

**MEETING NO. 25**  
**December 12, 2002**

**ERIE COUNTY LEGISLATURE**

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**MEETING NO. 25**  
**December 12, 2002**

The Legislature was called to order by Chairman DeBenedetti.

All Members Present except Legislator Marinelli.

The invocation was led by Rev. Ken Lombardo – Assoc. Pastor, Resurrection Life Fellowship.

The Pledge of Allegiance was led by Mr. Dale.

Item 1 – CHAIRMAN DeBENEDETTI directed that Comm. 13E-45 (2001) remain on the table.

Item 2 – CHAIRMAN DeBENEDETTI directed that Comm. 20E-2 (2002) remain on the table.

MR. WEINSTEIN moved the approval of the minutes of Meeting Nos. 20 & 21 of 2002. MR. RANZENHOFER seconded.

CARRIED UNANIMOUSLY.

**MISCELLANEOUS RESOLUTIONS**

Item 3 – MR. DeBENEDETTI presented a resolution Honoring the Career of Diane Chrisman, Director of the Buffalo & Erie County Public Library. MR. WEINSTEIN seconded.

CARRIED UNANIMOUSLY.

Item 4 – MR. SWANICK presented a resolution Honoring Legislator Crystal D Peoples Upon the Conclusion of Her Service as an Erie County Legislator. MR. KUWIK seconded.

CARRIED UNANIMOUSLY.

Item 5 – MR. DALE presented a resolution Honoring Erie County Young Democrats for Being Selected to Have the First State's National Convention Since 1965. MR. SWANICK seconded.

CARRIED UNANIMOUSLY.

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Item 6 – MR. SCHROEDER presented a resolution Congratulating the St. Theresa’s Savios on the Rerelease of Their 1963 Christmas Album. MR. SWANICK seconded.

CARRIED UNANIMOUSLY.

Item 7 – MR. SCHROEDER presented a resolution Congratulating the Sparks Football Team of South Park High School for Winning the 99<sup>th</sup> Annual Harvard Cup Championship. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

Item 8 – MS. PEOPLES presented a resolution Welcoming Rev. Emmanuel Cleaver, Former Mayor of Kansas City, Kansas, to Buffalo, New York and Erie County. MR. HOLT seconded.

CARRIED UNANIMOUSLY.

**LOCAL LAWS**

Item 9 – CHAIRMAN DeBENEDETTI directed that Local Law No. 9 (Print #1) 2001 be referred to the HUMAN SERVICES COMMITTEE.

Item 10 – CHAIRMAN DeBENEDETTI directed that Local Law No. 9 (Print #2) 2001 be referred to the HUMAN SERVICES COMMITTEE.

Item 11 – CHAIRMAN DeBENEDETTI directed that Local Law No. 9 (Print #3) 2001 be referred to the HUMAN SERVICES COMMITTEE.

Item 12 – CHAIRMAN DeBENEDETTI directed that Local Law No. 4 (Print #1) 2002 remain on the table.

Item 13 – CHAIRMAN DeBENEDETTI directed that Local Law No. 4 (Print #2) 2002 remain on the table.

Item 14 – CHAIRMAN DeBENEDETTI directed that Local Law No. 5 (Print #1) 2002 be referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 15 – CHAIRMAN DeBENEDETTI directed that Local Law No. 7 (Print #1) 2002 remain on the table.

Item 16 – MR. WEINSTEIN presented the following resolution and moved for immediate consideration. MR. RANZENHOFER seconded.

CARRIED UNANIMOUSLY.

COUNTY OF ERIE  
 LOCAL LAW INTRO. NO. 10 - 2002  
 LOCAL LAW NO. \_\_\_\_\_ - 2002

A LOCAL LAW Providing For An Exemption From Real Property Taxation To The  
 Extent Of Any Increase In Value Attributable To Alteration Or Rehabilitation  
 Of Historic Properties.

Be It Enacted By The Erie County Legislature As Follows:

Section 1. Legislative Findings, Purpose and Intent.

The purpose and intent of this local law is to provide a property tax incentive to encourage investment in and rehabilitation of historic properties.

Section 2. Exemption.

(a) Historic property shall be exempt from taxation, to the extent of any increase in value attributable to the alteration or rehabilitation of such property, pursuant to the following schedule:

<u>Year of Exemptions</u>	<u>Percentage of Exemption</u>
1 through 5	100
6	80
7	60
8	40
9	20
10	0

(b) No such exemption shall be granted for such alterations or rehabilitation unless:

- (i) alterations and rehabilitation of exteriors of historic property are approved by the city, town or village in which the property is situated prior to commencement of work; and
- (ii) designated as a landmark or is a property that is located in and contributes to the character of a designated historical district, created by a local law which was passed pursuant to Section 96-a or 119-dd of the General Municipal Law; and

- (iii) alteration or rehabilitation of public interiors (to the extent the public interiors are regulated by the local preservation law) of the historic property meets guidelines and review standards established in the local preservation law; and
- (iv) alterations and rehabilitation are commenced subsequent to the effective date of this local law.

Section 3. Application.

Such exemption shall be granted only by application of the owner(s) of such historic real property on a form prescribed by the state board of equalization and assessment. The application shall be filed with the assessor of the city, town or village in which the property is situated on or before the appropriate taxable status date of such city, town or village.

Section 4. Procedure.

Such exemption shall be granted where the assessor is satisfied that the applicant is entitled to an exemption pursuant to this section. The assessor shall approve such application and such property shall thereafter be exempt from taxation, commencing with the assessment roll prepared on the basis of the taxable status date referred to above.

Section 5.

This local law shall be effective on the date of its official filing by the Secretary of State.

AL DeBENEDETTI  
6th District

GREGORY P. FALKNER  
9th District

JEANNE Z. CHASE  
12th District

STEVEN P. McCARVILLE  
13th District

ELISE M. CUSACK  
14th District

BARRY A. WEINSTEIN  
15th District

MICHAEL H. RANZENHOFER  
16th District

DALE W. LARSON  
17th District

GEORGE HOLT  
3rd District

CRYSTAL D. PEOPLES  
7th District

JUDITH P. FISHER  
4th District

MR. WEINSTEIN moved the approval of the resolution. MR. RANZENHOFER seconded.

CARRIED UNANIMOUSLY.

Item 17 – CHAIRMAN DeBENEDETTI directed that Local Law No. 11 (Print #1) 2002 remain on the table.

**COMMITTEE REPORTS**

Item 18 – MR. HOLT presented the following resolution and moved for immediate consideration. MR. WEINSTEIN seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 486

December 9, 2002

ENERGY & ENVIRONMENT  
 COMMITTEE  
 REPORT NO. 16

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

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

a. 

Item	Page	-2002	(Comm. 20E-48)
<b>COUNTY EXECUTIVE:</b> ECSD No. 2 – Sanitary Sewer Extensions – Change Order No. 1 – Kandey Company.			
(6-0) Chairman DeBenedetti present as Ex-Officio Member.			

b. 

Item	Page	-2002	(Comm. 20E-49)
<b>COUNTY EXECUTIVE:</b> ECSD Nos. 1-6 User Charge Rates.			
(6-0) Chairman DeBenedetti present as Ex-Officio Member.			

c. 

Item	Page	-2002	(Comm. 20M-5)
<b>NYSDEC:</b> Fact Sheet – Additional Clean-Up Work at Leica.			
(6-0) Chairman DeBenedetti present as Ex-Officio Member.			

d. 

Item	Page	-2002	(Comm. 22D-5)
<b>DEP:</b> SEQR – Negative Declaration – Notice of Determination of Non-Significance – ECSD No. 2 Boundary.			

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(6-0) Chairman DeBenedetti present as Ex-Officio Member.

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|----|--|------|-------|----------------|
|    | Item   | Page | -2002 | (Comm. 22E-14) |
| e. | <b>COUNTY EXECUTIVE: SEQR – Negative Declaration – Purchase of Great Lakes Collection Bureau (45 Oak &amp; 100 North Division, City of Buffalo).</b> |      |       |                |
|    | (6-0) Chairman DeBenedetti present as Ex-Officio Member.   |      |       |                |

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|----|--|------|-------|----------------|
|    | Item   | Page | -2002 | (Comm. 22E-17) |
| f. | <b>COUNTY EXECUTIVE: EC/Southtowns Sewage Treatment Agency – Proposed Village of Blasdell Connection EC Sewer Agency Report.</b> |      |       |                |
|    | (6-0) Chairman DeBenedetti present as Ex-Officio Member.   |      |       |                |

- |    |  |      |       |               |
|----|--|------|-------|---------------|
|    | Item   | Page | -2002 | (Comm. 24D-7) |
| g. | <b>ECWA: 2003 Adopted Operating &amp; Maintenance Budget &amp; Capital Budget.</b> |      |       |               |
|    | (6-0) Chairman DeBenedetti present as Ex-Officio Member.                           |      |       |               |

- |    |                           |      |       |                   |
|----|---------------------------|------|-------|-------------------|
|    |                           |      |       | <b>AS AMENDED</b> |
| 2. | Item                      | Page | -2001 | (Comm. 1E-27)     |
|    | <b>COUNTY EXECUTIVE</b>   |      |       |                   |
|    | RESOLUTION NO. <u>480</u> |      |       |                   |

RESOLUTION DATED December 12, 2002

A RESOLUTION APPROVING A MODIFICATION OF PLANS FOR THE INCREASE AND IMPROVEMENT OF SEWER DISTRICT NO. 4 IN THE COUNTY OF ERIE, NEW YORK

(Introduced) December 9, 2002.

(Adopted) December 12, 2002.

WHEREAS, The County Legislature of the County of Erie, New York, has heretofore received a report and estimate of cost by the County Engineers (Erie County Department of Environment and Planning) relating to a proposed modification of plans for the increase and improvement of the facilities for County Sewer District No. 4 (the "District"), which report and estimate of cost have been filed with the County Legislature pursuant to Section 253-b of the County Law; and

WHEREAS, such report and estimate of cost have been approved by the Erie County Sewer Agency pursuant to a written report dated September 18, 2002, which has also been filed with said County Legislature; and

WHEREAS, said report and estimate of cost describe a proposed modification of plans for such increase and improvement of the facilities of Erie County Sewer District No. 4 in said County, consisting of the construction of a subtrunk sanitary sewer from the District's 30 inch interceptor crossing of Bowen Road to William Street and the construction of facilities to provide sewer service

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to residents along William Street out to the District's eastern boundary, all as more fully described in the report and estimate of cost herein referred to; and

WHEREAS, the maximum estimated cost of the aforesaid design, engineering, and construction of the facilities of said Sewer District is \$1,200,000; and

WHEREAS, said County Legislature duly adopted Resolution 434 on the 7<sup>th</sup> day of November, 2002, calling a meeting of the County Legislature for the purpose of holding a public hearing to consider said modification of plans for such increase and improvement of facilities in accordance with the provisions of Section 253-b of the County Law; and

WHEREAS, said public hearing was duly held at Erie County Legislature, 92 Franklin Street, 2nd Floor, Part 6, Buffalo, New York, in said County, on the 5<sup>th</sup> day of December 2002, at 1:30 o'clock P.M., Prevailing Time; and

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

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

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 modify the plans for such increase and improvement of the facilities of Erie County Sewer District No. 4 in the County of Erie, New York, all as more fully described in the preambles hereof, and such modification of plans for the increase and improvement of facilities is hereby authorized at a maximum estimated cost of \$1,200,000.

Section 2. This resolution shall take effect immediately.  
 (6-0) Chairman DeBenedetti present as Ex-Officio Member.

3. Item Paged -2002 (Comm. 18E-23)

**COUNTY EXECUTIVE**

WHEREAS, the 2003 Assessment Rolls for Erie County Sewer District Nos. 1-6 describing each lot or parcel of land have been prepared by the Division of Sewerage Management; and

WHEREAS, the Division of Sewerage Management has also assessed the estimate of expenditures and proportioned them to the lots and parcels of land as nearly as may be to the benefit which each lot or parcel will derive therefrom; and

WHEREAS, the Clerk of the Legislature had a Notice of Public Hearing published in the official County newspapers at least five (5) days prior to the date of the Public Hearing which

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informed the public that the Assessment Rolls would be open for public inspection on and after the first day of October, 2002; and

WHEREAS, said Public Hearing was held in the Chamber of the Erie County Legislature, 92 Franklin Street, 2<sup>nd</sup> Floor, Part 6, Buffalo, New York, at 1:30 p.m., local time on November 7, 2002 and that all persons desiring to be heard were duly heard and that all objections have been heard and considered; and

WHEREAS, said Assessment Rolls, estimate of expenditures, and Public Hearing were carried out in accordance with Article 5A, Sections 270 and 271 of County Law.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby affirm and adopt the 2003 Assessment Rolls for Erie County Sewer District Nos. 1, 2, 3, 4, 5 and 6; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send a certified copy of this resolution to Charles J. Alessi, P.E., Deputy Commissioner, Department of Environment and Planning, Nancy A. Naples, County Comptroller, and Gregory Dudek, Assistant County Attorney. (6-0) Chairman DeBenedetti present as Ex-Officio Member.

4.	Item	Page	-2002	<b>AS AMENDED</b> (Comm. 19E-22)
	<b>COUNTY EXECUTIVE</b>			

WHEREAS, the County Executive through authorization by resolution (Comm. 20E-34) passed on November 29, 2001, executed an agreement to accept \$106,500 in grant funds and implement a NYSDEC Bond Act project; and

WHEREAS, the City of Buffalo has committed to \$100,000 in a cash contribution over two years for the Seneca Bluffs Habitat Restoration Project; and

WHEREAS, the County Executive through authorization received by resolution (Comm. 14E-26) passed on July 18, 2002, executed an agreement to accept an additional \$100,000 in grant funds and implement a New York State Department of State - Great Lakes Coastal Watershed Restoration Program (NYSDOS) project; and

WHEREAS, the workplan of the Seneca Bluffs Habitat Restoration Project identifies the need to contract with a consultant for the engineering, design, and construction of the project; and

WHEREAS, pursuant to Section 19.08 of the Erie County Administrative Code, the Departments of Environment and Planning and Public Works requested and reviewed proposals from bidders to conduct the necessary consultant services, and a summary of the RFP review process is attached to the resolution; and



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WHEREAS, the RFP review committee has recommended that the Department of Environment and Planning award a contract to Ecology & Environment Inc. (E & E), accepting their bid of \$56,250 for engineering and design outlined in the RFP; and

NOW, THEREFORE BE IT

RESOLVED, that the County Executive is authorized to enter into a contract with Ecology & Environment, Inc., for an amount not to exceed \$60,000 for engineering, design services, and contingencies, the source of funds being the Seneca Bluffs Habitat Restoration Grant Project budget (Project #578, Account 830), and be it further

RESOLVED, that a certified copies of this resolution be sent to Laurence K. Rubin, Commissioner of Environment and Planning; Michael Raab, Deputy Commissioner of Environment and Planning; Lawrence Jasinski, Commissioner of Parks, Recreation, and Forestry; Maria Lehman, Commissioner of Public Works; the County Attorney; and the Office of the Comptroller.

(6-0) Chairman DeBenedetti present as Ex-Officio Member.

5. Item Page -2002 (Comm. 20E-20)

WHEREAS, NYSERDA has notified the Department of Public Works, Department of Environment & Planning/Erie County Sewer Districts and the Library that up to \$143,864 is available to implement a Web Enabled Advanced Monitoring system, and

WHEREAS, the pilot WEAM project implemented at the Library was very successful, and

WHEREAS, the Department of Public Works, Department of Environment & Planning/Erie County Sewer Districts and the Library wish to expand the usage of their facilities, and

WHEREAS, C.J. Brown has the capabilities to design, specify and implement a WEAM system at these facilities,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislative authorizes acceptance of up to \$143,864 through NYSERDA's PON 565-00 for design, specify and implementation of a WEAM program, and be it further,

RESOLVED, that a Supplemental Agreement be made to C.J. Brown for up to \$143,864 for their work in designing, specifying and implementing WEAM system at those facilities that NYSERDA is willing to fund, and be it further,

RESOLVED, that two certified copies of this resolution shall be forwarded to the Commissioner of Public Works, the Director of Finance and Budget Management, and the Office of the Comptroller.

(6-0) Chairman DeBenedetti present as Ex-Officio Member.

6. Item Page -2002 (Comm. 20E-32)

**COUNTY EXECUTIVE**

WHEREAS, in Communication Number 14E-20 dated July 18, 2002, authorization was received to enter into a contract with C.J. Brown related to investigating various energy improvements at County-owned facilities, and

WHEREAS, HVAC improvements are being designed for the Convention Center, and

WHEREAS, to optimize the funds NYSERDA makes available for various programs, NYSERDA will reimburse an approved consultant for the Commercial/Industrial Performance Program (C/I Program) for work performed at the Convention Center, and

WHEREAS, C.J. Brown is an approved consultant in the Western New York area for NYSERDA on this program, and

WHEREAS, the Department of Public Works wishes to hire C.J. Brown to assist in establishing and implementing all aspects of the C/I Performance Program, including a Measurement & Verification Program,

NOW, THEREFORE, BE IT,

RESOLVED, that the Erie County Legislature authorize a Supplemental Agreement be issued to C.J. Brown to implement a C/I Performance Program at the Convention Center with all funding for the work to be paid from funds received from the program, and be it further,

RESOLVED, that the Erie County Legislature accepts funds made available from the C/I Performance Program at the Convention Center which NYSERDA will pay to C.J. Brown on the County's behalf, and be it further,

RESOLVED, that two certified copies of this resolution shall be forwarded to the Commissioner of Public Works, the Director of Budget Management and Finance and the Office of the Comptroller.

(6-0) Chairman DeBenedetti present as Ex-Officio Member.

7. Item Page -2002 (Comm. 20E-47)

**COUNTY EXECUTIVE**

WHEREAS, the Department of Environment and Planning has proposed continuation of an Open Item in the Legislature's Energy and Environment Committee to reduce the time required for approval of a bond authorization for sewer construction projects.

NOW, THEREFORE, BE IT

RESOLVED, that an Open Item be established in the Energy and Environment Committee of this Legislature for the purpose of considering prerequisite resolutions pertaining to Bond Authorizations and other documents regarding either the Erie County Sewer Districts or the Southtowns Sewage Treatment Agency; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send certified copies of this resolution to Charles J. Alessi, Deputy Commissioner, Department of Environment and Planning, Nancy Naples, Erie County Comptroller, Joseph Passafiume, Director, Budget, Management and Finance, and Gregory J. Dudek, Assistant County Attorney.  
 (6-0) Chairman DeBenedetti present as Ex-Officio Member.

8. Item Page -2002 (Comm. 20E-51)

**COUNTY EXECUTIVE**

WHEREAS, Erie County/Southtowns Sewage Treatment Agency herein called the "Borrower" after thorough consideration of the various aspects of the problems and study of available data, has hereby determined that the Project generally described as the Oxygen Generation System and identified as CWSRF Project No. 6647-04, herein called the "Project", is desirable and in the public interest, and to that end it is necessary that action preliminary to the construction of said Project be taken immediately; and

WHEREAS, the United States, pursuant to the Federal Water Quality Act of 1987, (as such may be amended from time to time, the "Water Quality Act"), requires each State to establish a water pollution control revolving fund to be administered by an instrumentality of the state before the state may receive capitalization grants under the Water Quality Act; and

WHEREAS, the State of New York has, pursuant to Chapter 565 of the Laws of New York 1989 as amended, (the "CWSRF Act"), established in the custody of the New York State Environmental Facilities Corporation (the "Corporation") a water pollution control revolving fund (the "Fund") to be used for purposes of the Water Quality Act; and

WHEREAS, the Corporation has been created, reconstituted and continued pursuant to the New York State Environmental Facilities Corporation Act, as amended, (the "Act") being Chapter 744 of the Laws of 1970, as amended and constituting Title 12 of Article 5 of the Public Authorities Law and Chapter 43-A of the Consolidated laws of the State of New York, and constitutes a public benefit corporation under the laws of the State of New York, being a body corporate and politic with full and lawful power and authority to provide financial assistance from the Fund; and

WHEREAS, the Corporation has the responsibility to administer the Fund and to provide financial assistance from the Fund to municipalities for eligible projects, as provided in the CWSRF Act; and

WHEREAS, the CWSRF Act authorizes the establishment of a program for planning, development and construction of eligible projects;

NOW, THEREFORE, BE IT RESOLVED BY ERIE COUNTY LEGISLATURE as follows:

1. The filing of an application for CWSRF assistance in the form required by the Corporation in conformity with the CWSRF Act is hereby authorized, including all understandings and assurances contained in said application.
2. The following person(s) is/are directed and authorized as the official representative(s) of the Municipal Applicant to execute and deliver an application or CWSRF assistance, to execute and deliver the Project Financing Agreement and any other documents necessary to receive financial assistance from the Fund for the Project described, to act in connection with the Project and to provide such additional information as may be required and to make such agreements on behalf of the Municipal Applicant as may be required:

The        COUNTY EXECUTIVE  
 (Authorized Representative)

The        ERIE COUNTY COMPTROLLER  
 (Chief Fiscal Officer)

3. The official(s) designated above is/are authorized to make application for financial assistance under the following CWSRF Program for either short-term or long-term financing or both.
  4. That the Clerk of the Legislature be directed to send three (3) certified copies of this resolution to Charles J. Alessi, P.E., Department of Environment and Planning and one certified copy to the Erie County Comptroller's Office, Director of Budget and Management and to Gregory J. Dudek, Assistant County Attorney.
  5. This Resolution shall take effect immediately.
- (6-0) Chairman DeBenedetti present as Ex-Officio Member.

9. Item Page -2002 (Comm. 20E-52)

**COUNTY EXECUTIVE**

WHEREAS, County of Erie/Erie County Sewer District No. 3 herein called the "Borrower" after thorough consideration of the various aspects of the problems and study of available data, has hereby determined that the Project generally described as the Village of Blasdell/Southtowns Sewage Treatment Plant Merger and Rush Creek Interceptor and identified as CWSRF Project No. 6647-05, herein called the "Project", is desirable and in the public interest, and to that end it is necessary that action preliminary to the construction of said Project be taken immediately; and

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WHEREAS, the United States, pursuant to the Federal Water Quality Act of 1987, (as such may be amended from time to time, the "Water Quality Act"), requires each State to establish a water pollution control revolving fund to be administered by an instrumentality of the state before the state may receive capitalization grants under the Water Quality Act; and

WHEREAS, the State of New York has, pursuant to Chapter 565 of the Laws of New York 1989 as amended, (the "CWSRF Act"), established in the custody of the New York State Environmental Facilities Corporation (the "Corporation") a water pollution control revolving fund (the "Fund") to be used for purposes of the Water Quality Act; and

WHEREAS, the Corporation has been created, reconstituted and continued pursuant to the New York State Environmental Facilities Corporation Act, as amended, (the "Act") being Chapter 744 of the Laws of 1970, as amended and constituting Title 12 of Article 5 of the Public Authorities Law and Chapter 43-A of the Consolidated laws of the State of New York, and constitutes a public benefit corporation under the laws of the State of New York, being a body corporate and politic with full and lawful power and authority to provide financial assistance from the Fund; and

WHEREAS, the Corporation has the responsibility to administer the Fund and to provide financial assistance from the Fund to municipalities for eligible projects, as provided in the CWSRF Act; and

WHEREAS, the CWSRF Act authorizes the establishment of a program for planning, development and construction of eligible projects;

NOW, THEREFORE, BE IT RESOLVED BY ERIE COUNTY LEGISLATURE as follows:

1. The filing of an application for CWSRF assistance in the form required by the Corporation in conformity with the CWSRF Act is hereby authorized, including all understandings and assurances contained in said application.
2. The following person(s) is/are directed and authorized as the official representative(s) of the Municipal Applicant to execute and deliver an application or CWSRF assistance, to execute and deliver the Project Financing Agreement and any other documents necessary to receive financial assistance from the Fund for the Project described, to act in connection with the Project and to provide such additional information as may be required and to make such agreements on behalf of the Municipal Applicant as may be required:

The COUNTY EXECUTIVE  
 (Authorized Representative)

The ERIE COUNTY COMPTROLLER

(Chief Fiscal Officer)

3. The official(s) designated above is/are authorized to make application for financial assistance under the following CWSRF Program for either short-term or long-term financing or both.
4. That the Clerk of the Legislature be directed to send three (3) certified copies of this resolution to Charles J. Alessi, P.E., Department of Environment and Planning and one certified copy to the Erie County Comptroller's Office, Director of Budget and Management and to Gregory J. Dudek, Assistant County Attorney.
5. This Resolution shall take effect immediately.

(6-0) Chairman DeBenedetti present as Ex-Officio Member.

10. Item Page -2002 (Comm. 20E-53)

**COUNTY EXECUTIVE**

WHEREAS, Storm Sewer Rules and Regulations, Erie County Sewer District No. 6 require adoption to meet new federal requirements of December 8, 1999; and

WHEREAS, the proposed Rules and Regulations have been prepared by the Department of Environment and Planning in consultation with the County Attorney's Office; and

WHEREAS, the proposed Rules and Regulations have been distributed for comments pursuant to State Environmental Quality Review Act requirements and comments received have been adequately addressed; and

WHEREAS, the Board of Managers for Erie County Sewer District No. 6 has recommended approval of the proposed Rules and Regulations and requests their adoption; and

WHEREAS the County Legislature is empowered to adopt these Rules and Regulations pursuant to Article 5-A, Section 264 of County Law;

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby adopts the Storm Sewer Rules and Regulations, Erie County Sewer District No. 6 as submitted by the Department of Environment and Planning for the operation of the Erie County Sewer District No. 6 effective immediately; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send two certified copies of this resolution to Charles J. Alessi, P.E., Deputy Commissioner, Department of Environment and Planning; and one copy each to Nancy Naples, Erie County Comptroller's Office; Gregory Dudek, Assistant County Attorney and Joseph Passafiume, Director of Budget, Management and Finance.

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(6-0) Chairman DeBenedetti present as Ex-Officio Member.

11. Item Page -2002 (Comm. 20E-54)

**COUNTY EXECUTIVE**

WHEREAS, the terms of Erie County Sewer District No. 4's service agreement with the Buffalo Sewer Authority requires a flow control device at the City line and the present device is not operational and;

WHEREAS, the sixty inch diameter flow control device and controls need to be engineered in order to proceed to make them operational, and;

WHEREAS, the Department of Environment and Planning, in conformance with Local Law No. 6, has recommended the firm of Blasland, Bouck & Lee, Inc., 2800 Sweethome Road, Amherst, New York 14228 be hired.

NOW, THEREFORE, BE IT

RESOLVED, that the engineering firm of Blasland, Bouck & Lee, Inc., be retained at a cost not to exceed \$45,122.00; and be it further

RESOLVED, that the County Executive be, and hereby is, authorized to execute an Agreement with the firm of Blasland, Bouck & Lee, Inc., 2800 Sweethome Road, Amherst, New York 14228, to provide the needed engineering services subject to approval as to form by the County Attorney's Office; and be it further

RESOLVED, that the County Comptroller be authorized and directed to allocate \$45,122.00 for payment of the agreement from the Erie County Sewer District Capital Account 430-693-810 as approved by the Commissioner of Environment and Planning; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send two certified copies of this resolution to Charles J. Alessi, P.E., Deputy Commissioner, Department of Environment and Planning; one copy to Nancy Naples, Erie County Comptroller; Gregory Dudek, Assistant County Attorney and Joseph Passafiume, Director Budget and Management.

(6-0) Chairman DeBenedetti present as Ex-Officio Member.

12. Item Page -2002 (Comm. 22E-12)

**COUNTY EXECUTIVE**

WHEREAS, the County of Erie had secured the services of Bergmann Associates to complete Design and Construction Services; and

WHEREAS, the Erie County Division of Sewerage Management has advised the Legislature that all Engineering Services are now complete; and

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WHEREAS, the Erie County Division of Sewerage Management has recommended the formal Close-Out of the A/E Agreement dated November 5, 1998 with Bergmann Associates, Engineers, Architects, Surveyors, P.C.; and

WHEREAS, the Close-out of the agreement was presented to and approved by The Erie County Legislature on October 17, 2002, as Comm. 18-E-8; and

WHEREAS, a typographical error was contained in the approving resolution and needs to be corrected; the final contract amount being \$52,472.45 rather than \$49,932.90.

NOW, THEREFORE, BE IT

RESOLVED, that the A/E Agreement dated November 5, 1998 between the County of Erie and Bergmann Associates, Engineers, Architects, Surveyors, P.C. be formally Closed-Out in the final contract amount of \$52,472.45; and be it further

RESOLVED, that the Erie County Comptroller is hereby authorized and directed to Close-Out the contract encumbrances and cancel any balances relating to the A/E Agreement dated November 5, 1998 between the County of Erie and Bergmann Associates, Engineers, Architects, Surveyors, P.C.; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send two (2) certified copies of this resolution to Charles J. Alessi, P.E., Department of Environment and Planning, and one (1) certified copy to Gregory Dudek, Assistant County Attorney, the Erie County Comptroller's Office and the Director of Budget, Management and Finance.

(6-0) Chairman DeBenedetti present as Ex-Officio Member.

**AS AMENDED**

13. Item Page -2002 (Comm. 24E-10)

**COUNTY EXECUTIVE**

WHEREAS, the United States Environmental Protection Agency (USEPA) has solicited for proposals in accordance with the Water Quality Cooperative Agreement Allocation program (CFDA 66.463-Water Quality Cooperative Agreements); and

WHEREAS, the Department of Environment and Planning, has advised the County Legislature that there are benefits to applying for grant monies under this program and has recommended applications be made for funding these opportunities under CFDA 66.462-Water Quality Cooperative Agreements; and

WHEREAS, it is anticipated that the USEPA will grant up to \$100,000 per grant award with the balance of the costs currently included in the Erie County Sewer District budgets.

NOW, THEREFORE, BE IT



RESOLVED, that the County's Department of Environment and Planning be authorized and directed to make application to USEPA for funding under CFDA 66.463-Water Quality Cooperative Agreements in the estimated amount of \$100,000 per grant application for wet weather flow mitigation and wastewater infrastructure security implementation for the Erie County Sewer Districts; and be it further

RESOLVED, that an agreement with USEPA to implement the cooperative programs are hereby approved subject to a grant offers being made by the USEPA; and be it further

RESOLVED, that the County Executive be, and hereby is, authorized to execute said agreement subject to approval as to form by the County Attorney and approval as to content by the Commissioner of the Department of Environment and Planning; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send two certified copies of this resolution to Charles J. Alessi, P.E., Deputy Commissioner, Department of Environment and Planning, one copy to Nancy Naples, County Comptroller, and one copy to Gregory Dudek, Assistant County Attorney.

(6-0) Chairman DeBenedetti present as Ex-Officio Member.

14. Item Page -2002 (Comm. 24E-17)

**COUNTY EXECUTIVE**

WHEREAS, Erie County Sewer District No.4 herein called the "Borrower" after thorough consideration of the various aspects of the problems and study of available data, has hereby determined that the Project generally described as the William Street Subtrunk Sanitary Sewer and identified as CWSRF Project No. 6699-06, herein called the "Project", is desirable and in the public interest, and to that end it is necessary that action preliminary to the construction of said Project be taken immediately; and

WHEREAS, the United States, pursuant to the Federal Water Quality Act of 1987, (as such may be amended from time to time, the "Water Quality Act"), requires each State to establish a water pollution control revolving fund to be administered by an instrumentality of the state before the state may receive capitalization grants under the Water Quality Act; and

WHEREAS, the State of New York has, pursuant to Chapter 565 of the Laws of New York 1989 as amended, (the "CWSRF Act"), established in the custody of the New York State Environmental Facilities Corporation (the "Corporation") a water pollution control revolving fund (the "Fund") to be used for purposes of the Water Quality Act; and

WHEREAS, the Corporation has been created, reconstituted and continued pursuant to the New York State Environmental Facilities Corporation Act, as amended, (the "Act") being Chapter 744 of the Laws of 1970, as amended and constituting Title 12 of Article 5 of the Public Authorities Law and Chapter 43-A of the Consolidated laws of the State of New York, and constitutes a public benefit corporation under the laws of the State of New York, being a body corporate and politic with full and lawful power and authority to provide financial assistance from the Fund; and

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WHEREAS, the Corporation has the responsibility to administer the Fund and to provide financial assistance from the Fund to municipalities for eligible projects, as provided in the CWSRF Act; and

WHEREAS, the CWSRF Act authorizes the establishment of a program for planning, development and construction of eligible projects;

NOW, THEREFORE, BE IT RESOLVED BY ERIE COUNTY LEGISLATURE as follows:

1. The filing of an application for CWSRF assistance in the form required by the Corporation in conformity with the CWSRF Act is hereby authorized, including all understandings and assurances contained in said application.

2. The following person(s) is/are directed and authorized as the official representative(s) of the Municipal Applicant to execute and deliver an application for CWSRF assistance, to execute and deliver the Project Financing Agreement and any other documents necessary to receive financial assistance from the Fund for the Project described, to act in connection with the Project and to provide such additional information as may be required and to make such agreements on behalf of the Municipal Applicant as may be required:

The COUNTY EXECUTIVE  
 (Authorized Representative)

The ERIE COUNTY COMPTROLLER  
 (Chief Fiscal Officer)

3. The official(s) designated above is/are authorized to make application for financial assistance under the following CWSRF Program for either short-term or long-term financing or both.

4. That the Clerk of the Legislature be directed to send three (3) certified copies of this resolution to Charles J. Alessi, P.E., Department of Environment and Planning and one certified copy to the Erie County Comptroller's Office, Director of Budget and Management and to Gregory J. Dudek, Assistant County Attorney.

5. This Resolution shall take effect immediately.  
 (6-0) Chairman DeBenedetti present as Ex-Officio Member.

**GEORGE A. HOLT, JR.**  
**CHAIRMAN**

MR. HOLT moved to separate items #4 & 7 and moved the approval of the balance of the report. MR. WEINSTEIN seconded.

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CARRIED UNANIMOUSLY.

MR. HOLT moved the approval of item #4. MR. RANZENHOFER seconded. MR. WEINSTEIN abstained.

CARRIED UNANIMOUSLY.

MR. HOLT moved to send item #7 back to committee. MR. WEINSTEIN seconded.

CARRIED UNANIMOUSLY.

Item 19 – MR. LARSON presented the following resolution and moved for immediate consideration. MR. WEINSTEIN seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 487

December 9, 2002

FINANCE & MANAGEMENT  
 COMMITTEE  
 REPORT NO .16

ALL MEMBERS PRESENT EXCEPT LEGISLATOR PEOPLES. CHAIRMAN DeBENEDETTI PRESENT AS EX-OFFICIO MEMBER.

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

- |    |   |      |       |                |
|----|---|------|-------|----------------|
|    | Item  | Page | -2001 | (Comm. 14E-69) |
| a. | <b>COUNTY EXECUTIVE:</b> County of Erie Participation in Dunn Tire Park.<br>(4-0) Legislator Peoples absent.  |      |       |                |
|    | Item  | Page | -2002 | (Comm. 20D-2)  |
| b. | <b>BOARD OF ELECTIONS:</b> Apportionment of Expenses for 2001 Elections.<br>(5-0) Legislator Peoples absent. Chairman DeBenedetti present as Ex-Officio Member.                     |      |       |                |
|    | Item  | Page | -2002 | (Comm. 20D-9)  |
| c. | <b>BUDGET, MANAGEMENT &amp; FINANCE:</b> Budget Monitoring Report for Period Ending 7/31/02.<br>(5-0) Legislator Peoples absent. Chairman DeBenedetti present as Ex-Officio Member. |      |       |                |
|    | Item  | Page | -2002 | (Comm. 20E-5)  |

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- d. **COMPTROLLER:** Information on Completed Sale of \$60,590,000 of General Obligation Bonds.

(5-0) Legislator Peoples absent. Chairman DeBenedetti present as Ex-Officio Member.

Item Page -2002 (Comm. 20E-6)

- e. **COMPTROLLER:** Information on Completed Sale of \$43,000,000 RAN.

(5-0) Legislator Peoples absent. Chairman DeBenedetti present as Ex-Officio Member.

Item Page -2002 (Comm. 20E-8)

- f. **COMPTROLLER:** Information Concerning EC's Bonded Indebtedness 12/31/99 – 9/30/02.

(5-0) Legislator Peoples absent. Chairman DeBenedetti present as Ex-Officio Member.

Item Page -2002 (Comm. 20E-9)

- g. **COMPTROLLER:** Apportionment & Distribution of 4% Sales Tax Revenue Received by EC from NYS for Month of October.

(5-0) Legislator Peoples absent. Chairman DeBenedetti present as Ex-Officio Member.

Item Page -2002 (Comm. 20E-10)

- h. **COMPTROLLER:** Quarterly Investment Report 7/1/02 – 9/30/02.

(5-0) Legislator Peoples absent. Chairman DeBenedetti present as Ex-Officio Member.

Item Page -2002 (Comm. 20E-13)

- i. **COMPTROLLER:** EC's Interim Financial Report for Six Months Ended 6/30/02.

(5-0) Legislator Peoples absent. Chairman DeBenedetti present as Ex-Officio Member.

Item Page -2002 (Comm. 20M-1)

- j. **NYS BOARD OF REAL PROPERTY SERVICES:** List of Certified 2002 State Equalization Rates.

(5-0) Legislator Peoples absent. Chairman DeBenedetti present as Ex-Officio Member.

Item Page -2002 (Comm. 20M-2)

- k. **NYS BOARD OF REAL PROPERTY SERVICES:** List of Certified 2002 Class Equalization Rates.

(5-0) Legislator Peoples absent. Chairman DeBenedetti present as Ex-Officio Member.

Item Page -2002 (Comm. 20M-12)

- l. **NYS BOARD OF REAL PROPERTY SERVICES:** Certificate of County Equalization Rates for 2002 Assessment Rolls for Municipalities in County of Erie.

(5-0) Legislator Peoples absent. Chairman DeBenedetti present as Ex-Officio Member.

Item Page -2002 (Comm. 24E-7)

- m. **COMPTROLLER:** Apportionment & Distribution of 4% Sales Tax Received by EC from NYS for 11/02.

(5-0) Legislator Peoples absent. Chairman DeBenedetti present as Ex-Officio Member.

- |    |   |      |       |                                    |
|----|---|------|-------|------------------------------------|
| 2. | Item                                    | Page | -2001 | <b>AS AMENDED</b><br>(Comm. 1D-9A) |
|    | <b>BUDGET, MANAGEMENT &amp; FINANCE</b> |      |       |                                    |

WHEREAS, the Erie County Director of Real Property Tax Services has received applications for corrected tax billings and / or refunds for taxes previously paid in accordance with New York State Real Property Tax Law 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 203040 through 203080 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. 203040 / 2002 - ASSESSOR - Cancel - \$4,748.03

SBL No. 100.79-5-2 - CITY OF BUFFALO

Acct. No. 112 - \$ 4,748.03 - County

Acct. No. 132 - \$ 0.00 - Town/SpecialDist/School

Charge to :

CANCEL - CLERICAL ERROR, THR RPTL 520 WAS MISCALCULATED DUE TO USING THE INCORRECT ASSESSED VALUE. RPTL 550(2)E

Petition No. 203041 / 203 - ASSESSOR - Refund - \$2,478.90

SBL No. 119.08-3-1.21 - TOWN OF ALDEN

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 2,478.90 - Town/SpecialDist/School

Charge to : BASIC STAR EXEMPTION 2,478.90

REFUND - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF 546,730 SHOULD BE 815,986. RPTL 550(2)E.

Petition No. 203042 / 203 - ASSESSOR - Cancel - \$308.32

SBL No. 129.01-3-13 - TOWN OF ALDEN

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 308.32 - Town/SpecialDist/School

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**ERIE COUNTY LEGISLATURE**

Charge to : ALDEN CENTRAL 308.32

CANCEL - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 24,255 WAS MISCALCULATED. THE CORRECT AMOUNT SHOULD BE 34,650. RPTL 550(2)B

Petition No. 203043 / 203 - ASSESSOR - Refund - \$415.18

SBL No. 14.16-1-1 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 415.18 - Town/SpecialDist/School

Charge to : TOWN OF AMHERST 34.28  
 BASIC STAR EXEMPTION 380.90

REFUND - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF 30,000 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: RAY WIGLER

Petition No. 203044 / 102 - ASSESSOR - Refund - \$563.09

SBL No. 41.20-11-19 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 563.09 - Town/SpecialDist/School

Charge to : BASIC STAR EXEMPTION 563.09

REFUND- CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF 30,000 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C WILLIAMSVILLE CENTRAL  
 CHECK IN FAVOR OF: SCOTT & BARBAR KREVAT

Petition No. 203045 / 203 - ASSESSOR - Refund - \$582.44

SBL No. 41.20-11-19 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 582.44 - Town/SpecialDist/School

Charge to : BASIC STAR EXEMPTION 582.44

REFUND - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF 30,000 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C WILLIAMSVILLE CENTRAL  
 CHEKC IN FAVOR OF: SCOTT & BARBARA KERVAT

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**ERIE COUNTY LEGISLATURE**

Petition No. 203046 / 2002 - ASSESSOR - Refund - \$37.23

SBL No. 42.08-3-2./2 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 37.23 - Town/SpecialDist/School

Charge to : TOWN OF AMHERST 37.23

REFUND - CLERICAL ERROR, THIS PARCEL WAS CHARGED FOR 2 SEWER DISTRICT  
 TAX. RPTL 550(2)E  
 CHECK IN FAVOR OF: DONALD W & KATHRYN SMITH

Petition No. 203047 / 2002 - ASSESSOR - Refund - \$40.74

SBL No. 42.08-3-2./3 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 40.74 - Town/SpecialDist/School

Charge to : TOWN OF AMHERST 40.74

REFUND - CLERICAL ERROR, THIS PARCEL WAS CHARGED FOR TWO SEWER  
 DISTRICT TAX. RPTL 550920E  
 CHECK IN FAVOR OF: PHILIP & MARY LOU GARDNER

Petition No. 203048 / 2002 - ASSESSOR - Refund - \$40.82

SBL No. 42.08-3-2./4 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 40.82 - Town/SpecialDist/School

Charge to : TOWN OF AMHERST 40.82

REFUND - CLERICAL ERROR, THIS PARCEL WAS CHARGED FOR TWO SEWER DIST  
 TAX. RPTL 550(2)E  
 CHECK IN FAVOR OF: JULIE ZOLISKI

Petition No. 203049 / 2002 - ASSESSOR - Refund - \$41.20

SBL No. 42.08-3-2./5 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 41.20 - Town/SpecialDist/School

Charge to : TOWN OF AMHERST 41.20

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**ERIE COUNTY LEGISLATURE**

REFUND - CLERICAL ERROR, THIS PARCEL IS CHARGED FOR TWO SEWER DISTRICT TAX. RPTL 550(2)E  
 CHECK IN FAVOR OF: DONALD & PATRICIA HARVEY

Petition No. 203050 / 2002 - ASSESSOR - Refund - \$40.90

SBL No. 42.08-3-2./7 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 40.90 - Town/SpecialDist/School

Charge to : TOWN OF AMHERST 40.90

REFUND - CLERICAL ERROR, THIS PARCEL WAS CHARGED FOR TWO SEWER DISTRICT TAX. RPTL 550(2)E  
 CHECK IN FAVOR OF: RONALD HILFMAN

Petition No. 203051 / 2002 - ASSESSOR - Refund - \$39.60

SBL No. 42.08-3-2./8 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 39.60 - Town/SpecialDist/School

Charge to : TOWN OF AMHERST 39.60

REFUND - CLERICAL ERROR, THIS PARCEL WAS CHARGED FOR TWO SEWER DISTRICT TAX. RPTL 550(2)E  
 CHECK IN FAVOR OF: WALTER A & MARIE F BREWER

Petition No. 203052 / 203 - ASSESSOR - Refund - \$1,067.81

SBL No. 69.17-3-79 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 1,067.81 - Town/SpecialDist/School

Charge to : WILLIAMSVILLE CENT 1,067.81

REFUND- CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 55,000 WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C  
 CHECK IN FAVOR OF: DOROTHY M SUCHAN

Petition No. 203053 / 2001 - ASSESSOR - Cancel - \$529.32

SBL No. 666.00-70-1 - TOWN OF BRANT



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**ERIE COUNTY LEGISLATURE**

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 529.32 - Town/SpecialDist/School

Charge to : VILLAGE OF FARNHAM 529.32

CANCEL - CLERICAL ERROR, THIS PARCEL IS DUPLICATED UNDER  
 SBL 648-001-999-746.12/1881 ON WHICH THE TAXES WERE PAID. RPTL 550(2)F

Petition No. 203054 / 203 - ASSESSOR - Refund - \$582.43

SBL No. 43.17-4-3 - TOWN OF CLARENCE

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 582.43 - Town/SpecialDist/School

Charge to : BASIC STAR EXEMPTION 582.43

REFUND - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF  
 30,000 WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C  
 WILLIAMSVILLE CENTRAL  
 CHECK IN FAVOR OF: MICHAEL MILLER

Petition No. 203055 / 203 - ASSESSOR - Refund - \$497.16

SBL No. 82.07-7-6 - TOWN OF CLARENCE

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 497.16 - Town/SpecialDist/School

Charge to : BASIC STAR EXEMPTION 497.16

REFUND - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT  
 OF 30,000 WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C  
 CLARENCE CENTRAL

Petition No. 203056 / 1 - ASSESSOR - Refund - \$1,094.50

SBL No. 666.00-70-1 - TOWN OF BRANT

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 1,094.50 - Town/SpecialDist/School

Charge to : LAKE SHORE CENTRAL 1,094.50

REFUND- CLERICAL ERROR, THIS PARCEL IS A DUPLICATE OF  
 SBL 648.001-999-746.12/1881 ON WHICH THE TAXES WERE PAID. RPTL 550(2)F  
 CHECK IN FAVOR OF: US SPRINT COMMUNICATIONS

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**ERIE COUNTY LEGISLATURE**

Petition No. 203057 / 102 - ASSESSOR - Refund - \$552.67

SBL No. 666.00-70-1 - TOWN OF BRANT

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 552.67 - Town/SpecialDist/School

Charge to : VILLAGE OF FARNHAM 552.67

REFUND - CLERICAL ERROR, THIS PARCEL IS A DUPLICATE BILL.  
 SBL 648.001-999-746.12/1881 ON WHICH THE TAXS WERE PAID. RPTL 550(2)F  
 CHECK IN FAVOR OF: US SPRINT COMMUNICATIONS  
 Petition No. 203058 / 2002 - ASSESSOR - Cancel - \$13.10

SBL No. 112.84-5-3.5 - TOWN OF CHEEKTOWAGA

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 13.10 - Town/SpecialDist/School

Charge to : TOWN OF CHEEKTOWAGA 13.10

CANCEL - UNLAWFUL ENTRY, PROPERTY IS OWNED BY NEW YORK STATE MAKING  
 IT WHOLLY EXEMPT FROM TAXS. STATE PAYS SPECIAL ASSESSMENTS ON WHICH  
 IT RECEIVES A DIRECT BENEFIT. RPTL 550(7)A

Petition No. 203059 / 203 - ASSESSOR - Refund - \$523.77

SBL No. 58.00-1-42 - TOWN OF CLARENCE

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 523.77 - Town/SpecialDist/School

Charge to : TOWN OF 523.77

REFUND - CLERICAL ERROR, THE TOWN COUNTY SEWER DISTRICT #2 WAS NOT  
 HOOKED INTO THIS PARCEL. RPTL 550(2)E  
 CHECK IN FAVOR OF: JACQUELINE M DRENNAN

Petition No. 203060 / 2001 - ASSESSOR - Refund - \$129.15

SBL No. 58.10-3-5 - TOWN OF CLARENCE

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 129.15 - Town/SpecialDist/School

Charge to : TOWN OF CLARENCE 129.15

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REFUND - CLERICAL ERROR, THIS PARCEL WAS NOT HOOKED INTO TOWN COUNTY  
 SEWER DISTRICT #2. RPTL 550(2)E  
 CHECK IN FAVOR OF: JEFFREY & PEGGY SCHWANTZ

Petition No. 203061 / 203 - ASSESSOR - Refund - \$497.16

SBL No. 82.07-7-6 - TOWN OF CLARENCE

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 497.16 - Town/SpecialDist/School

Charge to : BASIC STAR EXEMPTION 497.16

REFUND - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF  
 30,000 THAT THIS PARCEL IS ENTITLED WAS OMITTED IN ERROR FROM THE  
 TAX ROLL. RPTL 550(2)C CLARENCE CENTRAL  
 CHECK IN FAVOR OF: GERALD A PETTIT

Petition No. 203062 / 203 - ASSESSOR - Refund - \$497.16

SBL No. 82.08-4-32 - TOWN OF CLARENCE

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 497.16 - Town/SpecialDist/School

Charge to : BASIC STAR EXEMPTION 497.16

REFUND - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF  
 30,000 WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C  
 CLARENCE CENTRAL  
 CHECK IN FAVOR OF: ALAN J. LOCK

Petition No. 203063 / 203 - ASSESSOR - Cancel - \$770.60

SBL No. 82.10-1-6.1 - TOWN OF CLARENCE

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 770.60 - Town/SpecialDist/School

Charge to : CLARENCE CENTRAL 770.60

CANCEL - CLERICAL ERROR, THE ASSESED VALUE WAS ENTERED INCORRECTLY  
 ON THE TAX ROLL. THE ASSESSMENT WAS 51,500 AND SHOULD BE 5,000.  
 RPTL 550(2)A

Petition No. 203064 / 203 - ASSESSOR - Cancel - \$1,988.64

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**ERIE COUNTY LEGISLATURE**

SBL No. 83.00-1-18./B - TOWN OF CLARENCE

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 1,988.64 - Town/SpecialDist/School

Charge to : CLARENCE CENTRAL 1,988.64

CANCEL - ERROR IN ESSENTIAL FACT, THE COMMUNICATIONS TOWER THAT WAS SUPPOSE TO BE BUILT ON THIS PARCEL WAS NEVER BUILT. RPTL 550(3)B

Petition No. 203065 / 203 - ASSESSOR - Cancel - \$460.78

SBL No. 207.00-1-21.2 - TOWN OF EDEN

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 460.78 - Town/SpecialDist/School

Charge to : BASIC STAR EXEMPTION 460.78

REFUND - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF 27,000 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. EDEN CENTRAL  
 CHECK IN FAVOR OF: LARRY L & PATRICIA PLACE

Petition No. 203066 / 203 - ASSESSOR - Cancel - \$1,597.44

SBL No. 215.02-1-14.1 - TOWN OF HOLLAND

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 1,597.44 - Town/SpecialDist/School

Charge to : HOLLAND CENTRAL 1,597.44

CANCEL - CLERICAL ERROR, THIS PARCEL IS A GROUP HOME MAKING IT EXEMPT FROM SCHOOL TAX. EXEMPTION OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C

Petition No. 203067 / 203 - ASSESSOR - Refund - \$628.92

SBL No. 104.71-1-15 - TOWN OF LANCASTER

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 628.92 - Town/SpecialDist/School

Charge to : BASIC STAR EXEMPTION 628.92

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

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25,500 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM  
 THE TAX ROLL. RPTL 550(2)C DEPEW UNION FREE  
 CHECK IN FAVOR OF: PATRICK C & BARBARA WACHOWSKI

Petition No. 203068 / 203 - ASSESSOR - Refund - \$482.49

SBL No. 126.08-3-4 - TOWN OF LANCASTER

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 482.49 - Town/SpecialDist/School

Charge to : BASIC STAR EXEMPTION 482.49

REFUND - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF  
 25,500 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE  
 TAX ROLL. RPTL 550(2)C LANCASTER CENTRAL  
 CHECK IN FAVOR OF: KEVIN & NANCY KOWALCZEWSKI

Petition No. 203069 / 2001 - ASSESSOR - Refund - \$105.33

SBL No. 22.00-1-11.1 - TOWN OF NEWSTEAD

Acct. No. 112 - \$ 66.31 - County

Acct. No. 132 - \$ 39.02 - Town/SpecialDist/School

Charge to : TOWN OF NEWSTEAD 39.02

REFUND - CLERICAL ERROR, THE AGRICULTURAL EXEMPTION IN THE AMOUNT OF  
 13,229 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE  
 TAX ROLL. RPTL 550(2)C  
 CHECK IN FAVOR OF: WILLARD CUMMINGS

Petition No. 203070 / 203 - ASSESSOR - Refund - \$460.90

SBL No. 32.00-3-2.2 - TOWN OF NEWSTEAD

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 460.90 - Town/SpecialDist/School

Charge to : BASIC STAR EXEMPTION 460.90

REFUND - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF  
 30,000 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM  
 THE TAX ROLL. RPTL 550(2)C AKRON CENTRAL  
 CHECK IN FAVOR OF: DOUGLAS LOMBARD

Petition No. 203071 / 2000 - ASSESSOR - Cancel - \$28.22

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**ERIE COUNTY LEGISLATURE**

SBL No. 33.00-2-28./A - TOWN OF NEWSTEAD

Acct. No. 112 - \$ 8.66 - County

Acct. No. 132 - \$ 19.56 - Town/SpecialDist/School

Charge to : TOWN OF NEWSTEAD	3.11
AKRON CENTRAL	16.45

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS 1,170 AND SHOULD BE 0. THIS IS A NON-PRODUCTION GAS WELL ON WHICH THE VALUE IS BASED ON GAS PRODUCTION. RPTL 550(2)A

Petition No. 203072 / 2001 - ASSESSOR - Cancel - \$27.70

SBL No. 33.00-2-28./A - TOWN OF NEWSTEAD

Acct. No. 112 - \$ 7.61 - County

Acct. No. 132 - \$ 20.09 - Town/SpecialDist/School

Charge to : TOWN OF NEWSTEAD	3.44
AKRON CENTRAL	16.65

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS 1,170 AND SHOULD BE 0. THIS IS A NON PRODUCTIVE GAS WELL ON WHICH THE VALUE IS BASED ON THE PRODUCTION OF GAS. RPTL 550(2)A

Petition No. 203073 / 2002 - ASSESSOR - Cancel - \$69.02

SBL No. 33.00-2-28./A - TOWN OF NEWSTEAD

Acct. No. 112 - \$ 18.63 - County

Acct. No. 132 - \$ 50.39 - Town/SpecialDist/School

Charge to : TOWN OF NEWSTEAD	8.00
AKRON CENTRAL	42.39

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS 2,871 AND SHOULD BE 0. THIS IS A NON PRODUCTION GAS WELL ON WHICH THE VALUE IS BASED ON THE PRODUCTION OF GAS. RPTL 550(2)A

Petition No. 203074 / 203 - ASSESSOR - Refund - \$224.18

SBL No. 33.00-6-30 - TOWN OF NEWSTEAD

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 224.18 - Town/SpecialDist/School

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**ERIE COUNTY LEGISLATURE**

Charge to : AKRON CENTRAL 224.18

REFUND - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 14,600 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C  
 CHECK IN FAVOR OF: LINDA WEAVER

Petition No. 203075 / 203 - ASSESSOR - Refund - \$669.78

SBL No. 67.69-2-34 - TOWN OF TONAWANDA

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 669.78 - Town/SpecialDist/School

Charge to : TOWN OF TONAWANDA 23.25  
 BASIC STAR EXEMPTION 309.95  
 BASIC STAR EXEMPTION 336.58

REFUND - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF 21,130 WAS OMITTED IN ERROR FROM THE TAX ROLL. PARTIAL PAYMT WAS MADE RESULTING IN A CANCELLATION OF 336.58 A REF AMT OF 333.20.RPTL 550(2)C  
 CHECK IN FAVOR OF: SANDRA BUONO

Petition No. 203076 / 102 - ASSESSOR - Refund - \$648.53

SBL No. 66.63-3-7 - TOWN OF TONAWANDA

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 648.53 - Town/SpecialDist/School

Charge to : VILLAGE OF KENMORE 648.53

REFUND - CLERICAL ERROR, THE RPTL 520 WAS POSTED ON THE VILLAGE TAX BILL IN ERROR. RPTL 550(2)E  
 CHECK IN FAVOR OF: TIMOTHY M KNIGHT

Petition No. 203077 / 203 - ASSESSOR - Refund - \$1,077.35

SBL No. 78.21-1-28 - TOWN OF TONAWANDA

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 1,077.35 - Town/SpecialDist/School

Charge to : NYS STAR ENHANCED EXEMPTI 1,077.35

REFUND - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF 35,210 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C KEN TON SCHOOL DISTRICT  
 CHECK IN FAVOR OF: EDWARD P KOZA

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**ERIE COUNTY LEGISLATURE**

Petition No. 203078 / 203 - ASSESSOR - Refund - \$646.53

SBL No. 78.35-2-10 - TOWN OF TONAWANDA

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 646.53 - Town/SpecialDist/School

Charge to : BASIC STAR EXEMPTION 646.53

REFUND - CLERICAL ERROR, THE BASIC STAR EXEMPTION IN THE AMOUNT OF 21,130 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C

CHECK IN FAVOR OF: JAMES P TRIMPER JR & SUSAN TRIMPER Petition No. 203079 / 203 -  
 ASSESSOR - Cancel - \$163.37

SBL No. 134.07-3-2.1/5807 - TOWN OF WEST SENECA

Acct. No. 112 - \$ 0.00 - County

Acct. No. 132 - \$ 163.37 - Town/SpecialDist/School

Charge to : WEST SENECA CENT 163.37

CANCEL - CLERICAL ERROR, THE DISABILILTY EXEMPITON IN THE AMOUNT OF 12,275 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550 (2)C

Petition No. 203080 / 2002 - ASSESSOR - Cancel - \$675.30

SBL No. 143.15-1-37 - TOWN OF WEST SENECA

Acct. No. 112 - \$ 337.65 - County

Acct. No. 132 - \$ 337.65 - Town/SpecialDist/School

Charge to : TOWN OF WEST SENECA 337.65

CANCEL - CLERICAL ERROR, THE RPTL 520 THAT WAS PLACED ON THIS PARCEL WAS PREVIOUSLY PAID UNDER VARIOUS SBL'S 143.05-1-35,143.05-1-36, 143.05-1-37 & 143.05-1-38. RPTL 550(2)E

(4-0) Legislator Peoples absent.

3.	Item	Page	-2002	<b>AS AMENDED</b> (Comm. 18E-29)
	<b>COMPTROLLER</b>			
	RESOLUTION NO. <u>488-2002</u>			

BOND RESOLUTION DATED December 12, 2002



**MEETING NO. 25**  
**December 12, 2002**

**ERIE COUNTY LEGISLATURE**

BOND RESOLUTION OF THE COUNTY OF ERIE, NEW YORK, AUTHORIZING THE PARTIAL RECONSTRUCTION OF AND CONSTRUCTION OF IMPROVEMENTS TO VARIOUS COUNTY BUILDINGS, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$1,840,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$1,840,000 BONDS OF THE COUNTY TO PAY THE COST THEREOF.

(Introduced) December 9, 2002  
(Adopted) December 12, 2002

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

Section 1. The County of Erie, New York (herein called "County"), is hereby authorized to partially reconstruct various County buildings including but not limited to: at the Rath Building acquisition and installation of (i) computer hardware and software to upgrade the Energy Management System, (ii) a water pressure booster system, (iii) replacement toilets and urinals, (iv) low flow faucet aerators, (v) a variable speed drive and condenser water pumps, (vi) hardware for remote monitoring of electricity and water consumption and district heat use, and (vii) a chiller replacement; at Old County Hall acquisition and installation of (i) replacement toilets and urinals, (ii) low flow faucet aerators and (iii) flush valves on toilets. The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and to the financing thereof, is \$1,840,000, and said amount is hereby appropriated therefor. To the extent that the details set forth in this resolution are inconsistent with any details set forth in the 2002 Capital Budget of the County, such Budget shall be deemed and is hereby amended. The plan of financing includes the issuance of \$1,840,000 bonds of the County and any bond anticipation notes issued in anticipation of the sale of said bonds, to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the County in the principal amount of \$1,840,000 are hereby authorized to be issued for the class of objects or purposes described in Section 1 hereof, pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law") to finance said appropriation.

Section 3. The existing buildings are of at least Class "B" construction as defined by Section 11.00 a. 11. (b) of the Law, and the period of probable usefulness for the class of objects or purposes for which said \$1,840,000 bonds herein authorized to be issued, within the limitations of §11.00 a. 89 of the Law, is five (5) years.

Section 4. The County intends to finance, and the Comptroller of the County is hereby authorized to advance such amounts as are necessary to pay the costs of the object or purpose described in Section 1 hereof prior to the issuance of the bonds or bond anticipation notes authorized

out of any available funds of the County, on an interim basis, which amounts are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the County, pursuant to this Bond Resolution, in the maximum amount of bonds herein authorized. This Resolution is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

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

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

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

- (a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of this Resolution or a summary hereof, are not substantially complied with, and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or
- (c) such obligations are authorized in violation of the provisions of the Constitution.

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

(4-1) Legislator Peoples absent. Chairman DeBenedetti present as Ex-Officio Member. Legislator

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**ERIE COUNTY LEGISLATURE**

Swanick in the negative.

4. Item Page -2002 (Comm. 20E-45)  
**COUNTY EXECUTIVE**

WHEREAS, the Division of Budget, Management and Finance did receive a request from Robert N. Rydzewski who owns property adjoining the above County owned parcel of land to purchase this land, and

WHEREAS, this parcel was reviewed and approved for sale by the Advisory Review Committee, and

WHEREAS, this office has received no other interests in this property as a result of the canvass letters sent to other adjacent property owners,

NOW, THEREFORE, BE IT RESOLVED, that the following parcel of land be sold without public auction pursuant to Article 14, Section 14-1.0 of the Erie County Tax Act to Robert N. Rydzewski for the sum of Five Thousand and 00/100 Dollars (\$5,000.00)

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Evans, County of Erie and State of New York being part of Farmlot 81, Township 8, Range 9, and further described on Erie County Tax Maps as Section, Block and Lot No. 251.050-1-68 (Best Street 360.00 x 125.00).

Further described as:

Beginning at a point in the northerly line of Best Street (60' Wide) 696.32 west of the west line of Erie Road (100' wide).

Thence northerly 125' to the south line of MC 2334;

Westerly along said south line 360';

Southerly 125' to said north line of Best Street;

Easterly along said north line of Best Street 360' to Point of Beginning

Intending to convey those lands acquired by Erie County as Serial No. 1873 in the County In Rem No. 153 by deed filed April 19, 1999 in Liber 10950 at Page 994 at the Erie County Clerk's Office, and

Reserving to the County of Erie a 20' wide Permanent Easement which will cover the southerly 20' x 360' of the above described parcel and be it further

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**ERIE COUNTY LEGISLATURE**

RESOLVED, that the Erie County Executive is hereby authorized and directed to execute a quit claim deed conveying the interest of the County of Erie in the above described properties to the aforesaid purchaser, and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Director of Budget, Management and Finance, the Office of the County Comptroller, the County Attorney and the Finance Office.

(4-0) Legislator Peoples absent.

5. Item Page -2002 (Comm. 20E-46)

**COUNTY EXECUTIVE**

WHEREAS, the New York State Department of Environmental Conservation has asked the County of Erie for a permanent Right of Way and Easement over, under, along and/or through the County owned parcel located on Whaley Avenue, East Aurora, New York SBL # 164.200-5-16.100, and

WHEREAS, the Deputy Commissioner of Real Property Tax has determined that this Right of Way and Easement can be granted, and

WHEREAS, the Advisory Review Committee will review this proposal, and

WHEREAS, it is necessary that this approval be granted to remediate the hazardous waste problem, and

WHEREAS, under the agreement made between the County of Erie, 95 Franklin Street, Buffalo, New York 14202 hereinafter described as OWNER, and the People of the State of New York, hereinafter described as PURCHASER, by the New York State Department of Environmental Conservation, and pursuant to the provisions of Section 3.0301 and Article 27 of the Environment Conservation Law under which this purchase is being made, hereby *agree* to the following terms and conditions:

WHEREAS, the *Owner* claims to own the land hereinafter described and wishes to convey a long term easement over a portion of this land to the Purchaser, and desires the *Purchaser* to make an examination of the title to said land; and

WHEREAS, the *Purchaser* desires to secure title to said land, but before doing so, it will be necessary that the *Purchaser* examine the title to said land and secure the approval of title thereto by the Attorney General;

NOW THEREFORE,

The *Owner* in consideration of the performance of the covenants hereinafter contained on the part of the *Purchaser*, hereby agrees to sell and convey unto the *Purchaser* a 20 year easement to the land hereinafter described, by full covenant warranty deed, free and clear from any and all liens and

encumbrances, according to such descriptions as approved by the Comptroller of the State of New York pursuant to his rules, such descriptions to be in accordance with an accurate survey or map to be made by or on behalf of the *Purchaser* at the expense of the *Purchaser*; said deed to contain a trust covenant in accordance with Subdivision 5 of Section 13 of the Lien Law; for the sum of One and 00/100 Dollar, Payment Waived (\$1.00 PW) and the *Purchaser*, subject to the approval of title to said land by the Attorney General, and in consideration of the performance of the covenants hereinabove and hereinafter contained on the part of the *Owner* agrees to buy said land and to pay the *Owner* therefore the said sum as aforesaid; such payment to be made after the deed from the *Owner* to the *Purchaser* shall have been duly recorded in the Office of the Clerk of the County wherein said land is situated.

The owner covenants with the Purchaser and the Purchaser covenants with the owner as follows:

1. That the title of the land, hereinafter described, shall be examined with all convenient speed and said title shall be subject to the approval of the Attorney General of the State of New York after the same has been made satisfactory to him and that the Purchaser shall procure a search covering the said land if the Owner has not such a search.
2. That said Owner will submit to the Attorney General all maps, deeds and other papers and documents relating to, or affecting the title to, or right of possession of, the land hereinafter described, and will furnish the Attorney General such additional information and papers as the Attorney General may require, so far as the same may be in his possession or obtainable by him, and that said Owner will otherwise cooperate with him.
3. That said Owner will, with all convenient speed, clear such objections to the title of said land, hereinafter described, as shall be submitted by the Attorney General to said Owner through the mail, or otherwise, to the address above given, or to such person on behalf of the Owner, or other address, as the Owner shall in writing furnish the Attorney General; that said Owner will secure and deliver to the Attorney General necessary affidavits, releases and conveyances as the Attorney General shall deem necessary for the purpose of disposing of such objections.
4. That whenever notified by the Attorney General by letter or otherwise, said Owner will execute and deliver to the Attorney General for the Purchaser, without delay, a full covenant warranty deed of the land hereinafter described, together with an affidavit of title in the form prescribed by the Attorney General. Said deed shall be subject to the approval of the Attorney General with respect to form, manner of execution and recordability.
5. The said Owner will pay and discharge all taxes and assessments, which are due, and payable or which are liens against said land at the time of recording of the deed thereof to the Purchaser. All current taxes will be prorated accordingly.
6. That if the title of said Owner to the land hereinafter described is based on adverse possession said Owner will, at his own expense, perpetuate the evidence of such possession in the manner provided by Article 31 of the Civil Practice Laws and Rules before title will be approved by the Attorney General.

7. It is further mutually understood and agreed that the obligations of the Owner to clear objections to the title to said real property shall not include the extinguishment of easements if any, for the construction, operation and maintenance of public service electric, telephone, telegraph and pipe lines, or railroads and other transportation corporations or the right of others in any public road, right of way, waterway, street or highway running through or along the premises. The above purchase price is exclusive of such other possible interests.
8. The conveyance shall also include the right, title and interest of the Owners, in and to any lands lying in the bed of any right of way, highway, road, street or avenue, or in the bed of any waterway, marsh, pond, lake, bay, drainage or irrigation ditch, river, creek or stream, running through the premises to be conveyed or lying in front or adjacent thereto, together with any and all right of ingress or egress over and across any private drive, land, waterway or road, leading to and from any highway, road, street or avenue, to the real property herein described.
9. It is further mutually understood and agree, anything to the contrary notwithstanding, that if, in the opinion of the Purchaser, it is necessary, or desirable, to acquire the same by appropriation pursuant to law; title to said lands may be so acquired by the Purchaser in lieu of acquisition by conveyance from said Owner and in such event upon the vesting of title in the Purchaser as provided by law, this AGREEMENT shall become an AGREEMENT OF ADJUSTMENT of the claim of said Owner for compensation for the value of the real property so appropriated, and shall constitute an agreement that the value of the real property so appropriated shall be and is hereby fixed and determined at the sum of \$ 1.00 PM without interest, moving expenses, supplemental relocation payments, and incidental expenses (except pro rate of taxes) and as payment in full of any and all such claims arising from the appropriation.

All covenants of this agreement shall apply, in case of appropriation, with respect to disposition of objections to title, as that title and those objections are found by the Attorney General to have existed at the time of appropriation.

This agreement consisting of 3 pages is executed in 6 counterparts; each of which is an original for all purposes.

It is further understood and agreed that this agreement is to apply to and bind the heirs, devisees, grantees, executors, administrators, successors, and assigns of the Owner.

The land hereby contracted to be sold by the Owner to the Purchaser is described as follows:

A 20 year easement to be exercised in, on, and over the property below designated for the purposes of constructing, reconstructing, operating, maintaining, repairing, and/or replacing the groundwater extraction and treatment system, drainage pipe lines and drainage structures, and for the further purpose of monitoring and sampling groundwater together with appurtenances, in and to all that piece or parcel of property herein after designated as Map No. 8, Parcel No. 8, situate in Lot No. 24,

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**ERIE COUNTY LEGISLATURE**

Township No. 9, Range No. 6 of the Holland Land Company Survey, Village of East Aurora, County of Erie, State of New York, as shown on the accompanying Map and described as follows:

Parcel No. 8

Commencing at a point on the northerly boundary of existing Ridge Avenue, at its intersection with the westerly boundary of existing Whaley Avenue; thence North 87°49'11" West along the northerly boundary of existing Ridge Avenue a distance of 16.88 feet to the Point of Beginning, said point having coordinates N1009569.36 and E1140043.66; thence North 87°49'11" West continuing along the northerly boundary of existing Ridge Avenue a distance of 29.92 feet to a point; thence through the property of the County of Erie (Reputed Owner) the following three (3) courses and distances: (1) North 02°10'49" East a distance of 16.74 feet to a point; thence (2) South 74°46'21" East a distance of 30.71 feet to a point; thence (3) South 02°10'49" West a distance of 9.81 feet to the Point of Beginning, being 397.10 square feet, more or less.

Reserving, however, to the owner of any right, title or interest in and to the property described above, and such owners successors or assigns, the right of using said property and such use shall not be further limited or restricted under this easement beyond that which is necessary to effectuate its purposes for, and as established by, the construction and as so constructed, the maintenance of the herein identified project.

The Horizontal datum used in the preparation of the survey baseline and mapping shown herein is referenced to the New York State Plane Coordinate system, Western Zone, based on the North American Datum of 83/96 HARN.

All Bearings referred to True North at the 78°-35'-00" Meridian of West Longitude.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter into any necessary agreements and other documents with the New York State Department of Environmental Conservation in order to facilitate that Department's efforts to remediate this hazardous waste site, and be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Director of Budget, Management and Finance, the County Attorney, the County Comptroller and the Finance Office.  
 (4-0) Legislator Peoples absent.

6. Item Page -2002 (Comm. 24D-2)

**BOARD OF ELECTIONS**

**WHEREAS**, during the development of the 2002 budget, it was not known that the capacity of the voting machine would be exceeded by the number of candidates for election office, the extra cost of printing official paper ballots was unforeseen.

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**ERIE COUNTY LEGISLATURE**

**WHEREAS**, the amount of the additional costs incurred needs to be transferred within the Board's budget to appropriate account, Other Expenses, and

**WHEREAS**, funds exist in the 2002 departmental budget of the Erie County Board of Elections necessary to pay for these unanticipated printing costs, there is no additional cost to the County.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that this honorable Body does hereby authorize the sum of \$77,583.75 to be transferred from Account 110 918 500 684200 - F.E.M.A. to Account 110 918 500 826 - Other Expenses.

Account 110 918 500 684200 - F.E.M.A.	\$ 77,583.75
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Account 110 918 500 826 - Other Expenses	\$ 77,583.75
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And be it further

**RESOLVED**, that certified copies of this resolution be sent to the County Executive, Erie County Comptroller, Director of Budget and Management and the Commissioner of the Erie County Board of Elections.

Fiscal Implications: None

(5-0) Legislator Peoples absent. Chairman DeBenedetti present as Ex-Officio Member.

7. Item Page -2002 (Comm. 24E-24)

**COUNTY EXECUTIVE**

**WHEREAS**, the County of Erie and the New York State Nurses Association have reached an agreement covering the working conditions, including wages and fringe benefits, for those employees of the County of Erie who are Registered Nurses and employed in the ECMC Network or the Erie County Department of Health for a period July 1, 2002 through December 31, 2003;

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the attached amendments to the 1998-2002 Collective Bargaining Agreement are hereby approved effective July 1, 2002 except as otherwise specified and agreed to and shall remain in full force and effect until December 31, 2003; and be it further

**RESOLVED**, that said benefits and salary schedules in percentage increases be extended to all employees covered by said Agreement who are on the active payroll as of July 1, 2002; and be it further



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RESOLVED, that the County Executive be authorized to enact said agreement; and be it further

RESOLVED, that certified copies of this resolution will be forwarded to the Personnel Department, Division of Labor Relations, Division of Budget, Management and Finance, ECMC, Health Department and Comptroller.

(5-0) Legislator Peoples absent. Chairman DeBenedetti present as Ex-Officio Member.

8. Item Page -2002 (Comm. 24E-39)

**COUNTY EXECUTIVE**

WHEREAS, the Erie County budget for the year 2003 has been adopted.

NOW, THEREFORE, BE IT

RESOLVED, that the amounts in said County budget that are required to be raised by taxes by this Legislature, are hereby levied upon and shall be collected from the taxable property situated within the County of Erie and liable therefore, effective January 1, 2003, and be it further

RESOLVED, that the Director of Budget, Management and Finance and/or successor to the Commissioner of Finance is hereby directed to apportion said taxes to be raised for such budget against the taxable property liable therefore, as provided by law, and be it further

RESOLVED, that certified copies of this resolution be transmitted to the Director of Budget, Management and Finance, the County Comptroller, the County Attorney and the Finance Department.

(4-0) Legislator Peoples absent.

**DALE W. LARSON**  
**CHAIRMAN**

MR. LARSON moved to separate item #3 and moved the approval of the balance of the report. MR. WEINSTEIN seconded.

CARRIED UNANIMOUSLY.

MR. LARSON moved the approval of item #3. MR. WEINSTEIN seconded.

CHAIRMAN DeBENEDETTI directed that a roll call vote be taken.

AYES: DALE, DUSZA, FISHER, HOLT, KUWIK, PEOPLES, SCHROEDER, SWANICK, CHASE, CUSACK, DeBENEDETTI, FALKNER, LARSON, McCARVILLE, RANZENHOFER & WEINSTEIN.

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**ERIE COUNTY LEGISLATURE**

CARRIED UNANIMOUSLY.

Item 20 – MR. RANZENHOFER presented the following resolution and moved for immediate consideration. MR. WEINSTEIN seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 489

December 9, 2002

ECONOMIC DEVELOPMENT  
 COMMITTEE  
 REPORT NO. 18

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

1. Item Page -2002 (Comm. 22E-13)

**COUNTY EXECUTIVE**

**WHEREAS**, the Buffalo Convention Center Management Corporation (CCMC) has requested an additional 2002 operating subsidy in the amount of \$210,000 to offset a projected year-end operating deficit; and

**WHEREAS**, services provided by the CCMC are central to promoting the use of the Convention Center as part of our region's convention and tourism destination marketing efforts; and

**WHEREAS**, maintaining the fiscal health of this organization is important given the Buffalo Convention Center's role in hosting conventions and special events that can result in increased revenues, as well as enhanced tourism and related economic impacts for our region,

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the County Executive is hereby authorized to enter into the necessary agreement with the Buffalo Convention Center Management Corporation for the purpose noted above; and be it further

**RESOLVED**, that the source of these additional funds shall be prior years' reappropriations for the Convention Center Management Corporation available in Department 303, Extraordinary County Aid to Local Government (DAC 1109043038300798); and be it further

**RESOLVED**, that certified copies of this resolution be sent to the County Executive; the County Comptroller; the Commissioner of the Department of Environment and Planning; the Director of the Division of Budget, Management and Finance; and Richard Geiger, President, Buffalo Convention Center Management Corporation, 617 Main Street, Suite 400, Buffalo, New York 14203.

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**December 12, 2002**

**ERIE COUNTY LEGISLATURE**

(6-0) Chairman DeBenedetti present as Ex-Officio Member.

2. Item Page -2002 (Comm. 24E-20)

**COUNTY EXECUTIVE**

WHEREAS, the Department of Public Works received bids on November 20, 2002 for the Buffalo Convention Center, Boiler & Exterior Building Rehabilitation for installation of a new chiller, and

WHEREAS, the Department of Public Works is recommending award to the lowest responsible bidders,

NOW, THEREFORE, BE IT,

RESOLVED, that the County Executive be authorized to enter into the following contracts for the Buffalo Convention Center, Boiler & Exterior Chiller Replacement as follows:

MECHANICAL WORK

DV Brown & Associates, Inc.	Base Bid	\$644,400.00
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ELECTRICAL WORK

CIR Electrical Construction Corporation	Base Bid	\$ 10,950.00
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GENERAL CONSTRUCTION WORK

Summit Construction Group, Inc.	Base Bid	<u>\$ 74,890.00</u>
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Total for all contracts:		\$730,240.00
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and be it further,

RESOLVED, that the sum of \$30,000.00 be allocated to a construction contingency fund with authorization for the Commissioner of Public Works to approve change orders not to exceed the amount of the contingency, and be it further,

RESOLVED, that deduct change orders will result in these funds being returned to the contingency account, and be it further,

RESOLVED, that additional architectural/engineering fees be allocated for additional services in an amount not to exceed \$50,000.00 for 2003 bid packages, and be it further,

RESOLVED, that the Commissioner of Public Works is authorized to accept, at a later date, Alternate Bid Nos. H2, H3, H4, E2, E3, and E4 contingent upon receipt of additional funding, and be it further,

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RESOLVED, that if Alternate Bid H2 (\$11,100.00), H3 (\$15,700.00), and H4 (\$54,000.00) are accepted, that the contract with DV Brown will increase by \$80,800.00, and be it further,

RESOLVED, that if Alternate Bids E2 (\$5,400.00), E3 (\$600.00), and E4 (\$5,400.00) are accepted, that the contract with CIR Electric Construction Corporation will increase by \$11,400.00, and be it further,

RESOLVED, that the Comptroller's Office be authorized to make payments for all of the above from the 2002 Buffalo Convention Center, Project 285, Fund 410, in the amount of \$700,000.00, and 2002 Exterior Building Rehabilitation, Project 290, Fund 410, in the amount of \$95,000.00, and 2001 Buffalo Convention Center Reconstruction, Project 192, Fund 410, in the amount of \$15,240.00, and be it further,

RESOLVED, that two certified copies of this resolution be sent to the Department of Public Works, Office of the Commissioner; one copy to Budget Management & Finance; and one copy to the Comptroller's Office.

(6-0) Chairman DeBenedetti present as Ex-Officio Member.

3. Item Page -2002 (Comm. 24E-21)

**COUNTY EXECUTIVE**

WHEREAS, the Department of Public Works received bids for the Erie County Rath Building, Site Rehabilitation, Phase II, on December 3, 2001, and

WHEREAS, your Honorable Body has previously awarded a contract to the lowest responsible bidder, STS Construction Co., in the amount of \$1,149,375.00, and

WHEREAS, during excavation for the next work, additional structural concrete slabs were required for code compliance, in addition to removal of poor soil conditions and miscellaneous repairs,

NOW, THEREFORE, BE IT,

RESOLVED, that the construction contingency fund be increased by \$130,000.00, with authorization for the Commissioner of Public Works to approve change orders, and be it further,

RESOLVED, that deduct change orders will result in funds being returned to the contingency account, and be it further,

RESOLVED, that the sum of \$34,000.00 be allocated for Architectural/Engineering Services necessary to complete the project, and be it further,

RESOLVED, that the Comptroller's Office be authorized to make payments for all of the above from the 2002 Exterior Building Rehabilitation, Fund 410, Project 290, in the amount of

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\$64,000.00 and Rath Building & Site, Fund 410, Project 195, in the amount of \$12,000.00, and Code Compliance, Fund 410, Project 129, in the amount of \$88,000.00, and be it further,

RESOLVED, that two certified copies of this resolution be sent to the Department of Public Works, Office of the Commissioner; one copy to the Office of Budget Management & Finance; and one copy to the Office of the Comptroller.

(6-0) Chairman DeBenedetti present as Ex-Officio Member.

4. Item Page -2002 (Comm. 24E-22)

**COUNTY EXECUTIVE**

WHEREAS, The County of Erie, desires to participate in the US EPA Brownfield Showcase Community Pilot Program; and

WHEREAS, The US EPA designated the Niagara Region Coalition as a recipient of the 2000 Brownfield Showcase Community Pilot Program to look at regional approaches to redevelop brownfields along the waterfront; and

WHEREAS, The development of brownfields along our waterfronts will be an important tool for redevelopment of our region and the attraction of new industry to the Buffalo Niagara region; and

WHEREAS, The County of Niagara, the City of Buffalo, and the City of Niagara Falls are also participants of the Niagara Region Coalition; and

WHEREAS, A non-binding Memorandum of Understanding by and among Erie County, the County of Niagara, the City of Buffalo and the City of Niagara Falls has been prepared, which establishes procedures for utilizing federal funds and selection of proposed sites.

NOW, THEREFORE, BE IT

RESOLVED, That the non-binding Memorandum of Understanding by and among the County of Erie, the City of Buffalo, the County of Niagara and the City of Niagara Falls is approved; and be it further

RESOLVED, That the source of these funds for providing planning and public outreach assistance and for brownfield site assistance is being provided by the US EPA; and be it further

RESOLVED, That the Clerk of the Legislature be directed to send certified copies of this resolution to the Director of the Division of Budget, Management and Finance, the Comptroller, the Commissioner of the Department of Environment and Planning and the County Attorney.

(6-0) Chairman DeBenedetti present as Ex-Officio Member.

**MICHAEL H. RANZENHOFER**  
**CHAIRMAN**

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**ERIE COUNTY LEGISLATURE**

MR. RANZENHOFER moved the approval of the resolution. MR. WEINSTEIN seconded.

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 490

December 9, 2002

PUBLIC SAFETY  
 COMMITTEE  
 REPORT NO. 13

ALL MEMBERS PRESENT.

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

a. 

Item	Page	-2002	(Comm. 20M-3)
<b>WNY STOP RED LIGHT RUNNING FOUNDATION: A Guide to Red Light Camera Programs.</b>			
(5-0)			

b. 

Item	Page	-2002	(Comm. 20M-4)
<b>CITY OF BUFFALO POLICE DEPARTMENT: EC Public Benefit Money Spent in 2001.</b>			
(5-0)			

2. 

Item	Page	-2002	(Comm. 20E-35)
<b>COUNTY EXECUTIVE</b>			

WHEREAS, funds have been received from the United States Environmental Protection Agency to enhance the Erie County's Local Emergency Planning Committee's activities, and

WHEREAS, these funds will be used to enhance the Erie County Local Emergency Planning Committee's activities,

NOW THEREFORE BE IT

RESOLVED, that the County Executive, on behalf of the Department of Emergency Services, is hereby authorized to enter into contract with the United States Environmental Protection

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Agency, and to accept \$59,400 awarded by them to update the Erie County Local Emergency Planning Committee's activities, and be it further

RESOLVED, that the following budgetary transactions are authorized in order to establish a grant which will assist the Department of Emergency Services for the Erie County Local Emergency Planning Committee:

Department of Emergency Services  
 United States Environmental Protection Agency Grant

Revenue

SFG684 - Federal Aid - Other	<u>\$59,400.</u>
TOTAL	<u>\$59,400.</u>

Appropriations

SFG821 - Dues and Fees	\$ 10,000
SFG825 - Long Distance Travel	2,000
SFG826 - Other Expenditures	5,000
SFG830 - Contractual	20,000
SFG933 - Lab and Technical Equipment	<u>22,400</u>
TOTAL	\$ 59,400

and be it further

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

3. Item Page -2002 (Comm. 20E-37)

**COUNTY EXECUTIVE**

WHEREAS, funds have been received from the Federal Emergency Management Agency (FEMA) through the New York State Emergency Management Office (SEMO), and

WHEREAS, the funds received for the claims submitted by the Department of Emergency Services on behalf of various County, City Departments and Volunteer Fire Departments will be reimbursed to them for their services rendered to New York City in the aftermath of the events of September 11, 2001, and

WHEREAS, the funds received will be utilized to reimburse the County, City and Volunteer Fire Departments and to purchase needed equipment and services,

NOW, THEREFORE BE IT

RESOLVED, that the County Executive, on behalf of the Erie County Department of Emergency Services, is hereby authorized to utilize these funds to reimburse Erie County, City Departments and Volunteer Fire Departments in funding from FEMA through SEMO, and be it further

RESOLVED, that the following transactions are authorized for the reimbursement of Erie County, City, and Volunteer Fire Departments for time and services rendered in the aftermath of the events of September 11, 2001:

Department of Emergency Services  
 Reimbursement of Claims

	<u>Current</u> <u>Budget</u>	<u>Changes</u>	<u>Revised</u> <u>Budget</u>
<u>Revenue</u>			
SFG 684 Federal Revenue - Other	\$51,355	\$+9,000	\$60,355
TOTAL	\$51,355	\$+9,000	\$60,355
 <u>Appropriations</u>			
SFG 801 Overtime	\$ 3,000	\$ -3,000	\$ 0
SFG 825 Long Distance Travel	\$ 2,000	\$ 0	\$ 2,000
SFG 933 Lab & Tech. Equip.	\$ 2,250	\$ +1,000	\$ 3,250
SFG830 Contractual-Volunteer Fire Companies and City of Buffalo Fire & Emergency Services	<u>\$44,105</u>	<u>\$+11,000</u>	<u>\$55,105</u>
TOTAL	\$51,355	\$+ 9,000	\$60,355

and be it further

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

(5-0)

4. Item Page -2002 (Comm. 20E-38)

**COUNTY EXECUTIVE**

WHEREAS, the funds have been awarded and received from the Federal Emergency Management Agency (FEMA) through the New York State Emergency Management Office (SEMO),





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WHEREAS, the Department of Emergency Services wishes to modify its 2002 budget so that the Department can provide training programs, purchase needed supplies and equipment, and attend required meetings for the remainder of the year, and

WHEREAS, funds are available in the 2002 Department of Emergency Services' Budget which will be transferred in order to purchase the needed equipment, supplies and fund the necessary travel to the out of area meetings,

NOW THEREFORE BE IT

RESOLVED, that authorization is hereby granted for the modification of the Department of Emergency Services 2002 Budget so that the Department can provide training programs, purchase needed supplies and equipment, and attend required meetings for the remainder of the year, as follows:

Department of Emergency Services  
 Modification to Department's 2002 Budget

<u>Appropriations</u>	<u>Adopted Budget</u>	<u>Amount of Change</u>	<u>Proposed Modification</u>
Acct. 821 Dues and Fees	17,593	- 7,000	10,593
Acct 822 Rentals	4,600	+ 435	5,035
Acct 823 Repairs and Maintenance	32,500	+3,000	35,500
Acct. 825 Long Distance	3,525	+ 200	3,725
Acct. 826 Other Expenses	22,800	+3,100	25,900
Acct 930 Office Equipment	0	+ 165	165
Acct. 933 Lab & Tech. Equipment	0	+ 100	100
Total 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 Office of the Comptroller and the Department of Emergency Services. (5-0)

6. Item Page -2002 (Comm. 24E-25)  
**COUNTY EXECUTIVE**

WHEREAS, the Department of Emergency Services has requested permission to upgrade its Emergency Information System, and

WHEREAS, they have requested to purchase the upgrade, a sole source item, from Buffalo Computer Graphics to meet their current needs, and

WHEREAS, this contract is in place of that approval in Communication 17E-13 with Essential Technologies, and

WHEREAS, this special service must be provided immediately due to terrorist threats and upcoming snow season.

NOW, THEREFORE, BE IT,

RESOLVED, that the provisions of Section 19.08 of the Erie County Administrative Code requiring requests for proposal are hereby waived, since this special service must be provided immediately and the vendor, Buffalo Computer Graphics, is a sole source supplier, and be it further

RESOLVED, that the Commissioner of Emergency Services and the County Health Commissioner be authorized to accept the enhanced system that will meet both Department's needs to upgrade current software at a cost not to exceed \$36, 000, and be it further,

RESOLVED, that the County Executive be authorized to enter into said negotiated contract, and be it further,

RESOLVED, that the amount of \$36,000 is hereby transferred from the Regionalism/Economic Development Fund (DAC 1109043038301299) to the Department of Emergency Services budget, Account 933 Lab and Technical Equipment, and be it further,

RESOLVED, that two certified copies of this resolution be sent to the Department of Emergency Services, Office of the Commissioner, and one certified copy shall be sent to the Office of the Comptroller, the Division of Budget, Management and Finance, the Division of Information and Support Services, Health Department and the Department of Law.

(5-0)

7. Item Page -2002 (Comm. 24E-26)

**COUNTY EXECUTIVE**

**WHEREAS**, in 2001 County Executive Joel A. Giambra has established Go Safe!, a cooperative effort with the hospitality and taxi industry that provides a sustainable alternative to drunken driving by offering free taxi rides to patrons of participating establishments, and

**WHEREAS**, Go Safe! has removed over 600 potential drunken drivers from Erie County Roads and has provided for over 800 future rides when needed, and

**WHEREAS**, Go Safe! is endorsed by the Niagara Chapter of Remove Intoxicated Drivers (RID) and Erie County Mothers Against Drunk Driving (MADD), and

**WHEREAS**, project # 571 and the Go Safe! Reserve Account was established to receive donations and pay the expenses of operating Go Safe!, and

**WHEREAS**, Go Safe! has been established as an ongoing grant,

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the following transactions are authorized to amend the budget of the Go Safe Program

**GO SAFE PROGRAM**

Project #571  
 2/15/01 - Ongoing

<u>REVENUES</u>	<u>FROM</u>	<u>CHANGE</u>	<u>TO</u>
ACCT. #360 GO SAFE REVENUE	<u>\$30,000</u>	<u>\$20,000</u>	<u>\$50,000</u>
TOTAL REVENUES	\$30,000	\$20,000	\$50,000
 <u>APPROPRIATIONS</u>			
ACCT 821- DUES & FEES	\$ 4,000	\$ 2,000	\$ 6,000
ACCT 826- OTHER EXPENSE	<u>26,000</u>	<u>18,000</u>	<u>44,000</u>
TOTAL APPROPRIATIONS	<u>\$30,000</u>	<u>\$20,000</u>	<u>\$50,000</u>

and, be it further

**RESOLVED**, that transfers from the trust account will be made only for those moneys in the grant, and, be it further

**RESOLVED**, that the County Executive is authorized to accept donations to the Go Safe Reserve Account and, be it further

**RESOLVED**, that the Go Safe Program is, authorized to directly pay invoices from taxi services providing rides under the Go Safe Program and, be it further

**RESOLVED**, that the STOP-DWI Office is authorized to purchase a general liability policy in the amount of \$1 million per incident and a \$5 million umbrella policy from the Selective Insurance Company in order to mitigate the risks associated with Go Safe and, be it further

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

8. Item Page -2002 (Comm. 24E-27)

**COUNTY EXECUTIVE**

**WHEREAS**, the 2002 STOP-DWI fine revenues are greater than anticipated, and

**WHEREAS**, the contractual expense for local police agencies is calculated on fine revenues, and

**WHEREAS**, increased fine revenue results in an increase in contractual expense for the local police agencies,

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the following transactions are hereby authorized to increase revenues and appropriations:

2002 STOP-DWI Program  
SFG Project #683

<u>Revenue</u>	<u>FROM</u>	<u>CHANGE</u>	<u>TO</u>
SFG Acct# 369- Other Local Source Revenues	\$1,410,980	\$100,000	\$1,510,980

Appropriation

SFG Acct# 830- Contractual Agencies	\$ 719,739	\$100,000	\$ 819,739
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and be it further

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

9. Item Page -2002 (Comm. 24E-28)

**COUNTY EXECUTIVE**

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**ERIE COUNTY LEGISLATURE**

**WHEREAS**, Erie County has the need for personal services to assist the Erie County Department of Central Police Services in overseeing a Public Safety Campus consolidated 911 communications center and radio system and as Mr. Oshier is the FCC chairperson for radio 700 and 800 MHZ coordination in Erie County, in addition to updating and building of the countywide wireless 911 database and implementation of phase 1 & 2 of 911 wireless location technology as mandated by the FCC.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that in order to oversee this design and represent the County and local E-911 public safety answering points (PSAP's) interests, the County Executive is hereby authorized to enter into contract with Louis J. Oshier, and be it further

**RESOLVED**, that the Erie County Legislature hereby finds that it is impractical to follow RFP procedures and hereby waives the procedures outlined in Section 19.08 of the Erie County Administrative Code, since this special service must be provided immediately, and be it further

**RESOLVED**, that funding for this contract is hereby authorized in the 2002 E-911 Fund, Dues and Fees (DAC 230 965650821) in an amount not to exceed \$6,000, and be it further

**RESOLVED**, that the Public Safety Committee and the Erie County Legislature hereby requests that Louis J. Oshier make himself available to keep the Public Safety Committee and the County Legislature regularly advised regarding the design of a public safety communications system and coordination of E-911 wireless activities, and be it further

**RESOLVED**, that certified copies of this resolution be forwarded to the Division of Budget, Management and Finance, the Office of the Comptroller, the Department of Law and the Department of Central Police Services.

(5-0)

10. Item Page -2002 (Comm. 24E-32)

**COUNTY EXECUTIVE**

**WHEREAS**, the District Attorney through the Internet Crimes Against Children Grant provides needed services to the residents of Erie County, and

**WHEREAS**, the Erie County Legislature has already approved the District Attorney's Grant Budgets in Book B for 2002, and

**WHEREAS**, the contract received from the New York State Government has been amended and therefore, authorizes funding levels different from the adopted budget,

**NOW, THEREFORE, BE IT**

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**ERIE COUNTY LEGISLATURE**

**RESOLVED**, that the Erie County Legislature does hereby provide authorization to reallocate funds within the Internet Crimes Against Children Grant to match final state authorized funding levels, to be adjusted as follows:

**INTERNET CRIMES AGAINST CHILDREN GRANT – Project 615**

January 1, 2002 – December 31, 2002

<u>Revenue</u>	<u>ORIGINAL</u>	<u>CHANGE</u>	<u>FINAL</u>
Acct. 627 State Aid	\$ 60,000	\$ - 0 -	\$ 60,000
Total Revenue	\$ 60,000	\$ - 0 -	\$ 60,000
<u>Appropriation</u>	<u>ORIGINAL</u>	<u>CHANGE</u>	<u>FINAL</u>
Acct. 800 Personal Services	\$ 28,551	\$ 4,228	\$ 32,779
Acct. 805 Fringe Benefits	10,682	1,500	12,182
Acct. 810 Office Supplies	3,367	- 0 -	3,367
Acct. 824 Local Travel	400	(400)	- 0 -
Acct. 825 Out of Area Travel	7,000	(3,200)	3,800
Acct. 826 Other Expenses	7,000	(2,000)	5,000
Acct. 933 Lab & Tech Equip.	3,000	(128)	2,872
Total Appropriations	\$ 60,000	\$ - 0 -	\$ 60,000

and be it further

**RESOLVED**, that certified copies of this resolution be forwarded to the Erie County District Attorney, the Erie County Comptroller and the Director of Budget, Management and Finance.  
(5-0)

11. Item Page -2002 (Comm. 24E-33)

**COUNTY EXECUTIVE**

**WHEREAS**, the District Attorney through the Victim/Witness Assistance Grant provides needed services to the residents of Erie County, and

**WHEREAS**, the Erie County Legislature has already approved the District Attorney's Grant Budgets in Book B for 2001, and

**WHEREAS**, all grant accounts need to be closed out on the Erie County's general ledger,

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Erie County Legislature does hereby provide authorization to reallocate funds within the Victim Witness Grant to properly close out the grant as of September 30, 2002, to be adjusted as follows:

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**ERIE COUNTY LEGISLATURE**

**VICTIM/WITNESS ASSISTANCE GRANT – Project 411**

October 1, 2001 – September 30, 2002

<u>Revenue</u>	<u>ORIGINAL</u>	<u>CHANGE</u>	<u>FINAL</u>
Acct. 627 State Aid	\$ 266,667	(\$ 67)	\$ 266,600
Acct. 686 1400 Interfund Rev.	42,506	( 5,902)	36,604
	<u>\$ 309,173</u>	<u>(\$5,969)</u>	<u>\$ 303,204</u>
<u>Appropriations</u>	<u>ORIGINAL</u>	<u>CHANGE</u>	<u>FINAL</u>
Acct. 800 Personal Services	\$ 243,182	(\$ 9,902)	\$ 233,280
Acct. 801 Overtime	1,862	- 0 -	1,862
Acct. 805 Fringe Benefits	58,337	6,663	65,000
Acct. 824 Travel & Mileage	8,730	( 2,730)	6,000
Acct. 883 I/D Reduct Exp.	(10,000)	- 0 -	(10,000)
Acct. 933 Lab & Tech Equip	<u>7,062</u>	<u>- 0 -</u>	<u>7,062</u>
	<u>\$ 309,173</u>	<u>(\$ 5,969)</u>	<u>\$ 303,204</u>

and be it further

**RESOLVED**, that certified copies of this resolution be forwarded to the Erie County District Attorney, the Erie County Comptroller and the Director of Budget, Management and Finance.  
(5-0)

12. Item Page -2002 (Comm. 24E-34)

**COUNTY EXECUTIVE**

**WHEREAS**, the District Attorney through the Be Safe Grant provides needed services to the residents of Erie County, and

**WHEREAS**, the Erie County Legislature has already approved the District Attorney's Grant Budgets in Book B for 2002 and 2003, and

**WHEREAS**, the contract received from the Federal Government authorizes funding levels different from the adopted budget,

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Erie County Legislature does hereby provide authorization to reallocate funds within the Be Safe Grants to match final federal authorized funding levels, to be adjusted as follows:

**BE SAFE GRANT – Project 612**

October 1, 2002 – September 31, 2003



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**ERIE COUNTY LEGISLATURE**

<u>Revenue</u>	<u>ORIGINAL</u>	<u>CHANGE</u>	<u>FINAL</u>
Acct. 684 0120 Federal Aid	\$ 246,000	\$ 33,775	\$ 279,775
Total Revenue	\$ 246,000	\$ 33,775	\$ 279,775
 <u>Appropriation</u>	 <u>ORIGINAL</u>	 <u>CHANGE</u>	 <u>FINAL</u>
Acct. 800 Personal Services	\$ 159,597	\$ 29	\$159,626
Acct. 803 M/C Adjustment	(6,723)	- 0 -	(6,723)
Acct. 805 Fringe Benefits	34,906	(6,173)	28,733
Acct. 821 Dues & Fees	1,120	(1,120)	- 0 -
Acct. 825 Out of Area Travel	10,000	3,220	13,220
Acct. 826 Other Expenses	- 0 -	6,000	6,000
Acct. 830 Contractual Services:	47,100	(47,100)	- 0 -
830 0220 Hispanics United	-	23,895	23,895
830 0735 Haven House	-	45,025	45,025
830 1609 UB Law School	-	9,999	9,999
Total Appropriations	\$ 246,000	\$ 33,775	\$279,775

**BE SAFE GRANT – Project 788**  
October 1, 2003 – September 31, 2004

<u>Revenue</u>	<u>ORIGINAL</u>	<u>CHANGE</u>	<u>FINAL</u>
Acct. 684 0120 Federal Aid	\$ 308,000	\$ (2,881)	\$ 305,119
Acct. 686 1400 Interfund Revenue	9,937	(9,937)	- 0 -
Total Revenue	\$ 317,937	\$ (12,818)	\$ 305,119
 <u>Appropriation</u>	 <u>ORIGINAL</u>	 <u>CHANGE</u>	 <u>FINAL</u>
Acct. 800 Personal Services	\$ 163,930	\$ 2,115	\$ 166,045
Acct. 805 Fringe Benefits	29,507	381	29,888
Acct. 825 Out of Area Travel	12,000	1,220	13,220
Acct. 826 Other Expenses	- 0 -	15,250	15,250
Acct. 830 Contractual Services:			
830 0220 Hispanics United	23,500	1,112	24,612
830 0735 Haven House	68,000	(21,895)	46,105
830 1609 UB Law School	21,000	(11,001)	9,999
Total Appropriations	\$ 317,937	\$ (12,818)	\$ 305,119

and be it further

**RESOLVED**, that certified copies of this resolution be forwarded to the Erie County District Attorney, the Erie County Comptroller and the Director of Budget, Management and Finance.  
(5-0)

**JEANNE Z. CHASE**

**MEETING NO. 25**  
**December 12, 2002**

**ERIE COUNTY LEGISLATURE**

**CHAIRPERSON**

MS. CHASE moved the approval of the resolution. MR. WEINSTEIN seconded.

CARRIED UNANIMOUSLY.

Item 22 – MR. WEINSTEIN presented the following resolution and moved for immediate consideration. MR. FALKNER seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 491

December 9, 2002

HUMAN SERVICES  
 COMMITTEE  
 REPORT NO. 14

ALL MEMBERS PRESENT EXCEPT LEGISLATORS FISHER & HOLT. CHAIRMAN DeBENEDETTI PRESENT AS EX-OFFICIO MEMBER.

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

Item Page -2002 (Comm. 20E-1)  
 a. **PEOPLES:** Copy of Letter to ECMC Chairman of Board of Managers Re: Update on Progress of Search for Permanent CEO.  
 (4-0) Legislators Fisher and Holt absent. Chairman DeBenedetti present as Ex-Officio Member.

Item Page -2002 (Comm. 22E-6)  
 b. **SCHROEDER:** Copy of Letter to Nassau County Medical Center Re: Communication on PBC.  
 (4-0) Legislators Fisher and Holt absent. Chairman DeBenedetti present as Ex-Officio Member.

2. Item Page -2002 (Comm. 20E-15)  
**COUNTY EXECUTIVE**

WHEREAS, due to the reorganization of the Early Intervention and Preschool Programs from the Department of Youth Services to the Department of Health on January 1, 2002, these programs no longer have access to the Petty Cash fund in the Department of Youth Services, and

WHEREAS, the Persons with Special Needs Division is requesting the establishment of a revolving Petty Cash fund, in the amount of Two Hundred Dollars (\$200), and

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WHEREAS, this fund will be utilized to cover the cost of purchases and make payments (usually under \$25.) which are necessary in conducting county business where the vendor requires payment upon delivery, and

WHEREAS, the account activities will be monitored and maintained by adequate fiscal control through a post-audit procedure, and

WHEREAS, Section 2.06 of the County Administrative Code authorizes the establishment of a revolving petty cash fund.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Executive hereby authorizes the creation of a Petty Cash fund in the Persons with Special Needs Division, in an amount of Two Hundred Dollars (\$200), and be it further

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

(4-0) Legislators Fisher and Holt absent. Chairman DeBenedetti present as Ex-Officio Member.

3. Item Page -2002 (Comm. 20E-16)

**COUNTY EXECUTIVE**

WHEREAS, the Erie County Department of Health is a member of a coalition of concerned community agencies comprising the Partners for Prevention and Cancer Screening Services of Erie County, and

WHEREAS, high risk populations in Erie County encounter numerous barriers to obtaining screening and education services, and

WHEREAS, the Erie County Department of Health received a grant award from the United Way of Buffalo and Erie County in the amount of \$12,500 for the purpose of providing barrier reduction and fear resolution services for clients enrolled in the Erie County Partners for Prevention Program, and

WHEREAS, these funds will be used to subcontract with the American Cancer Society for services including transportation, translation, and education, and

WHEREAS, the Erie County Health Department will act as the fiscal intermediary for this project.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to accept the grant award from the United Way of Buffalo and Erie County to be budgeted as follows:

**UNITED WAY BARRIER REDUCTION**  
**4/1/02 – 6/30/04**

<u>SFG</u>	<u>REVENUE</u>	<u>BUDGET</u>
517	OTHER LOCAL SOURCE	<u>\$12,500</u>
	<b>TOTAL</b>	<b><u>\$12,500</u></b>
	 <u>EXPENSES</u>	
830-987	CONTRACTUAL AMERICAN CANCER SOCIETY	<u>\$12,500</u>
	<b>TOTAL</b>	<b><u>\$12,500</u></b>

and be it further

RESOLVED, that the subcontract with the American Cancer Society is a special service which must be provided immediately and continuously, and therefore the RFP procedure required under Erie County Administrative Code, is hereby waived, and be it further

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

(4-0) Legislators Fisher and Holt absent. Chairman DeBenedetti present as Ex-Officio Member.

4. Item Page -2002 (Comm. 20E-17)

**COUNTY EXECUTIVE**

WHEREAS, the Erie County Department of Health received a revised grant award from the New York State Department of Health in the amount of \$252,420 for the blending of two pre-existing programs, (the Erie County Healthy Women’s Partnership and the Colorectal Prostate Initiative of Erie County) to form the Partners for Prevention Cancer Screening Services of Erie County, and

WHEREAS the purpose of this funding is for breast and cervical cancer screening for low income, asymptomatic, underserved women aged 18 and over, and fecal occult blood screening and prostate cancer awareness education, and

WHEREAS, the Erie County Partners for Prevention Cancer Screening Services of Erie County is made up of a coalition of concerned community agencies and health care providers, funded by grants from the New York State Health Department, Health Research, Inc. and the United Way of Buffalo and Erie County, and

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WHEREAS, the Erie County Health Department is the fiscal intermediary for this project.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to accept the revised grant award from the New York State Health Department to be budgeted as follows:

**PARTNERS FOR PREVENTION (formerly HWP)**

**4/01/02 - 3/31/03**

**PROJECT # 699**

<u>SFG</u>	<u>REVENUE</u>	<u>CURRENT</u> <u>BUDGET</u>	<u>CHANGES</u>	<u>REVISED</u> <u>BUDGET</u>
517	OTHER LOCAL SOURCE	\$10,000	-\$10,000	\$0
553	STATE AID	<u>123,160</u>	<u>129,260</u>	<u>252,420</u>
	<b>TOTAL</b>	<u>\$133,160</u>	<u>\$119,260</u>	<u>\$252,420</u>
	<b><u>EXPENSES</u></b>			
825	OUT OF AREA TRAVEL	\$1,000	\$1,000	\$2,000
826	OTHER EXPENSES	0	1,000	1,000
	CONTRACTUAL AMERICAN CANCER			
830-987	SOCIETY	70,999	53,219	124,218
830-988	CONTRACTUAL SISTERS OF CHARITY HOSP.	10,000	7,460	17,460
830-989	CONTRACTUAL CLINICAL SERVICES-HWP	48,046	29	48,075
830-1184	CONTRACTUAL ROSWELL	0	15,557	15,557
830-1610	CONTRACTUAL CLINICAL SERVICES-CPI	0	35,606	35,606
880-4000	INTERFUND-ECMC	228	2,000	2,228
882-2709	DEPT. OF HEALTH	150	850	1,000
932	OFFICE EQUIPMENT	0	2,000	2,000
933	LAB & TECH EQUIPMENT	<u>2,737</u>	<u>539</u>	<u>3,276</u>
	<b>TOTAL</b>	<u>\$133,160</u>	<u>\$119,260</u>	<u>\$252,420</u>

and be it further

RESOLVED, that the Erie County Executive is hereby authorized to enter into subcontracts with the American Cancer Society, in the amount of \$124,218, for the purpose of coordinating the day-to-day operations of the Partners for Prevention Cancer Screening Services; and with Sisters of Charity Hospital, in the amount of \$17,460, for the purpose of providing data management services,

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fecal occult blood test screening kit purchase and development and mailing services, and with Roswell Park Division of Health Research, Inc., in the amount of \$15,557, for the purpose of housing and provision of day-to-day supervision of Colorectal Prostate Initiative Coordinator and data/case manager, and be it further

RESOLVED, that these subcontracts with the American Cancer Society, the Sisters of Charity Hospital, and Roswell Park Division of Health Research, Inc. are special services which must be provided immediately and continuously, and therefore, the RFP procedure required under Erie County Local Law No. 6, Section 19.08 of the Erie County Administrative Code, is hereby waived, and be it further

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

(4-0) Legislators Fisher and Holt absent. Chairman DeBenedetti present as Ex-Officio Member.

5. Item Page -2002 (Comm. 20E-18)

**COUNTY EXECUTIVE**

WHEREAS, New York State requires that the Medical Examiner’s Toxicology Laboratory maintain forensic laboratory accreditation, and

WHEREAS, the New York State Legislature appropriated funds to help laboratories pay the costs associated with attaining and maintaining accreditation required by Executive Law Article 49-B, and

WHEREAS, the Medical Examiner’s Toxicology Laboratory will purchase analytical instrumentation and continue to fund one Assistant Toxicologist, JG 9, position.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Executive is hereby authorized to enter into an amended agreement with the New York State Division of Criminal Justice to accept the grant budgeted as follows:

Supplemental Aid to Localities  
 Medical Examiner’s Toxicology Laboratory Aid Grant  
 04/01/02 – 03/31/04  
 Project #690

<u>REVENUE</u>	<u>CURRENT</u> <u>BUDGET</u>	<u>CHANGES</u>	<u>REVISED</u> <u>BUDGET</u>
STATE AID	\$ 173,905	-\$ 97,596	\$ 76,309
<b>TOTAL</b>	<u>\$ 173,905</u>	<u>-\$ 97,596</u>	<u>\$ 76,309</u>

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**EXPENSES**

PERSONNEL SERVICES	\$ 37,103	\$ 808	\$ 37,911
FRINGE BENEFITS	8,593	187	8,780
MEDICAL & HEALTH SUPPLIES	2,327	638	2,965
TRAVEL & MILEAGE	2,425	-439	1,986
OTHER EXPENSES	500	2,700	3,200
LAB AND TECHNICAL EQUIPMENT	<u>122,957</u>	<u>-101,490</u>	<u>21,467</u>
<b>TOTAL</b>	<b><u>\$ 173,905</u></b>	<b><u>-\$97,596</u></b>	<b><u>\$ 76,309</u></b>

and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Department of Health, the Division of the Medical Examiner's Toxicology Laboratory, the Office of the Comptroller, the Division of Budget, Management and Finance, and the Department of Law. (4-0) Legislators Fisher and Holt absent. Chairman DeBenedetti present as Ex-Officio Member.

6. Item Page -2002 (Comm. 20E-22)

**COUNTY EXECUTIVE**

WHEREAS, the Department of Health has a contract with the New York State Department of Health to be the local entity responsible for completing source water assessments for approximately 110 public water systems in Erie County, and for identifying potential contamination risks to those systems, and

WHEREAS, the Department of Health has determined that budgetary adjustments are necessary in order to more effectively and efficiently meet the requirements of the program, and

WHEREAS, it is necessary to create one part-time position of Assistant Public Health Engineer, JG XII, in order to assist in complying with water supply protection regulations, and

WHEREAS, the New York State Department of Health has agreed to extend this contract for one additional year from 4/1/02 to 3/31/03.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to implement the necessary budgetary adjustment and contract extension as follows:

**Department of Health**  
 Source Water Assessment Program  
 4/1/99 - 3/31/03  
 Project # 388

**SOURCE WATER ASSESSMENT PROGRAM**  
**04/01/99 – 06/31/03**  
**PROJECT 388**

<b>SFG SUB OBJ</b>	<b>REVENUE</b>	<b>CURRENT BUDGET</b>	<b>CHANGES</b>	<b>REVISED BUDGET</b>
553	STATE AID	<u>\$ 15,850</u>	<u>\$0</u>	<u>\$ 15,850</u>
	<b>TOTAL</b>	<u>\$ 15,850</u>	<u>\$0</u>	<u>\$ 15,850</u>
<b>EXPENSES</b>				
800	Personal Services	\$ 0	\$7,650	\$ 7,650
805	Fringe Benefits	0	1,000	1,000
810	Office Supplies	500	-500	0
821	Dues & Fees	2,585	-2,185	400
825	Out of Area Travel	3,265	35	3,300
826	Other Expenses	1,000	-800	200
932	Office Equipment	4,500	-4,500	0
933	Lab & Tech Equipment	<u>4,000</u>	<u>-700</u>	<u>3,300</u>
	<b>TOTAL</b>	<u>\$ 15,850</u>	<u>\$ 0</u>	<u>\$ 15,850</u>

And be it further

RESOLVED, that one position of Assistant Public Health Engineer – Part Time, JG XII, is hereby created.

The following personnel detail is hereby submitted:

TITLE: Assistant Public  
Health Engineer – Part Time  
JG: XII  
STEP: 0  
HOURLY RATE: \$20.13

FUNDING: 100% State Funded  
CIVIL SERVICE: No  
CIVIL SERVICE LIST: No

and be it further

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

(4-0) Legislators Fisher and Holt absent. Chairman DeBenedetti present as Ex-Officio Member.



7. Item Page -2002 (Comm. 20E-24)

**COUNTY EXECUTIVE**

WHEREAS, the Department of Probation and Youth Detention Services is responsible for providing secure and non-secure detention services in Erie County, and

WHEREAS, on site recreation, and education are required for children remanded to the custody of Detention pursuant to NYS Executive Law Article 19-G and Chapter E Youth Juvenile Detention Facilities Regulations Part 180, and

WHEREAS, in order to maintain an operating certificate, Erie County Detention facilities must comply with the staffing requirements in the Part 180 operating requirement for Juvenile Detention Facilities regulations, and

WHEREAS, a Detention Recreational Coordinator, J.G. 8, an Educational Counselor, J.G. 10, and an Art and Craft Instructor, J.G. 8, are needed until the new facility is completed to provide services in compliance with personnel agreements and the requirements of Part 180 Juvenile Detention regulations on operation of the Youth Detention Facility's Alden Annex operation, and

WHEREAS, funds are available within Account 830, Contractual Services, of the 2002 Adopted Budget of the Youth Detention Division to fund these positions,

NOW, THEREFORE, BE IT

RESOLVED, that authorization is hereby provided to create a Detention Recreational Coordinator, J.G. 8, an Educational Counselor, J.G. 10, and an Art and Craft Instructor, J.G. 8, for the Erie County Youth Detention Facility's Alden Annex operation, and be it further

RESOLVED, that the County Executive is hereby authorized to transfer funds to cover the cost of the additional positions as follows:

	Department of Youth Services Division of Detention Fund 110- Project 251	
<b>Appropriation</b>		<b>Decrease</b>
Account 110947251830	Contractual Services	<u>\$91,581</u>
	<b>Total:</b>	<b>\$91,581</b>
		<b>Increase</b>
Account 110947251800	Personal Services	\$83,043
Account 11947251805	Fringe Benefits	<u>8,538</u>
	<b>Total:</b>	<b>\$91,581</b>

**Net Change:                -0-**

And be it further

RESOLVED, that said appropriation be on the condition that the State of New York provide revenues of at least \$45,790 based on a reimbursement schedule of 50% for a local youth and 100% for an 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 Erie County Personnel Department, the County Comptroller and the Division of Budget, Management and Finance.

(4-0) Legislators Fisher and Holt absent. Chairman DeBenedetti present as Ex-Officio Member.

8.     Item                Page                                -2002                (Comm. 20E-25)

**COUNTY EXECUTIVE**

**WHEREAS**, the Erie County Department of Mental Health is responsible for the delivery of a comprehensive range of mental health services for the residents of Erie County, and

**WHEREAS**, the Erie County Department of Mental Health already has a contract for services with AIDS Community Services of WNY, Inc., and

**WHEREAS**, the Erie County Legislature established a grant and project budget of \$124,704 from HUD for year one of the five year period, and

**WHEREAS**, the required match of supportive services will be provided by the agency, and

**WHEREAS**, the Legislature requested that the Erie County Department of Mental Health (ECDMH) recommend the transfer of said funds in order to execute contracts with specific provider agencies identified through a Request For Proposals (RFP) process, and

**WHEREAS**, the Erie County Department of Mental Health has recently identified AIDS Community Services, Inc., as the RFP recipient of the HUD Shelter Plus Care V award.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that a 2002 appropriation be established in Project 739 to increase the ECDMH contract with AIDS Community Services of WNY, Inc., by an amount of \$15,588, with the source of these funds being \$15,588 in HUD funds, and be it further

**RESOLVED**, that the County Executive be authorized to increase the contract with AIDS Community Services of WNY, Inc., for the period September 1, 2002 through December 31, 2002 by an amount not to exceed \$15,588, and be it further

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**RESOLVED**, that certified copies of this resolution be furnished to the Department of Mental Health, the Office of the Comptroller, and the Division of Budget, Management and Finance.  
 (4-0) Legislators Fisher and Holt absent. Chairman DeBenedetti present as Ex-Officio Member.

9. Item Page -2002 (Comm. 20E-26)  
**COUNTY EXECUTIVE**

**WHEREAS**, the Department of Social Services contracts with Gateway Longview for respite services that are critically needed to provide short-term immediate care to foster parents with sporadic and immediate care needs, and

**WHEREAS**, these short term services are needed to prevent disruption or termination of foster boarding home placements in such instances as employment, medical emergency and crises resulting from foster child behavioral problems, and

**WHEREAS**, services are provided during all hours and also on weekends and holidays when other programs are generally not available, and

**WHEREAS**, the contract for these services in 2002 has grown beyond the capacity of the resources and funding available in the 2002 budget, and

**WHEREAS**, an expansion of this contract in the amount of \$40,000 in the current year is made possible at no additional local share through the transfer of available funds that will not be needed in the Emergency Assistance to Adults account, and

**WHEREAS**, there is no fiscal impact to this change.

**NOW, THEREFORE, BE IT**

**RESOLVED**, the County Executive and/or Commissioner of Social Service are hereby authorized to amend the current contract with Gateway Longview, increasing the contract by \$40,000, and be it further

**RESOLVED**, that the following budget amendments are hereby authorized in the 2002 Adopted Budget:

**Department of Social Services, Department 200, Fund 120**

<b><u>ACCOUNT</u></b>	<b><u>DESCRIPTION</u></b>	<b><u>INCREASE/ (DECREASE)</u></b>
830 0252	Gateway Longview (Respite Services)	\$40,000
846	Emergency Assistance to Adults	<u>(\$40,000)</u>

Total Expenditures

-0-

and be it further

**RESOLVED**, that because these special services are needed immediately, the County Administrative Code requirement in Section 19.08 for a Request for Proposals (RFP) is hereby waived, and be it further

**RESOLVED**, that certified copies of this resolution shall be forwarded to the Commissioner of the Department of Social Services, the Erie County Comptroller and the Director of the Division of Budget, Management and Finance.

(4-0) Legislators Fisher and Holt absent. Chairman DeBenedetti present as Ex-Officio Member.

10. Item Page -2002 (Comm. 20E-27)

**COUNTY EXECUTIVE**

**WHEREAS**, the Department of Social Services is requesting authorization to increase an existing emergency services contract with the Salvation Army to address greater need and a projected shortfall, and

**WHEREAS**, the services provided under this contract are for emergency needs, predominantly prescription drug products for clients who have no current Medicaid case established but who do have an immediate need for prescription medications while eligibility for Medicaid coverage is being evaluated, and

**WHEREAS**, in cases where a client is without cash resources and has a life-threatening illness, the medications are obtained through referral to the Salvation Army, and

**WHEREAS**, medications for non-life-threatening illnesses or conditions were historically not provided through referral, and client reimbursement awaited case opening, and the Department has adopted a new procedure to better meet the needs of these clients which removes judgements about the seriousness of the illness from the decision and now refers all requests for medications to the Salvation Army when there is not an active case thereby increasing referrals, and

**WHEREAS**, it is proposed that the amount of \$25,000 be transferred to the Salvation Army contract from the Emergency Assistance to Adults account, there being a sufficient balance in that account to provide for the transfer.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the County Executive and/or the Commissioner of Social Services are hereby authorized to amend the existing contract with the Salvation Army for critical emergency services, and be it further

**RESOLVED**, that the following budget amendments are hereby authorized in the 2002 Adopted Budget:

**Department of Social Services, Department 200, Fund 120**

<b><u>ACCOUNT</u></b>	<b><u>DESCRIPTION</u></b>	<b><u>INCREASE/ (DECREASE)</u></b>
830-0197	Salvation Army Emergency Services	\$25,000
846	Emergency Assistance to Adults	(\$25,000)
		<u>-0-</u>

and be it further

**RESOLVED**, that certified copies of this resolution shall be forwarded to the Commissioner of the Department of Social Services, the Office of the Erie County Comptroller and the Director of Budget, Management and Finance.

(4-0) Legislators Fisher and Holt absent. Chairman DeBenedetti present as Ex-Officio Member.

11. Item Page -2002 (Comm. 22E-9)

**COUNTY EXECUTIVE**

**WHEREAS**, the Erie County Legislature has already appropriated funds for the Weatherization Referral and Packaging (WRAP-SOFA) grant for the period October 1, 2002 to September 30,2003; and the Home Delivered Meals (III-C-2) and the Disease Prevention and Health Promotion (III-D) grants and the Capital Vehicle Purchases Project for the period January 1, 2002 to December 31, 2002, and

**WHEREAS**, the New York State Office for the Aging has allocated an additional \$38,321 in federal funds for the WRAP-SOFA grant, and

**WHEREAS**, an additional \$25,000 in federal aid is available for the III-C-2 grant, and

**WHEREAS**, the Department of Senior Services (Department) has received the proceeds of an insurance settlement resulting from damage to one of the County’s Going Places vans and desires to purchase a replacement van, and

**WHEREAS**, the Department of Senior Services has expanded services and started new programs during the last few years and desires to complete reorganizing its work space to properly accommodate the seniors receiving services and departmental staff, and

**WHEREAS**, the County budgets for the WRAP-SOFA, III-C-2 and III-D grants; the Capital project and the Transportation program are in need of revision.

**NOW, THEREFORE, BE IT**

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**RESOLVED**, that the County Executive is hereby authorized to accept the additional WRAP-SOFA and III-C-2 funds, and be it further

**RESOLVED**, that the WRAP-SOFA grant budget, Project No. 665, be revised as follows:

	CURRENT BUDGET	CHANGES	AMENDED BUDGET
<b>REVENUES</b>			
Account Description			
655 Federal Aid-Weatherization	\$265,175	<u>\$38,321</u>	\$303,496
TOTAL CHANGE		<u><u>\$38,321</u></u>	
<b>APPROPRIATIONS</b>			
805 Fringe Benefits	\$37,727	\$10,835	\$48,562
810 Office Supplies	2,000	500	2,500
826 Other Expenses (Last Resort)	35,000	19,942	54,942
932 Furniture and Fixtures	2,956	<u>7,044</u>	10,000
TOTAL CHANGE		<u><u>\$38,321</u></u>	

and be it further

**RESOLVED**, that the III-C-2 grant budget, Project No. 646, be revised as follows:

	CURRENT BUDGET	CHANGES	AMENDED BUDGET
<b>REVENUES</b>			
Account Description			
664 Federal Aid	\$795,363	<u>\$25,000</u>	\$820,363
TOTAL CHANGE		<u><u>\$25,000</u></u>	
<b>APPROPRIATIONS</b>			
932 Furniture & Fixtures	\$0	<u>\$25,000</u>	\$25,000
TOTAL CHANGE		<u><u>\$25,000</u></u>	

and be it further

**RESOLVED**, that the III-D grant budget, Project No. 651, be revised as follows:

CURRENT BUDGET	CHANGES	AMENDED BUDGET
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APPROPRIATIONS

Account	Description			
830	Other Projected Agencies	\$37,516	-\$11,000	\$26,516
932	Furniture & Fixtures	0	<u>11,000</u>	11,000
	TOTAL CHANGE		<u><u>\$0</u></u>	

and be it further

**RESOLVED**, that \$38,000 be transferred from the 2002 Capital Vehicle Purchases account (DAC 441 267630930 for Senior Services to the 2002 Capital Lab & Technical Equipment Purchases account (DAC 441 269630933) for Senior Services, and be it further

**RESOLVED**, that \$50,000 be transferred from the 2002 Capital Vehicle Purchases account (DAC 441 267630930) for Senior Services to the 2002 Capital Office Furniture Purchases account (DAC 441 268630932) for Senior Services, and be it further

**RESOLVED**, that the Transportation Division budget, Project No. 940, be revised as follows:

	CURRENT BUDGET CHANGES	AMENDED BUDGET
REVENUES		
Account	Description	
507	Insurance Recovery	\$0 <u>\$15,900</u> \$15,900
	TOTAL CHANGE	<u><u>\$15,900</u></u>

APPROPRIATIONS

930	Motor Vehicles	\$0 <u>\$15,900</u> \$15,900
	TOTAL CHANGE	<u><u>\$15,900</u></u>

and be it further

**RESOLVED**, that certified copies of this resolution be forwarded to the Division of Budget, Management and Finance, the Comptroller's Office and the Department of Senior Services. (4-0) Legislators Fisher and Holt absent. Chairman DeBenedetti present as Ex-Officio Member.

12. Item Page -2002 (Comm. 22E-10)

**COUNTY EXECUTIVE**

**WHEREAS**, the Erie County Legislature has already appropriated funds for the Area Agency on Aging (AAA), the Community Services Coordinator (CSC), the Elder Caregiver Support Program (III-E) and the Protective Services for Adults (PSA) grants for the period January 1, 2002

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to December 31, 2002, and the Operation Restore Trust (ORT) grant for the period October 1, 2001 through September 30, 2002, and

**WHEREAS**, the Department of Senior Services has reviewed the budgets and actual costs of carrying out the programs through year-end, and

**WHEREAS**, the Department has been advised by the grantor that it can use a portion of the ORT funds to cover the payroll costs of a part-time Community Service Aide who assists with data collection and the dissemination of Medicare information to senior centers and public libraries in Erie County, and

**WHEREAS**, the County budgets for these grants are in need of revision, and

**WHEREAS**, no additional County funds are needed.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the budget for the AAA grant, Project 649, be revised as follows:

		CURRENT		AMENDED
		BUDGET	CHANGES	BUDGET
APPROPRIATIONS				
Account	Description			
800	Personal Services	\$981,910	-\$20,320	\$961,590
805	Fringe Benefits	203,512	20,320	223,832
	TOTAL CHANGE		<u>\$0</u>	

and be it further

**RESOLVED**, that the budget for the CSC grant, Project 648, be revised as follows:

		CURRENT		AMENDED
		BUDGET	CHANGES	BUDGET
APPROPRIATIONS				
Account	Description			
800	Personal Services	\$107,431	-\$4,000	\$103,431
805	Fringe Benefits	24,878	6,900	31,778
810	Office Supplies	1,050	-300	750
825	Out of Area Travel	3,000	-2,600	400
	TOTAL CHANGE		<u>\$0</u>	

and be it further



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**RESOLVED**, that the budget for the III-E grant, Project 652, be revised as follows:

		CURRENT		AMENDED
		BUDGET	CHANGES	BUDGET
<b>APPROPRIATIONS</b>				
Account	Description			
800	Personal Services	\$212,960	-\$8,500	\$204,460
805	Fringe Benefits	49,321	8,500	57,821
932	Furniture & Fixtures	9,200	1,500	10,700
933	Lab& Technical Equipment	56,000	-1,500	54,500
	TOTAL CHANGE		<u>\$0</u>	

and be it further

**RESOLVED**, that the budget for the PSA grant, Project 645, be revised as follows:

		CURRENT		AMENDED
		BUDGET	CHANGES	BUDGET
<b>APPROPRIATIONS</b>				
Account	Description			
800	Personal Services	\$814,423	-\$3,000	\$811,423
805	Fringe Benefits	176,653	8,460	185,113
821	Dues & Fees	500	-335	165
823	Repairs & Maintenance	500	-242	258
824	Travel & Mileage	24,000	-3,200	20,800
825	Out of Area Travel	3,500	-1,219	2,281
826	Other Expenses	2,500	-1,000	1,500
880/5100	Interfund Expenses - DISS	21,000	5,000	26,000
932	Furniture & Fixtures	3,000	-1,228	1,772
933	Lab& Technical Equipment	3,500	-3,236	264
	TOTAL CHANGE		<u>\$0</u>	

and be it further

**RESOLVED**, that the ORT grant budget, Project 443, be revised as follows:

CURRENT		AMENDED
BUDGET	CHANGES	BUDGET

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APPROPRIATIONS

Account	Description			
800	Personal Services	\$0	\$1,870	\$1,870
805	Fringe Benefits	0	280	280
810	Office Supplies	0	1,713	1,713
826	Other Expenses	9,067	<u>-3,863</u>	5,204
	TOTAL CHANGE		<u><u>\$0</u></u>	

and be it further

**RESOLVED**, that certified copies of this resolution be forwarded to the Division of Budget, Management and Finance, the Comptroller’s Office and the Department of Senior Services.  
(4-0) Legislators Fisher and Holt absent. Chairman DeBenedetti present as Ex-Officio Member.

13. Item Page -2002 (Comm. 22E-16)

**COUNTY EXECUTIVE**

WHEREAS, the Department of Health has analyzed its objects of expense and has determined that various accounts will exceed appropriations, and

WHEREAS, a transfer of funds must be made in order to continue the provision of vital public health services for the remainder of the 2002 fiscal year, and

WHEREAS, the Department of Health must prepare a bioterrorism plan which includes the ability to rapidly immunize large groups of Erie County residents, and

WHEREAS, in order to accomplish this a rapid system for registering patients and collecting medical data must be in place, and

WHEREAS, this will be accomplished through modification of an existing Disaster LAN System by a Data Management System Consultant, and

WHEREAS, the Department of Health receives New York State Aid for public health activities under Article 6, and

WHEREAS, a community health assessment is required in order to receive such aid. A community health assessment is a systematic collection and analysis of information on the health status of the community, and

WHEREAS, the Erie County Health Department wishes to contract with UB Department of Social & Preventive Medicine to conduct the initial work of the community health assessment.

NOW, THEREFORE, BE IT

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RESOLVED, that the Erie County Legislature does hereby approve the following transactions within the accounts of the Department of Health:

Increase Account 821 – Dues & Fees	\$ 98,000
Increase Account 822 – Rental Charges	6,100
Increase Account 824 – Travel & Mileage	5,800
Increase Account 830-1618 – UB Department of Social & Preventive Medicine	<u>40,000</u>
TOTAL	<u>\$149,900</u>
Decrease Account 814 – Medical Supplies	\$119,900
Decrease Account 830-543 – Academic Medicine Services	<u>30,000</u>
TOTAL	<u>\$149,900</u>

and be it further

RESOLVED, that the Erie County Legislature hereby approves the acquisition by the Erie County Department of Health of such necessary services from qualified individuals within the bounds of the appropriations stated above for those categories as are listed in Exhibit A incorporated herein,

Exhibit A  
 Erie County Department of Health  
 Contractual Service Rate for Fee-for-Service Personnel  
 Annual Compensation Will be Less Than \$10,000

TITLE	RATE
Data Management Systems Consultant	\$30.00/hour

and be it further,

RESOLVED, that the County Executive is hereby authorized to enter into a contract with UB Department of Social & Preventive Medicine in an amount not to exceed \$40,000 for the purpose of conducting the initial phase of an Erie County community health assessment, and be it further

RESOLVED, that the contracts authorized by this resolution are special services which must be provided immediately and continuously, and therefore the RFP procedure required under Erie County Local Law No. 6, Section 19.08 of the Erie County Administrative Code, is hereby waived, and be it further

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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.

(4-0) Legislators Fisher and Holt absent. Chairman DeBenedetti present as Ex-Officio Member.

14. Item Page -2002 (Comm. 24E-8)

**COUNTY EXECUTIVE**

**WHEREAS**, the Department of Social Services is seeking Legislative authorization to enter into phase two of a contract with the Center for Governmental Research for the purpose of developing a "Blueprint for Change" to recommend improvements in both the organization and delivery systems of Erie County's human services, and

**WHEREAS**, authorization to enter into the first year of the contract was through Legislative communication number 1-E-14 adopted in January 2002, and, as required by that resolution, a first year status report, including a phase two work schedule, is attached hereto, and

**WHEREAS**, this study involves the Departments of Social Services, Health, Mental Health, Probation, Senior Services, the Division of Youth Detention and the Youth Bureau, and

**WHEREAS**, a selection committee recommended this contract with the Center for Governmental Research based on review of the responsiveness, comprehensive nature and the clarity of their proposal and their experience among nine (9) submissions to a Request for Proposal (RFP) released in June 2001, and

**WHEREAS**, overall County coordination of the Blueprint for Change study is provided through a steering committee chaired by the Coordinating Council for Children and Families, and

**WHEREAS**, funds in the amount of \$225,000 for phase two of this two-year study are budgeted in the 2003 Adopted Budget of the Department of Social Services, and there is no additional fiscal impact to the 2003 Adopted Budget.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the County Executive and/or the Commissioner of Social Services are hereby authorized to enter into a one year renewal contract with the Center for Governmental Research in the amount of \$225,000 for phase two of the Blueprint for Change study project, and be it further

**RESOLVED**, that certified copies of this resolution shall be forwarded to the Coordinating Council on Children and Families, the Division of Budget, Management and Finance and the Departments of Social Services, Health, Mental Health, Probation, Senior Services and the Erie County Comptroller.

(4-0) Legislators Fisher and Holt absent. Chairman DeBenedetti present as Ex-Officio Member.

15. Item Page -2002 (Comm. 24E-9)

**COUNTY EXECUTIVE**

**WHEREAS**, the Erie County Department of Probation and Youth Detention Services is in need of funds for mileage reimbursement for staff as well as office supplies and postage, and

**WHEREAS**, funds are available within the Erie County Department of Probation and Youth Detention Services' 2002 budget

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the following transactions are hereby authorized in the 2002 adopted budget of the Department of Probation and Youth Detention Services:

		(Decrease)
		Increase
Decrease	Account 821, Dues and Fees	( \$10,000)
Increase	Account 824, Travel & Mileage	8,000
Increase	Account 810, Office Supplies	2,000
Decrease	Account 820, Utility Charges	( 1,000)
Increase	Account 826, Other Expenses (Postage)	1,000
	Net Change	<u>\$ - 0 -</u>

**And Be It Further**

**RESOLVED**, that certified copies of this resolution be sent to the Department of Probation and Youth Detention Services, the Office of the Comptroller and the Division of Budget, Management and Finance.

(4-0) Legislators Fisher and Holt absent. Chairman DeBenedetti present as Ex-Officio Member.

16. Item Page -2002 (Comm. 24E-14)

**COUNTY EXECUTIVE**

**RESOLVED**, that authorization is hereby provided for the County Executive to amend a contract and accept funding in the amount of \$13,887 under the Juvenile Justice Delinquent Prevention Grant program with the New York State Division of Criminal Justice Services, and be it further

**RESOLVED**, that authorization is hereby provided to increase funding in grant Project #675 Therapeutic Intervention Models in the Department of Probation and Youth Detention Services and increase the contract with Child and Family Services Inc. to implement this program as follows:

Grant Fund  
 Department 251- Youth  
 Therapeutic Intervention Models Grant (JJDP)

9/01/02-8/31/03

<u>Revenue</u>	<u>Increase</u>
Acct. 620-State Criminal Aide	\$13,887
Total Revenue	\$13,887

<u>Appropriation</u>	<u>Increase</u>
Acct 830- Contractual Charges	\$13,887
Total Appropriation	\$ 13,887

and be it further

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

(4-0) Legislators Fisher and Holt absent. Chairman DeBenedetti present as Ex-Officio Member.

17. Item Page -2002 (Comm. 24E-35)

**COUNTY EXECUTIVE**

WHEREAS, the Office of Veterans’ Services is presently experiencing a shortage of funds in Account 826, Other Expenses, due to increased demand for burials for indigent veterans and their next of kin, and

WHEREAS, this important function is 50% reimbursed in state aid, and

WHEREAS, sufficient monies are available in the Countywide Accounts – Budget, Refunds of Prior Years Expenses, account, to provide a portion of the funding for the remainder of the year.

NOW, THEREFORE, BE IT

RESOLVED, that the following transactions are hereby authorized in the FY 2002 budget to cover expenses for the remainder of 2002:

<u>Dept.</u>	<u>Account</u>	<u>Amount</u>
Veterans’ Services	826 – Other Expenses	\$27,000
Veterans’ Services	604 – State Aid Burials	(13,500)
Countywide Accounts - Budget	511 – Refunds of Prior Years Expenses	(13,500)
	Net Change	\$ -0-

and be it further

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

(4-0) Legislators Fisher and Holt absent. Chairman DeBenedetti present as Ex-Officio Member.

18. Item Page -2002 (Comm. 24E-43)

**COUNTY EXECUTIVE**

WHEREAS, the Erie County Department of Health received a one-time funding grant award from the New York State Office of the Attorney General as a result of a law suit settlement in the amount of \$86,908, and

WHEREAS, the purpose of this project is to provide an adult and early childhood nutrition health education program consisting of a series of lessons and hand-on experiences, and

WHEREAS, this one-time funding includes a subcontract with Cornell Cooperative Extension Service in the amount of \$56,373 for the purpose of conducting 12 eight-week adult and early childhood nutrition education programs and a subcontract with various community agencies in the amount of \$20 per hour not to exceed \$3,840 for the purpose of providing babysitting services for participants' children ages 2 and younger.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to accept the grant award from the New York State Attorney General's Office to be budgeted as follows:

**VITA GRANT**  
**12/01/02 - 03/31/04**

<u>SFG REVENUE</u>	<u>CURRENT BUDGET</u>
553 STATE AID	\$ 86,908
<b>TOTAL</b>	<u>\$ 86,908</u>
 <u>EXPENSES</u>	
810 OFFICE SUPPLIES	\$ 500
821 DUES AND FEES	13,840
814 MEDICAL SUPPLIES	2,400

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824 TRAVEL AND MILEAGE	125
826 OTHER EXPENSES	8,884
830- CONTRACTUAL - COOP	
186 EXTENSION	56,373
880-	
5100 DISS	680
933 LAB AND TECH EQUIP	<u>4,106</u>
 <b>TOTAL</b>	 <b><u>\$ 86,908</u></b>

and be it further

RESOLVED, that the Erie County Executive is hereby authorized to enter into subcontracts with Cornell Cooperative Extension Service, in the amount of \$56,373, for the purpose of conducting 12 eight-week adult and early childhood nutrition education programs, and various community agencies in the amount of \$20 per hour not to exceed \$3,840 for the purpose of providing babysitting services for participants' children ages 2 and younger, and be it further

RESOLVED, that these subcontracts are special services which must be provided immediately and continuously, and therefore, the RFP procedure required under Erie County Local Law No. 6, Section 19.08 of the Erie County Administrative Code, is hereby waived, and be it further

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

(4-0) Legislators Fisher and Holt absent. Chairman DeBenedetti present as Ex-Officio Member.

19. Item Page -2002 (Comm. 24E-44)

**COUNTY EXECUTIVE**

WHEREAS, the Department of Health has received approval to develop a pilot program for the provision of ongoing case-management services, and

WHEREAS, this program will require the hiring of seven new case managers, and

WHEREAS, the existing office space cannot accommodate the new staff in its present configuration, and

WHEREAS, the purchase of seven module workstations will enable the Early Intervention Program to better utilize its office space.

NOW, THEREFORE, BE IT



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RESOLVED, that the Erie County Executive approves the following transactions within the accounts of the Department of Health - Early Intervention Grant Project #673:

Increase Account 932 – Furniture and Fixtures	\$24,664
TOTAL	<u>\$24,664</u>
Decrease Account 800 – Personal Services	\$20,052
Decrease Account 805 – Fringe Benefits	<u>4,612</u>
TOTAL	<u>\$24,664</u>

and be it further

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

(4-0) Legislators Fisher and Holt absent. Chairman DeBenedetti present as Ex-Officio Member.

20. Item Page -2002 (Comm. 24E-46)

**COUNTY EXECUTIVE**

WHEREAS, the Erie County Department of Health currently operates a Lead Poisoning Prevention Program, and

WHEREAS, the purpose of this grant is to support and enhance local efforts to reduce the prevalence of elevated blood lead levels in children under six years of age through the implementation of a comprehensive program of primary and secondary prevention which includes: public and professional outreach and education; and medical and environmental case management and follow up, and

WHEREAS, the New York State Health Department recently awarded the Erie County Department of Health a revised grant in the amount of \$552,084 which authorizes budgetary adjustments in order to balance the accounts in the grant.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to enter into a revised contract with the New York State Health Department which authorizes the following budgetary adjustments:

**LEAD POISONING PREVENTION**  
**01/01/02 - 12/31/02**  
**PROJECT # 704**

<b><u>SFG SUB REVENUE</u></b>	<b><u>CURRENT BUDGET</u></b>	<b>CHANGES</b>	<b><u>REVISED BUDGET</u></b>
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553	STATE AID	<u>\$ 552,084</u>	<u>\$0</u>	<u>\$ 552,084</u>
	<b>TOTAL</b>	<u>\$ 552,084</u>	<u>\$0</u>	<u>\$ 552,084</u>
	<b><u>EXPENSES</u></b>			
800	PERSONNEL SERVICES	\$430,643	\$-29,573	\$ 401,070
801	OVERTIME	2,000	1,500	\$ 3,500
805	FRINGES	99,394	8,493	107,887
810	OFFICE SUPPLIES	343	-103	240
814	MEDICAL SUPPLIES	1,500	-522	978
821	DUES & FEES	2,870	210	3,080
823	REPAIRS & MAINTENANCE	280	1,260	1,540
824	TRAVEL & MILEAGE	13,000	5,000	18,000
825	OUT OF AREA TRAVEL	1,000	0	1,000
826	OTHER EXPENSES	1,054	1,700	2,754
933	LAB & TECH EQUIP	<u>0</u>	<u>12,035</u>	<u>12,035</u>
	<b>TOTAL</b>	<u>\$ 552,084</u>	<u>\$ 0</u>	<u>\$ 552,084</u>

and be it further

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

(4-0) Legislators Fisher and Holt absent. Chairman DeBenedetti present as Ex-Officio Member.

21. Item Page -2002 (Comm. 24E-47)

**COUNTY EXECUTIVE**

**WHEREAS**, the Erie County Department of Mental Health is responsible for the delivery of a comprehensive range of alcohol and substance abuse services for the residents of Erie County, and

**WHEREAS**, the New York State Office of Alcoholism and Substance Abuse Services has approved a Counselor Training for Temporary Assistance to Needy Families (TANF) Recipients Initiative submitted by Erie Community College with the Erie County Department of Mental Health as a co-applicant, and

**WHEREAS**, the New York State Office of Alcoholism and Substance Abuse Services has notified the Erie County Department of Mental Health that it will provide \$682,480 in 100% New York State TANF funds for the period December 1, 2002 through November 30, 2003, to the Erie County Department of Mental Health, and

**WHEREAS**, the exact time frame of this grant is not yet know and is subject to change,

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**NOW, THEREFORE, BE IT**

**RESOLVED**, that the County Executive be authorized to enter into a contractual agreement with the New York State Office of Alcoholism and Substance Abuse Services for the acceptance of the \$682,480 in New York State Aid funds for the period December 1, 2002 through November 30, 2003, for the Counselor Training for Temporary Assistance to Needy Families (TANF) Recipients Initiative awarded to the Erie County Department of Mental Health, and be it further

**RESOLVED**, that \$682,480 be appropriated in the Grant Fund Accounts of the Erie County Department of Mental Health, for the period December 1, 2002 through November 30, 2003, the source of these funds being 100% New York State Office of Alcoholism and Substance Abuse Service State Aid TANF funds, and be it further

**RESOLVED**, that the Erie County Department of Mental Health be authorized to enter into an Executive Directive agreement with Erie Community College for an amount not to exceed \$682,480 in 100% New York State Office of Alcoholism and Substance Abuse State Aid funds for the period December 1, 2002 through November 30, 2003, for the implementation and provision of the Counselor Training for Temporary Assistance to Needy Families (TANF) Recipients Initiative, and be it further

**RESOLVED**, that the period of the contractual agreement with the New York State Office of Alcoholism and Substance Abuse Services and the Executive Directive agreement cited above is subject to change so that they coincide with the actual award and program start up, and be it further

**RESOLVED**, that certified copies of this resolution be furnished to the Department of Mental Health, Erie Community College, the Office of the Comptroller, and the Division of Budget, Management and Finance.

(4-0) Legislators Fisher and Holt absent. Chairman DeBenedetti present as Ex-Officio Member.

**BARRY A. WEINSTEIN, M.D.**  
**CHAIRMAN**

MR. WEINSTEIN moved to separate items # 1a & 1b and moved the approval of the balance of the report. MR. FALKNER seconded.

CARRIED UNANIMOUSLY.

MR. WEINSTEIN moved to send item #1a back to committee. MR. FALKNER seconded.

CARRIED UNANIMOUSLY.

MR. WEINSTEIN moved to send item #1b back to committee. MR. FALKNER seconded.

CARRIED UNANIMOUSLY.

**LEGISLATORS RESOLUTIONS**

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 492

Re: Periodic Reporting to the Legislature by the  
Director of Fleet Operations. (Intro. 25-1)

A RESOLUTION SUBMITTED BY LEGISLATOR McCARVILLE

**WHEREAS**, Erie County owns and maintains an extensive fleet of vehicles, including cars, vans, and light trucks making up the employee fleet and heavy equipment and other motorized equipment making up the task performance fleet; and

**WHEREAS**, a recent report by consultants from Lumsden & McCormick, LLP cited various areas that needed to be addressed by Erie County concerning management of its fleet; and

**WHEREAS**, the single most important recommendation of the consultants was the hiring of a Director of Fleet Operations to oversee the entire County fleet of employee vehicles, task performance vehicles and other motorized equipment; and

**WHEREAS**, the Director of Fleet Operations will assist the County by increasing efficiency and reducing costs of the fleet through centralized management; and

**WHEREAS**, the hiring of a Director of Fleet Operations will likely result in better record keeping on vehicles and equipment, enhanced coordination of vehicle purchases, reductions in the number of garages and fuller utilization of maintenance staff; and

**WHEREAS**, the outcome of these potential improvements in fleet management could result in millions of dollars of future cost savings to Erie County and its taxpayers; and

**WHEREAS**, the Erie County Legislature recognized and understood this need for enhanced fleet management and approved the County Executive's request to hire a Director of Fleet Operations on November 21, 2002;

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Erie County Legislature hereby declares its intent and desire to work with the Director of Fleet Operations during his/her tenure to achieve increased efficiency and cost reduction for Erie County and its taxpayers through better fleet management; and be it further

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**RESOLVED**, that this Honorable Body hereby respectfully requests that the Director of Fleet Operations attend future meetings of the Government Affairs Committee, upon the request of its Chairperson, to update the Legislature on his/her progress in increasing efficiency and reducing costs related management of Erie County's fleet of vehicles and equipment; and be it further

**RESOLVED**, that certified copies of this resolution be sent to the County Executive, the Deputy County Executive, the Director of Information and Support Services, and the Director of Fleet Operations.

**Fiscal Impact:** None for the Resolution

MR. McCARVILLE moved to amend the resolution. MS. CUSACK seconded.

CARRIED UNANIMOUSLY.

**ADD the following Co-Sponsors:** DeBENEDETTI, WEINSTEIN, FALKNER, CHASE, CUSACK, RANZENHOFER, & LARSON.

MR. McCARVILLE moved the approval of the resolution as amended. MS. CUSACK seconded.

CARRIED UNANIMOUSLY.

Item 24 – MR. McCARVILLE presented the following resolution and moved for immediate consideration. MR. WEINSTEIN seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 493

Re: Periodic Reporting to the Legislature by the  
 Manager of Workers' Compensation.  
 (Intro. 25-2)

A RESOLUTION SUBMITTED BY LEGISLATOR McCARVILLE

**WHEREAS**, Erie County employs several thousand individuals in numerous positions with a variety of job descriptions; and

**WHEREAS**, with any organization, employees have become and will likely become injured on occasion in the future during the course of their work on the job; and

**WHEREAS**, Erie County has seen a sharp increase, over the last four years, in the cost of workers' compensation claims against the County for work related injuries; and

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**WHEREAS**, it is estimated that, by the end of 2002, there may be close to \$9 million in worker's compensation claims against Erie County; and

**WHEREAS**, Erie County has worked intently over the last several months to decrease the incidence of workers' compensation claims through education and the pursuit of fraudulent claims; and

**WHEREAS**, Erie County has recently instituted a Workers' Compensation Fraud Hotline for the reporting of fraudulent claims; and

**WHEREAS**, the Erie County Legislature recognized and understood this need for reducing workers' compensation claims and fraudulent workers' compensation claims by approving the County Executive's request to hire a Manager of Workers' Compensation on September 19, 2002; and

**WHEREAS**, the Manager of Workers' Compensation will be charged with the task of instituting a county-wide safety and risk management program to reduce the number of workers' compensation claims against Erie County;

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Erie County Legislature hereby declares its desire to work with the Manager of Workers' Compensation during his/her tenure to reduce the incidence of workers' compensation claims and fraud in Erie County government; and be it further

**RESOLVED**, that this Honorable Body hereby respectively requests that the Manager of Workers' Compensation attend future meetings of the Government Affairs Committee, upon the request of its Chairperson, to update the Legislature on his/her progress in decreasing the number of workers' compensation claims faced by the County; and be it further

**RESOLVED**, that certified copies of this resolution be sent to the County Executive, the Commissioner of Personnel, and the Manager of Workers' Compensation.

**Fiscal Impact:** None for the Resolution

MR. McCARVILLE moved to amend the resolution. MR. WEINSTEIN seconded.

CARRIED UNANIMOUSLY.

**ADD the following Co-Sponsors:** DeBENEDETTI, WEINSTEIN, FALKNER, CHASE, CUSACK, RANZENHOFER, & LARSON.

MR. McCARVILLE moved the approval of the resolution as amended. MR. WEINSTEIN seconded.

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 494

Re: Funding for Youth Programming.  
(Intro. 25-3)

A RESOLUTION SUBMITTED BY LEGISLATOR DeBENEDETTI

**WHEREAS**, the Legislature set aside funds in the 2002 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 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 transfer of funds,

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Erie County Legislature does hereby approve the transfer of \$65,282 from the Legislature – Contractual fund (110905100830) to Fund 110, Project 921, Department 301 Agency Payments & Grants – Public Benefit Services (110921301830) for payment to the following agencies:

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
Northwest Buffalo Community Center (youth programming)	830/0356	\$65,282
<b>TOTAL</b>		<b>\$65,282</b>

And be it further

**RESOLVED**, that the Erie 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 A. Passafiume; Kelly Brown – First Administrative Assistant Erie County Legislature; First Assistant County Attorney Susannah M. Bochenek; and to Lawrence T. Pernick, Mr. Executive Director (Northwest Buffalo Community Center, 155 Lawn Avenue, Buffalo, NY 14207)

**Fiscal Impact: Appropriation of 2002- budgeted funds**

MR. WEINSTEIN moved the approval of the resolution. MR. RANZENHOFER seconded.

CARRIED UNANIMOUSLY.

Item 26 – MR. McCARVILLE presented the following resolution and moved for immediate consideration. MR. WEINSTEIN seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 495 Re: Funding for Public Safety Initiative.  
(Intro. 25-4)

A RESOLUTION SUBMITTED BY LEGISLATOR McCARVILLE

**WHEREAS**, the Legislature set aside funds in the 2002 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 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 transfer of funds,

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Erie County Legislature does hereby approve the transfer of \$8,337 from the Legislature – Contractual fund (110905100830) to Fund 110, Project 921, Department 301 Agency Payments & Grants – Public Benefit Services (110921301830) for payment to the following agencies:

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
<b>Town of Boston</b> <i>(traffic signal)</i>	<b>830/0439</b>	<b>\$8,337</b>



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**TOTAL**

**\$8,337**

And be it further

**RESOLVED**, that the Erie 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 A. Passafiume; Kelly Brown – First Administrative Assistant Erie County Legislature; First Assistant County Attorney Susannah M. Bochenek; and to the Town of Boston Highway Department.

**Fiscal Impact: Appropriation of 2002- budgeted funds**

MR. McCARVILLE moved the approval of the resolution. MR. WEINSTEIN seconded.

CARRIED UNANIMOUSLY.

Item 27 – MS. CHASE presented the following resolution and moved for immediate consideration. MR. WEINSTEIN seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 496

Re: Funding for Various Community Initiatives.  
(Intro. 25-5)

A RESOLUTION SUBMITTED BY LEGISLATOR CHASE

**WHEREAS**, the Legislature set aside funds in the 2002 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 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 transfer of funds,

**NOW, THEREFORE, BE IT**

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**RESOLVED**, that the Erie County Legislature does hereby approve the transfer of \$12,000 from the Legislature – Contractual fund (110905100830) to Fund 110, Project 921, Department 301 Agency Payments & Grants – Public Benefit Services (110921301830) for payment to the following agencies:

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
<b>E.C.V.F.S.A.</b> (equipment)	<b>830/</b>	<b>\$2,000</b>
<b>Evans Senior Center</b> (senior programming)	<b>830/</b>	<b>\$10,000</b>
<b>TOTAL</b>		<b>\$12,000</b>

And be it further

**RESOLVED**, that the Erie 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; Kelly Brown – First Administrative Assistant Erie County Legislature; First Assistant County Attorney Susannah M. Bochenek; and Erie County Volunteer Firemen’s Softball Association; Evans Senior Center.

**Fiscal Impact: Appropriation of 2002- budgeted funds**

MS. CHASE moved to amend the resolution. MR. WEINSTEIN seconded.

CARRIED UNANIMOUSLY.

- **DELETE the First RESOLVED Clause and REPLACE with the following:**

**RESOLVED**, that the Erie County Legislature does hereby approve the transfer of \$12,000 from the Legislature – Contractual fund (110905100830) to Fund 110, Project 921, Department 301 Agency Payments & Grants – Public Benefit Services (110921301830) for payment to the following agencies:

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<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
<b>Evans Senior Center</b> <i>(senior programming)</i>	830/	\$10,000
<b>Hamburg Breakers Girls Softball</b> <i>(travel team sponsorship)</i>	830/	\$500
<b>Brant Town Center Project</b> <i>(revitalization project)</i>	830/	\$3,522
<b>TOTAL</b>		<b>\$14,022</b>

and, be it further

**RESOLVED**, that \$5,000 of unspent funds from 2001 Public Benefit Services and \$5,300 of unspent funds from 2000 Public Benefit Services, for a total of \$10,300 to be reallocated within 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>OLD AMOUNT</u>	<u>+/-</u>	<u>NEW AMOUNT</u>
<b>Eden Emergency Squad</b>	830/1464	\$2,000	(\$2,000)	-0-
<b>Evans Disaster Fund</b>	830/1463	\$1,000	(\$1,000)	-0-
<b>Hamburg Fire Co.</b>	830/1460	\$2,000	(\$2,000)	-0-
<b>Evans Youth Soccer</b>	830/1212	\$1,000	(\$1,000)	-0-
<b>Family Support Center Of Hamburg</b>	830/1271	\$1,000	(\$1,000)	-0-
<b>Hamburg Vol. Fire Dept.</b>	830/1318	\$1,000	(\$1,000)	-0-
<b>Lake Erie Beach Vol. Fire Dept.</b>	830/1319	\$1,000	(\$1,000)	-0-
<b>Lake View Community Assoc</b>	830/1189	\$300	(\$300)	-0-
<b>Lakeshore Youth Baseball</b>	830/1213	\$1,000	(\$1,000)	-0-

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<b>Erie County Family Food &amp; Farm Tour</b> ( <i>taste of WNY</i> )	<b>830/</b>	<b>-0-</b>	<b>\$2,000</b>	<b>\$2,000</b>
<b>Newell Faulkner Post 880</b> ( <i>veteran's memorial</i> )	<b>830/</b>	<b>-0-</b>	<b>\$4,000</b>	<b>\$4,000</b>
<b>Eden Vol. Fire Company</b> ( <i>radio unit</i> )	<b>830/1315</b>	<b>-0-</b>	<b>\$2,000</b>	<b>\$2,000</b>
<b>E.C.V.F.S.A.</b> ( <i>softball equipment</i> )	<b>830/</b>	<b>-0-</b>	<b>\$2,000</b>	<b>\$2,000</b>
<b>Brant Town Center Project</b> ( <i>revitalization project</i> )	<b>830/</b>	<b>\$3,522</b>	<b>\$300</b>	<b>\$3,822</b>
<b>TOTAL</b>			<b>-0-</b>	

And be it further,

**RESOLVED**, that the Erie County Legislature does hereby approve the transfer of \$3,500 from Legislature – Repairs & Maintenance (DAC 110905100823) to Legislature – Dues & Fess (DAC 110905100821), and be it further

- **ADD the following agency contact information to the last RESOLVED clause:**

Chet Jandzinski, Erie County Family Food & Farm Tour (Cornell Cooperative Extension, 21 South Grove, Suite 240, East Aurora, NY 14052); James Hohl, Hamburg Breakers Girls Softball (2253 Woodsfield Drive, Lakeview, NY 14085); Len Pero, Brant Town Center Project (Brant Farnham Road, Brant, NY 14027); Jim Bulger, Newell Faulkner Post 880 (4274 Mary Drive, Eden, NY 14057); Jim Bulger, Eden Vol. Fire Co. (4274 Mary Drive, Eden, NY 14057); Rick Dimpfl, E.C.V.F.S.A (1 Evans Street, Hamburg, NY 14075)

- **DELETE the Fiscal Impact statement and REPLACE with:**

**Fiscal Impact:** Allocation of 2002 Budgeted Funds; reallocation of 2000 and 2001 Budgeted Funds.

MS. CHASE moved the approval of the resolution as amended. MR. WEINSTEIN seconded.

CARRIED UNANIMOUSLY.

Item 28 – MR. RANZENHOFER presented the following resolution and moved for immediate consideration. MR. FALKNER seconded.

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**ERIE COUNTY LEGISLATURE**

CARRIED UNANIMOUSLY.

RESOLUTION NO. 497

Re: Funding for Various Community Initiatives.  
 (Intro. 25-6)

A RESOLUTION SUBMITTED BY LEGISLATOR RANZENHOFER

**WHEREAS**, the Legislature set aside funds in the 2002 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 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 transfer of funds,

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Erie County Legislature does hereby approve the transfer of \$30,972 the Legislature – Contractual fund (110905100830) to Fund 110, Project 921, Department 301 Agency Payments & Grants – Public Benefit Services (110921301830) for payment to the following agencies:

**Fiscal Impact: Appropriation of 2002- budgeted funds**

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

CARRIED UNANIMOUSLY.

- **DELETE the First RESOLVED Clause and REPLACE with the following:**

**RESOLVED**, that the Erie County Legislature does hereby approve the transfer of \$30,972 from the Legislature – Contractual fund (110905100830) to Fund 110, Project 921, Department 301 Agency Payments & Grants – Public Benefit Services (110921301830) for payment to the following agencies:

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
Akron Sports (youth baseball)	830/1136	\$4,000

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<b>Akron Soccer League</b> <i>(youth soccer)</i>	<b>830/1126</b>	<b>\$4,000</b>
<b>Lou Gherig Softball</b> <i>(girls softball)</i>	<b>830/1137</b>	<b>\$3,000</b>
<b>Amherst Hockey Association</b> <i>(youth hockey)</i>	<b>830/1123</b>	<b>\$3,000</b>
<b>Clarence-Newstead Meals on Wheels Task Force</b> <i>(providing meals to seniors)</i>	<b>830/</b>	<b>\$3,000</b>
<b>Clarence Baseball</b> <i>(youth baseball)</i>	<b>830/1130</b>	<b>\$3,000</b>
<b>Erie County 4-H</b> <i>(youth development programs)</i>	<b>830/1571</b>	<b>\$4,000</b>
<b>Town of Clarence</b> <i>(water aeration project)</i>	<b>830/0441</b>	<b>\$6,972</b>
<b>TOTAL</b>		<b>\$30,972</b>

and, be it further

**RESOLVED**, that \$5,900 of unspent funds from 2001 Public Benefit Services is to be reallocated within 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>OLD AMOUNT</u>	<u>+/-</u>	<u>NEW AMOUNT</u>
<b>Harris Hill Fire Co.</b>	<b>830/1507</b>	<b>\$3,400</b>	<b>(\$3,400)</b>	<b>-0-</b>
<b>Clarence Little League Football</b>	<b>830/1155</b>	<b>\$2,500</b>	<b>(\$2,500)</b>	<b>-0-</b>
<b>Town of Clarence</b> <i>(water aeration project)</i>	<b>830/0441</b>	<b>\$6,972</b>	<b>\$5,900</b>	<b>\$12,872</b>
<b>TOTAL</b>			<b>-0-</b>	

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**RESOLVED**, that the Erie 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; Kelly A. Wahl – First Administrative Assistant Erie County Legislature; First Assistant County Attorney Susannah M. Bochenek; Robert Massaro, Akron Sports (200 East Avenue, Akron, New York 14001); Martin Wiltberger, Akron Soccer League (9 Buell, Akron, NY 14001); Rob Kennery, Lou Gherig Softball (35 Pino Alto Court, Williamsville, NY 14221); Mike Lucey, Amherst Hockey Association (22 Bassett Road, Williamsville, NY 14221); Joanne Grenzsbach, Clarence – Newstead Meals on Wheels Task Force (4475 East Overlook, Williamsville, NY 14221); Michael Pulli, Clarence Baseball (9175 Hillview Drive, Clarence, NY 14031); Charlene Spoth, Erie County 4-H (9270 Wolcott Road, Clarence Ctr, NY 14032); and to Joseph Latona, Engineering Department, Town of Clarence).

**Fiscal Impact:** Appropriation of 2002 Budgeted Funds; Reappropriation of 2001 funds.

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

CARRIED UNANIMOUSLY.

Item 29 – MR. SWANICK presented the following resolution and moved for immediate consideration. MR. KUWIK seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO.

Re: Appointment to ECMC Board of Managers.  
(Intro. 25-7)

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

CARRIED UNANIMOUSLY.

ATTACH the Minority Caucus petition signed by LEGISLATORS KUWIK, SCHROEDER, HOLT, FISHER, DALE, PEOPLES, DUSZA, & SWANICK.

CHAIRMAN DeBENEDETTI directed that Intro. 25-7, As Amended be referred to the HUMAN SERVICES COMMITTEE.

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**ERIE COUNTY LEGISLATURE**

Item 30 – MR. LARSON presented the following resolution and moved for immediate consideration. MS. CHASE seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 498

Re: Funding for Various Community Initiatives.  
(Intro. 25-8)

A RESOLUTION SUBMITTED BY LEGISLATOR LARSON

**WHEREAS**, the Legislature set aside funds in the 2002 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 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 transfer of funds,

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Erie County Legislature does hereby approve the transfer of \$69,287 from the Legislature – Contractual fund (110905100830) to Fund 110, Project 921, Department 301 Agency Payments & Grants – Public Benefit Services (110921301830) for payment to the following agencies:

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
<b>Crittenden Volunteer Fire Co.</b> <i>(Fire radios)</i>	<b>830/1334</b>	<b>\$7,500</b>
<b>Town of Wales</b> <i>(2 Automatic External Defibrillators (AED), Veterans Memorial Project)</i>	<b>830/0468</b>	<b>\$10,000</b>
<b>Lancaster Central School District</b> <i>(National Student Leadership Conference)</i>	<b>830/</b>	<b>\$20,000</b>
<b>Wales Center Fire Company</b> <i>(Fire prevention &amp; training)</i>	<b>830/1346</b>	<b>\$4,000</b>
<b>South Wales Fire Company</b>	<b>830/1345</b>	<b>\$4,000</b>



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*(Fire prevention & training)*

**Town of Alden**

*(youth programming,  
safer play equipment)*

**830/0320                      \$15,000**

**Sardinia Meals on Wheels**

*(food services to elderly)*

**830/1416                      \$5,000**

**Marilla Free Library**

*(library supplies)*

**830/                              \$2,287**

**Frank H. Brink Post No. 67**

*(veterans memorial)*

**830/1352                      \$1,500**

**TOTAL**

**\$69,287**

And be it further

**RESOLVED**, that the Erie 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 A. Passafiume; Kelly Brown – First Administrative Assistant Erie County Legislature; First Assistant County Attorney Susannah M. Bochenek; captain Robert Jaroszewski, Crittenden Volunteer Fire Co (13415 Genesee Street, P.O. Box 129, Crittenden, NY 14038); Supervisor, Mary Weinman, Town of Wales (Wales Community Center, 12345 Big Tree Road, Wales Center, NY 14169); Dr. Girardi, Superintendent, Lancaster Central School District; Wales Center Fire Company (12300 Big Tree Road, PO Box 124, Wales Center, NY 14169); Don Butcher, South Wales Fire Company (Olean Road, South Wales, NY 14139); Supervisor Richard Savage, Town of Alden (Alden Town Hall, 3311 Wende Road, Alden, NY 14004); Sardinia Meals on Wheels (12320 Savage Road, Chaffee, NY 14030); Marilla Free Library (11637 Bullis Road, Marilla, NY 14102); Paul Draper, American Legion Frank H. Brink Post No. 67 (Legion Drive, P.O. Box 444, Holland, NY 14080).

**Fiscal Impact: Appropriation of 2002- budgeted funds**

MR. LARSON moved the approval of the resolution. MS. CHASE seconded.

CARRIED UNANIMOUSLY.

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**ERIE COUNTY LEGISLATURE**

Item 31 – MR. WEINSTEIN presented the following resolution and moved for immediate consideration. MR. FALKNER seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 499

Re: Requesting Greater Flexibility from State of New York Regarding Notification of Pesticide Applications. (Intro. 25-9)

A RESOLUTION SUBMITTED BY LEGISLATOR DeBENEDETTI

**WHEREAS**, the issue of notification of individuals regarding pesticide applications on abutting property has been the source of much debate and concern by interested citizens, the lawn care industry, state government, and local governments; and

**WHEREAS**, New York State passed legislation in 2000 to allow counties and cities with populations of one million or more to adopt local laws requiring several items including a mandatory forty-eight hour notification of commercial lawn applications of pesticides on abutting property; and

**WHEREAS**, the legislation requires counties and cities with populations of one million or more to adopt the proposed local law “provisions in their entirety and without exception”; and

**WHEREAS**, such a local law does not afford counties and cities with populations of one million or more any flexibility regarding notification of pesticides applications; and

**WHEREAS**, to date, only five (5) counties in New York State have chosen to pass this proposed local law; and

**WHEREAS**, the Erie County Legislature considered this mandatory forty-eight hour notification of commercial lawn applications of pesticides on abutting property along with an alternative voluntary registry for forty-eight hour notification of pesticide applications by commercial lawn applicators; and

**WHEREAS**, on September 19, 2002, the Erie County Legislature passed Local Law Intro. No. 8 – 2002, a voluntary registry for forty-eight hour notification of pesticide applications by commercial lawn applicators; and

**WHEREAS**, the Erie County Executive vetoed the voluntary registry for forty-eight hour notification of pesticide applications by commercial lawn advising that the “local law is invalid and unenforceable since it is inconsistent” with the mandatory forty-eight hour notification of commercial lawn applications of pesticides on abutting property; and

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**WHEREAS**, the Erie County Legislature now calls upon the State of New York to afford counties and cities with populations of one million or more greater flexibility as it concerns notification of pesticide applications on abutting property;

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Erie County Legislature hereby calls upon the State of New York to amend the mandatory forty-eight hour notification of commercial lawn applications of pesticides on abutting property to allow counties and cities with populations of one million or more greater flexibility as it concerns notification pesticide applications on abutting property; and be it further

**RESOLVED**, that this Honorable Body desires that such amendment allow counties and cities with populations of one million or more to consider various types of notification, including voluntary registries, so that counties and cities with populations of one million or more can tailor notification to fit the desires of the constituents in their local areas; and be it further

**RESOLVED**, that certified copies of this resolution be sent to Governor Pataki, Assembly Speaker Sliver, Senate Majority Leader Bruno, the local delegation to the New York State Legislature, the NYS Lawn Care Association, NYS Public Interest Research Group, and County Executive Giambra.

**Fiscal Impact:** None for the Resolution

MR. WEINSTEIN moved to amend the resolution. MR. FALKNER seconded.

CARRIED UNANIMOUSLY.

**DELETE all WHEREAS and RESOLVED clauses, and REPLACE with the following:**

**WHEREAS**, the issue of notification of individuals regarding pesticide applications on abutting property has been the source of much debate and concern by interested citizens, the lawn care industry, state government, and local governments; and

**WHEREAS**, New York State passed legislation in 2000 to allow any county not contained entirely within a city and any city with a population of one million or more to adopt local law requiring several items including a mandatory forty-eight hour notification of commercial lawn applications of pesticides on abutting property; and

**WHEREAS**, the legislation requires any county not contained entirely within a city and any city with a population of one million or more to adopt the proposed local law “provisions in their entirety and without exception”; and

**WHEREAS**, such a local law does not afford a county not contained entirely within a city and a city with a population of one million or more any flexibility regarding notification of pesticides applications; and

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**WHEREAS**, to date, only five (5) counties in New York State have chosen to pass this proposed local law; and

**WHEREAS**, the Erie County Legislature considered this mandatory forty-eight hour notification of commercial lawn applications of pesticides on abutting property along with an alternative voluntary registry for forty-eight hour notification of pesticide applications by commercial lawn applicators; and

**WHEREAS**, on September 19, 2002, the Erie County Legislature passed Local Law Intro. No. 8 – 2002, a voluntary registry for forty-eight hour notification of pesticide applications by commercial lawn applicators; and

**WHEREAS**, the Erie County Executive vetoed the voluntary registry for forty-eight hour notification of pesticide applications by commercial lawn advising that the “local law is invalid and unenforceable since it is inconsistent” with the mandatory forty-eight hour notification of commercial lawn applications of pesticides on abutting property; and

**WHEREAS**, the Erie County Legislature now calls upon the State of New York to afford counties greater flexibility as it concerns notification of pesticide applications on abutting property;

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Erie County Legislature hereby calls upon the State of New York to amend the mandatory forty-eight hour notification of commercial lawn applications of pesticides on abutting property to allow counties greater flexibility as it concerns notification pesticide applications on abutting property; and be it further

**RESOLVED**, that this Honorable Body desires that such amendment allow counties to consider various types of notification, including voluntary registries, so that counties can tailor notification to fit the desires of the constituents in their local areas; and be it further

**RESOLVED**, that certified copies of this resolution be sent to Governor Pataki, Assembly Speaker Sliver, Senate Majority Leader Bruno, the local delegation to the New York State Legislature, the NYS Lawn Care Association, NYS Public Interest Research Group, and County Executive Giambra.

**Fiscal Impact:**           None for the Resolution

MR. WEINSTEIN moved the approval of the resolution as amended. MR. FALKNER seconded. LEGISLATORS DALE, FISHER, HOLT, & PEOPLES voted in the negative.

CARRIED. (WEIGHTED VOTE: 12.419 – 3.627)

Item 32 – MR. LARSON presented the following resolution and moved for immediate consideration. MR. WEINSTEIN seconded.

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**December 12, 2002**

**ERIE COUNTY LEGISLATURE**

CARRIED UNANIMOUSLY.

RESOLUTION NO. 500

Re: Memorialization of Assembly Majority  
 Leader Tokasz's Plan for New York State to  
 Take Over Erie County's Medicaid Expenses.  
 (Intro. 25-10)

A RESOLUTION SUBMITTED BY LEGISLATORS LARSON, McCARVILLE, DeBENEDETTI,  
 WEINSTEIN, CUSACK, CHASE, RANZENHOFER, & FALKNER

**WHEREAS**, in 2003, every single dollar of Erie County's property tax levy along with an additional \$29.3 million for other sources will be spent on the local share of the Medicaid program; and

**WHEREAS**, one out of eight Erie County residents, more that 110,000 residents, is a recipient of Medicaid; and

**WHEREAS**, the massive expansion in the cost of Medicaid, from \$143.1 million in 2002 to over \$158.8 million in 2003, is a expense that is created by mandates of New York State; and

**WHEREAS**, the projections for Medicaid expenses in 2004 are approximately \$174.4 million; and

**WHEREAS**, it has become increasingly difficult to near impossible for Erie County to continue to fund the Medicaid program under these conditions unless something is done to alleviate this burden; and

**WHEREAS**, Assembly Majority Leader Tokasz has proposed that counties give up a 1% percent share of their sales tax revenue to New York State so that the State may cover the cost of the Medicaid program; and

**WHEREAS**, without such a plan or solution to relieve this heavy burden, the County may have to make some serious and difficult decisions in its delivery of services to local residents; and

**WHEREAS**, the government of Erie County desires to assure local citizens of the continuance of the Medicaid program without depleting the County reserves and cash liquidity and affecting the County's bond rating;

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Erie County Legislature hereby memorializes Assembly Majority Leader Tokasz's plan of asking counties to give up a 1% percent share of their sales tax revenue to New York State so that the State may cover the cost of the Medicaid program; and be it further

**RESOLVED**, that this Honorable Body hereby further supports efforts by New York State to seek additional funding or relief from the Federal government; and be it further

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**ERIE COUNTY LEGISLATURE**

**RESOLVED**, that certified copies of this resolution be sent to Governor Pataki, Assembly Speaker Silver, Senate Majority Leader Bruno, Assembly Majority Leader Tokasz, the local delegation to the New York State Legislature, County Executive Giambra, and the New York State Association of Counties.

**Fiscal Impact:** None for the Resolution

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

CARRIED UNANIMOUSLY.

**DELETE the 6<sup>th</sup> RESOLVE in its entirety and replace with the following:**

WHEREAS, as an alternative to an increase in Erie County's sales tax to a total of 9%, Assembly Majority Leader Paul A. Tokasz has proposed studying the possibility that counties turn over 1% of existing sales tax revenues to the state of New York in return for state takeover of local share Medicaid costs, and

**DELETE the 1<sup>st</sup> RESOLVE clause in its entirety and replace with the following:**

RESOLVED, that the Erie County legislature hereby memorializes Assembly Majority leader Paul Tokasz's proposal to study counties' relinquishment of 1% of existing sales tax revenue to the state of New York in return for state assumption of local share Medicaid costs, and be it further

MR. LARSON moved to further amend the resolution. MR. WEINSTEIN seconded.

CARRIED UNANIMOUSLY.

**ADD the following Co-Sponsors:** PEOPLES, SWANICK, KUWIK, SCHROEDER, HOLT, FISHER, DALE, & DUSZA.

MR. LARSON moved the approval of the resolution as amended. MR. WEINSTEIN seconded.

CARRIED UNANIMOUSLY.

Item 33 – MR. DALE presented the following resolution and moved for immediate consideration. MR. SWANICK seconded.

CARRIED UNANIMOUSLY.

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**December 12, 2002**

**ERIE COUNTY LEGISLATURE**

RESOLUTION NO.

Re: Reviewing the Terms of the County's  
Commitment Concerning the Buffalo Sabres.  
(Intro. 25-11)

A RESOLUTION SUBMITTED BY LEGISLATOR DALE

WHEREAS, the Buffalo Sabres are a great source of pride for the entire community of Erie County, and

WHEREAS, the Buffalo Sabres have been embroiled in an ongoing controversy over its ownership, and the community is aware that the National Hockey League had two prospective groups vying for its ownership, and

WHEREAS, the NHL has designated a partnership led by businessman Mark Hamister as their choice to own the Buffalo Sabres, and

WHEREAS, Mr. Hamister is a top fundraiser for Erie County Executive Joel Giambra, was the leader of Giambra's transition team in 2000, is a part of Giambra's "Kitchen Cabinet", and is Chairman of the Buffalo Niagara Partnership, and

WHEREAS, there have been published reports indicating that a request has been made by Hamister for both the County and State to aid him in financing his purchase of the Buffalo Sabres, and

WHEREAS, another prospective ownership group, led by businessman Tom Golisano publicly stated that his offer to purchase the Buffalo Sabres did not have any government financing component in it, and

WHEREAS, County Executive Giambra stated in *The Buffalo News* on December 7, 2002 that "It would be ridiculous to think that anyone would buy the Sabres without some sort of government support coming in," and

WHEREAS, it has been reported that the Hamister partnership will try to renegotiate the Sabres's non-relocation agreement, and

WHEREAS, experts have stated that the only way to keep the Buffalo Sabres in Buffalo is to have a non-relocation agreement, and

WHEREAS, Mr. Golisano's bid purportedly did not include plans to renegotiate non-relocation clauses for the team, and

WHEREAS, residents of Erie County have a right to know if competing bids for the Buffalo Sabres will have public financing components or will include changes in non-relocation agreements,

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NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby call upon the County Executive to disclose to the Erie County Legislature any and all information specific to his participation in or knowledge of bids submitted to the NHL for the purchase of the Buffalo Sabres, and be it further

RESOLVED, that this Honorable Body does further call upon the County Executive and Mr. Hamister to disclose any discussions concerning amendment of the non-relocation clause, and be it further

RESOLVED, that this Honorable Body does further call upon the Mr. Hamister and Mr. Golisano to make public the documents comprising their respective bids to the NHL for purchase of the Sabres and acknowledge any commitment made to any individuals for county resources for any proposed bid, and be it further

RESOLVED, that certified copies of this resolution be sent to the County Executive, Mark Hamister, B. Thomas Golisano, and to the Commissioner of the National Hockey League.

Fiscal Impact: To Be Determined.

MR. DALE moved to amend the resolution. MR. SWANICK seconded.

CARRIED UNANIMOUSLY.

**ADD the following Co-Sponsors: PEOPLES & FISHER.**

MR. DALE moved the approval of the resolution as amended. MR. SWANICK seconded.

CARRIED UNANIMOUSLY.

\* Please see below for further action on Intro. 25-11.

Item 34 – MS. CUSACK presented the following resolution and moved for immediate consideration. MR. WEINSTEIN seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 501

Re: Clarification of Technical Error Contained  
in Intro. 20-9. (Intro. 25-12)

A RESOLUTION SUBMITTED BY LEGISLATOR CUSACK

**WHEREAS**, on the Seventh day of November A.D., 2002, INTRO. 20-9 (2002) was approved by this Honorable Body, and



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**WHEREAS**, a technical error was contained in the amended version of this resolution that left certain funds unallocated, and

**WHEREAS**, for the purposes of clarification and for the official record of the Erie County Legislature, the County Budget Department and the County Comptroller's Office, the Legislature must pass an enabling resolution to reflect this correction, and

NOW, THEREFORE BE IT,

**RESOLVED**, that the \$2,500 that was removed from Ellicott Creek Fire Co. Line (DAC 1109213018301458) was intended to be returned to the Legislature – Contractual fund (110905100830), and be it further

**RESOLVED**, that \$2,500 is returned to the Legislature – Contractual fund (110905100830), 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, Kelly Brown – First Administrative Assistant Erie County Legislature, and to First Assistant County Attorney Susannah M. Bochenek.

**Fiscal Impact:** Clarification of appropriation of 2002- budgeted funds

MS. CUSACK moved to amend the resolution. MR. WEINSTEIN seconded.  
 LEGISLATORS KUWIK & SWANICK voted in the negative

CARRIED. (WEIGHTED VOTE: 13.986 – 2.060)

- DELETE the First and Second RESOLVED clauses and REPLACE with:

**RESOLVED**, that the total funds transferred within Fund 110, Project 921, Department 301 Agency Payments & Grants – Public Benefit Services, (DAC:110921301830), in INTRO. 20-9, added up to \$40,334, not \$45,334 as was contained in the first resolved clause, and be it further

**RESOLVED**, that the remaining \$5,000 from above, as well as the \$2,500 that was removed from Ellicott Creek Fire Co. (DAC 1109213018301458) were not specifically reallocated to another agency and was therefore intended to be returned to the Legislature – Contractual fund (110905100830), and be it further

**RESOLVED**, that a total of \$7,500 in unallocated funds from INTRO. 20-9 be returned to the Legislature – Contractual fund (110905100830), and be it further

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MS. CUSACK moved the approval of the resolution as amended. MR. WEINSTEIN seconded. LEGISLATORS DALE, DUSZA, FISHER, KUWIK, SCHROEDER & SWANICK voted in the negative.

CARRIED. (WEIGHTED VOTE: 10.256 – 5.790)

Item 35 – MR. WEINSTEIN moved to reconsider Intro. 25-11. MR. RANZENHOFER seconded. LEGISLATORS DALE, DUSZA, FISHER, HOLT, KUWIK, PEOPLES, SCHROEDER & SWANICK voted in the negative.

CARRIED. (WEIGHTED VOTE: 8.502 – 7.544)

CHAIRMAN DeBENEDETTI directed that Intro. 25-11 be referred to the FINANCE & MANAGEMENT COMMITTEE as amended.

**COMMUNICATIONS DISCHARGED FROM COMMITTEE**

Item 36 – MR. WEINSTEIN moved to discharge the COMMUNITY ENRICHMENT COMMITTEE from further consideration of Comm. 24E-29. MS. CUSACK seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 502

Re: Individual Access Passes for Disabled Persons.

**WHEREAS**, the County of Erie through its Department of Senior Services and Department of Parks, Recreation and Forestry issues access passes to senior citizens of Erie County entitling them to various discounts for bus fare, retail discounts and golf fees; and

**WHEREAS**, the Parks Department also issues such passes to the youth of Erie County entitling them to discounted golf fees; and

**WHEREAS**, because the County of Erie has no similar individual access passes for disabled persons for discounted County golf course fees, the Director of the Office for the Disabled in collaboration with the Department of Parks, Recreation and Forestry desires to develop a program for the issuance of access passes for the disabled addressing qualifications and use of such access passes.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Director of the Office for the Disabled and the Commissioner of Parks, Recreation and Forestry be and are hereby authorized to establish qualifying criteria for the

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issuance of access passes for the County's disabled persons and to promulgate regulations for the use of such passes at County golf courses; and be it further

**RESOLVED**, that certified copies of this Resolution be sent to Joel A. Giambra, Erie County Executive, Emily Kaznica, Director of the Office for the Disabled, Lawrence D. Jasinski, Commissioner of the Department of Parks, Recreation and Forestry, Nancy A. Naples, Erie County Comptroller, and Gregory J. Dudek, Assistant County Attorney.

MR. WEINSTEIN moved the approval of the resolution. MS. CUSACK seconded.

CARRIED UNANIMOUSLY.

Item 37 – MR. McCARVILLE moved to discharge the GOVERNMENT AFFAIRS COMMITTEE from further consideration of Comm. 20E-40. MR. WEINSTEIN seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 503

Re: Office of Veterans Services – Acceptance of Award and Establish Grant-In-Aid from the New York State Division of Veterans' Affairs from State Fiscal Year 2002-2003 Funds.

WHEREAS, the New York State Division of Veterans' Affairs has made available a \$10,240.00 grant to the Erie County Division of Veterans' Services for the period of April 1, 2002 through March 31, 2003 from State Fiscal Year 2002 – 2003 Funds; and

WHEREAS, the Erie County Division of Veterans' Services desires to use said grant for veterans' counseling services; and

WHEREAS, said grant shall be disbursed following the submission of a standard New York State voucher by the Erie County Office of Veterans' Services to the New York State Comptroller.

NOW, THEREFORE, BE IT

**RESOLVED**, that the County Executive, on behalf of the Office of Veterans Services, be and hereby is authorized to accept the grant from the New York State Division of Veterans' Affairs for the provision of veterans' counseling services; and be it further

**RESOLVED**, that the following budgetary transactions are authorized in order to establish said grant:

Office of Veterans Services  
 New York State Division of Veterans' Affairs Grant

Revenue

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SFG 615 – State Aid	<u>\$10,240</u>
TOTAL	\$10,240

Appropriations

SFG 800 – Personal Services	\$ 4,680
SFG 805 – Fringe Benefits	1,170
SFG 824 – Travel & Mileage	90
SFG 826 – Other Expenses	800
SFG 830 – Contractual	1,500
SFG 933 – Lab & Technical Equipment	<u>2,000</u>
TOTAL	\$10,240

and be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Division of Budget, Management and Finance, the Comptroller's Office, the Department of Law, and the Office of Veterans' Services.

MR. McCARVILLE moved the approval of the resolution. MR. WEINSTEIN seconded.

CARRIED UNANIMOUSLY.

Item 38 – MR. McCARVILLE moved to discharge the GOVERNMENT AFFAIRS COMMITTEE from further consideration of Comm. 20E-43. MR. WEINSTEIN seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 504

Re: Office of Veterans Services – Acceptance of Award and Establish Grant-In-Aid from the New York State Division of Veterans' Affairs from State Fiscal Year 2001-2002 Funds.

WHEREAS, the New York State Division of Veterans' Affairs has made available a \$10,240.00 grant to the Erie County Division of Veterans' Services for the period of April 1, 2002 through March 31, 2003 from State Fiscal Year 2001 – 2002 Funds; and

WHEREAS, the Erie County Division of Veterans' Services desires to use said grant for veterans' counseling services; and

WHEREAS, said grant shall be disbursed following the submission of a standard New York State voucher by the Erie County Office of Veterans' Services to the New York State Comptroller.

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NOW, THEREFORE, BE IT

RESOLVED, that the County Executive, on behalf of the Office of Veterans Services, be and hereby is authorized to accept the grant from the New York State Division of Veterans' Affairs for the provision of veterans' counseling services; and be it further

RESOLVED, that the following budgetary transactions are authorized in order to establish said grant:

Office of Veterans Services  
 New York State Division of Veterans' Affairs Grant

Revenue

SFG 615 – State Aid	\$ <u>10,240</u>
TOTAL	\$10,240

Appropriations

SFG 800 – Personal Services	\$ 4,680
SFG 805 – Fringe Benefits	1,170
SFG 824 – Travel & Mileage	90
SFG 826 – Other Expenses	800
SFG 830 – Contractual	1,500
SFG 933 – Lab & Technical Equipment	<u>2,000</u>
TOTAL	\$10,240

and be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Division of Budget, Management and Finance, the Comptroller's Office, the Department of Law, and the Office of Veterans' Services.

MR. McCARVILLE moved the approval of the resolution. MR. WEINSTEIN seconded.

CARRIED UNANIMOUSLY.

Item 39 – MR. McCARVILLE moved to discharge the GOVERNMENT AFFAIRS COMMITTEE from further consideration of Comm. 22E-8. MS. CHASE seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 505

Re: Transfer of Funds from "Extraordinary County Aid to Local Governments" Account to County Attorney "Dues and Fees: Account.

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WHEREAS, on October 31, 2002, the County of Erie purchased real property known as 372 Michigan Avenue in the City of Buffalo for \$1,150,000 ("Purchase Price"); and

WHEREAS, in addition to the Purchase Price, the County was responsible for paying closing costs in the amount of \$9,748.69 ("Closing Costs"), and such Closing Costs consisted of the title insurance premium as well as a pro-rata adjustment in favor of the seller for real property taxes; and

WHEREAS, so that the closing would not be delayed, the County Attorney paid for these Closing Costs from its budgeted "Dues and Fees" account (DAC No. 110 909600821); and

WHEREAS, after closing, the County Attorney became aware that funds to pay for the Closing Costs should have been paid from the "Extraordinary County Aid to Local Governments" account (DAC No. 904 3038301299); and

WHEREAS, the County Attorney desires to have the Closing Costs that were paid from the "Dues and Fees" account (DAC No. 110 909600821) replenished by the "Extraordinary County Aid to Local Governments" account (DAC No. 904 3038301299).

NOW, THEREFORE, BE IT

RESOLVED, that the sum of \$9,748.69 is hereby transferred from the "Extraordinary County Aid to Local Governments" account (DAC No. 904 3038301299) to the County Attorney "Dues and Fees" account (DAC No. 110 909600821); and be it further

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

MR. McCARVILLE moved the approval of the resolution. MS. CHASE seconded.

CARRIED UNANIMOUSLY.

Item 40 – MR. McCARVILLE moved to discharge the GOVERNMENT AFFAIRS COMMITTEE from further consideration of Comm. 22E-11. MR. WEINSTEIN seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 506

Re: The Erie County Division of Information and Support Services Web Media Services Incorporated Contract for Website Consulting Services.

WHEREAS, the Division of Information and Support Services manages website consulting, design and development services for Erie County government, and

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WHEREAS, a request for proposal was issued by Information and Support Services in an effort to obtain a vendor with the talent and expertise to develop and maintain the Erie County websites, and

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

WHEREAS, the Division of Information and Support Services determined that the Web Media Services Incorporated proposal for providing website consulting services was the low bid and was technically acceptable, the paperwork relative to the request for proposal is available for inspection during regular business hours.

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 Web Media Services Incorporated for website consulting services with the option to extend the contract for up to two (2) additional periods of three (3) years, and be it further

RESOLVED, that funds for the first year of the contract, in the amount of \$60,000.00 are available in account 110-927510823, in the 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 County Comptroller, the Director of Information and Support Services and the Director of Budget, Management and Finance.

MR. McCARVILLE moved the approval of the resolution. MR. WEINSTEIN seconded.

CARRIED UNANIMOUSLY.

Item 41 – MR. McCARVILLE moved to discharge the GOVERNMENT AFFAIRS COMMITTEE from further consideration of Comm. 24E-31. MR. WEINSTEIN seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 507

Re: Request for Approval of New Form of Insurance Certificate.

**WHEREAS**, the current form of insurance certificate that Erie County requires from certain persons or entities that enter into contracts with the County was last approved in 1985; and

**WHEREAS**, certain portions of the current form of insurance certificate are not in compliance with New York State insurance regulations; and

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**WHEREAS**, it is recommended that the Erie County Legislature approve the new form of insurance certificate for Erie County, which will be in full compliance with New York State insurance regulations; and

**WHEREAS**, it is advisable to increase certain required contractor insurance limits to more accurately reflect current industry standards.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Erie County Legislature hereby approves the form of insurance certificate attached hereto as Exhibit A; and be it further,

**RESOLVED**, that the County Attorney may, in his discretion, deviate from the form of, and requirements contained in, the insurance certificate attached hereto as Exhibit A when he deems it to be reasonable under the circumstances and sufficient to protect the interests of the County; and be it further,

**RESOLVED**, that certified copies of this Resolution be forwarded to the County Executive, the County Comptroller, the County Attorney and the Director of Contract Compliance.

MR. McCARVILLE moved the approval of the resolution. MR. WEINSTEIN seconded.

CARRIED UNANIMOUSLY.

**SUSPENSION OF THE RULES**

Item 42 – MR. SWANICK moved for a suspension of the rules to include an item not on the agenda. MR. DALE seconded. MR. RANZENHOFER OBJECTED.

CHAIRMAN DeBENEDETTI directed the following resolution to be referred to the HUMAN SERVICES COMMITTEE.

GRANTED.

Intro. 25-13 From LEGISLATORS SWANICK, KUWIK, SCHROEDER, HOLT, FISHER, DALE, PEOPLES & DUSZA Re: Opposing Proposed Cuts in Federal Low Income Home Energy Assistance Program (LIHEAP).

**COMMUNICATIONS FROM ELECTED OFFICIALS**

**FROM THE COUNTY EXECUTIVE**



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Item 43 – (Comm. 25E-1) Appointment of Ward Pautler to EC Records Commission.

Received and filed.

FROM CHAIRMAN DeBENEDETTI

Item 44 – (Comm. 25E-2) Copy of Letter to Legislator Swanick Re: 2003 County Budget.

Received and filed.

FROM THE COUNTY EXECUTIVE

Item 45 – MR. WEINSTEIN presented the following resolution and moved for immediate consideration. MR. RANZENHOFER seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 508

Re: Appointment of Tamara Doyle to Erie  
 County Citizens Committee on Rape & Sexual  
 Assault (CORSA). (Comm. 25E-3)

RESOLVED, that the Erie County Legislature does hereby confirm the appointment of Ms. Tamara Doyle of 6720 Heltz Road, Lakeview, New York 14085 to the Erie County Citizens Committee on Rape and Sexual Assault (CORSA) for a term to expire December 31, 2004.

MR. WEINSTEIN moved the approval of the resolution. MR. RANZENHOFER seconded.

CARRIED UNANIMOUSLY.

Item 46 – (Comm. 24E-4) Letter to Clerk of Legislature Re: Notice of No Objections Made to Tentative 2003 Budget Approved 11/25/02.

RECEIVED, FILED & PRINTED.

December 9, 2002

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

Dear Ms. Manzella:

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Please be advised that I do not object to any additions or increases to the Tentative 2003 Budget which the Legislature approved at their November 25, 2002 meeting.

I approve of the additions and increases to the Budget. The 2003 Budget, as amended by the Legislature, is therefore adopted.

Sincerely,

JOEL A. GIAMBRA  
County Executive

FROM CHAIRMAN DeBENEDETTI

Item 47 – (Comm. 25E-5) Notice of Cancellation of Scheduled “Override” Session of 12/10/02.

RECEIVED, FILED & PRINTED.

December 9, 2002

To: All Erie County Legislators  
From: Albert DeBenedetti, Chairman

Be advised that County Executive Joel A. Giambra has filed a communication with the Erie County Legislature (copy attached) stating that he did not object to any one or more of the added or increased items adopted by this body at Meeting No. 23 held on November 25, 2002.

Since there are no items to override, I am canceling the previously scheduled ‘OVERRIDE’ session of Tuesday, December 10, 2002.

Thank you.

ATTACHMENT –1

December 9, 2002

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

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Dear Ms. Manzella:

Please be advised that I do not object to any additions or increases to the Tentative 2003 Budget which the Legislature approved at their November 25, 2002 meeting.

I approve of the additions and increases to the Budget. The 2003 Budget, as amended by the Legislature, is therefore adopted.

Sincerely,

JOEL A. GIAMBRA  
 County Executive

**FROM THE COMPTROLLER**

Item 48 – (Comm. 25E-6) Review of Collection Procedures for Erie County Hotel Occupancy Tax for Period 1/1/00 – 6/30/02.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

**FROM LEGISLATOR SWANICK**

Item 49 – MR. WEINSTEIN presented the following resolution and moved for immediate consideration. MR. LARSON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 509

Re: Lease for Legislative Office Space.  
 (Comm. 25E-7)

RESOLVED, that the County Executive is hereby authorized to sign a One (1) Year Lease Agreement between Kenmore-Town of Tonawanda Union Free School District located at 1500 Colvin Boulevard, Buffalo, New York 14223 and Erie County for Legislative Office Space for Erie County Legislator Charles Swanick at a cost of \$315.88 per month.

MR. WEINSTEIN moved the approval of the resolution. MR. LARSON seconded. MR. SWANICK abstained.

CARRIED UNANIMOUSLY.

**FROM LEGISLATOR PEOPLES**

Item 50 – (Comm. 25E-8) Notice of Absence from Committee Meetings Scheduled 12/9/02.

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Received and filed.

**FROM THE COUNTY EXECUTIVE**

Item 51 – MR. WEINSTEIN presented the following resolution and moved for immediate consideration. MR. RANZENHOFER seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 510

Re: Health – Women’s Health Services Program  
 4/1/02 – 3/31/03. (Comm. 25E-9)

WHEREAS, the Erie County Department of Health operates a Women’s Health Services Program that provides family planning services to at-risk adolescents and other medically indigent women and men at various locations within Erie County, and

WHEREAS, the Erie County Department of Health has recently received an amended grant award from the New York State Health Department totaling \$1,769,074 which includes an additional \$17,343 funding award for medical supplies and lab tests and upgrades a part-time Pregnancy Prevention Specialist position, position number 815338, to full-time due to an increase in scheduled programs at Buffalo middle and high schools.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to enter into an agreement with New York State to accept the revised grant which is budgeted as follows:

**WOMEN'S HEALTH SERVICES**  
**4/1/02- 3/31/03**  
**PROJECT #717**

<b>SFG CODE</b>	<b>REVENUE</b>	<b>CURRENT BUDGET</b>	<b>CHANGES</b>	<b>REVISED BUDGET</b>
326	INTEREST & EARNINGS	\$ 84,000	\$ 0	\$ 84,000
386	PRIVATE PAY	2,120	0	2,120
387	MEDICAID	406,257	0	406,257
549-138	PRIOR YEARS ROLLOVER	463,309	0	463,309
549-166	INSURANCE	20,043	0	20,043
551-100	STATE AID-BDCC	200,000	0	200,000
553	STATE AID-OTHER	507,367	+17,343	524,710
685-2700	INTERFUND-NON SUBSIDY	68,635	0	68,635

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<b>TOTAL REVENUE</b>	<u>\$ 1,751,731</u>	<u>\$ +17,343</u>	<u>\$ 1,769,074</u>
<b>APPROPRIATIONS</b>			
800 PERSONAL SERVICES	\$ 809,423	\$ 0	\$ 809,423
803 M/C SALARY ADJUSTMENT	- 1,498	0	- 1,498
805 FRINGE BENEFITS	201,980	0	201,980
810 OFFICE SUPPLIES	11,000	0	11,000
814 MEDICAL SUPPLIES	121,484	+15,343	136,827
816 MAINT SUPPLIES	2,550	0	2,550
821 DUES & FEES	328,142	+2,000	330,142
822 RENTAL CHARGES	500	0	500
823 REPAIRS & MAINT	39,310	0	39,310
824 LOCAL MILEAGE	10,610	0	10,610
825 TRAVEL-OUT OF AREA	12,000	0	12,000
826 OTHER EXPENSES	52,623	0	52,623
880-2700 INTERFUND-HEALTH DEPT.	24,083	0	24,083
880-2720 INTERFUND-PUBLIC HEALTH LAB	22,103	0	22,103
880-4000 INTERFUND-ECMC	42,500	0	42,500
880-5100 INTERFUND-DISS	15,301	0	15,301
883-2709 INTERDEPT-HEALTH GRANTS	- 150	0	- 150
931 BUILDINGS & GROUNDS EQUIP	20,000	0	20,000
932 OFFICE EQUIPMENT	1,400	0	1,400
933 LAB & TECHNICAL EQUIPMENT	38,370	0	38,370
<b>TOTAL APPROPRIATIONS</b>	<u>\$ 1,751,731</u>	<u>\$ +17,343</u>	<u>\$ 1,769,074</u>

and be it further

RESOLVED, that the Erie County Legislature hereby authorizes the deletion of one part-time Pregnancy Prevention Specialist, JG 9, position number 815338, and the creation of one-full time Pregnancy Prevention Specialist, JG 9.

The following personnel detail is hereby submitted:

TITLE: Pregnancy Prevention Specialist	FUNDING: 100% State Reimbursed
JG: 9	CIVIL SERVICE: Competitive
STEP: 0	CIVIL SERVICE LIST: Yes
ANNUAL SALARY: \$32,928	
ANNUAL BENEFITS: \$7,626	

and be it further

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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.

MR. WEINSTEIN moved the approval of the resolution. MR. RANZENHOFER seconded.

CARRIED UNANIMOUSLY.

Item 52 – MR. WEINSTEIN presented the following resolution and moved for immediate consideration. MR. McCARVILLE seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 511

Re: Health – HIV/AIDS Peer Navigator 10/1/02  
 – 9/30/03. (Comm. 25E-10)

WHEREAS, the Erie County Health Department wishes to participate in a comprehensive collaboration that will establish multi-agency outreach services to individuals with HIV who have relapsed or who are disconnected; routine HIV/STD risk assessment of substance abusers; enhanced evidence based system of outpatient services, mutual case conferencing; and follow-up care for diagnosed individuals leaving in-patient care, and

WHEREAS, the goal is to develop and implement a collaborative, comprehensive treatment infrastructure program that is responsive to the target population, increase the longevity of clients by addressing the unique needs of the target population, and improve and integrate outreach in the community to engage high risk individuals not currently receiving care or frequently absent from care, and

WHEREAS, the Erie County Department of Health will partner with the Erie County Medical Center, AIDS Community Services and Project Reach in order to provide needed services, and

WHEREAS, in order to accomplish this task, two full-time positions of HIV/AIDS Peer Navigator, JG III, need to be created.

NOW, THEREFORE, BE IT

RESOLVED, that the County Legislature hereby approves the following budget:

**HIV/AIDS PEER NAVIGATOR GRANT**  
**10/01/02 - 09/30/03**

**CURRENT**

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<u>SFG</u>	<u>REVENUE</u>	<u>BUDGET</u>
685-4000	INTER-FUND - ECMC	\$ 61,117
	<b>TOTAL</b>	<u>\$ 61,117</u>
	<u>EXPENSES</u>	
800	PERSONNEL SERVICES	\$ 47,166
805	FRINGE BENEFITS	11,951
824	TRAVEL AND MILEAGE	500
825	OUT OF AREA TRAVEL	<u>1,500</u>
	<b>TOTAL</b>	<u>\$ 61,117</u>

and be it further

RESOLVED, that the Erie County Legislature hereby approves the creation of two full-time positions of HIV/AIDS Peer Navigator, JG III.

The following personnel detail is hereby submitted:

TITLE: HIV/AIDS Peer Navigator	FUNDING: 100% ECMC Reimbursed
JG: III	CIVIL SERVICE: Yes
STEP: 0	CIVIL SERVICE LIST: No
ANNUAL SALARY: \$22,443	
ANNUAL BENEFITS: \$5,975	

and be it further

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

MR. WEINSTEIN moved the approval of the resolution. MR. McCARVILLE seconded.

CARRIED UNANIMOUSLY.

Item 53 – MR. WEINSTEIN presented the following resolution and moved for immediate consideration. MR. FALKNER seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 512

Re: Health – INHALE Program 1/1/03 –  
 12/31/04. (Comm. 25E-11)

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WHEREAS, the Erie County Department of Health has received a grant from the United States Environmental Protection Agency (EPA) Indoor Environments Division in the amount of \$151,215 for the implementation of an IN-Home Asthma Literacy Education (INHALE) Program, and

WHEREAS, the purpose of the INHALE program is to improve the quality of life of children and others with asthma through education and reduced exposure to asthma triggers associated with the home environment, and

WHEREAS, this will be accomplished through home inspection, distribution of intervention products, provision of mitigation services and implementation of an asthma education curriculum for asthmatics and their families in Erie County, and

WHEREAS, the grant award authorizes the creation of one full-time position of Public Health Technician, JG VII, and one regular part-time position of Respiratory Care Practitioner, JG VI.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Executive is hereby authorized to enter into an agreement with the United States Environmental Protection Agency (EPA) Indoor Environments Division to accept the grant budgeted as follows:

**IN-Home Asthma  
Literacy Education (INHALE) Program  
1/1/03 – 12/31/04**

SFG

<u>ACCOUNT</u>	<u>REVENUE</u>	<u>BUDGET</u>
684 103	Federal - EPA	<u>\$151,215</u>
	<b>TOTAL</b>	<b><u>\$151,215</u></b>

**EXPENSES**

800	Personal Services	\$108,582
801	Overtime	3,300
805	Fringe Benefits	19,696
810	Office Supplies	1,150
811	Clothing Supplies	500
814	Medical & Health Supplies	1,000
824	Travel & Mileage	3,600
825	Out of Area Travel	2,615
826	Other Expenses	9,772



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933	Lab & Technical Equipment	<u>1,000</u>
	TOTAL	<u>\$151,215</u>

and be it further

RESOLVED, that one full-time position of Public Health Technician, JG VII, and one regular part-time position of Respiratory Care Practitioner, JG VI are hereby created.

The following personnel detail is hereby submitted:

TITLE: Public Health Technician	FUNDING: 100% Federally Funded
JG: VII	CIVIL SERVICE: Yes
STEP: I	CIVIL SERVICE LIST: No
ANNUAL SALARY: \$30,362	
ANNUAL BENEFITS: \$8,192	

TITLE: Respiratory Care Practitioner (RPT)	FUNDING: 100% Federally Funded
JG: VI	CIVIL SERVICE: Yes
STEP: 0	CIVIL SERVICE LIST: No
HOURLY RATE: \$12.79	

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.

MR. WEINSTEIN moved the approval of the resolution. MR. FALKNER seconded.

CARRIED UNANIMOUSLY.

Item 54 – MR. WEINSTEIN presented the following resolution and moved for immediate consideration. MS. CHASE seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 513

Re: Health – Public Health Campaign Grant  
 4/1/02 – 3/31/03. (Comm. 25E-12)

WHEREAS, the Erie County Department of Health has received a continuing grant from the New York State Health Department in the amount of \$555,642 to fund the Public Health Campaign from 4/1/02 – 3/31/03, and

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WHEREAS, the continuing grant includes funding for the Model Tuberculosis Control Clinic and the Sexually Transmitted Disease (STD) Prevention Program, and

WHEREAS, the New York State Public Health Campaign grant award has remained unchanged for several years, and therefore, has not kept pace with contracted salary increases. Therefore, it is necessary to adjust staffing by deleting one full time position of Sr. Clerk Typist, JG IV, (position number 811981) and one regular part time Sr. Public Health Aide, (position number 813345) and creating one full time position of Sr. Public Health Aide, JG III, and

WHEREAS, these personnel adjustments will enable the Public Health Campaign to stay within budget without reducing direct patient services.

NOW, THEREFORE, BE IT

RESOLVED, that the following personnel adjustments are hereby authorized in the budget of the Public Health Campaign, Project #709: the deletion of one full time position of Sr. Clerk Typist, JG IV, (position number 811981) and one regular part time position of Sr. Public Health Aide, (position number 813345) and creating one full time position of Sr. Public Health Aide, JG III, and be it further

The following personnel detail is hereby submitted:

TITLE: Sr. Public Health Aide	FUNDING: 100% State Reimbursed
JG: III	CIVIL SERVICE: Yes – Non Competitive
STEP: 1	CIVIL SERVICE LIST: No
ANNUAL SALARY: \$23,874	
ANNUAL BENEFIT: \$6,207	

and be it further

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

MR. WEINSTEIN moved the approval of the resolution. MS. CHASE seconded.

CARRIED UNANIMOUSLY.

Item 55 – MR. WEINSTEIN presented the following resolution and moved for immediate consideration. MR. RANZENHOFER seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 514

Re: NYSDEC Waste Reduction & Recycling  
 Coordination Education Grant.

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(Comm. 25E-13)

WHEREAS, the Erie County Department of Environment and Planning (DEP) provides support to the Northeast and Southtowns Communities (N.E.S.T.) and the other solid waste management planning units in Erie County to assist them in meeting their solid waste management objectives; and

WHEREAS, the Erie County Department of Environment and Planning is obligated to coordinate, oversee, and support the development of the N.E.ST. Solid Waste Management Plan; and

WHEREAS, the DEP has identified sufficient resources for the completion of this initiative; and

WHEREAS, the New York State Department of Environmental Conservation (NYSDEC) provides grant assistance to municipalities to implement projects to reduce solid waste in New York State; and

WHEREAS, the DEP provides technical assistance to municipalities and businesses to help address their waste management needs; and

WHEREAS, on May 18, 2000, the New York State Department of Environmental Conservation awarded \$160,530 to Erie County to implement a Solid Waste Reduction Project; and

WHEREAS, in 2001 the New York State Department of Environmental Conservation expanded the scope of projects funded through the Environmental Protection fund to include recycling coordination efforts; and

WHEREAS, a resolution passed on November 7, 2002 (Comm. 19E-23) authorized a revision to the existing budget for this program; and

WHEREAS, on November 12, 2002, the NYSDEC awarded an additional \$88,836 to Erie County to implement a Solid Waste Recycling Coordination/Education Project; and

WHEREAS, the NYSDEC requires a 50% local match; and

WHEREAS, the DEP has identified both existing budget and in-kind resources to establish the necessary match; and

WHEREAS, the required cash match of \$88,836 will be Interfund Revenue - Environment and Planning - East Side Transfer Station (ESTS) (Project #955, Account 686-6210), which has been provided for in the 2002 and 2003 budgets and will be provided for in future appropriations from the ESTS budget in 2004 and 2005; and

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WHEREAS, the addition of this new solid waste recycling initiative necessitates staffing changes within the Erie County Department of Environment and Planning.

NOW, THEREFORE BE IT

RESOLVED, that the County Executive is hereby authorized to execute the agreements necessary to accept new grant resources in an amount not to exceed \$88,836 from the New York State Department of Environmental Conservation to implement a Solid Waste Recycling Coordination/Education Project in Erie County, and be it further

RESOLVED, that the County Executive is hereby authorized to amend the existing agreements with Tellus Institute by \$5,000 to complete the Solid Waste Management Plan, and be it further

RESOLVED, that the source of funding for this increase is provided in existing County budget resources in SFG #394, Account 830, and be it further

RESOLVED, that the budget of the Solid Waste Reduction Grant (SFG #394) is hereby revised as follows:

REVENUES:

<u>Account</u>	<u>Description</u>	<u>Current Budget</u>	<u>Revisions</u>	<u>Revised Budget</u>
360	Other: Local Source (NESSWMB)	\$20,000	0	\$20,000
	(BSC)	3,745	0	3,745
553	State Aid – NYSERDA SWR Grant	160,530	\$88,836	249,366
640-0700	Federal Aid (GLBP)	18,000	0	18,000
640-0710	Federal Aid (NESCAUM)	7,000	0	7,000
641	Federal Aid (USEPA)	68,200	0	68,200
686-6200	Interfund Revenue (E&P)	178,500	0	178,500
686-6201	Interfund Revenue (CD)	25,285	0	25,285
686-6210	Interfund Revenue (ESTS)	0	88,836	88,836
<b>Total Revenues</b>		<b>\$481,260</b>	<b>\$177,672</b>	<b>\$658,932</b>

APPROPRIATIONS:

<u>Account</u>	<u>Description</u>	<u>Current Budget</u>	<u>Revisions</u>	<u>Revised Budget</u>
800	Personal Services	\$176,936	\$137,026	\$313,962
805	Fringe Benefits	45,979	36,998	82,977

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810	Office Supplies	2,530	(800)	1,730
824	Local Travel and Mileage	600	0	600
825	Out-of-Area Travel	1,700	0	1,700
826	Other	30,204	3,802	34,006
830	Contractual Services	222,311	(354)	221,957
933	Lab and Technical Equipment	1,000	1,000	2,000
<b>Total Appropriations</b>		<b>\$481,260</b>	<b>\$177,672</b>	<b>\$658,932</b>

and be it further

RESOLVED, that the following position is hereby created in the Department of Environment and Planning grant fund, and this position will be funded from the newly revised budget of the Solid Waste Reduction Grant Project:

Solid Waste Recycling Specialist (RPT, JG-12)

and be it further

RESOLVED, that certified copies of this resolution be sent to the Director of Budget, Management and Finance; Laurence K. Rubin, Commissioner of Environment and Planning; Michael Raab, Deputy Commissioner of Environment and Planning; the County Comptroller; the Commissioner of Personnel; and the County Attorney.

MR. WEINSTEIN moved to amend the resolution to add the corresponding B-100 as an attachment. MR. RANZENHOFER seconded.

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

Item 56 – MR. WEINSTEIN presented the following resolution and moved for immediate consideration. MR. LARSON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 515

Re: DPW & Emergency Services – Fire  
 Training Academy Renovations.  
 (Comm. 25E-14)

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**ERIE COUNTY LEGISLATURE**

WHEREAS, the Erie County Fire Training Academy serves as the County's Emergency Operations Center, and

WHEREAS, the Department of Public Works and the Department of Emergency Services have been working together on the first phase of the renovations and expansion project at the Erie County Fire Training Academy, and

WHEREAS, a second phase is necessary to enhance site development, fixtures and security at the Academy, and

WHEREAS, tobacco proceeds are available to fund this project,

NOW, THEREFORE, BE IT

RESOLVED, that authorization is hereby provided to fund the second phase of the Fire Training Academy Renovations and Expansion Project, using tobacco proceeds totaling \$400,000, and be it further

RESOLVED, that the 2002 Capital Budget is hereby amended to include this project, and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the Commissioner of Emergency Services, the Commissioner of Public Works, the Director of Budget, Management and Finance and the County Comptroller.

MR. WEINSTEIN moved the approval of the resolution. MR. LARSON seconded.

CARRIED UNANIMOUSLY.

Item 57 – (Comm. 25E-15) General Highway/Bridge Engineering Services Consultant Approvals.

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 58 – MR. WEINSTEIN presented the following resolution and moved for immediate consideration. MR. RANZENHOFER seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 516

Re: Probation & CPS –Authorization to Enter  
Into Contract. (Comm. 25E-16)

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**WHEREAS**, the Departments of Probation, Central Police Services and Youth Services have been working together to establish a networked management information system to improve the coordination of services to youth, and

**WHEREAS**, grant funding will allow Probation Officers to have the ability to provide prompt intervention of juveniles in a non-traditional setting of a school environment.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that authorization is hereby provided for the County Executive to enter into contract and accept funding in the amount of \$302,757 of funding under the Juvenile Accountability Incentive Block Grant (JAIBG) Program with the New York State Division of Criminal Justice Services, and be it further

**RESOLVED**, that authorization is hereby provided to establish a JAIBG grant in the Probation Department and the Department of Central Police Services to implement this program as follows:

**Grant Fund**  
**Department 260 – Probation**  
**Juvenile Accountability Incentive Block Grant**  
**September 1, 2002 to August 31,2003**

<u>Revenue</u>	<u>Increase</u>
Acct. 627 – State Aid Criminal Justice	\$65,696
Acct. 685-2600 – Interfund Revenue	<u>6,870</u>
Total Revenue	\$72,566

<u>Appropriation</u>	
Acct. 800 – Personal Services	\$51,271
Acct. 805 – Fringe Benefits	13,300
Acct. 810 – Office Supplies	500
Acct. 821 – Dues and Fees	500
Acct. 824 – Local Travel	875
Acct. 825 – Out of Area Travel	1,120
Acct. 933 – Lab and Technical Equipment	<u>5,000</u>
Total Appropriation	\$72,566

**Grant Fund**  
**Department 650 – Central Police Services**

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**ERIE COUNTY LEGISLATURE**

**Juvenile Accountability Incentive Block Grant**  
**September 1, 2002 – August 31, 2003**

<u>Revenue</u>	<u>Increase</u>
Acct. 627 – State Aid Criminal Justice	\$237,061
Acct. 685-2600 – Interfund Revenue	<u>23,706</u>
Total Revenue	\$260,767

Appropriation

Acct. 933 – Lab and Technical Equipment	<u>\$260,767</u>
Total Appropriation	\$260,767

and be it further

**RESOLVED**, that a position of Probation Officer, JG XI is hereby created in the Probation Department's Juvenile Accountability Incentive Block Grant, and be it further

**RESOLVED**, that certified copies of this resolution be forwarded to the Division of Budget, Management and Finance, the Office of the Comptroller, the Department of Probation and Youth Detention Services and the Department of Central Police Services.

MR. WEINSTEIN moved to amend the resolution to add the corresponding B-100 as an attachment. MR. RANZENHOFER seconded.

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

Item 59 – MR. WEINSTEIN presented the following resolution and moved for immediate consideration. MR. RANZENHOFER seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 517

Re: Social Services – Closing the Gap – School Site Coordinators. (Comm. 25E-17)

**WHEREAS**, the Department of Social Services is seeking authorization to appropriate funds and to execute contracts to provide school site coordinators as part of the community's "Closing the Gap in Student Performance" initiative, and



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**WHEREAS**, the Department's Full Service Schools Initiative was implemented in 2001 as a part of the Closing the Gap initiative to provide a broad array of services to children and families as identified through school system personnel to act as resource centers for education, health, mental health, youth development and family support services, and

**WHEREAS**, since the inception of the program, it was apparent that a full time presence at each school would result in better coordination and a stronger interface between school administration, community agencies, parents and the student population, and

**WHEREAS**, funding will be provided to Catholic Charities to hire six full-time coordinators to be stationed at Buffalo Public Schools at locations that participate in the existing Full Services School Program, and

**WHEREAS**, limited Temporary Assistance to Needy Families (TANF) funds have not been available to expand the Full Services School program to meet the site based staff need, and

**WHEREAS**, the availability of new Preventive Services reimbursement from New York State, coupled with a local share philanthropic donation to the United Way from the Oishei Foundation that provides matching funds, will now enable site coordinators to be added to the program, and

**WHEREAS**, there is no County share required for this critical community service initiative.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the County Executive and/or the Commissioner of Social Services are authorized to enter into necessary contracts with Catholic Charities to provide site coordinators and with the United Way to provide donated local matching funds, and be it further

**RESOLVED**, that the following budget amendments are hereby authorized in the 2003 Adopted Budget:

**Department of Social Services, Department 200, Fund 120**

<b><u>ACCOUNT</u></b>	<b><u>DESCRIPTION</u></b>	<b><u>INCREASE</u></b>
830	Catholic Charities	<u>\$407,143</u>
	Total Expenditures	<u>\$407,143</u>
606	State Aid - Services for Recipients	\$264,643
447	Donated Funds	<u>142,500</u>
	Total Revenues	<u>\$407,143</u>

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and be it further

**RESOLVED**, that because these special services are needed immediately, the County Administrative Code requirement in Section 19.08 for a Request for Proposals (RFP) is hereby waived, and be it further

**RESOLVED**, that certified copies of this resolution shall be forwarded to the Commissioner of the Department of Social Services, the Erie County Comptroller and the Director of the Division of Budget, Management and Finance.

MR. WEINSTEIN moved the approval of the resolution. MR. RANZENHOFER seconded.

CARRIED UNANIMOUSLY.

Item 60 – MR. WEINSTEIN presented the following resolution and moved for immediate consideration. MS. CUSACK seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 518

Re: Social Services – Family Visitation Case Aides. (Comm. 25E-18)

**WHEREAS**, the Department of Social Services is seeking authorization to add seven Case Aide positions to be dedicated to the coordination of all aspects of foster care visitation plans as developed by Department Casework staff, and

**WHEREAS**, this work will involve scheduling, facilitation, transportation, monitoring and reporting on the visit of a foster child with his or her natural parents and/or foster parents, and

**WHEREAS**, the strategy to be utilized by these workers will be to arrange visits over time and as appropriate in increasingly informal settings so as to approximate the setting to which the child will expect to encounter upon return home, and

**WHEREAS**, there is no fiscal impact to this change.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the following budget amendments are hereby authorized in the 2003 Adopted Grant Budget:

**Department of Social Services, Department 200, Fund 281, Project 819**

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<u>ACCOUNT</u>	<u>DESCRIPTION</u>	<u>INCREASE/ (DECREASE)</u>
830	Contractual Services	(\$250,000)
800	Personal Services	204,918
805	Fringe Benefits	<u>45,082</u>
Total Expenditures		<u>-0-</u>

and be it further

**RESOLVED**, that the following positions are hereby created effective January 1, 2003 in the TANF Services Plan grant, Department 200, Fund 281:

Number	Title	Job Grade
7	Case Aide	6

(a B-100 is attached)

and be it further

**RESOLVED**, that certified copies of this resolution shall be forwarded to the Commissioner of the Department of Social Services, the Erie County Comptroller and the Director of the Division of Budget, Management and Finance.

MR. WEINSTEIN moved to amend the resolution to add the corresponding B-100 as an attachment. MS. CUSACK seconded.

CARRIED UNANIMOUSLY.

MR. WEINSTEIN moved the approval of the resolution as amended. MS. CUSACK seconded.

CARRIED UNANIMOUSLY.

Item 61 – MR. WEINSTEIN presented the following resolution and moved for immediate consideration. MS. CHASE seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 519

Re: CPS – Amendment to Agreement with EM Systems. (Comm. 25E-19)

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**ERIE COUNTY LEGISLATURE**

WHEREAS, Erie County's Department of Central Police Services hosts critical public safety information systems and supports interdepartmental data transfer for Erie County police agencies, and

WHEREAS, these systems and services comprise complex police support services, and management services to provide a standardized Computer Aided Dispatch – Record Management System with interface capabilities to each of its user police agencies, and

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

WHEREAS, EM Systems was found to have the preferred software design, experience and desired management support, and

WHEREAS, EM Systems has provided software development services to Central Police Services under an agreement which commenced in May 2001,

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive, through the Department of Central Police Services, shall be authorized to amend an agreement with EM Systems and to increase the contract for a county-wide Computer Aided Dispatch (CAD) – Record Management System (RMS), in an amount not to exceed \$232,800 and be it further

RESOLVED, that the sources of funding shall be from the E-911 Fund, account 441 269651933 in the amount of \$ 147,000, and from the Juvenile Accountability Incentive Block Grant project, account 281 583650933 in the amount of \$50,400, and from the Supplemental Juvenile Accountability Incentive Block Grant (no account number at this time) in the amount of \$35,400, and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the County Executive, County Comptroller, the Commissioner of Central Police Services and the Director of Budget, Management and Finance.

MR. WEINSTEIN moved the approval of the resolution. MS. CHASE seconded.

CARRIED UNANIMOUSLY.

Item 62 – MR. McCARVILLE presented the following resolution and moved for immediate consideration. MR. FALKNER seconded.

CARRIED UNANIMOUSLY.

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**ERIE COUNTY LEGISLATURE**

RESOLUTION NO. 520

Re: Agreement for Regional Gap Analysis &  
Emergency Preparedness for WNY.  
(Comm. 25E-20)

WHEREAS, the events of "9/11" have increased this nation's concern for homeland security and emergency disaster preparation for terrorist acts; and

WHEREAS, Erie County's geographic location on the Great Lakes, its common border with Canada, vulnerability to terrorist infiltration across international waters, proximity to hydroelectric generating plants in Niagara Falls and Lewiston, and the capture of an alleged al-Qaida terrorist cell in Lackawanna illustrate the need for Erie County and Western New York (WNY) to tighten security and to prepare for potential catastrophic emergencies; and

WHEREAS, Ecology and Environment, Inc. (E &E), international specialists in the environment, located in Lancaster, NY, has been awarded a single source contract from the State of New York, Office of General Services (OGS), to provide to all state and non-state agencies training and planning services to prevent the release of, contain, and/or remove contaminants associated with nuclear, biological, or chemical/counter terrorism and/or weapons of mass destruction; and

WHEREAS, the County Executive seeks authority to enter into necessary agreements with E & E, other WNY municipalities and state and federal funding agencies to achieve the goal of attaining a high level of emergency preparedness for Erie County itself and as part of a greater eight county region in WNY.

NOW THEREFORE BE IT

RESOLVED, that the Erie County Legislature hereby makes a finding of necessity that the special services proposed to be provided by E & E must be provided immediately and therefore hereby waives the request for proposal procedure; and be it further

RESOLVED, that the County Executive is authorized to enter into the necessary agreements with E & E to provide various support functions including, but not limited to, assisting Erie County in identifying and securing financial federal and state financing sources and preparing and submitting grant applications, setting up meetings with appropriate state and federal officials, assisting with creating a WNY regional coalition and developing a data gap analysis template focused on the needs identified for the development of a regional action plan; and be it further

RESOLVED, that the County Executive be authorized to enter into necessary agreements with various municipalities within the eight counties and with a potential of 10, comprising WNY and with state and federal agencies for various grants for financial and other support assistance in order to establish a regional emergency preparedness plan; and be it further

RESOLVED, that certified copies of the resolution be sent to Joel A. Giambra, Erie County Executive; Carl J. Calabrese, Deputy County Executive; Joseph Passafiume, Director of Budget, Management and Finance; Michael V. Walters, Commissioner of Emergency Services; Kevin J.

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Comerford, Commissioner of Central Police Services; Laurence K. Rubin, Commissioner of Environment and Planning; Michael Raab, Deputy Commissioner of Environment and Planning; Nancy A. Naples, County Comptroller; and Gregory J. Dudek, Assistant County Attorney.

MR. McCARVILLE moved to amend the resolution. MR. FALKNER seconded.

CARRIED UNANIMOUSLY.

**ADD, following the third RESOLVE clause:**

RESOLVED, that the sum of \$93,000 is hereby made available for entering into an agreement with the consulting firm of Ecology & Environment, Inc. for the purpose of developing a data gap analysis. Funds are available in the E-911 Reserve Fund Balance. Account #830 Contracted Services in the Department of Emergency Services is increased by \$93,000 and Fund Balance E-911 Reserve Fund is decreased by \$93,000; and be it further

MR. McCARVILLE moved the approval of the resolution as amended. MR. FALKNER seconded. MR. WEINSTEIN abstained.

CARRIED UNANIMOUSLY.

Item 63 – (Comm. 25E-21) Congestion Mitigation & Air Quality (CMAQ) Project Status – Town of Cheektowaga – Various Projects.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 64 – MR. WEINSTEIN presented the following resolution and moved for immediate consideration. MS. CHASE seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 521

Re: Town & Special District Budgets.  
 (Comm. 25E-22)

RESOLVED, that the following abstracts of the adopted Town Budgets and Special District Budgets for the year 2003, as certified and presented to this Legislature by the appropriate Town Officers; be printed by the Clerk in the minutes of the proceedings of this Legislature, and be it further

RESOLVED, that the amounts in said budgets that are required to be raised by taxes are hereby levied upon, and shall be collected from, the taxable property situated in the respective Towns and Districts and liable therefore, and be it further

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**ERIE COUNTY LEGISLATURE**

RESOLVED, that the Director of Budget, Management and Finance and/or successor to the Commissioner of Finance is hereby directed to spread said taxes to be so raised for such budgets against the taxable property liable therefore as provided by Article VI of the Erie County Tax Act, as amended, and be it further

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

RESOLVED that the following abstracts of the adopted town budgets for the ensuing year, as certified and presented to this Legislature by the appropriate town officers, be printed by the Clerk in the minutes of the proceedings of this Legislature, and be it further

RESOLVED that the amounts in said budgets that are required to be raised by taxes are hereby levied upon, and shall be collected from, the taxable property situated in the respective Towns and liable therefore, and be it further

RESOLVED that the Commissioner of Finance is hereby directed to spread said taxes to be raised for such budgets against the taxable property liable therefore provided by law:

**ALDEN**  
**FOR THE YEAR 2003**

**APPROPRIATION**

**ESTIMATED  
REVENUES**

**TAX LEVY**

	APPROPRIATION	ESTIMATED REVENUES	TAX LEVY
GENERAL FUND TOWNWIDE	\$1,245,058.00	\$680,100	\$564,958.00
GENERAL FUND-TOWN ONLY	\$143,906.00	\$143,906	\$0.00
HIGHWAY TOWN ONLY	\$584,900.00	\$515,400	\$69,500.00
TOTAL TOWN & HIGHWAY	\$1,973,864.00	1,339,406	\$634,458.00
SEWER DISTRICT #1	\$32,336.00	\$500	\$31,836.00
SEWER DISTRICT #2	\$40,327.00	\$4,100	\$36,227.00
WATER DISTRICT #1	\$5,800.00	\$900	\$4,900.00
WATER DISTRICT #2	\$12,500.00	\$500	\$12,000.00
WATER DISTRICT #3	\$213,722.00	\$600	\$213,122.00
WATER DISTRICT #4	\$117,090.00	\$1,500	\$115,590.00
FIRE PROTECTION DST	\$580,444.00	\$4,500	\$575,944.00
LIGHT DISTRICTS	\$97,000.00	\$18,500	\$78,500.00

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**ERIE COUNTY LEGISLATURE**

DELINQUENT WATER	\$440.48	\$0	\$440.48
GARBAGE DISTRICT	\$386,600.00	\$4,000	\$382,600.00
TOTAL SPECIAL DISTRICT	\$1,486,259.48	\$35,100	\$1,451,159.48
GRAND TOTALS	\$3,460,123.48	\$1,374,506	\$2,085,617.48

RESOLVED that the following abstracts of the adopted town budgets for the ensuing year, as certified and presented to this Legislature by the appropriate town officers, be printed by the Clerk in the minutes of the proceedings of this Legislature, and be it further

RESOLVED that the amounts in said budgets that are required to be raised by taxes are hereby levied upon, and shall be collected from, the taxable property situated in the respective Towns and liable therefore, and be it further

RESOLVED that the Commissioner of Finance is hereby directed to spread said taxes to be raised for such budgets against the taxable property liable therefore provided by law:

**AMHERST**  
**FOR THE YEAR 2003**

**APPROPRIATION**

**ESTIMATED  
REVENUES**

**TAX LEVY**

	APPROPRIATION	ESTIMATED REVENUES	TAX LEVY
GENERAL FUND TOWN ONLY	\$42,481,699.00	\$25,171,117	\$17,310,582.00
GENERAL FUND VILLAGE ONLY	\$2,003,050.00	\$573,257	\$1,429,793.00
GENERAL FUND-OUTSIDE VILLAGE	\$3,886,337.00	\$1,668,300	\$2,218,037.00
HIGHWAY FUNDS TOWN ONLY	\$7,777,882.00	\$1,219,500	\$6,558,382.00
CENTRAL ALARM	\$1,047,594.00	\$287,975	\$759,619.00
COMMUNITY DEVELOPMENT	\$699,000.00	\$699,000	\$0
TOTAL TOWN & HIGHWAY	\$57,895,562.00	\$29,619,149	\$28,276,413.00
FIRE DISTRICTS	\$2,094,326.00	\$0	\$2,094,326.00
SANITARY SEWERS DISTRICT	\$18,252,508.00	\$3,830,200	\$14,422,308.00
FIRE PROTECTION DIST.	\$4,177,990.00	\$95,925	\$4,082,065.00
STORM SEWER DISTRICTS	\$4,699,233.00	\$369,500	\$4,329,733.00
WATER DISTRICTS	\$867,925.00	\$138,009	\$729,916.00
TOTAL SPECIAL DISTRICTS	\$30,091,982.00	\$4,433,634	\$25,658,348.00
SPECIAL ASMT SANITARY SEWER	\$5,406.00	\$0	\$5,406.00
SPECIAL ASMT STORM SEWER	\$9,202.00	\$0	\$9,202.00
SPECIAL ASMT WATER DISTRICT	\$3,340.00	\$0	\$3,340.00



**MEETING NO. 25**  
**December 12, 2002**

**ERIE COUNTY LEGISLATURE**

H.O.M.E.	\$1,086,000.00	\$1,086,000	\$0.00
SPECIAL ASMT LIGHT DISTRICT	\$3,236,025.00	\$189,105	\$3,046,920.00
SIDEWALKS	\$71,075	\$0	\$71,075.00
SPECIAL ASMT GARBAGE	\$6,617,418.00	\$770,494	\$5,846,924.00
DELINQUENT WATER - ECWA	\$12,236.00	\$0	\$12,236.00
DELINQUENT SEWER RENTAL	\$0	\$0	\$0.00
DELINQUENT SEWER - VILLAGE	\$3,103	\$0	\$3,103.00
PRETREATMENT SURCHARGE	\$240,443.00	\$0	\$240,443.00
DELINQUENT WATER - VILLAGE	\$0	\$0	\$0
CODE VIOLATIONS	\$30,406.00	\$0	\$30,406.00
DEMOLITION CHARGE	\$0	\$0	\$0
OMITTED TAX	\$139,134.25	\$0	\$139,134.25
TOTAL SPECIAL ASSES'MT	\$11,453,788.25	\$2,045,599	\$9,408,189.25
GRAND TOTALS	\$99,441,332.25	\$36,098,382	\$63,342,950.25

RESOLVED that the following abstracts of the adopted town budgets for the ensuing year, as certified and presented to this Legislature by the appropriate town officers, be printed by the Clerk in the minutes of the proceedings of this Legislature, and be it further

RESOLVED that the amounts in said budgets that are required to be raised by taxes are hereby levied upon, and shall be collected from, the taxable property situated in the respective Towns and liable therefore, and be it further

RESOLVED that the Commissioner of Finance is hereby directed to spread said taxes to be raised for such budgets against the taxable property liable therefore provided by law:

**AURORA**  
**FOR THE YEAR 2003**

**APPROPRIATION**

**ESTIMATED  
REVENUES**

**TAX LEVY**

GENERAL FUND TWNWDE	\$2,190,603.00	\$1,043,800	\$1,146,803.00
GENERAL FUND-TOWN	\$804,567.00	\$614,700	\$189,867.00
HIGHWAY - TOWN	\$874,510.00	\$487,000	\$387,510.00
RISK RETENTION	\$0	\$0	\$0
SPECIAL GRANTS FUND	\$0	\$0	\$0

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**December 12, 2002**

**ERIE COUNTY LEGISLATURE**

TOTAL TOWN & HWY	\$3,869,680.00	\$2,145,500	\$1,724,180.00
RUBBISH RES & REC	\$345,844.00	\$32,500	\$313,344.00
WATER DISTRICTS	\$737,665.00	\$319,419	\$418,246.00
FIRE PROTECTION	\$230,552.00	\$2,000	\$228,552.00
RUBBISH COLLECTION	\$66,905.00	\$2,000	\$64,905.00
LIGHTING DISTRICTS	\$19,700.00	\$1,350	\$18,350.00
SEWER DISTRICTS	\$131,389.00	\$105,939	\$25,450.00
AURORA-COLDEN FIRE	\$0	\$0	\$0
AURORA-WALES FIRE	\$0	\$0	\$0
DELINQUENT REFUSE	\$0	\$0	\$0
DELINQUENT WATER	\$4,351.64	\$0	\$4,351.64
TOTAL SPECIAL DST	\$1,536,406.64	\$463,208	\$1,073,198.64
GRAND TOTALS	\$5,406,086.64	\$2,608,708	\$2,797,378.64

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**BOSTON**  
**FOR THE YEAR 2003**

**APPROPRIATION**  
**REVENUES**

**ESTIMATED**

**TAX LEVY**

GENERAL FUND TOWNWIDE	\$1,376,337.00	\$1,209,350	\$166,987.00
HIGHWAY FUNDS	\$1,017,063.00	\$456,021	\$561,042.00
TOTAL TOWN & HIGHWAY	\$2,393,400.00	\$1,665,371	\$728,029.00

**MEETING NO. 25**  
**December 12, 2002**

**ERIE COUNTY LEGISLATURE**

FIRE PROTECTION	\$632,000.00	\$40,000	\$592,000.00
AMBULANCE	\$103,026.00	\$10,000	\$93,026.00
REFUSE & GARBAGE	\$360,000.00	\$46,830	\$313,170.00
SEWER DISTRICT	\$0	\$0	\$0
WATER DISTRICTS	\$276,248.00	\$42,000	\$234,248.00
IN LIEU OF TOWN TAX	\$6,000.00	\$0	\$6,000.00
LIGHTING DISTRICTS	\$25,000.00	\$0	\$25,000.00
FOREST TAX LAW	\$0	\$0	\$0
UNPAID WATER	\$735.48	\$0	\$735.48
DEMOLITION CHARGES	\$0	\$0	\$0
TOTAL SPECIAL DISTRICT	\$1,403,009.48	\$138,830	\$1,264,179.48
GRAND TOTALS	\$3,796,409.48	\$1,804,201	\$1,992,208.48

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RESOLVED that the Commissioner of Finance is hereby directed to spread said taxes to be raised for such budgets against the taxable property liable therefore provided by law:

**BRANT**  
**FOR THE YEAR 2003**

**APPROPRIATION**

**ESTIMATED  
REVENUES**

**TAX LEVY**

GENERAL FUND TOWNWIDE	\$607,220.00	\$259,375	\$347,845.00
GENERAL FUND- TOWN ONLY	\$144,220.00	\$144,220	\$0.00
HIGHWAY TOWNWIDE	\$175,100.00	\$113,100	\$62,000.00
HIGHWAY - TOWN	\$104,600	\$104,600	\$0.00

**MEETING NO. 25**  
**December 12, 2002**

**ERIE COUNTY LEGISLATURE**

ONLY			
CAPITAL PROJECTS	\$0	\$0	\$0
TOTAL TOWN & HIGHWAY	\$1,031,140.00	\$621,295	\$409,845.00
FIRE PROTECTION DIST.	\$139,370.00	\$3,154	\$136,216.00
LIGHT DISTRICTS	\$27,190.00	\$6,190	\$21,000.00
LOTUS BAY SEWER	\$66,075.00	\$100	\$65,975.00
WATER DIST #1	\$28,930.00	\$6,930	\$22,000.00
OMITTED TAX	\$1,182.13	\$0	\$1,182.13
O.TAX – SPEC FRAN	\$0	\$0	\$0
BRANT-FARNHAM SWR	\$122,015.00	\$250	\$121,765.00
TOTAL SPECIAL DISTRICT	\$384,762.13	\$16,624	\$368,138.13
GRAND TOTALS	\$1,415,902.13	\$637,919	\$777,983.13

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RESOLVED that the amounts in said budgets that are required to be raised by taxes are hereby levied upon, and shall be collected from, the taxable property situated in the respective Towns and liable therefore, and be it further

RESOLVED that the Commissioner of Finance is hereby directed to spread said taxes to be raised for such budgets against the taxable property liable therefore provided by law:

**CHEEKTOWAGA**  
**FOR THE YEAR 2003**

**APPROPRIATION**

**ESTIMATED REVENUES**

**TAX LEVY**

GENERAL FUND TOWNWIDE	\$33,703,156.00	\$10,100,764.00	\$23,602,392.00
GENERAL FUND-TOWN ONLY	\$934,858.00	\$934,858.00	\$0.00
RISK RETENSION FUND	\$1,963,200.00	\$1,963,200.00	\$0.00

**MEETING NO. 25**  
**December 12, 2002**

**ERIE COUNTY LEGISLATURE**

GEN FUND SPEC ASSMNT	\$75,762.99	\$0	\$75,762.99
HIGHWAY FUNDS	\$7,813,939.00	\$6,059,642.00	\$1,754,297.00
DEBT SERVICE	\$5,134,631.00	\$5,134,631.00	\$0.00
TOTAL TOWN & HIGHWAY	\$49,625,546.99	\$24,193,095.00	\$25,432,451.99
CONSOLIDATED GARBAGE	\$7,570,350.00	\$761,000.00	\$6,809,350.00
GENERAL LIGHT	\$2,569,505.00	\$325,000.00	\$2,244,505.00
WATER DISTRICT	\$46,198.00	\$29,361.00	\$16,837.00
LEGAL SANITARY SEWER	\$0	\$0	\$0
STORM SEWER	\$554,391.00	\$21,118.00	\$533,273.00
SANITARY SEWER	\$9,490,047.00	\$2,146,620.00	\$7,343,427.00
HYDRANT DISTRICT	\$504,739.00	\$62,021.00	\$442,718.00
FIRE DISTRICTS	\$5,491,439.59	\$84,400.00	\$5,407,039.59
SEWER - LATERAL	\$303.00	\$0	\$303.00
OMITTED TAX	\$15,694.73	\$0	\$15,694.73
SIDEWALKS	\$5,347.57	\$0	\$5,347.57
DELINQUENT WATER	\$0	\$0	\$0
DEMOLITION	\$8,800.00	\$0	\$8,800.00
CLEAN UP DEBRIS	\$43,100.00	\$0	\$43,100.00
TOTAL SPEC ASSESSMNT	\$26,299,914.89	\$3,429,520.00	\$22,870,394.89
GRAND TOTALS	\$75,925,461.88	\$27,622,615.00	\$48,302,846.88

RESOLVED that the following abstracts of the adopted town budgets for the ensuing year, as certified and presented to this Legislature by the appropriate town officers, be printed by the Clerk in the minutes of the proceedings of this Legislature, and be it further

RESOLVED that the amounts in said budgets that are required to be raised by taxes are hereby levied upon, and shall be collected from, the taxable property situated in the respective Towns and liable therefore, and be it further

RESOLVED that the Commissioner of Finance is hereby directed to spread said taxes to be raised for such budgets against the taxable property liable therefore provided by law:

**CLARENCE**  
**FOR THE YEAR 2003**

**APPROPRIATION**

**ESTIMATED**  
**REVENUES**

**TAX LEVY**

**MEETING NO. 25**  
**December 12, 2002**

**ERIE COUNTY LEGISLATURE**

GENERAL FUND TOWNWIDE	\$9,141,121.00	\$7,243,200	\$1,897,921.00
HIGHWAY FUNDS	\$2,954,600.00	\$1,389,950	1,564,650.00
TOTAL TOWN & HIGHWAY	\$12,095,721.00	\$8,633,150	\$3,462,571.00
FIRE DISTRICT	\$527,724.00	\$0	\$527,724.00
FIRE PROTECTION	\$1,738,952.00	\$4,063	\$1,734,889.00
CENTRAL ALARM	\$200,049.00	(\$6,000)	\$206,049.00
DRAINAGE DISTRICT	\$316,089.00	\$15,000	\$301,089.00
SEWER DISTRICT	\$390,279	\$104,000	\$286,279.00
WASTEWATER DISTRICT	\$140,888	\$71,000	\$69,888.00
SPECIAL ASSESSMENTS	\$544.00	\$0	\$544.00
DELINQUENT	\$0	\$0	\$0
COMMUNITY DEVLPMNT	\$25,000.00	\$25,000	\$0.00
LIGHTING DISTRICTS	\$11,500.00	\$0	\$11,500.00
CONSOLIDATED WATER	\$770,845.00	\$22,500	\$748,345.00
AQUA GROWTH CNTRL	\$3,000.00	\$0	\$3,000.00
OMITTED TAX	\$0	\$0	\$0
TOTAL SPECIAL DISTRICT	\$4,124,870.00	\$235,563	\$3,889,307.00
GRAND TOTALS	\$16,220,591.00	\$8,868,713	\$7,351,878.00

RESOLVED that the following abstracts of the adopted town budgets for the ensuing year, as certified and presented to this Legislature by the appropriate town officers, be printed by the Clerk in the minutes of the proceedings of this Legislature, and be it further

RESOLVED that the amounts in said budgets that are required to be raised by taxes are hereby levied upon, and shall be collected from, the taxable property situated in the respective Towns and liable therefore, and be it further

**MEETING NO. 25**  
**December 12, 2002**

**ERIE COUNTY LEGISLATURE**

RESOLVED that the Commissioner of Finance is hereby directed to spread said taxes to be raised for such budgets against the taxable property liable therefore provided by law:

<b>COLDEN FOR THE YEAR 2003</b>	<b>APPROPRIATION</b>	<b>ESTIMATED REVENUES</b>	<b>TAX LEVY</b>
GENERAL FUND TOWNWIDE	\$804,407.00	\$784,240	\$20,167.00
HIGHWAY FUNDS	\$510,228.00	\$108,875	\$401,353.00
TOTAL TOWN & HIGHWAY	\$1,314,635.00	\$893,115	\$421,520.00
AURORA-COLDEN FIRE	\$0	\$0	\$0
COLDEN FIRE DISTRICT	\$361,400.00	\$0	\$361,400.00
REFUSE DISTRICT	\$174,844.00	\$8,400	\$166,444.00
COMMUNITY DEV FUND	\$10,000	\$10,000	\$0.00
LIGHTING DISTRICTS	\$29,480.00	\$200	\$29,280.00
TOTAL SPECIAL DISTRICT	\$575,724.00	\$18,600	\$557,124.00
GRAND TOTALS	\$1,890,359.00	\$911,715	\$978,644.00

RESOLVED that the following abstracts of the adopted town budgets for the ensuing year, as certified and presented to this Legislature by the appropriate town officers, be printed by the Clerk in the minutes of the proceedings of this Legislature, and be it further

RESOLVED that the amounts in said budgets that are required to be raised by taxes are hereby levied upon, and shall be collected from, the taxable property situated in the respective Towns and liable therefore, and be it further

RESOLVED that the Commissioner of Finance is hereby directed to spread said taxes to be raised for such budgets against the taxable property liable therefore provided by law:

<b>COLLINS FOR THE YEAR 2003</b>	<b>APPROPRIATION</b>	<b>ESTIMATED REVENUES</b>	<b>TAX LEVY</b>
GENERAL FUND TOWNWIDE	\$605,576.50	\$300,609.00	\$304,967.50
GENERAL FUND-	\$208,133.00	\$208,133.00	\$0.00

**MEETING NO. 25**  
**December 12, 2002**

**ERIE COUNTY LEGISLATURE**

TOWN ONLY			
HIGHWAY TOWNWIDE	\$5,023	\$0	\$5,023.00
HIGHWAY - TOWN ONLY	\$719,144.00	\$588,723.91	\$130,420.09
TOTAL TOWN & HIGHWAY	\$1,537,876.50	\$1,097,465.91	\$440,410.59
FIRE PROT DIST	\$43,164.55	\$0	\$43,164.55
COLLINS FIRE DIST	\$125,850.24	\$0	\$125,850.24
LIGHT DISTRICTS	\$12,014.00	\$4,400.00	\$7,614.00
REFUSE & GARBAGE	\$61,927.00	\$52,300.00	\$9,627.00
LIBRARY FUND	\$59,115.00	\$0	\$59,115.00
WATER DISTRICT	\$265,441.00	\$192,543.00	\$72,898.00
DELINQUENT WATER	\$7,018.66	\$0	\$7,018.66
CLEAN-UP & REMVL	\$0	\$0	\$0
TOWN CHARGES	\$1,891.00	\$0	\$1,891.00
TOTAL SPECIAL DISTRICT	\$576,421.45	\$249,243.00	\$327,178.45
GRAND TOTALS	\$2,114,297.95	\$1,346,708.91	\$767,589.04

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RESOLVED that the Commissioner of Finance is hereby directed to spread said taxes to be raised for such budgets against the taxable property liable therefore provided by law:

**CONCORD**  
**FOR THE YEAR 2003**

**APPROPRIATION**      **ESTIMATED**      **TAX LEVY**  
**REVENUES**

GENERAL FUND	\$928,560.00	\$470,600	\$457,960.00
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**MEETING NO. 25**  
**December 12, 2002**

**ERIE COUNTY LEGISLATURE**

FOR THE YEAR 2003

REVENUES

GENERAL FUND TOWNWIDE	\$1,840,194.00	\$1,342,280.00	\$497,914.00
HIGHWAY FUNDS	\$1,051,903.00	\$228,000.00	\$823,903.00
TOTAL TOWN & HIGHWAY	\$2,892,097.00	\$1,570,280.00	\$1,321,817.00
WATER DISTRICT	\$103,529.82	\$988.18	\$102,541.64
FIRE PROTECTION DIST.	\$256,672.00	\$20,000	\$236,672.00
LIGHTING DISTRICTS	\$54,020.00	\$6,020.00	\$48,000.00
REFUSE & GARBAGE	\$369,203.00	\$15,159.00	\$354,044.00
HAMBURG WATER IMPV	\$3,132.52	\$0	\$3,132.52
DELINQUENT WATER	\$0	\$0	\$0
OMITTED TAX	\$0	\$0	\$0
DELINQ EVANS WTR	\$2,100.07	\$0	\$2,100.07
DRAINAGE	\$4,000.00	\$0	\$4,000.00
DELINQUENT WTR ECWA	\$936.37		\$936.37
DELINQUENT GARBAGE	\$208.25	\$0	\$208.25
TOTAL SPECIAL DISTRICT	\$793,802.03	\$42,167.18	\$751,634.85
GRAND TOTALS	\$3,685,899.03	\$1,612,447.18	\$2,073,451.85

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**ELMA**

**APPROPRIATION ESTIMATED**

**TAX LEVY**

**MEETING NO. 25**  
**December 12, 2002**

**ERIE COUNTY LEGISLATURE**

FOR THE YEAR 2003

REVENUES

GENERAL FUND TOWNWIDE	\$1,847,126.00	\$1,847,126	\$0
HIGHWAY FUNDS	\$764,768.00	\$547,441	\$217,327.00
TOTAL TOWN & HIGHWAY	\$2,611,894.00	\$2,394,567	\$217,327.00
WATER DISTRICTS O&M	\$1,641,590.00	\$1,557,900	\$83,690.00
WATER DIST. CAP IMP.	\$0	\$0	\$0
FIRE PROTECTION DIST.	\$575,772.00	\$20,365	\$555,407.00
DRAINAGE DIST.	\$600.00	\$40	\$560.00
LIGHTING DISTRICTS	\$47,350.00	\$670	\$46,680.00
SEWER DISTRICTS	\$188,965.00	\$2,560	\$186,405.00
ENGINEERING SERVICES	\$0	\$0	\$0
SPRINGBROOK AWARD	\$35,000.00	\$0	\$35,000.00
TFPD SERV AWARD	\$104,000	\$0	\$104,000.00
UNPAID WATER	\$1,812.05	\$0	\$1,812.05
DELINQUENT WATER	\$3,540.40	\$0	\$3,540.40
TRUST & AGENCY (SPRINGBROOK FIRE)	\$286,100.00	\$4,002	\$282,098.00
TOTAL SPECIAL DISTRICT	\$2,884,729.45	\$1,585,537	\$1,299,192.45
GRAND TOTALS	\$5,496,623.45	\$3,980,104	\$1,516,519.45

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**MEETING NO. 25**  
**December 12, 2002**

**ERIE COUNTY LEGISLATURE**

EVANS FOR THE YEAR 2003	APPROPRIATION	ESTIMATED REVENUES	TAX LEVY
GENERAL FUND TOWNWIDE	\$3,414,500.00	\$1,299,585.00	\$2,114,915.00
GENERAL FUND-TOWN ONLY	\$2,862,698.00	\$1,789,225.00	\$1,073,473.00
HIGHWAY FUNDS - TOWN ONLY	\$1,948,264.00	\$583,700.00	\$1,364,564.00
DEBT SERVICE	\$499,700.00	\$499,700.00	\$0.00
COMMUNITY DEVELOPMENT	\$100,000.00	\$100,000.00	\$0.00
RISK RETEN/INS RESERVE	\$350,000.00	\$350,000.00	\$0.00
HIGHWAY FUNDS - TOWNWIDE	\$10,000.00	\$500.00	\$9,500.00
TOTAL TOWN & HIGHWAY	\$9,185,162.00	\$4,622,710	\$4,562,452.00
REFUSE & GARBAGE COLLECTION	\$921,650.00	\$92,050.00	\$829,600.00
STREET LIGHTING	\$272,725.00	\$21,175.00	\$251,550.00
FIRE PROTECTION	\$720,030.00	\$13,000.00	\$707,030.00
HYDRANT	\$5,920.00	\$10.00	\$5,910.00
WATER DISTRICTS	\$2,154,752.00	\$2,011,806.00	\$142,946.00
DEMOLITION	\$3,193.50	\$0	\$3,193.50
FIRE DISTRICTS	\$484,450.00	\$42,000.00	\$442,450.00
DELINQUENT WATER	\$0	\$0	\$0
OMITTED TAX	\$0	\$0	\$0
EDEN WATER DIST	\$988.18	\$0	\$988.18
TOTAL SPECIAL DISTRICT	\$4,563,708.68	\$2,180,041	\$2,383,667.68
GRAND TOTALS	\$13,748,870.68	\$6,802,751	\$6,946,119.68

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**MEETING NO. 25**  
**December 12, 2002**

**ERIE COUNTY LEGISLATURE**

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**GRAND ISLAND**  
**FOR THE YEAR 2003**

**APPROPRIATION**

**ESTIMATED  
REVENUES**

**TAX LEVY**

	APPROPRIATION	ESTIMATED REVENUES	TAX LEVY
GENERAL FUND TOWNWIDE	\$4,879,173.00	\$3,322,822	\$1,556,351.00
HIGHWAY FUNDS	\$1,656,017.00	\$285,526	\$1,370,491.00
DEBT SERVICE	\$1,500,601.00	\$1,500,601	\$0
TOTAL TOWN & HIGHWAY	\$8,035,791.00	\$5,108,949	\$2,926,842.00
WATER DISTRICTS	\$2,305,157.00	\$1,671,385	\$633,772.00
FIRE PROTECTION DIST.	\$697,752.00	\$11,691	\$686,061.00
GARBAGE	\$715,600.00	\$15,450	\$700,150.00
LIGHTING DISTRICTS	\$154,049.00	\$11,798	\$142,251.00
SEWER DISTRICTS	\$2,398,755.00	\$1,987,964	\$410,791.00
DELINQUENT	\$468,949.00	\$0	\$468,949.00
OMITTED TAX	\$0	\$0	\$0
MISCELLANEOUS	\$1,348.00	\$0	\$1,348.00
TOTAL SPECIAL DISTRICT	\$6,741,610.00	\$3,698,288	\$3,043,322.00
<b>GRAND TOTALS</b>	<b>\$14,777,401.00</b>	<b>\$8,807,237</b>	<b>\$5,970,164.00</b>

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**MEETING NO. 25**  
**December 12, 2002**

**ERIE COUNTY LEGISLATURE**

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<b>HAMBURG FOR THE YEAR 2003</b>	<b>APPROPRIATION</b>	<b>ESTIMATED REVENUES</b>	<b>TAX LEVY</b>
GENERAL FUND TOWNWIDE	\$11,518,983.00	\$4,451,983	\$7,067,000.00
GENERAL FUND-TOWN ONLY	\$8,961,580.00	\$6,079,580	\$2,882,000.00
HIGHWAY FUNDS - TOWN ONLY	\$3,842,408.00	\$409,408	\$3,433,000.00
HIGHWAY FUNDS TOWNWIDE	\$14,000.00	\$11,500	\$2,500.00
GOLF COURSE	\$530,303.00	\$530,303	\$0.00
DEBT SERVICE	\$2,372,201.00	\$2,372,201	\$0.00
COMMUNITY DEVELOPMENT	\$656,715.00	\$656,715	\$0.00
INSURANCE RESERVE	\$1,029,100.00	\$1,029,100	\$0.00
SUNDANCE PARK	\$0	\$0	\$0
TOTAL TOWN & HIGHWAY	\$28,925,290.00	\$15,540,790	\$13,384,500.00
LIBRARY DEBT SERVICE	\$0	\$0	\$0
STREET LIGHTING	\$812,702.00	\$212,702	\$600,000.00
TOWN HYDRANT	\$289,781.00	\$44,781	\$245,000.00
FIRE PROTECTION	\$2,829,481.00	\$79,481	\$2,750,000.00
SEWER DISTRICTS	\$3,985,482.00	\$869,543	\$3,115,939.00
WATER DISTRICTS	\$1,151,670.00	\$163,170	\$988,500.00
RAVENWOOD DRAINAGE	\$13,847.00	\$1,347	\$12,500.00
RAVENWOOD RD IMP	\$77,685.00	\$3,685	\$74,000.00
DELINQUENT WATER	\$13,310.77	\$0	\$13,310.77
UNPAID SEWER	\$336	\$0	\$336.00
REMOVALS	\$1,785.89	\$0	\$1,785.89
DEMOLITION	\$25,590.00	\$0	\$25,590.00
TOTAL SPECIAL DISTRICT	\$9,201,670.66	\$1,374,709	\$7,826,961.66
LAKE VIEW FIRE DISTRICT	\$541,035.00	\$100,000	\$441,035.00

**MEETING NO. 25**  
**December 12, 2002**

**ERIE COUNTY LEGISLATURE**

GRAND TOTALS	\$38,667,995.66	\$17,015,499	\$21,652,496.66
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**HOLLAND**  
**FOR THE YEAR 2003**

**APPROPRIATION**

**ESTIMATED  
REVENUES**

**TAX LEVY**

	APPROPRIATION	ESTIMATED REVENUES	TAX LEVY
GENERAL FUND TOWNWIDE	\$679,456.00	\$533,336	\$146,120.00
HIGHWAY FUNDS	\$590,700.00	\$179,894	\$410,806.00
TOTAL TOWN & HIGHWAY	\$1,270,156.00	\$713,230	\$556,926.00
WATER DISTRICT	\$155,330.00	\$155,330	\$0.00
HOLLAND FIRE DISTRICT	\$251,541.00	\$1,600	\$249,941.00
JAVA SHELDON HOLLAND FIRE PROT DIST	\$3,580.00	\$0	\$3,580.00
DELINQUENT REFUSE	\$0	\$0	\$0
DELINQUENT WATER	\$11,943.93	\$0	\$11,943.93
LIGHTING DISTRICTS	\$25,000.00	\$0	\$25,000.00
OMITTED TAX	\$0	\$0	\$0
ARGIC PENALTY	\$0	\$0	\$0
GARBAGE DIST	\$190,923.00	\$6,000	\$184,923.00
TOTAL SPECIAL DISTRICT	\$638,317.93	\$162,930	\$475,387.93
GRAND TOTALS	\$1,908,473.93	\$876,160	\$1,032,313.93

**MEETING NO. 25**  
**December 12, 2002**

**ERIE COUNTY LEGISLATURE**

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**LANCASTER**  
**FOR THE YEAR 2003**

**APPROPRIATION**

**ESTIMATED  
REVENUES**

**TAX LEVY**

	APPROPRIATION	ESTIMATED REVENUES	TAX LEVY
GENERAL FUND TOWNWIDE	\$6,247,620.00	\$2,113,768	\$4,133,852.00
GENERAL FUND-TOWN ONLY	\$4,721,809.00	\$3,493,500	\$1,228,309.00
HIGHWAY TOWNWIDE	\$30,454.00	\$1,750	\$28,704.00
HIGHWAY PART TOWN	\$2,474,682.00	\$285,600	\$2,189,082.00
COMMUNITY DEVELOP	\$0	\$0	\$0
RISK RETENTION	\$0	\$0	\$0
TOTAL TOWN & HIGHWAY	\$13,474,565.00	\$5,894,618	\$7,579,947.00
GARBAGE COLLECTION	\$1,782,863.00	\$60,000	\$1,722,863.00
LIGHTING DISTRICT	\$265,000.00	\$23,500	\$241,500.00
FIRE PROTECTION	\$2,500,051.00	\$42,500	\$2,457,551.00
SEWER DISTRICTS	\$183,217.00	\$0	\$183,217.00
WATER DISTRICTS	\$214,584.00	\$39,500	\$175,084.00
OMITTED TAX	\$0	\$0	\$0
GRASS CUTTING	\$575.00	\$0	\$575.00
DELINQ WTR ECWA	\$3,358.11	\$0	\$3,358.11



**MEETING NO. 25**  
**December 12, 2002**

**ERIE COUNTY LEGISLATURE**

TOTAL SPEC DIST	\$4,949,648.11	\$165,500	\$4,784,148.11
GRAND TOTALS	\$18,424,213.11	\$6,060,118	\$12,364,095.11

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**MARILLA**  
**FOR THE YEAR 2003**

**APPROPRIATION**

**ESTIMATED  
REVENUES**

**TAX LEVY**

	APPROPRIATION	ESTIMATED REVENUES	TAX LEVY
GENERAL FUND TOWNWIDE	\$680,900.00	\$680,900.00	\$0.00
HIGHWAY FUNDS	\$361,900.00	\$285,900.00	\$76,000.00
COMMUNITY DEVELOP	\$100.00	\$100.00	\$0
TOTAL TOWN & HIGHWAY	\$1,042,900.00	966,900	\$76,000.00
WATER DISTRICT	\$451,400.00	\$17,800.00	\$433,600.00
FIRE DISTRICT	\$249,000.00	\$300.00	\$248,700.00
LIGHTING DISTRICTS	\$0	\$0	\$0
SANITATION	\$270,600.00	\$11,880.00	\$258,720.00
DELINQUENT WATER	\$777.59	\$0	\$777.59
TOTAL SPECIAL DISTRICT	\$971,777.59	\$29,980	\$941,797.59
GRAND TOTALS	\$2,014,677.59	\$996,880	\$1,017,797.59

**MEETING NO. 25**  
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**ERIE COUNTY LEGISLATURE**

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**NEWSTEAD**  
**FOR THE YEAR 2003**

**APPROPRIATION**

**ESTIMATED  
REVENUES**

**TAX LEVY**

	APPROPRIATION	ESTIMATED REVENUES	TAX LEVY
GENERAL FUND TOWNWIDE	\$1,334,924	\$762,400	\$572,524.00
GENERAL FUND-TOWN ONLY	\$98,364.00	\$98,364	\$0.00
HIGHWAY FUND TOWNWIDE	\$4,155.00	\$500	\$3,655.00
HIGHWAY FUND-TOWN ONLY	\$653,888.00	\$653,888	\$0.00
TOTAL TOWN & HIGHWAY	\$2,091,331.00	\$1,515,152	\$576,179.00
WATER DIST CAP & O M	\$523,739.00	\$76,400	\$447,339.00
DELINQUENT SEWER	\$510.16	\$0	\$510.16
REFUSE/GARBAGE	\$222,588.00	\$9,508	\$213,080.00
FIRE PROTECTION DIST.	\$323,167.00	\$2,500	\$320,667.00
DELINQUENT WATER	\$2,532.52	\$0	\$2,532.52
DELINQUENT REFUSE	\$78.75	\$0	\$78.75
DELINQUENT ECWA WTR	\$190.47	\$0	\$190.47
SEWER DISTRICT	\$21,425.00	\$21,425	\$0.00
TOTAL SPECIAL DISTRICT	\$1,094,230.90	\$109,833	\$984,397.90
GRAND TOTALS	\$3,185,561.90	\$1,624,985	\$1,560,576.90

**MEETING NO. 25**  
**December 12, 2002**

**ERIE COUNTY LEGISLATURE**

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**NORTH COLLINS**  
**FOR THE YEAR 2003**

**APPROPRIATION**

**ESTIMATED  
REVENUES**

**TAX LEVY**

GENERAL FUND TOWNWIDE	\$592,032.00	\$254,748	\$337,284.00
GENERAL FUND-TOWN ONLY	\$141,399.00	\$39,802	\$101,597.00
HIGHWAY TOWNWIDE	\$51,243.00	(\$8,968)	\$60,211.00
HIGHWAY - TOWN ONLY	\$378,091.00	\$310,617	\$67,474.00
CAPITAL PROJECTS	\$21,500.00	\$21,500	\$0.00
TOTAL TOWN & HIGHWAY	\$1,184,265.00	\$617,699	\$566,566.00
FIRE PROTECTION DIST.	\$165,685.00	\$0	\$165,685.00
GARBAGE & REFUSE	\$99,970.00	\$0	\$99,970.00
OMITTED TAX	\$0	\$0	\$0
TOTAL SPECIAL DISTRICT	\$265,655.00	\$0	\$265,655.00
GRAND TOTALS	\$1,449,920.00	\$617,699	\$832,221.00

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**MEETING NO. 25**  
**December 12, 2002**

**ERIE COUNTY LEGISLATURE**

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<b>ORCHARD PARK FOR THE YEAR 2003</b>	<b>APPROPRIATION REVENUES</b>	<b>ESTIMATED</b>	<b>TAX LEVY</b>
GENERAL FUND TOWNWIDE	\$8,531,792.00	\$4,929,700	\$3,602,092.00
GENERAL FUND-TOWN ONLY	\$406,799.00	\$406,799.00	\$0.00
HIGHWAY FUNDS	\$2,722,425.00	\$420,000	\$2,302,425.00
GENERAL SPEC ASSESSMENTS	\$59,588.00	\$0	\$59,588.00
HIGHWAY - BRIDGES	\$0	\$0	\$0
DEBT SERVICE FUND	\$1,593,973.00	\$1,593,973	\$0.00
TOTAL TOWN & HIGHWAY	\$13,314,577.00	\$7,350,472	\$5,964,105.00
CONSOLIDATE GARBAGE	\$1,493,245.00	\$118,500	\$1,374,745.00
GENERAL LIGHTING	\$289,853.00	\$10,000	\$279,853.00
FIRE DISTRICT #1	\$1,901,920.00	\$825,220	\$1,076,700.00
HYDRANT DISTRICTS	\$10,520.00	\$0	\$10,520.00
WATER DISTRICTS	\$1,914,355.00	\$1,042,131	\$872,224.00
DELINQ OP WATER	\$23,171.34	\$0	\$23,171.34
CLEAN UP	\$0	\$0	\$0
DELINQ EC WATER	\$3,512.31	\$0	\$3,512.31
UNPAID REFUSE	\$153.14	\$0	\$153.14
SANITARY SEWER	\$795,146.00	\$178,179	\$616,967.00
MINDEN - SPEC ASSMNT	\$0	\$0	\$0
TOTAL SPECIAL DISTRICT	\$6,431,875.79	\$2,174,030	\$4,257,845.79
<b>GRAND TOTALS</b>	<b>\$19,746,452.79</b>	<b>\$9,524,502</b>	<b>\$10,221,950.79</b>

**MEETING NO. 25**  
**December 12, 2002**

**ERIE COUNTY LEGISLATURE**

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<b>SARDINIA FOR THE YEAR 2003</b>	<b>APPROPRIATION</b>	<b>ESTIMATED REVENUES</b>	<b>TAX LEVY</b>
GENERAL FUND TOWNWIDE	\$539,387.00	\$435,255	\$104,132.00
SPECIAL REVENUE	\$0	\$0	\$0
HIGHWAY FUNDS	\$373,836.00	\$229,969	\$143,867.00
TOTAL TOWN & HIGHWAY	\$913,223.00	\$665,224	\$247,999.00
FIRE PROTECTION	\$167,058.00	\$0	\$167,058.00
LIGHT DISTRICTS	\$20,500.00	\$592	\$19,908.00
OMITTED TAX	\$0	\$0	\$0
AGRIC PENALTY	\$0	\$0	\$0
TOTAL SPECIAL DISTRICT	\$187,558.00	\$592	\$186,966.00
GRAND TOTALS	\$1,100,781.00	\$665,816	\$434,965.00

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**MEETING NO. 25**  
**December 12, 2002**

**ERIE COUNTY LEGISLATURE**

**TONAWANDA**  
**FOR THE YEAR 2003**

**APPROPRIATION ESTIMATED TAX LEVY**  
**REVENUES**

GENERAL FUND TOWNWIDE	\$23,665,266.00	\$14,819,091	\$8,846,175.00
GENERAL FUND-TOWN ONLY	\$13,911,666.00	\$10,158,882	\$3,752,784.00
HIGHWAY FUNDS - TOWN ONLY	\$5,926,070.00	\$2,717,525	\$3,208,545.00
TOTAL TOWN & HIGHWAY	\$43,503,002.00	\$27,695,498	\$15,807,504.00
WATER ACQUISITION	\$7,080,661.00	\$7,080,661	\$0
WATER CONSOLIDATION DST	\$0	\$0	\$0
FIRE PROTECTION DIST.	\$567,383.00	\$25,000	\$542,383.00
REFUSE & GARBAGE COLLECTION	\$5,691,212.00	\$870,000	\$4,821,212.00
LIGHTING DISTRICTS	\$1,512,683.00	\$465,000	\$1,047,683.00
SEWER DISTRICTS	\$11,312,427.00	\$6,667,100	\$4,645,327.00
DRAINAGE CONSOLID	\$425,345.00	\$135,000	\$290,345.00
TOTAL SPECIAL DISTRICT	\$26,589,711.00	\$15,242,761	\$11,346,950.00
HIGHWAY PAVING	\$20,147.50	\$0	\$20,147.50
SEWER CONSOLIDATION DST	\$2,130.00	\$0	\$2,130.00
DRAINAGE CONSOLIDATION	\$6,660.00	\$0	\$6,660.00
CLEANUP – TOWN ONLY	\$1,591.92	\$0	\$1,591.92
DELINQUENT WATER	\$334,726.36	\$0	\$334,726.36
OMITTED TAX	\$0	\$0	\$0
FIRE DISTRICTS	\$2,141,615.30	\$0	\$2,141,615.30
TOTAL SPECIAL ASSESS	\$2,506,871.08	\$0	\$2,506,871.08
GRAND TOTALS	\$72,599,584.08	\$42,938,259	\$29,661,325.08

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**MEETING NO. 25**  
**December 12, 2002**

**ERIE COUNTY LEGISLATURE**

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<b>WALES FOR THE YEAR 2003</b>	<b>APPROPRIATION</b>	<b>ESTIMATED REVENUES</b>	<b>TAX LEVY</b>
GENERAL FUND TOWNWIDE	\$498,821.00	\$478,419	\$20,402.00
HIGHWAY FUNDS	\$305,109.00	\$208,204	\$96,905.00
TOTAL TOWN & HIGHWAY	\$803,930.00	\$686,623	\$117,307.00
FIRE PROTECTION	\$108,445.00	\$500	\$107,945.00
AURORA WALES FIRE DST	\$0	\$0	\$0
LIGHT DISTRICT #1	\$4,298.00	\$0	\$4,298.00
LIGHT DISTRICT #2	\$2,400.00	\$100	\$2,300.00
OMITTED TAX	\$0	\$0	\$0
AGRIC PENALTY	\$0	\$0	\$0
REFUSE DISTRICT	\$149,560.00	\$16,000	\$133,560.00
TOTAL SPECIAL DISTRICT	\$264,703.00	\$16,600	\$248,103.00
GRAND TOTALS	\$1,068,633.00	\$703,223	\$365,410.00

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**MEETING NO. 25**  
**December 12, 2002**

**ERIE COUNTY LEGISLATURE**

**WEST SENECA**  
**FOR THE YEAR 2003**

**APPROPRIATION**

**ESTIMATED**  
**REVENUES**

**TAX LEVY**

GENERAL FUND TOWNWIDE	\$18,520,925.00	\$8,663,000	\$9,857,925.00
HIGHWAY FUNDS	\$7,185,595.00	\$1,202,129	\$5,983,466.00
HIGHWAY BRIDGES	\$9,000.00	\$0	\$9,000.00
TOTAL TOWN & HIGHWAY	\$25,715,520.00	\$9,865,129	\$15,850,391.00
WATER DISTRICTS	\$232,363.00	\$35,171	\$197,192.00
FIRE DISTRICTS	\$2,649,504.00	\$0	\$2,649,504.00
GAS LIGHT DIST.	\$131,283.00	\$12,100	\$119,183.00
GEN LIGHT DIST	\$0	\$0	\$0
ELEC LIGHT DIST	\$86,646.00	(\$230)	\$86,876.00
GRASS & WEED CUT	\$0	\$0	\$0
SEWER DISTRICTS	\$6,746,925.00	\$2,185,636	\$4,561,289.00
DRAINAGE DIST	\$0	\$0	\$0
SPECIAL ASSMNT	\$201,265.00	\$0	\$201,265.00
ASSTS RECEIVABLE	\$645.00	\$0	\$645.00
DELINQUENT WATER	\$2,715.06	\$0	\$2,715.06
OMITTED TAX	\$0	\$0	\$0
TOTAL SPECIAL DISTRICT	\$10,051,346.06	\$2,232,677	\$7,818,669.06
GRAND TOTALS	\$35,766,866.06	\$12,097,806	\$23,669,060.06

MR. WEINSTEIN moved the approval of the resolution. MR. CHASE seconded.

CARRIED UNANIMOUSLY.

Item 65 – MR. WEINSTEIN presented the following resolution and moved for immediate consideration. MR. RANZENHOFER seconded.



CARRIED UNANIMOUSLY.

RESOLUTION NO. 522

Re: Probation & Youth Detention Services –  
Transfer of Funds. (Comm. 25E-23)

**WHEREAS**, the Department of Probation and Youth Detention Services is responsible for providing secure and non-secure detention services in Erie County, and The Erie County Detention Center at Alden is operating at capacity, and

**WHEREAS**, the Alternative Home Services program enables children remanded to Detention to remain in their parent's home under the supervision of an alternative home services social worker who mediates an agreement between the parent and child. This program costs approximately (\$6) six dollars a day, and avoids housing a child at \$238.00 a day in the Alden Detention Center, and

**WHEREAS**, the Erie County Department of Probation and Youth Detention Services needs to purchase three laptop computers for the Alternative Home Services program to enable them to handle expanded caseloads, and

**WHEREAS**, the Erie County Department of Probation, Division of Youth Detention, needs \$3,900 to pay for a joint Youth, Alternative Homes Service, Detention Intergenerational Conference, and

**WHEREAS**, funds are available within Account 830 – Contractual Services of the 2002 Adopted Budget of the Division of Detention to fund these purchases,

**NOW THEREFORE, BE IT**

**RESOLVED**, that authorization is hereby provided to transfer \$6,000 into Account 110934260933, Laboratory and Technical Equipment, in the budget of the Probation Division for the purchase of three laptop computers, and \$3,900 into Account Code 110947251821 for the joint Intergenerational Conference, the source of funds being \$9,900 available in the Contractual Services appropriations (DAC 110947251830) of Detention Division and be it further

**RESOLVED**, that said appropriation be on the condition that the State of New York provide revenues of at least \$3,630 based on a reimbursement schedule of 28% for Probation Services or 50% for Detention services, and be it further

**RESOLVED**, that certified copies of this resolution be sent to the Department of Probation and Youth Detention Services, the County Comptroller, and the Division of Budget, Management and Finance.

MR. WEINSTEIN moved the approval of the resolution. MR. RANZENHOFER seconded.

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**ERIE COUNTY LEGISLATURE**

CARRIED UNANIMOUSLY.

Item 66 – MR. WEINSTEIN presented the following resolution and moved for immediate consideration. MR. LARSON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 523

Re: General Program Manager Services for  
 Highway & Bridge Projects. (Comm. 25E-24)

WHEREAS, the Department of Public Works – Highways has a Road and Bridge Program for 2003 that is three times as large as prior years, and

WHEREAS, it is in the best interest of all to advance this program through design and construction in a most expeditious fashion, and

WHEREAS, the Department of Public Works advertised for Requests for Qualifications from Engineering firms to assist in the oversight of this large program, and

WHEREAS, after a careful review of the capabilities of all the firms that submitted proposals, the Liro Kassner firm was selected as having the necessary expertise, experience, and manpower to provide the required services, and

WHEREAS, the Commissioner of Public Works desires to engage the services of the Liro Kassner Engineering firm to provide General Program Manager Services for highway and bridge projects in order to assure the timely execution of this program, and

WHEREAS, the firm of Liro Kassner will utilize, as part of their sub-consultant teams, the services of a D/MBE firm – Watts Engineers (12% ±) and a D/WBE firm – Fisher Associates (6% ±) for this program.

NOW, THEREFORE, BE IT

RESOLVED, that the 2002 Capital Budget is hereby amended to include a new Capital Project in the amount of \$1,500,000 to provide General Program Manager Services for highway and bridge projects to be let in 2003, and be it further

RESOLVED, that the County Executive be authorized to enter into an agreement with the Liro Kassner Engineering firm to provide General Program Manager Services for the management of engineering, design, and construction projects to be let in 2003, and be it further

RESOLVED, that the sum, not to exceed \$1,500,000, be allocated from the Tobacco Fund for the cost of entering into this General Program Manager Agreement and that the establishment of a Capital Project, for purposes of accounting for this Agreement, is hereby approved, and be it further

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**ERIE COUNTY LEGISLATURE**

RESOLVED, that the Comptroller's Office be authorized to make payments for the Agreement from the Tobacco Capital Project that will be established in an amount not to exceed \$1,500,000, and be it further

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

MR. WEINSTEIN moved the approval of the resolution. MR. LARSON seconded.

CARRIED UNANIMOUSLY.

**COMMUNICATIONS FROM THE DEPARTMENTS**

**FROM BUDGET, MANAGEMENT & FINANCE**

Item 67 – (Comm. 25D-1) Budget Monitoring Report for Period Ending 9/30/02.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

**FROM ECC**

Item 68 – (Comm. 25D-2) Notice of Various Meetings to be Held in December.

Received and filed.

**FROM THE COUNTY ATTORNEY**

Item 69 – (Comm. 25D-3) Notice of Claims.

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

**FROM THE CLERK OF THE LEGISLATURE**

Item 70 – (Comm. 25D-4) Copy of Letter to Legislator Swanick Re: "Roll Call Tally Sheets on All Votes Taken" in Meeting No. 23 – 2002.

Received and filed.

**FROM THE COUNTY ATTORNEY**

**MEETING NO. 25**  
**December 12, 2002**

**ERIE COUNTY LEGISLATURE**

Item 71 – (Comm. 25D-5) Notice of County Executive Approval of LL No. 4 – 2002 (LL Intro No. 2 – 2002).

RECEIVED, FILED & PRINTED.

December 4, 2002

**VIA HAND DELIVERY**

Laurie A. Manzella, Clerk  
Erie County Legislature  
25 Delaware Avenue, 7<sup>th</sup> Floor  
Buffalo, New York 14202

RE: LOCAL LAW No. 4-2002

Dear Laurie:

Enclosed is an original certified copy of the above-referenced law for your filed.

Very truly yours,

FREDERICK A. WOLF  
Erie County Attorney

BY: SUSANNAH M. BOCHENEK  
2<sup>nd</sup> Assistant County Attorney

SMB/fr

Encl.

cc: Frederick a. Wolf, Erie County Attorney (w/o encl.)

A public hearing was held on the foregoing Local Law Intro. No. 2-2002 on Wednesday, March 13, 2002, due notice thereof having been published in the official newspapers of the County of Erie, and after due deliberation thereon, I, JOEL A. GIAMBRA, County Executive of Erie County, do hereby APPROVE and SIGN said Local law this 14<sup>th</sup> day of March, 2002.

JOEL A. GIAMBRA  
Erie County Executive

FROM DPW

**MEETING NO. 25**  
**December 12, 2002**

**ERIE COUNTY LEGISLATURE**

Item 72 – (Comm. 25D-6) Memo to All Legislators Re: Bond Request for Rath Building Energy Improvements.

Received and filed.

FROM THE BOARD OF ELECTIONS

Item 73 – (Comm. 25D-7) 2002 General Election Certification of County Proposition No. 1 – LL Intro No. 2 (2002) Reapportionment.

RECEIVED, FILED & PRINTED.

**Ralph M. Mohr**, Commissioner  
**Laurence F. Adamczyk**, Commissioner

**2002 GENERAL ELECTION CERTIFICATION**

STATE OF NEW YORK )  
 COUNTY OF ERIE ) ss:

We, Ralph M. Mohr and Laurence F. Adamczyk, Commissioners of the Board of Elections of the County of Erie, and constituting said Board of Elections, do hereby certify that the annexed statement of canvass of the votes cast for the **County Proposition No. 1, Local Law Intro. No. 2 of 2002**, in the County of Erie, State of New York on the 5<sup>th</sup> day of November, 2002 is a true and correct transcript of the original entered and filed in this office on this date:

**County Proposition No. 1**  
**Local Law Intro No. 2 of 2002**  
**Reduce the County Legislature from 17 to 15 Districts**

Yes	Received	155149
No	Received	41248
Blank, Void & Scattering		105524
Total Votes Cast		301921

*In Testimony Whereof; we have hereunto set our hand and affixed the Seal of the Erie County Board of Elections, this 29<sup>th</sup> day of November, 2002.*

**MEETING NO. 25**  
**December 12, 2002**

**ERIE COUNTY LEGISLATURE**

Ralph M. Mohr  
Commissioner

Laurence F. Adamczyk  
Commissioner

**FROM THE CLERK OF THE LEGISLATURE**

Item 74 – (Comm. 25D-8) Copy of Letter to Legislator Swanick Re: “Documentation Indicating Legislator Motions & Seconds” from Meeting No. 23 – 2002.

Received and filed.

**COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES**

**FROM THE CITY OF BUFFALO**

Item 75 – (Comm. 25M-1) Resolution in Support of Law Enforcement Consolidation Symposium.

Received and filed.

**FROM THE CDR ASSOCIATION**

Item 76 – (Comm. 25M-2) Notice of First Formal Phase of FERC’s Alternative Licensing Process to be Held 12/18/02 – 12/19/02.

Received and filed.

**FROM NYSDEC**

Item 77 – (Comm. 25M-3) Notice of Meeting to be Held 12/18/02.

Received and filed.

**FROM THE ECIDA**

Item 78 – (Comm. 25M-4) Notice of Cancellation of RDC Meeting/ECIDA Agenda & Minutes.

Received and filed.

**FROM TOWN OF CHEEKTOWAGA COUNCILMEMBER THOMAS JOHNSON JR**

**MEETING NO. 25**  
**December 12, 2002**

**ERIE COUNTY LEGISLATURE**

Item 79 – (Comm. 25M-5) Copy of Letter to Legislators Dusza & Dale Re: City-County Police Merger.

Received and referred to the PUBLIC SAFETY COMMITTEE.

**FROM THE URS CORPORATION**

Item 80 – (Comm. 25M-6) Notice of Various Proposed Schedules/Topics for Future NYPA Stakeholders Meetings.

Received and filed.

**FROM DANIEL SEAMAN**

Item 81 – (Comm. 25M-7) Copy of Notice of Public Hearing – Town of Lockport Amendment to Zoning Ordinance – Commercial Corridor Overlay District.

Received and filed.

**MEMORIAL RESOLUTIONS**

Item 82 – Mr. Dale requested that when the Legislature adjourns, it do so in memory of Pat Williams.

Item 83 – Mr. Dale requested that when the Legislature adjourns, it do so in memory of Chester Walczak.

Item 84 – Mr. Swanick requested that when the Legislature adjourns, it do so in memory of Dr. Michael J. Shaughnessy, DDS.

Item 85 – Mr. McCarville requested that when the Legislature adjourns, it do so in memory of Michael Barry.

Item 86 – Mr. Holt requested that when the Legislature adjourns, it do so in memory of Earl Williams.

Item 87 – Mr. Schroeder requested that when the Legislature adjourns, it do so in memory of Jim-Boy Smith.

Item 88 – Ms. Cusack requested that when the Legislature adjourns, it do so in memory of Herman (Tiny) Schwarts.

**MEETING NO. 25**  
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**ERIE COUNTY LEGISLATURE**

Item 89 – Mr. Falkner requested that when the Legislature adjourns, it do so in memory of Paul Statler.

Item 90 – Mr. Ranzenhofer requested that when the Legislature adjourns, it do so in memory of Pauline Foley.

**ADJOURNMENT**

Item 91 – At this time, there being no further business to transact, the Chairman announced that the Chair would entertain a Motion to Adjourn.

MR. WEINSTEIN moved that the Legislature adjourn until 2 p.m. Wednesday, January 8, 2003. MR. SWANICK seconded.

CARRIED UNANIMOUSLY.

The Chairman declared the Legislature adjourned until Wednesday, January 8, 2003 at 2 p.m. Eastern Standard Time.

**LAURIE A. MANZELLA**  
**CLERK**