

MEETING NO. 8
April 5, 2001

ERIE COUNTY LEGISLATURE

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MEETING NO. 8
April 5, 2001

The Legislature was called to order by Chairman Swanick.

All Members Present.

The invocation was led by Rev. A. McKinley Royal, Pastor of First Shiloh Baptist Church.

The Pledge of Allegiance was led by Mr. Dusza.

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 the approval of minutes of meetings 1, 2, and 3 of 2001. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

MISCELLANEOUS RESOLUTIONS

Item 3 - MR. McCARVILLE presented a resolution Congratulating the Gowanda Area Buffalo Bills Backers on Community Service Efforts. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

Item 4 - MR. McCARVILLE presented a resolution Congratulating Mary Ann & Robert Kresse on Being Named By the Buffalo News as “Western New York’s Finest.” MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

Item 5 - MR. GREENAN presented a resolution Honoring the Retirements of West Seneca Police Chief John Miskovski & Detective Edward Tyczka After 30+ Years of Service. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

Item 6 - MR. GREENAN presented a resolution Honoring the 50th Anniversary of the West Seneca Auxillary Police. MS. PEOPLES seconded.

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CARRIED UNANIMOUSLY.

Item 7 - MR. GREENAN presented a resolution Honoring the West Seneca Central Students of Excellence. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

Item 8 - MS. CHASE presented a resolution Honoring Everywoman Opportunity's Award of Excellence Recipients. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

Item 9 - MR. GREENAN presented a resolution Honoring Commander Ronald T. Puckett. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

Item 10 - MS. CHASE presented a resolution Honoring Orchard Pride Outstanding Students. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

Item 11 - MR. SWANICK presented a resolution Acknowledging 4/5/01 as 4-H in County Government Day. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

Item 12 - MR. SWANICK presented a resolution Honoring UB's Student Newspaper "The Spectrum" on the Occasion of Its 50th Anniversary. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

Item 13 - MS. MARINELLI presented a resolution Congratulating Joseph & Lillian Perry on Their 60th Wedding Anniversary. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

Item 14 - MR. McCARVILLE presented a resolution Congratulating Thomas O'Boyle on the Event of His 50th Birthday. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

LOCAL LAWS

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Item 15 - CHAIRMAN SWANICK directed that Local Law No. 2 (Print #3) 2000 remain on the table.

COMMITTEE REPORTS

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 146

March 26, 2001

GOVERNMENT AFFAIRS
 COMMITTEE
 REPORT NO. 4

ALL MEMBERS PRESENT EXCEPT LEGISLATORS FISHER & DUSZA.

ALL ITEMS ARE HEREBY TABLED.

ALBER DeBENEDETTI
CHAIRMAN

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

CARRIED UNANIMOUSLY.

Item 17 – MS. MARINELLI presented the following resolution and moved for immediate consideration. MRS. FISHER seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 147

March 27, 2001

COMMUNITY ENRICHMENT
 COMMITTEE
 REPORT NO. 6

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

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

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Item Page -2000 (Comm. 10M-15)
 a. **BUFFALO & ERIE COUNTY HISTORICAL SOCIETY & OTHERS:** Letter to Chairman Swanick Re: Pan-American Exposition Centennial Celebration Marketing Plan. (6-0) Chairman Swanick present as Ex-Officio Member.

Item Page -2000 (Comm. 15E-42)
 b. **COUNTY EXECUTIVE:** Buffalo & Erie County Historical Society's Rare Books Exhibit Feasibility Study. (6-0) Chairman Swanick present as Ex-Officio Member.

Item Page -2000 (Comm. 26M-21)
 c. **WOMEN'S PAVILLION PAN AM 2001:** Progress Report on 2000 Funding. (6-0) Chairman Swanick present as Ex-Officio Member.

Item Page -2001 (Comm. 5M-12)
 d. **ROBERT COLES:** Buffalo News Article on Pan-Am. (6-0) Chairman Swanick present as Ex-Officio Member.

2. Item Page -2001 (Comm. 7E-45)
COUNTY EXECUTIVE

WHEREAS, the WNEC Buffalo Niagara Guitar Festival has among its objectives: to help stimulate the regional economy, enhance the reputation of the Buffalo - Niagara region, achieve collaboration among cultural organizations, strengthen civic pride, and encourage local talent, and

WHEREAS, the inaugural WNEC Buffalo Niagara Guitar Festival will take place from Thursday, June 14 through Sunday, June 17, 2001, and

WHEREAS, the talents of locally, nationally and internationally renowned guitarists will be among the attractions, including George Benson, Coco Montoya, and other well known artists of many genres, and

WHEREAS, the Festival will utilize multiple venues including Shea's Performing Arts Center, Buffalo Fine Arts Academy, the Market Arcade, Lafayette Square, M & T Plaza, the Tralf, the University of Buffalo Center for the Performing Arts and local night clubs, bars and restaurants.

NOW, THEREFORE, BE IT

RESOLVED, that the sum of \$75,000 is hereby transferred from the Regionalism/Economic Development Fund (DAC 1109043038301299) to a new contractual services subaccount for the WNEC Buffalo Niagara Guitar Festival in Department 301, Agency Payments, Public Benefit - monitored by Budget (DAC 110 921301830) in the amount of \$75,000, and be it further

RESOLVED, that the County Executive is hereby authorized to enter into contract with WNEC for this purpose, and be it further

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RESOLVED, that WNED submit in writing to the clerk of this Honorable Body a close-out report of activity, cost, and economic impact of said festival no later than 60 days following the conclusion of the event, and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to Joel A. Giambra, County Executive; Joseph Passafiume, Director of Budget, Management and Finance; Nancy A. Naples, County Comptroller and Donald K. Boswell, President and Chief Executive Officer, WNED. (6-0) Chairman Swanick present as Ex-Officio Member.

LYNN M. MARINELLI
CHAIRPERSON

MS. MARINELLI moved to separate item #2 and moved the approval of the balance of the report. MR. FITZPATRICK seconded.

CARRIED UNANIMOUSLY.

MS. MARINELLI moved to amend item #2. MRS. FISHER seconded.

CARRIED UNANIMOUSLY.

AMENDMENT TO COMM. 7E-45 (2001)
 SUBMITTED BY LEGISLATOR MARINELLI

DELETE, in their entirety, the second and third WHEREAS clauses, and REPLACE with the following:

WHEREAS, the inaugural WNED Buffalo Niagara Guitar Festival will take place from Thursday, June 14 through Sunday, June 17, 2001, and

WHEREAS, the talents of locally, nationally and internationally renowned guitarists will be among the attractions, including George Benson, Coco Montoya, and other well known artists of many genres, and

ADD, following the second RESOLVE clause:

RESOLVED, that WNED submit in writing to the clerk of this Honorable Body a close-out report of activity, cost, and economic impact of said festival no later than 60 days following the conclusion of the event, and be it further

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 148

March 27, 2001

PUBLIC SAFETY
COMMITTEE
REPORT NO. 5

ALL MEMBERS PRESENT.

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

	Item	Page	-2001	(Comm. 6D-3)
a.	PROBATION : Annual Status Report.			
	(5-0)			

	Item	Page	-2001	(Comm. 6E-17)
2.	COUNTY EXECUTIVE			

WHEREAS, the Department of Probation, Central Police Services and Youth Services have been working together to establish a networked management information system to improve the coordination of services to youth, and

WHEREAS, grant funding will allow Probation Officers to have the ability to provide prompt assessment of juveniles entering the juvenile justice system during weekend, evening and night shifts, and

WHEREAS, the Department of Central Police Services will contract with Child and Adolescent Treatment Services to continue the work of a Family Resource Worker, a position established by the Buffalo Police Department in the first year of the JAIBG grant,

NOW, THEREFORE, BE IT

RESOLVED, that authorization is hereby provided for the County Executive to enter into contract and accept funding in the amount of \$309,748 for second year funding under the Juvenile Accountability Incentive Block Grant (JAIBG) program with the New York State Division of Criminal Justice Services, and be it further

RESOLVED, that authorization is hereby provided to establish a second year JAIBG grant in the Probation Department and the Department of Central Police Services to implement this program as follows:

Grant Fund

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Department 260 - Probation
 Juvenile Accountability Incentive Block Grant Second Year
 10/1/00-9/30/01

	<u>Increase</u>
Revenue	
Acct. 627- State Aid Criminal Justice Program	\$39,195
Acct. 685-2600 - Interfund Revenue	<u>4,355</u>
Total Revenue	<u>\$43,550</u>

<u>Appropriation</u>	<u>Increase</u>
Acct 801-Overtime	32,550
Acct 805-Fringe Benefits	3,580
Acct 810-Office Supplies	200
Acct 821 - Dues and Fees	920
Acct 824- Local Travel	1,800
Acct 933- Lab and Technical Equipment	<u>4,500</u>
Total Appropriation	<u>\$43,550</u>

Grant Fund
 Department 650 - Central Police Services
 Juvenile Accountability Incentive Block Grant - CPS
 10/1/00-9/30/01

<u>Revenue</u>	<u>Increase</u>
Acct. 627- State Aid Criminal Justice Program	\$270,553
Acct. 685-2600 - Interfund Revenue	<u>30,061</u>
Total Revenue	<u>\$300,614</u>

<u>Appropriation</u>	<u>Increase</u>
Acct 800 - Personnel	63,012
Acct 805 - Fringe Benefits	12,502
Acct 810 - Office Supplies	800
Acct 821 - Dues and Fees	9,200
Acct 825 - Out of Area Travel	1,200
Acct 830 - Contractual	46,000
Acct 880-5100 - Interfund DISS	5,000
Acct 933 - Lab and Technical Equipment	<u>162,900</u>
Total Appropriation	<u>\$300,614</u>

and be it further

RESOLVED, that the County Executive is hereby authorized to enter into a subcontract with Child and Adolescent Treatment Services, in an amount not to exceed \$46,000, to continue the work of a Family Resource Worker, a position established to assist the Buffalo Police Department in the first year of the JAIBG, and be it further

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

(5-0)

AS AMENDED

3. Item Page -2001 (Int. 6-10)

GREENAN, CHASE, RANZENHOFER, WEINSTEIN, McCARVILLE, LARSON, DUSZA, MARINELLI, KUWIK and FISHER

WHEREAS, under the current New York State penal law, there is a relatively narrow interpretation of what is considered physical injury and serious physical injury, resulting in many abuse cases being dismissed before the courts, and

WHEREAS, in order to better protect the victims of domestic violence, elder abuse and child abuse, legislation has been introduced in the New York State Legislature (A.4403 / S.0095), which clarifies the legal definition of what is considered physical injury and serious physical injury under the penal law, and

WHEREAS, the proposed legislation seeks to clarify the definition of "physical injury" by removing ambiguous language such as "substantial physical pain" and replacing it with more concrete terms such as "physical pain, illness or the presence of a palpable contusion, laceration, scalding or wound, etc.," and

WHEREAS, "serious physical injury" would be amended to mean "physical injury which creates a risk of death, or which causes death or impairment of health or loss or impairment of the function of bodily organ or member, or the loss or impairment of any mental faculty or extreme physical pain," and

WHEREAS, passage of this legislation would allow physical and serious physical injury to be better defined in cases of abuse, and

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does seek to represent what is in the best interests of the safety of the residents of New York State, and be it further

RESOLVED, that this Honorable Body does hereby memorialize the New York State Legislature to approve legislation (A.4403 /S.0095) clarifying the definition of physical injury and serious physical injury under the penal law, and be it further

RESOLVED, that a certified copy of this resolution be forwarded to Governor Pataki and members of the Western New York delegation.

(5-0)

4. Item Page -2001 (Comm. 7E-44)

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WHEREAS, a local organization, a citizen of Erie County and the U.S. Defense Logistics Agency are willing to make donations to the Erie County Sheriff's Office and,

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

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Sheriff's Office is hereby authorized to accept donations that will benefit the citizens of Erie County, 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)

5. Item Page -2001 (Int. 7-6)

CHASE, GREENAN, WEINSTEIN, RANZENHOFER, McCARVILLE, & LARSON

WHEREAS, section 1210 of the New York State Vehicle and Traffic Law, states that, "...no person driving or in charge of a motor vehicle shall permit it to stand unattended without first stopping the engine, locking the ignition, removing the key from the vehicle, and effectively setting the parking break...", and

WHEREAS, when this law was passed, the intent of the legislation was to reduce the amount of crime and theft due to unattended and unsecured vehicles, and

WHEREAS, this law in its current form does not account for automatic car starters since they require the car to be turned on, and

WHEREAS, an automatic car starter does not violate the original objective of the law and should be included as an exception into the language of the law, and

WHEREAS, many local motorists take advantage of this new form of technology during the harsh Western New York winters, and the Erie County Legislature does not wish them to unwittingly commit an offense and be unfairly made to suffer the consequences.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby call upon the New York State Legislature to amend section 1210 of the New York State Vehicle and Traffic Law to account for the use of automatic car starters, and be it further

RESOLVED, that certified copies of this resolution be sent to Governor George Pataki and Members of the Western New York Delegation.
(5-0)

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EDWARD J. KUWIK
CHAIRMAN

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 149

March 27, 2001

REGIONALISM AD HOC
COMMITTEE
REPORT NO. 3

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

ALL ITEMS ARE HEREBY TABLED.

WILLIAM PAULY
CHAIRMAN

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 150

March 27, 2001

PERSONNEL AD HOC
COMMITTEE
REPORT NO. 6

ALL MEMBERS PRESENT.

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

- | | | | | |
|----|--------------------------|--|-------|---------------|
| | Item | Page | -2001 | (Comm. 5E-12) |
| a. | COUNTY EXECUTIVE: | Parks, Recreation & Forestry – Personnel Adjustments (5-0) | | |

AS AMENDED

- | | | | | |
|----|-------------------------|------|-------|---------------|
| 2. | Item | Page | -2001 | (Comm. 6E-16) |
| | COUNTY EXECUTIVE | | | |

WHEREAS, it is very desirable that the County's ability to improve the health and wellness of its citizens be bolstered through a program of community wellness which facilitates coordination and collaboration of Department of Health wellness initiatives with those in the community, and

WHEREAS, to accomplish this purpose, it is recommended that two positions of Community Wellness Specialist, job group 14, be created in the budget of the Department of Health, and

WHEREAS, funds are available in DAC 110 961 601, Department of Law - Risk Retention, Account 832-0742 - Insurance Charges, to provide for the creation of two positions of Community Wellness Specialist, job group 14, in the budget of the Department of Health.

NOW, THEREFORE, BE IT

RESOLVED, that two positions of Community Wellness Specialist, job group 14 are hereby created in the budget of the Department of Health, and be it further

RESOLVED, that the Erie County Legislature hereby approves the following transactions within the accounts of the Department of Health and Department of Law:

Department of Health

Increase Account 800 Personal Services	\$67,380
Increase Account 805 Fringe Benefits	<u>14,824</u>
Net Increase	<u>\$82,204</u>

Department of Law

Decrease Account 832-0743 Insurance Charges	<u>\$82,204</u>
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The following personnel detail is hereby submitted:

TITLE: Community Wellness Specialist CIVIL SERVICE: Yes

JOB GROUP: 14

STEP: O

ANNUAL SALARY: \$49,742

ANNUAL BENEFITS: \$10,943

and be it further

RESOLVED, that the Health Department report back to the Legislature in writing within 60 days to explain the public and private funding sources for wellness spent in our community, and be it further

RESOLVED, that this report be forwarded to the Health and Personnel Ad Hoc Committees for review, and be it further

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

(5-0)

3. Item Page -2001 (Comm. 7E-4)

COUNTY EXECUTIVE

WHEREAS, it is in the interest of County residents for the Central Police Services Department to provide criminal histories on potential employees of area nursing homes to help ensure the safety of residents; and

WHEREAS, the County Executive has authorized Central Police Services to do so for all such facilities in the County which request this service; and

WHEREAS, this proposal is supported by the association of area nursing homes, who have agreed to fully pay for the costs of this background check program;

NOW, THEREFORE, BE IT

RESOLVED, that this Legislature hereby authorizes the County Executive to enter into agreement with the Western New York Association of Homes & Services for the Aging, Inc. and the New York State Health Facilities Association, District 10, whereby the Department of Central Police Services will provide local criminal background check information to said voluntary associations of operators of nursing homes, residential and long term health care facilities, assisted living facilities and housing for the elderly in Western New York, for use exclusively by their members' personnel/human resources directors, administrators or other persons responsible for hiring, to assist them in hiring and retaining competent and suitable workers and in weeding out those who may be physically, emotionally or financially abusive toward the particularly vulnerable resident populations of such facilities; and be it further

RESOLVED, that in consideration for performing a local criminal background check, the said voluntary associations will pay the personnel costs, covering salary and fringe benefits, associated with a single full-time clerical Data Processing Control Clerk position at the Department of Central Police Services [Job Group 5] whose duties will include the processing of their local criminal background check information requests; and be it further

RESOLVED, that there is hereby created a position of Data Processing Control Clerk, JG 5, in the Central Police Services Department to perform the work required under this proposal; and be it further

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RESOLVED, that funding for this position shall be established in the 2001 budget of the Department of Central Police Services as follows:

<u>Revenue</u>	<u>Increase</u>
Payment background check	\$22,110
 <u>Appropriation</u>	
Acct. 800 - Personal Services	\$18,690
Acct. 805 - Fringe Benefits	<u>3,420</u>
Total Appropriation	\$22,110
Net Change	0

and be it further

RESOLVED, that certified copies of this resolution be sent to the County Executive, the County Comptroller, the Commissioners of Personnel and Central Police Services, and the Director of Budget, Management and Finance.

(5-0)

4. Item Page -2001 (Comm. 7E-18)

COUNTY EXECUTIVE

WHEREAS, the Department of Health submitted a proposed resolution to create one part-time Jr. Accountant position in its Children with Special Health Care Needs Program, and

WHEREAS, this resolution was certified at the February 1, 2001 meeting of your Honorable Body (Comm. 22E-37), and

WHEREAS, it has been determined that an error was made in that the position should have been a part-time Accountant position, and

WHEREAS, the budgetary allocations in Comm. 22E-37 were consistent with funding for the position of part-time Accountant.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby approves the creation of one part-time Accountant position and deletes one part-time position of Jr. Accountant, in the Children with Special Health Care Needs Program.

The following personnel detail is hereby submitted:

TITLE: Accountant Part-Time

JG: IX

HOURLY RATE: \$15.37

and be it further

FUNDING: 100% Reimbursed

CIVIL SERVICE: No

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

(5-0)

5. Item Page -2001 (Comm. 7E-29)

COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Parks, Recreation & Forestry is in need of three additional Park Maintenance Worker I's due to the high turnover and constant training of part-time seasonal employees, and

WHEREAS, the County Parks, Forestry Bureau, and County Golf Courses will be more adequately staffed with dependable, full-time employees who can efficiently maintain these County areas and provide necessary public service, and

WHEREAS, the Erie County Department of Parks, Recreation and Forestry will eliminate twenty five (25) part-time seasonal park attendant positions deemed unnecessary by the above personnel additions.

NOW, THEREFORE, BE IT

RESOLVED, three Park Maintenance Worker positions, Job Group 3, Step 0, at a total yearly cost, with fringe benefits, of \$92,086 will be added within the Erie County Division of Parks effective April 1, 2001, and be it further

RESOLVED, that the sum of \$15,913 is hereby transferred to DAC 110 942640805, Fringe Benefits in the Division of Parks from DAC 110 942640800, Personnel Services in the same administrative unit, and be it further

RESOLVED, that the elimination of twenty five (25) part-time seasonal Park Attendants, at a total yearly cost, with fringe benefits of \$92,086, will become effective immediately, and be it further

RESOLVED, that the Clerk of the Legislature be instructed to forward certified copies of this resolution to the Department of Parks, Recreation and Forestry, the Department of Personnel, the Office of the Comptroller and the Division of Budget, Management and Finance.

(5-0)

6. Item Page -2001 (Comm. 7E-30)

COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Parks, Recreation & Forestry is in need of deleting the position Senior Account Clerk, Job Group 6, Step B, and replacing it with the position Chief Account Clerk, Job Group 7, Step B, due to the volume of work in this office; and

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WHEREAS, the Erie County Department of Parks, Recreation & Forestry is in need of deleting the position of Account Clerk 55B, Job Group 4, Step D, and replacing it with the position of Senior Account Clerk 55A, Job Group 6, Step D, also due to the volume of work in this office; and

WHEREAS, the Erie County Department of Parks, Recreation and Forestry will then be staffed with positions which will more adequately reflect the volume and nature of the work currently being done.

NOW, THEREFORE, BE IT

RESOLVED, that effective immediately, the position of Chief Account Clerk, Job Group 7, Step B, and the position of Senior Account Clerk 55A, Job Group 6, Step D, be created within the Erie County Department of Parks, Recreation & Forestry; and be it further

RESOLVED, that effective immediately, the position of Senior Account Clerk, Job Group 6, Step B, and Account Clerk 55B, Job Group 4, Step D, be deleted within the Erie County Department of Parks, Recreation & Forestry; and be it further

RESOLVED, that the sum of \$10,605 is hereby transferred from DAC 110961601832 General Fund, Department of Law-Risk Management, Account 742, Insurance Charges, to the specified accounts of the Erie County Department of Parks, Recreation & Forestry:

ACCOUNT 800 - Personal Services:	\$8,764
ACCOUNT 805 - Fringe Benefits:	<u>\$1,841</u>
Total	\$10,605

and be it further

RESOLVED, that the Clerk of the Legislature shall forward certified copies of this resolution to the Department of Parks, Recreation and Forestry, the Department of Personnel, the Office of the Comptroller, and the Division of Budget, Management and Finance.

(5-0)

AS AMENDED

7. Item Page -2001 (Comm. 7E-48)
COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Law is in need of a new Paralegal Law position in order to serve more custodial parents residing in Erie County who seek to collect past due child support owed to them by non-custodial parents residing in Erie County and throughout the United States, and

WHEREAS, the creation of this position will increase the productivity and efficiency of the Law Department in this very important area of practice and will also help many more of the aforementioned custodial parents attain financial independence, and

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WHEREAS, the newly created Paralegal Law position in the Law Department will be hired off the civil service list, will commence work at Job Group 5, Step 0 and will be funded through a transfer of funds from the Risk Retention Fund administered by the Department of Law.

NOW, THEREFORE, BE IT

RESOLVED, that effective immediately, the position of Paralegal Law, Job Group 5, Step 0, is hereby created within the Erie County Department of Law, and be it further

RESOLVED, that the sum of \$23,401 is hereby transferred from DAC 110 9616018320742, General Fund, Department of Law - Risk Retention, Insurance Charges to the Department of Law, Account 800, Personal Services (DAC 110 909600800), in the amount of \$19,181 and \$4,220 to Account 805, Fringe Benefits (DAC 110 909600805), in the same administrative unit, and be it further

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

CHARLES M. SWANICK
CHAIRMAN

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 151

March 29, 2001

FINANCE & MANAGEMENT
 COMMITTEE
 REPORT NO. 5

ALL MEMBERS PRESENT.

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

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- a. Item Page -2000 (Comm. 7 E-3)
COUNTY EXECUTIVE: Health Care Trust Accounts Presentation to County Legislature.
(5-0)
- b. Item Page -2001 (Comm. 1 E-3)
COMPTROLLER: Audit - DPW - Federal Aid Capital Projects & NYS Marchiselli Aid
Payments - 1/1/91 - 7/31/00.
(5-0)
- c. Item Page -2001 (Comm. 2 E-9)
COMPTROLLER: Letter Recommending Funds from Buffalo Teachers Federation Fine be
Returned to Buffalo City Schools.
(5-0)
- d. Item Page -2001 (Comm. 4 M-5)
AUDIT COMMITTEE FOR ERIE COUNTY: 2000 Annual Report.
(5-0)
- e. Item Page -2001 (Int. 5 -15)
SWANICK, PEOPLES, KUWIK, FITZPATRICK, HOLT, FISHER, DUSZA, MARINELLI
& PAULY: Concern Over Lost Federal Aid in Department of Public Works.
(5-0)
- f. Item Page -2001 (Comm. 6 D-9)
BUDGET, MANAGEMENT & FINANCE: Letter to Legislator Marinelli Re: Budget
Overview.
(5-0)
- g. Item Page -2001 (Comm. 6 E-5)
MARINELLI: Copy of Letter to Budget Director Re: State of County Budget.
(5-0)
- h. Item Page -2001 (Comm. 6 E-9)
COMPTROLLER: Sales Tax Receipts for Fiscal Year 2000.
(5-0)
- i. Item Page -2001 (Comm. 6 M-12)
NFTA: Letter to Legislator Peoples Re: Sales Tax Receipts.
(5-0)
- j. Item Page -2001 (Comm. 6 M-13)
NYS BOARD OF REAL PROPERTY SERVICES: List of Certified 2000 State Equalization
Rates.
(5-0)

MEETING NO. 8

April 5, 2001

ERIE COUNTY LEGISLATURE

- | | | | | |
|--|------|------|-------|---------------|
| | Item | Page | -2001 | (Comm. 7 E-1) |
|--|------|------|-------|---------------|

k. COMPROLLER: Apportionment & Distribution of 4% Sales Tax Received by Erie County from NYS for 2/01.
(5-0)

	Item	Page	-2001	(Comm. 7 E-3)
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l. COUNTY EXECUTIVE: Audit - DPW - Federal Aid Projects for Road & Bridge Construction 1/1/91 - 7/31/00.
(5-0)

	Item	Page	-2001	(Comm. 7 E-40)
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m. COUNTY EXECUTIVE: Amendment to Various Town & Special District Budgets.
(5-0)

	Item	Page	-2001	(Comm. 7 M-10)
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n. THE LEGAL AID BUREAU OF BUFFALO: Financial Statements Ending 9/30/00 & 1999 Annual Report.
(5-0)

	Item	Page	-2001	(Int. 7 -9)
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o. GREENAN, WEINSTEIN, CHASE, McCARVILLE & RANZENHOFER: Support for City of Buffalo Application for an Expanded Empire Development Zone.
(5-0)

AS AMENDED

- | | | | | |
|--|------|------|--------|---------------|
| | Item | Page | - 2001 | (Comm. 1D-9A) |
|--|------|------|--------|---------------|

BUDGET, MANAGEMENT & FINANCE

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

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

RESOLVED, that petitions numbered 201082 through 201148 inclusive be hereby approved or denied based upon the recommendation of the Director of Real Property Services and be charged back to the applicable Towns and / or Cities.

Petition No. 201082 / 2001 - ASSESSOR - Cancel - \$497.00

SBL No. 142.11-1-28.1 - CITY OF LACKAWANNA

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 497.00 - Town/SpecialDist/School

MEETING NO. 8
April 5, 2001

ERIE COUNTY LEGISLATURE

Charge to : ECSD #6 SAN SEWER 497.00

CANCEL - CLERICAL ERROR, THE GALLONAGE FIGURE USED TO DETERMINE THE SEWER TAX WAS INCORRECT THE GALLONAGE FIGURE WAS 573 AND SHOULD BE 289. RPTL 550(2)E.

Petition No. 201083 / 2001 - ASSESSOR - Cancel - \$36.89

SBL No. 26.16-4-2.2 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 36.89 - Town/SpecialDist/School

Charge to : TOWN OF AMHERST 36.89

CANCEL - CLERICAL ERROR, THIS PARCEL IS UNDER THE ECIDA PILOT PROGRAM AND IS NOT REQUIRED TO PAY THE CENTRAL ALARM TAX. RPTL 550(2)E.

Petition No. 201084 / 200 - ASSESSOR - Cancel - \$46.52

SBL No. 26.20-4-13./A - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 46.52 - Town/SpecialDist/School

Charge to : TOWN OF AMHERST 46.52

CANCEL - CLERICAL ERROR, THIS PARCEL IS UNDER THE ECIDA PILOT PROGRAM AND IS NOT REQUIRED TO PAY THE CENTRAL ALARM TAX. RPTL 550(2)E.

Petition No. 201085 / 2001 - ASSESSOR - Refund - \$242.15

SBL No. 27.13-1-1 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 242.15 - Town/SpecialDist/School

Charge to : BASIC STAR EXEMPTION 242.15

REFUND - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF 20,000 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C. SWEET HOME CENTRAL
 CHECK IN FAVOR OF: FRAML SCHEUER

Petition No. 201086 / 2001 - ASSESSOR - Refund - \$103.70

SBL No. 28.33-1-10 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

MEETING NO. 8**April 5, 2001****ERIE COUNTY LEGISLATURE**

Acct. No. 132 - \$ 103.70 - Town/SpecialDist/School

Charge to : BASIC STAR EXEMPTION 103.70

REFUND - CLERICAL ERROR, THIS PARCEL IS ENTITLED THE BASIC STAR IN THE AMOUNT OF 20,000 AND WAS OMITTED IN ERROR FROM THE TAX ROLL.

RPTL 550(2)C. WILLIAMSVILLE CENTRAL

CHECK IN FAVOR OF: ELIZABETH M SHARER

Petition No. 201087 / 2001 - ASSESSOR - Refund - \$370.37

SBL No. 42.05-5-48 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 370.37 - Town/SpecialDist/School

Charge to : BASIC STAR EXEMPTION 370.37

REFUND - CLERICAL ERROR, THIS PARCEL IS ENTITLED TO A BASOC STAR EXEMPTION IN THE AMOUNT OF 20,000 THAT WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C.

WILLIAMSVILLE CENTRAL

CHECK IN FAVOR OF: AMY D BRADT

Petition No. 201088 / 2001 - ASSESSOR - Refund - \$180.21

SBL No. 42.05-5-48 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 180.21 - Town/SpecialDist/School

Charge to : BASIC STAR EXEMPTION 180.21

REFUND - CLERICAL ERROR, THIS PARCEL IS ENTITLED TO THE BASIC STAR EXEMPTION IN THE AMOUNT OF 20,000 THAT WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C.

WILLIAMSVILLE CENTRAL

CHECK IN FAVOR OF: AMY D BRADT

Petition No. 201089 / 2001 - ASSESSOR - Cancel - \$225.44

SBL No. 54.04-2-15.21/D - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 225.44 - Town/SpecialDist/School

Charge to : TOWN OF AMHERST 225.44

CANCEL - CLERICAL ERROR, THIS PARCEL IS COVERED UNDER THE ECIDA PROGRAM AND IS NOT REQUIRED TO PAY THE CENTRAL ALARM TAX. RPTL 550(2)E

MEETING NO. 8
April 5, 2001

ERIE COUNTY LEGISLATURE

Petition No. 201090 / 2001 - ASSESSOR - Cancel - \$55.92

SBL No. 55.16-3-7.1/60A3 - TOWN OF AMHERST

Acct. No. 112 - \$ 29.52 - County

Acct. No. 132 - \$ 26.40 - Town/SpecialDist/School

Charge to : TOWN OF AMHERST 26.40

CANCEL - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 6,075 (20%) THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE

TAX ROLL. RPTL 550(2)C.

Petition No. 201091 / 2001 - ASSESSOR - Cancel - \$117.20

SBL No. 55.17-3-16 - TOWN OF AMHERST

Acct. No. 112 - \$ 61.85 - County

Acct. No. 132 - \$ 55.35 - Town/SpecialDist/School

Charge to : TOWN OF AMHERST 55.35

CANCEL - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 12,735 (20%) THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C.

Petition No. 201092 / 2001 - ASSESSOR - Cancel - \$117.20

SBL No. 55.17-3-16 - TOWN OF AMHERST

Acct. No. 112 - \$ 61.85 - County

Acct. No. 132 - \$ 55.35 - Town/SpecialDist/School

Charge to : TOWN OF AMHERST 55.35

CANCEL - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 12,735 (20%) THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C.

Petition No. 201093 / 2001 - ASSESSOR - Cancel - \$242.30

SBL No. 56.13-1-1 - TOWN OF AMHERST

Acct. No. 112 - \$ 96.66 - County

MEETING NO. 8**April 5, 2001****ERIE COUNTY LEGISLATURE**

Acct. No. 132 - \$ 145.64 - Town/SpecialDist/School

Charge to : TOWN OF AMHERST 145.64

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. THE ASSESSMENT WAS 154,900 AND SHOULD BE 135,000.
RPTL 550(2)A.

Petition No. 201094 / 2001 - ASSESSOR - Cancel - \$257.66

SBL No. 56.15-4-28 - TOWN OF AMHERST

Acct. No. 112 - \$ 107.83 - County

Acct. No. 132 - \$ 149.83 - Town/SpecialDist/School

Charge to : TOWN OF AMHERST 135.27
TRANSIT FIRE PROTECTION 14.56

CANCEL - CLERICAL ERROR, ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. THE ASSESSMENT WAS 174,200 AND SHOULD BE 152,000.
RPTL 550(2)A.

Petition No. 201095 / 2001 - ASSESSOR - Refund - \$370.37

SBL No. 57.09-1-50 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 370.37 - Town/SpecialDist/School

Charge to : BASIC STAR EXEMPTION 370.37

REFUND - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF 20,000 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C. WILLIAMSVILLE CENTRAL
SUSAN & CHARLES KRAUS

Petition No. 201096 / 2000 - ASSESSOR - Refund - \$50.25

SBL No. 67.16-5-32 - TOWN OF AMHERST

Acct. No. 112 - \$ 26.52 - County

Acct. No. 132 - \$ 23.73 - Town/SpecialDist/School

Charge to : TOWN OF AMHERST 23.73

CANCEL - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 5,460 (15%) THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C.

CHECK IN FAVOR OF : JOSEPH P CHUDYK & WIFE

MEETING NO. 8
April 5, 2001

ERIE COUNTY LEGISLATURE

Petition No. 201097 / 2001 - ASSESSOR - Refund - \$87.75

SBL No. 67.16-5-32 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 87.75 - Town/SpecialDist/School

Charge to : AMHERST CENTRAL 87.75

REFUND - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 4,100 (10%) THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C.

CHECK IN FAVOR OF: JOSEPH P CHUDYK & WIFE

Petition No. 201098 / 2001 - ASSESSOR - Cancel - \$169.79

SBL No. 67.20-2-14 - TOWN OF AMHERST

Acct. No. 112 - \$ 51.59 - County

Acct. No. 132 - \$ 118.20 - Town/SpecialDist/School

Charge to : TOWN OF AMHERST 93.08
 EGGERTSVILLE DIST #6 25.12

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. THE ASSESSMENT WAS 120,000 AND SHOULD BE 100,000. RPTL 550(2)A.

Petition No. 201099 / 2001 - ASSESSOR - Cancel - \$673.53

SBL No. 67.20-2-5 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 673.53 - Town/SpecialDist/School

Charge to : TOWN OF AMHERST 673.53

CANCEL - CLERICAL ERROR, THE SPECIAL ASSESSMENT CHARGE FOR THE SIDEWALK TAX WAS ENTERED INCORRECTLY ON THE TAX ROLL. RPTL 550(2)E.

Petition No. 201100 / 2001 - ASSESSOR - Cancel - \$833.08

SBL No. 67.20-2-12 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 833.08 - Town/SpecialDist/School

Charge to : TOWN OF AMHERST 833.08

MEETING NO. 8
April 5, 2001

ERIE COUNTY LEGISLATURE

CANCEL - CLERICAL ERROR, THIS PARCEL WAS OVERCHARGED FOR THE SPECIAL ASSESSEMTN SIDEWALK TAX. RPTL 550(2)E.

Petition No. 201101 / 2001 - ASSESSOR - Refund - \$406.67

SBL No. 67.20-2-14 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 406.67 - Town/SpecialDist/School

Charge to : AMHERST CENTRAL 406.67

REFUND - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. THE ASSESSMENT WAS 120,000 AND SHOULD BE 100,000. RPTL 550(2)A.

CHECK IN FAVOR OF: ROBERT J SUTZ & WIFE

Petition No. 201102 / 2001 - ASSESSOR - Cancel - \$1,762.49

SBL No. 67.58-1-1 - TOWN OF AMHERST

Acct. No. 112 - \$ 346.00 - County

Acct. No. 132 - \$ 1,416.49 - Town/SpecialDist/School

Charge to : TOWN OF AMHERST 312.97
 AMHERST CENTRAL 1,042.36
 EGGERTSVILLE DIST #6 61.16

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. THE ASSESSMENT WAS 125,000 AND SHOULD BE 76,300. RPTL 550(2)A.

Petition No. 201103 / 2001 - ASSESSOR - Cancel - \$21,285.93

SBL No. 68.04-1-15.2 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 21,285.93 - Town/SpecialDist/School

Charge to : TOWN OF AMHERST 21,285.93

CANCEL - CLERICAL ERROR, THE PARCEL IS OWNED BY NEW YORK STATE AND DOES NOT PAY SPECIAL ASSESSMENTS ON PROPERTY THAT DOES NOT RECEIVE A DIRECT BENEFIT. RPTL 550(2)E.

Petition No. 201104 / 2001 - ASSESSOR - Cancel - \$496.92

MEETING NO. 8**April 5, 2001****ERIE COUNTY LEGISLATURE**

SBL No. 68.04-1-15.2 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 496.92 - Town/SpecialDist/School

Charge to : TOWN OF AMHERST 496.92

CANCEL - CLERICAL ERROR, THIS PARCEL IS OWNED BY NEW YORK STATE
AND DOES NOT PAY TAXES ON SPECIAL ASSESSMENT TAXES FROM WHICH THEY
DO NOT RECEIVE A DIRECT BENEFIT. RPTL 550(2)E.

Petition No. 201105 / 2001 - ASSESSOR - Cancel - \$1,206.41

SBL No. 68.17-5-21 - TOWN OF AMHERST

Acct. No. 112 - \$ 524.61 - County

Acct. No. 132 - \$ 681.80 - Town/SpecialDist/School

Charge to : TOWN OF AMHERST 583.16
SNYDER # 7 FIRE DISTRICT 98.64

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY
ON THE TAX ROLL. THE ASSESSMENT WAS 270,000 AND SHOULD BE 162,000.
RPTL 550(2)A.

Petition No. 201106 / 2001 - ASSESSOR - Refund - \$2,311.61

SBL No. 68.17-5-21 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 2,311.61 - Town/SpecialDist/School

Charge to : AMHERST CENTRAL 2,311.61

REFUND - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY
ON THE TAX ROLL. THE ASSESSMENT WAS 270,000 AND SHOULD BE 162,000.
RPTL 550(2)A.

CHECK IN FAVOR OF: MARGERY HELLEREE & MARY CUMO

Petition No. 201107 / 2001 - ASSESSOR - Cancel - \$7,491.92

SBL No. 69.09-5-2 - TOWN OF AMHERST

Acct. No. 112 - \$ 1,567.95 - County

Acct. No. 132 - \$ 5,923.97 - Town/SpecialDist/School

Charge to : TOWN OF AMHERST 1,610.42
WILLIAMSVILLE CENT 4,098.72
AMHERST # 4 FIRE PROTECTI 214.83

MEETING NO. 8**April 5, 2001****ERIE COUNTY LEGISLATURE**

CANCEL - CLERICAL ERROR, THIS PARCEL IS OWNED BY NEW YORK STATE THE EXEMPTION WAS OMITTED FOR TOWN AND COUNTY. ALSO THE STATE DOES NOT PAY SPECIAL ASSESSMENT TAX ON PARCELS FROM WHICH THEY DO NOT RECEIVE A DIRECT BENEFIT. RPTL 550(2)A,E

Petition No. 201108 / 2001 - ASSESSOR - Cancel - \$100.60

SBL No. 69.17-5-26 - TOWN OF AMHERST

Acct. No. 112 - \$ 48.58 - County

Acct. No. 132 - \$ 52.02 - Town/SpecialDist/School

Charge to : TOWN OF AMHERST 52.02

CANCEL - CLERICAL ERROR, THE ASSESSMENT WAS ENTERED INCORRECTLY ON THE TAX ROLL. THE ASSESSED VALUE WAS 109,700 AND SHOULD BE 99,700. RPTL 550(2)A.

Petition No. 201109 / 2001 - ASSESSOR - Cancel - \$1,147.10

SBL No. 69.20-4-17 - TOWN OF AMHERST

Acct. No. 112 - \$ 410.95 - County

Acct. No. 132 - \$ 736.15 - Town/SpecialDist/School

Charge to : TOWN OF AMHERST 651.30
MAIN TRANSIT FIRE PROTECT 84.85

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. THE ASSESSMENT WAS 155,600 AND SHOULD BE 71,000. RPTL 550(2)A.

Petition No. 201110 / 2001 - ASSESSOR - Cancel - \$322.20

SBL No. 70.17-2-32 - TOWN OF AMHERST

Acct. No. 112 - \$ 170.06 - County

Acct. No. 132 - \$ 152.14 - Town/SpecialDist/School

Charge to : TOWN OF AMHERST 152.14

CANCEL - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 35,010 (30%) THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C.

Petition No. 201111 / 2001 - ASSESSOR - Cancel - \$2,033.21

SBL No. 79.08-1-50 - TOWN OF AMHERST

MEETING NO. 8**April 5, 2001****ERIE COUNTY LEGISLATURE**

Acct. No. 112 - \$ 857.83 - County

Acct. No. 132 - \$ 1,175.38 - Town/SpecialDist/School

Charge to : TOWN OF AMHERST 953.60
EGGERTSVILLE DIST #6 221.78

CANCEL - CLERICAL ERROR. THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. THE ASSESSMENT WAS 351,600 AND SHOULD BE 175,000. RPTL 550(2)A.

Petition No. 201112 / 2001 - ASSESSOR - Cancel - \$333.79

SBL No. 79.12-5-41 - TOWN OF AMHERST

Acct. No. 112 - \$ 176.19 - County

Acct. No. 132 - \$ 157.60 - Town/SpecialDist/School

Charge to : TOWN OF AMHERST 157.60

CANCEL - CLERICAL ERRRO, THE SENIOR EXEMPTION IN THE AMOUNT OF 36,270 (50%) WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C.

Petition No. 201113 / 2001 - ASSESSOR - Refund - \$428.08

SBL No. 80.06-6-21 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 428.08 - Town/SpecialDist/School

Charge to : BASIC STAR EXEMPTION 428.08

REFUND - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF 20,000 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 55092)C AMHERST CENTRAL
CHECK IN FAVOR OF: ROBERT GLEICHENHAUS

Petition No. 201114 / 2001 - ASSESSOR - Cancel - \$848.22

SBL No. 555.00-13-1.1 - TOWN OF AMHERST

Acct. No. 112 - \$ 739.39 - County

Acct. No. 132 - \$ 108.83 - Town/SpecialDist/School

Charge to : TOWN OF AMHERST 84.26
TRANSIT FIRE PROTECTION 8.49
MAIN TRANSIT FIRE PROTECT 16.08

CANCEL - UNLAWFUL ENTRY, THIS IS A SPECIAL FRANCHISE PROPERTY. THE

MEETING NO. 8**April 5, 2001****ERIE COUNTY LEGISLATURE**

STATE BOARD SET THE ASSESSMENT AT 135,331 NOT 154,140. RPTL 550(7)A.

Petition No. 201115 / 2001 - ASSESSOR - Cancel - \$632.33

SBL No. 555.00-13-1.2 - TOWN OF AMHERST

Acct. No. 112 - \$ 546.69 - County

Acct. No. 132 - \$ 85.64 - Town/SpecialDist/School

Charge to : TOWN OF AMHERST 85.64

CANCEL - UNLAWFUL ENTRY, THIS IS A SPECIAL FRANCHISE PARCEL. THE STATE BOARD OF THE ASSESSMENT AT 77,788 NOT 96,903. RPTL 550(7)A.

Petition No. 201116 / 2001 - ASSESSOR - Cancel - \$167.76

SBL No. 102.21-3-9 - TOWN OF CHEEKTOWAGA

Acct. No. 112 - \$ 85.88 - County

Acct. No. 132 - \$ 81.88 - Town/SpecialDist/School

Charge to : TOWN OF CHEEKTOWAGA 81.88

CANCEL - CLERICAL ERROR, THE VETERAN'S EXEMPTION IN THE AMOUNT OF 5,535 WAS REMOVED IN ERROR FROM THE TAX ROLL. THE RPTL 520 SHOULD NOT HAVE BEEN PLACED ON THIS PARCEL. RPTL 550(2)A.

Petition No. 201117 / 2001 - ASSESSOR - Cancel - \$126.00

SBL No. 113.20-2-1.112 - TOWN OF CHEEKTOWAGA

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 126.00 - Town/SpecialDist/School

Charge to : ERIE CO SEW DST 1 126.00

CANCEL - CLERICAL ERROR, THE SEWER CHARGE IS TO BE REMOVED. THERE IS NO SEWER ON THIS PROPERTY. RPTL 550(2)E

Petition No. 201118 / 2001 - ASSESSOR - Refund - \$457.13

SBL No. 43.15-1-6 - TOWN OF CLARENCE

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 457.13 - Town/SpecialDist/School

Charge to : NYS STAR ENHANCED EXEMPTI 457.13

MEETING NO. 8**April 5, 2001****ERIE COUNTY LEGISLATURE**

REFUND - CLERICAL ERROR, THIS RECEIVED THE BASIC STAR EXEMPTION IN THE AMOUNT OF 20,000 AND SHOULD HAVE RECEIVED THE ENHANCED EXEMPTION IN THE AMOUNT OF 50,000. CLARENCE CENTRAL
CHECK IN FAVOR OF: RAYMOND & ELEANOR KOSOBUCKI

Petition No. 201119 / 2001 - ASSESSOR - Cancel - \$144.76

SBL No. 205.00-4-12 - TOWN OF EVANS

Acct. No. 112 - \$ 56.79 - County

Acct. No. 132 - \$ 87.97 - Town/SpecialDist/School

Charge to : TOWN OF EVANS 87.97

CANCEL - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 9,250 (25%) THAT THIS PARCEL IS ENTITLED TO WAS OMITTED TO IN ERROR. RPTL 550(2)C.

Petition No. 201120 / 2001 - ASSESSOR - Cancel - \$149.95

SBL No. 220.00-1-20 - TOWN OF EVANS

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 149.95 - Town/SpecialDist/School

Charge to : TOWN OF EVANS 149.95

CANCEL - CLERICAL ERROR, THIS PARCEL IS VACANT LAND AND SHOULD NOT HAVE BEEN CHARGED GARBAGE TAX. RPTL 550(2)E

Petition No. 201121 / 2001 - ASSESSOR - Cancel - \$719.49

SBL No. 221.00-3-16.12 - TOWN OF EVANS

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 719.49 - Town/SpecialDist/School

Charge to : TOWN OF EVANS 719.49

CANCEL - CLERICAL ERROR, THE FRONTAGE CHARGES USED TO DETERMINE THE SEWER TAX IS INCORRECT. RPTL 550(2)E.

Petition No. 201122 / 2001 - ASSESSOR - Cancel - \$149.95

SBL No. 250.11-9-19 - TOWN OF EVANS

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 149.95 - Town/SpecialDist/School

MEETING NO. 8**April 5, 2001****ERIE COUNTY LEGISLATURE**

Charge to : TOWN OF EVANS 149.95

CANCEL - CLERICAL ERROR, THIS IS VACANT LAND AND SHOULD NOT HAVE BEEN CHARGED THE GARBAGE TAX. RPTL 550(2)E.

Petition No. 201123 / 9901 - ASSESSOR - Refund - \$88.20

SBL No. 250.13-1-36.1 - TOWN OF EVANS

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 88.20 - Town/SpecialDist/School

Charge to : ERIE CO SEW DIST 2 88.20

REFUND - CLERICAL ERROR, THIS PARCEL WAS OVERCHARGED FOR FRONTAGE ON THE SEWER TAX. PARCEL WAS CHARGED FOR 150 FT WHEN IT SHOULD BE CHARGED FOR 100 FT. RPTL 550(2)E.
CHECK IN FAVOR OF: FREDERICK CASH

Petition No. 201124 / 2001 - ASSESSOR - Cancel - \$81.70

SBL No. 64.11-2-22 - TOWN OF GRAND ISLAND

Acct. No. 112 - \$ 48.12 - County

Acct. No. 132 - \$ 33.58 - Town/SpecialDist/School

Charge to : TOWN OF GRAND ISLAND 27.24
GRAND ISLAND FIRE PROTECT 6.34

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. THE ASSESSMENT WAS 75,000 AND SHOULD BE 69,000., RPTL 550(2)A.

Petition No. 201125 / 2001 - ASSESSOR - Refund - \$402.04

SBL No. 159.19-1-21.1/A1 - TOWN OF HAMBURG

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 402.04 - Town/SpecialDist/School

Charge to : BASIC STAR EXEMPTION 402.04

REFUND - CLERICAL ERROR, THE BASIC STAR EXEMPTION WAS MISCALCULATED FOR THIS TRAILER PARK. THE AMOUNT USED WAS 1,133,000 AND SHOULD BE 1,155,000. RPTL 550(2)B FRONTIER CENTRAL
CHECK IN FAVOR OF: MHC FINANCING LTD

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Petition No. 201126 / 2001 - ASSESSOR - Cancel - \$109.78

SBL No. 115.11-5-15 - TOWN OF LANCASTER

Acct. No. 112 - \$ 75.33 - County

Acct. No. 132 - \$ 34.45 - Town/SpecialDist/School

Charge to : TOWN OF LANCASTER 34.45

CANCEL - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 6,510 SHOULD BE 19,530. RPTL 550(2)C.

Petition No. 201127 / 2001 - ASSESSOR - Refund - \$321.87

SBL No. 115.18-8-415 - TOWN OF LANCASTER

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 321.87 - Town/SpecialDist/School

Charge to : BASIC STAR EXEMPTION 321.87

REFUND - CLERICAL ERROR, THIS PARCEL WAS ENTITLED TO RECEIVE THE BASIC STAR EXEMPTION IN THE AMOUNT OF 17,150 THAT WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C. LANCASTER CENTRAL
CHECK IN FAVOR OF: BRIAN & SANDRA KISKER

Petition No. 201128 / 2001 - ASSESSOR - Refund - \$284.66

SBL No. 47.07-1-27 - TOWN OF NEWSTEAD

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 284.66 - Town/SpecialDist/School

Charge to : BASIC STAR EXEMPTION 284.66

REFUND - CLERICAL ERROR, THIS PARCEL IS ENTITLED TO BASIC STAR EXEMPTION IN THE AMOUNT OF 20,000. RPTL 550(2)C.
CHECK IN FAVOR OF: DAVID BAKER

Petition No. 201129 / 2001 - ASSESSOR - Cancel - \$235.00

SBL No. 269.20-3-18 - TOWN OF NORTH COLLINS

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 235.00 - Town/SpecialDist/School

Charge to : ERIE CO SEW DST 2 235.00

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CANCEL - CLERICAL ERROR, THIS PARCEL WAS INCORRECTLY CHARGED FOR TWO UNITS OF SEWER TAX WHEN IT SHOULD HAVE BEEN CHARGED FOR ONE UNIT.
 RPTL 550(2)E.

Petition No. 201130 / 2001 - ASSESSOR - Cancel - \$58.52

SBL No. 153.19-1-14.112 - TOWN OF ORCHARD PARK

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 58.52 - Town/SpecialDist/School

Charge to : TOWN OF ORCHARD PARK 58.52

CANCEL - CLERICAL ERROR, THE FRONTAGE FOR THE WATER AND SEWER TAX

(PETITION NUMBER 201130 CONTINUED)
 WAS CALCULATED INCORRECTLY ON THE TAX ROLL. RPTL 550(2)E.

Petition No. 201131 / 2000 - ASSESSOR - Refund - \$5,650.81

SBL No. 52.15-1-12 - TOWN OF TONAWANDA

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 5,650.81 - Town/SpecialDist/School

Charge to : KEN-TON UNION FREE 5,650.81

REFUND - CLERICAL ERROR, THE RPTL 520 INCLUDED A SCHOOL TAX THAT WAS PREVIOUSLY PAID. RPTL 550(2)H
 CHECK IN FAVOR OF: HERR MANUFACTURING

Petition No. 201132 / 2001 - ASSESSOR - Cancel - \$15,259.22

SBL No. 52.15-1-12 - TOWN OF TONAWANDA

Acct. No. 112 - \$ 4,365.99 - County

Acct. No. 132 - \$ 10,893.23 - Town/SpecialDist/School

Charge to : TOWN OF TONAWANDA 5,242.42
 KEN-TON UNION FREE 5,650.81

CANCEL - CLERICAL ERROR, THE RPTL 520 THAT WAS INCLUDED ON THIS PARCEL WAS PREVIOUSLY PAID MAKING THIS A DUPLICATE CHARGE.
 RPTL 550(2)A,H

Petition No. 201133 / 2001 - ASSESSOR - Cancel - \$15,259.22

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SBL No. 52.15-1-12 - TOWN OF TONAWANDA

Acct. No. 112 - \$ 4,365.99 - County

Acct. No. 132 - \$ 10,893.23 - Town/SpecialDist/School

Charge to : TOWN OF TONAWANDA 5,242.42
 KEN-TON UNION FREE 5,650.81

CANCEL - CLERICAL ERROR, RPTL 520 WAS PREVIOUSLY PAID AND SHOULD NOT HAVE BEEN PLACED ON THE TAX ROLL. RPTL 550(2)A<H

Petition No. 201134 / 2001 - ASSESSOR - Cancel - \$22,788.17

SBL No. 53.11-1-1.111 - TOWN OF TONAWANDA

Acct. No. 112 - \$ 9,013.92 - County

Acct. No. 132 - \$ 13,774.25 - Town/SpecialDist/School

Charge to : TOWN OF TONAWANDA 13,561.17
 KEN-TON UNION FREE 213.08

CANCEL - CLERICAL ERROR, THE RPTL 520 THAT WAS PLACED ON THIS PARCEL WAS PREVIOUSLY. RPTL 550(2)A,H.

Petition No. 201135 / 2001 - ASSESSOR - Cancel - \$1,535.74

SBL No. 53.58-2-20 - TOWN OF AMHERST

Acct. No. 112 - \$ 435.17 - County

Acct. No. 132 - \$ 1,100.57 - Town/SpecialDist/School

Charge to : TOWN OF AMHERST 302.25
 KEN-TON UNION FREE 798.32

CANCEL - CLERICAL ERROR, RPTL 520 THAT WAS PLACED ON THIS PARCEL WAS ADDED IN ERROR. THIS PARCEL IS ENTITLED TO THE EXEMPTION. RPTL 550(2)C

Petition No. 201136 / 2001 - ASSESSOR - Cancel - \$30,090.60

SBL No. 54.23-4-5.1 - TOWN OF TONAWANDA

Acct. No. 112 - \$ 8,532.35 - County

Acct. No. 132 - \$ 21,558.25 - Town/SpecialDist/School

Charge to : TOWN OF TONAWANDA 12,836.67
 SWEET HOME CENTRAL 8,721.58

CANCEL - CLERICAL ERROR, THE RPTL 520 THAT WAS PLACED ON THIS PARCEL IN ERROR. THE TAXES WERE PREVIOUSLY PAID. RPTL 550(2)A,H.

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Petition No. 201137 / 2001 - ASSESSOR - Cancel - \$234.07

SBL No. 67.54-3-4 - TOWN OF TONAWANDA

Acct. No. 112 - \$ 106.00 - County

Acct. No. 132 - \$ 128.07 - Town/SpecialDist/School

Charge to : TOWN OF TONAWANDA 82.82
 KEN-TON UNION FREE 45.25

CANCEL - CLERICAL ERROR, THE RPTL 520 WAS POSTED IN ERROR ON THE TAX ROLL. THE EXEMPTION SHOULD NOT HAVE BEEN REMOVED. RPTL 550(2)A.

Petition No. 201138 / 2000 - ASSESSOR - Refund - \$73.72

SBL No. 67.62-6-24 - TOWN OF TONAWANDA

Acct. No. 112 - \$ 35.24 - County

Acct. No. 132 - \$ 38.48 - Town/SpecialDist/School

Charge to : TOWN OF TONAWANDA 38.48

REFUND - CLERICAL ERROR, THE VETERAN'S EXEMPTION IN THE AMOUNT OF 7,300 SHOULD HAVE BEEN IN THE AMOUNT OF 12,300. RPTL 550(2)B.
 CHECK IN FAVOR OF: RAYMOND & MICHELE ORTIZ

Petition No. 201139 / 2001 - ASSESSOR - Refund - \$73.66

SBL No. 67.62-6-24 - TOWN OF TONAWANDA

Acct. No. 112 - \$ 35.72 - County

Acct. No. 132 - \$ 37.94 - Town/SpecialDist/School

Charge to : TOWN OF TONAWANDA 37.94

REFUND - CLERICAL ERROR, THE VETERAN'S EXEMPTION IN THE AMOUNT OF 7,380 WAS ENTERED INCORRECTLY ON THE TAX ROLL. THE EXEMPTION SHOULD HAVE BEEN IN THE AMOUNT OF 12,300. RPTL 550(2)B.
 CHECK IN FAVOR OF: RAYMOND & MICHELE ORTIZ

Petition No. 201140 / 2001 - ASSESSOR - Refund - \$310.68

SBL No. 78.27-3-19 - TOWN OF TONAWANDA

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 310.68 - Town/SpecialDist/School

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Charge to : BASIC STAR EXEMPTION 310.68

REFUND - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF 13,380 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C.
CHECK IN FAVOR OF: WALTER DARROW

Petition No. 201141 / 2001 - ASSESSOR - Refund - \$435.64

SBL No. 124.54-8-6 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 435.64 - Town/SpecialDist/School

Charge to : WEST SENECA CENT 435.64

REFUND - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 24,750 (50%) THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C.
CHECK IN FAVOR OF: LEON & NORMA STACK

Petition No. 201142 / 2001 - ASSESSOR - Cancel - \$389.68

SBL No. 124.54-8-6 - TOWN OF WEST SENECA

Acct. No. 112 - \$ 148.77 - County

Acct. No. 132 - \$ 240.91 - Town/SpecialDist/School

Charge to : TOWN OF WEST SENECA 240.91

CANCEL - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 18,563 (50%) THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C.

Petition No. 201143 / 2001 - ASSESSOR - Refund - \$230.07

SBL No. 134.19-4-10 - TOWN OF WEST SENECA

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 230.07 - Town/SpecialDist/School

Charge to : WEST SENECA CENT 230.07

REFUND - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 6,200 SHOULD BE 15,500 THIS WAS MISCALCULATED ON THE TAX BILL. RPTL 550(2)B.
CHECK IN FAVOR OF: DOMINIC & THERESA CELANI

Petition No. 201144 / 2001 - ASSESSOR - Refund - \$195.22

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SBL No. 134.19-4-10 - TOWN OF WEST SENECA

Acct. No. 112 - \$ 74.53 - County

Acct. No. 132 - \$ 120.69 - Town/SpecialDist/School

Charge to : TOWN OF WEST SENECA 120.69

REFUND - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 9,300 SHOULD BE 18,600 FOR COUNTY PURPOSES AND THE SENIOR EXEMPTION FOR THE TOWN IS 6,200 AND SHOULD BE 15,500. RPTL 550(2)B.

CHECK IN FAVOR OF: DOMINC & THERESA CELANI

Petition No. 201145 / 2001 - ASSESSOR - Cancel - \$776.22

SBL No. 144.09-5-19 - TOWN OF WEST SENECA

Acct. No. 112 - \$ 153.48 - County

Acct. No. 132 - \$ 622.74 - Town/SpecialDist/School

Charge to : TOWN OF WEST SENECA 255.80
WEST SENECA CENT 344.97
W SENECA FIRE D#3 21.97

CANCEL - CLERICAL ERROR, THIS PARCEL IS PART OF A MERGE 144.19-5-18.1. RPTL 550(2)F

Petition No. 201146 / 2001 - ASSESSOR - Refund - \$925.08

SBL No. 144.09-6-13 - TOWN OF WEST SENECA

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 925.08 - Town/SpecialDist/School

Charge to : WEST SENECA CENT 925.08

CANCEL - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 37,395 (45%) THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C.

Petition No. 201147 / 2001 - ASSESSOR - Refund - \$818.33

SBL No. 144.09-6-13 - TOWN OF WEST SENECA

Acct. No. 112 - \$ 333.02 - County

Acct. No. 132 - \$ 485.31 - Town/SpecialDist/School

Charge to : TOWN OF WEST SENECA 485.31

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REFUND - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 41,550 FOR THE COUNTY AND 37,395 FOR THE TOWN WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C.
CHECK IN FAVOR OF: PASQUALE & GILDA MARCHIONDA

Petition No. 201148 / 2001 - ASSESSOR - Cancel - \$1,127.32

SBL No. 144.19-7-68 - TOWN OF WEST SENECA

Acct. No. 112 - \$ 430.41 - County

Acct. No. 132 - \$ 696.91 - Town/SpecialDist/School

Charge to : TOWN OF WEST SENECA 696.91

CANCEL - CLERICAL ERROR, THE VETERAN'S EXEMPTION IN THE AMOUNT OF

(PETITION NUMBER 201148 CONTINUED)

53,700 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C.

(B)

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

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

RESOLVED, that petitions numbered 201151 through 201151 inclusive be hereby approved or denied based upon the recommendation of the Director of Real Property Services and be charged back to the applicable Towns and / or Cities.

Petition No. 202151 / 2001 - ASSESSOR - Cancel - \$3,540.12

SBL No. 78.79-3-1 - CITY OF BUFFALO

Acct. No. 112 - \$ 3,540.12 - County

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

Charge to :

DENIAL - THE APPLICATION FOR EXEMPT STATUS ON THIS PARCEL WAS FILED IN MARCH OF 2000. THE EXEMPT STATUS FOR THIS PARCEL WILL START WITH THE COUNTY 2002 TAX BILL. TO RECEIVE THE EXEMPT STATUS FOR THE 2001 COUNTY TAX ROLL THE PAPERWORK WOULD HAVE HAD TO BEEN FILED WITH THE CITY BY DECEMBER 1,1999. THEREFORE THE REAL PROPERTY TAX SERVICE IS REQUESTING THAT THIS PETITION BE DENIED.

(5-0)

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3. Item Page - 2001 (Int. 2-1)

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

WHEREAS, Erie County has received a record snowfall so far this season, hitting the 100 inch mark faster than at any time in our recorded history, and

WHEREAS, not only has the area received two storms, but we have experienced a steady snowfall, with 24 consecutive days of measurable snow, and

WHEREAS, in addition to the snow, temperatures have often been below normal, leading to slick roads that are more resistant to de-icing procedures, and

WHEREAS, as a result of this aforementioned situation the county and its cities, towns and villages have had to use much more salt than in the past few years to treat our roads against the weather and make them safe for our motorists, and have used significant amounts of overtime to clear the roads, and

WHEREAS, reports are coming in that in many cases the salt supplies are nearly diminished, and

WHEREAS, efforts to extend the supply of salt are including mixing it with sand and grit, which could possibly have an adverse effect on drainage in the spring, and

WHEREAS, the county has been working with municipalities to pool resources, yet itself is running short of salt for its roads, and

WHEREAS, it is in the best interests of the motorists in our county for this Honorable Body and the county administration to be fully prepared to face the remainder of this winter,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby reaffirm its commitment to keeping our county roads safe for drivers during the winter months through snow removal and road treatment, and be it further

RESOLVED, that this Honorable Body does hereby request that the Erie County Department of Public Works and Division of Highways submit in writing to the Clerk of the Erie County Legislature within 15 days of passage of this resolution a report detailing road salt use to date, remaining reserves, projected needs for the remainder of the season, total budget for equipment, supplies and personnel, and projected shortfall (if any) in these budgeted areas, information about any sharing of county salt with municipalities, the extent of use of salt mixed with sand and grit on our roads, and the possible cost associated with such to adequately clean storm drains in the spring to avoid flooding due to the sand's clogging of the drains, and be it further

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RESOLVED, that representatives from the Erie County Department of Public Works and Division of Highways be prepared to discuss said report at a future meeting of the Erie County Legislature's Energy and Environment Committee, and be it further

RESOLVED, that certified copies of this resolution be sent to Erie County Executive Joel Giambra, Department of Public Works Commissioner Maria Lehman, Division of Highways Deputy Commissioner Daniel Rider, and Division of Budget, Management and Finance Director Joseph Passafiume.

Fiscal Impact: None for resolution.

(5-0)

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

COMPTROLLER

(A)

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

WHEREAS, Senate Bill S.1526 and Assembly Bill A. 2397, 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 two;

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. 2397, entitled "AN ACT to amend the local finance law, in relation to the sale of municipal obligations by the county of Erie."

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

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

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

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

(B)

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

WHEREAS, Senate Bill S. 1526 and Assembly Bill A. 2397, 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 two;

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. 1526, entitled "AN ACT to amend the local finance law, in relation to the sale of municipal obligations by the county of Erie."

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

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

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

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

(5-0)

5. Item Page - 2001 (Comm. 6E-18)

COUNTY EXECUTIVE

WHEREAS, the Division of Budget, Management and Finance did receive a request from Julia Anderson who owns property adjoining the above County owned parcel of land to purchase this parcel, and

WHEREAS, there are no other adjoining property owners interested in acquiring this parcel,

NOW, THEREFORE BE IT RESOLVED, that the following parcel of land be sold without public auction pursuant to Article 14, Section 14-1.0 of the Erie County Tax Act, pending the

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approval of the Advisory Review Committee, to Julia Anderson for the sum of Seven Thousand Five Hundred and 00/100 (\$ 7,500.00).

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Amherst, County of Erie and State of New York being part of Farmlot 56 Township 13, Range 7, and is further described on Erie County Tax Maps as Section, Block and Lot No. 16.000-3-4 (4800 Millersport Highway 2.67 acres). Intending to convey all land acquired by Erie County as Serial No. 2065 in the County In Rem Tax Foreclosure Action No. 154, and, be it further

RESOLVED, that the Erie County Executive is hereby authorized and directed to execute a quit claim deed conveying the interest of the County of Erie in the above described property to the aforesaid purchaser, and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Director of Budget, Management and Finance, the Office of the County Comptroller, the County Attorney and the Finance Department.

(5-0)

6. Item Page - 2001 (Comm. 7E-9)

COMPTROLLER

RESOLUTION NO. ___ 2001

BOND RESOLUTION DATED MARCH __, 2001

BOND RESOLUTION OF THE COUNTY OF ERIE, NEW YORK, AMENDING THE BOND RESOLUTION ADOPTED APRIL 6, 2000, IN RELATION TO FINANCING PLANNING OF IMPROVEMENTS TO BENNETT BEACH PARK AND ACQUISITION OF THE ANGOLA WATER TREATMENT PLANT FOR SAID PARK, AT THE TOTAL ESTIMATED COST OF \$245,000.

(Introduced) March 9, 2001

(Adopted) _____, 2001

Recitals

WHEREAS, the County Legislature of the County of Erie, New York, has heretofore duly authorized the preparation of surveys, preliminary plans and detailed plans, specifications and estimates necessary for planning improvements to Bennett Beach Park in the town of Evans, at the estimated maximum cost of \$120,000, which amount was appropriated therefore pursuant to Resolution No. 129-2000 duly adopted on April 6, 2000; and

WHEREAS, it has been determined that acquisition of the site of the abandoned Angola water treatment plant located adjacent to said park, for incorporation into the park, is appropriate to facilitate the County's improvements project for Bennett Beach Park and it is necessary to increase the appropriation for such project by \$125,000 for estimated acquisition costs;

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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 April 6, 2000, entitled: "RESOLUTION NO. 129-2000 BOND RESOLUTION DATED APRIL 6, 2000 BOND RESOLUTION OF THE COUNTY OF ERIE, NEW YORK, AUTHORIZING 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.

is hereby amended to read as follows:

"RESOLUTION NO. _____ -2001
BOND RESOLUTION DATED APRIL 6, 2000 AND AMENDED MARCH ____, 2001

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 AND AUTHORIZING THE ACQUISITION OF THE SITE OF THE ABANDONED ANGOLA WATER TREATMENT PLANT FOR INCORPORATION INTO SAID PARK, STATING THE ESTIMATED MAXIMUM COST OF THE COUNTY'S LOCAL SHARE THEREOF IS \$245,000, APPROPRIATING SAID AMOUNT THEREFOR, AUTHORIZING THE ISSUANCE OF \$245,000 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) ____, 2001
(Adopted) ____, 2001

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) undertake preparation of surveys, preliminary and detailed plans, specifications and estimates necessary for planning improvements to Bennett Beach Park in the Town of Evans, at the estimated maximum local share cost of \$120,000, and (b) acquire the site of the abandoned Angola water treatment plant located adjacent to

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said park, for incorporation into the park, at the estimated maximum local share cost of \$125,000. The total estimated maximum cost of said specific objects or purposes, including preliminary costs and costs incidental thereto and to the financing thereof, is \$245,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$245,000 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 \$120,000 and \$125,000 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 \$120,000 bonds herein authorized in Section 1.(a) are to be issued, within the limitations of §11.00 a. 62(2nd) of the Law, is five (5) years.

(b) The period of probable usefulness of the specific object or purpose for which said \$125,000 bonds herein authorized in Section 1.(b) are to be issued, within the limitations of §11.00 a. 21 of the Law, is thirty (30) years.

Section 4. The County intends to finance and the Comptroller of the County is hereby authorized to advance such amounts as are necessary to pay the costs of the 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

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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 §2.00 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.

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Section (C). This Resolution shall take effect immediately upon approval by the County Executive.

(5-0)

7. Item Page - 2001 (Comm. 7E-35)

COUNTY EXECUTIVE

WHEREAS, the Division of Budget, Management and Finance did receive a request from Sylvia Porzelt who owns property adjoining the above County owned parcel of land to purchase this parcel, and

WHEREAS, there are no other adjoining property owners interested in acquiring this parcel, and

WHEREAS, this parcel was reviewed and approved for sale by the Advisory Review Committee,

NOW, THEREFORE BE IT RESOLVED, that the following parcel of land be sold without public auction pursuant to Article 14, Section 14-1.0 of the Erie County Tax Act to Sylvia Porzelt for the sum of Two Hundred Fifty and 00/100 Dollars (\$250.00).

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie and State of New York being part of Farmlot 18, Township 11, Range 7, and is further described on Erie County Tax Maps as Section, Block and Lot No. 91.110-7-17 (Beach Road 50.00 x 61.00). Intending to convey all land acquired by Erie County as Serial No. 129 in the County In Rem Tax Foreclosure Action No. 131, and be it further

RESOLVED, that the Erie County Executive is hereby authorized and directed to execute a quit claim deed conveying the interest of the County of Erie in the above described property to the aforesaid purchaser, and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Director of Budget, Management and Finance, the Office of the County Comptroller, the County Attorney and the Finance Department.

(5-0)

8. Item Page - 2001 (Comm. 7E-36)

COUNTY EXECUTIVE

WHEREAS, the Division of Budget, Management and Finance did receive a request from John Paluszak who owns property adjoining the above County owned parcel of land to purchase this parcel, and

WHEREAS, there are no other adjoining property owners interested in acquiring this parcel, and

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WHEREAS, this parcel was reviewed and approved for sale by the Advisory Review Committee,

NOW, THEREFORE BE IT RESOLVED, that the following parcel of land be sold without public auction pursuant to Article 14, Section 14-1.0 of the Erie County Tax Act to John Paluszak for the sum of Two Hundred and 00/100 Dollars (\$200.00).

ALL THAT TRACT OR PARCEL OF LAND situate in the Village of Depew, Town of Cheektowaga, County of Erie and State of New York being part of Farmlot 67, Township 11, Range 7, Part of Sublot 129 under Map Cover 895 and is further described on Erie County Tax Maps as Section, Block and Lot No. 115.050-10-51 (S Ellington Ave 15.00 x 110.00). Intending to convey all land acquired by Erie County as Serial No. 742 in the County In Rem Tax Foreclosure Action No. 142, and be it further

RESOLVED, that the Erie County Executive is hereby authorized and directed to execute a quit claim deed conveying the interest of the County of Erie in the above described property to the aforesaid purchaser, and be it further

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

9. Item Page - 2001 (Comm. 7E-37)

COUNTY EXECUTIVE

WHEREAS, the Division of Budget, Management and Finance did receive requests from multiple adjoining property owners and/or non-adjoining property owners to purchase the following twelve (12) listed parcels of County owned inventory, and

WHEREAS, these parcels were reviewed and approved for sale by the Advisory Review Committee of Erie County;

NOW, THEREFORE BE IT RESOLVED, that the following County owned parcels be offered for sale at the next public auction scheduled to be held June 5, 2001.

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Alden, County of Erie and State of New York being part of Farmlot 162, Township 10, Range 5 and is further described on Erie County Tax Maps as Section, Block and Lot No. 118.18-2-9 (Creekside Drive 34.00 x 225.00). Intending to convey all land acquired by Erie County as Serial No. 589 in the County In Rem Tax Foreclosure Action No. 143.

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Amherst, County of Erie and State of New York being part of Farmlot 87, Township 12, Range 7, Sublot 216 under Map Cover 1297 and is further described on Erie County Tax Maps as Section, Block and Lot No.

MEETING NO. 8**April 5, 2001****ERIE COUNTY LEGISLATURE**

40.10-7-41 (Edgewater Dr 40.00 x 140.00). Intending to convey all land acquired by Erie County as Serial No. 40 in the County In Rem Tax Foreclosure Action No. 137;

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Amherst, County of Erie and State of New York being part of Farmlot 87, Township 12, Range 7, Sublot 215 under Map Cover 1297 and is further described on Erie County Tax Maps as Section, Block and Lot No. 40.10-7-42 (Edgewater Dr 40.00 x 140.00). Intending to convey all land acquired by Erie County as Serial No. 39 in the County In Rem Tax Foreclosure Action No. 137;

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Amherst, County of Erie and State of New York being part of Farmlot 91, Township 12, Range 7 under Map Cover 1547 and is further described on Erie County Tax Maps as Section, Block and Lot No. 69.11-3-27 (68 Country Parkway 50.00 x 148.00). Intending to convey all land acquired by Erie County as Serial No. 29 in the County In Rem Tax Foreclosure Action No. 136;

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Amherst, County of Erie and State of New York being part of Farmlot 96, Township 12, Range 7, part of Sublot 22 under Map Cover 2138 and is further described on Erie County Tax Maps as Section, Block and Lot No. 28.04-2-68 (4500 French Road 100.00 x 272.03). Intending to convey all land acquired by Erie County as Serial No. 960 in the County In Rem Tax Foreclosure Action No. 140;

ALL THAT TRACT OR PARCEL OF LAND situate in the Village of Depew, Town of Cheektowaga, County of Erie and State of New York being part of Farmlot 68, Township 11, Range 7 under Map Cover 890 and is further described on Erie County Tax Maps as Section, Block and Lot No. 103.84-3-33 (Bigelow Place 35.00 x 94.38). Intending to convey all land acquired by Erie County as Serial No. 1065 in the County In Rem Tax Foreclosure Action No. 140;

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie and State of New York being part of Farmlot 12, Township 11, Range 7 and is further described on Erie County Tax Maps as Section, Block and Lot No. 103.05-8-7 (Bernice Drive 102.00 x 104.08). Intending to convey all land acquired by Erie County as Serial No. 1282 in the County In Rem Tax Foreclosure Action No. 138;

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie and State of New York being part of Farmlot 51, Township 10, Range 7 and is further described on Erie County Tax Maps as Section, Block and Lot No. 125.11-10-5 (French Road 109.58 x 266.97). Intending to convey all land acquired by Erie County as Serial No. 185 in the County In Rem Tax Foreclosure Action No. 141 A;

ALL THAT TRACT OF PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie and State of New York being part of Farmlot 76, Township 8, Range 9, Sublot 1 under Map Cover 1486 and is further described on Erie County Tax Maps as Section, Block and Lot No. 234.28-1-25 (600 Fulton Ave 61.00 x 58.00). Intending to convey all land acquired by Erie County as Serial No. 860 in the County In Rem Tax Foreclosure Action No. 142;

MEETING NO. 8**April 5, 2001****ERIE COUNTY LEGISLATURE**

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Grand Island, County of Erie and State of New York being part of Farmlot 90, Township 12, Range 9 and is further described on Erie County Tax Maps as Section, Block and Lot No. 23.00-2-1 (Grand Island Blvd. 29.85 x 560.00). Intending to convey all land acquired by Erie County as Serial No. 206 in the County In Rem Tax Foreclosure Action No. 135;

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Orchard Park, County of Erie and State of New York being part of Farmlot 31, Township 10, Range 7 and is further described on Erie County Tax Maps as Section, Block, and Lot No. 152.13-4-5 (Windom Avenue 1.6 Acres). Intending to convey all land acquired by Erie County as Serial No. 1272 in the County In Rem Tax Foreclosure Action No. 150;

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of West Seneca, County of Erie and State of New York being part of Farmlot 364, Township 10, Range 7 and is further described on Erie County Tax Maps as Section, Block and Lot No. 135.04-2-46.1 (Rear Bullis Rd 3.50 acres). Intending to convey all land acquired by Erie County in a deed filed in the Erie County Clerk's Office on July 22, 1955 under Liber 5795 at Page 243.

RESOLVED, that any sale would be subject to the final approval by resolution of the Erie County Legislature, and be it further

RESOLVED, that in addition to the advertisement of the sale in the Buffalo Law Journal and Buffalo News, all adjoining owners will be sent a letter indicating the date, time and place of the sale in order to give all parties the opportunity to attend the sale and bid, and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Director of Budget, Management and Finance, the Office of the County Comptroller, the County Attorney and the Department of Finance.

(5-0)

10. Item Page - 2001 (Comm. 7E-38)

COUNTY EXECUTIVE

WHEREAS, the Division of Budget, Management and Finance did receive a request from Betty & Gerald Rogers who own property adjoining the above County owned parcel of land to purchase this parcel, and

WHEREAS, there are no other adjoining property owners interested in acquiring this parcel, and

WHEREAS, this parcel was reviewed and approved for sale by the Advisory Review Committee,

NOW, THEREFORE BE IT RESOLVED, that the following parcel of land be sold without public auction pursuant to Article 14, Section 14-1.0 of the Erie County Tax Act to Betty & Gerald Rogers for the sum of Two Hundred and 00/100 Dollars (\$200.00).

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ALL THAT TRACT OR PARCEL OF LAND situate in the Village of Springville, Town of Concord, County of Erie and State of New York being part of Farmlot 3, Township 6, Range 6 and is further described on Erie County Tax Maps as Section, Block and Lot No. 335.160-1-10 (144 Spring Street 84.75 x 183.75). Intending to convey all land acquired by Erie County as Serial No. 1750 in the County In Rem Tax Foreclosure Action No. 153, and be it further

RESOLVED, that the Erie County Executive is hereby authorized and directed to execute a quit claim deed conveying the interest of the County of Erie in the above described property to the aforesaid purchaser, and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Director of Budget, Management and Finance, the Office of the County Comptroller, the County Attorney and the Finance Department.

(5-0)

11. Item Page - 2001 (Comm. 7E-39)

COUNTY EXECUTIVE

WHEREAS, the Division of Budget, Management and Finance did receive a request from Raymond Gangloff who owns property adjoining the above County owned parcel of land to purchase this parcel, and

WHEREAS, there are no other adjoining property owners interested in acquiring this parcel, and

WHEREAS, this parcel was reviewed and approved for sale by the Advisory Review Committee,

NOW, THEREFORE BE IT RESOLVED, that the following parcel of land be sold without public auction pursuant to Article 14, Section 14-1.0 of the Erie County Tax Act to Raymond Gangloff for the sum of One Hundred and 00/100 Dollars (\$100.00).

ALL THAT TRACT OR PARCEL OF LAND situate in the Village of Depew, Town of Cheektowaga, County of Erie and State of New York being part of Farmlot 69, Township 11, Range 7, Sublot 105 under Map Cover 1946 and is further described on Erie County Tax Maps as Section, Block and Lot No. 104.050-5-4 (George Urban Blvd. .57 acres). Intending to convey all land acquired by Erie County as Serial No. 740 in the County In Rem Tax Foreclosure Action No. 142, and be it further

RESOLVED, that the Erie County Executive is hereby authorized and directed to execute a quit claim deed conveying the interest of the County of Erie in the above described property to the aforesaid purchaser, and be it further

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RESOLVED, that certified copies of this resolution be forwarded to the Director of Budget, Management and Finance, the Office of the County Comptroller, the County Attorney and the Finance Department.

(5-0)

12. Item Page - 2001 (Comm. 7E-49)

COUNTY EXECUTIVE

WHEREAS the current lease of the Amherst/Tonawanda Auto Bureau was renewed on September 1, 2000, and

WHEREAS the Office's landlord, Northtown, Inc. has proposed moving the space within the same building, amending the lease at the same cost as was paid in 2000 and with several improvements,

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be and he hereby is authorized to approve an amendment to the County's present lease with Northtown, Inc. for space used by the Erie County Auto Bureau for its Amherst/Tonawanda branch, and be it further

RESOLVED, that this amendment shall maintain the same cost as in 2000 and require the landlord, at his expense, to build-out the new space for the Auto Bureau, and be it further

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

(5-0)

13. Item Page - 2001 (Comm. 7E-52)

COUNTY EXECUTIVE

RESOLUTION NO. _ 2001

BOND RESOLUTION DATED _____, 2001

BOND RESOLUTION OF THE COUNTY OF ERIE, NEW YORK, AUTHORIZING VARIOUS CAPITAL PROJECTS INCLUDED IN THE 2001 CAPITAL BUDGET OF THE COUNTY, STATING THE TOTAL ESTIMATED MAXIMUM COST OF SUCH PROJECTS IS \$44,593,116, APPROPRIATING SAID AMOUNT THEREFOR, INCLUDING THE EXPENDITURE OF \$5,007,700 EXPECTED TO BE RECEIVED IN STATE OR FEDERAL AID, AND THE EXPENDITURE OF \$2,600,000 IN COUNTY FUNDS AVAILABLE OR TO BE AVAILABLE; AND AUTHORIZING THE ISSUANCE OF \$36,985,416 BONDS OF THE COUNTY TO FINANCE THE BALANCE OF SAID APPROPRIATION; AND FURTHER AUTHORIZING ANY AMOUNTS RECEIVED FROM THE UNITED STATES OF AMERICA AND/OR THE STATE OF NEW YORK OR THE EXPENDITURE OF COUNTY FUNDS AVAILABLE OR TO BE AVAILABLE TO BE EXPENDED TOWARDS THE COST

MEETING NO. 8**April 5, 2001****ERIE COUNTY LEGISLATURE**

OF CERTAIN OF SUCH CAPITAL PROJECTS AS INDICATED HEREIN, OR REDEMPTION OF ANY NOTES AND BONDS ISSUED THEREFOR OR TO BE BUDGETED AS AN OFFSET TO THE TAXES FOR PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SAID NOTES AND BONDS.

(Introduced) March 22, 2001

(Adopted) _____, 2001

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

Section 1. The County of Erie, New York (herein called "County"), is hereby authorized to undertake the various capital projects as described in column A of the attached schedule, each as more fully described in column G of the attached schedule and the duly adopted 2001 Capital Budget for the County. To the extent that the details set forth in this resolution are inconsistent with any details set forth in the 2001 Capital Budget of the County, such Budget shall be deemed and is hereby amended. The respective estimated maximum costs of (a) the specific objects or purposes set forth in rows 1-4, 8-12, 14-20, 22, 23, 25-27 and 29-39 of the attached schedule, and (b) the classes of objects or purposes set forth in rows 5-7, 13, 21, 24 and 28 of the attached schedule, including preliminary costs and costs incidental thereto and to the financing thereof, is set forth in column B of the attached schedule, and said respective amounts are hereby appropriated therefor pursuant to the duly adopted 2001 Capital Budget for the County. The plan of financing includes the expenditure of \$5,007,700 in State and Federal aid expected to be received, the expenditure of \$2,600,000 County funds available or to be available therefor, and the issuance of \$36,985,416 aggregate principal amount of bonds of the County to finance the balance of said appropriations, the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds and the interest thereon as the same shall become due and payable. Any amounts received by the County from the United States of America and/or the State of New York or other County funds available or to be available are hereby authorized to be expended, towards the cost of the applicable specific objects or purposes or classes of objects or purposes or the redemption of any notes and bonds issued therefor or to be budgeted as an offset to the taxes for the repayment of the principal of and interest on said notes and bonds.

Section 2. Bonds of the County in the respective principal amounts set forth in column C of the attached schedule 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 the "Law") to finance said appropriations.

Section 3. The respective periods of probable usefulness for said specific objects or purposes and classes of objects or purposes for which said \$36,985,416 bonds herein authorized are to be issued, within the limitations of § 11.00 a. of the Law, is set forth in column F of the attached schedule.

MEETING NO. 8**April 5, 2001****ERIE COUNTY LEGISLATURE**

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 respective specific objects or purposes and classes of objects or purposes described in Section 1 hereof, prior to the issuance of the bonds or bond anticipation notes herein authorized, out of any available funds of the County on an interim basis, which respective amounts are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the County pursuant to this Resolution, in the respective maximum amounts 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.

MEETING NO. 8**April 5, 2001****ERIE COUNTY LEGISLATURE**

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

(5-0)

**CRYSTAL D. PEOPLES
CHAIRPERSON**

MS. PEOPLES moved to separate item nos. 4, 6, and 13 and moved the approval of the balance of the report. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

MS. PEOPLES moved the approval of item #4. MS. MARINELLI seconded.

CHAIRMAN SWANICK directed that a roll call vote be taken.

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

CARRIED UNANIMOUSLY.

MS. PEOPLES moved the approval of item #6. MR. HOLT seconded.

CHAIRMAN SWANICK directed that a roll call vote be taken

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

CARRIED UNANIMOUSLY.

MS. PEOPLES moved the approval of item #13. MS. MARINELLI seconded.

CHAIRMAN SWANICK directed that a roll call vote be taken

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

CARRIED UNANIMOUSLY.

MEETING NO. 8**April 5, 2001****ERIE COUNTY LEGISLATURE**

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 153

March 29, 2001

SOCIAL SERVICES
COMMITTEE
REPORT NO. 6

ALL MEMBERS PRESENT EXCEPT LEGISLATOR OLMA.

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

a.

Item	Page	-2001	(Comm. 7 D-4)
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 YOUTH SERVICES: Preliminary Process to Begin Contract for Non-Secure Detention.
(4-0) Legislator Olma absent.

b.

Item	Page	-2001	(Comm. 7 D-12)
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 YOUTH SERVICES: Copy of Letter to NYS Office of Children & Family Services Re: Extension of Operating Certificate for Alden 2/28/01 - 5/28/01.
(4-0) Legislator Olma absent.

c.

Item	Page	-2001	(Comm. 7 D-16)
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 YOUTH SERVICES: Letter to Legislator Holt Re: Comm 6E-24 -\$53, 848 Enhancement Grant from NYSDOH.
(4-0) Legislator Olma absent.

d.

Item	Page	-2001	(Comm. 7 E-11)
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 SWANICK & HOLT: Copy of Letter to NYS Office of Children & Family Services Re: Death of Robert Gilson in County's Youth Detention Facility.
(4-0) Legislator Olma absent.

e.

Item	Page	-2001	(Comm. 7 E-12)
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 SWANICK & HOLT: Copy of Letter to County Executive Re: Death of Robert Gilson in County's Youth Detention Facility.
(4-0) Legislator Olma absent.

f.

Item	Page	-2001	(Comm. 7 M-21)
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 ORANGE COUNTY LEGISLATURE: Certified Resolution Re: Memorializing Its Position to NYS requesting All Costs Related to Raising Age Limit of PINS be Assumed by NYS.
(4-0) Legislator Olma absent.

MEETING NO. 8**April 5, 2001****ERIE COUNTY LEGISLATURE****GEORGE A. HOLT, JR.
CHAIRMAN**

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

CARRIED UNANIMOUSLY.

Item 23 – MRS. FISHER presented the following resolution and moved for immediate consideration. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 154

March 29, 2001

HEALTH/MENTAL HEALTH
COMMITTEE
REPORT NO. 5

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

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

- | | | | | |
|----|---|------|-------|---------------|
| a. | Item | Page | -2000 | (Comm. 19E-6) |
| | COUNTY EXECUTIVE AS AMENDED: Health - Tobacco Cessation & Education Program. | | | |
| | (5-0) | | | |
| | | | | |
| b. | Item | Page | -2001 | (Comm. 4D-8) |
| | MENTAL HEALTH: Presentation to NYS Office of Mental Health. | | | |
| | (5-0) | | | |
| | | | | |
| c. | Item | Page | -2001 | (Comm. 6D-4) |
| | HEALTH: Letter to Chairman Swanick Re: Funding for Buffalo Public School Nurses. | | | |
| | (5-0) | | | |
| | | | | |
| d. | Item | Page | -2001 | (Comm. 6M-2) |
| | ALLEGANY COUNTY BOARD OF LEGISLATORS: Letter to Chairman Swanick Re: Copy of Resolution Concerning NYS Assumption of County Share of Medicaid. | | | |
| | (5-0) | | | |
| | | | | |
| e. | Item | Page | -2001 | (Comm. 6M-9) |
| | TIOGA COUNTY LEGISLATURE: Copy of Resolution Requesting NYS Examine Funding of Evolving Healthcare Systems & to Assume County Share of Medicaid. | | | |
| | (5-0) | | | |

MEETING NO. 8**April 5, 2001****ERIE COUNTY LEGISLATURE**

- f. Item Page -2001 (Comm. 6M-11)
TIOGA COUNTY LEGISLATURE: Copy of Resolution Requesting NYS Assume 100% of All Costs as a Result of Changes in Medical Assistance Program Since 1996.
(5-0)
- g. Item Page -2001 (Comm. 7D-6)
ECMC: Financial Statements for 12/00.
(5-0)
- h. Item Page -2001 (Comm. 7D-15)
MENTAL HEALTH: Notice of EC Mental Hygiene Community Services Board Meeting Held 3/15/01.
(5-0)
- i. Item Page -2001 (Comm. 7D-19)
HEALTH: Letter to Legislator Fisher Re: Patient Visits to Clinics Operated by Erie County Health Department.
(5-0)
- j. Item Page -2001 (Comm. 7M-20)
US DEPARTMENT OF HEALTH & HUMAN SERVICES: County-Wide Audit of Outpatient Early Intervention Services 1/1/99 - 12/31/99.
(5-0)
- k. Item Page -2001 (Comm. 7M-22)
ORANGE COUNTY LEGISLATURE: Certified Resolution Re: Memorializing Position to NYS Requesting State Assume 100% of Cost Resulting from Changes in Medical Assistance Prog.
(5-0)
- l. Item Page -2001 (Comm. 7M-23)
ORANGE COUNTY LEGISLATURE: Certified Resolution Re: Requests NYS to Examine Funding of Evolving Healthcare System & to Assume County Share of Medicaid.
(5-0)

2. Item Page - 2000 (Int. 26-2)

GREENAN

WHEREAS, in 1998 a federal law was passed making it illegal for tobacco companies to target youth in advertisements, and

WHEREAS, the law restricted the placement and content of any advertisements for the purposes of lowering the number of youth who smoke, and

MEETING NO. 8**April 5, 2001****ERIE COUNTY LEGISLATURE**

WHEREAS, statistics show that tobacco companies are finding ways to get around the set guidelines by increasing point-of-sale advertisements which can be easily viewed by children, and

WHEREAS, tobacco companies are also increasing the amount of advertisements placed in magazines with high rates of youth subscription such as Sports Illustrated, Rolling Stone, Vogue, and Elle Magazines, and

WHEREAS, recently Philip Morris sent textbook covers to area high schools containing phrases urging students not to smoke, and

WHEREAS, anti-smoking advocates believe the messages on these covers hide a deeper message encouraging teens to smoke, and

WHEREAS, anti-smoking advocates contend that distributing book covers to high schools, Philip Morris Tobacco Company is attempting to appeal to children which constitutes a violation of the 1998 legal settlement in which Philip Morris agreed to refrain from "directly or indirectly" marketing cigarettes to children, and

WHEREAS, in the past, this legislative body has supported local laws in relation to the regulation of smoking in Erie County and the regulation of self-service sales of tobacco products.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature disagrees with the indirect advertisements being sent to our local youth through the distribution of textbook covers, and be it further

RESOLVED, that the Erie County Legislature calls upon area high schools to actively refuse to distribute any book covers, and be it further

RESOLVED, that certified copies of this resolution be sent to Governor George Pataki, Members of the New York State Delegation, Erie County Executive Joel Giambra, Erie County Health Commissioner Anthony Billittier, and Susan Davidson and the Council on Children and Families.

Fiscal Impact: None for County
(5-0)

3. Item Page - 2001 (Comm. 7E-16)

COUNTY EXECUTIVE

WHEREAS, the use of tobacco is a significant risk behavior contributing to the onset of and exacerbating such chronic diseases as heart disease, cancer, respiratory disease and diabetes, and

WHEREAS, the Erie County Department of Health has received a supplemental grant award from the New York State Department of Health in the amount of \$300,000 for the period of 6/1/00 through 5/31/01 to support the Erie Niagara Tobacco Free Coalition, and

WHEREAS, the Roswell Park Cancer Institute has been selected by the Coalition as the lead agency to coordinate coalition activities.

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NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Executive is hereby authorized to enter into an agreement with the New York State Health Department to accept the grant which is budgeted as follows:

Department of Health
Erie Niagara Tobacco Free Coalition
Supplemental Funding Grant
6/1/00- 5/31/01

SFG		
Account	REVENUE	Budget
553	State Aid	<u>\$300,000</u>
	TOTAL	<u>\$300,000</u>
EXPENSES		
821	Dues & Fees	\$ 1,000
825	Out of Area Travel	1,500
826	Other Expenses	3,000
830-1184	Contractual Services	
	Health Research Institute	
	Roswell Park Division	285,000
932	Furniture, Fixtures, Office Equipment	1,500
933	Lab & Technical Equipment	<u>8,000</u>
	TOTAL	<u>\$300,000</u>

and be it further

RESOLVED, that the Erie County Department of Health is authorized to enter into an amended subcontract with the Health Research Institute - Roswell Park Division for an additional amount of \$285,000 for the purpose of coordinating Coalition activities, and be it further

RESOLVED, that the subcontract with Health Research Institute - Roswell Park Division is a special service which must be provided immediately and continuously, and therefore the RFP procedure required under Erie County Local Law No. 6, Section 19.08 of the Erie County Administrative Code, is hereby waived, and be it further

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

(5-0)

4. Item Page - 2001 (Comm. 7E-17)

MEETING NO. 8**April 5, 2001****ERIE COUNTY LEGISLATURE****COUNTY EXECUTIVE**

WHEREAS, the Department of Health has a contract with the New York State Department of Health to be the local entity responsible for completing source water assessments for approximately 110 public water systems in Erie County, and for identifying potential contamination risks to those systems, and

WHEREAS, the Department of Health has determined that budgetary adjustments are necessary in Account 801 - Overtime Expenses, Account 810 - Office Supplies, Account 821 - Dues & Fees, Account 825 - Out of Area Travel, Account 826 - Other Expenses, Account 932 - Office Equipment, and Account 933 - Lab & Technical Equipment, to more effectively and efficiently meet the requirements of the program, and

WHEREAS, the New York State Department of Health has agreed to extend this contract for one additional year from 4/1/01 to 3/31/02.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to implement the necessary budgetary adjustments and contract extension as follows:

Department of Health
Source Water Assessment Program
4/1/99 - 3/31/02
Project # 388

SFG	REVENUE	Current Budget	Changes	Revised Budget
553	State Aid	<u>\$15,050</u>	<u>\$ 0</u>	<u>\$15,050</u>
	TOTAL	<u>\$15,050</u>	<u>\$ 0</u>	<u>\$15,050</u>
	EXPENSES			
801	Overtime	\$4,000	(4,000)	\$ 0
810	Office Supplies	2,000	(1,500)	500
821	Dues & Fees	1,000	1,585	2,585
825	Out of Area Travel	2,300	165	2,465
826	Other Expenses	2,000	(1,000)	1,000
932	Office Equipment	2,000	2,500	4,500
933	Lab & Technical Equipment	<u>1,750</u>	<u>2,250</u>	<u>4,000</u>
	TOTAL	<u>\$15,050</u>	<u>\$ 0</u>	<u>\$15,050</u>

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ERIE COUNTY LEGISLATURE

and be it further

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

5. Item Page - 2001 (Comm. 7E-19)

COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Health has a contract with the New York State Department of Environmental Conservation (DEC) for the purpose of reviewing plans and specifications and inspections of wastewater systems for facilities handling less than 10,000 gallons per day, and reviewing plans and specifications and providing inspection services for sanitary sewer extensions, and

WHEREAS, the Department of Health has determined that budgetary adjustments are necessary in Account 553 - State Aid Other, Account 825 Out of Area Travel, Account 826 - Other Expenses, and Account 933 - Lab and Technical Equipment to more effectively meet the requirements of the program, and

WHEREAS, the New York State Department of Environmental Conservation has agreed to extend the term of this contract for one additional year from 4/1/00 - 3/31/01.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to implement the budgetary adjustments and contract extension as follows:

DEC Quality Plan Review Grant
 4/1/99 - 3/31/01
 Project #238

	Current		Revised
SFG REVENUE	Budget	Changes	Budget
553 State Aid Other	<u>\$14,880</u>	<u>(\$9,444)</u>	<u>\$5,436</u>
TOTAL	<u>\$14,880</u>	<u>(\$9,444)</u>	<u>\$5,436</u>
EXPENSES			
825 Out of Area Travel	\$ 2,830	(\$2,085)	\$ 745
826 Other Expenses	10,500	(10,500)	0
933 Lab & Technical Equipment	<u>1,550</u>	<u>3,141</u>	<u>4,691</u>
TOTAL	<u>\$14,880</u>	<u>(\$9,444)</u>	<u>\$5,436</u>

and be it further

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

(5-0)

6. Item Page - 2001 (Comm. 7E-20)

COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Health has a contract with the New York State Department of Environmental Conservation (DEC) for the purpose of reviewing plans and specifications and inspections of wastewater systems for facilities handling less than 10,000 gallons per day, and reviewing plans and specifications and providing inspection services for sanitary sewer extensions, and

WHEREAS, the Department of Health has determined that budgetary adjustments are necessary in Account 810 - Office Supplies, Account 821- Dues and Fees, Account 825 - Out of Area Travel, Account 826 - Other Expenses, Account 932 - Office Equipment, and Account 933 - Lab and Technical Equipment, to more effectively meet the requirements of the program.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to implement the budgetary adjustments to the contract with the New York State Department of Environmental Conservation for the period April 1, 2000 through March 31, 2001 as follows:

DEC Quality Plan Review Grant
4/1/00 - 3/31/01
Project #387

	Current Budget	Changes	Revised Budget
SFG REVENUE			
553 State Aid - Other	<u>\$14,880</u>	<u>\$0</u>	<u>\$ 14,880</u>
TOTAL	<u>\$14,880</u>	<u>\$0</u>	<u>\$ 14,880</u>

EXPENSES

810	Office Supplies	\$ 1,000	(\$ 120)	\$ 880
821	Dues & Fees	1,000	(1,000)	0
825	Out of Area Travel	1,000	2,000	3,000
826	Other Expenses	9,880	(8,880)	1,000
932	Office Equipment	1,000	4,000	5,000
933	Lab & Technical Equipment	<u>1,000</u>	<u>4,000</u>	<u>5,000</u>
	TOTAL	<u>\$14,880</u>	<u>\$ 0</u>	<u>\$14,880</u>

and be it further

MEETING NO. 8**April 5, 2001****ERIE COUNTY LEGISLATURE**

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

(5-0)

7. Item Page - 2001 (Int. 7-22)

FISHER

WHEREAS, in his proposed 2001-2002 state budget, New York State Governor George Pataki has called for the merger or co-location of four children's psychiatric centers across the state by 2004, and

WHEREAS, one of said centers is the Western New York Children's Psychiatric Center (CPC) located in West Seneca, and

WHEREAS, under the governor's proposal, the CPC would be closed and moved to the Buffalo Psychiatric Center (BPC) Building 62, with a tentative date of completion of April 1, 2002, and

WHEREAS, said proposal was developed with a lack of parental involvement, even while the State Office of Mental Health strongly encourages the role of parents and caregivers in the planning and design of children's mental health services, and

WHEREAS, the Mental Health Association of Erie County has voiced its opposition to the aforementioned merger, citing the following concerns:

Relocation from a modern suburban campus atmosphere to a much older urban facility poses safety and security issues for the children;

Separating children from adult clients at the BPC will present serious obstacles without unduly restricting the freedom of movement of both the BPC adult and children residents;

Hopelessness and despair will grow, both within the children and their families, if the children are placed in such an institutional setting;

The CPC is viewed as a "center of excellence" and provides a wholesome, family like and healthy atmosphere with clear therapeutic value for the children and their families that would be lost in a merger with BPC,

and

WHEREAS, there is clear and compelling evidence that co-locating children and adults can have an adverse effect on the children, and

WHEREAS, although there would be a cost savings involved in the merger, it is hardly worth putting children at risk to achieve said savings,

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NOW, THEREFORE, BE IT

RESOLVED, the Erie County Legislature does hereby state its concern about the potential risk to the children in being placed in an adult facility under New York State Governor George Pataki's proposed merger of the Western New York Children's Psychiatric Center and the Buffalo Psychiatric Center, and be it further

RESOLVED, that this Honorable Body does therefore oppose said proposal, and does urge Governor Pataki and the New York State Legislature to immediately remove the proposed merger of the CPC and BPC - as well as the other three children's facilities in the state being targeted - from further consideration, and be it further

RESOLVED, that certified copies of this resolution be sent to New York State Governor George Pataki, the Western New York delegation of the New York State Legislature, Mental Health Association of Erie County Executive Director Roger Stone (999 Delaware Ave., Buffalo, NY 14209-1892), the New York State Mental Health Association, and Charles Sabatino, Erie County Mental Hygiene Community Services Board (16th Floor, Rath Building).

Fiscal Impact: None for resolution.
(5-0)

**JUDITH P. FISHER
CHAIRPERSON**

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

CARRIED UNANIMOUSLY.

ITEM 24 – MR. DUSZA presented the following resolution and moved for immediate consideration. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 155

March 29, 2001

ENERGY & ENVIRONMENT
COMMITTEE
REPORT NO. 6

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

MEETING NO. 8**April 5, 2001****ERIE COUNTY LEGISLATURE**

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

Item Page -2001 (Comm. 7 D-13)
 a. **DEP:** Copy of Letter to NYS department of Agriculture & Markets Re: Waiver of Notice of Intent for ECSD No. 2 – West Pleasant Ave, Eden Valley Ag District.
 (4-0) Legislator Fitzpatrick absent.

Item Page -2001 (Comm. 7 M-7)
 b. **NYSDEC:** Fact Sheet – Lehigh Valley Railroad Site.
 (5-0) Legislator Fitzpatrick absent. Chairman Swanick present as Ex-Officio Member.

Item Page -2001 (Comm. 7 M-12)
 c. **NYS FISH & WILDLIFE MANAGEMENT BOARD:** Minutes of Board Meeting Held 3/1/01.
 (5-0) Legislator Fitzpatrick absent. Chairman Swanick present as Ex-Officio Member.

Item Page -2001 (Comm. 7 M-18)
 d. **JIM HANLEY'S NORTHEAST OUTDOORS:** Progress Report for Erie County Sportfishing Promotion Program for 1/01 & 2/01.
 (5-0) Legislator Fitzpatrick absent. Chairman Swanick present as Ex-Officio Member.

2. Item Page -2001 (Comm. 7E-21)

COUNTY EXECUTIVE

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

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

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

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

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

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

NOW, THEREFORE BE IT

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

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

<u>Municipally</u>	<u>Location</u>	<u>Date</u>
Amherst	ECC North Campus	May 12, 2001
Orchard Park	ECC South Campus	June 23, 2001
Tonawanda	EC Highway Garage	July 21, 2001
Buffalo	To Be Determined	September 8, 2001

and be it further

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

(4-0) Legislator Fitzpatrick absent.

3. Item Page -2001 (Comm. 7E-24)

COUNTY EXECUTIVE

WHEREAS, Erie County Sewer District No. 2 is in the process of building a new sanitary sewer on Commercial Street in the Village of Angola; and

WHEREAS, the construction of the new sanitary sewer on Commercial Street will result in the abandonment of approximately 2,000 feet of existing 12 inch sanitary sewer; and

WHEREAS, the Village of Angola has requested the County turn over the abandoned sewer line to the Village for their use and make it part of the Village's storm sewer system; and

WHEREAS, this matter has been discussed before the County's Advisory Review Committee which determined that there would be no impact to the County.

NOW, THEREFORE, BE IT

RESOLVED, that a proposed agreement, transferring ownership and all rights to the existing 12 inch Commercial Street sanitary sewer to the Village of Angola be approved; and be it further

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

RESOLVED, that the Clerk of the Legislature be authorized and directed to send a certified copy of this resolution to the Village of Angola; Charles J. Alessi, P.E., Deputy Commissioner of the Department of Environment and Planning; Nancy A. Naples, County Comptroller; and Gregory J. Dudek, Assistant County Attorney.

(3-0) Legislator Fitzpatrick absent. Legislator Pauly absent for vote.

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4. Item Page -2001 (Comm. 7E-25)

COUNTY EXECUTIVE

WHEREAS, the development of a Lake Erie trail extending from Evangola State Park in the Town of Brant to the Niagara Riverwalk in the City of Buffalo has numerous regional benefits; and

WHEREAS, said trail would extend through five municipalities and require extensive local government involvement; and

WHEREAS, the New York State Office of Parks, Recreation, and Historic Preservation has initiated trail development at Evangola State Park; and

WHEREAS, the Niagara Frontier Transportation Authority will soon undertake development of a trail adjacent to Gallagher Beach; and

WHEREAS, the Town of Hamburg will soon initiate trail development near Hoover Beach; and

WHEREAS, the Town of Evans is desirous of undertaking a feasibility analysis of constructing the trail in the Town's waterfront area.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive shall execute a contract with the Town of Evans for an amount not to exceed \$45,000 for the purpose of undertaking a Lake Erie Trail Feasibility Study targeted toward the Town of Evans segment; and be it further

RESOLVED, that funding for said payment to the Town of Evans shall be established by a transfer of funds in the 2001 Operating Budget of the County as follows:

Department 303 - Extraordinary County Aid to Local Governments

<u>Appropriation</u>	<u>Decrease</u>
Acct. 830 - 1299 - Regionalism	
Economic Development	\$45,000
	<u>Increase</u>
Acct. 830 - 0449 - Town of Evans	45,000
Net Change	\$0

and be it further

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

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(4-0) Legislator Fitzpatrick absent. Legislator Pauly absent for vote. Chairman Swanick present as Ex-Officio Member.

AS AMENDED

4. Item Page -2001 (Int. 7-29)
GREENAN, SWANICK, PEOPLES, KUWIK, FISHER & PAULY

WHEREAS, the Erie County Legislature determined that the conservation of soil and water resources and prevention of soil erosion and prevention of floodwater and sediment damages are problems of public concern in Erie County, and

WHEREAS, the Erie County Legislature, by resolution adopted at a regular or special meeting, declared the county to be a soil and water conservation district, and

WHEREAS, Section 9 of New York State Soil and Water Conservation Districts Law provides districts and directors thereof the power to "carry out preventive and control measures within the district including but not limited to engineering operations, methods of cultivation, the growing of vegetation and changes in use of land and drainage, irrigation and other agricultural water management operations and measures for the prevention of flood water and sediment damages"...and to "construct, improve, and maintain such structures as may be necessary or convenient for the performances of any operations authorized in this chapter," and

WHEREAS, Section 18 of the Public Officer's Law provides that by resolution a county may agree to indemnify officers and employees with regard to a claim or lawsuit brought against the officer or employee for acts and omissions occurring while the employee was acting within the scope of his/her public employment or duties.

NOW, THEREFORE BE IT

RESOLVED, that the Erie County Legislature agrees to defend and indemnify the officers and employees of the Erie County Soil and Water Conservation District to the extent and in accordance with the provisions of Section 18 of the Public Officer's Law; and further be it

RESOLVED THAT, this resolution shall take effect immediately.

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

RAYMOND K. DUSZA
CHAIRMAN

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

CARRIED UNANIMOUSLY.

LEGISLATORS RESOLUTIONS

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Item 25 - CHAIRMAN SWANICK directed that the following resolution be referred to the ECONOMIC DEVELOPMENT COMMITTEE.

GRANTED.

Intro. 8-1 From LEGISLATORS GREENAN, RANZENHOFER, CHASE, McCARVILLE, WEINSTEIN, & LARSON. Re: Equitable County Road Repair Funding.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 156

Re: Waiver of Fees for Rural Transit Service Annual Picnic. (Intro. 8 – 2)

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

WHEREAS, the Rural Transit Service provides a vital means of transportation for the elderly, handicapped and low income persons in rural areas of the county, and

WHEREAS, the Rural Transit Service provides more than 20,000 trips per year for persons wishing to attend senior or other community functions and for others needing medical care, grocery shopping, and other necessities of life, and

WHEREAS, the vehicles in this program are manned by a corps of more than 150 volunteers who give unselfishly of their time without any monetary reimbursement, and

WHEREAS on June 22, 2001, these volunteers will be honored at a recognition picnic as the Edward J. Martin Lodge at Chestnut Ridge Park, and

WHEREAS, the Erie County Department of Park, Recreation and Forestry has notified the Rural Transit Service that the fee for rental of this facility is \$90 (ninety dollars), and

WHEREAS, the Erie County Legislature must approve a resolution to effect a waiver of said fee,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby direct the Commission of the Erie County Department of Parks, Recreation and Forestry to waive the fees for the Rural Transit Service's recognition picnic for its volunteers to be held on June 22, 2001, And be it further

RESOLVED that a certified copy of this resolution be forwarded to County Executive Joel Giambra, Budget Director Joseph Passafiume, Commissioner of Parks, Recreation and Forestry

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Larry Jasinski and to Elizabeth Fadale, Rural Transit Service, P.O. Box 212, Brant, New York 14027.

Fiscal Impact: Minimal

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

Item 27 - CHAIRMAN SWANICK directed that the following resolution be referred to the ECONOMIC DEVELOPMENT COMMITTEE.

GRANTED.

Intro. 8- 3 From LEGISLATOR RANZENHOFER Re: Support for Open Bidding Process for Phase II, Erie County Family Courthouse Project.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 157

Re: Endorsing Establishment of Buffalo-Niagara Renewal Community. (Intro. 8-4)

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

WHEREAS, the United States Congress passed and the president signed into law on December 21, 2000 the Renewal Communities Reform Act of 2000 (PL 106-554), and

WHEREAS, the Renewal Communities Tax Reform Act is designed to expand jobs, stimulate economic development and rehabilitate distressed communities through targeted federal tax incentives, and

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WHEREAS, said Act calls for the establishment of 40 “renewal communities” nationwide which will be eligible to receive federal incentives for the restoration and rehabilitation of those communities, and

WHEREAS, in order to be eligible for the designation of a “renewal community” a community must demonstrate it is an area with high unemployment, general economic distress, has pervasive poverty, and has experienced out-migration and job loss, and

WHEREAS, the Buffalo-Niagara area meets the qualifications to be designated a “renewal community,”

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby unanimously endorse the establishment of a Buffalo-Niagara renewal community, making the area eligible for provisions under the Renewal Communities Tax Reform Act of 2000, and be it further

RESOLVED, that this Honorable Body does hereby call upon Housing and Urban Development Secretary Mel Martinez to designate a Buffalo-Niagara Renewal Community, and be it further

RESOLVED, that certified copies of this resolution be sent to Housing and Urban Development Secretary Mel Martinez (451 7th St., SW, Washington, DC 20410), the Western New York delegation of the United States Congress, United States President George W. Bush, Fannie Mae Western and Central New York Partnership Office Director Robert Bannister (Key Tower Suite 1370, 50 Fountain Plaza, Buffalo, NY 14202), and the Niagara County Legislature.

Fiscal Impact: None for resolution

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 158

Re: Support for a Youth Organization.
(Intro. 8-5)

A RESOLUTION SUBMITTED BY
LEGISLATOR FITZPATRICK

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

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

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

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$2,000 from the Extraordinary County Aid to Local Governments – Regionalism / Economic Development Fund (DAC: 1109043038301299) 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>
Buffalo Hornets Hockey Assoc.	830/	\$2,000
TOTAL		\$2,000

and be it further

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

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

RESOLVED, that certified copies of this resolution be sent to County Executive Joel A. Giambra, County Comptroller Nancy A. Naples, Budget Director Joseph Passafiume, Jennifer Anger, Administrative Assistant Erie County Legislature, Assistant County Attorney Brian D. White, and to Eugene F. Overdorf, Head Coach, Buffalo Hornets Hockey Association, (60 King Avenue, Depew, NY 14043.)

Fiscal Impact: Appropriation of 2001-budgeted funds.

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

CARRIED UNANIMOUSLY.

AN AMENDMENT TO INTRO. 8-5 TO BE SUBMITTED

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April 5, 2001

ERIE COUNTY LEGISLATURE

BY LEGISLATOR PEOPLES

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

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$38,000 from the Extraordinary County Aid to Local Governments - Regionalism / Economic Development Fund (DAC: 1109043038301299) to Fund 110, Project 921, Department 301 Agency Payments & Grants -Public Benefit Services, (DAC: 110921301830), for paying the following agency:

NAME	LINE	AMOUNT
Buffalo Hornets Hockey Assoc.	830/	\$2,000
UB Office of Urban Initiatives	830/0532	\$5,000
University Community Initiative	830/	\$30,000
Seneca/South Park Hockey Club	830/	\$1,000
TOTAL		\$38,000

and be it further

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

RESOLVED, that certified copies of this resolution be sent to County Executive Joel A. Giambra, County Comptroller Nancy A. Naples, Budget Director Joseph Passafiume, Jennifer Anger, Administrative Assistant Erie County Legislature, Assistant County Attorney Brian D. White, Eugene F. Overdorf, Head Coach, Buffalo Hornets Hockey Association, (60 King Avenue, Depew, NY 14043,) Reginald Garner, Director, UB Office of Urban Initiatives, (101 C Fargo Ellicott Complex, Buffalo, NY 14261,) Danis Gehl, University Community Initiative, (Allen Hall, Room 101, 3435 Main Street, Buffalo, NY 14214-3003,) and to Fred DiPaolo, Coach, Seneca/South Park Hockey Club, (151 East Royal Parkway, Williamsville, NY 14221.)

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.
 RESOLUTION NO. 159

Re: Funding for Community
 Organizations. (Intro. 8-6)

A RESOLUTION SUBMITTED BY
 LEGISLATOR WEINSTEIN

MEETING NO. 8**April 5, 2001****ERIE COUNTY LEGISLATURE**

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

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

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

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$11,500 from the County-wide Accounts – Budget - County Contingency (DAC: 110923310893) to Fund 110, Project 921, Department 301 Agency Payments & Grants - Public Benefit Services, (DAC: 110921301830), for paying the following agencies:

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
Village of Williamsville Business and Professional Assoc., Inc.	830/1084	\$1,500
Amherst Girls Softball League	830/932	\$5,000
Amherst Museum	830/0887	\$5,000
TOTAL		\$11,500

and be it further

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

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

RESOLVED, that certified copies of this resolution be sent to County Executive Joel A. Giambra, County Comptroller Nancy A. Naples, Budget Director Joseph Passafiume, Jennifer Anger, Administrative Assistant Erie County Legislature, Assistant County Attorney Brian D. White, and to Sam Maislin, President, Village of Williamsville Business and Professional Association, Inc., (5684 Main Street, Williamsville, NY 14221,) MaryJo Narby, Treasurer, Amherst Girls Softball League, (PO Box 680, Williamsville, NY 14221,) and to Lynn Bieman, Executive Director, Amherst Museum, (3755 Tonawanda Creek Road, Amherst, NY 14228.)

MEETING NO. 8**April 5, 2001****ERIE COUNTY LEGISLATURE****Fiscal Impact:** Appropriation of 2001-budgeted funds.

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 160

Re: Support for Emergency Services.
(Intro. 8-7)A RESOLUTION SUBMITTED BY
LEGISLATORS MARINELLI & SWANICK

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

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

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

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$4,076 from the Extraordinary County Aid to Local Governments – Regionalism / Economic Development Fund (DAC: 1109043038301299) 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>
Kenmore Volunteer Fire Department, Inc.	830/0959	\$4,076
TOTAL		\$4,076

and be it further

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

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

RESOLVED, that certified copies of this resolution be sent to County Executive Joel A. Giambra, County Comptroller Nancy A. Naples, Budget Director Joseph Passafiume, Jennifer Anger, Administrative Assistant Erie County Legislature, Assistant County Attorney Brian D. White, and to Donald R. Biggie, Chief, Kenmore Volunteer Fire Department, Inc., (16 Nash Road, Kenmore, NY 14217.)

Fiscal Impact: Appropriation of 2001-budgeted funds.

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 161

Re: Funding for a Community Parade.
(Intro. 8-8)

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

WHEREAS, the Legislature set aside funds in the 2001 Erie County Budget for various parades and festivals which are held each year as a means of recognizing certain ethnic traditions, honoring our forefathers and for demonstrating our American patriotism, and

WHEREAS, the United Way of Buffalo & Erie County is a sponsor agency for the Labor Day Parade, 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 \$11,105 from the Extraordinary County Aid to Local Governments – Regionalism / Economic Development Fund (DAC: 1109043038301299) to Fund 110, Project 921, Department 301 Agency Payments & Grants - Public Benefit Services, (DAC: 110921301830), for paying the following agency:

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<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
United Way of Buffalo & Erie Co.	830/0339	\$11,105
TOTAL		\$11,105

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 the organization file a close-out report with the Legislature after the funds are expended, 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, Assistant County Attorney Brian D. White and to Gary Dion, Community Services Liaison, United Way of Buffalo & Erie County, (742 Delaware Avenue, Buffalo, NY 14209.)

Fiscal Impact: Appropriation of 2001-budgeted funds.

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

CARRIED UNANIMOUSLY.

Delete the first Resolve and Replace with the following:

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$171,105 from the Extraordinary County Aid to Local Governments – Regionalism / Economic Development Fund (DAC: 1109043038301299) 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>
United Way of Buffalo & Erie Co.	830/0339	\$11,105
Boys & Girls Club of Buffalo – Operation Prime Time	830/	\$160,000

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and be it further

DELETE the final RESOLVE and REPLACE with the following:

RESOLVED, that certified copies of this resolution be sent to County Executive Joel A. Giambra, County Comptroller Nancy A. Naples, Budget Director Joseph Passfiume, Jennifer Anger – Administrative Assistant Erie County Legislature, Assistant County Attorney Brian D. White, Gary Dion, Community Services Liaison, United Way of Buffalo & Erie County, (742 Delaware Avenue, Buffalo, NY 14209.) and to Diane Rowe, Executive Director, Boys & Girls Club of Buffalo, (282 Babcock Street, Buffalo, NY 14201.)

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

CARRIED UNANIMOUSLY.

Item 33 - MS. PEOPLES presented the following resolution and moved for immediate consideration. MR. DUSZA seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 162

Re: Holland Agricultural District
(EC#11) 8-Year Review. (Intro. 8-9)

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

WHEREAS, the Erie County Legislature has received notification of the eight-year review requirement of the Holland Agricultural District (EC#11), which was created in 1977 and recertified every 8 years thereafter, and

WHEREAS, a copy of this Agricultural District map is on file in the County Clerk's office and the Holland Town Hall.

NOW, THEREFORE, BE IT

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

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

RESOLVED, that a certified copy of this resolution be sent to the Erie County Department of Environment (Chet C. Jandzinski) and the Towns of Holland, Wales, Colden and Sardinia (Supervisors and Town Clerks).

NOTICE OF PROPOSAL FOR THE 8-YEAR HOLLAND AGRICULTURAL DISTRICT (EC #11)

PLEASE TAKE NOTICE, that the Erie County Legislature has received notification of the eight-year review requirement of the Holland Agricultural District which was created on August 9, 1977, and recertified in 1985 and 1993, pursuant to Article 25-AA of the Agriculture and Markets Law of the State of New York, a map of the district which is now on file and open to public inspection in the Erie County Clerk's office in Buffalo, NY, and the Holland Town Hall, 47 Pearl Street, Holland, NY 14080.

PLEASE TAKE FURTHER NOTICE, that any municipality whose territory encompasses this district which comprises a total of 17,630 acres, may propose a modification to such district. Any landowner who owns at least ten percent (10%) of the land in a proposed modification of a district (either a proposal to include or delete land in a district) may propose such modification. Any state agency may also propose modification of this district.

PLEASE TAKE FURTHER NOTICE, that any proposed modifications of this district must be filed with the Clerk of the County of Erie and Clerk of the Erie County Legislature within thirty (30) days after the publication of such notice.

PLEASE TAKE FURTHER NOTICE, that at the termination of the thirty (30) day period, any proposed modifications will be submitted to the Erie County Department of Environment and Planning and the Erie County Agricultural and Farmland Protection Board, thereafter, a public hearing will be held on this district including proposed modifications and recommendations of the said department and board.

LAURIE A. MANZELLA
Clerk of the Erie County Legislature

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

CARRIED UNANIMOUSLY.

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Item 34 – MRS. FISHER presented the following resolution and moved for immediate consideration. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 163

Re: Support for Neighborhood Libraries
& a Youth Organization. (Intro. 8-10)

A RESOLUTION SUBMITTED BY
LEGISLATOR FISHER

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

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

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

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

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$6,000 from the Extraordinary County Aid to Local Governments – Regionalism / Economic Development Fund (DAC: 1109043038301299) to General Fund, Interfund Transfers, Interfund-Library (DAC 1109253208864200), and be it further

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

RESOLVED, that the Erie County Library Budget is hereby amended, to increase the following accounts:

- Buildings & Grounds Equipment (DAC: 820973420931) \$2,000, (Blinds for the Crane Branch Library)
- Technical Equipment (DAC: 820973420933) \$2,000 (Computer with large monitor for seniors and sight-impaired for the Fairfield Branch Library)
- Library Materials (DAC: 820973420938) \$2,000 (Spanish Language Library Materials for the Niagara Branch Library)

and be it further

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RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$1,000 from the Extraordinary County Aid to Local Governments – Regionalism / Economic Development Fund (DAC: 1109043038301299) 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>
Canisius College Young Writers Program	830/	\$1,000
TOTAL		\$1,000

and be it further

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

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

RESOLVED, that certified copies of this resolution be sent to County Executive Joel A. Giambra, County Comptroller Nancy A. Naples, Budget Joseph A. Passafiume, Jennifer Anger – Administrative Assistant Erie County Legislature, Assistant County Attorney Brian D. White, Diane Crisman, Director, Buffalo & Erie County Public Library, Jerry S. Bartone, Executive Director, Community Concern of Evans & Brant, (6722 Erie Road, Derby, NY 14047,) and to Suzanne Borowicz, Co Director, Canisius College Young Writers Program, (Canisius College, 2001 Main Street, Buffalo, NY 14208-1098.)

Fiscal Impact: Appropriation of 2001-budgeted funds.

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 164

Re: Support for the Immediate
Repeal of the Gross Receipts Tax
on Energy. (Intro. 8-11)

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

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WHEREAS, upstate New York has not fully enjoyed the prosperity known to New York State as well as much of the United States, and

WHEREAS, evidence points to the existence of the Gross Receipts Tax (GRT) on energy to be a major impediment to economic development in the upstate region by forcing manufacturers and residents to leave the area for better rates on energy and causing prospective businesses and individuals to look elsewhere to work and live, and

WHEREAS, the GRT amounts to three to four percent of the average utility bill, and

WHEREAS, Governor Pataki recently approved legislation trumpeted by the Western New York delegation as a economic development tool to grow jobs in the upstate economy through the gradual elimination of the GRT over a period of five years, and

WHEREAS, this initiative, although a step in the right direction, falls short of the immediate impact needed in the upstate region to retain and attract businesses and residents, and

WHEREAS, this has become abundantly clear in recent months as energy prices have soared and businesses and individuals have been forced to tighten their belts in order to stay profitable, and

WHEREAS, as the average cost of energy in the Buffalo Niagara region is 40 percent higher than the national average, the need for relief to both businesses and citizens has never been greater, and

WHEREAS, the fact that New York State is currently enjoying significant surpluses bolsters the argument for the immediate elimination of the entire GRT.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby support the immediate repeal of the Gross Receipts Tax on energy for individuals and businesses across New York State in order to stimulate economic development and growth in the upstate area as well as the entire state of New York, and be it further

RESOLVED, that this Honorable Body does hereby memorialize the New York State Legislature to introduce and New York State Governor George Pataki to sign into law said legislation, and be it further

RESOLVED, that certified copies be sent to Governor George Pataki, Comptroller H. Carl McCall and the Western New York delegation to the New York State Legislature.

Fiscal Impact: None for Resolution

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

CARRIED UNANIMOUSLY.

Item 36 – MRS. FISHER presented the following resolution and moved for immediate consideration. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 165

Re: Support for the New York
 State Assembly's Competition
 Plus Initiative. (Intro. 8-12)

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

WHEREAS, the residents and businesses of New York State have been and continue to be greatly affected by increases in the price of energy in recent months while New York State languishes in the midst of an energy crisis, and

WHEREAS, recent estimates point to an increase of nearly 67 percent over the national average for energy costs to individuals and businesses since Governor Pataki put forth his deregulation plan, and

WHEREAS, all indications point to the cost of energy to continue to rise with the announcement from Niagara Mohawk that customers can expect a 12 percent increase beginning this fall and utility companies throughout the state are predicting double-digit increases in the price for natural gas for the winter 2001, and

WHEREAS, if these trends continue ratepayers will not receive any relief from already high prices causing individuals and businesses to dedicate ever increasing amounts of their budgets to maintain the basic necessities for a comfortable existence, and

WHEREAS, the persons most effected by the increase in rates continue to be those most in need of assistance, namely our senior citizens on fixed incomes and working families, and

WHEREAS, our state is failing to aid our elderly and working families in obtaining the basic needs to function, grow and continue to be contributing individuals in society, and

WHEREAS, businesses, especially small businesses, also being hard hit by the recent spikes in energy costs causing them to lay workers off or to shut down operations completely stripping the economy of well paying jobs, and

WHEREAS, if these trends continue the economic health of New York State will begin to reflect the loss in economic stimuli vital for a healthy and viable economy, and

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WHEREAS, the New York State Assembly has offered a plan to offer real energy reform for working families and businesses entitled Competition Plus, and

WHEREAS, a key component of the Assembly plan is the Universal Rate, which will offer relief to all customers by discounting energy needed to run essential appliances, lights and heat, and

WHEREAS, doing so will allow senior citizens on fixed incomes and working families the ability to better plan household budgets and afford the basic necessities that provide for the comfortable lives they so richly deserve, and

WHEREAS, competitive energy prices will promote competition within the utility industry and protect consumers from price gauging by utility companies,

NOW, THEREFORE BE IT,

RESOLVED, that the Erie County Legislature does hereby call on Governor Pataki to reassess his energy policies and take action to provide relief for the citizens and businesses of the State of New York in order to help them survive and flourish as well as to create economic development opportunities for individuals and businesses wishing to live and work here, and be it further

RESOLVED, that this Honorable Body does hereby endorse the New York State Assembly's Competition Plus initiative, and specifically the plan for a Universal Service Rate, in order to provide real energy reform for the State of New York, and be it further

RESOLVED, that this Honorable Body does hereby memorialize the New York State Legislature to introduce and New York State Governor George Pataki to sign into legislation said legislation, and be it further

RESOLVED, that certified copies be sent to Governor George Pataki, Comptroller H. Carl McCall and the Western New York delegation to the New York State Legislature.

Fiscal Impact: None for Resolution

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

CARRIED UNANIMOUSLY.

Item 37 – MR. KUWIK presented the following resolution and moved for immediate consideration. MR. FITZPATRICK seconded.

CARRIED UNANIMOUSLY.

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April 5, 2001

ERIE COUNTY LEGISLATURE

RESOLUTION NO. 166

Re: Support for Community
 Organizations. (Intro. 8-13)

A RESOLUTION SUBMITTED BY
 LEGISLATOR KUWIK

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

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

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

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

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$2,500 from the Extraordinary County Aid to Local Governments – Regionalism / Economic Development Fund (DAC: 1109043038301299) to General Fund, Interfund Transfers, Interfund-Library (DAC 1109253208864200), and be it further

RESOLVED, that the Erie County Library Budget is hereby amended, to increase the following account: Interfund-Subsidy revenue (DAC 8209734206863200) \$2,500, and be it further

RESOLVED, that the Erie County Library Budget is hereby amended, to increase the following accounts: Hamburg Libraries (DAC 820973420830168) \$2,500 for the Lakeshore Branch Library, and be it further

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$67,000 from the Extraordinary County Aid to Local Governments – Regionalism / Economic Development Fund (DAC: 1109043038301299) to Fund 110, Project 921, Department 301 Agency Payments & Grants - Public Benefit Services, (DAC: 110921301830), for paying the following agencies:

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
Lakeshore Volunteer Fire Co.	830/0874	\$5,000
Village of Blasdell – Sidewalk Restoration	830/0690	\$10,000
Yemen Soccer Association	830/1022	\$5,000

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City of Lackawanna Drug Court	830/1127	\$5,000
Lakeshore Little League	830/0794	\$5,000
Town of Hamburg Senior Services	830/0678	\$2,500
Hamburg Hawks Hockey	830/0928	\$5,000
Lackawanna Little Loop Football, Inc.	830/0929	\$5,000
Catholic Charities of Buffalo, Inc. – Lackawanna Food Pantry	830/1042	\$5,000
Woodlawn Community Revitalization Corporation	830/	\$5,000
Village of Blasdell – Fireman’s Park – Playground Equipment	830/	\$5,000
Village of Blasdell – Independence Day Celebration	830/1047	\$2,000
City of Lackawanna Fire Department	830/0930	\$2,500
Buffalo & Erie County Botanical Garden Society Board	830/	\$5,000
TOTAL		\$67,000

and be it further

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

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

RESOLVED, that certified copies of this resolution be sent to County Executive Joel A. Giambra, County Comptroller Nancy A. Naples, Budget Director Joseph Passafiume, Diane Crisman, Director, Buffalo & Erie County Public Library, Jennifer Anger, Administrative Assistant Erie County Legislature, Assistant County Attorney Brian D. White, James J. Przybyl, President, Lakeshore Vol. Fire Co., (4591 Lakeshore Road, Hamburg, NY 14075,) Ernest Jewett, Mayor, Village of Blasdell – Sidewalk Restoration, (121 Miriam Avenue, Blasdell, NY 14219,) Abdulsalam Noman, President, Yemen Soccer Association, (109 Ridge Road, PO Box 65, Lackawanna, NY

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14218,) Kathi A. Chaplin, Drug Court Administrator, City of Lackawanna Drug Court, (714 Ridge Road, Lackawanna, NY 14218,) Al Bauer, Treasurer, Lakeshore Little League, (5110 Mt. Vernon Blvd., Hamburg, NY 14075,) John H. Farrell, Director, Town of Hamburg Senior Services, (4150 Sowles Rd. Bldg. H, Hamburg, NY 14075,) Todd Rice, President, Hamburg Hawks Hockey, (PO Box 643, Hamburg, NY 14075,) Mary Gorski, Secretary, Lackawanna Little Loop Football, Inc., (22 Pine Street, Lackawanna, NY 14218,) Sister Dorothy DeMaria, Coordinator, Lackawanna Food Pantry, (697 Ridge Road, Lackawanna, NY 14218,) Paul F. Lenahan, President, Woodlawn Community Revitalization Corporation, (3281 Lake Shore Road, Woodlawn, NY 14219,) Ernest Jewett, Mayor, Village of Blasdell – Fireman’s Park - Playground Equipment, (121 Miriam Avenue, Blasdell, NY 14219,) Ernest Jewett, Mayor, Village of Blasdell – Independence Day Celebration, (121 Miriam Avenue, Blasdell, NY 14219,) John Kuryak, Mayor, City of Lackawanna Fire Department, (714 Ridge Road, Lackawanna, NY 14218,) and to Kathryn A. O’Donnell, President, Buffalo & Erie County Botanical Gardens Society, Inc. (2655 South Park Avenue, Buffalo, NY 14218-1526.)

Fiscal Impact: Appropriation of 2001-budgeted funds.

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

CARRIED UNANIMOUSLY.

Item 38 – MS. CHASE presented the following resolution and moved for immediate consideration. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 167

Re: Funding for Parks Improvements.
(Intro. 8-14)

A RESOLUTION SUBMITTED BY
LEGISLATOR CHASE

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

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

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

NOW, THEREFORE, BE IT

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RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$3,500 from the County-wide Accounts – Budget - County Contingency (DAC: 110923310893) to Fund 110, Project 921, Department 301 Agency Payments & Grants - Public Benefit Services, (DAC: 110921301830), for paying the following agency:

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
Village of Angola	830/0436	\$3,500
TOTAL		\$3,500

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

RESOLVED, that certified copies of this resolution be sent to County Executive Joel A. Giambra, County Comptroller Nancy A. Naples, Budget Joseph A. Passafiume, Jennifer Anger – Administrative Assistant Erie County Legislature, Assistant County Attorney Brian D. White, and to Louie Atti, Mayor, Village of Angola, (41 Commercial Street, Angola, NY 14006.)

Fiscal Impact: Appropriation of 2001-budgeted funds.

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

CARRIED UNANIMOUSLY.

AN AMENDMENT TO INTRO. 8-14 SUBMITTED
BY LEGISLATOR CHASE

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

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$6,000 from the County-wide Accounts - Budget - County Contingency (DAC: 110923310893) to Fund 110, Project 921, Department 301 Agency Payments & Grants - Public Benefit Services, (DAC: 110921301830), for paying the following agency:

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
Village of Angola	830/0436	\$6,000

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and be it further

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

RESOLVED, that certified copies of this resolution be sent to County Executive Joel A. Giambra, County Comptroller Nancy A. Naples, Budget Joseph A. Passafiume, Jennifer Anger - Administrative Assistant Erie County Legislature, Assistant County Attorney Brian D. White, and to Glen Ruggle, Village of Angola, (41 Commercial Street, Angola, NY 14006.)

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 168

Re: Request for New State Law to Combat Alarming Trend of Home Invasion Burglary. (Intro. 8-15)

WHEREAS, As representatives of citizens at all levels of government, the strongest weapon that elected officials have against those who would harm our residents is the full power and force of law, and

WHEREAS, When laws are out-of-date, ineffectual or antiquated, action must be taken to bring these laws up-to-date so that their relevance is clearly unmistakable, apparent, and unequivocal, and

WHEREAS, An alarming trend in criminal behavior has become an unfortunate reality for more and more residents of Western New York, and indeed, throughout New York State and across the nation, and

WHEREAS, The terrifying scenario of organized home invasion burglary has increased dramatically over the last few years, and

WHEREAS, This shocking criminal trend now includes organized gangs who actually want residents to be present in their home so they can ascertain by force and intimidation where valuables or cash may be hidden, and

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WHEREAS, Senior citizens have been victimized in our community, but anyone can be a target of this frightening crime, and

WHEREAS, When criminals have been apprehended and prosecuted for this crime, charges usually consist of simple burglary, assault, or trespass, and result in little or no real jail time for convicted perpetrators, and no measure of justice for victims, and

WHEREAS, While existing State of New York laws do address actions involved in home invasion burglaries, they do not address the organized nature or violent intimidation involved in this new criminal trend and must be strengthened to clearly indicate the seriousness of this crime,

NOW, THEREFORE, BE IT

RESOLVED, That the Erie County Legislature does not hereby request that the New York State Legislature and Governor address this emerging criminal trend by establishing a category of felony for organized home invasion burglary, and be it further

RESOLVED, That this Honorable Body does hereby support strong consideration is made to making a conviction for felony organized home invasion burglary punishable by tough new penalties including a sentence of life in prison, and be it further

RESOLVED, That this Honorable Body does hereby support additional initiatives, which could include providing funding for services and information so that local municipalities can inform the public on ways to avoid this criminal trend through advertising, direct mail, and outreach opportunities conducted by local law enforcement representatives, and be it further

RESOLVED, That certified copies of this resolution be forwarded to the entire Western New York delegation to the New York State legislature, Governor George Pataki, and Erie County Sheriff Patrick Gallivan.

FISCAL IMPACT: None for resolution.

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 169

Re: Support for a Community Concert
at Canal Fest. (Intro. 8-16)

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A RESOLUTION SUBMITTED BY LEGISLATOR SWANICK

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

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

WHEREAS, the Buffalo Philharmonic Orchestra is planning an evening performance at Canal Fest and will require additional funds, and

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

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$5,000 from the Extraordinary County Aid to Local Governments – Regionalism / Economic Development Fund (DAC: 1109043038301299) to Fund 110, Project 920, Department 300 Agency Payments – Cultural, (DAC: 110920300830), for paying the following agency:

<u>NAME</u>	<u>LINE</u>	<u>OLD</u> <u>AMOUNT</u>	<u>+/-</u>	<u>NEW</u> <u>AMOUNT</u>
Buffalo Philharmonic Orchestra Society	830/0180	\$712,100	\$5,000	\$717,100
TOTAL			\$5,000	

and be it further

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

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

RESOLVED, that certified copies of this resolution be sent to County Executive Joel A. Giambra, County Comptroller Nancy A. Naples, Budget Director Joseph Passafiume, Jennifer Anger, Administrative Assistant Erie County Legislature, Assistant County Attorney Brian D. White, and to Carol Timberman-Yore, Buffalo Philharmonic Orchestra Society, (11 Symphony Circle, Buffalo, NY 14201.)

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Fiscal Impact: Appropriation of 2001-budgeted funds.

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 170

Re: Support for Group Ministries, Inc.
(Intro. 8-17)

A RESOLUTION SUBMITTED BY
LEGISLATOR HOLT

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

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

WHEREAS, Groups Ministries Inc. is a non-sectarian community based organization, and

WHEREAS, Group Ministries, Inc. was created to combat the devastating effect that drugs, alcohol and the breakdown of the family have played on our community, and

WHEREAS, the following lists the nine different program components of Group Ministries, Inc., which this funding will help to support:

- Prison Ministries
- Hospital Ministries
- Supportive Living (housing for homeless recovering addicts and persons living with AIDS)
- Street Outreach
- Teen Awareness Group (TAG)
- Food Program (FED-CO)
- HIV/AIDS Response Project (HARP)
- The Empowerment Program

and

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

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NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$100,000 from the Extraordinary County Aid to Local Governments – Regionalism / Economic Development Fund (DAC: 1109043038301299) to Fund 110, Project 921, Department 301 Agency Payments & Grants - Public Benefit Services, (DAC: 110921301830), for paying the following agency:

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
Group Ministries, Inc.	830/	\$100,000
TOTAL		\$100,000

and be it further

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

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

RESOLVED, that certified copies of this resolution be sent to County Executive Joel A. Giambra, County Comptroller Nancy A. Naples, Budget Director Joseph Passafiume, Jennifer Anger, Administrative Assistant Erie County Legislature, Assistant County Attorney Brian D. White, and to Reverend Arthur H. Boyd, Group Ministries, Inc., (1333 Jefferson Avenue, Buffalo, NY 14208-1808.)

Fiscal Impact: Appropriation of 2001-budgeted funds.

MR. HOLT moved to amend the resolution to add Legislators FISHER, PAULY, PEOPLES, & SWANICK as co-sponsors. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

COMMUNICATIONS DISCHARGED FROM COMMITTEE

ITEM 42 – MS. MARINELLI moved to discharge the COMMUNITY ENRICHMENT COMMITTEE from further consideration of Comm. 7E-51. MS. PEOPLES seconded.

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CARRIED UNANIMOUSLY.

RESOLUTION NO. 171

Re: Authorization for the
 County Executive to Execute a
 "Letter of Agreement" with
 Resultants International for an
 Institutional Assessment of Erie
 Community College –
Immediate Consideration
Requested.

WHEREAS, funds have been appropriated in the 2000-01 operating budget of Erie Community College ("ECC") to cover the cost of a much-needed institutional assessment, and

WHEREAS, a Request for Proposal (RFP), jointly written by Erie County and Erie Community College, was sent to qualified consulting firms on or about August 7, 2000, and

WHEREAS, a twenty member Task Force reviewed the submissions received in response to the RFP and interviewed two consulting firms that made such submissions, and

WHEREAS, because the Task Force was unable to decide between two of the consulting firms, the ECC Board of Trustees finally intervened and assisted in the ultimate selection of Resultants International ("Resultants") to perform the institutional assessment, and

WHEREAS, the Letter Agreement (the "Contract") necessary to engage the services of Resultants has been approved as to form by the Erie County Department of Law and has already been signed by the President of Resultants and the President of ECC, and

WHEREAS, the Contract must be signed by Erie County Executive Joel A. Giambra on behalf of the County.

NOW, THEREFORE, BE IT

RESOLVED, that, in compliance with the Erie County Charter, the Erie County Legislature hereby authorizes County Executive Giambra to sign the Contract on behalf of the County in order that Resultants may proceed with its institutional assessment of ECC, and be it further

RESOLVED, that certified copies of this resolution be forwarded to Erie County Executive Joel A. Giambra, Erie County Comptroller Nancy A. Naples, Erie County Attorney Frederick A. Wolf, Joseph Passafiume, Director of the Division of Budget, Management & Finance and William Mariani, the President of Erie Community College

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

CARRIED UNANIMOUSLY.

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AMENDMENT TO COMM. 7E-51

SUBMITTED BY LEGISLATOR MARINELLI

DELETE the FIRST RESOLVE clause in its entirety and REPLACE with the following:

RESOLVED, that this Honorable Body does hereby authorize the County Executive to enter into an agreement with Resultants International for an amount not to exceed \$383,988.76 for an institutional assessment of Erie Community College with the understanding that all recommendations made in the study will be brought before the Erie County Legislature for future consideration, and be it further

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

CARRIED UNANIMOUSLY.

Item 43 – MRS. FISHER moved to discharge the HEALTH COMMITTEE from further consideration of Comm. 6E-12. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUION NO. 172

Re: Department of Mental Health
Authorization to accept a Grant from the
United States Department of Housing
and Urban Development (HUD).

WHEREAS, the Erie County Department of Mental Health is responsible for the delivery of a comprehensive range of mental health services for the residents of Erie County, and

WHEREAS, the Erie County Department of Mental Health has been awarded \$1,056,960 over five years by the United States Department of Housing and Urban Development (HUD) to provide rental assistance and supportive services for homeless persons disabled by serious mental illness under the McKinney Homeless Shelter Plus Care IV Program, and

WHEREAS, no County funds will be required for Erie County to accept these Federal funds to serve homeless persons disabled by serious mental illness.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be hereby authorized to enter into a fiveyear Grant Agreement with the United States Department of Housing and Urban Development (HUD) in the amount of \$1,056,960 to provide rental assistance for homeless persons disabled by serious mental illness, and be it further

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RESOLVED, that the following grant project and budget are hereby established in the Erie County Department of Mental Health to provide rental assistance and supportive services for homeless persons disabled by serious mental illness for the period January 1, 2001 through December 31, 2001, which represents year one of the five year period:

DEPARTMENT OF MENTAL HEALTH GRANT FUNDS
PROJECT TITLE: MENTAL HEALTH HOMELESS SHELTER PLUS CARE IV PROGRAM

<u>ACCOUNT</u>	<u>DESCRIPTION</u>	<u>INCREASE</u>
830	Contract Agencies	211,392
640	Federal Aid	211,392

and be it further

RESOLVED, that the Erie County Department of Mental Health is hereby authorized to recommend the transfer of funds in order to execute a contract(s) with a specific provider agency(ies) on the basis of proposals received in response to a Request for Proposals (RFP) pursuant to the requirements of Section 19.08 of the Erie County Administrative Code. Such recommendations to transfer funds and to execute specific contracts shall be submitted for Legislative approval, and be it further

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

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

CARRIED UNANIMOUSLY.

Item 44 – MR. KUWIK moved to discharge the PUBLIC SAFETY COMMITTEE from further consideration of Intro. 2-9. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 173

Re: Support for State Legislation That Prohibit Motor Vehicle Operators From Using a Cellular/Car Phone While Operating a Vehicle.

A RESOLUTION SUBMITTED
BY LEGISLATOR KUWIK

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WHEREAS, according to 1999 statistics approximately 70 million people or 26% of the United States population own and use cellular phones, and

WHEREAS, a study published in the New England Journal of Medicine found the risk of an automobile collision was 3 to 6.5 times higher within 10 minutes after a cellular/car phone call began than when a telephone was not in use, and

WHEREAS, while cellular phones can be a source of safety in emergency situations they also cause a great distraction to those operating a vehicle, and

WHEREAS, Suffolk County has recently authorized a local law that prohibits automobile drivers from using hand-held cellular phones while operating a vehicle, and

WHEREAS, New York State Assemblyman Felix Ortiz and Senator Michael Balboni have announced plans to introduce legislation to enact a statewide ban on the use of hand-held cellular telephones by drivers, and

WHEREAS, the proposed legislation would allow for hands free cellular phone use, and

WHEREAS, all violators of this law will be fined and or penalized with points against their license, and

WHEREAS, a statewide law could provide uniformity and general policy for drivers to follow across the State, and

WHEREAS, if approved such legislation would make roadways more safe for motorists and pedestrians alike,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby conceptually support State legislation that prohibits using a hand-held cellular phone while operating a vehicle, with the exception of emergency use, and be it further

RESOLVED, that this honorable body calls upon the State representatives to adopt and Governor Pataki to sign such legislation making the roadways safer for all, and be it further

RESOLVED, that certified copies of this resolution be sent to the Western New York delegation of State Representatives, Governor George E. Pataki, the Erie County Sheriff's Department, Assemblymember Ortiz (542 LOB, Albany, NY 12248) and Senator Balboni (803 LOB, Albany, NY 12247).

Fiscal Impact: To be determined.

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

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CARRIED UNANIMOUSLY.

AN AMENDMENT TO INTRO. 2-9 (2001)
 SUBMITTED BY LEGISLATORS KUWIK, SWANICK, PEOPLES
 FITZPATRICK, HOLT, FISHER, DUSZA, MARINELLI & PAULY

DELETE the fifth, sixth and seventh WHEREAS clauses and replace with the following:

WHEREAS, New York State Senator Michael Balboni and Assemblyman Felix Ortiz are sponsoring similar legislation which seeks to regulate the use of hand-held mobile phones while driving on public highways (Bill S2072 and Bill A917), and

WHEREAS, Governor George Pataki has also gone on record supporting legislation that prohibits drivers from using hand-held cellular telephones while driving, and

WHEREAS, a recent study conducted by the Quinnipiac University Polling Institute found that 87 percent of registered voters in New York State favored a ban on cellular phone use by drivers, and

DELETE the second RESOLVE clause and replace with the following:

RESOLVED, that this Honorable Body calls upon the State Senate and Assembly to compromise on legislation that prohibits the use of hand-held cellular phones while driving and adopt companion legislation on said issue, and be it further

RESOLVED, that this Honorable Body further calls upon Governor Pataki to sign such legislation making the roadways safer for all, and be it further

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

CARRIED UNANIMOUSLY.

Item 45 – MR. PAULY moved to discharge the ENERGY & ENVIRONMENT COMMITTEE from further consideration of Comm. 7E-23. MR. DUSZA seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 174

Re: Funding for Bio-Economy Partners,
 Inc.

WHEREAS, Erie County is interested in fostering business growth and job creation within Erie County; and

WHEREAS, Erie County desires to encourage the environmentally sound use of renewable resources; and

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WHEREAS, Bio-Economy Partners, Inc. is a new, local not-for-profit organization, whose mission is to encourage the development and growth of an economy and companies based on the utilization of renewable agriculture based resources,

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter into contracts not to exceed ten thousand dollars (\$10,000.00), with Bio-Economy Partners for the purpose of funding their activities in the promotion of this sector of the local economy, and be it further

RESOLVED, that the source of the funds will be \$10,000 available in the Regionalism/ Economic Development Fund, DAC 110 904 303 830, Subaccount 1299, which will be transferred to Agency Payments monitored by the Department of Environment and Planning, General Fund 110, Project 922, Department 302, Account 830, and be it further

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

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

CARRIED UNANIMOUSLY.

Item 46 – MR. GREENAN moved to discharge the FINANCE & MANAGEMENT COMMITTEE from further consideration of Intro. 7-8. MR. RANZENHOFER seconded.

CHAIRMAN SWANICK directed that Roll Call vote be taken.

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

MOTION DEFEATED.

SUSPENSION OF THE RULES

None.

COMMUNICATIONS FROM ELECTED OFFICIALS

FROM LEGISLATOR GREENAN

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Item 47 – (Comm. 8E-1) Minority Leader's Designee to Advisory Committee on Reapportionment.

Received, filed and printed.

March 22, 2001

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

Honorable Members:

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

As such, pursuant to Section 210, I hereby appoint the following individual to serve as my designee on the Advisory Committee on Reapportionment.

Mamie K. Miller
870 French Road
Cheektowaga, NY 14227

JOHN W. GREENAN
Minority Leader
Erie County Legislature

FROM LEGISLATOR MARINELLI

Item 48 - (Comm. 8E-2) Copy of Memo to William J Mariani Re: Pre-Budget Information.

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM LEGISLATOR FITZPATRICK

Item 49 – (Comm. 8E-3) Copy of Letter to County Executive Re: PLA for Phase II of Family Court Building.

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Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM THE COMPTROLLER

Item 50 – (Comm. 8E-4) Audit – DISS – Follow –Up Audit of the Use of Control of Cellular Telephones 1/1/00 – 10/31/00.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM LEGISLATOR DUSZA

Item 51 – (Comm. 8E-5) Notice of Absence from Government Affairs Meeting Held 3/26/01.

Received and filed.

FROM LEGISLATOR FISHER

Item 52 – (Comm. 8E-6) Notice of Absence from Government Affairs Meeting Held 3/26/01.

Received and filed.

FROM LEGISLATOR SWANICK

Item 53 – (Comm. 8E-7) Copy of Letter to Legislator Marinelli Re: Establishment of an Office of Arts, Culture & Tourism.

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

Item 54 – (Comm. 8E-8) Copy of Letter to Legislator Pauly Re: Establishment of an Office of Geographic Information Services.

Received and referred to the REGIONALISM AD HOC COMMITTEE.

FROM THE COMPTROLLER

Item 55 – (Comm. 8E-9) Impact of 2000 Census on Countywide Sales Tax Distribution.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE COUNTY EXECUTIVE

Item 56 – (Comm. 8E-10) Community Cardiac Wellness Demonstration Project.

Received and referred to the HEALTH COMMITTEE.

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Item 57 – (Comm. 8E-11) Apportionment & Distribution of 4% Sales Tax Received by EC from NYS for March.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM CHAIRMAN SWANICK

Item 58 – (Comm. 8E-12) Copy of Letter to DPW Re: Request for Full Financial Analysis of Relocation or Maintenance of Legislative Offices.

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM THE SHERIFF

Item 59 – (Comm. 8E-13) NYS Governor's Traffic Safety Committee Grants.

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM THE COUNTY EXECUTIVE

Item 60 – (Comm. 8E-14) Budget, Management & Finance – 2000 Year-End Balancing Amendments.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 61 – (Comm. 8E-15) Parks, Recreation & Forestry – Personnel Adjustments.

Received and referred to the PERSONNEL AD HOC COMMITTEE.

Item 62 – MS. PEOPLES presented the following resolution and moved for immediate consideration. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 175

Re: Division of Real Property –
Municipal Cooperation Agreement with
Town of Grand Island for Assessment &
Personal Services. (Comm. 8E-16)

WHEREAS, RPTL § 1537(4) authorizes municipalities which have adopted a resolution subject to permissive referendum providing for a single appointed successor to enter into an agreement with a county for assessment services; and

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WHEREAS, the TOWN OF GRAND ISLAND ("TOWN") has duly adopted a resolution authorizing such agreement in accordance with RPTL § 1537(4); and

WHEREAS, the TOWN has requested that the COUNTY OF ERIE ("COUNTY") enter into a municipal cooperation agreement with the TOWN pursuant to General Municipal Law Article 5-G whereby the COUNTY is willing to provide such services through an employee or personal services contractor of the Erie County Real Property Tax Service Office designated to act as the TOWN's sole assessor for the 2001 - 2002 assessment year; and

WHEREAS, in consideration of the assessment services to be provided by the COUNTY hereunder, the TOWN agrees to pay the COUNTY the sum of \$25,000.00, which sum shall be paid to the COUNTY in six equal installments due on May 1, 2001, July 1, 2001, September 1, 2001, November 1, 2001, January 1, 2002 and March 1, 2002; and

WHEREAS, in order to provide assessment services to the TOWN, the COUNTY shall engage the services of a New York State certified assessor and a New York State certified appraiser, and both the certified assessor and the certified real property appraiser shall be independent contractors of the County.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Executive is authorized to enter into a municipal cooperation agreement with the TOWN wherein the COUNTY will provide assessment services to the TOWN for the 2001 - 2001 assessment year; and be it further

RESOLVED, that the Erie County Executive is authorized to enter into a personal services agreement with DAVID M. UNMACK, an independent contractor and New York State certified assessor, to assist the County in performing assessment services for the TOWN; and be it further

RESOLVED, that the COUNTY shall pay DAVID M. UNMACK for assessment services rendered hereunder the agreed rate of \$50.00 per hour, not to exceed a maximum aggregate of 180 hours (or \$9,000.00); and be it further

RESOLVED, that the Erie County Executive is authorized to enter into a personal services agreement with CHARLES L. SCHIFFLER, an independent contractor and New York State certified real property appraiser, to assist the County in performing assessment services for the TOWN; and be it further

RESOLVED, that the COUNTY shall pay CHARLES L. SCHIFFLER the agreed rate of \$35.00 per hour, not to exceed a maximum aggregate of 40 hours (or \$1,400.00); and be it further

RESOLVED, that the 2001 adopted budget of the Division of Budget, Management and Finance is hereby amended to increase the appropriations for DAC 110 908210830, Contractual Expenses, and the revenues for DAC 110 908210469, Tax Assessment Services for Other Governments, by \$16,667 each (representing year 2001 activity); and be it further

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RESOLVED, that certified copies of this resolution shall be forwarded to the Erie County Executive, the Department of Law, the Erie County Real Property Tax Service Office, Division of Budget, Management and Finance, and the Office of the Comptroller.

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

CARRIED UNANIMOUSLY.

AMENDMENT TO COMM. 8E-16 (2001)

SUBMITTED BY LEGISLATOR SWANICK

DELETE the first RESOLVE clause in its entirety and replace with the following:

RESOLVED, that the Erie County Executive is hereby authorized to enter into the attached municipal cooperation agreement with the TOWN wherein the COUNTY will provide assessment services to the TOWN for the 2001-2002 assessment year, and be it further

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

CHAIRMAN SWANICK directed that a roll call vote be taken.

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

CARRIED UNANIMOUSLY.

Item 63 – (Comm. 8E-17) Health – Acceptance of NYS Grant of \$321,493 to Continue Operation of Women’s Health Services Program.

Received and referred to the PERSONNEL AD HOC COMMITTEE.

Item 64 – (Comm. 8E-18) Purchase – Request of Clarence Central School District to Purchase on County Contracts.

Received and referred to the REGIONALISM AD HOC COMMITTEE.

Item 65 – (Comm. 8E-19) Grant Programs – Authorization to Contract.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 66 – (Comm. 8E-20) Consolidation of Boards of Directors of Buffalo Convention Center Management Corporation & Greater Buffalo Convention & Visitors Bureau.

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Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

Item 67 – MR. FITZPATRICK presented the following resolution and moved for immediate consideration. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 176

Re: Award of Construction Contract &
Increase to Consultant Contract –
Merlau Road Bridge, Town of Wales.
(Comm. 8E-21)

WHEREAS, bids were received on January 18, 2001, for the Reconstruction of the Merlau Road Bridge 725, Project No. BR 725-01, in the Town of Wales, and

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

WHEREAS, the apparent low bidder for the Merlau Road Bridge Project is Donald J. Braasch Construction, Incorporated, for the amount of \$853,395.00, and

WHEREAS, this company has been cited for numerous OSHA (Occupational Safety and Health Administration) violations, several of which were serious, and that they have been fined in relation to these charges. They have failed to disclose this information in the Experience Questionnaire which is a requirement of our bid proposal package, and

WHEREAS, based on this information, the Commissioner of Public Works has declared Donald J. Braasch Construction, Incorporated to be "non-responsive" and recommends that the second bidder, L. C. Whitford Company, Incorporated, as the lowest responsible bidder, be awarded the above noted project at its bid of \$854,533.00, and

WHEREAS, the Erie County Legislature approved a contract for engineering services with Abate Engineering Associates and the County of Erie for Merlau Road Bridge 725 over Buffalo Creek, in the Town of Wales, in Meeting Number 13, held on July 7, 1994, Communication Number 9D-13, and

WHEREAS, the Commissioner of public Works has deemed it necessary for Abate Engineering Associates to be retained for the Services during Construction and Construction Inspection phases of the project, and

WHEREAS, the allocated funds for this project are designated from the 2001 Merlau Road Bridge (BR 725) Reconstruction Project (SFG 242)

NOW, THEREFORE, BE IT

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RESOLVED, That the County Executive be authorized and is hereby directed to execute a contract for Project Number BR 725-01 for the Reconstruction of the Merlau Road Bridge, in the Town of Wales, between the County of Erie and the lowest responsible bidder L. C. Whitford Company, Incorporated at its low bid of \$ 854,533.00; and be it further

RESOLVED, that an amount of \$854,533.00 be allocated from the 2001 Merlau Road Bridge (BR 725) Reconstruction Project (SFG 242); and be it further

RESOLVED, that an additional amount of \$85,000.00 be allocated for a construction contingency fund with authorization for the Commissioner of Public Works to approve change orders in an amount not to exceed \$85,000.00 from the 2001 Merlau Road Bridge (BR 725) Reconstruction Project (SFG 242); and be it further

RESOLVED, that an amount of \$175,000.00 be allocated from the 2001 Merlau Road Bridge (BR 725) Reconstruction Project to cover costs for a change order to the contract for Construction Inspection Services with Abate Engineering Associates; 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 Erie County Comptroller.

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

CARRIED UNANIMOUSLY.

Item 68 – MR. FITZPATRICK presented the following resolution and moved for immediate consideration. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 177

Re: Increase to Construction Contract – Burdick Road Slide Stabilization, Town of Newstead. (Comm. 8E-22)

WHEREAS, the Erie County Legislature approved a contract for the Burdick Road (CR 258) Slide Stabilization, Project Number HMGP 1233-5017, Town of Newstead, between Nichols Long and Moore Construction Corporation and the County of Erie, in Meeting Number 21, held on October 19, 2000, Communication Number 20E-29, and

WHEREAS, this project was approved by the Federal Emergency Management Agency (FEMA) through the State Emergency Management Office (SEMO) with a 75% Federal share, and

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WHEREAS, additional work needs to be performed on the project that was not initially anticipated and the County needs to increase the project in order to properly repair the slide area along Tonawanda Creek, and

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

NOW, THEREFORE, BE IT

RESOLVED, that the contract amount be increased by an additional amount of \$126,000 for a change order to the construction contract with Nichols, Long and Moore Construction Corporation; and be it further

RESOLVED, that receivables be made available to fund the Federal 75% share (\$94,500) until reimbursement is received; and be it further

RESOLVED, that an amount of \$126,000 be allocated from the 2000 Highway Stabilization and Mitigation Program (SFG 172); 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.

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

CARRIED UNANIMOUSLY.

Item 69 – (Comm. 8E-23) Emergency Services – Reclassification of Position.

Received and referred to the PERSONNEL AD HOC COMMITTEE.

Item 70 – (Comm. 8E-24) Social Services – Client Activity Tracking Systems Authorization to Renew Contract.

Item 71 – (Comm. 8E-25) Senior Services – Authorization to Amend Title V Grant Budgets & Related Service Contracts.

Item 72 – (Comm. 8E-26) Senior Services – Authorization to Amend CSE Grant Budget.

Item 73 – (Comm. 8E-27) Senior Services – Authorization to Amend Retired Senior Volunteer Program Grant Budget.

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

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Item 74 – (Comm. 8E-28) Health – Contract with Grider Dental Services 5/1/01 – 12/31/01.

Received and referred to the HEALTH COMMITTEE.

Item 75 – MR. DUSZA presented the following resolution and moved for immediate consideration. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 178

Re: Proposed Easement to National Fuel Gas. (Comm. 8E-29)

WHEREAS, due to the New York State Department of Transportation's reconstruction of William Street and Union Road in the Town of Cheektowaga, National Fuel Gas Corporation (NFG) is seeking to relocate its regulator station facilities; and

WHEREAS, NFG has identified vacant County property on Vern Lane in the Town of Cheektowaga as a potential suitable location for the relocation of its regulator station facilities; and

WHEREAS, said County parcel consists of an unbuildable lot, 33'x133' (SLB No. 113.120-1-13); and

WHEREAS, the regulator station reduces high-pressure gas down to house pressure so the need to find a new location for this station is very important to the Vern Lane neighborhood; and

WHEREAS, NFG has requested a permanent easement from the County encompassing the entire vacant parcel on Vern Lane for which it agrees to compensate the County the amount of Five Hundred and No/100 dollars (\$500.00) per annum and further agrees to maintain and landscape the lot for the duration of the easement.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter into all necessary agreements to provide a permanent easement agreement with NFG for the installation of regulator station facilities on County property on Vern Lane in the Town of Cheektowaga further identified by Tax Map Number 113.120-1-13; and be it further

RESOLVED, that said easement agreement incorporate provisions providing for the payment of annual rent to the County of Erie in the amount of \$500.00 and for the care, maintenance and landscaping of said property for the duration of the easement; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the County Executive, the Director of the Division of Budget, Management, and Finance, the Deputy Commissioner of Real Property Tax and the County Attorney.

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

CARRIED UNANIMOUSLY.

Item 76 – (Comm. 8E-30) ECSD No. 2 – Engineering Services Agreements.

Item 77 – (Comm. 8E-31) ECSD No. 1 – Engineering Agreement Dated 2/3/00 Pratt & Huth Associates – Change Order No. 1.

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

Item 78 – (Comm. 8E-32) Intermunicipal Agreement Chautauqua County Landfill.

Received and referred to the REGIONALISM AD HOC COMMITTEE.

Item 79 – (Comm. 8E-33) ECSD No. 2 – Southwest Interceptor & Pumping Station Facilities Evaluation – URS Greiner Woodward Clyde (URSWC) – Change Order No. 3.

Item 80 – (Comm. 8E-34) ECSD No. 6 – Engineering Agreement Dated 6/24/93 Malcolm Pirnie – Engineering Change Order “B”.

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

Item 81 – (Comm. 8E-35) ECSD No. 6 – Request for Personnel Change.

Received and referred to the PERSONNEL AD HOC COMMITTEE.

Item 82 – (Comm. 8E-36) ECSD Nos. 1-6 & Southtowns Sewage Treatment Agency – Construction Inspection Service Agreement – Donald Gallo Consult Eng.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 83 – (Comm. 8E-37) Renovations to 8th Floor Rehabilitation Medicine, ECMC.

Item 84 – (Comm. 8E-38) ECMC – Radiology Department Renovations (Angiography & Digital Fluoroscopes).

Item 85 – (Comm. 8E-39) Ralph Wilson Stadium – Lease Agreement – Capital Maintenance & Repairs.

The above three items were received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

COMMUNICATIONS FROM THE DEPARTMENTS**FROM DEP**

Item 86 – (Comm. 8D-1) copy of Letter & Resolution Sent to Adelpia Re: Inner Harbor Project.

Received and filed.

FROM YOUTH SERVICES

Item 87 – (Comm. 8D-2) Impact of Amendment of PINS Law of 2000 Which Will Allow 16 & 17 Year Olds Into Population.

Received and referred to the SOCIAL SERVICES COMMITTEE.

FROM DPW

Item 88 – (Comm. 8D-3) Copy of Letter to Village of Sloan Re: Comparison of Aggregate Bills During Energy & Environment Meeting of 3/6/01.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM DEP

Item 89 – (Comm. 8D-4) SEQR – Solicitation for Lead Agency Status – Improvements to County & Industrial Sewage Facilities, Towns of Elma & Orchard Park.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE COUNTY ATTORNEY

Item 90 – (Comm. 8D-5) Notice of Claim.

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM HEALTH

Item 91 – (Comm. 8D-6) Copy of Letter to County Clerk Re: Inspection of 25 Delaware Avenue & 92 Franklin Street for Evidence of Legionella Bacteria.

Received and referred to the HEALTH COMMITTEE.

FROM PERSONNEL

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Item 92 – (Comm. 8D-7) 2000 Unemployment Insurance Report.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM DPW

Item 93 – (Comm. 8D-8) SEQR – Negative Declaration – 810 East Ferry, City of Buffalo.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM ECMC

Item 94 – (Comm. 8D-9) Notice of Meeting to be Held 4/12/01.

Received and referred to the HEALTH COMMITTEE.

FROM THE COUNTY ATTORNEY

Item 95 – (Comm. 8D-10) Notice of County Executive's Public Hearing for LL No. 1 – 2001.

Received, filed and printed.

March 29, 2001

VIA HAND DELIVERY

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

**Re: Notice of Public Hearing
Local Law Intro. No. 1-2001**

Dear Laurie:

Enclosed herein is a copy of the Public Hearing Notice for the above captioned Local Law Intro. which was approved by the Erie County Legislature on March 22, 2001.

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

Very truly yours,

MEETING NO. 8
April 5, 2001

ERIE COUNTY LEGISLATURE

FREDERICK A. WOLF
Erie County Attorney

By: Susannah M. Bochenek
1st Assistant County Attorney

SMB/cc
encl.

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Erie County Executive, Joel A. Giambra, will hold a public hearing, Thursday, April 5, 2001, at 10:15 a.m., concerning:

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

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

On March 22, 2001, the Erie County Legislature adopted Erie County Local Law Intro. No. 1 of 2001. Copies of the proposed Local Law are available for public inspection in the office of the Clerk of the Erie County Legislature, on the 7th floor of 25 Delaware Avenue, in the City of Buffalo, New York.

JOEL A. GIAMBRA
ERIE COUNTY EXECUTIVE

Item 96 – (Comm. 8D-11) Notice of County Executive's Public Hearing for LL No. 2 – 2001.

Received, filed and printed.

March 29, 2001

VIA HAND DELIVERY

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

Re: Notice of Public Hearing
Local Law Intro. No. 2-2001

MEETING NO. 8**April 5, 2001****ERIE COUNTY LEGISLATURE**

Dear Laurie:

Enclosed herein is a copy of the Public Hearing Notice for the above captioned Local Law Intro. which was approved by the Erie County Legislature on March 22, 2001.

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

Very truly yours,

FREDERICK A. WOLF
Erie County Attorney

By: Susannah M. Bochenek
1st Assistant County Attorney

SMB/cc
encl.

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Erie County Executive, Joel A. Giambra, will hold a public hearing, Thursday, April 5, 2001, at 10:30 a.m., concerning:

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

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

On March 22, 2001, the Erie County Legislature adopted Erie Co. Local Law Intro. No. 2-2001. Copies of the proposed Local Law are available for public inspection in the office of the Clerk of the Erie County Legislature, on the 7th floor of 25 Delaware Avenue, in the City of Buffalo, New York.

JOEL A. GIAMBRA
ERIE COUNTY EXECUTIVE

Item 97 – (Comm. 8D-12) Notice of County Executive's Public Hearing for Int 6-14, as Amended, Ints 7-12, 7-14, 7-16 & 7-18.

Received, filed and printed.

MEETING NO. 8
April 5, 2001

ERIE COUNTY LEGISLATURE

March 29, 2001

VIA HAND DELIVERY

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

Re: Notice of Public Hearing
Resolution Int. 6-14, as amended
Resolution Int. 7-12
Resolution Int. 7-14
Resolution Int. 7-16
Resolution Int. 7-18

Dear Laurie:

Enclosed herein is a copy of the Public Hearing Notice for the above captioned Resolutions, which were approved by the Erie County Legislature on March 22, 2001.

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

Very truly yours,

FREDERICK A. WOLF
 Erie County Attorney

By: Susannah M. Bochenek
 1st Assistant County Attorney

SMB/cc
 encl.

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Erie County Executive, Joel A. Giambra, will hold a public hearing, Thursday, April 5, 2001, at 10:00 a.m., concerning appropriations from the present year's County contingency fund as follows:

Village of Williamsville

Public Benefit Services

\$5,000

ECCPASA

MEETING NO. 8**April 5, 2001****ERIE COUNTY LEGISLATURE**

Public Benefit Services	\$5,000
Amherst Symphony	
Public Benefit Services	\$1,400
Northwest Buffalo Community Center	
Service to Youth and Seniors	\$81,250
Buffalo and Erie County Public Library	
Furniture & Fixtures	\$1,000
Community Concern of Evans & Brant	
Public Benefit Services	\$9,750
Hamburg Chamber of Commerce	
Public Benefit Services	\$5,000
Buffalo and Erie County Public Library	
Furniture & Fixtures	\$5,113
Buffalo and Erie County Public Library	
Library Materials	\$4,887

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

On March 22, 2001, the Erie County Legislature adopted Intro. 6-14, as amended; Intro. 7-12; Intro. 7-14; Intro. 7-16; and Intro. 7-18. Copies of the resolutions are available for public inspection in the office of the Clerk of the Erie County Legislature, on the 7th floor of 25 Delaware Avenue, in the City of Buffalo, New York.

JOEL A. GIAMBRA
ERIE COUNTY EXECUTIVE

FROM ECC

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Item 98 – (Comm. 8D-13) Board Minutes from Meeting Held 2/28/01.

Received and filed.

FROM THE COUNTY ATTORNEY

Item 99 – (Comm. 8D-14) Response to Int 7-7 (2001) Re: County Executive's Hiring of Victor Farley.

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM ECC

Item 100 – (Comm. 8D-15) Copy of Letter to County Executive Re: Institutional Autonomy.

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES

FROM THE NFTA

Item 101 – (Comm. 8M-1) Board Minutes.

Received and filed.

FROM THE TOWN OF TONAWANDA

Item 102 – (Comm. 8M-2) Proposal to Dispose of Material at Town of Tonawanda Landfill.

Received and filed.

FROM GEORGE F HASIOTIS

Item 103 – (Comm. 8M-3) Letter to Clerk Re: Text of Statement to Energy & Environment Committee.

Received and filed.

FROM THE CITY OF BUFFALO COMMON COUNCIL

Item 104 – (Comm. 8M-4) Letter to Clerk Re: "Maintenance of the Riverwalk".

Received and filed.

FROM THE WEST VALLEY CITIZEN TASK FORCE

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Item 105 – (Comm. 8M-5) Draft Agenda for Meeting Held 3/27/01.

Received and filed.

FROM FERC

Item 106 – (Comm. 8M-6) Copy of Letter to Legislator Dusza Re: Rates as Compared to NYSEG's.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE WNY CITIZENS FOR SAFE DRINKING WATER

Item 107 – (Comm. 8M-7) Flouridation in European Water.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE CITY OF BUFFALO COMMON COUNCIL

Item 108 – (Comm. 8M-8) Letter to Chairman Swanck Re: Correction of "Maintenance of the Riverwalk".

Received and filed.

FROM THE WNY SPORTSMEN'S ASSOCIATION

Item 109 – (Comm. 8M-9) Copy of Letter to Parks Re: Request to Lease Area on Miller Road, Town of Holland (EC Forestry #11).

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE

FROM NYSDEC

Item 110 – (Comm. 8M-10) Copy of Letter to EC Environmental Management Council Re: Response to Minimize Impact of West Nile Virus.

Received and referred to the HEALTH COMMITTEE.

FROM THE EC ENVIRONMENTAL MANAGEMENT COUNCIL

Item 111 – (Comm. 8M-11) Recommendations for Control of West Nile Virus.

Received and referred to the HEALTH COMMITTEE.

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April 5, 2001

ERIE COUNTY LEGISLATURE

FROM THE NYS LAWN CARE ASSOCIATION

Item 112 – (Comm. 8M-12) Letter & Information About 48 Hour Prior Notification to Abutting Property Owners for Pesticide Treatments.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE EC ENVIRONMENTAL MANAGEMENT COUNCIL

Item 113 – (Comm. 8M-13) Duplicate of 8M-11.

Received and filed.

FROM THE EC BOARD OF HEALTH

Item 114 – (Comm. 8M-14) Notice of Meeting to be Held 4/26/01 & Minutes of Previous Meeting.

Received and referred to the HEALTH COMMITTEE.

FRON THE NYS OFFICE OF CHILDREN & FAMILY SERVICES

Item 115 – (Comm. 8M-15) Letter to Legislators Swanick & Holt Re: Recent Suicide at EC Youth Detention Facility.

Received and referred to the SOCIAL SERVICES COMMITTEE.

FROM DMJM/MESCH JOINT VENTURE

Item 116 – (Comm. 8M-16) Pre-Design Report for EC Secure Juvenile Detention Facility.

Received and referred to the SOCIAL SERVICES COMMITTEE.

FROM THE REGION 9 FOREST PRACTICE BOARD

Item 117 – (Comm. 8M-17) Notice of Meeting to be Held 4/12/01.

Received and filed.

FROM THE TOWN OF AMHERST

Item 118 – (Comm. 8M-18) Copy of Letter to County Executive Re: Analysis of Report from Who Does What Commission.

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Received and referred to the REGIONALISM AD HOC COMMITTEE.

FROM NEW ERA CAP COMPANY

Item 119 – (Comm. 8M-19) Copy of Letter to County Legislator Dusza Re: Resolution Passed at Session No. 7 Concerning New Era.

Received and filed.

FROM ASSEMBLYMAN BURLING

Item 120 – (Comm. 8M-20) Acknowledgement of Receipt of Resolutions.

Received and filed.

FROM GOVERNOR PATAKI

Item 121 – (Comm. 8M-21) Acknowledgement of Receipt of Resolutions.

Received and filed.

FROM THE ECIDA

Item 122 – (Comm. 8M-25) Notice of Meeting to be Held 4/11/01.

Received and filed.

FROM SENATOR VOLKER

Item 123 - (Comm. 8M-26) Letter to Chairman Swanick Re: 2001-02 NYS Budget.

Received and filed.

ADJOURNMENT

Item 124 – 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 p.m. Thursday, April 26, 2001 Eastern Standard Time**. MR. McCARVILLE seconded.

CARRIED UNANIMOUSLY.

The Chairman declared the Legislature adjourned until **Thursday, April 26, 2001 at 2 p.m. Eastern Standard Time**.

MEETING NO. 8
April 5, 2001

ERIE COUNTY LEGISLATURE

LAURIE MANZELLA
CLERK