

ERIE COUNTY LEGISLATURE
MEETING NO. 16
September 9, 1999

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. Weinstein.

MS. PEOPLES moved to approve the minutes of Meetings 14 and 15 of 1999. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

MISCELLANEOUS RESOLUTIONS

Item 1 - MR. PAULY presented a resolution to Brian P. Oliver for attaining the Rank of Eagle Scout. MR. LARSON seconded.

CARRIED UNANIMOUSLY.

Item 2 - MR. WEINSTEIN presented a resolution recognizing Brittany Weisner for Her Achievement at the Empire State Games. MR. MARSHALL seconded.

CARRIED UNANIMOUSLY.

Item 3 - MS. DUSZA presented a resolution Honoring the Polish National Union of America & Especially the Seven Lodges in WNY Upon Their 26th General Convention. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

Item 4 - MS. PEOPLES presented a resolution In Memory of Officer Doris Lewis. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

Item 5 - MR. SWANICK presented a resolution Recognizing Prostate Cancer Awareness Week, 9/20 - 9/24/99. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

Item 6 – MR. WEINSTEIN presented a resolution Congratulating Adam Lyons for Achieving the Eagle Scout Award. MS. CHASE seconded.

CARRIED UNANIMOUSLY.

Item 7 – MR. SWANICK presented a resolution Recognizing the Village of Kenmore on Their Centennial Celebration. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

Item 8 – MR. GREENAN presented a resolution Honoring Bill Falkner as He Retires from His Dedicated Service with Erie County. MS. CHASE seconded.

CARRIED UNANIMOUSLY.

Item 9 – MR. DUSZA presented a resolution Honoring Terry Dusza as She Retires from Erie County. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

Item 10 – MR. SWANICK presented a resolution Honoring Bill Falkner as He Retires from Erie County. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

Item 11 – MR. SWANICK presented a resolution Honoring Donald Kustich as He Retires from Erie County. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

LOCAL LAWS

Item 12 - CHAIRMAN SWANICK directed that Local Law Intro. No. 4 (Print #2) remain on the table.

COMMITTEE REPORTS

None.

LEGISLATORS RESOLUTIONS

Item 13 – MS. PEOPLES presented the following resolution and moved for immediate consideration. MR. MARSHALL seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 282

Re: Support for Four Permanent One-Week Sales
Tax Free Holidays. (Intro. 16-1)

WHEREAS, tax relief is a vital step in local job creation and economic development efforts, and

WHEREAS, the Gorski Administration and the Legislature have taken several steps in the past to cut the cost of taxes for local residents including:

- a three-year County property tax freeze implemented in 1998,
- a reduction in County property taxes in 1999,
- and participation in several previous sales tax free weeks, and

WHEREAS, the State originally proposed the permanent elimination of the State portion of the sales tax on clothing and footwear on items costing under \$110 and offered counties the option of opting in and eliminating the county sales tax also, and

WHEREAS, eliminating the county portion of this tax would also impact the cities, towns, villages, and school districts in Erie County, and

WHEREAS, the majority of Erie County's cities, towns, villages and school districts expressed overwhelming opposition to County participation in this proposal, and

WHEREAS, earlier this year, several members of the Erie County Legislature suggested a counter-proposal consisting of four permanent one-week sales tax free weeks throughout the course of the year, and

WHEREAS, due to the nearly unanimous opposition on the part of county governments to participate in the permanent exemption of sales tax on clothing, officials of the New York State Association of Counties are reporting that New York State is planning to abandon this proposal, and

WHEREAS, the state is apparently planning to accept our members' proposal for four permanent one-week sales tax free weeks,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature firmly supports offering four individual one-week sales tax free holidays as this proposal is the most affordable way to offer residents the ability to take advantage of tax free clothing purchases without causing undue financial hardship to the County and its cities, towns, villages and school districts, and be it further

RESOLVED, that this Honorable Body does hereby call upon Legislative leaders and Governor Pataki to abandon the original proposal to permanently eliminate State sales tax on clothing and footwear costing \$110 or less, and be it further

RESOLVED, that this Honorable Body further calls upon Governor Pataki and members of the State Senate and Assembly to adopt the new proposal implementing four separate, one-week sales tax free holidays on a permanent basis, and be it further

RESOLVED, that certified copies of this resolution be forwarded to County Executive Dennis T. Gorski, the Western New York Delegation of State Representatives, Governor George E. Pataki, Senate Majority Leader Joseph L. Bruno, Assembly Speaker Sheldon Silver and to Robert Gregory, Executive Director, New York State Association of Counties (NYSAC), (111 Pine Street, Albany, NY 12207-2737).

Fiscal Impact: To be determined.

MS. PEOPLES moved to amend the resolution. MS. MARSHALL seconded.

CARRIED UNANIMOUSLY.

WHEREAS, tax relief is a vital step in local job creation and economic development efforts, and

WHEREAS, the Gorski Administration and the Legislature have taken several steps in the past to cut the cost of taxes for local residents including:

- a three-year County property tax freeze implemented in 1998,
- a reduction in County property taxes in 1999,
- and participation in several previous sales tax free weeks, and

WHEREAS, the State originally proposed the permanent elimination of the State portion of the sales tax on clothing and footwear on items costing under \$110 and offered counties the option of opting in and eliminating the county sales tax also, and

WHEREAS, eliminating the county portion of this tax would also impact the cities, towns, villages, and school districts in Erie County, and

WHEREAS, the majority of Erie County's cities, towns, villages and school districts expressed overwhelming opposition to County participation in this proposal, and

WHEREAS, earlier this year, several members of the Erie County Legislature suggested a counter-proposal consisting of four permanent one-week sales tax free weeks throughout the course of the year, and

WHEREAS, due to the nearly unanimous opposition on the part of county governments to participate in the permanent exemption of sales tax on clothing, officials of the New York State Association of Counties are reporting that New York State is planning to abandon this proposal, and

WHEREAS, the state is apparently planning to accept our members' proposal for four permanent one-week sales tax free weeks,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature firmly supports offering four individual one-week sales tax free holidays as this proposal is the most affordable way to offer residents the ability to take advantage of tax free clothing purchases without causing undue financial hardship to the County and its cities, towns, villages and school districts, and be it further

RESOLVED, that this Honorable Body further calls upon Governor Pataki and members of the State Senate and Assembly to adopt the new proposal implementing four separate, one-week sales tax free holidays on a permanent basis, and be it further

RESOLVED, that certified copies of this resolution be forwarded to County Executive Dennis T. Gorski, the Western New York Delegation of State Representatives, Governor George E. Pataki, Senate Majority Leader Joseph L. Bruno, Assembly Speaker Sheldon Silver and to Robert Gregory, Executive Director, New York State Association of Counties (NYSAC), (111 Pine Street, Albany, NY 12207-2737).

Fiscal Impact: To be determined.

MS. PEOPLES moved the adoption of the resolution as amended. MR. KUWIK seconded.

CARRIED UNANIMOUSLY.

Item 14 – MS. PEOPLES presented the following resolution and moved for immediate consideration. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 283

Re: Designation of Authorized Tourism
Promotion Agency for Erie County for
1999. (Intro. 16-2)

WHEREAS, the promotion, development, and expansion of the tourist travel, report, and vacation business are vital and necessary concerns to the citizens of Erie County, since such tourism business strengthens the county's economy, increases employment opportunities, and promotes the general welfare of county residents, and

WHEREAS, the New York State Legislature, in 1977, recognizing the value of local and state involvement and assistance in tourism promotion, enacted the New York State Tourism Protection Act, and

WHEREAS, this Tourism Protection Act authorizes the state's Department of Commerce to initiate a program of matching state funds for non-profit tourist promotion agencies designated by county legislative bodies as agencies authorized to apply for and receive grants for recognized media advertising programs, and

WHEREAS, on several occasions, the Erie County Legislature has expressed its sincere concern for the county's efforts with respect to tourism activities, particularly concerning cultural tourism and the resultant manners by which the county's many and various cultural institutions can be used to more effectively market Erie County and Western New York for tourism, and

WHEREAS, the Greater Buffalo Convention and Visitors Bureau, a non-profit tourism promotion association, has begun to bring together many new segments of the county, servicing the tourism industry in a coordinated effort, and

NOW, THEREFORE, BE IT

RESOLVED, that the Greater Buffalo Convention and Visitors Bureau, having been designated as the authorized tourism promotion agency for Erie County in 1974, is hereby redesignated as such for 1999, and be it further

RESOLVED, that this Honorable Body does hereby request that the Greater Buffalo Convention and Visitors Bureau make the appropriate application to the Commissioner of the New York State Department of Commerce for state matching funds to assist said tourism promotion agency in the financing of a recognized media advertising program, as defined and set forth in the New York State Tourism Protection Act, and be it further

RESOLVED, that officials of the Convention and Visitors Bureau are hereby requested to appear at a future meeting of the Legislature's Community Enrichment Committee to discuss the status of the aforementioned state matching fund grants and other matters relating to the furtherance of tourist activities within Erie County and Western New York, and be it further

RESOLVED, that certified copies of this resolution be sent to the Commissioner of the New York State Department of Commerce, and to Richard Geiger and David Lacki of the Greater Buffalo Convention and Visitors Bureau, 617 Main Street, Suite 400, Buffalo, New York 14203-1496, State Assembly Tourism, Arts, and Sports Development Committee Chairman Paul A. Tokasz, State Senate Tourism, Recreation and Sports Development Committee Chairman John DeFrancisco, and to County Executive Dennis T. Gorski.

Fiscal Impact: None for Resolution

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

CARRIED UNANIMOUSLY.

Item 15 – CHAIRMAN SWANICK directed that the following resolution be referred to the PUBLIC SAFETY COMMITTEE.

GRANTED.

Intro. 16-3 From LEGISLATORS CHASE, GREENAN, MARSHALL, RANZENHOFER & LARSON Re: Allowing Optional Disability Coverage for Probation Officers.

Item 16 – CHAIRMAN SWANICK directed that the following resolution be referred to the FINANCE & MANAGEMENT COMMITTEE.

GRANTED.

Intro. 16-4 From LEGISLATORS SWANICK, PEOPLES, & MARSHALL Re: Audits of County's & ECMC's Financial Statements for Fiscal Years 1999 Through 2004, and Government Accounting Standards Board's Req.

Item 17 – MR. RANZENHOFER presented the following resolution and moved for immediate consideration. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 284

Re: Funding for a Public Library. (Intro. 16-5)

WHEREAS, the Buffalo & Erie County Public Library has identified a shortfall in funding for copy and facsimile (FAX) machines for the Clarence Library, 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 \$3,200 from the legislative contingency (Countywide Contingency DAC: 110923310893) to Fund 820, Project 973, Department 420 – Buffalo & Erie County Public Library as follows: Transfer \$3,200 to Lab & Technical Equipment (DAC: 820973420933), and be it further

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

RESOLVED, that certified copies of this resolution be sent to County Executive Dennis Gorski, County Comptroller Nancy A. Naples, Budget Director Kenneth C. Kruly, Jim Cotter – Administrative Assistant Department of Budget, Management and Finance, Jennifer Anger – Administrative Assistant Erie County Legislature, three (3) copies to First Assistant County Attorney Alan Gerstman one (1) copy to Diane Crisman, Acting Director, Buffalo & Erie County Public Library.

Fiscal Impact: Appropriation of 1999-budgeted funds.

MR. RANZENHOFER moved the adoption of the resolution. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 285

Re: Support for Property Tax Relief in Erie County's 2000 Budget, and Conceptual Support for Long Term Debt Reduction. (Intro. 16-6)

WHEREAS, high taxation and government regulation in the state of New York has contributed to a slower level of job creation and economic development in the upstate region, and

WHEREAS, the state of New York has been successful in relaxing government regulations and cutting taxes over the past several years, but still more must be done, and

WHEREAS, the New York State Business Council has made several recommendations to the State Legislature concerning areas where changes in policy could be made that would make New York State, and upstate New York in particular, more business-friendly, and

WHEREAS, the Business Council points to several key areas in which changes could be enacted in order to enhance job creation and economic development efforts, including general taxation, continued workers compensation reform, energy costs, and health care costs, and

WHEREAS, the Business Council's recommendations include:

- Continued cuts in taxes on the state level;
- Enactment of two specific Workers Compensation reform proposals: objective medical guidelines to determine impairment, and capping permanent partial disability benefits;
- Cuts in energy taxes and a higher allocation of power to the state's Power for Jobs program;
- Cuts in overall Medicaid spending, health care tax reform, and rejection of new health care mandates that make insurance less affordable for businesses and individuals;
- Property tax relief in the form of mandate relief on the state level;
- Greater emphasis on employers and the retraining of existing workers within the state's Workforce Development programs, with greater investment to make programs more streamlined and easily accessible;
- More effective marketing of New York State as a potential place to do business, to counteract the assumption that New York is too expensive a place to do business;

and

WHEREAS, in addition to the adoption of reforms on the state level, County Executive Gorski and members of this Honorable Body realize that in order for Western New York's economy to grow, taxes on the local level, particularly property taxes, must also continue to be reduced, and

WHEREAS, school district taxes in Erie County, which comprise nearly one-half of each taxpayer's real property tax bill, continue to rise, and controls must be put in place on the local level to keep spending in check within school systems, and

WHEREAS, Erie County's own efforts to reduce property taxes and government spending have been significant, and

WHEREAS, every objective analysis of Erie County's financial situation clearly supports the contention that high property taxes on the county level can be directly attributed to the sharp rise in the cost of governmental programs authorized on the state and federal levels of government, whereupon a portion of the cost of said programs is mandated to be paid by county government, and

WHEREAS, for example, were the county's financial responsibility for only one of these mandated programs – Medicaid – removed, Erie County taxpayers could and would receive a property tax cut of more than 55%, and

WHEREAS, as was stated, despite the financially crippling cost of these mandated programs, Erie County government has taken significant strides to streamline operations in order to minimize the impact upon local property taxpayers of these programs, as well as the overall cost of county government, including such steps as:

- Enacting a three-year freeze in the county's real property tax levy;
- Enacting a real property tax reduction in the 1999 county budget;
- Leading the nation in reforming welfare;
- Leading the nation in enrolling Medicaid clients in managed care programs;
- Consolidating departments of county government;
- Trimming the county's bureaucracy by more than 1,600 employees;

And

WHEREAS, county government has been responsive to the particularized needs of certain segments of real property taxpayers, by enacting regular enhancements to the county's property tax exemptions for senior citizens and veterans, and by enacting new property tax exemptions for persons with disabilities, and

WHEREAS, in 1988, Erie County Executive Dennis Gorski inherited a county administration riddled with debt and in disarray, and

WHEREAS, the Gorski administration, working collectively with this Honorable Body, has steered a conservative fiscal course, making politically unpopular decisions while ensuring cost-effective government for county taxpayers, and

WHEREAS, County Executive Gorski has proposed bold new initiatives to reduce taxes in the 2000 fiscal year, relying upon savings realized through effective management of county government, cuts in spending and the county's workforce, and

WHEREAS, the County Executive has proposed a property tax cut in excess of 6% for fiscal year 2000, which will, despite the vagaries of New York State's property tax equalization system, provide a property tax cut in 27 of Erie County's 28 cities and towns, and

WHEREAS, the County Executive has also proposed a 14% property tax reduction for the year 2001, as well as a long term debt elimination plan which is based upon the sale of the proceeds of the county's portion of the federal tobacco settlement, and

WHEREAS, elimination of the county's long term debt will result in the elimination of nearly \$30 million in debt service costs – the total removal of the county's outstanding financial obligations – represents a *de facto* cut in property taxes every year, and

WHEREAS, while the particular details concerning the manner by which the county will reap the specific financial rewards of the federal tobacco settlement will require extensive

research and careful analysis of market trends and other factors, it is clear that the amelioration of the county's long term indebtedness is a proposal worthy of strong consideration, and

WHEREAS, it is altogether fitting and proper for the Legislature to offer specific support for the County Executive's plan to cut property taxes in the 2000 budget, and to offer conceptual support for the elimination of the county's debt,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby stand in strong support for the reduction of real property taxes, as evidenced by the enactment of a three-year freeze in property taxes beginning in 1998, and a property tax reduction for the 1999 fiscal year, and be it further

RESOLVED, that this Honorable Body does hereby express its support for County Executive Dennis Gorski's proposal to cut county property taxes by 6.1% for the 2000 fiscal year, as a tangible means by which the county can assist private industry in the creation of new jobs and the retention of existing jobs, and be it further

RESOLVED, that this Honorable Body does hereby express its support for a full and complete analysis of the feasibility of selling Erie County's portion of the federal tobacco settlement for the purposes of reducing county property taxes in 2001 and be it further

RESOLVED, that this Honorable Body does express its conceptual support for the elimination of the county's long term indebtedness as a tangible manner by which county government can eliminate debt service costs which pose a significant financial cost to county taxpayers without delivering services for those costs on an ongoing basis, and be it further

RESOLVED, that certified copies of this resolution be sent to County Executive Dennis Gorski, County Comptroller Nancy Naples, and to Budget Director Kenneth Kruly.

Fiscal Impact: Very Positive for County Taxpayers

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

CHAIRMAN SWANICK directed the amendment be referred to the FINANCE & MANAGEMENT COMMITTEE.

CHALLENGE TO THE CHAIR.

AYES: CHASE, GREENAN, LARSON, MARSHALL, PAULY, RANZENHOFER, WEINSTEIN. NOES: DeBENEDETTI, DUSZA, FISHER, FITZPATRICK, HOLT, KUWIK, MARINELLI, OLMA, PEOPLES, SWANICK. AYES - 7, NOES - 10.

MOTION DEFEATED.

MR. MARSHALL moved to send the resolution to the FINANCE & MANAGEMENT COMMITTEE. MS. CHASE seconded.

CHAIRMAN SWANICK DIRECTED THAT A ROLL CALL VOTE BE TAKEN.

AYES: CHASE, GREENAN, LARSON, MARSHALL, RANZENHOFER, WEINSTEIN, DeBENEDETTI. NOES: PAULY, DUSZA, FISHER, FITZPATRICK, HOLT, KUWIK, MARINELLI, OLMA, PEOPLES, SWANICK. AYES - 7, NOES - 10.

MOTION DEFEATED.

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

CHAIRMAN SWANICK directed that a roll call vote be taken.

AYES: PAULY, DeBENEDETTI, DUSZA, FISHER, FITZPATRICK, HOLT, KUWIK, MARINELLI, OLMA, PEOPLES, SWANICK. NOES: CHASE, GREENAN, LARSON, MARSHALL, RANZENHOFER, WEINSTEIN. AYES - 11, NOES - 6.

CARRIED.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 286

Re: Support for a Community Organization.
(Intro. 16-7)

WHEREAS, the Legislature set aside funds in the 1999 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 \$8,000 from the legislative contingency (Countywide Contingency DAC: 110923310893) to Fund 110, Project 921, Department 301 Agency Payments & Grants - Public Benefit Services, (DAC: 110921301830), for paying the following agency:

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
Polish Cadets of Buffalo, Inc.	N/A	\$8,000
TOTAL		\$8,000

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, Jim Cotter – Administrative Assistant Department of Budget, Management and Finance, Jennifer Anger – Administrative Assistant Erie County Legislature, and three (3) copies to First Assistant County Attorney Alan Gerstman and one (1) copy to William M. Leisck, President (Polish Cadets of Buffalo, Inc., 927 Grant Street, Buffalo, New York 14207.)

Fiscal Impact: Appropriation of 1999-budgeted funds

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 287

Re: Support for Emergency
Services. (Intro. 16-8)

WHEREAS, the Legislature set aside funds in the 1999 Erie County Budget for use by worthy community organizations and governmental agencies, and

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

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

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$4,500 from the legislative contingency (Countywide Contingency DAC: 110923310893) to Fund 110, Project 921, Department 301 Agency Payments & Grants - Public Benefit Services, (DAC: 110921301830), for paying the following agency:

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
North Bailey Fire Co., Inc.	N/A	\$4,500
TOTAL		\$4,500

and be it further

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

RESOLVED, that certified copies of this resolution be sent to County Executive Dennis Gorski, County Comptroller Nancy A. Naples, Budget Director Kenneth C. Kruly, Jim Cotter – Administrative Assistant Department of Budget, Management and Finance, Jennifer Anger –

Administrative Assistant Erie County Legislature, and three (3) copies to First Assistant County Attorney Alan Gerstman and one (1) copy to Jeffrey J. Cutler, Chief, (North Bailey Fire Co., Inc., 966 Sweet Home Road, Amherst, New York 14226.)

Fiscal Impact: Appropriation of 1999-budgeted funds.

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 288

Re: Funding for a Community
Organization. (Intro. 16-9)

WHEREAS, the Legislature set aside funds in the 1999 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 921, Department 301 Agency Payments & Grants - Public Benefit Services, (DAC: 110921301830), for paying the following agency:

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
Neighborhood Information Center, Inc.	830/0741	\$5,000
TOTAL		\$5,000

and be it further

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

RESOLVED, that certified copies of this resolution be sent to County Executive Dennis Gorski, County Comptroller Nancy A. Naples, Budget Director Kenneth C. Kruly, Jim Cotter – Administrative Assistant Department of Budget, Management and Finance, Jennifer Anger – Administrative Assistant Erie County Legislature, and three (3) copies to First Assistant County Attorney Alan Gerstman and one (1) copy to Stanley Wrobel, Executive Director, (Neighborhood Information Center, Inc., (1170 Broadway, Buffalo, New York 14212).

Fiscal Impact: Appropriation of 1999-budgeted funds

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

CARRIED UNANIMOUSLY.

Item 22 – CHAIRMAN SWANICK directed that the following resolution be referred to the HEALTH COMMITTEE.

GRANTED.

Intro. 16-10 From LEGISLATORS GREENAN, MARSHALL, & RANZENHOFER Re: Supporting Pharmacy Choice Law.

Item 23 – CHAIRMAN SWANICK directed that the following resolution be referred to the HEALTH COMMITTEE.

GRANTED.

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

CARRIED UNANIMOUSLY

Intro. 16-11 From LEGISLATOR PEOPLES Re: Patients Bill of Rights.

COMMUNICATIONS DISCHARGED FROM COMMITTEE

Item 24 – MR. HOLT moved to discharge the SOCIAL SERVICES COMMITTEE from further consideration of Comm. 14E-10. MR. KUWIK seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 289

RE: Integrated County Planning (ICP)
Initiative. (Comm. 14E-10)

Whereas, Resolution 4E-15, was approved by the Legislature on March 4, 1999; and

Whereas, Resolution 4E-15 authorized the acceptance of a 100% State-funded grant in the amount of \$10,000 to be utilized by the Erie County Community Coordinating Council on Children and Families for the purpose of initiating the Erie County Integrated County Planning Initiative; and

Whereas, the Coordinating Council went through a competitive process of issuing an RFP, soliciting responses from local consultants and convening a Selection Team to review and determine the best proposal;

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize the County Executive to enter into a contract with Robert James, not to exceed \$7,500 to implement the Erie County Integrated County Planning Initiative; and be it further

RESOLVED, that funds in the amount totaling \$7,500 are hereby transferred from Account 821, Dues and Fees (in the amount of \$3,000) (DAC281210 110821), 825, Out of Area Travel (in the amount of \$500) (DAC281210 110825), and 826, Other Expenses (in the amount of \$4,000) (DAC281210 110826) to Account 830, Contractual Services (DAC281210 110830) in the Grant Fund Budget of the Erie County Community Coordinating Council on Children and Families; and be it further

RESOLVED, that certified copies of this resolution be sent to County Executive Dennis Gorski; Budget Director Kenneth C. Kruly; First Assistant County Attorney, Alan P. Gerstman; Coordinator of the Erie County Community Coordinating Council on Children and Families, Sharon Comerford; and the Chairman of the Erie County Community Coordinating Council on Children and Families, Patrick Reilly, 662 Stonehenge Drive, Orchard Park, New York 14127.

Fiscal Impact. Funds have been made available in Resolution 4E-15, approved on March 4, 1999. There is no local share of fiscal impact.

MR. HOLT moved to amend the resolution. MR. KUWIK seconded.

CARRIED UNANIMOUSLY.

MR HOLT moved the adoption of the resolution as amended. MR. KUWIK seconded.

CARRIED UNANIMOUSLY.

SUSPENSION OF THE RULES

Item 25 - MS. PEOPLES moved for a suspension of the rules to include an item not on the agenda.

GRANTED.

Intro. 16-12 From: MARSHALL, CHASE, GREENAN, LARSON, RANZENHOFER, WEINSTEIN. Re: Property Tax.

CHAIRMAN SWANICK directed that Intro. 16-12 be referred to the FINANCE & MANAGEMENT COMMITTEE.

COMMUNICATIONS FROM ELECTED OFFICIALS

FROM THE COMPTROLLER

Item 26 - (Comm. 16E-1) Comprehensive Annual Financial Report for Fiscal Year Ended 12/31/98.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 27 - (Comm. 16E-2) Form & Details of Sale & Issuance of \$228,298 EFC Sewer System Serial Bonds - 1999 - A.

Received and filed.

Item 28 - (Comm. 16E-3) Review of Vendor Payments for DPW 1/1/99 - 3/18/99.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 29 - (Comm. 16E-4) Response to Intro. 7-11 as Amended 6/3/99.

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

Item 30 – (Comm. 16E-5) Future Changes in Financial Reporting Requirements.

Item 31 – (Comm. 16E-6) Interim Financial Report for Three Months Ended 3/31/99.

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

FROM CHAIRMAN SWANICK

Item 32 – (Comm. 16E-7) Appointments to Erie County Agricultural & Farmland Protection Board.

Received, filed and printed.

July 12, 1999

Ms. Laurie A. Manzella, Clerk
Erie County Legislature
25 Delaware Avenue, 7th Floor
Buffalo, NY 14202

Dear Ms. Manzella:

Please be advised that, pursuant to Section 302 of the New York State Agricultural District Law, Article 25-AA, I hereby appoint the following individuals from Tops Markets, Inc. to the Erie County Agricultural and Farmland Protection Board:

Salvatore Baio
Kenneth Carnevale

The terms of Messrs. Baio and Carnevale are to expire in March, 2003.

Sincerely,

CHARLES M. SWANICK
Chairman

CMS/ss

cc: Chet Jandzinski, ECDEP

FROM LEGISLATOR FISHER

Item 33 – (Comm. 16E-8) Notice of Absence from Special Session Held 8/12/99.

Received and filed.

FROM THE COUNTY EXECUTIVE

Item 34 – (Comm. 16E-9) Copy of Letter to Governor Pataki & WNY State Legislative Delegation Re: Impact of State Budget on Erie County.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE COMPTROLLER

Item 35 – (Comm. 16E-10) County of Erie Supplement to Comprehensive Annual Financial Report For Year Ended 12/31/98.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 36 – (Comm. 16E-11) Sale & Issuance of \$122,649 E.F.C. Municipal Water Pollution Control Facility Serial Bonds – 1999.

Received and filed.

Item 37 – MS. PEOPLES presented the following resolution and moved for immediate consideration. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 290

Re: Bond Resolution - \$333,000 – Recreational Area Improvements – Ellicott Creek Park. (Comm. 16E-12)

RESOLUTION NO. 290 -1999
BOND RESOLUTION DATED September 9, 1999

BOND RESOLUTION OF THE COUNTY OF ERIE, NEW YORK, AUTHORIZING RECREATIONAL AREA IMPROVEMENTS IN ELLICOTT CREEK PARK IN THE TOWN OF TONAWANDA, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$333,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$333,000 BONDS OF THE COUNTY TO PAY THE COST THEREOF.

(Introduced) September 2, 1999
(Adopted) September 9, 1999

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

Section 1. The County of Erie, New York (herein called "County"), is hereby authorized to construct recreational area improvements in Ellicott Creek Park in the Town of Tonawanda,

including extension of the existing bicycle path from SUNYAB/Amherst to the entrance of the Park to extend such path throughout the Park, and repair a deteriorated baseball diamond and several shelters, at the estimated maximum cost of \$333,000. The total estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and to the financing thereof, is \$333,000, and said amount is hereby appropriated therefor pursuant to the duly adopted Capital Budget of said County for fiscal year 1999. To the extent that the details set forth in this resolution are inconsistent with any details set forth in the 1999 Capital Budget of the County, such Budget shall be deemed and is hereby amended. The plan of financing includes the issuance of \$333,000 bonds of the County to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the County in the principal amount of \$333,000 are hereby authorized to be issued for the class of objects or purposes described in Section I hereof, 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 class of objects or purposes for which said \$333,000 bonds herein authorized are to be issued, within the limitations of §11.00 a. 19.(c) of the Law, is fifteen (15) years.

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

Section 5. Subject to the provisions of this Resolution and of said Local Finance Law, and pursuant to the provisions of §30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and

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

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

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

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

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

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

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

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

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

CHAIRMAN SWANICK directed that a roll call vote be taken.

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

CARRIED.

Item 38 - MS. PEOPLES presented the following resolution and moved for immediate consideration. MR. FITZPATRICK seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 291

Re: Bond Resolution - \$190,000 - Widening of
Two Mile Creek Bicycle Path. (Comm. 16E-13)

RESOLUTION NO. 291 -1999

BOND RESOLUTION DATED September 9, 1999

BOND RESOLUTION OF THE COUNTY OF ERIE, NEW YORK, AUTHORIZING THE WIDENING AND EXTENSION OF A TWO MILE CREEK BICYCLE PATH FROM VETERANS PARK IN THE CITY OF TONAWANDA TO SHERIDAN PARK IN THE TOWN OF TONAWANDA, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$190,000, APPROPRIATING SAID AMOUNT THEREFORE, AND AUTHORIZING THE ISSUANCE OF \$190,000 BONDS OF THE COUNTY TO PAY THE COST THEREOF.

(Introduced) September 2, 1999

(Adopted) September 9, 1999

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

Section 1. The County of Erie, New York (herein called "County"), is hereby authorized to complete the widening and construction of an extension of a two mile creek bicycle path from Veterans Park in the City of Tonawanda to Sheridan Park in the Town of Tonawanda, at the estimated maximum cost of

\$190,000. The total estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and to the financing thereof, is \$190,000, and said amount is hereby appropriated therefor pursuant to the duly adopted Capital Budget of said County for fiscal year 1998. To the extent that the details set forth in this resolution are inconsistent with any details set forth in the 1998 Capital Budget of the County, such Budget shall be deemed and is hereby amended. The plan of financing includes the issuance of \$190,000 bonds of the County to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the County in the principal amount of \$190,000 are hereby authorized to be issued for the specific object or purpose described in Section 1 hereof, pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law") to finance said appropriation.

Section 3. The period of probable usefulness for the specific object or purpose for which said \$190,000 bonds herein authorized are to be issued, within the limitations of §11.00 a. 19.(c) of the Law, is fifteen (15) years.

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

Section 5. Subject to the provisions of this Resolution and of said Local Finance Law, and pursuant to the provisions of §30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and of §§50.00, 56.00 to 60.00 168 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 bonds herein authorized, or the renewals thereof, relative to providing for

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

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

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

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

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

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

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

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

MS. PEOPLES moved the adoption of the resolution. MR. FITZPATRICK seconded.

CHAIRMAN SWANICK directed that a roll call vote be taken.

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

CARRIED.

Item 39 - MS. PEOPLES presented the following resolution and moved for immediate consideration. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 292

Re: Bond Resolution - \$102,000 - Construction of
Scajaquada Creek Bicycle/Pedestrian Pathway.
(Comm. 16E-14)

RESOLUTION NO. 292 -1999

BOND RESOLUTION DATED September 9, 1999

BOND RESOLUTION OF THE COUNTY OF ERIE, NEW YORK, AUTHORIZING THE CONSTRUCTION OF THE SCAJAQUADA CREEK BICYCLE/ PEDESTRIAN PATHWAY IN THE CITY OF BUFFALO, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$102,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$102,000 BONDS OF THE COUNTY TO PAY THE COST THEREOF.

(Introduced) September 2, 1999

(Adopted) September 9, 1999

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

Section 1. The County of Erie, New York (herein called "County"), is hereby authorized to construct the Scajaquada Creek bicycle/pedestrian pathway at the estimated maximum cost of \$102,000. The total estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and to the financing thereof, is \$102,000, and said amount is hereby appropriated therefor pursuant to the duly adopted Capital Budget of said County for fiscal year 1991. To the extent that the details set forth in this resolution are inconsistent with any details set forth in the 1991 Capital

Budget of the County, such Budget shall be deemed and -is hereby amended. The plan of financing includes the issuance of \$102,000 bonds of the County to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the County in the principal amount of \$102,000 are hereby authorized to be issued for the specific object or purpose described in Section 1 hereof, pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law") to finance said appropriation.

Section 3. The period of probable usefulness for the specific object or purpose for which said \$102,000 bonds herein authorized are to be issued, within the limitations of §11.00 a. 19.(c) of the Law, is fifteen (15) years.

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

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

delegated to the Comptroller of the County, as the chief fiscal officer of the County.

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

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

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

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

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

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

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

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

CHAIRMAN SWANICK directed that a roll call vote be taken.

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

CARRIED.

FROM THE COUNTY EXECUTIVE

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 293

Re: ECC – Internet/Web Site. (Comm. 16E-15)

WHEREAS, Erie Community College wishes to assure the completeness of the College's Internet Web Site through the employment of Edgenet Internet Services, and

WHEREAS, the College's Information Technology Department is not adequately staffed to devote the time and attention required to perform the tasks required to complete the requested proposal, and

WHEREAS, Erie Community College requested proposals for a firm to assess, evaluate, and produce the College's newly designed and structured Internet Web Site, and

WHEREAS, Edgenet Internet Services was identified as the firm best suited to perform the services identified in the request for proposal, and

WHEREAS, Funding is available within Erie Community College's budgeted, "Pay As You Go" fund.

NOW, THEREFORE, BE IT

RESOLVED, that Erie Community College Board of Trustees approves the execution of a contract between Erie Community College and Edgenet Internet Services for an amount not to exceed \$20,000, and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to Erie Community College, the Division of Budget, Management and Finance and the Office of the Comptroller.

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

CARRIED UNANIMOUSLY.

Item 41 – MS. MARINELLI presented the following resolution and moved for immediate consideration. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 294

Re: ECC – Early Retirement Incentive 1999.
(Comm. 16E-16)

WHEREAS, the Erie Community College Board of Trustees has adopted a targeted Early Retirement Program and requests Erie County approval, and

WHEREAS, this program will allow senior members of the staff to retire early and allow the College to replace them with entry level, or part-time positions at considerable cost savings, and

WHEREAS, separate resolutions are required for each retirement system.

NOW, THEREFORE, BE IT

RESOLVED, that the County of Erie approves Erie Community College's participation in the Early Retirement Incentive Program, the open period of filing beginning on October 1, 1999 through December 26, 1999 with a retirement date no later than December 26, 1999, and be it further

RESOLVED, that certified copies of this resolution be sent to the President of Erie Community College, the Erie County Department of Personnel, the Office of the Comptroller and the Division of Budget, Management and Finance.

MS. MARINELLI moved the adoption of the resolution. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

Item 42 – (Comm. 16E-17) Health – Public Health Lab Division – Lease Extension.

Received and referred to the HEALTH COMMITTEE.

Item 43 – (Comm. 16E-18) Sheriff – HUD – “Operation Circle” Grant.

Item 44 – (Comm. 16E-19) Probation – J.A.I.B.G. Funding.

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

Item 45 – (Comm. 16E-20) Youth Services – Authorization to Contract.

Received and referred to the SOCIAL SERVICES COMMITTEE.

Item 46 – (Comm. 16E-21) Request for Legislative Action to Increase Appropriation to Youth Services by \$16,900 in 100% NYS Aid.

Item 47 – (Comm. 16E-22) Request for Legislative Action to Establish Appropriations – Lakeshore Behavior Health & Comm. Srvs. for the Developmentally Disabled.

Item 48 – (Comm. 16E-23) Request to Increase Appropriation – Lakeshore Behav. Health, Living Opportunities of DePaul & Contract with HUD.

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

Item 49 – (Comm. 16E-24) Senior Services – Authorization to Amend WRAP Grant Budgets.

Received and referred to the SOCIAL SERVICES COMMITTEE.

Item 50 – (Comm. 16E-25) Community Development – Personal Services Contract – First Amendatory Agreement.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 51 – MS. PEOPLES presented the following resolution and moved for immediate consideration. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 295

Re: Public Info/Education Initiative – EC
Community Coordinating Council on Children &
Families. (Comm. 16E-26)

Whereas, Resolution 14E-9, approved by the Legislature on July 15, 1999, recognizes the need for a Public Information/Education Initiative to facilitate communication between children of all ages and the adults in their lives; and

Whereas, Resolution 14E-9 authorizes the appropriation of \$100,000 to be utilized by the Erie County Community Coordinating Council on Children and Families for its action plan, including its Public Information/Education Initiative; and

Whereas, Resolution 14E-9 recognizes and the Coordinating Council strongly believes that the Public Information/Education Initiative will have its greatest impact at the beginning of the school year; and

Whereas, the Coordinating Council went through a competitive process of issuing an RFP, soliciting responses from seven local marketing firms and convening a Selection Team to

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize the County Executive to enter into a contract with Gelia Wells & Mohr, not to exceed \$71,649, to implement the "*Ask the Kids*" campaign; and be it further

RESOLVED, that funds in the amount of \$71,649 are hereby transferred from Account 826, Other Expenses (DAC 281210 110826) to Account 830, Contractual Services (DAC 281210 110830) in the Grant Fund Budget of the Erie County Community Coordinating Council on Children and Families; and be it further

RESOLVED, that certified copies of this resolution be sent to County Executive Dennis Gorski; Budget Director Kenneth C. Kruly; First Assistant County Attorney, Alan P. Gerstman; Coordinator of the Erie County Community Coordinating Council on Children and Families, Sharon Commerford; and the Chairman of the Erie County Community Coordinating Council on Children and Families, Patrick Reilly, 662 Stonehenge Drive, Orchard Park, New York 14127.

Fiscal Impact. Funds have been made available in Resolution 14E-9, approved on July 15, 1999.

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

CARRIED UNANIMOUSLY.

Item 52 – (Comm. 16E-27) Health – Lease Agreement for Well Child Clinic Site.

Received and referred to the HEALTH COMMITTEE.

Item 53 – MS. PEOPLES presented the following resolution and moved for immediate consideration. MR. DeBENEDETTI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 296

Re: Health – Women, Infants & Children's
Supplemental Nutrition (WIC) Program 10/1/98 –
9/30/99. (Comm. 16E-28)

WHEREAS, the Erie County Department of Health operates the Women, Infants and Children's Supplemental Food and Nutrition (WIC) Program, and

WHEREAS, the purpose of this program is to provide nutrition related services to pregnant women, infants and children, and

WHEREAS, the Erie County Health Department has received a revised grant award which includes funding to complete a renovation project in various County-owned and leased space currently in use as WIC administrative and distribution sites, and

WHEREAS, this renovation project must be done in order to comply with the New York State automation project, and

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to enter into a revised contract with the New York State Department of Health grant which is budgeted as follows:

SUPPLEMENTAL FOOD (WIC) PROGRAM
10/1/98- 9/30/99
PROJECT #775

SFG	REVENUE	CURRENT BUDGET	CHANGES	REVISED BUDGET
444	LOCAL SOURCE	\$ 800	\$0	\$ 800
549	MISC DEPT INC	650	0	650
575	STATE AID	<u>2,934,462</u>	<u>0</u>	<u>2,934,462</u>
TOTAL		<u>\$ 2,935,912</u>	<u>\$0</u>	<u>\$2,935,912</u>

EXPENSES

800	PERS SERVICES	\$ 1,999,671	(33,679)	\$ 1,965,992
805	FRINGE BENEFITS	542,229	0	542,229
810	OFFICE SUPPLIES	7,530	0	7,530
814	MEDICAL SUPPLIES	1,730	0	1,730
816	MAINT SUPPLIES	200	0	200
821	DUES & FEES	6,200	0	6,200
822	RENTAL CHARGES	17,104	0	17,104
823	REPAIRS & MAINT	2,335	0	2,335
824	TRAVEL & MILEAGE	13,050	0	13,050
825	TRAVEL - CONF	8,300	0	8,300
826	OTHER EXPENSES	26,299	25,679	51,978
880-2200	INTERFUND - ECPW	32,000	8,000	40,000
880-2700	INTERFUND - ECHD	49,445	0	49,445
880-4000	INTERFUND - ECMC	15,129	0	15,129
880-5100	INTERFUND - DISS	42,940	0	42,940
892	NON-SPENDABLE	150,000	0	150,000
931	MAINT EQUIPMENT	700	0	700
932	FURNITURE	18,600	0	18,600
933	TECHNICAL	<u>2,450</u>	<u>0</u>	<u>2,450</u>
	EQUIPMENT			
	TOTAL	<u>\$ 2,935,912</u>	<u>\$0</u>	<u>\$ 2,935,912</u>

and be it further

RESOLVED, that the Erie County Department of Health is authorized to reimburse the following organizations for the costs associated with completing the required renovations at their site:

LOCATION	OWNER	AMOUNT NOT TO EXCEED
Hamburg Medical Center 17 Long Avenue Hamburg, NY	LSW Limited Partnership 1010 Elmwood Avenue Buffalo, NY 14222	\$6,715.00
Sisters Hospital Room 538 Bldg. D Buffalo, NY	Sisters of Charity Hospital 2157 Main St. Buffalo, NY 14214	\$3,000.00
Mercy Hospital 546 Abbott Road Buffalo, NY	Mercy Hospital of Buffalo 565 Abbott Road Buffalo, NY 14220	\$5,000.00
Northwest Buffalo Community Center 155 Lawn Avenue Buffalo, NY	City of Buffalo	\$10,964.00

and be it further

RESOLVED, that the Capital Projects Fund for the renovation of County-owned facilities for the Women, Infant & Children's Supplemental Nutrition (WIC) Program is increased in the amount of \$8,000, the source of funds being a transfer from the WIC Program in the General Fund, and be it further

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

MS. PEOPLES moved the adoption of the resolution. MR. DeBENEDETTI seconded.

CARRIED UNANIMOUSLY.

Item 54 – (Comm. 16E-29) Health – Public Health Lab Division – Transfer of Funds.

Received and referred to the HEALTH COMMITTEE.

Item 55 – (Comm. 16E-30) Sale of County-Owned Inventory – Harvard Street, Town of Hamburg.

Item 56 – (Comm. 16E-31) Sale of County-Owned Inventory – Pinehurst Avenue, Town of Cheektowaga.

Item 57 – (Comm. 16E-32) Sale of County-Owned Property.

Item 58 – (Comm. 16E-33) Sale of County-Owned Inventory – Carl Street, Town of Cheektowaga.

Item 59 – (Comm. 16E-34) Sale of County-Owned Inventory-7045 Woodcliff Drive, Town of Evans.

Item 60 – (Comm. 16E-35) Sale of County-Owned Inventory-South Protection Road, Town of Holland.

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

Item 61 – (Comm. 16E-36) Social Services – Project Strive.

Item 62 - (Comm. 16E-37) Social Services – Empowerment Project.

Item 63 – (Comm. 16E-38) Social Services – Medicaid Managed Care Grant.

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

Item 64 – MS. PEOPLES presented the following resolution and moved for immediate consideration. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 297

Re: Ratification of Collective Bargaining Agreement Between EC Sheriffs PBA & County of Erie/Sheriff of EC for 1/1/96 – 12/31/00. (Comm. 16E-39)

WHEREAS, the County of Erie/Sheriff of Erie County and the Erie County Sheriffs' PBA have reached an Agreement covering the working conditions, including wages and fringe benefits for Criminal Deputies in the Sheriff's Department for the period January 1, 1996 through December 31, 2000; and

WHEREAS, a summary of the proposed terms of said Agreement are attached hereto;

NOW, THEREFORE, BE IT

RESOLVED, that this Agreement, which shall become effective the 1st day of January, 1996, except as otherwise specified by the terms of the Agreement, and which shall remain in full force and effect until the 31st day of December, 2000, be approved; and be it further

RESOLVED, that the County Executive be authorized to execute said Agreement; and be it further

RESOLVED that certified copies of this Resolution will be forwarded to the Personnel Department, the Division of Labor Relations, the Division of Budget, Management and Finance, the Office of the Comptroller and the Sheriff's Department.

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

CARRIED UNANIMOUSLY.

Item 65 – MS. PEOPLES presented the following resolution and moved for immediate consideration. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

****THIS ITEM WAS RE-CONSIDERED AT SESSION #17 ON 9-23-99.
PLEASE REFER TO BEGINNING OF MINUTES FROM SESSION #17
FOR CORRECTED RESOLUTION. ****

RESOLUTION NO. 298

Re: Ratification of Collective Bargaining
Agreement Between Administrators Assn.
of ECC & County of Erie/ECC for 9/1/99 –
8/31/02. (Comm. 16E-40)

WHEREAS, the County of Erie/Erie Community College and the Administrators Association of Erie Community College, Local 3300 UAW Region 9 have reached an Agreement covering the working conditions, including wages and fringe benefits for Administrative Employees of the College for the period September 1, 1999 through August 31, 2002; and

WHEREAS, the terms of said Agreement have been ratified by the membership of the Administrators Association and approved by the Board of Trustees of the Community College; and

WHEREAS, a summary of the proposed terms of said Agreement are attached hereto;

NOW, THEREFORE, BE IT

RESOLVED, that this Agreement, which shall become effective the 1st day of September, 1999, except as otherwise specified by the terms of the Agreement, and which shall remain in full force and effect until the 31st day of August, 2002, be approved; and be it further

RESOLVED, that the County Executive be authorized to execute said Agreement; and be it further

RESOLVED, that certified copies of this Resolution will be forwarded to the Personnel Department, the Division of Labor Relations, the Division of Budget, Management and Finance, the Office of the Comptroller and the Erie Community College.

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

CARRIED UNANIMOUSLY.

Item 66 – (Comm. 16E-41) Environmental Protection Fund Application – Tow Path Park.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 67 – (Comm. 16E-42) Appointments & Reappointments to EC CRAB.

Received, filed and printed.

July 26, 1999

Erie County Legislature
25 Delaware Avenue
Buffalo, NY 14202

Re: Appointments and Reappointments to
Erie County Cultural Resources Advisory Board

Honorable Members:

Pursuant to Article 111, Section 302(f) of the Erie County Charter and Article 19, Section 19.01 of the Erie County Administrative Code, I am appointing twelve new members to the Erie County Cultural Resources Advisory Board and reappointing two members for terms noted below. These members will serve in addition to the current eleven members on the Board. This year I have also appointed a staff liaison to the County Cultural Board from the office of Charles M. Swanick, Chairman of the Erie County Legislature.

The new leadership of the Cultural Board this year includes Robert B. Skerker, Chair and Hal Payne, First Vice Chair.

Appointments

Term Expires

George Collins
Partner, Bouvier & O'Connor
1400 Main Place Mall Towers
Buffalo, NY 14202

December 31, 1999

David Herer
President ABC Co., Inc.
1100 Main Street
Buffalo, NY 14209

December 31, 2000

Stanton H. Hudson, Jr.
Hudson Associates
1 Franklin Park North
Buffalo, NY 14202

December 31, 2000

Appointments (cont'd)

Term Expires

William McHugh, Executive Vice President
Independent Health
511 Farber Lakes Drive
Buffalo, NY 14221

December 31, 2000

Francesca Mesiah
Center for Competitiveness
Advanced Training Center
275 Oak Street
Buffalo, NY 14203

December 31, 1999

Michael Noville, Vice President
Evans National Bank
14-16 North Main St.
Angola, NY 14206

December 31, 2000

Susan Peimer
651 LeBrun Road
Amherst, NY 14226

December 31, 1999

Janet Penksa, Associate Vice President
University Services
520 Capen Hall
SUNYAB North Campus
Amherst, NY 14260

December 31, 1999

Ellen Pierino, Law Librarian
Damon & Morey
298 Main Street
Buffalo, NY 14202

December 31, 2000

Clare Poth
183 Cleveland Avenue
Buffalo, NY 14222

December 31, 2000

Arlitta Rodriguez
Senior Manager Collection Services
Ingram Micro
1759 Wehrle Drive
Williamsville, NY 14221

December 31, 2000

Joyce Turnipseed
8199 Fernleaf Court
Williamsville, NY 14221

December 31, 2000

Constance A. Petix, Staff Liaison
Office of Charles M. Swanick, Chair
Erie County Legislature
3200 Elmwood Avenue
Kenmore, NY 14217

Reappointments

Steven A. Biltekoff
68 Lexington Avenue
Buffalo, NY 14222

December 31, 2000

Robert B. Skerker, CEO
Robinson Knife
2615 Walden Avenue
Buffalo, NY 14225

December 31, 2000

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

Very truly yours

DENNIS T. GORSKI
County Executive

DTG/RMT:cac

Item 68 – (Comm. 16E-43) ECSD No. 2 – Revised Easement & Property Transfer Authorization 1957 Lakeview Road, Town of Hamburg.

Item 69 – (Comm. 16E-44) ECSD No. 4 – Contract Dispute, Industrial Power & Lighting Corporation – Electrical Work.

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

Item 70 – (Comm. 16E-45) Emergency Services – Accept Donation of Personal Protective Equipment for EC HAZMAT Team.

Received and referred to the PUBLIC SAFETY COMMITTEE.

Item 71 – (Comm. 16E-46) Semi-Annual Attendance Board of Managers ECSD.

Item 72 – (Comm. 16E-47) ECSD Nos. 1-6 – Section 270/271 Resolutions.

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

Item 73 – (Comm. 16E-48) Emergency Services – Transfer of Funds for Mask Confidence Training Course.

Item 74 – (Comm. 16E-49) Emergency Services – Amendment of Lease with Buffalo Telephone Company.

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

Item 75 – (Comm. 16E-50) DISS – Grant Position.

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

Item 76 – (Comm. 16E-51) US EPA Grant for Chemical Emergency Preparedness & Prevention Technical Assistance Projects: Project Protect.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 77 – (Comm. 16E-52) Health – Provider Agreements.

Item 78 – (Comm. 16E-53) Health – HIV Training & Technical Assistance for Health Department.

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

Item 79 – (Comm. 16E-54) DISS – IBM Three Year Support Agreement.

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

Item 80 – (Comm. 16E-55) Town of Clarence Public Library – “Opening Day” Costs.

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

Item 81 – (Comm. 16E-56) Parks – NYS Grant Award for Rehabilitation of Water Wells at Sprague Brook Park.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 82 – (Comm. 16E-57) Emergency Services – Fire Safety, Radio Repair & Motor Vehicle Equipment.

Received and referred to the PUBLIC SAFETY COMMITTEE.

COMMUNICATIONS FROM THE DEPARTMENTS

FROM THE COUNTY ATTORNEY

Item 83 – (Comm. 16D-1) Notice of County Executive's Public Hearing – Local Law Intro. No. 8 – 1999.

Received, filed and printed.

July 16, 1999

Ms. Laurie Manzella, Clerk
Erie County Legislature
25 Delaware Avenue
Buffalo, New York 14202

**RE: Notice of Public Hearing
Local Law Intro. No. 8-1999**

Dear Ms. Manzella:

Enclosed herein is a copy of the Public Hearing Notice for the above captioned, Local Law Intro. No. 8-1999 which was adopted by the Erie County Legislature on July 15, 1999.

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

APG/sl Enc.

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that Erie County Executive Dennis T. Gorski, will hold a public hearing on Tuesday, July 27, 1999 at 10:00 a.m. concerning:

A LOCAL LAW in relation to electing a retirement incentive program pursuant to Chapter 70 of the Laws of 1999.

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

On July 15, 1999, the Erie County Legislature adopted Erie County Local Law Introduction Number 8 of 1999. Copies of the proposed local law are available for public inspection in the office of the Clerk of the Erie County Legislature, on the 7th floor of 25 Delaware Avenue, in the City of Buffalo, New York.

DENNIS T. GORSKI

Erie County Executive

Item 84 – (Comm. 16D-2) Notice of County Executive's Public Hearing – Comms. 11E-10, 13E-5, 14E-9, & 14E-22, & Intros. 14-6, 14-8, & 14-9.

Received, filed and printed.

July 16, 1999

Ms. Laurie Manzella
Clerk Of The Legislature
25 Delaware Avenue
7th Floor
Buffalo, New York 14202

RE: Notice of Public Hearing
Resolutions Reference Comm. 11E-10, Comm. 13E-5, Comm. 14E-9,
Comm. 14E-22, Intro. 14-6, Intro. 14-8 and Intro. 14-9

Dear Ms. Manzella:

Enclosed herein is a copy of the Public Hearing Notice for the above captioned Resolutions Comm. 11E-10, Comm. 13E-5, Comm. 14E-9, Comm. 14E-22, Intro. 14-6, Intro. 14-8 and Intro. 14-9 which were adopted by the Erie County Legislature on July 15, 1999.

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

APG/sl Encl.

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that Erie County Executive, Dennis T. Gorski, will hold a public hearing on Tuesday, July 27 at 10: 15 a.m., concerning appropriations from the County contingency fund for the following purpose:

BUFFALO AND ERIE COUNTY PUBLIC LIBRARY North Collins Library Library Books & Media, Office Equipment and Interfund-Subsidy	\$12,500.00
NIAGARA RADIO READING SERVICE, INC. Signal leasing, studio leasing and matching funds for a federal grant to purchase equipment	\$20,000.00
ERIE COUNTY COMMUNITY COORDINATING COUNCIL ON CHILDREN AND FAMILIES Public Information/Education Initiative	\$100,000.00
ERIE COUNTY HEALTH DEPARTMENT Office Equipment & Lab & Tech Equipment	\$19,400.00
AUGUSTINE'PUCHO'OLIVENCIA COMMUNITY CENTER	\$2,500.00
CONCERNED ECUMENICAL MINISTRY	\$10,000.00
HAMBURG HAWKS HOCKEY	\$5,000.00
LACKAWANNA FIRE DEPARTMENT	\$2,500.00
LACKAWANNA LITTLE LEAGUE	\$ 5,000.00
LACKAWANNA LITTLE LOOP FOOTBALL	\$ 5,000.00
NORTHWEST BUFFALO COMMUNITY CENTER	\$10,000.00
SOUTHTOWNS WALLEYE ASSOCIATION	\$ 5,000.00
CITY OF TONAWANDA SENIOR CITIZENS ASSOCIATION	\$ 1,500.00
NEIGHBORHOOD INFORMATION CENTER, INC.	\$ 1,500.00

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

On July 15, 1999 the Erie County Legislature adopted Resolutions Reference Comm. 11E- 10, Comm. 13E-5, Comm. 14E-9, Comm. 14E-22, Intro. 14-6, Intro. 14-8 and Intro. 14-9. Copies of the Resolutions are available for 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

FROM DEP

Item 85 – (Comm. 16D-3) Guiding Principles for Countywide Land Use Planning.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE BUFFALO & ERIE COUNTY PUBLIC LIBRARY

Item 86 – (Comm. 16D-4) Internet Access at Buffalo & Erie County Public Library – A Position Statement.

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM ECC

Item 87 – (Comm. 16D-5) Notice of Board of Trustees Meeting Held 8/25/99.

Received and filed.

FROM EMERGENCY SERVICES

Item 88 – (Comm. 16D-6) Niagara '98 Exercise Final Report.

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM ECMC

Item 89 – (Comm. 16D-7) Notice of Board of Managers Committee Meeting Held 8/6/99.

Item 90 – (Comm. 16D-8) Notice of Board of Managers Meeting Held 8/12/99.

The above two items were received and filed.

FROM THE COUNTY ATTORNEY

Item 91 – (Comm. 16D-9) Notice of County Executive's Approval of Comm. 8E-14, Intros. 9-2, 9-4, Comm. 9E-5, Intros. 10-5 & 10-8.

Received, filed and printed.

July 27, 1999

Ms. Laurie Manzella
Clerk Of The Legislature
25 Delaware Avenue
7th Floor

Buffalo, New York 14202

**RE: Resolutions Reference Comm. 8E-14, Intro. 9-2, Int. 9-4,
Comm. 9E-5, Intro. 10-5 and Intro. 10-8**

Dear Ms. Manzella:

Enclosed herein is a copy of the above Resolutions for your files.

Please post for the information of anyone who may be interested in these Resolutions.

Very truly yours,

KENNETH A. SCHOETZ
Erie County Attorney

By: Alan P. Gerstman
1st Assistant County Attorney

APG/sl

A Public Hearing was held on the foregoing Erie County Resolution Reference Comm. 8E- 14, on Tuesday June 1, 1999 due notice thereof having been published in the official newspapers of the County of Erie, and after due deliberation thereon, I, Dennis T. Gorski, County Executive of Erie County, do hereby APPROVE and SIGN said Resolutions this 2nd day of June, 1999.

A Public Hearing was held on the foregoing Erie County Resolution Reference Comm. 8E-14, on Tuesday, June 1, 1999 due notice thereof having been published in the official newspapers of the County of Erie, and after due deliberation thereon, I, DENNIS T. GORSKI, County Executive of Erie County, do hereby DISAPPROVE and VETO said Resolution this ____ day of ____, 1999.

A Public Hearing was held on the foregoing Erie County Resolution Reference Intro. 9-2, on Tuesday June 1, 1999 due notice thereof having been published in the official newspapers of the County of Erie, and after due deliberation thereon, I, Dennis T. Gorski, County Executive of Erie County, do hereby APPROVE and SIGN said Resolutions this 2nd day of June, 1999.

A Public Hearing was held on the foregoing Erie County Resolution Reference Intro. 9-2, on Tuesday, June 1, 1999 due notice thereof having been published in the official newspapers of the County of Erie, and after due deliberation thereon, I, DENNIS T. GORSKI, County Executive of Erie County, do hereby DISAPPROVE and VETO said Resolution this ____ day of ____, 1999.

A Public Hearing was held on the foregoing Erie County Resolution Reference Intro. 9-4 on Tuesday June 1, 1999 due notice thereof having been published in the official newspapers of the County of Erie, and after due deliberation thereon, I, Dennis T. Gorski, County Executive of Erie County, do hereby APPROVE and SIGN said Resolutions this 2nd day of June, 1999.

A Public Hearing was held on the foregoing Erie County Resolution Reference Intro. 9-4, on Tuesday, June 1, 1999 due notice thereof having been published in the official newspapers of the County of Erie, and after due deliberation thereon, I, DENNIS T. GORSKI, County Executive of Erie County, do hereby DISAPPROVE and VETO said Resolution this ____ day of ____, 1999.

A Public Hearing was held on the foregoing Erie County Resolution Reference Comm. 9E-5, on Tuesday June 1, 1999 due notice thereof having been published in the official newspapers of the County of Erie, and after due deliberation thereon, I, Dennis T. Gorski, County Executive of Erie County, do hereby APPROVE and SIGN said Resolutions this 2nd day of June, 1999.

A Public Hearing was held on the foregoing Erie County Resolution Reference Comm. 9E-5, on Tuesday, June 1, 1999 due notice thereof having been published in the official newspapers of the County of Erie, and after due deliberation thereon, I, DENNIS T. GORSKI, County Executive of Erie County, do hereby DISAPPROVE and VETO said Resolution this ____ day of ____, 1999.

A Public Hearing was held on the foregoing Erie County Resolution Reference Intro. 10-5 on Tuesday June 1, 1999 due notice thereof having been published in the official newspapers of the County of Erie, and after due deliberation thereon, I, Dennis T. Gorski, County Executive of Erie County, do hereby APPROVE and SIGN said Resolutions this 2nd day of June, 1999.

A Public Hearing was held on the foregoing Erie County Resolution Reference Intro. 10-5, on Tuesday, June 1, 1999 due notice thereof having been published in the official newspapers of the County of Erie, and after due deliberation thereon, I, DENNIS T. GORSKI, County Executive of Erie County, do hereby DISAPPROVE and VETO said Resolution this ____ day of ____, 1999.

A Public Hearing was held on the foregoing Erie County Resolution Reference Intro. 10-8, on Tuesday June 1, 1999 due notice thereof having been published in the official newspapers of the County of Erie, and after due deliberation thereon, I, Dennis T. Gorski, County Executive of Erie County, do hereby APPROVE and SIGN said Resolutions this 2nd day of June, 1999.

A Public Hearing was held on the foregoing Erie County Resolution Reference Intro. 10-8, on Tuesday, June 1, 1999 due notice thereof having been published in the official newspapers of the County of Erie, and after due deliberation thereon, I, DENNIS T. GORSKI, County Executive of Erie County, do hereby DISAPPROVE and VETO said Resolution this ____ day of ____, 1999.

Item 92 – (Comm. 16D-10) Notice of County Executive's Approval of Intros. 12-7, 12-8, 12-11 & 12-12.

Received, filed and printed.

July 27, 1999

Ms. Laurie Manzella
Clerk Of The Legislature
25 Delaware Avenue
7th Floor
Buffalo, New York 14202

**RE: Resolutions Reference, Intro. 12-7, Int. 12-8,
Intro. 12-11 and Intro. 12-12**

Dear Ms. Manzella:

Enclosed herein is a copy of the above Resolutions for your files.

Please post for the information of anyone who may be interested in these Resolutions.

Very truly yours,
KENNETH A. SCHOETZ
Erie County Attorney

By: Alan P. Gerstman
1st Assistant County Attorney

APG/sl

A Public Hearing was held on the foregoing Erie County Resolution Reference Intro. 12-7, on Tuesday July 6, 1999 due notice thereof having been published in the official newspapers of the County of Erie, and after due deliberation thereon, I, Dennis T. Gorski, County Executive of Erie County do hereby APPROVE and SIGN said Resolutions this 2nd day of July, 1999.

A Public Hearing was held on the foregoing Erie County Resolution Reference Intro. 12-7, on Tuesday, July 6, 1999 due notice thereof having been published in the official newspapers of the County of Erie, and after due deliberation thereon, I, Dennis T. Gorski, County Executive of Erie County, do hereby DISAPPROVE and VETO said Resolution this ____ day of ____, 1999.

A Public Hearing was held on the foregoing Erie County Resolution Reference Intro. 12-8, on Tuesday July 6, 1999 due notice thereof having been published in the official newspapers of the County of Erie, and after due deliberation thereon, I, Dennis T. Gorski, County Executive of Erie County do hereby APPROVE and SIGN said Resolutions this 2nd day of July, 1999.

A Public Hearing was held on the foregoing Erie County Resolution Reference Intro. 12-8, on Tuesday, July 6, 1999 due notice thereof having been published in the official newspapers of the County of Erie, and after due deliberation thereon, I, Dennis T. Gorski, County Executive of Erie County, do hereby DISAPPROVE and VETO said Resolution this ____ day of ____, 1999.

A Public Hearing was held on the foregoing Erie County Resolution Reference Intro. 12-11, on Tuesday July 6, 1999 due notice thereof having been published in the official newspapers of the County of Erie, and after due deliberation thereon, I, Dennis T. Gorski, County Executive of Erie County do hereby APPROVE and SIGN said Resolutions this 2nd day of July, 1999.

A Public Hearing was held on the foregoing Erie County Resolution Reference Intro. 12-11, on Tuesday, July 6, 1999 due notice thereof having been published in the official newspapers of the County of Erie, and after due deliberation thereon, I, Dennis T. Gorski, County Executive of Erie County, do hereby DISAPPROVE and VETO said Resolution this ____ day of ____, 1999.

A Public Hearing was held on the foregoing Erie County Resolution Reference Intro. 12-12, on Tuesday July 6, 1999 due notice thereof having been published in the official newspapers of the County of Erie, and after due deliberation thereon, I, Dennis T. Gorski, County Executive of Erie County do hereby APPROVE and SIGN said Resolutions this 2nd day of July, 1999.

A Public Hearing was held on the foregoing Erie County Resolution Reference Intro. 12-12, on Tuesday, July 6, 1999 due notice thereof having been published in the official newspapers of the County of Erie, and after due deliberation thereon, I, Dennis T. Gorski, County Executive of Erie County, do hereby DISAPPROVE and VETO said Resolution this ____ day of ____, 1999.

Item 93 – (Comm. 16D-11) Notice of County Executive's Approval of Comms. 12E-31, 12E-32 & Intros. 13-1 & 13-5.

Received, filed and printed.

July 27, 1999

Ms. Laurie Manzella
Clerk Of The Legislature
25 Delaware Avenue
7th Floor
Buffalo, New York 14202

**RE: Resolutions Reference Comm. 12E-31, Comm. 12E-32, Int. 13-1
and Intro. 13-5**

Dear Ms. Manzella:

Enclosed herein is a copy of the above Resolutions for your files.

Please post for the information of anyone who may be interested in these Resolutions.

Very truly yours,

KENNETH A. SCHOETZ
Erie County Attorney

By: Alan P. Gerstman
1st Assistant County Attorney

APG/sl

A Public Hearing was held on the foregoing Erie County Resolution Reference Comm. 12E-31, on Tuesday July 14, 1999 due notice thereof having been published in the official newspapers of the County of Erie and after due deliberation thereon, I, DENNIS T. GORSKI, County Executive, do hereby APPROVE and SIGN said Resolutions this 15th day of July, 1999.

A Public Hearing was held on the foregoing Erie County Resolution Reference Comm. 12E-31, on Tuesday, July 14, 1999 due notice thereof having been published in the official newspapers of the County of Erie, and after due deliberation thereon, I, DENNIS T. GORSKI, County Executive of Erie County, do hereby DISAPPROVE and VETO said Resolution this ____ day of ____ 1999.

A Public Hearing was held on the foregoing Erie County Resolution Reference Comm. 12E-32, on Tuesday July 14, 1999 due notice thereof having been published in the official newspapers of the County of Erie and after due deliberation thereon, I, DENNIS T. GORSKI, County Executive, do hereby APPROVE and SIGN said Resolutions this 15th day of July, 1999.

A Public Hearing was held on the foregoing Erie County Resolution Reference Comm. 12E-32, on Tuesday, July 14, 1999 due notice thereof having been published in the official newspapers of the County of Erie, and after due deliberation thereon, I, DENNIS T. GORSKI, County Executive of Erie County, do hereby DISAPPROVE and VETO said Resolution this ____ day of ____ 1999.

A Public Hearing was held on the foregoing Erie County Resolution Reference Intro. 13-1, on Tuesday July 14, 1999 due notice thereof having been published in the official newspapers of the County of Erie and after due deliberation thereon, I, DENNIS T. GORSKI, County Executive , do hereby APPROVE and SIGN said Resolutions this 15th day of July, 1999.

A Public Hearing was held on the foregoing Erie County Resolution Reference Intro. 13-1; on Tuesday, July 14, 1999 due notice thereof having been published in the official newspapers of the County of Erie, and after due deliberation thereon, I, DENNIS T. GORSKI, County Executive of Erie County, do hereby DISAPPROVE and VETO said Resolution this ____ day of ____ 1999.

A Public Hearing was held on the foregoing Erie County Resolution Reference Intro. 13-5, on Tuesday July 14, 1999 due notice thereof having been published in the official newspapers of the County of Erie and after due deliberation thereon, I, DENNIS T. GORSKI, County Executive , do hereby APPROVE and SIGN said Resolutions this 15th day of July, 1999.

A Public Hearing was held on the foregoing Erie County Resolution Reference Intro. 13-5, on Tuesday, July 14, 1999 due notice thereof having been published in the official newspapers of the County of Erie, and after due deliberation thereon, I, DENNIS T. GORSKI, County Executive of Erie County, do hereby DISAPPROVE and VETO said Resolution this ____ day of ____ 1999.

FROM DPW

Item 94 – (Comm. 16D-12) Comptroller's Review of Vendor Payments – DPW.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE COUNTY ATTORNEY

Item 95 – (Comm. 16D-13) Notice of County Executive's Approval of Local Law No. 6 – 1999 (Local Law Intro 8 – 1999).

Received, filed and printed.

July 28, 1999

Ms. Laurie Manzella
Clerk Of The Legislature
25 Delaware Avenue
7th Floor
Buffalo, New York 14202

RE: Local Law No. 6-1999

Dear Ms. Manzella:

Enclosed herein is a copy of Erie County Local Law No. 6-1999. Copies of same have been filed with Secretary of State, New York State Comptroller and the County Clerk.

Please post for the information of anyone who may be interested in these Resolutions.

Very truly yours,

KENNETH A. SCHOETZ
Erie County Attorney

By: Alan P. Gerstman
1st Assistant County Attorney

APG/sl

A Public Hearing was held on the foregoing Erie County Local Law Intro No. 8-1999, on Tuesday, July 27, 1999 due notice thereof having been published in the official newspapers of the County of Erie and after due deliberation thereon, I, Dennis T. Gorski, County Executive of Erie County, do hereby APPROVE and SIGN said Resolutions this 28th day of July 1999.

A Public Hearing was held on the foregoing Erie County Local Law Intro. No. 8-1999, on July 27, 1999, due notice thereof having been published in the official newspapers of the County of Erie, and after due deliberation thereon, I, DENNIS T. GORSKI, County Executive of Erie County, do hereby DISAPPROVE and VETO said Resolution this ____ day of _____ 1999.

FROM DEP

Item 96 -- (Comm. 16D-14) SEQR Solicitation for Lead Agency Status Unlisted Action
Ellicott Creek Park Bike Path.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM ECC

Item 97 -- (Comm. 16D-15) Notice of Board of Trustees Committee Meeting
Rescheduled for 8/19/99.

Received and filed.

FROM THE COUNTY ATTORNEY

Item 98 -- (Comm. 16D-16) Notice of County Executive's Approval of Comms. 11E-10,
13E-5, Intros. 14-6, 14-8, 14-9, Comms. 14E-9 & 14E-22.

Received, filed and printed.

August 2, 1999

Ms. Laurie Manzella
Clerk Of The Legislature
25 Delaware Avenue
7th Floor
Buffalo, New York 14202

**RE: Resolution Reference Int.11e-10, Comm. 13E-5, Intro. 14-6,
Intro. 14-8, Intro. 14-9, Comm. 14E-9 and Comm. 14E-22**

Dear Ms. Manzella:

Enclosed herein is a copy of the above Resolutions for your files.

Please post for the information of anyone who may be interested in these Resolutions.

Very truly yours,

KENNETH A. SCHOETZ
Erie County Attorney

By: Alan P. Gerstman
1st Assistant County Attorney

APG/sl

A Public Hearing was held on the foregoing Erie County Resolution Reference Comm. 11E-10 on Tuesday July 27, 1999 due notice thereof having been published in the official newspapers of the County of Erie, and after due deliberation thereon, I, DENNIS T. GORSKI, County Executive of Erie County, do hereby APPROVE and SIGN said Resolutions this 28th day of July, 1999.

A Public Hearing was held on the foregoing Erie County Resolution Reference Comm. 11E-10 on Tuesday, July 27, 1999 due notice thereof having been published in the official newspapers of the County of Erie, and after due deliberation thereon, I, DENNIS T. GORSKI, County Executive of Erie County, do hereby DISAPPROVE and VETO said Resolution this ____ day of ____, 1999.

A Public Hearing was held on the foregoing Erie County Resolution Reference Comm. 13E-5 on Tuesday July 27, 1999 due notice thereof having been published in the official newspapers of the County of Erie, and after due deliberation thereon, I, DENNIS T. GORSKI, County Executive of Erie County, do hereby APPROVE and SIGN said Resolutions this 28th day of July, 1999.

A Public Hearing was held on the foregoing Erie County Resolution Reference Comm. 13E-5 on Tuesday, July 27, 1999 due notice thereof having been published in the official newspapers of the County of Erie, and after due deliberation thereon, I, DENNIS T. GORSKI, County Executive of Erie County, do hereby DISAPPROVE and VETO said Resolution this ____ day of ____, 1999.

A Public Hearing was held on the foregoing Erie County Resolution Reference Intro. 14-6 on Tuesday July 27, 1999 due notice thereof having been published in the official newspapers of the County of Erie,

and after due deliberation thereon, I, DENNIS T. GORSKI, County Executive of Erie County, do hereby APPROVE and SIGN said Re Resolutions this 28th day of July, 1999.

A Public Hearing was held on the foregoing Erie County Resolution Reference Intro. 14-6 on Tuesday, July 27, 1999 due notice thereof having been published in the official newspapers of the County of Erie, and after due deliberation thereon, I, DENNIS T. GORSKI, County Executive of Erie County, do hereby DISAPPROVE and VETO said Resolution this ____ day of ____, 1999.

A Public Hearing was held on the foregoing Erie County Resolution Reference Intro. 14-8 on Tuesday July 27, 1999 due notice thereof having been published in the official newspapers of the County of Erie, and after due deliberation thereon, I, DENNIS T. GORSKI, County Executive of Erie County, do hereby APPROVE and SIGN said Resolutions this 28th day of July, 1999.

A Public Hearing was held on the foregoing Erie County Resolution Reference Intro. 14-8 on Tuesday, July 27, 1999 due notice thereof having been published in the official newspapers of the County of Erie, and after due deliberation thereon, I, DENNIS T. GORSKI, County Executive of Erie County, do hereby DISAPPROVE and VETO said Resolution this ____ day of ____, 1999.

A Public Hearing was held on the foregoing Erie County Resolution Reference Intro. 14-9 on Tuesday July 27, 1999 due notice thereof having been published in the official newspapers of the County of Erie, and after due deliberation thereon, I, DENNIS T. GORSKI, County Executive of Erie County, do hereby APPROVE and SIGN said Resolutions this 28th day of July, 1999.

A Public Hearing was held on the foregoing Erie County Resolution Reference Intro. 14-9 on Tuesday, July 27, 1999 due notice thereof having been published in the official newspapers of the County of Erie, and after due deliberation thereon, I, DENNIS T. GORSKI, County Executive of Erie County, do hereby DISAPPROVE and VETO said Resolution this ____ day of ____, 1999.

A Public Hearing was held on the foregoing Erie County Resolution Reference Comm. 14E-9 on Tuesday July 27, 1999 due notice thereof having been published in the official newspapers of the County of Erie, and after due deliberation thereon, I, DENNIS T. GORSKI, County Executive of Erie County, do hereby APPROVE and SIGN said Resolutions this 28th day of July, 1999.

A Public Hearing was held on the foregoing Erie County Resolution Reference Comm. 14E-9 on Tuesday, July 27, 1999 due notice thereof having been published in the official newspapers of the County of Erie, and after due deliberation thereon, I, DENNIS T. GORSKI, County Executive of Erie County, do hereby DISAPPROVE and VETO said Resolution this ____ day of ____, 1999.

A Public Hearing was held on the foregoing Erie County Resolution Reference Comm. 14E-22 on Tuesday July 27, 1999 due notice thereof having been published in the official newspapers of the County of Erie, and after due deliberation thereon, I, DENNIS T. GORSKI, County Executive of Erie County, do hereby APPROVE and SIGN said Resolutions this 28th day of July, 1999.

A Public Hearing was held on the foregoing Erie County Resolution Reference Comm. 14E-22 on Tuesday, July 27, 1999 due notice thereof having been published in the official newspapers of the County of Erie, and after due deliberation thereon, I, DENNIS T. GORSKI, County Executive of Erie County, do hereby DISAPPROVE and VETO said Resolution this ____ day of ____, 1999.

FROM THE EC MORGUE

Item 99 - (Comm. 16D-17) Monies & Other Property Found on Deceased Persons.

Received and referred to the HEALTH COMMITTEE.

FROM ECMC

Item 100 - (Comm. 16D-18) Board of Managers Finance Committee 8/6/99 & Financial Statements for 6/30/99.

Received and referred to the HEALTH COMMITTEE.

FROM HEALTH

Item 101 - (Comm. 16D-19) 1999 Work Plan Second Quarter Report.

Received and referred to the HEALTH COMMITTEE.

FROM ECMC

Item 102 - (Comm. 16D-20) Agenda for Board of Managers Meeting Held 8/12/99.

Received and referred to the HEALTH COMMITTEE.

FROM ECC

Item 103 - (Comm. 16D-21) Notice of Cancellation of Board of Trustees Committee Meeting Scheduled for 8/17/99.

Received and filed.

FROM BUFFALO & ERIE COUNTY PUBLIC LIBRARY

Item 104 - (Comm. 16D-22) Agenda for Board of Trustees Meeting Held 8/19/99.

Received and filed.

FROM DEP

Item 105 - (Comm. 16D-23) SEQR Solicitation for Lead Agency Status Unlisted Action Water District 7A Construction.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM ECC

Item 106 – (Comm. 16D-24) Womens Training Program Small Business Initiative.

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM ECMC

Item 107 – (Comm. 16D-25) Notice of Board of Managers Special Meeting Held 8/26/99.

Received and filed.

FROM ECC

Item 108 – (Comm. 16D-26) Agenda for Board of Trustees Meeting Held 8/25/99.

Received and filed.

FROM BUDGET, MANAGEMENT & FINANCE

Item 109 – (Comm. 16D-27) Budget Monitoring Report for Period Ending 6/30/99.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM PURCHASE

Item 110- (Comm. 16D-28) Sale of Buffalo Bills Seats.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM HEALTH

Item 111 – (Comm. 16D-29) Agenda for Board of Health Meeting to be Held 9/28/99.

Received and referred to the HEALTH COMMITTEE.

FROM ECMC

Item 112 – (Comm. 16D-30) Notice to Reschedule Board of Managers Special Meeting from 8/26/99 to 9/1/99.

Item 113 – (Comm. 16D-31) Notice to Cancel Board of Managers Committee Scheduled for 9/3/99.

The above two items were received and filed.

Item 114 – (Comm. 16D-32) Notice of Board of Managers Meeting to be Held 9/9/99.

Received and referred to the HEALTH COMMITTEE.

FROM DEP

Item 115 – (Comm. 16D-33) SEQR Solicitation for Lead Agency Status Type I Action Kibler School (Renovation) Senior Housing.

Item 116 – (Comm. 16D-34) SEQR Negative Declaration Notice of Determination of Non-Significance – Big Sister Creek Stream Bank Protection Project.

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

FROM ECC

Item 117 – (Comm. 16D-35) Agenda for Board of Trustees Meeting Held 6/30/99.

Received and filed.

FROM THE COUNTY ATTORNEY

Item 118 – (Comm. 16D-36) Notices of Claim.

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM DISS

Item 119 – (Comm. 16D-37) DISS Year 2000 Readiness Update.

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM DPW

Item 120 – (Comm. 16D-38) EC Family Court Building Bid Packages 1 Thru 5.

Item 121 – (Comm. 16D-39) Utilization of Bennett Road & Lake Street as Temporary Detour by NYS DOT Lake Shore Road, Town of Evans.

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

FROM DISS

Item 122 – (Comm. 16D-40) DISS – Internet Auctions & Internet Access to Purchasing.

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM DPW

Item 123 – (Comm. 16D-41) 1999 CHIPS Revenue Increase.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 124 – (Comm. 16D-42) ECMC Cardiac Cath Laboratory Renovations.

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 125 – MR. WEINSTEIN presented the following resolution and moved for immediate consideration. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 299

Re: Award of Contract – Intersection Safety
Improvement Hopkins Road, Town of
Amherst. (Comm. 16D-43)

WHEREAS, bids were taken for the CMAQ Intersection Safety Improvement Project, Hopkins Road/North French Road and Hopkins Road/Klein Road Intersections, Project No. CMAQ-99, in the Town of Amherst, on September 2, 1999, the low bidder was Holmes and Murphy, Inc. of 75 Bank Street, Orchard Park, New York at a low bid amount of \$985,124.00; and

WHEREAS, the project is eligible for funding under Title 23, U.S. Code, as amended, that calls for apportionment of the costs, such program to be borne at a ratio of 80% Federal Funds and 20% non-Federal funds; and

WHEREAS, the current contract with the New York State Department of Transportation has made available funding for this project in the amount of \$792,000; and

WHEREAS, the County of Erie desires to advance the above project by making a commitment of the needed non-Federal share (\$147,590) of the costs of Construction; and

WHEREAS, the scope of the Project will be reduced so that the cost of the project will not exceed the funding available.

NOW, THEREFORE, BE IT

RESOLVED, that the County of Erie's share, an amount of \$147,590 be allocated from the 1993 Bridge Design and Construction Program (659), and be it further

RESOLVED, That the County Executive be authorized and is hereby directed to execute a contract for Project Number CMAQ-99, between the County of Erie and the low bidder Holmes and Murphy, Inc. and not to exceed the available funds in the amount of \$792,000; and be it further

RESOLVED, that the contract amount to be increased by an additional amount of \$193,124 to be allocated from an approved revenue source, when available, for a change order to the construction contract with Holmes and Murphy, Inc. to reflect the low bid amount of \$985,124; and be it further

RESOLVED, that authorization to issue said change order is contingent upon availability of funds from an approved revenue source; and be it further

RESOLVED, that the Clerk of the Legislature be instructed to forward three (3) certified copies of this resolution to the Deputy Commissioner - Highways, Department of Public Works and one certified copy to the Erie County Comptroller.

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

CARRIED UNANIMOUSLY.

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES

FROM ASSEMBLYMAN BURLING

Item 126 – (Comm. 16M-1) Acknowledgement of Receipt of Resolutions.

Received and filed.

FROM NYSDEC

Item 127 – (Comm. 16M-2) Fact Sheet: Pierce & Stevens Plant Interim Remedial Measure 7/99.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM CONGRESSMAN QUINN

Item 128 – (Comm. 16M-3) Acknowledgement of Receipt of Resolutions.

Received and filed.

FROM ASSEMBLY MINORITY LEADER FASO

Item 129 – (Comm. 16M-4) Acknowledgement of Receipt of Resolution.

Received and filed.

FROM THE CENTER FOR COOPERATIVE ECONOMIC GROWTH

Item 130 – (Comm. 16M-5) Inaugural Session.

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM ASSEMBLY SPEAKER SILVER

Item 131 – (Comm. 16M-6) Acknowledgement of Receipt of Resolution.

Received and filed.

FROM THE NFTA

Item 132 – (Comm. 16M-7) Minutes of Board Meeting Held 6/21/99.

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM CONGRESSMAN QUINN

Item 133 – (Comm. 16M-8) Acknowledgement of Receipt of Resolutions.

Received and filed.

FROM THE TOWN OF CHEEKTOWAGA

Item 134 – (Comm. 16M-9) Interim Report – Genesee Street Corridor Enhancement & Gateway Project.

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM COMMUNITY GRIEF CENTER OF WNY

Item 135 – (Comm. 16M-10) 1999 Public Benefit Funding Mid-Year Report.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM GOVERNOR PATAKI

Item 136 – (Comm. 16M-11) Acknowledgement of Receipt of Resolution.

Received and filed.

FROM THE CITY OF BUFFALO COMPTROLLER

Item 137 – (Comm. 16M-12) Analyzing the County Executive's Proposal Regarding the Master Settlement Agreement with Tobacco Manufacturers.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM DEMARIE & SCHOENBERG

Item 138 – (Comm. 16M-13) Notice of Claim.

Received and referred to the COUNTY ATTORNEY.

FROM NYS PUBLIC SERVICE COMMISSION

Item 139 – (Comm. 16M-14) Acknowledgement of Receipt of Resolution.

Received and filed.

FROM ASSOCIATED BUILDERS & CONTRACTORS

Item 140 – (Comm. 16M-15) Response to Intro. 14-2 (1999).

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM THE NFTA

Item 141 – (Comm. 16M-16) 17A Report & Capital Expenditure Reports for First Quarter of Fiscal Year Ending 3/31/00.

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM MELINDA HOLLAND

Item 142 – (Comm. 16M-17) Summary of Task Force Meeting Held 7/14/99 & Notice of Task Force Meeting to be Held 9/21/99.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE TOWN OF CHEEKTOWAGA

Item 143 – (Comm. 16M-18) Certified Copy of Resolution Re: Opposing City of Buffalo Comptroller's Proposal to Send Buffalo Firefighters to Suburban Communities.

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE NFTA

Item 144 – (Comm. 16M-19) Notice of Proposed Rulemaking.

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM THE TOWN OF AMHERST

Item 145 – (Comm. 16M-20) Certified Copy of Resolution Re: Opposing City of Buffalo Comptroller's Proposal to Send Buffalo Firefighters to Suburban Communities.

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE NYS DEPARTMENT OF AGRICULTURE & MARKETS

10. Item 146 – (Comm 16M-21) Notice of Review for County Agricultural District Nos. 9 &

Received and filed.

FROM THE BUFFALO DEPARTMENT OF ASSESSMENT

Item 147 – (Comm. 16M-22) 2000 Transit Mall Service Charge Roll.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE

FROM THE NFTA

Item 148 – (Comm. 16M-23) Minutes of Board Meeting Held 7/19/99.

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM THE NATIONAL ALLIANCE FOR MENTALLY ILL
IN BUFFALO & ERIE COUNTY

Item 149 – (Comm. 16M-24) Objecting to Any Plan or Proposal to Reduce or Eliminate Beds or Programs at Buffalo Psych. Center.

Received and referred to the HEALTH COMMITTEE.

FROM THE REGION 9 – FOREST PRACTICE BOARD

Item 150 – (Comm. 16M-25) Notice of Meeting to be Held on 9/16/99.

Received and filed.

FROM THE ECIDA

Item 151 – (Comm. 16M-26) Notice of Meeting to be Held 9/15/99.

Received and filed.

FROM THE NYS INSURANCE DEPARTMENT

Item 152 – (Comm. 16M-27) Response to Intro. 14-3 Re: Increase in Workers Compensation Insurance Rates.

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

MEMORIAL RESOLUTIONS

Item 153 - Legislator Olma requested that when this Legislature adjourns, it do so in memory of Sloan resident Peter Wojtaszek.

Item 154 – Legislator Peoples requested that when this Legislature adjourns, it do so in memory of Buffalo Police Officer Doris Lewis.

ADJOURNMENT

Item 155 – At this time, there being no further business to transact, the Chairman announced that the Chair would entertain a Motion to Adjourn.

MS. PEOPLES moved that the Legislature adjourn until 2:00 p.m., Thursday, September 23, 1999. MR. MARSHALL seconded.

CARRIED UNANIMOUSLY.

The Chairman declared the Legislature **adjourned until Thursday, September 23, 1999 at 2 p.m. Eastern Standard Time.**

LAURIE MANZELLA
CLERK