\$522,644.00
------------------	--	--------------

and

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

NOW, THEREFORE, BE IT

RESOLVED, that the Farmington Woods/Hidden Oaks Pump station Elimination Project, Contract No. 12L, be awarded to the low bidder as follows:

<u>Contract No.</u>	<u>Low Bidder</u>	<u>Amount Bid</u>
Contract No. 12L	Milherst Construction, Inc. 2601 Millersport Highway Getzville, New York 14068	\$522,644.00

and be it further

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

RESOLVED, that the Comptroller is authorized and directed to allocate \$522,644.00 from Sewer Capital, Erie County Sewer district No. 5, Fund No. 430, Project No. 798, and be it further

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

(4-0) Legislator Dusza absent.

3. Item Page -2002 (Comm. 4E-39)  
**COUNTY EXECUTIVE**

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

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

**MEETING NO. 7****March 21, 2002****ERIE COUNTY LEGISLATURE**

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

WHEREAS, Erie County has successfully conducted a model Household Hazardous Waste Collection Program since 1988, servicing over 24,000 residents within Erie County, and

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

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

NOW, THEREFORE BE IT

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

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

<u>Municipalities</u>	<u>Location</u>	<u>Date</u>
Amherst	ECC North Campus	May 18, 2002
Orchard Park	ECC South Campus	June 22, 2002
Erie County	To Be Determined	July 20, 2002
Buffalo	To Be Determined	September 7, 2002

and be it further

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

(4-0) Legislator Dusza absent.

4. Item Page -2002 (Comm. 4E-42)

**COUNTY EXECUTIVE**

WHEREAS, the County recognizes the need to properly train its employees to protect their health and well being, and to comply with applicable state and federal regulations, and

WHEREAS, Erie County's Division of Sewerage Management has applied for funds from the Western New York Council On Occupational Safety & Health through a New York State Department of Labor Hazard Abatement Board training grant.



NOW, THEREFORE, BE IT

RESOLVED, that the proposed agreement between the County of Erie and the Western New York Council on Occupational Safety & Health to provide health and safety training to the Division of Sewerage Management and Sewer District employees is hereby approved, and be it further

RESOLVED, that the County Executive be, and hereby is, authorized to execute said agreement subject to approval as to form by the County Attorney and as to content by the Commissioner of Environment & Planning, and be it further

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

(4-0) Legislator Dusza absent.

5. Item Page -2002 (Comm. 5E-28)

**COUNTY EXECUTIVE**

WHEREAS, Capital Project 430 511, ECSD No. 3 Armor-McKinley Extension will be closed out in 2002; and

WHEREAS, there is a cash balance of \$67,625.45 as of November 30, 2001; and

WHEREAS, there is a debt service balance remaining for this project; and

WHEREAS, the use of said cash will have no impact on the approved 2002 Budget.

NOW, THEREFORE, BE IT

RESOLVED, that the cash balance of \$67,625.45 and any additional accrued interest be transferred into Erie County Sewer District No. 3's Debt Service Fund to be applied to any outstanding indebtedness; and be it further

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

(4-0) Legislator Dusza absent.

6. Item Page -2002 (Comm. 5E-33)

**COUNTY EXECUTIVE**

**MEETING NO. 7****March 21, 2002****ERIE COUNTY LEGISLATURE**

WHEREAS, the Erie County Legislature had awarded Contract 11L to Cimato Bros. Construction, Inc. for the Erie County Sewer District No. 5 Swormsville Pumping Station Elimination Project; and

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

WHEREAS, the Erie County Department of Environment and Planning has recommended the acceptance of Contract 11L in the final contract amount of \$110,873.00 which includes Change Order No. 1 (final) a decrease of <\$29,414.00>, and approval for final payment.

NOW, THEREFORE, BE IT

RESOLVED, that Contract 11L between the County of Erie and Cimato Bros. Construction, Inc., 9220 Transit Road, East Amherst, New York, 14051 is accepted in the amount of \$110,873.00, which includes Change Order No. 1 (final) a decrease of <\$29,414.00>, and final payment is approved; and be it further

RESOLVED, that the Erie County Comptroller is hereby authorized and directed to finalize Contract 11L between the County of Erie and Cimato Bros. Construction, Inc in the amount of \$110,873.00 and make final payment from Sewer Capital Account SD No. 5, Fund No. 430, Project No. 798 and return the unused balance of \$29,414.00 to the unallocated account; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send two (2) certified copies of this resolution to Charles J. Alessi, P.E., Department of Environment and Planning, and one certified copy to the Director of Budget and Management, Erie County Comptroller's Office and Gregory Dudek, Assistant County Attorney.  
(4-0) Legislator Dusza absent.

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

**COUNTY EXECUTIVE**

WHEREAS, Capital Project 430 502, Increase Maximum (1974 -1984) will be closed out in 2002; and

WHEREAS, there is a cash balance of \$173,198.78 as of November 30, 2001; and

WHEREAS, there is a debt service balance remaining for this project; and

WHEREAS, the use of said cash will have no impact on the approved 2002 Budget.

NOW, THEREFORE, BE IT

RESOLVED, that the cash balance of \$173,198.78 and any additional accrued interest be transferred to the Debt Service Fund to satisfy the remaining outstanding debt; and be it further

**MEETING NO. 7****March 21, 2002****ERIE COUNTY LEGISLATURE**

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

(4-0) Legislator Dusza absent.

8. Item Page -2002 (Comm. 5E-37)

**COUNTY EXECUTIVE**

WHEREAS, the Erie County Department of Environment and Planning administers a Housing Rehabilitation Program for low/moderate income homeowners on behalf of the Erie County Community Development Block Grant Consortium and HOME Investment Partnership Consortium; and

WHEREAS, the federal Department of Housing and Urban Development has issued regulations pertaining to lead based paint hazards in housing units assisted with federal funds; and

WHEREAS, said regulations were effective January 18, 2002 and require a variety of lead based paint hazard assessments and clearance tests by federally certified inspectors on all housing units participating in the Erie County Housing Rehabilitation Program; and

WHEREAS, the County Executive entered into a lead based paint hazard inspection agreement for an amount not to exceed \$140,000, with Stohl Environmental, LLC., having a termination date of March 31, 2002; and

WHEREAS, due to various federal extensions in implementing the lead paint regulations the services of Stohl Environmental have yet to be utilized;

NOW, THEREFORE BE IT

RESOLVED, that an amendment to the December 18,2000 agreement with Stohl Environmental, LLC is hereby approved extending the contract period from March 31, 2002 to March 31, 2004; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the Commissioner of Environment and Planning and the County Comptroller.

(4-0) Legislator Dusza absent.

9. Item Page -2002 (Comm. 5E-47)

**COUNTY EXECUTIVE**

WHEREAS, Jim Ball Pontiac, GMC and Buick, 3475 Southwestern Boulevard, Orchard Park, New York 14127 (Jim Ball Pontiac, GMC and Buick) desires to place an exclusive advertisement on the County of Erie's golf courses' scorecards; and

**MEETING NO. 7****March 21, 2002****ERIE COUNTY LEGISLATURE**

WHEREAS, in consideration for such advertising rights, Jim Ball Pontiac, GMC and Buick has offered to have such scorecards printed at their own cost and expense and then gift such scorecards to the Erie County Department of Parks, Recreation and Forestry; and

WHEREAS, Jim Ball Pontiac, GMC and Buick desires to continue to have the golf scorecards printed and donated to the Department of Parks, Recreation and Forestry for three consecutive years; and

WHEREAS, pursuant to County law, any gifts to the County must be approved and accepted by the Erie County Legislature.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to accept, on behalf of the County and its Department of Parks, Recreation and Forestry, from Jim Ball Pontiac, GMC and Buick a gift of preprinted golf scorecards for use in the County's golf courses, advertising said business; and be it further

RESOLVED, that the acceptance of such gift be conditioned on the approval by the Commissioner of Parks of such golf scorecards, as to quantity, size, design, and colors of such scorecards; and be it further

RESOLVED, that this authorization to accept said scorecards, as described, as a gift to the County from Jim Ball Pontiac, GMC & Buick shall be in effect through and including the 2004 golf season; and be it further

RESOLVED, that copies of this resolution be sent to Joel A. Giambra, Erie County Executive, Joseph Passafiume, Director of Budget, Management and Finance, Lawrence D. Jasinski, Commissioner of Parks, Recreation and Forestry, Nancy A. Naples, Erie County Comptroller, and Gregory J. Dudek, Assistant County Attorney.  
(4-0) Legislator Dusza absent.

10. Item Page -2002 (Comm. 6E-9)

**COUNTY EXECUTIVE**

WHEREAS, Erie County is interested in assisting in the effort by the City of Tonawanda to upgrade its water system for the purpose of merging with the Erie County Water Authority (ECWA) and establishing an improved fire emergency response within the City of Tonawanda in Erie County; and

WHEREAS, Erie County desires to encourage efforts to sustain and improve neighborhoods and communities within the County; and

WHEREAS, the City of Tonawanda has an older independent water system in need of upgrades to meet established standards for improved water service and fire protection; and

**MEETING NO. 7****March 21, 2002****ERIE COUNTY LEGISLATURE**

WHEREAS, the City of Tonawanda desires to upgrade its water system in order to merge with the ECWA; and

WHEREAS, Erie County desires to work with the City of Tonawanda to implement this process.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter into contracts not to exceed two hundred thousand dollars (\$200,000) with the City of Tonawanda, and be it further

RESOLVED, that the source of the funds will be \$200,000 available in the Regionalism/Economic Development (DAC 110 904 303 830, Subaccount 1299), which will be transferred to a new subaccount under Agency Payments monitored by the Department of Environment and Planning, General Fund 110, Project 922, Department 302, Account 830, and be it further

RESOLVED, that certified copies of this resolution be sent to the Director of Budget, Management and Finance; the Comptroller; the Commissioner of the Department of Environment and Planning; and the County Attorney.

(4-0) Legislator Dusza absent.

11. Item Page -2002 (Comm. 6E-9)

**COUNTY EXECUTIVE**

WHEREAS, Erie County is interested in assisting in the effort by the City of Tonawanda to upgrade its water system for the purpose of merging with the Erie County Water Authority (ECWA) and establishing an improved fire emergency response within the City of Tonawanda in Erie County; and

WHEREAS, Erie County desires to encourage efforts to sustain and improve neighborhoods and communities within the County; and

WHEREAS, the City of Tonawanda has an older independent water system in need of upgrades to meet established standards for improved water service and fire protection; and

WHEREAS, the City of Tonawanda desires to upgrade its water system in order to merge with the ECWA; and

WHEREAS, Erie County desires to work with the City of Tonawanda to implement this process.

NOW, THEREFORE, BE IT

**MEETING NO. 7**  
**March 21, 2002**

**ERIE COUNTY LEGISLATURE**

RESOLVED, that the County Executive is authorized to enter into contracts not to exceed two hundred thousand dollars (\$200,000) with the City of Tonawanda, and be it further

RESOLVED, that the source of the funds will be \$200,000 available in the Regionalism/Economic Development (DAC 110 904 303 830, Subaccount 1299), which will be transferred to a new subaccount under Agency Payments monitored by the Department of Environment and Planning, General Fund 110, Project 922, Department 302, Account 830, and be it further

RESOLVED, that certified copies of this resolution be sent to the Director of Budget, Management and Finance; the Comptroller; the Commissioner of the Department of Environment and Planning; and the County Attorney.

(4-0) Legislator Dusza absent.

12. Item Page -2002 (Comm. 6E-11)

**COUNTY EXECUTIVE**

WHEREAS, Erie County, through the Department of Environment and Planning (DEP), receives funding from various Federal and State grants; and

WHEREAS, Erie County, through the DEP, has funds available within their existing budget; and

WHEREAS, the DEP, to maximize the amount of work to be done on the below mentioned grants and County programs, has incorporated the use of student interns (college students) into work plans and grant budgets for these programs; and

WHEREAS, the use of student interns is not only an effective management tool employed by the DEP, but also provides area college students the valuable opportunity to obtain work experience related to their future career objectives; and

WHEREAS, the DEP has collected a number of resumes and inquiries for internships and summer employment from local college students; and

WHEREAS, these resumes and inquiries will be evaluated to select a suitable candidate for each of the internship opportunities available; and

WHEREAS, the DEP and the Department of Personnel have agreed upon an hourly rate to compensate student interns which is consistent with overall County employment practices; and

WHEREAS, it is necessary for the DEP to enter into an Agreement for Personal Services for each of the student interns; and

WHEREAS, the DEP will request final confirmation of qualifications from the Department of Personnel for all selected candidates before entering into an Agreement.

**MEETING NO. 7**  
**March 21, 2002**

**ERIE COUNTY LEGISLATURE**

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NOW, THEREFORE BE IT

RESOLVED, that the County Executive is authorized to enter into the necessary agreements to secure student interns in the year 2002 for grant and County funded Department of Environment and Planning programs, and be it further

RESOLVED, that these Agreements for Personal Services will not exceed \$4,000 each and will be funded through the following grant budgets:

- Solid Waste Reduction Grant (SFG-394)
- Solid Waste Management Assistance Grant (SFG-362)
- Urban Air Toxics Prevention Grant (SFG-570)
- PBT Reduction through Environmentally Preferable Purchasing (SFG-728)
- Seneca Bluffs Wetland Restoration Project (SFG-578)
- Cazenovia Creek Habitat Restoration and Stewardship Project (SFG-361)
- State Indoor Radon Grant/SIRG 10 (SFG-563)
- Congestion Mitigation and Air Quality/Alternative Fuels/Rebuild Buffalo- Niagara (SFG-223)
- East Side Transfer Station (SFG-955)
- Community Development Block Grant (Fund 290 Project 835)
- Conditionally Exempt Small Quantity Generator (Project 669)
- Household Hazardous Waste Disposal (2002) - (Project 670)

and be it further

RESOLVED, that these Agreements for Personal Services will be funded through the following accounts:

- Erie County Environmental Management Council - (DEP Account 830-216)
- Erie County Household Hazardous Waste - (DEP Account 830-270)
- Indoor Air Quality - (DEP Account 830-736)
- Internships - (DEP Account 830-1214)

and be it further

RESOLVED, that certified copies of this resolution be sent to the Director of Budget, Management and Finance; the Commissioner of Personnel; Laurence K. Rubin, Commissioner of Environment and Planning; Michael Raab, Deputy Commissioner of Environment and Planning; the County Comptroller; and Gregory J. Dudek, Assistant County Attorney.  
(4-0) Legislator Dusza absent.

**MEETING NO. 7**  
**March 21, 2002**

**ERIE COUNTY LEGISLATURE**

13. Item Page -2002 (Comm. 6E-19)

**COUNTY EXECUTIVE**

WHEREAS, the rate of usage of overtime in Erie County Sewer District Nos. 1, 4 & 5 has exceeded the anticipated amount due to wet weather conditions and a New York State Department of Environmental Conservation requirement to strictly limit sewage flows into the Buffalo Sewer Authority; and

WHEREAS, Sewer District personnel charged with maintaining the required limit do so by operating pumps and valves, many times after normal working hours; and

WHEREAS, approximately thirty percent of the Sewer District Nos.1, 4 & 5 Overtime Budget for the current year has been used in the first eight percent of the year and it is necessary to transfer \$100,000.00 to the Overtime Account to be available as needed during the remainder of the current year.

NOW, THEREFORE, BE IT

RESOLVED, that the total amount (\$100,000) transferred from Fund Balance be allocated to Sewer Districts 1, 4 & 5 as follows:

- a. The amount of \$39,000 from Operating Fund Balance, Fund 220, Project 851, Department 810, Account 299, to Use of Fund Balance, Fund 220, Project 851, Department 811, 698 0105 to Fund 220, Project 851, Department 810, Account 801, Overtime;
- b. The amount of \$53,000 from Operating Fund Balance, Fund 220, Project 851, Department 810, Account 299, to Use of Fund Balance, Fund 220, Project 851, Department 812, 698 0105 to Fund 220, Project 851, Department 810, Account 801, Overtime;
- c. The amount of \$8,000 from Operating Fund Balance, Fund 220, Project 851, Department 810, Account 299, to Use of Fund Balance, Fund 220, Project 851, Department 813, 698 0105 to Fund 220, Project 851, Department 810, Account 801, Overtime; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send certified copies of this resolution to Charles J. Alessi, P.E., Deputy Commissioner, Department of Environment and Planning, the Director of Budget and Management and the Erie County Comptroller's Office. (4-0) Legislator Dusza absent.

**JOHN W. GREENAN**  
**CHAIRMAN**

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



**MEETING NO. 7****March 21, 2002****ERIE COUNTY LEGISLATURE**

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 122

March 14, 2002

PUBLIC SAFETY  
COMMITTEE  
REPORT NO. 3

ALL MEMBERS PRESENT EXCEPT LEGISLATOR DUSZA.

1. Item Page -2002 (Comm. 4E-44)

**COUNTY EXECUTIVE**

WHEREAS, Coordinated Care is a not-for-profit human service organization that provides long-term care information, referral and services to the Western New York community; and

WHEREAS, the Telephone Assurance Program (TAP), operated by Coordinated Care with primary financial assistance from Erie County's Department of Senior Services, is a free service that connects seniors who live alone to volunteers via periodic phone calls, allowing participants to keep in contact with the community and decreasing the potential for isolation and loneliness; and

WHEREAS, Senior citizens account for 15.8 percent of the local population, and as this number continues to grow, so does the demand for more and better services; and

WHEREAS, based on a funding request from the Coordinated Care, a not-for-profit organization, the County will provide \$5,000 in support of the Telephone Assurance Program (TAP) for the fiscal year of 2002.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into the necessary agreements to provide funds to this organization for purposes noted above; and be it further

RESOLVED, that funds in the amount of \$5,000 are hereby transferred from the Regionalism/Economic Development Fund (DAC 110 9043038301299) to the following subaccount under Contractual Agencies in Department 302, Public Benefit Agencies, as monitored by Environment and Planning:

0935 Coordinated Care \$5,000

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**March 21, 2002**

**ERIE COUNTY LEGISLATURE**

and be it further

RESOLVED, that certified copies of this resolution be sent to the County Executive, County Comptroller, Director of the Division of Budget, Management and Finance, the Commissioner of the Department of Environment and Planning, and the President/CEO of Coordinated Care, located in the Statler Towers, Suite 1800, 107 Delaware Avenue, Buffalo, New York 14202.  
 (4-0) Legislator Dusza absent.

2. Item Page -2002 (Comm. 4E-47)

**COUNTY EXECUTIVE**

WHEREAS, Erie County has been awarded a block grant from the New York State's Governor's Traffic Safety Committee for traffic safety awareness and enforcement, and

WHEREAS, Erie County has been awarded additional funds for the "Child Passenger Safety" program, and

WHEREAS, the County budget must be amended to agree with the final approved State grant award,

NOW, THEREFORE, BE IT

RESOLVED, that the following transactions are hereby authorized in order that the amended budget will agree with the final State grant award:

**OFFICE OF TRAFFIC SAFETY**

Project #459  
 10/1/01-9/30/02

<u>APPROPRIATIONS</u>	<u>FROM</u>	<u>CHANGE</u>	<u>TO</u>
ACCT. 800 PERSONAL SERVICES	\$48,669	167	\$48,836
ACCT. 805 FRINGE BENEFITS	10,708	1,990	12,698
ACCT. 810 OFFICE SUPPLIES	350	800	1,150
ACCT. 814 MEDICAL & HLTH SUPLS	0	9,700	9,700
ACCT. 824 TRAVEL & MILEAGE	1,100	300	1,400
ACCT. 825 OUT OF AREA TRAVEL	1,400	700	2,100
ACCT. 826 OTHER EXPENSE	5,956	10,099	16,055
ACCT. 880 INTERFUND			
1100 DEPT. OF COUNTY EXEC	4,870	0	4,870
1500 SHERIFF'S DEPT.	11,000	(11,000)	0
5100 D.I.S.S.	2,112	0	2,112
ACCT. 933 LAB & TECHNICAL EQUIP	<u>0</u>	<u>1,800</u>	<u>1,800</u>
TOTAL APPROPRIATIONS	\$86,165	\$14,556	\$100,721

**MEETING NO. 7**  
**March 21, 2002**

**ERIE COUNTY LEGISLATURE**

REVENUE

ACCT. 592 STATE AID DEPT OF TRANSPORTATION	<u>\$86,165</u>	<u>\$14,556</u>	<u>\$100,721</u>
TOTAL REVENUE	\$86,165	\$14,556	\$100,721

and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Division of Budget, Management and Finance, the County Executive's Office, Erie County STOP-DWI, the Sheriff's Department and the Office of Traffic Safety.  
 (4-0) Legislator Dusza absent.

**AS AMENDED**

3. Item Page -2002 (Intro. 4-3)  
**FISHER, PEOPLES, HOLT, SWANICK, MARINELLI, KUWIK, DALE,**  
**SCHROEDER, DUSZA, CHASE, LARSON & McCARVILLE**

WHEREAS, a wealth of research has demonstrated the harmful effects of domestic violence on children in the home, and

WHEREAS, partner abuse occurs in approximately 50% of households where child abuse takes place, and

WHEREAS, many battered women do not report abuse to the police or courts for fear of having child protective proceedings brought against them and ultimately losing custody of their children, and

WHEREAS, proper training in the dynamics of domestic violence will improve the ability of child protection workers to ensure a child's safety, and

WHEREAS, training is a vital aspect of a coordinated community response to domestic violence, a strategy that better serves the goals of victim safety and offender accountability, and

WHEREAS, at this time, however, domestic violence training is not a required component of the core training for new child protective workers across the state, and

WHEREAS, the Office for the prevention of Domestic Violence, the Model County Policy and the National Council of Juvenile and Family Court Judges Family Violence Department recommend improved coordination of child protective services and domestic violence systems to promote the safety and well being of families, and

**MEETING NO. 7**  
**March 21, 2002**

**ERIE COUNTY LEGISLATURE**

WHEREAS, legislation filed in both houses of the New York State Legislature Thursday, January 31, 2002, Assembly Bill A.7763 and Senate Bill S.396, seek to amend Section 421 of the state's Social Services law by specifying that the dynamics of domestic violence be included in course training for new hired and existing employees of a child protective service, and

WHEREAS, this legislation will require that all new and current child protective service employees across the state be trained in the dynamics of domestic violence and the connection between domestic violence and child abuse, and will not add undue financial constraints,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature remains firmly committed to the goals of protecting women and children from violence in the home, holding domestic violence offenders accountable for their actions and promoting healthy stable families, and be it further

RESOLVED, that this Honorable Body does hereby call upon the members of the New York State Legislature to further the realization of these goals by passing Assembly Bill A.7763 and Senate Bill S.396 which would require mandatory domestic violence training for child protection workers, and does further memorialize Governor Pataki to sign such legislation into law, and be it further

RESOLVED, that certified copies be sent to the local delegations to Governor George E. Pataki, the New York State Assembly and the New York State Senate, the Commissioner of Social Services, and the Executive Director of the Erie County Commission on the Status of Women.

Fiscal Impact: None for Resolution.  
 (4-0) Legislator Dusza absent.

4.     Item           Page                           -2002                   (Comm. 5E-15)  
        **SHERIFF**

WHEREAS, the State of New York Governor's Traffic Safety Committee has awarded \$4,000 to the Erie County Sheriffs Office towards the purchase of one Datamaster breath testing instrument and,

WHEREAS, this equipment will provide reliable evidence to successfully prosecute alcohol impaired motor vehicle arrests.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Sheriffs Office is hereby authorized to accept funding from the State of New York Governor's Traffic Safety Committee in the amount of \$4,000 and be it further

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

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**March 21, 2002**

**ERIE COUNTY LEGISLATURE**

**Department 931 - Sheriffs Office**

<u>REVENUE</u>	<u>Increase</u>
Acct. 639 State Aid Miscellaneous	<u>4,000</u>
<b>TOTAL REVENUE</b>	<b><u>4,000</u></b>
<u>APPROPRIATIONS</u>	<u>Increase</u>
Acct. 933 - Lab & Tech Equipment	<u>4,000</u>
<b>TOTAL APPROPRIATIONS</b>	<b><u>4,000</u></b>

and it be further

RESOLVED, that certified copies be forwarded to the Division of Budget, Management and Finance, the Erie County Comptroller's Office and the Office of Sheriff for implementation.  
 (4-0) Legislator Dusza absent.

5. Item Page -2002 (Comm. 5E-49)

**COUNTY EXECUTIVE**

WHEREAS, in 2001 County Executive Joel A. Giambra established Go Safe, a cooperative effort with the hospitality and taxi industry, that provides a sustainable alternative to drunken driving by offering free taxi rides to patrons of participating establishments, and

WHEREAS, Go Safe has removed over 235 potential drunken drivers from Erie County Roads and has provided for over 600 future rides when needed, and

WHEREAS, Go Safe is endorsed by the Niagara Chapter of Remove Intoxicated Drivers (RID) and Erie County Mothers Against Drunk Driving (MADD), and

WHEREAS, project # 571 and the Go Safe Reserve Account were established to receive donations and pay the expenses of operating Go Safe, and

WHEREAS, donations to the Go Safe Project in the amount of \$10,000 will be utilized for this request,

NOW, THEREFORE, BE IT

RESOLVED, that the following transactions are authorized to amend the budget and to establish the Go Safe Program as an ongoing grant:

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**March 21, 2002**

**ERIE COUNTY LEGISLATURE**

**GO SAFE PROGRAM**

Project #571

2/15/01 - Ongoing

<u>REVENUES</u>	<u>FROM</u>	<u>CHANGE</u>	<u>TO</u>
ACCT. #360 GO SAFE REVENUE	<u>\$20,000</u>	<u>\$10,000</u>	<u>\$30,000</u>
TOTAL REVENUES	\$20,000	\$10,000	\$30,000
<u>APPROPRIATIONS</u>			
ACCT 821 - DUES & FEES	\$ 2,000	\$2,000	\$4,000
ACCT 826 - OTHER EXPENSE	<u>18,000</u>	<u>8,000</u>	<u>26,000</u>
TOTAL APPROPRIATIONS	\$20,000	\$10,000	\$30,000

and be it further

RESOLVED, that transfers from the trust account will be made only for those moneys in the grant, and be it further

RESOLVED, that the County Executive is authorized to accept donations to the Go Safe Reserve Account, and be it further

RESOLVED, that the Go Safe Program is, authorized to directly pay invoices from taxi services providing rides under the Go Safe Program, and be it further

RESOLVED, that the STOP-DWI Office is authorized to continue a general liability policy in the amount of \$1 million per incident and a \$5 million umbrella policy from the Selective Insurance Company in order to mitigate the risks associated with Go Safe, and be it further

RESOLVED, that the STOP-DWI Office will make an annual accounting of the donations and expenses of the Go Safe Program to the Erie County Legislature, and be it further

RESOLVED, that certified copies of this resolution be forwarded to the County Executive's Office, the Comptroller's Office, the Division of Budget, Management and Finance, and the STOP-DWI Office.

(4-0) Legislator Dusza absent.

6. Item Page -2002 (Comm. 5E-52)

**COUNTY EXECUTIVE**

WHEREAS, the funds are available from the Federal Emergency Management Agency (FEMA) through the New York State Emergency Management Office (SEMO), and

WHEREAS, the funds received for the Terrorism Consequence Grant III will be used to purchase needed supplies and to hire a Student Intern to continue to update the Domestic Preparedness Annex and the Emergency Resource Lists, and

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**March 21, 2002**

**ERIE COUNTY LEGISLATURE**

NOW, THEREFORE BE IT

RESOLVED, that the County Executive, on behalf of the Erie County Department of Emergency Services, is hereby authorized to create a third Terrorism Consequence Grant and accept \$11,000.00 in funding from FEMA through SEMO, and be it further

RESOLVED, that the following transactions are authorized for the purchase of supplies and to hire a student intern to update the Domestic Preparedness Annex and the Emergency Resource lists.

**Department of Emergency Services**  
**Terrorism Consequence Grant #III**

Revenue

SFG 684	Federal Revenue - Other	\$11000
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Appropriations

SFG 810	Office Supplies	\$ 2000
SFG 826	Other Expenditures	\$ 4000
SFG 830	Contractual	\$ 5000

and be it further

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

(4-0) Legislator Dusza absent.

**AS AMENDED**

7. Item Page -2002 (Intro. 5-3)  
**SWANICK, HOLT, DUSZA, KUWIK, FISHER, CHASE, LARSON & McCARVILLE**  
 WHEREAS, In the aftermath of the horrific terror attacks on America this past September, along with the cowardly anthrax attacks using the U.S. Postal Service, Americans have responded by coming together like never before with a resolve to defeat terrorism, and

WHEREAS, As Americans remember those murdered and injured in these vicious attacks against our very way of life, it is in their memories that we must act to prevent future attacks, and

WHEREAS, While terrorists - those who are known and those who are unknown - continue to exist as a threat to all Americans, a universal resolve to defeat terrorism must include new laws to help law enforcement in this life and death battle, and

**MEETING NO. 7**  
**March 21, 2002**

**ERIE COUNTY LEGISLATURE**

WHEREAS, Governor George Pataki and Attorney General Eliot Spitzer have proposed new legislation that aims to combat terrorism by creating new terrorism crimes and toughens penalties for terrorists and bio-terrorists, and

WHEREAS, Coupled with the Anti-Terrorism Act of 2001, this new legislation further strengthens existing laws, closes certain loopholes, and counters technological advances that have been used by terrorists and terror networks, and

WHEREAS, The new legislation would, among other things:

- Mandate life imprisonment without parole when a person is convicted of the new crime of criminal use or criminal possession of a chemical or biological weapon in the first degree;
- Eliminate the statute of limitations for all terrorist offenses;
- Permit roving wiretaps by law enforcement;
- Eliminate the need for accomplice testimony in terrorist cases;
- Subject terrorists' property located outside New York State to civil forfeiture;
- Include the term "hazardous substance" in the list of items that, if falsely placed, will give rise to a prosecution for a violent felony offense;
- Create new crimes of money laundering for terrorism, and add these and all terrorism offenses to the list of offences that may give rise to a prosecution for enterprise corruption;
- Prevent the suppression of reliable evidence of guilt in terrorism cases when law enforcement officials make mistakes in good faith about search and seizure requirements;
- Create the new offenses of criminal facilitation of terrorism and conspiracy to commit terrorism;

and

WHEREAS, These new measures are what law enforcement and experts in terrorism have said they need to counter the terrifying scenarios that evil terrorists would unleash against the good, decent and law-abiding citizens of New York State, and

WHEREAS, With these new tools law enforcement could conceivably thwart an act of terrorism before it occurs, or help apprehend those responsible for an act of terror before further acts occur, or permanently remove from society individuals convicted of a terrorist act before their actions graduate to unimaginable mass murder or mass injury,

NOW, THEREFORE, BE IT

RESOLVED, That the Erie County Legislature does hereby reaffirm its commitment to maintaining the safety and welfare of New Yorkers and thwarting the efforts of those who seek to cause damage to our citizenry upon our own soil, and be it further



**MEETING NO. 7**  
**March 21, 2002**

**ERIE COUNTY LEGISLATURE**

RESOLVED, that this Honorable Body does hereby memorialize both houses of the New York State Legislature to consider and adopt bi-partisan legislation proposed by Governor George Pataki and Attorney General Eliot Spitzer to help law enforcement combat terrorism and bio-terrorism, Senate Bill S.5823, and be it further

RESOLVED, That certified copies of this resolution be forwarded to Governor George Pataki, Attorney General Eliot Spitzer, the members of the Western New York delegation to the Assembly and Senate, the Erie County Sheriff and the Erie County Commissioner of Emergency Services.

FISCAL IMPACT: None for resolution.  
 (4-0) Legislator Dusza absent.

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

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

March 14, 2002

HUMAN SERVICES  
 COMMITTEE  
 REPORT NO. 4

ALL MEMBERS PRESENT EXCEPT LEGISLATORS HOLT & FISHER.

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

- |    |   |      |       |               |
|----|---|------|-------|---------------|
|    | Item  | Page | -2001 | (Comm. 4M-11) |
| a. | <b>ERIE-NIAGARA TOBACCO FREE COALITION:</b> Copy of Letter to Legislator Fisher |      |       |               |
|    | Re: Erie County Clean Indoor Air Law.   |      |       |               |
|    | (3-0) Legislators Holt & Fisher absent.   |      |       |               |
|    |   |      |       |               |
|    | Item  | Page | -2001 | (Comm. 13M-3) |
| b. | <b>ERIE-NIAGARA TOBACCO-FREE COALITION POLICY COMMITTEE:</b> Letter to          |      |       |               |
|    | Legislator Fisher Re: Supplemental Information for Meeting Held 5/3/01.         |      |       |               |
|    | (3-0) Legislators Holt & Fisher absent.   |      |       |               |

**MEETING NO. 7****March 21, 2002****ERIE COUNTY LEGISLATURE**

- c. Item Page -2001 (Comm. 14M-4)  
**DAN SMITH:** Copy of Letter to Buffalo News Re: EC Clean Indoor Air Act.  
 (3-0) Legislators Holt & Fisher absent.
- d. Item Page -2001 (Comm. 14M-7)  
**ERIE NIAGARA TOBACCO FREE COALITION POLICY COMMITTEE:** Letter to  
 Legislator Fisher Re: EC Clean Indoor Air Act.  
 (3-0) Legislators Holt & Fisher absent.
- e. Item Page -2001 (Comm. 15M-5)  
**ERIE-NIAGARA TOBACCO-FREE COALITION:** Letter to Legislator Fisher Re:  
 Updates on Indoor Air Quality.  
 (3-0) Legislators Holt & Fisher absent.
- f. Item Page -2001 (Comm. 15M-9)  
**JOE GIAFAGLIONE:** Letter to Legislature Re: Urging the 40% Rule for Smoking in Bars  
 & Taverns Remains.  
 (3-0) Legislators Holt & Fisher absent.
- g. Item Page -2001 (Comm. 17M-49)  
**DAN SMITH:** Letter to Legislator Fisher Re: Erie County's Clean Indoor Air Act.  
 (3-0) Legislators Holt & Fisher absent.
- h. Item Page -2001 (Comm. 17M-50)  
**DAN SMITH:** Various Articles About Effects of Second Hand Smoke.  
 (3-0) Legislators Holt & Fisher absent.
- i. Item Page -2001 (Comm. 17M-52)  
**ERIE-NIAGARA TOBACCO-FREE COALITION:** Recent Studies on Second Hand  
 Smoke.  
 (3-0) Legislators Holt & Fisher absent.
- j. Item Page -2001 (Intro. 27-1)  
**PEOPLES & HOLT:** Restoration of State Mandated Positions.  
 (3-0) Legislators Holt & Fisher absent.
- k. Item Page -2002 (Intro. 4-8)  
**DeBENEDETTI, GREENAN, WEINSTEIN, CUSACK, CHASE, RANZENHOFER,  
 McCARVILLE & HOLT:** Reconstituting the Erie County Medical Center as a Public  
 Benefit Corporation.  
 (3-0) Legislators Holt & Fisher absent.
- l. Item Page -2002 (Comm. 5D-16)  
**ECMC:** Memo to All Legislators Re: Approved Resolution – Support for Converting ECMC  
 Into a Not-for-Profit Public Benefit Corporation.

**MEETING NO. 7**  
**March 21, 2002**

**ERIE COUNTY LEGISLATURE**

(3-0) Legislators Holt & Fisher absent.

- m.      Item           Page                           -2002           (Comm. 5D-18)  
**PROBATION:** Letter to Legislator Weinstein Re: Restoration of State Mandated Positions.  
(3-0) Legislators Holt & Fisher absent.

- n.      Item           Page                           -2002           (Comm. 5M-22)  
**NYSDOH:** Letter to Legislator Weinstein Re: Notice of Geneva B. Scruggs Community Health Care Center Meets Acceptable Standards of Care.  
(3-0) Legislators Holt & Fisher absent.

- o.      Item           Page                           -2002           (Comm. 5M-23)  
**GENEVA B. SCRUGGS COMMUNITY HEALTH CARE:** Medical Directors Report to Board of Directors.  
(3-0) Legislators Holt & Fisher absent.

- p.      Item           Page                           -2002           (Comm. 5M-24)  
**GENEVA B. SCRUGGS COMMUNITY HEALTH CARE:** Letter to Legislator Weinstein Re: Notice of Revitalization Plan.  
(3-0) Legislators Holt & Fisher absent.

- q.      Item           Page                           -2002           (Comm. 6E-21)  
**DUSZA:** Letter to Clerk of Legislature Re: Glucophage, a Diabetes Fighting Medication.  
(3-0) Legislators Holt & Fisher absent.

2.      Item           Page                           -2002           (Comm. 5E-26)  
**COUNTY EXECUTIVE**

WHEREAS, Hauptman-Woodward Medical Research Institute is a not-for-profit organization dedicated to improving the health and well being of humankind through excellence in basic biomedical research, and

WHEREAS, Hauptman-Woodward's Summer Intern Program encourages students to pursue careers in the sciences by exposing them first-hand to the career opportunities in medical research and technology, and gives them the opportunity to work with world-renowned scientists and mentors, thus providing them with the confidence, knowledge and skills needed when entering the workplace, and

WHEREAS, supporting the Summer Intern Program will benefit our local economy by allowing students to see the value in remaining in Western New York and pursuing careers here, and

WHEREAS, based on a funding request from Hauptman-Woodward Medical Research Institute, a not-for-profit organization, the County will provide \$35,000 in support of the Summer Intern Program for the fiscal year of 2002.

NOW, THEREFORE, BE IT

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RESOLVED, that the County Executive is hereby authorized to enter into the necessary agreements to provide funds to this organization for purposes noted above; and be it further

RESOLVED, that funds in the amount of \$35,000 are hereby transferred from the Regionalism/Economic Development Fund (DAC 110 9043038301299) to the following subaccount under Contractual Agencies in Department 302, Public Benefit Agencies, as monitored by Environment and Planning:

Hauptman-Woodward Medical Research Institute	\$35,000
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and be it further

RESOLVED, that certified copies of this resolution be sent to the County Executive, County Comptroller, Director of the Division of Budget, Management and Finance, the Commissioner of the Department of Environment and Planning, and the Executive Director of Hauptman-Woodward Medical Research Institute, located at 73 High Street, Buffalo, New York 14203.

(3-0) Legislators Holt & Fisher absent.

3. Item Page -2002 (Comm. 5E-53)

**COUNTY EXECUTIVE**

**WHEREAS**, the Erie County Department of Senior Services (Department) has partnered with the New York State Office for the Aging to participate in the Administration on Aging Performance Outcomes Measurement Project (POMP), and

**WHEREAS**, this federal demonstration project has been continued into an expanded phase for 2002, and

**WHEREAS**, the New York State Office for the Aging (NYSOFA) has made available a grant in the amount of \$12,000 to conduct POMP activities for the period from September 30, 2001 through September 29, 2002, and

**WHEREAS**, the Department desires to use these funds to cover the payroll costs of a part time Community Service Aide who is currently working on activities relating to this project and to cover POMP-related seminar/conference costs incurred by the local coordinator, and

**WHEREAS**, the Erie County Legislature has already appropriated funds for the Health Insurance Information, Counseling and Assistance Program (HIICAP) grant for the period March 16, 2001 through March 31, 2002, and for the New York State Retired Senior Volunteer Program (NYSRSVP), Community Services for the Elderly (CSE) and the Expanded In-home Services for the Elderly (EISEP) grants for the period April 1, 2001 through March 31, 2002, and

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**WHEREAS**, NYSOFA has notified the Department that \$13,716 of supplemental Medicare Plus Choice funds are available in the HIICAP program, and that these funds can be used for the period beginning September 28, 2001 and ending September 27, 2002, and

**WHEREAS**, the Department desires to use these funds to cover the payroll costs of a part time Community Service Aide who assists with data collection and the dissemination of Medicare information to senior centers and public libraries in Erie County, and to cover public awareness materials and seminar/conference costs incurred by the local HIICAP coordinator, and

**WHEREAS**, the Department desires to revise the above-mentioned grant budgets to reflect actual costs, and

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

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the County Executive be and hereby is authorized to accept the grant from SOFA to operate the Performance Outcomes Measures Project, and be it further

**RESOLVED**, that the County Executive is hereby authorized to accept the additional funds for the HIICAP and EISEP grants, and be it further

**RESOLVED**, that the budget for the POMP grant for the period September 30, 2001 through September 29, 2002 be established as follows:

<u>Account</u>	<u>Description</u>	<u>Initial Budget</u>
<u>REVENUES</u>		
640	Federal Aid	\$12,000
<u>APPROPRIATIONS</u>		
800	Personal Services	\$10,650
805	Fringe Benefits	1,140
825	Out of Area Travel	<u>210</u>
	Total	<u>\$12,000</u>

and be it further

**RESOLVED**, that the budget for the HIICAP grant for the period March 16, 2001 to March 31, 2002, Project 287, be revised as follows:

<u>CURRENT BUDGET</u>	<u>CHANGES</u>	<u>AMENDED BUDGET</u>
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**MEETING NO. 7****March 21, 2002****ERIE COUNTY LEGISLATURE**REVENUES

<u>Account</u>	<u>Description</u>			
664	Federal Revenue	\$15,710	\$+13,716	\$29,426
	Total Change		\$+13,716	

APPROPRIATIONS

800	Personal Services	\$ -0-	\$ + 8,694	\$ 8,694
805	Fringe Benefits	-0-	+ 1,031	1,031
825	Out of Area Travel	-0-	+ 200	200
826	Other Expenses	7,920	+ 3,200	11,120
880/5100	I/F Expenses	2,000	+ 591	2,591
	Total Change		\$+ 13, 716	

and be it further

**RESOLVED**, that the budget for the NYSRSVP grant for the period April 1, 2001 to March 31, 2002, Project 442, be revised as follows:

		<u>CURRENT</u>	<u>CHANGES</u>	<u>AMENDED</u>
		<u>BUDGET</u>		<u>BUDGET</u>
<u>APPROPRIATIONS</u>				
<u>Account</u>	<u>Description</u>			
800	Personal Services	\$11,375	\$-2,893	\$8,482
805	Fringe Benefits	1,280	-384	896
810	Office Supplies	503	-503	-0-
826	Other Expenses	-0-	+3,780	3,780
	Total Change		\$---0---	

and be it further

**RESOLVED**, that the budget for the CSE grant for the period April 1, 2001 to March 31, 2002, Project 428, be revised as follows:

		<u>CURRENT</u>	<u>CHANGES</u>	<u>AMENDED</u>
		<u>BUDGET</u>		<u>BUDGET</u>
<u>APPROPRIATIONS</u>				
<u>Account</u>	<u>Description</u>			
805	Fringe Benefits	\$33,139	\$+ 13,000	\$46,139
825	Out of Area Travel	4,000	-1,000	3,000
826	Other Expenses	25,000	-5,550	19,450
880/5100	I/F Expenses	13,784	-6,450	7,334
	Total Change		\$ ---0---	

and be it further

**RESOLVED**, that the budget for the EISEP grant for the period April 1, 2001 to March 31, 2002, Project 429, be revised as follows:

		<u>CURRENT</u>	<u>CHANGES</u>	<u>AMENDED</u>
		<u>BUDGET</u>		<u>BUDGET</u>
<u>REVENUES</u>				
<u>Account</u>	<u>Description</u>			
617	State Aid	\$1,458,676	<u>\$+ 6,024</u>	\$ 1,464,700
	Total Change		<u>\$+ 6,024</u>	
 <u>APPROPRIATIONS</u>				
805	Fringe Benefits	\$ 84,937	\$+ 4,000	\$88,937
824	Travel & Mileage	4,500	+ 350	4,850
825	Out of Area Travel	-0-	<u>+ 1,674</u>	1,674
	Total Change		<u>\$+ 6,024</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 Law and the Department of Senior Services.

(3-0) Legislators Holt & Fisher absent.

4. Item Page -2002 (Comm. 5E-54)

**COUNTY EXECUTIVE**

WHEREAS, the Erie County Legislature has already appropriated funds for the Cash in Lieu of Commodities (CIL) grant for the period October 1, 2000 to September 30, 2001; the Supplemental Nutrition Assistance Program (SNAP) for the period April 1, 2001 to March 31, 2002; and the Congregate Dining Nutrition Program (III-C-1) and the Home Delivered Nutrition Program (III-C-2) grants for the periods January 1, 2001 to December 31, 2001; and

WHEREAS, the New York State Office for the Aging (SOFA) has notified the Department of Senior Services of additional federal allocations for the CIL nutrition program and reduced funding for SNAP, and

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

NOW, THEREFORE, BE IT

RESOLVED, that the SNAP grant, Project 431, be revised as follows:

CURRENT	AMENDED
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	BUDGET	CHANGES	BUDGET
REVENUES			
Account Description			
616 State Aid	696,111	<u>-\$2,160</u>	\$693,951
TOTAL CHANGE		<u>-\$2,160</u>	
APPROPRIATIONS			
830/141 Meals on Wheels, Inc.	\$1,239,596	<u>-\$2,160</u>	\$1,237,436
TOTAL CHANGE		<u>-\$2,160</u>	

and be it further

RESOLVED, that the CIL grant, Project 286, be revised as follows:

	CURRENT BUDGET	CHANGES	AMENDED BUDGET
REVENUES			
Account Description			
665 Federal Aid	\$698,188	<u>\$+46,297</u>	\$744,485
TOTAL CHANGE		<u>\$+46,297</u>	
APPROPRIATIONS			
826 Other Expenses	\$307,564	\$ -27,980	\$279,584
830/141 Meals on Wheels, Inc.	390,624	<u>+74,277</u>	464,901
TOTAL CHANGE		<u>\$+46,297</u>	

and be it further

RESOLVED, that the III-C-1 grant, Project 419, be revised as follows:

	CURRENT BUDGET	CHANGES	AMENDED BUDGET
APPROPRIATIONS			
Account Description			
800 Personal Services	\$487,088	-\$7,716	\$479,372
805 Fringe Benefits	95,400	<u>+7,716</u>	103,116
TOTAL CHANGE		<u>\$0</u>	

and be it further

RESOLVED, that the III-C-2 grant, Project 421, be revised as follows:



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	CURRENT BUDGET	CHANGES	AMENDED BUDGET
<b>REVENUES</b>			
Account Description			
440 Unclassified Fees	\$616,856	<u>-\$68,664</u>	\$548,192
TOTAL CHANGE		<u>-\$68,664</u>	
<b>APPROPRIATIONS</b>			
Account Description			
800 Personal Services	\$34,100	\$+968	\$35,068
805 Fringe Benefits	7,001	+2,872	9,873
824 Travel & Mileage	1,250	-387	863
830/141 Meals on Wheels, Inc.	1,500,813	<u>-72,117</u>	1,428,696
TOTAL CHANGE		<u>-\$68,664</u>	

and be it further

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

(3-0) Legislators Holt & Fisher.

5. Item Page -2002 (Comm. 5E-63)

**COUNTY EXECUTIVE**

RESOLVED, that the Human Services Committee does hereby recommend that the full Legislature confirm the appointment of Ms. Maria Matala-Sullivan, D.O. of 75 Rolling Hills Drive, West Seneca, New York 14224 to the Erie County Board of Health for a six-year term commencing January 1, 2002 and expiring December 31, 2007.

(3-0) Legislators Holt & Fisher absent.

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

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 124

**MEETING NO. 7****March 21, 2002****ERIE COUNTY LEGISLATURE**

March 14, 2002

COMMUNITY ENRICHMENT  
COMMITTEE  
REPORT NO. 4

ALL MEMBERS PRESENT EXCEPT LEGISLATOR FISHER.

1. Item Page -2002 (Comm. 5E-50)  
**COUNTY EXECUTIVE**

WHEREAS, ECC maintains a cell tower at its North Campus located in Amherst, New York, and

WHEREAS, Nextel Communications desires to lease space on the tower for the purpose of placing a transmission antenna, and

WHEREAS, the ECC Board of Trustees at its December meeting last year approved the lease pending Erie County Legislature approval, and

WHEREAS, the County Attorney is reviewing the lease, and

WHEREAS, as a Plan C Community College in New York State, ECC requires Legislature approval of all leases regarding the physical plant of the campus.

NOW, THEREFORE, BE IT

RESOLVED, that this Legislature grants authority to the County Executive to sign a lease with Nextel Communications for the purpose of placing a transmission antenna on the cell tower at ECC North Campus, and be it further

RESOLVED, that the term of this lease shall not exceed five years and the rate of payment to ECC shall be approximately \$1,250 per month during that term, and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the County Executive, the County Attorney, the Director of Budget, Management & Finance, the County Comptroller, the President of ECC, the CAFO of ECC and the College Controller.

(3-0) Legislator Fisher absent. Legislator Weinstein abstains.

**ELISE M. CUSACK**  
**CHAIRPERSON**

MS. CUSACK moved the approval of the resolution. MR. GREENAN seconded. MR. WEINSTEIN abstained.

CARRIED UNANIMOUSLY.

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

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CARRIED UNANIMOUSLY.

March 14, 2002

GOVERNMENT AFFAIRS  
 COMMITTEE  
 REPORT NO. 4

ALL MEMBERS PRESENT.

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

- |    |   |      |       |   |
|----|---|------|-------|---|
|    | Item  | Page | -2001 | (Comm. 14M-13)  |
| a. | <b>ANIMAL BIRTH CONTROL SOCIETY OF WNY:</b> |      |       | Letter to Chairman Swanick Re:<br>Shelter Animals.<br>(5-0)   |
|    | Item  | Page | -2001 | (Comm. 15E-8)   |
| b. | <b>COUNTY EXECUTIVE:</b>                    |      |       | Home Rule Resolutions Permitting Janice Jaskowiak to Apply for<br>& Receive Retirement Credit.<br>(5-0)           |
|    | Item  | Page | -2002 | (Comm. 4D-10)   |
| c. | <b>BUDGET, MANAGEMENT &amp; FINANCE:</b>    |      |       | Response from DISS to Countywide Review<br>of Erie County's Passenger Vehicle Fleet Audit as of 4/30/01.<br>(5-0) |
|    | Item  | Page | -2002 | (Comm. 5D-4)  |
| d. | <b>COUNTY ATTORNEY:</b>                     |      |       | Notice of Claim.<br>(5-0)   |
|    | Item  | Page | -2002 | (Comm. 5D-6)  |
| e. | <b>COUNTY ATTORNEY:</b>                     |      |       | Notice of Claims.<br>(5-0)  |
|    | Item  | Page | -2002 | (Comm. 5D-9)  |
| f. | <b>COUNTY ATTORNEY:</b>                     |      |       | Notice of Claim.<br>(5-0)   |
| 2. | Item  | Page | -2002 | (Comm. 5E-22)   |

**COUNTY EXECUTIVE**

**WHEREAS**, the Erie County Department of Environment and Planning carries out a variety of federally funded housing rehabilitation programs for low/moderate income households residing in the Erie County Community Development Consortium; and

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**WHEREAS**, said households execute contracts with home improvement contractors to complete desired rehabilitation work; and

**WHEREAS**, from time to time disagreements occur between the aforementioned parties concerning warranty of work issues, time of performance, work quality, and other matters,

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the County Executive is hereby authorized to enter into an agreement with the Better Business Bureau Foundation of Western New York, Inc. and the County of Erie in order to carry out dispute resolution services associated with the Erie County Housing Rehabilitation Program; and be it further

**RESOLVED**, that said agreement shall authorize an amount not to exceed \$5,000; and be it further

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

3. Item Page -2002 (Comm. 5E-25)

**COUNTY EXECUTIVE**

**WHEREAS**, the County shall receive federal funding under the Housing and Community Development Act of 1974, and one of the purposes of said Act is to further fair housing; and

**WHEREAS**, Housing Opportunities Made Equal (HOME) has provided comprehensive fair housing services under contract to the County since 1989; and

**WHEREAS**, Housing Opportunities Made Equal was the sole respondent to a Request for Proposal to provide this special service to the thirty-four municipalities in the Community Development Block Grant Consortium.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the County Executive is hereby authorized to enter into three one-year contracts with HOME, a private, not-for-profit corporation, for the provision of comprehensive fair housing services in conjunction with the Erie County Consortium Community Development Block Grant Program; and be it further

**RESOLVED**, that the amount of the contracts shall not exceed \$25,000 for the 2002 program year, \$26,000 for the 2003 program year, and \$27,000 for the 2004 program year; and be it further

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**RESOLVED**, that said contract authorization is contingent on the Erie County Community Development Block Grant Consortium receiving federal funds for the 2002-2004 program years; and be it further

**RESOLVED**, that the request for proposal provisions of Section 19.08 of the Erie County Administrative Code were complied with and a summary of the request for proposal process is attached to this resolution; and be it further

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

(5-0)

4. Item Page -2002 (Comm. 5E-36)

**COUNTY EXECUTIVE**

**WHEREAS**, the County shall receive federal funding under the Housing and Community Development Act of 1974, and one of the purposes of said Act is to provide housing counseling to low and moderate income households; and

**WHEREAS**, Belmont Shelter Corporation has provided comprehensive housing counseling services under contract to the County since 1999; and

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the County Executive is hereby authorized to enter into three one-year contracts with Belmont Shelter Corporation, a private, not-for-profit corporation, for the provision of comprehensive housing counseling services in conjunction with the Erie County Consortium Community Development Block Grant Program; and be it further

**RESOLVED**, that the amount of the contracts shall not exceed \$25,000 for the 2002 program year, \$25,750 for the 2003 program year, and \$26,523 for the 2004 program year; and be it further

**RESOLVED**, that said contract authorization is contingent on the Erie County Community Development Block Grant Consortium receiving federal funds for the 2002-2004 program years; and be it further

**RESOLVED**, that the request for proposal provisions of Section 19.08 of the Erie County Administrative Code were complied with and a summary of the request for proposal process is attached to this resolution; and be it further

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

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(5-0)

5. Item Page -2002 (Comm. 6E-6)

**COUNTY EXECUTIVE**

WHEREAS, the Erie County Department of Health is reorganizing its administrative staff,  
and

WHEREAS, in order to efficiently meet the needs of the Department and to reduce costs it is necessary to create one full time position of Administrative Assistant - CE, JG IX, Step 3, and delete one vacant full time position (position number 116232) of Jr. Administrative Consultant - CE, JG X, Step 4, and

WHEREAS, the Erie County Health Department desires to fill the position with a qualified and experienced professional.

NOW, THEREFORE, BE IT

RESOLVED, that one full time position of Administrative Assistant - CE, JG IX, Step 3, is hereby created and one vacant full time position (position number 116232) of Jr. Administrative Consultant - CE, JG X, Step 4, and be it further

RESOLVED, that variable hiring rate at Step 3 will be authorized for Administrative Assistant - CE.

The following personnel detail is hereby submitted:

TITLE: Administrative Assistant - CE  
JG: IX  
STEP: 3  
ANNUAL SALARY: \$39,158  
ANNUAL BENEFITS: \$9,006

CIVIL SERVICE: Pending  
Jurisdictional  
Classification  
FUNDING: 2002 Adopted Budget

and be it further

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

(3-2) Legislators Swanick and Marinelli in the negative.

6. Item Page -2002 (Comm. 6E-14)

**COUNTY EXECUTIVE**

**MEETING NO. 7****March 21, 2002****ERIE COUNTY LEGISLATURE**

WHEREAS, the County Clerk's Office will soon open a new Downtown branch of the Auto Bureau at 77 Broadway, replacing the office at 25 Delaware Avenue which is part of the Courthouse renovation project, and

WHEREAS, various renovations to the new space have been made by the landlord, Uniland, to accommodate the Auto Bureau, and

WHEREAS, some minor additional renovations were determined to be necessary for public convenience and employee safety after the approval of the lease at 77 Broadway, and

WHEREAS, funds are available in a State grant for the Auto Bureau to pay for the additional renovations, and

WHEREAS, the County Clerk has requested the State grant be adjusted for this purpose,

NOW, THEREFORE, BE IT

RESOLVED, that a resolution approved by this Legislature on July 5, 2001 (Comm. 14E-18) be amended by deleting the third resolve clause, and substituting in its place the following:

RESOLVED, the Erie County Clerk is authorized to make the following purchases with said funds:

- \$50,000 for phone system for the new Downtown Auto Bureau
- \$24,000 for mobile processing work station
- \$17,000 for directional service indicators at all 4 branches
- \$16,000 for stanchions at all 4 branches
- \$ 8,000 for completion of Auto Bureau renovations, 77 Broadway, Buffalo

and be it further

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

(5-0)

**STEVEN P. McCARVILLE**  
**CHAIRMAN**

MR. McCARVILLE moved to separate item #5 and moved the approval of the balance of the report. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

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MR. McCARVILLE moved the approval of item #5. MR. GREENAN seconded. LEGISLATORS DALE, DUSZA, FISHER, HOLT, KUWIK, MARINELLI, PEOPLES, SCHROEDER & SWANICK in the negative.

CARRIED. (WEIGHTED VOTE: 8.502 – 8.498)

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 126

March 14, 2002

REGIONALISM AD HOC  
COMMITTEE  
REPORT NO. 4

ALL MEMBERS PRESENT.

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

a. Item Page -2001 (Comm. 14M-11)  
**CITY OF TONAWANDA:** Letter to Chairman Swanick Requesting Funds for Transfer of Water Delivery System to ECWA.  
(5-0)

b. Item Page -2001 (Comm. 17M-15)  
**STATE UNIVERSITY OF NEW YORK AT BUFFALO:** Copy of Letter to DEP Re: WNY REDD Workplan Progress Report Attached.  
(5-0)

c. Item Page -2001 (Comm. 20M-10)  
**ERIE NIAGARA REGIONAL PARTNERSHIP:** Report of Activity.  
(5-0)

2. Item Page -2002 (Comm. 6E-10)  
**COUNTY EXECUTIVE**

WHEREAS, Erie County is a major recipient of inexpensive power from the Niagara Power Project that directly supports in excess of 50,000 regional manufacturing jobs; and

WHEREAS, Erie County's businesses and residents enjoy the economic benefits of this resource and view this power allocation as essential to their future economic well being; and



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WHEREAS, the Niagara Power Project is a regional asset that should be expanded to benefit the citizens of Western New York first; and

WHEREAS, Erie County and Niagara County wish to enter into an intermunicipal cooperation agreement in an amount not to exceed \$50,000 with Niagara County for Niagara Power Project Relicensing Consensus Committee Initiatives.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter into an intermunicipal cooperation agreement in an amount not to exceed \$50,000 with Niagara County for Niagara Power Project Relicensing Consensus Committee Initiatives, and be it further

RESOLVED, that the sum of \$50,000 is hereby transferred from the Regionalism/Economic Development Fund (DAC 110 9043038301299) to a new subaccount under Account 830, Contractual Agencies, in the budget of the Department of Environment and Planning, and be it further

RESOLVED, that Erie County fully endorses the alternative relicensing process as a means to expedite the New York Power Authority's license to operate the Niagara Power Project and to further the long-term economic interests of Erie County and the region, 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; and Gregory J. Dudek, Assistant County Attorney.  
(5-0)

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

MR. WEINSTEIN moved to separate item #2 and moved the approval of the balance of the report. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

MR. WEINSTEIN moved to send item #2 back to the REGIONALISM AD HOC COMMITTEE. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

**LEGISLATORS RESOLUTIONS**

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 127

Re: Support of On-Time Passage of New York State Budgets. (Intro. 7-1)

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

Whereas, for 17 straight years, the New York State Legislature and Governor have not been able to adopt a new state budget on or before the constitutional deadline of April 1 of each year, and

Whereas, late budgets have resulted in delays in funding for school districts, local governments and not-for-profit organizations, hindering their ability to provide essential services and to accurately draft their own budgets, and

Whereas, delays in the passage of the New York State Budget have made it difficult for Erie County officials to accurately manage the county's budget because of the uncertainties related to potential increases/decreases in state aid to local government, formula-driven programs, and the potential imposition of unanticipated costs from new unfunded state mandates, and

Whereas, legislation has been introduced in the New York State Assembly (A.7714 & A.7715) that would fix the historically flawed budget process, ensure the adoption on an on-time state budget and open the budget process to public review, and

Whereas, the key elements of the Assembly budget reform proposal include:

- Permanently ending the so-called “three men in a room” practice of budget negotiations by opening the process up to public scrutiny, setting strict timelines, establishing reporting and meeting requirements for the budget conference committees including public meetings and written reports. No later than March 15<sup>th</sup>, both houses of the State Legislature would appoint members to the budget conference committees and subcommittees to begin the process of finalizing the budget in time for the April 1 deadline.
- Establish “Binding Revenue Estimates.” The State Comptroller would be required to provide preliminary economic and revenue forecasts on or before March 1<sup>st</sup>. If an agreement on the economy and revenue were not reached by the statutory deadline of March 10<sup>th</sup>, the Comptroller would establish a binding revenue number by March 11<sup>th</sup> that would be the final revenue number upon which the budget would be based.

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- Prohibit the State Legislature from considering non-budget bills after April 1<sup>st</sup> until a budget is adopted.
- Implement a fail-safe mechanism through a constitutional amendment mandating the use of the prior year state budget if no budget is agreed to within 60 days of the April 1<sup>st</sup> deadline. The Governor would be granted additional powers to control spending and make adjustments for entitlement and revenue shortfalls.
- Enact a sunshine requirement requiring a plain language summary of the final budget to be prepared by the Division of Budget and made available to the Legislature and the public for at least 48 hours prior to the adoption of the budget.

Now, therefore, be it

Resolved, that the Erie County Legislature recognizes the difficulty that the untimely adoption of state budget imposes upon school districts, local governments and not-for-profit organizations, and be it further

Resolved, that the unpredictable nature of the adoption of late state budgets makes it difficult for the Erie County officials to accurately and responsibly plan for and manage fiscal plans, and be it further

Resolved, that the Erie County Legislature has gone on record numerous times in the past in support of the timely adoption of a state budget and once again strongly supports the adoption of a new state budget by the April 1<sup>st</sup> deadline, and be it further

Resolved, that the Erie County Legislature strongly supports and endorses the Assembly budget reform proposal (A.7714 & A.7715) for an on “on-time” state budget and calls upon the State Assembly and Senate to adopt and the Governor to sign into law this much-needed reform legislation, and be it further

Resolved, that certified copies of this resolution be forwarded to Governor George Pataki, the Speaker and Minority Leader of the State Assembly, the Majority and Minority Leaders of the State Senate, and members of the Western New York State Legislative Delegation.

Fiscal Impact: Positive for school districts, local governments and not-for profit groups.

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

CARRIED UNANIMOUSLY.

ADD THE FOLLOWING CO-SPONSORS: SWANICK, DUSZA, DALE, HOLT, FISHER, PEOPLES & KUWIK.

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

CARRIED UNANIMOUSLY.

Item 35 – MS. PEOPLES presented the following resolution and moved for immediate consideration. MR. SWANICK seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 128

Re: Expansion of Renewal Community Area  
Based on 2000 Census Data. (Intro. 7-2)

A RESOLUTION SUBMITTED BY LEGISLATOR PEOPLES

WHEREAS, In January the Department of Housing and Urban Development designated 40 areas across the country as “Renewal Communities”, making them eligible to share in \$17 billion in tax incentives, and

WHEREAS, These tax incentives include: wage tax credits, welfare to work tax credits, commercial revitalization tax deductions, environmental cleanup tax deductions, capital gains tax exclusions, bond financing and low-income housing tax credits, and

WHEREAS, The Buffalo-Niagara region qualified as a “Renewal Community” making large swathes of Niagara Falls, Buffalo, and Lackawanna eligible for these incentives, and

WHEREAS, In order for a census tract to qualify for this program they must meet several population and poverty rate requirements, and

WHEREAS, The Internal Revenue Code of 1986 provides that such data be obtained from the 1990 census, and

WHEREAS, The Buffalo-Niagara region has suffered economic deterioration during the past decade, and

WHEREAS, House Bill HR 3100 and Senate Bill S 1740 would amend that provision of the Internal Revenue Code of 1986 so that population and poverty data would be obtained from the 2000 census, and

WHEREAS, This legislation would qualify a substantial number of additional census tracts in Niagara Falls, Buffalo and Lackawanna for this tax incentive program, and

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WHEREAS, The Western New York delegation to Congress unanimously supports this legislation, with Senator Charles E. Schumer sponsoring and Senator Hillary Rodham Clinton cosponsoring the Senate version and Representative John J. LaFalce sponsoring and Representatives Jack Quinn and Thomas M. Reynolds cosponsoring the House version,

NOW, THEREFORE, BE IT

RESOLVED, That the Erie County Legislature is firmly committed to using all available tools to further the economic development and revitalization of this area, and be it further

RESOLVED, That This Honorable Body supports House Bill HR 3100 and Senate Bill S 1740 and memorializes the House of Representatives and The Senate of The United States to pass this legislation, and the President to sign it, and be it further

RESOLVED, That certified copies of this resolution be forwarded to President George W. Bush, Senator Charles E. Schumer, Senator Hillary Rodham Clinton, Representative John J. LaFalce, Representative Jack Quinn and Representative Thomas M. Reynolds.

Fiscal Impact:            Passage of supported legislation will result in increased economic investment in the region.

MR. GREENAN moved to amend the resolution to include ET AL Co-Sponsorship. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

Item 36 – MS. CHASE presented the following resolution and moved for immediate consideration. MS. CUSACK seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 129

Re: Recognition of March as Women's History Month in Erie County. (Intro. 7-3)

A RESOLUTION SUBMITTED BY  
LEGISLATORS CHASE, CUSACK, PEOPLES, FISHER & MARINELLI

**WHEREAS**, women of every culture, class and ethnic background have made historic contributions to the growth and strength of our nation, our state, and here in Erie County, and

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**WHEREAS**, women continue to play a critical economic, cultural and social role in Erie County, and

**WHEREAS**, despite these tremendous contributions, the role of women in Erie County has yet to receive the historical emphasis it deserves, and

**WHEREAS**, women have been particularly important in the establishment of charitable, philanthropic and cultural institutions in Erie County, and continue to be regional leaders in these efforts, and

**WHEREAS**, the theme for this year's National Women's History Month, "Women Sustaining the American Spirit," reflects the diverse and interlocking stories of women who have created and affirmed the American spirit, and

**WHEREAS**, by commemorating Women's History Month in Erie County, we as a community celebrate the achievements and contributions of Western New York women throughout history, and

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Erie County Legislature is committed to paying tribute to the historical accomplishments and contributions of women in Erie County, and hereby wishes to recognize the Month of March as the Women's History Month in Erie County, and be it further

**RESOLVED**, that this honorable body does applaud the efforts of women throughout history and those who currently serve as community leaders building Erie County.

Fiscal Impact: None

MR. GREENAN moved to amend the resolution to include ET AL Co-Sponsorship. MS. CHASE seconded.

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

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RESOLUTION NO. 130

Re: Acceptance of Donation of \$2000 for Field  
 Restoration Work at Ellicott Creek Park.  
 (Intro. 7-4)

A RESOLUTION SUBMITTED BY LEGISLATOR MARINELLI

WHEREAS, KenTon Soccer Association takes part in the direct benefit of the youth through soccer instruction, and

WHEREAS, it is necessary to have quality fields and equipment to fulfill this goal, and

WHEREAS, the KenTon Soccer Association is willing to assist in fulfilling the cost requirements of such projects that will provide more recreational opportunities for the youth in their community, and

WHEREAS, the Department of Parks, Recreation, and Forestry has been offered a donation of \$2,000 from KenTon Soccer Association for field restoration work in Ellicott Creek Park,

NOW, THEREFORE, BE IT

RESOLVED, that the Department of Parks, Recreation and Forestry is hereby authorized to accept a donation of \$2,000 from KenTon Soccer Association, and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Department of Parks, Recreation and Forestry, the Division of Budget, Management and Finance, and KenTon Soccer Association (c/o Kenneth G. Voght, 57 Greenleaf Avenue, Tonawanda, NY 14150).

Fiscal Impact: Increase of \$2,000 donated to the Department of Parks, Recreation and Forestry

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 131

Re: Funding for Community Organization.  
 (Intro. 7-5)

A RESOLUTION SUBMITTED BY LEGISLATOR GREENAN

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

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

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

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$20,000 from the Legislature – Contractual fund (110905100830) to fund 110, Project 921, Department 301 Agency Payments & Grants – Public Benefit Services, (DAC:110921301830), for paying the following agency:

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
<b>Homespace Corporation</b>	<b>830/</b>	<b>\$5,000</b>
<b>Elma Community Counseling Services</b>	<b>830/</b>	<b>\$5,000</b>
<b>Winchester Elementary PTA</b>	<b>830/</b>	<b>\$10,000</b>
<b>TOTAL</b>		<b>\$20,000</b>

and be it further

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

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

RESOLVED, that certified copies of this resolution be sent to County Executive Joel A. Giambra; County Comptroller Nancy A. Naples; Budget Director Joseph A. Passafiume; Kelly Brown – First Administrative Assistant Erie County Legislature; First Assistant County Attorney Susannah M. Bochenek; Thelma Roberts, Homespace Corporation (1030 Ellicott Street, Buffalo NY 14209); David Brown, Elma Community Counseling Services (2991 Bowen Road, P.O. Box 77, Elma, NY 14059); and President Susan Bevilacqua, Winchester Elementary PTA (650 Harlem Road, West Seneca, NY 14224).

Fiscal Impact: Appropriation of 2002- budgeted funds

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



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CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 132

Re: Support for Community Organizations &  
 Emergency Services. (Intro. 7-6)

A RESOLUTION SUBMITTED BY  
 LEGISLATOR SWANICK

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

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

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

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$39,363 from the Legislature – Contractual Expense (DAC: 110905100830) to Fund 110, Project 921, Department 301 Agency Payments & Grants - Public Benefit Services, (DAC: 110921301830), for paying the following agencies:

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
Town Boys & Girls Club	830/1055	\$30,363
River Road Volunteer Fire Co.	830/0802	\$ 4,000
American Legion – Post 264	830/0283	\$ 5,000
<b>TOTAL</b>		<b>\$39,363</b>

and be it further

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

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

RESOLVED, that certified copies of this resolution be sent to County Executive Joel A. Giambra; County Comptroller Nancy A. Naples; Budget Director Joseph Passafiume; First Assistant County Attorney Susannah Bochenek; Gary Krasinski, Executive Director, Town Boys & Girls Club, (54 Riverdale Avenue, Buffalo, NY 14207); Dennis Smilinich, American Legion - Post 264, (PO Box 66, Tonawanda, NY 14150); and to Gregory Belcher, River Road Volunteer Fire Co., (57 Kaufman Avenue, Tonawanda, NY 14150).

**Fiscal Impact:** Appropriation of 2002-budgeted funds.

MR. SWANICK moved to amend the resolution. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

***DELETE*** the first ***RESOLVE*** and ***REPLACE*** with the following:

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$43,745 from the Legislature -Contractual Expense (DAC: 110905100830) to Fund 110, Project 921, Department 301 Agency Payments & Grants -Public Benefit Services, (DAC: 110921301830), for paying the following agencies:

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
Town Boys & Girls Club	830/1055	\$25,363
River Road Volunteer Fire Co.	830/	\$ 4,000
American Legion - Post 264	830/	\$ 5,000
Cheektowaga Justice Court	830/0616	\$ 3,128
Lancaster Youth Department	830/	\$ 3,127
Village of Depew	830/0445	\$ 3,127
<b>TOTAL</b>		<b>\$43,745</b>

and be it further

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RESOLVED that the Erie County Legislature does hereby approve the transfer of \$5,000 from the Legislature -Contractual Expense (DAC: 1109051 00830) to Fund 110, Project 945, Department 620 Environment & Planning -Hazardous Waste Days (DAC: 110945620830270) earmarked for a Hazardous Waste Day drop-off point at the Town of Tonawanda Highway Department, and be it further

***DELETE* the final two RESOLVES and *REPLACE* with the following:**

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

RESOLVED, that certified copies of this resolution be sent to County Executive Joel A. Giambra, County Comptroller Nancy A. Naples, Budget Director Joseph Passafiume, Commissioner of Environment & Planning Laurence K. Rubin, First Assistant County Attorney Susannah Bochenek, Gary Krasinski, Executive Director, Town Boys & Girls Club, (54 Riverdale Avenue, Buffalo, NY 14207,) Dennis Smilinich, American Legion - Post 264, (PO Box 66, Tonawanda, NY 14150,) Gregory Belcher, River Road Volunteer Fire Co., (57 Kaufman Avenue, Tonawanda, NY 14150,) Dennis H. Gabryszak, Town Supervisor, Cheektowaga Justice Court, (Cheektowaga Town Hall, 3301 Broadway, Cheektowaga, NY 14227,) Robert H. Giza, Town Supervisor, Lancaster Youth Department, (Lancaster Town Hall, 21 Central Avenue, Lancaster, NY 14086,) and to John M. Fragale, Deputy Mayor, Village of Depew, (85 Manitou Street, Depew, NY 14043.)

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

CARRIED UNANIMOUSLY.

Item 40 – MS. CUSACK presented the following resolution and moved for immediate consideration. MR. WEINSTEIN seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 133

Re: Proceeding with Video Conferencing for Erie County. (Intro. 7-7)

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

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WHEREAS, the Erie County Legislature passed resolution Int. 3-5 on January 24, 2002 asking New York State to introduce home rule legislation that would allow Erie and Niagara Counties to pursue electronic court appearances, and

WHEREAS, at Meeting No. 2 of the Legislature's Regionalism Committee on January 31, 2002, the topic of video arraignments was more thoroughly discussed by representatives of the county, the courts, and other interested parties, and

WHEREAS, the response to the concept was mostly positive, and

WHEREAS, it was also learned at said meeting that a related project would allow for video conferencing, which would allow for non-court appearance communication between court facilities, and would not need state legislation to implement, and

WHEREAS, the three sites mentioned by the judiciary as being keys to setting up video conferencing are the Erie County Courthouse, the Erie County Holding Center, and the Erie County Correctional Facility in Alden, and

WHEREAS, video conferencing could save money through decreased transportation costs, and would improve access and communication between sites, and

WHEREAS, while this Honorable Body awaits state legislation on video arraignments, it would be useful to proceed with video conferencing as a pilot project,

NOW, THEREFORE, BE IT

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

RESOLVED, that this Honorable Body does hereby state its support for the concept of video conferencing for non-trial communication, and be it further

RESOLVED, that representatives of the Erie County Division of Information and Support Services and the Department of Public Works provide within 30 days of passage of this resolution written estimates to this Honorable Body of the cost and timetable for implementing video conferencing at the Erie County Courthouse, 10 Delaware, and the Alden Correctional Facility, and be it further

RESOLVED, that certified copies of this resolution be sent to Erie County Executive Joel Giambra, Erie County Division of Information and Support Services Director Arthur Teelak, Erie County Department of Public Works Commissioner Maria Lehman, New York State Assembly Speaker Sheldon Silver, New York State Senate Majority Leader Joseph Bruno, the Western New York delegation of the New York State Legislature, Niagara County (c/o Niagara County Legislature

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Clerk Paul Oates), Erie County District Attorney Frank Clark, the Bar Association of Erie County (Statler Building, Buffalo, NY 14202), Buffalo Chief City Court Judge Thomas Amodeo (50 Delaware Ave., Buffalo, NY 14202), Eighth Judicial District Administrative Justice Vincent E. Doyle, the Erie County Minority Bar Association (c/o Mark Pearce, Suite 728 Ellicott Square Building, 295 Main St., Buffalo, NY 14203), Erie County Magistrates Association President Hon. Doug Marky (471 Main St., East Aurora, NY 14052), the Aid to Indigent Prisoners Society (c/o Robert Lonski, 670 Statler Towers, Buffalo, NY 14202), and the Women's Bar Association of WNY (c/o Melinda Saran, Associate Dean, UB Law School).

**Fiscal Impact:** To be determined.

MR. SWANICK moved to amend the resolution. MS. FISHER seconded.

CARRIED UNANIMOUSLY.

ADD THE FOLLOWING CO-SPONSORS: SWANICK, KUWIK, SCHROEDER, HOLT, FISHER, DALE, DUSZA & MARINELLI.

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 134

Re: Funding for Various Community Organizations. (Intro. 7-8)

A RESOLUTION SUBMITTED BY  
LEGISLATOR PEOPLES

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

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

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

NOW, THEREFORE, BE IT

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RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$53,164 from the Legislature – Contractual fund (110905100830) to fund 110, Project 921, Department 301 Agency Payments & Grants – Public Benefit Services, (DAC: 110921301830), for paying the following agency:

<b><u>NAME</u></b>	<b><u>LINE</u></b>	<b><u>AMOUNT</u></b>
<b>Buffalo Arts Studio</b>	<b>830/1033</b>	<b>\$3,000</b>
<b>Gloria J. Parks Community Center</b>	<b>830/1327</b>	<b>\$2,000</b>
<b>Langston Hughes Center</b>	<b>830/0227</b>	<b>\$5,000</b>
<b>African Cultural Center</b>	<b>830/0380</b>	<b>\$43,164</b>
<b>TOTAL</b>		<b>\$53,164</b>

and be it further

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

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

RESOLVED, that certified copies of this resolution be sent to County Executive Joel A. Giambra; County Comptroller Nancy A. Naples; Budget Director Joseph A. Passafiume; First Assistant County Attorney Susannah M. Bochenek; Kelly Brown – First Administrative Assistant Erie County Legislature; Buffalo Arts Studio (2495 Main Street, Suite 500, Buffalo, NY 14214); Gloria J. Parks Community Center (3242 Main Street, Buffalo, NY 14214); Langston Hughes Institute (25 High Street, Buffalo, NY 14203); and African Cultural Center (350 Masten Avenue, Buffalo, NY 14209).

Fiscal Impact: Appropriation of 2002 - budgeted funds

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

CARRIED UNANIMOUSLY.

*DELETE the first resolved clause and REPLACE with the following:*

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$43,274 from the Legislature -Contractual fund (110905100830) to fund 110, Project 921, Department 301 Agency Payments & Grants - Public Benefit Services, (DAC:110921301830), for paying the following agency:

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<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
Buffalo Arts Studio	830/1033	\$3,000
Gloria J. Parks Community Center	830/1327	\$2,000
Langston Hughes Center	830/0227	\$5,000
African Cultural Center	830/0380	\$28,274
Ujima Theatre	830/	\$5,000
<b>TOTAL</b>		<b>\$43,274</b>

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

Re: Providing Unlisted Telephone Number  
 Directory for Victims of Domestic Violence at  
 No Charge. (Intro. 7-9)

A RESOLUTION SUBMITTED BY  
 LEGISLATOR CHASE

**WHEREAS**, in cases of domestic violence, victims are often still quite vulnerable even after an order of protection has been issued on their behalf, and

**WHEREAS**, telephone directories that list phone numbers of domestic violence victims are an easy way for abusers to continue to make contact with their victims, and

**WHEREAS**, many victims of domestic violence have limited financial means, and they cannot afford to pay for the charge by telecommunications companies to ensure that their telephone number remains unlisted and unattainable by their abusers, and

**WHEREAS**, local exchange telephone corporations have the ability to waive the charges and omit from any directory of telephone numbers published by it or, any affiliated company, the listing of

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any person who is a victim of domestic violence, as defined in section four hundred fifty-nine-a of the social services law, and for whose benefit any order of protection, other than a temporary order of protection, has been issued by a court of competent jurisdiction.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Erie County Legislature does hereby recognize the necessity to assist victims of domestic violence from their abusers, and be it further

**RESOLVED**, that this Honorable Body does hereby memorialize the New York State Legislature to pass and the Governor to sign into law S.6427 and A.1669 thereby providing unlisted telephone directory numbers without charge for victims of domestic violence for whose benefit an order of protection has been issued by a court of competent jurisdiction, and be it further

**RESOLVED**, that certified copies of this resolution be sent to Governor George E. Pataki, the members of the Western New York State Delegation to the State Legislature, Erie County Sheriff Patrick Gallivan, Erie County Sheriff Deputy Patricia Bowen, Judge Sharon Townsend, 1 Niagara Plaza, Buffalo, NY 14202, District Attorney Frank J. Clark, 25 Delaware Ave., Buffalo, NY 14202, and Katey Joyce, Haven House, P.O. Box 451 Ellicott Station, NY 14202.

**Financial Impact: None**

MS. CHASE moved to amend the resolution to include ET AL Co-Sponsorship. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

CHAIRMAN DeBENEDETTI directed that the resolution as amended be referred to the PUBLIC SAFETY COMMITTEE.

GRANTED.

Item 43 – MR. DALE presented the following resolution and moved for immediate consideration. MR. SWANICK seconded.

CARRIED UNANIMOUSLY.

Re: Compliance with Federal Judge's Order –  
 Dispensation with Weighted Voting.  
 (Intro. 7-10)

A RESOLUTION SUBMITTED BY  
 LEGISLATOR DALE



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WHEREAS, the issue of the redistricting of the Erie County Legislature in accordance with the 2000 federal census has dragged on for several months, and

WHEREAS, in 2001, US Federal District Judge John T. Elfvin issued an interim order providing for weighted voting in the Erie County Legislature as a temporary remedy, with the judge citing the timeframes associated with the 2001 election process and the "muddling of the situation" that would result from any other action, and

WHEREAS, while weighted voting can certainly be described as unfair and unjust, it was recognized as a temporary measure to be set aside once a redistricting plan was to be put in place, and

WHEREAS, Judge Elfvin's order stated that such weighted voting shall be in place "until a redistricting plan shall legally be put in place by the County Legislature... or by [Judge Elfvin]," and

WHEREAS, in a footnote, Judge Elfvin stated that uncertainties and inequities caused his decision to implement weighted voting as a temporary measure; although he stated his intention not to put in place a redistricting plan of his own creation unless a plan was not legally put in place by the Legislature before March 15, 2002, and

WHEREAS, the March 15, 2002 date has passed, and no plan has been legally put in place by the Legislature, and

WHEREAS, weighted voting should be terminated, inasmuch as Judge Elfvin's order indicates that he will now put into place his own plan, and

WHEREAS, Judge Elfvin, in his order, stated that at the time of his implementation of weighted voting, he was prepared to "proclaim a constitutional plan *here and now*," (emphasis added), thereby allowing for weighted voting to be utilized as a stopgap measure to avoid a situation that would "without doubt, be disastrous to those... engaged in the process of endeavoring to become or to continue as legislators," but clearly indicating his willingness and ability to impose a plan at any time, and

WHEREAS, in the alternative, if the plan adopted by the Legislature is determined by a court to have been legally in place, according to Judge Elfvin's order, weighted voting must be terminated, inasmuch as weighted voting was intended as a temporary measure intended to remove the redistricting issue from the constrictive timeframe associated with the 2001 primary and general elections, and

WHEREAS, the Legislature should dispense with weighted voting at this time,

NOW, THEREFORE, BE IT

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RESOLVED, that the Erie County Legislature does hereby recognize Judge Elfvin's 2001 order and the temporary nature of the weighted voting imposition set forth therein, and be it further

RESOLVED, that the Erie County Legislature does hereby declare the weighted voting system to be no longer in effect, and that members are hereby returned to a one-vote per elected legislator status within the Legislature, and be it further

RESOLVED, that certified copies of this resolution be sent to the County Executive, the County Attorney, and to US District Court Judge John T. Elfvin.

Fiscal Impact: None For Resolution.

MS. CHASE moved to amend the resolution. MR. GREENAN seconded. LEGISLATORS DALE, DUSZA, FISHER, HOLT, KUWIK, MARINELLI, PEOPLES, SCHROEDER, & SWANICK, in the negative.

CARRIED. (WEIGHTED VOTE: 8.502 – 8.498)

(Reference Comm. 7D-10 of this meeting, as the amendment to Intro. 7-10 is the same document. See Clerk of Legislature for the full text copy.)

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

CHAIRMAN DeBENEDETTI directed that a roll call vote be taken.

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

FAILED. (WEIGHTED VOTE: 8.498 – 8.502)

Received and filed.

**COMMUNICATIONS DISCHARGED FROM COMMITTEE**

Item 44 – MR. GREENAN moved to discharge the ENERGY & ENVIRONMENT COMMITTEE from further consideration of Comm. 4E-38. MR. RANZENHOFER seconded. LEGISLATORS DALE, FISHER, HOLT, MARINELLI, PEOPLES & SWANICK in the negative.

CARRIED. (WEIGHTED VOTE 11.377 – 5.623)

**MEETING NO. 7**  
**March 21, 2002**

**ERIE COUNTY LEGISLATURE**

RESOLUTION NO. 135

Re: Department of Environment and Planning  
 Budget Revision.

WHEREAS, the Department of Environment and Planning (DEP) desires to fill the vacant position of Special Assistant to the Commissioner of Environment and Planning (RPT), and

WHEREAS, this position is necessary to assist the Commissioner in developing policies and programs to enhance the County's efforts in the area of economic development, with its attendant benefits of job creation and retention, and

WHEREAS, in order to recruit a qualified candidate to fill this position it is necessary to establish a variable minimum starting salary, and

WHEREAS, in order to fill this position while meeting targeted savings in personnel costs, it is necessary to transfer funds to salary and fringe benefit accounts,

NOW, THEREFORE BE IT

RESOLVED, that the 2002 budget of the Department of Environment and Planning is hereby revised as follows:

**EXPENSE:**

<u>Account</u>	<u>Description</u>	<u>Revision</u>
800	Personal Services	\$53,481
805	Fringe Benefits	<u>12,386</u>
<b>Total Expense</b>		<b>\$65,867</b>

the Source of funds being a transfer of \$65,867 from the Regionalism/Economic Development Fund; and be it further

RESOLVED, that a variable minimum starting salary up to Step 3 is approved for the position of Special Assistant to the Commissioner of Environment and Planning; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the Director of Budget, Management, and Finance; the Commissioner of Environment and Planning; The Commissioner of Personnel; and the County Comptroller.

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

CHAIRMAN DeBENEDETTI directed that a roll call vote be taken.

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

CARRIED. (WEIGHTED VOTE: 12.170 – 4.830)

Item 45 – MR. RANZENHOFER moved to discharge the ECONOMIC DEVELOPMENT COMMITTEE from further consideration of Comm. 3E-29. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 136

Re: Open Item – Federal Aid Projects.

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

CARRIED UNANIMOUSLY.

ADD the following:

WHEREAS, a project for the Replacement of the East Church Street Bridge, BR 488-1, over the South Branch of Eighteen Mile Creek, BIN 3-32781-0, in the Town of Eden, Erie County, PIN 5754.59, (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 above Project by making a commitment of 100% of the non-Federal share of the costs of the Construction and Construction Inspection Phase of the Project, PIN 5754.59.

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

RESOLVED, that the Erie County Legislature hereby approves the above subject project; and be it further

RESOLVED, that the Erie County Legislature hereby authorizes the County of Erie to pay in the first instance 100% of the Federal and non-Federal shares of the costs of the Construction and Construction Inspection Phase of the Project or portions thereof; and be it further

RESOLVED, that the sum of \$395,800 is hereby appropriated from the 2001 East Church Street Bridge Construction Program (SFG 214) and made available to cover the cost of participation in the above phase of the Project; and be it further

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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 the project's Construction and Construction Inspection Phase exceeds the amount appropriated above \$395,800 and/or 100% of the full Federal and Non-Federal shares of the cost of the Project's Construction and Construction Inspection Phase exceeds \$1,979,000, 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 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 eligible Project costs and all Project costs within appropriations therefor that are not so eligible; and be it further

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

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

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

CARRIED UNANIMOUSLY.

Item 46 – MR. LARSON moved to discharge the FINANCE & MANAGEMENT COMMITTEE from further consideration of Intro. 4-1. MR. GREENAN seconded. LEGISLATORS FISHER, MARINELLI & PEOPLES in the negative.

CARRIED. (WEIGHTED VOTE: 14.1 –2.9)

Intro. 4-1 From LEGISLATORS MARINELLI, PEOPLES & FISHER Re: Fiscal Fairness & Equity for Managerial/Confidential Erie County Employees.

MR. GREENAN moved to receive and file the resolution. MR. RANZENHOFER seconded. LEGISLATORS DALE, FISHER, MARINELLI, PEOPLES, & SCHROEDER voted in the negative.

RECEIVED AND FILED. (WEIGHTED VOTE: 12.299 – 4.701)

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Item 47 – MR. LARSON moved to discharge the FINANCE & MANAGEMENT COMMITTEE from further consideration of Intro. 5-7. MS. CUSACK seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 137

Re: Funding for Community Organizations.

A RESOLUTION SUBMITTED BY LEGISLATOR CUSACK

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

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

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

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$12,000 from the Legislature – Contractual fund (110905100830) to fund 110, Project 921, Department 301 Agency Payments & Grants – Public Benefit Services, (DAC:110921301830), for paying the following agency:

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
Amherst Task Force	830/1516	\$2,000
Egbertsville Hose Company	830/0701	\$10,000
<b>TOTAL</b>		<b>\$12,000</b>

and be it further

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

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

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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 A. Passafiume, Kelly Brown – First Administrative Assistant Erie County Legislature, First Assistant County Attorney Susannah M. Bochenek, Sally Yageric, Amherst Task Force on Substance Abuse (4255 Harlem Road, Amherst, NY 14226), Chief Thomas Sciortino, Jr., Eggertsville Hose Company (1880 Eggert Road, Eggertsville, NY 14226-2233).

Fiscal Impact: Appropriation of 2002- budgeted funds

MR. LARSON moved to amend the resolution. MS. CUSACK seconded.

CARRIED UNANIMOUSLY.

***DELETE* the first RESOLVE and *REPLACE* with the following:**

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$14,000 from the Legislature - Contractual Expense (DAC: 110905100830) to Fund 110, Project 921, Department 301 Agency Payments & Grants -Public Benefit Services, (DAC: 110921301830), for paying the following agencies:

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
Amherst Task Force	830/1516	\$2,000
Eggertsville Hose Company	830/0701	\$10,000
Cheektowaga Community Chorus	830/1490	\$2,000
<b>TOTAL</b>		<b>\$14,000</b>

and be it further

***DELETE* the final RESOLVE and *REPLACE* with the following:**

RESOLVED, that certified copies of this resolution be sent to County Executive Joel A. Giambra, County Comptroller Nancy A. Naples, Budget Director Joseph A. Passafiume, Kelly Brown - First Administrative Assistant Erie County Legislature, First Assistant County Attorney Susannah M. Bochenek, Sally Yageric, Amherst Task Force on Substance Abuse (4255 Harlem Road, Amherst, NY 14226), Chief Thomas Sciortino, Jr., Eggertsville Hose Company (1880 Eggert Road, Eggertsville, NY 14226-2233) and Rose Roberts, Cheektowaga Community Chorus (107 Heather Road, Cheektowaga, NY 14225).

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

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CARRIED UNANIMOUSLY.

Item 48 – MR. LARSON moved to discharge the FINANCE & MANAGEMENT COMMITTEE from further consideration of Intro. 5-8. MS. CHASE seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 138

Re: Funding for Community Organizations.

A RESOLUTION SUBMITTED BY LEGISLATOR CHASE

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

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

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

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$23,600 from the Legislature – Contractual fund (110905100830) to fund 110, Project 921, Department 301 Agency Payments & Grants – Public Benefit Services, (DAC:110921301830), for paying the following agency:

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
Hamburg Chamber of Commerce	830/1171	\$5,000
Operation Good Neighbor	830/0634	\$5,000
Eden Fire Co. Inc.	830/1315	\$10,000
Eden – Celebrate Eden Committee	830/	\$2,000
Hamburg Southtowns Softball Tournament	830/	\$1,000



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<b>Excalibur Leisure Skills Center</b>	<b>830/</b>	<b>\$600</b>
<b>TOTAL</b>		<b>\$23,600</b>

and be it further

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

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

RESOLVED, that certified copies of this resolution be sent to County Executive Joel A. Giambra, County Comptroller Nancy A. Naples, Budget Director Joseph A. Passafiume, Kelly Brown – First Administrative Assistant Erie County Legislature, First Assistant County Attorney Susannah M. Bochenek, Betty Newell – President & CEO, Hamburg Chamber of Commerce (8 S. Buffalo Street, Hamburg, NY 14075), William Roberts, Operation Good Neighbor (2030 South Creek Road, North Evans, NY 14047), Chief William H. Laing, Eden Fire Co. Inc. (2791 East Church Street, P.O. Box 85, Eden, NY 14057), Karen Smith, Celebrate Eden (P.O. Box 116, Eden, NY 14057), Edward F. Warhol, Hamburg Southtowns Softball Tournament (56 Sherburn Drive, Hamburg, NY 14075), James Catalano – Board President, Excalibur Leisure Skills Center (90 North Drive, Buffalo, NY 14216).

Fiscal Impact: Appropriation of 2002 - budgeted funds

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

CARRIED UNANIMOUSLY.

Item 49 – MR. LARSON moved to discharge the FINANCE & MANAGEMENT COMMITTEE from further consideration of Intro. 5-11. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 139

Re: Funding for Community Group.

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

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

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

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

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$3,000 from the Legislature – Contractual fund (110905100830) to fund 110, Project 921, Department 301 Agency Payments & Grants – Public Benefit Services, (DAC:110921301830), for paying the following agency:

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
<u>Excalibur Leisure Skills Center</u>	<u>830/0691</u>	<u>\$3,000</u>
<b>TOTAL</b>		<b>\$3,000</b>

and be it further

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

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

RESOLVED, that certified copies of this resolution be sent to County Executive Joel A. Giambra, County Comptroller Nancy A. Naples, Budget Director Joseph A. Passafiume, Kelly Brown – First Administrative Assistant Erie County Legislature, First Assistant County Attorney Susannah M. Bochenek, James Catalano – Board President, Excalibur Leisure Skills Center (90 North Drive, Buffalo, NY 14216).

Fiscal Impact: Appropriation of 2002 - budgeted funds

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

CARRIED UNANIMOUSLY.

**DELETE the first RESOLVE and REPLACE with the following:**

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$5,000 from the Legislature – Contractual fund (110905100830) to fund 110, Project 221, Department 301 Agency

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Payments & Grants – Public Benefit Services, (DAC:110921301830), for paying the following agency:

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
Excalibur Leisure Skills Center	830/0691	\$3,000
Amherst Task Force	830/1516	\$2,000
<b>TOTAL</b>		<b>\$5,000</b>

**DELETE the final RESOLVE and REPLACE with the following:**

RESOLVED, that certified copies of this resolution be sent to county Executive Joel A. Giambra, County Comptroller Nancy A. Naples, Budget Director Joseph A. Passafiume, Kelly Brown – First Administrative Assistant Erie County Legislature, First Assistant County Attorney Susannah M. Bochenek, James Catalano – Board President, Excalibur Leisure Skills Center (90 North Drive, Buffalo, NY 14216), and Sally Yageric, Amherst Task Force on Substance Abuse (4255 Harlem Road, Amherst, NY 14226).

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

CARRIED UNANIMOUSLY.

Item 50 – MR. LARSON moved to discharge the FINANCE & MANAGEMENT COMMITTEE from further consideration of Intro. 5-12. MS. FISHER seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 140

Re: Support for Community Initiatives.

A RESOLUTION SUBMITTED BY  
 LEGISLATOR FISHER

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

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

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

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NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$134,000 from the Legislature – Contractual Expense (DAC: 110905100830) to Fund 110, Project 921, Department 301 Agency Payments & Grants - Public Benefit Services, (DAC: 110921301830), for paying the following agencies:

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
<b>Canisius College – Young Writers Program</b>	<b>830/1396</b>	<b>\$ 2,000</b>
<b>West Side Community Services</b>	<b>830/0547</b>	<b>\$ 8,000</b>
<b>Boys &amp; Girls Clubs of Buffalo</b>	<b>830/0546</b>	<b>\$15,000</b>
<b>Just Buffalo Literary Center</b>	<b>830/0414</b>	<b>\$ 5,000</b>
<b>Buffalo Philharmonic Chorus</b>	<b>830/0401</b>	<b>\$ 1,000</b>
<b>Neglia Ballet Artists</b>	<b>830/</b>	<b>\$ 1,000</b>
<b>National Alliance for the Mentally Ill</b>	<b>830/</b>	<b>\$ 1,000</b>
<b>Mark Twain Museum</b>	<b>830/</b>	<b>\$ 1,000</b>
<b>Alleyway Theatre, Inc.</b>	<b>830/0402</b>	<b>\$50,000</b>
<b>Central Referral Service, Inc.</b>	<b>830/0358</b>	<b>\$10,000</b>
<b>Buffalo Green Fund</b>	<b>830/0619</b>	<b>\$40,000</b>
<b>TOTAL</b>		<b>\$134,000</b>

and be it further

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

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$8,000 the Legislature – Contractual Expense (DAC: 110905100830) to General Fund, Senior Services – Administration, Interfund Transfers, Interfund – Senior Services Grants (DAC: 1109396308866309), and be it further

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RESOLVED, that the Erie County Senior Services Grant Budget is hereby amended, to increase the following accounts: Congregate Services Initiative Program - Interfund Revenue – Admin. (DAC: 2816556306866300) \$8,000; Senior Services– Hispanics United of Buffalo (DAC: 281655630830220) \$8,000, and be it further

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

RESOLVED, that certified copies of this resolution be sent to County Executive Joel A. Giambra, County Comptroller Nancy A. Naples, Budget Director Joseph Passafiume, First Assistant County Attorney Susannah Bochenek, Senior Services Commissioner Patricia M. Krawczyk, H. Jeannette Willert, Canisius College – Young Writers Program, (2001 Main Street, Buffalo, NY 14208-1098,) Lucy Candelario, Executive Director, West Side Community Services, (161 Vermont Street, Buffalo, NY 14213,) Diane Rowe, Executive Director, Boys and Girls Clubs of Buffalo, (282 Babcock Street, Buffalo, NY 14210,) Hal D. Payne, President, Just Buffalo Literary Center, (2495 Main Street, Buffalo, NY 14214-2152,) Andrea Copley, Buffalo Philharmonic Chorus, (PO Box 176, Buffalo, NY 14207-0176,) Heidi Neglia, Neglia Ballet Artists, (1685 Elmwood Avenue, Buffalo, NY 14207,) Lynne Shuster, Coordinator, National Alliance for the Mentally Ill, (264 Hamilton Drive, Amherst, NY 14226,) Irene Liguori, President, Mark Twain Museum, (547 Franklin Street, Buffalo, NY 14202,) Neal Radice, Executive Director, Alleyway Theatre, Inc, (One Curtain Up Alley, Buffalo, NY 14202-1911,) Doug Frank, Executive Director, Central Referral Service, Inc. (24<sup>th</sup> Floor, City Hall, Buffalo, NY 14202, ) and to Bette Blum, Buffalo Green Fund, (11 Mayfair Lane, Buffalo, NY 14201.)

**Fiscal Impact:** Appropriation of 2002-budgeted funds.

MR. LARSON moved the approval of the resolution. MS. FISHER seconded.

CARRIED UNANIMOUSLY.

Item 51 – MR. LARSON moved to discharge the FINANCE & MANAGEMENT COMMITTEE from further consideration of Intro. 5-13. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 141

Re: Funding for Youth Services.

A RESOLUTION SUBMITTED BY  
LEGISLATOR PEOPLES

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

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

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

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$7,000 from the Legislature – Contractual Expense (DAC: 110905100830) to Fund 110, Project 921, Department 301 Agency Payments & Grants - Public Benefit Services, (DAC: 110921301830), for paying the following agencies:

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
<b>Boys &amp; Girls Club of Buffalo – Masten Boys &amp; Girls Club</b>	<b>830/0546</b>	<b>\$3,000</b>
<b>St. Phillips Community Center</b>	<b>830/</b>	<b>\$4,000</b>
<b>TOTAL</b>		<b>\$7,000</b>

and be it further

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

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

RESOLVED, that certified copies of this resolution be sent to County Executive Joel A. Giambra, County Comptroller Nancy A. Naples, Budget Director Joseph Passafiume, First Assistant County Attorney Susannah Bochenek, Kelly Brown – First Administrative Assistant Legislature, Diane Rowe, Executive Director, Boys & Girls Club of Buffalo – Masten Boys & Girls Club (282 Babcock, Buffalo, NY 14210.) and to Lillian Davis-Wilson, Executive Director, St. Phillips Community Center, (15 Fernhill Avenue, Buffalo, NY 14215.)

**Fiscal Impact:** Appropriation of 2002-budgeted funds.

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

CARRIED UNANIMOUSLY.

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Item 52 – MR. LARSON moved to discharge the FINANCE & MANAGEMENT COMMITTEE from further consideration of Intro. 5-14. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 142

Re: Support for Group Ministries, Inc.

A RESOLUTION SUBMITTED BY  
 LEGISLATORS HOLT, SWANICK, FISHER & PEOPLES

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

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

WHEREAS, Groups Ministries Inc. is a non-sectarian community based organization, and

WHEREAS, Group Ministries, Inc. was created to combat the devastating effect that drugs, alcohol and the breakdown of the family have played on our community, and

WHEREAS, the following lists the nine different program components of Group Ministries, Inc., which this funding will help to support:

- Prison Ministries
- Hospital Ministries
- Supportive Living (housing for homeless recovering addicts and persons living with AIDS)
- Street Outreach
- Teen Awareness Group (TAG)
- Food Program (FED-CO)
- HIV/AIDS Response Project (HARP)
- The Empowerment Program

and

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

NOW, THEREFORE, BE IT

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RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$131,182 from the Legislature – Contractual Expense (DAC: 110905100830) to Fund 110, Project 921, Department 301 Agency Payments & Grants - Public Benefit Services, (DAC: 110921301830), for paying the following agency:

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
Group Ministries, Inc.	830/1401	\$131,182
<b>TOTAL</b>		<b>\$131,182</b>

and be it further

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

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

RESOLVED, that certified copies of this resolution be sent to County Executive Joel A. Giambra, County Comptroller Nancy A. Naples, Budget Director Joseph Passafiume, First Assistant County Attorney Susannah M. Bochenek, Kelly Brown – Frist Legislative Assistant Legislature, and to Reverend Arthur H. Boyd, Group Ministries, Inc., (1333 Jefferson Avenue, Buffalo, NY 14208-1808.)

**Fiscal Impact:** Appropriation of 2002-budgeted funds.

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

CARRIED UNANIMOUSLY.

Item 53 – MR. LARSON moved to discharge the FINANCE & MANAGEMENT COMMITTEE from further consideration of Intro. 5-15. MR. SWANICK seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 143

Re: Support for Community Events & Organizations.

A RESOLUTION SUBMITTED BY  
LEGISLATOR SWANICK

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



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

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

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$8,499 from the Legislature – Contractual Expense (DAC: 110905100830) to Fund 110, Project 921, Department 301 Agency Payments & Grants - Public Benefit Services, (DAC: 110921301830), for paying the following agencies:

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
<b>Town of Grand Island</b>	<b>830/0452</b>	<b>\$ 999</b>
<b>Sheridan Park Volunteer Fire Department</b>	<b>830/1162</b>	<b>\$ 3,000</b>
<b>American Legion Band – Post 264</b>	<b>830/0283</b>	<b>\$ 2,000</b>
<b>City of Tonawanda Community Development Agency</b>	<b>830/1152</b>	<b>\$2,500</b>
<b>TOTAL</b>		<b>\$8,499</b>

and be it further

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

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

RESOLVED, that certified copies of this resolution be sent to County Executive Joel A. Giambra, County Comptroller Nancy A. Naples, Budget Director Joseph Passafiume, First Assistant County Attorney Susannah Bochenek, Supervisor Peter McMahon, Town of Grand Island, (2255 Baseline Road, Grand Island, NY 14072,) Randall Rider, Sheridan Park Volunteer Fire Department, (744 Sheridan Drive, Tonawanda, NY 14150,) David Abrahamian, American Legion Band - Post 264, (60 Main Street, Tonawanda, NY 14150,) and to Jean Harmon, City of Tonawanda Community Development Agency, (200 Niagara Street, Tonawanda, NY 14150.)

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**Fiscal Impact:** Appropriation of 2002-budgeted funds.

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

CARRIED UNANIMOUSLY.

Item 54 – MR. LARSON moved to discharge the FINANCE & MANAGEMENT COMMITTEE from further consideration of Intro. 5-16. MR. SCHROEDER seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 144

Re: Funding for Community Organizations.

A RESOLUTION SUBMITTED BY  
 LEGISLATOR SCHROEDER

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

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

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

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$154,382 from the Legislature – Contractual Expense (DAC: 110905100830) to Fund 110, Project 921, Department 301 Agency Payments & Grants - Public Benefit Services, (DAC: 110921301830), for paying the following agencies:

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
Americorps	830/	\$ 7,000
A.B.L.E.Y.	830/0304	\$ 15,000
Old First Ward Community Center	830/0671	\$ 9,000
Iron Island Preservation Society	830/0676	\$ 2,500

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<b>South Buffalo Community Association</b>	<b>830/1052</b>	<b>\$120,882</b>
<b>TOTAL</b>		<b>\$154,382</b>

and be it further

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

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

RESOLVED, that certified copies of this resolution be sent to County Executive Joel A. Giambra, County Comptroller Nancy A. Naples, Budget Director Joseph Passafiume, First Assistant County Attorney Susannah Bochenek, Kelly Brown- First Administrative Assistant Legislature, Mark P. Lazzara, Executive Director, Americorps, (2100 Union Road, West Seneca, NY 14224,) Val Vigiano, A.B.L.E.Y., (111 Moreland Street, Buffalo, NY 14206,) Cathy Phillips, Executive Director, Old First Ward Community Center, (62 Republic Street, Buffalo, NY 14206,) Linda Duval, President, Iron Island Preservation Society, (998 Lovejoy, Buffalo, NY 14206,) and to Kris Parisi, Executive Director, South Buffalo Community Association, (2219 South Park Avenue, Buffalo, NY 14220.)

**Fiscal Impact:** Appropriation of 2002-budgeted funds.

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

CARRIED UNANIMOUSLY.

Item 55 – MR. LARSON moved to discharge the FINANCE & MANAGEMENT COMMITTEE from further consideration of Intro. 5-17. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 145

Re: Funding for a Senior Services Organization.

A RESOLUTION SUBMITTED BY  
 LEGISLATORS MARINELLI & SWANICK

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

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

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

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$3,000 from the Legislature – Contractual Expense (DAC: 110905100830) to Fund 110, Project 921, Department 301 Agency Payments & Grants - Public Benefit Services, (DAC: 110921301830), for paying the following agency:

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
<b>Kenmore-Tonawanda Meals on Wheels</b>	<b>830/1328</b>	<b>\$3,000</b>
<b>TOTAL</b>		<b>\$3,000</b>

and be it further

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

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

RESOLVED, that certified copies of this resolution be sent to County Executive Joel A. Giambra, County Comptroller Nancy A. Naples, Budget Director Joseph Passafiume, First Assistant County Attorney Susannah Bochenek, Kelly Brown – First Administrative Assistant Legislature, and to Peggy Nash, Kenmore-Tonawanda Meals on Wheels, (169 Sheridan Parkside, Tonawanda, NY 14150.)

**Fiscal Impact:** Appropriation of 2002-budgeted funds.

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

CARRIED UNANIMOUSLY.

Item 56 – MR. LARSON moved to discharge the FINANCE & MANAGEMENT COMMITTEE from further consideration of Intro. 5-18. MS. MARINELLI seconded.

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CARRIED UNANIMOUSLY.

RESOLUTION NO. 146

Re: Funding for Emergency Services & a  
 Community Organization.

A RESOLUTION SUBMITTED BY  
 LEGISLATOR MARINELLI

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

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

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

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$49,786 from the Legislature – Contractual Expense (DAC: 110905100830) to Fund 110, Project 921, Department 301 Agency Payments & Grants - Public Benefit Services, (DAC: 110921301830), for paying the following agencies:

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
<b>Ellwood Fire District No. 1</b>	<b>830/1054</b>	<b>\$36,000</b>
<b>Excalibur Leisure Skills Center, Inc.</b>	<b>830/0691</b>	<b>\$ 3,400</b>
<b>Kenilworth Fire District #2</b>	<b>830/1151</b>	<b>\$10,386</b>
<b>TOTAL</b>		<b>\$49,786</b>

and be it further

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

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

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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, First Assistant County Attorney Susannah Bochenek, Kelly Brown – First Administrative Assistant Legislature, Raymond Howard, Ellwood Fire District No. 1, (1000 Englewood Avenue, Buffalo, NY 14223,) James J. Catalano, Board President, Excalibur Leisure Skills Center, Inc., (90 North Drive, Buffalo, NY 14216,) and to Richard Rider, Equipment Chairman, Kenilworth Fire District #2, (84 Hawthorne Avenue, Buffalo, NY 14223.)

**Fiscal Impact:** Appropriation of 2002-budgeted funds.

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

CARRIED UNANIMOUSLY.

Item 57 – MR. LARSON moved to discharge the FINANCE & MANAGEMENT COMMITTEE from further consideration of Intro. 5-23. MR. KUWIK seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 147

Re: Funding for Various Community Events & Organizations.

A RESOLUTION SUBMITTED BY  
 LEGISLATOR KUWIK

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

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

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

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$145,920 from the Legislature – Contractual Expense (DAC: 110905100830) to Fund 110, Project 921, Department 301 Agency Payments & Grants - Public Benefit Services, (DAC: 110921301830), for paying the following agencies:

**NAME**

**LINE**

**AMOUNT**

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<b>Excalibur Leisure Skills Center, Inc.</b>	<b>830/0691</b>	<b>\$ 600</b>
<b>Polish Community Center</b>	<b>830/0917</b>	<b>\$ 2,000</b>
<b>Lackawanna Community Boxing, Inc.</b>	<b>830/1332</b>	<b>\$ 1,000</b>
<b>Buffalo Municipal Housing Authority</b>	<b>830/1040</b>	<b>\$ 2,000</b>
<b>Community Grief Center of WNY, Inc.</b>	<b>830/0412</b>	<b>\$ 3,000</b>
<b>Town of Hamburg D.A.R.E.</b>	<b>830/0682</b>	<b>\$10,000</b>
<b>Lackawanna Chamber of Commerce</b>	<b>830/1112</b>	<b>\$ 3,000</b>
<b>Lackawanna Community Development Corporation</b>	<b>830/1180</b>	<b>\$ 3,000</b>
<b>Lackawanna Yemen Soccer Club, Inc.</b>	<b>830/1022</b>	<b>\$ 4,000</b>
<b>Lackawanna Little Loop Football</b>	<b>830/0929</b>	<b>\$ 4,000</b>
<b>Lackawanna B.O.Y.S. Association</b>	<b>830/0267</b>	<b>\$ 4,000</b>
<b>Lackawanna Recreation Department</b>	<b>830/1410</b>	<b>\$ 4,000</b>
<b>City of Lackawanna Drug Court</b>	<b>830/1127</b>	<b>\$ 4,000</b>
<b>City of Lackawanna D.A.R.E.</b>	<b>830/1143</b>	<b>\$ 5,000</b>
<b>Village of Blasdell – Sidewalk Restoration</b>	<b>830/0690</b>	<b>\$ 7,500</b>
<b>Village of Blasdell - Freedom Fest</b>	<b>830/1140</b>	<b>\$ 2,500</b>
<b>Woodlawn Community Revitalization Corporation</b>	<b>830/0771</b>	<b>\$ 4,000</b>
<b>Hamburg Natural Historical Society, Inc.</b>	<b>830/0951</b>	<b>\$ 3,000</b>
<b>Bett-Toomey Detachment – Marine Corps League</b>	<b>830/1057</b>	<b>\$ 2,000</b>

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<b>Lackawanna Youth Board &amp; Youth Bureau</b>	<b>830/0677</b>	<b>\$ 3,000</b>
<b>City of Lackawanna - Department of Public Works</b>	<b>830/</b>	<b>\$15,000</b>
<b>Friendship House – Lackawanna</b>	<b>830/0230</b>	<b>\$ 4,000</b>
<b>Carnegie / Scranton Recreational Association - Baseball</b>	<b>830/1147</b>	<b>\$ 4,000</b>
<b>Lake Shore Little League</b>	<b>830/0794</b>	<b>\$ 4,000</b>
<b>Village of Blasdell – National Night Out</b>	<b>830/0742</b>	<b>\$ 1,500</b>
<b>Town of Hamburg – Lakeshore Development &amp; Enhancement</b>	<b>830/</b>	<b>\$15,000</b>
<b>Lackawanna Senior Citizen Program</b>	<b>830/0679</b>	<b>\$ 2,000</b>
<b>Town of Hamburg Senior Citizens</b>	<b>830/</b>	<b>\$ 2,000</b>
<b>Hamburg Chamber of Commerce</b>	<b>830/1171</b>	<b>\$ 3,000</b>
<b>Hamburg Development Companies</b>	<b>830/1331</b>	<b>\$ 3,000</b>
<b>Olivencia Community Center</b>	<b>830/0568</b>	<b>\$ 1,500</b>
<b>Woodlawn Volunteer Fire Company, Inc.</b>	<b>830/0876</b>	<b>\$ 2,000</b>
<b>Blasdell Volunteer Fire Department</b>	<b>830/0852</b>	<b>\$ 2,000</b>
<b>Lakeshore Volunteer Fire Company</b>	<b>830/0874</b>	<b>\$ 2,000</b>
<b>Hamburg Counseling Services, Inc.</b>	<b>830/1216</b>	<b>\$ 2,000</b>
<b>Big Tree Volunteer Fire Company</b>	<b>830/0801</b>	<b>\$ 2,000</b>
<b>Lackawanna Food Pantry</b>	<b>830/1042</b>	<b>\$ 1,500</b>
<b>Lackawanna Department of Public Safety – Division of Emergency Services</b>	<b>830/1510</b>	<b>\$ 1,820</b>



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<b>Southtowns Walleye Assoc. of WNY, Inc. 830/0967</b>	<b>\$ 3,000</b>
<b>Blasdell Independence Day Celebration 830/1047</b>	<b>\$ 1,500</b>
<b>Buffalo &amp; Erie County Botanical Gardens Society Board 830/</b>	<b>\$ 1,500</b>
<b>TOTAL</b>	<b>\$145,920</b>

and be it further

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

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$4,000 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) \$4,000, 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 and Hamburg Public Libraries (DAC 8209734208300168) \$2,000 – earmarked for the Blasdell Branch Library, and be it further

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

RESOLVED, that certified copies of this resolution be sent to County Executive Joel A. Giambra, County Comptroller Nancy A. Naples, Budget Director Joseph Passafiume, Diane Chrisman, Director, Buffalo & Erie County Public Library, and to First Assistant County Attorney Susannah M. Bochenek.

**Fiscal Impact:** Appropriation of 2002-budgeted funds.

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

CARRIED UNANIMOUSLY.

Item 58 – MR. LARSON moved to discharge the FINANCE & MANAGEMENT COMMITTEE from further consideration of Intro. 5-24. MR. DALE seconded.

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**ERIE COUNTY LEGISLATURE**

CARRIED UNANIMOUSLY.

RESOLUTION NO. 148

Re: Funding for Community Initiatives.

A RESOLUTION SUBMITTED BY  
 LEGISLATOR DALE

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

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

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

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$144,382 from the Legislature – Contractual Expense (DAC: 110905100830) to Fund 110, Project 921, Department 301 Agency Payments & Grants - Public Benefit Services, (DAC: 110921301830), for paying the following agencies:

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
<b>Polish Army Veterans Organization</b>	<b>830/</b>	<b>\$ 1,000</b>
<b>Sloan Active Hose Company No. 1</b>	<b>830/0632</b>	<b>\$ 2,000</b>
<b>Pulaski Association</b>	<b>830/</b>	<b>\$ 5,000</b>
<b>Cheektowaga Patriotic Committee</b>	<b>830/0420</b>	<b>\$ 550</b>
<b>Broadway Market</b>	<b>830/0946</b>	<b>\$25,000</b>
<b>Friends of the Woods</b>	<b>830/0382</b>	<b>\$ 200</b>
<b>Sloan Boy Scout Troop &amp; Pack 6</b>	<b>830/</b>	<b>\$ 1,000</b>
<b>Neighborhood Information Center</b>	<b>830/0741</b>	<b>\$80,132</b>
<b>Village of Sloan – Recreation</b>	<b>830/</b>	<b>\$ 1,000</b>

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<b>Village of Sloan Senior Services</b>	<b>830/0631</b>	<b>\$ 500</b>
<b>Pine Hill Drum &amp; Bugle Corp</b>	<b>830/</b>	<b>\$ 1,000</b>
<b>Buffalo Raiders – Mt. Olive Development Corporation</b>	<b>830/</b>	<b>\$ 500</b>
<b>Greater Cheektowaga Town Park Homeowners Association</b>	<b>830/</b>	<b>\$ 1,500</b>
<b>Village of Sloan</b>	<b>830/0312</b>	<b>\$25,000</b>
<b>TOTAL</b>		<b>\$144,382</b>

and be it further

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

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

RESOLVED, that certified copies of this resolution be sent to County Executive Joel A. Giambra, County Comptroller Nancy A. Naples, Budget Director Joseph Passafiume, First Assistant County Attorney Susannah M. Bochenek, Kelly Brown – First Administrative Assistant Legislature, Stan Przystal, Polish Army Veterans Association, (617 Fillmore Avenue, Buffalo, NY 14212,) Chris Dodds, Sloan Fire Department, (425 Reiman Street, Sloan, NY 14212,) Jerry Inda, Pulaski Association, (140 Bridle Path, Williamsville, NY 14221,) Ray Wolniewicz, Cheektowaga Patriotic Committee, (122 McParlin, Cheektowaga, NY 14225,) Richard Fronczak, Broadway Market, (999 Broadway, Buffalo, NY 14212,) Mike Papero, Friends of the Woods, (556 Como Park Boulevard, Cheektowaga, NY 14225,) Rich Coburn, Sloan Boy Scout Troop & Pack 6, (425 Reiman Street, Sloan, NY 14212,) Stanley Wrobel, Neighborhood Information Center, (1170 Broadway, Buffalo, NY 14212,) Chris Dodds, Village of Sloan - Recreation, (425 Reiman Street, Sloan., NY 14212,) Chris Dodds, Village of Sloan Senior Services, (425 Reiman Street, Sloan., NY 14212,) James Walczyk, Pine Hill Drum & Bugle Corp, (826 Mill Road, East Aurora, NY 14052,) Dwayne Gillison, Buffalo Raiders – Mt. Olive Development Corporation, (701 East Delavan Avenue, Buffalo, NY 14215,) Stan Kaznowski, Greater Cheektowaga Town Park Homeowners Association, (24 Winkler, Cheektowaga, NY 14227,) and to Chris Dodds, Village of Sloan, (425 Reiman Street, Sloan., NY 14212.)

**Fiscal Impact:** Appropriation of 2002-budgeted funds.

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

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CARRIED UNANIMOUSLY.

Item 59 – MR. LARSON moved to discharge the FINANCE & MANAGEMENT COMMITTEE from further consideration of Intro. 6-4. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 149

Re: Funding for Community Organizations.

A RESOLUTION SUBMITTED BY LEGISLATOR GREENAN

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

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

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

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$65,500 from the Legislature – Contractual fund (110905100830) to fund 110, Project 221, Department 301 Agency Payments & Grants – Public Benefit Services, (DAC: 110921301830), for paying the following agency:

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
YMCA	830/	\$13,000
Town of West Seneca – Youth Bureau	830/0638	\$40,000
West Seneca Fire District # 6	830/	\$10,000
Suburban Adult Services	830/0125	\$2,500
<b>TOTAL</b>		<b>\$65,500</b>

and be it further

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

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

RESOLVED, that certified copies of this resolution be sent to County Executive Joel A. Giambra, County Comptroller Nancy A. Naples, Budget Director Joseph A. Passafiume, Kelly Brown – First Administrative Assistant Erie County Legislature, First Assistant County Attorney Susannah M. Bochenek, Anne Scinta, YMCA (S-3636 Eggert Road, Orchard Park, NY 14127), Mark Lazzara, Town of West Seneca (1250 Union Road, West Seneca, NY 14224), Dave Koehler, West Seneca Fire District # 6 (666 Main Street, West Seneca, NY 14224), Thomas W. Becker, Suburban Adult Services (13339 Route 39, P.O. Box 526, Sardinia, NY 14134)

Fiscal Impact: Appropriation of 2002 - budgeted funds

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

CARRIED UNANIMOUSLY.

Item 60 – MR. LARSON moved to discharge the FINANCE & MANAGEMENT COMMITTEE from further consideration of Intro. 6-5. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 150

Re: Funding for Community Organizations.

A RESOLUTION SUBMITTED BY LEGISLATORS  
GREENAN, CHASE & McCARVILLE

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

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

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

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$60,000 from the Legislature – Contractual fund (110905100830) to fund 110, Project 921, Department 301 Agency

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Payments & Grants – Public Benefit Services, (DAC:110921301830), for paying the following agency:

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
<b>West Seneca Rotary Foundation</b>	<b>830/1326</b>	<b>\$60,000</b>
<b>TOTAL</b>		<b>\$60,000</b>

and be it further

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

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

RESOLVED, that certified copies of this resolution be sent to County Executive Joel A. Giambra, County Comptroller Nancy A. Naples, Budget Director Joseph A. Passafiume, Kelly Brown – First Administrative Assistant Erie County Legislature, First Assistant County Attorney Susannah M. Bochenek, and Rick Gurney, West Seneca Rotary Foundation (3052 Old Transit Road, Orchard Park, NY 14127).

Fiscal Impact: Appropriation of 2002-budgeted funds

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

CARRIED UNANIMOUSLY.

Item 61 – MR. LARSON moved to discharge the FINANCE & MANAGEMENT COMMITTEE from further consideration of Intro. 6-6. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 151

Re: Funding for a Cultural Organization.

A RESOLUTION SUBMITTED BY  
 LEGISLATORS MARINELLI & FISHER

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

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

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

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$25,000 from the Legislature – Contractual Expense (DAC: 110905100830) to Fund 110, Project 921, Department 301 Agency Payments & Grants - Public Benefit Services, (DAC: 110921301830), for paying the following agency:

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
Shakespeare in Delaware Park, Inc.	830/0347	\$25,000
<b>TOTAL</b>		<b>\$25,000</b>

and be it further

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

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

RESOLVED, that certified copies of this resolution be sent to County Executive Joel A. Giambra, County Comptroller Nancy A. Naples, Budget Director Joseph Passafiume, First Assistant County Attorney Susannah Bochenek, and to Neil E. Garvey, President & CEO, Shakespeare in Delaware Park, Inc., (PO Box 716, Buffalo, NY 14205-0716.)

**Fiscal Impact:** Appropriation of 2002-budgeted funds.

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

CARRIED UNANIMOUSLY.

Item 62 – MR. SWANICK moved to discharge the ECONOMIC DEVELOPMENT COMMITTEE from further consideration of Intro. 5-9. MR. DALE seconded.

CARRIED UNANIMOUSLY.

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RESOLUTION NO. 152

Re: Support for the Broadway K-Mart.

A RESOLUTION SUBMITTED BY  
LEGISLATOR DALE

WHEREAS, K-Mart, which has recently filed for bankruptcy protection as part of its turnaround effort, is planning to close 291 of its 2,179 discount retail stores, and

WHEREAS, the K-Mart located at 998 Broadway is being discussed as one of the stores in this region slated for closing, and

WHEREAS, the Broadway-Fillmore area has struggled economically and the K-Mart discount store fills a desperately important niche in the community, and

WHEREAS, this K-Mart is the only such store for miles catering to many residents who rely on public transportation, and

WHEREAS, the needs that this store have met since its opening 11 years ago, made possible through the efforts of economic development officials who provided numerous incentives, will go unfulfilled upon its closing, and

WHEREAS, City, and State officials, along with representatives from the Erie County Industrial Development Agency and the Empire State Development Corp. have expressed a sincere interest in working together with this Honorable Body to ensure that this K-Mart remains open, and

WHEREAS, we have at our disposal a wide array of economic development tools that can keep this store, a much needed community resource open for business,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature, recognizing that the K-Mart store located at 998 Broadway Avenue serves a vital community interest, is committed to taking the steps necessary to ensure it remains open and available to local residents, and be it further

RESOLVED, that this Honorable Body will fully explore the options that can be pursued in conjunction with the agencies listed above to meet this goal, and be it further

RESOLVED, that certified copies be sent to the County Executive, Erie County Development Agency, the Empire State Development Corporation, the K-Mart (998 Broadway, Buffalo, NY 14212), and the Buffalo Common Council.

Fiscal Impact: To be determined



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MR. SWANICK moved the approval of the resolution. MR. DALE seconded.  
 LEGISLATORS LARSON & RANZENHOFER in the negative.

CARRIED. (WEIGHTED VOTE: 14.652 – 2.348)

Item 63 – MS. PEOPLES moved to discharge the HUMAN SERVICES COMMITTEE from further consideration of Intro. 5-20. MR. SWANICK seconded.

CHAIRMAN DeBENEDETTI directed a roll call vote be taken.

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

FAILED. (WEIGHTED VOTE: 7.705 – 9.295)

**SUSPENSION OF THE RULES**

None.

**COMMUNICATIONS FROM ELECTED OFFICIALS**

**FROM THE COMPTROLLER**

Item 64 – (Comm. 7E-1) County's Share of Sales Tax Revenue for Fiscal Year Ending 12/31/01.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

**FROM LEGISLATOR SWANICK**

Item 65 – (Comm. 7E-2) Letter to Chairman DeBenedetti Re: Minority Invitees to Sales Tax Meeting.

Received and filed.

**FROM THE COMPTROLLER**

Item 66 – (Comm. 7E-3) Review of Countywide Vendor Payments for Period 1/1/00 – 12/31/00.

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Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM LEGISLATOR SWANICK

Item 67 – (Comm. 7E-4) Letter to Clerk of Legislature Re: Conversation of ECMC to a Public Benefit Corporation.

Received and referred to the HUMAN SERVICES COMMITTEE.

FROM LEGISLATOR HOLT

Item 68 – (Comm. 7E-5) Notice of Absence from Economic Development Committee Meeting Held 3/14/02.

Item 69 – (Comm. 7E-6) Notice of Absence from Human Services Committee Meeting Held 3/14/02.

The above two items were received and filed.

FROM LEGISLATOR DUSZA

Item 70 – (Comm. 7E-7) Notice of Absence from Energy & Environment Committee & Public Safety Committee Meetings Held 3/14/02.

Received and filed.

FROM LEGISLATOR FISHER

Item 71 – (Comm. 7E-8) Notice of Absence from Community Enrichment Committee & Human Services Committee Meetings Held 3/14/02.

Received and filed.

FROM THE COUNTY EXECUTIVE

Item 72 – MR. GREENAN presented the following resolution and moved for immediate consideration. MR. RANZENHOFER seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 153

Re: Appointment to Erie County Fire Advisory Board. (Comm. 7E-9)

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RESOLVED, that the Erie County Legislature does hereby confirm the appointment of Kim A. Opoka of 877 Riverview, Tonawanda, New York 14150 to the Erie County Fire Advisory Board for a term to expire May 31, 2003.

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

CARRIED UNANIMOUSLY.

Item 73 – (Comm. 7E-10) Appointment to Erie County Cultural Resources Advisory Board.

RECEIVED, FILED & PRINTED.

March 14, 2002

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

Re: Appointment to Erie County Cultural Resources Advisory Board

Dear Members:

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

NAME AND ADDRESS	TERM EXPIRES
W.K. (Wick) Hannan 49 Chatham Avenue Buffalo, NY 14216	December 31, 2003

Sincerely,

JOEL A. GIAMBRA  
ERIE COUNTY EXECUTIVE

JAG: bmc

cc: Appointee

Commissioner Laurence Rubin

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**ERIE COUNTY LEGISLATURE**

Charlene Ritter-Lester

Item 74 – (Comm. 7E-11) Notice of County Executive Approval of Local Law Intro 2-2002.

RECEIVED, FILED & PRINTED.

A public hearing was held on the foregoing Local Intro. No. 2-2002 on Wednesday, March 13, 2002, due notice thereof having been published in the official newspapers of the County of Erie, and after due deliberation thereon, I, JOEL A. GIAMBRA, County Executive of Erie County, do hereby APPROVE and SIGN said Local Law this 14<sup>th</sup> day of March, 2002.

JOEL A. GIAMBRA  
 Erie County Executive

FROM CHAIRMAN DeBENEDETTI

Item 75 – (Comm. 7E-12) Majority Appointment to Erie County Audit Committee.

RECEIVED, FILED & PRINTED.

March 18, 2002

The Hon. Laurie A. Manzella  
 Clerk, Erie County Legislature  
 25 Delaware Avenue  
 Buffalo, NY 14202

Dear Madam Clerk:

Please be advised, pursuant to Section 1813 of the Erie County Charter, I am hereby appointing Legislator Dale W. Larson as the Majority Caucus' appointment to the Audit Committee for Erie County.

Very truly yours,

Albert DeBenedetti  
 Chairman

FROM THE COMPTROLLER

Item 76 – (Comm. 7E-13) Non Sufficient Funds (NSF) Service Charges.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

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**FROM CHAIRMAN DeBENEDETTI**

Item 77 – (Comm. 7E-14) Copy of Letter to Legislator Swanick Re: Notice of Meeting on Extra 1% Sales Tax to be Held 3/22/02.

Received and filed.

**FROM THE COUNTY EXECUTIVE**

Item 78 – MR. GREENAN presented the following resolution and moved for immediate consideration. MR. RANZENHOFER seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 154

Re: Social Services – Goodwill Industries of  
 WNY Maintenance Training Program.  
 (Comm. 7E-15)

**WHEREAS**, the Department of Social Services is seeking authorization to enter into a contract with Goodwill Industries of WNY, Inc. for the development, implementation and coordination of a maintenance training program with the initial primary site at Dunn Tire Park, and

**WHEREAS**, Goodwill will provide four full-time trainer/supervisors for maintenance activities to be performed before, during and after Buffalo Bisons home games, and

**WHEREAS**, clients assigned to Dunn Tire Park will initially begin with workfare assignments to fulfill the participation requirement that is a condition of their eligibility for public assistance as established by New York State for the continued receipt of cash assistance benefits, and

**WHEREAS**, in the off-season, clients participating in the program will have other maintenance training assignments, and

**WHEREAS**, in addition to maintenance duties, clients will receive job coaching and skills development training designed to enable them to obtain permanent placement in private sector employment, and

**WHEREAS**, at the conclusion of the training program, some clients will be directly placed directly into permanent employment and others will transition through a wage subsidized activity in a Placing Individuals in Vital Opportunities Training (PIVOT) assignment with the goal of permanent paid employment and closure of their public assistance case, and

**WHEREAS**, a full-time job developer will be assigned to the program by the Department to transition clients with experience and good work histories into paid employment, and

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**WHEREAS**, there is no local share fiscal impact to this contract as funds are already available in the 2002 Adopted Budget.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Commissioner of the Department of Social Services and/or the County Executive are authorized to enter into a contract through December 31 I 2002 with Goodwill Industries of WNY, Inc. for the Maintenance Training Program, and be it further

**RESOLVED**, that the following budget amendments are hereby authorized in the 2002 Adopted Budget:

**Department of Social Services, Department 200, Fund 281, Project 604**

<u>ACCOUNT</u>	<u>DESCRIPTION</u>	<u>INCREASE/ (DECREASE)</u>
830-1428	Goodwill Industries	<u>\$120,000</u>
	Total Expenditures	<u>\$120,000</u>
608	State Aid	\$50,000
657	Federal Aid	20,000
686-2000	Interfund - Social Services	<u>50,000</u>
	Total Revenues	<u>\$120,000</u>

and be it further

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

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

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

CARRIED UNANIMOUSLY.

Item 79 – (Comm. 7E-16) Social Services – Goodwill Industries of WNY Retail Training & Employment Services Contract.

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Received and referred to the HUMAN SERVICES COMMITTEE.

Item 80 – (Comm. 7E-17) District Attorney – Internet Crimes Against Children Grant.

Item 81 – (Comm. 7E-18) District Attorney – Assets Forfeiture Appropriations.

The above two items were received and referred to the PUBLIC SAFETY COMMITTEE.

Item 82 – (Comm. 7E-19) EC Holding Center – Electronic Security System Upgrades – Supplemental Agreement.

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 83 – (Comm. 7E-20) CPS – Public Safety Facility – Supplemental Agreement.

Received and referred to the PUBLIC SAFETY COMMITTEE.

Item 84 – (Comm. 7E-21) Ralph Wilson Stadium – 2002 Artificial Grass Outdoor Practice Field.

Item 85 – (Comm. 7E-22) Roof Replacements Main Axial Corridor Roof at ECMC – Roof Repairs at Erie County Convention Center.

Item 86 – (Comm. 7E-23) Elma Meadows Park – Installation of Backflow.

The above three items were received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 87 – (Comm. 7E-24) Cazenovia Creek Habitat Restoration & Stewardship Project Budget Adjustments.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 88 – (Comm. 7E-25) Funding for Continental 1.

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 89 – (Comm. 7E-26) ECSD No. 2 – Authorization of Land Acquisition, Town of Evans.

Item 90 – (Comm. 7E-27) ECSD No. 1 – Engineering Agreement Dated 2/3/00 Pratt & Huth Associates – Change Order No. 2.

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Item 91 – (Comm. 7E-28) EC Southtowns Sewage Treatment Agency – NYSERDA Program Opportunity Notice – Commercial/Industrial Performance Program.

Item 92 – (Comm. 7E-29) ECSD No. 6 – NYSERDA Program Opportunity Notice – Power Systems Technologies, Distributed Power Generation & Combined Heat & Power.

Item 93 – (Comm. 7E-30) ECSD No. 2 – Southwest Interceptor & Pumping Station Facilities Evaluation – URS Greiner Woodward Clyde – Change Order No. 4.

Item 94 – (Comm. 7E-31) ECSD No. 2 – Contract No. 44EV – Contract Close Out Donald Braasch Construction.

Item 95 – (Comm. 7E-32) Town of Cheektowaga – Bike/Hike Trail Project.

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

Item 96 – (Comm. 7E-33) Health – Tuberculosis Elimination Activities Program 2/1/02 – 1/31/03.

Item 97 – (Comm. 7E-34) Health – Erie Niagara Tobacco Free Coalition 6/1/01 – 5/31/02.

Item 98 – (Comm. 7E-35) Health – Refugee Health Assessment Fee for Service Rates.

Item 99 – (Comm. 7E-36) Health – Source Water Assessment Program 4/1/99 – 3/31/03.

Item 100 – (Comm. 7E-37) Health – Children with Special Health Care Needs Program 10/1/01 – 9/30/02.

The above five items were received and referred to the HUMAN SERVICES COMMITTEE.

Item 101 – (Comm. 7E-38) Request for Legislative Action – Inter-Departmental Transfer from Social Services to Mental Health in Amount of \$170,000.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 102 – (Comm. 7E-39) CPS – Regional Computer Forensic Facility Grant.

Received and referred to the PUBLIC SAFETY COMMITTEE.

Item 103 – (Comm. 7E-40) ECMC – Capital Funding for WNY Regional Distance Learning Center.



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Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 104 – MR. GREENAN presented the following resolution and moved for immediate consideration. MR. RANZENHOFER seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 155

Re: JAIBG Second Year Grant Adjustments.  
 (Comm. 7E-41)

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

WHEREAS, available balances remain in the grant, which the New York State Division of Criminal Justice Services (DCJS) has approved for transfer,

NOW, THEREFORE, BE IT

RESOLVED, that the following transactions are authorized to amend the budget of the JAIBG grant in the Probation and Central Police Services Departments:

**JAIBG Second Year Grant**

Project #544 - Probation Department

<u>Appropriations</u>	<u>From</u>	<u>Change</u>	<u>To</u>
Acct. 800 - Personal Services	\$31,550	-\$30,025	\$1,525
Acct. 805 - Fringe Benefits	3,580	-3,355	225
Acct. 810 - Office Supplies	200	0	200
Acct. 821 - Dues and Fees	920	1,450	2,370
Acct. 824 - Out of Area Travel	2,800	3,535	6,335
Acct. 933 - Technical Equipment	<u>4,500</u>	<u>28,395</u>	<u>32,895</u>
Total	\$43,550	\$0	\$43,550

Project #545 - Central Police Services

<u>Appropriations</u>	<u>From</u>	<u>Change</u>	<u>To</u>
Acct. 800 - Personal Services	\$63,012	-\$20,155	\$42,857
Acct. 805 - Fringe Benefits	12,502	-3,332	9,170
Acct. 810 - Office Supplies	800	0	800
Acct. 821 - Dues and Fees	9,200	0	9,200
Acct. 824 - Out of Area Travel	1,200	0	1,200
Acct. 830 - Contractual	46,000	0	46,000

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Acct. 880 - Interfund Expense	5,000	-5,000	0
Acct. 933 - Technical Equipment	<u>162,900</u>	<u>28,487</u>	<u>191,387</u>
Total	\$300,614	\$0	\$300,614

and be it further

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

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

CARRIED UNANIMOUSLY.

FROM THE COMPTROLLER

Item 105 – (Comm. 7E-42) Bond Refinancing – Sewer Construction/Reconstruction Work.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 106 – (Comm. 7E-43) Bond Resolution – \$2,175,000 – ECC Dental Lab Renovations.

Item 107 – (Comm. 7E-44) Bond Resolution – \$12,981,000 – Partial Reconstruction of Existing Courthouse Buildings.

Item 108 – (Comm. 7E-45) Bond Resolution – \$48,015,100 – Various Capital Projects Included in 2002 Capital Budget.

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

COMMUNICATIONS FROM THE DEPARTMENTS

FROM THE COUNTY EXECUTIVE'S OFFICE

Item 109 – (Comm. 7D-1) Memo Re: Intro. 5-2 – County Purchase Contracts Availability on Erie County Web Site.

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM ECC

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Item 110 – (Comm. 7D-2) Notice of Academics Committee Meeting Held 3/11/02.

Received and filed.

FROM DEP

Item 111 – (Comm. 7D-3) SEQR – Solicitation for Lead Agency Status – Type I Action.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM ECMC

Item 112 – (Comm. 7D-4) Notice of Board of Managers Meeting Held 3/14/02.

Item 113 – (Comm. 7D-5) Notice of Change in Schedule of Finance Committee Meetings for 2002 – Various Dates.

Item 114 – (Comm. 7D-6) Notice of JCC/Planning Committee Meeting to be Held 3/26/02.

Item 115 – (Comm. 7D-7) Agenda for Board of Managers Meeting Held 3/14/02 & Minutes of Meeting Held 2/14/02.

The above four items were received and filed.

FROM SOCIAL SERVICES

Item 116 – (Comm. 7D-8) Letter to Legislator Weinstein Re: Response to Michael Higgin's Home Care Since 4/01.

Received and filed.

FROM THE COUNTY ATTORNEY

Item 117 – (Comm. 7D-9) Notice of County Executive Approval of Local Law Intro 2-2002.

RECEIVED, FILED & PRINTED.

**VIA HAND DELIVERY**

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**TO:** LAURIE A. MANZELLA, CLERK  
ERIE COUNTY LEGISLATURE

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**FROM:** FREDERICK A. WOLF, ERIE COUNTY ATTORNEY  
**DATE:** MARCH 14, 2002  
**RE:** LOCAL LA W INTRO. 2-2002

Laurie:

Last evening, County Executive Giambra held a public hearing concerning the above-referenced Local Law Intro. Earlier today, the County Executive indicated his approval of the Local Law Intro. in writing.

Enclosed herewith, you will find an original form of approval attached to a copy of the Local Law Intro. Also attached for your information is a written statement prepared by the County Executive, wherein he sets forth the rationale behind his decision to approve the Local Law Intro., which will go to a referendum this coming autumn.

Thank you for your attention to this matter

FAW

FAW/fr  
 Encl.

cc: Hon. Joel A. Giambra, Erie County Executive  
 Thomas P. DeMartino, Sr. Executive Assistant  
 Susannah M. Bochenek, 1<sup>st</sup> Assistant County Attorney  
 Andrew B. Isenberg, 2nd Assistant County Attorney  
 (all w/Encl.)

A public hearing was held on the foregoing Local Law Intro. No. 2-2002 on Wednesday, March 13, 2002, due notice thereof having been published in the official newspapers of the County of Erie, and after due deliberation thereon, I, JOEL A. GIAMBRA, County Executive of Erie County, do hereby APPROVE and SIGN said Local Law this 14<sup>th</sup> day of March, 2002.

JOEL A. GIAMBRA  
 Erie County Executive

Statement of Erie County Executive Joel A. Giambra

Today I will sign the new Erie County Legislative reapportionment plan enacted with bi-partisan support by Erie County Legislature. I will then direct the Erie County Attorney to submit this plan to Federal District Court Judge John T. Elfvin in compliance of his order to do so before March 15, 2002.

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Consistent with the widely-expressed desire for reducing the size and cost of local government, this plan reduces the size of the Erie County legislature from 17 to 15 members. This plan preserves community integrity for Eggertsville, for Lancaster, for East Aurora and for other towns. This plan achieves a historic milestone in fairness to the growing Hispanic community by ending the injustice of splintering that community among four districts.

This plan also effectively strengthens minority representation because two of fifteen districts, rather than two of seventeen districts, will encompass neighborhoods that are historically African-American in population.

This plan is not perfect. The Town of Cheektowaga, which was split among six districts in a previous plan, that Judge Elfvin refused to impose, is still split among five districts. The Buffalo neighborhood of Allentown is still split between two legislative districts. Community continuity is a goal toward which the map drafters strive, but we cannot hold them to a standard of utter perfection.

Ultimately, the citizens of Erie County must have some say in whether they want a smaller legislature. This plan gives the people that opportunity. This reapportionment plan must pass a referendum in November.

I commend the Legislature and its technical staff for formulating this plan, and I am grateful for all the public input I received in four well-attended public hearings I conducted on this issue.

I submit this plan hopeful that the Court will understand that Erie County needs to move forward with reapportionment to achieve community confidence that their government is both efficient and representative.

Item 118 – (Comm. 7D-10) Letter to Chairman DeBenedetti Re: Weighted Voting for Erie County Legislature.

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

**FROM THE CLERK OF THE LEGISLATURE**

Item 119 – (Comm. 7D-11) Copy of Letter to All Members & County Executive Re: Receipt of Letter Concerning Weighted Voting for Legislature (Comm. 7D-10).

Received and filed.

**FROM ECC**

Item 120 – (Comm. 7D-12) Notice of Board of Managers Meeting Held 3/20/02 & Agenda.

Received and filed.

**COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES**

**FROM THE TOWN OF AMHERST**

Item 121 – (Comm. 7M-1) Resolution Changing Name of Portion of Autumn Creek Lane to Autumn Creek Court.

Received and filed.

**FROM VAN NESS FELDMAN, ATTORNEYS AT LAW**

Item 122 – (Comm. 7M-2) NYPA Request to Utilize Alternative Licensing Procedures for Niagara Power Project.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

**FROM ASSEMBLYMAN TOKASZ**

Item 123 – (Comm. 7M-3) Letter to Legislator Swanick Re: Response to Resolution Concerning Amendments to HCRA of 2000.

Received and filed.

**FROM MAYOR MASIELLO**

Item 124 – (Comm. 7M-4) Copy of 17 Point Recovery Plan for Buffalo.

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

**FROM EARL, DELANGE, MAY, SEAMAN, JONES & HOGAN**

Item 125 – (Comm. 7M-5) Town of Lockport Amendment to Zoning Ordinance – Vehicle Sales Overlay District.

Received and filed.

**FROM SENATOR RATH**

Item 126 – (Comm. 7M-6) Receipt of Resolution.

Item 127 – (Comm. 7M-7) Receipt of Resolution.

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Item 128 – (Comm. 7M-8) Receipt of Resolution.

Item 129 – (Comm. 7M-9) Receipt of Resolution.

The above four items were received and filed.

**FROM THE ECIDA**

Item 130 – (Comm. 7M-10) Notice of Board of Directors Meeting Held 3/20/02.

Received and filed.

**FROM THE TOWN OF CLARENCE**

Item 131 – (Comm. 7M-11) Resolution Re: Reapportionment Plan.

Received and filed.

**FROM THE CITY OF BUFFALO**

Item 132 – (Comm. 7M-12) Resolution Re: Reappointment Plan.

Received and filed.

**FROM THE NYS FISH & WILDLIFE MANAGEMENT BOARD**

Item 133 – (Comm. 7M-13) Minutes of Region 9 Board Meeting Held 3/7/02.

Received and filed.

**FROM THE EC MENTAL HYGIENE COMMUNITY SERVICES BOARD**

Item 134 – (Comm. 7M-14) Notice of Meeting to be Held 3/21/02.

Received and filed.

**FROM THE WILLIAM STREET CITIZEN'S & TAXPAYERS PROTECTIVE ASSOCIATION**

Item 135 – (Comm. 7M-15) Copy of Letter to County Executive Re: Reapportionment Plan.

Received and filed.

**MEETING NO. 7**  
**March 21, 2002**

**ERIE COUNTY LEGISLATURE**

**FROM MARIA RODRIGUEZ, RRT & GIOVANNA BAUER, RRT**

Item 136 – (Comm. 7M-16) Letter Re: Salary Upgrade for Respiratory Care Services Department Members.

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

**FROM THE EC BOARD OF HEALTH**

Item 137 – (Comm. 7M-17) Copy of Letter to Chairman DeBenedetti Re: Draft Resolution in Support of Amending EC Clean Indoor Air Act of 1996.

Received and referred to the HUMAN SERVICES COMMITTEE.

**FROM ASSEMBLYMAN BURLING**

Item 138 – (Comm. 7M-18) Receipt of Resolution.

Item 139 – (Comm. 7M-19) Receipt of Resolution.

The above two items were received and filed.

**MEMORIAL RESOLUTIONS**

Item 140 - Legislator Fisher requested that when this legislature adjourns, it do so in memory of John J. Sullivan, Jr.

Item 141 - Legislator Greenan requested that when this legislature adjourns, it do so in memory of Wilma Wild.

Item 142 - Legislator Greenan requested that when this legislature adjourns, it do so in memory of Thomas Blair.

Item 143 - Legislator Kuwik requested that when this legislature adjourns, it do so in memory of John Bacon.

Item 144 - Legislator Dusza requested that when this legislature adjourns, it do so in memory of Sarama Karas.

**ADJOURNMENT**



**MEETING NO. 7**  
**March 21, 2002**

**ERIE COUNTY LEGISLATURE**

Item 145 – At this time, there being no further business to transact, the Chairman announced that the Chair would entertain a Motion to Adjourn.

MR. GREENAN moved that the Legislature adjourn until 2 p.m. Thursday, April 11, 2002.  
MR. SWANICK seconded.

CARRIED UNANIMOUSLY.

The Chairman declared the Legislature adjourned until Thursday, April 11, 2002 at 2 p.m. Eastern Standard Time.

**LAURIE A. MANZELLA**  
**CLERK**