First page #'s

ERIE COUNTY LEGISLATURE
MEETING NO. 6
March 5, 1998

The Legislature was called to order by Chairman SWANICK.

All Members present.

A Moment of Silence was Held.

The Pledge of Allegiance was led by Mr. MARSHALL.

The Minutes of the previous meeting were **TABLED.**

MISCELLANEOUS RESOLUTIONS:

ITEM 1 - Mr. PAULY presented a resolution of congratulations honoring Mr. Scott Joseph Elberson & William C. Carrig - Eagle Scout Awards. Mr. MARSHALL seconded.

CARRIED UNANIMOUSLY.

ITEM 2 - Ms. MARINELLI and Et Al presented a resolution of congratulations Commending Just Buffalo Literary Center and Executive Director Debora Ott on Her Accomplishments. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

ITEM 3 - Mr. OLMA presented a resolution of Congratulations Honoring Boy Scout James Wacker on Being Named an Eagel Scout. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

205-305

Cellular One for Their Contributions to the Abused Women's Active Response Emergency (AWARE) Program

ITEM 4 - Ms. MARINELLI and Et Al presented a resolution of Congratulations Commending ADT Security Systems. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

ITEM 5 - Mr. MARSHALL, presented a resolution of Congratulations Honoring the East Aurora Middle School Marching Band's Participation in New York ~~State'~~ CITY'S St. Patrick's DAY Parade. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

LOCAL LAWS:

ITEM 6 - CHAIRMAN SWANICK directed that Local Law Intro No. 10 (Print #1) - 1997 remain on the table.

ITEM 7 - CHAIRMAN SWANICK directed that Local Law Intro No. 11 (Print #1) - 1997 remain on the table and in the FINANCE & MANAGEMENT COMMITTEE.

ITEM 8 - CHAIRMAN SWANICK directed that Local Law Intro No. 1 (Print #1) - 1998 remain on table and in the HEALTH COMMITTEE.

COMMITTEE REPORTS

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 74

FEBRUARY 24, 1998

GOVERNMENT AFFAIRS COMMITTEE
REPORT NO. 3

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

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

Item Page -1997 (Comm. 6E-11)
a. **COUNTY CLERK**: Copy of Letter to Commissioner of Personnel Re: Request for Increase in Part-Time Employee Hours.
(6-0) Chairman Swanick present as ex-officio member.

Item Page -1998 (Comm. 5D-4)
b. **COUNTY ATTORNEY**: Notices of Claim.
(6-0) Chairman Swanick present as ex-officio member.

Item Page -1998 (Comm. 5E-1)
c. **DUSZA**: Copies of Letters Re: Update on Erie County's Item Pricing/Scanner Accuracy Law.
(6-0) Chairman Swanick present as ex-officio member.

Item Page -1998 (Comm. 5E-3)
d. **COUNTY EXECUTIVE**: Position Change Report.
(6-0) Chairman Swanick present as ex-officio member.

Item Page -1998 (Comm. 5E-13)
2. **COUNTY EXECUTIVE**:
WHEREAS, the Vietnam Combat Veterans', Ltd. and the 1998 Moving Wall Committee have contracted to exhibit the Vietnam Veterans' Moving Wall at Mount Calvary Cemetery in Cheektowaga, New York from July 21, 1998 through July 28, 1998, and

WHEREAS, the County of Erie Division of Veterans' Services has agreed to act as cosponsor of the exhibit, and

WHEREAS, the State of New York, Executive Department, Division of Veterans' Affairs has agreed to contract with the County to defray some costs of the exhibit up to an amount of $10,000, and

WHEREAS, the term of the contract expires March 31, 1998 and all paid expenses have to be submitted to the State by this date to qualify for reimbursement.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to accept the State funds and adjust the General Fund 110, Division of Veterans' Services Department 530 budget:

Increase Contractual Expense Account 830	$10,000
Increase State Aid Account 615	$10,000

and be it further

RESOLVED, that the County Executive is authorized to contract with the 1998 Moving Wall Committee in the amount not to exceed $10,000, to offset some of the expenses associated with the Vietnam Moving Wall exhibit, and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Division of Veterans' Services, the Division of Budget, Management and Finance and the County Attorney's Office.
(5-0)

RAYMOND K. DUSZA
Chairman

Mr. DUSZA moved to separate RESOLVE No. 2.

GRANTED.

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

CARRIED UNANIMOUSLY.

Mr. DUSZA offered the following amendment to RESOLVE No. 2 to read as follows:

Add after the final WHEREAS clause the following:

WHEREAS, the Legislature is committed to enduring a smooth presentation of "The Moving Wall" this summer, and will hereby assist in that effort through a small appropriation of funds from the county contingency,

DELETE all RESOLVE clauses in their entirety and replace with the following:

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to accept the State funds and adjust the General Fund 110, Division of Veteran's Services Department 530 budget:

Increases Contractual Expense Account 830	$15,000
Increase State Aid Account 615	$10,000
Decrease County Contingency (DAC:110938530826)	$ 5,000

And be it further

RESOLVED, that the County Executive is hereby authorized to contract with the 1998 Moving Wall Committee in the amount not to exceed $15,000 to offset some of the expenses associated with the Vietnam Moving Wall exhibit, and be it further

RESOLVED, that certified copies of this resolution be sent to County Executive Dennis T. Gorski, County Comptroller Nancy A. Naples, Budget Director Kenneth C. Kruly, First Assistant County Attorney Alan Gerstman, and to Veterans Services Office Director Henry Mazurek.

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

CARRIED UNANIMOUSLY.

Mr. DUSZA moved the adoption RESOLVE No. 2 as amended. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

ITEM 10 - Mr. OLMA presented the following and moved for immediate consideration. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 75

FEBRUARY 24, 1998

ENERGY AND ENVIRONMENT
COMMITTEE
REPORT NO. 3

ALL MEMBERS PRESENT.

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

Item Page -1997 (Comm. 27E-15)
a. **COUNTY EXECUTIVE**: Mercury Pollution Prevention Education Program.
(4-0) Legislator Pauly absent.

Item Page -1998 (Comm. 5D-9)
b. **DPW**: SEQR - Rich Stadium Improvements.
(5-0)

Item Page -1998 (Comm. 5E-10)
c. **COUNTY EXECUTIVE**: ECSD No. 1 Pratt & Huth Associates Change Order No. 4.
(5-0)

Item Page -1998 (Comm. 5M-5)
d. **ERIE COUNTY ENVIRONMENTAL MANAGEMENT COUNCIL**: Minutes of Meeting Held 1/20/98 & Notice of Meeting Held 2/17/98.
(5-0)

Item Page -1998 (Comm. 5M-6)
e. **NYS FISH & WILDLIFE MANAGEMENT BOARD**: Minutes of Meeting Held 12/4/97.
(5-0)

Item Page -1998 (Comm. 5M-10)
f. **MELINDA HOLLAND, CLEAN SITES**: Summary of Meeting Held 2/4/98 & Notice of Meeting Held 2/17/98.
(5-0)

Item Page -1998 (Int. 3-11)
2. **SWANICK, KUWIK, FITZPATRICK, HOLT, FISHER, OLMA, DEBENEDETTI, PEOPLES, DUSZA, GREENAN, MARINELLI, CHASE, MARSHALL, PAULY, WEINSTEIN, RANZENHOFER & LARSON**:

WHEREAS, the Concord Agricultural District (#15), was initially created December 21, 1981; and

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

WHEREAS, pursuant to a resolution on September 11, 1997, the Erie County Legislature directed the Clerk of the Legislature to publish a public notice of the district's review; and

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

WHEREAS, on the 9th day of December, 1997, pursuant to public notice, a public hearing was held within the agricultural district at the Concord Town Hall; and

WHEREAS, various matters were brought before the public hearing, discussed and considered; and

WHEREAS, the following modification (addition) was made to the Concord Agricultural District as follows:

<u>Addition</u> - Total of 134± acres

1. Property of James and Karen Roistacker, E. 6061 Old Pfarmer Road, Boston, NY - 134± acres (SBL 257.00-3-17.11)

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

NOW, THEREFORE, BE IT

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

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

(5-0)

Item Page -1998 (Comm. 5E-7)

3. **COUNTY EXECUTIVE:**

RESOLVED, that the County Executive is hereby authorized to enter into a first amendatory agreement with James Amato and Company, PC, CPA for an amount not to exceed $4,300 for the purpose of conducting a Housing Loan Portfolio Analysis, and be it further

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

(5-0)

Item Page -1998 (Comm. 5E-9)

4. **COUNTY EXECUTIVE:**

WHEREAS, it has been determined that property acquisition is needed on a site identified as SBL No. 142.69-2-2 in the City of Lackawanna as part of the Elkhart Avenue Storm Sewer Project, and

WHEREAS, negotiations with the owner, Gertrude Walters a/k/a Gertrude Beres as survivor of John Beres, has resulted in a tentative agreement to obtain a 0.101 ± acre storm sewer site in Fee for the total sum of $1,600.00, and

WHEREAS, the owner of the property: Gertrude Walters a/k/a Gertrude Beres as survivor of John Beres, 4001 North Hampton Brook Drive, Hamburg, New York 14075 has requested an expeditious approval of an agreement to purchase the property,

NOW, THEREFORE, BE IT

RESOLVED, that the Department of Environment and Planning be authorized to obtain the 0.101 ± acre property in Fee for Parcel SBL No. 142.69-2-2 in the City of Lackawanna for the sum of $1,600.00, 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 property, subject to Approval as to Form by the County Attorney, and be it further

RESOLVED, that the sum of $1,600.00 be taken from Sewer Operating Account ECSD No. 6, SFG Fund 220, Project 854 - Department 840, Account 826, 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.

(5-0)

Item Page -1998 (Comm. 5E-11)

5. **COUNTY EXECUTIVE:**

WHEREAS, in January of 1997 the U.S. Environmental Protection Agency - Region II (USEPA-Region II) provided the County of Erie $132,000 in federal grant funding to implement a "Mercury/Clean Sweep Extension Grant" for County residents, and

WHEREAS, approval was given to redirect grant resources to expand mercury pollution prevention and education efforts as a result the discontinuation of the "Great Lakes Agricultural Pesticides Collection", and

WHEREAS, the best use of the grant resources is not consistent with the original categorized budget appropriated by the 1997 County budget, and

WHEREAS, it is necessary to revise the grant budget to best meet the needs of the project, and

WHEREAS, the USEPA- Region II has processed these necessary revisions,

NOW THEREFORE BE IT

RESOLVED, that the grant budget for the "Mercury/Clean Sweep Extension Grant" be revised to implement mercury pollution prevention and education efforts as follows:

ACT	DESCRIPTION	CURRENT BUDGET	REVISIONS	REVISED BUDGET
800	Salaries	$ 66,092	$ 6058	$ 72,150
805	Fringe Benefits	16,986	1614	18,600
810	Office Supplies	0	500	500
824	Travel & Mileage	750	(500)	250
825	Out of Area Travel	1,250	2,750	4,000
826	Other Expenses	1,922	1,578	3,500
830	Contractual Services	45,000	(17,000)	28,000
933	Equipment	0	5,000	5,000
	Total Expenditures	**$132,000**	**$ 0**	**$132,000**

and be it further,

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

(4-0) Legislator Pauly absent.

Item Page -1998 (Comm. 5E-12)

6. **COUNTY EXECUTIVE:**

WHEREAS, the Erie County Legislature has awarded the Roll Road Sewer Extension - Contract 8 to Klarberg, Inc.; and

WHEREAS, the Erie County Division of Sewerage Management has advised the Legislature that all items required by the contract documents have been completed; and

WHEREAS, the Department of Environment and Planning has recommended the final acceptance of Roll Road Sewer Extension in the amount of $34,246.41 which includes Change Order No.1 (final), a decrease of $3,253.59 from the original contract amount of $37,500.00.

NOW, THEREFORE, BE IT

RESOLVED, that Roll Road Sewer Extension - Contract 8 between the County of Erie and Klarberg, Inc., P.O. Box 187, East Amherst, N.Y. 14051 be accepted in the amount of $34,246.41 which includes Change Order No.1 (final), a decrease of $3,253.59; and be it further,

RESOLVED, that the Clerk of the Legislature be directed to send two (2) certified copies of this Resolution to Charles J. Alessi, P.E., Department of Environment and Planning and one (1) certified copy each to the Erie County Comptroller's Office and Richard J. Schechter, Assistant County Attorney.
(5-0)

GREGORY B. OLMA
Chairman

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 76

FEBRUARY 24, 1998

PUBLIC SAFETY
COMMITTEE
REPORT NO. 2

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

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

Item Page -1998 **(Comm. 3E-19)**
a. **COUNTY EXECUTIVE**: Reappointments to the Erie County Traffic Safety Board.
(6-0) Chairman Swanick present as ex-officio member.

EDWARD J. KUWIK
Chairman

Mr. KUWIK moved to separate RESOLVE No. 1a.

GRANTED.

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

CARRIED UNANIMOUSLY.

Mr. KUWIK moved to RECIEVE, FILE & PRINT No. 1a. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RECEIVE, FILE & PRINT.

Honorable Members:

Pursuant to the provisions of Erie County Charter, Chapter 16, Article 1605, I, Dennis T. Gorski do hereby submit for your information the gollowing individuals for reappointment to the Erie County Traffic Safety Board:

REAPPOINTMENT	Term Expires
Dorothy Bitner	12/31/2000
John Grela	12/31/2000
Paul Hogan	12/31/2000
Dennis Murphy	12/31/2000
Lt. David Peck	12/31/2000
Chief Patrick Puckhaber	12/31/2000
Wallace Smith	12/31/2000
Captain Mark Winters	12/31/2000

Very truly yours,
DENNIS T. GORSKI
County Executive

RECEIVED, FILED & PRINTED.

ITEM 12 - Ms. PEOPLES presented the following and moved for immediate consideration. Ms. MARINELLI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 77

FEBRUARY 26, 1998

FINANCE AND MANAGEMENT
COMMITTEE
REPORT NO. 3

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

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

Item Page -1997 (Comm. 23E-7)
a. **COMPTROLLER:** Cost of Borrowing Report.
(5-0) Chairman Swanick present as ex-officio member.

Item Page -1997 (Comm. 27M-8)
b. **NEW YORK STATE DEPARTMENT OF HEALTH:** Response to Erie County's Employee Workplace Assistance Program.
(5-0) Chairman Swanick present as ex-officio member.

Item Page -1998 (Comm. 3M-3)
c. **GREATER BUFFALO CONVENTION & VISITORS BUREAU:** Audited Financial Statements of the CVB for the Period Ending 6/30/97.
(5-0) Chairman Swanick present as ex-officio member.

Item Page -1998 (Comm. 3M-4)
d. **BUFFALO ZOO:** 11/97 Financial Report.
(5-0) Chairman Swanick present as ex-officio member.

OPEN ITEM
Item Page -1997 (Comm. 1D-19A)
2. **BUDGET, MANAGEMENT & FINANCE:**
(A) WHEREAS, the Erie County Director of Real Property Tax Services has received applications for corrected tax billings and/or refunds for taxes previously paid in accordance with New York State Real Property Tax Law section 554 and 556, and

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

RESOLVED, that Petitions numbered **51** through **103** inclusive, be hereby approved or denied based upon the recommendation of the Director of Real Property Services and be charged back to the applicable Towns and/or Cities.

Petition No. 102/1998 - ASSESSOR - Cancel - $28.45

SBL No. 78.28-3-3.1 - TOWN OF TONAWANDA

Acct. No. 112 - 28.45

Acct. No. 132 - 0.00

Charge to:

CANCEL - CLERICAL ERROR, THE SENIOR EXEMPTION THAT WAS PLACED ON THE PARCEL WAS IN THE AMOUNT OF 10,217. THE CORRECT EXEMPTION IS 12,771. RPTL 550(2)B.

Petition No. 103/1998 - ASSESSOR - Cancel - $403.91

SBL No. 79.23-1-27 - TOWN OF TONAWANDA

Acct. No. 112 - 235.09

Acct. No. 132 - 168.82

Charge to: TOWN OF TONAWANDA 168.82

CANCEL - CLERICAL ERROR, THE RPTL 520 WAS PLACED ON THE PARCEL IN ERROR. THIS EXEMPTION SHOULD NOT HAVE BEEN REMOVED. OWNER HAS A LIFE ESTATE ON THIS PROPERTY. RPTL 550(2)C.

(5-0) Chairman Swanick present as ex-officio member.

****

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

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

RESOLVED, that Petition numbered **104** be denied based upon the recommendation of the Director of Real Property Services.

Petition No. 104/1998 - ASSESSOR - Cancel - $1,604.13

SBL No. 152.16-5-1 - TOWN OF ORCHARD PARK

Acct. No. 112 - 859.75

Acct. No. 132 - 744.38

This petition is requesting we correct the assessment from 1,270,400 to 1,167,400 on the current Town and County Tax bill for 1998 under New York State Real Property Tax Law 554. This parcel is currently before the Supreme Court for an assessment reduction under Article 7. The petition process does not apply for this request. Therefore this petition is being denied.

(5-0) Chairman Swanick present as ex-officio member.

AS AMENDED

Item Page -1997 (Int. 26-7)

3. **MARINELLI:**

WHEREAS, in the 1998 budget, the County Legislature approved $8.30 million in county aid to local governments, including funding for the planning of a new Convention Center, the demolition of War Memorial Auditorium and restoration of the Cobblestone District, and

WHEREAS, County aid to local governments in most cases are moneys that are intended to provided a match to local dollars and/or as leverage for private investment in community development and improvement projects, and

WHEREAS, the recent $550,000 Kenmore Avenue reconstruction project provides a good example of how county funding can be leveraged with local municipal funding, thereby promoting a better coordinated and funded road reconstruction project, and

WHEREAS, the Kenmore Avenue Reconstruction project is being financed with approximately $450,000 in county funding which is being disbursed to the City of Buffalo using a method other than a contractual basis, and

WHEREAS, the Erie County Department of Public Work is acting as lead agency disbursing county dollars to the City of Buffalo as the project evolves and as county dollars are needed, and

WHEREAS, the contractual and other appropriate methods of disbursement provide the county with funding mechanism which provides for greater oversight and accountability, thereby promoting the most efficient and effective use of public dollars, and

WHEREAS, as the county budget contains increasing amounts of aid to local governments, a standardized process for the disbursement of county aid to local governments should be established,

NOW, THEREFORE, BE IT

RESOLVED, that each Department Head who is responsible for overseeing a Special Intermuncipal Consolidation, Collaboration or Planning Project shall notify the Legislature that a project has been commenced and upon completion of a project that such project is completed, the amount of funds that have been spent by the county and the amount of funds that remain, if any within 30 days. In addition the Department Heads shall notify the Legislature of the results that have occurred and any other pertinent information, and be it further

RESOLVED, that certified copies be sent to all Department Heads.

Fiscal Impact: To Be Determined.
(5-0) Chairman Swanick present as ex-officio member.

Item Page -1998 (Comm. 5D-17)
4. DPW:
WHEREAS, the County of Erie is eligible, through the New York State Multi Modal Program (MMP), for reimbursement from New York State for Capital construction/reconstruction/resurfacing of various County roads, in the amount of $2,000,000.00, and

WHEREAS, the reimbursement is contingent upon payments actually made for said construction, and

WHEREAS, the various roads include Maryvale Drive, Dingens Street, Borden Road, Crump Road, Freeman Road, Bullis Road, West Main Street and Warner Hill Road.

NOW, THEREFORE, BE IT

RESOLVED, that the Comptroller be authorized to accept funds from the Multi Modal Program as reimbursement for expenditures for improvements to the various County roads, and be it further

RESOLVED, that the following adjustments are made to the Road Fund, Fund 210:

Increase State Aid Account	$2,000,000.00
Increase Transfer to Capital Account 880/2108	$2,000,000.00

and be it further

RESOLVED, that the following Capital Project is established, 1998 Multi Modal Program, at a maximum cost of $2,000,000.00 funded by transfer from Road Fund, and be it further

RESOLVED, that the Clerk of the County Legislature of the County of Erie is hereby directed to transmit one (1) certified copy of the foregoing resolution to the Deputy Commissioner of Highways, Comptroller, and the Director of Budget.
(5-0) Chairman Swanick present as ex-officio member.

CRYSTAL D. PEOPLES
Chairperson

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

CARRIED UNANIMOUSLY.

ITEM 13 - Ms. MARINELLI presented the following and moved for immediate consideration. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 78

FEBRUARY 26, 1998

COMMUNITY ENRICHMENT COMMITTEE
REPORT NO. 3

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

1. **RESOLVED**, that all items are hereby **TABLED**.

LYNN M. MARINELLI
Chairperson

Ms MARINELLI moved the adoption. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

ITEM 14 - Mr. HOLT presented the following and moved for immediate consideration. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 79

FEBRUARY 26, 1998

SOCIAL SERVICES COMMITTEE
REPORT NO. 2

ALL MEMBERS PRESENT.

Item Page -1998 (Comm. 3E-20)

1. **COUNTY EXECUTIVE:**

WHEREAS, by a resolution, dated July 17, 1997 (Ref. 13E-24), this Honorable Body approved a contract in the amount of $8,000.00 with Brian McDonough to establish an electronic claiming procedure with the state, and

WHEREAS, Brian McDonough is now performing this service under the name of Buffalo Software, Inc.,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Executive is hereby authorized to enter into an amended contract with Buffalo Software, Inc. in the amount of $8,000.00 to establish an electronic claiming procedure with the state, and be it further

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

(5-0)

Item Page -1998 (Comm. 3E-25)

2. **COUNTY EXECUTIVE:**

WHEREAS, the Department of Senior Services has determined that the New York State Retired Senior Volunteer Program grant for the period April 1, 1997 to March 31, 1998 is in need of revision to maximize use of funds and service to volunteers, and

WHEREAS, the Erie County Legislature at its December 18, 1997 meeting approved the Operation Restore Trust Grant budget for the period October 1, 1997 to September 30, 1998, and

WHEREAS, this budget allowed $10,667 for contractual services, and

WHEREAS, the Department of Senior Services wishes to subcontract with the Town of Amherst, American Red Cross and the City of Buffalo to help prevent Health Care Waste and Abuse, and

WHEREAS, no additional County funds are required,

NOW, THEREFORE, BE IT

RESOLVED, that the New York State Retired Senior Volunteer Program grant, project no. 888, be revised as follows:

APPROPRIATIONS		Current Budget	Changes	Amended Budget
Account	Description			
800	Personal Services	$ 2,790	$-1,600	$ 1,190
824	Local Mileage	1,000	+ 100	1,100
826	Other Expenses	2,375	+ 900	3,275
933	Lab & Tech Equipment	3,100	+ 600	3,700
			-0-	

and be it further

RESOLVED, that the County Executive is hereby authorized to enter into subcontract with the following agencies under the Operation Restore Trust Grant for the period October 1, 1997 to September 30, 1998:

* Town of Amherst $2666
* American Red Cross $2666
* City of Buffalo $5335

and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Division of Budget, Management and Finance, the Personnel Department, the Department of Senior Services and the County Attorney's Office.

(5-0)

Item Page -1998 (Comm. 5E-14)
3. **COUNTY EXECUTIVE: WHEREAS,** the Department of Senior Services desires to consolidate the adult day care services provided by the same agency under two separate contracts and grants, Areawide Agency on Aging (AAA) and Community Services for the Elderly (CSE) into one contract and one grant, CSE, effective April 1, 1998, and

WHEREAS, the Department of Senior Services has five (5) Supervisors reporting directly to the Commissioner, all sharing equal responsibilities, and

WHEREAS, one (1) Supervisor is at Job Group 16, two (2) of these supervisors are at job group 14, and the other two (2), the Supervisor of Administration and the Supervisor of Grants Administration, are at job group 13, and

WHEREAS, the Supervisor of Administration has been assigned the additional responsibility of supervising the Department's "Going Places" Transportation Unit and the Supervisor of Grants Administration has been assigned the additional responsibility of overseeing the Department's Payroll and Purchasing functions, and

WHEREAS, the Department of Senior Services wishes to correct this disparity and have all four (4) supervisors compensated at the same job group, and

WHEREAS, both the Supervisor of Administration and the Supervisor of Grants Administration are funded through Federal Grants already in place, and

WHEREAS, the Department has determined the AAA grant for the period January 1, 1998 to December 31, 1998 and the CSE grant for the period April 1, 1998 to March 31, 1999 are in need of revision, and

WHEREAS, the Department has sufficient funds already appropriated, and no additional County funds are needed,

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be authorized to enter into a contract for adult day care services with Catholic Charities Manpower, Inc. For $125,280 under the CSE grant, effective April 1, 1998, and be it further

RESOLVED, that the positions of Supervisor of Administration and Supervisor of Grants Administration are hereby upgraded from Job Group 13 to Job Group 14, and be it further

RESOLVED, that the AAA Grant, project No 810, for the period January 1, 1998 to December 31, 1998 be revised as follows:

APPROPRIATIONS		Current Budget	Changes	Amended Budget
Account	Description			
800	Personal Services	$910,713	+$ 13,327	$924,040
805	Fringe Benefits	218,116	+ 3,653	221,769
830	Contractual Services			
	-0237 Catholic Charities	33,563	- 25,173	8,390
933	Lab & Technical Equip.	- 0 -	+ 8,193	8,193
			- 0 -	

and be it further

RESOLVED, that the CSE grant, project No. 814, for the period April 1, 1998 to March 31, 1999, be revised as follows:

APPROPRIATIONS		Current Budget	Changes	Amended Budget
Account	Description			
830	Contractual Services			
	-0237 Catholic Charities	$ 91,717	+$33,563	$125,280
	-0391 Other Home Care Agencies	81,835	- 33,563	48,272
			-0-	

and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Division of Budget, Management and Finance, the Personnel Department, and the Department of Senior Services, and the County Attorney's Office.

(5-0)

GEORGE A. HOLT, Jr.
Chairman

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

CARRIED UNANIMOUSLY.

ITEM 15 - Mrs. FISHER presented the following and moved for immediate consideration. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 80

FEBRUARY 26, 1998

HEALTH/MENTAL HEALTH
COMMITTEE
REPORT NO. 3

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

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

Item Page -1997 (Comm. 19D-7)
a. **MENTAL HEALTH:** 1997-99 Local Government Plan Mental Retardation/Developmental Disabilities.
(5-0) Chairman Swanick present as ex-officio member.

Item Page -1997 (Comm. 20M-11)
b. **RESTORATION SOCIETY, INC.:** Letter to Legislator Fisher Re: Harbor House Drop-In Center.
(5-0) Chairman Swanick present as ex-officio member.

Item Page -1997 (Comm. 21M-2)
c. **AARON RUBIN, 3RD GRADE STUDENT, OLMSTED #67:** Copy of Letter to Legislator Fisher Re: First Aid Supplies & School Nurses.
(5-0) Chairman Swanick present as ex-officio member.

Item Page -1997 (Comm. 27M-11)
d. **ACTION FOR MENTAL HEALTH:** Letter to Legislature Re: In Support of Restoration Societies' House Move to Genesee & Michigan Streets.
(5-0) Chairman Swanick present as ex-officio member.

Item Page -1998 (Comm. 1D-13)
e. **ERIE COUNTY MEDICAL CENTER:** Sycamore Street Lease.
(5-0) Chairman Swanick present as ex-officio member.

Item Page -1998 (Comm. 5D-1)
f. **ERIE COUNTY MORGUE:** Monies & Other Property Found on Deceased Persons.
(5-0) Chairman Swanick present as ex-officio member.

Item Page -1998 (Comm. 5D-3)
g. **HEALTH:** Minutes of Meeting Held 10/21/97 & Notice to Change Meeting From 2/17/98 to 2/24/98.
(5-0) Chairman Swanick present as ex-officio member.

Item Page -1998 (Comm. 5D-7)
h. **ERIE COUNTY MEDICAL CENTER:** Minutes of Meeting Held 1/22/98 & Notice of Meeting Held 2/12/98.
(5-0) Chairman Swanick present as ex-officio member.

Item Page -1998 (Comm. 5M-8)
i. **ERIE COUNTY MENTAL HYGIENE COMMUNITY SERVICES:** Notice of Meeting to be Held 2/19/98.
(5-0) Chairman Swanick present as ex-officio member.

AS AMENDED
Item Page -1998 (Int. 5-24)
2. **GREENAN, CHASE, LARSON, MARSHALL, RANZENHOFER, WEINSTEIN, SWANICK, PEOPLES, DEBENEDETTI, DUSZA, FISHER, FITZPATRICK, HOLT, KUWIK, MARINELLI, OLMA & PAULY:**

WHEREAS, in 1941, Carolyn Tripp Clement donated her 1921, E.B. Green mansion to the Greater Buffalo Chapter of the American Red Cross, and

WHEREAS, this architectural jewel has served as a local headquarters for the American Red Cross since June, 1941, and

WHEREAS, recognizing the building's value and importance to the community the local chapter of the Red Cross is embarking on a plan to repair and renovate the Clement Mansion, and

WHEREAS, these repairs and renovations will encompass roof repairs, window replacements, room renovations, plumbing and electrical upgrades, heating and air conditioning improvements, and handicap accessibility improvements, and

WHEREAS, the Red Cross deems these repairs and renovations necessary in the preservation of this historic building and in their ability to maintain their high level of community service.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature recognizes the services the American Red Cross provides to the local residents in their greatest time of need, and be it further

RESOLVED, that this Honorable Body and the American Red Cross stand as partners in urging the State Legislature to grant the necessary funds requested for renovation of the Clement Mansion, and be it further

RESOLVED, that certified copies of this resolution be sent to the Western New York delegation to the State Legislature and to Kenneth A. Rogers, Chairman of the Board of Directors, American Red Cross.

fiscal impact: None

(5-0) Chairman Swanick present as ex-officio member.

JUDITH P. FISHER
Chairperson

Mrs. FISHER moved the adoption. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

LEGISLATORS RESOLUTIONS:

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 81 Re: Regulation of Bounty Hunters in New York State. (**Int. 6-1**)

WHEREAS, The tragic recent death of City of Buffalo Police Officer Robert J. McLellan has brought to light the issue of bounty hunters operating in Western New York, and

WHEREAS, While it should be made clear that no charges have been filed against the bounty hunters in the aforementioned case, law enforcement officials stress that the unlicensed and unregulated operation of bounty hunters is a concern to them, and

WHEREAS, Under New York State law bounty hunters have no regulations placed upon them, are unlicensed, and do not have to notify law enforcement officials of their activity, and

WHEREAS, Furthermore, while bounty hunters operating in New York State have no law enforcement designation or jurisdiction whatsoever, they nonetheless make arrests and perform extradition activities, and

WHEREAS, Erie County District Attorney Frank Clark is currently involved with the prosecution of a case against bounty hunters who broke into a county resident's home in pursuit of one of the woman's relatives, and

WHEREAS, This case and others – which in some cases can even result in the killing of innocent people by the hunters – illustrate that bounty hunters need some sort of regulations placed upon them, and

WHEREAS, To that end, City of Buffalo Chief of Police R. Gil Kerlikowske has suggested a state law that would result in bounty hunters notifying law enforcement agencies of their activities, as well as other regulations,

NOW, THEREFORE, BE IT

RESOLVED, That the Erie County Legislature does hereby express its most heartfelt sympathy to the friends and family of City of Buffalo Police Officer Robert J. McLellan, and does honor and commend Officer McLellan for his noble and selfless actions as a protector of the people of our community, and be it further

RESOLVED, That this Honorable Body does hereby express its support for the concept of regulating bounty hunters in the State of New York and Erie County, and be it further

RESOLVED, That this Honorable Body does hereby request that City of Buffalo Chief of Police R. Gil Kerlikowske, Erie County District Attorney Frank Clark, and members of the local delegation of the New York State Legislature appear at a future meeting of the Legislature's Public Safety Committee to begin discussion of the development of a state law to regulate bounty hunters, and be it further

RESOLVED, That certified copies of this resolution be forwarded to City of Buffalo Chief of Police R. Gil Kerlikowske, Erie County District Attorney Frank Clark, and the local delegation of the New York State Legislature.

Fiscal Impact: None for resolution.

GEORGE A. HOLT, Jr.

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

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 82 Re: Support for a New Convention Center in Erie County. (**Int. 6-2**)

WHEREAS, A competitive convention center is critically important to the long-term economic health of Buffalo and Erie County, and

WHEREAS, Downtown and waterfront development is integral to the economic health of the entire region, as noted by — among many other noted planners and regionalists — 1998 Clarkson Visiting Chair Robert Yaro at the February 24 "Regionalism: From Agenda to Action" forum, and

WHEREAS, The Erie County Legislature supports, in principle, the recommendation of a national consultant hired by the Greater Buffalo Convention and Visitors Bureau that a new convention center facility is needed, and is preferable to renovating or expanding the existing Franklin Street facility, and

WHEREAS, This Honorable Body believes that the construction or reconstruction of a new convention center would best serve the present and near-term needs of this community while offering greater flexibility for future expansion, and

WHEREAS, The decision to pursue the construction or reconstruction of a new convention center includes several fundamental issues such as the siting of said facility and the source of funding for construction of a new facility, and

WHEREAS, It is this Honorable Body's intention that the decision making process for the siting of a new convention center will be as inclusive and vigorous as possible and will include representatives from state, county and city government, as well as a broad spectrum of community interests, and

WHEREAS, It is also this Honorable Body's intention to seek all avenues of funding for a new convention center, including but not limited to federal and state assistance and possible private sector investment, in order to mitigate the potential impact upon county taxpayers,

NOW, THEREFORE, BE IT

RESOLVED, That the Erie County Legislature does hereby state its support for the construction or reconstruction of a new convention center in the City of Buffalo, and be it further

RESOLVED, That this Honorable Body does further support a thorough and inclusive process for determining the site of said convention center, and be it further

RESOLVED, That this Honorable Body does also state its support for the pursuit of federal, state and city participation in this regional effort, as well as a serious review of a public-private partnership, and be it further

RESOLVED, That this Honorable Body is committed to taking an active role to ensure that the objectives outlined in this resolution are fully met, and be it further

RESOLVED, That this Honorable Body does hereby request Erie County Executive Dennis Gorski, Erie County Department of Environment and Planning Commissioner Rich Tobe, City of Buffalo Mayor Anthony Masiello, New York State Governor George Pataki, members of the Buffalo Common Council, the local delegation of the New York State Legislature, the local delegation of the United States Congress, and the Greater Buffalo Convention and Visitors Bureau Board of Directors to appear at a future meeting of the Legislature's Community Enrichment Committee to discuss ideas and plans for the new convention center, and be it further

RESOLVED, That certified copies of this resolution be forwarded to Erie County Executive Dennis Gorski, Erie County Department of Environment and Planning Commissioner Rich Tobe, City of Buffalo Mayor Anthony Masiello, New York State Governor George Pataki, members of the Buffalo Common Council, the local delegation of the New York State Legislature, the local delegation of the United States Congress, and the Greater Buffalo Convention and Visitors Bureau Board of Directors.

Fiscal Impact: To be determined.

DALE W. LARSON
CRYSTAL D. PEOPLES

Ms. PEOPLES offered an amendment as follows:

ADD, following the third RESOLVE clause:

RESOLVED, that this Honorable Body does strongly urge all involved parties to include a plan for reuse of the existing Convention Center as a part of the planning process, and be it further

ADD the following to the fifth RESOLVE clause:

...Consultant Charles Johnson,...

ADD the following to the sixth RESOLVE clause:

...Consultant Charles Johnson,...

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

CARRIED UNANIMOUSLY.

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

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

CARRIED UNANIMOUSLY.

ITEM 18 - Mr. HOLT presented the following resolution and moved for immediate consideration. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

PA

RESOLUTION NO. 83 Re: Exploring Low Cost ~~Working~~ Alternatives in the City of Buffalo.(Int. 6-3)

WHEREAS, Businesses and consumers have long cited the lack of affordable or free parking as a primary reason for not locating or patronizing businesses in downtown Buffalo, and

WHEREAS, In addition, low-cost parking should be available to those who do work in downtown Buffalo and to those who patronize downtown's businesses, and

WHEREAS, Furthermore, the centers for Buffalo and Erie County government are located downtown, and citizens who need access to them should not be unduly burdened by high parking rates, and

WHEREAS, Buffalo Civic Auto Ramps – a company that runs downtown's parking ramps and returns any end of the year profits to the City of Buffalo – instituted the Buffalo Shuttle Park program in July 1997, offering low-cost parking on the fringe of downtown and a shuttle to the Metro Rail station, and

WHEREAS, Buffalo Civic Auto Ramp officials now state that the program is not profitable due to the costs involved in renting and running the shuttles, and

WHEREAS, The idea of low-cost and free downtown parking, for the overall health and development of the Erie County region's core, should not be allowed to die,

NOW, THEREFORE, BE IT

RESOLVED, That the Erie County Legislature does hereby voice its support for the concept of reducing parking costs in order to better strengthen downtown Buffalo, and as a result the entire county, and be it further

RESOLVED, That this Honorable Body does hereby request that Buffalo Civic Auto Ramps General Manager Robert Stuart, Jr. and representatives of the City of Buffalo attend a future meeting of the Legislature's Economic Development Committee to discuss Buffalo Civic Auto Ramp's experiences regarding low-cost parking, as well as the city's ideas on how to facilitate low-cost parking in downtown Buffalo, and be it further

RESOLVED, That certified copies of this resolution be forwarded to Buffalo Civic Auto Ramps, Inc. General Manager Robert Stuart, Jr. (221 Pearl St. Buffalo, NY 14202; 849-5812), City of Buffalo Mayor Anthony Masiello, and Buffalo Board of Parking Director ~~Robert~~ THOMAS Gallagher.

Fiscal Impact: None for resolution.

GEORGE A. HOLT, Jr.

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

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

CARRIED UNANIMOUSLY.

ITEM 19 - Mr. DUSZA presented the following resolution and moved for immediate consideration. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 84 Re: Adjusting the STAR Program for Residences with Two Owners of Record. (**Int. 6-4**)

WHEREAS, the STAR program, instituted by the State of New York, will greatly reduce the school tax burden on senior citizens throughout New York State, and

WHEREAS, the Pataki administration is currently undergoing a rigorous process of educating residents as to the proper manner by which they must apply for the benefits of the STAR program, and

WHEREAS, one area in which the STAR program has proven deficient is with properties owned jointly by more than one person, where one owner is of qualifying age for the STAR benefit, and the other owner is not, and

WHEREAS, at present, if, for example, a duplex residence is owned jointly by two brothers and their spouses, with one brother aged 70 and the other brother aged 60, the property is not eligible for the tax breaks associated with the STAR program, and

WHEREAS, this type of joint ownership dillema may exist for hundreds, if not thousands, of Erie County residents, and

WHEREAS, toward recommending to the State of New York legislation that may assist in addressing this disparity, county and state officials should be invited to appear at the appropriate committee of the Legislature to discuss this problem and seek to address it,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby express its concern with resect to the issue of the applicability of STAR program benefits to properties owned jointly by persons both above and below the legal age for admissibility to the STAR program, and be it further

RESOLVED, that this Honorable Body does hereby call upon Joseph Maciejewski, Deputy Commissioner of Finance for Real Property Taxation, to appear at a future meeting of the Legislature's Finance and Management Committee to discuss this problem, to report on its prevalence in Erie County, and to discuss manners by which this problem may be addressed in advance of the STAR deadline for 1998, and be it further

RESOLVED, that should this problem be addressable through additional state legislation, this Honorable Body does hereby stand committed to introduce and adopt memorializing legislation calling upon the state legislature and the governor to adopt and enact such legislation to cover property owners that find themselves in this very particular circumstance, and be it further

RESOLVED, that certified copies of this resolution be sent to County Executive Dennis T. Gorski, Budget Director Kenneth C. Kruly, and Finance Deputy Commissioner for Real Property Taxation Joseph Maciejewski.

Fiscal Impact: To be Determined.

RAYMOND K. DUSZA

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

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

CARRIED UNANIMOUSLY.

ITEM 20 - Ms. MARINELLI presented the following resolution and requested it be referred to the ECONOMIC DEVELOPMENT COMMITTEE.

GRANTED.

Int. 6-5 From Legs. MARINELLI & DEBENEDETTI Re: Authorizing County Takeover of City of Buffalo Title to Kenmore Avenue.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 85 Re: Support for Automated Prisoner Release Victim Notification System in Erie County. (**Int. 6-6**)

WHEREAS, Domestic violence is unique from the majority of crime in that in many cases the victim and the perpetrator know each other, and

WHEREAS, Because of this relationship, when the victim reports the battering to the police and testifies on the matter, the perpetrator may become vindictive against the victim and feel betrayed that the bond they shared has been broken, and

WHEREAS, The perpetrator, therefore, may seek revenge against the victim, placing the victim in further danger, as the perpetrator often knows where the victim lives and works, and

WHEREAS, For the safety of the victim, it is therefore useful to know when the perpetrator is being released from prison so that the victim may take the necessary precautions, and

WHEREAS, To better facilitate the aforementioned notification, the automated prisoner release victim notification system has been developed, and

WHEREAS, Under the system, the victim can use a touch-tone phone and PIN number to register to be automatically notified when there is any change in the status of the prisoner, and

WHEREAS, The Erie County District Attorney's Office is seeking grant money from the New York State Crime Victims Compensation Board to implement an automated prisoner release victim notification system in Erie County,

NOW, THEREFORE, BE IT

RESOLVED, That the Erie County Legislature does hereby commend the District Attorney's Office and its Domestic Violence/Sexual Assault Bureau for their continued efforts and successes in protecting the victims of domestic violence in Erie County, and be it further

RESOLVED, That this Honorable Body does hereby state its unequivocal support for the development and implementation of an automated prisoner release victim notification system in Erie County as a means to better provide for the safety of domestic violence victims, and be it further

RESOLVED, That this Honorable Body does hereby lend its full support to the Erie County District Attorney's Office's efforts to secure grant money for the development of the aforementioned system, and does strongly urge the New York State Crime Victims Compensation Board to provide said grant, and be it further

RESOLVED, That certified copies of this resolution be forwarded to Erie County District Attorney Frank Clark, Erie County District Attorney Domestic Violence/Sexual Assault Bureau Chief Lisa Bloch Rodwin, and Erie County Executive Dennis Gorski.

Fiscal Impact: Possible receipt of state grant money.

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

Ms. MARINELLI offered the following amendment:

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

RESOLVED, That this Honorable Body does hereby state its support for the development and implementation of an automated prisoner release victim notification system in Erie County provided through a dedicated, continued source of outside funding, and be it further

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 86 Re: Support for an Increase in New York State's Earned Income Tax Credit. (Int. 6-7)

WHEREAS, the Earned Income Credit (EIC) is a tax savings currently enjoyed by more than 1.2 million New Yorkers - mostly single mothers and families with children, and

WHEREAS, in order to qualify for the EIC, taxpayers must earn a gross income of less than $30,000 annually, and

WHEREAS, the EIC is based on a longstanding federal program of a similar nature, and represents a tax credit to low income New Yorkers equal to 20% of their federal credit, and

WHEREAS, organized labor groups and advocated for the poor have been joined by New York State's leading business groups in calling on Governor George Pataki and legislative leaders to use a portion of the state's nearly $2 billion surplus toward an increase in the EIC, and

WHEREAS, these groups have called for a 50% increase in the EIC, which would represent a cost of approximately $175 million for FY 1998-99, and

WHEREAS, an increase in EIC is equally attractive for business and labor alike, as the increase is essentially a manner by which the income of the working poor may be increased without impact upon business, and

WHEREAS, in a fiscal year in which the Governor and legislative leaders have at their disposal a significant budget surplus from the previous year, an excellent way to provide tax relief to a segment of the population truly in need would be to increase the EIC during this legislative session,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby put itself on record in support of an increase in the Earned Income Credit, and be it further

RESOLVED, that this Honorable Body does hereby call upon Governor Pataki and legislative leaders to endorse such a proposal, file and adopt legislation toward this end, and be it further

RESOLVED, that certified copies of this resolution be sent to Governor George Pataki, Assembly Speaker Sheldon Silver, Senate Majority Leader Joseph Bruno, New York State AFL-CIO President Edward Cleary, New York State Business Council President Daniel Walsh.

Fiscal Impact: Impact of Increased EIC is Positive.

JUDITH P. FISHER **CHARLES M. SWANICK**

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

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

CARRIED UNANIMOUSLY.

ITEM 23 - Ms. PEOPLES presented the following resolution and moved for immediate consideration. Mr. KUWIK seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 87 Re: Additional Funding for The Buffalo & Erie County Botanical Garden Society. (Int. 6-8)

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 $5,000 from the legislative contingency (Countywide Contingency DAC: 110923310893) to Fund 110, Project 920, Department 300 Agency Payments & Grants - Cultural, (DAC: 110920300830), for paying the following agency:

AGENCY	BUDGETED AMOUNT	+/-	NEW AMOUNT
Buffalo & Erie County Botanical Garden Society	$7,500	$5,000	$12,500
TOTAL		$5,000	

and be it further

RESOLVED, that the County Executive is hereby authorized to enter into new or amended contracts 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 Buffalo and Erie County Botanical Garden Society, 2655 South Park Ave., Buffalo, NY 14218.

Fiscal Impact: Appropriation of 1998-budgeted funds.

CHARLES M. SWANICK CRYSTAL D. PEOPLES

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

CARRIED UNANIMOUSLY.

ITEM 24 - Ms. PEOPLES presented the following resolution and moved for immediate consideration. Mrs. FISHER seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 88 Re: Additional Funding to Support Isle View Park. (**Int. 6-9**)

WHEREAS, the beautiful Isle View Park is a part of the Erie County Parks System, and

WHEREAS, the Department of Parks has identified a shortfall in funding for maintenance and repairs to Isle View Park, 'and will require additional funds, and

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

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the transfer of $8,000 from the legislative contingency (Countywide Contingency DAC: 110923310893) to Fund 110, Project 942, Department 640 Parks, Recreation & Forestry-Parks - (DAC 110942640816) for the purpose of maintenance and repairs to Isle View Park, and be it further

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

RESOLVED, that certified copies of this resolution be sent to County Executive Dennis Gorski, County Comptroller Nancy A. Naples, Budget Director Kenneth C. Kruly, First Assistant County Attorney Alan Gerstman, and to Parks, Recreation and Forestry Commissioner James J. Jankowiak.

Fiscal Impact: Appropriation of 1998-budgeted funds.

CHARLES M. SWANICK

Ms. PEOPLES moved the adoption. Mrs. FISHER seconded.

CARRIED UNANIMOUSLY.

ITEM 25 - Mr. FITZPATRICK presented the following resolution and moved for immediate consideration. Mr. OLMA seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 89 Re: Support for Programs in the City of Buffalo. (Int.6-10)

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 $93,000 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 agencies:

NAME	LINE	AMOUNT
South Buffalo Community Assn.	n/a	$20,000
Old First Ward Community Ctr.	830/0569	$ 8,000
Cazenovia Park Hockey Assn.	830/0858	$10,000
South Buffalo Soccer Club	830/0859	$ 5,000
So. Bflo. Community Table, Inc.	n/a	$ 2,500
So. Buffalo Food Pantry	830/0612	$ 2,500
Valley Community Assn.	830/0239	$20,000
Advisory Bd. Lovejoy Elderly & Youth	830/0304	$15,000
Iron Island Pres. Soc. of Lovejoy	n/a	$ 2,500
South Park Youth Association, Inc.	n/a	$ 2,500
TOTAL		$93,000

and be it further

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

RESOLVED, that 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 Richard McFail, Executive Director, South Buffalo Community Association, 2219 S. Park Ave., Buffalo, NY 14220, Kathleen Schieber, Program Administrator, Old First Ward Community Center, 62 Republic St., Buffalo, NY 14206, John Schieber, Cazenovia Park Hockey Association, 164 Dundee, Buffalo, NY 14220, Michael Blake, South Buffalo Soccer Club, 77 Spaulding St., Buffalo, NY 14220, Sr. Celeste O'Bryan, Director, South Buffalo Community Table, Inc., 185 Southside Parkway, P.O. Box 1067, Buffalo, NY 14220, Sr. Dorothy DeMaria, Regional Area Coordinator, 2219 S. Park Ave., Buffalo, NY 14220, Margaret Overdorf, Executive Director, Valley Community Association, 93 Leddy St.,Buffalo, NY 14220, Val Vigiano, Executive Director, Advisory Board Lovejoy Elderly & Youth, 111 Moreland St., Buffalo, NY 14206, Marge Thielman Hastreiter, Vice President, 230 Longnecker St., Buffalo, NY 14206, and Larry Wolf, South Park Youth Association, 16 Huessy, Buffalo, NY 14220.

Fiscal Impact: Appropriation of 1998-budgeted funds.

MICHAEL A. FITZPATRICK

Mr. FITZPATRICK offered the following amendment:

DELETE all RESOLVE clauses in their entirety and replace with the following:

RESOLVED, that the Erie County Legislature does hereby approve the transfer of $93,000 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 agencies:

NAME	LINE	AMOUNT
South Buffalo Community Assn.	n/a	$20,000
Old First Ward Community Ctr.	830/0569	$ 8,000
Cazenovia Park Hockey Assn.	830/0858	$10,000
South Buffalo Soccer Assn.	830/00859	$ 5,000
So. Bflo. Community Table, Inc.	n/a	$ 2,500
So. Buffalo Food Pantry	830/0612	$ 2,500
Valley Community Assn.	830/0239	$20,000

Advisory Bd. Lovejoy Elderly & Youth	830/0304	$15,000
Iron Island Pres. Soc. Of Lovejoy, Inc.	n/a	$ 2,500
South Park Youth Association, Inc.	n/a	$ 2,500
South Buffalo Shamrocks	n/a	$ 2,500
TOTAL		$93,000

and be it further

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

RESOLVED, that certified copies of this resolution be sent to County Executive Dennis T. Gorski, County Comptroller Nancy A. Naples, Budget Director Kenneth C. Kruly, First Assistant County Attorney Alan Gerstman and to Richard McFail, Executive Director, South Buffalo Community Association, 2219 S. Park Ave., Buffalo, New York 14220, Kathleen Schieber, Program Administrator, Old First Ward Community Center, 62 Republic St., Buffalo, New York 14206, John Schieber, Cazenovia Park Hockey Association, 164 Dundee, Buffalo, NY 14220, Michael Blake, South Buffalo Soccer Club, 77 Spaulding St., Buffalo, New York 14220, Sr. Celeste O'Bryan, Director, South Buffalo Community Table, Inc., 185 Southside Parkway, P.O. Box 1067, Buffalo, New York 14220, Sr. Dorothy DeMaria, Regional Area Coordinator, 2219 S. Park Ave., Buffalo, NY 14220, Margaret Overdorf, Executive Director, Valley Community Association, 93 Leddy St., Buffalo, New York 14220, Val Vigiano, Executive Director, Advisory Board Lovejoy Elderly F& Youth, 111 Moreland St., Buffalo, New York 14206, Marge Thielman Hastreiter, Vice-President, 230 Longnecker St., Buffalo, New York 14206, and Larry Wolf, South Park Youth Association, 16 Hussey, Buffalo, New York 14220, Brian Leonard, South Buffalo Shamrocks, 118 Armin Place, Buffalo, New York 14210.

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

ITEM 26 - Mr. WEINSTEIN presented the following resolution and requested it be referred to the FINANCE & MANAGEMENT COMMITTEE.

GRANTED.

Int. 6-11 From Leg. Weinstein Re: El Niño Savings to Property Taxpayers.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 90 Re: Funding for Community Initiatives in Cheektowaga. (6-12)

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 $6,000 from the legislative contingency (Countywide Contingency DAC: 110923310893) to Fund 110, Project 920, Department 300 Agency Payments & Grants - Cultural, (DAC: 110920300830), for paying the following agency:

AGENCY	BUDGETED AMOUNT	+/-	NEW AMOUNT
Chopin Singing Society	$5,000	$6,000	$11,000
TOTAL		$6,000	

and be it further

RESOLVED, that the Erie County Legislature does hereby approve the transfer of $1,000 from the legislative contingency (Countywide Contingency DAC: 10923310893) to Fund 110, Project 921, Department 301 Agency Payments & Grants - Public Benefit Services, (DAC: 110921301830), for paying the following agencies:

NAME	LINE	AMOUNT
Cheektowaga Little Loop	n/a	$1,000
TOTAL		$1,000

and be it further

RESOLVED, that the County Executive is hereby authorized to enter into new or amended contracts with the agencies 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, Mr. Richard J. Jezuit, President, Chopin Singing Society, 2155 Old Union Road, Buffalo, NY 14227, and to Martin P. Stockmeyer, President, Cheektowaga Little Loop, 51 Fairview Drive, Depew, NY 14043.

Fiscal Impact: Appropriation of 1998-budgeted funds.

RAYMOND K. DUSZA

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

CARRIED UNANIMOUSLY.

ITEM 28 - Mrs. FISHER presented the following resolution and moved for immediate consideration. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 91 Re: Funding for Services in the City of Buffalo (Int. 6-13)

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 Buffalo Green Fund establishes, supports and maintains beautiful landscape throughout the City of Buffalo, 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 $15,000 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 agencies:

NAME	LINE	AMOUNT
Buffalo Green Fund, Inc.	830/0619	$15,000
TOTAL		$15,000

and be it further

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

RESOLVED, that 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 Bette Blum, Buffalo Green Fund, Inc., 11 Mayfair Lane, Buffalo, NY 14201.

Fiscal Impact: Appropriation of 1998-budgeted funds.

JUDITH P. FISHER

Mrs. FISHER moved the adoption. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

ITEM 29 - Mr. HOLT presented the following resolution and moved for immediate consideration. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 92 Re: Commending the Black Leadership Forum & CGF Health System
(Int. 6-14)

WHEREAS, The Erie County Legislature passed Intro. 2-5 at its January 22, 1998 session regarding the impending merger of Buffalo General, Millard Fillmore, and Children's Hospitals, and

WHEREAS, In particular, this Honorable Body requested that hospital officials better explain the merger plans, including the number of positions that will be eliminated or reduced to part-time, as well as what preparations are being made to assist or retrain employees who lose their jobs, and

WHEREAS, This Honorable Body also commended the Black Leadership Forum for its efforts to keep both the employees and the community informed of the merger plans, as well as their advocacy to ensure that the merger be completed in the best interest of the community, and

WHEREAS, Since passage of said resolution, CGF Health System and the Black Leadership Forum have worked in cooperation to create a "Statement of Commitment" in which CGF pledges to "work collaboratively with Buffalo's African-American community," and

WHEREAS, Under the Statement of Commitment, the president and CEO of CGF commits the organization to working with the Black Leadership Forum to accomplish:

Insuring meaningful employment opportunities within the CGF Health System, including establishing two on-site employment recruitment locations within the African-American community,

Utilizing an employment counselor and/or other staff at these locations to recruit minority employees into the CGF Health System,

Developing a nurse's aide and medical assistant training and certification program for both the African-American and Hispanic communities, Creating a five member advisory panel to ensure these goals are met,

Developing a cultural diversity program within the System, Assisting the Geneva B. Scruggs Community Health Care Center and Sheehan Memorial Hospital to enhance their services,

Initiating a process to appoint individuals recommended by the Black Leadership Forum to CGF committees and boards,

Compiling a comprehensive health, human service, and housing needs survey of the African-American community and the East Side,

Advertising all external employment postings with minority and community-based audio, visual and print media,

Meeting quarterly with the Black Leadership Forum to discuss the progress of the merger, and

Hosting an informational forum to educate and update the community regarding changes in health care and the merger process,

NOW, THEREFORE, BE IT

RESOLVED, That the Erie County Legislature does hereby commend the Black Leadership Forum and CGF Health System for their commitment and effort on this most important matter, and be it further

RESOLVED, That this Honorable Body does hereby state its support for the plans and principles defined in the aforementioned Statement of Commitment between the Black Leadership Forum and CGF, and be it further

RESOLVED, That certified copies of this resolution be forwarded to CGF Health System President and Chief Executive Officer John Friedlander (901 Washington St. Buffalo, NY 14203), Black Leadership Forum Chairman Rev. H.V. Reid and Secretary Frank Mesiah (PO Box 255 Buffalo, NY 14205), and New York State Department of Health Commissioner Dr. Barbara DeBuono (Corning Tower, Empire State Plaza, Albany, NY 12237).

Fiscal Impact: None for resolution.

GEROGE A. HOLT, Jr.

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

CARRIED UNANIMOUSLY.

ITEM 30 - Mr. DEBENEDETTI presented the following resolution and requested it be referred to the ECONOMIC DEVELOPMENT COMMITTEE.

GRANTED.

Int. 6-15 From: Leg. DeBenedetti Re: Economic Development.

ITEM 31 - Mr. MARSHALL presented the following resolution and moved for immediate consideration. Mr. GREENAN seconded.

Int. 6-16 From: Legs. Chase, Greenan, Larson, Ranzenhofer, Marshall & Weinstein. Re:Prohibiting Bail Upon Conviction of a Sex Offence Against a Child.

Chairman Swanick directed that Int. 6-16 be referred to the PUBLIC SAFETY COMMITTEE.

Mr. GREENAN moved to Challenge the Chair. Mr. MARSHALL seconded.

Chairman SWANICK directed that a Roll Call be taken.

Ayes - Chase, Greenan, Larson, Marshall, Ranzenhofer, Weinstein - 6. Noes - DeBenedetti, Dusza, Fisher, Fitzpatrick, Holt, Kuwik, Marinelli, Olma, Peoples, Swanick - 11.

DEFEATED.

Subsequently, Int. 6-16 was referred to the PUBLIC SAFETY COMMITTEE.

ITEM 32 - Mr. MARSHALL presented the following resolution and moved for immediate consideration. Mr. GREENAN seconded.

Int. 6-17 From: Legs. Chase, Greenan, Larson, Ranzenhofer, Marshall & Weinstein. Re: Support of Sexual Assault Reform Act of 1998

Chairman Swanick directed that Int. 6-17 be referred to the PUBLIC SAFETY COMMITTEE.

SUSPENSION OF THE RULES

ITEM 33 - Mrs. FISHER moved for a suspension of the rules to include and item not on the agenda. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 93 Re: Lease for Legislative Office Space. (Comm. 6E-27)

RESOLVED, that the County Executive is hereby authorized to sign a Lease Agreement between **NORTHWEST BUFFALO COMMUNITY CENTER, 155 LAWN AVENUE, BUFFALO, NEW YORK 14207** and Erie County Legislator **ALBERT DEBENEDETTI** for Legislative Office Space.

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

CARRIED.

Legislator DeBenedetti abstained.

ITEM 34 - Mrs. FISHER moved for a suspension of the rules to include and item not on the agenda. Ms. MARINELLI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 94 Re: Lease for Legislative Office Space. (Comm. 6E-28)

RESOLVED, that the County Executive is hereby authorized to sign a Lease Agreement between **RICHARD C. CUMMINGS, 790 EAST DELAVAN AVENUE, BUFFALO, NEW YORK 14215**, and Erie County Legislator **CRYSTAL D. PEOPLES** for Legislative Office Space.

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

CARRIED.

Legislator Peoples abstained.

ITEM 35 - Mrs. FISHER moved for a suspension of the rules to include an item not on the agenda.

GRANTED.

Int. 6-18 From: Leg. Fisher Re: Mental Health Reinvestment

Chairman SWANICK directed that Int. 6-18 be referred to the HEALTH COMMITTEE.

ITEM 36- Ms. PEOPLES moved for a suspension of the rules to include an item not on the agenda.

GRANTED.

Comm. 6E-29 From: Legs. SWANICK & PEOPLES Re: Letter to the President of Kiwi Airlines.

Chairman SWANICK directed that Comm. 6E-29 be referred to the ECONOMIC DEVELOPMENT COMMITTEE.

ITEM 37 - Ms. MARINELLI moved for a suspension of the rules to include and item not on the agenda.

GRANTED.

Int. 6-19 From: Leg. SWANICK Re: Support For The Nomination of the Spaulding-Sidway Boathouse to the National and State Registries of Historic Places.

Chairman SWANICK directed that Int. 6-19 be referred to the COMMUNITY ENRICHMENT COMMITTEE.

ITEM 38 - Ms. PEOPLES moved for a suspension of the rules to include and item not on the agenda.

GRANTED.

Int. 6-20 From: Leg. ~~Peoples~~ Ranzenhofer RE: Amendment to Intro 19-7 (1997) ~~Amendment to Finance & Management Committee item designation #42, as of committee meeting #3, Inro.~~ designation 19-7

Chairman SWANICK directed that Int. 6-20 be referred to the FINANCE AND MANAGEMENT COMMITTEE.

ITEM 39 - Mrs. FISHER moved for a suspension of the rules to include and item not on the agenda.

GRANTED.

FROM THE COMPROLLER

ITEM 45 - (Comm. 6E-6)

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 95 Re: State Authorization to Arrange for the Underwriting and Private Sale of Bonds or Notes

HOME RULE REQUEST - PRIVATE SALE OF BONDS OR NOTES THROUGH NEGOTIATED AGREEMENT

BE IT RESOLVED, that pursuant to Article IX of the Constitution, the county of Erie request the enactment of Senate Bill. No. S.<u>6222</u> and Assembly Bill No. A.<u>9322</u> entitled "An Act to amend the local finance law in relation to the sale of municipal obligations by the county of Erie", and be it further

RESOLVED, that it is understood by this Legislature that the aforesaid Bill reads essentially as follows:

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

Section 1. Section 54.50 of the local finance law, as amended by chapter 148 of the laws of 1997, is amended to read as follows:

Section 54.50. Costs of sales; county of Erie. To facilitate the marketing of any issue of serial bonds or notes of the county of Erie issued on or before June thirty, nineteen hundred [ninety-eight] <u>NINETY-NINE</u> such county may, notwithstanding any limitations or private sales of bonds provided by law, and subject to approval by the state comptroller of the terms and conditions of such sale:

a. arrange for the underwriting of its bonds or notes at private sale through negotiated agreement, compensation for such underwriting to be provided by negotiated fee or by sale of such bonds or notes to an underwriter at a price less than the sum of par value of, and the accrued interest on, such obligations; or

b. arrange for the private sale of its bonds or notes through negotiated agreement, compensation for such sales to be provided by negotiated fee, if required. The cost of such underwriting or private placement shall be deemed a preliminary cost for purposes of section 11.00 of this chapter.

Section 2. This act shall take effect immediately.

Delete the resolution in its entirety and replace with the following:

WHEREAS, the County of Erie is currently authorized to market serial bonds at negotiated sale under the provisions of Local Finance Law; and

WHEREAS, that authority will expire on June 30, 1998; and

WHEREAS, Senate Bill S. 6222, and Assembly Bill A. 9322 now pending before the New York State Legislature, would amend Local Finance Law §54.50 to extend Erie County's authority to market serial bonds by negotiated sale through June 30, 1999; and

WHEREAS, such extension is in the best interest of the County of Erie by permitting the County to arrive at more favorable sale terms than are available through competitive sales held on fixed dates;

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

TO THE LEGISLATURE:

Pursuant to Article IX of the Constitution, the County of Erie requests the enactment of Assembly Bill No. 9322, entitled "AN ACT to amend the local finance law in relation to the sale of municipal obligations by the county of Erie".

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

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

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

And be it further

RESOLVED, that the Clerk of the Legislature be directed to forward copies of this home rule request, certified by the Erie County Executive and the Clerk of the Erie County Legislature, two copies (2) to the New York State Senate and two (2) copies to the New York State Assembly.

****

WHEREAS, the County of Erie is currently authorized to market serial bonds at negotiated sale under the provisions of Local Finance Law §54,50; and

WHEREAS, that authority will expire on June 30, 1998; and

WHEREAS, Senate Bill S. 6222, and Assembly Bill A. 9322 now pending before the New York State Legislature, would amend Local Finance Law §54.50 to extend Erie County's authority to market serial bonds by negotiated sale through June 30, 1999; and

WHEREAS, such extension is in the best interest of the County of Erie by permitting the County to arrive at more favorable sale terms than are available through competitive sales held on fixed dates;

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

TO THE LEGISLATURE:

Pursuant to Article IX of the Constitution, the County of Erie requests the enactment of Senate Bill no. 6222, entitled "AN ACT" to amend the local finance law in relation to the sale of municipal obligations by the county of Erie".

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

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

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

And be it further

RESOLVED, that the Clerk of the Legislature be directed to forward copies of this home rule request, certified by the Erie County Executive and the Clerk of the Erie County Legislature, two copies (2) to the New York State Senate and two (2) copies to the New York State Assembly.

Ms. PEOPLES moves the adoption of the amendment. Mr. KUWIK seconded.

CARRIED UNANIMOUSLY.

Ms. PEOPLES moves the adoption of the resolution as amended. Mr. KUWIK seconded.

CARRIED UNANIMOUSLY.

FROM THE COMPTROLLER

ITEM 46 - (Comm. 6E-7)

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 96 Re: Bond Resolution

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 $3,000,000, APPROPRIATING $3,000,000 THEREOF, AND AUTHORIZING THE ISSUANCE OF $3,000,000 BONDS OF THE COUNTY TO FINANCE SAID APPROPRIATION.

(Introduced) March 5, 1998
(Adopted) March 5, 1998

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

Section 1. The County is hereby authorized to undertake 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 $3,000,000, and said amount is hereby appropriated therefor, pursuant to the duly adopted 1998 Capital Budget for the County, as hereby amended. The plan of financing includes the issuance of $3,000,000 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 $3,000,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"), to finance said appropriation.

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

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

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

Section 6. Each of the bonds authorized by this Resolution and any bond anticipation notes issued in anticipation of the sale thereof shall contain the recital of validity prescribed by §52,00 of said Local Finance Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the County of Erie, payable as to both principal and interest by general tax upon all the taxable real property within the County without limitation as to rate or amount. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and provision shall be made annually in the budgets of the County by appropriation for (a) the amortization and redemption of the notes and bonds to mature in such year and (b) the payment of interest to be due and payable in such year.

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

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

(2) 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

(3) 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. Mr. KUWIK seconded.

Chairman SWANICK directed that a Roll Call be taken.

Ayes - Chase, Greenan, Larson, Marshall, Pauly, DeBenedetti, Dusza, Fitzpatrick, Holt, Kuwik, Marinelli, Olma, Peoples, Swanick - 14. Noes - Ranzenhofer, Weinstein, Fisher - 3.

CARRIED.

FROM THE COUNTY CLERK

ITEM 47 - (Comm. 6E-8) Erie County Clerk's 1997 Annual Report.

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE COMPTROLLER

ITEM 48 - (Comm. 6E-9) Copy of Letter to State Comptroller's Office Re: Buffalo Bills Lease/Leaseback Proposal.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM COUNTY EXECUTIVE

ITEM 49 - (Comm. 6E-10) Annual Report of Erie County Administrative Agencies for 1997.

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM LEGISLATOR MARINELLI

ITEM 50 - (Comm. 6E-11) Duplicate of 6E-5.

FROM LEGISLATOR DUSZA

ITEM 51 - (Comm. 6E-12) Notice of Absence From Health/Mental Health Committee Meeting.

The above two items were RECEIVED & FILED.

FROM THE COMPTROLLER

ITEM 52 - (Comm. 6E-13) Copy of Letter to Commissioner Tobe Re: Buffalo Bills Lease.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE COUNTY EXECUTIVE

ITEM 53 - (Comm. 6E-14)

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 97 Re: Transfer of Funds - Purchase Computer Equipment

WHEREAS, the County must continually invest in state-of-the-art computers and other equipment if it is to take advantage of technological improvements, avoid expensive repair and maintenance costs, and benefit from opportunities for achieving operational efficiencies, and

WHEREAS, to maintain effective operations, the Erie County Personnel Department requires funding for the acquisition of computers, and other related equipment, and

WHEREAS, for a maximum cost of $16,000 Government Computer Sales, Inc. will provide and maintain for the County Personnel Department seven (7) personal computers (PC's), and

WHEREAS, authorization is sought to use unanticipated revenues to purchase the personal computer equipment for use by the County Personnel Department,

NOW, THEREFORE, BE IT

RESOLVED, that the Lab and Tech Equipment Account in the Personnel Department (DAC Code 110-910610933) be increased by $16,000, the source of funding being Section 520 Exemption Removal Revenue in Countywide Accounts Budget (DAC Code 110-923310301), the annual revenue being exceeded, and be it further

RESOLVED, that the County Executive be authorized to enter into and execute all necessary agreements with Government Computer Sales, Inc., and be it further

RESOLVED, that certified copies of this resolution be sent to the Offices of the County Executive, the Personnel Department and the Division of Budget, Management and Finance.

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

CARRIED UNANIMOUSLY.

FROM THE COUNTY EXECUTIVE

ITEM 54 - (Comm. 6E-15) Department of Social Services - Authorization to Lease.

Received and referred to the SOCIAL SERVICES COMMITTEE.

ITEM 55 - (Comm. 6E-16) Department of Emergency Services - Fire Safety Division - Accept Donation of Scott Self-Contained Breathing Apparatus.

ITEM 56 - (Comm. 6E-17) Department of Emergency Services - Hazardous Materials Response Team - Grant V Modification - SFG Grant #637.

The above two items were received & referred to the PUBLIC SAFETY COMMITTEE.

ITEM 57 - (Comm. 6E-18)

Ms. PEOPLES moved for immediate consideration. Ms. KUWIK seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 98 Re: Appropriation to the Broadway Market Management Corp.

WHEREAS, for 110 years, the Broadway Market located at 999 Broadway on the East Side of the City of Buffalo, has served as an economic anchor of its community, and

WHEREAS, the Market has also been an economic and cultural asset to all of Western New York, and

WHEREAS, the Broadway Market Management Corporation has appealed to Erie County for a one-time grant of funds to help defray its operating deficit and to permit the Market to proceed with its traditional Easter season activities,

NOW, THEREFORE, BE IT

RESOLVED, that the sum of $35,000 is hereby appropriated as a one-time grant in General Fund Agency Payments Public Benefit-Budget (DAC Code 110-921301830) to the Broadway Market Management Corporation to help defray its operating deficit, the source of funds being $35,000 from unanticipated revenue Section 520 Exemption Removal, General Fund, Countywide Accounts Budget (DAC 110-923310301), the annual budget being exceeded, and be it further

RESOLVED, that the County Executive is authorized to enter into a contract with The Broadway Market Corporation to implement the purposes of said appropriation, and be it further

RESOLVED, that certified copies of this resolution be forwarded to the County Executive, the County Attorney, the Director of Budget & Management and the Executive Director of the Broadway Market Management Corporation.

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

CARRIED.

Legislator Olma abstained.

FROM THE COUNTY EXECUTIVE

ITEM 58 - (Comm. 6E-19) Department of Health - Revised Immunization Action Plan - 11/1/97-10/31/98.

Received and referred to the HEALTH COMMITTEE.

ITEM 59 - (Comm. 6E-20) NYS Aid to Localities Laboratory Funding.

Received and referred to the PUBLIC SAFETY COMMITTEE.

ITEM 60 - (Comm. 6E-21) ECMC's Plan to Sell the Cleve-Hill Dialysis Center & the Peritoneal Program to Total Renal Care, Inc.

Received and referred to the HEALTH COMMITTEE.

ITEM 61 - (Comm. 6E-22) Erie County Southtowns Sewage Treatment Agency NYS Clean Water/Clean Air Bond Act of 1996 Grant Agreement.

ITEM 62 - (Comm. 6E-23) ECDS No. 6 - NYS Clean Water/Clean Air Bond Act of 1996 Grant Agreement.

ITEM 63 - (Comm. 6E-24) ECSD No. 4 - NYS Clean Water/Clean Air Bond Act of 1996 Grant Agreement.

✓ ITEM 64 - (Comm. 6E-25) ECSD No. 2 Stearns and Wheler LLC Engineering Agreement Close-Out.

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

ITEM 65 - (Comm. 6E-26) Sycamore Street Lease.

Received and referred to the HEALTH COMMITTEE.

COMMUNICATIONS FROM THE DEPARTMENTS

FROM ERIE COMMUNITY COLLEGE

ITEM 66 - (Comm. 6D-1) Notice of Meeting Held 2/25/98.

ITEM 67 - (Comm. 6D-2) Notice of Meeting Held 2/18/98.

ITEM 68 - (Comm. 6D-3) Notice of Meeting Held 2/19/98

ITEM 69 - (Comm. 6D-4) Notice of Meeting Held 2/19/98.

ITEM 70 - (Comm. 6D-5) Notice of Meeting Held 2/20/98.

FROM THE COMMISSION ON THE STATUS OF WOMEN

ITEM 71 - (Comm. 6D-6) Notice of Meeting Held 2/25/98.

The above six items were RECEIVED & FILED.

FROM LAW

ITEM 72 - (Comm. 6D-7) Notices of Claim.

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM ERIE COMMUNITY COLLEGE

ITEM 72 - (Comm. 6D-8) Notice of Meeting Held 2/25/98 & of Meeting Held 1/28/98.

RECEIVED & FILED.

FROM LAW

ITEM 73 - (Comm. 6D-9) Notice of County Executive's Public Hearing - Resolutions Reference No. Int. 5-13 & Int. 5-16.

RECEIVE, FILE & PRINT.

Dear Ms. Manzella:

Enclosed herein is a copy of the Public Hearing Notice for the above captioned Resolutions Reference Int. 5-13 and Int. 5-16, which was adopted by the Erie County Legislature on February 19, 1998.

Please post for the information of anyone who may be interested in attending this hearing.

Very truly yours,
KENNETH A. SCHOETZ
Erie County Attorney
by; **ALAN P. GERSTMAN**
1st Assistant County Attorney

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN ~~THAT~~ that Erie County Executive Dennis T. Gorski, will hold a public hearing on Wednesday, March 4, 1998 at 10:00 a.m., concerning appropriations from the County contingency fund for the following purpose:

KIDS ALIVE INC.	$ 5,000.00
DEPEW JUSTICE COURT	$ 8,000.00
LANCASTER/DEPEW LITTLE LEAGUE FOOTBALL	$ 1,000.00
DEPEW/CHEEKTOWAGA TAXPAYERS PROT. ASSN.	$ 1,000.00
WM. STREET CITIZENS & TAXPAYERS PROT. ASSN.	$ 1,000.00
DEPEW/LANCASTER BOYS & GIRLS CLUB	$10,000.00
LANCASTER OPERA HOUSE	$ 2,000.00
BUFFALO & ERIE COUNTY PUBLIC LIBRARY FOR CHEEKTOWAGA BUILDING & GROUNDS	$ 8,000.00
BUFFALO & ERIE COUNTY PUBLIC LIBRARY FOR CHEEKTOWAGA LIBRARY MATERIALS	$ 2,000.0C
TOWN OF LANCASTER SENIOR CITIZENS CENTER	$ 4,000.0
TOWN OF GRAND ISLAND	$10,000.0
CANAL FEST OF THE TONAWANDAS	$ 6,000.0

Th hearing will be held in the Erie County Executive's Co Room on the 16th floor of the Rath Building, 95 Franklin Street, City of Buffalo.

On February 19, 1998 the Erie County Legislature adopt Resolutions Reference Numbers Int. 5-13 and Int. 5-16 authorizing this action. Copies of the proposed resolution are available for public inspection in the Office of the Clerk of the Erie County Legislature, on the 7th Floor of 25 Delaware Avenue, in the City of Buffalo, New York.

DENNIS T. GORSKI
Erie County Executive

RECIEVED, FILED & PRINTED.

FROM ERIE COUNTY MEDICAL CENTER

ITEM 74 - (Comm. 6D-10) Notice of Meeting to Be Held 3/12/98 & 1998 Meeting Schedule.

ITEM 75 - (Comm. 6D-11) Notice of Meeting to Be Held 3/9/98 & 1998 Meeting Schedule.

ITEM 76 - (Comm. 6D-12) Notice of Meeting to Be Held 3/6/98 & 1998 Meeting Schedule.

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

FROM BUDGET, MANAGEMENT & FINANCE

ITEM 77 - (Comm. 6D-13) 1996 Transactions.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM ERIE COUNTY MEDICAL CENTER

ITEM 78 - (Comm. 6D-14) Overview of ECMC's Proposal to Sell Cleve-Hill Dialysis Center & the Peritoneal Center Program to Total Renal Care, Inc.

RECEIVED & FILED.

FROM THE BUFFALO & ERIE COUNTY PUBLIC LIBRARY

ITEM 79 - (Comm. 6D-15) Collins Public Library's Intent to Construct a New Library.

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM ERIE COMMUNITY COLLEGE

ITEM 80 - (Comm. 6D-16) Minutes of Meeting Held 1/28/98.

RECEIVED & FILED.

FROM DPW

ITEM 81 - (Comm. 6D-17) Darling Road Bridge 379-2 Project No. DBR 379-2-97 - Town of Tonawanda.

ITEM 82 - (Comm. 6D-18) ECC Door Rehabilitation & Retrofit Project.

ITEM 83 - (Comm. 6D-19) Rich Stadium Yearly Rehabilitation Projects

ITEM 84 - (Comm. 6D-20) Botanical Gardens Dome Rehabilitation.

ITEM 85 - (Comm. 6D-21) Erie County Home - Home Security Resident Access.

ITEM 86 - (Comm. 6D-22) Stadium - Emergency Repairs - Water Line Break.

The above six Items were received & referred to the ECONOMIC DEVELOPMENT COMMITTEE

FROM THE HEALTH DEPARTMENT

ITEM 87 - (Comm. 6D-23) Rules & Regulations.

Received and referred to the HEALTH COMMITTEE.

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES

FROM NYSDEC

ITEM 88 - (Comm. 6M-1) Notice of Meeting Held 3/2/98.

RECEIVED & FILED.

Fact Sheet - Former GM Saginaw Division Hazardous Waste Site

ITEM 89 - (Comm. 6M-2) ~~Acknowledgement of Receipt of Resolutions.~~

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM CINEMA ISAIAH GREENBERG ESQ.

ITEM 90 - (Comm. 6M-3) Notice of Claim.

Received and referred to the COUNTY ATTORNEY.

FROM THE US COAST GUARD

ITEM 91 - (Comm. 6M-4) Proposed Modification of North Clinton Street Bridge.

RECEIVED & FILED.

FROM COMMUNITY GRIEF CENTER OF WESTERN NEW YORK, INC.

ITEM 92 - (Comm. 6M-5) 1997 Public Benefit Funding Final Report.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM NYS ASSEMBLYMAN ANDERSON

ITEM 93 - (Comm. 6M-6) Acknowledgement of Receipt of Resolution.

RECEIVED & FILED.

FROM THE GREATER BUFFALO CONVENTION & VISITOR BUREAU

ITEM 94 - (Comm. 6M-7) Copy of 12/31/97 Financial Statements.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE CHEEKTOWAGA FIRE CHIEFS MUTIAL AID ASSOCIATION

ITEM 95 - (Comm. 6M-8) Copy of Letter to Chairman Swanick Re: Emergency Service Communications.

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM NYS BOARD OF REAL PROPERTY Services

ITEM 96 - (Comm. 6M-9) List of Certified 1997 Class Equalization Rates.

FROM MERCY FLIGHT INC.

ITEM 97 - (Comm. 6M-10) 1997 Annual Report

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

FROM THE POLISH AMERICAN CONGRESS

ITEM 98 - (Comm. 6M-11) Copy of Letter to Legislator Dusza Re: Thanking Legislature for Passage of Resolution Supporting NATO Expansion Agreement.

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM CHILD & FAMILY SERVICES

ITEM 99 - (Comm. 6M-12) New York State Plan for Federal Funds to Expand Children's Health Coverage.

Received and referred to the HEALTH COMMITTEE.

FROM NYS ASSEMBLYMAN REYNOLDS

ITEM 100 - (Comm. 6M-13) Acknowledgement of Receipt of Resolutions.

RECEIVED & FILED.

FROM MELINDA HOLLAND CLEAN SITES

ITEM 101 - (Comm. 6M-14) Summary of Meeting Held 2/4/08 - Revised & Notice of Meeting Held 2/17/98.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM US CONGRESSMAN QUINN

ITEM 102 - (Comm.6M-15) Acknowledgement of Receipt of Resolution.

RECEIVED & FILED.

FROM ECIDA

ITEM 103 - (Comm. 6M-16) Notice of Meeting to Be Held 3/11/98.

FROM NFTA

ITEM 104 - (Comm. 6M-17) Minutes of Meeting Held 1/20/98

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

FROM NYSDEC

ITEM 105 - (Comm. 6M-18) Fact Sheet - CMS Assoc. Environmental Clean-Up PRoject

Received and referred to the ENERGY AND ENVIRONMENT COMMITTEE.

FROM SUNY AT BUFFALO

ITEM 106 - (Comm. 6M-19) Copy of Letter to Legislator Marinelli Re: Responding to Legislator Peoples' Resolution

FROM ALLEYWAY THEATRE

ITEM 107 - (Comm. 6M-20) Copy of Letter to Legislator Marinelli Re: Expansion & Revitalization of the Greyhound Bus Depot.

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

FROM ST. LAWRENCE COUNTY BOARD OF LEGISLATORS

ITEM 108 - (Comm. 6M-21) Copy of Letter to Chairman Swanick Re: Reso. No. 56-98 Citing the Negative Impact of "Exit Control" on Northern Border Communities.

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

MEMORIAL RESOLUTIONS:

ITEM 109 - Ms. PEOPLES moved that when this Legislature adjourns, it do so out of respect to the memory of **Buffalo Police Officer** Robert J. **Mc~~C~~Lellan**, deceased. Mr. MARSHALL seconded.

CARRIED UNANIMOUSLY.

ADJOURNMENT:

ITEM 110 - 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, **March 19, 1998**. Mr. MARSHALL seconded.

CARRIED UNANIMOUSLY.

The Chairman declared the Legislature adjourned until Thursday, **March 19, 1998** at 2:00 P.M., Eastern Standard Time.

LAURIE A. MANZELLA
Clerk