

ERIE COUNTY LEGISLATURE  
MEETING No. 7  
April 10, 1997

The Legislature was called to order by the Chairman SWANICK.

All Members Present.

The Invocation was delivered by Ms. Ollie Jones, Saint Lukes A.M.E. Church, Buffalo, New York.

The Pledge of Allegance was led by Ms. Marinelli.

The Minutes of the previous meeting were APPROVED.

MISCELLANEOUS RESOLUTIONS

ITEM 1 - Ms. MARINELLI & Mrs. FISHER presented a Memorial Resolution in Honor of the Late Agustine Olivencia, Sr. Mr. MARSHALL seconded.

CARRIED UNANIMOUSLY.

ITEM 2 - Ms. CHASE presented a resolution of congratulations Recognizing the week of May 4<sup>th</sup> - May 10<sup>th</sup> as Municipal Clerks Week. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

ITEM 3 - Mr. LARSON presented a resolution of congratulations to Benny & Phil Papili on their 50<sup>th</sup> Anniversary. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

ITEM 4 - Mr. LARSON presented a resolution of congratulations to Alden Town Judge Evelyn Sivecz on her Retirement. Ms. PEOPLES Seconded.

CARRIED UNANIMOUSLY.

ITEM 5 - Ms. COHEN KENNEDY presented a resolution of congratulations in Recognition of Jessie Van Tine on her One-Hundredth Birthday. Ms. PEOPLES Seconded.

CARRIED UNANIMOUSLY.

RECESS:

ITEM 6 - Chairman SWANICK directed that the Legislature recess.

The Legislature recessed at 2:20 P.M.

The Legislature reconvened at 2:40 P.M.

LOCAL LAWS:

ITEM 7 - Ms. PEOPLES moved to take Local Law Intro. No. 3 - (Print #1) 1997 from the table for immediate consideration. Mr. LARSON seconded.

CARRIED UNANIMOUSLY.

LL INT. 3-1 DEBENEDETTI, DUSZA, KUWIK            UNTITLED  
             FISHER, MARINELLI, COHEN  
             KENNEDY, FITZPATRICK, OLMA,  
             PEOPLES, SWANICK, PAULY

Ms. PEOPLES moved to RECEIVE & FILE. Mr. LARSON seconded.

CARRIED UNANIMOUSLY.

ITEM 8 - Ms. PEOPLES moved to take Local Law Intro. No 4 (Print #1) 1997 from the table for immediate consideration. Mr. MARSHALL seconded.

CARRIED UNANIMOUSLY.

COUNTY OF ERIE  
INTRO. NO 4 -1997  
PRINT #1

A LOCAL LAW in relation to increase of veteran's real property tax exemptions pursuant to section 458-a of the real property tax law.

THE ERIE COUNTY LEGISLATURE ENACTS AS FOLLOWS:

SECTION 1. Pursuant to paragraph (d) (ii) of subdivision two of section four hundred Fifty-eight-a of the real property tax law, as amended by chapter four hundred seventy-seven of the laws of nineteen hundred ninety-six, the maximum exemption from taxation of qualified real property under real property tax exemption allowable to qualified veterans in Erie County under paragraphs (a), (b) and (c) of subdivision two of section four hundred fifty-eight-a of the real property tax law shall be: with respect to paragraph (a) of said subdivision, fifteen thousand dollars; with respect to paragraph (b) of said subdivision, ten thousand dollars: and with respect to paragraph (c) of said subdivision, sixty thousand dollars.

SECTION 2. This local law shall take effect immediately.

CHARLES M. SWANICK	CRYSTAL D. PEOPLES
EDWARD J. KUWIK	MICHAEL A. FITZPATRICK
GEORGE A. HOLT	JUDITH P. FISHER
GREGORY B. OLMA	ALBERT DEBENEDETTI
RAYMOND K. DUSZA	LYNN M. MARINELLI
RANDI COHEN KENNEDY	

Ms. PEOPLES moved the adoption. Mr. MARSHALL seconded.

Chairman SWANICK directed that a Roll Call be taken.

Ayes - Chase, Greenan, Larson, Marshall, Pauly, Ranzenhofer, DeBenedetti, Dusza, Fisher, Fitzpatrick, Holt, Cohen Kennedy, Kuwik, Marinelli, Olma, Peoples, Swanick - 17. Noes - 0.

CARRIED UNANIMOUSLY.

COMMITTEE REPORTS:

ITEM 9 - Mr. Olma presented the following and moved for immediate consideration. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 149

APRIL 7, 1997

ENERGY AND ENVIRONMENT  
COMMITTEE  
REPORT NO. 4

ALL MEMBERS PRESENT.

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

Item Page -1996 (Comm. 29E-18)  
a. **COUNTY EXECUTIVE**: Woodlawn Beach Legislature Resolution Int.  
8-7.  
(4-0) Legislator Marshall absent.

Item Page -1997 (Comm. 4D-4)  
b. **DEP**: SEQR - Negative Declaration - Proposed Sprint Spectrum  
Telecommunication Tower at ECC North Campus.  
(4-0) Legislator Marshall absent.

Item Page -1997 (Comm. 4M-7)  
c. **NYSDEC**: Notice of Meeting to be Held 2/25/97 and Fact Sheet  
Re: Ernst Steel Site.  
(4-0) Legislator Marshall absent.

Item Page -1997 (Comm. 4M-8)  
d. **NYSDEC**: Niagara Mohawk Power Public Comment Period for Site  
Contamination.  
(4-0) Legislator Marshall absent.

Item Page -1997 (Comm. 4M-13)  
e. **ERIE COUNTY ENVIRONMENTAL MANAGEMENT COUNCIL**: Notice of  
Meeting Held 2/18 & Minutes of Meeting Held 1/21/97.  
(4-0) Legislator Marshall absent.

- Item Page -1997 (Comm. 4M-16)  
f. NYSDEC: Meeting Notice & Fact Sheet.  
(4-0) Legislator Marshall absent.
- Item Page -1997 (Comm. 5E-22)  
g. COUNTY EXECUTIVE: 1997-98 Emergency Shelter Grant Program  
Contracts.  
(4-0) Legislator Marshall absent.
- Item Page -1997 (Comm. 5M-5)  
h. NYSDEC: Water Week 5/4/97-5/10/97.  
(4-0) Legislator Marshall absent.
- Item Page -1997 (Comm. 5M-6)  
i. NYSDEC: Notice of Meeting to be Held 3/11/97 Re: Tennessee  
Gas Pipeline Compressor Station.  
(4-0) Legislator Marshall absent.
- Item Page -1997 (Comm. 5M-8)  
j. NYSDEC: Notice of Meeting to be Held 3/10/97 Re: Vibratex  
Inc. Site.  
(4-0) Legislator Marshall absent.
- Item Page -1997 (Comm. 5M-10)  
k. NYSDEC: Fact Sheet Wegman's Food Market: Voluntary Cleanup  
Agreement.  
(4-0) Legislator Marshall absent.
- Item Page -1997 (Comm. 5M-11)  
l. NYSDEC: Notice of Meeting to be Held 3/12/97 Re: FMC Chemical  
Division.  
(4-0) Legislator Marshall absent.
- Item Page -1997 (Comm. 5M-15)  
m. US COAST GUARD: Notice of Proposed Seasonal Bridge Over  
Irondequoit Bay Outlet in Monroe County.  
(4-0) Legislator Marshall absent.
- Item Page -1997 (Comm. 6E-29)  
n. COUNTY EXECUTIVE: ECSD No. 3 - Aquatech Association Corp.  
Contract "A" Change Order No. 1.  
(4-0) Legislator Marshall absent.

Item Page -1997 (Comm. 6M-4)  
o. ERIE COUNTY ENVIRONMENTAL MANAGEMENT COUNCIL: Notice of  
Meeting 3/18/97 & Minutes of Meeting 2/18/97.  
(4-0) Legislator Marshall absent.

Item Page -1997 (Comm. 6M-6)  
p. CITIZENS TASK FORCE: Notice of Meeting Held 3/18/97.  
(4-0) Legislator Marshall absent.

Item Page -1997 (Comm. 6M-8)  
q. CITIZENS TASK FORCE: Revised Notice of Meeting Held 3/18/97.  
(4-0) Legislator Marshall absent.

Item Page -1997 (Comm. 6M-13)  
r. CHEEKTOWAGA TOWN BOARD: Certified Copy of Resolution Re:  
Demolition and Removal of Property in the City of Buffalo.  
(4-0) Legislator Marshall absent.

Item Page -1997 OPEN ITEM  
(Comm. 2E-9)  
2. COUNTY EXECUTIVE:  
A RESOLUTION APPROVING (1) AN INCREASE AND IMPROVEMENT OF THE  
FACILITIES FOR ERIE COUNTY SEWER DISTRICT NO. 5 IN THE COUNTY OF  
ERIE, NEW YORK AND (2) AN APPLICATION TO THE STATE COMPTROLLER FOR  
CONSENT FOR EXPENDITURE OF FUNDS FOR SAID INCREASE AND IMPROVEMENT  
OF FACILITIES.

(Introduced) January 23, 1997  
(Adopted) April 10, 1997

WHEREAS, the County Legislature of the County of Erie, New York, has heretofore duly caused to be prepared a map, plan, report and estimate of cost by the County Engineers (Erie County Department of Environment and Planning) which map, plan, report and estimate of cost has been approved by the Board of Managers of Erie County Sewer District No. 5 on February 11, 1997 and filed with the County Legislature pursuant to Section 268 of the County Law, and

WHEREAS, said map, plan, report and estimate of cost describe a proposed increase and improvement of the facilities of Erie County Sewer District No. 5 in said County, consisting of the construction of a new gravity sewer and related improvements to provide a connection to the Amherst Pumping Station, construction of a new gravity sewer on Bridlewood Drive and Hidden Oaks Drive, construction of new sewer connections for Transit Road crossings, and related facilities, all as more fully described in the map, plan, report and estimate of cost herein referred to, and

WHEREAS, the maximum estimated cost of the aforesaid increase and improvement of the facilities of said Sewer District is \$2,800,000, and

WHEREAS, said County Legislature duly adopted Resolution No. 122 on the 6th day of March, 1997, calling a meeting of the County Legislature for the purpose of holding a public hearing on the aforesaid increase and improvement of facilities in accordance with the aforesaid map, plan, report and estimate of cost, and

WHEREAS, such Resolution authorizes and directs the preparation by the Department of Environment and Planning of an Application to the State Comptroller for his consent to the total expenditure for such increase and improvement, such Application to be executed and verified by and on behalf of the County by the County Executive, and

WHEREAS, said public hearing was duly held at 25 Delaware Avenue, Buffalo, New York, in said County, on the 10th day of April, 1997, at 1:00 o'clock P.M., Prevailing Time, and

WHEREAS, notice of said public hearing was duly published in the manner provided by law and proof thereof was submitted to said County Legislature, and

WHEREAS, said County Legislature has duly considered the evidence given at such public hearing, and

WHEREAS, said County Legislature has reviewed said Application, as prepared by the Department of Environment and Planning, and

WHEREAS, the aforesaid increase and improvement has been determined to be a "TYPE I" pursuant to the Regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, the implementation of which as proposed will not result in any significant environmental impacts;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY LEGISLATURE OF THE COUNTY OF ERIE, NEW YORK, AS FOLLOWS:

Section 1. Upon the evidence given at the aforesaid public hearing, it is hereby found and determined that it is in the public interest to increase and improve the facilities of Erie County Sewer District No. 5 in the County of Erie, New York, all as more fully described in the preambles hereof, and such increase and improvement of facilities is hereby authorized at a maximum estimated cost of \$2,800,000.

Section 2. Said Application to the State Comptroller was prepared at the direction of said County Legislature;

Section 3. Said County Legislature believes the contents of the Application to be accurate.

Section 4. Said County Legislature has determined that the expenditure for which consent is sought is in the public interest and will not constitute an undue burden on the property which will bear the cost thereof.

Section 5. The \$2,800,000 estimated cost of the expenditure, to be apportioned among real properties in the District in accordance with (i) their respective proportionate shares of sewered unites in the District, (ii) applicable flat charges, and (iii) assessments against a benefited area which consists of the entire area of said Sewer District No. 5, and all such real property to be so assessed will be benefited by the proposed improvements and no benefited property has been excluded.

Section 6. Said Application is hereby directed to be forwarded by the County Executive to the State Comptroller to obtain his consent to the total expenditure authorized herein, and such expenditure shall not be made or contract let for the purposes authorized herein until such consent has been obtained.

Section 7. This resolution shall take effect immediately.  
(4-0) Legislator Marshall absent.



Item            Page                            -1997                            (Comm. 6E-17)  
3.    **COUNTY EXECUTIVE:**

RESOLVED, that the County Executive is hereby authorized to enter into a contract with the Housing Opportunities Made Equal, a private, not-for-profit corporation, for the provision of comprehensive fair housing services in conjunction with the Erie County Consortium Community Development Block Grant Program, and be it further

RESOLVED, that the amount of the contract shall not exceed \$46,750 for the 1997/98 and 1998/99 Erie County Consortium Community Development Program years, and be it further

RESOLVED, that said contract authorization is contingent on the Erie County Community Development Block Grant consortium receiving federal funds for said program years, and be it further

RESOLVED, that the request for proposal provisions of Section 19.08 of the Erie County Administrative Code were complied with and are summarized in Attachment A to this resolution, and be it further

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

(4-0) Legislator Marshall absent.

Item            Page                            -1997                            (Comm. 6E-26)  
4.    **COUNTY EXECUTIVE:**

WHEREAS, the termination of a 15 foot wide easement centered on a force main located at 5646 Camp Road has been requested by Roger and Susan M. Duffett, the current property owners; and

WHEREAS, the Department of Environment and Planning recommends the release of the easement due to the elimination of the Camp Road Pumping Station and subsequent abandonment of its force main; and

WHEREAS, the release of the easement will have no negative affect on the ability of Erie County Sewer District No. 3 personnel to operate and maintain the District's sanitary sewer system; and

WHEREAS, the termination of the fifteen (15) feet wide easement will bear no cost to the County; and

WHEREAS, the Advisory Review Committee has reviewed this matter and recommends the termination of this easement.

NOW, THEREFORE, BE IT

RESOLVED, that the fifteen (15) feet wide easement (Liber 9183, Page 690 of Deeds) running across the property located at 5646 Camp Road granted to Erie County on behalf of Erie County Sewer District No. 3 by Roger and Susan M. Duffett be terminated upon completion of construction to eliminate the Camp Road Pumping Station; and be it further

RESOLVED, that the County Executive be, and hereby is, authorized to sign said easement release subject to approval by the County Attorney and the Department of Environment and Planning; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send one (1) certified copy of this Resolution to Charles J. Alessi, P.E., Department of Environment and Planning and one (1) certified copy to Richard J. Schechter, Assistant County Attorney.  
(4-0) Legislator Marshall absent.

Item	Page	-1997	(Comm. 6E-27)
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5. **COUNTY EXECUTIVE:**  
RESOLVED, that the individuals listed below are hereby appointed to the Erie County Development Coordination Board, and be it further

RESOLVED, that the term of said appointments shall expire on December 31, 1997, and be it further

RESOLVED, that certified copies of this resolution be forwarded to the County Executive and Commissioner of the Department of Environment and Planning:

John S. Bis  
142 Lexington  
Buffalo, New York 14222

Richard Morrison  
691 W. Ferry St.  
Buffalo, New York 14222

Kathryn A. Foster, Ph.D.  
243 Huntington Avenue  
Buffalo, New York 14214

Samuel C. Muscarella  
77 Crosby Avenue  
Kenmore, New York 14217

William F. Mathews, Jr.  
253 Breakwaters  
Buffalo, New York 14202

Paul Battaglia  
162 Washington Highway  
Snyder, New York 14226

Ronald R. Norman  
1869 East River Road  
Grand Island, New York 14072

Gordon B. Hessel  
12367 Church Rd.  
Holland, New York 14080

Sarah Pittman  
162 Paradise Road  
East Amherst, New York 14051

Manning Fogan  
147 Radcliffe Drive  
Getzville, New York 14068

Michael Pratt  
24 Hiler Ave.  
Kenmore, New York 14217

Mary Alice Tock  
8053 Back Creek Road  
Hamburg, New York 14075  
(4-0) Legislator Marshall absent.

Item	Page	-1997	(Comm. 6E-28)
6.	<b>COUNTY EXECUTIVE:</b>		

WHEREAS, it has been determined that sanitary sewer easements are needed on a site identified as SBL Nos. 126.13-4-6 and 126.13-4-7 in the Town of West Seneca; and

WHEREAS, preliminary negotiations with the owner have resulted in a tentative agreement of an offer to grant a 0.3265 acre permanent easement for parcel 126.13-4-6 and a 0.0115 acre permanent easement for parcel 126.13-4-7 to the Sewer District for a cost not to exceed \$20,000.00; and

WHEREAS, the owner of the property: Fredrick F. McCarthy, 5024 Clinton Street, West Seneca, NY 14224 has requested an expeditious approval.

NOW, THEREFORE, BE IT

RESOLVED, that the Department of Environment and Planning be authorized to obtain a 0.3265 acre permanent easement on parcel 126.13-4-6 together with a 0.0115 acre permanent easement on parcel 126.13-4-7 in the Town of West Seneca for a cost not to exceed \$20,000.00 subject to the review and approval of the County Attorney; and be it further

RESOLVED, that the County Executive be, and hereby is, authorized to execute any and all documents necessary to effectuate the obtainment of the easements, subject to approval as to Form by the County Attorney, and be it further

RESOLVED, that the sum of \$20,000.00 be allocated from Erie County Sewer District No. 1 SFG Fund 220 Project 851 Account 299, Unreserved Fund Balance to Use of Fund Balance, Fund 220 Project 851 Department 811 Account 698105 and Fund 220 Project 851 Department 810 Account 957, Easements; and be it further

RESOLVED, that certified copies of this resolution be sent to Charles J. Alessi, P.E., Deputy Commissioner of the Department of Environment and Planning, and Richard J. Schechter, Assistant County Attorney.

(4-0) Legislator Marshall absent.

Item	Page	-1997	(Comm. 6E-36)
7.	<b>COUNTY EXECUTIVE:</b>		

**WHEREAS**, The sum of \$156,644 has been set aside in Department 300 Extraordinary County Aid to Cities for the takeover of Bennett Beach by Erie County, and

**WHEREAS**, signing of all agreements is now imminent, and

**WHEREAS**, a lead time of two-three months is required to clean up the beach and create personnel lines,  
and

*WHEREAS*, distribution of the allocation to effectuate all facets of the plan has been determined as follows:

Parks - Personnel - Park Attendants	\$ 12,480
Fringe Benefits	955
Maintenance Supplies (picnic tables, grills, lumber, com- fort station, lifeguard sta- tion, demolition of bridge and house, minor lawn equipment, plumbing, electrical, various supplies)	78,000
Repairs & Maintenance	5,000
Highway Supplies (repair park- ing lot, fencing)	12,100
Recreation - Personnel - Lifeguards	39,832
Lifeguard Captain	4,394
Fringe Benefits	3,383
Recreation Supplies (uniforms, first aid kits, boat, radios etc.)	<u>500</u>
TOTAL	\$156,644

*NOW, THEREFORE BE IT*

*RESOLVED*, that funds in the amount of \$156,644 are hereby transferred from Department 300, Extraordinary County Aid to Cities, to the accounts specified:

<u>Division</u>	<u>Account Title</u>	<u>Account No.</u>	<u>Amount</u>
Parks	Personnel	800	\$ 12,480
Parks	Fringe Benefits	805	955
Parks	Maintenance Supplies	816	78,000
Parks	Highway Supplies	817	12,100
Parks	Repairs & Maintenance	823	5,000
Recreation	Personnel	800	44,226
Recreation	Fringe Benefits	805	3,383
Recreation	Clothing Supplies	811	<u>500</u>
			\$156,644

and be it further

*RESOLVED*, that upon approval of this resolution, the following positions be created:

Parks Division - 4 Park Attendants (PT)  
Recreation Division - 10 Lifeguards (PT)  
Recreation Division - 1 Lifeguard Captain (PT)

and be it further

**RESOLVED**, that certified copies of this resolution be forwarded to the Director of Budget, the Commissioner of Environment & Planning and the Commissioner of Parks, Recreation & Forestry.

(4-0) Legislator Marshall absent.

GREGORY B. OLMA  
Chairman

Mr. OLMA requested that Resolve No. 5 be separated.

GRANTED.

Mr. OLMA moved the adoption of the balance of the report.  
Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

Chairman SWANICK directed that Resolve No. 5 be sent back to ENERGY & ENVIRONMENT COMMITTEE.

LEGISLATORS RESOLUTIONS:

ITEM 10 - Mr. FITZPATRICK presented the following resolution and requested that it be referred to the ECONOMIC DEVELOPMENT COMMITTEE.

GRANTED.

Int. 7-1 From: Leg. Fitzpatrick. Re: Empowerment Zone Designation for the City of Buffalo.

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ITEM 11 - Mr. MARSHALL presented the following resolution and moved for immediate consideration. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 150 RE: Parcel of Land for Pine Grove  
Cemetery Association, Inc.  
(Int. 7-2)

WHEREAS, Pine Grove Cemetery Association, Inc. of Collins,  
New York in the County of Erie has run out of space for new  
cemetery lots, and

WHEREAS, by contract dated August 30, 1996, Daniel R.  
Gernatt Sr., of Collins, New York has agreed to sell to the Pine  
Grove Cemetery Association, Inc. approximately three acres of  
land located near the intersection of South Quaker and Gowanda  
Zoar Roads in the Town of Collins, County of Erie and State of  
New York, and

WHEREAS, it is necessary for the legislative body of the  
county in which the cemetery is located to approve any  
acquisition of lands to be used for cemetery purposes,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does consent to  
the acquisition of the following described property by the Pine  
Grove Cemetery Association, Inc., from Daniel R. Gernatt, Sr.:

ALL THAT TRACT OR PARCEL OF LAND, situated in the Town  
of Collins, County of Erie and State of New York, being  
part of Lot 24, Township 6 and Range 8 of the Holland  
Land Company's Survey, bounded and described as  
follows:

BEGINNING at a point in the east bounds of Lot 24, also being the center of South Quaker Road at a distance of 65.0 feet south of the intersection of the former center of Gowanda Zoar Road with the said east bounds of Lot 24 and center of South Quaker Road; thence southerly along the east bounds of Lot 24 and the center of South Quaker Road a distance of 295.60 feet to a point; thence west turning an interior angle of 90 degrees 00' a distance of 515.26 feet to a point on the east bounds of Samuel T. Munger as recorded in Liber 163 of Deeds at Page 632; thence northerly turning an interior angle of 90 degrees 00' along the east bounds of said Munger and parallel to the east bounds of Lot 24 a distance of 143.64 feet to the southwest corner of Albert M. and Evelyn Nash, as recorded in Liber 8122 of Deeds at Page 169 and formerly being the southwest corner of John F. and Edith Oliver as recorded in Liber 1674 of Deeds at Page 601; thence southeasterly turning an interior angle of 79 degrees 23' 15" and parallel to the center of Gowanda Zoar Road a distance of 82.5 feet to a point; thence northerly turning an exterior angle of 79 degrees 23' 15" and parallel to the east bounds of Lot 24 a distance of 63.5 feet to a point; thence southeasterly turning an interior angle of 79 degrees 23' 15" parallel to the center of Gowanda Zoar Road a distance of 208.0 feet to a point; thence northerly turning an exterior angle of 79 degrees 23' 15" parallel to the east bounds of Lot 24 a distance of 250.0 feet to the center of Gowanda Zoar Road; thence southeasterly turning an interior angle of 79 degrees 23' 15" along the center of Gowanda Zoar Road a distance of 177.23 feet to a point; thence southerly turning an interior angle of 90 degrees 00' a distance of 33.0 feet to a point; thence southeasterly turning an interior angle of 231 degrees 14' 10" a distance of 56.6 feet to a point; thence easterly turning an interior angle of 229 degrees 32' 35" a distance of 24.75 feet to the point of beginning. Containing 3.0 acres more or less.

SUBJECT to any easements and rights of way on record, and be it further

RESOLVED, that a certified copy of this resolution shall be sent to the Pine Grove Cemetery Association, Inc.

FREDERICK J. MARSHALL



Mr. MARSHALL moved the adoption. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

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ITEM 12 - Mr. MARSHALL presented the following resolution and moved for immediate consideration. Mrs. FISHER seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 151 RE: Support of Child Protection  
Legislation. (7-3)

WHEREAS, the enactment of legislation to help protect our children from abuse is one of the most important functions of government, and

WHEREAS, New York State and Erie County has a long-standing commitment to ensuring the safety and well-being of our state's most vulnerable population - children, and

WHEREAS, recently enacted legislation, such as Megan's Law and Elisa's Law, have greatly enhanced the state's ability to protect children, and

WHEREAS, we should not stop in our efforts to further enact legislation and policy which will help protect children, and

WHEREAS, legislation has been introduced in the State Legislature to build upon the state's efforts to protect children, including:

- S.2726/A.4519 which would establish statutory procedures for reporting and investigating child abuse by public school employees and require a criminal history and child abuse search as a condition for teacher certification;
- S.98/no Assembly bill, which would allow the courts to deny custody or unsupervised visitation rights to a parent or other individual if they previously have been convicted of certain sex offenses. The bill would allow custody in situations where the court has determined that there is no significant risk to the child;
- S.1483/A.2257, which would require that child abuse reports recorded by medical staff, law enforcement personnel, social workers or psychologists affiliated with hospitals be immediately referred for investigation by Child Protective Services, and

WHEREAS, these bills have been approved by the State senate and remain in committee or have not yet been introduced in the State Assembly,

NOW, THEREFORE, BE IT

RESOLVED, that this Honorable Body supports the S.2726/A.4519, S.98 and S.148/A.2257 and urges the State Assembly to lend its approval tot he aforementioned legislation, and be it further

RESOLVED, that this Honorable Body urges the State Assembly to introduce and approve companion legislation to S.98, and be it further

RESOLVED, that certified copies of this resolution be forwarded to the members of the Western New York State Legislative Delegation and New York State Governor George Pataki.

Fiscal Impact: None for resolution.

JOHN W. GREENAN      DALE W. LARSON      MICHAEL H. RANZENHOFER  
JEANNE Z. CHASE      FREDERICK J. MARSHALL

Ms. PEOPLES offered an amendment as follows:

DELETE, in its entirety, the sixth WHEREAS clause.

Add, preceding the first RESOLVE clause:

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

DELETE, in their entirety, the first and second RESOLVE clauses, and REPLACE with the following:

RESOLVED, That this Honorable Body does hereby memorialize the New York State Legislature to pass, and New York Governor George Pataki to sign into law, the aforementioned legislation, and be it further

ADD the following to the RESOLVE clause:

Delegation... and New York State Governor George Pataki.

ADD the following to the third RESOLVED clause:

Fiscal Impact: None for resolution.

Ms. PEOPLES moved the adoption of the amendment. Ms. COHEN KENNEDY seconded.

CARRIED UNANIMOUSLY.

Chairman SWANICK directed that the names of Legislators Swanick, Peoples, Benedetti, Dusza, Fisher, Fitzpatrick, Holt, Cohen Kennedy, Kuwik, Marinelli and Olma be added as co-sponsors.

Mr. MARSHALL moved the adoption of the resolution as amended. Mrs. Fisher seconded.

CARRIED UNANIMOUSLY.

ITEM 13 - Mr. MARSHALL presented the following resolution and moved for immediate consideration. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 152 RE: Position Adjustment - Erie County Legislature (Int. 7-4)

RESOLVED, that the Erie County Legislature does hereby delete the position of "SEC TO MIN" {Job Group 10, Step 3 - Position # 001174}, effective May 30, 1997, for a savings of \$21,011.00, and be it further

RESOLVED, that the Erie County Legislature does hereby create a new position of "SEC TO THE MIN" {Job Group 07, Step 0} effective April 21, 1997, at a cost of \$16,563.00, and be it further

RESOLVED, that a savings of \$4,448.00 is realized as a result of this resolution, and be it further

RESOLVED, that the Clerk of the Legislature, the Budget Director, and Commissioner of Personnel are authorized to complete all paperwork necessary to effectuate these changes, and be it further

RESOLVED, that certified copies of this resolution be sent to Kenneth C. Kruly, Budget Director; Leonard Lenihan, Personnel Commissioner; and Nancy Naples, Erie County Comptroller.

FREDERICK J. MARSHALL

Mr. MARSHALL moved the adoption. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

ITEM 14 - Mr. LARSON presented the following resolution and requested that it be referred to the COMMUNITY ENRICHMENT COMMITTEE.

GRANTED.

Int. 7-5 From: Legs. Larson, Greenan, Chase, Ranzenhofer, & Marshall. Re: Theater Performances to Inspire Children

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ITEM 15 - Ms. PEOPLES presented the following resolution and moved for immediate consideration. Mr. MARSHALL seconded.

CARRIED UNANIMOUSLY.

RESOLUTION 153 RE: Support for stronger DWI Laws.  
(Int. 7-6)

WHEREAS, Drunken drivers endanger countless innocent motorists on area roads and highways every year, causing accident, injury, and sometimes even death through their irresponsible and illegal operation of a motor vehicle, and

WHEREAS, Despite commendable efforts by local law enforcement agencies and new initiatives which toughen penalties for youth who commit DWI as underage drinkers, DWI remains an ever-present problem which affects all the county's residents, and

WHEREAS, Under current New York state law, multiple DWI murders are considered one action, and therefore the drunken driver can only be sentenced to one term of incarceration, unlike other instances of multiple murders which can be sentenced as separate crimes, and therefore get an increased stay of incarceration, and

WHEREAS, The result is a system where a person convicted of multiple vehicular manslaughter may be sentenced to as little as two and one-third years in jail, and

WHEREAS, This inadequate sentencing only adds to the victims' families sense of loss, leaving them disoriented and disillusioned with the judicial process, and

WHEREAS, Coming to terms with their loss is difficult enough, without families suffering the additional injustice of a system which should, in fact, be providing some semblance of justice for them, and

WHEREAS, One case which outlines the inadequacy of the present system occurred in September, 1996 when Charles Helig, 20, and Shanda Gordon, 18, were killed in a drunken driving crash, and

WHEREAS, The drunken driver who killed them pleaded guilty to vehicular manslaughter and was sentenced to two and one-third to seven years in jail, and

WHEREAS, Sandra Gordon - Shanda's mother - called this sentence "an insult to my daughter's life," summing up the feeling of the grief, which turns to confusion and frustration, of many who have lost loved ones to DWI murders, and

WHEREAS, In response to the aforementioned case and others like it, New York State Assemblymember Paul Tokasz and New York State Senator Dale Volker have introduced New York state Bills A07030, A07031, S3849, and S3850 to increase the penalties for DWI assault, manslaughter and murder to more properly fit the crimes, and

WHEREAS, Bills A07030 and S3849 amend the New York state penal law to provide that a person commits the crime of vehicular assault in the first degree (a class D felony) when he/she negligently causes serious physical injury to another person while operating a motor vehicle while intoxicated or under the influence of drugs and either: (1) causes serious physical injury to more than one person; (2) has previously been convicted of an assault or homicide resulting from the operation of a motor vehicle; or (3) has a history of alcohol-related offenses in this or any other state or jurisdiction; and further amends the penal law to make vehicular manslaughter which meets the aforementioned criteria a class C felony, and

WHEREAS, Bills A07031 and S3850 add a new section to the state penal law to make a person guilty of the crime of aggravated vehicular assault (a class C felony) when he/she recklessly causes serious physical injury to another person by operation of a vehicle, a vessel or public vessel, snowmobile or all terrain vehicle while intoxicated or under the influence of drugs; and further adds a section to the penal law to make a person guilty of the crime of vehicular murder (a class B felony) when a death is caused under the aforementioned circumstances, and

WHEREAS, This reclassification of DWI assault, manslaughter and murder rightly strengthens the sentences for perpetrators of these crimes, for example raising the maximum sentence for vehicular manslaughter from seven to 15 years, and

WHEREAS, The strengthening of penalties in DWI cases is an effort this Honorable Body does strongly support,

NOW, THEREFORE, BE IT

RESOLVED, That the Erie County Legislature does hereby reaffirm its unwavering commitment to ensuring the safety of our community's motorists from the dangers of drunken drivers, and be it further

RESOLVED, That this Honorable Body does hereby memorialize the New York State Legislature to pass, and Governor George Pataki to sign into law the aforementioned bills as a tool to keep persistent DWI offenders off our roads, for the safety of the community at-large, in the memory of all those who have fallen victim to DWI murderers, and for the piece of mind of all those victims' families, and be it further

RESOLVED, That certified copies of this resolution be forwarded to New York State Governor George Pataki and the entire Western New York delegation of the New York State Legislature.  
**Fiscal Impact:** None for resolution.

EDWARD J. KUWIK            RAYMOND K. DUSZA  
                             RANDI COHEN KENNEDY

Chairman SWANICK directed that El al be added to the sponsorship.

Ms. PEOPLES moved the adoption of the resolution as amended.  
Mr. MARSHALL seconded.

CARRIED UNANIMOUSLY.

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ITEM 16 - Mr. KUWIK presented the following resolution and moved for immediate consideration. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 154 RE: Correction of Resolution Approved in  
1996. (Int. 7-7)

WHEREAS, the Erie County Legislature approved resolutions throughout 1996 that transfer funds to various agencies and community groups, and

WHEREAS, according to standard procedure, resolutions must specify the proper recipient for funds, and contracts must be effectuated within a designated year, and

WHEREAS, two groups receiving funding through allocations from the Legislative Contingency must be corrected to reflect the proper recipient of the funds, and

WHEREAS, additional language must also be approved by this Honorable Body extending the length of the contract year to ensure the full implementation of the contract is completed,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize the re-direction of funds approved in previous legislative resolutions as follows:

Intro. 21-11 (1996) - authorized \$700 to the City of Tonawanda Board of Education. This funding is hereby authorized to be paid to the **Lady Warriors Girls' Softball Booster Club;**

Intro. 27-2 (1996) - authorized \$5,200 to Village of Blasdell-Signs. This funding is hereby authorized to be paid **Village of Blasdell Centennial Committee;**

and be it further

RESOLVED, that this Honorable Body does hereby the extension of the aforementioned contracts until September 30, 1997 so that the agencies have the ability to carry out their particular mission as specified within their contract, and be it further

RESOLVED, that certified copies of this resolution be sent to County Executive Gorski, Budget Director Kenneth C. Kruly, First Assistant County Attorney Alan Gerstman, Budget Analyst Jackie Mullen, the Lady Warriors Girls' Softball Booster Club, and to the Clerk-Treasurer of the Village of Blasdell.

Fiscal Impact: None for resolution.

CHARLES M. SWANICK    EDWARD J. KUWIK

Mr. KUWIK offered an amendment as follows:

DELETE the first RESOLVE clause in its entirety and replace with following:

RESOLVED, that the Erie County Legislature does hereby authorize the redirection of funds approved in previous legislative resolutions as follows:

Intro. 21-11 (1996)-authorized \$700 to the City of Tonawanda Board of Education. This funding is hereby authorized to be paid to the Lady Warriors Girls' Softball Booster Club;

Intro. 27-2 (1996) - authorized \$5,200 to Village of Blasdell - Signs. This funding is hereby authorized to be paid as follows: \$400 to Village of Blasdell-Signs; \$4,800 to Village of Blasdell Centennial Committee;

and be it further,

Mr. Kuwik moved the adoption of the amendment. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

Mr. Kuwik moved the adoption of the resolution as amended. Mr. MARSHALL seconded.

CARRIED UNANIMOUSLY.

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ITEM 17 -Ms. PEOPLES presented the following resolution and moved for immediate consideration. Ms. COHEN KENNEDY seconded.

CARRIED UNANIMOUSLY.





RESOLVED, that this Honorable Body does hereby pause in its deliberations to recognize National Library Wee, and does hereby call upon County Executive Dennis T. Gorski to designate the Week of April 13-April 19 as "Library Week" in Erie County, and be it further

RESOLVED, that certified copies of this resolution be sent to County Executive Dennis T. Gorski, Buffalo and Erie County Public Library Director Daniel Walters, and to the Board of Trustees to the Buffalo and Erie County Public Library.

Fiscal impact: None.

CHARLES M. SWANICK   CRYSTAL D. PEOPLES   EDWARD J. KUWIK  
MICHAEL A. FITZPATRICK   GEORGE A. HOLT   JUDITH P. FISHER  
GREGORY B. OLMA   AL DEBENEDETTI   RAYMOND K. DUSZA  
LYNN M. MARINELLI   RANDI COHEN KENNEDY

Chairman SWANICK directed that Et al be added to the sponsorship.

Ms. PEOPLES moved the adoption of the resolution as amended.  
Ms. COHEN KENNEDY seconded.

CARRIED UNANIMOUSLY.

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ITEM 18 - Mr. DUSZA presented the following resolution and requested it be referred to the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Int. 7-9 From: Legs. Legs: Swanick, Peoples, Cohen Kennedy, Dusza, Fisher, Fitzpatrick, Holt, Kuwik, Marinelli, Olma, DeBenedetti. Re: Support of the Creation of a New York State Appreciation Day Holiday.

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ITEM 19 - Ms. Peoples presented the following resolution and moved for immediate consideration. Ms. COHEN KENNEDY seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 156 RE: School Bus Safety Reforms  
(Int. 7-10)

WHEREAS, many children are required to ride on school buses to and from school everyday, and parents are required to trust school bus drivers' and attendants' abilities and competence, and

WHEREAS, current law requires a detailed and specific qualification procedure for school bus drivers, including requirement that all drivers be subject to a criminal history check, and

WHEREAS, school districts are permitted to require fingerprinting and increased screening of school bus attendants, but are not required to do so, and

WHEREAS, neither state nor federal law requires the firing of school bus drivers who test positive for illegal drug or alcohol use, and

WHEREAS, the New York State Senate recently passed two bills designed to further safeguard children from potentially dangerous incidents involving school bus drivers and attendants, and

WHEREAS, S.706 would permanently revoke the licenses of school bus drivers who test positive for the use of illegal drugs or alcohol, and

WHEREAS, by mandating license revocation, S.706 would supercede any collective bargaining agreement and effectively provide school districts in New York State with the grounds to fire drivers, and

WHEREAS, S.605 would strengthen the qualification procedures for school bus attendants by requiring mandatory fingerprinting and a criminal history check, and

WHEREAS, if a background check reveals that a bus attendant had a previous conviction for crimes such as sexual assault, drug abuse, endangering the welfare of a child, in addition to other felonies, this person would be disqualified from continuing as a school bus attendant,

NOW, THEREFORE, BE IT

RESOLVED, that this Honorable reaffirms its commitment to securing the safety and well being of all children in our community, and supports these and other initiatives which promote the rights of our children and their general welfare, and be it further

RESOLVED, that this Honorable Body calls upon the New York State Assembly to exemplify its commitment to secure our children's safety by promptly passing this legislation, at which time it can be sent to the Governor for his approval, and be it further

RESOLVED, that certified copies of this resolution shall be sent to Governor George E. Pataki, NYS Senate Majority Leader Joseph L. Bruno, NYS Assembly Speaker Sheldon Silver, and members of the local delegation to the State Senate and Assembly.

Fiscal Impact: None for resolution.

JOHN W. GREENAN  
JEANNE Z. CHASE

DALE W. LARSON  
MICHAEL H. RANZENHOFER

Ms. PEOPLES offered an amendment as follows:

Delete the 7th WHEREAS clause in its entirety.

Delete the 2nd RESOLVE clause and replace with the following RESOLVE clause to read as follows:

RESOLVED, that this Honorable Body does hereby memorialize the New York State Legislature to pass, and New York Governor George Pataki to sign into law, the aforementioned legislation, and be it further

Add the following FISCL IMPACT statement: None for resolution.

Ms. PEOPLES move the adoption of the amendment. Ms. MARINELLI seconded.

CARRIED UNANIMOUSLY.

Chairman SWANICK directed that the names of Legislators Swanick, Peoples, Cohen Kennedy, Dusza, Fisher, Fitzpatrick, Holt, Kuwik, Marinelli, Olma, DeBenedetti be added as co-sponsors.

Ms. PEOPLES moved the adoption of the resolution as amended.  
Ms. MARINELLI seconded.

CARRIED UNANIMOUSLY.

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ITEM 20 - Ms. PEOPLES presented the following resolution and requested that it be referred to the PUBLIC SAFETY COMMITTEE.

GRANTED.

Int. 7-11 From Leg. Peoples Re: Reconvene Discussion Regarding Relocation of Emergency & Law Enforcement Services to the Campus of ECMC.

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ITEM 21 - Ms. PEOPLES presented the following resolution and moved for immediate consideration. Ms. COHEN KENNEDY seconded.

CARRIED UNANIMOUSLY.

RESOLUTION 157 RE: Support for State Legislation to Extend the Statute of Limitations for Certain Sex Offense Cases (Int. 7-12)

WHEREAS, each year, children are sexually abused or assaulted by someone they know, and

WHEREAS, many victims suffer from repressed memory syndrome and do not recall incidences of abuse for many years, and

WHEREAS, many victims are reliant upon their abuser for food shelter and other support, which may prevent reporting incidences of abuse to the proper authorities, and

WHEREAS, under the present law, if the incident is not reported within five years, the victim cannot seek the proper justice toward their perpetrator, and

WHEREAS, recently a bill was introduced by the New York State Assembly (A.582), to extend the statute of limitations to three years from age twenty-one or three years from the date of the incident, whichever amount of time is greater and

WHEREAS, this Legislature must reaffirm its commitment to the safety and welfare of all victims of childhood sexual abuse by putting itself on record in support of this effort to extend the statute of limitations in certain cases involving childhood sexual assault or exploitation,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby express its support for state legislation (A.582) that seeks to extend the statute of limitations involving childhood sex offenses, in order to better protect the victim and for justice to be better served, and be it further

RESOLVED, that this honorable body does hereby call upon Governor George Pataki and the local delegation to the New York State Assembly and Senate to support this legislation

RESOLVED, that certified copies of this resolution will be sent to Governor George Pataki, Assembly Speaker Sheldon Silver, Senate Majority Leader Joseph Bruno, and the local delegation to the New York State Assembly and Senate.

Fiscal Impact: None for Resolution.

CHARLES M. SWANICK	CRYSTAL D. PEOPLES	EDWARD J. KUWIK
MICHAEL A. FITZPATRICK	GEORGE A. HOLT, Jr.	JUDITH P. FISHER
GREGORY B. OLMA	AL DEBENEDETTI	RAYMOND K. DUSZA
LYNN M. MARINELLI	RANDI COHEN KENNEDY	

Ms. PEOPLES moved the adoption. Ms. COHEN KENNEDY seconded.

CARRIED UNANIMOUSLY.

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ITEM 22 - Ms. PEOPLES presented the following resolution and moved for immediate consideration. Mr. Marshall seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 158 RE: Support for Federal Legislation  
Creating Postage Stamps Honoring Law Enforcement  
Personnel Killed in Line of Duty & Volunteer  
Firefighters.  
(Int. 7-13)

WHEREAS, everyday law enforcement officers, volunteer and professional firefighters put their lives in danger, by protecting citizens from crime and fire, enhancing the general public safety, health and welfare, and

WHEREAS, in 1995 alone, 174 law enforcement officers throughout the United States lost their lives while protecting citizens throughout our country, and

WHEREAS, every year 66,000 law enforcement officers are assaulted each year while serving American communities and 24,000 are injured during such assaults, and

WHEREAS, 1998 will mark the 350th anniversary of the first volunteer fire department in the United States, while presently there are over 800,000 volunteer firefighters serving America's communities, and

WHEREAS, the 24,000 fire departments that are staffed in whole or in part by volunteers are staffed with professionally trained men and women that dedicate hundreds of thousands of hours of their time toward safeguarding the lives and property of their neighbors, and

WHEREAS, resolutions have been presented in the United States House of Representatives to create a postage stamp honoring law enforcement officers killed in the line of duty (H.Con.Res.41) and a postage stamp in recognition of the services rendered by this Nation's volunteer firefighters (H.Con.Res.24), and

WHEREAS, this Legislature must put itself on record in support of the House of Representatives' efforts to create these postage stamps in order to better recognize these individuals who have given so much to the American community.

NOW, THEREFORE BE IT

RESOLVED, that the Erie County Legislature does hereby support the proposal to create a postage stamp honoring law enforcement officers that have been killed in the line of duty (H.Con.Res.41), and the Nation's volunteer firefighters, men and women who risk their lives every day in order to protect the public safety, health and welfare (H.Con.Res.24), and be it further

RESOLVED, that this Honorable Body does hereby call upon the Western New York Delegation of the House of Representatives and United States Senate to support this legislation in order to give these individuals the recognition they deserve, and be it further

RESOLVED, that certified copies of this resolution be sent to President United States Senators Alfonse D'Amato and Daniel Patrick Moynahan, and Representatives Jack Quinn, Representative John LaFalce, and Representative Bill Paxon.

Fiscal Impact: None for resolution.

CHARLES M. SWANICK	CRYSTAL D. PEOPLES	EDWARD J. KUWIK
MICHAEL A. FITZPATRICK	GEORGE A. HOLT, Jr.	JUDITH P. FISHER
GREGORY B. OLMA	AL DEBENEDETTI	RAYMOND K. DUSZA
LYNN M. MARINELLI	RANDI COHEN KENNEDY	

Mr. MARSHALL offered an amendment as follows:

ADD: "and professional..." after "...volunteer..." in the resolution title and the first WHEREAS clause.

ADD the following after the fifth WHEREAS clause:

WHEREAS, in concert with the recognition to law enforcement officials who have lost their lives and volunteer firefighters, we also must recognize and honor the number of professional firefighters in Erie County, and across the nation, who have put their lives in danger to serve and protect their communities, and

ADD the following after the sixth WHEREAS clause:

WHEREAS, the professional firefighters in counties and municipalities across the nation also should be commemorated on a national level by the House of Representatives, as are law enforcement officials and volunteer firefighters, and



ADD the following after the first RESOLVE clause:

RESOLVED, that this Honorable Body calls upon the Western New York delegation of the House of Representatives and Senate to introduce legislation to create a postage stamp honoring professional firefighters, and be it further

DELETE: ... "this legislation..." from the second RESOLVE clause and replace with "...H. Con.Res.41 and H.Con.Res.24 and to introduce and support similar legislation honoring professional firefighters..."

Mr. MARSHALL moved the adoption of the amendment. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

Ms. PEOPLES moved the adoption of the resolution as amended. Ms. COHEN KENNEDY seconded.

CARRIED UNANIMOUSLY.

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ITEM 23 - Mr. DUSZA presented the following resolution and moved for immediate consideration. Mr. FITZPATRICK seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 159 RE: Providing Tax Credits for Volunteer Firefighters. (Int. 7-14)

WHEREAS, The profession of firefighter is one of noble courage and sacrifice, where individuals risk their lives every day to provide for the safety and well-being of others, and

WHEREAS, Throughout Erie County volunteer firefighters face death to save others' lives out of a sense of civic duty and commitment to their neighbors, and

WHEREAS, These volunteer firefighters perform the duties of their paid counterparts for no compensation, and

WHEREAS, Every person in communities where volunteer firefighters serve owe them a debt of gratitude for their sacrifice, and

WHEREAS, Officials owe these brave men and women a debt of gratitude as well, and

WHEREAS, To that end the New York state Assembly has introduced bills to provide volunteer firefighters with a \$1,500 annual deduction in computing their New York state personal income tax liability (A02035), and authorizing real property tax exemptions for property owned by volunteer firefighters and fire companies (A00682),

NOW, THEREFORE, BE IT

RESOLVED, That the Erie County Legislature does hereby recognize and thank every volunteer firefighter in Erie County for their selfless commitment to the safety and well-being of our community, and be it further

RESOLVED, That this Honorable Body does hereby memorialize the New York state Legislature pass and Governor George Pataki sign into law Assembly bills A02035 and A00682 as a means to humbly thank volunteer firefighter for their great efforts, and be it further

RESOLVED, That certified copies of this resolution be forwarded to New York state Governor George Pataki and all members of the Western New York delegation of the New York state Legislature.

Fiscal Impact: None for resolution.

RAYMOND K. DUSZA

Chairman SWANICK directed that El al be added to the sponsorship.

Mr. DUSZA moved the adoption of the resolution as amended.  
Mr. FITZPATRICK seconded.

CARRIED UNANIMOUSLY.

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ITEM 24 - Ms. MARINELLI presented the following resolution and moved for immediate consideration. Ms. COHEN KENNEDY seconded.

RESOLUTION NO. 160 RE: Support for Manufacturing Jobs & Workplace  
Training Instructional Development Plan  
(Int. 7-15)

WHEREAS, There is a need for skilled workers in the Western  
New York manufacturing trades industry, and

WHEREAS, The present and future demand for skilled machinists  
and metal workers will increase by an estimated fifty to seventy  
percent in the next five to ten years due to retirements, and

WHEREAS, The demand for trained workers exceeds the number of  
local educational and training institutions' graduates, and

WHEREAS, There is a lack of a comprehensive workplace skills  
and preparedness instructional program offering appropriate levels  
of math, computer applications, and other industry-specific areas,

NOW, THEREFORE, BE IT

RESOLVED, That the Erie County Legislature does hereby express  
its support for an Erie Community College comprehensive  
instructional development plan which includes collaboration with  
local educational institutions, the Metal Working Institute of  
Western New York, the National Tooling and Machining Association,  
and local business representatives in order to implement a  
vocational technical program designed to address supplying a pool  
of skilled manufacturing industry graduates, and be it further

RESOLVED, That the proposed vocational training program  
include workplace preparedness courses of study, intern or  
apprentice experience options, and other flexible training  
components, and be it further

RESOLVED, That the instructional development plan contain a  
proposed operating budget and timeline which outlines projected  
revenue and cost estimates for curriculum development, faculty and  
support staff, instructional laboratory equipment and supplies, and  
program marketing and participant recruitment, and be it further

RESOLVED, That this Honorable Body does hereby memorialize the  
appropriate staff at Erie Community College to prepare an  
instructional development plan and its proposed budget as part of  
the College's 1997-98 budget submittal for review by the  
Legislature's Community Enrichment Committee, and be it further

RESOLVED, That certified copies of this resolution be forwarded to Erie County Executive Dennis Gorski and Erie Community College President Dr. Louis Ricci.

Fiscal Impact: To be determined.

LYNN M. MARINELLI RANDI COHEN KENNEDY

Chairman SWANICK directed that El al be added to the sponsorship.

Ms. MARINELLI moved the adoption of the resolution as amended. Ms. KENNEDY seconded.

CARRIED UNANIMOUSLY.

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ITEM 25 - Ms. COHEN KENNEDY presented the following resolution and moved for immediate consideration. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO 161 RE: Increasing State Funds for Child  
Protection Services  
(Int. 7-16)

WHEREAS, Child abuse is an ongoing problem which belongs at the top of any government's priority list, and

WHEREAS, Recent cases such as the one which spurred the creation of New York State's "Elisa's Law" demonstrate that child abuse remains a pressing concern and is still in need of immediate attention and effort to eliminate this problem, and

WHEREAS, Despite passage of Elisa's Law, New York State government has shown a lack of commitment to the effort to curb child abuse through their systematic reduction of funds for programs which combat child abuse, and

WHEREAS, In addition to the \$200 million in state funds cut in 1995 from child abuse investigators, foster care and other services for battered children, Governor Pataki has proposed cutting another \$70 million in state funds in the 1997-98 fiscal year, and

WHEREAS, The result has been a crippling blow to the fight against child abuse, with state funding already below 1994 levels and at risk of being cut even further, and

WHEREAS, This demonstrates a trend which is completely counterproductive to this most important effort, as child abuse cases have increased in that same time frame in Erie County while state funding has declined,

NOW, THEREFORE, BE IT

RESOLVED, That the Erie County Legislature does hereby reaffirm its commitment to the safety of all our children through the effort to fight child abuse, and be it further

RESOLVED, That this Honorable Body does hereby memorialize New York State Governor George Pataki and the New York State Legislature to immediately remove from consideration any further cuts to the child abuse effort, and to increase these funds to meet or exceed 1994 levels of funding, and be it further

RESOLVED, That this Honorable Body does further memorialize Governor Pataki and the State Legislature to not include the transfer of federal funds to counties for child abuse and protection services in their calculation of state funding for the fight against child abuse, as this transfer may not be legal, and be it further

RESOLVED, That certified copies of this resolution be forwarded to New York State Governor George Pataki, all members of the Western New York delegation of the New York State Legislature, Erie County Social Services Commissioner Deborah Merrifield, and spokesman for the New York State Department of Social Services Dan Hogan.

**Fiscal Impact:** Negative under Governor Pataki's proposal.

LYNN M. MARINELLI

RANDI COHEN KENNEDY

Chairman SWANICK directed that the names of Legislators Swanick, Peoples, Kuwik, Fitzpatrick, Holt, Fisher, Olma, DeBenedetti and Dusza be added as co-sponsors.

Ms. MARINELLI moved the adoption of the resolution as amended.  
Ms. KENNEDY seconded.

Chairman SWANICK directed that a Roll Call be taken.

Ayes - Chase, Greenan, Larson, Marshall, Pauly, Ranzenhofer, Villarini, DeBenedetti, Dusza, Fisher, Fitzpatrick, Holt, Cohen Kennedy, Kuwik, Marinelli, Olma, Peoples, Swanick - 17. Noes - 0.

CARRIED UNANIMOUSLY.

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ITEM 26 - Ms PEOPLES presented the following resolution and moved for immediate consideration. Mrs. FISHER seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 162 RE: Protecting Children from Sex Offenders (Int. 7-17)

WHEREAS, the New York State Senate has passed legislation, Senate Bill 1915, which would prevent convicted child sex offenders who are free on parole from entering the grounds of any school, agency or facility that works with children under the age of eighteen, and

WHEREAS, the bill also would prohibit convicted sex offenders who are part of conditional release programs from being in the area of the aforementioned facilities, and

WHEREAS, violators would be charged with a class A misdemeanor and would be subject to a maximum jail term of up to one year and a \$1000 fine, and

WHEREAS, the legislation is part of an ongoing Senate effort to provide greater protection for children from sex offenders, and

WHEREAS, the bill follows the Senate's 1995 initiative known as Megan's Law which mandates notification to police and local officials about convicted sex offenders living in their communities, and

WHEREAS, this measures goes one step further to ensure children's safety by prohibiting sexual predators from being in the most common areas where children learn and play, and

NOW, THEREFORE, BE IT

RESOLVED, that this Honorable Body calls upon the state Assembly to push for its swift passage at which time it can be sent to the Governor for his approval, and be it further

RESOLVED, that the Legislature is in support of this and other child-protective measures and will take any necessary steps to aid in the implementation of this and other similar programs, and be it further

RESOLVED, that certified copies of this resolution shall be sent to Governor George E. Pataki, Senate Majority Leader Joseph L. Bruno, State Senator Thomas Libous, and members of the local delegation to the state Senate and Assembly.

Fiscal Impact: None for resolution.

FREDERICK J. MARSHALL	MICHAEL H. RANZENHOFER
JOHN W. GREENAN	DALE W. LARSON      JEANNE Z. CHASE

Ms. PEOPLES offered an amendment as follows:

DELETE, in its entirety, the first RESOLVED clause.

ADD, following the second RESOLVED clause:

RESOLVED, That this honorable Body does hereby memorialize the New York State Legislature to pass, and New York Governor Pataki to sign into law, the aforementioned legislation, and be it further

ADD the following FISCAL IMPACT statement:

Fiscal Impact: None for resolution.

Ms. PEOPLES moved the adoption of the amendment. Mr. DEBENEDETTI seconded.

CARRIED.

Legislators Larson, Marshall, Greenan, Chase, Ranzenhofer and Pauley in the negative.

CARRIED.

Chairman SWANICK directed that the names of Legislators Swanick, Peoples, Kuwik, Fitzpatrick, Holt, Fisher, Olma, DeBendetti, Dusza, Marinelli and Cohen Kennedy be added as co sponsors.

Ms. PEOPLES moved the adoption of the resolution as amended. Mr. Fitzpatrick seconded.

CARRIED UNANIMOUSLY.

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ITEM 27 - Ms. PEOPLES presented the following resolution and moved for immediate consideration. Ms. COHEN KENNEDY seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 163 RE: Support for New York Senate Bill  
S.334. (Int. 7-18)

WHEREAS, the health, well being and education of the children of New York are of primary importance to the residents of this State, and

WHEREAS, the parents of New York deserve to know the whereabouts of their children, especially as they send them to school and place them in the hands of other people and institutions on a daily basis, and

WHEREAS, there have been recent reports from across New York State regarding children missing from school while the parents were unaware of their absence (such as the Brentwood, Long Island case two years ago, when a four year old boy fell asleep on the bus and the parents did not know he was absent from school until later that afternoon), and

WHEREAS, under current law, New York State schools are required to notify parents if a child does not report to school, however because the communication is in a written form, the parents do not know right away that the child is absent, and

WHEREAS, the New York State Senate has passed a bill (S.334), which would require school districts to notify parents of elementary school students, within three hours, if their children have not reported to school, and



WHEREAS, since school districts are required to have daytime phone numbers for parents or guardians of children, and they already have in place the necessary equipment for storing and dialing these numbers, this policy will not be expensive or burdensome to implement,

NOW, THEREFORE BE IT,

RESOLVED, that this Honorable Body supports having a system of swift notification of parents or guardians, in the event that a child is absent from school, and be it further

RESOLVED, that this Honorable Body supports Senate Bill S.334 and calls upon the State Assembly to approve this legislation (A.3261) and be it further

RESOLVED, that a certified copy of this resolution be forwarded to the members of the Western New York State Legislative Delegation, the County Executive, and to all the School District Superintendents in Erie County.

Fiscal Impact: None

JOHN W. GREENAN      FREDERICK J. MARSHALL      MICHAEL H. RANZENHOFER

Ms. PEOPLES offered an amendment as follows:

DELETE the following from the RE: clause:

...NEW YORK SENATE BILL S.334 and REPLACE with the following:

...QUICKER PARENTAL NOTIFICATION OF ABSENT STUDENTS

DELETE, in its entirety, the second RESOLVED clause, and REPLACE with the following:

RESOLVED, that this Honorable Body does hereby memorialize the New York State Legislature to pass, and New York Governor George Pataki to sign into law, the aforementioned legislation and be it further

Ms. PEOPLES moved the adoption of the amendment. Ms. MARINELLI seconded.

CARRIED UNANIMOUSLY.

Chairman SWANICK directed that the names of Legislators Swanick, Peoples, Kuwik, Fitzpatrick, Holt, Fisher, Olma, DeBendetti, Dusza, Marinelli and Cohen Kennedy be added as co sponsors.

Ms. PEOPLES moved the adoption of the resolution as amended.  
Ms. MARINELLI seconded.

CARRIED UNANIMOUSLY.

COMMUNICATIONS DISCHARGED FORM COMMITTEE;

ITEM 28 - Ms. PEOPLES to moved to discharge the SOCIAL SERVICES COMMITTEE from further consideration of Comm. 5E-20. Mr. HOLT seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 164 RE: Department of Social Services Case  
Records Management System  
Authorization to Extend Contracts

WHEREAS, the Department of Social Services is required to maintain records related to the provision of social services to clients and therefore microfilms in excess of six (6) million document images per year, and

WHEREAS, the current system of records retention on updatable microfiche is to become obsolete, as the film will no longer be produced, and the Department must develop and implement a new case records management system utilizing the latest document imaging and retrieval technology, and

WHEREAS, the Department has recognized the need for a thorough technical analysis related to the planning and development of a new case record management system and requires the assistance of expert consultants to complete a review of current systems and communications structures, a cost benefit analysis, the development of a Request for Proposal (RFP) and the establishment of criteria for proposal evaluation and the scoring of actual bidders, and

WHEREAS, the second phase of the complex project involves a continued need for expert technical assistance in the areas of contract coordination and management, a role in the vendor selection process, coordination of local and vendor activities, evaluation of the pilot in 1997 and coordination of complete implementation, and

WHEREAS, the Department has previously contacted forty-two (42) potential technical consultants on the County's Prequalified List, selected candidates with the necessary technological expertise and executed contracts with the two(2) consultant firms herein identified for assistance in the implementation of this system, and

WHEREAS, use of the Prequalified List satisfied the requirements of Section 19.08 of the Erie County Administrative Code, and

WHEREAS, authority to extend these critical contracts for technical consulting services related to the implementation of this system requires legislative approval, and

WHEREAS, the Department planned for these contract extensions in preparation of the 1997 Budget, and there is no additional impact to the County budget related to these contracts extensions as funds are provided in the current year Department budget in Account 826-Other Expenses or Charges

NOW, THEREFORE, BE IT

RESOLVED, that the Department is hereby authorized to extend the contracts with the following two (2) vendors to assist in the further implementation of the case records management system project at the hourly rates and for the contract maximums specified below:

Personnel Resource, Inc.	Hourly Rate=\$60
5500 Main Street, Suite 200	Maximum=\$125,000
Williamsville, NY 14221	

Ciber, Inc.	Hourly Rate=\$51
6245 Sheridan Drive, Bldg. D	Maximum=\$75,000
Williamsville, NY 14221	

and be it further

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

Mr. HOLT moved the adoption. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

SUSPENSION OF THE RULES

ITEM 29 - Mr. OLMA moved for a suspension of the rules to include an item not on the agenda.

GRANTED.

RESOLUTION NO. 165 RE: Strengthening Border Neighborhoods  
Through a United Effort Between the  
County and Municipalities (Int. 7-19)

WHEREAS, Municipalities establish borders as a way to delineate the scope of that municipality's population and geography, and

WHEREAS, Municipalities are therefore responsible for providing service and maintenance to the population and area only within their borders, and

WHEREAS, Despite these borders, neighborhoods oftentimes naturally form to include portions of more than one municipality, and

WHEREAS, While neighborhoods do not carry any official designation from municipalities, they are indeed one of the primary identifiers for the people who reside in that area, and

WHEREAS, It is therefore incumbent upon municipalities to realize that a cooperative effort is needed to ensure the continued strength of these cross-border neighborhoods, to the benefit of all municipalities involved, and

WHEREAS, Even in areas bordering municipal boundaries which do not have cross-border neighborhoods, the quality of life in the areas in proximity to the border directly affects the surrounding neighborhoods, regardless of municipal boundaries, and

WHEREAS, It is therefore in the best interest of all municipalities to be active participants in the health of their neighboring municipalities, and

WHEREAS, It is furthermore incumbent upon these municipalities to take into account the effect any actions or planning done in border neighborhoods may have upon neighboring municipalities, and

WHEREAS, A recent resolution which illustrates the symbiotic relationship between municipalities and the problems therein was recently filed by the Town of Cheektowaga asking Erie County to

"withhold discussion on special aid to the City of Buffalo for demolition and removal of abandoned and dilapidated property within the City of Buffalo until such time as the City of Buffalo develops and implements a comprehensive neighborhood preservation strategy," and

WHEREAS, While Cheektowaga had only the well-being of its cross-border neighborhoods in mind when filing this resolution, the condition of some Buffalo neighborhoods which border Cheektowaga nevertheless require immediate attention and action on Buffalo's part to properly remedy the downward spiral in those areas, and

WHEREAS, The need for immediate action and the need for a comprehensive inter-municipal plan must be quickly balanced in order to properly address both the short and long term needs of these neighborhoods and the quality of life for both municipalities' residents, and

WHEREAS, Cheektowaga, in an effort to address this most important issue, has enlisted the University at Buffalo's School of Architecture and Planning to participate in a "Buffalo-Cheektowaga Border Project" with the goal of improving border neighborhoods in both municipalities, and

WHEREAS, One of the roles of the County of Erie is to act as a mediating body on issues which effect areas that fall between municipal boundaries, and

WHEREAS, The aforementioned example particularly involves the Erie County Legislature, as this Honorable Body must authorize the money asked for by the City of Buffalo and was memorialized against doing so by the Town of Cheektowaga, and

WHEREAS, This Honorable Body is further involved as the City of Buffalo recently made a proposal to the Legislature's County/Municipal Consolidation Committee to use a portion of the \$2.7 million set aside for consolidation of functions between Buffalo and the county for the purpose of demolitions across the city, and

WHEREAS, It is therefore a responsible act of this Honorable Body to bring together municipal leaders in an effort to mediate and resolve this most important issue for the good of the participating municipalities, and for all residents of Erie County,

NOW, THEREFORE, BE IT

RESOLVED, That the Erie County Legislature does hereby reaffirm its commitment to the health of the most basic and important geographic collection of residents; the neighborhood, and be it further

RESOLVED, That this Honorable Body does hereby request that City of Buffalo Mayor Anthony Masiello, Cheektowaga Town Supervisor Dennis Gabryszak, representatives of the Buffalo Common Council, representatives of the Town of Cheektowaga Council, City of Buffalo Commissioner of Community Development Alan DeLisle, City of Buffalo Division of Planning Commissioner Kevin Greiner, Town of Cheektowaga Supervising Building Inspector Ronald Marten, Erie County Environment and Planning Commissioner Richard Tobe, and University at Buffalo School of Architecture and Planning Professor Ibrahim Jammal attend a future meeting of the Legislature's Energy and Environment Committee with the purpose of coordinating efforts to improve the Buffalo-Cheektowaga border neighborhoods, and be it further

RESOLVED, That certified copies of this resolution be forwarded to City of Buffalo Mayor Anthony Masiello, Cheektowaga Town Supervisor Dennis Gabryszak, all members of the City of Buffalo Common Council, all members of the Town of Cheektowaga Council, City of Buffalo Commissioner of Community Development Alan DeLisle, City of Buffalo Division of Planning Commissioner Kevin Greiner, Town of Cheektowaga Supervising Building Inspector Ronald Marten, Erie County Environment and Planning Commissioner Richard Tobe, and University at Buffalo School of Architecture and Planning Professor Ibrahim Jammal.

**Fiscal Impact:** To be determined.

**GREGORY B. OLMA**

Mr. OLMA moved the adoption. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

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ITEM 30 - Ms. PEOPLES moved for a suspension of the rules to include an item not on the agenda. Mr. MARSHALL seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 166 RE: Adjournment in Memory of Officer  
Charles McDougald (Int . 7-20)

WHEREAS, On Wednesday, April 9, 1997, Charles McDougald lost his life in the line of duty as a Buffalo Police Officer, and

WHEREAS, Charles McDougald was a compassionate family man who, as a teacher aide in the Buffalo Public School system, instilled Christ's teachings, the importance of education and strong leadership in all of his children and students, and

WHEREAS, Charles McDougald was a decorated officer who, throughout his eight and one-half year tenure as a Buffalo Police Officer, had countless successes as he worked diligently to impart healing and justice in the midst of his torn community, and

WHEREAS, Officer Charles McDougald, caught in the crossfire, died a valiant public servant, leaving behind a legacy of bravery and dedication to his family and all who knew him, and

WHEREAS, Officer Charles McDougald was a proud African American, a strong role model for his family and community and will forever be held in the highest esteem by his peers and comrades,

NOW, THEREFORE, BE IT

RESOLVED, That the Erie County Legislature does hereby reaffirm its commitment to public safety and the fight against crime and hereby resolves to have the perpetrators of this malfeasant infringement on human life brought to justice, and be it further

RESOLVED, That this Honorable Body does hereby honor and memorialize the thankworthy life and meritorious accomplishments of the late Officer Charles McDougald as a father, a son, a husband, a family member and as an outstanding public servant, and be it further

RESOLVED, That this Honorable Body finds it altogether fitting and proper that the April 10, 1997 session be adjourned in memory of one of Buffalo's finest police officers, the late Charles McDougald, and be it further

RESOLVED, That this Honorable Body does hereby extend its sincere sympathy to the McDougald family on their great loss.

Fiscal Impact: None.

CHARLES M. SWANICK      CRYSTAL D. PEOPLES      EDWARD J. KUWIK  
MICHAEL A. FITZPATRICK      GEORGE A. HOLT, Jr.      JUDITH P. FISHER  
GREGORY B. OLMA      AL DEBENEDETTI      RAYMOND K. DUSZA  
LYNN M. MARINELLI      RANDI COHEN KENNEDY      JEANNE Z. CHASE  
JOHN W. GREENAN      DALE W. LARSON      FREDERICK J. MARSHALL  
WILLIAM A. PAULY      MICHAEL H. RANZENHOFER

Ms. PEOPLES moved the adoption. Mr. MARSHALL seconded.

CARRIED UNANIMOUSLY.

ITEM 31 - Ms. PEOPLES moved for a suspension of the rules to include an item not on the agenda.

GRANTED.

Comm. 7E-29 From: Dennis T. Gorski Re: Appointments to the Erie County Youth Services Board.

Chairman SWANICK directed that Comm. 7E-29 be RECEIVED, FILED & PRINTED.

Honorable Members:

Pursuant to the power vested in me by Section 11-F-03 of Article XI of the Erie County Charter, I, Dennis T. Gorski, am pleased to inform you that I am appointing the following persons to the Erie County Youth Services Board:

APPOINTMENTS:

TERM EXPIRES:

Ms. Laverne Ampadu  
Hopevale Inc.  
3780 Howard Rd.  
Buffalo, New York 14216

12/31/98

Reverend William Anderson  
304 Grider Street  
Buffalo, New York 14215

12/31/98

Mr. Robert J. Brandon  
39 Betty Lou Lane  
Cheektowaga, New York 14225

12/31/98



Mr. Paul A. Beyer 61 Jack Road Williamsville, New York 14221	12/31/98
Mr. Daryl Cadle 410 Parker Avenue Buffalo, New York 14216	12/31/98
Mr. William Coplin 24 Thornton Street Buffalo, New York 14215	12/31/98
Mrs. Rosemary Runfolo-Dudek 117 Winston Road Buffalo, New York 14216	12/31/98
Ms. Loretta Wilson-Fields 30 Andover Street Buffalo, New York 14215	12/31/98
Ms. Julie Frederick 49 MacArthur Drive Williamsville, New York 14221	12/31/98
Mr. Timothy Girard 6350 Main Street Williamsville, New York 14221	12/31/98
Mrs. Sylvia Lipowski 43 Mona Court Depew, New York 14043	12/31/98
Mrs. Margaret A. McLaughlin 39 Hemlock Drive West Seneca, New York 14224	12/31/98
Ms. Shirley F. Millan 33 Lafayette Avenue Buffalo, New York 14213	12/31/98
Mr. James Parisi 56 Hagen Street Buffalo, New York 14211	12/31/98
Mr. Benjamin H. Syden 361 West Delevan Avenue Buffalo, New York 14213	12/31/98
Mr. Charles Termini 619 Bird Avenue Buffalo, New York 14222	12/31/98

Mr. Roosevelt Wardlaw 12/31/98  
371 Minnesota Avenue  
Buffalo, New York 14215

Ms. Vernice Williams 12/31/98  
246 Bryant Street Apt. #2A  
Buffalo, New York 14222

Amina Zinnerman 12/31/98  
23 Girard Place  
Buffalo, New York 14211

Very truly yours,  
DENNIS T. GORSKI  
County Executive

RECEIVED, FILED & PRINTED.

COMMUNICATIONS FROM ELECTED OFFICIALS

FROM LEGISLATOR MARSHALL

ITEM 32 - (Comm. 7E-1) 1997 Committee Assignments.

RECEIVED & FILED.

FROM THE COUNTY EXECUTIVE

ITEM 33 - (Comm. 7E-2) Position Change Report PP# 7/97.

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE

FROM THE COMPTROLLER

ITEM 34 - (Comm. 7E-3) Audit of Geneva B. Scruggs Contract  
Compliance with Social Services for 1/1/95 - 6/30/96.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM CHAIRMAN SWANICK

ITEM 35 - (Comm. 7E-4) Copy of Letter to Legislator Olma Re: George Hasiotis' reappointment to Erie County Water Authority.

RECEIVED AND FILED.

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FROM COMPTROLLER

ITEM 36 - (Comm. 7E-5) Sales Tax receipts for 1/97.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

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FROM CHAIRMAN SWANICK

ITEM 37 - (Comm. 7E-6) Copy of Letter to Clerk of Legislature Re: Mayor Masiello's Presentation on 4/10/97.

RECEIVED & FILED.

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FROM COMPTROLLER

ITEM 38 - (Comm. 7E-7) Issuance of Revenue Anticipation Notes.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

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FROM THE COUNTY EXECUTIVE

ITEM 39 - (Comm. 7E-8) Position Change Report PP#8/97.

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE

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FROM COMPTROLLER

ITEM 40 - (Comm. 7E-9)

Ms. PEOPLES moved for immediate consideration. Ms. COHEN KENNEDY seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 167 Re: Bond Resolution for Various Capital Projects

(A) BOND RESOLUTION OF THE COUNTY OF ERIE, NEW YORK, AUTHORIZING VARIOUS CAPITAL PROJECTS INCLUDED IN THE 1997 CAPITAL BUDGET OF THE COUNTY, STATING THE TOTAL ESTIMATED MAXIMUM COST OF SUCH PROJECTS IS \$15,349,625, APPROPRIATING THEREFOR THE AMOUNT OF \$15,349,625, AND AUTHORIZING THE ISSUANCE OF \$15,349, 625 BONDS OF THE COUNTY TO FINANCE SAID APPROPRIATION, AND FURTHER AUTHORIZING ANY AMOUNTS RECEIVED FROM THE UNITED STATES OF AMERICA AND/OR THE STATE OF NEW YORK TO BE EXPENDED TOWARDS THE COST OF CERTAIN SUCH CAPITAL PROJECTS AS INDICATED HEREIN, OR REDEMPTION OF ANY NOTES AND BONDS ISSUED THEREFOR OR TO BE BUDGETED AS AN OFFSET TO THE TAXES FOR PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SAID NOTES AND BONDS.

(Introduced) April 10, 1997

(Adopted) April 10, 1997

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

Section 1. The County of Erie, New York (herein called "County"), is hereby authorized to undertake the various capital projects as described in Column A of the attached schedule, each as more fully described in column F of the attached schedule and the duly adopted 1997 Capital Budget for the County. To the extent that the details set forth in this resolution are inconsistent with any details set forth in the 1997 Capital Budget of the County, such Budget shall be deemed and is hereby amended. The respective estimated maximum costs of (a) the specific objects or purposes set forth in rows 1-2, 5, 8-12, 15-16, 21, and 23-24 of the attached schedule, and (b) the classes of objects or purposes set forth in rows 3-4, 6-7, 13-14, 17-20, and 22 of the attached schedule, including preliminary costs and costs incidental thereto and to the financing thereof, is set forth in column B of the attached schedule, and said respective amounts are hereby appropriated therefor pursuant to the duly adopted 1997 Capital Budget for the County. The plan of financing includes the issuance of \$15,349,625 aggregate principal amount of bonds of the County to finance said appropriations, the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Any amounts received by the County from the United States of America and/or the State of New York are hereby authorized to be expended, in the respective amounts set forth in column D of the attached schedule, towards the cost of the applicable specific objects or purposes or classes of objects or purposes or the redemption of any notes and bonds issued therefor or to be budgeted as an offset to the taxes for the repayment of the principal of and interest on said notes and bonds.

Section 2. Bonds of the County in the respective principal amounts set forth in column C of the attached schedule are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law") to finance said appropriations.

Section 3. The respective periods of probable usefulness for said specific objects or purposes and classes of objects or purposes for which said \$15,349,625 bonds herein authorized are to be issued, within the limitations of Section 11.00 a. of the Law, is set forth in column E of the attached schedule.

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

Section 5. Subject to the provisions of this Resolution and of the Law, and pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and of Sections 50.00, 56.00 to 60.00 and 168.00 of said Law, the powers and duties of the County Legislature relative to authorizing the issuance of any notes in anticipation of the sale of the respective amounts of bonds herein authorized, or the renewals thereof, relative to providing for

substantially level or declining annual debt service, relative to prescribing the terms, form and contents and as to the sale and issuance of the respective amounts of bonds herein authorized, and of any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and relative to executing agreements for credit enhancement, are hereby delegated to the Comptroller of the County, as the chief fiscal officer of the County.

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

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

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

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

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

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

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

Ms. PEOPLES moved the adoption. Ms. COHEN KENNEDY seconded.

Chairman SWANICK directed that a Roll Call be taken.

Ayes - Chase, Greenan, Larson, Marshall, Pauly, Ranzenhofer, DeBenedetti, Dusza, Fisher, Fitzpatrick, Holt, Cohen Kennedy, Kuwik, Marinelli, Olma, Peoples, Swanick - 17. Noes - 0.

CARRIED UNANIMOUSLY.

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(B) BOND RESOLUTION OF THE COUNTY OF ERIE, NEW YORK, AUTHORIZING THE PARTIAL RECONSTRUCTION OF JEWETT HOLMWOOD ROAD IN THE TOWN OF AURORA, PURSUANT TO THE 1996 CAPITAL BUDGET, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$2,500,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$2,500,000 BONDS OF THE COUNTY TO PAY THE COST THEREOF.

(Introduced) April 10, 1997  
(Adopted) April 10, 1997

Recitals

WHEREAS, the Legislature of the County of Erie, New York, has heretofore duly authorized the financing of various capital projects included in the 1996 Capital Budget of the County, as amended, pursuant to various bond resolutions duly adopted on their respective dates by said Legislature, and

WHEREAS, it is now necessary to authorize the issuance of \$2,500,000 County bonds to finance the costs of partial reconstruction of Jewett Holmwood Road in the Town of Aurora, which project was included in the 1996 Capital Budget, as amended, but not included in such bond resolutions pending completion of the requisite environmental review proceedings,

NOW, THEREFORE, BE IT

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

Section 1. The County of Erie, New York (herein called "County"), is hereby authorized to reconstruct Jewett Holmwood Road from Davis Road to Route 20A, in the Town of Aurora, including widening and drainage improvements. The estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and to the financing thereof, is \$2,500,000, and said amount is hereby appropriated therefor pursuant to the duly adopted Capital Budget of said County for fiscal year 1996. To the extent that the details set forth in this resolution are inconsistent with any details set forth in the 1996 Capital Budget of the County, such Budget shall be deemed and is hereby amended. The plan of financing includes the issuance of \$2,500,000 bonds of the County to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the County in the principal amount of \$2,500,000, are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law") to finance said appropriation.

Section 3. The period of probable usefulness for the specific object or purpose for which said \$2,500,000 bonds herein authorized are to be issued, within the limitations of Section 11.00 a. 20. of the Law, is fifteen (15) years.

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



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

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

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

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

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

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

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

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

Mr. PEOPLES moved the adoption. Ms. COHEN KENNEDY seconded.

Chairman SWANICK directed that a Roll Call be taken.

Ayes - Chase, Greenan, Larson, Marshall, Pauly, Ranzenhofer, DeBenedetti, Dusza, Fisher, Fitzpatrick, Holt, Cohen Kennedy, Kuwik, Marinelli, Olma, Peoples, Swanick - 17. Noes - 0.

CARRIED UNANIMOUSLY.

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(C) BOND RESOLUTION OF THE COUNTY OF ERIE, NEW YORK, AUTHORIZING PREPARATION OF SURVEYS, PRELIMINARY AND DETAILED PLANS, SPECIFICATIONS AND ESTIMATES NECESSARY FOR PLANNING THE IMPROVEMENT OF COUNTY COURT FACILITIES, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$2,217,000, APPROPRIATING \$2,217,000 THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$2,217,000 BONDS OF THE COUNTY TO FINANCE SAID APPROPRIATION.

(Introduced) April 10, 1997  
(Adopted) April 10, 1997

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

Section 1. The County is hereby authorized to undertake the preparation of surveys, preliminary and detailed plans, specifications and estimates necessary for planning improvement of County court facilities. The estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and to the financing thereof, is \$2,217,000, and said amount is hereby appropriated therefor pursuant to the duly adopted 1997 Capital Budget for the County, as hereby amended. The plan of financing includes the issuance of \$2,217,000 bonds of the County and any bond anticipation notes issued in anticipation of the sale of such bonds to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the County to pay the principal of and interest on said bonds and notes as the same shall become due and payable.

Section 2. Bonds of the County in the principal amount of \$2,217,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law") to finance said appropriation.

Section 3. The period of probable usefulness for the specific object or purpose for which \$2,217,000 bonds herein authorized are to be issued, within the limitations of Section 11.00 a. 62 (2nd) of the Law, is five (5) years.

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

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

Section 6. Each of the bonds authorized by this Resolution and any bond anticipation notes issued in anticipation of the sale thereof shall contain the recital of validity prescribed by 52.00 of said Local Finance Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the County of Erie, payable as to both principal and interest by general tax upon all the taxable real property within the County without limitation as to rate or amount.

The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and provision shall be made annually in the budgets of the County by appropriation for (a) the amortization and redemption of the notes and bonds to mature in such year and (b) the payment of interest to be due and payable in such year.

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

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

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

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

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

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

Ms. PEOPLES moved the adoption. Ms. COHEN KENNEDY seconded.

Chairman SWANICK directed that a Roll Call be taken.

Ayes - DeBenedetti, Dusza, Fisher, Fitzpatrick, Holt, Kuwik, Marinelli, Olma, Peoples, Swanick - 10. Noes - Chase, Greenan, Larson, Marshall, Pauly, Ranzenhofer, Cohen Kennedy - 7.

DEFEATED.

FROM THE COUNTY EXECUTIVE

ITEM 41 - (Comm. 7E-10) 1997 Appointments to the Erie County Youth Services Board.

RECEIVED & FILED.

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ITEM 42 - (Comm. 7E-11) Request of the Cheekotowaga Central School district - Purchase Contracts Administrative code Section.

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

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ITEM 43 - (Comm. 7E-12) ECSD No. 1 - Transfer of Funds.

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ITEM 44 - (Comm. 7E-13) ECSD No. 5 - Eminent Domain Proceedings.

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

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ITEM 45 - (Comm. 7E-14) Health - contract with NYSDEC for Plan Review.

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ITEM 46 - (Comm. 7E-15) Health - Infant Child Health Assessment Program. 10/1/96 - 9/30/97

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

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ITEM 47 - (Comm. 7E-16) Appointment of Emily Kaznica as Director, Erie County Office for the Disabled.

RECEIVE, FILE & PRINT.

Pursuant to the provisions of the Erie County Charter, Article XI-F, Section 11-F-01, I Dennis T. Gorski, County Executive for the County of Erie, am pleased to appoint **EMILY KAZNICA** to the position of Director, Erie County Office for the Disabled.

Respectfully submitted,  
DENNIS T. GORSKI

RECEIVED, FILED & PRINTED.

ITEM 48 - (Comm. 7E-17) Appointment of Paul Fitzpatrick as Commissioner, Erie County Department of Senior Services.

RECEIVE, FILE & PRINT.

Pursuant to the provisions of the Erie County Charter, Article XI-E, Section 11-E-01, I, Dennis T. Gorski, County Executive for the County of Erie, am pleased to appoint **PAUL FITZPATRICK** to the position of Commissioner, Erie County Department of Senior Services.

Respectfully yours,  
**DENNIS T. GORSKI**

RECEIVED, FILED & PRINTED.

\_\_\_\_\_  
FROM THE COUNTY EXECUTIVE

ITEM 49 - (Comm. 7E-18) Grant Programs - Authorization to Contract.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

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ITEM 50 - (Comm. 7E-19) Health - Public Health Campaign Grant  
4/1/96 - 3/31/97.

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ITEM 51 - (Comm. 7E-20) Health - Payment for Prenatal & Postpartum Care.

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ITEM 52 - (Comm. 7E-21) Health - Agreement with Becton Dickinson Microbiology Systems.

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

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ITEM 53 - (Comm. 7E-22) Proposed PILOT Agreement - Town of Cheektowaga, County of Erie & Liberty Park Senior, LP; 2911 William Street.

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

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ITEM 54 - (Comm. 7E-23) Health - Medicaid Managed Health Care Public Health Related Activities.

ITEM 55 - (Comm. 7E-24) Health - Healthy Neighborhood Grant 10/1/96  
- 6/30/97.

ITEM 56 - (Comm. 7E-25) Health - Medicaid Managed Care Grant 7/1/97  
- 6/30/98.

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

ITEM 57 - (Comm. 7E-26) Recycling Investment Program Grant - Erie County Construction & Demolition Waste Recycling Project.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

ITEM 58 - (Comm. 7E-27) Senior Services - Revision of the Adopted 1997 Erie County Budget to Include Additional Home Care Provider.

Received and referred to the SOCIAL SERVICES COMMITTEE.

ITEM 59 - (Comm. 7E-28) ECSD No. 5 - Clarence Town District No. 6 Service Agreement.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

COMMUNICATIONS FROM THE DEPARTMENTS

FROM DPW

ITEM 60 - (Comm. 7D-1) Preliminary Engineering & Right of Way Incidental Work Bailey Avenue - Town of Amherst.

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM DEP

ITEM 61 - (Comm. 7D-2) SEQR - Solicitation for lead Agency Status  
- Ellicott Creek Park Improvements.

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ITEM 62 - (Comm. 7D-3) SEQR - Negative Declaration - Niawanda  
Riverwalk Spur: Path Widening Construction & Related Easement  
Acquisition.

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

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FROM ERIE COUNTY MEDICAL CENTER

ITEM 63 - (Comm. 7D-4) Notice of Finance Committee Meeting Held  
4/4/97 & Revised 1997 Dates.

Received and referred to the HEALTH/MENTAL HEALTH COMMITTEE.

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FROM ERIE COMMUNITY COLLEGE

ITEM 64 - (Comm. 7D-5) Agenda for Meeting Held 3/26/97

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ITEM 65 - (Comm. 7D-6) Minutes of Board of Trustees Committee  
Meetings Held 3/97.

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

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FROM DEP

ITEM 66 - (Comm. 7D-7) SEQR - Solicitation for Lead Agency Status  
- ECC south - Purchase Vehicle Technology Training Center.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.



FROM ERIE COMMUNITY COLLEGE

ITEM 67 - (Comm. 7D-8) Minutes of Board of Trustees Meeting Held 3/26/97.

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

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FROM CLERK OF THE LEGISLATURE

ITEM 68 - (Comm. 7D-9) Copy of Letter to Charles Chase Re: Request for Public Records in Accordance with Freedom of Information Law.

RECEIVED & FILED.

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FROM ERIE COUNTY MEDICAL CENTER

ITEM 69 - (Comm. 7D-10) Financial Statements for 2 Months ended 2/28/97.

Received and referred to the HEALTH/MENTAL HEALTH COMMITTEE.

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FROM ERIE COMMUNITY COLLEGE

ITEM 70 - (Comm. 7D-11) minutes of Board of Trustees Meeting Held 2/97.

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

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FROM CLERK OF LEGISLATURE

ITEM 71 - (Comm. 7D-12)

Ms. PEOPLES moved for immediate consideration. Mr. HOLT seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 168 Re: Copy of Letter to Chairman  
Swanick Re: Vacancy in Office of  
Water Authority Commissioner

Ms. PEOPLES offered an amendment of adding the following resolution to the original communication to read as follows:

RESOLVED, that the Erie County Legislature does hereby appoint GEORGE F. HASIOTIS, 40 Westfield Road, Amherst, New York 14226 to the Erie County Water Authority for a three (3) term to expire on APRIL 27, 2000.

Ms. PEOPLES moved the adoption of the resolution as amended.  
Mr. DUSZA seconded.

CARRIED UNANIMOUSLY.

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FROM ERIE COUNTY MORGUE

ITEM 72 - (Comm. 7D-13) Monies & Other Properties Found on Deceased Persons.

Received and referred to the HEALTH/MENTAL HEALTH COMMITTEE.

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FROM CENTRAL POLICE SERVICES

ITEM 73 - (Comm. 7D-14) Comments Concerning the Crime Status Hotline.

Received and referred to the PUBLIC SAFETY COMMITTEE.

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FROM DPW

ITEM 74 - (Comm. 7D-15) Agreement with NYSDOT for Right-of-Way Acquisition & Construction & Construction Inspection - Clarence Center Road Bridge.

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ITEM 75 - (Comm. 7D-16) Agreement with NYSDOT for Construction & Construction Supervision of Inspection Phases - Ridge Road Bridge.

ITEM 76 - (Comm. 7D-17) EC Home Ambulance Entrance Roof Repair - For Information Only.

ITEM 77 - (Comm. 7D- -18) HVAC Equipment Replacement - ECC South Campus.

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

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES

FROM KEVIN COLE

ITEM 78 - (Comm. 7M-1) Copy of Letter to Legislator Kuwik Re: Sheriff's Office Unfilled Positions.

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM GOVERNOR PATAKI

ITEM 79 - (Comm. 7M-2) Acknowledgement of Receipt of Resolution.

RECEIVED & FILED.

FROM TIOGA COUNTY LEGISLATURE

ITEM 80 - (Comm. 7M-3) Certified Resolution Re: Requesting New York State Legislature to Repeal Gross Receipts Tax.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM NFTA

ITEM 81 - (Comm. 7M-4) Minutes of NFTA/NFT Metro system Board Meeting Held 2/10/97.

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

ITEM 82 - (Comm. 7M-5) Information Requested at Public Safety Meeting.

Received and referred to the PUBLIC SAFETY COMMITTEE.

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FROM NEW YORK STATE DEPARTMENT OF AGRICULTURE & MARKETS

ITEM 83 - (Comm. 7M-6) Notice & Time Frame for Review of Erie County Agricultural District No. 5 Must be Conducted.

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ITEM 84 - (Comm. 7M-7) Notice & Time Frame for Review of Erie County Agricultural District No. 15 Must be Conducted.

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

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FROM ASSEMBLYMAN SILVER

ITEM 85 - (Comm. 7M-8) Acknowledgement of Receipt of Resolution.

RECEIVED & FILED.

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FROM ANSUINI & POHLMAN

ITEM 86 - Copy of Letter to Chase Re: Permission to Occupy 184 Buffalo Street.

RECEIVE, FILE & PRINT.

Dear Legislator Chase:

Please be advised that, as the landlords of 184 Buffalo Street, Hamburg, New York, you have our permission to occupy the office at 184 Buffalo Street until December 31, 1997, under the terms of the present lease. Our congratulations on your appointment.

Very truly yours,  
JAY A. POHLMAN  
Thomas M. Ansuini

RECEIVED, FILED & PRINTED.

FROM ASSEMBLYMAN REYNOLDS

ITEM 87 - (Comm. 7M-10) Achowledgement of Receipt of Resolution.

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FROM ASSEMBLYMAN SILVER

ITEM 88 - (Comm. 7M-11) Achowledgement of Receipt of Resolution.

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FROM ERIE COUNTY CULTURAL ADVISORY BOARD

ITEM 89 - (Comm. 7M-12) 1998 County Cultural Funding Application Process.

The above three items were RECEIVED & FILED.

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FROM ASSEMBLYMAN SILVER

ITEM 90 - (Comm. 7M-13) Assembly Passed Legislation A.1304-A Directing County Clerks to Retain Registration Mail-in Work.

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

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FROM MELINDA HOLLAND, CLEAN SITES

ITEM 91 - (Comm. 7M-14) Notice of Meeting Held 4/2/97 & Summary of Meeting Held 3/18/97.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

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FROM NEW YORK STATE DEPARTMENT OF HEALTH

ITEM 92 - (Comm. 7M-15) Acknowledgement of Receipt of Resolution.

RECEIVED & FILED.

FROM WARREN STEINTHAL

ITEM 93 - (Comm. 7M-16) Copy of Letter to Legislator Olma Re: Consolidating Mid-Erie Mental Health Services with ECMC.

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FROM WELLNESS INSTITUTE

ITEM 94 - (Comm. 7M-17) Minutes of Meeting Held 3/20/97 & Meeting to be Held 4/25/97.

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

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FROM NEW YORK STATE FOREST PRACTICE BOARD

ITEM 95 - (Comm. 7M-18) Notice of Meeting to be Held 4/17/97.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

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FROM DUTCHESS COUNTY LEGISLATURE

ITEM 96 - (Comm. 7M-19) Copy of Resolution Re: Requesting new York State to Reimburse Counties 100% of Actual Costs for parole Violation Assigned Parole violation Assigned Counsel.

Received and referred to the PUBLIC SAFETY COMMITTEE.

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FROM ECIDA

ITEM 97 - (Comm. 7M-20) Notice of Meeting to be Held 4/16/97.

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM OTB

ITEM 98 - (Comm. 7M-21) Minutes of Meeting to be Held 2/27/97.

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

MEMORIAL RESOLUTIONS

ITEM 99 - Ms. PEOPLES moved that when this Legislature adjourns, it do so out of respect to the memory of OFFICER CHARLES E. MCDOUGAL, deceased. Mr. MARSHALL seconded.

CARRIED UNANIMOUSLY.

ADJOURNMENT

ITEM 100 - At this time, there being no further business to transact, the Chairman announced that the Chair would entertain a Motion to Adjourn.

Ms. PEOPLES moved that the Legislature adjourn until 2:00 P.M., Thursday, April 17, 1997. Mr. MARSHALL seconded.

CARRIED UNANIMOUSLY.

The Chairman declared the Legislature adjourned until Thursday, April 17, 1997 at 2:00 P.M., Daylight Savings Time.

LAURIE A. MANZELLA  
Clerk