

MEETING NO. 2
January 18, 2001

ERIE COUNTY LEGISLATURE

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The Legislature was called to order by Chairman Swanick.

Legislator Fitzpatrick was absent.

A moment of silence was held.

The Pledge of Allegiance was led by Mr. Holt.

MS. PEOPLES moved the approval of the Rules of the Legislature for 2001. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

- 2001 -
RULES OF ORDER
ERIE COUNTY LEGISLATURE

RULE 1: REGULAR SESSION

Regular sessions of the Legislature shall be held at least twice monthly, except in August, as designated by the chairman. The schedule of regular sessions shall be determined by the Chairman who shall notify members of the Legislature concerning the same no later than January 1, of each year.

All regular sessions and all adjourned sessions shall be open for consideration of any matter, which in accordance with these rules, may be properly brought to the attention of the Legislature.

RULE 2: SPECIAL MEETINGS

Special meetings shall be held at the call of the Clerk of the Legislature upon direction of the Chairman or upon filing with the Clerk of the Legislature of a written request signed by a majority of the members of the Legislature. Notice in writing, stating the time, place and purpose of the special meeting shall be served personally, by facsimile transmission or by mail upon each member by the Clerk of the Legislature at least forty-eight (48) hours before the date fixed for holding the meeting, or a member may waive the service of the notice for such meeting in writing. Only business specified in the notice thereof may be transacted at a special meeting.

Service by facsimile transmission of the notice of Special Meeting, pursuant to this rule, is authorized and constitutes service upon each member at a facsimile telephone number provided to the Clerk by the member of the Legislature for that purpose. A confirmation record produced by the Clerk's

facsimile machine or computer and an affidavit of filing by the Clerk of the Legislature, shall be *prima facie* evidence that the Notice of Special Meeting and transmitted documents were served consistent with the date, time and place appearing on the confirmation record. Facsimile transmission of the notice of Special Meeting may be transmitted at any time of the day or night, Monday through Friday, to the appropriate facsimile telephone number and will be deemed served upon receipt of the facsimile transmission, except that Notices of Special Meeting sent on a Friday shall be deemed duly served if the Clerk's confirmation record and affidavit demonstrate that facsimile transmissions for all members of the Legislature were completed by 5 p.m. on that Friday. Nothing in this rule shall prohibit personal service of a Special Meeting Notice on Friday after 5 p.m., or on a Saturday or a Sunday.

RULE 3: QUORUM

The majority of the duly constituted membership of the Legislature shall constitute a quorum for the transaction of business, but a lesser number may adjourn.

RULE 4: CHAIRMAN TO SECURE A QUORUM

In the absence of a quorum during the sessions of the Legislature, the Chairman may take such measures as provided by law and as the Chairman may deem necessary to secure the presence of a quorum.

RULE 5: MAJORITY AND MINORITY LEADERS

Annually, the enrolled members of the two political parties which shall have the greatest number of members seated in the Legislature, shall elect a leader of their respective parties. The leader of the political party whose membership of the Legislature constitutes a majority of the Legislature shall be known as the Majority Leader. The leader of the other party shall be known as Minority Leader.

For the purpose of complying with the provisions of Section 200, subdivision 1 of the County Law, in the event that neither the members of one party nor the other constitute a majority of the members of the County Legislature, the Chairman of the Legislature shall designate one party leader as the Majority Leader and the other as the Minority Leader for the purpose of budgetary appropriation and other matters.

RULE 6: ROLL CALL: MINUTES: ABSENCES

At any and every meeting of the Legislature, upon the members being called to order by the Chairman, the roll of members shall be called by the Clerk, and the names of those absent shall be inserted in the Minutes. The Majority and Minority Leaders should note the absence of any of their members because of county business or established illness, and such absence shall be carried in the Minutes as an excused absence. The Minutes of the preceding meeting shall then be read to the end that any corrections, alterations, or additions may be made. In all cases when an order, resolution or a motion shall be entered in the Minutes of the Legislature, the name of the member presenting or moving the same shall be entered.

RULE 7: ORDER OF BUSINESS

The Order of Business of each session shall be:

1. Calling the roll of members by the Clerk;
2. Consideration of the Minutes of the proceedings of the preceding meeting(s);
3. Consideration and presentation of miscellaneous resolutions;
4. The consideration of Communications, Local Laws and Resolutions on the table of Legislature;
5. Reports of Standing Committees;
6. Reports of Special Committees;
7. Presentation of Resolutions;
8. Presentation of Resolutions and Communications to be discharged from a Standing Committee or Special Committee;
9. Presentation of Resolutions and Communications which require a Suspension of the Rules for the purpose of considering the item or sending it to committee;
10. Presentation of Communications from Elected County officials, County departments, and the people and other agencies;
11. Unfinished Business;
12. Announcements from the Chair;
13. Announcement of Committee Meetings;
14. Presentation of Memorial resolutions;
15. Adjournment.

The Chairman in his or her discretion may change the Order of Business at any session except as otherwise provided in Rule 48.

RULE 8: PRESENTATIONS TO BE IN WRITING

All petitions, resolutions, committee reports and amendments thereof, shall be in writing.

ROLE 9: TIME FOR PRESENTATION TO CLERK

Except as provided in Rule 2, all petitions, resolutions, offers, or communications of whatever nature shall be submitted to the Clerk of the Legislature before 11:00 a.m., two business days prior to a regular meeting date, for presentation by the Clerk of the Legislature at the next meeting. For the purpose of this rule, business day shall be defined in reference to Section 206 of the New York State County Law.

RULE 10: DECORUM

The Chairman shall take the chair promptly at the hour specified for the convening of the Legislature and shall preserve order and decorum. In debate, the Chairman shall prevent personal reflections and confine members to the question under discussion. The Chairman shall decide all questions of order, which decisions shall be final, unless an appeal is taken to the Legislature and sustained.

RULE 11: APPEAL FROM THE CHAIR'S RULING

On every appeal, the Chairman shall have the right to assign his reasons for such decision. If the question on which the appeal is taken was not debatable, the Legislature shall decide the case without debate. If debatable, no member shall speak more than once.

The Chairman shall put the question: "Shall the Ruling of the Chairman be overturned?"

A motion to overrule a ruling or decision of the Chair shall require approval by a majority vote of the Legislature.

RULE 12: ACTING CHAIRMAN

In the absence of the Chairman from any meeting of the Legislature, the members present and voting, by a majority of the votes, shall select a member of the Legislature to serve as acting Chairman at such meeting. In the event of a tie vote, the designated Majority Leader shall become acting Chairman.

RULE 13: PRIVILEGE OF THE FLOOR

No person shall be entitled to the privilege of the floor during the session of the Legislature, unless unanimous consent be given therefor.

RULE 14: REFERRALS TO COMMITTEE

The Chairman may refer to the proper committee or, at his or her discretion, shall table any petition, resolution, local law or other matter when presented, and may similarly refer to the County

Attorney for attention any legal proceeding brought against the county. The Chairman's decision to refer any item to committee or to the County Attorney or to table an item is not amendable or debatable, and can only be challenged in accordance with Rule 11 herein. Once the appeal from the Chairman's ruling has been decided however, and if the same has been a determination in favor of the Chairman's reference or other action, the petition, resolution, local law or other matter cannot be discharged from such committee for reconsideration or other action at the same legislative session without the unanimous vote of the Legislature.

RULE 15: MEMBER NOT TO SPEAK OR LEAVE HIS OR HER PLACE

While the Chairman is putting a question, or while the roll is being called, no member shall speak or leave his or her place. The Chairman shall allow opportunity for debate before the roll is called.

RULE 16: TIE VOTE

When the Legislature shall be equally divided on any question, including the Chairman's vote, the question shall be deemed to have been lost.

RULE 17: PRIORITY OF BUSINESS

All questions relative to priority of business shall be decided by the Chairman without debate, except as otherwise provided in Rule 47, and the Chairman's decision shall be final.

RULE 18: LIMITATION ON TIME OF SPEECH

No member shall speak more than five minutes at any one time, nor more than twice on the same question without permission of the Legislature.

RULE 19: MAJORITY VOTE

A majority of the total vote of the entire membership of the Legislature shall be necessary to carry any question, proposition, resolution, motion, or any other matter, except where it is otherwise provided herein or by statute that a two thirds vote or a unanimous vote is required.

RULE 20: RECORDING OF VOTE

Any member shall have the right to have his or her vote recorded and entered upon the minutes upon request, without explanation, and without requiring the ayes and noes to be called.

RULE 21: RECORDING AYES AND NOES

On a roll call, the ayes and noes shall be taken without explanation on any question wherever so required by law, or by any member, and whenever so taken shall be entered in the proceedings of the Legislature, and the Clerk shall record the names of the members and the way each shall have

respectfully voted. The roll is called of the minority members first, in alphabetical order, followed immediately by the majority members, in alphabetical order. Each member, as his or her name is called, shall respond in the affirmative or in the negative, as the case may be. Each member, however, shall be allowed to pass on the first call of the roll. To verify the vote and to correct possible errors, and to allow such members as passed on the first call of the roll, the Clerk shall repeat the call of the roll once, and only once. The only exception to this procedure is if the member abstains from voting in accordance with Rule 24 herein.

RULE 22: BORROWING MONEY

The ayes and noes shall be taken on all resolutions or other proceedings involving the granting of authority to borrow money and such other resolutions and proceedings as the statute requires.

RULE 23: VOTE ON DISTINCT PROPOSITION

If the question in debate contains several distinct propositions, the same shall be divided by the Chairman at the request of any member, to the end that a vote may be taken on each proposition, but a motion to strike out and insert shall be deemed indivisible.

RULE 24: ABSTENTIONS

Every member who shall be physically present in the Legislative Chambers when a question is stated by the Chairman must cast his or her vote on the same. The only exception to this procedure is when a member abstains from voting in accordance with Local Law No. 7 - 1973, as amended, constituting the Erie County Code of Ethics, Section 2, Subsection c thereof. If a member wrongfully attempts to avoid casting his or her vote, abstain, or otherwise refuses to vote, the Chairman shall direct the Clerk to record such member's vote in the affirmative on the question being voted upon.

RULE 25: SPEAK WHEN RECOGNIZED BY CHAIRMAN

No member wishing to speak shall proceed without standing and without having addressed the Chairman from his or her place and until obtaining recognition by the Chairman.

RULE 26: SUSPENSION OF THE RULES BY UNANIMOUS CONSENT

These rules may at any time during the session be suspended by unanimous consent of all members of the Legislature present; however, the member making application for such suspension must state the purpose for which the same is asked.

These rules may be suspended by majority consent of all members of the Legislature for the purpose of referring any item to committee provided that said item may not be discharged for action at the same meeting at which the suspension is granted. The unanimous consent of all members of the Legislature present shall be required, however, to suspend the rules to permit action on an item at the same meeting at which such suspension is requested.

A member shall submit to the Chairman of the Legislature, a written copy of the item which he or she proposes to suspend the rules for referring said item to committee or for permitting action on said item at least three (3) hours prior to the session at which the request for such suspension is considered, and the member making said application for such suspension shall state the purpose for which the same is asked.

RULE 27: PRESENTATION OF MOTION

When a question shall be under consideration, no motion shall be received except as herein specified, which motion, termed subsidiary motions, shall have precedence in the order named, to wit:

1. For an adjournment of the Legislature;
2. A call of the Legislature;
3. To move the previous question;
4. To lay on the table;
5. To postpone indefinitely;
6. To postpone to a certain day;
7. To go immediately into a Committee of the Whole on the pending subject;
8. To recess;
9. To commit to a Standing Committee;
10. To commit to a Special Committee;
11. To amend.

RULE 28: COMMITTEE OF THE WHOLE

The Legislature may, at any time when in session, resolve itself into a Committee of the Whole on any subject before it, and in such case, the Chairman shall name some member to preside.

RULE 29: COMMITTEE OF THE WHOLE - NO QUORUM; ADJOURNMENT

If at any time when in Committee of the Whole it be ascertained that there is no quorum, the Chairman shall immediately report the fact to the Chairman of the Legislature and the adjournment of the Committee of the Whole shall be in order.

RULE 30: WITHDRAWAL OF RESOLUTION OR MOTION

Any resolution or motion offered by a member may be withdrawn by the member presenting it at any time before an announcement by the Chairman of the vote thereon or before an amendment to such resolution or motion has been adopted.

RULE 31: MOTIONS NOT AMENDABLE OR DEBATABLE

All motions for an adjournment, for a recess, to move the previous question, or to lay on the table shall be neither amended nor debated. After the roll call on any question has begun, no member shall speak on the question nor shall any motion be made until after the result is declared. While the Chairman is putting any question, or while the roll is being called, no debate or discussion shall be in order. Any member desiring to explain his vote must do so before the start of the roll call, provided, before a roll call begins, all members shall have a right to avail themselves of the provisions of Rule 25.

RULE 32: PREVIOUS QUESTIONS AND AMENDMENTS

The "Previous Question" shall be as follows:

1. "I move the previous question" applies only to the specific pending question being debated whether it be an amendment or any other issue. If an amendment is being debated, the "previous question" is called, and a vote taken on the amendment, then the next amendment, if there is one, or the resolution should be debated.
2. If a motion is approved for the "previous question" and is qualified as being called to end debate on the resolution and all amendments, then no further debate can be permitted. Such a motion can be qualified in any manner, i.e., to end debate only on amendment, or "on all pending questions."

RULE 33: MOTIONS FOR RECONSIDERATION AND CHANGING ONE'S VOTE

A motion for reconsideration or a motion to change one's vote shall not be in order unless made on the same day, or the session day next succeeding that on which the action proposed to be reconsidered or upon which a change of vote is requested took place and at which a quorum is present.

A motion to reconsider must be made by a member who voted with the prevailing side on the action proposed to be reconsidered. A member has the right to change his or her vote up to the time the result is announced; after that a change of vote can be made only by permission of the Legislature, which can be given by general consent, or by adoption of a motion to grant the permission.

When a motion to reconsider or a motion to change one's vote has been defeated, it shall not again be submitted to the Legislature without unanimous consent.

RULE 34: MOTION TO RESCIND

A motion to rescind can only be entertained when moved by a member who voted with the majority in the action which it is proposed to rescind, and requires the affirmative vote of a majority of the total members of the Legislature.

RULE 35: REDUCTION OF AGENDA

Any local law, resolution or other item pending on the agenda of the Legislature itself, or any committee or subcommittee thereof, that was first introduced, submitted and filed prior to January 1 of any calendar year is automatically removed therefrom as of and effective December 31 of that same calendar year.

COMMITTEE MEETINGS

RULE 36: RULES OF LEGISLATURE SHALL APPLY TO COMMITTEE MEETINGS

The Rules of the Legislature, except Rule 13, shall apply to all committee meetings.

RULE 37: ALL POINTS OF ORDER NOT COVERED BY THESE RULES

On all points of order not governed by the rules of this Legislature, Robert's Rules of Order Revised shall prevail. In the event that a point of order shall arise which shall not be covered by either the Rules of the Legislature or by Robert's Rules of Order Revised, the Rules of the New York State Assembly shall be followed.

RULE 38: STANDING AND SPECIAL COMMITTEES

There shall be the following standing committees to consist of five members each, except the Budget, Finance & Management committee which shall consist of seven members for the purpose of considering and acting upon the County Executive's Annual Budget, and all matters relating thereto.

The members of each committee shall be appointed by the permanent chairman within twenty (20) days, or as soon as possible, after his election or appointment and the list of the committees shall be filed with the Clerk of the Legislature and printed in the journal.

STANDING COMMITTEES

Finance & Management
 Community Enrichment
 Economic Development
 Energy & Environment
 Government Affairs

Health/Mental Health
 Personnel Ad Hoc
 Public Safety
 Regionalism Ad Hoc
 Social Services

SPECIAL COMMITTEES

The Chairman of the Legislature in his or her discretion may appoint such Special Committees, the number of members of which shall be as the Chairman may determine.

RULE 39: CHAIRMAN EX OFFICIO MEMBER OF ALL COMMITTEES

The Chairman shall be a member Ex Officio of all committees with a vote thereon. The Chairman's presence at a meeting shall be counted in determining whether a quorum is present. Any vacancies occurring during the year on any Standing or Special Committee shall be filled by the Chairman without delay.

RULE 40: RECORDING PRESENCE OR ABSENCE OF COMMITTEE MEMBERS

The Chairman of every Standing and Special Committee shall record and certify on a form provided by the Clerk of the Legislature the names of all members present and absent from all regularly called committee meetings. Said certificate shall be filed with the Clerk and shall be the official record of committee attendance.

RULE 41: SECTION 1 - CONDUCT OF COMMITTEES

All committees appointed by the Chairman shall act promptly on all matters referred to them. It shall be the duty of the members of said committees to familiarize themselves with the departments of county government and the work entrusted to each of such committees.

SECTION 2 - MATTERS REFERRED TO DEPARTMENT HEADS

Any matter referred by a committee to a department head for report of study shall be laid on the committee table for one week unless a longer period is specified by the committee.

SECTION 3 - REPORT ON ANY FINAL ACTION OF COMMITTEE

Any final action taken by a majority vote of the members of the committee shall be included in the committee's report of its meeting and the committee's action shall be subject to approval of the Legislature by a majority vote of its total membership.

SECTION 4 - COMMITTEE AGENDA

An agenda of all matters before a committee shall be prepared by the Clerk of the Legislature.

RULE 42: COMMITTEE REPORT MADE BY MAJORITY OF COMMITTEE

No report shall be made by any committee on any subject referred to it except by a majority of the votes of the total membership of the committee unless the Legislature otherwise directs. All reports of committees shall be in writing and presented to the full Legislature for consideration at the next succeeding regular session of the Legislature, except the report of the Budget, Finance and Management Committee on the County Executive's Tentative Annual Budget, as provided in Rule 45.

RULE 43: COMMITTEE REPORT BY STANDING SPECIAL COMMITTEES

All reports of Standing and Special Committees, all motions except subsidiary motions under Rules 11, 28, 32, 33 and 34, and all resolutions shall lie upon the table one day before action thereon or adoption by the Legislature (unless immediate consideration is given by a majority vote of the Legislature). This rule shall not apply to reports of Standing and Special Committees on the last regular session before summer adjournment nor on the last regularly adjourned session at the close of the year.

RULE 44: APPOINTMENTS AND CONFIRMATIONS

All appointments by this Legislature shall lie on the table one day except for appointments made for the purpose of organizing the Legislature and the reappointment of incumbents which may be acted on immediately. All appointments requiring the confirmation of the Legislature may be acted on immediately.

Candidates, including incumbents seeking reappointment, for the position of Commissioner of the Erie County Water Authority, shall formally submit, in writing, to the Chairman of the Legislature, notice of their candidacy for that position. The Chairman of the Legislature shall notify the Chair of the Erie County Legislature's Energy and Environment Committee of such applicant(s) for the office of Commissioner of the Erie County Water Authority. Upon said notification, the Chair of the Energy and Environment Committee shall schedule a public meeting, with a minimum of five (5) business days notice to members of the Legislature and the general public, within 15 days of receipt of notification from the Chairman of the Legislature, for the purpose of interviewing the candidate(s).

RULE 45: TENTATIVE BUDGET

The County Executive shall, on or before the 10th of November, submit thirty-five (35) copies of the tentative budget to the Legislature. The Budget Committee is hereby designated to receive and study the tentative budget and to report thereon. The Chairman of the Budget Committee shall present such tentative budget to the Budget Committee for its consideration. The Budget Committee shall hold such meetings thereon as it may determine, and may require any officer or employee of the county or the head of any county department, bureau, office, board or commission, or of any organization receiving financial aid from the county, to appear before the committee for the purpose of furnishing any information required by the committee in its consideration of the tentative budget. After such consideration, the Budget Committee shall approve such tentative budget as originally prepared or with

such amendments or changes therein as the committee may determine, and shall submit such tentative budget, together with its report thereon, to the Legislature not later than the first Tuesday of December in each year. The report of the Budget Committee shall be submitted to the Legislature and lay on the table forty-eight (48) hours prior to the Annual Meeting established by Section 1803 of the Charter.

Budget amendments proposed less than forty-eight (48) hours prior to the Annual Meeting shall be considered and voted on individually as described in Rule 48. Such amendments less than forty-eight (48) hours prior to the Annual Meeting shall be limited to special or essential items for which information was not available in time to meet the forty-eight (48) hour requirement.

RULE 46: ANNUAL MEETING FOR THE ADOPTION OF BUDGET

The Annual Meeting for the adoption of the Budget and for the levying of taxes for all county and town purposes prescribed by law shall be held pursuant to Section 1803 of the Charter.

RULE 47: LEVY OF SCHOOL TAXES

The annual levy of school taxes pursuant to the Erie County Tax Act, as amended, shall be made at the regular meeting held on the first Tuesday of September in each year.

RULE 48: ADOPTION OF BUDGET

On or before the first Tuesday of December, following the submission of the tentative budget, the budget shall be the first order of business following consideration of the Minutes. Upon conclusion of the consideration of the budget, as provided in the Charter and Code, the motion to adopt the budget, either with amendments thereto, if any, to make the necessary appropriations therefore, and to levy and spread taxes shall then be the next order of business.

Any amendments to the Budget Committee Report, which are proposed less than forty-eight (48) hours prior to the annual meeting prescribed by the County Charter, Section 1803, for adoption of a budget, shall be considered, justified and voted on separately and individually on the floor of the Legislature during said meeting, and shall not be considered or voted on as a package.

RULE 49: PURCHASE OVER \$10,000.00

Pursuant to Section 3.07 of the Administrative Code, the sum of \$10,000.00, is hereby fixed as the limit above which any purchases for contract for supplies may not be made without public advertisement. On purchases under \$10,000.00, as far as practicable, every purchase made by the Purchasing Director shall be made on bids first obtained from at least three (3) sources, except where a vendor will extend GSA contract pricing to the county, the Purchasing Director may purchase from that vendor without competitive bidding. A notation of the GSA contract number shall appear on the purchase order. Purchase requisitions and/or inquiry bid files for items under \$10,000.00 shall include a notation in writing indicating the names of at least three (3) vendors who were contacted, the name of the individuals quoting for the firm, the date contacted, and the prices quoted by the vendors. A contract awarded therefor shall be to the lowest responsible bidder.

RULE 50: SOLICITATIONS

No solicitation of funds for any purpose shall be permitted during any session of the Legislature.

RULE 51: DUTIES OF ADMINISTRATIVE ASSISTANTS, SERGEANT-AT-ARMS

The Administrative Assistants, Sergeant-at-Arms, and other such staff as designated by the Clerk shall, in addition to the duties ordinarily performed by such officials, perform such other duties as shall be assigned to each by the Clerk during sessions and committee meetings of the Legislature.

RULE 52: OUTING COMMITTEE

Flower & Gratuity Fund

The Clerk shall designate a Secretary Treasurer of the Outing Committee, who shall be trustee of the Flower and Gratuity Fund into which shall be paid the net proceeds of the Annual Outing. Each contract, guaranty, or liability of the Outing Committee shall be expressly limited to the balance in the fund and no personal liability shall attach to any member of the Legislature, to the Clerk, or to the Clerk's designee.

RULE 53: ANNUAL REPORTS

The County Executive shall make an annual report to the County Legislature concerning the activities of the several administrative units of the county during the preceding fiscal year in such detail as the County Legislature shall direct. The head of any bureau or organization receiving financial support from the county shall make an annual report concerning the activities of the respective bureaus or organizations during the preceding fiscal year. The County Executive, or the head of the bureaus or organizations shall file thirty (30) copies of said report with the Clerk of the Legislature not later than March first of each and every year.

Such reports, weekly and monthly, as prescribed by the Legislature shall be furnished to the Legislature by all department heads and heads of bureaus and organizations receiving financial support from the county. Such reports shall be received and filed or referred to appropriate committees.

RULE 54: OFFER TO PURCHASE COUNTY-OWNED PROPERTY

The Erie County Legislature shall not adopt any resolution which changes the status of county-owned land until such time the proposal has been reviewed and recommended by the Department of Environment and Planning's County-Owned Lands Policy Advisory Board. The Clerk of the Legislature shall be responsible for referring all offers to purchase county-owned property to the Commissioner of Environment and Planning.

RULE 55: SAMPLE RESOLUTION AND ACCOMPANYING MEMORANDA

The Clerk of the Legislature shall not place any request for legislative action, which is filed by a county elected official, other than a county legislator, or by a non-elected county official, on the agenda for a regular or special legislative session, unless such request includes a sample resolution and an accompanying memorandum, which presents and includes:

- A SUMMARY OF RECOMMENDED ACTION
- FISCAL IMPLICATIONS OF PROPOSAL
- REASONS FOR RECOMMENDATION
- BACKGROUND OF PROPOSAL
- CONSEQUENCES OF NEGATIVE ACTION
- STEPS FOLLOWING APPROVAL OF MEASURE

RULE 56: PROHIBITION OF USE OF AUDIBLE, PORTABLE COMMUNICATION DEVICES

During sessions and committee meetings of the Legislature, the use of audible, portable communication devices, including, but not limited to cellular telephones and pagers, shall be prohibited, except for non-audible receipt activation. Such prohibition shall be in effect for members and staff of the Legislature, as well as for invited witnesses, visitors, and members of the general public attending such sessions or meetings. Such prohibition shall not include the use of microphones, electronic recording devices, video recording equipment or portable computers used for the purposes of recording the proceedings of legislative sessions or committee meetings.

RULE 57: AMENDMENT OF RULES

These rules shall not be rescinded, altered, or amended, nor shall any additional rule be added, except by a majority vote of the total members of the Legislature, and only after at least one day's notice in writing, filed with the Clerk of the Legislature.

RULE 58: EFFECTIVE DATE

These rules shall be effective immediately upon adoption by a majority vote of the total membership of the Legislature.

Item 1 – CHAIRMAN SWANICK directed that Intro 6-6 remain on the table.

Item 2 - CHAIRMAN SWANICK directed that Intro 6-7 remain on the table.

MS. PEOPLES moved the approval of minutes of Meetings 24 and 25 of 2000. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

MISCELLANEOUS RESOLUTIONS

Item 3 – MR. LARSON presented a resolution Congratulating Norbert Geyer on 50 Years of Service at Crittenden Fire Department. MR. McCARVILLE seconded.

CARRIED UNANIMOUSLY.

Item 4 – MS. CHASE presented a resolution Congratulating Diana Cafferty on Being Named Citizen of the Year. MR. McCARVILLE seconded.

CARRIED UNANIMOUSLY.

Item 5 – MR. RANZENHOFER presented a resolution Honoring Clarence Chamber of Commerce Award Recipients. MR. McCARVILLE seconded.

CARRIED UNANIMOUSLY.

Item 6 – MR. PAULY presented a resolution Honoring Robert Miller on His Retirement from Greater Buffalo Niagara Regional Transportation Committee After 22 Years of Service. MR. McCARVILLE seconded.

CARRIED UNANIMOUSLY.

Item 7 – MR. PAULY presented a resolution Honoring Anthony G. Moeser on the Occasion of Retirement from the Town of Amherst After 12 Years of Service. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

Item 8 – MS. MARINELLI presented a resolution Congratulating Michael A. Caliguiri, M.D. on the “N.C.E.A. Catholic Elementary Distinguished Graduate of 2001” Award. MR. DUSZA seconded.

CARRIED UNANIMOUSLY.

Item 9 – MR. DUSZA presented a resolution Congratulating Detective Florian Lukowski on His Retirement from the Cheektowaga Police Department. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

Item 10 – MS. MARINELLI presented a resolution In Celebration of National Catholic School Week 1/28/01 – 2/4/01. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

LOCAL LAWS

Item 11 - CHAIRMAN SWANICK directed that Local Law No. 2 (Print #3) 2000 remain on the table.

COMMITTEE REPORTS

Item 12 – MR. KUWIK presented the following resolution and moved for immediate consideration. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 11

January 9, 2001

PUBLIC SAFETY
COMMITTEE
REPORT NO. 1

ALL MEMBERS PRESENT.

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

	Item	Page	-2000	(Comm. 26M-17)
a.	TOWN OF WEST SENECA:			Certified Resolution Re: 800 MHz Radio System.
				(5-0)

2.	Item	Page	-2000	(Comm. 26E-18)
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COUNTY EXECUTIVE

WHEREAS, the Allstate Insurance Company wishes to donate \$500 to the Erie County Office of Traffic Safety Committee for the purchase of child passenger car seats to be used at child passenger seat check points,

NOW, THEREFORE, BE IT

RESOLVED, that the Office of Traffic Safety Grant is hereby authorized to accept a donation from Allstate Insurance Company in the amount of \$500, and be it further

RESOLVED, that the following transactions are hereby authorized in order to accept the donation:

OFFICE OF TRAFFIC SAFETY

Project #311

MEETING NO. 2
January 18, 2001

ERIE COUNTY LEGISLATURE

10/1/00 - 9/30/01

<u>REVENUES</u>	<u>Increase</u>
Acct. 360 Other Local Source	\$500
 <u>APPROPRIATIONS</u>	 <u>Increase</u>
Acct. 829 Other	<u>\$500</u>
Net Change	<u>\$0</u>

and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Division of Budget, Management and Finance, the County Executive's Office, Erie County STOP-DWI, the Office of the Comptroller and the Office of Traffic Safety.
 (5-0)

EDWARD J. KUWIK
CHAIRMAN

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 12

January 9, 2001

ENERGY & ENVIRONMENT
 COMMITTEE
 REPORT NO. 1

ALL MEMBERS PRESENT EXCEPT LEGISLATOR FITZPATRICK.

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

- | | | | |
|------|------|-------|--------------|
| Item | Page | -2000 | (Comm. 4M-8) |
|------|------|-------|--------------|
- a. **VILLAGE OF BLASDELL:** Copy of Resolution Re: Opposing the Appointment of Political Party Chairs as Commissioner of ECWA.
 (4-0) Legislator Fitzpatrick absent.

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- b. Item Page -2000 (Comm. 9M-6)
ENVIRONMENTAL ASSOCIATES LTD: Copy of Letter to Legislator DeBenedetti Re:
Protozoa Analysis Lab.
(4-0) Legislator Fitzpatrick absent.
- c. Item Page -2000 (Comm. 9M-10)
DEP: SEQR – Lead Agency Status – Fire Academy Addition.
(4-0) Legislator Fitzpatrick absent.
- d. Item Page -2000 (Comm. 14E-28)
COUNTY EXECUTIVE: DPW – ECC North – Parking Lot Renovation.
(4-0) Legislator Fitzpatrick absent.
- e. Item Page -2000 (Comm. 15E-3)
COUNTY EXECUTIVE: EC Sport Fishery Promotion Program – 1999 Annual Report.
(4-0) Legislator Fitzpatrick absent.
- f. Item Page -2000 (Comm. 19M-3)
DUKE, HOLZMAN, YAEGER & PHOTIADIS: Copy of Letter to Legislator DeBenedetti
Re: Pfohl Brothers Landfill.
(4-0) Legislator Fitzpatrick absent.
- g. Item Page -2000 (Comm. 20D-1)
DPW: SEQR – Negative Declaration – North Ellicott Creek Road Bank Stabilization, Town of
Amherst.
(4-0) Legislator Fitzpatrick absent.
- h. Item Page -2000 (Comm. 20D-11)
DPW: SEQR – Negative Declaration – Burdick Road – Bank Stabilization Town of Newstead.
(4-0) Legislator Fitzpatrick absent.
- i. Item Page -2000 (Comm. 20E-14)
COUNTY EXECUTIVE: DPW – Office of Energy, Utility & Grant Management.
(4-0) Legislator Fitzpatrick absent.
- j. Item Page -2000 (Comm. 21M-17)
R & D ENGINEERING: SEQR – Negative Declaration – Water District 18, Town of Aurora.
(4-0) Legislator Fitzpatrick absent.
- k. Item Page -2000 (Comm. 22M-5)
ERIE COUNTY WATER AUTHORITY: Order & Judgement for Albert DeBenedetti vs.
Robert Licthenthal, Et Al.
(4-0) Legislator Fitzpatrick absent.

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- | | | | | |
|----|---|------|-------|----------------|
| | Item | Page | -2000 | (Comm. 26D-7) |
| l. | DEP: SEQR – Scoby Hill Road Dam & Property Transfer, Town of Concord.
(4-0) Legislator Fitzpatrick absent. | | | |
| | Item | Page | -2000 | (Comm. 26M-3) |
| m. | NYSEA GRANT: Report on Recreation Conflicts & Compatibility Between Motorboat, Personal Watercraft & Coastal Land Owners Along NY’s Great Lakes.
(4-0) Legislator Fitzpatrick absent. | | | |
| | Item | Page | -2000 | (Comm. 26M-41) |
| n. | ERIE COUNTY WATER AUTHORITY: Letter Re: Audit for 1/1/99 to 8/31/00.
(4-0) Legislator Fitzpatrick absent. | | | |
| | Item | Page | -2000 | (Comm. 27D-5) |
| o. | DEP: SEQR – Solicitation for Lead Agency Status – Elimination of West Pleasant Avenue Pumping Station.
(4-0) Legislator Fitzpatrick absent. | | | |
| | Item | Page | -2000 | (Comm. 27D-14) |
| p. | DEP: SEQR – Solicitation for Lead Agency Status – Kenmore Avenue Reconstructions: Vulcan to Sheridan.
(4-0) Legislator Fitzpatrick absent. | | | |
| | Item | Page | -2000 | (Comm. 27E-21) |
| q. | COUNTY EXECUTIVE: ECSD No. 6 – South Park Avenue Storm Sewer Design.
(4-0) Legislator Fitzpatrick absent. | | | |
| | Item | Page | -2000 | (Comm. 28E-6) |
| r. | COUNTY EXECUTIVE: ECSD No. 2 – Delameter Road & Route 5 – Sanitary Sewer Extension – Bid Opening.
(4-0) Legislator Fitzpatrick absent. | | | |
| | Item | Page | -2001 | (Comm. 1M-1) |
| s. | NYSDEC: Fact Sheet – Marcon Erectors Site.
(4-0) Legislator Fitzpatrick absent. | | | |
| | Item | Page | -2001 | (Comm. 1M-4) |
| t. | NYSDEC: 1996 Clean Water – Clean Air Bond Act Project Bulletin – Lackawanna Business Park.
(4-0) Legislator Fitzpatrick absent. | | | |
| 2. | Item | Page | -2000 | (Comm. 16E-40) |

COUNTY EXECUTIVE AS AMENDED

WHEREAS, the Erie County Sewer District No. 1 Board of Managers desire to eliminate the Losson Green and Carefree Estates Pumping Stations in Erie County Sewer District No. 1; and

WHEREAS, it has been determined that it may be necessary to commence Eminent Domain Proceedings to acquire the necessary easements and/or fee takings to complete the project.

NOW, THEREFORE, BE IT

RESOLVED, that the County Attorney be authorized and is hereby directed to commence Eminent Domain Proceedings pursuant to Chapter 839 of the Laws of 1977 to acquire fee interests for sewer purposes in connection with the lands listed below:

<u>ECSD NO.</u>	<u>PARCEL NO.</u>	<u>TOWNSHIP</u>
1	113.20-4-12R	Cheektowaga
1	113.20-1-16.12	Cheektowaga
1	113.20-1-13	Cheektowaga
1	113.20-1-19A	Cheektowaga
1	113.20-1-19PS	Cheektowaga

and be it further

RESOLVED, that certified copies of this resolution be sent to Charles J. Alessi, P.E., Deputy Commissioner of the Department of Environment and Planning, Nancy A. Naples, County Comptroller and Stephen F. Gawlik, Assistant County Attorney.

(4-0) Legislator Fitzpatrick absent.

AS AMENDED
(Comm. 26E-52)

3. Item Page -2000

COUNTY EXECUTIVE

WHEREAS, the Boards of Managers for Erie County Sewer District Nos. 1, 2, 3, 4, 5 & 6 have a system of sewer district user charges or fees; and

WHEREAS, the Boards have requested and are desirous of collecting said user charges or fees in 2001 for properties in the same manner and fashion as the regular sewer district taxes as has been done in the past year.

NOW, THEREFORE, BE IT

RESOLVED, that the Director of Budget, Management and Finance is hereby authorized and directed to spread said 2001 sewer district user charges or fees against properties within Erie County Sewer District Nos. 1, 2, 3, 4, 5, & 6 liable therefore as provided by law; and be it further;

RESOLVED, that the following amounts be collected:

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Sewer District #1	\$ 412,813.02
Sewer District #4	\$ 321,938.40
Sewer District #5	\$ 201,966.00
Sewer District #2	\$ 94,097.27
(Original District & Extension 1B)	
Sewer District #3	\$ 304,355.97
(Original District)	
Sewer District #3	\$ 20,254.40
(Boston Valley)	
Sewer District #3	\$ 95,694.40
(Armor McKinley)	
Sewer District #3	\$ 15,558.00
(Holland)	
Sewer District #6	\$1,232,392.00
	\$2,699,069.46

and be it further

RESOLVED, that the Clerk of the Legislature be directed to send a certified copy of this resolution to Joseph Passafiume, Director of Budget and Management; Charles J. Alessi, Deputy Commissioner of Environment and Planning and Gregory Dudek, Assistant County Attorney.

(4-0) Legislator Fitzpatrick absent.

4. Item Page -2000 (Comm. 27E-16)

COUNTY EXECUTIVE

WHEREAS, in January of 1997 the U. S. Environmental Protection Agency - Region II (USEPA-Region II) provided the Erie County DEP \$132,000 in federal grant funding to implement a *Mercury Pollution Prevention Education Program* for County residents, and

WHEREAS, the United States Environmental Protection Agency - Great Lakes National Program Office (USEPA-GLNPO) provided Erie County \$70,000 in federal assistance to implement a *Mercury Pollution Prevention in Healthcare Initiative*; and

WHEREAS, the United States Environmental Protection Agency - Region II, Environmental Monitoring for Public Access and Community Tracking (EMPACT) has provided grant funding to the Northeast States for Coordinated Air Use Management (NESCAUM) to implement on-site air quality monitoring and education in local communities, and

WHEREAS, the Environmental Protection Agency - Region II EMPACT program and the NESCAUM awarded Erie County \$5,000.00 to implement the *Air CURRENTS Program* in the City of Buffalo, and

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WHEREAS, the DEP has been identified as a Project Coordinator by NESCAUM for the *Air CURRENTS Program*, and

WHEREAS, it is necessary for DEP to enter into agreement with the Northeast States for Coordinated Air Use Management to accept the grant resources and implement the *Air CURRENTS Program*; and

WHEREAS, it is necessary to revise the grant budget to best meet the needs of the existing project and include the new program and its appropriated funds, and

NOW THEREFORE BE IT

RESOLVED, that the County Executive is authorized to execute the necessary agreements with the NESCAUM to accept \$5,000 in federal resources to implement the *Air CURRENTS Program*; and be it further

RESOLVED, that the grant budget for the *Mercury Pollution Prevention Education Project (SFG#751)* will be revised to include the recently appropriated funds for the *Air CURRENTS Program* as follows:

<u>ACT</u>	<u>DESCRIPTION</u>	<u>CURRENT BUDGET</u>	<u>REVISIONS</u>	<u>REVISED BUDGET</u>
Revenues				
641	Environmental Protection	\$202,000	\$5,000	\$207,000
Expenditures				
800	Salaries	\$137,100	\$4,000	\$141,100
805	Fringe Benefits	33,500	\$1,000	34,500
810	Office Supplies	1,150	0	1,150
824	Travel & Mileage	250	0	250
825	Out of Area Travel	6,000	0	6,000
826	Other Expenses	8,942	0	8,942
830	Contractual Services	12,500	0	12,500
933	Equipment	2,558	0	2,558
	Total Expenditures	\$202,000	\$5,000	\$207,000

and be it further,

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

(4-0) Legislator Fitzpatrick absent.

5. Item Page -2001 (Comm. 1E-15)

COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Parks, Recreation & Forestry suffered severe damages to its facilities during floods from May 3, 2000, to August 12, 2000, and

WHEREAS, the area was declared a disaster area by the Federal Government, and

WHEREAS, the Erie County Parks Department and the Bureau of Forestry incurred costs of approximately \$312,356.00 to rebuild their structures, roads and nature walks, and

WHEREAS, Federal/State Disaster Aid is available to fund a majority of these incurred costs at a rate of 75% Federal, 12.5% State and 3% Administrative Aid from the Federal Government for a total of 90.5% reimbursement, and

WHEREAS, These reimbursement rates result in the following amounts of reimbursement:

	<u>Department of Parks</u>
Federal	\$234,267.00
State	\$ 39,044.00
Federal Admin.Aid	<u>\$ 9,371.00</u>
Total Reimbursement	\$282,682.00

NOW, THEREFORE, BE IT

RESOLVED, that a Capital Project is hereby authorized to accept the payments and to account for expenditures. The Capital Project, 2000 Flood Relief - Department of Parks, Recreation and Forestry, is hereby authorized in the amount of \$282,682.00, and be it further

RESOLVED, that all flood related expenditures be accounted for in the above project up to the maximum authorizations, and be it further

RESOLVED, that the Clerk of the Legislature be instructed to forward certified copies of this resolution to the Department of Parks, Recreation and Forestry, the Division of Budget, Management and Finance, the Office of the Comptroller, and the Department of Emergency Services.

(4-0) Legislator Fitzpatrick absent.

6. Item Page -2001 (Comm. 1E-26)

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January 18, 2001**

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COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Environment and Planning received a request asking for partial release of an easement for Sublot 90, Jillian Lane, Lancaster, New York, filed in the County Clerk's Office on October 31, 1995 under Liber 10893 of Deeds at Page 2029; and

WHEREAS, the proposed new home for Sublot 90 of Map Cover 2832 in the Autumn Park Subdivision is unbuildable due to the sewer easement; and

WHEREAS, the easement reduction from 30 feet width to 20 feet width will only have a small effect in Erie County Sewer District No. 4's ability to operate and maintain the sanitary sewer line and an additional easement will be obtained to compensate for the loss of easement area; and

WHEREAS, the granting of this partial release of an easement will bear no cost to the County; and

WHEREAS, the Advisory Review Committee has reviewed this matter and recommends the partial release of this easement;

NOW, THEREFORE, BE IT

RESOLVED, that a partial release of an easement be granted to Sublot 90, Jillian Lane, Lancaster, New York under Map Cover 2832 in the Autumn Park Subdivision; and be it further

RESOLVED, that the County Executive be authorized to sign said partial release of an easement subject to approval by the County Attorney; and be it further

RESOLVED, that the Clerk of the Legislature send a certified copy of the resolution to Charles J. Alessi, P.E., Deputy Commissioner, Department of Environment and Planning; Stephen F. Gawlik, Assistant County Attorney; Joseph Passafiume, Director of Budget and Management; and Nancy Naples, Erie County Comptroller.

(4-0) Legislator Fitzpatrick absent.

AS AMENDED
(Comm. 1E-27)

7. Item Page -2001
COUNTY EXECUTIVE
(A)

RESOLUTION NO. _____

RESOLUTION DATED _____, 2001
A RESOLUTION APPROVING (1) AN INCREASE AND IMPROVEMENT OF FACILITIES FOR ERIE COUNTY SEWER DISTRICT NO. 5 IN THE COUNTY OF ERIE, NEW YORK AND (2) AN APPLICATION TO THE STATE COMPTROLLER FOR CONSENT FOR EXPENDITURE OF FUNDS FOR SAID INCREASE AND IMPROVEMENT OF FACILITIES.

(Introduced) _____, 2001.

(Adopted) _____, 2001.

WHEREAS, The County Legislature of the County of Erie, New York, has heretofore duly caused to be prepared a report and estimate of cost, by the County Engineers (Erie County Department of Environment and Planning) relating to an increase and improvement of the facilities of Erie County Sewer District No. 5, which report and estimate of cost have been filed with the County Legislature pursuant to Section 268 of the County Law; and

WHEREAS, such report and estimate of cost have been accepted and adopted on November 1, 2000 by the Board of Managers of said District pursuant to a written resolution which has been filed with said County Legislature; and

WHEREAS, said report and estimate of cost describe a proposed increase and improvement of the facilities of said District No. 5 in said County, consisting of improvements to the Sisters of St. Joseph Waste Water Treatment Plant, including the lining of the outer shell and floor with concrete and the reinforcement of interior partitions, all as more fully described in the report and estimate of cost herein referred to; and

WHEREAS, the maximum estimated cost of the aforesaid increase and improvement of the facilities of said Sewer District is \$200,000; and

WHEREAS, the consent of the State Comptroller must be obtained prior to the expenditure for said increase and improvement if such expenditure is to be financed by the issuance of bonds or notes of the County therefor, and the cost thereof to the Typical Property (as defined in the County Law), which is \$300.00, is above the Average Estimated Cost of \$24.00 to the Typical Properties for similar types of expenditures, as computed by the State Comptroller, in accordance with the provisions of Section 268 of the County Law; and

WHEREAS, said County Legislature duly adopted Resolution No. 466 on the 30th day of November, 2000, calling a meeting of the County Legislature for the purpose of holding a public hearing on the aforesaid increase and improvement of facilities in accordance with the aforesaid report and estimate of cost; and

WHEREAS, said County Legislature has heretofore duly caused to be prepared by the Department of Environment and Planning an Application to the State Comptroller for his consent to the total expenditure for such increase and improvement, such Application to be executed and verified by and on behalf of the County by the County Executive; and

WHEREAS, said public hearing was duly held at 25 Delaware Ave, Buffalo, New York, in said County, on the 4th day of January, 2001, at 1:30 o'clock P .M., Prevailing Time; and

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

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

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

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

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

Section 1. Upon the evidence given at the aforesaid public hearing, it is hereby found and determined that it is in the public interest to increase and improve the facilities of Erie County Sewer District No. 5 in the County of Erie, New York, all as more fully described in the preambles hereof, and such increase and improvement of facilities is hereby authorized at a maximum estimated cost of \$200,000.

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

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

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

Section 5. The cost of the proposed expenditure is to be assessed against a benefited area which consists of the Sisters of St. Joseph Extension to Erie County Sewer District No. 5.

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

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

(B)

RESOLUTION NO. _____

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January 18, 2001

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RESOLUTION DATED JANUARY _____, 2001
 A RESOLUTION APPROVING THE AMENDMENT AND MODIFICATION OF PLANS OF
 COUNTY SEWER DISTRICT NO. 3 IN THE COUNTY OF ERIE, NEW YORK.

(Introduced) January _____, 2001.

(Adopted) January _____, 2001.

WHEREAS, the Deputy Commissioner of the Department of Environment and Planning for Sewerage Management has submitted a map, plan, report entitled "Erie County Sewer Agency Report for Erie County Sewer District No. 3 - Boston Valley Extension Modification of Plans (2000)" and filed same with the County Legislature pursuant to Section 253-b of the County Law, specifying and recommending that County Sewer District No. 3 assume ownership of the facilities of the Town of Boston Town Sewer District No. 2 (the "Town" and the "Town Sewer District," respectively), accept the transfer of the Community Development Block Grant (the "CDBG Grant") from the Town to the County, reconstruct and/or replace sewers to the Town Sewer District, and modify the County Sewer District's original plan to provide for the foregoing; and

WHEREAS, the maximum estimated cost of the aforesaid reconstruction and/or replacement of sewer pipes of the Town Sewer District as outlined in amendment and modification of the plan of County Sewer District No. 3 is \$600,000, to be financed through the application of the CDBG grant and a footage charge to be levied against the benefited properties within the Town Sewer District; and

WHEREAS, the consent of the State Comptroller need not be obtained prior to the expenditure for said amendment and modification; and

WHEREAS, said County Legislature duly adopted Resolution No. 465 on the 30th day of November, 2000, calling a meeting of the County Legislature for the purpose of holding a public hearing on the aforesaid amendment and modification of the plans of County Sewer District No. 3 in accordance with the aforesaid report and estimate of cost; and

WHEREAS, said public hearing was duly held at 25 Delaware Avenue, Buffalo, New York, in said County, on the 4th day of January, 2001, at 1:30 o'clock P.M., Prevailing Time; and

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

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

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

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

Section 1. Upon the evidence given at the aforesaid public hearing, it is hereby found and determined that it is in the public interest to amend and modify the plans of Sewer District No. 3 in the County of Erie, New York, all as more fully described in the preambles hereof, and such amendment and modification is hereby authorized at a maximum estimated cost of \$600,000.

Section 2. Said County Legislature has determined that the expenditure for which consent is sought is in the public interest and will not constitute an undue burden on the property which will bear the cost thereof.

Section 3. The cost of the proposed expenditure is to be financed through the application of the CDBG Grant and a footage charge to be levied against the benefited properties within the Town Sewer District.

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

RAYMOND K. DUSZA
CHAIRMAN

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

CARRIED UNANIMOUSLY.

Item 14 - MR. DeBENEDETTI presented the following resolution and moved for immediate consideration. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 14

January 9, 2001

GOVERNMENT AFFAIRS
 COMMITTEE
 REPORT NO. 1

ALL MEMBERS PRESENT EXCEPT LEGISLATOR FISHER.

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

- | | | | | |
|----|---------------------------------|------------------|-------|----------------|
| | Item | Page | -2000 | (Comm. 22D-11) |
| a. | COUNTY ATTORNEY: | Notice of Claim. | | |
| | (4-0) Legislator Fisher absent. | | | |

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b. Item Page -2000 (Comm. 22D-13)
COUNTY ATTORNEY: Notice of Claim.
(4-0) Legislator Fisher absent.

c. Item Page -2000 (Comm. 26D-8)
COUNTY ATTORNEY: Notices of Claim.
(4-0) Legislator Fisher absent.

d. Item Page -2000 (Comm. 28D-2)
COUNTY ATTORNEY: Notice of Claim.
(4-0) Legislator Fisher absent.

e. Item Page -2001 (Comm. 1D-4)
COUNTY ATTORNEY: Notices of Claim.
(4-0) Legislator Fisher absent.

2. Item Page -2000 (Comm. 22E-33)
COUNTY EXECUTIVE
WHEREAS, the County of Erie has surplus computers and components, and

WHEREAS, the surplus computers and components are not being used, and

WHEREAS, the Computers for Children, Inc. could place the computers and components into viable and valuable use by refurbishing the equipment and providing operating computers and components to schools throughout Erie County,

NOW THEREFORE, BE IT

RESOLVED, that the Erie County Legislature authorizes the Erie County Department of Purchase to transfer ownership of the aforementioned surplus computers and components to Computers for Children, Inc., and be it further,

RESOLVED, that certified copies of this resolution be forwarded to the Director of the Erie County Bureau of Purchase, Commissioner of Environment and Planning, the County Comptroller, the County Attorney, and Computers for Children Inc.
(4-0) Legislator Fisher absent.

3. Item Page -2000 (Comm. 28E-24)
COUNTY EXECUTIVE

WHEREAS the Erie County Clerk's Office has since 1993 maintained mortgages, deeds and other public records electronically, and has provided public access, and

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WHEREAS the Erie County Clerk has proposed expanding the records maintained electronically by back scanning and indexing mortgages and deeds filed in the Office between 1980 and 1993, and

WHEREAS these services will facilitate public access to records, assist local businesses which have a need for such records, enhance security of the records, and reduce the need for floor space in the Clerk's Registrar Section as plans proceed for the renovation of Old County Hall and its Annex, and

WHEREAS a Request for Proposals for these back scanning and indexing services was issued by the County Clerk's Office; five responses were received; and the Office, upon review, has recommended a contract with Biel's of West Seneca, New York, and

WHEREAS funds are available in the 2000 Budget to pay for this work and related equipment purchases; the account being DAC 110915130830,

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive, in consultation with the Erie County Clerk, is hereby authorized to enter into a contract with Biel's, West Seneca, New York, for the provision of back scanning and indexing of mortgage and deed records filed with the County Clerk between 1980 and 1993; the total cost of said services to \$0.065 per page scanned and \$0.41 per record indexed; with the total cost not to exceed \$600,000, and be it further

RESOLVED, that the County Clerk's Office is hereby authorized to purchase the following equipment under appropriate state or federal purchase contracts:

Kodak 3520DP Scanner (federal GSA)	\$24,400
Kodak Model 4800 Document Archive Writer (GSA)	\$38,790
(2) Kodak 1000 Microfilm Reader/Printers (GSA)	\$18,944
(2) IBM Net Vista PC's (state OGS)	\$ 3,000
(2) Cisco 24-Port Switch (OGS)	\$ 3,513
Cisco 100 Basefx Fiber Optic Switch Module (OGS)	\$ 697

and be it further

RESOLVED, that the source of funds is the 2000 Budget (DAC 110915130830); and be it further

RESOLVED, that certified copies of this resolution be sent to the County Executive, the County Clerk, the County Comptroller, the County Attorney and the Director of Budget and Management.

(4-0) Legislator Fisher absent.

ALBERT DeBENEDETTI
CHAIRMAN

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

CARRIED UNANIMOUSLY.

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ERIE COUNTY LEGISLATURE

Item 15 – MS. MARINELLI presented the following resolution and moved for immediate consideration. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 15

January 11, 2001

COMMUNITY ENRICHMENT
 COMMITTEE
 REPORT NO. 1

ALL LEGISLATORS PRESENT EXCEPT LEGISLATOR FISHER. CHAIRMAN SWANICK PRESENT AS EX-OFFICIO MEMBER.

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

- | | | | | |
|----|---|------|-------|---------------|
| | Item | Page | -2000 | (Comm. 6M-21) |
| a. | VILLAGE OF WILLIAMSVILLE: Certified Resolution in Opposition to Proposed Plan to Close or Limit Amherst Libraries.
(5-0) Legislator Fisher absent. Chairman Swanick present as Ex-Officio Member. | | | |
| | Item | Page | -2000 | (Comm. 7M-6) |
| b. | BUFFALO ZOO: An Accreditation Proposal for Buffalo Zoo.
(5-0) Legislator Fisher absent. Chairman Swanick present as Ex-Officio Member. | | | |
| | Item | Page | -2000 | (Comm. 7M-18) |
| c. | TOWN OF COLDEN: Copy of Resolution Re: Opposing Proposed Plans to Close or Limit Libraries' Services.
(5-0) Legislator Fisher absent. Chairman Swanick present as Ex-Officio Member. | | | |
| | Item | Page | -2000 | (Comm. 8M-16) |
| d. | NYS EDUCATION DEPARTMENT THE REGENTS COMMISSION ON LIBRARY SERVICES: Preliminary Statewide Policy Recommendations to Board of Regents.
(5-0) Legislator Fisher absent. Chairman Swanick present as Ex-Officio Member. | | | |
| | Item | Page | -2000 | (Comm. 10M-5) |
| e. | PARKSIDE COMMUNITY ASSOCIATION: Copy of Letter to Martin House Restoration Corporation Re: Impact on Parkside Neighborhood.
(5-0) Legislator Fisher absent. Chairman Swanick present as Ex-Officio Member. | | | |
| | Item | Page | -2000 | (Comm. 14D-9) |
| f. | ECC: Information Technology Strategic Plan.
(5-0) Legislator Fisher absent. Chairman Swanick present as Ex-Officio Member. | | | |

MEETING NO. 2
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- Item Page -2000 (Comm. 15M-4)
g. **TOWN OF HAMBURG:** Certified Resolution Re: Buffalo & Erie County Public Library's Strategic Plan.
(5-0) Legislator Fisher absent. Chairman Swanick present as Ex-Officio Member.
- Item Page -2000 (Comm. 18E-4)
h. **SWANICK, PEOPLES, FITZPATRICK, MARINELLI & HOLT:** Copy of Letter to County Executive Re: Office of Workforce Development.
(5-0) Legislator Fisher absent. Chairman Swanick present as Ex-Officio Member.
- Item Page -2000 (Comm. 18M-21)
i. **BUFFALO ZOO:** June 2000 Financial Report.
(5-0) Legislator Fisher absent. Chairman Swanick present as Ex-Officio Member.
- Item Page -2000 (Comm. 20D-15)
j. **BUFFALO & ERIE COUNTY PUBLIC LIBRARY:** 1999 Annual Report.
(5-0) Legislator Fisher absent. Chairman Swanick present as Ex-Officio Member.
- Item Page -2000 (Comm. 21M-3)
k. **YWCA:** Request for Release of Funding.
(5-0) Legislator Fisher absent. Chairman Swanick present as Ex-Officio Member.
- Item Page -2000 (Comm. 22D-9)
l. **COMMISSION ON THE STATUS OF WOMEN:** Amendments to By-Laws.
(5-0) Legislator Fisher absent. Chairman Swanick present as Ex-Officio Member.
- Item Page -2000 (Comm. 22M-3)
m. **VILLAGE OF HAMBURG:** Certified Resolution Re: BECPL's Strategic Service Plan.
(5-0) Legislator Fisher absent. Chairman Swanick present as Ex-Officio Member.

2. Item Page -2000 **AS AMENDED**
(Comm. 26E-5)
COUNTY EXECUTIVE
WHEREAS, Buffalo-Erie Marathon Inc. will sponsor a Marathon race to be known as the Buffalo-Erie Marathon in May 2001, and

WHEREAS, it is anticipated that the marathon will draw an estimated 1,500 runners to Western New York along with friends and families of the competitors, and

WHEREAS, the Buffalo-Erie Marathon will be a great boost to our local economy, and

WHEREAS, the sponsor is seeking \$25,000 from Erie County and additional funding from the City of Buffalo and New York State, as well as contributions in cash contributions and in-kind services from private sector contributors.

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NOW, THEREFORE, BE IT

RESOLVED, that the Buffalo-Erie Marathon Inc. submit to the Erie County Legislature a listing of the Board of Directors and the Finance Committee of Buffalo-Erie Marathon, as well as a close out report upon the completion of the May 27, 2001 event, and be it further

RESOLVED, that the sum of \$25,000 is hereby transferred from the 2000 County Contingency (DAC 110923310893) to a new contractual services subaccount in Department 303, Extraordinary Aid to County Governments (DAC 110904303830) in the amount of \$25,000, and be it further

RESOLVED, that certified copies of this resolution be sent to the County Executive, the Budget Director, the County Comptroller, the County Attorney, Mike Even and Richard Geiger of the Conventions and Visitors Bureau and John Beishline of Buffalo-Erie Marathon Inc. at 451 Evergreen Drive, Town of Tonawanda, NY 14150.

(5-0) Legislator Fisher absent. Chairman Swanick present as Ex-Officio Member.

LYNN M. MARINELLI
CHAIRPERSON

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

CARRIED UNANIMOUSLY.

Item 16 – MS. PEOPLES presented the following resolution and moved for immediate consideration. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 16

January 11, 2001

FINANCE & MANAGEMENT
 COMMITTEE
 REPORT NO. 1

ALL MEMBERS PRESENT.

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

- | | | | | |
|----|------------------|------------------------|-------|--------------|
| | Item | Page | -2000 | (Int. 16-16) |
| a. | MARSHALL: | Workforce Development. | | |
| | (5-0) | | | |

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- | | | | | |
|----|---|------|-------|----------------|
| | Item | Page | -2000 | (Comm. 18D-25) |
| b. | BUDGET: Budget Monitoring Report for Period Ending 5/31/00.
(5-0) | | | |
| | Item | Page | -2000 | (Comm. 20D-3) |
| c. | BUDGET: Budget Monitoring Report for Period Ending 6/30/00.
(5-0) | | | |
| | Item | Page | -2000 | (Comm. 21E-3) |
| d. | COMPTRROLLER: Report on GASB Reporting Requirement.
(5-0) | | | |
| | Item | Page | -2000 | (Comm. 22D-6) |
| e. | BUDGET: Tobacco Asset Securitization Financing.
(5-0) | | | |
| | Item | Page | -2000 | (Comm. 26E-1) |
| f. | COMPTRROLLER: Draft Audit Report – Buffalo Hearing & Speech Center 1/1/98 – 12/31/98.
(5-0) | | | |
| | Item | Page | -2000 | (Comm. 26M-20) |
| g. | NYS BOARD OF REAL PROPERTY SERVICES: List of Certified 2000 State Equalization Rates.
(5-0) | | | |
| | Item | Page | -2000 | (Comm. 26M-23) |
| h. | NYS BOARD OF REAL PROPERTY SERVICES: List of Certified 2000 State Equalization Rates.
(5-0) | | | |
| | Item | Page | -2000 | (Comm. 26M-24) |
| i. | NYS BOARD OF REAL PROPERTY SERVICES: List of Certified 2000 Class Equalization Rates.
(5-0) | | | |
| | Item | Page | -2000 | (Comm. 26M-28) |
| j. | NYS BOARD OF REAL PROPERTY SERVICES: Certificate of Equalization Rates for 2000 Assessment Rolls for Municipalities in Erie County.
(5-0) | | | |
| | Item | Page | -2000 | (Comm. 27E-1) |
| k. | COMPTRROLLER: Apportionment & Distribution of Erie County 4% Sales Tax Revenue for 11/00.
(5-0) | | | |

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- | | | | |
|----|-------------------------------|---|------------------------|
| 1. | Item
COMPTROLLER: | Page
Final Report – GASB #34 – Readiness Assessment.
(5-0) | -2001
(Comm. 1E-8) |
| m. | Item
COMPTROLLER: | Page
Interim Financial Report for Nine Months Ended 9/30/00.
(5-0) | -2001
(Comm. 1E-10) |
| n. | Item
COMPTROLLER: | Page
Apportionment & Distribution of 4% Sales Tax for December.
(5-0) | -2001
(Comm. 1E-31) |
| o. | Item
SQUEAKY WHEEL: | Page
Final Report for County Cultural Funding for Year 2000.
(5-0) | -2001
(Comm. 1M-11) |

- | | | | |
|----|---------------------------------|---|--------------------------|
| 2. | Item
COUNTY EXECUTIVE | Page
WHEREAS, payments to the General Fund by other funds for allocated expenditures must be reported as expenditures or expenses in the reimbursing fund and as reductions of the expenditures in the General Fund, and | - 2000
(Comm. 27E-10) |
|----|---------------------------------|---|--------------------------|

WHEREAS, adjustments are necessary to properly account for year 2000 transactions, and

WHEREAS, the funds are available in the fringe benefit line of all other funds as determined by the County Comptroller.

NOW, THEREFORE BE IT

RESOLVED, that the following transactions are hereby authorized in General Fund 110, Project 962, Department 602, Law - Workers' Compensation:

Increase: Account 805-0104 Fringe Benefits - Workers' Compensation	\$1,000,000
Decrease: Account 805-0112 Fringe Benefits - Workers' Compensation	
Other Fund Reimbursement	<u>\$1,000,000</u>
Net Increase	<u>-0-</u>

and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the Division of Budget, Management and Finance and the Office of the Comptroller.
 (5-0)

AS AMENDED

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3. Item Page - 2001 (Comm. 1D-9A)

COUNTY EXECUTIVE

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

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

RESOLVED, that petitions numbered 201949 through 201998 inclusive be hereby approved or denied based upon the recommendation of the Director of Real Property Services and be charged back to the applicable Towns and / or Cities.

Petition No. 201949 / 2001 - ASSESSOR - Refund - \$365.18

SBL No. 28.03-5-26 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 365.18 - Town/SpecialDist/School

Charge to : WILLIAMSVILLE CENT 365.18

REFUND - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 19,720 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C.

Petition No. 201950 / 2001 - ASSESSOR - Refund - \$555.55

SBL No. 29.01-2-24 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 555.55 - Town/SpecialDist/School

Charge to : NYS STAR ENHANCED EXEMPTI 555.55

REFUND - CLERICAL ERROR, PARCEL RECEIVED THE BASIC EXEMPTION IN THE AMOUNT OF 20,000 AND SHOULD HAVE RECEIVED THE ENHANCED EXEMPTION IN THE AMOUNT OF 50,000. RPTL 550(2)B WILLIAMSVILLE CENTRAL CHECK IN FAVOR OF: DONALD & JOAN MOHR

Petition No. 201951 / 2001 - ASSESSOR - Refund - \$555.55

SBL No. 41.04-3-60 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 555.55 - Town/SpecialDist/School

Charge to : NYS STAR ENHANCED EXEMPTI 555.55

REFUND - CLERICAL ERROR, PARCEL RECEIVED THE BASIC STAR EXEMPTION

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IN THE AMOUNT OF 20,000 AND SHOULD HAVE RECEIVED THE ENHANCED STAR EXEMPTION IN THE AMOUNT OF 50,000. RPTL 550(2)B. WILLIAMSVILLE CENTRAL CHECK IN FAVOR OF: AUDREY A CEGLINSKI

Petition No. 201952 / 2001 - ASSESSOR - Refund - \$203.70

SBL No. 42.08-4-42 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 203.70 - Town/SpecialDist/School

Charge to : WILLIAMSVILLE CENT 203.70

REFUND - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. THE ASSESSMENT WAS 200,000 AND SHOULD BE 180,000. RPTL 550(2)A. WILLIAMSVILLE CENTRAL CHECK IN FAVOR OF: DANIEL & JULIE JOYCE

Petition No. 201953 / 2001 - ASSESSOR - Refund - \$925.92

SBL No. 42.12-2-87.1 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 925.92 - Town/SpecialDist/School

Charge to : NYS STAR ENHANCED EXEMPTI 925.92

REFUND - CLERICAL ERROR, THIS PARCEL IS ENTITLED TO THE ENHANCED STAR EXEMPTION IN THE AMOUNT OF 50,000 THAT WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C. WILLIAMSVILLE CENTRAL CHECK IN FAVOR OF: MARY TREANOR

Petition No. 201954 / 2000 - ASSESSOR - Refund - \$3,750.16

SBL No. 54.02-1-44 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 3,750.16 - Town/SpecialDist/School

Charge to : TOWN OF AMHERST 3,750.16

REFUND - CLERICAL ERROR, THIS PARCEL WAS OVERCHARGED FOR SANITARY SEWER TAX. RPTL 550(2)E. CHECK IN FAVOR OF: RIDGE LEA ASSOCIATES

Petition No. 201955 / 2001 - ASSESSOR - Refund - \$749.99

SBL No. 55.16-3-7.1/60A3 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

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Acct. No. 132 - \$ 749.99 - Town/SpecialDist/School

Charge to : NYS STAR ENHANCED EXEMPTI 749.99

REFUND - CLERICAL ERROR, THIS PARCEL IS ENTITLED TO THE ENHANCED

PETITION NUMBER 201955 CONTINUED
 STAR EXEMPTION IN THE AMOUNT OF 50,000 THAT WAS OMITTED IN ERROR FROM THE
 TAX ROLL. RPTL 550(2)C WILLIAMSVILLE CENTRAL
 CHECK IN FAVOR OF: MARY & PHILIP CASTIGLIA
 Petition No. 201956 / 2001 - ASSESSOR - Refund - \$111.39

SBL No. 67.07-4-24 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 111.39 - Town/SpecialDist/School

Charge to : SWEET HOME CENTRAL 111.39

REFUND - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY
 ON THE TAX ROLL. THE ASSESSMENT WAS 94,200 AND SHOULD BE 85,000.
 RPTL 550(2)A. SWEET HOME CENTRAL
 CHECK IN FAVOR OF: IRVING FREEDMAN

Petition No. 201957 / 9900 - ASSESSOR - Refund - \$207.67

SBL No. 67.16-7-23 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

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

Charge to : BASIC STAR EXEMPTION 207.67

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

Petition No. 201958 / 2001 - ASSESSOR - Refund - \$428.08

SBL No. 67.16-7-23 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 428.08 - Town/SpecialDist/School

Charge to : BASIC STAR EXEMPTION 428.08

REFUND - CLERICAL ERROR, THIS PARCEL IS ENTITLED TO THE BASIC STAR
 EXEMPTION IN THE AMOUNT OF 20,000 THAT WAS OMITTED IN ERROR FROM

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TE TAX ROLL. RPTL 550(2)C, AMHERST CENTRAL
 CHECK IN FAVOR OF: GERALD & SUZANNE KEPPEL

Petition No. 201959 / 2001 - ASSESSOR - Refund - \$322.07

SBL No. 67.42-4-17 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 322.07 - Town/SpecialDist/School

Charge to : SWEET HOME CENTRAL 322.07

REFUND - CLERICAL ERROR, THE DISABILITY EXEMPTION IN THE AMOUNT OF
 26,600 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM
 THE TAX ROLL. RPTL 550(2)C.

CHECK IN FAVOR OF: RENEE L AIUTO

Petition No. 201960 / 2001 - ASSESSOR - Refund - \$370.36

SBL No. 68.08-6-29 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 370.36 - Town/SpecialDist/School

Charge to : BASIC STAR EXEMPTION 370.36

REFUND - CLERICAL ERROR, THIS PARCEL IS ENTITLED TO THE BASIC STAR
 EXEMPTION IN THE AMOUNT OF 20,000 THAT WAS OMITTED IN ERROR FROM THE
 TAX ROLL. RPTL 550(2)C. WILLIAMSVILLE CENTRAL

CHECK IN FAVOR OF: SHIELA & MARTIN TROSSMAN

Petition No. 201961 / 9900 - ASSESSOR - Refund - \$463.00

SBL No. 69.18-7-34 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 463.00 - Town/SpecialDist/School

Charge to : TOWN OF AMHERST
 463.00

REFUND - CLERICAL ERROR, THIS PARCEL WAS CHARGED FOR TWO UNITS
 OF REFUSE FOR THE LAST TWO YEARS WHEN IN FACT THE CHARGE SHOULD HAVE
 BEEN FOF ONE UNIT. RPTL 550(2)E.

CHECK IN FAVOR OF: BARBARA VULLO

Petition No. 201962 / 2001 - ASSESSOR - Refund - \$1,070.19

SBL No. 80.09-15-10 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

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Acct. No. 132 - \$ 1,070.19 - Town/SpecialDist/School

Charge to : NYS STAR ENHANCED EXEMPTI 1,070.19

REFUND - CLERICAL ERROR, THIS PARCEL IS ENTITLED TO THE ENHANCED STAR IN THE AMOUNT OF 50,000 AND WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C. WILLIAMSVILLE CENTRAL
 CHECK IN FAVOR OF: ALYS M COWLES

Petition No. 201963 / 2001 - ASSESSOR - Refund - \$259.26

SBL No. 80.11-1-26 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 259.26 - Town/SpecialDist/School

Charge to : WILLIAMSVILLE CENT 259.26

REFUND - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 14,000 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C.

CHECK IN FAVOR OF: MARY A WINKOWSKI ETAL

Petition No. 201964 / 2001 - ASSESSOR - Refund - \$51.85

SBL No. 81.06-2-84 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 51.85 - Town/SpecialDist/School

Charge to : NYS STAR ENHANCED EXEMPTI 51.85

REFUND - CLERICAL ERROR, RECEIVED THE DISABILITY EXEMPTION IN THE AMOUNT OF 47,200 AND SHOULD HAVE RECEIVED THE ENHANCED STAR EXEMPTION IN THE AMOUNT OF 50,000. RPTL 550(2)C. WILLIAMSVILLE CENTRAL
 CHECK IN FAVOR OF: SHIRLEY & JOHN DONAHUE

Petition No. 201965 / 2001 - ASSESSOR - Cancel - \$348.31

SBL No. 555.00-13-1.1 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 348.31 - Town/SpecialDist/School

Charge to : WILLIAMSVILLE CENT 348.31

CANCEL - UNLAWFUL ENTRY, THE ASSESSMENT USED WAS 154,140. THE STATE BOARD OF EQUALIZATION CERTIFIED THE ASSESSMENT AT 135,331.
 RPTL 550(7)E.

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Petition No. 201966 / 2001 - ASSESSOR - Cancel - \$296.18

SBL No. 555.00-13-1.2 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 296.18 - Town/SpecialDist/School

Charge to : CLARENCE CENTRAL 296.18

CANCEL - CLERICAL ERROR, THE ASSESSMENT USED WAS 96,903. THE STATE BOARD OF EQUALIZATION CERTIFIED THE ASSESSMENT AT 77,788. RPTL 550(7)E.

Petition No. 201967 / 2001 - ASSESSOR - Cancel - \$1,483.19

SBL No. 103.10-1-26 - TOWN OF CHEEKTOWAGA

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 1,483.19 - Town/SpecialDist/School

Charge to : CHEEK. UNION #2 741.59
 NYS STAR ENHANCED EXEMPTI 741.60

CANCEL - CLERICAL ERROR, THIS PARCEL IS ENTITLED TO THE SENIOR EXEMPTION IN THE AMOUNT OF 28,500 AND THE ENHANCED STAR EXEMPTION IN THE 50,000. RPTL 550(2)C.

Petition No. 201968 / 2001 - ASSESSOR - Cancel - \$1,682.68

SBL No. 29.13-1-13 - TOWN OF CLARENCE

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 1,682.68 - Town/SpecialDist/School

Charge to : CLARENCE CENTRAL 1,682.68

CANCEL - CLERICAL ERROR, THE RELIGIOUS EXEMPTION THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C

Petition No. 201969 / 2001 - ASSESSOR - Cancel - \$350.46

SBL No. 58.00-2-24.11 - TOWN OF CLARENCE

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 350.46 - Town/SpecialDist/School

Charge to : CLARENCE CENTRAL 350.46

CANCEL - CLERICAL ERROR, THIS PARCEL WAS CREATED IN ERROR ON THE

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TAX ROLL. RPTL 550(2)F.

Petition No. 201970 / 2001 - ASSESSOR - Refund - \$137.93

SBL No. 136.00-1-29 - TOWN OF ELMA

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 137.93 - Town/SpecialDist/School

Charge to : BASIC STAR EXEMPTION 137.93

REFUND - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF 660 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL IN ERROR. RPTL 550(2)C. IROQUOIS CENTRAL
 CHECK IN FAVOR OF: MARIO & CATHERINE ZANGHI

Petition No. 201971 / 2001 - ASSESSOR - Refund - \$273.56

SBL No. 137.02-3-8 - TOWN OF ELMA

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 273.56 - Town/SpecialDist/School

Charge to : BASIC STAR EXEMPTION 273.56

REFUND - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF 1300 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C. IROQUOIS CENTRAL
 CHECK IN FAVOR OF: MARGARET & DAVID CHAPIN

Petition No. 201972 / 2001 - ASSESSOR - Refund - \$762.73

SBL No. 205.00-4-12 - TOWN OF EVANS

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 762.73 - Town/SpecialDist/School

Charge to : NYS STAR ENHANCED EXEMPTI 762.73

REFUND - CLERICAL ERROR, THE ENHANCED STAR EXEMPTION IN THE AMOUNT OF 41,120 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C. LAKESHORE CENTRAL
 CHECK IN FAVOR OF: HELEN BUDNEWSKI

Petition No. 201973 / 2000 - ASSESSOR - Cancel - \$330.75

SBL No. 235.16-1-2.11 - TOWN OF EVANS

Acct. No. 112 - \$ 11.23 - County

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Acct. No. 132 - \$ 319.52 - Town/SpecialDist/School

Charge to : VILLAGE OF ANGOLA 319.52

CANCEL - CLERICAL ERROR, THE VILLAGE RELEVY ON THE 2000 COUNTY TAX BILL INCLUDED A CHARGE FOR REFUSE WHEN IN FACT THIS PARCEL IS VACANT LAND. RPTL 550(2)E.

Petition No. 201974 / 2001 - ASSESSOR - Cancel - \$532.93

SBL No. 37.01-3-12 - TOWN OF GRAND ISLAND

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 532.93 - Town/SpecialDist/School

Charge to : NYS STAR ENHANCED EXEMPTI 532.93

CANCEL - CLERICAL ERROR, THIS PARCEL RECEIVED THE BASIC EXEMPTION IN THE AMOUNT OF 12,920 WHEN IN FACT THIS PARCEL IS ENTITLED TO THE ENHANCED EXEMPTION IN THE AMOUNT OF 32,290. RPTL 550(2)B.
 GRAND ISLAND CENTRAL

Petition No. 201975 / 2001 - ASSESSOR - Refund - \$307.92

SBL No. 160.13-1-20 - TOWN OF HAMBURG

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 307.92 - Town/SpecialDist/School

Charge to : BASIC STAR EXEMPTION 307.92

REFUND - CLERICAL ERROR, THIS PARCEL WAS ENTITLED TO THE BASIC STAR EXEMPTION IN THE AMOUNT OF 16,850 THAT WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C. FRONTIER CENTRAL
 CHECK IN FAVOR OF: BRIAN D PRYSZ

Petition No. 201976 / 2001 - ASSESSOR - Cancel - \$269.24

SBL No. 216.00-5-8.112 - TOWN OF HOLLAND

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 269.24 - Town/SpecialDist/School

Charge to : BASIC STAR EXEMPTION 269.24

CANCEL - CLERICAL ERROR, THIS PARCEL IS ENTITLED TO THE BASIC STAR EXEMPTION IN THE AMOUNT OF 17,570 THAT WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C. HOLLAND CENTRAL

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Petition No. 201977 / 2001 - ASSESSOR - Refund - \$453.01

SBL No. 303.00-2-1 - TOWN OF NORTH COLLINS

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 453.01 - Town/SpecialDist/School

Charge to : BASIC STAR EXEMPTION 453.01

REFUND - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF

20,000 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM
 THE TAX ROLL. RPTL 550(2)C. NORTH COLLINS CENTRAL
 CHECK IN FAVOR OF: MARK E RUPP

Petition No. 201978 / 2001 - ASSESSOR - Cancel - \$1,774.46

SBL No. 162.09-1-42 - TOWN OF ORCHARD PARK

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 1,774.46 - Town/SpecialDist/School

Charge to : ORCH PARK CENTRAL 1,774.46

CANCEL - CLERICAL ERROR, THE NEW YORK STATE DEPARTMENT OF
 TRANSPORTATION TOOK TITLE TO THIS PROPERTY ON AUGUST 16,2000 MAKING
 IT WHOLLY EXEMPT FROM TAXES.RPTL 550(7)A.

Petition No. 201979 / 9900 - ASSESSOR - Refund - \$136.98

SBL No. 178.00-1-12.1 - TOWN OF WALES

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 136.98 - Town/SpecialDist/School

Charge to : BASIC STAR EXEMPTION 136.98

REFUND - CLERICAL ERROR, PARCEL IS ENTITLED TO THE BASIC STAR
 EXEMPTION IN THE AMOUNT OF 6300 THAT WAS OMITTED IN ERROR FROM THE
 TAX ROLL. RPTL 550(2)C IROQUOIS CENRAL
 CHECK IN FAVOR OF: THOMAS P DINDERSKI & MICHELLE WEYMER

Petition No. 201980 / 2001 - ASSESSOR - Refund - \$273.92

SBL No. 178.00-1-12.1 - TOWN OF WALES

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 273.92 - Town/SpecialDist/School

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Charge to : BASIC STAR EXEMPTION 273.92

REFUND - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF 12,590 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C. IROQUOIS CENTRAL
 CHECK IN FAVOR OF: THOMAS DINDERSKI & MICHELLE WEYMER

Petition No. 201981 / 2001 - ASSESSOR - Cancel - \$348.81

SBL No. 144.19-5-19 - TOWN OF WEST SENECA

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 348.81 - Town/SpecialDist/School

Charge to : WEST SENECA CENT 348.81

CANCEL - CLERICAL ERROR, THIS PARCEL IS A DUPLICATE 144.19-5-18.1. RPTL 550(2)F.

Petition No. 201983 / 2001 - ASSESSOR - Refund - \$363.23

SBL No. 40.19-1-23 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 363.23 - Town/SpecialDist/School

Charge to : NYS STAR ENHANCED EXEMPTI 363.23

REFUND - CLERICAL ERROR, PARCEL RECEIVED THE BASIC STAR EXEMPTION IN THE AMOUNT OF 20,000. PARCEL IS ENTITLED TO THE ENHANCED STAR 50,000. RPTL 550(2)B. SWEET HOME CENRAL
 CHECK IN FAVOR OF RITA ANN DUMAS

Petition No. 201984 / 2001 - ASSESSOR - Refund - \$1,146.29

SBL No. 42.01-4-21 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 1,146.29 - Town/SpecialDist/School

Charge to : WILLIAMSVILLE CENT 1,146.29

REFUND - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 61,900 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C.
 CHECK IN FAVOR OF: WERNER & SANDRA KRONMILLER

Petition No. 201986 / 2001 - ASSESSOR - Cancel - \$1,365.95

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SBL No. 26.04-1-12 - TOWN OF AMHERST

Acct. No. 112 - \$ 562.25 - County

Acct. No. 132 - \$ 803.70 - Town/SpecialDist/School

Charge to : TOWN OF AMHERST 725.86
 AMHERST # 9 FIRE PROTECTI 77.84

CANCEL - CLERICAL ERROR, THIS PARCEL WAS SPLIT. SBL 26.04-1-12./A1
 AND 26.04-1-12./A8. DUPLICATE ENTRY. RPTL 550(2)F

Petition No. 201987 / 2001 - ASSESSOR - Refund - \$363.23

SBL No. 40.19-1-23 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 363.23 - Town/SpecialDist/School

Charge to : NYS STAR ENHANCED EXEMPTI 363.23

REFUND - CLERICAL ERROR, THIS PARCEL RECEIVED THE STAR EXEMPTION IN
 THE AMOUNT OF 20,000 AND SHOULD HAVE RECEIVED THE ENHANCED STAR
 IN THE AMOUNT 50,000. RPTL 550(2)B. SWEET HOME CENTRAL
 CHECK IN FAVOR OF: RETA ANN DUMAS

Petition No. 201988 / 2001 - ASSESSOR - Refund - \$1,146.29

SBL No. 42.01-4-21 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 1,146.29 - Town/SpecialDist/School

Charge to : WILLIAMSVILLE CENT 1,146.29
 REFUND - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF

61,900 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE
 TAX ROLL. RPTL 550(2)C.

CHECK IN FAVOR OF: WERNER & SANDRA KRONMILLER

Petition No. 201989 / 2001 - ASSESSOR - Refund - \$555.55

SBL No. 56.12-5-2 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 555.55 - Town/SpecialDist/School

Charge to : NYS STAR ENHANCED EXEMPTI 555.55

REFUND - CLERICAL ERROR, RECEIVED THE BASIC EXEMPTION IN THE AMOUNT
 OF 20,000 AND IS ENTITLED TO THE ENHANCED EXEMPTION IN THE AMOUNT

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OF 50,000. RPTL 550(2)B. WILLIAMSVILLE CENTRAL
 CHECK IN FAVOR OF: CHARLES & MARY BUSCARINO

Petition No. 201990 / 2001 - ASSESSOR - Refund - \$203.70

SBL No. 56.17-3-15 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 203.70 - Town/SpecialDist/School

Charge to : WILLIAMSVILLE CENT 203.70

REFUND - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF
 11,000 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM
 THE TAX ROLL. RPTL 550(2)C.
 CHECK IN FAVOR OF: NORMAN & ELOISE KREVZ

Petition No. 201991 / 2001 - ASSESSOR - Refund - \$179.44

SBL No. 56.18-3-25./83D - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 179.44 - Town/SpecialDist/School

Charge to : WILLIAMSVILLE CENT 179.44

REFUND - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF
 9,690 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM
 THE TAX ROLL. RPTL 550(2)C.
 CHECK IN FAVOR OF: SHEILA BERKOFF

Petition No. 201992 / 2000 - ASSESSOR - Refund - \$7,371.19

SBL No. 57.05-3-4.2 - TOWN OF AMHERST

Acct. No. 112 - \$ 4,293.95 - County

Acct. No. 132 - \$ 3,077.24 - Town/SpecialDist/School

Charge to : TOWN OF AMHERST 3,077.24

REFUND - CLERICAL ERROR, THE INDUSTRIAL EXEMPTION IN THE AMOUNT
 OF 1,092,600 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR
 FROM THE TAX ROLL. RPTL 550(2)C.

CHECK IN FAVOR OF: NPC LLC

Petition No. 201993 / 9900 - ASSESSOR - Refund - \$120.59

SBL No. 67.12-2-26 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

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Acct. No. 132 - \$ 120.59 - Town/SpecialDist/School

Charge to : BASIC STAR EXEMPTION 120.59

REFUND - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF 7,200 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C. SWEET HOME CENTRAL
 CHECK IN FAVOR OF: JOHN & TAMARA SINDONI

Petition No. 201994 / 2000 - ASSESSOR - Refund - \$242.16

SBL No. 67.12-2-26 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 242.16 - Town/SpecialDist/School

Charge to : BASIC STAR EXEMPTION 242.16

REFUND - CLERICAL ERROR, THIS PARCEL IS ENTITLED TO THE BASIC STAR EXEMPTION IN THE AMOUNT OF 20,000 THAT WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C, SWEET HOME CENTRAL
 CHECK IN FAVOR OF: JOHN & TAMARA SINDONI

Petition No. 201995 / 2001 - ASSESSOR - Refund - \$668.96

SBL No. 67.55-7-26 - TOWN OF AMHERST

Acct. No. 112 - \$ 63.57 - County

Acct. No. 132 - \$ 605.39 - Town/SpecialDist/School

Charge to : NYS STAR ENHANCED EXEMPTI 605.39

REFUND - CLERICAL ERROR, THE ENHANCED STAR IN THE AMOUNT OF 50,000 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C SWEET HOME CENTRAL
 CHECK IN FAVOR OF: CHARLES & MARIE WEAST

Petition No. 201996 / 2001 - ASSESSOR - Refund - \$1,070.19

SBL No. 67.65-3-15 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 1,070.19 - Town/SpecialDist/School

Charge to : NYS STAR ENHANCED EXEMPTI 1,070.19

REFUND - CLERICAL ERROR, THE ENHANCED STAR IN THE AMOUNT OF 50,000 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C AMHERST CENTRAL
 CHECK IN FAVOR OF: MORRIS & THELMA ILES

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Petition No. 201997 / 2001 - ASSESSOR - Refund - \$642.11

SBL No. 67.80-1-21 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 642.11 - Town/SpecialDist/School

Charge to : NYS STAR ENHANCED EXEMPTI 642.11

REFUND - CLERICAL ERROR, THIS PARCEL RECEIVED THE BASIC STAR EXEMPTION IN THE AMOUNT OF 20,000 WHEN THE ENHANCED STAR EXEMPTION IN THE AMOUNT OF 50,000 SHOULD HAVE BEEN APPLIED. RPTL 550(2)B AMHERST CENTRAL CHECK IN FAVOR OF: JOSEPH & JULIA PERRY

Petition No. 201998 / 2001 - ASSESSOR - Refund - \$416.78

SBL No. 292.00-1-8.21 THIS PETITION IS BEING DENIED - TOWN OF CONCORD

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 416.78 - Town/SpecialDist/School

Charge to : SPRING-GRIFFITH 416.78

REFUND - ERROR IN ESSENTIAL FACT, THE SQ FT ON THIS PROPERTY WAS FIGURED INCORRECTLY. THE A/V WAS 97,400 AND S/B BE 67,150. PER EC REAL PROPERTY DIR. THIS IS NOT A PETITION. THIS IS A VALUATION PROBLEM THAT NEEDS TO BE RESOLVED BY THE BOARD OF REVIEW OR THE SMALL CLAIMS COURT.

(5-0)

4. Item Page - 2001 (Comm. 1E-22)

COUNTY EXECUTIVE

WHEREAS, the following grant programs are included in Book B of the 2001 Adopted Budget. NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into contracts with grantor agencies for the purpose of receiving grants, following review and approval by the Director of Budget, Management and Finance with respect to the availability of Federal, State, County and other local source funding for the following programs which commence on January 1, 2001:

<u>Department</u>	<u>Grant Program</u>	<u>2001 Budget Book B Page No.</u>
110 - Co. Exec.	Community Coordinating Council on Children and Families	11
110 - Co. Exec.	STOP-DWI Program	11

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110 - Co. Exec.	Office of Workforce Development Comm. Dev. Fund	21
140 - Dist. Atty.	STOP-DWI Program	27
650 - Central Police Services	Arson Laboratory Improvement Program	65
150 - Sheriff	COPS - Domestic Violence Test Site	81
150 - Sheriff	Public Awareness is Prevention	81
150 - Sheriff	COPS - Universal Hiring Grant II	82
		2001 Budget Book B Page No.
<u>Department</u>	<u>Grant Program</u>	<u>Page No.</u>
260 - Probation	Intensive Supervision Program	107
260 - Probation	Juvenile Intensive Supervision Program	107
260 - Probation	Juvenile Delinquent - Mental Health Diversion Prg.	107
260 - Probation	Alternatives to Incarceration	107
270 - Health	Asthma Initiative Pilot Program	128
270 - Health	Tuberculosis Elimination Activities	131*
270 - Health	Childhood Lead Poisoning Prevention Program	131
200 - Social Svcs.	Comprehensive Employment Division Programs – 2001	247
200 - Social Svcs.	TANF Services Block Grant	247
200 - Social Svcs.	TANF Drug & Alcohol Assessment/Services	247
200 - Social Svcs.	Safety Net Employment	248

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Programs		
200 - Social Svcs.	New York Works Block Grant (NYWBG)	248
200 - Social Svcs.	Outstationed Medicaid Eligibility	249
200 - Social Svcs.	Domestic Violence Assessment/Services	249
200 - Social Svcs.	Family Assistance Employment Programs	251
200 - Social Svcs.	Safety Net Drug & Alcohol Assessment	251
200 - Social Svcs.	BILT Carryover	251

*Begins on 2/1/01

<u>Department</u>	<u>Grant Program</u>	2001 Budget Book B <u>Page No.</u>
620 - Env. & Plg.	Household Hazardous Waste Disposal	393
620 - Env. & Plg.	Section 18-b Transportation Operating Assistance	393
620 - Env. & Plg.	Conditionally Exempt Small Quantity Generator	393
620 - Env. & Plg.	Geographic Information System Technical Assistance	393
250 - Youth Svcs.	Special Delinquency Prevention Program (SDPP)	403
250 - Youth Svcs.	OCFS - Safe Places Grant	403
251 - Youth Svcs. Detention	Coordinated Children's Services Initiative (CCSI)	404

and be it further

RESOLVED, that certified copies of this resolution be forwarded to the following administrative units: County Executive, District Attorney, Central Police Services, Sheriff, Health, Probation, Social

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ERIE COUNTY LEGISLATURE

Services, Environment and Planning, Youth Services, Department of Law, the Comptroller and the Division of Budget, Management and Finance.
 (5-0)

CRYSTAL D. PEOPLES
CHAIRPERSON

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 17

January 11, 2001

SOCIAL SERVICES
 COMMITTEE
 REPORT NO. 1

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

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

- | | | | | |
|----|--|------|-------|----------------|
| | Item | Page | -2000 | (Int. 4-2) |
| a. | MARSHALL & MARINELLI AS AMENDED: Thorough and Complete Status Report of Conditions at Youth Detention Facility.
(5-0) Legislator Fisher absent. Chairman Swanick present as Ex-Officio Member. | | | |
| | Item | Page | -2000 | (Comm. 18E-15) |
| b. | PEOPLES & HOLT: Copy of Letter to County Executive Re: Youth Detention Center.
(5-0) Legislator Fisher absent. Chairman Swanick present as Ex-Officio Member. | | | |
| | Item | Page | -2000 | (Comm. 19D-10) |
| c. | COUNTY EXECUTIVE: Youth Services – PINS RFP Proposal.
(5-0) Legislator Fisher absent. Chairman Swanick present as Ex-Officio Member. | | | |
| | Item | Page | -2000 | (Comm. 20E-49) |
| d. | COUNTY EXECUTIVE: Youth Detention Facility Proposal.
(5-0) Legislator Fisher absent. Chairman Swanick present as Ex-Officio Member. | | | |

MEETING NO. 2
January 18, 2001

ERIE COUNTY LEGISLATURE

- | | | | | |
|----|---|------|--------|-----------------|
| e. | Item | Page | -2000 | (Comm. 21D-7) |
| | YOUTH SERVICES: RFP – Non-Secure Detention Group Homes.
(5-0) Legislator Fisher absent. Chairman Swanick present as Ex-Officio Member. | | | |
| f. | Item | Page | -2000 | (Comm. 21D-11) |
| | DPW: Youth Detention Plans.
(5-0) Legislator Fisher absent. Chairman Swanick present as Ex-Officio Member. | | | |
| g. | Item | Page | -2000 | (Comm. 21E-8) |
| | COUNTY EXECUTIVE: Memo Received from DPW Re: Youth Detention Facility.
(5-0) Legislator Fisher absent. Chairman Swanick present as Ex-Officio Member. | | | |
| h. | Item | Page | -2000 | (Comm. 22D-2) |
| | DPW: Youth Detention Plans.
(5-0) Legislator Fisher absent. Chairman Swanick present as Ex-Officio Member. | | | |
| i. | Item | Page | -2000 | (Comm. 22D-7) |
| | DPW: Youth Detention Facility.
(5-0) Legislator Fisher absent. Chairman Swanick present as Ex-Officio Member. | | | |
| j. | Item | Page | -2000 | (Comm. 22E-2) |
| | SWANICK: Copy of Letter to DPW Re: A/E Services for Youth Detention Center.
(5-0) Legislator Fisher absent. Chairman Swanick present as Ex-Officio Member. | | | |
| k. | Item | Page | -2000 | (Comm. 26M-53) |
| | NYSDOH: Response to Intro 20-5 Seeking an Amendment to Farmers Market Nutrition Program.
(5-0) Legislator Fisher absent. Chairman Swanick present as Ex-Officio Member. | | | |
| l. | Item | Page | -2000 | (Comm. 27E-14) |
| | COUNTY EXECUTIVE: New Secure Youth Detention Facility.
(5-0) Legislator Fisher absent. Chairman Swanick present as Ex-Officio Member. | | | |
| 2. | Item | Page | - 2001 | (Comm. 1E-18) |
| | COUNTY EXECUTIVE | | | |

WHEREAS, the Erie County Department of Youth Services and the Youth Services' Board have completed the program application and review process by sponsoring application workshops, soliciting proposals for the 2001 Erie County Youth Development Delinquency Prevention Project, the Special Delinquency Prevention Program Project, the Runaway Assistance Project, the Homeless Youth Project, the PINS/JD Diversion Project, the Division of Criminal Justice Services Title 5, Office of Children and Family Services Safe Places, the Operation Prime Time Initiative, and the Juvenile Justice Delinquency Prevention Project (J.J.D.P.), and has conducted hearings on all proposals and the Youth Services' Board is making final recommendations as is its responsibility.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into and execute any application, contracts including amendments with the State of New York and the service providers, and be it further

RESOLVED, that the necessary funds to cover the cost of these contracts have been appropriated in the 2001 Erie County Budget, and be it further

RESOLVED, that the Erie County Legislature hereby makes a finding that it is impracticable to follow the RFP procedures and hereby waives the procedures outlined in Section 19.08 of the Erie County Administrative Code, and be it further

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

(5-0) Legislator Fisher absent. Chairman Swanick present as Ex-Officio Member.

3. Item Page - 2001 (Comm. 1E-20)

COUNTY EXECUTIVE

WHEREAS, the State of New York requires local approval in order to contract for the operation and maintenance of a secure detention program at the Erie County Youth Services Detention Center,

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to execute a contract for 2001 with the State of New York Division for Youth for the operation and maintenance of a secure detention program at the Erie County Youth Services Detention Center, and be it further

RESOLVED, that the necessary funds to cover the cost of this contract have been appropriated in the 2001 Erie County Budget, and be it further

RESOLVED, that said authorization be on the condition that the State of New York provide revenues based on a reimbursement schedule of 50% for a local youth and 100% for out-of-county or out-of-state youth receiving secure detention services, and be it further

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

(5-0) Legislator Fisher absent. Chairman Swanick present as Ex-Officio Member.

GEORGE A. HOLT, JR.
CHAIRMAN

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

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CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 18

January 11, 2001

PERSONNEL AD HOC
 COMMITTEE
 REPORT NO. 1

ALL MEMBERS PRESENT EXCEPT LEGISLATOR DeBENEDETTI.

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

- | | | | | |
|----|---|------|-------|----------------|
| a. | Item | Page | -2000 | (Comm. 19M-19) |
| | CONCERNED CITIZENS AGAINST POLICE ABUSE: Professional Conduct. | | | |
| | (4-0) Legislator DeBenedetti absent. | | | |
| | | | | |
| b. | Item | Page | -2000 | (Comm. 19M-20) |
| | NAACP: Amending County Charter. | | | |
| | (4-0) Legislator DeBenedetti absent. | | | |
| | | | | |
| c. | Item | Page | -2000 | (Comm. 28E-28) |
| | DeBENEDETTI: Social Services. | | | |
| | (4-0) Legislator DeBenedetti absent. | | | |

CHARLES M. SWANICK
CHAIRMAN

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

CARRIED UNANIMOUSLY.

LEGISLATORS RESOLUTIONS

Item 19 – CHAIRMAN SWANICK directed that the following resolution be referred to the FINANCE & MANAGEMENT COMMITTEE.

GRANTED.

Intro. 2-1 From LEGISLATORS SWANICK, PEOPLES, KUWIK, FITZPATRICK, HOLT, FISHER, DUSZA, MARINELLI & PAULY. Re: Assessing Impact of Record Snowfall of County's Ability to Service & Fund Snow Removal Efforts.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 19

Re: Support for a Community Event. (Intro. 2-2)

A RESOLUTION SUBMITTED BY
LEGISLATORS SWANICK, PEOPLES, KUWIK, FITZPATRICK, HOLT, FISHER, DUSZA,
MARINELLI & PAULY

WHEREAS, the Legislature set aside funds in the 2001 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 \$20,000 from the Extraordinary County Aid to Local Governments – Regionalism / Economic Development Fund (DAC: 110904303830) to Fund 110, Project 921, Department 301 Agency Payments & Grants - Public Benefit Services, (DAC: 110921301830), for paying the following agency:

NAME

LINE

AMOUNT

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ERIE COUNTY LEGISLATURE

New York State Buffalo Stampede 830/1018 Barbecue Challenge, Inc.	\$20,000
TOTAL	\$20,000

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 the Clerk of the Legislature, and the Director of the Division of Budget, Management & Finance 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 Joel A. Giambra, County Comptroller Nancy A. Naples, Budget Director Joseph Passafiume, Jennifer Anger, Administrative Assistant Erie County Legislature, First Assistant County Attorney Susannah M. Bochenek, and to Thomas Ingalls, President, New York State Buffalo Stampede Barbecue Challenge, Inc., (122 Claremont Avenue, Buffalo, NY 14223.)

Fiscal Impact: Appropriation of 2001-budgeted funds.

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

CARRIED UNANIMOUSLY.

ADD the following after the first RESOLVE:

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$5,000 the legislative contractual (DAC: 110905100830) (2000-budgeted funds) to General Fund, Interfund Transfers, Interfund – County Executive Grant (DAC: 1109061108861109), and be it further

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ERIE COUNTY LEGISLATURE

RESOLVED, that the Erie County Executive Grant Budget is hereby amended, to increase the following accounts: Interfund - Subsidy revenue (DAC: 2814601106861100) \$5,000; Stop-DWI Program – Erie County Traffic Safety Advisory Board (DAC: 281460110830) \$5,000, and be it further

DELETE the final RESOLVE and REPLACE with the following:

RESOLVED, that certified copies of this resolution be sent to County Executive Joel A. Giambra, County Comptroller Nancy A. Naples, Budget Director Joseph Passafiume, Jennifer Anger, Administrative Assistant Erie County Legislature, First Assistant County Attorney Susannah M. Bochenek, and to Thomas Ingalls, President, New York State Buffalo Stampede Barbecue Challenge, Inc., (122 Claremont Avenue, Buffalo, NY 14223,) and John Sullivan, Erie County Stop DWI Program.

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

CARRIED UNANIMOUSLY.

Item 21- MR. GREENAN presented the following resolution and moved immediate consideration. MR. LARSON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 20

Re: Funding for a Youth Group.
 (Intro. 2-3)

A RESOLUTION SUBMITTED BY
 LEGISLATORS GREENAN & LARSON

WHEREAS, the Legislature set aside funds in the 2001 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

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ERIE COUNTY LEGISLATURE

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$4,000 from the County-wide Accounts – Budget - County 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>
EMW Braves Cheerleaders	830/	\$4,000
TOTAL		\$4,000

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 the Clerk of the Legislature, and the Director of the Division of Budget, Management & Finance 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 Joel A. Giambra, County Comptroller Nancy A. Naples, Budget Director Joseph Passafiume, Jennifer Anger, Administrative Assistant Erie County Legislature, First Assistant County Attorney Susannah M. Bochenek, and to Mel, Scheeler, EMW Braves Cheerleaders, (7531 Seneca Street, East Aurora, NY 14052.)

Fiscal Impact: Appropriation of 2001-budgeted funds.

MR. GREENAN moved to amend the resolution.

CARRIED UNANIMOUSLY.

DELETE the first **RESOLVE** and **REPLACE** with the following:

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ERIE COUNTY LEGISLATURE

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$69,000 from the County-wide Accounts – Budget - County Contingency (DAC: 110923310893) to Fund 110, Project 921, Department 301 Agency Payments & Grants - Public Benefit Services, (DAC: 110921301830), for paying the following agencies:

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
EMW Braves Cheerleaders	830/	\$4,000
Polish Community Center of Buffalo, Inc.	830/917	\$60,000
Lovejoy District Neighborhood Revitalization Services	830/962	\$5,000
TOTAL		\$69,000

and be it further

DELETE the final **RESOLVE** and **REPLACE** with the following:

RESOLVED, that certified copies of this resolution be sent to County Executive Joel A. Giambra, County Comptroller Nancy A. Naples, Budget Director Joseph Passafiume, Jennifer Anger, Administrative Assistant Erie County Legislature, First Assistant County Attorney Susannah M. Bochenek, Mel, Scheeler, EMW Braves Cheerleaders, (7531 Seneca Street, East Aurora, NY 14052,) Karen Jablonski, Administrative Assistant, Polish Community Center of Buffalo, Inc., (1081 Broadway, Buffalo, NY 14212,) and to Bryan Cacciotti, Executive Director, Lovejoy District Neighborhood Revitalization Services, Inc., (615 Walden Avenue, Buffalo, NY 14211.)

MR. HOLT moved the approval of the resolution as amended. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

Item 22 – MR. KUWIK presented the following resolution and moved for immediate consideration. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 21

Re: Support for Monument
Restoration. (Intro. 2-4)

A RESOLUTION SUBMITTED BY
 LEGISLATORS SWANICK, PEOPLES, KUWIK, FITZPATRICK, HOLT, FISHER, DUSZA,
 MARINELLI & PAULY

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WHEREAS, the Legislature set aside funds in the 2001 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 \$15,000 from the Extraordinary County Aid to Local Governments – Regionalism / Economic Development Fund (DAC: 110904303830) 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>
Colonel John B. Weber Monument Association	830/	\$15,000
TOTAL		\$15,000

and be it further

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

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

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RESOLVED, that certified copies of this resolution be sent to County Executive Joel A. Giambra, County Comptroller Nancy A. Naples, Budget Director Joseph Passafiume, Jennifer Anger, Administrative Assistant Erie County Legislature, First Assistant County Attorney Susannah M. Bochenek, and to Colonel John B. Weber Monument Association.

Fiscal Impact: Appropriation of 2001-budgeted funds.

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

CARRIED UNANIMOUSLY.

Item 23 – MR. HOLT presented the following resolution and moved for immediate consideration. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 22

Re: Support for a Community Group
(Intro. 2-5)

A RESOLUTION SUBMITTED BY
LEGISLATOR HOLT

WHEREAS, the Legislature set aside funds in the 2001 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

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RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$10,000 from the Extraordinary County Aid to Local Governments – Regionalism / Economic Development Fund (DAC: 110904303830) 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>
Olivencia Community Center	830/568	\$10,000
TOTAL		\$10,000

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 the Clerk of the Legislature, and the Director of the Division of Budget, Management & Finance 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 Joel A. Giambra, County Comptroller Nancy A. Naples, Budget Director Joseph Passafiume, Jennifer Anger, Administrative Assistant Erie County Legislature, First Assistant County Attorney Susannah M. Bochenek, and to Olivencia Community Center, (261 Swan Street, Buffalo, NY 14204.)

Fiscal Impact: Appropriation of 2001-budgeted funds.

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

CARRIED UNANIMOUSLY.

DELETE the first RESOLVE and REPLACE with the following:

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$42,500 from the Extraordinary County Aid to Local Governments – Regionalism / Economic Development Fund (DAC:

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110904303830) 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>
Olivencia Community Center	830/568	\$15,000
Langston Hughes Institute	830/227	\$20,000
Environmental Management Council	830/216	\$5,000
Leadership Buffalo	830/	\$2,500
TOTAL		\$42,500

and be it further

DELETE the final **RESOLVE** and ***REPLACE*** with the following:

RESOLVED, that certified copies of this resolution be sent to County Executive Joel A. Giambra, County Comptroller Nancy A. Naples, Budget Director Joseph Passafiume, Jennifer Anger, Administrative Assistant Erie County Legislature, First Assistant County Attorney Susannah M. Bochenek, Wilmer Olivencia, Jr., President, Olivencia Community Center, (261 Swan Street, Buffalo, NY 14204,) Dorothy E. Hill, Langston Hughes Institute, (25 High Street, Buffalo, NY 14203,) David Hahn-Baker, Environmental Management Council (95 Franklin St, Buffalo, NY 14202,) and to Susan Rusk, Leadership Buffalo, (300 Main Place Tower, Buffalo, NY 14202-3797.)

MR. HOLT moved the approval of the resolution as amended. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

Item 24 – MR. DUSZA presented the following resolution and moved for immediate consideration. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 23

Re: Funding for a Community Organization. (Intro. 2-6)

A RESOLUTION SUBMITTED BY
 LEGISLATOR DUSZA

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ERIE COUNTY LEGISLATURE

WHEREAS, the Legislature set aside funds in the 2001 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 \$75,000 from the Extraordinary County Aid to Local Governments – Regionalism / Economic Development Fund (DAC: 110904303830) 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.	830/741	\$75,000
TOTAL		\$75,000

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 the Clerk of the Legislature, and the Director of the Division of Budget, Management & Finance are hereby authorized to complete any paperwork necessary to effectuate this transfer of funds, and be it further

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RESOLVED, that certified copies of this resolution be sent to County Executive Joel A. Giambra, County Comptroller Nancy A. Naples, Budget Director Joseph Passafiume, Jennifer Anger, Administrative Assistant Erie County Legislature, First Assistant County Attorney Susannah M. Bochenek, and to Stanley Wrobel, Neighborhood Information Center, Inc., (1170 Broadway, Buffalo, NY 14212.)

Fiscal Impact: Appropriation of 2001-budgeted funds.

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

CARRIED UNANIMOUSLY.

DELETE the first RESOLVE and REPLACE with the following:

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$80,000 from the Extraordinary County Aid to Local Governments – Regionalism / Economic Development Fund (DAC: 110904303830) 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.	830/741	\$75,000
Town of Cheektowaga Justice Court	830/616	\$5,000
TOTAL		\$80,000

and be it further

DELETE the final RESOLVE and REPLACE with the following:

RESOLVED, that certified copies of this resolution be sent to County Executive Joel A. Giambra, County Comptroller Nancy A. Naples, Budget Director Joseph Passafiume, Jennifer Anger, Administrative Assistant Erie County Legislature, First Assistant County Attorney Susannah M. Bochenek, Stanley Wrobel, Neighborhood Information Center, Inc., (1170 Broadway, Buffalo, NY 14212,) and to Dennis H. Gabryszak, Town Supervisor, Town of Cheektowaga – Cheektowaga Justice Court, 3301 Broadway, Cheektowaga, NY 14227.

MR. DUSZA moved the approval of the resolution as amended. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

Item 25 – MR. RANZENHOFER presented the following resolution and moved for immediate consideration. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 24

Re: Transfer of Funds. (Intro. 2-7)

A RESOLUTION SUBMITTED BY
 LEGISLATOR RANZENHOFER

WHEREAS, the Legislature set aside funds in the 2000 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 \$5,300 from the legislative contractual (DAC: 110905100830) 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>
Village of Akron Police Department	830/	\$5,300
TOTAL		\$5,300

and be it further

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RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$8,500 from the following agencies Fund 110, Project 921, Department 301 Agency Payments & Grants - Public Benefit Services, (DAC: 110921301830) to the legislative contractual (DAC: 110905100830):

<u>NAME</u>	<u>LINE</u>	<u>OLD</u> <u>AMOUNT</u>	<u>+/-</u>	<u>NEW</u> <u>AMOUNT</u>
Clarence Soccer League	830/1121	\$3,500	(\$3,500)	-0-
Akron Soccer League	830/1126	\$5,000	(\$5,000)	-0-
TOTAL			(\$8,500)	

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 the Clerk of the Legislature and the Director of the Division of Budget, Management & Finance 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 Joel A. Giambra, County Comptroller Nancy A. Naples, Budget Director Joseph Passafiume, Jennifer Anger, Administrative Assistant Erie County Legislature, First Assistant County Attorney Susannah M. Bochenek and to Village of Akron Police Department.

Fiscal Impact: Transfer of 2000-budgeted funds

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

CARRIED UNANIMOUSLY.

DELETE the first RESOLVE and REPLACE with the following:

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RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$8,500 from the legislative contractual (DAC: 110905100830) (2000-budgeted funds) 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>
Village of Akron Police Department	830/	\$8,500
TOTAL		\$8,500

and be it further

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

CARRIED UNANIMOUSLY.

Item 26 – CHAIRMAN SWANICK directed Intro. 2-8 be referred to the SOCIAL SERVICES COMMITTEE.

GRANTED.

Intro. 2-8 From LEGISLATORS HOLT & PEOPLES Re: Opposition to Relocation of Secure Detention Facility to Town of Alden.

Item 27 – CHAIRMAN SWANICK directed Intro. 2-9 be referred to the PUBLIC SAFETY COMMITTEE.

GRANTED.

Intro. 2-9 From LEGISLATOR KUWIK Re: Support for State Legislation that Prohibits Motor Vehicle Operators from Using a Cellular/Car Phone While Operating a Vehicle.

COMMUNICATIONS DISCHARGED FROM COMMITTEE

Item 28 – MR. KUWIK moved to discharge the PUBLIC SAFETY COMMITTEE from further consideration of Comm. 27E-22. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

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RESOLUTION NO. 25

Re: Lease Agreement between Erie County Probation Department and Horizon Health Services, 688 Hertel Avenue, Buffalo, New York 14207.

WHEREAS, the Erie County Probation Department is an agency involved in Community Corrections,

WHEREAS, the Erie County Probation Department believes that Community Corrections should take place within the various communities within Erie County that it serves,

WHEREAS, in order to effect positive behavioral change and reduce the rates of recidivism, it is essential that the Erie County Probation Department partner with various service providers and community resources,

WHEREAS, Horizon Human Services, a long established counseling agency, has agreed to help facilitate the presence of the Erie County Probation Department within its service community by providing office space at no cost to the County,

WHEREAS, the office space would be located at 699 Hertel Avenue, Buffalo, New York,

WHEREAS, this location would provide the Erie County Probation Department with a unique opportunity to service their client population in that area within their own community without imposing additional financial burdens (transportation, parking, etc.),

WHEREAS, the Erie County Probation Department's presence at 699 Hertel Avenue will not only strengthen the counseling mandates as imposed by the various courts but will enhance visibility of the Erie County Probation Department within the respective community,

WHEREAS, without this approach, the Erie County Probation Department will be forced to continue its "fortress" style supervision from its downtown location with very little community involvement.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Probation Department be allowed to enter into a "hold harmless" contractual agreement with Horizon Health Services, 699 Hertel Avenue, Buffalo, New York, 14207 for the purposes of establishing a satellite office of Erie County Probation Department at said address.

BE IT FURTHER RESOLVED, that said contractual relationship be continued on a month to month basis with either party having the right to terminate this lease upon thirty (30) days written notice to the non-terminating party.

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RESOLVED, that certified copies of this resolution be forwarded to the Division of Budget, Management and Finance, the Comptroller's Office and the Erie County Probation Department.

THIS AGREEMENT, commencing October 16, 2000, and ending October 16, 2001, by and between the COUNTY OF ERIE ("Tenant") a municipal corporation of the State of New York, with offices located at 95 Franklin Street, 16th Floor, Buffalo, New York 14202, and Horizon Health Services, ("Landlord") with an address of 699 Hertel Avenue, Suite 350, Buffalo, New York 14207.

WHEREAS, the Tenant desires to use office space located at the Landlord's address referenced above for use by an officer of the Department of Probation ("Probation") as a satellite report station approximately two (2) times per week.

WHEREAS, the Landlord and office space are located at the address referenced above.

WHEREAS, pursuant to the authority of a Resolution of the Erie County Legislature, Communication _____, dated _____, 2000, attached hereto as Exhibit A, the Tenant hereby leases the office space of the Landlord for the terms and conditions hereinafter enumerated in this Agreement.

NOW, THEREFORE, THE PARTIES AGREE AS FOLLOWS:

1. The Landlord agrees to lease and the Tenant agrees to rent the property located at 699 Hertel Avenue, Suite 350, Buffalo, New York 14207, consisting of an office with a door, desk and two (2) chairs, use of copy and fax machines and adequate parking.
2. The term of this Lease is on a month to month basis, starting on December 1, 2000. Either party may terminate this Lease upon thirty (30) days 'Written notice to the nonterminating party.
3. The Landlord shall not charge Tenant any rent, security deposit or fee for services provided, whatsoever.
4. The Tenant may use the property only during the business hours of Horizon Human located at the address referenced above.
5. The Landlord shall pay for all utilities, taxes and other charges relative to the property.
6. If the office is damaged or in need of repair, the Tenant must promptly notify the Landlord. The Landlord will have a reasonable amount of time to make repairs.
7. The Landlord is not responsible for any inconvenience or interruption of services due to repairs, improvements, or for any reason beyond the Landlord's control.
8. The Tenant must get the Landlord's prior written consent to alter, improve, paint, or wallpaper the office. Alterations, additions, and improvements become the Landlord's property.

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9. The Tenant must comply with laws, orders, rules, and requirements of governmental authorities and insurance companies which have issued or are about to issue policies covering the above-referenced location and/or its contents.

10. No Assignment or Sublease. The Tenant may not sublease the office or assign this Lease without the Landlord's prior written consent.

11. This Lease and the Tenant's rights are subject and subordinate to present and future mortgages on the premises which include the office.

12. The Tenant will not keep anything in the office which is dangerous, flammable, explosive, or might increase the danger of fire or any other hazard.

13. The Tenant agrees to defend, indemnify and hold harmless the Landlord together with their officers, agents, servants and employees, from and against any and all liability, attorney's fees, cause of action, claim, and demand arising out of any willful or negligent act or omission of the Tenant. The Landlord is not responsible for any injury or damage unless due to the negligence or improper conduct of the Landlord.

14. The Tenant acknowledges it is not affiliated with or part of Horizon Human Services, Inc., and that neither it nor any of its employees shall be or hold themselves out to be employees of Horizon Human Services, Inc.

15. All notices provided by this Lease must be written and delivered personally or by certified mail, return receipt requested to the above referenced addresses.

16. Should any paragraph or portion thereof of this Lease be held unlawful and unenforceable by a court of competent jurisdiction, such decision of the court shall only apply to the specific paragraph or portion thereof, directly specified in the court's decision, and the remaining paragraphs and portions which are not the subject of the decision shall remain in full force and effect.

17. This Agreement may be amended only by written instrument duly authorized and executed by the parties.

18. The Landlord and each of the Tenants is bound by this Lease. All parties who lawfully succeed to their rights and responsibilities are also bound.

19. The validity, interpretation and performance of this Lease shall be governed by the laws of the State of New York, and both parties agree to receive service of process at the addresses listed above in any cause of action brought pursuant to this Lease.

20. MERGER CLAUSE

The parties agree the foregoing and attached exhibits constitute the entire Agreement between the parties and shall supersede any verbal statements or other amendments, except an amendment,

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mutually agreed upon between the parties and in writing, annexed hereto and designated as an amendment to this Agreement, shall supersede or vary the provisions herein.

IN WITNESS WHEREOF, the parties have hereunto executed this Agreement on the day of , 2000.

COUNTY OF ERIE

LANDLORD

JOEL A. GIAMBRA
COUNTY EXECUTIVE

GEORGE E. DEITZ

APPROVED AS TO FORM

TENANT

KRISTIN M. BAUDO
ASSISTANT COUNTY ATTORNEY

GEORGE B. ALEXANDER
DIRECTOR OF ERIE COUNTY
PROBATION DEPARTMENT

DOC. # 00-1749-PR

MR. KUWIK moved to amend the resolution. MRS. FISHER seconded.

CARRIED UNANIMOUSLY.

DELETE THE LEASE AGREEMENT IN IT'S ENTIRETY AND REPLACE WITH THE FOLLOWING:

THIS AGREEMENT, commencing March 01, 2001, and ending October 16, 2001, by and between the COUNTY OF ERIE ("Tenant") a municipal corporation of the State of New York, with offices located at 95 Franklin Street, 16" Floor, Buffalo, New York 14202, and Horizon Health Services, ("Landlord") with an address of 699 Hertel Avenue, Suite 350, Buffalo, New York 14207.

WHEREAS, the Tenant desires to use office space located at the Landlord's address referenced above for use by an officer of the Department of Probation ("Probation") as a satellite report station approximately two (2) times per week.

WHEREAS, the Landlord and office space are located at the address referenced above.

WHEREAS, pursuant to the authority of a Resolution of the Erie County Legislature, Communication , dated , 2001, attached hereto as Exhibit A, the Tenant hereby leases the office space of the Landlord for the terms and conditions hereinafter enumerated in this Agreement.

NOW, THEREFORE, THE PARTIES AGREE AS FOLLOWS:

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1. The Landlord agrees to lease and the Tenant agrees to rent the property located at 699 Hertel Avenue, Suite 350, Buffalo, New York 14207, consisting of an office with a door, desk and two (2) chairs, use of copy and fax machines and adequate parking.
2. The term of this Lease is on a month to month basis, starting on March 1, 2001. Either party may terminate this Lease upon thirty (30) days 'Written notice to the nonterminating party.
3. The Landlord shall not charge Tenant any rent, security deposit or fee for services provided, whatsoever.
4. The Tenant may use the property only during the business hours of Horizon Human located at the address referenced above.
5. The Landlord shall pay for all utilities, taxes and other charges relative to the property.
6. If the office is damaged or in need of repair, the Tenant must promptly notify the Landlord. The Landlord will have a reasonable amount of time to make repairs.
7. The Landlord is not responsible for any inconvenience or interruption of services due to repairs, improvements, or for any reason beyond the Landlord's control.
8. The Tenant must get the Landlord's prior written consent to alter, improve, paint, or wallpaper the office. Alterations, additions, and improvements become the Landlord's property.
9. The Tenant must comply with laws, orders, rules, and requirements of governmental authorities and insurance companies which have issued or are about to issue policies covering the above-referenced location and/or its contents.
10. No Assignment or Sublease. The Tenant may not sublease the office or assign this Lease without the Landlord's prior written consent.
11. This Lease and the Tenant's rights are subject and subordinate to present and future mortgages on the premises which include the office.
12. The Tenant will not keep anything in the office which is dangerous, flammable, explosive, or might increase the danger of fire or any other hazard.
13. The Tenant agrees to defend, indemnify and hold harmless the Landlord together with their officers, agents, servants and employees, from and against any and all liability, attorney's fees, cause of action, claim, and demand arising out of any willful or negligent act or omission of the Tenant. The Landlord is not responsible for any injury or damage unless due to the negligence or improper conduct of the Landlord.

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14. The Tenant acknowledges it is not affiliated with or part of Horizon Human Services, Inc., and that neither it nor any of its employees shall be or hold themselves out to be employees of Horizon Human Services, Inc.

15. All notices provided by this Lease must be written and delivered personally or by certified mail, return receipt requested to the above referenced addresses.

16. Should any paragraph or portion thereof of this Lease be held unlawful and unenforceable by a court of competent jurisdiction, such decision of the court shall only apply to the specific paragraph or portion thereof, directly specified in the court's decision, and the remaining paragraphs and portions which are not the subject of the decision shall remain in full force and effect.

17. This Agreement may be amended only by written instrument duly authorized and executed by the parties.

18. The Landlord and each of the Tenants is bound by this Lease. All parties who lawfully succeed to their rights and responsibilities are also bound.

19. The validity, interpretation and performance of this Lease shall be governed by the laws of the State of New York, and both parties agree to receive service of process at the addresses listed above in any cause of action brought pursuant to this Lease.

20. MERGER CLAUSE

The parties agree the foregoing and attached exhibits constitute the entire Agreement between the parties and shall supersede any verbal statements or other amendments, except an amendment, mutually agreed upon between the parties and in writing, annexed hereto and designated as an amendment to this Agreement, shall supersede or vary the provisions herein.

IN WITNESS WHEREOF, the parties have hereunto executed this Agreement on the day of , 2001.

COUNTY OF ERIE

LANDLORD

JOEL A. GIAMBRA
COUNTY EXECUTIVE

GEORGE E. DEITZ

APPROVED AS TO FORM

TENANT

KRISTIN M. BAUDO
ASSISTANT COUNTY ATTORNEY

G EORGE B. ALEXANDER
DIRECTOR OF ERIE COUNTY
PROBATION DEPARTMENT

DOC. # 00-1749-PR

MR. KUWIK moved the approval of the resolution as amended. MS. MARINELLI seconded.

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CARRIED UNANIMOUSLY.

Item 29 - MRS. FISHER moved to discharge the HEALTH COMMITTEE from further consideration of Comm. 1E-17. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 26

Re: Department of Health Enhanced
 Drinking Water Protection Program
 Grant 1/1/01 – 3/31/02.

WHEREAS, the New York State 2000 - 2001 budget provided funds to enhance county drinking water protection programs, and

WHEREAS, the New York State Department of Health is providing funding to the Erie County Health Department to enhance and upgrade drinking water protection for public water systems within the County's jurisdiction, and

WHEREAS, the Erie County Health Department is responsible for the drinking water protection program for approximately 140 public water systems in Erie County, and

WHEREAS, the New York State Department of Health requires that local Health Departments must maintain their level of service in order to be eligible for enhanced funding, and

WHEREAS, in order to meet the requirements of the grant program, a vacant Senior Public Health Engineer, JG-14-C position must be upgraded to an Associate Public Health Engineer JG-15 at a variable minimum step 3 and an Investigating Public Health Sanitarian JG-7-A must be upgraded to an Assistant Public Health Engineer JG12-1 in the budget of the Department of Health, and

WHEREAS, local health departments across the State have, for several years, been facing increased responsibilities for drinking water protection without corresponding increases in resources. Recently in another county, there was a regrettable incidence of drinking water contamination causing illnesses and several deaths.

NOW, THEREFORE, BE IT

RESOLVED; that the Erie County Legislature hereby authorizes the County Executive to enter into an Agreement with the New York State Department of Health for providing a Local Enhanced Drinking Water Protection Program Grant to be budgeted as follows:

Department of Health
 Enhanced Drinking Water Protection Program
 1/1/01 - 3/31/02
 1/1/01 – 3/31/02

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SFG	REVENUE	NEW	BUDGET
553	STATE AID		<u>\$ 312,500</u>
	TOTAL		<u>\$ 312,500</u>
	EXPENSES		
800	Personal Services		\$ 152,419
805	Fringe Benefits		\$ 33,763
825	Out of Area Travel		\$ 22,500
932	Office Equipment		\$ 6,250
933	Lab & Tech Equipment		<u>\$ 97,568</u>
	TOTAL		<u>\$ 312,500</u>

and be it further

RESOLVED, that one part-time position of Senior Public Health Engineer, JG)(IV, one full-time position of Assistant Public Health Engineer, JG XII, and one fulltime position of Senior Clerk Steno, JG IV, be created in the grant budget.

The following personnel detail is hereby submitted:

TITLE: Sr. Public Health Engineer Part Time	FUNDING: 100% State Reimbursed
JG: XIV	CIVIL SERVICE: No
STEP: 1	
HOURLY: \$23.92	

TITLE: Assistant Public Health Engineer	FUNDING: 100% State Reimbursed
JG: XII	CIVIL SERVICE: Yes
STEP: 1	
ANNUAL SALARY: \$43,252	
ANNUAL BENEFITS: \$9,515	

TITLE: Senior Clerk Steno	FUNDING: 100% State Reimbursed
JG: IV	CIVIL SERVICE: Yes
STEP: 1	
ANNUAL SALARY: \$24,176	
ANNUAL BENEFITS: \$5,318	

and be it further

RESOLVED, that one vacant Senior Public Health Engineer JG-14-C position #134165 and one Investigating Public Health Sanitarian JG-7-A position #139532 are hereby deleted, one Associate Public Health Engineer JG-15-3 and one Assistant Public Health Engineer JG-12-1 are hereby created

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there being funds available in the personnel services and Fringe benefit appropriations of the Department of Health, and be it further

RESOLVED, that due to recruitment difficulties, a variable minimum of step 3 is hereby approved for the Associate Public Health Engineer.

The following personnel detail is hereby submitted:

TITLE: Associate Public Health Engineer
 JG: XV
 STEP: 3
 ANNUAL SALARY: \$65,928
 ANNUAL BENEFITS: \$14,504

FUNDING: 36% State
 CIVIL SERVICE: Yes

TITLE: Assistant Public Health Engineer
 JG: XII
 STEP: 1
 ANNUAL SALARY: \$43,252
 ANNUAL BENEFITS: \$9,515

FUNDING: 36% State
 CIVIL SERVICE: Yes

and be it further

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

MRS. FISHER moved the approval of the resolution. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

Item 30 - MS. PEOPLES moved to discharge the PERSONNEL AD HOC COMMITTEE from further consideration of Comm. 26E-32. MRS. FISHER seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 27

Re: Department of Health Healthy
 Neighborhoods Grant 10/1/00 – 9/30/01.

WHEREAS, the Erie County Health Department operates the Healthy Neighborhoods Program funded by a grant from the New York State Department of Health, and

WHEREAS, the purpose of the grant is to provide preventive health services and to improve environmental health in various target areas within the City of Buffalo, and

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WHEREAS, increased workload and responsibilities require the creation of one full-time position of Supervising Public Health Sanitarian, JG X, fully funded by grant revenue.

NOW, THEREFORE, BE IT

RESOLVED, that one full-time position of Senior Investigating Public Health Sanitarian, JG IX, position number 815418 is hereby deleted, and be it further

RESOLVED, that one full-time position of Supervising Public Health Sanitarian, JG X, is hereby created.

The following personnel detail is hereby submitted:

TITLE: Supervising Public Health Sanitarian	FUNDING: 100% State Reimbursement
JG: X-B	CIVIL SERVICE: Yes
ANNUAL SALARY: \$45,920	
ANNUAL BENEFITS: \$10,102	

and be it further

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

MS. PEOPLES moved the approval of the resolution. MRS. FISHER seconded.

CARRIED UNANIMOUSLY.

Item 31 - MS. PEOPLES moved to discharge the FINANCE & MANAGEMENT COMMITTEE from further consideration of Comm. 1E-13. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 28

Re: Division of Information and Support Services Internet Service Provider for Erie County.

WHEREAS, Erie County's Division of Information and Support Services provides telecommunications services and information systems support for the County of Erie, and

WHEREAS, Erie County has a need to fulfill the needs of County employees, and

WHEREAS, a request for proposal was issued following the provisions of Section 19.08 of the Administrative Code, and

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WHEREAS, Sprint Business Services Group (Sprint) was found to have the preferred service, the lowest price over three years and the desired network management support for Internet access.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive, through the Division of Information and Support Services, shall be authorized to enter a three (3) year contract with Sprint for Internet access, and be it further,

RESOLVED, that Sprint Business Services Group (Sprint) will replace the existing Internet Service Provider at a cost of \$13,035 per year and funding for this service has already been allocated in the 2001 Budget, and be it further,

RESOLVED, that the County Executive, through the Division of Information and Support Services, is authorized to extend this service to additional agencies and county departments as required, and be it further,

RESOLVED, that the funds for this action are available in account 823, Repairs and Maintenance in the 2001 Adopted Budget of the Division of Information and Support Services, and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the County Executive, the Division of Budget, Management and Finance, the Office of the Comptroller and the Division of Information and Support Services.

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

CARRIED UNANIMOUSLY.

Item 32 - MR. HOLT moved to discharge the SOCIAL SERVICES COMMITTEE from further consideration of Comm. 1E-19. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 29

Re: Department of Youth Services –
 Authorization to Enter into Contract for
 Non-Secure Foster Care.

WHEREAS, the non-secure foster care program provides quality services for youth in a home setting and diverts youth from costly detention services, and

WHEREAS, authorization is required to enter into contract with community agencies to provide non-secure foster care programs,

NOW, THEREFORE, BE IT

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RESOLVED, that the County Executive is hereby authorized to enter into contracts and amendments to these contracts, with the following organizations to provide non-secure foster care detention services for the Erie County Department of Youth Services - Detention Division:

Berkshire Farm Center and Services for Youth
St. Augustine Center
Baker Victory Services

and be it further

RESOLVED, that the necessary funds to cover the cost of these contracts have been appropriated in the 2001 Erie County Budget, and be it further

RESOLVED, that the Erie County Legislature hereby makes a finding that it is impracticable to follow the RFP procedures and hereby waives the procedures outlined in Section 19.08 of the Erie County Administrative Code, and be it further

RESOLVED, that said appropriation be on the condition that the funds are eligible to receive at least 50% reimbursement from the State of New York, and be it further

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

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

CARRIED UNANIMOUSLY.

ADD the following after the first RESOLVE clause:

RESOLVED, that the total appropriation for this purpose shall be in the amount of \$301,381, with a 50% reimbursement from the New York State Office of Child and Family Services, and be it further

MR. HOLT moved the approval of the resolution as amended. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

Item 33 - MR. HOLT moved to discharge the SOCIAL SERVICES COMMITTEE from further consideration of Comm. 1E-21. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

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RESOLUTION NO. 30

Re: Department of Youth Services –
 Authorization to Enter into Contract for
 Non-Secure Detention Services.

WHEREAS, the Erie County Department of Youth Services, Division of Youth Detention, desires to provide community-based housing for non-secure youth remanded to their custody, and

WHEREAS, the Division of Youth Detention conducted a thorough RFP process to identify the most qualified and cost effective agencies to provide this service.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into contracts and amendments to these contracts, with the following organizations to provide non-secure detention services for the Erie County Department of Youth Services - Detention Division:

Berkshire Farm Center and Services for Youth
 Refuge Temple
 Care Management Coalition of W.N.Y.
 Hopevale, Inc.

and be it further

RESOLVED, that the necessary funds to cover the cost of these contracts have been appropriated in the 2001 Erie County Budget, and be it further

RESOLVED, that said appropriation be on the condition that the funds are eligible to receive at least 50% reimbursement from the State of New York, and be it further

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

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

CARRIED UNANIMOUSLY.

ADD the following after the second WHEREAS clause:

WHEREAS, the Erie County Legislature has repeatedly expressed its concern for the welfare of youths in non-secure detention, or Persons In Need of Supervision (PINS), and

WHEREAS, said concern dictates that educational, recreational, health and safety programming be offered to PINS; in addition, specialized training must be offered by the Department of Youth

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Services to agencies in order to ensure that agency staff members have the requisite knowledge to deal with troubled youths, and

WHEREAS, the Legislature has repeatedly raised concerns about the impact of the state's decision to extend the PINS age from 16 to 18 on the county's ability to deliver services, and

WHEREAS, following authorization of contractual agreements by the Legislature, agencies will need to be certified for these purposes by the state, and

WHEREAS, the county's budgetary process dictates that authorization of this program will be required from the Legislature on an annual basis, and

WHEREAS, with the county in the process of constructing a new secure detention facility, the County Executive has made a public commitment that full time public employees currently supervising PINS youth will be reassigned to the county's secure facility in order to relieve the county's reliance on costly overtime, thereby ensuring that no current full time employees will be adversely affected by this decision, and

WHEREAS, concerning the possible displacement of current part-time detention personnel, in keeping with the county's philosophy of assisting workforce development in the private sector, the county would be well served to assist displaced individuals in obtaining employment in the detention field,

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

RESOLVED, that the County Executive be and hereby is authorized to enter into new and amended contractual agreements with the following organizations to provide non-secure detention services for the Erie County Department of Youth Services – Detention Division:

Refuge Temple
 Care Management Coalition of WNY
 Hopevale, Inc.

And be it further

RESOLVED, that said contractual agreements shall be in an amount not to exceed \$208.00 per child, per day, and be it further

RESOLVED, that said contractual agreements are hereby authorized pending state certification of the aforementioned agencies for acceptance and oversight of PINS, and be it further

RESOLVED, that the County Attorney is hereby authorized, in consultation with the Office of the County Executive and the Acting Commissioner of Youth Services, to draft a Memorandum of

Understanding (MOU) with Berkshire Farm Center and Services For Youth stating that the county is prepared to authorize an additional contractual agreement with that agency for the same purposes and with the same provisions, at such time as Berkshire Farm Center meets the same standard of preparedness in place at this time for the other contract agencies, and be it further

RESOLVED, that the Acting Commissioner of Youth Services is hereby requested to report to the Legislature within 60 days of execution of contracts with the agencies concerning the level of educational, recreational and health and safety programming established within these agencies, with said report to be filed with the Clerk of the Legislature and to be discussed at a future meeting of the Legislature's Social Services committee, and be it further

RESOLVED, that the Acting Commissioner of Youth Services is further requested to file for legislative review the Department's action plan for oversight and training of contract agency personnel in accordance with the fourth WHEREAS clause, with said report to be filed in the office of the Clerk of the Legislature no later than March 1, 2001, and be it further

RESOLVED, that the Acting Commissioner of Youth Services is further requested to provide information to the Legislature concerning the estimated impact of the state's decision to extend the PINS age from 16 to 18, including the impact such decision may have on agencies with whom the county may have contractual agreements to provide non-secure detention services, and be it further

RESOLVED, that in accordance with the new and significant departure from past practice concerning the supervision of PINS, the Department of Youth Services is hereby requested to file an annual report with the Legislature, no later than March 1 of each succeeding year, beginning in 2002, detailing the progress of the program, and be it further

RESOLVED, that pursuant to the statements of the County Executive and the Acting Commissioner of Youth Services, full time Detention personnel engaged in the oversight of PINS youth shall, upon assumption of said oversight by contract agencies, shall be reassigned to secure Detention duty, and be it further

RESOLVED, that the Commissioner of Youth Services, the Commissioner of Personnel and other related county officials are hereby requested to encourage placement within the detention field of qualified part-time detention employees that may be displaced as a result of these contractual agreements, and be it further

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

CARRIED UNANIMOUSLY.

1st Resolve Clause....Change "Refuge Temple" to 'Refuge Temple Educational & Cultural Center"

MR. HOLT moved the approval of the resolution as amended. MS. PEOPLES seconded.

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CARRIED UNANIMOUSLY.

SUSPENSION OF THE RULES

Item 34 – MS. PEOPLES moved for a suspension of the rules to include an item not on the agenda.

GRANTED.

CHAIRMAN SWANICK directed that Comm. 2E-42 be RECEIVED, FILED & PRINTED.

January 17, 2001

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

Re: Appointments to Blue Ribbon Commission on Minimum Housing Standards

Dear Members:

In accordance with stipulations outlined in Intro 19-7, adopted by the Erie County Legislature on November 2, 2000, the following individuals have been appointed to serve on the Blue Ribbon Commission on Minimum Housing Standards:

1. Theresa A. Calvin
52 Hagen Street
Buffalo, NY 14211
(716)
2. Michael Giallenza
5653 Broadway
Lancaster, NY 14086
3. David A. Brody, Esq.
24 Columbine Drive
Williamsville, NY 14221
4. Inez Hord
40 Lark Street
Buffalo, NY 14211
5. Ginny Purcell

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Woodward Avenue
Buffalo, Ny 14215
(716) 645-2374

6. Dr. Henry Taylor
1016 Fargo Bldg.
Buffalo, NY
(716) 829-3485
858-8878
7. David Hahn-Baker
440 Lincoln Pkwy
Buffalo, NY 14216
(716) 877-2004
8. Will Stoner
100 Los Robles St.
Williamsville, NY 14221
(716)
9. Scott Gehl, Ex. Director
HOME
700 Main Street
Buffalo, NY 14202
(716) 854-1400 ext. 23
10. Willie Price
1042 Fillmore Avenue #1
Buffalo, Ny 14211
(716) 892-8297

Dr. Henry Taylor has agreed to Chair this commission.

Respectfully submitted,

Crystal D. Peoples, Chair
Finance and Management
Committee

Item 35 - MS. PEOPLES moved for a suspension of the rules to include an item not on the agenda.

GRANTED.

RESOLUTION NO. 31

Re: Lease Agreement

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(Comm. 2E-43)

RESOLVED, that the County Executive is hereby authorized to sign a One (1) Year Lease Agreement between the Bernard L. Rusnizk, Sr. of 2956 Union Road Cheektowaga, New York 14227 and Erie County for Legislative Office Space for Erie County Legislator Raymond K. Dusza at a cost of \$638.75 per month.

MS. PEOPLES moved the approval of the resolution. MR. HOLT seconded. MR. DUSZA abstained.

CARRIED UNANIMOUSLY.

COMMUNICATIONS FROM ELECTED OFFICIALS

FROM LEGISLATOR GREENAN

Item 36 – (Comm. 2E-1) Minority Appointment to Audit Committee.

Received, filed and printed.

January 3, 2001

Laurie Manzella, Clerk
 Erie County Legislature
 25 Delaware Avenue
 Buffalo, NY 14202

Dear Madam Clerk:

Pursuant to Section 1813 of the Erie County Charter, please be advised that Legislator Dale W. Larson will serve as the Republican appointee to the Audit Committee for Erie County.

Sincerely,

JOHN W. GREENAN
 Minority Leader

FROM THE COMPTROLLER

Item 37 – (Comm. 2E-2) Audit – County Attorney – Payroll, Procurement & Risk Retention – 1/1/99 - 4/30/00.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

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FROM THE COUNTY EXECUTIVE

Item 38 – MS. PEOPLES presented the following resolution and moved for immediate consideration. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 32

Re: Appointment to Erie County
 Commission on the Status of
 Women. (Comm. 2E-3)

RESOLVED, that the Erie County Legislature does hereby confirm the appointment of the Honorable Margaret A. Murphy, Buffalo City Court Judge, 50 Delaware Avenue Buffalo, NY 14202 to the Erie County Commission on the Status of Women. Her term will expire June 30, 2002

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

CARRIED UNANIMOUSLY.

FROM CHAIRMAN SWANICK

Item 39 - (Comm. 2E-4) Notice to be Published Pursuant to Section 210.

Received and filed.

FROM THE COUNTY EXECUTIVE

Item 40 – (Comm. 2E-5) Permanent Appointment to ECMC’s Board of Managers.

Received and referred to the HEALTH COMMITTEE.

FROM LEGISLATOR DeBENEDETTI

Item 41 – (Comm. 2E-6) Resignation from Convention & Visitors Bureau.

Received and filed.

FROM CHAIRMAN SWANICK

Item 42 – (Comm. 2E-7) Majority Appointment to Audit Committee for Erie County.

Received, filed and printed.

January 10, 2001

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January 18, 2001

ERIE COUNTY LEGISLATURE

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

RE: MAJORITY APPOINTMENT TO AUDIT COMMITTEE FOR ERIE COUNTY

Dear Madam Clerk:

Please be advised that Majority Leader Crystal D. Peoples will serve as the Majority's appointment to the Audit Committee for Erie County.

Very truly yours,

Charles M. Swanick
 Chairman
 Erie County Legislature

CMS:ce

Item 43 – (Comm. 2E-8) Appointment of Chairman of EC Home Health Care Advisory Board.

Received and filed.

FROM THE COMPTROLLER

Item 44 – (Comm. 2E-9) Letter Recommending Funds from Buffalo Teachers Federation Fine be Returned to Buffalo City Schools.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM CHAIRMAN SWANICK

Item 45 – (Comm. 2E-10) Informing Energy & Environment Committee to Schedule a Public Meeting Re: Interviewing Mark G. Patton, Candidate for Reappointment to ECWA.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM LEGISLATOR DUSZA

Item 46 – (Comm. 2E-11) Notice of Energy & Environment Committee Meeting to be Held 1/23/01 to Interview for Reappointment to ECWA.

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Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM LEGISLATOR MARINELLI

Item 47 – (Comm. 2E-12) Copy of Letter to Superintendent of Ken-Ton Union Free School District.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE COUNTY EXECUTIVE

Item 48 – (Comm. 2E-13) Personnel – Staff Adjustments.

Received and referred to the PERSONNEL AD HOC COMMITTEE.

Item 49 – (Comm. 2E-14) Addition of Cities & Public Authorities to Energy Aggregation & Towns & Villages to Electric Aggregation.

Item 50 – (Comm. 2E-15) Watershed Planning Project.

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

Item 51 – (Comm. 2E-16) “Letter of Intent” for ECC Institutional Assessment with Resultants International.

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

Item 52 – (Comm. 2E-17) NFTA – Share of Sales Tax.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 53 – (Comm. 2E-18) Appointment to EC Traffic Safety Advisory Board.

Received, filed and printed.

January 16, 2001

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

Re: Appointment to Erie County Traffic Safety Advisory Board

MEETING NO. 2
January 18, 2001

ERIE COUNTY LEGISLATURE

Dear Members:

I, Joel A. Giambra, Erie County Executive, pursuant to Article 43, New York Vehicle and Traffic Law, Section 16-12, do hereby appoint the following individual to the Traffic Safety Advisory Board, for the term stated.

NAME AND ADDRESS	TERM EXPIRATION
Anthony G. Moeser 213-A Niagara Falls Boulevard Amherst, NY 14226-3049	December 31, 2003

Respectfully submitted,

JOEL A. GIAMBRA
 ERIE COUNTY EXECUTIVE

JAG:bmc

cc: Appointee

John Sullivan, Director, Erie County Stop DWI

Item 54 – (Comm. 2E-19) Appointments to EC Consumer Protection Committee.

Item 55 – (Comm. 2E-20) Personnel – Underfill (Trainee) Authorization.

Item 56 – (Comm. 2E-21) Personnel – Variable Minimums.

The above three items were received and referred to the PERSONNEL AD HOC COMMITTEE.

Item 57 – (Comm. 2E-22) DPW – Increase to Construction Contract – 1999 Overlay “B” Program – Various Towns.

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM CHAIRMAN SWANICK

Item 58 – (Comm. 2E-23) Rules of EC Legislature for 2001.

Received, filed, and printed.

January 16, 2001

The Honorable Laurie A. Manzella
 Clerk
 Erie County Legislature
 25 Delaware Ave., 7th Floor

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ERIE COUNTY LEGISLATURE

Buffalo, NY 14202

Dear Madam Clerk:

Pursuant to the Rules of the Erie County Legislature for 2000, constituting one (1) day's notice in advance, I hereby submit the attached as the proposed Rules of the Erie County Legislature for 2001.

Very truly yours,

Charles M. Swanick
 Chairman
 Erie County Legislature

***** SEE BEGINNING OF MINUTES FOR THIS SESSION******

FROM THE COUNTY EXECUTIVE

Item 59 – (Comm. 2E-24) Social Services – Buffalo Urban League Preventive Services.

Received and referred to the SOCIAL SERVICES COMMITTEE.

Item 60 – MS. PEOPLES presented the following resolution and moved for immediate consideration. MS. MARINELLI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 33

Re: County Executive's Office –
 Variable Minimums & Staff
 Adjustments. (Comm. 2E-25)

WHEREAS, the 2001 Adopted Erie County Budget, County Executive's Office, contains a position of Junior Administrative Consultant (CE), JG X, and a Secretary to the Deputy County Executive, JG X, and

WHEREAS, it has been deemed necessary to hire at a variable minimum Job Group X, Step V, in order to recruit the most qualified individuals for these positions, and

WHEREAS, there are currently two positions of Secretarial Assistant - County Executive (RPT), and

WHEREAS, it is desirable to make an adjustment of these two positions, and

WHEREAS, sufficient funds are available in the Department's salary account and no additional funds will be necessary,

NOW, THEREFORE, BE IT

RESOLVED, that effective January 1, 2001, a variable minimum hiring rate of Job Group X, Step V, \$43,811, will be established for the positions of Junior Administrative Consultant (CE) and Secretary to the Deputy County Executive, and be it further

RESOLVED, that two positions of Secretarial Assistant, County Executive (RPT), are hereby increased from an annual salary of \$18,356 to \$20,000 each at an hourly rate of \$19.23 per hour, and be it further

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

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

CARRIED UNANIMOUSLY.

Item 61 – (Comm. 2E-26) Health – HIV/AIDS Adolescent Peer Educators.

Received and referred to the HEALTH COMMITTEE.

Item 62 – (Comm. 2E-27) Health – Youth Tobacco Enforcement & Prevention Program 10/1/00 – 9/30/01.

Received and referred to the PERSONNEL AD HOC COMMITTEE.

Item 63 – (Comm. 2E-28) Health – Contracts with Academic Medicine Services & University Gynecology & Obstetricians.

Item 64 – (Comm. 2E-29) Health – Healthy Women’s Partnership.

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

Item 65 – (Comm. 2E-30) Health – Personnel Adjustment.

Item 66 – (Comm. 2E-31) Clerk’s Office – Personnel Adjustments.

The above two items were received and referred to the PERSONNEL AD HOC COMMITTEE.

Item 67 – MS. PEOPLES presented the following resolution and moved for immediate consideration. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 34

Re: DEP – Position for Director of
 Energy Development &
 Management. (Comm. 2E-32)

WHEREAS, the County recognizes the need for a Director of Energy Development and Management to represent its vital interest in maximizing the long-term availability of inexpensive electrical power to protect jobs and assist in economic development in Western New York in the relicensing of the Niagara Power Project; and

WHEREAS, a coordinated and sustained effort is needed to protect the 45,000 jobs in Erie County which are dependent on the availability of Niagara hydropower; and

WHEREAS, there are currently no County funded energy related positions to carry out this effort or to oversee other energy related programs, such as renewable energy systems (i.e. photovoltaics, windmills, co-generation, methane systems, etc.); and

WHEREAS, the County has taken on the responsibility of coordinating the Rebuild Niagara Frontier Program, which is sponsored by the U.S. Dept. of Energy and the New York State Energy Research and Development Authority; and

NOW, THEREFORE, BE IT

RESOLVED, that the position of Director of Energy Development and Management, J.G. 14, is hereby created in the Department of Environment and Planning effective January 26, 2001; and be it further

RESOLVED, that the sum of \$49,667 is hereby appropriated to Personal Services (DAC 110 945620800) and \$10,440 to Fringe Benefits (DAC 110 945620805) within the budget of the Department of Environment and Planning, the source of funds being \$12,991 in unanticipated Interfund Revenue (DAC 110 9456206856209) from the Alternative Fuels Consortium Grant (SFG Project 281/223) and a transfer \$47,116 from the Regionalism / Economic Development Fund (DAC 110 9043038301299); and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the County Executive, the Commissioner of Environment and Planning, the Commissioner of Personnel, the County Comptroller, and the Director of the Division of Budget, Management and Finance.

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

CARRIED UNANIMOUSLY.

Item 68 – (Comm. 2E-33) DEP – Environmental Remediation of 153 Fillmore Avenue, City of Tonawanda.

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Item 69 – (Comm. 2E-34) EC Sport Fishery Promotion Program – 2001.

Item 70 – (Comm. 2E-35) ECSD Nos. 1-6 & Southtowns Sewage Treatment Agency – Energy Efficient Technologies Grant Application.

Item 71 – (Comm. 2E-36) ECSD No. 2 – Eminent Domain Proceedings – Bluffs Subtrunk & Pumping Station Elimination.

Item 72 – (Comm. 2E-37) ECSD No. 5 – Eminent Domain Proceedings.

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

Item 73 – (Comm. 2E-38) Community Development – Personal Services Contract – 2001.

Received and referred to the PERSONNEL AD HOC COMMITTEE.

Item 74 – (Comm. 2E-39) Erie Canalway Trail – Memorandum of Agreement – NYS Canal Corporation.

Item 75 – (Comm. 2E-40) EC/Southtowns Sewage Treatment Agency – Proposed Revised Agreement.

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

Item 76 – (Comm. 2E-41) Funding for Buffalo Beach Project & All High Stadium Project.

Received and filed.

COMMUNICATIONS FROM THE DEPARTMENTS

FROM THE COUNTY ATTORNEY

Item 77 – (Comm. 2D-1) Notices of Claim.

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

Item 78 – (Comm. 2D-2) Copy of Letter to Legislator Olma Re: ECMC Board of Managers Vacancy.

Received and filed.

FROM BUDGET, MANAGEMENT & FINANCE

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ERIE COUNTY LEGISLATURE

Item 79 – (Comm. 2D-3) OPEN ITEM: Year-End Budget Balancing Amendments.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE COUNTY ATTORNEY

Item 80 – (Comm. 2D-4) Copy of Letter to Comptroller Re: 11/30/00 EC Legislature Resolutions.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 81 – (Comm. 2D-5) Notice of County Executive's Approval of Local Law Intro No. 10 - 2000 (Local Law No. 9 – 2000).

Received, filed and printed.

January 4, 2001

VIA HAND DELIVERY

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

RE: LOCAL LAW NO. 9-2000

Dear Ms. Manzella:

Enclosed is a certified copy of the above-referenced law for your files.

Very truly yours,

FREDERICK A. WOLF
 Erie County Attorney

BY: SUSANNAH M. BOCHENEK
 1st Assistant County Attorney

SMB/cc
 encl.

cc: Anthony J. Billittier, IV, MD, Health Commissioner (w/out enc.)
 Mark Kowalski, Sr. Investigating Sanitarian, Health Dept. (w/out enc.)
 Peter Coppola, Assoc. Public Health Sanitarian, Health Dept. (w/out enc.)

MEETING NO. 2
January 18, 2001

ERIE COUNTY LEGISLATURE

Georgette M. Hasiotis, Assistant County Attorney (w/out enc.)

A Public Hearing was held on the foregoing Local Law Intro. No. 10-2000 on Friday, December 29, 2000, due notice thereof having been published in the official newspapers of the County of Erie designated for this purpose, and after due deliberation thereon, I, JOEL A. GIAMBRA, County Executive of Erie County, do hereby APPROVE and SIGN said Local Law this 29th day of December, 2000.

JOEL A. GIAMBRA

FROM PROBATION

Item 82 – (Comm. 2D-6) Sex Offender Unit Coverage.

Received and filed.

FROM DPW

Item 83 – (Comm. 2D-7) SEQR – Solicitation for Lead Agency Status – Building/Plaza Rehab for 95 Franklin Street.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES

FROM MCFARLAND - JOHNSON

Item 84 – (Comm. 2M-1) Lancaster Airport Draft Environmental Assessment.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM MUSICALFARE THEATRE

Item 85 – (Comm. 2M-2) Letter to Chairman Swanick Requesting \$20,000 in 2001 County Funds.

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM THE NYS OFFICE FOR AGING

Item 86 – (Comm. 2M-3) Project 2015: The Future of Aging in NYS & Demographic Projections to 2025.

Received and referred to the SOCIAL SERVICES COMMITTEE.

FROM ASSEMBLYMAN BURLING

Item 87 – (Comm. 2M-4) Notice of Receipt of Resolutions.

Received and filed.

FROM THE TOWN OF TONAWANDA

Item 88 – (Comm. 2M-5) Certified Resolution Re: Sales/Use Tax.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE NYS DEPARTMENT OF AGRICULTURE & MARKETS

Item 89 – (Comm. 2M-6) Notice that Materials for Agricultural Districts 7 & 16 have been Received.

Received and filed.

FROM THE ANNIE E CASEY FOUNDATION

Item 90 – (Comm. 2M-7) Information on Juvenile Detention.

Received and referred to the SOCIAL SERVICES COMMITTEE.

FROM THE EC ENVIRONMENTAL EDUCATION INSTITUTE

Item 91 – (Comm. 2M-8) Letter to Chairman Swanick Requesting \$50,000 in 2001 County Funds.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM AFSCME – LOCAL 1095

Item 92 – (Comm. 2M-9) Notice of Violation of Contract.

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM THE BOYS & GIRLS CLUBS OF BUFFALO

Item 93 – (Comm. 2M-10) Prime Time 2000 – Final Report.

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Received and referred to the SOCIAL SERVICES COMMITTEE.

FROM THE EC MENTAL HYGIENE COMMUNITY SERVICES BOARD

Item 94 – (Comm. 2M-11) Minutes of Meeting Held 11/16/00.

Received and referred to the HEALTH COMMITTEE.

FROM THE ERIE COUNTY WATER AUTHORITY

Item 95 – (Comm. 2M-12) Letter from Commissioner Patton Requesting Reappointment to Board.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM DAVIS AUGELLO MATTELIANO & GERSTEN

Item 96 – (Comm. 2M-13) Opinion Re: Julie Bargnesi, Member of ECMC Board of Managers.

Received and referred to the HEALTH COMMITTEE.

MEMORIAL RESOLUTIONS

Item 97 – Legislator Greenan requested that when this legislature adjourns, it do so in memory of Martha Osmanski.

Item 98 – Legislator DeBenedetti requested that when this legislature adjourns, it do so in memory of Paul Mullen.

Item 99 – Legislator Kuwik requested that when this legislature adjourns, it do so in memory of Robert Dombrowski.

Item 100 – Legislator Chase requested that when this legislature adjourns, it do so in memory of Mary McGeary.

ADJOURNMENT

Item 101 – 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, February 1, 2001**. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

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The Chairman declared the Legislature adjourned until **Thursday, February 1, 2001 at 2 p.m. Eastern Standard Time.**

LAURIE MANZELLA
CLERK