

MEETING NO. 7
March 15, 2001

ERIE COUNTY LEGISLATURE

ERIE COUNTY LEGISLATURE
MEETING NO. 7
March 22, 2001

The Legislature was called to order by Chairman Swanick.

All Members were present except Legislator Olma.

The invocation was led by Rev. David Kunselman, Pastor of Lafayette Presbyterian Church.

The Pledge of Allegiance was led by Ms. Peoples.

Item 3 – CHAIRMAN SWANICK directed that Intro 6-6 remain on the table.

Item 4 - CHAIRMAN SWANICK directed that Intro 6-7 remain on the table.

Minutes of the previous meeting were tabled.

Item 5 – The Clerk declared the meeting in recess at 2:28 p.m. The Public Notice was read for the Public Hearing for Local Law No. 1-1 (2001).

The Clerk declared the public hearing closed.

Item 6 – The Public Notice was read for the Public Hearing for Local Law No. 2-1 (2001) at 2:29 p.m.

The Clerk declared the public hearing closed.

The Chairman declared the meeting reconvened at 2:31 p.m.

MISCELLANEOUS RESOLUTIONS

Item 7 - MR. McCARVILLE presented a resolution Congratulating Andrew Burr as He Receives the Spirit of Gowanda Excellence in Youth Award. MS. CHASE seconded.

CARRIED UNANIMOUSLY.

Item 8 - MR. RANZENHOFER presented a resolution Congratulating Gerald Bistoff as He Receives the Akron Chamber of Commerce Citizen of the Year Award. MS. CHASE seconded.

CARRIED UNANIMOUSLY.

Item 9 - MRS. FISHER presented a resolution Congratulating Adam Sabadasz, Winner of the Scajaquada Creek Watershed Advisory Council Logo Contest. MR. HOLT seconded.

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CARRIED UNANIMOUSLY.

Item 10 – MRS. FISHER presented a resolution Congratulating the 2001 Scholarship Awardees from Augustine “Pucho” Olivencia Community Center. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

Item 11 – MR. DUSZA presented a resolution Congratulating the 2001 Depew Middle School Sertoma Essay & Poster Winners. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

Item 12 – MRS. FISHER presented a resolution Honoring Parents Anonymous for Their Work on the Occasion of Child Abuse Prevention Month. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

Item 13 – MS. PEOPLES presented a resolution Honoring the American Cancer Society for Their Work on the Occasion of Colon Rectal Cancer Month. MRS. FISHER seconded.

CARRIED UNANIMOUSLY.

Item 14 – MS. MARINELLI presented a resolution Congratulating Western New York Women’s Hall of Fame Inductee Clotilde Perez-Bode Dedecker. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

Item 15 – MS. MARINELLI presented a resolution Congratulating Western New York Women’s Hall of Fame Inductee Gretchen Engstrom Stringer. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

LOCAL LAWS

Item 16 - CHAIRMAN SWANICK directed that Local Law No. 2 (Print #3) 2000 remain on the table.

Item 17 – MS. PEOPLES presented the following resolution and moved for immediate consideration. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

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LOCAL LAW INTRO. NO. 1 – 2001
LOCAL LAW NO. 1 – 2001

A LOCAL LAW to make Gold Star Parents eligible for the alternative veterans exemption, pursuant to Chapter 326 of the Laws of 2000.

BE IT ENACTED by the Legislature of the County of Erie as follows:

Section 1. This Local law is enacted pursuant to the authority set forth in and in accordance with Real Property Tax Law Section 458-a, as amended by Chapter 326 of the Laws of 2000. All terms and definitions of such section 458-a shall be equally applicable in this local law.

Section 2. A Gold Star Parent (i.e. parent of a child who died in the line of duty while serving in the United States' armed forces during a period of war) owning qualifying residential real property shall be eligible for exemption to the extent provided by such section 458-a, provided he/she uses such property as his/her primary residence. Such qualifying residential real property shall be entitled to the maximum exemption in Erie County, which is presently set forth in Local Law No. 3- 1997, unless the maximum exemption as provided by section 458-a shall be changed by a local law adopted subsequent to this local law.

Section 3. This local law shall become effective on the date it is filed in the office of Secretary of State.

Legislator John W. Greenan
9th District

Legislator Jeanne Z. Chase
12th District

Legislator Steven P. McCarville
13th District

Legislator Dale W. Larson
17th District

Legislator Michael H. Ranzenhofer
16th District

Legislator Charles M. Swanick
10th District

Legislator Crystal Peoples
7th District

Legislator Lynn Marinelli
11th District

Legislator Edward J. Kuwik
1st District

Legislator Michael Fitzpatrick
2nd District

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Legislator George B. Holt
3rd District

Legislator Judith P. Fisher
4th District

Legislator Raymond K Dusza
8th District

Legislator William A. Pauly
14th District

Legislator Albert DeBenedetti
6th District

Legislator Gregory B. Olma
5th District

Fiscal Impact: tax shift of between \$25,000 and \$45,000 within county property tax base.

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

COUNTY OF ERIE

LOCAL LAW INTRO. NO. 2 – 2001

LOCAL LAW NO. 1 – 2001

A LOCAL LAW, amending Local Law No. 1–2001, granting a partial exemption from real property taxation, pursuant to Section four hundred fifty-nine-c of the Real Property Tax Law, to persons with disabilities who have limited incomes.

BE IT ENACTED BY THE ERIE COUNTY LEGISLATURE AS FOLLOWS:

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

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

<u>Annual Income</u>	<u>Percentage of Assessed Valuation Exempt from Taxation</u>
Up to \$20,500	50 per centum
More than \$20,500 but less than \$21,500	45 per centum
\$21,500 or more, but less than \$22,500	40 per centum
\$22,500 or more, but less than \$23,500	35 per centum
\$23,500 or more, but less than \$24,400	30 per centum
\$24,400 or more, but less than \$25,300	25 per centum
\$25,300 or more, but less than \$26,200	20 per centum
\$26,200 or more, but less than \$27,100	15 per centum
\$27,100 or more, but less than \$28,000	10 per centum
\$28,000 or more, but less than \$28,900	5 per centum

Section 2. This Local Law shall be effective immediately.

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BARRY A. WEINSTEIN, M.D.

JEANNE Z. CHASE

STEVE P. McCARVILLE

DALE W. LARSON

MICHAEL H. RANZENHOFER

JOHN W. GREENAN

CHARLES M. SWANICK

CRYSTAL D. PEOPLES

EDWARD J. KUWIK

MICHAEL FITZPATRICK

GEORGE B. HOLT

JUDITH P. FISHER

LYNN M. MARINELLI

RAYMOND K. DUSZA

WILLIAM A. PAULY

ALBERT DeBENEDETTI

GREGORY B. OLMA

Fiscal Impact: minimal tax shift

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

CARRIED UNANIMOUSLY.

COMMITTEE REPORTS

Item 19 – MR. DUSZA presented the following resolution and moved for immediate consideration. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 118

March 6, 2001

ENERGY & ENVIRONMENT

COMMITTEE
 REPORT NO. 5

ALL MEMBERS PRESENT.

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

a. Item Page -2001 (Comm. 5M-16)
SOUTHTOWNS WALLEYE ASSOCIATION OF WNY: Letter Opposing NYSDEC
 Decision to Lower Limit on Walleye from 5 to 4.
 (5-0)

b. Item Page -2001 (Comm. 6E-36)
COUNTY EXECUTIVE: EC Sport Fishery Promotion Program- 2000 Annual Report.
 (5-0)

AS AMENDED
 (Comm. 26E-48)

2. Item Page -2000
COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Environment and Planning has received the following low bid for Commercial Street Sanitary Sewer Project, Contract No. 45EV, on February 27, 2001.

<u>Contract</u>	<u>Low Bidder</u>	<u>Amount Bid</u>
45EV	Milherst Construction, Inc. 2601 Millersport Highway Getzville, New York 14068	\$533,944.00

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

NOW, THEREFORE, BE IT

RESOLVED, that the Commercial Street Sanitary Sewer Project, Contract No. 45EV, be awarded to the low bidder as follows:

<u>Contract</u>	<u>Low Bidder</u>	<u>Amount Bid</u>
45EV	Milherst Construction, Inc. 2601 Millersport Highway Getzville, New York 14068	\$533,944.00

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

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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 \$533,944.00 from Sewer Capital, Erie County Sewer District No. 2, Fund No. 430, Project No. 913; 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 Fitzpatrick absent for vote.

3. Item Page -2001 (Comm. 6E-15)

COUNTY EXECUTIVE

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

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

WHEREAS, Erie County has been allocated through the Greater Buffalo-Niagara Regional Transportation Council's (GBNRTC) Transportation Improvement Program (TIP) funds for the purpose of carrying out the "Erie County Alternative Fuel Vehicle Consortium Project," and

WHEREAS, New York State DOT has entered into agreement with Erie County to administer the allocated \$376,000 in CMAQ program funds, and

WHEREAS, a resolution (Comm. 13E-18) passed July 15, 1999, provided the necessary authorization to accept the CMAQ funding and established a grant budget for Phase I of the "Erie County Alternative Fuel Vehicle Consortium Project," and

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

WHEREAS, pursuant to Section 19.08 of the Erie County Administrative Code, the Department of Environment and Planning requested and reviewed proposals from bidders to delineate plans and bid specifications for the construction of a compressed natural gas (CNG) fueling station, and

WHEREAS, a resolution (Comm. 15E-14) passed July 6, 2000, awarded the preliminary design to Wendel Duchscherer, and

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WHEREAS, the New York State DOT has designated Wendel Duchscherer as a pre-qualified engineering firm to conduct construction inspection, and

WHEREAS, it would be impractical and financially ineffective to rebid engineering services with additional request for proposals (RFP's),

NOW, THEREFORE BE IT

RESOLVED, that the provisions of Section 19.08 of the Administrative Code requiring RFP's are hereby waived since the contractor is a local business, and it is not deemed feasible nor cost effective for the County to undertake this process, and be it further

RESOLVED, that the County Executive is authorized to execute the necessary contract with Wendel Duchscherer Engineers and Architects, P.C., to delineate final design plans and conduct construction inspection services relating to the CNG fueling station located at the Erie County Medical Center for an amount not to exceed \$18,000, the source of funds being monies set aside by the County for the CMAQ grant program under the "Erie County Alternative Fuel Vehicle Consortium Project" SFG Project No. 881/223, and be it further

RESOLVED, that a certified copy of this resolution be forwarded to Laurence K. Rubin, Commissioner of Environment and Planning; Michael Raab, Deputy Commissioner of Environment and Planning; the County Attorney; the County Comptroller; and the Budget Director.
 (4-0) Legislator Fitzpatrick absent for vote.

4. Item Page -2001 (Comm. 6E-19)
COUNTY EXECUTIVE

WHEREAS, the County of Erie has a great demand for financial resources targeted toward low-income households seeking to improve their housing conditions; and

WHEREAS, the County of Erie has received \$234,340 from the Federal Home Loan Bank of New York under their Affordable Housing Program; and

WHEREAS, the full Program cost is \$2,069,340, with \$234,340 coming from the Federal Home Loan Bank of New York, \$1,692,900 from HSBC Bank USA, \$125,000 from the federal HOME Investment Partnership Program and \$17,100 from home- buyers participating in the Erie County First Time Home Buyer Program; and

WHEREAS, said monies will assist 25 households purchase a home in targeted communities within Erie County.

NOW, THEREFORE, BE IT

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RESOLVED, that the County Executive is hereby authorized to enter into all necessary agreements with the Federal Home Loan Bank of New York Seven World Trade Center, New York, New York, and HSBC Bank USA, One HSBC Center, Buffalo, New York, for the purpose of implementing the County's targeted First Time Home Buyer Program for an amount not to exceed \$234,340; and be it further

RESOLVED, that a copy 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)

5. Item Page -2001 (Comm. 6E-20)

COUNTY EXECUTIVE

WHEREAS, the Erie County Legislature had awarded Contract No. 8HOL, to Paul J. Gallo Contracting, Inc.; and

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

WHEREAS, the Erie County Department of Environment and Planning has recommended the final acceptance of Contract No. 8HOL in the amount of \$111,600.00 which includes Change Order No. 1 (final), a decrease of \$1,400.00.

NOW, THEREFORE, BE IT

RESOLVED, that Contract No. 8HOL between the County of Erie and Paul J. Gallo Contracting, Inc., P.O. Box 453, East Amherst, New York 14051, be accepted in the amount of \$111,600.00, which includes Change Order No. 1 (final), a decrease of \$1,400.00; and be it further

RESOLVED, that the Erie County Comptroller is hereby authorized and directed to finalize Contract No. 8HOL in the amount of \$111,600.00 from Erie County Sewer District No. 3 Sewer Capital Account No. 430-516 for the Holland Extension to Erie County Sewer District No. 3 between the County of Erie and Paul J. Gallo Contracting, Inc.; 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 Greg Dudek, Assistant County Attorney.

(4-0) Legislator Fitzpatrick absent for vote.

6. Item Page -2001 (Comm. 6E-22)

COUNTY EXECUTIVE

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WHEREAS, the County of Erie, on behalf of Erie County Sewer District No. 3 and the Erie County/Southtowns Sewage Treatment Agency, operates and maintains a sewerage system for the benefit of its residents, as well as, a daycare center, Steuben Foods and Motorola in the Town of Elma; and

WHEREAS, the existing pumping station and force main servicing the daycare center, Steuben Foods and Motorola properties have experienced operating problems in the past due to limitations in the design of the existing sewerage facilities and odor control problems; and

WHEREAS, Steuben Foods and the County have agreed to work together to resolve these past problems and to provide for expansion of the sewerage facilities to help provide for additional job growth; and

WHEREAS, the New York State Environmental Facilities Corporation through its Financial Assistance to Business Water Program offer grants to improve the sewage facilities for businesses in amounts not to exceed 75% of the cost; and

WHEREAS, the parties are in agreement to making an application to the Environmental Facilities Corporation for funding to improve the sewerage facilities servicing the parties.

NOW, THEREFORE, BE IT

RESOLVED, that Erie County Department of Environment and Planning is authorized to make application either jointly or independently to the Environmental Facilities Corporation through its Financial Assistance to Business Water Program with Steuben Foods and Motorola; and be it further

RESOLVED, that agreements between the County of Erie and Steuben Foods, Motorola and/or the daycare center of Elma to construct the needed sewer improvements together with acceptance of any grant monies offered by the Environmental Facilities Corporation is hereby approved; and be it further

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

RESOLVED, that Erie County Sewer District No. 3 and Erie County Southtowns Sewage Treatment Agency share in the projects' cost be funded from Operating Fund Balance; and be it further

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

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Management, Gregory J. Dudek, Assistant County Attorney, and Jeffrey Sokal, Steuben Foods.

(4-0) Legislator Fitzpatrick absent for vote.

7. Item Page -2001 (Comm. 6E-23)

COUNTY EXECUTIVE

WHEREAS, under the Stewart B. McKinney Homeless Assistance Act of 1987, the Secretary of the U. S. Department of Housing and Urban Development is authorized to make grants to units of local government to finance an Emergency Shelter Grant Program; and

WHEREAS, the County has received funds under the Act to fund non-profit organizations for essential services for homeless persons and for operational and renovation expenses associated with homeless shelters; and

WHEREAS, in order to implement the Emergency Shelter Grant Program, the County of Erie must enter into individual agreements with non-profit organizations that serve homeless persons.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into an agreement with the Community Action Organization of Erie County, Inc., located at 70 Harvard Place, Buffalo, New York, for an amount not to exceed \$16,413 for operation and rehabilitation expenses associated with their shelter for homeless persons located at 273 Ridge Road, Lackawanna, New York; and be it further

RESOLVED, that the County Executive is hereby authorized to enter into an agreement with Interfaith Hospitality Network of Greater Buffalo, Inc., located at 27 Jewett Parkway, Buffalo, New York, for an amount not to exceed \$19,175 for operational expenses associated with their shelter for homeless families program; and be it further

RESOLVED, that the County Executive is hereby authorized to enter into an agreement with the Franciscan Center Inc., for an amount not to exceed \$5,000 for operational expenses associated with their shelter for homeless boys located at 1910 Seneca Street, Buffalo, New York; and be it further

RESOLVED, that the County Executive is hereby authorized to enter into an agreement with the Salvation Army Inc., for an amount not to exceed \$66,294 for operational expenses associated with their shelter for homeless families located at 984 Main Street, Buffalo, New York; and be it further

RESOLVED, that the County Executive is hereby authorized to enter into an agreement with Saf-Net Inc. for \$34,600 for essential services for homeless persons and operational expenses associated with their homeless programs located in Springville, New York; and be it further

RESOLVED, that the County Executive is hereby authorized to enter into an agreement with Compass House for an amount not to exceed \$10,000 for expenses to operate their shelter for homeless youth at the agency shelter located at 370 Linwood Avenue, Buffalo, New York; and be it further

RESOLVED, that the County Executive is hereby authorized to enter into an agreement with the YWCA for \$6,368 for operational expenses associated with the agency homeless facility for women and children located at 245 North Street, Buffalo, New York; and be it further

RESOLVED, that said contract authorizations are contingent upon the receipt of year 2001 federal Emergency Shelter Grant funding assistance through the U.S. Department of Housing and Urban Development; and be it further

RESOLVED, that the request for proposal provision of Section 19.08 of the Erie County Administrative Code was 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)

8. Item Page -2001 (Comm. 6E-35)

COUNTY EXECUTIVE

WHEREAS, Erie County aids numerous low and moderate-income homeowners to improve the quality of their houses by providing low-interest loans for home repair under a variety of housing rehabilitation programs; and

WHEREAS, said programs are funded through the federal Community Development Block Grant and HOME Investment Partnership Programs; and

WHEREAS, from time to time disputes arise between homeowners and home improvement contractors concerning work quality, scheduling, warranty, and other matters; and

WHEREAS, Erie County is desirous of utilizing the services of a dispute resolution agency,

NOW, THEREFORE, BE IT

RESOLVED, that the County is hereby authorized to enter into an agreement with the Better Business Bureau Foundation of Western New York, Incorporated for an amount not to exceed \$5,000 in order to carry out dispute resolution services associated with the Erie County housing programs as funded through the federal Community Development Consortium Block Grant (CDBG) and HOME Investment Partnership Programs; and be it further

RESOLVED, that the provisions of Section 19.08 of the Administrative Code requiring Requests For Proposal do not apply to the award of this contract which is for an aggregate amount of less than \$10,000; and be it further

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

(5-0)

9. Item Page -2001 (Comm. 6E-37)

COUNTY EXECUTIVE

WHEREAS, the Rural Van Transportation Program serves low-income households as well as the elderly and disabled in 19 municipalities in southern Erie County; and

WHEREAS, the Rural Van Program has been operated under an Erie County contract with Rural Transit Service, Inc., a not-for-profit corporation, for the past four (4) years; and

WHEREAS, Rural Transit Service, Inc. desires to purchase a handicapped accessible 12-passenger van and pay for increased operating expenses to expand transportation services to the Towns of Newstead and Clarence and the Village of Akron, utilizing \$64,150 of Federal Community Development funds available in prior and current years' Erie County Community Development Grants;

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Executive is hereby authorized to execute an amendatory agreement with Rural Transit Service, Inc. (RTS) increasing the authorized 1997-2000 contract amount from \$594,100 to \$658,250 for the purposes of purchasing a handicapped accessible 12-passenger van, and increasing operating support to expand transportation services to the Towns of Newstead and Clarence and the Village of Akron; and be it further

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

(5-0)

10. Item Page -2001 (Comm. 6E-38)

COUNTY EXECUTIVE

WHEREAS, Erie County formed a Consortium (Erie County HOME Consortium) with the Town of West Seneca and Town of Hamburg for funding under the HOME Investment Partnership Act (HOME); and

WHEREAS, the Erie County HOME Consortium has been awarded a grant of \$1,030,000 for fiscal year 1998, \$1,166,000 for fiscal year 1999 and \$1,082,000 for fiscal year 2000 by the U.S. Department of Housing and Urban Development under HOME; and

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WHEREAS, a minimum of fifteen percent of funds made available pursuant to the HOME Investment Partnership Act are to be provided to eligible Community Housing Development Organizations (CHDOs).

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into all necessary agreements with Lackawanna Housing Development Corporation, Inc. (LHDC) to sponsor a homeownership program in the City of Lackawanna for low-income homebuyers and the Episcopal Community Housing Development Organization, Inc. (ECHDO) for the purpose of developing rental housing in the Town of Evans for low-income seniors; and be it further

RESOLVED, that said agreements shall provide for the transfer of an amount not to exceed \$194,760 in federal HOME Investment Partnership funds to the Lackawanna Housing Development Corporation, Inc.; and be it further

RESOLVED, that said agreements shall provide for the transfer of an amount not to exceed \$200,000 in federal HOME Investment Partnership funds to Episcopal Community Housing Development Organization, Inc.; and be it further

RESOLVED, that disbursement of said funds shall be conditioned on the following:

1. Completion of all state and federal environmental review requirements relative to the housing project.
2. Completion of all necessary subsidy layering analyses as required by the federal Department of Housing and Urban Development.

and be it further

RESOLVED, that the request for proposal provision of Section 19.08 of the Erie County Administrative code was complied with by the Department of Environment and Planning, and a summary is included as Attachment A 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.

ATTACHMENT A

NAME OF PROJECT:	HOME/Community Housing Development Organization <u>(CHDO) Funding for Program Year 1998, 1999, and 2000</u>
SKILL REQUIRED:	<u>Fund available only qualified CHDOs as required by HUD</u>

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Committee Member's Score

Episcopal Community Housing Development Organization	Lackawanna Housing Development Corporation	New Venture CAO -- Angola Housing	Committee Members
65	61	47	Thomas J. Dearing, Community Planning Coordinator, EC Department of Environment and Planning
75	76	74	Chris Hill, Community Development Director, Town of Hamburg
65	57	47	Christopher L. Jacobs, Deputy Commissioner, EC Department of Environment and Planning
62	58	48	David Young, Executive Director, Buffalo Neighborhood Housing Services
257	250	216	TOTAL SCORE

In my opinion in recommending Episcopal Community Housing Development Organization, to develop senior housing in the Town of Evans and Lackawanna Housing Development Corporation to sponsor a homeownership program in the City of Lackawanna, the Department of Environment and Planning (DEP) has complied with all applicable provisions of Section 19.08 of Erie County Administrative Code. Scoring Sheets and other material related to this matter are available for review at the DEP offices during regular business hours.

LAURENCE K. RUBIN, Commissioner
 Department of Environment and Planning

(5-0)

RAYMOND K. DUSZA
CHAIRMAN

MR. DUSZA moved to separate item #1B to send back to committee and moved the approval of the balance of the report. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

Item 20 –MR. PAULY presented the following resolution and moved for immediate consideration. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 119

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REGIONALISM AD HOC
 COMMITTEE
 REPORT NO. 2

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

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ALL ITEMS ARE HEREBY TABLED.

WILLIAM A. PAULY
CHAIRMAN

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

CARRIED UNANIMOUSLY.

Item 21 - MS. MARINELLI presented the following resolution and moved for immediate consideration. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 120

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PERSONNEL AD HOC
 COMMITTEE
 REPORT NO. 5

ALL MEMBERS PRESENT.

1. Item Page -2001 (Comm. 1E-12)
COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Law is in need of law student assistants, both part-time during the school year and full-time (seasonal) when school is not in session, due to the volume of rudimentary legal research required by said office; and

WHEREAS, such law student assistants have worked as independent contractors in the Department of Law for the past ten years; in connection with a recent audit of the Department of Law by the Comptroller's Office, it was determined by the Comptroller that the law student assistants are not properly independent contractors and must be treated as employees of the County; and

WHEREAS, the Erie County Department of Law is also in need of a principal clerk who, according to the applicable civil service job description, will have the capacity to handle certain record keeping and administrative tasks that are not appropriately or efficiently handled by individuals possessing law degrees and other advanced education; and

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WHEREAS, the five newly created law student assistant positions in the Law Department will be paid at an hourly wage of \$12.42 (Job Group 6, Step 0) and the newly created principal clerk position in the Law Department will be at Job Group 6, Step 0.

NOW THEREFORE, BE IT

RESOLVED, that effective immediately, five law student assistant positions part-time, Job Group 6, Step 0, and five law student assistant positions seasonal, Job Group 6, Step 0, are hereby created within the Erie County Department of Law; and be it further

RESOLVED, that effective immediately, the position of principal clerk, Job Group 6, Step 0, is hereby created with the Erie County Department of Law; and be it further

RESOLVED, that the sum of \$108,269 is hereby transferred from DAC 110961601832 General Fund, Department of Law - Risk Management, Account 832, Insurance Charges, to the specified accounts of the Erie County Law Department:

Department of Law - Law Student Assistants PT

ACCOUNT 800 - Personal Services:	\$49,680
ACCOUNT 806- Fringe Benefits:	<u>\$ 0</u>
Total	<u>\$49,680</u>

Department of Law - Law Student Assistants Seas.

ACCOUNT 800 - Personal Services:	\$26,080
ACCOUNT 806 - Fringe Benefits:	<u>\$ 0</u>
Total	<u>\$26,080</u>

Division of Law - Principal Clerk

ACCOUNT 800 - Personal Services	\$26,646
ACCOUNT 806 - Fringe Benefits	<u>\$ 5,863</u>
Total	<u>\$32,509</u>

and be it further

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

(4-0) Legislator DeBenedetti absent for vote.

COUNTY EXECUTIVE

WHEREAS, the 2001 Erie County Budget stipulates that all requests for authority to recruit at a higher increment level must be approved by both the Legislature and the County Executive; and

WHEREAS, the authorization of variable minimums is crucial to the delivery of essential public services.

NOW, THEREFORE, BE IT

RESOLVED, that variable minimums are hereby approved for the following titles commencing January 1, 2001, as follows:

<u>Title</u>	<u>JG/STEP</u>
Assistant Chief Treatment Plant Supervisor	13-3
Assistant Deputy Commissioner within the Division of Sewerage Management	16-3

and be it further;

RESOLVED, that once a variable minimum is approved for a particular position or job title, said variable shall be in effect for all employees placed in said position during the year; and be it further

RESOLVED, that the Clerk of the Legislature be authorized and directed to send a certified copy of this resolution to Joel A. Giambra, County Executive; Charles J. Alessi, P.E., Deputy Commissioner of the Department of Environment and Planning; Nancy A. Naples, Erie County Comptroller; Joseph Passafiume, Director of Budget and Management; and Leonard R. Lenihan, Commissioner of Personnel.

(5-0)

3. Item Page -2001 (Comm. 6E-32)

COUNTY EXECUTIVE

WHEREAS, the Erie County Division of Information and Support Services as presently staffed is unable to properly provide the level of technical and support services necessary, and

WHEREAS, the Erie County Division of Information and Support Services is requesting the deletion of the position of Sr. Shift Supervisor EDP Mainframe, Job Group 9, Step D; one position of Microfilm Operator, Job Group 4, Step 1; and one position of regular part-time Laborer, Job Group 3, Step 4; and

WHEREAS, the Erie County Division of Information and Support Services is requesting the addition of one Information Systems Operator, Job Group 7, Step 0; one Laborer, Job Group 3, Step 4;

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one part-time Technical Specialist- Communications, Job Group 7, Step 1; and one part-time Paste-Up Artist, Job Group 4, Step 0 and

WHEREAS, the Information Systems Operator, Job Group 7, Step 0, will assist the Data Center Operations which includes monitoring of Data Systems, execution of print jobs, maintenance of equipment and notifying necessary personnel in the event of a system failure, and

WHEREAS, the Laborer, Job Group 3, Step 4, will assist the print shop with final production of printed materials, such as folding, binding and stapling; and

WHEREAS, the part-time Technical Specialist-Communications, Job Group 7, Step 1, will assist with the microfilming of county records and assist with records management; and

WHEREAS, the part-time Paste-Up Artist, Job Group 4, Step 0, will assist with composition, layout, paste-up and production of pre-press materials;

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Division of Information and Support Services is authorized to delete the position of Sr. Shift Supervisor EDP Mainframe, Job Group 9, Step D; the position of Microfilm Operator, Job Group 4, Step 1; and the position of regular part-time Laborer, Job Group 3, Step 4; and be it further

RESOLVED, that the Erie County Division of Information and Support Services is authorized to add the position of Information System Operator, Job Group 7, Step 0; one Laborer, Job Group 3, Step 4; one part-time Technical Specialist Communications, Job Group 7, Step 1; and one part-time Paste-Up Artist, Job Group 4, Step 0; and be it further

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

(5-0)

CHARLES M. SWANICK
CHAIRMAN

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

CARRIED UNANIMOUSLY.

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

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CARRIED UNANIMOUSLY.

RESOLUTION NO. 121

March 8, 2001

COMMUNITY ENRICHMENT
 COMMITTEE
 REPORT NO. 5

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

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

- | | | | | |
|----|---|------|-------|---------------|
| | Item | Page | -2000 | (Comm. 8M-1) |
| a. | BUFFALO ZOO: Response to Community Enrichment Committee Re: Capital Funds - Buffalo Zoo. | | | |
| | (5-0) | | | |
| | Item | Page | -2001 | (Comm. 5E-14) |
| b. | COUNTY EXECUTIVE: Reappointments to Erie County Cultural Resources Advisory Board. | | | |
| | (5-0) | | | |
| | Item | Page | -2001 | (Comm. 6M-6) |
| c. | MOLLY BETHEL: Locust Street Neighborhood Art Classes 2000 Final Report for Use of County Cultural Funds. | | | |
| | (5-0) | | | |

LYNN M. MARINELLI
CHAIRPERSON

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

CARRIED UNANIMOUSLY.

Item 23 - MR. FITZPATRICK presented the following resolution and moved for immediate consideration. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 122

March 8, 2001

ECONOMIC DEVELOPMENT

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COMMITTEE
 REPORT NO. 3

ALL MEMBERS PRESENT.

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

	Item	Page	-2001	(Comm. 6D-1)
a.	DPW: SEQR Negative Delaration – Building/Plaza Rehab for 95 Franklin Street.			
	(5-0)			

- | | | | | |
|----|------|------|--------|---------------|
| 2. | Item | Page | - 2001 | (Comm. 6E-14) |
|----|------|------|--------|---------------|

COUNTY EXECUTIVE

WHEREAS, Erie County desires to promote economic development and job creation within the City of Lackawanna; and

WHEREAS, the Lackawanna Community Development Corporation owns a building which is leased to Now-Tech Industries, which employs over 75 people; and

WHEREAS, Now-Tech Industries needs additional space to expand and the Lackawanna Community Development Corporation has requested funding from Erie County through the County's Community Development Program; and

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter in contracts with the Lackawanna Community Development Corporation for the purpose of funding the building expansion of the building owned by the Lackawanna Community Development Corporation and leased to Now-Tech, and be it further

RESOLVED, that the contract provides for funding of \$50,000 in grant funds and up to \$180,000 as a no interest loan for the construction of an expansion of the building which houses Now-Tech Industries, and be it further

RESOLVED, that the source of these funds is the Erie County Community Development Block Grant Program, and be it further

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

MICHAEL A. FITZPATRICK
CHAIRMAN

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 123

March 8, 2001

SOCIAL SERVICES
COMMITTEE
REPORT NO. 5

ALL MEMBERS PRESENT EXCEPT LEGISLATOR OLMA.

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

Item Page -2001 (Comm. 6D-8)
a. **YOUTH SERVICES**: 2001 Prime Time Program Information.
(4-0) Legislator Olma absent.

Item Page -2001 (Comm. 6M-10)
b. **TIOGA COUNTY LEGISLATURE**: Copy of Resolution Requesting NYS Assume All Costs
Associated with Raising Age Limit of P.I.N.S.
(4-0) Legislator Olma absent.

2. Item Page - 2001 (Comm. 6E-24)
COUNTY EXECUTIVE

WHEREAS, the County is receiving one-time grant funding in the amount of \$53,848 from the New York State Department of Health to provide for enhancement of the efficiency and quality of the Early Intervention Program, and

WHEREAS, the State has determined that these funds are to be used by the County to provide for education and training of municipal staff, providers and families on priority topics, build upon current programmatic activities, purchase equipment and supplies, support activities of the Local Early Intervention Coordinating Council, and develop and/or refine products, systems or procedures,

NOW, THEREFORE, BE IT RESOLVED, that in order to provide for these special services the following amendments are hereby authorized in the budget of the Early Intervention Administration grant in the Department of Youth Services.

EARLY INTERVENTION ADMINISTRATION GRANT

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PROJECT # 356

PERIOD 10/01/00 TO 9/30/2001

<u>ACCOUNT</u>	<u>DESCRIPTION</u>	<u>AMOUNT INCREASE</u>
825	Out of Area Travel	\$ 5,200
826	Other Expenses	\$22,748
932	Office Equipment	\$ 4,000
933	Lab & Tech Equipment	<u>\$21,900</u>
	TOTAL APPROPRIATIONS	\$53,848
639-0115	State Aid-EI-NYSDOH	\$53,848
	TOTAL REVENUE	\$53,848

and be it further

RESOLVED, that the cost of providing these services, estimated to be \$53,848, are eligible to receive 100 percent reimbursement from the New York State Department of Health, and be it further

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

(4-0) Legislator Olma absent.

3. Item Page - 2001 (Comm. 6E-33)

COUNTY EXECUTIVE

WHEREAS, the Erie County Legislature has already appropriated funds for the Operation Restore Trust (ORT) grant for the period October 1, 2000 through September 30, 2001; the New York State Retired and Senior Volunteer Program (NYSRSVP) grant for the period April 1, 2000 through March 31, 2001; and the Health Insurance Information, Counseling and Assistance Program (HIICAP) grant for the period October 1, 1999 through March 15, 2001, and

WHEREAS, the Department of Senior Services desires to revise the above grant budgets to maximize use of Federal and State funds and to reflect the actual needs of the grants which service those elderly most at risk, and

WHEREAS, no additional County funds are needed, and

WHEREAS, the Department of Senior Services submitted in the 2001 budget a list of townships and community agencies authorized to operate one of the Transportation for the Elderly Program vans for 2001, and

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WHEREAS, the City of Lackawanna was inadvertently omitted from the Budget resolution.

NOW, THEREFORE, BE IT

RESOLVED, that the budget for the ORT grant, project 273, for the period October 1, 2000 through September 30, 2001 be amended as follows:

<u>APPROPRIATIONS</u>		<u>CURRENT</u> <u>BUDGET</u>	<u>CHANGES</u>	<u>AMENDED</u> <u>BUDGET</u>
<u>Account</u>	<u>Description</u>			
812	Food & Kitchen Sup	\$ 125	\$ - 125	\$ 0
822	Rentals	100	- 100	0
826	Other Expenses	6,042	+2,925	8,967
830/418	American Red Cross	16,000	-2,400	13,600
880	Interfund Transfers	300	- 300	0
	Total Changes to Appropriations		<u>\$ - 0 -</u>	

and be it further

RESOLVED, that the budget for the NYSRSVP grant, project 291, for the period April 1, 2000 through March 31, 2001 be amended as follows:

<u>APPROPRIATIONS</u>		<u>CURRENT</u> <u>BUDGET</u>	<u>CHANGES</u>	<u>AMENDED</u> <u>BUDGET</u>
<u>Account</u>	<u>Description</u>			
800	Personnel	\$11,206	\$ - 952	\$10,254
805	Fringe Benefits	1,262	- 194	1,068
810	Office Supplies	690	- 690	0
826	Other Expenses	0	<u>+1,836</u>	1,836
	Total Change to Appropriations		<u>-0-</u>	

and be it further

RESOLVED, that the budget for the HIICAP grant, project 166, for the period October 1, 1999 through March 15, 2001 be amended as follows:

<u>APPROPRIATIONS</u>		<u>CURRENT</u> <u>BUDGET</u>	<u>CHANGES</u>	<u>AMENDED</u> <u>BUDGET</u>
<u>Account</u>	<u>Description</u>			
810	Office Supplies	\$ 200	\$ - 124	\$ 76
812	Food & Kitchen	50	- 50	0
826	Other Expenses	3,480	+ 1,000	4,480
880	Interfund Expenses	1,076	- 826	250
	Total Change to Appropriations		<u>\$ - 0 -</u>	

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and be it further

RESOLVED, that the County Executive is authorized to enter into contract with the City of Lackawanna for the operation of a Transportation for the Elderly Program van for the period January 1, 2001 through December 31, 2001,

and be it further

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

GEORGE A. HOLT, JR.
CHAIRMAN

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

CARRIED UNANIMOUSLY.

Item 25 – MRS. FISHER presented the following resolution and moved for immediate consideration. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 124

March 8, 2001

HEALTH/MENTAL HEALTH
 COMMITTEE
 REPORT NO. 4

ALL MEMBERS PRESENT.

1. Item Page - 2001 (Comm. 6E-25)
COUNTY EXECUTIVE

WHEREAS, the Erie County Health Department provides an important program of pediatric care at various sites in Erie County, and

WHEREAS, we wish to renew an agreement with the Buffalo Municipal Housing Authority to lease space in a building at its Perry Valley site located at 394, 398-400 South Park Avenue, Buffalo, New York, at the existing rental of three dollars (\$3.00) per year for the period March 1, 2001 through February 28, 2002.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby approves of this community service and authorizes the County Executive to renew an agreement with the Buffalo Municipal Housing Authority, at a rate of three dollars (\$3.00) per year, for the period March 1, 2001 through February 28, 2002 for rental of space at 394, 398-400 South Park Avenue, Buffalo, New York, and be it further

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

(5-0)

2. Item Page - 2001 (Comm. 6E-26)

COUNTY EXECUTIVE

WHEREAS, the Erie County Health Department operates a Women's Health Services Program which provides comprehensive family planning services to at-risk adolescents and other medically indigent women and men at various locations within Erie County, and

WHEREAS, the Erie County Health Department has recently received an amended grant award from the New York State Health Department which includes an additional \$8,556 for a TANF One-Time Funding award for the Women's Health Services Program.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to enter into an agreement with New York State to accept the amended grant award to be budgeted as follows:

WOMEN'S HEALTH SERVICES
4/1/00- 3/31/01
PROJECT #323

SFG CODE	REVENUE	CURRENT BUDGET	CHANGES	REVISED BUDGET
386	PRIVATE PAY	\$ 2,990	0	\$ 2,990
387	MEDICAID	539,546	0	539,546
549-166	INSURANCE	5,200	0	5,200
575	STATE AID	341,493	+8,556	350,049
685-2700	INTERFUND-NON SUBSIDY	<u>69,444</u>	<u>0</u>	<u>69,444</u>
	TOTAL REVENUE	\$ 958,673	\$ +8,556	\$ 967,229
APPROPRIATIONS				
800	PERSONAL SERVICES	\$ 517,653	\$ 0	\$ 517,653
805	FRINGE BENEFITS	109,146	0	109,146
810	OFFICE SUPPLIES	6,000	+ 2,710	8,710
814	MEDICAL SUPPLIES	69,000	0	69,000
816	MAINT SUPPLIES	150	0	150
821	DUES & FEES	64,000	0	64,000

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822	RENTAL CHARGES	500	0	500
823	REPAIRS & MAINT	10,500	0	10,500
824	LOCAL MILEAGE	6,650	0	6,650
825	TRAVEL-OUT OF AREA	4,500	0	4,500
826	OTHER EXPENSES	35,653	0	35,653
880-2700	INTERFUND HEALTH DEPT.	23,168	0	23,168
880-2720	INTERFUND PUBLIC HEALTH LAB	16,635	0	16,635
880-4000	INTERFUND ECMC	54,800	0	54,800
880-5100	INTERFUND-DISS	9,818	0	9,818
883-2709	INTERDEPT-HEALTH GRANTS	(500)	0	(500)
932	OFFICE EQUIPMENT	3,000	+5,314	8,314
933	LAB & TECHNICAL EQUIPMENT	<u>28,000</u>	<u>+532</u>	<u>28,532</u>
TOTAL APPROPRIATIONS		<u>\$958,673</u>	<u>\$ +8,556</u>	<u>\$ 967,229</u>

and be it further

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

3. Item Page - 2001 (Comm. 6E-31)

COUNTY EXECUTIVE

WHEREAS, ECMC issued a Request for Proposal (RFP) seeking response from building owners, realtors and developers regarding the identification of space to be leased by the County for operating the Downtown Alcohol Clinic, and

WHEREAS, the Downtown Alcohol Clinic has been operating at 1280 Main Street, Buffalo, New York, since 1991; and

WHEREAS, only the current owner of the building at which the Downtown Alcohol Clinic is presently located responded to the RFP; and

WHEREAS, ECMC Administration is recommending that the County award the lease to the owner of the existing Downtown Alcohol Clinic site so as to continue operations there; and

WHEREAS, there is currently a need for only 25,000 square feet at the Downtown Clinic rather than the previously leased 32,000 square feet; and

WHEREAS, the proposed cost of the lease is \$8.45 per square foot, with the cost comprising property taxes, insurance, grounds maintenance and building maintenance costs, rather than the previous lease cost of \$9.25 per square foot; and

WHEREAS, the annual cost of the lease is \$211,250, rather than the previous cost of \$296,000 annually; and

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WHEREAS, The Board of Managers of the Erie County Medical Center enacted a resolution on January 11, 2001 recommending that the County enter into the lease with the owner of the existing Downtown Alcohol Clinic site.

NOW, THEREFORE, BE IT,

RESOLVED, that based upon the proposal received through the prescribed RFP process, the Erie County Legislature does hereby authorize the County Executive to enter into a lease with Bernice Yeracaris and Constantine Yeracaris for the County's use of the building at 1280 Main Street; and be it further

RESOLVED, that the aforementioned lease shall be at lease cost of \$8.45 per square foot for 25,000 square feet at an annual cost of \$211,250, and shall comprise basic lease costs, insurance, grounds maintenance, building maintenance and property taxes, and be it further

RESOLVED, that in accordance with the terms of the RFP, the lease shall be for a term of three years, commencing on February 1, 2001; and be it further

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

(5-0)

JUDITH P. FISHER
CHAIRPERSON

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

CARRIED UNANIMOUSLY.

LEGISLATORS RESOLUTIONS

Item 26 – MS. PEOPLES presented the following resolution and moved for immediate consideration. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 125

Re: Recertification of Alden
 Agricultural District (EC #7) and
 Lancaster – Alden Agricultural
 District (EC #16). (Intro. 7-1)

A RESOLUTION SUBMITTED BY LEGISLATORS

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SWANICK, PEOPLES, KUWIK, FITZPATRICK, HOLT, FISHER, OLMA, DeBENEDETTI,
GREENAN, MARINELLI, CHASE, McCARVILLE, PAULY, WEINSTEIN, RANZENHOFER &
LARSON

WHEREAS, the Erie County Legislature held a public hearing on August 14, 2000, regarding the 8-year review of the Alden Agricultural District (EC#7) and the Lancaster-Alden Agricultural District (EC#16) which were created in 1975 and 1983 respectively and recertified every 8 years thereafter; and

WHEREAS, the Alden Agricultural District was approved without modification and the Lancaster-Alden Agricultural District was approved with modification and adopted by the Erie County Legislature by resolution on October 19, 2000; and

WHEREAS, the necessary documentation on the two agricultural districts were forwarded to the New York State Department of Agriculture and Markets for State review and recertification as required by law; and

WHEREAS, the New York State Department of Agriculture and Markets has notified Erie County of the State recertification in a communication dated February 16, 2001.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the recertified Alden Agricultural District (EC#7) without modification and the Lancaster-Alden Agricultural District (EC#16) with modification with its anniversary date of March 1, 2000 and April 28, 2000 respectively; and be it further

RESOLVED, that upon adoption of this resolution, the Clerk of the Legislature be directed to forward certified copies of this resolution to the Erie County Clerk, the Erie County Department of Environment and Planning (Chet Jandzinski), the Commissioner of the New York State Department of Agriculture and Markets, and New York State Department of Transportation (Buffalo Office), and the Towns of Alden and Lancaster (Supervisor and Town Clerk).

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

CARRIED UNANIMOUSLY.

Item 27 - CHAIRMAN SWANICK directed that the following resolution be referred to the PUBLIC SAFETY COMMITTEE.

GRANTED.

Intro. 7-2 From LEGISLATORS WEINSTEIN, GREENAN, CHASE, McCARVILLE, RANZENHOFER & LARSON. Re: Requesting the New York State Legislature to Increase the Number of Public Service Announcements Regarding Car Seat Safety.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 126

Re: Opposing New Era Cap Company's
 Outsourcing of Jobs to Non-Union and Non-
 Local Workers. (Intro. 7-3)

A RESOLUTION SUBMITTED
 BY LEGISLATORS DUSZA, FISHER, PEOPLES, SWANICK, FITZPATRICK, HOLT,
 MARINELLI, KUWIK, & PAULY

WHEREAS, New Era Cap Company produces all the on-field caps for Major League and Minor League baseball, and also manufactures caps for the NBA, NFL, NHL, PGA, and Little League, and

WHEREAS, New Era operates a plane in Derby, NY, and

WHEREAS, those workers are currently operating without a contract, with negotiations being stalled, and

WHEREAS, during contract negotiations New Era proposed to cut wages by 40 percent and reduce a mid-year bonus by 83 percent, and

WHEREAS, this comes as the Derby plant's workers have not received a raise in three years, pay between \$245 to \$329 per month for family health care, and receive no pension plan – all while making on average only \$12.14 per hour, and

WHEREAS, now, in the midst of said negotiations, on January 5 New Era announced the layoff of 125 CWA workers at the Derby plant, with another 100 being laid off by June 1, and

WHEREAS, the work these union members were performing will be sent to a non-union plant in the City of Buffalo and to two non-union plants in Alabama, and

WHEREAS, the Communications Workers of America (CWA) represents 450 workers at said plant, and contacted the Legislature concerning the loss of jobs slated for the Derby facility, and

WHEREAS, the shift of work to the Buffalo plant must be viewed skeptically, as the plant is locate in an out of date building, while the three plants in Alabama are new facilities, and

WHEREAS, while the Erie County Legislature has a strong record of supporting and fostering economic development and job creation efforts, this Honorable Body also has a strong record of supporting workers' rights and fair labor practices, and must therefore not sit idly by while productive workers are losing their jobs and said jobs are being systematically filtered out of the area, and

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WHEREAS, the solution in the best interests of all involved would be to reinstate the laid off workers while simultaneously returning to the negotiating table in good faith,

NOW, THEREFORE BE IT,

RESOLVED, that the Erie County Legislature does hereby reaffirm its commitment to the creation and retention of good jobs in our region, and be it further

RESOLVED, that this Honorable Body does hereby strongly urge New Era Cap Company to rehire the 125 laid off workers at the Derby plant, put on hold the plans to lay off any additional workers at said plant, and return to the negotiating table in good faith in order to keep said jobs in our community while receiving a quality work product from said workers, and be it further

RESOLVED, that this Honorable Body does hereby memorialize the commissioners of the organizations for whom New Era produces caps to contact the company and voice concern over the treatment of the workers at the Derby plant, and the loss of jobs at that facility, and be it further

RESOLVED, that certified copies of this resolution be sent to New Era Cap Company CEO David Koch (8061 Erie Rd., Derby, NY 14047), Communications Workers of America Local 14177 President Jane Howald (3719 Union Rd., Suite 122, Buffalo, NY 14225), National Association of Professional Baseball Leagues, Inc. Commissioner Bud Selig (201 Bayshore Dr. SE, Saint Petersburg, FL 33701-3903), Little League President & CEO Stephen Keener (PO Box 3485, Williamsport, PA 17701), National Hockey League Commissioner Gary Bettman (1251 Avenue of the Americas, New York, NY 10020-1104), National Basketball Association Commissioner David Stern (645 5th Ave., New York, NY 10022), National Football League Commissioner Paul Tagliabue (2021 L St., NW, Washington, DC 20036), and Professional Golfers' Association CEO Jim Awtrey (100 Avenue of the Champions, Palm Beach Gardens, FL 33410).

Fiscal Impact: Loss of Jobs in Derby Has Negative Impact on Local Economy.

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

CARRIED UNANIMOUSLY.

ADD THE FOLLOWING LEGISLATORS AS CO-SPONSORS:

GREENAN, LARSON, CHASE, & McCARVILLE.

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

CARRIED UNANIMOUSLY.

Item 29 – CHAIRMAN SWANICK directed that the following resolution be referred to the REGIONALISM AD HOC COMMITTEE.

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GRANTED.

Intro. 7-4 From LEGISLATORS SWANICK, PEOPLES, KUWIK, FITZPATRICK, HOLT, FISHER, DUSZA, MARINELLI & PAULY Re: Promoting Effective Regionalization of Erie County Water Authority.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 127

Re: Support for Phases 2 & 3 of
 Elimination of the County's Real
 Estate Transfer Tax. (Intro. 7-5)

A RESOLUTION SUBMITTED BY
 LEGISLATORS SWANICK, PEOPLES, KUWIK, FITZPATRICK,
 HOLT, FISHER, DUSZA, MARINELLI & PAULY

WHEREAS, Erie County's Real Estate Transfer Tax, first enacted in 1990, has had a deleterious effect on home sales throughout Erie County, and

WHEREAS, Erie County realtors and property developers have been placed at an unfair disadvantage when compared to other counties in Western New York; indeed, Erie County's is the only local property transfer tax among the eight counties of Western New York, and

WHEREAS, this tax, which amounts to \$5 per thousand on the sale of a piece of property, was originally enacted to assist in funding the Niagara Frontier Transportation Authority (NFTA), and

WHEREAS, funding from this levy was subsequently shifted to fund Erie County's road fund, and

WHEREAS, the elimination of the transfer tax represents no diminution of this Honorable Body's desire to continue to reduce real property taxes, and

WHEREAS, members of the Erie County Legislature have filed local laws seeking the elimination of the county's portion of the transfer tax, and

WHEREAS, county transfer tax revenue is budgeted at \$6.019 million for fiscal year 2001, and

WHEREAS, in the interests of mitigating the impact of the loss of that revenue, the county should explore options toward phasing-in the elimination of the transfer tax, and

WHEREAS, on July 13, 2000, after consultation with and obtaining the support of the County Executive, the Erie County Legislature adopted Intro. 16-3 (2000), authorizing a proposal to phase-out the transfer tax gradually, as follows:

Effective January 1, 2001: The county would authorize, via local law, the removal of the "double taxation" portion of the levy affecting the construction and development

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of new homes, pursuant to home rule legislation adopted by the Legislature previously.

- Effective January 1, 2002: Reduction of county portion of transfer tax an additional 50% to \$2.50 per thousand.
- Effective January 1, 2003: Total elimination of county's portion of transfer tax.

And

WHEREAS, the reduction and elimination of the transfer tax translates into no reduction in the county's commitment to the repair of county roads and bridges, and

WHEREAS, the aforementioned resolution was adopted with the understanding that the reduction in revenue realized by the county from the transfer tax that is currently dedicated to the county's road fund for road and bridge repair would be offset by utilizing other revenues for road repair purposes, such as the sales tax, and

WHEREAS, the Legislature did authorize the removal of the "double taxation" portion of the transfer tax via local law on November 30, 2000, and

WHEREAS, in order to move forward with the final two phases of the elimination of the transfer tax, the Legislature must seek authorization from the state to eliminate the tax, and must thereafter adopt a local law effectuating such a change, and

WHEREAS, adoption of this resolution will effectively begin this process,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby recognize the need to continue its stated desire to reduce taxes, including taxes which most seriously impact working families' respective abilities to own, keep and maintain real property in Erie County, and be it further

RESOLVED, that this Honorable Body does hereby endorse the proposed elimination of the county's \$5 per thousand portion of the real estate transfer tax, in the following manner:

- Effective January 1, 2002: Reduction of county portion of transfer tax an additional 50% to \$2.50 per thousand.
- Effective January 1, 2003: Total elimination of county's portion of transfer tax.

And be it further

RESOLVED, that this Honorable Body does hereby request that home rule legislation be filed within both houses of the New York State Legislature allowing for the County of Erie to eliminate the real estate transfer tax, in order that the county may forward to the state the appropriate Home Rule Request, asking that the state authorize the legislation, so that the county may adopt local legislation effectuating the change, and be it further

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RESOLVED, that consistent with the Legislature's commitment to the repair and maintenance of county highways, this Honorable Body is hereby committed to ensuring that the lost revenue from the transfer tax not result in the reduction of resources dedicated to the repair and maintenance of the county's roads and bridges, and, as such, the county's road fund budget shall be funded in a like amount through other revenues in subsequent fiscal years, following elimination of the Real Estate Transfer Tax, and be it further

RESOLVED, that this Honorable Body does hereby request that the Department of Law work with legislative staff to draft and develop a local law and any and all companion legislation necessary to effectuate the reduction of the county's real estate transfer tax to \$2.50 per thousand effective January 1, 2002, and its total elimination effective January 1, 2003, and be it further

RESOLVED, that certified copies of this resolution be sent to the County Executive, the Comptroller, the Budget Director, and the County Attorney, and to the Western New York Delegation to the New York State Legislature.

Fiscal Impact: To Be Determined.

MR. RANZENHOFER moved that the resolution be referred to the FINANCE & MANAGEMENT COMMITTEE. MR. GREENAN seconded.

CHAIRMAN SWANICK directed that a roll call vote be taken.

AYES: CHASE, GREENAN, LARSON, McCARVILLE, RANZENHOFER, WEINSTEIN, DeBENEDETTI. NOES: PAULY, DUSZA, FISHER, FITZPATRICK, HOLT, KUWIK, MARINELLI, PEOPLES, SWANICK. AYES – 7, NOES – 9.

DEFEATED.

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

CHAIRMAN SWANICK directed that a roll call vote be taken.

AYES: PAULY, DUSZA, FISHER, FITZPATRICK, HOLT, KUWIK, MARINELLI, PEOPLES, SWANICK. NOES: CHASE, GREENAN, LARSON, McCARVILLE, RANZENHOFER, WEINSTEIN, DeBENEDETTI. AYES – 9, NOES – 7.

CARRIED.

Item 31 - CHAIRMAN SWANICK directed that the following resolution be referred to the PUBLIC SAFETY COMMITTEE.

GRANTED.

Intro. 7-6 From LEGISLATORS CHASE, GREENAN, WEINSTEIN, RANZENHOFER, McCARVILLE & LARSON. Re: Amending Section 1210 of the New York State Vehicle and Traffic Law to Include Language Regarding Automatic Car Starters.

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

CARRIED UNANIMOUSLY

RESOLUTION NO. 128

Re: Giambra Administration's Plan to Hire
 a Lobbyist for County Government.
 (Intro. 7-7)

A RESOLUTION SUBMITTED BY
 LEGISLATORS PEOPLES, MARINELLI & SWANICK

WHEREAS, Erie County's budget is significantly impacted by actions on the state level, and

WHEREAS, cuts in state aid and in state reimbursements for certain services performed by the county on the state's behalf, including but not limited to CHIPS highway improvement aid, incarceration and probation reimbursements and other such services, and

WHEREAS, while Erie County continues to enjoy representation in the state legislature by one of the most effective and influential regional delegations in New York State, and

WHEREAS, for many years, at the request of the Erie County Executive, the Erie County Legislature authorized the county to retain the services of a lobbyist to enhance the representation of Erie County's interests in Albany, and

WHEREAS, the firm employed in the past, Bolton-St. Johns, Inc., was retained at a maximum cost of \$34,000 annually, and

WHEREAS, in each event that the aforementioned firm was considered for retention, the principal lobbyist assigned to represent Erie County, former Assembly Speaker Melvin Miller, appeared at a legislative committee meeting to discuss the services to be provided under the contract and to ask questions about the proposal, and

WHEREAS, in each event, a Request for Proposal was issued by the county for these services, in accordance with the competitive bidding procedures required under section 19.08 of the Erie County Administrative Code, and

WHEREAS, published reports in *The Buffalo News* indicate that the Giambra Administration has contracted with former Erie County Republican Party Chairman Victor Farley to act as the county's lobbyist in Albany, and

WHEREAS, the Legislature has not been requested to authorize the County Executive to enter into contractual agreements with Mr. Farley and/or his lobbying firm for this purpose, as was the case in past years with Bolton-St. Johns, and

WHEREAS, if the county is to enter into an agreement with Mr. Farley and/or his lobbying firm, the Legislature wishes to remain consistent with the process employed under the former county administration

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and interview the prospective lobbyist within the Legislature's committee process, and subsequent to that interview take a vote on the authorization of the lobbyist, and

WHEREAS, it is incumbent upon the County executive to follow the competitive bidding procedures outlined in the administrative code and to submit to the legislature a proposal for authorization to enter into contract for such purpose,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby reaffirm its commitment to the county's bidding procedures and other such procedures for employing outside consulting, professional and/or technical services as mandated by the Erie County Administrative Code, and be it further

RESOLVED, that this Honorable Body does hereby express its concern relative to published reports that the Giambra administration has retained the services of a lobbyist in the absence of legislative authorization to do so, and be it further

RESOLVED, that this Honorable Body does hereby request that the County Executive report, in writing, to the Legislature within 7 days on the following points:

1. Has the Giambra administration retained the services of a lobbyist, consultant or other professional for the purposes of the representation of the County of Erie's governmental interests as they relate to the government of the State of New York, as was reported in the March 11, 2001 edition of *The Buffalo News*?
2. If such services have been retained, who is the vendor to perform such services, and were such services advertised for in a Request for Proposals, in accordance with 19.08 of the Administrative Code? How much are such services to cost county taxpayers in 2001?
3. Was a contractual agreement between the county and the vendor executed? Since Legislative authorization was not sought, under what authority was such a contract executed?
4. Will the vendor attend a future meeting of the Legislature's Finance and Management Committee to answer legislators' questions, in a manner similar to the process employed under the former county administration?
5. Why did the county break with traditional practice of submitting a request for authorization to enter into contract for such services, as was the case in each instance of hiring a lobbyist requested by the previous administration?

And be it further

RESOLVED, that the County Attorney is hereby requested to file an opinion with the Legislature concerning the County Executive's requirements to submit such proposals to the Legislature for authorization, including references to the appropriate section(s) of the Erie County Administrative Code concerning competitive bidding as well as the need for the County Executive to seek authorization from the Legislature for such specific expenditures, given the precedent set by the previous administration to seek authorization for such services, and be it further

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RESOLVED, that certified copies of this resolution be sent to the County Executive and the County Attorney.

Fiscal Impact: To Be Determined.

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

CARRIED UNANIMOUSLY.

In the 3rd Resolve clause, change "Finance and Management" to "Government Affairs."

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

CHAIRMAN SWANICK directed that a roll call vote be taken.

AYES: PAULY, DeBENEDETTI, DUSZA, FISHER, FITZPATRICK, HOLT, KUWIK, MARINELLI, PEOPLES, SWANICK. NOES: CHASE, GREENAN, LARSON, McCARVILLE, RANZENHOFER, WEINSTEIN. AYES – 10, NOES – 6.

CARRIED.

Item 33 - CHAIRMAN SWANICK directed that the following resolution be referred to the FINANCE & MANAGEMENT COMMITTEE.

Intro. 7-8 From LEGISLATORS GREENAN, LARSON, CHASE, McCARVILLE, RANZENHOFER & WEINSTEIN. Re: Opposition to Sharing of Revenue Generated from Erie County's "Extra Penny" Sales Tax.

CHALLENGE TO THE CHAIR.

AYES: CHASE, GREENAN, LARSON, McCARVILLE, RANZENHOFER, WEINSTEIN. NOES: PAULY, DeBENEDETTI, DUSZA, FISHER, FITZPATRICK, HOLT, KUWIK, MARINELLI, PEOPLES, SWANICK. AYES – 6, NOES – 10.

DEFEATED.

Item 34 - CHAIRMAN SWANICK directed that the following resolution be referred to the FINANCE & MANAGEMENT COMMITTEE.

GRANTED.

Intro. 7-9 From LEGISLATORS GREENAN, WEINSTEIN, CHASE, McCARVILLE & RANZENHOFER Re: Support for City of Buffalo Application for Expanded Empire Development Zone.

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Item 35 – MRS. FISHER presented the following resolution and moved for immediate consideration. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 129

Re: Update on Air Conditions at
 County Hall. (Intro. 7-10)

A RESOLUTION SUBMITTED BY
 LEGISLATORS FISHER, PEOPLES & HOLT

WHEREAS, County Hall is home to offices for the District Attorney, the County Clerk's Office, the County Legislature, the Probation Department, and the county courts accommodating hundreds of employees and visiting residents on a daily basis, and

WHEREAS, an employee of the County Clerk's office in County Hall at 25 Delaware Ave has recently been diagnosed with Legionnaires' disease, and

WHEREAS, as a result the County Health Department conducted an inspection of the Clerk's office to search for sources of bacteria that may have lead to the contraction of Legionnaires' disease, and

WHEREAS, while no such bacteria was detected, the county building was found to have air quality problems, and

WHEREAS, the County Health Commissioner has requested that the Department of Public Works conduct a thorough clean-up of the County Hall building,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature places the health and safety of County employees and residents as a top priority, and be it further

RESOLVED, that this Honorable Body requests the presence of Erie County Health Commissioner Anthony Billittier and Public Works Commissioner Maria Lehman at the next meeting of the Legislature's Health Committee to discuss the air quality concerns at 25 Delaware Avenue and the clean-up plan proposed to address this issue, and be it further

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

Fiscal Impact: None for resolution.

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

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CARRIED UNANIMOUSLY.

Item 36 - MS. PEOPLES presented the following resolution and moved for immediate consideration. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 130

Re: Support for a Community Organization. (Intro. 7-11)

A RESOLUTION SUBMITTED BY LEGISLATORS SWANICK, PEOPLES, KUWIK, FITZPATRICK, HOLT, FISHER, DUSZA, MARINELLI & PAULY

WHEREAS, the Legislature set aside funds in the 2001 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 \$60,000 from the Extraordinary County Aid to Local Governments – Regionalism / Economic Development Fund (DAC: 110904303830) 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>
City of Lackawanna – Friendship House	830/0230	\$60,000
TOTAL		\$60,000

and be it further

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

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

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RESOLVED, that certified copies of this resolution be sent to County Executive Joel A. Giambra, County Comptroller Nancy A. Naples, Budget Director Joseph Passafiume, Jennifer Anger, Administrative Assistant Erie County Legislature, First Assistant County Attorney Susannah M. Bochenek, and to Mayor John J. Kuryak, City of Lackawanna (Friendship House), (Lackawanna City Hall, 714 Ridge Road, Lackawanna, NY 14218.)

Fiscal Impact: Appropriation of 2001-budgeted funds.

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 131

Re: Funding for Community Programs. (Intro. 7-12)

A RESOLUTION SUBMITTED BY LEGISLATOR WEINSTEIN

WHEREAS, the Legislature set aside funds in the 2001 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 \$6,400 from the County-wide Accounts – Budget - County Contingency (DAC: 110923310893) 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>
ECCPASA	830/0651	\$5,000

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Association	830/0654	\$1,400
TOTAL		\$6,400

and be it further

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

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

RESOLVED, that certified copies of this resolution be sent to County Executive Joel A. Giambra, County Comptroller Nancy A. Naples, Budget Director Joseph Passafiume, Jennifer Anger, Administrative Assistant Erie County Legislature, First Assistant County Attorney Susannah M. Bochenek, Sally Yageric, Parent Program Coordinator, ECCPASA, (1625 Hertel Avenue, Buffalo, NY 14216,) and to Edward B. Fisher, Vice President / Financial, Amherst Symphony Orchestra Association, (PO Box 1083, Williamsville, NY 14231-1083.)

Fiscal Impact: Appropriation of 2001-budgeted funds.

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

CARRIED UNANIMOUSLY.

Item 38 - MS. PEOPLES presented the following resolution and moved for immediate consideration. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 132

Re: Funding for Kids Voting for
2001. (Intro. 7-13)

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

WHEREAS, the Legislature set aside funds in the 2001 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

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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 \$12,500 from County-Wide-Accounts-Budget - Municipal Association Fees (DAC: 110923310830105) and \$12,500 from the Legislative Contractual (DAC: 110905100830), to Fund 110, Project 921, Department 301 Agency Payments & Grants - Public Benefit Services, (DAC: 110921301830) for paying the following agency:

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
Kids Voting USA (WNY)	830/0891	\$25,000
TOTAL		\$25,000

and be it further

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

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

RESOLVED, that certified copies of this resolution be sent to County Executive Joel A. Giambra, County Comptroller Nancy A. Naples, Budget Director Joseph Passafiume, Jennifer Anger, Administrative Assistant Erie County Legislature, First Assistant County Attorney Susannah M. Bochenek, and to Charles T.G. Ambrus, Director, Kids Voting USA (WNY), One News Plaza, PO Box 100, Buffalo, NY 14240.)

Fiscal Impact: Appropriation of 2001-budgeted funds.

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 133

Re: Funding for a Community
Group. (Intro. 7-14)

A RESOLUTION SUBMITTED BY LEGISLATOR DeBENEDETTI

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WHEREAS, the Legislature set aside funds in the 2001 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 \$81,250 from the County-wide Accounts – Budget - County Contingency (DAC: 110923310893) 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>
Northwest Buffalo Community Center	830/0356	\$81,250
TOTAL		\$81,250

and be it further

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

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

RESOLVED, that certified copies of this resolution be sent to County Executive Joel A. Giambra, County Comptroller Nancy A. Naples, Budget Director Joseph Passafiume, Jennifer Anger, Administrative Assistant Erie County Legislature, First Assistant County Attorney Susannah M. Bochenek, and to Larry Pernick, Northwest Buffalo Community Center, (55 Lawn Avenue, Buffalo, NY 14207.)

Fiscal Impact: Appropriation of 2001-budgeted funds.

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 134

Re: Support for Youth Services & Law Enforcement. (Intro. 7-15)

A RESOLUTION SUBMITTED BY LEGISLATOR DUSZA

WHEREAS, the Legislature set aside funds in the 2001 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 \$15,000 from the Extraordinary County Aid to Local Governments – Regionalism / Economic Development Fund (DAC: 110904303830) 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>
Village of Depew Police Dept.	830/1045	\$10,000
Lancaster / Depew Boys & Girls Club	830/0533	\$5,000
TOTAL		\$15,000

and be it further

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

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

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RESOLVED, that certified copies of this resolution be sent to County Executive Joel A. Giambra, County Comptroller Nancy A. Naples, Budget Director Joseph Passafiume, Jennifer Anger, Administrative Assistant Erie County Legislature, First Assistant County Attorney Susannah M. Bochenek, and to James Brennan, Chief of Police, Village of Depew Police Department, (85 Manitou, Depew, NY 14043,) and David Hoch, Lancaster / Depew Boys & Girls Club, (5440 Broadway, Lancaster, NY 14086.)

Fiscal Impact: Appropriation of 2001-budgeted funds.

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

CARRIED UNANIMOUSLY.

Item 41 – MS. CHASE presented the following resolution and moved for immediate consideration. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 135

Re: Support for Neighborhood
 Libraries & Community
 Organizations. (Intro. 7-16)

A RESOLUTION SUBMITTED BY LEGISLATOR CHASE

WHEREAS, the Buffalo & Erie County Public Library has identified a shortfall in funding for the Hamburg and Angola Branch Libraries, and will require additional funds, and

WHEREAS, the Legislature set aside funds in the 2001 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 \$6,000 from County-wide Accounts – Budget - County Contingency (DAC: 110923310893) to General Fund, Interfund Transfers, Interfund-Library (DAC 1109253208864200), and be it further

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

RESOLVED, that the Erie County Library Budget is hereby amended, to increase the following accounts: Furniture & Fixtures (DAC: 820973420932) \$1,000, and Hamburg Public Libraries (DAC: 820973420830168) \$5,000, and be it further

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RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$14,750 from the County-wide Accounts – Budget - County Contingency (DAC: 110923310893) 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>
Community Concern of Evans & Brant	830/	\$9,750
Hamburg Chamber of Commerce	830/1171	\$5,000
TOTAL		\$14,750

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, the Director of the Division of Budget, Management & Finance, and the Director of the Buffalo & Erie County Public Library, are hereby authorized to complete any paperwork necessary to effectuate this transfer of funds, and be it further

RESOLVED, that certified copies of this resolution be sent to County Executive Joel A. Giambra, County Comptroller Nancy A. Naples, Budget Joseph A. Passafiume, Jennifer Anger – Administrative Assistant Erie County Legislature, First Assistant County Attorney Susannah Bochenek, Diane Crisman, Director, Buffalo & Erie County Public Library, Jerry S. Bartone, Executive Director, Community Concern of Evans & Brant, (6722 Erie Road, Derby, NY 14047,) and to Betty B. Newell, President & CEO, Hamburg Chamber of Commerce, (8 South Buffalo Street, Hamburg, NY 14075.)

Fiscal Impact: Appropriation of 2001-budgeted funds.

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

CARRIED UNANIMOUSLY.

Item 42 - MS. PEOPLES presented the following resolution and moved for immediate consideration. MRS. FISHER seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 136

Re: Support for Community Organizations. (Intro. 7-17)

A RESOLUTION SUBMITTED BY LEGISLATOR PEOPLES

WHEREAS, the Legislature set aside funds in the 2001 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

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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 \$35,000 from the Extraordinary County Aid to Local Governments – Regionalism / Economic Development Fund (DAC: 110904303830) 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>
Michigan Street Preservation Corporation	830/1172	\$25,000
Ujima Theatre	830/0410	\$2,000
Juneteenth Festival, Inc.	830/1202	\$2,000
African Cultural Center	830/0380	\$6,000
TOTAL		\$35,000

and be it further

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

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

RESOLVED, that certified copies of this resolution be sent to County Executive Joel A. Giambra, County Comptroller Nancy A. Naples, Budget Director Joseph Passafiume, Jennifer Anger, Administrative Assistant Erie County Legislature, First Assistant County Attorney Susannah M. Bochenek, and to Kevin Cotrell, Director, Michigan Street Preservation Corporation, (PO Box 176 Bridge Station, Niagara Falls, NY 14305), Ujima Theatre, (545 Elmwood Avenue, Buffalo, NY 14222,) Marcus Brown, President, Juneteenth Festival Inc., (1517 Genesee Street, Buffalo, NY 14211,) and to Nettie Anderson, President, African Cultural Center, (753 Humboldt Parkway, Buffalo, Y 14208).

Fiscal Impact: Appropriation of 2001-budgeted funds.

MS. PEOPLES moved to amend the resolution. MRS. FISHER seconded.

CARRIED UNANIMOUSLY.

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INSERT the following after the first **RESOLVE**:

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$26,000 from the Extraordinary County Aid to Local Governments – Regionalism / Economic Development Fund (DAC: 110904303830) 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>
Pilgrim St. Luke Church of Christ – Community Resource Center	830/	\$5,000
Naval Sea Cadet Program – International Exchange Program	830/	\$1,000
Buffalo & Erie County Historical Society – Pan Am Video	830/	\$20,000
TOTAL		\$26,000

and be it further

DELETE the final **RESOLVE** and ***REPLACE*** with the following:

RESOLVED, that certified copies of this resolution be sent to County Executive Joel A. Giambra, County Comptroller Nancy A. Naples, Budget Director Joseph Passafiume, Jennifer Anger, Administrative Assistant Erie County Legislature, First Assistant County Attorney Susannah M. Bochenek, and to Kevin Cotrell, Director, Michigan Street Preservation Corporation, (PO Box 176 Bridge Station, Niagara Falls, NY 14305), Ujima Theatre, (545 Elmwood Avenue, Buffalo, NY 14222,) Marcus Brown, President, Juneteenth Festival Inc., (1517 Genesee Street, Buffalo, NY 14211,) Nettie Anderson, President, African Cultural Center, (753 Humboldt Parkway, Buffalo, Y 14208,) Rev. Dr. M. Bruce McKay, Pilgrim St. Luke Church of Christ, (335 Richmond Avenue, Buffalo, NY 14222,) Charles T. Alaimo, Naval Sea Cadet Program, (540 Ashland Avenue, Buffalo, NY 14222,) William H. Siener, Executive Director, Buffalo & Erie County Historical Society, (25 Nottingham Court, Buffalo, NY 14216.)

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

CARRIED UNANIMOUSLY.

Item 43 - MR. LARSON presented the following resolution and moved for immediate consideration. MS. PEOPLES seconded.

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CARRIED UNANIMOUSLY.

RESOLUTION NO. 137

Re: Funding for a Neighborhood
 Library. (Intro. 7-18)

A RESOLUTION SUBMITTED BY LEGISLATOR LARSON

WHEREAS, the Buffalo & Erie County Public Library has identified a shortfall in funding for the Lancaster Branch Library, and will require additional funds, and

WHEREAS, the Legislature set aside funds in the 2001 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 \$10,000 from County-wide Accounts – Budget - County Contingency (DAC: 110923310893) to General Fund, Interfund Transfers, Interfund-Library (DAC 1109253208864200), and be it further

RESOLVED, that the Erie County Library Budget is hereby amended, to increase the following accounts: Interfund-Subsidy revenue (DAC 8209734206863200) \$10,000, and be it further

RESOLVED, that the Erie County Library Budget is hereby amended, to increase the following accounts: Furniture & Fixtures (DAC: 820973420932) \$5,113, and Library Materials (DAC: 820973420938) \$4,887, and be it further

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

RESOLVED, that certified copies of this resolution be sent to County Executive Joel A. Giambra, County Comptroller Nancy A. Naples, Budget Joseph A. Passafiume, Jennifer Anger – Administrative Assistant Erie County Legislature, First Assistant County Attorney Susannah Bochenek and one copy to Diane Crisman, Director, Buffalo & Erie County Public Library.

Fiscal Impact: Appropriation of 2001-budgeted funds.

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

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CARRIED UNANIMOUSLY.

Item 44 - CHAIRMAN SWANICK directed that the following resolution be referred to the FINANCE & MANAGEMENT COMMITTEE.

GRANTED.

Intro. 7-19 From LEGISLATORS GREENAN, RANZENHOFER, CHASE, McCARVILLE & LARSON Re: Support for U.S. Senate Bill (S.306) "Coverdell Education Savings Accounts Act of 2001".

Item 45 – MRS. FISHER presented the following resolution and moved for immediate consideration. MR. DeBENEDETTI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 138

Re: Preservation of Squaw Island as
 Greenspace. (Intro. 7-20)

A RESOLUTION SUBMITTED BY
 LEGISLATORS DeBENEDETTI & FISHER

WHEREAS, Squaw Island, located at the foot of Ferry Street in the City of Buffalo features 84 acres of prime waterfront land, and

WHEREAS, the Island is home to Broderick Park, Bird Island and Bird Island Pier and offers a magnificent view of the City of Buffalo, and

WHEREAS, for over 25 years the land served as the site for the City's garbage incinerator, polluting the air, ground and water, and

WHEREAS, over the past decade the City, under guidance from the New York State Department of Environmental Conservation, conducted clean-up efforts of the site, restoring much of the natural landscape on the island, and

WHEREAS, in the late 1990's the City of Buffalo and County of Erie held discussions proposing transfer of Squaw Island to the county, and

WHEREAS, in the fall of 2000 the incinerator was finally torn down clearing the way for a beautiful public outdoor recreational area,

NOW, THEREFORE, BE IT

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RESOLVED, that the Erie County Legislature does hereby recognize Squaw Island as a valuable greenspace on the City of Buffalo's waterfront, and be it further

RESOLVED, that this Honorable Body further urges the City of Buffalo to protect this beautiful landscape by officially designating Squaw Island, specifically the area north of the Buffalo Sewer Authority, as a preserved parkland, and be it further

RESOLVED, that this Honorable Body hereby requests a report from the County Department of Parks on the status of discussions involving transfer of Squaw Island to the county, and be it further

RESOLVED, that certified copies of this resolution be forwarded to City of Buffalo Mayor Anthony Masiello, the Common Council, County Parks Commissioner Larry Jasinski, Voice Buffalo (c/o Carol Brothers, 303 Newfield Avenue, Buffalo, NY 14207) and North District Waterfront Review Committee (c/o Joe Kedron, 2475 Niagara Street, Buffalo, NY 14207).

Fiscal Impact: None for resolution.

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

CARRIED UNANIMOUSLY.

Item 46 - CHAIRMAN SWANICK directed that the following resolution be referred to the FINANCE & MANAGEMENT COMMITTEE.

GRANTED.

Intro. 7-21 From LEGISLATOR HOLT Re: Update on Buffalo Place's Proposed Expansion.

Item 47 - CHAIRMAN SWANICK directed that the following resolution be referred to the HEALTH COMMITTEE.

GRANTED.

Intro. 7-22 From LEGISLATOR FISHER Re: Opposing Governor Pataki's Proposed Merger of the WNY Children's Psychiatric Center with the Buffalo Psychiatric Center.

Item 48 - MS. PEOPLES presented the following resolution and moved for immediate consideration. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 139

Re: Supporting the Expansion of
the Empire Zone Program.
(Intro. 7-23)

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A RESOLUTION SUBMITTED BY LEGISLATORS

SWANICK, PEOPLES, KUWIK, FITZPATRICK, HOLT, FISHER, DUSZA, MARINELLI & PAULY

WHEREAS, the Empire Zone program provides enhanced economic development benefits to economically distressed communities in an effort to attract and retain good paying jobs within certain geographic areas as designated by the state, and

WHEREAS, approved Empire Zone businesses receive job training funds and enjoy business tax incentives for a 10 year period followed by an annual 20 percent phase-out, and

WHEREAS, 54 Empire Zones have been designated in distressed communities throughout New York State with an additional 6 to be scheduled by the state in 2001, and

WHEREAS, among those areas in western New York that have qualified for Empire Zone designation are parts of Buffalo, Lackawanna, Niagara Falls, Dunkirk and Jamestown, and

WHEREAS, Governor Pataki is currently proposing that the geographic area of 22 Empire Zones in upstate New York be doubled and expanded to promote an increase in job creation and private investment in certain distressed upstate communities, and

WHEREAS, this program has proven to be a highly successful tool in the development of New York State's economic recovery, and

WHEREAS, it has long been a priority of this House to support incentives and legislation that enhance the economic climate of this region by improving upstate New York's job creation and retention rates,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby memorialize the Governor and State Legislature to pass legislation that supports the expansion of Empire Zones within New York State; and be it further

RESOLVED, that this Honorable Body hereby reaffirms its commitment to job creation and economic development within the City of Buffalo and its surrounding suburbs; and be it further

RESOLVED, that certified copies of this resolution be forwarded to Governor George E. Pataki, the New York State Legislature, City of Buffalo Mayor Anthony Masiello (City Hall, Buffalo, 14202), Town of Tonawanda Supervisor Ronald Moline (Municipal Building, Kenmore, New York 14217) and the President of the Buffalo Economic Renaissance Council (Alan DeLisle, 617 Main Street, Buffalo, New York, 14203).

Fiscal Impact: Positive for New York State.

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 140

Re: Support for AIDS/HIV
 Education Initiative. (Intro. 7-24)

A RESOLUTION SUBMITTED BY LEGISLATORS SWANICK, PEOPLES, KUWIK,
 FITZPATRICK, HOLT, FISHER, DUSZA & PAULY

WHEREAS, the Legislature set aside funds in the 2001 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 \$75,000 from the Extraordinary County Aid to Local Governments – Regionalism / Economic Development Fund (DAC: 110904303830) 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>
LEWAC Associates of WNY	830/1181	\$75,000
TOTAL		\$75,000

and be it further

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

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

RESOLVED, that certified copies of this resolution be sent to County Executive Joel A. Giambra, County Comptroller Nancy A. Naples, Budget Director Joseph Passafiume, Jennifer Anger, Administrative Assistant Erie County Legislature, First Assistant County Attorney Susannah M. Bochenek, and to LEWAC Associates of WNY (1490 Jefferson Avenue, Buffalo, NY 14208.)

Fiscal Impact: Appropriation of 2001-budgeted funds.

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

CARRIED UNANIMOUSLY.

Item 50 - CHAIRMAN SWANICK directed that the following resolution be referred to the ECONOMIC DEVELOPMENT COMMITTEE.

GRANTED.

Intro. 7-25 From LEGISLATORS SWANICK & DUSZA Re: Equitable County Road Repair Throughout Erie County.

Item 51 - MS. PEOPLES presented the following resolution and moved for immediate consideration. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 141

Re: Health – Buffalo School Health Enhancement Project. (Intro. 7-26)

A RESOLUTION SUBMITTED BY
 LEGISLATORS FISHER, PEOPLES, HOLT, FITZPATRICK, KUWIK,
 DUSZA, SWANICK, MARINELLI & PAULY

WHEREAS, the Buffalo School District is the largest in Western New York with approximately 55,000 students enrolled in 87 public, private and parochial schools, and

WHEREAS, since 1948, the Erie County Health Department has been responsible for providing school health nursing services to all schools in the City of Buffalo, and

WHEREAS, currently only two of the 87 Buffalo schools have a registered nurse assigned to them five days a week, leaving most schools with very limited nursing

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services, and

WHEREAS, school staff without certified health training are often left with the responsibility of dispensing prescription medication to students as well as performing diabetes and other medical tests, and

WHEREAS, Erie County received payment in the amount of \$253,000 as a result of a fine ordered by the court for charges to the Buffalo Teachers Federation relating to the recent teachers strike, and

WHEREAS, the Legislature, in Intro. 4-13 (2001), froze the \$253,000 BTF fine in advance of its intended use to enhance the school nurse program in the city of Buffalo, and

WHEREAS, the Erie County Legislature has gone on record supporting improvements to the City of Buffalo school nurse program and has in fact earmarked \$250,000 in the 2001 budget to be used to place more nurses in City Schools, and

WHEREAS, the Chairman of the Erie County Legislature appointed a Task Force to study current nursing services, provided by the county to the Buffalo public schools; said Task Force included representatives of the Legislature, the Erie County Health Department, Buffalo Board of Education, and the New York State Nurses Association, and

WHEREAS, that said Task Force reported its findings and recommendations to the Legislature and to the County Executive,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby reaffirm its commitment to the 1948 agreement between the City and the County to provide effective, high quality nursing services within Buffalo Public Schools, and be it further

RESOLVED, that the Erie County Legislature hereby authorizes the creation of the Buffalo School Health Enhancement Project which is budgeted as follows:

BUFFALO SCHOOL HEALTH ENHANCEMENT PROJECT
May 1, 2001 – July 31, 2002

SFG ACCOUNT	REVENUE	BUDGET
685-2700	Department of Health	<u>\$377,369</u>
	TOTAL	<u>\$377,369</u>
	EXPENSE	
800	Personal Services	\$324,674

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805	Fringe Benefits	50,695
824	Local Travel	<u>2,000</u>
	TOTAL	<u>\$377,369</u>

and be it further

RESOLVED, that one full-time position of Assistant Supervising Public Health Nurse, JG N-3 and 4 Registered Nurse, Regular Part-Time, JG N-1, and 13 Registered Nurse, Part-Time, JG N-1 positions, are hereby created.

The following personnel detail is hereby submitted:

TITLE: Assistant Supervising Public Health Nurse	FUNDING: Art. 6 State Aid
JG: N3	CIVIL SERVICE: Yes
STEP: 8	
ANNUAL SALARY: \$50,764	
ANNUAL BENEFITS: \$11,168	

TITLE: Registered Nurse – RPT	FUNDING: Art. 6 State Aid
JG: N1	CIVIL SERVICE: Yes
STEP: 5	
ANNUAL SALARY: \$21,103	
ANNUAL BENEFITS: \$2,321	

TITLE: Registered Nurse – PT	FUNDING: Art. 6 State Aid
JG: N1	CIVIL SERVICE: Yes
STEP: 4	
ANNUAL SALARY: \$ 17.51 per hour	

and be it further

RESOLVED, that the Erie County Legislature hereby authorizes the following budgetary transactions:

Increase Account 880-2709 – Interfund – Health Grants	\$377,369
Increase Account 572 – State Aid	\$117,603
Decrease Account (DAC: 110904303830)	\$250,000

and be it further

RESOLVED, that \$9,766 in Unanticipated Revenue, from the \$253,000 fine paid to the county by the Buffalo Teachers Federation (BTF), be utilized as a source of revenue for the increase in the Interfund-Health account delineated in the immediately preceding RESOLVE clause, and be it further

RESOLVED, that the remaining portion of the BTF fine revenue, that being \$243,234, be frozen for potential future application by the county for purposes associated with the city’s school nurse program, and be it further

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RESOLVED, that the Health Commissioner is requested to report to the Legislature on or before November 1, 2001 as to the implementation of this program, and is requested to do so in writing to the Clerk of the Legislature, 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, Jennifer Anger, Administrative Assistant Erie County Legislature, the Department of Health, the Department of Personnel, the Department of Law, and the Superintendent of the Buffalo Public Schools.

Fiscal Impact: Expenditure of 2001-budgeted Funds.

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

CARRIED UNANIMOUSLY.

Item 52 - MS. PEOPLES presented the following resolution and moved for immediate consideration. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 142

Re: Personnel Adjustment.
(Intro. 7-27)

A RESOLUTION SUBMITTED BY LEGISLATORS SWANICK & PEOPLES

RESOLVED, that the Erie County Legislature does hereby delete one (1) position of ADMIN ASST LEG (Position No. 001667), effective March 10, 2001, and be it further

RESOLVED, that the Erie County Legislature does hereby create one (1) new position of SR ADMIN ASST LEG (JG 11), to Function 2000 – Clerk’s Staff – Administrative, effective March 10, 2001, and be it further,

RESOLVED, that the funds necessary to effectuate this adjustment are available as a result of existing vacancies within the Legislature’s 2001 budget for Personal Services, and be it further

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

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

FISCAL IMPACT: None.

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

CARRIED UNANIMOUSLY.

COMMUNICATIONS DISCHARGED FROM COMMITTEE

Item 53 – MS. PEOPLES moved to discharge the FINANCE & MANAGEMENT COMMITTEE from further consideration from Intro. 6-14. MR. WEINSTEIN seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 143

Re: Funding for a Local Networking Initiative.

A RESOLUTION SUBMITTED BY LEGISLATOR WEINSTEIN

WHEREAS, the Legislature set aside funds in the 2001 Erie County Budget for use by worthy community organizations and governmental agencies, and

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

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

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$5,000 from the County-wide Accounts – Budget - County Contingency (DAC: 110923310893) 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>
Village of Williamsville	830/	\$5,000
TOTAL		\$5,000

and be it further

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

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

RESOLVED, that certified copies of this resolution be sent to County Executive Joel A. Giambra, County Comptroller Nancy A. Naples, Budget Director Joseph Passafiume, Jennifer Anger, Administrative Assistant Erie County Legislature, First Assistant County Attorney Susannah M. Bochenek, and to Basil J. Piazza, Mayor, Village of Williamsville, (5565 Main Street, Williamsville, NY 14221.)

Fiscal Impact: Appropriation of 2001-budgeted funds.

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

CARRIED UNANIMOUSLY.

INSERT the following after the second WHEREAS clause:

WHEREAS, in order to enhance communications between the Village Hall of Williamsville and Amherst Town Hall, updating the technology with the installing of a fiber optic connection between the two municipalities will allow for a faster transmission of data, especially for tax assessment purposes, and

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

CARRIED UNANIMOUSLY.

SUSPENSION OF THE RULES

Item 54 – MS. PEOPLES moved for a suspension of the rules to include an item not on the agenda.

GRANTED.

CHAIRMAN SWANICK directed that Intro 7-28 be referred to the ENERGY & ENVIRONMENT COMMITTEE.

GRANTED.

Comm. 7M-28 From VILLAGE OF DEPEW Re: Sharing of 1% Sales Tax.

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Item 55 – MS. PEOPLES moved for a suspension of the rules to include an item not on the agenda.

GRANTED.

CHAIRMAN SWANICK directed that Intro 7-28 be referred to the ENERGY & ENVIRONMENT COMMITTEE.

GRANTED.

Intro. 7-28 From LEGISLATOR DUSZA Re: Encouraging Labor and Management at Verizon to Work Together on Labor Issues.

Item 56 – MS. PEOPLES moved for a suspension of the rules to include an item not on the agenda.

GRANTED.

CHAIRMAN SWANICK directed that Intro. 7-29 be referred to the ENERGY & ENVIRONMENT COMMITTEE.

GRANTED.

Intro 7-29 From LEGISLATORS GREENAN & SWANICK Re: Soil & Water Conservation District Employees.

Item 57 – MS. PEOPLES moved for a suspension of the rules to include an item not on the agenda.

GRANTED.

CHAIRMAN SWANICK directed that Comm. 7E-52 be referred to the FINANCE & MANAGEMENT COMMITTEE.

GRANTED.

Comm. 7E-52 From COMPTROLLER Re: Bond Resolution – 2001 Capital Projects.

Item 58 – MS. PEOPLES moved for a suspension of the rules to include an item not on the agenda.

GRANTED.

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CHAIRMAN SWANICK directed that Comm. 7M-29 be referred to the FINANCE & MANAGEMENT COMMITTEE.

GRANTED.

Comm. 7M-29 From WILLIAM STREET TAXPAYERS ASSOCIATION Re: Sharing of 1% Sales Tax.

COMMUNICATIONS FROM ELECTED OFFICIALS

FROM THE COMPTROLLER

Item 59 – (Comm. 7E-1) Apportionment & Distribution of 4% Sales Tax Received by Erie County from NYS for 2/01.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE COUNTY EXECUTIVE

Item 60 – (Comm. 7E-2) State of the County Message.

Received and filed.

Item 61 – (Comm. 7E-3) Audit – DPW – Federal Aid Projects for Road & Bridge Construction 1/1/91 – 7/31/00.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 62 – (Comm. 7E-4) Creation of Position in CPS.

Received and referred to the PERSONNEL AD HOC COMMITTEE.

FROM CHAIRMAN SWANICK

Item 63 – (Comm. 7E-5) Chairman's Designee to Advisory Committee on Reapportionment.

Received, filed and printed.

February 28, 2001

The Honorable
 Erie County Legislature
 25 Delaware Ave., 7th Floor
 Buffalo, NY 14202

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Honorable Members:

Section 210 of the Erie County Charter provides for appointments to the Legislature's Advisory Committee on Reapportionment. Section 210 states, "The county legislature shall appoint the advisory committee consisting of fifteen members, as follows: the chairman of the county legislature or his designee, the majority and minority leaders of the legislature or their designees, the commissioners of the board of elections or their designees, and ten residents of Erie county representing interested community groups, five of whom shall be appointed by the majority leader and five of whom shall be appointed by the minority leader."

As such, pursuant to Section 210, I hereby appoint the following individual as the Chairman's designee on the Advisory Committee on Reapportionment:

Mark Matthew Jasen, Esq.
 151 Walton Dr.
 Amherst, NY 14226

In addition to serving as the Chairman's designee, I hereby appoint Mr. Jasen as Chairman of the Advisory Committee on Reapportionment, pursuant to the power vested in me by Section 210.

Very truly yours,

Charles M. Swanick
 Chairman
 Erie County Legislature

FROM LEGISLATOR PEOPLES

Item 64 – (Comm. 7E-6) Majority Leader's Appointments to Advisory Committee on Reapportionment.

Received, filed and printed.

February 28, 2001

The Honorable
 Erie County Legislature
 25 Delaware Ave., 7th Floor
 Buffalo, NY 14202

Honorable Members:

Section 210 of the Erie County Charter provides for appointments to the Legislature's Advisory Committee on Reapportionment. Section 210 states, "The county legislature shall appoint the advisory

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committee consisting of fifteen members, as follows: the chairman of the county legislature or his designee, the majority and minority leaders of the legislature or their designees, the commissioners of the board of elections or their designees, and ten residents of Erie county representing interested community groups, five of whom shall be appointed by the majority leader and five of whom shall be appointed by the minority leader."

As such, pursuant to Section 210, I hereby appoint the following individuals as representatives of interested community groups, on the Advisory Committee on Reapportionment:

Louis P. Dudek
 42 Fox Chapel Dr.
 Orchard Park, NY 14127

Clarence Lott, Jr.
 21 Carl St., Unit 1
 Buffalo, NY 14215

Paulette Orlando
 89 Highgate Ave.
 Buffalo, NY 14214

David A. Sasiadek
 110 Franklin St.
 Lackawanna, NY 14218

George A. Thomas
 245 Warren Ave.
 Kenmore, NY 14217

Very truly yours,

Crystal D. Peoples
 Majority Leader
 Erie County Legislature

Item 65 – (Comm. 7E-7) Majority Leader’s Designee to Advisory Committee on Reapportionment.

Received, filed and printed.

February 28, 2001

The Honorable
 Erie County Legislature
 25 Delaware Ave., 7th Floor

MEETING NO. 7
March 15, 2001

ERIE COUNTY LEGISLATURE

Buffalo, NY 14202

Honorable Members:

Section 210 of the Erie County Charter provides for appointments to the Legislature's Advisory Committee on Reapportionment. Section 210 states, "The county legislature shall appoint the advisory committee consisting of fifteen members, as follows: the chairman of the county legislature or his designee, the majority and minority leaders of the legislature or their designees, the commissioners of the board of elections or their designees, and ten residents of Erie county representing interested community groups, five of whom shall be appointed by the majority leader and five of whom shall be appointed by the minority leader."

As such, pursuant to Section 210, I hereby appoint the following individual as the Majority Leader's designee on the Advisory Committee on Reapportionment:

Alonzo W. Thompson, Jr.
 811 Humboldt Pkwy.
 Buffalo, NY 14208

Very truly yours,

Crystal D. Peoples
 Majority Leader
 Erie County Legislature

FROM CHAIRMAN SWANICK

Item 66 – (Comm. 7E-8) Cancellation of Session on 3/15/01 & Rescheduling it on 3/22/01.

Received, filed and printed.

March 8, 2001

Laurie A. Manzella, Clerk
 Erie County Legislature
 25 Delaware Avenue – 7th Floor
 Buffalo, New York 14202

Dear Ms. Manzella:

Be advised that, pursuant to Rule No. 1 of the Erie County Legislature's *RULES OF ORDER*, I am canceling the March 15, 2001 Session and rescheduling it for Thursday, March 22, 2001, at 2:00 p.m.

Please notify all legislators of this change.

Sincerely,

MEETING NO. 7
March 15, 2001

ERIE COUNTY LEGISLATURE

CHARLES M. SWANICK
 Chairman

FROM THE COMPTROLLER

Item 67 – (Comm. 7E-9) Bond Resolution - \$245,000 – Improvements to Bennett Beach & Acquisition of Angola Water Treatment Plant for the Park.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM CHAIRMAN SWANICK

Item 68 – (Comm. 7E-10) Copy of Letter to ECWA Commissioners Re: Request to Forgo Use of Rate- Payer Funded Automobiles.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM LEGISLATORS SWANICK & HOLT

Item 69 – (Comm. 7E-11) Copy of Letter to NYS Office of Children & Family Services Re: Death of Robert Gilson in County's Youth Detention Facility.

Item 70 – (Comm. 7E-12) Copy of Letter to County Executive Re: Death of Robert Gilson in County's Youth Detention Facility.

The above two items were received and referred to the SOCIAL SERVICES COMMITTEE.

FROM LEGISLATOR GREENAN

Item 71 – (Comm. 7E-13) Minority Leader's Appointments to Advisory Committee on Reapportionment.

Received, filed and printed.

March 9, 2001

The Honorable
 Erie County Legislature
 25 Delaware Ave. 7th Floor
 Buffalo, NY 14202

Honorable Members:

Section 210 of the Erie County Charter provides for appointments to the Legislature's Advisory Committee on Reapportionment. Section 210 states, "The county legislature shall appoint the advisory committee consisting of fifteen members, as follows: the chairman of the county legislature or his designee, the majority and minority leaders

MEETING NO. 7
March 15, 2001

ERIE COUNTY LEGISLATURE

of the legislature or their designees, the commissioners of the board of elections or their designees, and ten residents of Erie county representing interested community groups, five of whom shall be appointed by the majority leader and five of whom shall be appointed by the minority leader."

As such, pursuant to Section 210, I hereby appoint the following individuals as representatives of interested community groups on the Advisory Committee on Reapportionment.

Henry G. Gossel
 189 Pinewood Drive
 West Seneca, NY 14224

Edward J. Kasprzak
 170 Creek Road
 East Aurora, NY 14052

Frank C. Harding
 108 Lake Ledge Drive
 Williamsville, NY 14221

Ronald P. Bennett
 2 North Main Street, PO Box 345
 Holland, NY 14080

Anne M. Wiley
 364 Woodside Drive
 Buffalo, NY 14220

Very truly yours,

John W. Greenan
 Minority Leader
 Erie County Legislature

FROM CHAIRMAN SWANICK

Item 72 – (Comm. 7E-14) Copy of Letter to County Executive Re: Response Letter Concerning ECWA Reform.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE COUNTY EXECUTIVE

Item 73 – (Comm. 7E-15) Environmental Engineering Services – Various Projects.

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

MEETING NO. 7
March 15, 2001

ERIE COUNTY LEGISLATURE

Item 74 – (Comm. 7E-16) Health – Erie Niagara Tobacco Free Coalition Supplemental Funding Grant 6/1/00 – 5/31/01.

Item 75 – (Comm. 7E-17) Health – Source Water Assessment Program 4/1/99 – 3/31/01 Project #388.

The above two items were received and referred to the HEALTH COMMITTEE.

Item 76 – (Comm. 7E-18) Health – Correction to Resolution Comm. 22E-37 (2000).

Received and referred to the PERSONNEL AD HOC COMMITTEE.

Item 77 – (Comm. 7E-19) Health – DEC Quality Plan Review Grant 4/1/99 – 3/31/00 Project #238.

Item 78 – (Comm. 7E-20) Health – DEC Quality Plan Review Grant 4/1/00 – 3/31/01 Project #387.

The above two items were received and referred to the HEALTH COMMITTEE.

Item 79 – (Comm. 7E-21) DPW – Household Hazardous Waste Collection Program.

Item 80 – (Comm. 7E-22) Bid Opening – ECSD No. 5 – Sisters of Saint Joseph WWTP Structural Rehab.

Item 81 – (Comm. 7E-23) Funding for Bio-Economy Partners.

Item 82 – (Comm. 7E-24) ECSD No. 2 – Contract 45EV, Village of Angola – Proposed Agreement.

Item 83 – (Comm. 7E-25) DEP – Lake Erie Trail Feasibility Study, Town of Evans.

The above five items were received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 84 – (Comm. 7E-26) Appointment to EC Traffic Safety Advisory Board.

Received, filed and printed.

March 13, 2001

The Honorable
Erie County Legislature
25 Delaware Avenue
Buffalo, NY 14202

MEETING NO. 7
March 15, 2001

ERIE COUNTY LEGISLATURE

Re: Appointment to Erie County Traffic Safety Advisory Board

Dear Members:

I, Joel A. Giambra, Erie County Executive, pursuant to Article 43, New York Vehicle and Traffic Law, Section 16-12, do hereby appoint the following individual to the Traffic Safety Advisory Board, for the term stated.

NAME AND ADDRESS	TERM EXPIRATION
Michael V. Walters 13 Woodard Avenue Angola, NY 14006	December 31, 2003

Respectfully submitted,

JOEL A. GIAMBRA
 ERIE COUNTY EXECUTIVE

JAG:bmc

cc: Appointee

John Sullivan, Director, Erie County Stop DWI

Item 85 – (Comm. 7E-27) Appointment to EC Cultural Resources Advisory Board.

Received, filed and printed.

February 28, 2001

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 am appointing the following individual to the Erie County Cultural Resources Advisory Board for the term stated.

NAME AND ADDRESS	TERM EXPIRES
Sharon Randaccio 137 Depew Avenue Buffalo, NY 14214	December 31, 2002

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March 15, 2001

ERIE COUNTY LEGISLATURE

Sincerely,

JOEL A. GIAMBRA
ERIE COUNTY EXECUTIVE

JAG:bmc

cc: Appointee
Commissioner Laurence Rubin
Charlene Ritter-Lester

Item 86 – (Comm. 7E-28) Appointments to EC Home Health Care Advisory Board.

Received, filed and printed.

March 13, 2001

The Honorable
Erie County Legislature
25 Delaware Avenue
Buffalo, NY 14202

Re: Appointments to Home Health Care Advisory Board

Dear Members:

I, Joel A. Giambra, Erie County Executive, pursuant to Section 2, Local Law No. 5 do hereby appoint the following individuals to the Erie County Home Health Care Advisory Board for the term ending December 31, 2003.

Patricia A. Bylewski
6086 Wellesley Common
East Amherst, NY 14051

Ron Jacobs
142 Willmington Avenue
Tonawanda, NY 14150

Joseph M. Grieco, M.D.
31 The Common
Williamsville, NY 14221

Respectfully submitted,

JOEL A. GIAMBRA
ERIE COUNTY EXECUTIVE

MEETING NO. 7
March 15, 2001

ERIE COUNTY LEGISLATURE

JAG:bmc

cc: Appointees

James Totaro, President, Coordinated Care

Item 87 – (Comm. 7E-29) Parks, Recreation & Forestry – Personnel Adjustments.

Item 88 – (Comm. 7E-30) Parks, Recreation & Forestry – Personnel Adjustments.

The above two items were received and referred to the PERSONNEL AD HOC COMMITTEE.

Item 89 – (Comm. 7E-31) DPW – Award of Contract – Merlau Road Bridge – Project #BR725-01, Town of Wales.

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 90 – MS. PEOPLES presented the following resolution and moved for immediate consideration. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 144

Re: Allocation of Reimbursement
 from FEMA/SEMO. (Comm. 7E-32)

WHEREAS, on November 20, 2000 record levels of snow fell stranding thousands of people in Buffalo, and

WHEREAS, the President declared the counties of Erie, Cattaraugus and Chautauqua a federal disaster area due to the record snow fall, and

WHEREAS, due to this declaration, the Federal Emergency Management Agency (FEMA) and New York State Emergency Management Office (SEMO) Disaster Assistance Program provides supplemental reimbursement for emergency protective measures that address the most critical emergency needs during the snow incident, and

WHEREAS, FEMA and SEMO allowed Erie Community College, the Erie County Home & Infirmary and Erie County Medical Center, and the Erie County Correctional Facility and Erie County Holding Center to submit applications separate from the remainder of the County, although their reimbursement will be sent to the County, and

WHEREAS, the total reimbursement for the County inclusive of Erie Community College, the Erie County Home & Infirmary and Erie County Medical Center, and the Erie County Correctional Facility and Erie County Holding Center will be approximately \$500,000.00, and

MEETING NO. 7
March 15, 2001

ERIE COUNTY LEGISLATURE

WHEREAS, the condition of the snow fighting equipment within the Department of Public Works is old and in need of replacement,

NOW, THEREFORE, BE IT,

RESOLVED, that the reimbursement submitted by Erie Community College, the Erie County Home & Infirmary and Erie County Medical Center, and the Erie County Correctional Facility and the Erie County Holding Center will be allocated to them for their use, and be it further,

RESOLVED, that the remainder of the funds received from FEMA and SEMO for this snow incident will be used by the Department of Public Works to update their snow fighting equipment, 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.

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

CARRIED UNANIMOUSLY.

Item 91 – (Comm. 7E-33) DPW – General A/E Services for County of Erie – Various Capital Projects.

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 92 – MS. PEOPLES presented the following resolution and moved for immediate consideration. MR. HOLT seconded.

CARRIED UNANIMOUSLY.
 RESOLUTION NO. 145

Re: Senior Services – Authorization
 to Amend Nutrition Grant Budget.
 (Comm. 7E-34)

WHEREAS the Erie County Legislature has already appropriated funds for the Congregate Dining Nutrition Program (III-C-1) and the Home Delivered Nutrition Program (III-C-2) for the period January 1, 2001 to December 31, 2001, and

WHEREAS the Department of Senior Services (Department) recommends that a new dining site at the Village Square Apartments, 5430 Main Street, Williamsville, be added as a new dining site to provide nutritional meals to older residents of Erie County, and

WHEREAS, the Village Square Apartments dining site is sponsored by Forest City Residential Management and expects to start serving meals on April 16, 2001 to approximately 35 seniors daily, and

MEETING NO. 7
March 15, 2001

ERIE COUNTY LEGISLATURE

WHEREAS the Department has begun a new initiative, Rural Services Initiative - 2000 and Beyond, to serve home delivered meals to rural frail elderly, currently unserved by the existing programs, and

WHEREAS the Department desires to contract with the Southtowns Meals on Wheels, Inc. to begin serving home delivered meals in the Towns of Colden, Concord, Boston and Holland as of April 1, 2001, and

WHEREAS the Department of Senior Services desires to revise the above grant budgets to reflect the actual needs of the grants which service those elderly most at risk, and

WHEREAS no additional County funds are required,

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be and is hereby authorized to enter into a contract with Forest City Residential Management, effective April 16, 2001 through December 31, 2001, for \$1,200; and with Southtowns Meals on Wheels, Inc., effective April 1, 2001 through December 31, 2001 for \$14,005, and be it further

RESOLVED, that the budget for the Congregate Dining Nutrition Program (III-C-1) grant for the period January 1, 2001 to December 31, 2001, Project 419, be revised as follows:

<u>APPROPRIATIONS</u>		<u>CURRENT BUDGET</u>	<u>CHANGES</u>	<u>AMENDED BUDGET</u>
<u>Account</u>	<u>Description</u>			
830/	Forest City Res	\$ 0	\$+1,200	\$1,200
830/385	Other Projected	2,861	-1,200	1,661
TOTAL CHANGE TO APPROPRIATIONS			<u>\$ - 0 -</u>	

and be it further

RESOLVED, that the budget for the Home Delivered Nutrition Program (III C-2) grant for the period January 1, 2001 to December 31, 2001, Project 421, be revised as follows:

<u>APPROPRIATIONS</u>		<u>CURRENT BUDGET</u>	<u>CHANGES</u>	<u>AMENDED BUDGET</u>
<u>Account</u>	<u>Description</u>			
826	Other Expenses	\$14,005	\$-14,005	\$ -0-
830/	Southtowns Meals	-0-	+14,005	14,005
TOTAL CHANGE TO APPROPRIATIONS			<u>\$ - 0 -</u>	

and be it further

MEETING NO. 7
March 15, 2001

ERIE COUNTY LEGISLATURE

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.

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

CARRIED UNANIMOUSLY.

Item 93 – (Comm. 7E-35) Sale of County Owned Inventory – SBL #91.110-7-17 – Beach Road, Town of Cheektowaga.

Item 94 – (Comm. 7E-36) Sale of County Owned Inventory – SBL #115.050-10-51 – South Ellington Avenue, Village of Depew.

Item 95 – (Comm. 7E-37) County Owned Inventory to be Sold at Auction.

Item 96 – (Comm. 7E-38) Sale of County Owned Inventory – SBL #335.160-1-10 – 144 Spring Street, Village of Springville.

Item 97 – (Comm. 7E-39) Sale of County Owned Inventory – SBL #104.050-5-4 – George Urban Boulevard, Village of Depew.

Item 98 – (Comm. 7E-40) Amendment to Various Town & Special District Budgets.

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

FROM LEGISLATOR OLMA

Item 99 – (Comm. 7E-41) Notice of Absence from Session Held 3/22/01.

Item 100 – (Comm. 7E-42) Notice of Absence from Social Services Committee Meeting Held 3/8/01.

The above two items were received and filed.

FROM CHAIRMAN SWANICK

Item 101 – (Comm. 7E-43) Reappointments to Erie County Agricultural & Farmland Protection Board.

Received, filed and printed.

March 15, 2001

MEETING NO. 7
March 15, 2001

ERIE COUNTY LEGISLATURE

Laurie A. Manzella
 Clerk of the Legislature
 25 Delaware Avenue, 7th Floor
 Buffalo, NY 14202

Dear Ms. Manzella:

Please be advised that, pursuant to Section 302 of the New York State Agricultural District Law, Article 25-AA, I hereby reappoint the following individuals to the Erie County Agricultural and Farmland Protection Board:

Thomas Abbott - 5137 Abbott Road, Hamburg, NY 14075
 Donald Spoth - 2715 Tonawanda Creek Road, Amherst, NY 14228

The terms of Mr. Abbott and Mr. Spoth are to expire in March, 2005. Please notify each of the reappointments. Thank you.

Sincerely,

CHARLES M. SWANICK, Chairman
 Erie County Legislature and Erie County
 Agricultural and Farmland Protect Board

CMS:ss
 c: Chet C. Jandzinski - ECDEP

FROM THE SHERIFF

Item 102 – (Comm. 7E-44) Request to Accept Donations.

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM THE COUNTY EXECUTIVE

Item 103 – (Comm. 7E-45) \$75,000 Appropriation for 2001 WNED Buffalo Niagara Guitar Festival.

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

Item 104 – (Comm. 7E-46) Establishment of Office of Arts, Culture & Tourism & Office of Geographic Information Services.

Item 105 – (Comm. 7E-47) Centralized Regional Geographic Information System.

Item 106 – (Comm. 7E-48) Law – Personnel Adjustment.

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

Item 107 – (Comm. 7E-49) Amendment to Amherst/ Tonawanda Auto Bureau Lease.

Item 108 – (Comm. 7E-50) Who Does What? Commission - Implementing Recommendations.

Received and referred to the REGIONALISM AD HOC COMMITTEE.

Item 109 – (Comm. 7E-51) Authorization for County Executive to Execute a “Letter of Agreement” with Resultants Intl for an Institutional Assessment of ECC.

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

COMMUNICATIONS FROM THE DEPARTMENTS

FROM ECMC

Item 110 – (Comm. 7D-1) Notice of JCC/Planning Committee Meeting Held 3/6/01.

Item 111 – (Comm. 7D-2) Notice of Finance Committee Meeting Held 3/9/01.

The above two items were received and filed.

FROM THE COUNTY ATTORNEY

Item 112 – (Comm. 7D-3) Notices of Claim.

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM YOUTH SERVICES

Item 113 – (Comm. 7D-4) Preliminary Process to Begin Contract for Non-Secure Detention.

Received and referred to the SOCIAL SERVICES COMMITTEE.

FROM THE BOARD OF ELECTIONS

Item 114 – (Comm. 7D-5) Commissioner’s Designee to Advisory Committee on Reapportionment.

Received, filed and printed.

February 27, 2001

MEETING NO. 7
March 15, 2001

ERIE COUNTY LEGISLATURE

The Honorable
 Erie County Legislature
 25 Delaware Ave., 7th Floor
 Buffalo, NY 14202

Honorable Members:

Section 210 of the Erie County Charter provides for appointments to the Legislature's Advisory Committee on Reapportionment. Section 210 states, "The county legislature shall appoint the advisory committee consisting of fifteen members, as follows: the chairman of the county legislature or his designee, the majority and minority leaders of the legislature or their designees, the commissioners of the board of elections or their designees, and ten residents of Erie county representing interested community groups, five of whom shall be appointed by the majority leader and five of whom shall be appointed by the minority leader."

As such, pursuant to Section 210, I will serve on said committee as my own designee.

Very truly yours,

Laurence F. Adamczyk
 Commissioner Erie County Board of Elections

FROM ECMC

Item 115 – (Comm. 7D-6) Financial Statements for 12/00.

Received and referred to the HEALTH COMMITTEE.

FROM ECC

Item 116 – (Comm. 7D-7) Board of Trustees Minutes for Meeting Held 1/31/01.

Item 117 – (Comm. 7D-8) Board of Trustees – Committee of the Whole Minutes for Meeting Held 2/21/01.

Item 118 – (Comm. 7D-9) Board of Trustees Minutes for Meeting Held 2/28/01.

The above three items were received and filed.

FROM THE COUNTY ATTORNEY

Item 119 – (Comm. 7D-10) Notice of County Executive's Approval of Int 4-3 & Comm 26E-5.

Received, filed and printed.

MEETING NO. 7
March 15, 2001

ERIE COUNTY LEGISLATURE

March 7, 2001

VIA HAND DELIVERY

Ms. Laurie A. Manzella, Clerk
Erie County Legislature
25 Delaware Avenue, 7th Floor
Buffalo, New York 14202

Re: Resolution Int. No. 4-3
Resolution Comm. 26E-5

Dear Laurie:

Enclosed for filing in your office, please find certified copies of the above-referenced Resolutions.

Thank you for your assistance with this matter.

Very truly yours,

FREDERICK A. WOLF
Erie County Attorney

By: Susannah M. Bochenek
1st Assistant County Attorney

SMB/cc

encl.

cc: Brian D. White Assistant County Attorney
Jennifer D. Anger, Erie County Legislature
(both w/out enc.)

A Public Hearing was held on the foregoing Resolution Int. No. 4-3 on Tuesday, February 20, 2001, 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 Resolution this 20th day of February, 2001.

JOEL A. GIAMBRA

A Public Hearing was held on the foregoing Resolution Comm. 26E-5 on Tuesday, February 20, 2001, due notice thereof having been published in the official newspapers of the County of Erie and

MEETING NO. 7
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ERIE COUNTY LEGISLATURE

after due deliberation thereon, I, JOEL A. GIAMBRA, County Executive of Erie County, do hereby APPROVE and SIGN said Resolution this 20th day of February, 2001.

 JOEL A. GIAMBRA

Item 120 – (Comm. 7D-11) Notice of County Executive’s Public Hearing for Ints 5-6 & 6-9.

Received, filed, and printed.

March 7, 2001

VIA HAND DELIVERY

Ms. Laurie A. Manzella, Clerk
 Erie County Legislature
 25 Delaware Avenue, 7th Floor
 Buffalo, New York 14202

Re: Notice of Public Hearing
 Resolution Int. 5-6
 Resolution Int. 6-9

Dear Laurie:

Enclosed herein is a copy of the Public Hearing Notice for the above captioned Resolutions, which were approved by the Erie County Legislature on February 15, 2001 and March 1, 2001, respectively.

Please post the enclosed for the information of anyone who may be interested in attending this hearing

Very truly yours,

FREDERICK A. WOLF
 Erie County Attorney

By: Susannah M. Bochenek
 1st Assistant County Attorney

SMB/cc
 encl.

NOTICE OF PUBLIC HEARING

MEETING NO. 7
March 15, 2001

ERIE COUNTY LEGISLATURE

NOTICE IS HEREBY GIVEN that the Erie County Executive, Joel A. Giambra, will hold a public hearing, Thursday, March 15, 2001, at 9:00 a.m., concerning appropriations from the present year's County contingency fund as follows:

Town of Lancaster		
Public Benefit Services		\$5,000
American Legion Hamburg Post #527		
Public Benefit Services		\$2,000
Village of Angola		
Public Benefit Services		\$1,000

The hearing will be held in the Erie County Executive's Conference Room on the 16th floor of the Rath Building, 95 Franklin Street, in the City of Buffalo.

On February 15, 2001, the Erie County Legislature adopted Intro. 5-6; on March 1, 2001, the Erie County Legislature adopted Intro. 6-9. Copies of the resolutions are available for public inspection in the office of the Clerk of the Erie County Legislature, on the 7th floor of 25 Delaware Avenue, in the City of Buffalo, New York.

JOEL A. GIAMBRA
 ERIE COUNTY EXECUTIVE

FROM YOUTH SERVICES

Item 121 – (Comm. 7D-12) Copy of Letter to NYS Office of Children & Family Services Re: Extension of Operating Certificate for Alden 2/28/01 – 5/28/01.

Received and referred to the SOCIAL SERVICES COMMITTEE.

FROM DEP

Item 122 – (Comm. 7D-13) Copy of Letter to NYS Department of Agriculture & Markets Re: Waiver of Notice of Intent for ECSD No. 2 – West Pleasant Ave, Eden Valley Ag District.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE CLERK OF THE LEGISLATURE

Item 123 – (Comm. 7D-14) Change of Session Date from 3/15/01 to 3/22/01.

Received, filed and printed.

March 8, 2001

MEETING NO. 7
March 15, 2001

ERIE COUNTY LEGISLATURE

To: All Erie County Legislators and Staff
 From: Laurie A. Manzella, Clerk
 Subject: CHANGE OF SESSION DATE

The Session of the Erie County Legislature previously scheduled for Thursday, March 15, 2001, has been canceled.

Chairman Charles M. Swanick has rescheduled the Session for **Thursday, March 22, 2001, at 2:00 p.m.** This change will not affect any other previously scheduled Session dates.

Be advised that the clock-in deadline for items to be considered at that Session March 22nd) will be before 11:00 a.m. on Tuesday, March 20, 2001.

Thank you.

c: Hon. Joel A. Giambra, County Executive
 Hon. Frank J. Clark, District Attorney
 Hon. Patrick M. Gallivan, Sheriff
 Hon. Nancy A. Naples, Comptroller
 Hon. David J. Swarts, County Clerk
 Erie County Department Heads
 Other Interested Parties

FROM MENTAL HEALTH

Item 124 – (Comm. 7D-15) Notice of EC Mental Hygiene Community Services Board Meeting Held 3/15/01.

Received and referred to the HEALTH COMMITTEE.

FROM YOUTH SERVICES

Item 125 – (Comm. 7D-16) Letter to Legislator Holt Re: Comm 6E-24 - \$53,848 Enhancement grant from NYSDOH.

Received and referred to the SOCIAL SERVICES COMMITTEE.

FROM THE CLERK OF THE LEGISLATURE

Item 126 – (Comm. 7D-17) Notice of Public Hearing Local Law Int Nos. 1 & 2 (2001).

Received, filed and printed.

March 12, 2001

MEETING NO. 7
March 15, 2001

ERIE COUNTY LEGISLATURE

To: All Erie County Legislators & Staff
 From: Laurie A. Manzella, Clerk LAM
 Subject: *NOTICE OF PUBLIC HEARINGS - LOCAL LAW INTRO. NOS. 1 & 2 - 2001*

On March 6, 2001, and March 8, 2001, respectively, the following proposed local laws were clocked-in and laid on the table of the Erie County Legislature. Both will have sufficiently "aged" by the date of our next regular session scheduled for March 22, 2001, at 2:00 p.m.

- Local Law Intro. No. 1 - 2001 entitled, *A LOCAL LAW to make Gold Star Parents eligible for the alternative veterans exemption, pursuant to Chapter 326 of the Laws of 2000, and*
- Local Law Intro. No. 2 - 2001 entitled, *A LOCAL LAW, amending Local Law No. 1 -2000, granting a partial exemption from real property taxation, pursuant to Section four hundred fifty-nine-c of the Real Property Tax Law, to persons with disabilities who have limited incomes.*

The County Attorney's office has advised me that the Erie County Legislature should hold a public hearing on both local laws BEFORE considering either for approval.

Therefore, at our next regular Session, scheduled for March 22, 2001, at 2:00 p.m., Chairman Charles M. Swanick will call for a brief recess in order to hold both hearings.

A copy of each NOTICE OF PUBLIC HEARING, which was sent to the county's official newspapers for publication, is attached for your information.

Thank you.

ATTACHMENTS - 2

c: *Susannah M. Bochenek, 1st Assistant County Attorney (with attachments)*

LEGAL NOTICE NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that, the Erie County Legislature will hold a Public Hearing on Thursday, March 22, 2001 at 2:00 p.m. concerning Erie County LOCAL LAW INTRO. NO. 1 -2001, entitled:

A LOCAL LAW to make Gold Star Parents eligible for the alternative veterans exemption, pursuant to Chapter 326 of the Laws of 2000.

The hearing will be held in the Chambers of the Erie County Legislature located on the 7th floor of 25 Delaware Avenue, in the City of Buffalo, New York.

MEETING NO. 7
March 15, 2001

ERIE COUNTY LEGISLATURE

A copy of the proposed local law is available for public inspection Monday through Friday from 9:00 a.m. to 5:00 p.m. in the office of the Clerk of the Legislature on the 7th floor of 25 Delaware Avenue, in the City of Buffalo, New York.

LAURIE A. MANZELLA
 Clerk
 Erie County Legislature

LEGAL NOTICE
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that, the Erie County Legislature will hold a Public Hearing on Thursday, March 22, 2001 at 2:00 p.m. concerning Erie County LOCAL LAW INTRO. NO. 2 - 2001, entitled:

A LOCAL LAW, amending Local Law No. 1 - 2000, granting a partial exemption from real property taxation, pursuant to Section four hundred fifty-nine-c of the Real Property Tax Law, to persons with disabilities who have limited incomes.

The hearing will be held in the Chambers of the Erie County Legislature located on the 7th floor of 25 Delaware Avenue, in the City of Buffalo, New York.

A copy of the proposed local law is available for public inspection Monday through Friday from 9:00 a.m. to 5:00 p.m. in the office of the Clerk of the Legislature on the 7th floor of 25 Delaware Avenue, in the City of Buffalo, New York.

LAURIE A. MANZELLA
 Clerk
 Erie County Legislature

FROM THE BUFFALO & ERIE COUNTY PUBLIC LIBRARY

Item 127 – (Comm. 7D-18) Board of Trustees Agenda & Minutes for Meeting Held 3/15/01.

Received and filed.

FROM HEALTH

Item 128 – (Comm. 7D-19) Letter to Legislator Fisher Re: Patient Visits to Clinics Operated by Erie County Health Department.

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Received and referred to the HEALTH COMMITTEE.

FROM ECC

Item 129 – (Comm. 7D-20) Notice of Meeting of Board of Trustees to be Held 3/28/01.

Received and filed.

FROM ECMC

Item 130 – (Comm. 7D-21) Minutes & Agenda for Board of Managers Meeting Held 3/15/01.

Received and filed.

FROM THE COUNTY ATTORNEY

Item 131 – (Comm. 7D-22) Notice of County Executive's Approval of Ints 5-6 & 6-9.

Received, filed, and printed.

March 15, 2001

VIA HAND DELIVERY

Ms. Laurie A. Manzella, Clerk
Erie County Legislature
25 Delaware Avenue, 7th Floor
Buffalo, New York 14202

Re: Resolution Int. No. 5-6
Resolution Int. No. 6-9

Dear Laurie:

Enclosed for filing in your office, please find certified copies of the above-referenced Resolutions.

Thank you for your assistance with this matter.

Very truly yours,

FREDERICK A. WOLF
Erie County Attorney

By: Susannah M. Bochenek
1st Assistant County Attorney
SMB/cc

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encl.

cc: Brian D. White, Assistant County Attorney
 Jennifer D. Anger, Erie County Legislature
 (both w/out enc.)

A Public Hearing was held on the foregoing Resolution Int. No. 5-6 on Thursday, March 15, 2001, 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 Resolution this 15th day of March, 2001.

 JOEL A. GIAMBRA

A Public Hearing was held on the foregoing Resolution Int. No. 6-9 on Thursday, March 15, 2001, 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 Resolution this 15th day of March, 2001.

 JOEL A. GIAMBRA

FROM DPW

Item 132 – (Comm. 7D-23) Response to Int. 6-5- 2001 Paving Schedule.

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM THE BOARD OF ELECTIONS

Item 133 – (Comm. 7D-24) Commissioner's Designee to Advisory Committee on Reapportionment.

Received, filed and printed.

March 16, 2001

Erie County Legislature
 7th Floor
 25 Delaware Avenue
 Buffalo, New York 14202

Honorable Members:

Section 210 of the Erie County Charter provides for appointment to the Legislature's Advisory Committee on Reapportionment as follows:

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"The county legislature shall appoint the advisory committee consisting of fifteen members, as follows: the chairman of the county legislature or his designee, the majority and minority leaders of the legislature or their designees, the commissioners of the board of elections or their designees, and ten residents of Erie County representing interested community groups, five of whom shall be appointed by the majority leader and five of whom shall be appointed by the minority leader."

As such, pursuant to Section 210 of the county charter, I will serve on the aforesaid committee as my own designee.

Yours very truly,

Ralph M. Mohr, Commissioner
 Erie County Board of Elections

RMM:js

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES

FROM JAMES OSTROWSKI

Item 134 – (Comm. 7M-1) Testimony Against \$95 Million Handout to Adelphia Communications.

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM THE WNY CITIZENS FOR SAFE DRINKING WATER

Item 135 – (Comm. 7M-2) Unfavorable Article Re: Flouridated Water.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM PAUL H MACCLENNAN

Item 136 - (Comm. 7M-3) Letter to Legislator Fisher Re: In Favor of a County Pesticide Neighborhood Notification Law.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE NFTA

Item 137 – (Comm. 7M-4) Board Minutes.

Received and filed.

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FROM CRAIG H JOHNSON

Item 138 – (Comm. 7M-5) Copy of Memorandum Re: Adelphia Project – MOU.

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM CORNELL UNIVERSITY

Item 139 – (Comm. 7M-6) Duplicate of 4M-9 (2001).

Received and filed.

FROM NYSDEC

Item 140 – (Comm. 7M-7) Fact Sheet – Lehigh Valley Railroad Site.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE ECIDA

Item 141 – (Comm. 7M-8) Notice of Board Meeting Held 3/14/01.

Received and filed.

FROM THE JOINT SCHOOLS CONSTRUCTION BOARD

Item 142 – (Comm. 7M-9) Draft RFQ for Program Manager – Buffalo Capital Program for Public Schools.

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM THE LEGAL AID BUREAU OF BUFFALO

Item 143 – (Comm. 7M-10) Financial Statements Ending 9/30/00 & 1999 Annual Report.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM JOHN M VIOLANTI

Item 144 – (Comm. 7M-11) Letter to Chairman Swanick Re: Support of Banning Use of Cellular Phones While Driving.

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM NYS FISH & WILDLIFE MANAGEMENT BOARD

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Item 145 – (Comm. 7M-12) Minutes of Board Meeting Held 3/1/01.

Received and referred to ENERGY & ENVIRONMENT COMMITTEE.

FROM NYS UNIFIED COURT SYSTEM 8TH JUDICIAL DISTRICT

Item 146 – (Comm. 7M-13) Memo to Justices & Judges Chief Clerks & Supervisors Re: Magnetometer/X-Ray Weapons Screening 2000.

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM FAMILIES UNITED NEVER DIVIDED SUPPORT

Item 147 – (Comm. 7M-14) Letter to Legislator Holt Re: Legislature Hearing on Child Protective Services & Allegations of Misconduct Throughout Its System.

Received and referred to the SOCIAL SERVICES COMMITTEE.

FROM THE CHEEKTOWAGA TOWN BOARD

Item 148 – (Comm. 7M-15) Certified Resolution Re: Requests the County to Share the \$114 Million of Additional Sales Tax Revenue with Town of Cheektowaga.

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM COMMUNICATIONS WORKERS OF AMERICA

Item 149 – (Comm. 7M-16) Letter to Chairman Swanick Re: Asking for Assistance in Saving Union Positions at New Era.

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM ASSEMBLYMAN BURLING

Item 150 – (Comm. 7M-17) Acknowledgement of Receipt of Resolutions.

Received and filed.

FROM JIM HANLEY'S NORTHEAST OUTDOORS

Item 151 – (Comm. 7M-18) Progress Report for Erie County Sportfishing Promotion Program for 1/01 & 2/01.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

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FROM ERIE COUNTY MANAGEMENT COUNCIL

Item 152 - (Comm. 7M-19) Notice of Meeting Held 3/20/01.

Received and filed.

FROM US DEPARTMENT OF HEALTH & HUMAN SERVICES

Item 153 – (Comm. 7M-20) County-Wide Audit of Outpatient Early Intervention Services 1/1/99 – 12/31/99.

Received and referred to the HEALTH COMMITTEE.

FROM THE ORANGE COUNTY LEGISLATURE

Item 154 – (Comm. 7M-21) Certified Resolution Re: Memorializing Its Position to NYS Requesting All Costs Related to Raising Age Limit of PINS be Assumed by NYS.

Received and referred to the SOCIAL SERVICES COMMITTEE.

Item 155 – (Comm. 7M-22) Certified Resolution Re: Memorializing Position to NYS Requesting State Assume 100% of Cost Resulting from Changes in Medical Assistance Prog.

Item 156 – (Comm. 7M-23) Certified Resolution Re: Requesting NYS to Examine Funding of Evolving Healthcare System & to Assume County Share of Medicaid.

The above two items were received and referred to the HEALTH COMMITTEE.

FROM ERIE COUNTY CULTURAL RESOURCES ADVISORY BOARD

Item 157 – (Comm. 7M-24) Notice of Meetings to be Held 3/27/01 & 3/28/01 Re: Applicant Briefings.

Received and filed.

FROM THE MAYOR OF CITY OF BUFFALO

Item 158 – (Comm. 7M-25) Copy of Letter to HUD Re: Buffalo Niagara Renewal Community Designation.

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM CITY OF BUFFALO CLERK

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Item 159 – (Comm. 7M-26) Certified Resolution Re: Joint City & State Hearing on Increase in Gas & Electric Bills.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM FEDERAL ENERGY REGULATORY COMMISSION

Item 160 – (Comm. 7M-27) Response Letter to Chairman Swanick Re: Increased Energy Costs.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

MEMORIALS

Item 161 – Legislator Peoples requested that when this legislature adjourns, it do so in memory of Karl Jones.

ADJOURNMENT

Item 162 - At this time, there being no further business to transact, the Chairman announced that the Chair would entertain a Motion to Adjourn.

MS. PEOPLES moved that the Legislature adjourn until **2:00 p.m. Thursday, April 5, 2001**.
MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

The Chairman declared the Legislature adjourned until **Thursday, April 5, 2001 at 2 p.m. Eastern Standard Time**.

LAURIE MANZELLA
CLERK