

ERIE COUNTY LEGISLATURE  
MEETING NO. 17  
September 10, 1998

The Legislature was called to order by Chairman Swanick.

All Members present.

The Invocation was led by Reverend Phil Vender of the Augustana Lutheran Church

The Pledge of Allegiance was led by Mr. Holt.

**MISCELLANEOUS RESOLUTIONS**

Item 1 – Mr. Kuwik, Mr. Dusza, Ms. Peoples and Mr. Swanick submitted a resolution congratulating Frederick Pordum on his retirement from public service. Mr. Dusza seconded.

CARRIED UNANIMOUSLY.

Item 2 – Mr. Pauly submitted a resolution congratulating memory of Stephen Caruana who is Retiring from ECMC. Mr. Larson seconded.

CARRIED UNANIMOUSLY.

Item 3 – Ms. Peoples on behalf of the Democratic Majority submitted a resolution congratulating John N. Cardarelli on His Retirement as Commissioner of Central Police Services for Erie County. Mr. Holt seconded.

CARRIED UNANIMOUSLY

Item 4 – Mr. Olma presented a resolution congratulating Corpus Christi Parish on Their 100<sup>th</sup> Anniversary. Mr. Dusza seconded.

CARRIED UNANIMOUSLY

Item 5 – Mr. Olma presented a resolution commending Aniela Baj for her dedication as Program Director of the B.E.S.T. Summer Fun Club at Lincoln Playground. Mrs. Fisher seconded.

CARRIED UNANIMOUSLY



Item 6 – Mrs. Fisher submitted a resolution congratulating Eugene & Rose Margaret Neubecker on their 50<sup>th</sup> Wedding Anniversary. Ms. Peoples seconded.

CARRIED UNANIMOUSLY

Item 7 – Ms. Marinelli submitted a resolution congratulating Michael & Angeline Lipuma on their 50<sup>th</sup> Wedding Anniversary. Ms. Peoples seconded.

CARRIED UNANIMOUSLY

Item 8 – Ms. Peoples submitted a resolution recognizing 9/19/98 as 4<sup>th</sup> Annual “Kids Day America” in Erie County. Mr. Kuwik seconded.

CARRIED UNANIMOUSLY

### **LOCAL LAWS**

Item 9 – Chairman Swanick directed that Local Law Intro No. 10 (Print #1) 1997 remain on the table.

Item 10 – Chairman Swanick directed that Local Law Intro No. 11 (Print # 1) 1997 remain on the table and in the FINANCE & MANAGEMENT COMMITTEE.

Item 11 – Chairman Swanick directed that Local Law Intro No. 1 (Print #1) 1998 remain on the table and in the FINANCE & MANAGEMENT COMMITTEE.

Item 12 – Chairman Swanick directed that Local Law Intro 6 (Print #1) 1998 remain on the table.

### **COMMITTEE REPORTS**

NONE.

### **LEGISLATORS RESOLUTIONS**

Item 13 - Ms. Peoples presented the following resolution and moved for immediate consideration. Mrs. Fisher seconded.

CARRIED UNANIMOUSLY. Mr. Olma voted in the negative.

RESOLUTION NO. 280      Re: Erie County Medical Center (ECMC) and County Health Department Service Consolodation Study. (Intro. 17-1)

Item 14 – Mr. Dusza presented the following resolution and requested that it be referred to the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Intro 17 -2 Re: Compelling Paul Snyder to Pay Back Taxes Owed on the Former Westinghouse Property in the Town of Cheektowaga.

Item 15 – Ms. Peoples presented the following resolution and requested that it be referred to the COMMUNITY ENRICHMENT COMMITTEE.

GRANTED.

Intro 17-3 Re: A Buffalo Vintage Trolley System.

Item 16 – Mr. Pauly presented the following resolution and requested that it be referred to the HEALTH COMMITTEE.

GRANTED.

Intro 17-4 Re: The Alliance for the Mentally Ill of Buffalo and Erie County.

Item 17 – Mr. Pauly presented the following resolution moved for immediate consideration. Ms. Peoples seconded.

RESOLUTION NO. 281 Re: In Support of Buffalo Place Inc. (Intro 17-5)

Mr. Pauly moved to amend Intro 17-5. Mr. Pauly moved to approve the resolution as amended. Ms. Peoples seconded.

Ms. Marinelli voted in the negative.

Item 18 - Ms. Peoples presented the following resolution and moved for immediate approval. Mrs. Fisher seconded.

Mr. Marshall moved to amend the resolution to include et al sponsorship. Ms. Peoples seconded.

Ms. Peoples moved to approve the resolution as amended. Mr. Marshall seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 282 Re: Clothing and Footwear Exemption From Sales and Use Tax for the Period January 17 through January 24, 1999 (Intro 17-6)

Item 19 – Ms. Peoples presented the following resolution and moved for immediate consideration. Mr. Marshall seconded.

RESOLUTION NO. 283 Re: State Electric and Consumer Empowerment Act of 1998 (Intro 17-7)

**WHEREAS**, a major factor for high electric rates in New York is the rates charged to electric utilities by qualified small power producers, and

**WHEREAS**, the Public Utility Regulatory Policies Act of 1978 (PURPA) was enacted to ensure consumers would not have to pay higher mandated utility costs, and

**WHEREAS**, PURPA, however, has had an opposite effect on the cost of power to the electric utilities, therefore, increasing the cost of electricity to consumers, and

**WHEREAS**, these increased costs have been a major obstacle in New York's efforts in maintaining existing businesses, as well as competing with other states for new businesses, and

**WHEREAS**, H.R.4183, the State Electric and Consumer Empowerment Act of 1998, was introduced to protect the Nation's electricity ratepayers, and

**WHEREAS**, this bill provides the States the necessary authority to ensure that rates charged by qualified small power producers to electric utilities are just and reasonable, and

**WHEREAS**, H.R. 4183 also establishes effective programs for monitoring the operating and efficiency performance of qualified small power production facilities to maintain the standards of the Federal Energy Regulatory Commission.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Erie County Legislature does hereby support H.R. 4183, the State Electric and Consumer Empowerment Act of 1998, and be it further

**RESOLVED**, that H.R. 4183 this bill represents a vital step in reducing electric rates in New York which will help the State of New York more effectively compete for business, and be it further

**RESOLVED**, that this Honorable Body urges the Congress to pass and the President to sign into law H.R. 4183.

Ms. Peoples moved to amend Intro 17-7. Mrs. Fisher seconded.

AMENDMENT TO INTRO. 17-7 (1998)  
SUBMITTED BY THE DEMOCRATIC MAJORITY

**ADD, following the fourth WHEREAS clause:**

WHEREAS, New York State in particular finds high utility rates a barrier to attracting industry to the region, and

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

RESOLVED, That the Erie County Legislature does hereby state its strong support for utility deregulation as a means of lowering costs for businesses and residences so as to enhance the economic well being of our area, and be it further

RESOLVED, That this Honorable Body does therefore memorialize the United States Congress to pass H.R.4183, H.R.4511, and S.2419 to accomplish the aforementioned goals, and be it further

RESOLVED, That this Honorable Body does also memorialize the United States Congress to appoint conference committees to resolve differences among these bills, and be it further

RESOLVED, That certified copies of this resolution be forwarded to the local delegation of the United States Congress and to President Bill Clinton.

Ms. Peoples moved to approve Intro 17-7 as amended. Mr. Holt seconded.

CARRIED UNANIMOUSLY.

Item 20 – Ms. Peoples presented the following and moved for immediate approval. Mr. Holt seconded.

RESOLUTION NO. 284 Re: Dedicating Proceeds from New York State Lawsuit on Tobacco Industry Toward Property Tax Reduction (Intro 17-8).

**WHEREAS**, In 1997, Erie County filed a \$500 million lawsuit against the tobacco industry seeking to recover damages from smoking-related illnesses and deaths, and

**WHEREAS**, New York State Attorney General Dennis Vacco has also initiated a lawsuit against the tobacco industry to recover damages from smoking-related illnesses, and

**WHEREAS**, expenditures by state and local (county) governments to address illnesses and deaths associated with tobacco products are estimated to be in the hundreds of millions of dollars, and

**WHEREAS**, expenditures for tobacco-related illnesses have primarily been made through Medicaid, a government health insurance program that is financed by state and local governments in various percentages, depending on the specific program or service, and

**WHEREAS**, Attorney General Dennis Vacco has stated that Erie County will share in any tobacco settlement proceeds "by virtue...of state and federal law", and

**WHEREAS**, under the Social Security Act, any recovery for Medicaid overpayments must be divided proportionately between the state and local governments, and

**WHEREAS**, Erie County could reap a huge financial windfall from the settlement of the legal action against the tobacco industry; for example, had the proposed \$368 billion tobacco settlement not failed in Congress, Erie County could have realized an estimated \$13 million for 25 years or approximately \$325 million, and

**WHEREAS**, depending upon the terms of the settlement, funds realized from the state's lawsuit against the tobacco industry could be used for any purpose, including property tax reduction, and

**WHEREAS**, property taxes in Erie County have risen by more than 70 percent since 1988, making the county one of the highest taxed communities in the country

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Erie County Legislature reiterates its support for the lawsuit filed by State Attorney General Dennis Vacco against the tobacco industry, and be it further

**RESOLVED**, that the Erie County Legislature is also reassured by comments made by Attorney General Vacco that the Social Security Act will guarantee a proportionate disbursement of any settlement award to the state and local government in a manner consistent with Medicaid expenditures, and be it further

**RESOLVED**, that should a settlement finally be reached and a monetary award be made to New York State, without specific mandates as to its use, the Erie County Legislature does hereby state its support for the use of the full amount of any settlement for property tax reduction, and be it further

**RESOLVED**, that a certified copy of this resolution be forwarded to County Executive Dennis Gorski, Comptroller Nancy Naples and Budget Director Kenneth Kruly.

Ms. Peoples moved to amend Intro 17-8. Mr. Holt seconded.

AMENDMENT TO INTRO. 17-8 (1998)  
SUBMITTED BY THE DEMOCRATIC MAJORITY

**ADD, following the ninth WHEREAS clause:**

WHEREAS, The Administration and Legislature of the county have effectively begun to act to curb property taxes by enacting a three year property tax freeze,

**DELETE, in its entirety, the first RESOLVE clause, and REPLACE with the following:**

RESOLVED, That the Erie County Legislature reiterates its support for the action taken by New York State Attorney General Dennis Vacco and Erie County Executive Dennis Gorski against the tobacco industry, and be it further

Ms. Peoples moved to approve Intro 17-8 as amended. Mr. DeBenedetti seconded.

CARRIED UNANIMOUSLY.

Item 21 – Ms. Peoples presented the following resolution and moved for immediate consideration. Mr. Kuwik seconded.

RESOLUTION NO. 285 Re: Preserving Health Care Choice and Fleximility for WNY Senior Citizens (Intro 17-9)

WHEREAS, Erie County currently has 3,949 active employees enrolled with Independent Health, representing approximately \$14 million in premiums payments annually, and

WHEREAS, Erie County provides its employees with choice and flexibility in selecting from a variety of health care options for individuals and their families, and



WHEREAS, Despite the fact that local HMOs marketed their plans on the pretence of greater choice and flexibility, Independent Health recently announced plans to restrict the provider network for Medicare enrollees 65 and older, within its program known as Encompass 65, and

WHEREAS, Independent Health has approximately 25,000 members in its Encompass 65 program and approximately 50% of them currently obtain health care from hospitals that will be excluded from the HMO, and

WHEREAS, The Independent Health deal is the first exclusive arrangement between an HMO and one of the Western New York's new hospital systems, and

WHEREAS, CFG was formed earlier this year by the mergers of Buffalo General Hospital, Millard Fillmore Hospital, Children's Hospital of Buffalo and DeGraff Memorial Hospital, and

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WHEREAS, The Independent Health exclusivity policy will exact a financial challenge on the five hospitals that joined ranks to establish the Catholic Health System, including Kenmore Mercy, South Buffalo Mercy, Our Lady of Victory, St. Joseph's and Sisters, and

WHEREAS, The restricted provider network for Medicare eligible residents will result in fewer health care choices and less flexibility, and

WHEREAS, The restricted provider network will also likely result in hospital closings and significant job losses in the health care industry,

WHEREAS, this action may also result in drastic financial hardship for other hospitals in the region, leading to widespread job layoffs and a generally less comprehensive level of medical service for residents in many areas of Erie County, and

WHEREAS, it is incumbent upon members of this legislature to examine the impact of any policy change the likes of which is planned by Independent Health, through committee meetings, public hearings and other means by which members may learn more about the potential impact of this decision,

NOW, THEREFORE, BE IT

RESOLVED, That the Erie County Legislature does hereby express its deep concern that the Independent Health exclusivity policies will severely restrict patient choice and flexibility, thereby compromising health care quality in Western New York, and be it further

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RESOLVED, That the aforementioned exclusivity policies may also result in hospital closings and significant job losses in the health care industry, and be it further

RESOLVED, That this Honorable Body does reaffirm its support for a Western New York health care system that preserves choice and flexibility for residents without sacrificing quality of care, and be it further

RESOLVED, That officials from Independent Health are hereby requested to appear before the Legislature's Health Committee to address the aforementioned issues,

including their plans to exclude the Catholic Health System (CHS) from their provider network for Encompass 65 patients, and be it further

RESOLVED, that ECMC officials are hereby requested to provide an assessment of the short and long-term revenue impact of the Independent Health decision on the Medical Center's financial bottom line, and be it further

RESOLVED, that the Chairman of the Erie County Legislature is hereby authorized to schedule Public Meetings throughout local communities to discuss the impact of Independent Health's plans to alter the Encompass 65 program and services, with the first three Public Meetings scheduled as follows:

- Cheektowaga Senior Citizen Center, Broadway and Union Road, Cheektowaga, September 17<sup>th</sup>, 10:00 A.M.;
- Town of Tonawanda Senior Citizen Center, 291 Ensminger Rd., Tonawanda, Thursday, September 24<sup>th</sup>, 7 P.M.;
- Hamburg Town Hall, S-6100 South Park Avenue, Hamburg, September 29<sup>th</sup>, 7:00 P.M.

and be it further

RESOLVED, That a certified copy of this resolution be forwarded to County Executive Dennis T. Gorski, ECMC Chief Executive Officer Paul J. Candino, Senior Services Commissioner Paul Fitzpatrick, Personnel Commissioner Leonard R. Lenihan, Labor Relations Director Michael Connors, and Independent Health President Frank Colantuono.

Mr. Larson moved to amend Intro 17-9. Ms. Peoples seconded.

Ms. Peoples moved to approve Intro 17-9 as amended. Ms. Marinelli seconded.

CARRIED UNANIMOUSLY.

Item 22 – Ms. Peoples presented the following resolution and moved for immediate consideration. Mr. Marshall seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 286 Re: Technical Correction for Domestic Violence Initiative Funding (Intro 17-10).

WHEREAS, the Legislature adopted resolution Intro. 14-18 (1998) on July 16, 1998, transferring funds in the amount of \$50,000 for the following Domestic Violence prevention initiatives:

- Victim Legal & Counseling Services;
- Education & Marketing Information for Victims;
- Networking & Information Systems Development;

and

WHEREAS, funds expended for Domestic Violence prevention services may be eligible for matching funds from New York State through the Office of Temporary and Disability Assistance, and

WHEREAS, this Legislature's authorization is necessary for the County Executive to execute contractual agreements and to revise appropriations to reflect additional state funds for these critical services,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize the County Executive to utilize funds transferred to the Department of Social Services within legislative resolution Intro. 14-18 (1998) for the local share of the Domestic Violence prevention services delineated within the aforementioned resolution, with said funds to be matched with an equivalent amount of additional state funds, and be it further

RESOLVED, that the County Executive be and hereby is authorized to enter into a contract with Haven House in the amount of \$29,700, with authorization for a subcontract with Neighborhood Legal Services, and be it further

RESOLVED, that the Commissioner of Social Services is hereby directed to claim matching reimbursement for these funded activities as is available under New York State law and regulation, and be it further

RESOLVED, that certified copies of this resolution be sent to County Executive Dennis Gorski and to Social Services Commissioner Deborah Merrifield.

Fiscal Impact: Positive for Erie County Taxpayers.

REFERENCE: Int.17-10

Item 23 – Mr. Holt presented the following resolution and moved for immediate consideration. Ms. Peoples seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 287 Re: Review of ECC Parking Lease Designation (Intro 17-11).

**WHEREAS, Larry T. Hawkins, operator of the Park Place Parking company, contends that he was unfairly removed from consideration as a parking vendor for ECC's City Campus, and**

**WHEREAS, ECC's bid specifications called for a minimum of 100 to 400 paved parking spaces to accommodate the need for student parking at the downtown campus, and**

**WHEREAS, While Mr. Hawkins contends he has the minimum 100 spaces available, an ECC purchasing review concluded that a minimum of 74 spaces were available, and**

**WHEREAS, Mr. Hawkins has said that the 74 spaces reviewed by the ECC review team does not take into account the full capacity of his property which he says can accommodate 100 spaces in the paved area and 100 in an unpaved rear lot, and**

**WHEREAS, Mr. Hawkins further contends that accommodations are being made to allow the designated vendor time to prepare his property to meet the bid specifications and thus he should be given the same opportunity, and**

**WHEREAS, County Purchasing and ECC officials should maximize the opportunity for parking competition in the area of ECC, thereby helping to drive down parking rates for students, and**

**WHEREAS, ECC officials should also take into to account the new residential and commercial development that has occur within the area of Mr. Hawkins property,**

**NOW, THEREFORE, BE IT**

**RESOLVED, That the County Purchasing Director and the ECC Board Trustees Chair appear before the next Community Enrichment Committee to discuss the aforementioned issues, and be it further**

**RESOLVED, Erie County Legislature does hereby urge the County Purchasing Director and ECC Board of Trustees to formally review Mr. Hawkins' parking proposal and reconsider their decision concerning the designation of a parking vendor for ECC's City Campus, and be it further**

**RESOLVED, That certified copies of this resolution be forwarded to County Executive Dennis T. Gorski, Purchasing Director John Doyle, ECC Board of Trustees Chair Mary Beth Cullinan and County Office of Equal Employment Opportunity/MBE Director B. Ty Shaw.**

**Fiscal Impact: To Be Determined**

REFERENCE: Int. 17-11

Item 24 – Ms. Chase presented the following resolution and moved to receive and file. Mr. Larson seconded.

RECEIVED AND FILED.

Intro 17-12 Re: Clothing and Footwear Exemption From sales and Use Tax for the Period January 17 through January 24, 1999.

Item 25 - Ms. Peoples presented the following resolution and moved for immediate consideration. Mr. Dusza seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 288 RE: Sardinia Agricultural District 8-year Review. (Intro 17-13).

**RESOLVED**, that the Clerk of the Legislature is directed to hold a Public Hearing on September 30, 1998, at 7:30 p.m. at the Sardinia Community Center, 12320 Savage Road, Sardinia, NY 14134 concerning the 8-year review of Sardinia Agricultural District, and be it further

**RESOLVED**, that the Clerk of the Legislature is hereby directed to publish said Notice of Public Hearing in the newspaper having general circulation within the Sardinia Agricultural District, to so notify the affected municipality and any property owners affected by any proposed modifications (additions/deletions) to the Sardinia Agricultural District.

REFERENCE: Int. 17-13

Item 26 – Ms. Peoples presented the following resolution and moved for immediate consideration. Mr. Holt seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 289 Re: Funding for Youth Projects in Tonawanda. (Intro 17-14).

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$3,000 within Fund 110, Project 921, Department 301 Agency Payments & Grants - Public Benefit Services, (DAC: 110921301830), for paying the following agency:

<u>NAME</u>	<u>LINE</u>	<u>ORIGINAL AMOUNT</u>	<u>+/-</u>	<u>NEW AMOUNT</u>
Eldredge Bicycle Club	n/a	\$3,000	(\$3,000)	-0-
Kiwanis Club of the Tonawandas Foundation, Inc.	n/a	-0-	\$3,000	\$3,000
<b>TOTAL</b>			<b>-0-</b>	

and be it further

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

RESOLVED, that certified copies of this resolution be sent to County Executive Dennis Gorski, County Comptroller Nancy A. Naples, Budget Director Kenneth C. Kruly, First Assistant County Attorney Alan Gerstman and to Mark E. Saltarolli, President, Kiwanis Club of the Tonawandas Foundation, Inc., 156 Delaware St., Tonawanda, NY 14150, and Kenneth H. Thursam, President, Eldredge Bicycle Club, Inc., 17 Broad Street, Tonawanda, NY 14150.

**Fiscal Impact:** Appropriation of 1998-budgeted funds.

REFERENCE: Int. 17-14

Item 27 – Mr. Holt presented the following resolution and requested that it be referred to the HEALTH COMMITTEE.

GRANTED.

Intro 17-15 Clarification Re: Role of Managed Care Programs & Health Care Services They are Required to Render to a Significant Portion of Populace of EC.

Item 28 – Mr. Holt presented the following resolution and moved for immediate consideration. Ms. Peoples seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 290 Re: Support for Project to Assist County of Erie to Meet Work Requirement Set Forth Under Welfare Reform Act of 1996 (Intro 17-16).

Whereas, The R-T-PJNC. (Recruitment and Training Program) of the A. Philip Randolph Educational Fund (A-PREF), 1444 I Street, NW Suite #300 Washington D.C. 20005, one of the most widely used respected foundations and government support job training initiatives, is designed to affect the economic fortunes of women minority and economically disadvantaged populations in America. Over its years of operation, R-T-P, Inc. helped more than 40,000 women minorities, and economically disadvantaged individuals in obtaining the necessary skills to enter permanent positions in the work force.

Whereas, The overall goal of this proposal is to provide recruitment, orientation, counseling , tutorial help, motivational training, job development , job referral, follow-up , and job retention for the Erie County Department of Social Services. The primary focus of this project is to assist the County of Erie to meet the work requirement set forth in under the Welfare Reform Act of 1996.

Whereas, Under the terms of this proposal R-T-P, Inc. establish an office of operation located in the City of Buffalo where there exist a heavy concentration of TANF recipients who are in need of assistance in gaining and retaining employment. This proposal calls for the placement of 96 recipients in gainful employment pre apprentice or apprentice training programs during the first year.

Whereas, R-T-P will identify a staff of local residents who will be trained and managed by a team of professionals who have extensive experience in this industry. As demonstrated by our established retention rate of more than 92%, the R-T-P model is an effective tool and will be employed in this project and

Now, Therefore Be It,



Resolved, that the Erie County Legislative Body request that the representatives of the R-T-P, Inc. (Recruitment and Training Program) of the A. Philip Randolph Educational Fund (APREF) present to the Social Services Committee the planned implementation projected success ratio and cost effectiveness in delivery of the project in accordance with the goals and objectives of the Welfare Reform Act of 1996 and relative governmental mandates.

Fiscal impact to be determined  
REFERENCE: Int 17-16

Item 29 – Mr. Dusza presented the following and requested that it be referred to the GOVERNMENT AFFAIRS COMMITTEE.

Mr. Dusza moved to amend the resolution adding Et Al to the sponsorship. Mr. Marshall seconded.

Ms. Peoples offered a motion to reconsider and forward the resolution as amended to the GOVERNMENT AFFAIRS COMMITTEE. Mr. Dusza seconded.

GRANTED.

Intro 17-17 Re: Declining Volunteer Firefighter Enrollment

Item 30 – Mrs. Fisher presented the following resolution and moved for immediate consideration. Ms. Peoples seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 291 Re: Support for Community Projects in the City of Buffalo (Intro 17-18).

WHEREAS, the Legislature set aside funds in the 1998 Erie County Budget for use by worthy community organizations and governmental agencies, and

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

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

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$10,000 from the legislative contingency (Countywide Contingency DAC: 110923310893) to Fund 110, Project 921, Department 301 Agency Payments & Grants - Public Benefit Services, (DAC: 110921301830), for paying the following agency:

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
Buffalo Olmsted Parks Conservancy	n/a	\$10,000
<b>TOTAL</b>		<b>\$10,000</b>

and be it further

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

RESOLVED, that certified copies of this resolution be sent to County Executive Dennis Gorski, County Comptroller Nancy A. Naples, Budget Director Kenneth C. Kruly, First Assistant County Attorney Alan Gerstman and to Lucy Cook, Buffalo Olmsted Parks Conservancy, The Parkside Lodge, 84 Parkside Ave., Buffalo, NY 14214.

**Fiscal Impact:** Appropriation of 1998-budgeted funds.

REFERENCE: Int. 17-18

Item 31 – Ms. Marinelli presented the following and moved for immediate consideration. Ms. Peoples seconded.

CARRIED UNANIMOUSLY.

Ms. Marinelli moved to amend the resolution. Ms. Peoples seconded.

Ms. Marinelli moved to approved the resolution as amended. Ms. Peoples seconded.

RESOLUTION NO. 291 Re: Ellicott Creek (Intro 17-19).

**COMMUNICATIONS DISCHARGED FROM COMMITTEE**

NONE.

**SUSPENSION OF THE RULES**

Item 32 - Ms. Peoples moved for a suspension of the rules to include an item not on the agenda.

GRANTED.

Comm. 17D-59

Letter from Les Hoffman.Re: Surplus of Out of  
Date Computers

Chairman SWANICK directed that Comm. 17D-59 be referred to the Government Affairs Committee.

Item 33 - Ms. Peoples moved for a suspension of the rules to include an item not on the agenda.

GRANTED.

Comm. 17E-72

Letter from David Fountaine Re: Sales Tax  
Exemptions in Hamburg

Chairman SWANICK directed that Comm. 17E-72 be referred to the Finance & Management Committee.

Item 34 - Ms. Peoples moved for a suspension of the rules to include an item not on the agenda.

GRANTED.

Comm. 17E-73

Letter from Legislator Dusza Re: Buffalo News  
Clipping on Paul Snyder

Chairman SWANICK directed that Comm. 17E-73 be referred to the Government Affairs Committee.

**COMMUNICATIONS FROM ELECTED OFFICIALS**

**FROM THE COMPTROLLER**

Item 35 – (Comm. 17E-1) Certificate of Determination by Comptroller Relative to Terms, Form & Details of Sale & Issuance of \$211,700 EFC Sewer System Serial Bonds.

Item 36 – (Comm. 17E-2) Certificate of Determination by Comptroller Relative to Terms, Forms & Details of Sale & Issuance of \$426,400 EFC Sewer System Serial Bonds.

The above two items were received and filed.

Item 37 – (Comm. 17E-3) Review of Buffalo Bills Lease.

Received and referred to the FINANCE AND MANAGEMENT COMMITTEE.

FROM LEGISLATOR DEBENEDETTI

Item 38 – (Comm. 17E-4) Letter to District Attorney Re: Campaign Finance Regulations.

Received and filed.

FROM THE COMPTROLLER

Item 39 – (Comm. 17E-5) Interim Financial Report for Three Months Ended 3/31/98

Received and referred to the FINANCE AND MANAGEMENT COMMITTEE.

FROM THE COUNTY EXECUTIVE

Item 40 – (Comm. 17E-6) Position Change Report PP #16.

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE COMPTROLLER

Item 41 – (Comm. 17E-7) Supplement to Comprehensive Annual Financial Report for Year Ended 12/31/97.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE COUNTY EXECUTIVE

Item 42 – (Comm. 17E-8) Letter to Legislature Re: Order of Succession.

Pursuant to Section 304 of the Erie County Charter, I am hereby informing the County Legislature of the Order of Succession for individuals to act on official county business in my absence.

1. Dennis T. Gorski, County Executive
2. James P. Keane, Deputy County Executive
3. Kenneth A. Schoetz, County Attorney

4. Kenneth C. Kruly, Budget Director

5. Richard M. Tobe, Commissioner, Environment & Planning

Very Truly Yours  
DENNIS T. GORSKI  
County Executive

Received, filed and printed.

FROM THE COMPTROLLER

Item 43 – (Comm. 17E-9) Annual Financial Report Update Document for Year Ended 12/31/97.

Referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM LEGISLATOR DUSZA

Item 44 – (Comm. 17E-10) Letters From Constituents.

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM LEGISLATOR MARINELLI

Item 45 – (Comm. 17E-11) Response to 7/31/98 Budget Director's Letter.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE COUNTY EXECUTIVE

Item 46 – (Comm. 17E-12) Position Change Report PP# 17.

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE COMPTROLLER

Item 47 – (Comm. 17E-13) Review of Unfilled Vacant Positions

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE COUNTY EXECUTIVE

Item 48 – (Comm 17E-14) Position Change Report PP #18.

FROM LEGISLATOR PAULY

Item 49 – (Comm. 17E-15) Letter From NOCO Energy Corporation Re: E.C. Local Law No. 7 (1997)

FROM LEGISLATOR MARINELLI

Item 50 – (Comm. 17E-16) Response to Committee to Keep Zoo in Delaware Park.

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

Item 51 – (Comm. 17E-17) Copy of Letter to NYS Thruway Authority Re: Endorsement of Erie Canal Waterway Identified as an Affiliated Area.

Received and filed.

FROM THE COUNTY EXECUTIVE

Item 52 – (Comm. 17E-18) Position Change Report PP #19.

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE COMPTROLLER

Item 53 – (Comm. 17E-19) Letter to Legislature Re: General Obligation Bond Sale.

Item 54 – (Comm. 17E-20) Management Letter Issued in Conjunction with the Audit of ECMC Financial Statements for the Year Ended 12/31/97.

Item 55 - (Comm. 17E-21) Letter from Deloitte & Touche, L.L.P. to the Management of ECMC Re: Internal Control & Other Matters.

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

FROM THE COUNTY EXECUTIVE

Item 56 – (Comm. 17E-22) Senior Services – Authorization to Revise WRAP-SOFA & HEAP Budgets.

Item 57 – (Comm. 17E-23) Senior Services – Authorization to Revise CSE, EISEP & RSVP Grant Budgets.

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

Item 58 – (Comm. 17E-24) Deferred Compensation Agreement.

Referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 59 – (Comm. 17E-25) 1997 STOP – DWI Grant Adjustment.

Referred to the PUBLIC SAFETY COMMITTEE.

Item 60 – (Comm. 17E-26) Early Retirement Incentive 1998.

Referred to the COMMUNITY ENRICHMENT COMMITTEE.

Item 61 - (Comm. 17E-27) Ms. Peoples moved for immediate consideration. Mr. Olma seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO 292      Re:    Sale of County Owned  
Property

Item 61 – (Comm. 17E-28) Health – Transfer of Funds.

Referred to the HEALTH COMMITTEE.

Item 62 – (Comm. 17 E-29) Youth Services – Increased Funding for Detention  
Aftercare Resource (DART) Program.

Referred to the SOCIAL SERVICES COMMITTEE.

Item 63 – (Comm. 17 E-30) Northern Erie Clinical Services Program – Lease  
1565 Kenmore Avenue.

Item 64 – (Comm. 17 E-31) Health – Early Retirement Position Change.

The above two items were referred to the HEALTH COMMITTEE.

Item 65 – (Comm. 17E-32) Sheriff's Office – Asset Forfeiture Fund  
Appropriations – Project #493.

Referred to the PUBLIC SAFETY COMMITTEE.

Item 66 – (Comm. 17E-33) Environmental Protection Act Funding Application.

Referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 67 – (Comm. 17E-34) Probation – Alternative to Incarceration – Sub-Contract Funding.

Item 68 – (Comm. 17E-35) Youth Services – Increase in Overtime & Purchase of Equipment for Kitchen at East Ferry Detention Center.

The above to items were referred to the PUBLIC SAFETY COMMITTEE.

Item 69 – (Comm. 17E-36) Social Services – Child Fatality Review Team Budget Amendments.

Item 70 – (Comm. 17E-37) Social Services - Exploration Internship Program Expansion.

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

Item 71 – (Comm. 17E-38) Financial Proposal for Hospital Information System at ECMC.

Referred to the HEALTH COMMITTEE.

Item 72 – (Comm. 17E-39) Social Services Day Care Registration Grant Expansion.

Referred to the SOCIAL SERVICES COMMITTEE.

Item 73 – (Comm. 17E-40) Sale of County Owned Property.

Referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 74 – (Comm. 17E-41) Social Services – Enhanced Drug & Alcohol Services Grant.

Referred to the SOCIAL SERVICES COMMITTEE.

Item 75 – (Comm. 17E-42) Health – Supplemental Aid to Localities Grant Medical Examiner's Toxicology Laboratory 4/1/98 – 3/31/2000.

Referred to the HEALTH COMMITTEE.



Item 76 – (Comm. 17E-43) Clean Water\Clean Air Bond Act Funding Application.

Referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 77 – (Comm. 17E-44) Engineering Service Agreements Legislative Comm. 20 E-13 Work Project: SW-4 ECSD No. 2 Odor Control Study.

Item 78 – (Comm. 17E-45) Engineering Services Agreements Legislative Comm. 20E-13 Work Project TVGA-6 ECSD No. 3 Holland STP – Sludge Drying Beds.

Item 79 – (Comm. 17E-46) ECSD No. 5 Pratt & Huth Assoc., LLP Proposed Engineering Agreement.

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

Item 80 – (Comm. 17E-47) Request for Legislative Action to Increase the Appropriation to South-east Community Work Center by \$14,000 in 100% NYSOMR/Develop. Dis. Aid

Referred to the HEALTH COMMITTEE.

Item 81 – (Comm. 17E-48) ECSD No. 6 Allocation of Funds.

Referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 82 – (Comm. 17E-49) District Attorney – Authorization to Amend Victim\Witness Assistance Grant.

Item 83 – (Comm. 17E-50) District Attorney – Be-Safe (Buffalo & Eire County Stopping Abuse in the Family Environment)

Item 84 – (Comm. 17E-51) District Attorney – Gun Retrieval & Interdiction Program (GRIP).

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

Item 85 – (Comm. 17E-52) Parks, Recreation & Forestry – Transfer for Equipment Rental.

Referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 86 – (Comm. 17E-53) Youth Services – Early Retirement Position Change.

Referred to the SOCIAL SERVICES COMMITTEE.

Item 87 – (Comm. 17E-54) Appointment to the ECSD No. 4 Board of Managers.

Referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 88 – (Comm. 17E-55) Appointment of the Commissioner of Social Services.

Referred to the SOCIAL SERVICES COMMITTEE.

Item 89 – (Comm. 17E-56) Sale of County Owned Inventory SBL# 112.12-1-1. 2 & 113.09-1-2.2 Lovejoy Street, Village of Sloan.

Item 90 – (Comm. 17E-57) Sale of County Owned Inventory SBL #206.070-2-16.400 Erie Road, Town of Evans.

Item 91 – (Comm. 17E-58) Sale of County Owned Inventory SBL # 171.700-3-10 Electric Avenue, Town of Hamburg.

Item 92 – (Comm. 17E-59) Sale of County Owned Inventory SBL# 250.150-1-6 Eisenhower Avenue, Town of Evans

Item 93 – (Comm. 17E-60) Sale of County Owned Inventory SBL# 123.510-2-1.100 South Pierce Street Town of West Seneca.

The above five items were referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 94 – (Comm. 17E-61) Parks, Recreation & Forestry – Federal Communications Commission (FCC) Licensing Fees.

Item 95 – (Comm. 17E-62) ECSD No. 6 Easement Request US Army Corps of Engineers, Town of Hamburg.

Item 96 – (Comm. 17E-63) EC Sport Fishery Promotion Program.

Item 97 – (Comm. 17E-64) Semi-Annual Attendance Records Board of Managers ECSDs.

Item 98 – (Comm. 17E-65) ECSDs 1-6 Section 270/271 Resolutions.

Item 99 – (Comm. 17E-66) ECSD No. 6 – Malcolm Pirnie, Inc. A/E Agreement Dated 6/24/93 Change Order No. 4.

Item 100 – (Comm. 17E-67) Notice of Adoption ECSDs 1999 Assessment Rolls.

Item 101 – (Comm. 17E-68) Notice of Public Hearings ECSDs 1999 Assessment Rolls.

The above eight items were referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 102 – (Comm. 17E-69) Appointments & Re-Appointments to EC Cultural Advisory Board.

Honorable Members:

Pursuant to Article III, Section 302(f) of the Erie County Charter and Article 19, Section 19.01 of the Erie County Administrative Code, I am appointing seven new members and reappointing six members to the Erie County Cultural Resources Advisory Board for terms noted below. These members will serve in addition to the current twelve members of the Board who have membership terms that expire as of December 31, 1998.

Kerry S. Grant continues to serve as Chair of the Cultural Board and Cynthia Baird Stark as First Vice Chair.

<u>Appointments</u>	<u>Term Expires</u>
Virginia Beck Newman 315 Berryman Drive Snyder, NY 14226	December 31, 1999
Dwight C. Bonk 433 Orchard Drive Buffalo, NY 14223	December 31, 1999
Jerry Chutkow, M.D. 9875 Hollingson Road Clarence, NY 14031	December 31, 1999
Sandra Mobley-Terry 95 Franklin St., Room 280 Buffalo, NY 14202	December 31, 1999
Burton Notarius 3455 Delaware Avenue Kenmore, NY 14217	December 31, 1999
Hal Payne Buffalo State College Cleveland Hall - Room 513 1300 Elmwood Avenue	December 31, 1999

Buffalo, NY 14222

Catherine Schweitzer  
P.O. Box 1210  
Buffalo, NY 14205

December 31, 1999

Reappointments

Terms

Steven Biltekoff  
68 Lexington Avenue  
Buffalo, NY 14222

December 31, 1999

Carole Evitts  
34 Cobblestone Lane  
Williamsville, NY 14221

December 31, 1999

Barbara Guida  
5705 Strickler Road  
Clarence, N 14031

December 31, 1999

LeRoi C. Johnson  
426 Franklin Street  
Buffalo, NY 14202

December 31, 1999

Arlette Rosen  
153 Halwill Drive  
Snyder, NY 14226

December 31, 1999

Marilyn Wilson-Hadid  
636 Girard Avenue  
East Aurora, NY 14052

December 31, 1999

I believe the interests and concerns of both Erie County and our cultural organizations are well served by these new and reappointed members.

Very truly yours,

DENNIS T. GORSKI  
County Executive

Received, filed and printed.

FROM THE SHERIFF

Item 103 – (Comm. 17E-70) Audit Response System & Procedure.

Referred to the PUBLIC SAFETY COMMITTEE.

FROM LEGISLATOR SWANICK

Item 104 – (Comm. 17E-71) Copy of Letter Re: Legislature's Plans to Consider Another Sales Tax Holiday in January, 1999.

Referred to the FINANCE & MANAGEMENT COMMITTEE.

**COMMUNICATIONS FROM THE DEPARTMENTS**

FROM THE COUNTY ATTORNEY

Item 105 – (Comm. 17D-1) Notice of County Executive's Approval of Local Law Intro. No. 3 – 1998 (Local Law No. 1-1998)

Item 106 – (Comm. 17D-2) Notice of County Executive's Approval Intro. 12-1, 12-2, 12-3 & 12-6.

Item 107 – (Comm. 17D-3) Notice of County Executive's Approval of Local Law Intro. No. 2 – 1998 (Local Law No. 2 – 1998).

Item 108 – (Comm. 17D-4) Notice of County Executive's Public Hearing – Local Law Intro No. 4 – 1998.

Item 109 – (Comm. 17D-5) Notice of County Executive's Public Hearing – Local Law Intro No. 5 - 1998.

FROM ECMC

Item 110 – (Comm. 17D-6) Letter to Chairman Swanick Re: ECMC Health Care Network Converting its Healthcare Information System.

Referred to the HEALTH COMMITTEE.

DEP

Item 111 – (Comm. 17D-7) SEQR – (Draft) Negative Declaration Notice of Determination of Non-Significance – Sturgeon Point Land Transfer, Town of Evans.

Referred to the ENERGY & ENVIRONMENT COMMITTEE.

BUFFALO & ERIE COUNTY PUBLIC LIBRARY

Item 112 – (Comm. 17D-8) Notice of Board Meeting Held 7/23/98 & Minutes of Board Meeting Held 6/25/98.

Received and filed.

**COUNTY ATTORNEY**

Item 113 – (Comm. 17D-9) Notices of Claim.

Referred to the GOVERNMENT AFFAIRS COMMITTEE.

**BUDGET MANAGEMENT & FINANCE**

Item 114 – (Comm. 17D-10) 1998 Annual Report of the Division of Real Property Tax.

Received and filed.

**COUNTY ATTORNEY**

Item 115 – (Comm. 17D-11) Notice of County Executive's Public Hearing – Comm 14E-36, 14E-37, Intro 14-18, Intros 16-4, 16-5, 16-6, 16-8, & 16-9.

Received, filed and printed.

**BOARD OF ELECTIONS**

Item 116 – (Comm. 17D-12) Apportionment of Expenses – 1997.

Referred to the GOVERNMENT AFFAIRS COMMITTEE.

**ECC**

Item 117 – (Comm. 17D-13) Notice of Board Meeting Held 8/26/98.

Item 118 – (Comm. 17D-14) Notice of Committee Meetings Held 8/6/98 & 8/12/98.

The above two items were received and filed.

**DEP**

Item 119 – (Comm. 17D-15) SEQR – Solicitation for Lead Agency Status – ECSD No. 2 Big Sister Treatment Plant Improve & Big Sister Creek Bank Protection.

Referred to the ENERGY & ENVIRONMENT COMMITTEE.

ECC

Item 120 – (Comm. 17D-16) Notice of Committee Meeting Held 8/10/98.

Received and filed.

BUDGET MANAGEMENT & FINANCE

Item 121 – (Comm. 17D-17) Response to Intro. 27-8 (1997) Re: Public Benefit Agency Funding.

Referred to the FINANCE & MANAGEMENT COMMITTEE.

ECMC

Item 122 – (Comm. 17D-18) Notice of Board of Manager's Meeting Held 8/13/98.

Item 123 – (Comm. 17D-19) Notice of Committee Meeting Held 8/7/98.

The above two items were received and filed.

COUNTY ATTORNEY

Item 124 – (Comm. 17D-20) Notice of County Executive's Approval of Local Law Intro. No. 4 – 1998 (Local Law No. 3 – 1998).

Item 125 – (Comm. 17D-21) Notice of County Executive's Approval of Local Law No. 5 – 1998 9Local Law No. 4 – 1998).

ECMC

Item 126 – (Comm. 17D-22) Board of Managers Finance Committee 8/7/98 & Financial Statements for 6/30/98.

EC MORGUE

Item 127 – (Comm. 17D-23) Monies & Other Property Found on Deceased Persons.

The above two items were referred to the HEALTH COMMITTEE.

COUNTY ATTORNEY

Item 128 – (Comm. 17D-24) Notices of Claim.

Referred to the GOVERNMENT AFFAIRS COMMITTEE.

**BUDGET MANAGEMENT & FINANCE**

Item 129 – (Comm. 17D-25) SEQR – Negative Declaration Notice of Determination & Non-Significance – Disposition of County Land, Town of Evans.

Referred to the FINANCE & MANAGEMENT COMMITTEE.

**ECMC**

Item 130 – (Comm. 17D-26) Minutes of Board of Managers Meeting Held 8/13/98.

Referred to the HEALTH COMMITTEE.

**BUDGET MANAGEMENT & FINANCE**

Item 131 – (Comm. 17D-27) Budget Monitoring Report for Period Ending 6/30/98.

Item 132 – (Comm. 17D-28) SEQR – Negative Declaration Notice of Determination & Non-Significance – Disposition of County Land, Village of Lancaster.

Item 133 – (Comm. 17D-29) SEQR – Negative Declaration Notice of Determination & Non-Significance – Disposition of County Land, Village of Sloan.

The above 3 items were referred to the FINANCE & MANAGEMENT COMMITTEE.

**COUNTY ATTORNEY**

Item 134 – (Comm. 17D-30) Notice of County Executive's Approval of Intros. 13-3, 13-4 & 13-5.

Item 135 – (Comm. 17D-31) Notice of County Executive's Approval of Intros. 14-7, 14-8, 14-10, & 14-17.

The above two items were received, filed and printed.

DEP



Item 136 – (Comm. 17D-32) SEQR – Solicitation for Lead Agency Status Unlisted Action, Town of West Seneca.

Referred to the ENERGY & ENVIRONMENT COMMITTEE.

ECC

Item 137 – (Comm. 17D-33) Notice of Board Meeting Held 8/26/98.

Received and filed.

**BUDGET MANAGEMENT & FINANCE**

Item 138 – (Comm. 17D-34) Commenting on Comptroller's 8/11/98 Report of Personnel Vacancies.

Referred to the FINANCE & MANAGEMENT COMMITTEE.

**BUFFALO & ERIE COUNTY PUBLIC LIBRARY**

Item 139 – (Comm. 17D-35) Notice of Board of Managers held 8/27/98.

Received and filed.

**COUNTY ATTORNEY**

Item 140 – (Comm. 17D-36) Notices of Claim.

Referred to the GOVERNMENT AFFAIRS COMMITTEE.

ECC

Item 141 – (Comm. 17D-37) Duplicate of 17D-33.

Item 142 – (Comm. 17D-38) Minutes of Special Meeting of Board of Trustees Held 5/29/98.

Item 143 – (Comm. 17D-39) Minutes of Board Meeting Held 6/24/98.

The above 3 times were received and filed.

**COUNTY ATTORNEY**

Item 144 - (Comm. 17D-40) Notice of County Executive's Approval of Comm. 14E-36, 14E-37, Intros. 14-18, 16-4, 16-5, 16-6, 16-8 & 16-9.

Received filed and printed.

**MENTAL HEALTH**

Item 145 – (Comm. 17D-41) Erie County 1998-2000 Local Government Plan for Mental Retardation/Development Disabilities Services.

Referred to the HEALTH COMMITTEE.

**ECC**

Item 146 – (Comm. 17D-42) Letter to Chairman Swanick Re: Response to NYSDOH, Bureau of Emergency Medical Services, Regarding Funding for Training.

Referred to the COMMUNITY ENRICHMENT COMMITTEE.

**EC MORGUE**

Item 147 – (Comm. 17D-43) Monies & Other Property Found on Deceased Persons.

Referred to the HEALTH COMMITTEE.

**ECC**

Item 148 – (Comm. 17D-44) Notice of Board Meeting to be Held 9/30/98.

Received and filed.

**ECMC**

Item 149 – (Comm. 17D-45) Notice of Board of Managers Meeting to be Held 9/10/98.

Item 150 – (Comm. 17D-46) Notice of Board of Managers Special meeting to be Held 9/16/1998.

Item 151- (Comm. 17D-47) Notice of Board of Managers to be Held 9/10/98 & Minutes of Meeting Held 8/13/98.

The above 3 items were referred to the HEALTH COMMITTEE.

**HEALTH**

Item 152 – (Comm. 17D-48) Response to Comptroller's Audit & Review of Division of Medical Examiner.

Referred to the HEALTH COMMITTEE.

**DPW**

Item 153 – (Comm. 17D-49) Utilization of Scherff & Gartman Roads by NYSDOT for Temporary Detour, NYS Highway Route 277 – Chesnut Ridge Rd Bridge Over Branch of 18 Mile Cr.

Item 154 – (Comm. 17D-50) Roof Replacement – Edward A Rath County Office Building.

Item 155 - (Comm. 17D-51) Botanical Gardens Dome Reconstruction – Entry Portice, Contingency Fund Increase.

Item 156 – (Comm. 17D-52) Upgrade of Petroleum Underground Storage Tanks at Various County Facilities.

Item 157 – (Comm. 17D-53) Order on Consent NYSDEC .

Item 158 – (Comm. 17D-54) Agreement with NYSDOT Two Rod Road Over Cayuga Creek, Town of Alden.

Item 159 – (Comm. 17D-55) Signal Improvements – Borden Road Intersections Town of Cheektowaga.

Item 160 – (Comm. 17D-56) Agreement with NYSDOT Preliminary Engineering & Right-of-Way Incintals Phases Smith Road Bridge Over Black Creek, Town of Amherst.

Item 161 – (Comm. 17D-57) New Helipad – ECMC Award of Electrical Contract.

Item 162 – (Comm. 17D-58) ECWA\Erie County Lease Management Agreement.

The above 10 items were referred to the ECONOMIC DEVELOPMENT COMMITTEE.

**COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES**

FROM CHARLES L. DAVIS JR.

Item 163 – (Comm. 17M-1) Copy of Letter to Legislature Re: Medical Examiner's Office.

Referred to the HEALTH COMMITTEE.

FROM THE LEGAL AID BUREAU OF BUFFALO INC.

Item 164 – (Comm. 17M-2) 1997 Financial Statements 1997 Annual Report & Minutes of Board of Directors Meeting Held 6/2/98.

Referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM PUTNAM COUNTY LEGISLATURE

Item 165 – (Comm. 17M-3) Certified Copy of Resolution Re: Requesting Home Rule Legislation for Firearms, Hunting, Fishing & Trapping Policies on Land Adjacent to Canal.

INTERCOUNTY LEGISLATIVE COMMITTEE OF THE ADIRONDACKS

Item 166 – (Comm. 17M-4) Certified Copy of Resolution Re: Requesting State Legislation for Relief From Unnecessary Legal Costs Resulting From Misplaced Lawsuits.

The above two items were referred to the GOVERNMENT AFFAIRS COMMITTEE.

COLDEN TOWN BOARD

Item 167 – (Comm. 17M-5) Certified Copy of Resolution Re: Supporting Town of Concord's Request for New Going Places Van.

Referred to the SOCIAL SERVICES COMMITTEE.

NYSDEC

Item 168 – (Comm. 17M-6) Fact Sheet – Saginaw Buffalo Hazardous Waste Site.

Referred to the ENERGY & ENVIRONMENT COMMITTEE.

NFTA

Item 169 – (Comm. 17M-7) Minutes of Board Meeting Held 6/15/98.

Referred to the ECONOMIC DEVELOPMENT COMMITTEE.

ATTORNEY GENERAL

Item 170 – (Comm. 17M-8) Acknowledgement of Receipt of Resolution.

Received and filed.

OTB

Item 171 – (Comm. 17M-9) Minutes of Board of Directors Meeting Held 6/25/98.

Referred to the GOVERNMENT AFFAIRS COMMITTEE.  
MELINDS HOLLAND CLEAN SITES

Item 172 – (Comm. 17M-10) Summary of Task Force Conference Call Held  
7/21/98.

Referred to the ENERGY & ENVIRONMENT COMMITTEE.

ECIDA

Item 173 – (Comm. 17M-11) Notice of Board of Directors Meeting Held 8/12/98.

Received and filed.

THE COMMUNITY GRIEF CENTER OF WESTERN NEW YORK INC

Item 174 – (Comm. 17M-12) 1998 Public Benefit Funding Grief & Loss Services  
Contract Report.

Referred to the FINANCE & MANAGEMENT COMMITTEE.

ASSEMBLYMAN REYNOLDS

Item 175 – (Comm. 17M-13) Acknowledgement of Receipt of Resolutions.

Received and filed.

NIAGARA COUNTY LEGISLATURE

Item 176 – (Comm. 17M-14) Certified Copy of Resolution Re: Support to Form a  
Five County NYS Heritage Corridor Area Called WNY Canal Heritage Corridor.

NYSDEC

Item 177 – (Comm. 17M-15) Fact Sheet – Republic Steel Site.

**MELINDA HOLLAND CLEAN SITES**

Item 178 – (Comm. 17M-16) Summary of Task Force Meeting Held 7/29/98 & Notice of Meeting to be Held 9/16/98.

The above 3 items were referred to the ENERGY & ENVIRONMENT COMMITTEE.

**NOCO ENERGY CORP**

Item 179 – (Comm. 17M-17) Letter to Legislator Fisher Re: Erie County Local Law No. 7 (1997).

Referred to the GOVERNMENT AFFAIRS COMMITTEE.

**NFTA**

Item 180 – (Comm. 17M-18) Minutes of Board Meeting Held 7/20/98.

Referred to the ECONOMIC DEVELOPMENT COMMITTEE.

**WILLIAM R. PIPPINE**

Item 181 – (Comm. 17M-19) Copy of Letter to Legislator Chase Re: Airport Industrial Center's Nonpayment of Taxes.

Referred to the GOVERNMENT AFFAIRS COMMITTEE.

**GREATER BUFFALO COMMUNITY WELLNESS COUNCIL.**

Item 182 – (Comm. 17M-20) Minutes of Meeting Held 8/20/98 & Notice of Meeting to be Held 9/24/98.

Referred to the HEALTH COMMITTEE.

**REGION 9 FOREST PRACTICE BOARD**

Item 183 – (Comm. 17M-21) Notice of Meeting Held 9/10/98.

Received and filed.

COMMITTEE TO KEEP THE ZOO IN DELAWARE PARK

Item 184 – (Comm. 17M-22) Letter to Legislature Re: Keeping the Zoo in Delaware Park.

Referred to the COMMUNITY ENRICHMENT COMMITTEE.

NFTA

Item 185 – (Comm. 17M-23) The Report & Capital expenditure Reports for the 1<sup>st</sup> Quarter of Fiscal Year Ending 3/31/99.

Referred to the ECONOMIC DEVELOPMENT COMMITTEE

NYSDOH

Item 186 – (Comm. 17M-24) Operating Certificate Renewals for County Diagnostic & Treatment Centers.

Referred to the HEALTH COMMITTEE.

COMMITTEE TO SAVE THE FIRST WARD

Item 187 – (Comm. 17M-25) Copy of Letter to Legislature Re: Should the Zoo Move From Delaware Park to the First Ward.

Received and filed.

CITY OF BUFFALO DEPARTMENT OF ASSESSMENT

Item 188 – (Comm. 17M-26) 1999 Transit Mall Service Charge Roll.

Referred to the FINANCE & MANAGEMENT COMMITTEE.

BUFFALO & ERIE COUNTY HISTORICAL SOCIETY

Item 189 – (Comm. 17M-27) Letter to Chairman Swanick Re: Update on the Pan American Exposition.

Referred to the COMMUNITY ENRICHMENT COMMITTEE.

WNY INTERNATIONAL TRADE COUNCIL

Item 190 – (Comm. 17M-28) Letter to Chairman Swanick Re: Acknowledgement of Support from Legislature.

**STATE COMPTROLLER**

Item 191 – (Comm. 17M-29) Town of Turore – Extension No. 2 to Water District No. 6 File No. 92-21.

The above two items were received and filed.

**EC ENVIRONMENTAL MANAGEMENT COUNCIL**

Item 192 – (Comm. 17M-30) Notice of Meeting to be Held 9/22/98 & Minutes of Meeting Held 6/16/98.

Referred to the ENERGY & ENVIRONMENT COMMITTEE.

**ECIDA**

Item 193 – (Comm. 17M-31) Notice to Board Meeting to be Held 9/16/98.

Referred to the ECONOMIC DEVELOPMENT COMMITTEE.

**MEMORIAL RESOLUTIONS**

There were no memorial resolutions.

**ADJOURNMENT**

Item 194 - 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, September 24, 1998.** Mrs. Fisher seconded.

**CARRIED UNANIMOUSLY.**

The Chairman declared the Legislature **adjourned until Thursday September 24, 1998 at 2 p.m. Eastern Standard Time.**

**Laurie Manzella**  
Clerk