

**ERIE COUNTY LEGISLATURE**  
**MEETING NO. 7**  
**April 6, 2000**

The Legislature was called to order by Chairman Swanick.

All Members Present.

A Moment of Silence was held.

The Pledge of Allegiance was led by Ms. Peoples.

Item 1 – CHAIRMAN SWANICK directed that Intro. 6-6 remain on the table.

Item 2 – CHAIRMAN SWANICK directed that Intro. 6-7 remain on the table.

MS. PEOPLES moved to approve the minutes of Meeting #5 of 2000. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

**MISCELLANEOUS RESOLUTIONS**

Item 3 – MR. GREENAN presented a resolution Honoring the Shea/Bebak Bowling Team. MS. CHASE seconded.

CARRIED UNANIMOUSLY.

Item 4 – MR. WEINSTEIN presented a resolution Honoring John H. Russell Sr. for Fifty Years of Service with Snyder Fire Department. MR. PAULY seconded.

CARRIED UNANIMOUSLY.

Item 5 – MS. CHASE presented a resolution Proclaiming 4/30 – 5/6/00 Municipal Clerk's Week. MR. LARSON seconded.

CARRIED UNANIMOUSLY.

Item 6 – MR. KUWIK presented a resolution Honoring Lackawanna Police Officers William Kukoleca, John Hruby, Thomas Druzvik & Anthony Catuzza for Their Bravery. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

Item 7 – MR. FITZPATRICK presented a resolution Congratulating April Hayes Upon Her Induction as New York State’s Junior Miss 2000. MR. KUWIK seconded.

CARRIED UNANIMOUSLY.

**LOCAL LAWS**

Item 8 – CHAIRMAN SWANICK directed that Local Law Intro No. 4 (Print #2) 1999 remain on the table.

Item 9 – CHAIRMAN SWANICK directed that Local Law Intro No. 2 (Print #1) 2000 remain on the table.

Item 10 – CHAIRMAN SWANICK directed that Local Law Intro No. 2 (Print #2) 2000 remain on the table.

**COMMITTEE REPORTS**

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 108

March 28, 2000

PUBLIC SAFETY  
COMMITTEE  
REPORT NO. 4

ALL MEMBERS PRESENT.

1. Item Page -2000 (Comm. 6E-12)

**SHERIFF**

WHEREAS, The Erie County Sheriff’s Office has implemented a program where students from public and private schools from throughout the County meet to address the problems of tobacco, alcohol and substance abuse within our community and,

WHEREAS, local organizations and the citizens of Erie County are willing to make contributions to insure the continuation of this most worthwhile program.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Sheriff's Office is hereby authorized to accept any and all donations from local organizations and individual citizens to assist in the Student Ambassadors Program they offer throughout Erie County, and be it further,

RESOLVED, that the Sheriff's Office will deposit any monetary contributions with the Finance Office until such a time as they are needed, and be it further,

RESOLVED, that the Sheriff's Office will request the appropriation of these funds at that time with a legislative resolution, and be it further,

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

2. Item Page -2000 (Comm. 6E-13)

**SHERIFF**

WHEREAS, Gannett Broadcasting has offered to donate an air hydraulic 40 foot telescoping aluminum mast to be mounted on the Erie County Sheriff's SWAT truck with camera and antenna attached and,

WHEREAS, the Erie County Sheriff's Office SWAT Team will utilize this equipment during training missions, for intelligence gathering and when called to service in hostage rescues, barricaded subjects, snipers or high risk warrant service, and

WHEREAS, all donations require approval by the Erie County Legislature.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Executive and/or the Sheriff of Erie County is hereby authorized to enter into and execute all necessary agreements with respect to accepting the donation of an air hydraulic 40 foot telescoping aluminum mast from Gannet Broadcasting, Inc. and be it further,

RESOLVED, that the Erie County Sheriff's Office is hereby authorized to accept any and all additional gifts from donors as related to the Erie County SWAT Team, and be it further,

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

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

**COUNTY EXECUTIVE**

WHEREAS, the Erie County Department of Central Police Services has been awarded a grant from the U.S. Department of Justice, Office of Community Oriented Police Services to

develop and implement a county-wide LiveScan/Card Scan, and Photo Imaging and Arrest Booking Information System, and

WHEREAS, Central Police Services has been working with the New York State Division of Criminal Justice Services, the Erie County Sheriff's Department, the Buffalo Police Department and representatives of the Erie County Chiefs of Police to effectively plan and coordinate the development of a this information system,

NOW THEREFORE BE IT

RESOLVED, that the County Executive is hereby authorized to enter into an agreement with the U.S. Department of Justice Office of Community Oriented Policing Services to accept COPS MORE grant funding in the amount of \$534,075, funding shall be in the grant fund as follows:

Department of Central Police Services  
COPS MORE Grant  
4/1/00 - 3/31/01

<u>Revenue</u>	<u>Increase</u>
Acct. 684-0100 Federal Revenue	\$534,075
Acct. 886-6509 Interfund	<u>178,025</u>
Total Revenue	<u>\$712,100</u>
 <u>Appropriation</u>	
Acct. 933 Laboratory & Technical Equipment	\$705,100
Acct. 932 Office Equipment	3,000
Acct. 825 Out of Area Travel	<u>4,000</u>
Total Expense	<u>\$712,100</u>

and be it further

RESOLVED, that authorization is provided to use these funds to develop and implement a county-wide LiveScan/CardScan, Photo Imaging and Arrest Booking Information System, and be it further

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

(5-0)

4. Item Page -2000 (Comm. 6E-23)

**COUNTY EXECUTIVE**

RESOLVED, that the following budgetary transactions are hereby authorized to amend the District Attorney's BE-SAFE Grant budget:

**BE-SAFE  
January 1, 1999 - October 31, 2000  
Project #799**

<u>Revenue</u>	<u>ORIGINAL</u>	<u>CHANGE</u>	<u>FINAL</u>
Acct. 684-0120 Federal Revenue	<u>\$395,519</u>	<u>\$0</u>	<u>\$395,519</u>
Total Revenue	<u>\$395,519</u>	<u>\$0</u>	<u>\$395,519</u>

Appropriation

Acct. 800 - Personnel	\$215,002	0	\$215,002
Acct. 805 - Fringe Benefits	58,932	0	58,932
Acct. 810 - Office Supplies	1,400	0	1,400
Acct. 821 - Dues-Witness Fees	2,195	920	3,115
Acct. 822 - Rental Charges	144	0	144
Acct. 824 - Travel & Mileage	2,600	(920)	1,680
Acct. 825 - Out of Area Travel	24,000	0	24,000
Acct. 826 - Other Expenses	8,383	0	8,383
Acct. 830 - Contractual Expenses	49,710	0	49,710
Acct. 880 - Interfund	18,253	0	18,253
Acct. 932 - Furniture & Fixtures	4,900	0	4,900
Acct. 933 - Lab & Tech Equip	<u>10,000</u>	<u>0</u>	<u>10,000</u>
Total Appropriation	<u>\$395,519</u>	<u>\$0</u>	<u>\$395,519</u>

and be it further

RESOLVED, that the following budgetary transactions are hereby authorized to amend the District Attorney's Multijurisdictional Grant as follows:

**MULTIJURISDICTIONAL GRANT  
April 1, 1999 - March 31, 2000  
Project #115**

<u>Revenue</u>	<u>ORIGINAL</u>	<u>CHANGE</u>	<u>FINAL</u>
Acct. 627 State Aid	\$264,300	\$0	\$264,300

Acct. 686 Interfund	<u>66,794</u>	<u>0</u>	<u>66,794</u>
Total Revenue	<u>\$331,094</u>	<u>\$0</u>	<u>\$331,094</u>

Appropriation

Acct. 800-Personnel	\$235,475	0	\$235,475
Acct. 805-Fringe Benefits	62,519	0	62,519
Acct. 810-Office Supplies	2,000	0	2,000
Acct. 821-Dues-Witness Fees	23,000	0	23,000
Acct. 825-Out of Area Travel	4,000	(3,700)	300
Acct. 826-Other Expenses	4,100	1,900	6,000
Acct. 933-Lab & Tech Equip	<u>0</u>	<u>1,800</u>	<u>1,800</u>
Total Appropriation	<u>\$331,094</u>	<u>\$0</u>	<u>\$331,094</u>

and be it further

RESOLVED, that the following budgetary transactions are hereby authorized to amend the District Attorney's Victim/Witness Assistance Program Grant as follows:

**VICTIM/WITNESS ASSISTANCE PROGRAM**  
**July 1, 1999 - June 30, 2000**  
**Project # 118**

<u>Revenue</u>	<u>ORIGINAL</u>	<u>CHANGE</u>	<u>FINAL</u>
Acct. 627 State Aid	\$240,000	\$0	\$240,000
Acct. 686 Interfund	<u>33,776</u>	<u>0</u>	<u>33,776</u>
Total Revenue	<u>\$273,776</u>	<u>\$ 0</u>	<u>\$273,776</u>

Appropriation

Acct. 800-Personnel	\$215,799	(2,300)	\$213,499
Acct. 801-Overtime	2,682	0	2,682
Acct. 805-Fringe Benefits	59,453	0	59,453
Acct. 810-Office Supplies	150	0	150
Acct. 821-Dues-Witness Fees	960	0	960
Acct. 824-Travel & Mileage	5,760	1,500	7,260
Acct. 826-Other Expenses	150	0	150
Acct. 883-Interdepartmental-Co. Ex.	(11,178)	0	(11,178)
Acct. 933-Lab & Tech Equip	<u>0</u>	<u>800</u>	<u>800</u>
Total Appropriation	<u>\$273,776</u>	<u>\$ 0</u>	<u>\$273,776</u>

and be further

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

**EDWARD J. KUWIK  
CHAIRMAN**

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 109

March 28, 2000

GOVERNMENT AFFAIRS  
COMMITTEE  
REPORT NO. 3

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. 4M-11) |
| a. | <b>SENECA COUNTY BOARD OF SUPERVISORS:</b> Certified Copy of Resolution Re: Supervisors Establish Policy Regarding Reappointment of Appointed Officials.<br>(6-0) Chairman Swanick present as Ex-Officio Member. |      |       |               |
|    | Item                                                                                                                                                                                                             | Page | -2000 | (Comm. 6D-7)  |
| b. | <b>COUNTY ATTORNEY:</b> Notices of Claim.<br>(6-0) Chairman Swanick present as Ex-Officio Member.                                                                                                                |      |       |               |
|    | Item                                                                                                                                                                                                             | Page | -2000 | (Comm. 6M-2)  |
| c. | <b>NYS THRUWAY AUTHORITY:</b> Notice that Public Hearings Will be Held Across NYS to Consider Increase in Tolls.<br>(6-0) Chairman Swanick present as Ex-Officio Member.                                         |      |       |               |
|    | Item                                                                                                                                                                                                             | Page | -2000 | (Comm. 6M-14) |
| d. | <b>TOWN OF EVANS:</b> Certified Copy of Resolution Re: Opposing Increase in Thruway Tolls.<br>(6-0) Chairman Swanick present as Ex-Officio Member.                                                               |      |       |               |

- |    |                                                                                                        |               |               |
|----|--------------------------------------------------------------------------------------------------------|---------------|---------------|
| e. | Item<br><b>OTB:</b> 2000 Legislative Proposal.<br>(6-0) Chairman Swanick present as Ex-Officio Member. | Page<br>-2000 | (Comm. 6M-23) |
|----|--------------------------------------------------------------------------------------------------------|---------------|---------------|

**RAYMOND K. DUSZA  
CHAIRMAN**

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 110

March 28, 2000

PERSONNEL AD HOC  
COMMITTEE  
REPORT NO. 6

ALL MEMBERS PRESENT.

- |    |                        |               |               |
|----|------------------------|---------------|---------------|
| 1. | Item<br><b>SHERIFF</b> | Page<br>-2000 | (Comm. 6E-10) |
|----|------------------------|---------------|---------------|

WHEREAS, the Erie County Sheriff’s Office is requesting to delete one (1) Police Complaint Writer Sheriff, Job Group 5, and

WHEREAS, the Erie County Sheriff’s Office is requesting to create one (1) Dispatcher Sheriff, Job Group 6, and

WHEREAS, funding for the newly created position is available in the Personal Services Account of the Sheriffs 2000 Budget,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Sheriff’s Office be authorized to delete a position of Police Complaint Writer Sheriff, Job Group 5 and to create a position of Dispatcher Sheriff, Job Group 6, and be it further

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



2. Item Page -2000 (Comm. 6E-11)  
**SHERIFF**

WHEREAS, the Office of Court Administration and the Erie County Sheriff's Office are requesting the addition of two (2) Deputy Sheriff Officers, Job Group 8 for the Unified Court Security detail, and

WHEREAS, funding for these positions is made available through the Office of Court Administration through the Unified Court Security Grant,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Sheriff's Office be authorized to create two (2) Deputy Sheriff Officer, Job Group 8 positions, and be it further

RESOLVED, that the following budgetary transactions are hereby authorized:

**UNIFIED COURT SECURITY GRANT - PROJECT #312**  
**4/01/00 – 3/31/01**

REVENUE

SFG

ACCOUNT

627	State Aid Revenues	<u>\$120,970</u>
	Total Revenue	<u>\$120,970</u>

APPROPRIATION

SFG

ACCOUNT

800	Personal Services	\$88,370
801	Overtime	6,950
805	Fringe Benefits	<u>25,650</u>
	Total Appropriation	<u>\$120,970</u>

and be it further

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

(5-0)

3. Item Page -2000 (Comm. 6E-22)

**COUNTY EXECUTIVE**

RESOLVED, that the County Executive is hereby authorized to enter into an agreement with the City of Buffalo to accept a portion of their New York State Juvenile Accountability Incentive Block Grant funding in the amount of \$62,429, funding shall be established in the grant fund as follows:

Department of Central Police Services  
Juvenile Accountability Incentive Block Grant  
4/1/00-3/31/01

<u>Revenue</u>		<u>Increase</u>
Acct. 627	State Aid for Criminal Justice	\$62,429
Acct. 685-6500	Interfund Revenue	<u>6,937</u>
	Total Revenue	<u>\$69,366</u>
 <u>Appropriation</u>		
Acct. 800	Personal Services	\$57,483
Acct. 805	Fringe Benefits	<u>11,883</u>
	Total Expense	<u>\$69,366</u>

and be it further

RESOLVED, that authorization is provided to establish the position of Database Administrator, job group 14, in the above grant to begin the development of a countywide juvenile information system, and be it further

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

4. Item Page -2000 (Comm. 6E-24)

**COUNTY EXECUTIVE**

WHEREAS, HIV infections are increasing in the minority and adolescent population,  
and

WHEREAS, there is a need to provide a targeted HIV Peer Education Program to the students attending Buffalo Public High Schools, and

WHEREAS, there are 15 public high schools in the City of Buffalo, and

WHEREAS, on 12/16/99 the Erie County Legislature adopted a resolution which appropriated \$100,000 in Account 826 - Other Expenses and requested the Health Department submit a detailed plan for a school based peer education program, and

WHEREAS, said plan was submitted to the Legislature on 2/17/00 and discussed at the Health/Mental Health Committee on 2/24/00, and

WHEREAS, research shows that the process of peer education has proven extremely successful in curbing rates of STD/HIV infection.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Department of Health is hereby authorized to develop and implement a school based peer education program in the Buffalo Public High Schools in cooperation with the City of Buffalo Board of Education, and be it further

RESOLVED, that one full time position of HIV/AIDS Program Specialist JG X and one full time position of Clerk Typist JG I are hereby created, and be it further

RESOLVED, that the Erie County Legislature hereby approves the following transactions within 1999 appropriations encumbered for the School Based Peer Education Program in the Department of Health, Division of Public Health:

Increase Account 800 Personal Services	\$61,654
Increase Account 805 Fringe Benefits	13,046
Increase Account 810 Office Supplies	1,000
Increase Account 821 Dues & Fees	7,400
Increase Account 824 Travel & Mileage	<u>1,200</u>
<b>TOTAL INCREASE</b>	<b><u>\$84,300</u></b>
 Decrease Account 826 Other Expenses	 <u>\$84,300</u>

The following personnel detail is hereby submitted:

TITLE: HIV/AIDS Program Specialist  
JG: X  
STEP: 4  
ANNUAL SALARY: \$41,692  
ANNUAL BENEFITS: \$8,822

FUNDING: County General Fund  
CIVIL SERVICE: Yes

TITLE: Clerk Typist  
JG: I  
STEP: 0  
ANNUAL SALARY: \$19,962  
ANNUAL BENEFITS: \$4,224

FUNDING: County General Fund  
CIVIL SERVICE: Yes

and be it further

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

(5-0)

**AS AMENDED**

5. Item Page -2000 (Comm. 6E-25)

**COUNTY EXECUTIVE**

WHEREAS, the Department has been awarded additional 100% Federal Temporary Assistance to Needy Families (TANF) funds in the amount of \$185,254 for non-residential domestic violence services under the Family Violence Option, and

WHEREAS, additional staff are required to provide critically needed services to this vulnerable population, and

WHEREAS, services to be provided include transportation, teaching of family living skills, working with the Family Violence Review Team and working with the Health Care Emergency Response Domestic Violence Project, and

WHEREAS, the Health Care Emergency Response Domestic Violence Project is a unique partnership effort between Crisis Services and the University of Buffalo School of Medicine, and

WHEREAS, the project currently operates at the Erie County Medical Center, Buffalo General Hospital and Millard Fillmore Suburban Hospital, and

WHEREAS, this special project is designed to increase detection of partner violence in hospital emergency departments, provide on-site linkage to community resources for violence victims and provide follow-up to ensure that victims receive services, and

WHEREAS, this project has been in effect since 1997, and direct State funding for the project is about to expire, and

WHEREAS, additional TANF funds awarded to the Department would enable the vital work of the Health Care Emergency Response Domestic Violence Project to continue through a contract with Crisis Services.

NOW, THEREFORE, BE IT

RESOLVED, that the Department is authorized to accept additional Federal TANF funds in the amount of \$185,254 for expanded domestic violence services, and be it further

RESOLVED, the Department is authorized to execute a contract with Crisis Services for this purpose, and be it further

RESOLVED, because these services are needed immediately from an experienced provider and as this service is a continuation of an existing program, the Request For Proposal (RFP) provisions of Section 19.08 of the Erie County Administrative Code are hereby waived, and be it further

RESOLVED, that the following budget amendments are hereby authorized in the 2000 Adopted Grant Budget for the period April 1, 2000 through March 31, 2001:

Department of Social Services, Department 281, Fund 120, Project 345,  
Domestic Violence Assessment

<u>ACCOUNT</u>	<u>DESCRIPTION</u>	<u>INCREASE</u>
800	Personal Services	\$86,872
805	Fringe Benefits	18,382
830-0119	Crisis Services	<u>80,000</u>
	Total Expenditures	<u>\$185,254</u>
649	Federal Aid	<u>\$185,254</u>
	Total Revenues	<u>\$185,254</u>

and be it further

RESOLVED, that the following positions are hereby created in the Domestic Violence Grant for the period April 1, 2000 through March 31, 2001:

<u>Number</u>	<u>Title</u>	<u>Job Grade/Step</u>
1	Sr Child Protection Worker	10/3
1	Domestic Violence Victim Advocate	7/3
1	Homemaker	3/3

(B-100's for above positions will be provided)

RESOLVED, that the Commissioner of the Department of Social Services will report to the Social Services Committee in writing on the outcome of this program on or before March 31, 2001, and be it further

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

(5-0)

CHARLES M. SWANICK  
CHAIRMAN

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

CARRIED UNANIMOUSLY.

Item 14 – MR. DeBENEDETTI presented the following resolution and moved for immediate consideration. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 111

March 28, 2000

ENERGY & ENVIRONMENT  
COMMITTEE  
REPORT NO. 5

ALL MEMBERS PRESENT.

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

Item Page -2000 (Comm. 5M-2)  
a. **FULTON COUNTY BOARD OF SUPERVISORS:** Certified Copy of Resolution Re: Supporting Saratoga County Request For Withdrawal of Proposed Wetland Maps. (5-0)

Item Page -2000 (Comm. 6D-5)  
b. **DEP:** Solicitation for Lead Agency Status Unlisted Action Old Lakeshore Road Stabilization (CR127). (5-0)

Item Page -2000 (Comm. 6M-8)  
c. **CITIZENS ENVIRONMENTAL RESEARCH INSTITUTE:** Sewage Overflows: A Discharge Map & Information on Erie County's Foremost Urban Water Quality Problem. (5-0)

2. Item Page -1999 **AS AMENDED**  
**COUNTY EXECUTIVE** (Comm. 13E-30)

WHEREAS, the Erie County Department of Environment and Planning has received the following low bids for the Erie County Sewer District Number 6 "A" Street Overflow Retention Facility Improvements Project, Contract 22SA "G" General and Contract 22SA "E" Electrical on March 21, 2000.

<u>Contract</u>	<u>Low Bidder</u>	<u>Amount Bid</u>
Contract 22SA "G" General	Paul J. Gallo Contracting, Inc. 4244 Ridge Lea Road Amherst, NY 14226	\$4,430,000.00
Contract 22SA "E" Electrical	Tunney Electric, Inc. 8565 Roll Road Clarence Center, NY 14032	\$ 174,750.00

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

NOW, THEREFORE, BE IT

RESOLVED, that the "A" Street Overflow Retention Facility Improvements Project, Contract 22SA - "G" General and Contract 22SA – "E" Electrical be awarded to the low bidders as follows:

<u>Contract</u>	<u>Low Bidder</u>	<u>Amount Bid</u>
Contract 22SA "G" General	Paul J. Gallo Contracting, Inc. 4244 Ridge Lea Road Amherst, NY 14226	\$4,430,000.00
Contract 22SA "E" Electrical	Tunney Electric, Inc. 8565 Roll Road Clarence Center, NY 14032	\$ 174,750.00

and be it further

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

RESOLVED, that the Comptroller is authorized and directed to allocate \$4,604,750.00 from Sewer Capital, Erie County Sewer District No. 6, Fund No. 430, Project No. 111, for Contract 22SA - "G" and Contract 22SA – "E"; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send two (2) certified copies of this resolution to Charles J. Alessi, P.E., Department of Environment and Planning and one certified

copy to the Erie County Comptroller's office, Director of Budget and Management and to Stephen F. Gawlik, Assistant County Attorney.

(5-0)

**AS AMENDED**

(Comm. 5E-22)

3. Item Page -2000

**COUNTY EXECUTIVE**

WHEREAS, the County of Erie has secured the services of URS Consultants, Inc. to provide Design Services and General Services During Construction for the Bowmansville Warner Road Pumping Station Project; and

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

WHEREAS, the Erie County Division of Sewerage Management has recommended the formal close-out of the A/E Agreement dated August 19, 1994 with URS Consultants, Inc. at the final contract amount of \$220,619.25 and approval of Change Order No. 4 (final) a deduct of \$4,505.55.

**NOW, THEREFORE, BE IT**

RESOLVED, that the A/E Agreement dated August 19, 1994 between the County of Erie/Erie County Sewer District No. 4 and URS Consultants, Inc. be formally closed-out in the final contract amount of \$220,619.25, and approval of Change Order No. 4 (final) a decrease of \$4,505.55, and be it further

RESOLVED, that the Erie County Comptroller is hereby authorized and directed to close-out the contract encumbrances and return the unused balances to the unallocated account in Sewer Capital, ECSD No. 4, Fund No. 430, Project No. 693 (\$4,089.96) and Project No. 502 (\$415.59) relating to the A/E Agreement dated August 19, 1994 between the County of Erie/Erie County Sewer District No. 4 and URS Consultant, Inc., and be it further

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

(5-0)

4. Item Page -2000 (Comm. 6E-16)

**COUNTY EXECUTIVE**

RESOLVED, that the Erie County Executive is hereby authorized to execute an amend agreement with Wendel Engineers for additional design and construction inspection services associated with the Two Mile Creek Trail in the City and Town of Tonawanda, increasing the contract from \$84,000 to \$90,000, and be it further

RESOLVED, that said funds are available in the 1996 Erie County Capital Budget in SFG No. 796, Two Mile Creek Greenway Project, and be it further



RESOLVED, that the amount of \$6,000 be transferred from Account 951 "General Construction Contracts" to Account 950 "Professional Service Contracts" within the budget of Project 796, and be it further

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

(5-0)

5. Item Page -2000 (Comm. 6E-28)

**COUNTY EXECUTIVE**

WHEREAS, the NYS Department of Economic Development, Empire State Development's Environmental Management Investment Group (EMIG) provides grant assistance to municipalities and not-for-profit corporations to implement projects to increase waste recycling, and

WHEREAS, the NYS Department of Economic Development, Empire State Development's Environmental Management Investment Group (EMIG) solicits proposals for grants twice a year, and

WHEREAS, the Department of Environment and Planning provides technical assistance to municipalities and businesses to help address their waste management needs, and

WHEREAS, construction and demolition waste was identified as a targeted waste stream by the Town of Amherst and the Northwest Communities Solid Waste Management Board and the Northeast Southtowns Solid Waste Management Board in their New York State approved Solid Waste Management Plans, and

WHEREAS, in November 1999, the Department of Environment and Planning, with the help of the aforementioned solid waste management boards and local industry representatives, developed and submitted a proposal for funding from the NYS Department of Economic Development, Empire State Development's Environmental Management Investment Group (EMIG) to implement a Solid Waste Management Assistance Project, and

WHEREAS, on January 31, 2000, the NYS Department of Economic Development, Empire State Development's Environmental Management Investment Group (EMIG) awarded \$70,000 to continue the Solid Waste Management Assistance Project, and

WHEREAS, the implementation of this project will require Erie County enter into agreements with NYS Department of Economic Development, Empire State Development's Environmental Management Investment Group (EMIG), and

WHEREAS, the DEP to maximize the amount of work to be done on the above mentioned grant with the resources available has incorporated the use of interns (college students) into the workplan and grant budget for the program, and

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

WHEREAS, Erie County, through the DEP, has secured grant funding from the NYS Department of Economic Development, Empire State Development's Environmental Management Investment Group (EMIG) to implement the Solid Waste Management Assistance Project

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter into the necessary agreements with the NYS Department of Economic Development, Empire State Development's Environmental Management Investment Group (EMIG) to accept and implement a Solid Waste Management Assistance Project in Erie County in an amount not to exceed \$70,000 in grant resources commencing in March, 2000, and be it further

RESOLVED, that the grant budget for the Solid Waste Management Assistance Project (SFG#362) will be revised to include the recently appropriated funds for the existing Solid Waste Management Assistance Project as follows:

Account	Description	Current Budget	Revisions	Revised Budget
800	Salaries	\$25,000	\$52,500	\$ 77,500
805	Fringe Benefits	6,250	13,125	19,375
810	Office Supplies	1,000	200	1,200
824	Travel & Mileage	0	300	300
825	Out of Area Travel	1,000	500	1,500
826	Other Expenses	2,000	1,375	3,375
830	Contractual Services	<u>1,000</u>	<u>2,000</u>	<u>3,000</u>
	Total Appropriations	\$36,250	\$70,000	\$106,250

and be it further

RESOLVED, that the County Executive is authorized to enter into the necessary agreements to secure student interns for the above mentioned grant funded program, and be it further

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

(5-0)

6. Item Page -2000 (Comm. 6E-30)

**COUNTY EXECUTIVE**

WHEREAS, the Department of Parks, Recreation & Forestry currently has several obsolete pieces of heavy equipment, many irreparable, and

WHEREAS, the Department of Parks, Recreation & Forestry is in dire need of two (2) flail mowers for the golf courses, a lifeboat for the beaches, three (3) deck mowers for Islevew/Ellicott, a heavy duty table saw for the Bureau of Forestry, a heavy duty sprayer for the Botanical Gardens, and two (2) laser printers for the office, and

WHEREAS, the Department can not operate efficiently without this equipment, and

WHEREAS, the cost to purchase these items is estimated at \$105,000, and

WHEREAS, there are sufficient funds in our operating account 823, Repairs & Maintenance, for these purchases,

NOW, THEREFORE, BE IT

RESOLVED, that the Parks Department budget be amended as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
110942640823	Repairs & Maintenance	(\$105,000)
110942640931	Bldgs & Grounds Equipment	\$103,750
110942640933	Lab & Technical Equipment	\$1,250

and be it further,

RESOLVED, that certified copies of this resolution be forwarded to the Division of Budget, Management and Finance, the County Comptroller, and the Commissioner of the

Department of Parks, Recreation & Forestry.  
(5-0)

**ALBERT DeBENEDETTI**  
**CHAIRMAN**

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

CARRIED UNANIMOUSLY.

Item 15 – MR. PAULY presented the following resolution and moved for immediate consideration. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 112

March 28, 2000

REGIONALISM AD HOC  
COMMITTEE  
REPORT NO. 1

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

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

- |    |                                                                                                                                     |      |       |               |
|----|-------------------------------------------------------------------------------------------------------------------------------------|------|-------|---------------|
|    | Item                                                                                                                                | Page | -1999 | (Comm. 25M-3) |
| a. | <b>NORTHWEST SOLID WASTE MANAGEMENT BOARD:</b> Phase I - Feasibility Study for Regional Compost Facility.<br>(5-0)                  |      |       |               |
|    | Item                                                                                                                                | Page | -1999 | (Comm. 25M-6) |
| b. | <b>EC SOIL &amp; WATER CONSERVATION DISTRICT:</b> Erie County Regionalism Grant Interim Report 12/1/99.<br>(5-0)                    |      |       |               |
|    | Item                                                                                                                                | Page | -2000 | (Comm. 3M-2)  |
| c. | <b>TOWN OF BOSTON:</b> Update on Regionalism Grant Received from Erie County.<br>(5-0)                                              |      |       |               |
|    | Item                                                                                                                                | Page | -2000 | (Comm. 4M-5)  |
| d. | <b>TOWN OF EVANS:</b> County-Municipal Regionalism Grant Program Project #7 - Joint Purchase of Beach Sweeper/Tractor.<br>(5-0)     |      |       |               |
|    | Item                                                                                                                                | Page | -2000 | (Int. 4-1)    |
| e. | <b>PAULY:</b> Alleviation of Regional Railway Shipping Congestion and Punitive Fee Structure.<br>(5-0)                              |      |       |               |
|    | Item                                                                                                                                | Page | -2000 | (Comm. 6M-4)  |
| f. | <b>TOWN OF BOSTON:</b> Acceptance of a Vacuum Street Sweeper from Roberts Equipment, in Accordance with Regionalism Grant.<br>(5-0) |      |       |               |

- |    |                                                                                                                                         |      |       |              |
|----|-----------------------------------------------------------------------------------------------------------------------------------------|------|-------|--------------|
|    | Item                                                                                                                                    | Page | -2000 | (Comm. 6M-7) |
| g. | <b>TOWN OF AMHERST, ENGINEERING DEPARTMENT:</b> Municipal Regionalism Grant Program (T) Amherst - Amherst Utility Cooperative.<br>(5-0) |      |       |              |

**AS AMENDED**

- |    |                                                                                                                                                                                             |      |       |               |
|----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|-------|---------------|
| 2. | Item                                                                                                                                                                                        | Page | -2000 | (Intro. 6-10) |
|    | <b>PAULY, DeBENEDETTI, PEOPLES, &amp; WEINSTEIN</b><br><b>WHEREAS,</b> A Revised Railroad Real Property Tax Reform Proposal has been introduced into the New York State budget process, and |      |       |               |

**WHEREAS,** New York State's structure for assessing railroad infrastructure within the state is the highest in the nation, and

**WHEREAS,** These taxes have generally contributed to the loss of rail service to New York State shippers by providing an incentive for rail carriers to eliminate low volume branch lines or sidings as a tax avoidance strategy, and

**WHEREAS,** The CSX/NS acquisition of Conrail has greatly altered the railroad infrastructure and marketplace in the region, with the merger leaving the majority of our local shippers captive to one rail carrier, being provided poor service, and without significant market pressure to achieve efficient and cost effective rail transportation, and

**WHEREAS,** The Erie/Niagara Rail Steering Committee currently has a legal action before the United States Court of Appeals, 2<sup>nd</sup> Circuit, in an attempt to provide rail competition for shippers in the Erie/Niagara region, and

**WHEREAS,** Any railroad tax relief proposal should address the captive shipper problem in the region as such shippers directly employ over 25,000 local workers and suffer excessive rates and switching charges up to four times the national average, making their manufacturing operations in the Erie/Niagara region less competitive, and

**WHEREAS,** The granting of rail property tax relief should be directly tied to increased competition in the region, enhanced service provision and a direct correlation between tax relief and an increase in the railroads' annual capital expenditures and redressing the charging of excessive and monopolistic switching fees in the Erie/Niagara region, and

**WHEREAS,** The Erie-Niagara Regional Partnership has considered this issue and, as a matter of regional importance, has recommended that the Erie and Niagara County Legislatures pass legislation urging the state to rectify this situation,

**NOW, THEREFORE, BE IT**

**RESOLVED,** That the Erie County Legislature does hereby memorialize the New York State Legislature and New York State Governor George Pataki to adopt Railroad Real Property Tax Reform legislation which will advance the state of railroad competition in the Erie/Niagara

region, achieve an adequate level of rail service for local shippers, and create a method of leveraging local capital investment by the railroads, and be it further

**RESOLVED**, That this Honorable Body does further urge the New York State Legislature to enact legislation that includes a provision to permanently hold harmless municipalities and school districts from any decrease in revenue for the life of any rail taxation relief proposal, provide to each taxing jurisdiction an amount equal to tax revenue loss, and prohibit any assessment challenge by the railroads for the life of any rail taxation relief proposal, and be it further

**RESOLVED**, That certified copies of this resolution be sent to New York State Governor George Pataki and to the Western New York delegation of the New York State Legislature.

**Fiscal Impact:** None for resolution.

(5-0) Legislator DeBenedetti absent for vote. Chairman Swanick present as Ex-Officio Member.

**WILLIAM A. PAULY  
CHAIRMAN**

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

CARRIED UNANIMOUSLY.

Item 16 – MS. MARINELLI presented the following resolution and moved for immediate consideration. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 113

March 30, 2000

COMMUNITY ENRICHMENT  
COMMITTEE  
REPORT NO. 4

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

**ALL ITEMS ARE HEREBY TABLED.**

**LYNN M. MARINELLI  
CHAIRPERSON**

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

CARRIED UNANIMOUSLY.

Item 17 – MR. FITZPATRICK presented the following resolution and moved for immediate consideration. MR. KUWIK seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 114

March 30, 2000

ECONOMIC DEVELOPMENT  
COMMITTEE  
REPORT NO. 2

ALL MEMBERS PRESENT EXCEPT LEGISLATOR HOLT.

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

- a.       Item           Page                           -2000           (Comm. 4M-7)  
**DUCHSCHERER OBERST DESIGN:** Buffalo Intermodal Transportation Center  
Feasibility Study & Minutes from Technical Advisory Committee Meeting Held  
12/14/99.  
(4-0) Legislator Holt absent.
- b.       Item           Page                           -2000           (Comm. 4M-12)  
**NFTA:** 17A Report & Capital Expenditure Reports, 3<sup>rd</sup> Quarter of Fiscal Year Ending  
3/31/00.  
(4-0) Legislator Holt absent.
- c.       Item           Page                           -2000           (Comm. 6D-14)  
**DPW:** Peace Bridge Public Review Final Report.  
(4-0) Legislator Holt absent.
- d.       Item           Page                           -2000           (Comm. 6M-3)  
**MICHAEL DIPASQUALE:** Letter Urging Legislature to Support Construction of a  
New Peace Bridge.  
(4-0) Legislator Holt absent.

2.       Item           Page                           -2000           (Comm. 4D-12)  
**DPW**

WHEREAS, Wilson, Klaes, Brucker & Worden Engineers has a contract with the County to provide architectural/engineering services for the 1999 Stadium Improvements Waterline Services, and

WHEREAS, the project has been bid and is now in the Construction Phase, and

WHEREAS, architectural/engineering and scope of services has changed during construction,

NOW, THEREFORE, BE IT,

RESOLVED, that the Commissioner of Public Works is authorized to issue a supplemental agreement to Wilson, Klaes, Brucker & Worden Engineers increasing the amount from \$80,000.00 to \$95,000.00 to cover the cost of architectural/engineering and scope of services during construction, and be it further,

RESOLVED, that funding for this change order shall be from the 1998 Rich Stadium Bond Account, SFG No. 826, Fund 410, in the amount of \$15,000, and be it further,

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

3. Item Page -2000 (Comm. 6D-15)  
**DPW**

WHEREAS, the Buffalo Bills have requested that the artificial turf at Ralph Wilson Stadium be replaced in accordance with the terms of their lease, and

WHEREAS, they have requested that the County proceed with this work which should be completed before the 2000 preseason football season begins, and

WHEREAS, in order to comply, the Stadium Rehabilitation Consulting Engineer, DiDonato Associates, must begin design on this project immediately, and

WHEREAS, they have requested that the County install an Astro Turf 12-2000 artificial turf, which is a sole source item,

NOW THEREFORE, BE IT,

RESOLVED, that the bidding requirements be waived and be it further,

RESOLVED, that the Commissioner of Public Works and the County Attorney be authorized to negotiate with Southwestern Recreational Industries, Inc., 701 Leander Drive, Leander, Texas, 78641, to supply and install Astro Turf 12-2000 at a cost not to exceed \$1,000,000, and be it further,

RESOLVED, that the County Executive be authorized to enter into said negotiated contract, and be it further,



RESOLVED, that the County Executive be authorized to issue a Supplemental Agreement to DiDonato Associates to prepare contract documents and provide design and inspection services for this project in an amount not to exceed \$38,000, and be it further,

RESOLVED, that the Comptroller's Office be authorized to make payment from 1997 Stadium Bond Account Project 803, Fund 410, in the amount of \$11,298.00, 1998 Stadium Bond Account Project 826, Fund 410, in the amount of \$1,026,702, for a total amount not to exceed \$1,038,000, and be it further,

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

(4-0) Legislator Holt absent.

4.     Item                   Page                   -2000                   (Comm. 6D-16)  
       **DPW**

WHEREAS, Pursuant to New York State Highway Law, Article VI, Section 115 and Section 115-b, the Deputy Commissioner of Public Works, Division of Highways, recommends to amend the map of the Erie County Road System as follows: Railroad Street (CR 270) located in the Town of Clarence and as set forth below; and

WHEREAS, the Town of Clarence concurs with the recommendation and has agreed by resolution dated January 12, 2000, to accept ownership and maintenance for said road; and

WHEREAS, the Town Superintendent of Public Works has reviewed and approved this Town resolution.

NOW, THEREFORE BE IT

RESOLVED, that based upon the recommendation of the Deputy Commissioner of Public Works, Division of Highways, that Railroad Street (CR 270) from Clarence Center Road (CR 217) north, approximately 0.35 miles to Goodrich Road, (CR 216), be removed from the Erie County Road System and to revert to and be maintained by the Town of Clarence, and be it further

RESOLVED, that the Deputy Commissioner of Highways be authorized to send the required notice of such abandonment in accordance with Highway Law, Section 115-c; and be it further

RESOLVED, that the Clerk of the County Legislature be instructed to forward six (6) certified copies of this resolution to the Deputy Commissioner - Highways and one certified copy to the Erie County Comptroller.

(4-0) Legislator Holt absent.

MICHAEL A. FITZPATRICK  
CHAIRMAN

MR. FITZPATRICK moved the approval of the resolution. MR. KUWIK seconded.

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 115

March 30, 2000

FINANCE & MANAGEMENT  
COMMITTEE  
REPORT NO. 5

ALL MEMBERS PRESENT.

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

Item Page -2000 (Comm. 5E-7)  
a. **COMPTROLLER:** Apportionment and Distribution of the 4% Sales Tax Revenue Received by Erie County From NYS for February, 2000.  
(5-0)

Item Page -2000 (Comm. 6M-5)  
b. **NYS BOARD OF REAL PROPERTY SERVICES:** List of Certified 1999 State Equalization Rates.  
(5-0)

Item Page -2000 (Comm. 6M-6)  
c. **NYS BOARD OF REAL PROPERTY SERVICES:** List of Certified 1999 Class Equalization Rates.  
(5-0)

Item Page -2000 (Comm. 6M-15)  
d. **THE LEGAL AID BUREAU OF BUFFALO:** Unaudited Financial Statement for Ten Months Ending 10/31/99.  
(5-0)

April 6, 2000

**ERIE COUNTY LEGISLATURE**

- e. Item Page -2000 (Comm. 6M-19)  
**THE LEGAL AID BUREAU OF BUFFALO:** Unaudited Financial Statements for Six Months Ending 6/30/99, 1998 Financial Statements, 1998 Annual Report, & Minutes from Board Mtg.  
 (5-0)

2. Item Page -2000 (Comm. 6D-17)  
**DPW**

RESOLVED, that for County purposes of construction and reconstruction of roads, the County Executive is hereby authorized and directed to acquire the following interest in the parcels of land herein described for and in consideration of sums described herein, as listed on the attached,

VAUGHN STREET CR 198CONCORD, NEW YORK

PARCEL	OWNER(S)	AREA	PERMANENT EASEMENT
13-16A	Stephen D. & Sharon Straight	0.62 acres	\$ 150.00

NEW OREGON ROAD CR 446NORTH COLLINS, NEW YORK

PARCEL	OWNER(S)	AREA	PERMANENT EASEMENT
1	Richard P. & Phyllis Kron	0.058 acres	\$ 150.00
2	Frank G. Kron	0.016 acres	\$ 150.00

and be it further

RESOLVED, that the Clerk of the Legislature be instructed to forward three (3) certified copies of this resolution to the Deputy Commissioner-Highways, Department of Public Works and one copy to the County Comptroller  
 (5-0)

3. Item Page - 2000 (Comm. 6E-34)  
**COMPTROLLER**

RESOLUTION NO. 517-2000

BOND RESOLUTION DATED APRIL 6, 2000

BOND RESOLUTION OF THE COUNTY OF ERIE, NEW YORK, AMENDING THE BOND RESOLUTION ADOPTED MARCH 5, 1998 AND AMENDED APRIL 29, 1999, IN RELATION TO FINANCING THE CONSTRUCTION OF A NEW COUNTY COURTHOUSE BUILDING IN THE CITY OF BUFFALO, AT THE TOTAL ESTIMATED COST OF \$34,590,000.

(Introduced) March 21, 2000

(Adopted) April 6, 2000

Recitals

WHEREAS, the County Legislature of the County of Erie, New York, has heretofore duly authorized the acquisition of certain land to provide a site for County Courthouse facilities and construction of a new Courthouse building on such site, at the estimated maximum cost of \$35,304,000, which amount was appropriated therefore pursuant to Resolution No. 96-1998 duly adopted on March 5, 1998, as amended by Resolution No. 158-1999 duly adopted on April 29, 1999, and it has now been determined that \$714,000 of such appropriation should be reallocated to reconstruction of the existing County Courthouse building; and

WHEREAS, it is now appropriate to reduce the estimated maximum cost and appropriation for such construction by \$714,000 to reflect such reallocation;

NOW THEREFORE, BE IT

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

Section (A). The bond resolution of said County duly adopted by the County Legislature on March 5, 1998 and amended on April 29, 1999, entitled:

"RESOLUTION NO. 158-1999

BOND RESOLUTION DATED MARCH 5, 1998 AND AMENDED APRIL 29, 1999

BOND RESOLUTION OF THE COUNTY OF ERIE, NEW YORK, AUTHORIZING THE ACQUISITION OF LAND BOUNDED BY NIAGARA STREET, WEST EAGLE STREET AND PEARL STREET IN THE CITY OF BUFFALO, AND CONSTRUCTION OF A NEW COUNTY COURTHOUSE BUILDING THEREON, STATING THE ESTIMATED TOTAL COST THEREOF IS \$35,304,000, APPROPRIATING SAID AMOUNT THEREFOR, AUTHORIZING THE ISSUANCE OF \$35,304,000 BONDS OF THE COUNTY TO FINANCE SAID APPROPRIATION, AND AUTHORIZING ANY AMOUNTS EXPECTED TO BE RECEIVED FROM THE STATE OF NEW YORK TO BE EXPENDED TOWARDS THE COST THEREOF OR REDEMPTION OF THE BONDS ISSUED THEREFOR OR TO BE BUDGETED AS AN OFFSET TO THE TAXES FOR THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SAID BONDS." is hereby amended to read as follows:

RESOLUTION NO. 517 - 2000

BOND RESOLUTION DATED MARCH 5, 1998 AND AMENDED APRIL 29, 1999 AND APRIL 6, 2000 BOND RESOLUTION OF THE COUNTY OF ERIE, NEW YORK, AUTHORIZING THE ACQUISITION OF LAND BOUNDED BY NIAGARA STREET, WEST EAGLE STREET AND PEARL STREET IN THE CITY OF BUFFALO, AND CONSTRUCTION OF A NEW COUNTY COURTHOUSE BUILDING THEREON, STATING THE ESTIMATED TOTAL COST THEREOF IS \$34,590,000, APPROPRIATING SAID AMOUNT THEREFOR, AUTHORIZING THE ISSUANCE OF \$34,590,000 BONDS OF THE COUNTY TO FINANCE SAID APPROPRIATION, AND AUTHORIZING ANY AMOUNTS EXPECTED TO BE RECEIVED FROM THE STATE OF NEW YORK TO BE EXPENDED TOWARDS THE COST THEREOF OR REDEMPTION OF THE BONDS ISSUED THEREFOR OR TO BE BUDGETED AS AN OFFSET TO THE TAXES FOR THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SAID BONDS.

(Introduced) March 21, 2000

(Adopted) April 6, 2000

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

Section 1. The County of Erie, New York (herein called "County") is hereby authorized to (a) acquire land bounded by Niagara Street, West Eagle Street and Pearl Street in the City of Buffalo, comprising Inner Lot Nos. 82 and 83 and known as the South Fernbach site, at the estimated maximum cost of \$490,000, and (b) construct a new County Courthouse Building on such site, at the estimated maximum cost of \$34,100,000. The total estimated maximum cost of said specific objects or purposes, including preliminary costs and costs incidental thereto and to the financing thereof, is \$34,590,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$34,590,000 bonds of the County, and any bond anticipation notes issued in anticipation of the sale of such bonds to finance said appropriation, the levy and collection of taxes on all the taxable real property in the County to pay the principal of and interest on said bonds and notes, and application of funds expected to be received from the State of New York to be expended towards the cost thereof or redemption of the bonds or notes issued therefor or to be budgeted as an offset to the taxes for the payment of principal of and interest on said bonds or notes.

Section 2. Bonds of the County in the respective principal amounts of \$490,000 and \$34,100,000 are hereby authorized to be issued for the specific objects or purposes described in Section 1(a) and (b), pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"), to finance said appropriation.

Section 3. (a) The period of probable usefulness of the specific object or purpose for which said \$490,000 bonds herein authorized in Section 1.(a) are to be issued, within the limitations of §11.00 a. 21 of the Law, is thirty (30) years.

(b) The building to be constructed will be of at least Class "A" construction as defined by Section 11.00 a.11.(a) of the Law, and the period of probable usefulness of the specific object or purpose for which said \$34,100,000 bonds herein authorized in Section 1.(b) are to be issued is thirty (30) years.

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

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

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

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

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

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

(c) such obligations are authorized in violation of the provisions of the Constitution. Section 8. This Resolution shall take effect immediately upon approval by the County Executive."

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

Section (C). This Resolution shall take effect immediately.

(5-0)

**CRYSTAL D. PEOPLES  
CHAIRPERSON**

MS. PEOPLES moved to separate item #3. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

CHAIRMAN SWANICK directed that a Roll Call Vote be taken.

AYES: KUWIK, FITZPATRICK, HOLT, FISHER, OLMA, DeBENEDETTI, PEOPLES, DUSZA, SWANICK, MARINELLI, GREENAN, CHASE, MARSHALL, PAULY, RANZENHOFER, and LARSON. NOES: WEINSTEIN. AYES – 16, NOES – 1.

CARRIED.

MS. PEOPLES moved the approval of the balance of the report. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 116

March 30, 2000

HEALTH/MENTAL HEALTH  
COMMITTEE  
REPORT NO. 4

ALL MEMBERS PRESENT EXCEPT LEGISLATOR PEOPLES.

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

Item Page -2000 (Comm. 4D-8)  
a. **MENTAL HEALTH:** Mental Health Executive Summary, Analysis of Proposed 2000-2001 Executive State Budget & By-Laws of EC Mental Hygiene Comm. Svcs. Bd. (4-0) Legislator Peoples absent.

Item Page -2000 (Comm. 6D-2)  
b. **ECMC HEALTHCARE NETWORK:** Board of Managers Finance Committee 3/3/00. (4-0) Legislator Peoples absent.

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

WHEREAS, the Reach Out Program of the Erie County Health Department is designed to comprehensively train adolescent peer educators regarding HIV/AIDS in order to help adolescents in Erie County protect themselves from contracting HIV and/or spreading the virus, and

WHEREAS, the American Red Cross, Buffalo Chapter, utilizes an approved HIV/AIDS curriculum to train peer educators, and

WHEREAS, funds are available in Account 821, Dues and Fees, in the Health Department's 2000 adopted budget.

NOW, THEREFORE, BE IT

**RESOLVED**, that the Erie County Legislature hereby authorizes the County Executive to enter into a contract with the American Red Cross, Buffalo Chapter, in an amount not to exceed \$15,000, to provide peer educators and peer education leaders, and be it further

**RESOLVED**, that rates paid under this contract shall be as follows:

Peer Educator	\$6.05 per hour
Peer Education Leader	\$6.60 per hour
Senior Peer Leader	\$11.00 per hour

and be it further



RESOLVED, that the contract with the American Red Cross is for special services that must be provided immediately and continuously, and therefore the Request for Proposal procedure required by Local Law No. 6, Section 19.08 of the Administrative Code is hereby waived, and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Department of Health, the County Comptroller, the Division of Budget, Management & Finance and the Department of Law.  
(4-0) Legislator Peoples absent.

3.     Item            Page                   -2000            (Comm. 6E-31)  
       **COUNTY EXECUTIVE**

RESOLVED, that the County Executive is hereby authorized to enter into an agreement with the Cazenovia Recovery Systems, Inc., located at 9136 Sandrock Road, Eden, New York, for an amount not to exceed \$22,686 for the purpose of transporting homeless men that are recovering from alcoholism and chemical dependency to outreach services; 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 1092 Main Street, Buffalo, New York, for an amount not to exceed \$39,200 for essential services for homeless families and operational expenses; 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 Community Services, Inc., located at 1377 Abbott Road, Lackawanna, New York for an amount not to exceed \$11,320 for a case worker and operational expenses; 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 \$33,895 for furniture and rehabilitation work associated with their shelter for homeless families located at 984 Main Street, Buffalo, New York; and be it further

RESOLVED, that said contract authorizations are contingent on the receipt of year 2000 federal Emergency Shelter Grant funding assistance through the 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 said contracts shall be coordinated with all other County departments having involvement with homeless service providers; and be it further

RESOLVED, that a certified copy of this resolution be forwarded to the Division of Budget, Management and Finance, the Office of the Comptroller and the Department of Environment and Planning.

(4-0) Legislator Peoples absent.

**JUDITH P. FISHER**  
**CHAIRPERSON**

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

CARRIED UNANIMOUSLY.

**LEGISLATORS RESOLUTIONS**

Item 20 – CHAIRMAN SWANICK directed that the following resolution be referred to the REGIONALISM AD HOC COMMITTEE.

GRANTED.

Intro. 7-1 From LEGISLATOR PAULY Re: Incentive Based Revenue Sharing.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 117

Re: Supporting Correction of Error in  
Social Security Benefits for “Notch Babies.”  
(Intro. 7-2)

**A RESOLUTION SUBMITTED BY**  
**LEGISLATOR DUSZA**

**WHEREAS**, In 1977 the federal government created a "notch" in the Social Security system for those born between 1917 and 1926 as the Social Security trust fund was in danger of bankruptcy due to an error in the calculation of payments that increased at a rate higher than inflation, and

**WHEREAS**, Congress therefore revamped the payment system to match the correct rate of inflation, but made an error which has resulted in reduced Social Security benefits for people born between 1917 and 1926 — "notch babies," and

**WHEREAS**, H.R. 148, the Notch Fairness Act of 1999, has been introduced in Congress to correct this problem by allowing "notch babies" to choose either lump sum payments over

four years totaling \$5000 or an improved benefit computation formula, but has yet to be given due consideration, and

**WHEREAS**, In the face of rising medical costs and cost of living in general, it is imperative that these "notch babies" be granted full Social Security benefits,

**NOW, THEREFORE, BE IT**

**RESOLVED**, That the Erie County Legislature does hereby reaffirm its strong appreciation for the senior members of our region who contribute so much to the quality of life in our community, and be it further

**RESOLVED**, That this Honorable Body does hereby memorialize the United States Congress to pass and U.S. President William Clinton to sign into law H.R. 148, the Notch Fairness Act of 1999, in order to properly provide full Social Security benefits for those "notch babies" born between 1917 and 1926, and be it further

**RESOLVED**, That certified copies of this resolution be sent to United States President William Clinton, and to the Western New York delegation of the United States Congress.  
**Fiscal Impact:** None for resolution.

MR. DUSZA moved to amend the resolution to include ET AL Sponsorship. MR. DeBENEDETTI seconded.

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

Item 22 – CHAIRMAN SWANICK directed that the following resolution be referred to the FINANCE & MANAGEMENT COMMITTEE.

GRANTED.

Intro. 7-3 From LEGISLATORS DUSZA, SWANICK, & PEOPLES Re: Use of Funds from Legislature's Economic Development Tourism Fund to Retain Jobs at Quebecor in Depew.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 118

Re: Recognition of April 9-15 as  
National Crime Victims' Rights  
Week. (Intro. 7-4)

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

**WHEREAS**, people victimized by violent crimes deserve fair treatment and assistance to help them cope with the devastating trauma of crime and victimization, and

**WHEREAS**, this legislative body would like to take a moment to recognize the week of April 9-15 as the 20<sup>th</sup> Anniversary of National Crime Victims' Rights Week (NCVRW), and

**WHEREAS**, the theme for this year's NCVRW, "Dare to Dream," reflects the great strides that crime victims have made with the help of the many victims who have come forward to share their personal pain so that others might learn from their experiences, and

**WHEREAS**, by commemorating the 20<sup>th</sup> Anniversary of the NCVRW, we as a community are reaching out to those crime victims who are in need of our assistance and compassion, and

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Erie County Legislature is committed to supporting measures that will reduce crime rates and help victims of crime, and hereby wishes to recognize the week of April 9-15 as the 20<sup>th</sup> Anniversary of the National Crime Victims' Rights Week, and be it further

**RESOLVED**, that this honorable body does applaud the efforts of the National Office for Victims of Crime and the New York State Crime Victims Board for their work in helping victims of crime.

Fiscal Impact: None

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

Item 24 – CHAIRMAN SWANICK directed that the following resolution be referred to the FINANCE & MANAGEMENT COMMITTEE.

GRANTED.

Intro. 7-5 From LEGISLATORS CHASE, WEINSTEIN, LARSON, RANZENHOFER & MARSHALL Re: Support of the Repeal of Article 6 of Section 626 of the Real Property Tax Law.

Item 25 – MR. GREENAN presented the following resolution and moved for immediate consideration. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 119

Re: Support for State Grant for Buffalo Airfield Airport. (Intro. 7-6)

A RESOLUTION SUBMITTED BY  
LEGISLATORS GREENAN AND DUSZA

**WHEREAS**, the County of Erie, has received a request from Deborah J. Witherall, applicant of the Buffalo Airfield Airport, concerning the applicant's request for State grant/loan funds under the Airport Improvement and Revitalization Grant and Local Program (AIR '99), for a project to repair with hot asphalt and crack filler 4,500 lin. Ft., apply 121.500 ft. of sealant with sand in apron arrears and re-stripe lines on ramp, install 6 bifold doors on maintenance & north hangar and purchase a Ford 550 truck with dump box and wing plow for snow removal, and

**WHEREAS**, the New York State Department of Transportation, under Section 14-1 of the State Transportation Law requires that project applications made by privately-owned airports be accompanied by a resolution from the governing body of the county in which the airport is located, and

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the County of Erie endorsed the project identified above at the Buffalo Airfield Airport for the purpose of making the project eligible for State funding, and be it further

**RESOLVED**, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation, County Executive Joel A. Giambra and Commissioner of Environment and Planning, Laurence Rubin.

**Fiscal Impact: None for the resolution**

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 120

Re: Support for Additional State  
Grants to Repair Buffalo Airfield  
Runway. (Intro. 7-7)

A RESOLUTION SUBMITTED BY LEGISLATORS GREENAN AND DUSZA

**WHEREAS**, the County of Erie, has received a request from Deborah J. Witherell, applicant of the Buffalo Airfield Airport, concerning the applicant's request for State grant/loan funds under the airport Improvement and Revitalization Grant and Loan Program (AIR'99), for a project to repair 5,000 lin. Ft. of hot asphalt crack filler, apply 159,900 square feet of sealant with sand in runway and re-stripe lines, purchase 1997 wheel loader with 10 foot snowplow and 8 foot sweepsteer angle broom and,

**WHEREAS**, the New York State Department of Transportation, under Section 14-1 of the State Transportation law requires that project applications made by privately-owned airports be accompanied by a resolution from the governing body of the county in which the airport is located, and

**NOW, THEREFORE, BE IT RESOLVED**, that the County of Erie endorses the project identified above at the Buffalo Airfield Airport for the purpose of making the project eligible for State funding, and it is further

**RESOLVED**, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation, County Executive Joel A. Giambra, and Commissioner of Environment and Planning Laurence Rubin, and it is further

**RESOLVED**, that this resolution shall take effect immediately.

Fiscal Impact: none for this resolution

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 121

Re: Support for Additional State  
Grants to Repair Buffalo Airfield.  
(Intro. 7-8)

A RESOLUTION SUBMITTED BY LEGISLATORS GREENAN AND DUSZA

**WHEREAS**, the County of Erie, has received a request from Deborah J. Witherell, applicant of the Buffalo Airfield Airport, concerning the applicant's request for State grant/loan funds under the airport Improvement and Revitalization Grant and Loan Program (AIR'99), for a project to reroof aircraft hangar 10,000 square feet and install 1456 lin. Ft., of gutters and downspouts, install 12 Bi Fold doors for aircraft hangar and,

**WHEREAS**, the New York State Department of Transportation, under Section 14-1 of the State Transportation law requires that project applications made by privately-owned airports be accompanied by a resolution from the governing body of the county in which the airport is located, and

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the County of Erie endorses the project identified above at the Buffalo Airfield Airport for the purpose of making the project eligible for State funding, and it is further

**RESOLVED**, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation, County Executive Joel A. Giambra, and Commissioner of Environment and Planning Laurence Rubin, and it is further

**RESOLVED**, that this resolution shall take effect immediately.

Fiscal Impact: none for this resolution

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 122

Re: Support for a Cultural Group.  
(Intro. 7-9)

A RESOLUTION SUBMITTED BY  
LEGISLATOR DUSZA

**WHEREAS**, the Legislature set aside funds in the 2000 Erie County Budget for use by worthy community organizations and governmental agencies, and

**WHEREAS**, this funding may be provided by the County of Erie to local community based organizations and agencies for the purposes of assisting our youth or senior citizens, and to

assist in crime fighting, emergency services, or other types of neighborhood-based service delivery, and

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

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$2,500 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>
Chopin Singing Society	830/0280	\$2,500
<b>TOTAL</b>		<b>\$2,500</b>

and be it further

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

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

RESOLVED, that certified copies of this resolution be sent to County Executive Joel A. Giambra, County Comptroller Nancy A. Naples, Budget Director Joseph Passfiume, Jennifer Anger – Administrative Assistant Erie County Legislature, First Assistant County Attorney Susannah M. Bochenek and to Chopin Singing Society, (2155 Union Road, Cheektowaga, NY 14227.)

**Fiscal Impact:** Appropriation of 2000-budgeted funds.

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.



RESOLUTION NO. 123

Re: Opposing Possible Closure of 3  
City of Buffalo School Health Care  
Clinics. (Intro. 7-10)

**A RESOLUTION SUBMITTED BY  
LEGISLATORS PEOPLES, HOLT, & FISHER**

**WHEREAS**, Health care is offered on a limited basis to children at school-based health care clinics in the City of Buffalo public schools, and

**WHEREAS**, The New York State Department of Health requires that school-based health services be provided at no out-of-pocket expense to parents, meaning that for non-Medicaid children the school cannot bill the parents for services provided, and

**WHEREAS**, Kaleida Health has assisted in the provision of the aforementioned services by operating clinics at the Herman Badillo Bilingual Academy, Westminster Community School, and the Stanley Makowski Early Childhood Center, but is now considering closing these centers unless outside funding can be secured to make up for total anticipated deficits of \$157,000 in 1999 and \$216,000 in 2000, and

**WHEREAS**, Some of the services provided at these centers are first aid, immunizations, health maintenance and prevention services, insulin administration, and routine physicals, and annual history and physicals for special needs children, and

**WHEREAS**, The clinics are located in some of the poorest city neighborhoods, and fulfill a critical need in the community, and

**WHEREAS**, New York State, under the Health Care Reform Act (HCRA), has approximately \$7 million available that could be used to keep these clinics open,

**NOW, THEREFORE, BE IT**

**RESOLVED**, That the Erie County Legislature does hereby reaffirm its commitment to providing for the health and well-being of our community's children, and be it further

**RESOLVED**, That this Honorable Body does commend Kaleida Health for its past and present dedication to the health clinics at the Herman Badillo Bilingual Academy, Westminster Community School, and the Stanley Makowski Early Childhood Center, and does request that any decision to close the aforementioned clinics be reconsidered, and be it further

**RESOLVED**, That this Honorable Body does request that the New York State Department of Health make available funding from the Health Care Reform Act (HCRA) at a level sufficient to allow for the continued operation of the aforementioned clinics, and be it further

**RESOLVED**, That this Honorable Body does request that representatives from the Buffalo Public Schools, Kaleida Health, members of the Western New York delegation of the New York State Legislature, and the New York State Department of Health attend a future meeting of the Legislature's Health/Mental Health Committee to more fully explore this issue in an effort to continue service at the aforementioned clinics, and be it further

**RESOLVED**, That certified copies of this resolution be sent to the Western New York delegation of the New York State Legislature, New York State Department of Health Commissioner Dr. Antonia Novello (Corning Tower, Empire State Plaza, Albany, NY 12237), City of Buffalo Public Schools Superintendent Marion Canedo (Room 712 City Hall, Buffalo, NY 14202), Kaleida Health President & CEO John Friedlander (901 Washington St. Buffalo, NY 14203), and Hispanic Pastors Association of Western New York President Casimiro Rodriguez (PO Box 313, Buffalo, NY 14213).

**Fiscal Impact:** None for resolution.

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 124

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

A RESOLUTION SUBMITTED BY  
LEGISLATOR PAULY

WHEREAS, the Legislature set aside funds in the 2000 Erie County Budget for use by worthy community organizations and governmental agencies, and

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

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

NOW, THEREFORE, BE IT

**RESOLVED**, that the Erie County Legislature does hereby approve the transfer of \$1,000 from the legislative contractual (DAC: 110905100830) to Fund 110, Project 921,

Department 301 Agency Payments & Grants - Public Benefit Services, (DAC: 110921301830),  
for paying the following agency:

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
Town of Amherst - Eggertsville Community Organization	830/	\$1,000
<b>TOTAL</b>		<b>\$1,000</b>

and be it further

RESOLVED, that the County Executive is hereby authorized to enter into contract with  
the Town of Amherst for 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 Passfiume, Jennifer  
Anger – Administrative Assistant Erie County Legislature, First Assistant County Attorney  
Susannah M. Bochenek and one (1) copy to Eggertsville Community Organization.

**Fiscal Impact:** Appropriation of 2000-budgeted funds.

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 125

RE: Collins Agricultural District  
Recertification (Erie County #8).  
(Intro. 7-12)

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

WHEREAS, the Collins Agricultural District (#8), was initially created March 17, 1976,  
and recertified in 1984 and 1992; and

WHEREAS, Article 25AA of the New York State Agricultural and Markets Law, Section 303.8, specifies that the County Legislative body shall review any agricultural district created under this section eight years after the date of its creation and every eight years thereafter; and

WHEREAS, pursuant to a resolution on January 20, 2000, the Erie County Legislature directed the Clerk of the Legislature to publish a public notice of the district's review; and

WHEREAS, the district was duly referred to the Erie County Division of Planning and to the Agricultural and Farmland Protection Board (formerly the Agricultural District Advisory Committee) of this Legislature for review of the district; and

WHEREAS, on the 23rd day of March, 2000, pursuant to public notice, a public hearing was held within the agricultural district at the Collins Town Hall; and

WHEREAS, various matters were brought before the public hearing, discussed and considered and no modifications to the district were brought forth; and

WHEREAS, in accordance with the New York State Environmental Quality Review Act of 1975 and in accordance with adopted review procedures and the criteria set forth in Part 617, this agricultural district has been reviewed and determined to have no significant effect on the environment (Exhibit A).

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature concurs in the recommendations and findings made by the Agricultural and Farmland Protection Board and the Department of Environment and Planning and does hereby approve and reaffirm the existing Collins Agricultural District and the Negative Declaration, and be it further

RESOLVED, that upon the adoption of this resolution, the Clerk of the Legislature be directed to forward the necessary documentation to the appropriate officials of the State of New York in accordance with the Agricultural and Markets Law and that copies of this resolution be sent to the Towns of Collins and North Collins and to the Erie County Department of Environment and Planning (Chet Jandzinski).

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 126

RE: Funding for the Buffalo Zoo.  
(Intro. 7-13)

A RESOLUTION SUBMITTED BY LEGISLATORS SWANICK & PEOPLES

WHEREAS, the Zoological Society of Buffalo is an important cultural asset enjoyed by local residents and a prominent attraction for tourists, and

WHEREAS, the Buffalo Zoo's five-year accreditation by the American Zoo and Aquarium Association (AZA) will expire this year, and

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

CARRIED UNANIMOUSLY.

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

**ADD the following after the second WHEREAS clause:**

WHEREAS, aging buildings, deteriorating conditions and outdated exhibits at the Buffalo Zoo could lead to the loss of accreditation, and

WHEREAS, maintaining official accreditation is essential to a successful future for the zoo, and

WHEREAS, capital construction repairs and improvements would help the zoo secure re-accreditation, and

WHEREAS, improvements to the zoo would also benefit living conditions for animals and attract new, additional visitors to the zoo, and

WHEREAS, it is understood that the Buffalo Zoological Gardens property is owned by the City of Buffalo, and therefore County funds provided to the Society for repairs and other redevelopment efforts must be coordinated and guided by an Inter-municipal agreement between the County and the City of Buffalo,

NOW THEREFORE, BE IT

RESOLVED that the Erie County Legislature does hereby approve the transfer of \$2,000,000 from the Extraordinary County Aid to Local Governments-Economic Development Tourism Fund (DAC: 110904303830117) for paying the following agency in the Agency Payments-Public Benefit monitored by the Department of Environment & Planning

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
Zoological Society of Buffalo	110922302830142	\$2,000,000
<b>TOTAL</b>		<b>\$2,000,000</b>

and be it further

RESOLVED, that the County Executive is hereby authorized to enter into an agreement with the Zoological Society of Buffalo to enable the Society to undertake repairs, to be paid to them on an as completed basis as per their phased program, with such accommodations for phased payments to be spelled out within the contracts to be signed, and be it further

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

RESOLVED, that the Erie County Cultural Resources Advisory Board (CRAB) is hereby authorized to assist in the oversight of the expenditure of these funds, and be it further

RESOLVED, that the necessary invoices, related progress reports and a close-out report be generated by the Zoological Society upon completion of this project, with said documents to be filed with the Clerk of the Legislature and the director of the Division of Budget, Management and Finance, 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 Passfiume, First Assistant County Attorney Susannah M. Bochenek, Jennifer Anger – Administrative Assistant Erie County Legislature, Commissioner of Environment & Planning Laurence Rubin, the Buffalo Zoological Society, and to the Chairman of the Board of the Cultural Resources Advisory Board.

Fiscal Impact: Appropriation of 2000-budgted funds

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

CARRIED UNANIMOUSLY.

**DELETE the second RESOLVED clause and replace with:**

RESOLVED, that the County Executive is hereby authorized to enter into an agreement with the Zoological Society of Buffalo, an intermunicipal agreement with the City of Buffalo, to enable the Society to undertake repairs, to be paid to them on an as completed basis as per their phased program, with such accommodations for phased payments to be spelled out within the contracts to be signed, and be it further

**ADD the following to the last sentence in the last RESOLVED clause:**

, Mayor Masiello, Buffalo's Common Council office, and Buffalo's Corporation Counsel.

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

CARRIED UNANIMOUSLY.

**COMMUNICATIONS DISCHARGED FROM COMMITTEE**

Item 33 – MR. KUWIK moved to discharge the PUBLIC SAFETY COMMITTEE from further consideration of Comm. 6E-32. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

MR. KUWIK moved that Comm. 6E-32 be RECEIVED, FILED AND PRINTED. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

March 1, 2000

The Honorable  
Erie County Legislature  
25 Delaware Avenue  
Buffalo, New York 14202

Re: Reappointment to Central Police Services Board of Trustees

Dear Members:

I, Joel A. Giambra, Erie County Executive, pursuant to Article 11-D-03 of the Erie County Administrative Code do hereby reappoint Patrick Curley to the Central Police Services Board of Trustees, for a one-year term expiring December 31, 2000.

Respectfully submitted,

JOEL A. GIAMBRA  
ERIE COUNTY EXECUTIVE

Item 34 – MS. PEOPLES moved to discharge the PERSONNEL AD HOC COMMITTEE from further consideration of Comm. 6E-15. MR. KUWIK seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 127

Re: Department of Youth Services  
Detention Facility Staffing  
Adjustment.

WHEREAS, the Detention Division of the Department of Youth Services is responsible for providing secure and non-secure detention services in Erie County, and

WHEREAS, there is a need to address the immediate problems of the condition of the detention facility and the increased workload for the intake screening process,

NOW THEREFORE BE IT

RESOLVED, that authorization is hereby provided to add one (1) Maintenance Worker, job group 5, one (1) Detention Home Intake Worker, job group 8, and to delete one (1) part-time Maintenance Worker in the budget of the Detention Facility, and be it further

RESOLVED, that the Department is authorized to transfer funds to cover the cost of said positions, a portion of which is made up by the deletion of the part-time maintenance worker, as follows:

Department of Youth Services  
Division of Detention  
Fund 110 - Project 251

<u>Appropriation</u>	<u>Decrease</u>
Acct. 821 Dues and Fees	<u>\$35,178</u>
Total Available Funds	<u>\$35,178</u>
<u>Appropriation</u>	<u>Increase</u>
Acct. 800 Personal Services	\$29,813
Acct. 805 Fringe Benefits	<u>5,365</u>
Total Expense	<u>\$35,178</u>

and be it further

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

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

CARRIED UNANIMOUSLY.



Item 35 – MS. PEOPLES moved to discharge the FINANCE & MANAGEMENT COMMITTEE from further consideration of Comm. 5E-6. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 128

Re: State Authorization to Arrange for the Underwriting and Private Sale of Bonds or Notes Through Negotiated Agreement.

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

WHEREAS, Senate Bill S. 6356 and Assembly Bill A. 9338, now pending before the New York State Legislature, would authorize extension of the County's authority to arrange for underwriting of bonds or notes at private sale through negotiated agreement through June thirty, two thousand and one;

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

TO THE LEGISLATURE:

Pursuant to Article IX of the Constitution, the County of Erie requests the enactment of Assembly Bill No. 9338, entitled "AN ACT to amend the local finance law, in relation to the sale of municipal obligations by the County of Erie."

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

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

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

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

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

WHEREAS, Senate Bill S. 6356 and Assembly Bill A. 9338, now pending before the New York State Legislature, would authorize extension of the County's authority to arrange for

underwriting of bonds or notes at private sale through negotiated agreement through June thirty, two thousand and one;

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

TO THE LEGISLATURE:

Pursuant to Article IX of the Constitution, the County of Erie requests the enactment of Senate Bill No. 6356, entitled "AN ACT to amend the local finance law, in relation to the sale of municipal obligations by the County of Erie."

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

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

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

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

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

CARRIED UNANIMOUSLY.

Item 36 – MS. PEOPLES moved to discharge the FINANCE & MANAGEMENT COMMITTEE from further consideration of Comm. 6E-38. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 129

Re: Bond Resolution – Bennett  
Beach Park in the Town of Evans.

RESOLUTION NO. 129 - 2000  
BOND RESOLUTION DATED APRIL 6, 2000

BOND RESOLUTION OF THE COUNTY OF ERIE, NEW YORK, AUTHORIZING THE PREPARATION OF SURVEYS, PRELIMINARY AND DETAILED PLANS, SPECIFICATIONS AND ESTIMATES NECESSARY FOR PLANNING IMPROVEMENTS TO BENNETT BEACH PARK IN THE TOWN OF EVANS, STATING THE ESTIMATED MAXIMUM COST OF THE COUNTY'S LOCAL SHARE THEREOF IS \$120,000, APPROPRIATING SAID AMOUNT THEREFOR, AUTHORIZING THE ISSUANCE OF \$120,000 BONDS OF THE COUNTY TO PAY THE COST THEREOF AND THE

APPLICATION OF ANY FUNDS EXPECTED TO BE RECEIVED FROM THE STATE OF NEW YORK TO BE EXPENDED TOWARDS THE COST THEREOF OR REDEMPTION OF THE BONDS ISSUED THEREFOR OR TO BE BUDGETED AS AN OFFSET TO THE TAXES FOR THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SAID BONDS.

(Introduced) MARCH 21, 2000

(Adopted) APRIL 6, 2000

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

Section 1. The County is hereby authorized to undertake preparation of surveys, preliminary and detailed plans, specifications and estimates necessary for planning improvements to Bennett Beach Park in the Town of Evans. The total estimated maximum cost of the County's local matching share of said specific object or purpose, including preliminary costs and costs incidental thereto and to the financing thereof, is \$120,000, and said amount is hereby appropriated therefor pursuant to the duly adopted Capital Budget of said County for fiscal year 1999. To the extent that the details set forth in this resolution are inconsistent with any details set forth in the 1999 Capital Budget of the County, such Budget shall be deemed and is hereby amended. The plan of financing includes the issuance of \$120,000 bonds of the County and any bond anticipation notes issued in anticipation of the sale of such bonds to finance said appropriation, the levy and collection of taxes on all the taxable real property in the County to pay the principal of and interest on said bonds and notes as the same shall become due and payable, and application of any funds expected to be received from the State of New York to be expended towards the cost thereof or redemption of the bonds or notes issued therefor or to be budgeted as an offset to the taxes for the payment of principal of and interest on said bonds or notes.

Section 2. Bonds of the County in the principal amount of \$120,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated

Laws of the State of New York (herein called "Law"), to finance said appropriation.

Section 3. The period of probable usefulness for the specific object or purpose for which the \$120,000 bonds herein authorized are to be issued, within the limitations of §11.00 a. 62(2nd) of the Law, is five (5) years.

Section 4. The County intends to finance, and the Comptroller of the County is hereby authorized to advance such amounts as are necessary to pay the costs of the object or purpose described in Section 1 hereof prior to the issuance of the bonds or bond anticipation notes authorized out of any available funds of the County, on an interim basis, which amounts are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the County,

pursuant to this Resolution, in the maximum amount of bonds herein authorized. This Resolution is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

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

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

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

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

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

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

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

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

CHAIRMAN SWANICK directed that a roll call vote be taken.

AYES: CHASE, GREENAN, LARSON, MARSHALL, PAULY, RANZENHOFER, WEINSTEIN, DeBENEDETTI, DUSZA, FISHER, FITZPATRICK, HOLT, KUWIK, MARINELLI, OLMA, PEOPLES, & SWANICK. AYES – 17, NOES – 0.

CARRIED UNANIMOUSLY.

Item 37 – MS. PEOPLES moved to discharge the FINANCE & MANAGEMENT COMMITTEE from further consideration of Comm. 6E-29. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 130

Re: Economic Development  
Initiatives and Fund Account  
Closeouts.

WHEREAS, The County of Erie, desires to assist in funding the Walden Commerce Exchange Industrial Park in the Town of Cheektowaga; and

WHEREAS, The Town of Cheektowaga has agreed to contract for construction of the industrial park, take ownership of the roadway and provide for maintenance as a municipal roadway; and

WHEREAS, The County of Erie, desires to fund the extension of Quaker Center Industrial Park, which has been partially developed and been successful in housing growing industries in Orchard Park; and

WHEREAS, The Town of Orchard Park has agreed to contract for the construction of the extension of the industrial park, take ownership and provide for maintenance as a municipal roadway; and

WHEREAS, The County of Erie desires to assist the Erie County Soil and Water Conservation Service in their efforts to prevent erosion and protect valuable farmland; and

WHEREAS, The County of Erie desires to assist in funding the studies and independent analysis for the Peace Bridge; and

NOW, THEREFORE BE IT

RESOLVED, That the County Executive is authorized to enter into contracts with the Town of Cheektowaga in amounts not to exceed a total of \$ 120,000, for the purpose of funding a portion of the construction of the Walden Commerce Exchange Industrial Park, and that the source of the funds shall be \$120,000 in 1999 funds available in General fund 110, Project 922, Department 302, Agency Payments monitored by Environment and Planning, Account 830, Contractual Services, Subaccount 1030, Business Site Development Fund, which is hereby

transferred to a subaccount for the Town of Cheektowaga in the same administrative unit, and be it further

RESOLVED, That the County Executive is authorized to enter into contracts with the Town of Orchard Park in amounts not to exceed a total of \$500,000, for the purpose of funding the construction of an extension to Quaker Center Industrial Park, and that the source of these funds shall be the following:

- 1.) \$86,693 in 1999 funds available in General Fund 110, Project 922, Department 302, Agency Payments monitored by Environment and Planning, Account 830, Contractual Services, Subaccount 1030, Business Site Development Fund, which is hereby transferred to a subaccount for the Town of Orchard Park in the same administrative unit;
- 2.) \$350,000 in 1999 funds available in General Fund 110, Project Department 302, Agency Payments monitored by Environment and Planning, Account 830, Contractual Services, Subaccount 103 1, Business Relocation Fund, which is hereby transferred to a subaccount for the Town of Orchard Park in the same administrative unit;
- 3.) \$63,307 in 2000 funds available in General Fund 110, Project 904, Department 303, Extraordinary Aid to Local Government, Account 830, Contractual Services, Subaccount 1117, Economic Development Tourism Fund, which is hereby transferred to a subaccount for the Town of Orchard Park in Department 302, Agency Payments monitored by Environment and Planning, Account 830, Contractual Services, and be it further

RESOLVED, That the County Executive is authorized to enter into contracts with the Soil and Water Conservation Service in amounts not to exceed \$3 1,000, for the purpose of purchasing a vehicle and providing funds for clearing streams of debris and preventing erosion of valuable farming areas, and that the source of the funds shall be from the Year 2000 Budget, General Fund 110, Project 904, Department 303, Extraordinary County Aid to Local Governments, Account 830, Contractual Services, Subaccount 1117, Economic Development Tourism Fund, which is hereby transferred to subaccount 185 for the Erie County Soil and Water Conservation Service in Department 302, Agency Payments monitored by Environment and Planning, Account 830, Contractual Services, and be it further

RESOLVED, That the County Executive is authorized to enter into contracts with the Community Foundation of Greater Buffalo in amounts not to exceed a total of \$25,000, for the purpose of funding the completion of the Peace Bridge public review process and independent analysis, that the source of the funds shall be \$25,000 from the year 2000 budget available in., General Fund 110, Project 904, Department 303, Extraordinary County Aid to Local Governments, Account 830, Contractual Services, Subaccount 1117, Economic Development Tourism Fund, which is hereby transferred to Department 302, Agency Payments monitored by Environment and Planning, Account 830, Subaccount 1083, Community Foundation of Greater Buffalo, and be it further

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

MS. PEOPLES moved to amend the resolution by separating item #2 (the second resolved clause) and refer the balance of the resolution to the FINANCE & MANAGEMENT COMMITTEE. MR. HOLT seconded.

CHAIRMAN SWANICK directed that a roll call vote be taken.

AYES: PAULY, WEINSTEIN, DeBENEDETTI, DUSZA, FISHER, FITZPATRICK, HOLT, KUWIK, MARINELLI, PEOPLES, & SWANICK. NOES: CHASE, GREENAN, LARSON, MARSHALL, RANZENHOFER, & OLMA. AYES – 11, NOES – 6.

CARRIED.

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

CARRIED UNANIMOUSLY.

Item 38 – MS. PEOPLES moved to discharge the FINANCE & MANAGEMENT COMMITTEE from further consideration of Comm. 6E-40. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 131

Re: Bond Resolution – Ellicott  
Creek Park.

RESOLUTION NO. 131 - 2000  
BOND RESOLUTION DATED APRIL 6, 2000

BOND RESOLUTION OF THE COUNTY OF ERIE, NEW YORK, AUTHORIZING RECREATIONAL AREA IMPROVEMENTS TO ELLICOTT CREEK PARK, STATING THE ESTIMATED TOTAL COST THEREOF IS \$625,000, APPROPRIATING SAID AMOUNT THEREFOR, AUTHORIZING THE ISSUANCE OF \$525,000 BONDS OF THE COUNTY TO PAY THE COST THEREOF AND THE APPLICATION OF \$100,000 EXPECTED TO BE RECEIVED FROM THE STATE OF NEW YORK TO BE EXPENDED TOWARDS THE COST THEREOF OR REDEMPTION OF THE BONDS ISSUED THEREFOR OR TO BE BUDGETED AS AN OFFSET TO THE TAXES FOR THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SAID BONDS.

(Introduced) MARCH 21, 2000

(Adopted) APRIL 6, 2000

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

Section 1. The County of Erie, New York (herein called "County") is hereby authorized to finance recreational area improvements to Ellicott Creek Park, including construction of a boat launch and transient mooring dock in the eastern channel of the Erie Canal. The total estimated maximum cost of said specific objects or purposes, including preliminary costs and costs incidental thereto and to the financing thereof, is \$625,000, and said amount is hereby appropriated therefor pursuant to the duly adopted Capital Budget of said County for fiscal year 1998. To the extent that the details set forth in this resolution are inconsistent with any details set forth in the 1998 Capital Budget of the County, such Budget shall be deemed and is hereby amended. The plan of financing includes the issuance of \$525,000 bonds herein authorized and any bond anticipation notes issued in anticipation of the sale of such bonds, the levy of a tax to pay the principal of and interest on said bonds and notes and application of \$ 100,000 expected to be received from the State of New York to be expended towards the cost thereof or redemption of the bonds or notes issued therefor or to be budgeted as an offset to the taxes for the payment of principal of and interest on said bonds or notes.

Section 2. Bonds of the County in the principal amount of \$525,000 are hereby authorized to be issued for the specific objects or purposes described in Section 1, pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"), to finance said appropriation.

Section 3. The period of probable usefulness for the specific objects or purposes for which said \$525,000 bonds herein authorized are to be issued, within the limitations of § 11.00a. 19.(c) of the Law, is fifteen (15) years.

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

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



enhancement, are hereby delegated to the Comptroller of the County, as the chief fiscal officer of the County.

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

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

- (a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of this Resolution or a summary hereof, are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- (c) such obligations are authorized in violation of the provisions of the Constitution.

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

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

CHAIRMAN SWANICK directed that a roll call vote be taken.

AYES: CHASE, GREENAN, LARSON, MARSHALL, PAULY, RANZENHOFER, WEINSTEIN, DeBENEDETTI, DUSZA, FISHER, FITZPATRICK, HOLT, KUWIK, MARINELLI, PEOPLES, & SWANICK. AYES – 17, NOES – 0.

CARRIED UNANIMOUSLY.

Item 39 – MR. MARSHALL moved to discharge the FINANCE & MANAGEMENT COMMITTEE from further consideration of Comm. 6E-3. MR. GREENAN seconded.

CHAIRMAN SWANICK directed that a roll call vote be taken.

AYES: CHASE, GREENAN, LARSON, MARSHALL, RANZENHOFER, WEINSTEIN, DeBENEDETTI, & OLMA. NOES: PAULY, DUSZA, FISHER, FITZPATRICK, HOLT, KUWIK, MARINELLI, PEOPLES, & SWANICK. AYES - 8, NOES - 9.

MOTION DEFEATED.

Item 40 – MR. MARSHALL moved to discharge the FINANCE & MANAGEMENT COMMITTEE from further consideration of Comm. 6E-36. MR. GREENAN seconded.

CHAIRMAN SWANICK directed that a roll call vote be taken.

AYES: CHASE, GREENAN, LARSON, MARSHALL, RANZENHOFER, WEINSTEIN, DeBENEDETTI, & OLMA. NOES: PAULY, DUSZA, FISHER, FITZPATRICK, HOLT, KUWIK, MARINELLI, PEOPLES, & SWANICK. AYES - 8, NOES - 9.

MOTION DEFEATED.

Item 41 – MR. MARSHALL moved to discharge the FINANCE & MANAGEMENT COMMITTEE from further consideration of Comm. 6E-37. MR. RANZENHOFER seconded.

CHAIRMAN SWANICK directed that a roll call vote be taken.

AYES: CHASE, GREENAN, LARSON, MARSHALL, RANZENHOFER, & WEINSTEIN. NOES: PAULY, DeBENEDETTI, DUSZA, FISHER, FITZPATRICK, HOLT, KUWIK, MARINELLI, OLMA, PEOPLES, & SWANICK. AYES - 6, NOES - 11.

### **SUSPENSION OF THE RULES**

Item 42 – MR. PAULY moved for a suspension of the rules to include an item not on the agenda.

GRANTED.

MR. PAULY moved to RECEIVE, FILE & PRINT Comm. 7E-35. MS. PEOPLES seconded. MR. MARSHALL voted in the negative.

CHAIRMAN SWANICK directed that Comm. 7E-35 be referred to the FINANCE & MANAGEMENT COMMITTEE.

GRANTED.

Item 43 – MR. LARSON moved for a suspension of the rules to include an item not on the agenda.

GRANTED.

RESOLUTION NO. 132

Re: Authorization to Accept  
Funds From Town of  
Lancaster for Traffic Signal  
at the Intersection of Bowen  
Road and William St.  
(Intro. 7-14)

RESOLUTION SUBMITTED BY LEGISLATOR LARSON

**WHEREAS**, a traffic study has determined that a traffic signal is warranted at the intersection of Bowen Road (CR 242) and William Street (CR338), and

**WHEREAS**, the Town of Lancaster is agreeable to reimbursing the County for the cost of the installation of said traffic signal at a sum not to exceed \$60,000.00, and

**WHEREAS**, the Town of Lancaster has passed a resolution agreeing to pay for the necessary traffic signal improvements at the intersection of Bowen Road and William Street, and

**WHEREAS**, the most expedient method of completing this work is to have the necessary road and signal work performed within our previously approved 1999 Overlay 'B' Contract with Omer Construction Company, Incorporated, for which adequate currently exists, and

**WHEREAS**, bids were taken for the proposed road and signal work and Omer Construction Company, Incorporated was the low bidder, and

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Comptroller be authorized to accept funds from the Town of Lancaster in an amount not to exceed \$60,000.00, to be considered as revenue in the 1999 Consolidated Highway Improvement Program (SFG 139) for their share of costs to complete the necessary traffic signal, and be it further

**RESOLVED**, that a change order for this work be added to the 1999 Overlay 'B' Contract for which adequate funding currently exists, and be it further

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

**Fiscal Impact:** None to County

MR. LARSON moved to amend the resolution by adding Legislator Dusza as a co-sponsor. MR. DUSZA seconded.

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

**COMMUNICATIONS FROM ELECTED OFFICIALS**

**FROM THE COMPTROLLER**

Item 44 – (Comm. 7E-1) Letter to Chairman Swanick Re: Regional Incentive Fund – Fund Balance Designations.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

**FROM LEGISLATOR SWANICK**

Item 45 – (Comm. 7E-2) Letter to Comptroller Re: Responding to Comptroller's Letter Regarding Fund Designations.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

**FROM THE COUNTY EXECUTIVE**

Item 46 – (Comm. 7E-3) Health Care Trust Accounts Presentation to County Legislature.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

**FROM LEGISLATOR MARSHALL**

Item 47 – (Comm. 7E-4) Letter to Chairman Swanick Re: Requesting an Unedited Audio Recording of Legislature Session Held 3/23/00.

Received and filed.

**FROM THE COMPTROLLER**

Item 48 – (Comm. 7E-5) Financial Advisor for Tobacco Securitization.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

CHALLENGE TO THE CHAIR.

AYES: CHASE, GREENAN, LARSON, MARSHALL, RANZENHOFER & WEINSTEIN. NOES: PAULY, DeBENEDETTI, DUSZA, FISHER, FITZPATRICK, HOLT, KUWIK, MARINELLI, OLMA, PEOPLES & SWANICK. AYES – 6, NOES – 11.

MOTION DEFEATED.

FROM LEGISLATOR MARSHALL

Item 49 – (Comm. 7E-6) Letter to Comptroller Re: Seeking Legal Opinion on Intro. 6-15 (2000).

Received and filed.

FROM THE COUNTY EXECUTIVE

Item 50 – (Comm. 7E-7) Tobacco Settlement Securitization Financing.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 51 – (Comm. 7E-8) Health – Tuberculosis Elimination Activities Program 2/1/00 – 1/31/01.

Received and referred to the HEALTH COMMITTEE.

Item 52 – (Comm. 7E-9) Increase to Consultant Contract Jennings Road Bridge 487-6, Town of Collins.

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 53 – (Comm. 7E-10) EMS – Transfer of Funds for Personal Protective Equipment.

Received and referred to the PUBLIC SAFETY COMMITTEE.

Item 54 – (Comm. 7E-11) Comptroller – Adjustment to Imprest Cash Account Balances.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 55 – (Comm. 7E-12) Senior Services – Authorization to Amend WRAP Grant Budget.

Received and referred to the SOCIAL SERVICES COMMITTEE.

Item 56 – (Comm. 7E-13) PILOT for Hopkins Court Apartments.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 57 – (Comm. 7E-14) Appointment to EC Fire Advisory Board.

Received and referred to the PUBLIC SAFETY COMMITTEE.

Item 58 – MS. PEOPLES presented the following resolution and moved for immediate consideration. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 133

Re: Reappointment to County  
Development Coordination Board.  
(Comm. 7E-15)

RESOLVED, that the Erie County Legislature does hereby confirm the appointment of RONALD R. NORMAN of 1869 East River Road Grand Island, New York 14072 to the County Development Coordination Board. His term will expire December 31, 2001.

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

CARRIED UNANIMOUSLY.

Item 59 – (Comm. 7E-16) Appointment of EC Juvenile Justice Advisory Committee.

RECEIVED, FILED & PRINTED.

March 22, 2000

The Honorable  
Erie County Legislature  
25 Delaware Avenue  
Buffalo, New York 14202

Dear Members:

I, Joel A. Giambra, Erie County Executive, do hereby appoint the following individual to the Erie County Juvenile Justice Advisory Committee:

Michael J. Norwood  
145 Hastings Avenue  
Buffalo, New York 14215

The appointee is recommended by the Honorable Anthony M. Masiello, as a replacement for James Williams.

Respectfully submitted,

JOEL A. GIAMBRA  
ERIE COUNTY EXECUTIVE

Cc: Anthony M. Masiello, Mayor, City of Buffalo  
George B. Alexander, Director, Dept. of Probation  
Michael J. Norwood

Item 60 – MS. PEOPLES presented the following resolution and moved for immediate consideration. MR. DeBENEDETTI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 134

Re: Reappointments to EC Fisheries  
Advisory Board. (Comm. 7E-17)

RESOLVED, that the Erie County Legislature does hereby confirm the re-appointment of the following individuals to the Erie County Fisheries Advisory Board:

	TERM EXPIRES
TONY SCIME Treasurer, Niagara Muskie Association 242 Southwood Drive Buffalo, New York 14223	12/31/02
JERRY MAY, SR. Great Lakes Fish Commission 5858 Lakecrest Drive Lakeview, New York 14085	12/31/02
KENT KRUSE President, Erie County Federation of Sportsmen's Clubs, Inc. 346 Falls Road West Falls, New York 14170	12/31/02
HERBERT SCHULTZ Director, Southtowns Walleye Association 55 North Shore Drive Blasdell, New York 14219	12/31/02

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

CARRIED UNANIMOUSLY.

Item 61 – (Comm. 7E-18) Appointment to EC Cultural Resources Advisory Board.

RECEIVED, FILED & PRINTED.

March 27, 2000

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 as noted below.

Term Expires

December 31, 2001

DR. ALBERT L. MICHAELS  
Professor, Department of History  
State University of New York at Buffalo  
546 Park Hall  
Buffalo, NY 14260-4130

Very truly yours,

JOEL A. GIAMBRA  
ERIE COUNTY EXECUTIVE

cc: Dr. Albert Michaels  
Commissioner Laurence K. Rubin

Item 62 – (Comm. 7E-19) Appointment to EC Fisheries Advisory Board.

Received and filed.

Item 63 – (Comm. 7E-20) ECSD No. 4 – URS Consultants, Inc. Engineering Agreement Dated 8/19/94 Contract Close-Out.

Item 64 – (Comm. 7E-21) Second Amendatory Agreement to Dispute Resolution Contract with BBB Foundation of WNY, Inc.

Item 65 – (Comm. 7E-22) ECSD Nos. 1-6 & Southtowns Sewage Treatment Agency 2000 Budget – Debt Service Fund Transfer of Funds.



Item 66 – (Comm. 7E-23) ECSD No. 5 – Amherst Town District No. 16 Amended Service Agreement.

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

Item 67 – (Comm. 7E-24) Health – Personnel Adjustments.

Received and referred to the PERSONNEL AD HOC COMMITTEE.

Item 68 – (Comm. 7E-25) Sale of Parcel of County Owned Inventory SBL# 156.000-2-36 Inland Hemstreet Road, Town of Elma.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 69 – (Comm. 7E-26) EC/Tribe Environmental Partnership Project – SFG Fund 281, Project 171.

Received and referred to the PERSONNEL AD HOC COMMITTEE.

Item 70 – (Comm. 7E-27) Conveyance of Portion of Greiner Road, CR 37, Town of Clarence, Parcel No. 62C.

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 71 – (Comm. 7E-28) ECC – Cellular Tower Leases.

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

Item 72 – (Comm. 7E-29) Senior Services – Authorization to Amend RSVP Grant Budgets.

Item 73 – (Comm. 7E-30) Senior Services – Authorization to Amend CSC & PSA Grant Budgets.

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

Item 74 – (Comm. 7E-31) Grant Programs – Authorization to Contract.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 75 – (Comm. 7E-32) ECSD No. 3/Town of Boston Proposed Agreement Consolidation with Town District No. 2.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

**FROM LEGISLATORS MARSHALL, LARSON, GREENAN & CHASE**

Item 76 – (Comm. 7E-33) Draft of Local Law Regarding Tobacco Settlement.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

**COMMUNICATIONS FROM THE DEPARTMENTS**

**FROM DPW**

Item 77 – (Comm. 7D-1) ECC Food Lab – Erie Room Renovation DPW #JZ-00-2.

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

**COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES**

**FROM HUNT REAL ESTATE CORP**

Item 78 – (Comm. 7M-1) Support for Erie County Local Law No. 2 – 2000.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

**FROM THE TOWN OF EDEN**

Item 79 – (Comm. 7M-2) Certified Copy of Resolution Re: Repealing Article 6 of Section 626 of NYS Real Property Tax Law.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 80 – (Comm. 7M-3) Certified Copy of Resolution Re: On Lifting of Toll Barriers Within Commuting Range of Buffalo, NY.

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

**FROM THE NYS OFFICE OF ADVOCATE FOR PERSONS WITH DISABILITIES**

Item 81 – (Comm. 7M-4) Handicapped Parking Education Program Guidance.

Received and referred to the HEALTH COMMITTEE.

**FROM THE GRAND ISLAND CHAMBER OF COMMERCE**

Item 82 – (Comm. 7M-5) Support for Erie County Local Law Intro. No. 2 – 2000.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE BUFFALO ZOO

Item 83 – (Comm. 7M-6) An Accreditation Proposal for Buffalo Zoo.

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM HUNT REAL ESTATE CORP

Item 84 – (Comm. 7M-7) Letter to Legislator Dusza Re: Urging Legislature to Adopt EC Local Law Intro No. 2 – 2000.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE GIALLANZA CORP

Item 85 – (Comm. 7M-8) Letter to Legislator Dusza Re: Urging Legislature to Adopt EC Local Law Intro. No. 2 – 2000.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM HUNT REAL ESTATE CORP

Item 86 – (Comm. 7M-9) Copy of Letter to Legislator Dusza Re: In Support of County Local Law Intro No. 2 – 2000.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM KENMORE DEVELOPMENT

Item 87 – (Comm. 7M-10) Copy of Letter to Legislator Dusza Re: Urging Legislature to Adopt EC Local Law Intro. No. 2 – 2000.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM WNY METRO/TOWN CENTER REALTY INC

Item 88 – (Comm. 7M-11) Letter to Chairman Swanick Re: Urging Legislature to Adopt EC Local Law Intro No. 2 – 2000.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM BERNARD B. GOODMAN

Item 89 – (Comm. 7M-12) Letter to Chairman Swanick Re: Urging Legislature to Adopt EC Local Law Intro. No. 2 – 2000.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE NYS UNIFIED COURT SYSTEM EIGHTH JUDICIAL DISTRICT

Item 90 – (Comm. 7M-13) Magnetometer/X-Ray Weapons Screening – 1999.

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM NYS GOVERNOR PATAKI

Item 91 – (Comm. 7M-14) Proclaiming 4/1/00 as Census Participation Day.

Received and filed.

FROM KPMG

Item 92 – (Comm. 7M-15) Economic & Fiscal Impacts of New Convention Center in Buffalo.

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM THE PEACE BRIDGE PUBLIC CONSENSUS REVIEW PANEL

Item 93 – (Comm. 7M-16) Outline Response to Final Recommendations of Bi-National Team.

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM THE VILLAGE OF WILLIAMSVILLE

Item 94 – (Comm. 7M-17) Copy of Resolution Re: Opposed to Proposed Plans to Close or Limit Services in Amherst Branch Libraries.

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM THE TOWN OF COLDEN

Item 95 – (Comm. 7M-18) Copy of Resolution Re: Opposing Proposed Plans to Close or Limit Libraries' Services.

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM HUNT REAL ESTATE CORP

Item 96 – (Comm. 7M-19) Letter to Legislator Greenan Re: Real Property Taxes.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE GREATER BUFFALO ASSOCIATION OF REALTORS

Item 97 – (Comm. 7M-20) Resolution Repealing EC Transportation Assistance Tax Law (No. 5 – 1990) is not Substantive Tax Relief.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE E/F BURK COMPANY

Item 98 – (Comm. 7M-21) Copy of Letter to Legislator Dusza Re: Urging Legislature to Adopt EC Local Law Intro. No. 2 – 2000.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM KENMORE DEVELOPMENT

Item 99 – (Comm. 7M-22) Letter to Chairman Swanick Re: Adoption of EC Local Law Intro No. 2 – 2000.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM HUNT REAL ESTATE CORP

Item 100 – (Comm. 7M-23) Letter to Chairman Swanick Re: Adoption of EC Local Law Intro No. 2 – 2000.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE GIALLANZA CORP

Item 101 – (Comm. 7M-24) Letter to Chairman Swanick Re: EC Local Law Intro No. 2 – 2000.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE TOWN OF COLDEN

Item 102 – (Comm. 7M-25) Certified Copy of Resolution Opposing Proposed Plan to Close or Limit Libraries' Services.

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM LINDA TRIPPY

Item 103 – (Comm. 7M-26) Letter to Chairman Swanick Re: Urging Legislature to Adopt EC Local Law Intro No. 2 – 2000.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM KENMORE DEVELOPMENT

Item 104 – (Comm. 7M-27) Duplicate of 7M-22.

Received and filed.

FROM THE E/F BURKE COMPANY

Item 105 – (Comm. 7M-28) Letter to Chairman Swanick Re: Urging Legislature to Adopt EC Local Law Intro. No. 2 – 2000.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM MICHELLE A. PETERSEN

Item 106 – (Comm. 7M-29) Letter to Chair man Swanick Re: Urging Legislature to Adopt EC Local Law Intro No. 2 – 2000.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE COUNCIL FOR INTERNATIONAL VISITORS OF  
BUFFALO & NIAGARA REGION

Item 107 – (Comm. 7M-30) Council for International Visitors Progress Report.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

MEMORIAL RESOLUTIONS

Item 108 – Legislator Fitzpatrick requested that when this legislature adjourns, it do so in memory of Ed Cummings.

ADJOURNMENT

Item 109 – 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 13, 2000**. MR. MARSHALL seconded.

CARRIED UNANIMOUSLY.

The Chairman declared the Legislature adjourned until **Thursday, April 13, 2000 at 2 p.m. Eastern Standard Time**.

**LAURIE MANZELLA**  
**CLERK**