

**MEETING NO. 1**  
**January 8, 2002**

**ERIE COUNTY LEGISLATURE**

**ERIE COUNTY LEGISLATURE**  
**MEETING NO. 1**  
**January 8, 2002**

The Legislature was called to order by the Clerk of the Legislature.

The Roll being duly called by Ms. Manzella, Clerk of the Legislature, the following Legislators answered to wit:

1<sup>st</sup> District  
Edward J. Kuwik

2<sup>nd</sup> District  
Mark J.F. Schroeder

3<sup>rd</sup> District  
George A. Holt, Jr.

4<sup>th</sup> District  
Judith P. Fisher

5<sup>th</sup> District  
David Dale

6<sup>th</sup> District  
Albert DeBenedetti

7<sup>th</sup> District  
Crystal D. Peoples

8<sup>th</sup> District  
Raymond K. Dusza

9<sup>th</sup> District  
John W. Greenan

10<sup>th</sup> District  
Charles M. Swanick

11<sup>th</sup> District  
Lynn M. Marinelli

12<sup>th</sup> District  
Jeanne Z. Chase

13<sup>th</sup> District  
Steven P. McCarville

14<sup>th</sup> District  
Elise M. Cusack

15<sup>th</sup> District  
Barry A. Weinstein

16<sup>th</sup> District  
Michael H. Ranzenhofer

17<sup>th</sup> District  
Dale W. Larson

A moment of silence was held.

The Pledge of Allegiance was led by Mr. Kuwik.

Item 1 – Ms. Manzella called for nominations for the Office of Chairman of the Legislature for the year 2002.

MR. GREENAN placed in nomination for Chairman of the Legislature **ALBERT DeBENEDETTI**. MR. RANZENHOFER seconded.

**MEETING NO. 1**  
**January 8, 2002**

**ERIE COUNTY LEGISLATURE**

CARRIED UNANIMOUSLY.

MS. PEOPLES placed in nomination for Chairman of the Legislature **LYNN M. MARINELLI**. MR. SCHROEDER seconded.

CARRIED UNANIMOUSLY.

MR. SWANICK moved that nominations be closed. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

The Clerk of the Legislature directed that a roll call vote be taken.

VOTES FOR DeBENEDETTI: HOLT, CHASE, CUSACK, DeBENEDETTI, GREENAN, LARSON, McCARVILLE, RANZENHOFER, & WEINSTEIN. VOTES FOR MARINELLI: DALE, DUSZA, FISHER, KUWIK, MARINELLI, PEOPLES, SCHROEDER & SWANICK. WEIGHTED VOTE: DeBENEDETTI-9.295 – MARINELLI-7.705.

MR. DeBENEDETTI having received the required number of votes cast was declared duly elected **CHAIRMAN OF THE ERIE COUNTY LEGISLATURE** for the year 2002.

CHAIRMAN DeBENEDETTI directed that Intro. 1-2 be taken out of order.

Item 2 – MR. GREENAN presented the following resolution and moved for immediate consideration. MR. RANZENHOFER seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 1

Re: Resolution Adopting Rules of Order for 2002. (Intro. 1-2)

A RESOLUTION SUBMITTED BY LEGISLATORS DeBENEDETTI, GREENAN, CUSACK, WEINSTEIN, CHASE, McCARVILLE, RANZENHOFER & LARSON

WHEREAS, the Legislature annually considers adoption of Rules of Order for the conduct and procedure of the County Legislature in order to exercise its powers and duties authorized by law including the Erie County Charter, Erie County Code and New York County Law, and

WHEREAS, the Legislature desires to adopt such rules for the year 2002,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby adopt the Rules of Order as adopted for the year 2001 subject to the following amendments:

Rule 5 of the Rules of Order of the Erie County Legislature is hereby deleted in its entirety and replaced with the following:

**RULE 5: MAJORITY AND MINORITY LEADERS**

Annually, the members of the Legislature shall select Majority and Minority Leaders of their respective caucuses. By weighted vote of the membership of the Legislature there shall be designated a majority of the Legislature which shall be designated as the Majority Caucus. The remaining members of the Legislature shall be designated the Minority Caucus. The Majority Leader shall be chosen by a petition subscribed to by a majority of the weighted vote of the members of the Majority Caucus, and the Minority Leader shall be chosen by a petition subscribed to by a majority of the weighted vote of the members of the Minority Caucus. In no case shall the Minority and Majority Leaders be members of the same political affiliation.

In addition to any other powers or responsibilities attributable to the Majority Leader and Minority Leader, the Majority Leader shall appoint the Legislature's Majority staff and the Minority Leader shall appoint the Legislature's minority staff.

And be it further

RESOLVED, that Rule 38 of the Rules of Order of the Erie County Legislature of the year 2001 is hereby deleted in its entirety and replaced with the following:

**RULE 38: STANDING AND SPECIAL COMMITTEES**

There shall be standing committees hereinafter enumerated to consist of five members each, except that Budget, Finance & Management committees shall consist of seven members for the purpose of considering and acting upon the annual proposed budget submitted by the County Executive and all matters relating thereto. The members of each committee shall be appointed by the Chairman of the Legislature within twenty days, or as soon as possible, after the election and appointment of the Chairman, and the list of committees shall be filed with the Clerk of the Legislature and printed in the journal.

The following are the standing committees:

ECONOMIC DEVELOPMENT  
 FINANCE & MANAGEMENT  
 ENERGY & ENVIRONMENT  
 PUBLIC SAFETY  
 HUMAN SERVICES  
 COMMUNITY ENRICHMENT

**MEETING NO. 1**  
**January 8, 2002**

**ERIE COUNTY LEGISLATURE**

---

GOVERNMENT AFFAIRS  
REGIONALISM AD HOC

And be it further

RESOLVED, that this Resolution shall take effect immediately.

Fiscal Impact: none.

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

CHAIRMAN DeBENEDETTI directed that a roll call vote be taken.

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

CARRIED. (WEIGHTED VOTE: 10.562 – 6.438)

Item 3 – CHAIRMAN DeBENEDETTI called for nominations for the Clerk of the Legislature for 2002.

MR. GREENAN placed in nomination for Clerk of the Legislature **LAURIE A. MANZELLA**. MR. RANZENHOFER seconded.

MR. SWANICK placed in nomination for Clerk of the Legislature **LAURIE A. MANZELLA**. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

MR. GREENAN moved that nominations be closed. MR. RANZENHOFER seconded.

CARRIED UNANIMOUSLY.

MR. GREENAN moved approval of the nomination. MR. SWANICK seconded.

CARRIED UNANIMOUSLY.

Item 4 – CHAIRMAN DeBENEDETTI called for nominations for the Majority Leader of the Legislature for 2001.

MR. RANZENHOFER placed in nomination for Majority Leader of the Legislature **JOHN W. GREENAN**. MS. CHASE seconded.

**MEETING NO. 1**  
**January 8, 2002**

**ERIE COUNTY LEGISLATURE**

CARRIED UNANIMOUSLY.

MR. RANZENHOFER moved that nominations be closed. MS. CHASE seconded.

CARRIED UNANIMOUSLY.

CHAIRMAN DeBENEDETTI directed that the communication for the appointment of Majority Leader for the year 2002 be RECEIVED, FILED & PRINTED.

January 8, 2002

We, the undersigned members of the Erie County Legislature, pursuant to the 2002 Rules of the Erie County Legislature, do hereby designate John W. Greenan as Majority Leader of the Erie County Legislature.

AL DeBENEDETTI  
 6<sup>th</sup> District

JOHN W. GREENAN  
 9<sup>th</sup> District

STEVEN P. McCARVILLE  
 13<sup>th</sup> District

JEANNE Z. CHASE  
 12<sup>th</sup> District

ELISE M. CUSACK  
 14<sup>th</sup> District

BARRY A. WEINSTEIN  
 15<sup>th</sup> District

MICHAEL H. RANZENHOFER  
 16<sup>th</sup> District

DALE W. LARSON  
 17<sup>th</sup> District

Item 5 – CHAIRMAN DeBENEDETTI called for nominations for the Minority Leader of the Legislature for 2002.

MS. FISHER placed in nomination for Minority Leader of the Legislature **CRYSTAL D. PEOPLES**. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

MR. KUWIK placed in nomination for Minority Leader of the Legislature **CHARLES M. SWANICK**. MR. DUSZA seconded.

CARRIED UNANIMOUSLY.

MS. MARINELLI moved that nominations be closed. MS. FISHER seconded.

**MEETING NO. 1**  
**January 8, 2002**

**ERIE COUNTY LEGISLATURE**

CARRIED UNANIMOUSLY.

CHAIRMAN DeBENEDETTI directed that roll call vote of the minority be taken.

VOTES FOR PEOPLES: HOLT, FISHER, PEOPLES & MARINELLI. VOTES FOR SWANICK: KUWIK, SCHROEDER, DALE, DUSZA & SWANICK. WEIGHTED VOTE: PEOPLES-3.693 – SWANICK-4.805.

CHAIRMAN DeBENEDETTI directed that the communication for the appointment of Minority Leader of the Erie County Legislature for the year 2002 be RECEIVED, FILED & PRINTED.

We, the undersigned members of the Minority Caucus, as defined by Rule 5 of the Rules of the Erie County Legislature, as amended, and representing a majority of the weighted votes of said caucus, do hereby designate **CHARLES M. SWANICK** as Minority Leader of the Erie County Legislature for 2002.

Edward J. Kuwik – 1<sup>st</sup> District

Mark J.F. Schroeder – 2<sup>nd</sup> District

David Dale – 5<sup>th</sup> District

Raymond K. Dusza – 8<sup>th</sup> District

Charles M. Swanick – 10<sup>th</sup> District

Item 6 – CHAIRMAN DeBENEDETTI directed that the communications for the appointment of Majority and Minority Staff be RECEIVED, FILED & PRINTED.

January 8, 2002

The Hon. Al DeBenedetti  
 Chairman, Erie County Legislature  
 25 Delaware Avenue  
 Buffalo, NY 14202

Dear Chairman DeBenedetti:

The following have been named to serve as members of the staff of the Majority of the Erie County Legislature:

Peter Sigurdson – Chief of Staff Legislature  
 Harry Wahl – Executive Assistant Legislature  
 Kelly Brown – First Administrative Assistant Legislature  
 Scott Marchant – First Administrative Assistant Legislature  
 Craig Turner – Administrative Liaison Assistant Legislature

**MEETING NO. 1**  
**January 8, 2002**

**ERIE COUNTY LEGISLATURE**

Kevin Quick – Sr. Administrative Assistant Legislature  
 Kathy LaRue – Administrative Assistant Legislature  
 Lisa Posluszny – Administrative Assistant Legislature  
 Tod Kniazuk – Administrative Assistant Legislature  
 Joseph Speth – Administrative Assistant Legislature  
 Brad Rybczynski – Jr. Administrative Assistant Legislature  
 Karen Weisbeck – Administrative Clerk Legislature  
 Tracy Krestos – Administrative Clerk Legislature  
 Barbara Burke – Sr. Legislature Secretary  
 Joseph Spino, Jr. – Sr. Legislature Secretary  
 Patricia Jaworwicz – Administrative Assistant Legislature RPT  
 Robin Sion – Administrative Assistant Legislature RPT  
 Ronald Bennett – Special Project Coordinator Legislature RPT  
 Rosemary Bapst – Parliamentarian Legislature RPT  
 Thomas Aurelio – Constituent Service Liaison RPT

Very truly yours,

**JOHN W. GREENAN**  
 Majority Leader  
 Erie County Legislature

January 8, 2002

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

Dear Madam Clerk:

Pursuant to the power vested in me, as Minority Leader, by Rule 5 of the Rules of the Erie County Legislature, as amended, listed below are appointments to the Legislature's Minority Staff for 2002:

Chief of Staff – Minority  
 Administrative Assistant  
 Junior Administrative Assistant

Charles E. Eaton  
 Michael J. Beeny  
 Jennifer D. Anger

**MEETING NO. 1**  
**January 8, 2002**

**ERIE COUNTY LEGISLATURE**

Additional appointments supplementing the above will be offered at the January 24, 2002 meeting of the Legislature, subsequent to personnel adjustments for the Majority and Minority staffs scheduled for consideration at that time.

Very truly yours,

Charles M. Swanick  
 Minority Leader

(See also Session #3-2002 regarding amendments to Minority Staff.)

Item 7 – CHAIRMAN DeBENEDETTI directed that the communication for the appointment of Majority Council be RECEIVED, FILED & PRINTED.

January 8, 2002

We, the undersigned members of the Erie County Legislature, constituting members of the Majority Caucus pursuant to the 2002 Rules of the Erie County Legislature, do hereby designate Ronald Bennett to serve as Counsel to the Majority of the Erie County Legislature in his capacity as Special Project Coordinator Legislature RPT.

AL DeBENEDETTI  
 6<sup>th</sup> District

JOHN W. GREENAN  
 9<sup>th</sup> District

STEVEN P. McCARVILLE  
 13<sup>th</sup> District

JEANNE Z. CHASE  
 12<sup>th</sup> District

ELISE M. CUSACK  
 14<sup>th</sup> District

BARRY A. WEINSTEIN  
 15<sup>th</sup> District

MICHAEL H. RANZENHOFER  
 16<sup>th</sup> District

DALE W. LARSON  
 17<sup>th</sup> District

Item 8 – CHAIRMAN DeBENEDETTI directed that the communications designating the Majority and Minority Newspapers for the year 2002 be RECEIVED, FILED & PRINTED.

January 8, 2002

RESOLVED, that pursuant to Section 214, Subdivision 2 of the Erie County Law, as amended, the following newspaper, Front Page published in Lackawanna, New York, having a general circulation in the County of Erie is hereby designated as the official newspaper for the

**MEETING NO. 1**  
**January 8, 2002**

**ERIE COUNTY LEGISLATURE**

publication of all local laws, notices and other matters required by law to be published for the County of Erie, effective January 8, 2002.

AL DeBENEDETTI  
 6<sup>th</sup> District

JOHN W. GREENAN  
 9<sup>th</sup> District

STEVEN P. McCARVILLE  
 13<sup>th</sup> District

JEANNE Z. CHASE  
 12<sup>th</sup> District

ELISE M. CUSACK  
 14<sup>th</sup> District

BARRY A. WEINSTEIN  
 15<sup>th</sup> District

MICHAEL H. RANZENHOFER  
 16<sup>th</sup> District

DALE W. LARSON  
 17<sup>th</sup> District

January 2002

Dear Madame Clerk:

We, the undersigned Minority members of the Erie County Legislature, pursuant to Section 214, Subdivision 2 of the County Law, as amended, do hereby designate the following newspaper, VIZ: **FRONT PAGE**, published in Lackawanna, New York, having a general circulation in the County of Erie, as the official newspaper for the publication of all local laws, notices and other matters required by law to be published for the County of Erie, effective January 1, 2002.

**Edward J. Kuwik** – 1<sup>st</sup> District

**Mark J.F. Schroeder** – 2<sup>nd</sup> District

**George A. Holt, Jr.** – 3<sup>rd</sup> District

**Judith P. Fisher** – 4<sup>th</sup> District

**David Dale** – 5<sup>th</sup> District

**Crystal D. Peoples** – 7<sup>th</sup> District

**Raymond K. Dusza** – 8<sup>th</sup> District

**Charles M. Swanick** – 10<sup>th</sup> District

**Lynn M. Marinelli** – 11<sup>th</sup> District

January 2002

Dear Madame Clerk:

**MEETING NO. 1**  
**January 8, 2002**

**ERIE COUNTY LEGISLATURE**

We, the undersigned, a Majority of the members of the Eire County Legislature representing the Minority Caucus, do hereby designate the *TONAWANDA NEWS*, published in Tonawanda, New York, to publish the Concurrent Resolutions of the New York State Legislature required by law to be published for the year 2002.

**Edward J. Kuwik** – 1<sup>st</sup> District

**Mark J.F. Schroeder** – 2<sup>nd</sup> District

**George A. Holt, Jr.** – 3<sup>rd</sup> District

**Judith P. Fisher** – 4<sup>th</sup> District

**David Dale** – 5<sup>th</sup> District

**Crystal D. Peoples** – 7<sup>th</sup> District

**Raymond K. Dusza** – 8<sup>th</sup> District

**Charles M. Swanick** – 10<sup>th</sup> District

**Lynn M. Marinelli** – 11<sup>th</sup> District

Item 9 – CHAIRMAN DeBENEDETTI directed that Comm. 13E-45 (2001) remain on the table.

Minutes of previous meetings were tabled.

**MISCELLANEOUS RESOLUTIONS**

Item 10 – MR. RANZENHOFER presented a resolution Recognizing Carole Borchert as She Retires from Office of Newstead Town Clerk. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

Item 11 – MR. McCARVILLE presented a resolution Honoring Orchard Park Baseball Team. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

**LOCAL LAWS**

Item 12 – CHAIRMAN DeBENEDETTI directed that Local Law No. 5 (Print #1) 2001 remain on the table.

Item 13 – CHAIRMAN DeBENEDETTI directed that Local Law No. 5 (Print #2) 2001 remain on the table.

Item 14 – CHAIRMAN DeBENEDETTI directed that Local Law No. 5 (Print #3) 2001 remain on the table.

**MEETING NO. 1**  
**January 8, 2002**

**ERIE COUNTY LEGISLATURE**

Item 15 – CHAIRMAN DeBENEDETTI directed that Local Law No. 9 (Print #1) 2001 remain on the table.

Item 16 – CHAIRMAN DeBENEDETTI directed that Local Law No. 9 (Print #2) 2001 be referred to the HUMAN SERVICES COMMITTEE.

Item 17 – CHAIRMAN DeBENEDETTI directed that Local Law No. 9 (Print #3) 2001 be referred to the HUMAN SERVICES COMMITTEE.

Item 18 – CHAIRMAN DeBENEDETTI directed that Local Law No. 10 (Print #1) 2001 be referred to the HUMAN SERVICES COMMITTEE.

**COMMITTEE REPORTS**

None.

**LEGISLATORS RESOLUTIONS**

Item 19 – MR. WEINSTEIN presented the following resolution and moved for immediate consideration. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 2

Re: Support for Utilizing the Alternative Licensing Process for the Niagara Power Project's Relicensing Procedure. (Intro. 1-1)

A RESOLUTION SUBMITTED BY LEGISLATORS WEINSTEIN, GREENAN, McCARVILLE, LARSON, CHASE, & RANZENHOFER

WHEREAS, the New York Power Authority (NYPA) is the governing authority for the Niagara Power Project and the NYPA is the state's lowest electricity supplier providing approximately 25% of New York's electricity, and

WHEREAS, low-cost electricity is crucial to retaining jobs in the Western New York area and access to that power is an integral part of economic development in this area, and

WHEREAS, NYPA provides inexpensive electricity to municipally-owned electric systems enabling municipalities to minimize their operating expenses which results in lower taxes, and

WHEREAS, NYPA supplies electricity to investor-owned utilities, which resell the power, at cost, to their residential customers, and

**MEETING NO. 1**  
**January 8, 2002**

**ERIE COUNTY LEGISLATURE**

WHEREAS, the license for the Niagara Power Project expires August 31, 2007 and Notice of Intent to relicense is due no later than August 2002, and

WHEREAS, there are two methods to seek relicensing from the Federal Energy Regulatory Commission (FERC) hereto referred to as Traditional Process and Alternative Licensing Process and,

WHEREAS, the Traditional Process has limited input from various potential stakeholder groups who have a vested interest in the relicensing process, and

WHEREAS, the Alternative Licensing Procedure includes participation from, but is not limited to: business interests, NYPA, unions, school districts, environmental groups, municipalities, Native Americans, government entities, military bases, taxpayers groups, foundations, etc. and

WHEREAS, there already exist two groups in Western New York who have targeted stakeholders and have taken a proactive role in the relicensing process in, and

WHEREAS, both these groups support utilizing the Alternative Licensing Process as the fairest method to represent all interests in the relicensing of the New York Power Project,

RESOLVED, that this Honorable Body supports the use of the Federal Energy Regulatory Commission's Alternative Licensing Process, and

RESOLVED, that this Honorable Body encourages all stakeholder groups to participate in the consensus building framework that an ALP provides for, and

RESOLVED, that certified copies of this resolution be sent to Erie County Executive Joel Giambra, Commissioner of Environment and Planning Lawrence Rubin, Senator Charles E. Schumer, Senator Hillary Rodham Clinton, The Western New York Delegation to the United States House of Representatives, New York State Governor George Pataki. The Western New York Delegation of the New York State Congress, the members of the Niagara County Legislature, The Western New York Relicensing Consensus Committee, and the Niagara Power Coalition.

MR. SWANICK moved to amend the resolution to include ET AL sponsorship. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

MR. WEINSTEIN moved the approval of the resolution as amended. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

**COMMUNICATIONS DISCHARGED FROM COMMITTEE**

Item 20 – MR. GREENAN moved to discharge the FINANCE & MANAGEMENT COMMITTEE from further consideration of Comm. 1D-9A. MR. LARSON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 3

Re: OPEN ITEM: Correction of Errors.  
(Comm. 1D-9A)

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

CARRIED UNANIMOUSLY.

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

EMAIL DOCUMENT IS 2025009EM.DOC

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

RESOLVED, that petitions numbered 202001 through 202036 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. 202001 / 2000 - ASSESSOR - Cancel - \$71.55

SBL No. 142.70-3-19 - CITY OF LACKAWANNA

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 71.55 - Town/SpecialDist/School

Charge to : CITY OF LACKAWANNA

8.22

ECSD #6 SAN SEWER

63.33

CANCEL - CLERICAL ERROR, PARCEL IS NOW PART OF 142.70-3-19.1.  
RPTL 550(2)F.

Petition No. 202002 / 2000 - ASSESSOR - Cancel - \$71.55

SBL No. 142.70-3-21 - CITY OF LACKAWANNA

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 71.55 - Town/SpecialDist/School

**MEETING NO. 1**  
**January 8, 2002**

**ERIE COUNTY LEGISLATURE**

Charge to : CITY OF LACKAWANNA

|                   |       |
|-------------------|-------|
|                   | 8.22  |
| ECSD #6 SAN SEWER | 63.33 |

CANCEL - CLERICAL ERROR, THIS PARCEL IS NOW PART OF 142.70-3-19.1.  
 RPTL 550(2)F

Petition No. 202003 / 2000 - ASSESSOR - Refund - \$135.70

SBL No. 142.78-5-17 - CITY OF LACKAWANNA

Acct. No. 112 - \$ 135.70 - County

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

Charge to :

REFUND - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF  
 18,130 THAT THIS PARCEL IS ENTITLED WAS OMITTED IN ERROR FROM THE  
 TAX ROLL. RPTL 550(2)C.

CHECK IN FAVOR OF: DOROTHY WNUK

Petition No. 202004 / 102 - ASSESSOR - Refund - \$4,328.31

SBL No. 40.08-3-1.11 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 4,328.31 - Town/SpecialDist/School

Charge to : WILLIAMSVILLE CENT 4,328.31

REFUND - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY  
 ON THE TAX ROLL. THE ASSESSMENT WAS 526,400 AND SHOULD BE 295,800.  
 RPTL 550(2)A.

CHECK IN FAVOR OF: DODGE 330 ASSOCIATES

Petition No. 202005 / 102 - ASSESSOR - Refund - \$371.28

SBL No. 40.11-3-11 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 371.28 - Town/SpecialDist/School

Charge to : BASIC STAR EXEMPTION 371.28

REFUND - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF  
 30,000 THAT THIS PARCEL IS ENTITLED WAS OMITTED IN ERROR FROM THE  
 TAX ROLL. RPTL 550(2)C SWEET HOME CENTRAL

CHECK IN FAVOR OF: RICHARD K KABALAN

Petition No. 202006 / 102 - ASSESSOR - Cancel - \$656.94

**MEETING NO. 1**  
**January 8, 2002**

**ERIE COUNTY LEGISLATURE**

SBL No. 55.16-1-4 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 656.94 - Town/SpecialDist/School

Charge to : WILLIAMSVILLE CENT 656.94

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. THE ASSESSMENT WAS 125,000 AND SHOULD BE 90,000. RPTL 550(2)A.

Petition No. 202007 / 9900 - ASSESSOR - Refund - \$207.67

SBL No. 68.09-3-2 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 207.67 - Town/SpecialDist/School

Charge to : BASIC STAR EXEMPTION 207.67

REFUND - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF 7,200 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C AMHERST CENTRAL  
 CHECK IN FAVOR OF: DOUGLAS A SHAFER & CHERYL A FERRENTINO

Petition No. 202008 / 1 - ASSESSOR - Cancel - \$428.07

SBL No. 68.09-3-2 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 428.07 - Town/SpecialDist/School

Charge to : BASIC STAR EXEMPTION 428.07

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 AMHERST CENTRAL  
 CHECK IN FAVOR OF: DOUGLAS A SHAFER & CHERYL FERRENTINO

Petition No. 202009 / 102 - ASSESSOR - Refund - \$656.39

SBL No. 68.09-3-2 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 656.39 - Town/SpecialDist/School

Charge to : BASIC STAR EXEMPTION 656.39



**MEETING NO. 1**  
**January 8, 2002**

**ERIE COUNTY LEGISLATURE**

Petition No. 202013 / 2001 - ASSESSOR - Cancel - \$276.70

SBL No. 164.00-2-3 - TOWN OF AURORA

Acct. No. 112 - \$ 157.44 - County

Acct. No. 132 - \$ 119.26 - Town/SpecialDist/School

Charge to : TOWN OF AURORA

|                           |       |
|---------------------------|-------|
|                           | 92.84 |
| AURORA # 1 FIRE PROTECTIO | 26.42 |

CANCEL - UNLAWFUL ENTRY, PARCEL IS OWNED BY NEW YORK STATE AND PAYS ONLY ON SPECIAL ASSESSMENTS THAT THEY RECEIVE A DIRECT BENEFIT. RPTL 550(7)A.

Petition No. 202014 / 2001 - ASSESSOR - Cancel - \$215.82

SBL No. 164.00-2-6.1 - TOWN OF AURORA

Acct. No. 112 - \$ 127.11 - County

Acct. No. 132 - \$ 88.71 - Town/SpecialDist/School

Charge to : TOWN OF AURORA

|                           |       |
|---------------------------|-------|
|                           | 67.38 |
| AURORA # 1 FIRE PROTECTIO | 21.33 |

CANCEL - UNLAWFUL ENTRY, PARCEL IS OWNED BY NEW YORK STATE AND PAYS ONLY ON SPECIAL ASSESSMENTS FROM WHICH THEY RECEIVE A DIRECT BENEFIT. RPTL 550(7)A.

Petition No. 202015 / 2001 - ASSESSOR - Cancel - \$306.95

SBL No. 164.00-2-24 - TOWN OF AURORA

Acct. No. 112 - \$ 174.66 - County

Acct. No. 132 - \$ 132.29 - Town/SpecialDist/School

Charge to : TOWN OF AURORA

|                           |        |
|---------------------------|--------|
|                           | 102.98 |
| AURORA # 1 FIRE PROTECTIO | 29.31  |

CANCEL - UNLAWFUL ENTRY, PARCEL IS OWNED BY NEW YORK STATE AND PAYS ONLY ON SPECIAL ASSESSMENTS FROM WHICH THEY RECEIVE A DIRECT BENEFIT. RPTL 550(7)A.

Petition No. 202016 / 2001 - ASSESSOR - Cancel - \$2,324.21

SBL No. 164.00-2-38.1 - TOWN OF AURORA

**MEETING NO. 1**  
**January 8, 2002**

**ERIE COUNTY LEGISLATURE**

Acct. No. 112 - \$ 1,021.75 - County

Acct. No. 132 - \$ 1,302.46 - Town/SpecialDist/School

Charge to : TOWN OF AURORA

|                           |          |
|---------------------------|----------|
|                           | 1,130.98 |
| AURORA # 1 FIRE PROTECTIO | 171.48   |

CANCEL - CLERICAL ERROR, THIS PARCEL IS OWNED BY NEW YORK STATE AND PAYS ONLY ON SPECIAL ASSESSMENTS THAT THEY RECEIVE A DIRECT BENEFIT.  
 RPTL 550(7)A

Petition No. 202017 / 2001 - ASSESSOR - Cancel - \$8.66

SBL No. 163.00-3-17 - TOWN OF AURORA

Acct. No. 112 - \$ 4.92 - County

Acct. No. 132 - \$ 3.74 - Town/SpecialDist/School

Charge to : TOWN OF AURORA

|                           |      |
|---------------------------|------|
|                           | 2.91 |
| AURORA # 1 FIRE PROTECTIO | 0.83 |

CANCEL - UNLAWFUL ENTRY, PARCEL IS OWNED BY NEW YORK STATE AND PAYS ONLY ON SPECIAL ASSESSMENTS THAT THEY RECEIVE A DIRECT BENEFIT

FROM. RPTL 550(7)A.

Petition No. 202018 / 2001 - ASSESSOR - Cancel - \$208.96

SBL No. 163.00-3-18 - TOWN OF AURORA

Acct. No. 112 - \$ 118.90 - County

Acct. No. 132 - \$ 90.06 - Town/SpecialDist/School

Charge to : TOWN OF AURORA

|                           |       |
|---------------------------|-------|
|                           | 70.10 |
| AURORA # 1 FIRE PROTECTIO | 19.96 |

CANCEL - UNLAWFUL ENTRY, PARCEL IS OWNED BY NEW YORK STATE AND PAYS ONLY ON SPECIAL ASSESSMENTS THAT THEY RECEIVE A DIRECT BENEFIT.  
 RPTL 550(7)A.

Petition No. 202019 / 2001 - ASSESSOR - Refund - \$135.67

SBL No. 164.1-2-6 - TOWN OF AURORA

Acct. No. 112 - \$ 88.27 - County

Acct. No. 132 - \$ 47.40 - Town/SpecialDist/School

**MEETING NO. 1**  
**January 8, 2002**

**ERIE COUNTY LEGISLATURE**

Charge to : TOWN OF AURORA

47.40

REFUND - CLERICAL ERROR, THE VETERAN'S EXEMPTION IN THE AMOUNT OF  
 10,764 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE  
 TAX ROLL. RPTL 550(2)C  
 CHECK IN FAVOR OF: CHRISTINE & DENNIS BAKER

Petition No. 202020 / 2001 - ASSESSOR - Refund - \$226.10

SBL No. 174.00-2-15.1 - TOWN OF AURORA

Acct. No. 112 - \$ 147.10 - County

Acct. No. 132 - \$ 79.00 - Town/SpecialDist/School

Charge to : TOWN OF AURORA

79.00

REFUND - CLERICAL ERROR, THE VETERAN'S EXEMPTION IN THE AMOUNT OF  
 17,940 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE  
 TAX ROLL. RPTL 550(2)C.  
 CHECK IN FAVOR OF: RICHARD M WIECZOREK

Petition No. 202021 / 1 - ASSESSOR - Refund - \$339.05

SBL No. 91.16-6-14 - TOWN OF CHEEKTOWAGA

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 339.05 - Town/SpecialDist/School

Charge to : BASIC STAR EXEMPTION

339.05

REFUND - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF  
 13,030 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE  
 TAX ROLL. 550(2)C. MARYVALE UNION FREE  
 CHECK IN FAVOR OF: PATRICIA A SEISS

Petition No. 202022 / 102 - ASSESSOR - Refund - \$503.90

SBL No. 91.16-6-14 - TOWN OF CHEEKTOWAGA

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 503.90 - Town/SpecialDist/School

Charge to : BASIC STAR EXEMPTION

503.90

REFUND - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF  
 19,500 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE  
 TAX ROLL. RPTL 550(2)C MARYVALE UNION FREE  
 CHECK IN FAVOR OF: PATRICIA A SEISS

**MEETING NO. 1**  
**January 8, 2002**

**ERIE COUNTY LEGISLATURE**

Petition No. 202023 / 102 - ASSESSOR - Cancel - \$5,487.71

SBL No. 30.00-4-61.2 - TOWN OF CLARENCE

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 5,487.71 - Town/SpecialDist/School

Charge to : CLARENCE CENTRAL 5,487.71

CANCEL - CLERICAL ERROR, THIS PARCEL IS EXEMPT FROM TAXES. TAXES ARE PAID THROUG A PILOT AGREEMENT WITH IDA. RPTL 550(2)C

Petition No. 202024 / 2001 - ASSESSOR - Refund - \$2,884.05

SBL No. 71.00-3-25 - TOWN OF CLARENCE

Acct. No. 112 - \$ 2,149.97 - County

Acct. No. 132 - \$ 734.08 - Town/SpecialDist/School

Charge to : TOWN OF CLARENCE 734.08

REFUND - CLERICAL ERROR, THE BUSINESS EXEMPTION IN THE AMOUNT OF 650,000 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C  
 CHECK IN FAVOR OF: EFPB LLC

Petition No. 202025 / 102 - ASSESSOR - Refund - \$7,588.71

SBL No. 82.04-1-3.111 - TOWN OF LANCASTER

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 7,588.71 - Town/SpecialDist/School

Charge to : LANCASTER CENTRAL 7,588.71

REFUND - ERROR IN ESSENTIAL FACT, BUILDING ON 82.04-1-3.112. THE ASSESSED VALUE WAS 438,600 AND SHOULD BE 38,600. RPTL 550(3)B  
 CHECK IN FAVOR OF: ENGLISH PARK VILLAGE LAND CO LLC

Petition No. 202026 / 2001 - ASSESSOR - Refund - \$152.23

SBL No. 302.00-6-5.3 - TOWN OF NORTH COLLINS

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 152.23 - Town/SpecialDist/School

**MEETING NO. 1**  
**January 8, 2002**

**ERIE COUNTY LEGISLATURE**

Charge to : TOWN OF NORTH COLLINS

152.23

REFUND - CLERICAL ERROR, THE GARBAGE TAX WAS PLACED ON THIS PARCEL  
 IN ERROR. THIS PARCEL IS USED FOR AGRICULTURAL PURPOSES. RPTL 550(2)E  
 CHECK IN FAVOR OF: ROBERT & ROSE BUTZER

Petition No. 202027 / 102 - ASSESSOR - Refund - \$187.30

SBL No. 65.40-3-28.1 - TOWN OF TONAWANDA

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 187.30 - Town/SpecialDist/School

Charge to : KEN-TON UNION FREE

187.30

REFUND - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY  
 ON THE TAX ROLL. THE ASSESSMENT WAS 45,200 AND SHOULD BE 38,900.  
 RPTL 550(2)A  
 CHECK IN FAVOR OF: DENNIS & DEBORAH REGNIER

Petition No. 202028 / 102 - ASSESSOR - Refund - \$628.21

SBL No. 65.42-1-34 - TOWN OF TONAWANDA

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 628.21 - Town/SpecialDist/School

Charge to : BASIC STAR EXEMPTION

628.21

REFUND - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF  
 27,770 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE  
 TAX ROLL. RPTL 550(2)C KEN TON UNION FREE  
 CHECK IN FAVOR OF: ROSE MARIE BRIND'AMOUR & DAN & MARY PIATEK

Petition No. 202029 / 1 - ASSESSOR - Refund - \$310.69

SBL No. 66.43-1-36 - TOWN OF TONAWANDA

Acct. No. 112 - \$ 0.00 - County

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

Charge to : BASIC STAR EXEMPTION

310.69

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 KEN TON UNION FREE  
 CHECK IN FAVOR OF: PATRICA JOHNSON

**MEETING NO. 1**  
**January 8, 2002**

**ERIE COUNTY LEGISLATURE**

Petition No. 202030 / 102 - ASSESSOR - Refund - \$628.21

SBL No. 66.43-1-36 - TOWN OF TONAWANDA

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 628.21 - Town/SpecialDist/School

Charge to : BASIC STAR EXEMPTION 628.21

REFUND - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF  
 21,670 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE  
 TAX ROLL. RPTL 550(2)C KEN TON UNION FREE  
 CHECK IN FAVOR OF: PATRICIA JOHNSON

Petition No. 202031 / 102 - ASSESSOR - Cancel - \$628.21

SBL No. 78.23-1-26 - TOWN OF TONAWANDA

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 628.21 - Town/SpecialDist/School

Charge to : BASIC STAR EXEMPTION 628.21

CANCEL - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF  
 21,130 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE  
 TAX ROLL. RPTL 550(2)C KEN TON UNION FREE

Petition No. 202032 / 102 - ASSESSOR - Refund - \$628.21

SBL No. 78.24-3-23 - TOWN OF TONAWANDA

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 628.21 - Town/SpecialDist/School

Charge to : BASIC STAR EXEMPTION 628.21

REFUND - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF  
 21,130 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE  
 TAX ROLL. RPTL 550(2)C KEN TON UNION FREE  
 CHECK IN FAVOR OF: NICHOLAS LEYLAND

Petition No. 202033 / 9900 - ASSESSOR - Refund - \$150.79

SBL No. 143.12-5-43 - TOWN OF WEST SENECA

Acct. No. 112 - \$ 0.00 - County

**MEETING NO. 1**  
**January 8, 2002**

**ERIE COUNTY LEGISLATURE**

Acct. No. 132 - \$ 150.79 - Town/SpecialDist/School

Charge to : BASIC STAR EXEMPTION 150.79

REFUND - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF  
 6,190 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE  
 TAX ROLL. RPTL 550(2)C WEST SENECA CENTRAL  
 CHECK IN FAVOR OF: KELLY R & MARY E GREAVES

Petition No. 202034 / 1 - ASSESSOR - Refund - \$315.66

SBL No. 143.12-5-43 - TOWN OF WEST SENECA

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 315.66 - Town/SpecialDist/School

Charge to : BASIC STAR EXEMPTION 315.66

REFUND - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF  
 12,760 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE  
 TAX ROLL. RPTL 550(2)C WEST SENECA CENTRAL  
 CHECK IN FAVOR OF: KELLY R & MARY E GREAVES

Petition No. 202035 / 102 - ASSESSOR - Refund - \$525.97

SBL No. 143.12-5-43 - TOWN OF WEST SENECA

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 525.97 - Town/SpecialDist/School

Charge to : BASIC STAR EXEMPTION 525.97

REFUND - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF  
 18,840 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE  
 TAX ROLL. RPTL 550(2)C WEST SENECA CENTRAL  
 CHECK IN FAVOR OF: KELLY R & MARY E GREAVES

Petition No. 202036 / 2001 - ASSESSOR - Cancel - \$1,842.25

SBL No. 171.18-2-27.1 - TOWN OF HAMBURG

Acct. No. 112 - \$ 679.24 - County

Acct. No. 132 - \$ 1,163.01 - Town/SpecialDist/School

Charge to : TOWN OF HAMBURG

892.21

FIRE D#3 SCRATON 239.94

ERIE CO#3 ARM MCKNY 30.86

CANCEL - CLERICAL ERROR, THIS PROPERTY IS OWNED BY NEW YORK STATE AND

**MEETING NO. 1**  
**January 8, 2002**

**ERIE COUNTY LEGISLATURE**

IS USED AS A GROUP HOME. PROPERTY WAS ACQUIRED ON NOV 6, 2000. THE STATE PAYS ONLY ON SPECIAL ASSESSMENTS ON WHICH THEY RECEIVE A DIRECT BENEFIT. RPTL 550(2)C.

MR. GREENAN moved the approval of the resolution as amended. MR. SWANICK seconded.

CARRIED UNANIMOUSLY.

**SUSPENSION OF THE RULES**

Item 21 – MR. GREENAN moved for a suspension of the rules to include an item not on the agenda. MR. RANZENHOFER seconded.

GRANTED.

CHAIRMAN DeBENEDETTI directed that the following item be received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Intro. 1D-16 From BUDGET DIRECTOR Re: Creation of an Open Item for Capital Projects and the Use of Tobacco Money.

Item 22 – MR. SWANICK moved for a suspension of the rules to include an item not on the agenda. MS. PEOPLES seconded.

GRANTED.

RESOLUTION NO. 4

Re: Lease for Legislative Office Space.  
 (Comm. 1E-45)

RESOLVED, that the County Executive is hereby authorized to sign a Two (2) Year Lease Agreement between the Broadway Market Management Corporation located at 999 Broadway, Buffalo, New York 14212 and Erie County for Legislative Office Space for Erie County Legislator David Dale at a cost of \$-0- per month.

MR. SWANICK moved the approval of the resolution. MS. PEOPLES seconded. MR. DALE abstained.

CARRIED UNANIMOUSLY.

Item 23 – MR. GREENAN moved for a suspension of the rules to include an item not on the agenda. MR. WEINSTEIN seconded.

**MEETING NO. 1**  
**January 8, 2002**

**ERIE COUNTY LEGISLATURE**

GRANTED.

CHAIRMAN DeBENEDETTI directed that the following item be RECEIVED, FILED & PRINTED.

Comm. 1E-46 From CHAIRMAN DeBENEDETTI Re: Committee Name Change.

January 8, 2002

The Hon. Laurie A. Manzella  
Clerk, Erie County Legislature  
25 Delaware Avenue  
Buffalo, NY 14202

Dear Madam Clerk:

Pursuant to the adoption of the 2002 Rules of the Erie County Legislature, I do hereby transfer all items on the agenda of the Health/Mental Health and Social Service Committees to the Human Services Committee.

In addition, I do hereby transfer all items on the agenda of the Personnel Ad Hoc Committee to the Government Affairs Committee.

Very truly yours,

Al DeBenedetti, Chairman  
Erie County Legislature.

Item 24 – MR. GREENAN moved for a suspension of the rules to include an item not on the agenda. MR. LARSON seconded.

GRANTED.

RESOLUTION NO. 5

Re: Lease for Legislative Office Space.  
(Comm. 1E-47)

RESOLVED, that the County Executive is hereby authorized to sign a Two (2) Year Lease Agreement between The Center of Williamsville located at 4508 Main Street, Amherst, NY 14226 and Erie County for Legislative Office Space for Erie County Legislator Barry Weinstein at a cost of \$510.00 per month.

MR. GREENAN moved the approval of the resolution. MR. LARSON seconded. MR. WEINSTEIN abstained.

**MEETING NO. 1**  
**January 8, 2002**

**ERIE COUNTY LEGISLATURE**

CARRIED UNANIMOUSLY.

Item 25 – MR. GREENAN moved for a suspension of the rules to include an item not on the agenda. MR. RANZENHOFER seconded.

GRANTED.

RESOLUTION NO. 6

Re: Lease for Legislative Office Space.  
 (Comm. 1E-48)

RESOLVED, that the County Executive is hereby authorized to sign a Two (2) Year Lease Agreement between the Town of Concord located at Concord Town Hall, 96 Franklin Street, Springville, New York 14141 and Erie County for Legislative Office Space for Erie County Legislator Dale W. Larson at a cost of \$0 per month.

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

CARRIED UNANIMOUSLY.

**COMMUNICATIONS FROM ELECTED OFFICIALS**

**FROM LEGISLATOR FITZPATRICK**

Item 26 – (Comm. 1E-1) Phase-In of Redistribution of 1% Sales Tax.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

**FROM THE COUNTY EXECUTIVE**

Item 27 – (Comm. 1E-2) Appointment & Reappointments to Erie County Cultural Resources Advisory Board.

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 7

Re: Reappointment to ECSD Board No.5.  
 (Comm. 1E-3)

**MEETING NO. 1**  
**January 8, 2002**

**ERIE COUNTY LEGISLATURE**

RESOLVED, that the Erie County Legislature does hereby confirm the reappointment of Honorable Daniel A. Herberger, Supervisor, Town of Clarence, of One Town Place, Clarence, New York 14031 to the Board of Managers for Erie County Sewer District #5.

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 8

Re: Commissioner of Youth Services  
 Appointment. (Comm. 1E-4)

RESOLVED, that the Erie County Legislature does hereby confirm the appointment of George B. Alexander as Commissioner of Youth Services.

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

CARRIED UNANIMOUSLY.

Item 30 – (Comm. 1E-5) Reappointments to Disaster Preparedness Advisory Board.

RECEIVED, FILED & PRINTED.

December 28, 2001

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

Re: Reappointments to Disaster Preparedness Advisory Board

Dear Members:

I, Joel A. Giambra, Erie County Executive, pursuant to Erie County Charter Article XI-C-03, do hereby reappoint the following individuals to the Disaster Preparedness Advisory Board for the term expiring December 31, 2003.

Lynda Burey  
 State University of NY at Buffalo

Roy M. Scheifla  
 5861 Goodrich Road – 4C

**MEETING NO. 1**  
**January 8, 2002**

**ERIE COUNTY LEGISLATURE**

301 Michael Hall  
 3435 Main Street  
 Buffalo, NY 14214

Clarence Center, NY 14032

Donald Harder  
 Verizon Telephone Company  
 2755 Millersport Highway  
 Getzville, NY 14068

John Sniderhan  
 City of Buffalo Disaster Coordinator  
 195 Court Street  
 Buffalo, NY 14202

Louis B. Henry  
 State University of NY at Buffalo  
 Michael Hall  
 3435 Main Street  
 Buffalo, NY 14214

Kenneth Swain  
 NYS Dept. of Transportation  
 General Donovan State Ofc. Bldg.  
 125 Main Street  
 Buffalo, NY 14203

Rick Hetrick  
 Salvation army  
 960 Main Street  
 Buffalo, NY 14202

James Zymanek  
 Town of Amherst Disaster Coordinator  
 5583 Main Street  
 Williamsville, NY 14221

Michael Kerl  
 Town of West Seneca Disaster Coordinator  
 1250 Union Road  
 West Seneca, NY 14224

Earl Loder  
 Town of Cheektowaga Disaster Coordinator  
 75 Greenleaf Lane  
 Cheektowaga, NY 14225

James McSweeny  
 National Fuel Gas  
 10 Lafayette Square  
 Buffalo, NY 14203

Lucy Mysiak  
 31 Autumn Lane  
 Depew, NY 14043

Respectfully submitted,

JOEL A. GIAMBRA  
 ERIE COUNTY EXECUTIVE

JAG:bmc

**MEETING NO. 1**  
**January 8, 2002**

**ERIE COUNTY LEGISLATURE**

cc: Appointees  
Commissioner Michael V. Walters, Emergency Services  
Deputy Commissioner Dean Messing, Emergency Services

Item 31 – (Comm. 1E-6) Appointment to Erie County Commission on the Status of Women.

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

Item 32 – (Comm. 1E-7) Appointments to EC Youth Services Board.

RECEIVED, FILED AND PRINTED.

December 28, 2001

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

Re: Appointments to Erie County Youth Services Board

Dear Members:

I, Joel A. Giambra, Erie County Executive, pursuant to Section 11-F-03 of the Erie County Code, do hereby appoint the following individuals to the Erie County Youth Services Board for the term ending December 31, 2003.

Mrs. Krista Van-Wagner  
647 Ridge Road  
Lackawanna, NY 14218

Ms. Ream Sallaj  
1020 Como Park Boulevard  
Depew, NY 14043

Mr. Tracy L. McGee  
20 Holland Street  
Lackawanna, NY 14218

Mrs. Donna McCartney-Henry  
143 Edgewood Avenue  
Buffalo, NY 14223

Mr. Miguel Santos

**MEETING NO. 1**  
**January 8, 2002**

**ERIE COUNTY LEGISLATURE**

Niagara Mohawk Corporation  
 535 Washington Street  
 Buffalo, NY 14203

Ms. Cynthia Horrigan  
 1990 Hall Road  
 Elma, NY 14059

Mr. Juan Carlos Valentin  
 181 Fargo Avenue  
 Buffalo, NY 14201

Mr. Gary M. Galbreath  
 P.O. Box 1087  
 Buffalo, NY 14205-1087

Respectfully submitted

JOEL A. GIAMBRA  
 ERIE COUNTY EXECUTIVE

JAG:bmc

cc: Appointees  
 Commissioner George Alexander, Department of Probation  
 Joseph Abdallah, Deputy Commissioner of Youth Division

Item 33 – (Comm. 1E-8) Reappointment to Buffalo & Erie County Library Board of Trustees.

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM LEGISLATOR HOLT

Item 34 – MR. SWANICK presented the following resolution and moved for immediate consideration. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 9

Re: Lease for Legislative Office Space.  
 (Comm. 1E-9)

**MEETING NO. 1**  
**January 8, 2002**

**ERIE COUNTY LEGISLATURE**

RESOLVED, that the County Executive is hereby authorized to sign a Two (2) Year Lease Agreement between Towne Gardens located at 440 Clinton Street, Buffalo, New York 14204 and Erie County for Legislative Office Space for Erie County Legislator George A. Holt, Jr. at a cost of \$580.00 per month.

MR. SWANICK moved the approval of the resolution. MR. GREENAN seconded. MR. HOLT abstained.

CARRIED UNANIMOUSLY.

**FROM THE COMPTROLLER**

Item 35 – (Comm. 1E-10) Apportionment & Distribution of 4% Sales Tax Revenue Received by EC from NYS for Month of December.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

**FROM THE COUNTY CLERK**

Item 36 – (Comm. 1E-11) Letter to Clerk of Legislature Re: Oath Cards.

Received and filed.

**FROM LEGISLATORS SCHROEDER, HOLT, FISHER, PEOPLES & MARINELLI**

Item 37 – (Comm. 1E-12) Nomination Petition for Chairman of Legislature for 2002.

Received and filed.

**FROM THE SHERIFF**

Item 38 – (Comm. 1E-13) Personnel Adjustment – Sheriff's Office.

Received and referred to the PUBLIC SAFETY COMMITTEE.

**FROM THE COUNTY EXECUTIVE**

Item 39 – (Comm. 1E-14) Social Services – Authorization to Contract.

Received and referred to the HUMAN SERVICES COMMITTEE.

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

**MEETING NO. 1**  
**January 8, 2002**

**ERIE COUNTY LEGISLATURE**

CARRIED UNANIMOUSLY.

RESOLUTION NO. 10

Re: Increase & Extension of Benefits for  
 Reserve Military Personnel Called to Active  
 Duty. (Comm. 1E-15)

WHEREAS, the County of Erie through its Collective Bargaining Agreements and otherwise by law, provide certain benefits to its employees who are called to active service in the United States Armed Services, and

WHEREAS, in most cases where employees are activated for long periods of time, those negotiated benefits result in the loss of health insurance, a reduction in pay, and only provide for one thirty (30) day period of paid leave per activation, and

WHEREAS, County Executive Joel A. Giambra has determined that those negotiated benefits are insufficient in times of long-term activation, and

WHEREAS, County Executive Joel A. Giambra has further determined that the County of Erie should fully support those county employees who are called to active duty in the United States Armed Services in this time of national tragedy, and

WHEREAS, County Executive Joel A. Giambra has negotiated with the various unions representing county employees,

NOW, THEREFORE, BE IT

RESOLVED, that each county employee called to active duty in the United States Armed Services will receive, as appropriate, thirty (30) calendar days or twenty-two (22) workdays, whichever is of greater benefit, of paid Military Leave in each calendar year; and be it further

RESOLVED, that the County of Erie shall continue to maintain the health insurance benefits of those county employees called to active duty in the United States Armed Services that they would otherwise be entitled to if they were still active county employees; and be it further

RESOLVED, that the County of Erie shall supplement the military pay of those county employees called to long-term active duty in the United States Armed Services so that the combination of their full military compensation and the supplement will equal what would otherwise be their regular base County pay retroactive to the date of their activation, and be it further

RESOLVED, that the Director of Labor Relations has negotiated with the unions representing county employees that these benefits will be made available based upon the unique circumstances of this national tragedy and will not be considered as precedent or past practice and will be limited to the current armed conflict, and be it further

**MEETING NO. 1**  
**January 8, 2002**

**ERIE COUNTY LEGISLATURE**

RESOLVED that the Director of Budget, Management and Finance is hereby granted authority to transfer funds as required into the appropriate accounts to fully implement this Resolution, and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Personnel Department; Division of Labor Relations; Division of Budget, Management and Finance; and the Comptroller.

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

CARRIED UNANIMOUSLY.

Item 41 – (Comm. 1E-16) Erie County Community Development – Circuit Rider Program Consultant Services.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 11

Re: Extension of Erie County's Additional 1%  
 Sales Tax Authority Home Rule Request.  
 (Comm. 1E-17)

WHEREAS, the additional 1% Erie County sales and compensating use tax, last extended by Chapter 4 of the Laws of two thousand one, will expire on February twenty-eight, two thousand two, and

WHEREAS, the Erie County budget for two thousand two was adopted in anticipation of an extension of the additional 1% Erie County sales and compensating use tax through February twenty-eight, two thousand three, and

WHEREAS, failure to extend the additional 1% sales and compensating use tax will result in an estimated shortfall of nearly one hundred eleven million dollars in the two thousand two Erie County budget, and

WHEREAS, Senate Bill No. S.\_\_\_\_ and Assembly Bill No. A.\_\_\_\_, now pending before the New York State Legislature, would authorize extension of the additional 1% sales and compensating use tax through February twenty-eight, two thousand three;

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

**MEETING NO. 1**  
**January 8, 2002**

**ERIE COUNTY LEGISLATURE**

TO THE LEGISLATURE:

Pursuant to Article IX of the Constitution, the County of Erie requests the enactment of Assembly Bill No. A.\_\_\_\_\_, entitled "AN ACT to amend the tax law, in relation to the imposition of sales and compensating use taxes 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.

Other facts as set forth in the following explanation establish such necessity.

Failure to extend the additional 1% Erie County sales and compensating use tax for the period March 1, 2002 through February 28, 2003 will result in a 2002 Erie County budget shortfall of nearly one hundred eleven million dollars and result in cessation of essential County services to the people of Erie County.

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

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

WHEREAS, the additional 1% Erie County sales and compensating use tax, last extended by Chapter 4 of the Laws of two thousand one, will expire on February twenty-eight, two thousand two, and

WHEREAS, the Erie County budget for two thousand two was adopted in anticipation of an extension of the additional 1% Erie County sales and compensating use tax through February twenty-eight, two thousand three, and

WHEREAS, failure to extend the additional 1% sales and compensating use tax will result in an estimated shortfall of nearly one hundred eleven million dollars in the two thousand two Erie County budget, and

WHEREAS, Senate Bill No. S.\_\_\_\_\_ and Assembly Bill No. A.\_\_\_\_\_, now pending before the New York State Legislature, would authorize extension of the additional 1% sales and compensating use tax through February twenty-eight, two thousand three;

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

**MEETING NO. 1**  
**January 8, 2002**

**ERIE COUNTY LEGISLATURE**

TO THE LEGISLATURE:

Pursuant to Article IX of the Constitution, the County of Erie requests the enactment of Senate Bill No.

S.\_\_\_\_\_, entitled "AN ACT to amend the tax law, in relation to the imposition of sales and compensating use taxes 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.

Other facts as set forth in the following explanation establish such necessity.

Failure to extend the additional 1% Erie County sales and compensating use tax for the period March 1, 2002 through February 28, 2003 will result in a 2002 Erie County budget shortfall of nearly one hundred eleven million dollars and result in cessation of essential County services to the people of Erie County.

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

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

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

CARRIED UNANIMOUSLY.

***DELETE THE ORIGINAL HOME RULE REQUESTS IN THEIR ENTIRETY AND REPLACE WITH THE FOLLOWING TWO (2) HOME RULE REQUESTS:***

(A)

WHEREAS, the additional 1% Erie County sales and compensating use tax, last extended by Chapter 4 of the Laws of two thousand one, will expire on February twenty-eight, two thousand two, and

WHEREAS, the Erie County budget for two thousand two was adopted in anticipation of an extension of the additional 1% Erie County sales and compensating use tax through February twenty-eight, two thousand three, and

**MEETING NO. 1**  
**January 8, 2002**

**ERIE COUNTY LEGISLATURE**

WHEREAS, failure to extend the additional 1% sales and compensating use tax will result in an estimated shortfall of nearly one hundred eleven million dollars in the two thousand two Erie County budget, and

WHEREAS, Senate Bill No. S. 6040 and Assembly Bill No. A. 9577, now pending before the New York State Legislature, would authorize extension of the additional 1% sales and compensating use tax through February twenty-eight, two thousand three;

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

TO THE LEGISLATURE:

Pursuant to Article IX of the Constitution, the County of Erie requests the enactment of Assembly Bill No. A. 9577, entitled "AN ACT to amend the tax law, in relation to the imposition of sales and compensating use taxes 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.

Other facts as set forth in the following explanation establish such necessity.

Failure to extend the additional 1% Erie County sales and compensating use tax for the period March 1, 2002 through February 28, 2003 will result in a 2002 Erie County budget shortfall of nearly one hundred eleven million dollars and result in cessation of essential County services to the people of Erie County.

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

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

(B)

WHEREAS, the additional 1% Erie County sales and compensating use tax, last extended by Chapter 4 of the Laws of two thousand one, will expire on February twenty-eight, two thousand two, and

**MEETING NO. 1**  
**January 8, 2002**

**ERIE COUNTY LEGISLATURE**

WHEREAS, the Erie County budget for two thousand two was adopted in anticipation of an extension of the additional 1% Erie County sales and compensating use tax through February twenty-eight, two thousand three, and

WHEREAS, failure to extend the additional 1% sales and compensating use tax will result in an estimated shortfall of nearly one hundred eleven million dollars in the two thousand two Erie County budget, and

WHEREAS, Senate Bill No. S. 6040 and Assembly Bill No. A. 9577, now pending before the New York State Legislature, would authorize extension of the additional 1% sales and compensating use tax through February twenty-eight, two thousand three;

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

TO THE LEGISLATURE:

Pursuant to Article IX of the Constitution, the County of Erie requests the enactment of Senate Bill No. S. 6040, entitled "AN ACT to amend the tax law, in relation to the imposition of sales and compensating use taxes 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.

Other facts as set forth in the following explanation establish such necessity.

Failure to extend the additional 1% Erie County sales and compensating use tax for the period March 1, 2002 through February 28, 2003 will result in a 2002 Erie County budget shortfall of nearly one hundred eleven million dollars and result in cessation of essential County services to the people of Erie County.

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

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

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

**MEETING NO. 1**  
**January 8, 2002**

**ERIE COUNTY LEGISLATURE**

CHAIRMAN DeBENEDETTI directed that a roll call vote be taken.

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

CARRIED. (WEIGHTED VOTE: 16.112 – .888)

Item 43 – (Comm. 1E-18) Reapportionment to Central Police Services Board of Trustees.

Received and referred to the PUBLIC SAFETY COMMITTEE.

Item 44 – (Comm. 1E-19) Health – Healthy Heart Worksite Wellness Grant 4/1/02 – 3/31/03.

Received and referred to the HUMAN SERVICES COMMITTEE.

Item 45 – (Comm. 1E-20) District Attorney – BE-SAFE Grant 10/1/01 – 9/30/02.

Item 46 – (Comm. 1E-21) District Attorney – BE-SAFE Grant 10/1/00 – 9/30/02.

Item 47 – (Comm. 1E-22) District Attorney – BE-SAFE NOW Grant.

The above three items were received and referred to the PUBLIC SAFETY COMMITTEE.

Item 48 – (Comm. 1E-23) Health – HIV Surveillance & Partner Notification Grant 10/1/01 – 9/30/02.

Item 49 – (Comm. 1E-24) Health – Integration of Hepatitis Prevention Services Grant 9/30/01 – 9/29/02.

Item 50 – (Comm. 1E-25) Health – Breast & Cervical Cancer Program 9/30/01 – 9/29/02.

Item 51 – (Comm. 1E-26) Health – Supplemental Aid to Localities Grant Medical Examiner's Toxicology Laboratory 4/1/01 – 3/31/03.

Item 52 – (Comm. 1E-27) Health – Bioterrorism – Health Alert Network Grant 8/31/01 – 8/30/02.

The above five items were received and referred to the HUMAN SERVICES COMMITTEE.

Item 53 – MR. GREENAN presented the following resolution and moved for immediate consideration. MR. LARSON seconded.

CARRIED UNANIMOUSLY.

**MEETING NO. 1**  
**January 8, 2002**

**ERIE COUNTY LEGISLATURE**

RESOLUTION NO. 12

Re: County Attorney – Personnel Adjustment.  
 (Comm. 1E-28)

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

WHEREAS, the newly created Paralegal Law position in the Law Department will commence work at Job Group 5, Step 5.

NOW THEREFORE, BE IT

RESOLVED, that effective immediately, the position of Paralegal Law, Job Group 5, Step 5, is hereby created within the Erie County Department of Law; retroactive to January 1, 2002, and be it further

RESOLVED, that the sum of \$37,440 is hereby transferred from DAC 110909600821, the Department of Law's Dues and Fees Account, to the Department of Law's Personal Services Account, DAC 110909600800, in the amount of \$30,688 and to the Fringe Benefits Account, DAC 110909600805, in the amount of \$6,752, in the same administrative unit and be if further

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

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

CHAIRMAN DeBENEDETTI directed that a roll call vote be taken.

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

CARRIED. (WEIGHTED VOTE: 12.460 – 4.540)

Item 54 – (Comm. 1E-29) Appointment to Buffalo & Erie County Public Library Board of Trustees.

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

**MEETING NO. 1**  
**January 8, 2002**

**ERIE COUNTY LEGISLATURE**

---

Item 55 – (Comm. 1E-30) Erie County/Southtowns Sewage Treatment Agency – ECSD No. 6 – NYS Clean Water/Clean Air Bond Act (1996).

Item 56 – (Comm. 1E-31) ECSD No. 2 – Construction Inspection Service Agreement.

Item 57 – (Comm. 1E-32) ECSD No. 2 – Lakeview Pumping Station Elimination Contract No. 39H – Change Order No. 2 – CMH Company.

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

Item 58 – (Comm. 1E-33) ECC – Capital Expenditures.

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

Item 59 – (Comm. 1E-34) CPS – Amendment to Agreement with EM Systems.

Received and referred to the PUBLIC SAFETY COMMITTEE.

Item 60 – (Comm. 1E-35) Grant Programs – Authorization to Contract.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 61 – (Comm. 1E-36) Appropriation for Electronic Record Conversion.

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

Item 62 – (Comm. 1E-37) Appointment to Buffalo Niagara Convention & Visitors Bureau Board.

Received and filed.

Item 63 – (Comm. 1E-38) Parks, Recreation & Forestry – State Aid for Snowmobile Development 2001 – 2002.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 64 – (Comm. 1E-39) Social Services – Authorization to Amend Congregate Dining Grant Budget.

Received and referred to the HUMAN SERVICES COMMITTEE.

Item 65 – (Comm. 1E-40) Sale of County Owned Inventory – Hyland Avenue, Town of Cheektowaga.

**MEETING NO. 1**  
**January 8, 2002**

**ERIE COUNTY LEGISLATURE**

Item 66 – (Comm. 1E-41) Sale of County Owned Inventory – Eisenhower Avenue, Town of Evans.

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

Item 67 – (Comm. 1E-42) Rath Building – Franklin Street Plaza Renovation, Phase II.

Item 68 – (Comm. 1E-43) Rath Building – Fire Alarm/Security System.

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

**FROM LEGISLATOR GREENAN**

Item 69 – (Comm. 1E-44) Proposed Amendments to 2001 Rules of Erie County Legislature.

RECEIVED, FILED & PRINTED.

January 4, 2002

The. Hon. Laurie A. Manzella  
 Clerk, Erie County Legislature  
 25 Delaware Avenue  
 Buffalo, NY 14202

Dear Madam Clerk:

Pursuant to the Rules of the Erie County Legislature for 2001, constituting one (1) day's notice in advance, I hereby submit the attached as proposed amendments to the 2001 Rules of the Erie County Legislature for consideration and approval as the 2002 Rules of the Erie County Legislature.

Very truly yours,

**JOHN W. GREENAN**  
 Legislator, 9th District

**A RESOLUTION BY DeBENEDETTI, GREENAN, CUSACK, WEINSTEIN, CHASE,  
 McCARVILLE, RANZENHOFER AND LARSON**

**RE: RESOLUTION ADOPTING RULES OF ORDER FOR 2002**

**MEETING NO. 1**  
**January 8, 2002**

**ERIE COUNTY LEGISLATURE**

WHEREAS, the Legislature annually considers adoption of Rules of Order for the conduct and procedure of the County Legislature in order to exercise its powers and duties authorized by law including the Erie County Charter, Erie County Code and New York County Law, and

WHEREAS, the Legislature desires to adopt such rules for the year 2002,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby adopt the Rules of Order as adopted for the year 2001 subject to the following amendments:

Rule 5 of the Rules of Order of the Erie County Legislature is hereby deleted in its entirety and replaced with the following:

**RULE 5: MAJORITY AND MINORITY LEADERS**

Annually, the members of the Legislature shall select Majority and Minority Leaders of their respective caucuses. By weighted vote of the membership of the Legislature there shall be designated a majority of the Legislature which shall be designated as the Majority Caucus. The remaining members of the Legislature shall be designated the Minority Caucus. The Majority Leader shall be chosen by a petition subscribed to by a majority of the weighted vote of the members of the Majority Caucus, and the Minority Leader shall be chosen by a petition subscribed to by a majority of the weighted vote of the members of the Minority Caucus. In no case shall the Minority and Majority Leaders be members of the same political affiliation.

In addition to any other powers or responsibilities attributable to the Majority Leader and Minority Leader, the Majority Leader shall appoint the Legislature's Majority staff and the Minority Leader shall appoint the Legislature's minority staff.

And be it further

RESOLVED, that Rule 38 of the Rules of Order of the Erie County Legislature of the year 2001 is hereby deleted in its entirety and replaced with the following:

**RULE 38: STANDING AND SPECIAL COMMITTEES**

There shall be standing committees hereinafter enumerated to consist of five members each, except that Budget, Finance & Management committees shall consist of seven members for the purpose of considering and acting upon the annual proposed budget submitted by the County Executive and all matters relating thereto. The members of each committee shall be appointed by the Chairman of the Legislature within twenty days, or as soon as possible, after the election and

**MEETING NO. 1**  
**January 8, 2002**

**ERIE COUNTY LEGISLATURE**

appointment of the Chairman, and the list of committees shall be filed with the Clerk of the Legislature and printed in the journal.

The following are the standing committees:

ECONOMIC DEVELOPMENT  
 FINANCE & MANAGEMENT  
 ENERGY & ENVIRONMENT  
 PUBLIC SAFETY  
 HUMAN SERVICES  
 COMMUNITY ENRICHMENT  
 GOVERNMENT AFFAIRS  
 REGIONALISM AD HOC

And be it further

RESOLVED, that this Resolution shall take effect immediately.

Fiscal Impact: none.

AL DeBENEDETTI  
 6<sup>th</sup> District

JOHN W. GREENAN  
 9<sup>th</sup> District

STEVEN P. McCARVILLE  
 13<sup>th</sup> District

JEANNE Z. CHASE  
 12<sup>th</sup> District

ELISE M. CUSACK  
 14<sup>th</sup> District

BARRY A. WEINSTEIN  
 15<sup>th</sup> District

MICHAEL H. RANZENHOFER  
 16<sup>th</sup> District

DALE W. LARSON  
 17<sup>th</sup> District

**COMMUNICATIONS FROM THE DEPARTMENTS**

**FROM ECMC**

Item 70 – (Comm. 1D-1) Notice of Meeting Held 12/13/01 & Minutes of Previous Meeting.

Received and filed.

**FROM THE CLERK OF THE LEGISLATURE**

**MEETING NO. 1**  
**January 8, 2002**

**ERIE COUNTY LEGISLATURE**

Item 71 – (Comm. 1D-2) Notice of 2002 Reorganization Meeting to be Held 1/8/02.

RECEIVED, FILED & PRINTED.

December 14, 2001

TO THE MEMBERS OF THE LEGISLATURE:

***PLEASE TAKE NOTICE*** that, pursuant to communication 26E-23 (2001), *2002 SCHEDULE OF LEGISLATIVE SESSIONS*, a meeting to organize the Erie County Legislature for the year 2002 will be held in the Legislative Chambers, 25 Delaware Avenue, Buffalo, New York on the 8<sup>th</sup> day of January, 2002 at 2 o'clock in the afternoon of that day, and a Chairman of said Legislature for the year 2002 will then be selected, and you are hereby notified to be present at such time and place as aforesaid.

LAURIE A. MANZELLA  
 Clerk  
 Erie County Legislature

Item 72 – (Comm. 1D-3) Clock-In Deadline for Session to be Held 1/8/02.

RECEIVED, FILED & PRINTED.

December 17, 2001

To: All Erie County Legislators & Staff  
 From: Laurie A. Manzella, Clerk  
 Subject: **CLOCK-IN DEADLINE FOR SESSION TO BE HELD JAN. 8, 2002**

Rule No. 9 of the Legislature's Rules of Order specifically states that “...*all petitions, resolutions, offers or communications of whatever nature shall be submitted to the Clerk of the Legislature before 11:00 a.m., two business days prior to a regular meeting date...*”.

Due to the fact that the 1<sup>st</sup> Session of 2002 has been scheduled for Tuesday, January 8<sup>th</sup>, the official clock-in deadline will be **Friday, January 4, 2002 at 11:00 a.m.**

Be advised that items clocked-in after 11:00 a.m. on January 4<sup>th</sup> may not be addressed until the next regular Session scheduled for January 24, 2002.

Please contact me if you have any questions.

**MEETING NO. 1**  
**January 8, 2002**

**ERIE COUNTY LEGISLATURE**

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

**FROM THE BUFFALO & ERIE COUNTY PUBLIC LIBRARY**

Item 73 – (Comm. 1D-4) Notice of Meeting Held 12/20/01.

Received and filed.

**FROM DEP**

Item 74 – (Comm. 1D-5) SEQR – Negative Declaration – Notice of Determination of Non-Significance Unlisted.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

**FROM THE COUNTY ATTORNEY**

Item 75 – (Comm. 1D-6) Notice of Public Hearing Local Law Intro. No. 13 – 2001.

RECEIVED, FILED & PRINTED.

**VIA HAND DELIVERY**

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

RE: Notice of Public Hearing  
 Local Law Intro. No. 13-2001

Dear Ms. Manzella:

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 December 13, 2001.

**MEETING NO. 1**  
**January 8, 2002**

**ERIE COUNTY LEGISLATURE**

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  
 1<sup>st</sup> Assistant County Attorney

SMB.fr

Encl.

Cc: Thomas P. DeMartino, Senior Executive Assistant

**NOTICE OF PUBLIC HEARING**

**NOTICE IS HEREBY GIVEN** that the Erie County Executive, Joel A. Giambra, will hold a public hearing, Thursday, January 3, at 9:30 a.m., concerning:

A LOCAL LAW in relation to the operation of video lottery gaming at Buffalo Raceway in the Town of Hamburg.

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

On December 13, 2001, the Erie County Legislature adopted Erie County Local Law Intro. No.13 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 7<sup>th</sup> floor of 25 Delaware Avenue, in the City of Buffalo, New York.

JOEL A. GIAMBRA  
 ERIE COUNTY EXECUTIVE

Item 76 – (Comm. 1D-7) Notice of Claims.

Received and referred GOVERNMENT AFFAIRS COMMITTEE.

**FROM ECC**

Item 77 – (Comm. 1D-8) Minutes from Board of Trustees Meeting Held 11/28/01.

**MEETING NO. 1**  
**January 8, 2002**

**ERIE COUNTY LEGISLATURE**

Received and filed.

Item 78 – (Comm. 1D-9) Notice of Board of Trustees Meeting Held 12/19/01.

Received and filed.

**FROM DEP**

Item 79 – (Comm. 1D-10) SEQR – Solicitation for Lead Agency Status – Unlisted Action.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

**FROM THE COMPTROLLER**

Item 80 – (Comm. 1D-11) Non-Compliance with County Purchasing Procedures.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

**FROM THE COUNTY ATTORNEY**

Item 81 – (Comm. 1D-12) Copy of Letter to Legislator DeBenedetti Re: Erie County Legislature Reorganization Meeting.

Received and filed.

**FROM ECC**

Item 82 – (Comm. 1D-13) Notice of Various Meetings of Board of Trustees to be Held 1/17/02 & 1/30/02.

Received and filed.

**FROM THE COUNTY ATTORNEY**

Item 83 – (Comm. 1D-14) Notice of County Executive Approval of Resolution Int 21-1, as Amended.

RECEIVED, FILED & PRINTED.

January 3, 2002

**VIA HAND DELIVERY**

**MEETING NO. 1**  
**January 8, 2002**

**ERIE COUNTY LEGISLATURE**

Ms. Laurie A. Manzella  
 Clerk of the Erie County Legislature  
 25 Delaware Avenue – 7<sup>th</sup> Floor  
 Buffalo, New York 14202

**Re: RESOLUTION FOR INT.21-1, AS AMENDED**

Dear Laurie:

Enclosed for filing in your office, please find a certified copy of the above-referenced Resolution.

Thank you for your assistance with this matter.

Very truly yours,

FREDERICK A. WOLF  
 Erie County Attorney

By: Susannah M. Bochenek  
 1<sup>st</sup> Assistant County Attorney

SMB/fr  
 encl.

cc: FREDERICK A. WOLF, Erie County Attorney (w/out enc.)  
 THOMAS P. DeMARTINO, Sr. Executive Assistant to County Executive (w/out enc.)  
 JANICE JASKOWIAK, Division of Budget (with enclosures)

A Public Hearing was held on the foregoing Resolution Int. No. 21-1 on Thursday, December 20, 2001, due notice thereof having been published in the official newspapers of the County of Erie, and after due deliberation thereon. I JOEL A. GIAMBRA, County Executive of Erie County, do hereby APPROVE and SIGN said Resolution this 20<sup>th</sup> day of December, 2001.

JOEL A. GIAMBRA

FROM THE CLERK OF THE LEGISLATURE

Item 84 – (Comm. 1D-15) Agenda Items Received & Filed as of 12/31/01.

RECEIVED, FILED & PRINTED.

January 4, 2002

**MEETING NO. 1**  
**January 8, 2002**

**ERIE COUNTY LEGISLATURE**

---

To: Erie County Legislators & Staff

From: Laurie A. Manzella, Clerk

**Subject: AGENDA ITEMS RECEIVED & FILED AS OF 12/31/01**

In accordance with Rule No. 35 of the Erie County Legislature's Rules of Order, please be advised that the attached list represents all items (local laws, resolutions, departmental and miscellaneous communications) that have been removed from the Agenda of the Legislature (including committee agendas) as of December 31, 2001.

All of the items on the list were clocked-in on or before December 31, 2000. Items clocked-in on or after January 1, 2001, remain on the Legislature's Agenda.

If you have any questions, please contact me at 858-8377.

ATTACHMENT – 1

c: Erie County Elected Officials (*with Attachment*)  
Erie County Department Heads (*with Attachment*)  
Other Interested Parties (*with Attachment*)

| SUBMITTER   | DATE OF<br>CLOCK-IN | LEG ID # | DESCRIPTION   | COMMITTEE<br>ASSIGNMENT | PAGE<br>REF | COMM<br>ACTION | LEGISLATIVE ACTION |          |      |
|---|---------------------|----------|---|-------------------------|-------------|----------------|--------------------|----------|------|
|   |                     |          |   |                         |             |                | FIN ACT            | DATE     | PAGE |
| COUNTY EXECUTIVE  | 01/18/00            | 2 E-35   | ECSD No.1 - Overflow<br>Retention Facility -<br>Contract No.1A Contract<br>Close-Out Kenaidan<br>Construction Corporation                                       | ENERGY &<br>ENVIRONMENT |             | TAB            | R&F                | 12/31/01 |      |
| AMERICAN CANCER SOCIETY<br>AMERICAN HEART<br>ASSOCIATION AND OTHERS               | 01/07/00            | 2 M-2    | Urging Erie County to Use<br>Tobacco Settlement<br>Revenue to Develop a<br>Comprehensive Tobacco<br>Prevention & Control<br>Program                             | FINANCE &<br>MANAGEMENT |             | TAB            | R&F                | 12/31/01 |      |
| AMERICAN CANCER SOCIETY   | 01/07/00            | 2 M-3    | Letter to Chairman<br>Swanick Re: Meeting Held<br>12/15/99 to Discuss<br>Funding for Tobacco<br>Control   | FINANCE &<br>MANAGEMENT |             | TAB            | R&F                | 12/31/01 |      |
| SWANICK, PEOPLES, KUWIK,<br>FITZPATRICK, HOLT, FISHER<br>DUSZA, MARINELLI & PAULY | 07/05/00            | LL 2-3   | A LL to Repeal LL No.4-90<br>in Rel to Imposition of a<br>Tax on Deeds in EC, "Erie<br>Referred To as the "Erie<br>County Transportation<br>Assistance Tax Law" |                         |             | TAB            | R&F                | 12/31/01 |      |
| RANZENHOFER, GREENAN,<br>WEINSTEIN, CHASE<br>MARSHALL & LARSON                    | 01/27/00            | INT 3-4  | Appointments of the<br>Legislature  | PERSONNEL<br>AD HOC     |             | TAB            | R&F                | 12/31/01 |      |
| SWANICK, PEOPLES, FISHER,<br>DEBENEDETTI, FITZPATRICK,<br>KUWIK, DUSZA & OLMA     | 02/15/00            | INT 4-10 | AS AMENDED<br>In Support of County<br>Option to Withhold Social<br>Services Rent Payments<br>From Property Tax<br>Delinquent Landlords                          | SOCIAL<br>SERVICES      |             | TAB            | R&F                | 12/31/01 |      |

ITEMS RECEIVED AND FILED AS OF 12/31/01

PAGE 1

MEETING NO. 1  
January 8, 2002

ERIE COUNTY LEGISLATURE

ITEMS RECEIVED AND FILED AS OF 12/31/01

PAGE 2

| SUBMITTER  | DATE OF<br>CLOCK-IN | LEG ID # | DESCRIPTION   | COMMITTEE<br>ASSIGNMENT | PAGE<br>REF | COMM<br>ACTION | LEGISLATIVE ACTION |          |      |
|--|---------------------|----------|---|-------------------------|-------------|----------------|--------------------|----------|------|
|  |                     |          |   |                         |             |                | FIN ACT            | DATE     | PAGE |
| UB INSTITUTE FOR LOCAL<br>GOVERNANCE & REGIONAL<br>GROWTH                        | 03/02/00            | 5 M-13   | Regional Economic<br>Development Database<br>Action Plan  | REGIONALISM<br>AD HOC   |             | TAB            | R&F                | 12/31/01 |      |
| FITZPATRICK  | 02/29/00            | INT 5-13 | Seeking Information on<br>Dunn Tire Park  | REGIONALISM<br>AD HOC   |             | TAB            | R&F                | 12/31/01 |      |
| WEINSTEIN  | 02/29/00            | INT 5-16 | Preserving Our County's<br>Historic Residences  | FINANCE &<br>MANAGEMENT |             | TAB            | R&F                | 12/31/01 |      |
| WEINSTEIN  | 03/13/00            | 6 E-5    | Updated Proposal for<br>Fiscal Governing Reform<br>of ECMC  | HEALTH                  |             | TAB            | R&F                | 12/31/01 |      |
| SWANICK, PEOPLES, KUIK,<br>HOLT, FISHER, DEBENEDETTI<br>DUSZA, MARINELLI & PAULY | 03/21/00            | 6 E-7    | A Blueprint for 21st<br>Century Economic Growth &<br>Tax Reform in Erie County                            | FINANCE &<br>MANAGEMENT |             | TAB            | R&F                | 12/31/01 |      |
| SWANICK, PEOPLES, KUIK,<br>FITZPATRICK, HOLT, FISHER<br>DEBENEDETTI, DUSZA,      | 03/20/00            | INT 6-6  | Establishment of "Erie<br>County Regional Incentive<br>Fund"<br>ADDITIONAL SPONSORS:<br>MARINELLI & PAULY |                         |             |                | R&F                | 12/31/01 |      |
| SWANICK, PEOPLES, KUIK,<br>HOLT, FISHER, DEBENEDETTI<br>DUSZA, MARINELLI & PAULY | 03/20/00            | INT 6-7  | Sales Tax Exemption on<br>Clothing  |                         |             |                | R&F                | 12/31/01 |      |
| PEOPLES<br>ET AL   | 03/21/00            | INT 6-17 | Policy and Procedures of<br>Erie County Child<br>Protective Services                                      | SOCIAL<br>SERVICES      |             | TAB            | R&F                | 12/31/01 |      |

ITEMS RECEIVED AND FILED AS OF 12/31/01

| SUBMITTER          | DATE OF CLOCK-IN | LEG ID # | DESCRIPTION  | COMMITTEE ASSIGNMENT | PAGE REF | COMM ACTION | LEGISLATIVE ACTION |          |      |
|--------------------|------------------|----------|--|----------------------|----------|-------------|--------------------|----------|------|
|                    |                  |          |  |                      |          |             | FIN ACT            | DATE     | PAGE |
| TOWN OF EDEN       | 03/27/00         | 7 M-2    | Certified Copy of Resolution Re: Repealing Article 6 of Section 626 of NYS Real Property Tax Law                         | FINANCE & MANAGEMENT |          | TAB         | R&F                | 12/31/01 |      |
| PAULY              | 03/24/00         | INT 7-1  | Incentive Based Revenue Sharing  | REGIONALISM AD HOC   |          | TAB         | R&F                | 12/31/01 |      |
| DEP                | 04/05/00         | 8 D-8    | SEQR Solicitation for Lead Agency Status Type I Action New Buffalo Convention Center                                     | ENERGY & ENVIRONMENT |          | TAB         | R&F                | 12/31/01 |      |
| PEOPLES AS AMENDED | 04/13/00         | INT 8-7  | ECMC Emergency Room Plan to Accomodate Increased Admissions Prior to Trauma Season                                       | HEALTH               |          | TAB         | R&F                | 12/31/01 |      |
| TOWN OF COLDEN     | 05/17/00         | 10 M-11  | Certified Resolution Re: Eliminating the Practice of Deducting Taxes from Franchise Fee Checks Payable to Municipalities | FINANCE & MANAGEMENT |          | TAB         | R&F                | 12/31/01 |      |
| DONALD T WILLIAMS  | 06/05/00         | 12 M-9   | Copy of Letter to Legislator Fisher Re: State Medicaid Regulations on Personal Care Services for Home Care Recipients    | HEALTH               |          | TAB         | R&F                | 12/31/01 |      |

MEETING NO. 1  
January 8, 2002

ERIE COUNTY LEGISLATURE

ITEMS RECEIVED AND FILED AS OF 12/31/01

| SUBMITTER                            | DATE OF<br>CLOCK-IN | LEG ID #  | DESCRIPTION   | COMMITTEE<br>ASSIGNMENT | PAGE<br>REF | COMM<br>ACTION | LEGISLATIVE ACTION |      |      |
|--------------------------------------|---------------------|-----------|---|-------------------------|-------------|----------------|--------------------|------|------|
|                                      |                     |           |   |                         |             |                | FIN ACT            | DATE | PAGE |
| BUFFALO SEWER AUTHORITY              | 06/14/00            | 14 M-12   | Letter Re: Buffalo Sewer Authority/Erie County Southtowns Study   | REGIONALISM<br>AD HOC   | TAB         | R&F            | 12/31/01           |      |      |
| EC PRESERVATION BOARD                | 06/19/00            | 14 M-16   | Copy of Letter to Legislator Swanick Supporting Resolution Titled "Preserving Our County's Historic Residences" | FINANCE &<br>MANAGEMENT | TAB         | R&F            | 12/31/01           |      |      |
| FISHER                               |                     |           |   |                         |             |                |                    |      |      |
| SWANICK, PEOPLES,<br>MARSHALL, ET AL | 07/11/00            | INT 16-10 | Lancaster-Alden Agricultural District (No.16) Alden Agricultural District (No.7) 8 Year Review                  |                         |             | R&F            | 12/31/01           |      |      |
| DEBENEDETTI & PEOPLES                | 07/13/00            | INT 16-15 | Establishment of Stakeholders Committee for New York Power Authority Relicensing                                | ENERGY &<br>ENVIRONMENT | TAB         | R&F            | 12/31/01           |      |      |
| PAULY                                | 08/17/00            | 18 E-19   | Copy of Letter to Legislator Fisher Requesting Pesticide Notification Discussion at Health Committee Meeting    | HEALTH                  | TAB         | R&F            | 12/31/01           |      |      |
| NEW YORK STATE ATTORNEY<br>GENERAL   | 07/12/00            | 18 M-1    | Environmental Protection Bureau - Report: Pesticide Use by County Governments: Reducing the Risk                | HEALTH                  | TAB         | R&F            | 12/31/01           |      |      |

MEETING NO. 1  
January 8, 2002

ERIE COUNTY LEGISLATURE

| SUBMITTER   | DATE OF CLOCK-IN | LEG ID # | DESCRIPTION   | COMMITTEE ASSIGNMENT | PAGE REF | COMM ACTION | LEGISLATIVE ACTION |          |      |
|---|------------------|----------|---|----------------------|----------|-------------|--------------------|----------|------|
|   |                  |          |   |                      |          |             | FIN ACT            | DATE     | PAGE |
| ERIE COUNTY PRESERVATION BOARD                      | 07/21/00         | 18 M-9   | Copy of Letter to Chairman Swanick Re: Legislature Resolution "Preserving Our County's Historic Residences" | FINANCE & MANAGEMENT |          | TAB         | R&F                | 12/31/01 | 5    |
| 155TH NY VOLUNTEER INFANTRY REENACTMENT REGIMENT    | 07/26/00         | 18 M-12  | Copy of Letter to Legislator Marinelli Re: Status Report on Memorial  | COMMUNITY ENRICHMENT |          | TAB         | R&F                | 12/31/01 |      |
| ERIE COUNTY FARM BUREAU                             | 08/31/00         | 18 M-37  | Letter to Chairman Swanick Re: Pesticide Notification   | HEALTH               |          | TAB         | R&F                | 12/31/01 |      |
| INDEPENDENT LIVING CENTER                           | 08/31/00         | 18 M-39  | Letter to Legislator Fisher Re: Driving Services for Disabled   | HEALTH               |          | TAB         | R&F                | 12/31/01 |      |
| UB INSTITUTE FOR LOCAL GOVERNANCE & REGIONAL GROWTH | 09/01/00         | 18 M-40  | WNY Regional Economic Development Database (Pilot Project) Findings, Deliverables & Recommendations         | REGIONALISM AD HOC   |          | COM         | R&F                | 12/31/01 |      |
| FUNK LAWN CARE                                      | 09/07/00         | 19 M-2   | Copy of Letter to Legislator DeBenedetti Opposing Bill S.8233 - Pesticide 48 Hour Pre-Notification          | HEALTH               |          | TAB         | R&F                | 12/31/01 |      |
| GREENAN   | 09/19/00         | INT 19-1 | Control Over Speed Limits on County Highways  | PUBLIC SAFETY        |          | TAB         | R&F                | 12/31/01 |      |



MEETING NO. 1  
January 8, 2002

ERIE COUNTY LEGISLATURE

| ITEMS RECEIVED AND FILED AS OF 12/31/01  |                     |          |  |                         |             |                |                    |          |      |
|--|---------------------|----------|--|-------------------------|-------------|----------------|--------------------|----------|------|
| SUBMITTER  | DATE OF<br>CLOCK-IN | LEG ID # | DESCRIPTION  | COMMITTEE<br>ASSIGNMENT | PAGE<br>REF | COMM<br>ACTION | LEGISLATIVE ACTION |          |      |
|  |                     |          |  |                         |             |                | FIN ACT            | DATE     | PAGE |
| SWANICK, PEOPLES, KUIK,<br>FITZPATRICK, HOLT, FISHER<br>DUSZA, MARINELLI & PAULY | 10/27/00            | INT 22-3 | Developing Pilot Proposal<br>for Sales Tax Exemption<br>for Automobile Purchases<br>or Leases            | FINANCE &<br>MANAGEMENT | TAB         | R&F            | R&F                | 12/31/01 |      |
|  |                     | LL 8-1   |  |                         |             |                | R&F                | 12/31/01 |      |
| COUNTY EXECUTIVE   | 11/28/00            | 26 E-41  | ECSD No.2 - West Pleasant<br>Pumping Station Elimina-<br>tion Bid Opening                                | ENERGY &<br>ENVIRONMENT | TAB         | R&F            | R&F                | 12/31/01 |      |
| COUNTY EXECUTIVE   | 11/28/00            | 26 E-47  | ECSD No.5 - Farmington<br>Woods - Hidden Oaks<br>Subtrunk Sanitary Sewer<br>Extention Bid Opening        | ENERGY &<br>ENVIRONMENT | TAB         | R&F            | R&F                | 12/31/01 |      |
| TOWN OF NEWSTEAD   | 11/01/00            | 26 M-11  | Copy of Letter to NYS<br>Thruway Authority Re:<br>Williamsville Toll<br>Barrier                          | GOVERNMENT<br>AFFAIRS   | TAB         | R&F            | R&F                | 12/31/01 |      |
| VILLAGE OF SLOAN   | 11/01/00            | 26 M-13  | Funding Request for Sewer<br>Problem   | FINANCE &<br>MANAGEMENT | TAB         | R&F            | R&F                | 12/31/01 |      |
| BOYS & GIRLS CLUBS OF<br>BUFFALO   | 11/02/00            | 26 M-15  | Program Model for<br>Youth Detention Center  | SOCIAL<br>SERVICES      | TAB         | R&F            | R&F                | 12/31/01 |      |
| BUFFALO & ERIE COUNTY<br>WORKFORCE INVESTMENT<br>BOARD                           | 11/10/00            | 26 M-27  | Agreement Between Chief<br>Elected Officials &<br>Buffalo & Erie County<br>Workforce Investment<br>Board | COMMUNITY<br>ENRICHMENT | TAB         | R&F            | R&F                | 12/31/01 |      |

MEETING NO. 1  
January 8, 2002

ERIE COUNTY LEGISLATURE

| SUBMITTER   | DATE OF<br>CLOCK-IN | LEG ID # | DESCRIPTION  | COMMITTEE<br>ASSIGNMENT | PAGE<br>REF | COMM<br>ACTION | LEGISLATIVE ACTION |          |      |
|---|---------------------|----------|--|-------------------------|-------------|----------------|--------------------|----------|------|
|   |                     |          |  |                         |             |                | FIN ACT            | DATE     | PAGE |
| ASSOCIATION OF ERIE<br>COUNTY GOVERNMENTS                       | 11/27/00            | 26 M-51  | Certified Resolution Re:<br>Budgetary Support<br>Implementation of Master<br>Plans                                     | REGIONALISM<br>AD HOC   |             | TAB            | R&F                | 12/31/01 |      |
| CHASE, MARSHALL,<br>WEINSTEIN, RANZENHOFER,<br>GREENAN & LARSON | 11/20/00            | INT 26-4 | Requesting Support for<br>the Smartdrive Program   | PUBLIC<br>SAFETY        |             | TAB            | R&F                | 12/31/01 |      |
| TOWN OF WEST SENECA   | 11/30/00            | 27 M-2   | Letter Opposing County<br>Executive's Proposal for<br>County Take-Over of Tax<br>Collections                           | REGIONALISM<br>AD HOC   |             | TAB            | R&F                | 12/31/01 |      |
| GREENAN   |                     |          |  |                         |             |                | R&F                | 12/31/01 |      |
| COUNTY EXECUTIVE  | 12/12/00            | 28 E-21  | ECSD No.6 - Filter Press<br>Steel Frame Installation<br>- Bid Opening  | ENERGY &<br>ENVIRONMENT |             | TAB            | R&F                | 12/31/01 |      |
| TOWN OF CHEEKTOWAGA   | 12/05/00            | 28 M-1   | Copy of Letter to<br>Legislator Dusza<br>Opposing County<br>Executive's Proposal for<br>Takeover of Tax<br>Collections | REGIONALISM<br>AD HOC   |             | TAB            | R&F                | 12/31/01 |      |

ITEMS RECEIVED AND FILED AS OF 12/31/01

PAGE 8

**COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES**

**FROM THE NAACP**

Item 85 – (Comm. 1M-1) Copy of Letter to Chairman Swanick Re: Recent Appointment to NFTA Board of Directors.

Received and filed.

**FROM THE BLACK LEADERSHIP FORUM**

Item 86 – (Comm. 1M-2) Copy of Letter to Chairman Swanick Re: Recent Appointment to NFTA Board of Directors.

Received and filed.

**FROM COUNCILMEMBERS ANTOINE THOMPSON & CHARLEY FISHER III**

Item 87 – (Comm. 1M-3) Letter to Chairman Swanick Re: Request of EC to Share a Portion of 8<sup>th</sup> Penny of Sales Tax.

Received and filed.

**FROM THE EC MENTAL HYGIENE COMMUNITY SERVICES BOARD**

Item 88 – (Comm. 1M-4) Notice of Meeting Held 12/20/01.

Received and filed.

**FROM NYSDEC**

Item 89 – (Comm. 1M-5) Fact Sheet – Upcoming Brownfields Site Investigation 237 Kensington Avenue – Trinidad Park.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

**FROM THE EC BOARD OF HEALTH**

Item 90 – (Comm. 1M-6) Notice of Meeting to be Held 1/17/02.

Received and filed.

**MEETING NO. 1**  
**January 8, 2002**

**ERIE COUNTY LEGISLATURE**

**FROM THE NYS FISH & WILDLIFE MANAGEMENT BOARD**

Item 91 – (Comm. 1M-7) Minutes of Meeting Held 12/6/01.

Received and filed.

**FROM MAYOR MASIELLO**

Item 92 – (Comm. 1M-8) Letter to Chairman Swanick Re: Recommendation that Sharon Thomas be Reappointed to Buffalo & Erie County Public Library Board of Trustees.

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

**FROM THE TOWN OF GRAND ISLAND**

Item 93 – (Comm. 1M-9) Town Board Approval of Lease for Legislative Office Space for Chairman Swanick.

Received and filed.

**FROM THE WEST VALLEY CITIZEN TASK FORCE**

Item 94 – (Comm. 1M-10) Notice of Meeting to be Held 1/8/02.

Received and filed.

**FROM SQUEAKY WHEEL**

Item 95 – (Comm. 1M-11) Letter to Clerk of Legislature Re: Final Report for Cultural Funding for Year 2001.

Received and filed.

**FROM THE NFTA**

Item 96 – (Comm. 1M-12) Letter to Clerk of Legislature Re: Metro Cash Flow Statements.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

**FROM THE NYS DEPARTMENT OF AGRICULTURE & MARKETS**

**MEETING NO. 1**  
**January 8, 2002**

**ERIE COUNTY LEGISLATURE**

Item 97 – (Comm. 1M-13) Letter to Clerk of Legislature Re: Review of EC Agricultural District No. 11.

Received and filed.

**MEMORIAL RESOLUTIONS**

None.

**ADJOURNMENT**

Item 98 – At this time, there being no further business to transact, the Chairman announced that the Chair would entertain a Motion to Adjourn.

MR. GREENAN moved that the Legislature adjourn until 2 p.m. Thursday, January 24, 2002. MR. SWANICK seconded.

CARRIED UNANIMOUSLY.

The Chairman declared the Legislature adjourned until Thursday, January 24, 2002 at 2 p.m. Eastern Standard Time.

**LAURIE A. MANZELLA**  
**CLERK**