

MEETING NO. 9
April 25, 2002

ERIE COUNTY LEGISLATURE

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MEETING NO. 9
April 25, 2002

The Legislature was called to order by Chairman DeBenedetti.

All Members Present.

The invocation was led by the Most Rev. Henry J. Mansell, Bishop, Diocese of Buffalo.

The Pledge of Allegiance was led by Mr. Dusza.

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

MR. GREENAN moved the approval of the minutes of Meeting No. #25 of 2001. MR. RANZENHOFER seconded.

CARRIED UNANIMOUSLY.

MISCELLANEOUS RESOLUTIONS

Item 2 – MR. WEINSTEIN presented a resolution Honoring Denton Cottier & Daniels Inc Upon Their 175th Business Anniversary. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

Item 3 – MS. CHASE presented a resolution Honoring Buffalo AFL-CIO Council Appreciation Awardees. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

Item 4 – MR. DeBENEDETTI presented a resolution Honoring Basileia Ministries Upon Their 20th Anniversary. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

Item 5 – MR. DeBENEDETTI presented a resolution Recognizing April as Foot Health Awareness Month. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

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Item 6 – MR. McCARVILLE presented a resolution Honoring Kelly’s TV & Appliance, Orchard Park Chamber of Commerce 2002 Business of the Year. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

Item 7 – MR. McCARVILLE presented a resolution Honoring Joan Litwin, Orchard Park Chamber of Commerce 2002 Citizen of the Year. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

Item 8 – MR. DeBENEDETTI presented a resolution Recognizing 4/21-4/27 as Crime Victims Rights Week. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

Item 9 – MS. CHASE presented a resolution Congratulating the Hamburg Chamber of Commerce Pacesetter Award Recipients. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

Item 10 – THE MINORITY CAUCUS presented a resolution Honoring Arthur O. Eve on His Retirement from New York State Assembly. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

Item 11 – MS. MARINELLI presented a resolution Honoring the Recipients of 18th Annual Buffalo AFL-CIO Council Appreciation Awards. MR. SWANICK seconded.

CARRIED UNANIMOUSLY.

Item 12 – MR. DUSZA presented a resolution Commemorating American Workers Injured of Killed on the Job This Workers’ Memorial Day. MR. SWANICK seconded.

CARRIED UNANIMOUSLY.

Item 13 – MR. SWANICK presented a resolution Honoring Buffalo Bills Quarterback Jim Kelly Upon His Induction Into the Pro Football Hall of Fame. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

Item 14 – MR. DUSZA presented a resolution Honoring Cheektowaga’s Golden Anniversary Couples for 2002. MR. DALE seconded.

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CARRIED UNANIMOUSLY.

Item 15 – MR. McCARVILLE presented a resolution Honoring Brant Resident Leah Mirusso as She Celebrates Her Retirement. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

Item 16 – MR. HOLT presented a resolution Celebrating an Evening of Appreciation for Anne Davis. MS. PEOPLES seconded.

CARRIED UNANIMOUSLY.

LOCAL LAWS

Item 17 – CHAIRMAN DeBENEDETTI directed that Local Law No. 9 (Print #1) 2001 be referred to the HUMAN SERVICES COMMITTEE.

Item 18 – CHAIRMAN DeBENEDETTI directed that Local Law No. 9 (Print #2) 2001 be referred to the HUMAN SERVICES COMMITTEE.

Item 19 – CHAIRMAN DeBENEDETTI directed that Local Law No. 9 (Print #3) 2001 be referred to the HUMAN SERVICES COMMITTEE.

Item 20 – CHAIRMAN DeBENEDETTI directed that Local Law No. 10 (Print #1) 2001 be referred to the HUMAN SERVICES COMMITTEE.

Item 21 – CHAIRMAN DeBENEDETTI directed that Local Law No. 3 (Print #1) 2002 remain on the table.

Item 22 – CHAIRMAN DeBENEDETTI directed that Local Law No. 4 (Print #1) 2002 remain on the table.

COMMITTEE REPORTS

Item 23 – MR. LARSON presented the following resolution and moved for immediate consideration. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 181

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April 18, 2002

FINANCE & MANAGEMENT
COMMITTEE
REPORT NO. 6

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

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

a.

Item	Page	-2001	(Comm. 18E-2)
SWANICK: Copy of Letter to Councilman Hardwick Re: City of Tonawanda Water System Turnover to ECWA.			
(5-0)			

b.

Item	Page	-2001	(Comm. 26E-2)
COMPTROLLER: Review of Erie County participation in Dunn Tire Park.			
(5-0)			

c.

Item	Page	-2002	(Comm. 8D-5)
ERIE COUNTY WATER AUTHORITY: Audited Financial Statements for Years Ended 12/31/00 & 12/31/01.			
(5-0)			

d.

Item	Page	-2002	(Comm. 8D-6)
BUDGET, MANAGEMENT & FINANCE: Response from DEP to Comptroller's Review of EC's Participation in Dunn Tire Park.			
(5-0)			

e.

Item	Page	-2002	(Comm. 8E-4)
COMPTROLLER: Apportionment & Distribution of 4% Sales Tax Revenue Received by Erie County from NYS for Month of March.			
(5-0)			

2.

Item	Page	-2002	(Comm. 8E-22)
COUNTY EXECUTIVE			

WHEREAS, the Division of Budget, Management and Finance did receive a request from Robert E. Whelan 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,

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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 E. Whelan, 5 Huntington Court, Williamsville, New York 14221 for the sum of Five Hundred and 00/100 Dollars (\$ 500.00),

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 is further described on Erie County Tax Maps as Section, Block and Lot No. 251.050-1-73 (Best Street 45.97 x 177.77). Intending to convey land acquired by Erie County as Serial No. 403 in the County In Rem Tax Foreclosure Action No. 137, and, be it further

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.

(5-0)

3. Item Page -2002 (Comm. 8E-23)

COUNTY EXECUTIVE

WHEREAS, the Division of Budget, Management and Finance did receive a request from the Erie County Water Authority to obtain the above County owned parcel of land for the construction of an elevated water storage tank in conjunction with their project to consolidate the City of Tonawanda water system, and

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

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 the Erie County Water Authority, 3030 Union Road, Cheektowaga, New York 14227 for the sum of One and 00/100 Dollars (\$ 1.00).

ALL THAT TRACT OR PARCEL OF LAND situate in the City of Tonawanda, County of Erie and State of New York being part of Farmlot 36, Township 12, Range 8, and is further described on Erie County Tax Maps as Section, Block and Lot No. 53.070-9-3 (225 Frederick 1.10 acres). Intending to convey land acquired by Erie County in a deed filed in the Erie County Clerk's Office on June 8, 1978 under Liber 8653 Page 335 and, be it further

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

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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.

(5-0)

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

COUNTY EXECUTIVE

WHEREAS, the Division of Budget, Management and Finance did receive a request from NEC TRANSIT-WILLIAM, LLC to obtain the above County owned parcels of land, and

WHEREAS, these parcels were reviewed and approved for sale by the Advisory Review Committee, and

WHEREAS, no other adjacent owners have indicated an interest in owing these parcels,

NOW, THEREFORE, BE IT RESOLVED, that the following parcels of land be sold without public auction pursuant to Article 14, Section 14-1.0 of the Erie County Tax Act to NEC TRANSIT-WILLIAM, LLC, 6495 Transit Road, Bowmansville, New York 14026 for the sum of Seven Hundred Fifty and 00/100 Dollars each (\$750.00),

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Lancaster, County of Erie and State of New York being part of Farmlot 11, Township 11, Section 10, Range 6, Block "Q", Sublots 8-13 as filed under Map Cover 1190 in the Erie County Clerk's Office and is further described on Erie County Tax Maps as Section, Block and Lot No. 115.090-2-5 (Hayes Avenue 180.00 x 105.00). Intending to convey land acquired by Erie County in a deed filed in the Erie County Clerk's Office on May 31, 1975 under Liber 000000 Page 682;

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Lancaster, County of Erie and State of New York being part of Farmlot 11, Township 11, Section 10, Range 6, Block "Q", Sublots 14-19 as filed under Map Cover 1190 in the Erie County Clerk's Office and is further described on Erie County Tax Maps as Section, Block and Lot No. 115.090-2-6 (Woodlawn Avenue 210.00 x 110.00). Intending to convey land acquired by Erie County in a deed filed in the Erie County Clerk's Office on July 5, 1983 under Liber 9239 Page 273, and be it further

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.

(5-0)

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5. Item Page -2002 (Comm. 8E-52)

COUNTY EXECUTIVE

WHEREAS, the Division of Budget, Management and Finance, in cooperation with the Erie County Comptroller, and in consultation with departmental accountants, has identified accounts with projected budget deficiencies prior to year-end closing, and

WHEREAS, budget amendments are required to eliminate the aforementioned deficiencies in order to close the County's books and prepare financial statements for review by the County's independent auditors for the 2001 fiscal year, and

WHEREAS, these budget amendments will have no net fiscal impact as funds either are transferred from accounts with available balances to accounts with projected deficiencies or unanticipated revenues are appropriated, and

WHEREAS, final year-end transactions and accrual entries cannot be processed in the accounting system by the Comptroller for accounts with budget deficiencies until said deficiencies are eliminated through budget amendments.

NOW, THEREFORE, BE IT

RESOLVED, that the Division of Budget, Management and Finance is hereby authorized to amend the budgets of General Fund Departments, Grants, the Road Fund, the Utility Fund, the Sewer Fund, and the Department of Social Services as specified in the following schedule, and be it further

RESOLVED, that the following designations of fund balance listed on the following schedule are hereby established at December 31, 2001, and be it further

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

2001 YEAR-END BUDGET BALANCING
BUDGET AMENDMENTS

GENERAL FUND

Account/DAC Code:	Description:	Debit (Credit) Amount
110 908 0210 800	Personal Services (Bud-Mgmt-Fin)	(73,982)
110 908 0210 805	Fringes (Bud-Mgmt-Fin)	73,982
110 909 0600 800	Personal Services (Law)	(1,771)
110 909 0600 801	Overtime (Law)	1,771
110 910 0610 800	Personal Services (Personnel)	(40,843)
110 910 0610 805	Fringes (Personnel)	53,167

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110 911 0220 805	Fringes (DPW-Commissioner)	15,272
110 911 0220 810	Office Supplies (DPW-Commissioner)	948
110 911 0220 824	Travel & Mileage (DPW-Commissioner)	3,102
110 911 0220 881	ID Pay Expense-DISS (DPW-Commissioner)	29,622
110 912 0221 800	Personal Services (DPW-Bldgs & Grounds)	(2,336,484)
110 912 0221 805	Overtime (DPW-Bldgs & Grounds)	5,048
110 912 0221 805	Fringes (DPW-Bldgs & Grounds)	311,577
110 912 0221 813	Auto Supplies (DPW-Bldgs & Grounds)	4,908
110 912 0221 816	Maintenance Supplies (DPW-Bldgs & Grounds)	53,477
110 912 0221 821	Dues & Fees (DPW-Bldgs & Grounds)	1,499
110 912 0221 823	Repairs & Maintenance (DPW-Bldgs & Grounds)	239,592
110 912 0221 880 4100	Interfund Exp-ECH	19,859
110 913 0222 801	Overtime (DPW-Wts & Measures)	16,327
110 913 0222 805	Fringes (DPW-Wts & Measures)	63,951
110 914 0120 800	Personal Services (Comptroller)	(33,827)
110 914 0120 805	Fringes (Comptroller)	33,827
110 915 0130 800	Personal Services (County Clerk-Registrar)	(59,920)
110 915 0130 801	Overtime (County Clerk-Registrar)	32,544
110 915 0130 805	Fringes (County Clerk-Registrar)	133,690
110 915 0130 823	Repairs & Maintenance (County Clerk-Registrar)	5,761
110 915 0130 826	Other Expenses (County Clerk-Registrar)	8,988
110 916 0131 800	Personal Services (County Clerk-Auto)	(121,063)
110 918 0500 800	Personal Services (Board of Elections)	(116,870)
110 918 0500 801	Overtime (Board of Elections)	96,725
110 918 0500 805	Fringes (Board of Elections)	54,474
110 918 0500 932	Office Equipment (Board of Elections)	77,263
110 918 0500 505	Minor Sale-Other (Board of Elections)	(77,263)
110 919 0550 805	Fringes (Equal Employment Opp.)	8,865
110 921 0301 830 0351	Convention & Tourism-Chamber of Commerce	27,218
110 923 0310 313	Hotel Occupancy Tax	(27,218)
110 923 0310 830 0108	Provision for Allowance-Uncollectable Taxes	79,584
110 923 0310 830 0404	Net Increase in Deferred Revenue	(3,000,000)
110 923 0310 805	Fringe Benefits	595,750
110 925 0320 830 0703	Contractual Services-ECMC School 84	1,376,138
110 925 0320 886 4002	Interfund-ECMC School 84	(1,376,138)
110 925 0320 886 2230	Interfund-Road	1,664,612
110 926 0540 800	Personal Services (Comm. Status Women)	437
110 926 0540 805	Fringes (Comm. Status Women)	(437)
110 927 0510 800	Personal Services (DISS)	(48,144)
110 927 0510 805	Fringes (DISS)	48,144
110 928 0511 800	Personal Services (Bureau of Purchase)	(3,310)
110 928 0511 805	Fringes (Bureau of Purchase)	9,039
110 929 0430 830 0109	ECC (Contractual Services)	26,145
110 929 0430 886 4300	ECC (Interfund)	2,000,000
110 930 0650 800	Personal (Central Police Services)	(29,904)
110 930 0650 801	Overtime (Central Police Services)	12,535
110 930 0650 805	Fringes (Central Police Services)	17,369

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110 931 0150 800	Personal Services (Sheriff)	(175,200)
110 931 0150 801	Overtime (Sheriff)	101,495
110 931 0150 805	Fringes (Sheriff)	653,326
110 931 0150 822	Rental Charges (Sheriff)	755
110 931 0150 826	Other Expenses (Sheriff)	2,008
110 931 0150 890	Contractual Salary Reserves (Sheriff)	(206,950)
110 932 0151 800	Personal Services (Holding Center)	1,579,019
110 932 0151 801	Overtime (Holding Center)	1,677,933
110 932 0151 805	Fringes (Holding Center)	391,968
110 932 0151 890	Contractual Salary Reserves (Holding Center)	(650,252)
110 933 0660 800	Personal Services (Correctional Facility)	(259,491)
110 933 0660 801	Overtime (Correctional Facility)	296,324
110 933 0660 805	Fringes (Correctional Facility)	527,520
110 933 0660 810	Office Supplies (Correctional Facility)	1,000
110 933 0660 811	Clothing Supplies (Correctional Facility)	9,565
110 933 0660 812	Food & Kitchen Supplies (Correctional Facility)	11,459
110 933 0660 814	Medical & Health Supplies (Correctional Facility)	21,253
110 933 0660 821	Dues & Fees (Correctional Facility)	5,086
110 933 0660 883 2720	Interdept Exp-(Health)	1,722
110 934 0260 800	Personal Services (Probation)	(147,254)
110 934 0260 801	Overtime (Probation)	13,656
110 934 0260 805	Fringes (Probation)	133,439
110 934 0260 810	Office Supplies (Probation)	159
110 935 0670 800	Personal Services (Emergency Services)	7,793
110 935 0670 801	Overtime (Emergency Services)	(9,094)
110 935 0670 805	Fringes (Emergency Services)	30,862
110 935 0670 826	Other Expenses (Emergency Services)	2,052
110 937 0241 800	Personal (Ad. Forensic & Fam Ct)	(2,769)
110 937 0241 805	Fringes (Ad. Forensic & Fam Ct)	2,769
110 939 0630 805	Fringes (Senior Services)	55,970
110 940 0631 800	Personal Services (Senior Services-Transportation)	(17,909)
110 940 0631 801	Overtime (Senior Services-Transportation)	122
110 940 0631 805	Fringes (Senior Services-Transportation)	27,392
110 942 0640 800	Personal Services (Parks)	(157,332)
110 942 0640 801	Overtime (Parks)	18,267
110 942 0640 805	Fringes (Parks)	139,065
110 944 0642 800	Personal Services (Forestry)	(9,528)
110 944 0642 805	Fringe Benefits (Forestry)	9,528
110 945 0620 800	Personal Services (Environment & Planning)	(22,912)
110 945 0620 805	Fringes (Environment & Planning)	22,912
110 947 0251 800	Personal Services (Youth-Detention)	(5,719)
110 947 0251 801	Overtime (Youth-Detention)	216,442
110 947 0251 805	Fringes (Youth-Detention)	270,642
110 947 0251 830	Contractual Services (Youth-Detention)	(152,370)
110 947 0251 880 2211	Interfund Exp-Utility Fund	34,336
110 947 0251 880 4100	Interfund Exp-ECH	118,034
110 948 0252 831	Personal Services (Youth Services-Hncp. Child)	817,453

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110 949 0270 805	Personal Services (Health)	654,062)
110 949 0270 805	Overtime (Health)	82,899
110 949 0270 805	Fringes (Health)	607,410
110 949 0270 821	Dues & Fees (Health)	(203,684)
110 949 0270 882 2210	Interdept Exp-(DPW-Buildings & Grounds)	22,437
110 950 0271 800	Personal Services (Emerg. Med. Services)	(37,304)
110 950 0271 801	Overtime (Emerg. Med. Services)	22,198
110 950 0271 805	Fringes (Emerg. Med. Services)	15,106
110 951 0272 800	Personal Services (Public Health Lab)	(42,823)
110 951 0272 801	Overtime (Public Health Lab)	5,810
110 951 0272 805	Fringes (Public Health Lab)	37,013
110 962 0602 805 0104	Risk Retention-Worker's Comp	1,019,904
110 962 0602 805 0112	Risk Retention-Worker's Comp-Other Funds	(1,019,904)
110 986 0273 800	Personal Services (Medical Examiner)	(87,296)
110 986 0273 801	Overtime (Medical Examiner)	19,715
110 986 0273 805	Fringe Benefits (Medical Examiner)	67,581
110 906 0110 932	Office Equipment (County Executive)	145,000
110 923 0310 509	Refund of Prior Years Expenditures	(3,242,822)
110 923 0310 698 0112	Fund Balance-Structural Repairs	<u>(1,997,760)</u>
	Subtotal General Fund	0

GENERAL FUND-DISS INTERDEPT BILLINGS

Account/DAC Code:	Description:	Debit (Credit) Amount
110 905 0100 881	ID Pay Expense-DISS (Leg)	26,962
110 906 0110 881	ID Pay Expense-DISS (County Executive)	43,823
110 909 0600 881	ID Pay Expense-DISS (Law)	9,328
110 912 0221 881	ID Pay Expense-DISS (DPW-Bldgs & Grounds)	35,382
110 913 0222 881	ID Pay Expense-DISS (DPW-Wts & Measures)	2,571
110 916 0131 881	ID Pay Expense-DISS (County Clerk-Auto)	11,876
110 917 0140 881	ID Pay Expense-DISS (District Attorney)	3,470
110 931 0150 881	ID Pay Expense-DISS (Sheriff)	52,884
110 932 0151 881	ID Pay Expense-DISS (Holding Center)	3,483
110 935 0670 881	ID Pay Expense-DISS (Emergency Services)	4,264
110 939 0630 881	ID Pay Expense-DISS (Senior Services-Admin)	10,259
110 942 0640 881	ID Pay Expense-DISS (Parks)	907
110 943 0641 881	ID Pay Expense-DISS (Recreation)	420
110 944 0642 881	ID Pay Expense-DISS (Forestry)	2,195
110 946 0250 881	ID Pay Expense-DISS (Youth Services)	3,253
110 947 0251 881	ID Pay Expense-DISS (Youth-Detention)	39,030
110 948 0252 881	ID Pay Expense-DISS (Youth Services-Hncp. Children)	1,603
110 949 0270 881	ID Pay Expense-DISS (Health)	99,978

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110 930 0650 881	ID Pay Expense-DISS (CPS)	<u>(351,688)</u>
	Subtotal DISS ID Billings	0

GRANT FUND

Account/DAC Code:	Description:	Debit (Credit) Amount
281 285 0630 800	Personal Services (HEAP)	(1,431)
281 285 0630 880 5100	Interfund-DISS (HEAP)	1,431
281 322 0270 800	Personal Services (WIC)	(6,398)
281 322 0270 880 5100	Interfund-DISS (WIC)	6,398
281 330 0270 810	Office Supplies (Healthy Neighborhoods)	(485)
281 330 0270 880 5100	Interfund-DISS (Healthy Neighborhoods)	485
281 460 0110 826	Other Expenses (Stop-DWI Program)	(616)
281 460 0110 880 5100	Interfund-DISS (Stop-DWI Program)	616
281 493 0270 826	Other Expenses (Womens Health Services)	(3,403)
281 493 0270 880 5100	Interfund-DISS (Womens Health Services)	3,403
281 568 0270 826	Other Expenses (Hepatitis Prevention)	(122)
281 568 0270 880 5100	Interfund-DISS (Hepatitis Prevention)	<u>122</u>
	Subtotal Grant Fund	0

2001 YEAR-END BUDGET BALANCING
 BUDGET AMENDMENTS

UTILITY FUND

Account/DAC Code:	Description:	Debit (Credit) Amount
140 820 221 800	Personal Services	151
140 820 221 805	Fringe Benefits	3,239
140 820 221 830	Contractual Services	<u>(3,390)</u>
	Subtotal Utility Fund	0

ROADFUND

Account/DAC Code:	Description:	Debit (Credit) Amount
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210	800	Personal Services	(2,294,324)
210	801	Overtime	1,548,873
210	813	Auto Supplies	704,723
210	817	Highway Supplies	1,490,734
210	830 0214	Garbage Disposal	414
210	830 0276	Town/Village Snow Contracts	189,863
210	880 5100	Interfund Expenses-Information & Support	24,329
210 963 0223 686 3200		Interfund-Subsidy	<u>(1,664,612)</u>
Subtotal Road Fund			0

SEWER FUND

Debit			(Credit)
Account/DAC Code:	Description:		Amount
220 853 0830 805	Fringe Benefits (Sewer District #3/Southtowns)		(152)
220 853 0830 880 5100	Interfund Expenses-Information & Support		152
220 855 0850 805	Fringe Benefits (Sewer Management)		(10,533)
220 855 0850 880 5100	Interfund Expenses-Information & Support		<u>10,533</u>
Subtotal Sewer Fund			0

2001 YEAR-END BUDGET BALANCING
 BUDGET AMENDMENTS

SOCIAL SERVICES SUBFUND:

			Debit
			(Credit)
Account/DAC Code:	Description		Amount
120	800	Personal Services	(1,423,145)
120	801	Overtime	53,270
120	805	Fringe Benefits	1,369,875
120	840	MMIS-Local Share	1,839,205
120	843	Child Welfare Services (CWS)	2,818,335
120	845	Safety Net Assistance (SNA)	215,229
120	846	Emergency Assistance to Adults (EM)	59,834
120	850	Child Care-DSS Only	313,459
120	851	Housekeeping-DSS	4,709
120 953 0200 880 1200	Interfund Expense-Comptroller		15,541

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120 953 0200 880 2009	Interfund Expense-Social Services Grants Fed/State	1,845,322
120 953 0200 880 2510	Interfund Expense-Division of Detention	7,099
953 0200 886 2009	Interfund Expense-Social Services Grants Local Share	(392,265)
120 953 0200 685 2009	Interfund Revenue-Social Services Grants Fed/State	(628,610)
120 529	Unanticipated Prior Year Revenue	<u>(6,097,858)</u>

Subtotal Social Services Subfund 0

SOCIAL SERVICES GRANTS:

<u>Account/DAC Code:</u>	<u>Description</u>	<u>Debit (Credit) Amount</u>
281 346 0200 800	Personal Services (Day Care Registration)	(130,390)
281 346 0200 805	Fringe (Day Care Registration)	(8,470)
281 346 0200 880 2006	Interfund-DSS Alloc Indirect Costs (Day Care Registration)	138,860
281 350 0200 880 2006	Interfund-DSS Alloc Indirect Costs (HEAP)	471,221
281 350 0200 653	Federal Aid (HEAP)	(471,221)
281 351 0200 882 2009	Interdept-Master Grant Salary & Fringe (Food Stmp Empl)	(825,800)
281 351 0200 597	State Aid (Food Stamp Empl)	275,200
281 351 0200 652	Federal Aid (Food Stamp Empl)	550,600
281 391 0200 880 2000	Interfund-Social Services (Medicaid Managed Care)	(79,016)
281 391 0200 880 2006	Interfund-DSS Alloc Indirect Costs (Medicaid Managd Care)	79,016
281 462 0200 800	Personal Services (TANF Svcs Block Grant)	(49,708)
281 462 0200 880 2006	Interfund-DSS Alloc Indirect Costs (TANF Svcs Block Grant)	130,270
281 462 0200 685 2001	Interfund Rev-St/Fed Pass Through (TANF Svcs Blk Grant)	(80,562)
281 463 0200 649	Federal Aid (TANF Drug & Alco Assmnt)	16,113
281 463 0200 685 2001	Interfund Rev-St/Fed Pass Through (TANF Drg & Alc Asmt)	(16,113)
281 464 0200 640	Federal Aid (Child Care Block Grant)	50,945
281 464 0200 685 2001	Interfund Rev-St/Fed Pass Through (Child Care Blk Grant)	(50,945)
281 465 0200 882 2009	Interdept-Master Grant Salary & Fringe (Safety Net Empl)	(232,517)
281 465 0200 686 2000	Interdept Rev-Local Share (Safety Net Empl)	232,517
281 467 0200 882 2009	Interdept-Master Grant Salary & Fringe (NY Works Blk Grnt)	(536,600)
281 467 0200 642	Federal Aid (NY Works Block Grant)	561,893
281 467 0200 685 2001	Interfund Rev-St/Fed Pass Through (NY Works Blk Grant)	(25,293)
281 468 0200 447	Local Share Contribution (Outstationed Medicaid Elig)	37,627
281 468 0200 685 2001	Interfund Rev-St/Fed Pass Through (Outsta Medicaid Elig)	(37,627)
281 469 0200 800	Personal Services (Domestic Violence Assmnt)	8,975
281 469 0200 805	Fringe (Domestic Violence Assmnt)	204
281 469 0200 649	Federal Aid (Domestic Violence Assmnt)	13,000
281 469 0200 685 2001	Interfund Rev-St/Fed Pass Through (Dom Violence Assmnt)	(22,179)
281 470 0200 640	Federal Aid (Day Care Registration)	45,543
281 470 0200 685 2001	Interfund Rev-St/Fed Pass Through (Day Care Registration)	(45,543)
281 471 0200 685 2001	Interfund Rev-St/Fed Pass Through (Legal Asst Disabled)	(72,294)
281 471 0200 686 2000	Interdept Rev-Local Share (Legal Asst Disabled)	72,294
281 473 0200 685 2001	Interfund Rev-St/Fed Pass Through (HEAP)	(87,454)

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281 473 0200 686 2000	Interdept Rev-Local Share (HEAP)	87,454
281 475 0200 880 2006	Interfund-DSS Alloc Indirect Costs (Family Asst Empl)	(187,605)
281 475 0200 882 2009	Interdept-Master Grant Salary & Fringe (Family Asst Empl)	1,594,917
281 475 0200 685 2001	Interfund Rev-St/Fed Pass Through (Family Asst Empl)	(1,407,312)
281 576 0200 801	Overtime (Medicaid Managed Care)	(75,864)
281 576 0200 880 2006	Interfund-DSS Alloc Indirect Costs (Medicaid Managd Care)	<u>75,864</u>
Subtotal Social Services Grants		0

2001 DESIGNATIONS OF FUND BALANCEGENERAL FUND:

AID TO LOCALITIES	\$ 2,145,426	
GRANT PROGRAMS	8,163,039	
STRUCTURAL BUDGET REPAIR	9,884,566	
LOMBARDI AID ADVANCES	11,053,409	
ECMC	24,800,000	
LACKAWANNA SENIOR HOUSING	45,795	
BUFFALO SCHOOLS	206,114	
COUNTY VEHICLE FLEET	66,591	
CITY OF BUFFALO-ZOO LOAN	650,000	
JUDGEMENTS & CLAIMS	<u>2,559,612</u>	
		\$61,572,312
2002 ADOPTED BUDGET		
<u>RESOLUTION R-1:</u>		
AID TO LOCALITIES	\$ 9,720,486	
CONTINGENCIES	<u>2,430,208</u>	
		<u>12,150,694</u>
TOTAL GENERAL FUND		\$71,725,246

SEWER FUND:

FOR SUBSEQUENT YEAR'S EXPENDITURE	83,610
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LIBRARY:

FOR SUBSEQUENT YEAR'S EXPENDITURE	<u>35,218</u>
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Grand Total All Designations	<u>\$71,844,074</u>
(6-0) Chairman DeBenedetti present as Ex-Officio Member.	

DALE W. LARSON
CHAIRMAN

MR. LARSON moved the approval of the resolution. MR. GREENAN seconded.

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CARRIED UNANIMOUSLY.

Item 24 – MR. RANZENHOFER presented the following resolution and moved for immediate consideration. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 182

April 18, 2002

ECONOMIC DEVELOPMENT
 COMMITTEE
 REPORT NO. 6

ALL MEMBERS PRESENT EXCEPT LEGISLATOR HOLT.

1. Item Page -2002 **AS AMENDED**
 (Comm. 3E-30)
COUNTY EXECUTIVE

WHEREAS, the Department of Public Works received bids on April 11, 2002 for Bid Package No. 1 for the New Secure Youth Detention Facility, Bid Package #1, and

WHEREAS, the Architect/Engineer, the Construction Manager, and the Department of Public Works are 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 New Secure Youth Detention Facility, Bid Package #1:

Bid Package NO. 1

Foundations - Contract No. 101

Fisher Development

Base Bid	\$ 674,500.00	
Add Alternate No. 1	\$ <u>5,000.00</u>	
Total Contract No. 101		\$ 679,500.00

Structural Steel/Miscellaneous Metals/
 Precast Plank - Contract No. 102

Community Steel Corp.

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Base Bid		\$ 605,000.00
<u>Site Development - Contract No. 103</u>		
Custom Topsoil, Inc.		
Base Bid		\$ 648,500.00
<u>Masonry - Contract No. 104</u>		
Thomas Johnson, Inc.		
Base Bid		\$ 934,000.00
<u>Windows & Store Front - Contract No. 106</u>		
R.E. Krug Corporation		
Base Bid	\$ 133,000.00	
Add Alternate No. 6	<u>\$ 23,500.00</u>	
Total Contract		\$ 156,500.00
<u>Roofing - Contract No. 107</u>		
Weaver Metal & Roofing		
Base Bid	\$ 490,000.00	
Deduct Alternate No. 4B	<u>\$ (5,000.00)</u>	
Total Contract		\$ 485,000.00
<u>Kitchen Equipment - Contract No. 108</u>		
General Supply Co.		
Base Bid		<u>\$ 123,995.00</u>
Total Award for Bid Package No. 1		\$ 3,632,495.00

and be it further,

RESOLVED, that the sum of \$182,000.00 be allocated for a construction contingency fund with authorization for the Commissioner of Public Works to approve change orders in an amount not to exceed the amount of the contingency, and be it further,

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

RESOLVED, that the sum of \$5,000.00 be allocated for Testing, Inspection, and Miscellaneous Expenses with authorization for the Commissioner of Public Works to expend such funds, and be it further,

RESOLVED, that the Comptroller's Office be authorized to make payments for all of the above from Project 806, Fund 410, and be it further,

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

(4-0) Legislator Holt absent.

2. Item Page -2002 (Comm. 8E-28)

COUNTY EXECUTIVE

WHEREAS, a project for the Replacement of the Ransom Road Bridge, BR 155-2, over Cayuga Creek, BIN 3-32705-0, in the Town of Lancaster, Erie County, PIN 5755.68, (the "Project") is eligible for funding under Title 23, U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal funds and 20% non-Federal funds; and

WHEREAS, the County of Erie desires to advance the above Project by making a commitment of 100% of the non-Federal share of the costs of the Construction and Construction Inspection Phase of the Project, PIN 5755.68.

NOW, THEREFORE, the County Legislature of the County of Erie, duly convened does hereby

RESOLVE, that the Erie County Legislature hereby approves the above subject project; and be it further

RESOLVED, that the Erie County Legislature hereby authorizes the County of Erie to pay in the first instance 100% of the Federal and non-Federal shares of the costs of the Construction and Construction Inspection Phase of the Project or portions thereof; and be it further

RESOLVED, that the sum of \$322,600 is hereby appropriated from the 2002 Ransom Road Bridge (155-2) Reconstruction (NYS PIN 5755.68) Program (SFG 322), and made available to cover the cost of participation in the above phase of the Project; and be it further

RESOLVED, that in the event the amount required to pay in the first instance 100% of the Federal and non-Federal shares of the cost of the project's Construction and Construction Inspection Phase exceeds the amount appropriated above \$322,600 and/or 100% of the full Federal and Non-Federal shares of the cost of the Project's Construction and Construction Inspection Phase exceeds

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\$1,613,000, the County of Erie shall convene its Legislature as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof; and be it further

RESOLVED, that the County Executive of the County of Erie is hereby authorized to execute all necessary agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the County of Erie with the NYSDOT in connection with the advancement or approval of the Project and providing for the administration of the Project and the Municipality's first instance funding of Project costs and permanent funding of the local share of Federal-Aid eligible Project costs and all Project costs within appropriations therefor that are not so eligible; and be it further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation, by attaching it to any necessary Agreement in connection with the Project; and be it further

RESOLVED, that the Clerk of the Legislature forward ten (10) certified copies of this Resolution to the Deputy Commissioner, Highways, to be forwarded to the New York State Department of Transportation and one certified copy to the Erie County Comptroller.
(4-0) Legislator Holt absent.

**MICHAEL H. RANZENHOFER
CHAIRMAN**

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 183

April 18, 2002

ENERGY & ENVIRONMENT
COMMITTEE
REPORT NO. 5

ALL MEMBERS PRESENT.

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

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- a. Item Page -2001 (Comm. 11M-1)
RALPH D MIRANDA: Copy of Correspondence to Legislator Greenan Re: Scanner Law.
(5-0)
- b. Item Page -2001 (Comm. 14E-73)
COUNTY EXECUTIVE: Copies of Letters to Various Members of Congress Re: Double-Crested Cormorant Threat to Future of Lake Erie Fishery.
(5-0)
- c. Item Page -2001 (Intro. 15-8)
CHASE, McCARVILLE, LARSON, GREENAN & WEINSTEIN: Amending NYS Insurance Law to Use Lands for Recreational Activities.
(5-0)
- d. Item Page -2002 (Comm. 8E-5)
DUSZA: Letter to Clerk of Legislature Re: Buffalo News Article Concerning Project in 8th Legislative District.
(5-0)
- e. Item Page -2002 (Comm. 8E-43)
COUNTY EXECUTIVE: EC Southtowns Sewage Treatment Agency Engineering Service Agreements – Work Order URS-2, Comm. 18E-41.
(5-0)
- f. Item Page -2002 (Comm. 8E-46)
COUNTY EXECUTIVE: ECSD No. 3 – Rehab & Upgrade of Point Breeze, Lake Street, Buffalo Beach, Shore Cliff & Herr Road Pumping Stations.
(5-0)
- g. Item Page -2002 (Comm. 8E-50)
COUNTY EXECUTIVE: Southtowns Sewage Treatment Agency – Engineering Service Agreements – Work Order URS-1, Comm. 18E-41.
(5-0)
- h. Item Page -2002 (Comm. 8E-51)
COUNTY EXECUTIVE: ECSD No. 2 – Southwest Interceptor & Pumping Station Facilities Evaluation – URS Greiner Woodward Clyde (URSGWC) Change Order No. 5.
(5-0)
2. Item Page -2001 (Comm. 1E-27)
COUNTY EXECUTIVE

RESOLUTION NO.

RESOLUTION DATED _____, 2002.

MEETING NO. 9
April 25, 2002

ERIE COUNTY LEGISLATURE

A RESOLUTION CALLING A PUBLIC HEARING FOR THE PURPOSE OF CONSIDERING A PROPOSED INCREASE AND IMPROVEMENT OF THE FACILITIES OF ERIE COUNTY SEWER DISTRICT No. 3 IN THE COUNTY OF ERIE, NEW YORK.

(Introduced) April 18, 2002.
(Adopted) _____, 2002

WHEREAS, pursuant to proceedings heretofore had and taken in accordance with the provisions of Article 5-A of the County Law, including approving orders of the State Comptroller, County Sewer District No. 3 of the County of Erie, New York, has heretofore been established and created in the 1960s (the "Original District"), and

WHEREAS, in the 1980s an extension to the Original District known as the Armor-McKinley Extension (the "Armor-McKinley Extension") was formed, along with other extensions to the Original District, (the Original District and the Armor-McKinley Extension hereinafter collectively referred to as the "District"), and

WHEREAS, such County Legislature has heretofore duly directed that there be prepared a report and estimate of cost by the County Engineers (Erie County Department of Environment and Planning) relating to a proposed increase and improvement of the facilities of the District which report and estimate of cost have been approved by the Board of Managers of the District on February 27, 2002 and filed with the County Legislature pursuant to Section 268 of the County Law; and

WHEREAS, said report and estimate of cost describe a proposed increase and improvement of the facilities of the District, consisting of the elimination of the Southwestern and Greenmeadow Pumping Stations and the construction of new sewer lines to replace said pumping stations, all as more fully described in the report and estimate of cost hereinbefore referred to; and

WHEREAS, the maximum estimated cost of the aforesaid increase and improvement of the facilities of the District is \$1,500,000, to be assessed against a benefited area which consists of the entire area of the District, as defined herein, exclusive of any extensions other than the Armor-McKinley Extension; and

WHEREAS, pursuant to applicable provisions of Section 268 of the County Law, as amended by Chapter 397 of the Laws of 1995, the consent of the State Comptroller is not required prior to the expenditure of funds for said increase and improvement because the cost thereof to the Typical Property (as defined in the County Law) is \$5.07; such cost not being above the Average Estimated Cost of \$17.00 to the Typical Properties for similar types of expenditures, as computed by the State Comptroller; and

WHEREAS, it is now desired to call a public hearing to consider said increase and improvement in accordance with the provisions of Section 254 of the County Law; NOW, THEREFORE, BE IT

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RESOLVED, BY THE COUNTY LEGISLATURE OF THE COUNTY OF ERIE, NEW YORK, AS FOLLOWS:

Section 1. A meeting of the County Legislature of the County of Erie, New York, shall be held at 25 Delaware Avenue, Buffalo, New York, in said County, on the 23rd day of May, 2002, at 1:30 o'clock P.M., Prevailing Time, for the purpose of conducting a public hearing upon the aforesaid proposed increase and improvement of facilities of Erie County Sewer District No. 3 in said County, and for such other action on the part of said County Legislature in relation thereto as may be required by law or proper in the premises.

Section 2. The notice of such public hearing shall be in substantially the following form, to-wit:

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that a meeting of the County Legislature of the County of Erie, New York, shall be held at 25 Delaware Avenue, Buffalo, New York, in said County, on the 23rd day of May, 2002, at 1:30 o'clock P.M., Prevailing Time, for the purpose of conducting a public hearing upon a proposed increase and improvement of facilities of Erie County Sewer District No. 3 in said County.

The increase and improvement of such facilities consisting of the elimination of the Southwestern and Greenmeadow Pumping Stations and the construction of new sewer lines to replace said pumping stations, all as more fully described in the report and estimate of cost prepared by the County Engineers (Erie County Department of Environment and Planning) which has been filed with the County Legislature and which has been approved by the Board of Managers of said District on February 27, 2002 (the "Report").

The maximum estimated cost of such increase and improvement of facilities is \$1,500,000, to be assessed against a benefited area, such area consisting of the Original District and the Armor-McKinley Extension, as further described in the Report.

The expenditures for such increase and improvement of facilities will not cause additional costs for property owners in the District for hook-up fees, and the annual cost of such expenditures to the Typical Property (as defined in the County Law) is \$5.07. The County Legislature has heretofore caused to be prepared and filed for public inspection with the Clerk of the Erie County Legislature, a detailed explanation of how such costs were computed, as incorporated in said report and estimate of cost prepared by the County Engineers (Erie County Department of Environment and Planning).

Dated: Buffalo, New York,
_____, 2002.

BY ORDER OF THE COUNTY

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April 25, 2002

ERIE COUNTY LEGISLATURE

LEGISLATURE OF THE COUNTY OF
 ERIE, NEW YORK

By _____
 Clerk, County Legislature

Section 3. The Clerk of said County Legislature is hereby authorized and directed to cause a copy of the Notice of Public Hearing as set forth in Section 2 hereof to be published once in the "Front Page" and in the "Hamburg Sun", the official newspapers of said County, and in "The Buffalo News", not less than ten nor more than twenty days before the date set herein for said public hearing. The Clerk is hereby further authorized and directed to file a certified copy of the Notice of Public Hearing with the Comptroller of the State of New York on or about the date of the publication of the Notice of Public Hearing.

Section 4. This resolution shall take effect immediately.

(5-0)

3. Item Page -2002 (Comm. 5E-27)

COUNTY EXECUTIVE

WHEREAS, Capital Project 430 516, ECSD No. 3 Holland Extension will be closed out in 2002; and

WHEREAS, there is a cash balance of \$100,560.29 as of November 30, 2001; and

WHEREAS, there is a debt service balance of \$73,350.00 remaining for this project; and

WHEREAS, Erie County Sewer District No. 3 has created a Capital Reserve Account for future construction; and

WHEREAS, the use of said cash will have no impact on the approved 2002 Budget.

NOW, THEREFORE, BE IT

RESOLVED, that \$73,350.00 be transferred to the Debt Service Fund to satisfy the remaining outstanding debt; and be it further

RESOLVED, that the cash balance of \$27,210.00 and any additional accrued interest be transferred into Erie County Sewer District No. 3's Capital Reserve Account for future plant improvements, equipment and new sewer extensions; and be it further

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

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(5-0)

4. Item Page -2002 **AS AMENDED**
(Comm. 5E-32)

COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Environment and Planning has received the low bid for the Erie County Sewer District No. 2, 4 & 6, Pumping Stations Structural and Cathodic Protection Rehabilitation, Contract No. 58PS, on March 26, 2002 from Kandey Company, Inc. for a total bid amount of \$347,000.00; and

WHEREAS, the aforementioned bidder has been recognized as successfully performing similar work in Erie County; and

WHEREAS, the Erie County Department of Environment and Planning recommends the award of Contract No. 58PS to the aforementioned low bidder.

NOW, THEREFORE, BE IT

RESOLVED, that the Pumping Stations Structural and Cathodic Protection Rehabilitation, Contract No. 58PS, be awarded to Kandey Company, Inc. for a total bid of \$347,000.00; and be it further

RESOLVED, that the County Executive be, and hereby is, authorized to execute the Contract with the aforementioned low bidder, Kandey Company, Inc., for a total bid amount of \$347,000.00 subject to approval as to form by the County Attorney and certification of availability of funds from the Project Fund Balance or an authorized advance from the General Fund by the Comptroller's Office; and be it further

RESOLVED, that the Comptroller is authorized and directed to allocate \$173,000.00 from Erie County Sewer District No. 2, Fund No. 430, Project No. 147; \$134,000.00 from Erie County Sewer District No. 4, Fund No. 430, Project No. 693; and \$17,000.00 from Erie County Sewer District No. 6, Fund No. 430, Project No. 914; and be it further

RESOLVED, that \$23,000.00 from Erie County Sewer District No. 2 Fund balance 220 852 299 be allocated and transferred to use of Fund balance 220 852 821 698105 and Contractual Services 220 852 820 830, for the Kellerman, Pinehurst and Schrinier Road Pumping Stations; 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; one certified copy each to James Liddle, Erie County Comptroller's Office; and to Gregory Dudek, Assistant County Attorney.

(5-0)

MEETING NO. 9**April 25, 2002****ERIE COUNTY LEGISLATURE**

5. Item Page -2002 (Comm. 8E-38)

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 Greenmeadow Subtrunk Sanitary Sewer and identified as CWSRF Project No. 6649-05, 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

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.
 (5-0)

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

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 Southwestern Subtrunk Sanitary Sewer and identified as CWSRF Project No. 6649-06, 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 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.

(5-0)

7. Item Page -2002 (Comm. 8E-40)
COUNTY EXECUTIVE

WHEREAS, County of Erie/Erie County Sewer District No. 2 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 Lakecrest Subdivision/Route 5

MEETING NO. 9**April 25, 2002****ERIE COUNTY LEGISLATURE**

Sanitary Sewer Rehabilitation and identified as CWSRF Project No. 6646-10-00, 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.

(5-0)

8. Item Page -2002 (Comm. 8E-41)

COUNTY EXECUTIVE

WHEREAS, County of Erie/Erie County Sewer District No. 2 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 Utica Subtrunk Sanitary Sewer Replacement and identified as CWSRF Project No. 6646-11, 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 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.

(5-0)

9. Item Page -2002 (Comm. 8E-42)

COUNTY EXECUTIVE

WHEREAS, County of Erie/Erie County Sewer District No. 6 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 Bethlehem Park Sewer

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Rehab/Replacement and identified as CWSRF Project No. 6650-08, 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.

(5-0)

10. Item Page -2002 (Comm. 8E-44)

COUNTY EXECUTIVE

WHEREAS, New York State is developing a new Accident Location Information System, which includes the creation of a statewide digital street map file; and

WHEREAS, to facilitate the development of an accurate digital street map file, New York State has requested that Erie County enter into a Local Data Provider Agreement to share certain geographic information system databases; and

WHEREAS, the Local Data Provider Agreement grants Erie County unrestricted use of the new digital street map file, at no cost to the County,

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter in the Local Data Provider Agreement with the New York State Office of Technology; and be it further

RESOLVED, that said Agreement shall have no funds associated with it; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the Commissioner of the Department of Environment and Planning, the County Comptroller and the County Attorney.

(5-0)

11. Item Page -2002 (Comm. 8E-45)

COUNTY EXECUTIVE

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WHEREAS, Erie County is an Affiliate Data Center of the New York State Data Center, having an Agreement authorized by the Erie County Legislature and executed by the County Executive for the period January 1, 1997 to December 31, 1999; and

WHEREAS, Affiliate Data Center Agreements are amended every two years for a new two-year term; and

WHEREAS, Erie County needs to amend the existing Agreement to cover the current two-year period ending on December 31, 2002.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into an amended Agreement with New York State for continuation of the County's status as an Affiliate Data Center through December 31, 2002; and be it further

RESOLVED, that said Agreement shall have no funds associated with it; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the Commissioner of the Department of Environment and Planning, the County Comptroller and the County Attorney.
(5-0)

12. Item Page -2002 (Comm. 8E-48)

COUNTY EXECUTIVE

WHEREAS, The Erie County Sewer District No. 2 has need to retain the services of an Engineer to provide services required for the design of, and services during construction for, the Buffalo Beach, Herr Road, Shore Cliff, Point Breeze and Lake Street Pumping Stations rehabilitation and upgrades; and

WHEREAS, the Erie County Sewer District No. 2 and the Department of Environment and Planning have recommended the firm of URS Corporation, 262 Delaware Avenue, Buffalo, New York 14202, to perform the engineering services for this project.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be, and hereby is, authorized to execute an Agreement with the firm of URS Corporation, 262 Delaware Avenue, Buffalo, New York 14202, to provide the engineering services required, subject to approval as to form by the County Attorney's Office and approval as to content by the Commissioner of the Department of Environment and Planning; and be it further

RESOLVED, that the Comptroller be authorized and directed to allocate \$1,360,264.87 from Sewer Capital, Erie County Sewer District No. 2, Fund No. 430, Project No. 178, for payment of the engineering services contained in the Agreement, and be it further

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ERIE COUNTY LEGISLATURE

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 to Gregory Dudek, Assistant County Attorney, Nancy Naples, Erie County Comptroller, and Joseph Passafiume, Director, Budget, Management and Finance.

(5-0)

13. Item Page -2002 (Comm. 8E-49)

COUNTY EXECUTIVE

WHEREAS, the National Association of Counties and ESRI has solicited for grant applications in accordance with the Intermediate Level Grant Program; and

WHEREAS, the Department of Environment and Planning has advised the County Legislature that there are benefits to applying for a grant under this program and has recommended application be made; and

WHEREAS, it is anticipated that the National Association of Counties and ESRI will provide a complimentary GIS software, appurtenances and training package to the Department of Environment and Planning, Division of Sewerage Management should an award be made.

NOW, THEREFORE, BE IT

RESOLVED, that the County's Department of Environment and Planning be authorized and directed to make application to the National Association of Counties and ESRI for a grant award under the Intermediate Level Grant Program; and be it further

RESOLVED, that should a grant be received 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 & 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, and one copy to Nancy Naples, Erie County Comptroller, Gregory Dudek, Assistant County Attorney, and Joseph Passafiume, Director, Budget, Management and Finance.

(5-0)

JOHN W. GREENAN
CHAIRMAN

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

CARRIED UNANIMOUSLY.

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Item 26 – MS. CHASE presented the following resolution and moved for immediate consideration. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 184

April 18, 2002

PUBLIC SAFETY
COMMITTEE
REPORT NO. 4

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

1. Item Page -2002 (Comm. 5E-48)

COUNTY EXECUTIVE

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

WHEREAS, the District Attorney's Office has been granted approval from state funding sources to reallocate funds within said grant,

NOW, THEREFORE, BE IT

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 478
March 1, 2000 - September 30, 2001**

<u>Revenue</u>	<u>ORIGINAL</u>	<u>CHANGE</u>	<u>FINAL</u>
Acct. 627 State Aid	<u>\$60,000</u>	<u>\$ 0</u>	<u>\$60,000</u>
Total Revenue	\$60,000	\$ 0	\$60,000
 <u>Appropriation</u>			
Acct. 800 Personal Services	\$ 4,440	\$12,821	\$17,261
Acct. 805 Fringe Benefits	5,377	0	5,377
Acct. 810 Office Supplies	3,000	0	3,000
Acct. 824 Travel & Mileage	400	(400)	0
Acct. 825 Out of Area Travel	10,000	(7,631)	2,369
Acct. 826 Other Expenses	8,116	(4,790)	3,326
Acct. 933 Lab & Tech. Equip.	<u>28,667</u>	<u>0</u>	<u>28,667</u>
Total Appropriations	\$60,000	\$ 0	\$60,000

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

2. Item Page -2002 (Comm. 7E-17)

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 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 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	<u>\$ 60,000</u>	<u>\$ - 0 -</u>	<u>\$ 60,000</u>
 <u>Appropriation</u>	 <u>ORIGINAL</u>	 <u>CHANGE</u>	 <u>FINAL</u>
Acct. 800 Personal Services	\$ 5,000	\$ 23,551	\$ 28,551
Acct. 805 Fringe Benefits	1,181	9,501	10,682
Acct. 810 Office Supplies	3,000	367	3,367
Acct. 824 Local Travel	400	- 0 -	400
Acct. 825 Out of Area Travel	10,000	(3,000)	7,000
Acct. 826 Other Expenses	8,000	(1,000)	7,000
Acct. 933 Lab & Tech Equip.	<u>32,419</u>	<u>(29,419)</u>	<u>3,000</u>
Total Appropriations	<u>\$ 60,000</u>	<u>\$ - 0 -</u>	<u>\$ 60,000</u>

and be it further

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

3. Item Page -2002 (Comm. 7E-18)

COUNTY EXECUTIVE

WHEREAS, it is necessary to transfer funds from the Erie County District Attorney's Asset Forfeiture Trust Fund prior to their being expended, and

WHEREAS, it is necessary to provide matching funds for the District Attorney's Multi-Jurisdictional Grant which can be accomplished through enacting this resolution, and

WHEREAS, it is desirable to replace one investigative automobile with an odometer reading of over 100,000 miles, to update the District Attorney's Office technology with the purchase of computer printers and a scanner to improve the efficiency of the office,

NOW, THEREFORE, BE IT

RESOLVED, that \$18,936 in available balances in the Erie County District Attorney's Assets Forfeiture Trust Fund is hereby transferred to the District Attorney's Assets Forfeiture Grant, SFG Project 333, and be it further

RESOLVED, that the following budgetary transactions are hereby authorized to provide funding for investigative, surveillance and prosecutorial purposes to benefit the District Attorney's Office:

DISTRICT ATTORNEY ASSET FORFEITURE GRANT
PROJECT 333 - FUND 280

<u>Revenue</u>	<u>Increase</u>
Acct. 502 District Attorney Asset Forfeitures	<u>\$18,936</u>
Total Revenue	<u>\$18,936</u>
<u>Appropriation</u>	
Acct. 930 Automotive Equipment	\$15,850
Acct. 933 Laboratory and Technical Equipment	<u>3,086</u>
Total Appropriations	<u>\$18,936</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.

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4. Item Page -2002 (Comm. 7E-39)

COUNTY EXECUTIVE

WHEREAS, Erie County has been awarded funding by the New York State Division of Criminal Justice Services under the Edward Byrne Memorial program, and

WHEREAS, the New York State Office of the Attorney General has provided funding to support this project, and

WHEREAS, said funds will enable Central Police Services to provide training and equipment for the Regional Computer Forensic Facility (RCFL). The RCFL is a voluntary association of federal, state and local law enforcement agencies which provides the computer forensic needs for the law enforcement agencies in Erie County and Western New York,

NOW, THEREFORE BE IT

RESOLVED, that authorization is hereby provided for the County Executive to enter into a contract and accept funding in the amount of \$90,000 with the New York State Division of Criminal Justice Services, and be it further

RESOLVED, that authorization is also provided for the County Executive to accept funding in the amount of \$17,500 from the New York State Office of the Attorney General, and be it further

RESOLVED, that authorization is hereby provided to establish the grant in the budget of the Department of Central Police Services as follows:

Grant Fund - Department 650
Central Police Services
Regional Computer Forensic Facility
3/1/02 – 2/28/03

<u>Revenue</u>	<u>Increase</u>
Acct. 627 State Aid	\$ 90,000
Acct. 444 Other Local Source	<u>17,500</u>
Total Revenue	\$107,500
<u>Appropriation</u>	
Acct. 810 Office Supplies	\$ 26,950
Acct. 820 Utilities	2,300
Acct. 821 Dues & Fees	36,400
Acct. 825 Out of Area Travel	18,465
Acct. 933 Lab & Tech. Equipment	<u>23,385</u>
Total Appropriation	\$107,500

and be it further

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RESOLVED, that certified copies of this resolution be forwarded to the Division of Budget, Management and Finance, Office of the Comptroller and the Department of Central Police Services. (6-0) Chairman DeBenedetti present as Ex-Officio Member.

AS AMENDED

5. Item Page -2002 (Intro. 7-9)
CHASE, DeBENEDETTI, GREENAN, McCARVILLE, CUSACK, WEINSTEIN, RANZENHOFER, LARSON, SWANICK, KUWIK, SCHROEDER, HOLT, FISHER, DALE, PEOPLES, DUSZA & MARINELLI

WHEREAS, in cases of domestic violence, victims are often still quite vulnerable even after an order of protection has been issued on their behalf, and

WHEREAS, telephone directories that list phone numbers of domestic violence victims are an easy way for abusers to continue to make contact with their victims, and

WHEREAS, many victims of domestic violence have limited financial means, and they cannot afford to pay for the charge by telecommunications companies to ensure that their telephone number remains unlisted and unattainable by their abusers, and

WHEREAS, local exchange telephone corporations have the ability to waive the charges and omit from any directory of telephone numbers published by it or, any affiliated company, the listing of any person who is a victim of domestic violence, as defined in section four hundred fifty-nine-a of the social services law, and for whose benefit any order of protection, other than a temporary order of protection, has been issued by a court of competent jurisdiction.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby recognize the necessity to assist victims of domestic violence from their abusers, and be it further

RESOLVED, that this Honorable Body does hereby memorialize the New York State Legislature to pass and the Governor to sign into law S.6427 and A.1669 thereby providing unlisted telephone directory numbers without charge for victims of domestic violence for whose benefit an order of protection has been issued by a court of competent jurisdiction, and be it further

RESOLVED, that certified copies of this resolution be sent to Governor George E. Pataki, the members of the Western New York State Delegation to the State Legislature, Erie County Sheriff Patrick Gallivan, Erie County Sheriff Deputy Patricia Bowen, Judge Sharon Townsend, 1 Niagara Plaza, Buffalo, NY 14202, District Attorney Frank J. Clark, 25 Delaware Ave., Buffalo, NY 14202, and Katey Joyce, Haven House, P.O. Box 451 Ellicott Station, NY 14202.

Financial Impact: None

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

MEETING NO. 9**April 25, 2002****ERIE COUNTY LEGISLATURE**

6. Item Page -2002 (Comm. 8E-11)

COUNTY EXECUTIVE

WHEREAS, it is the desire of the County of Erie, Department of Central Police Services to retain a grants consultant in order to acquire outside sources of revenue for constructing a Regional Public Safety Campus, and

WHEREAS, the Department of Central Police Services issued a Request for Proposal (RFP) on November 30, 2001 associated with the Regional Public Safety Campus project; and

WHEREAS, four (4) proposals were submitted by various grants consulting firms on December 13, 2001; and

WHEREAS, the firm of Lucy Curley & Company was deemed to have submitted the best overall proposal by the selection committee; and

WHEREAS, the RFP, evaluation of responses and selection procedure were done in accordance with Section 19.08 of the Erie County Administrative Code:

NOW, THEREFORE, BE IT

RESOLVED, that an agreement with Lucy Curley & Company, 370 Franklin Street, Buffalo, New York 14202 at a cost not to exceed \$123,000 to provide grant consulting services for the proposed Regional Public Safety Campus is hereby approved; and be it further

RESOLVED, that funds for this agreement will be allocated from the County's 2001 Budget Capital Project Account 441 191650821; and be it further

RESOLVED, that the County Executive be, and hereby is, authorized to execute an agreement with Lucy Curley & Company subject to approval as to form by the County Attorney; and be it further

RESOLVED, that certified copies of this resolution are to be forwarded to the County Executive, Director of Budget, Management and Finance, Comptroller, Commissioner of Public Works and Commissioner of Central Police Services.

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

7. Item Page -2002 (Comm. 8E-18)

COUNTY EXECUTIVE

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

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

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ERIE COUNTY LEGISLATURE

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

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

WHEREAS, the office space would be located at 3020 Bailey Avenue, Buffalo, New York, 14215 and 158 Holden Street, Buffalo, New York, 14215, and

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

WHEREAS, The Erie County Probation Department's presence at 3020 Bailey Avenue and 158 Holden Street, Buffalo, New York, 14215 will not only strengthen the counseling mandates as imposed by the various courts but will enhance visibility of the Erie County Probation Department within the respective community, and

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

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Probation Department be allowed to enter into a "hold harmless" contractual agreement with Horizon Health Services, 3020 Bailey Avenue, Buffalo, New York, 14215 and 158 Holden Street, Buffalo, New York, 14215 for the purposes of establishing a satellite office of Erie County Probation Department at said address, and be it further

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

AS AMENDED

8. Item Page -2002 (Intro. 8-2)
**McCARVILLE, DeBENEDETTI, GREENAN, CHASE, CUSACK, WEINSTEIN,
 RANZENHOFER, LARSON, DUSZA & KUWIK**

MEETING NO. 9**April 25, 2002****ERIE COUNTY LEGISLATURE**

WHEREAS, a new breed of high-tech criminals, using cunningly concealed video cameras to surreptitiously spy on unsuspecting citizens, are escaping real punishment in New York State, and

WHEREAS, the incidences of such "video peeping" of people in states of undress or nudity or in places where there is an expectation of privacy have increased within the last decade due to the widespread availability of advanced video technology, and

WHEREAS, we believe that the unauthorized videotaping or video-viewing of people in states of undress or nudity or in places where there is an expectation of privacy should be made punishable, and

WHEREAS, legislation has been introduced in the New York State Assembly (A.07304) that provides for the creation of the crime of unlawful video surveillance of people in states of undress or nudity or in places where there is an expectation of privacy when such activity is for the amusement, entertainment, sexual arousal or gratification of the "video peeper" and makes such crime a class E felony, and

WHEREAS, this legislation also punishes for allowing another person to install equipment for the unlawful video surveillance of people in states of undress or nudity or in places where there is an expectation of privacy when such activity is for the amusement, entertainment, sexual arousal or gratification of the "video peeper" and makes such crime a class E felony, and

WHEREAS, this legislation further punishes the knowing sale, dissemination, distribution, or transmission of such material and makes such crime a class E felony, and

WHEREAS, exemptions from this law includes posted security systems, clearly obvious video surveillance, and law enforcement personnel engaged in the conduct of their authorized duties, and

WHEREAS, it is vital that we close the legal loopholes that make it all too easy for accused "video peepers" to escape appropriate punishment,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature recognizes the need to establish a new law that punishes people who use video cameras to surreptitiously spy on unsuspecting victims for amusement, entertainment, sexual arousal or gratification, and be it further

RESOLVED, that this Honorable Body strongly supports and endorses Assembly bill (A.07304) and calls upon the State Assembly and Senate to adopt and the Governor to sign into law this much needed legislation, and be it further

RESOLVED, that certified copies of tills resolution be forwarded to District Attorney Frank Clark, Sheriff Patrick Gallivan, Governor George Pataki, Senate Majority Leader Joseph Bruno,

MEETING NO. 9**April 25, 2002****ERIE COUNTY LEGISLATURE**

Assembly Speaker Sheldon Silver, Assembly Majority Leader Paul Tokasz, Assembly Minority Leader John Faso, and Assemblyman Robert Oaks.

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

**JEANNE Z. CHASE
CHAIRPERSON**

MS. CHASE moved to separate item #8 and moved the approval of the balance of the report. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

MS. CHASE moved to amend item #8. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

ADD the following Co-Sponsors: SWANICK, SCHROEDER, HOLT, FISHER, DALE & MARINELLI.

MS. CHASE moved the approval of the resolution as amended. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

Item 27 – MR. WEINSTEIN presented the following resolution and moved for immediate consideration. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 185

April 18, 2002

HUMAN SERVICES
COMMITTEE
REPORT NO. 5

ALL MEMBERS PRESENT EXCEPT LEGISLATOR HOLT.

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

- | | | | | |
|----|--|------|-------|---------------|
| a. | Item | Page | -2001 | (Comm. 8M-15) |
| | NYS OFFICE OF CHILDREN & FAMILY SERVICES: Letter to Legislators Swanick & Holt Re: Recent Suicide at EC Youth Detention Facility. | | | |
| | (4-0) Legislator Holt absent. | | | |

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- Item Page -2001 (L.L. Intro. 9-1)
b. **McCARVILLE, GREENAN, LARSON, CHASE, WEINSTEIN & RANZENHOFER:** A LL Amd LL No. 1-1959, as Amd, to Prohibit Officers of Political Parties from the Board of ECMC.
(4-0) Legislator Holt absent.
- Item Page -2001 (L.L. Intro. 9-2)
c. **McCARVILLE, GREENAN, LARSON, CHASE, WEINSTEIN & LARSON:** A LL Amd LL No. 1-1959, as Amd, to Prohibit Officers of Political Parties from Board of ECMC.
(4-0) Legislator Holt absent.
- Item Page -2001 (L.L. Intro. 9-3)
d. **SWANICK & PEOPLES:** A LL Amd LL No. 1-1959, as Amd, to Prohibit Officers of Political Parties from Board of ECMC.
(4-0) Legislator Holt absent.
- Item Page -2001 (Comm. 11M-8)
e. **THOMAS HIGGINS:** Copy of Letter to Legislator Fisher Re: Home-Care Nursing.
(4-0) Legislator Holt absent.
- Item Page -2001 (Comm. 13M-1)
f. **KRISTINE NOONAN:** Letter to Legislator Fisher Re: Letter to Mayor Masiello Concerning Increase in Murders in Buffalo.
(4-0) Legislator Holt absent.
- Item Page -2001 (Comm. 18D-9)
g. **MENTAL HEALTH:** 2001-2003 Local Government Mental Retardation/Developmental Disabilities.
(4-0) Legislator Holt absent.
- Item Page -2002 (Comm. 5E-3)
h. **SCHROEDER & SWANICK:** Copy of Letter to Mayor Masiello & Council President Pitts Re: Title of Property that ECMC is Located on.
(4-0) Legislator Holt absent.
- Item Page -2002 (Intro. 5-21)
i. **RANZENHOFER:** The Proposed Consolidation of Children's Hospital Into Other Facilities Operated by Kaleida Health System.
(4-0) Legislator Holt absent.
2. Item Page -2002 (Comm. 7E-16)
COUNTY EXECUTIVE

MEETING NO. 9**April 25, 2002****ERIE COUNTY LEGISLATURE**

WHEREAS, the Department of Social Services is requesting authorization to contract with Goodwill Industries for the purpose of implementing a retail training and employment services program for clients in receipt of Temporary Assistance to Needy Families (TANF), and

WHEREAS, the contract will be paid based on client completion of specific milestones leading to permanent employment and closure of their TANF case, and

WHEREAS, reimbursement milestones will include comprehensive assessment, completion of a training curriculum, full-time employment and job retention, and

WHEREAS, it is anticipated that Goodwill will provide services to a minimum of one hundred individuals over a three-year period, and

WHEREAS, four options for training have been developed and include a nursing home tract, technology focus, retail skills and direct job placement, and

WHEREAS, there are no fiscal consequences as local share funds for this contract are already available in the 2002 Adopted Budget.

NOW, THEREFORE, BE IT

RESOLVED, that the Commissioner of Social Services and/or the County Executive are authorized to enter into a 2002 contact with Goodwill Industries of Western New York, Inc. for this retail training and employment services program contract, such contract to provide for annual renewal for two subsequent years subject to appropriation and reauthorization in the County's Adopted Budget, 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 281, Project 604

<u>ACCOUNT</u>	<u>DESCRIPTION</u>	<u>INCREASE/ (DECREASE)</u>
830-1428	Goodwill Industries	<u>\$225,000</u>
	Total Expenditures	<u>\$225,000</u>
608	State Aid	\$56,250
657	Federal Aid	112,500
686-2000	Interfund-Social Services	<u>56,250</u>
	Total Revenues	<u>\$225,000</u>

MEETING NO. 9**April 25, 2002****ERIE COUNTY LEGISLATURE**

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.

3. Item Page -2002 (Comm. 7E-33)

COUNTY EXECUTIVE

WHEREAS, the Erie County Health Department operates a Tuberculosis Control Elimination Activities Program, and

WHEREAS, the Erie County Department of Health has received a revised grant award in the amount of \$76,262 for the enhancement of the Tuberculosis Elimination Activities Program by providing services at the Erie County Holding Center and Correctional Facility, and to provide directly observed therapy incentives to encourage patients to complete the course of treatment for TB infection, and

WHEREAS, the purposes of this program include: follow up of active TB cases, suspect cases, persons receiving preventive therapy for TB and persons exposed to TB; outreach services, and targeted screening and preventive therapy for at-risk groups.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Executive is hereby authorized to accept a revised grant from the New York State Department of Health to continue the Tuberculosis Elimination Activities Program which is budgeted as follows:

Department of Health
Tuberculosis Elimination Activities Program
2/1/02 –1/31/03
Project #703

SFG Account	Revenue	Current Budget	Changes	Revised Budget
360	LOCAL SOURCE	\$ 0	\$ 4,092	\$ 4,092
582	STATE AID	<u>76,040</u>	<u>-3,870</u>	<u>72,170</u>
	TOTAL	<u>\$ 76,040</u>	<u>\$ 222</u>	<u>\$ 76,262</u>

MEETING NO. 9**April 25, 2002****ERIE COUNTY LEGISLATURE**EXPENSES

800	PERSONNEL SERVICES	\$60,929	\$ 180	\$ 61,109
805	FRINGE BENEFITS	14,111	42	14,153
824	TRAVEL & MILEAGE	<u>1,000</u>	<u>0</u>	<u>1,000</u>
	TOTAL	<u>\$ 76,040</u>	<u>\$ 222</u>	<u>\$ 76,262</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) Legislator Holt absent.

4. Item Page -2002 (Comm. 7E-34)

COUNTY EXECUTIVE

WHEREAS, the use of tobacco is a significant risk behavior contributing to the onset of and exacerbating such chronic diseases as heart disease, cancer, respiratory disease and diabetes, and

WHEREAS, the Erie County Department of Health has received a revised grant award from the New York State Department of Health in the amount of \$89,400 for the period of 6/1/01 through 5/31/02 to support the Erie Niagara Tobacco Free Coalition, and

WHEREAS, the Roswell Park Cancer Institute has been selected by the Coalition as the lead agency to coordinate coalition activities.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Executive is hereby authorized to enter into a revised agreement with the New York State Health Department to accept the grant which is budgeted as follows:

Department of Health
Erie Niagara Tobacco Free Coalition
6/1/01 - 5/31/02
Project #518

SFG ACCOUNT	REVENUE	CURRENT BUDGET	CHANGES	REVISED BUDGET
553	STATE AID	<u>\$ 89,400</u>	<u>\$0</u>	<u>\$ 89,400</u>

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	TOTAL	<u>\$ 89,400</u>	<u>\$0</u>	<u>\$ 89,400</u>
	EXPENSES			
825	OUT OF AREA TRAVEL	\$ 1,500	\$-1,500	\$ 0
826	OTHER EXPENSES	500	-30	470
830-1184	CONTRACTUAL-HRI-ROSWELL	84,930	0	84,930
932	OFFICE EQUIPMENT	470	1,030	1,500
933	LAB & TECHNICAL EQUIPMENT	<u>2,000</u>	<u>500</u>	<u>2,500</u>
	TOTAL	<u>\$ 89,400</u>	<u>\$0</u>	<u>\$ 89,400</u>

and be it further

RESOLVED, that the Erie County Department of Health is authorized to enter into a subcontract with the Health Research Institute-Roswell Park Division for the amount of \$84,930 for the purpose of coordinating Coalition activities, and be it further

RESOLVED, that the subcontract with Health Research Institute-Roswell Park Division is a special service 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 Office of the Comptroller, the Division of Budget, Management and Finance, and the Department of Law.

(4-0) Legislator Holt absent.

5. Item Page -2002 (Comm. 7E-35)

COUNTY EXECUTIVE

WHEREAS, the Erie County Health Department provides refugee health assessments through an agreement with the New York State Department of Health, and

WHEREAS, the Erie County Department of Health wishes to contract with physicians to provide the clinical component of the Refugee Health Assessment Program, and

WHEREAS, the Erie County Department of Health wishes to contract for language interpreter services to help facilitate this program, and

WHEREAS, funds are available in Account 821, Dues & Fees, in the Health Department's 2002 adopted budget.

NOW, THEREFORE, BE IT

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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 Exhibits A & B, incorporated herein, and be it further

RESOLVED, inasmuch as it is impractical to follow the request for proposal (RFP) procedure in the case of doctors, dentists and other professionals, the Erie County Legislature hereby waives the procedure for these categories of service as provided for in Local Law No. 6, Section 19.08.

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
Refugee Health Assessment Language Interpreter	\$40 per assessment

Exhibit B

Erie County Department of Health
Contractual Service Rate for Fee-For-Service Personnel
Annual Compensation Will Be \$10,000 or More

TITLE	RATE
Refugee Health Assessment by Physician	\$100 per assessment

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, the Personnel Department and the Department of Law.

(4-0) Legislator Holt absent.

6. Item Page -2002 (Comm. 7E-36)

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 a budgetary adjustment is necessary in Account 825-Out of Area Travel to more effectively and efficiently meet the requirements of the program, and

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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				
SFG	REVENUE	Current Budget	Changes	Revised Budget
553	State Aid	<u>\$15,050</u>	<u>\$ 800</u>	<u>\$15,850</u>
	TOTAL	<u>\$15,050</u>	<u>\$ 800</u>	<u>\$15,850</u>
EXPENSES				
810	Office Supplies	500	0	500
821	Dues & Fees	2,585	0	2,585
825	Out of Area Travel	2,465	800	3,265
826	Other Expenses	1,000	0	1,000
932	Office Equipment	4,500	0	4,500
933	Lab & Technical Equipment	<u>4,000</u>	<u>0</u>	<u>4,000</u>
	TOTAL	<u>\$15,050</u>	<u>\$ 800</u>	<u>\$15,850</u>

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, and the Office of the Comptroller.
 (4-0) Legislator Holt absent.

7. Item Page -2002 (Comm. 7E-37)

COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Health operates a Children with Special Health Care Needs Program (CSHCN), and

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WHEREAS, the purpose of the grant is to provide individualized service to children with special health care needs and their families. This includes facilitating access to health care coverage and identifying gaps and barriers linking to community services and resources, and

WHEREAS, budgetary adjustments are necessary in order to meet the work plan and balance the grant's accounts.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Executive is hereby authorized to make the following budgetary adjustments:

CHILDREN WITH SPECIAL HEALTH CARE NEEDS
10/01/01 – 9/30/02
PROJECT #500

SFG SUB REVENUE	CURRENT BUDGET	CHANGES	REVISED BUDGET
552 STATE AID	\$ 90,000	\$0	\$ 90,000
390 PHC MEDICAID	107,909	13,430	121,339
685 2520 INTERFUND YOUTH SERVICES	<u>55,000</u>	<u>0</u>	<u>55,000</u>
TOTAL	<u>\$ 252,909</u>	<u>\$ 13,430</u>	<u>\$266,339</u>
<u>EXPENSES</u>			
800 PERSONNEL SERVICES	\$199,089	\$7,811	\$206,900
805 FRINGE BENEFITS	43,800	4,119	47,919
810 OFFICE SUPPLIES	500	0	500
821 DUES & FEES	220	0	220
823 REPAIRS & MAINTENANCE	300	0	300
824 TRAVEL & MILEAGE	4,000	2,000	6,000
825 OUT OF AREA TRAVEL	1,000	0	1,000
826 OTHER EXPENSES	500	-500	0
880 5100 INTERFUND-DISS	1,500	0	1,500
932 FURNITURE, FIXTURES & EQUIPMENT	<u>2,000</u>	<u>0</u>	<u>2,000</u>
TOTAL	<u>\$ 252,909</u>	<u>\$ 13,430</u>	<u>\$266,339</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) Legislator Holt absent.

8. Item Page -2002 (Comm. 7M-17)

EC BOARD OF HEALTH

WHEREAS, the Erie County Legislature enacted a county clean indoor air act in 1996, prohibiting smoking in most worksites and public places; and

WHEREAS, bowling centers, bars and taverns, and restaurants with bar areas were the only places of employment not required to be 100% smoke-free under the 1996 law; and

WHEREAS, no one, including waitresses and bartenders, in the course of doing their job should have to ingest something that causes cancer; and

WHEREAS, the smoke that comes off the unfiltered end of a lighted cigarette is six times more deadly than the smoke that is drawn in through a filter; and

WHEREAS, a bartender who works behind a bar for a normal, eight-hour shift breathes unfiltered smoke that is the equivalent to smoking two packs of cigarettes a day; and

WHEREAS, 53,000 Americans die each year from exposure to secondhand smoke; and

WHEREAS, secondhand smoke is a Group A carcinogen, the same as benzene, asbestos and radon; and

WHEREAS, smoking prohibitions in California, Utah, Vermont, Maryland and Maine as well as in hundreds of cities all over the country prove that smoke-free workplace legislation is good for all businesses, including the restaurant business; and

WHEREAS, in the face of overwhelming evidence that secondhand smoke is a killer, it becomes government's obligation to protect the health of workers; and

WHEREAS, the current county clean indoor air act contains a provision that the law be reviewed every two years;

THEREFORE BE IT HEREBY RESOLVED that the Erie County Board of Health supports the proposed amendments drafted by the American Cancer Society strengthening the current county clean indoor air act to create 100% smoke-free environments;

AND BE IT FURTHER RESOLVED that the Erie County Board of Health calls upon the Erie County Legislature to hold public hearings on strengthening the current law;

AND BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Chair of the Erie County Legislature and to all members of the review committee appointed to evaluate the current law.

(4-0) Legislator Holt absent.

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9. Item Page -2002 (Comm. 8E-29)

COUNTY EXECUTIVE

WHEREAS, the Erie County Health Department has received a revised grant award from the New York State Department of Health to fund the Healthy Neighborhoods Program, and

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

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to accept a revised grant award from the New York State Department of Health to be budgeted as follows:

HEALTHY NEIGHBORHOODS

10/1/01 - 09/30/02

PROJECT # 495

SFG	REVENUE	CURRENT BUDGET	CHANGES	REVISED BUDGET
553	STATE AID	<u>\$ 250,000</u>	<u>\$0</u>	<u>\$ 250,000</u>
	TOTAL	<u>\$ 250,000</u>	<u>\$ 0</u>	<u>\$ 250,000</u>
	EXPENSES			
800	SALARIES	\$ 169,441	\$0	\$ 169,441
801	OVERTIME	3,000	2,000	5,000
805	FRINGE BENEFITS	37,938	-2,000	35,938
810	OFFICE SUPPLIES	1,000	1,000	2,000
811	CLOTHING SUPPLIES	2,100	500	2,600
814	MEDICAL & HEALTH SUPPLIES	2,500	-2,500	0
821	DUES & FEES	100	0	100
823	REPAIRS & MAINTENANCE	125	0	125
824	TRAVEL & MILEAGE EXPENSES	4,500	0	4,500
825	OUT OF AREA TRAVEL	2,796	1,000	3,796
826	OTHER EXPENSES	15,000	-6,000	9,000
830	CONTRACTUAL SERVICES	5,000	-5,000	0
932	FURNITURE, FIXTURES & OFFICE	1,500	6,000	7,500
933	LABORATORY & TECHNICAL EQUIP	<u>5,000</u>	<u>5,000</u>	<u>10,000</u>
	TOTAL	<u>\$ 250,000</u>	<u>\$ 0</u>	<u>\$ 250,000</u>

and be it further

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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) Legislator Holt absent.

10. Item Page -2002 (Comm. 8E-30)

COUNTY EXECUTIVE

WHEREAS, the New York State Department of Health has awarded a revised contract in the amount of \$100,000 for the Erie County Department of Health to continue a program to provide HIV training services and technical assistance to Western New York health and human services providers and community members to provide the knowledge and skills to protect the Western New York community from HIV infection and provide care to those living with HIV/AIDS, and

WHEREAS, this training focus will assist the New York State Department of Health in meeting its goal of HIV prevention and care.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into a revised contract with the New York State Department of Health to provide services budgeted as follows:

WESTERN REGIONAL TRAINING GRANT
 07/01/02 - 06/30/03
 PROJECT # 706

<u>SFG</u>	<u>REVENUE</u>	<u>CURRENT</u> <u>BUDGET</u>	<u>CHANGES</u>	<u>REVISED</u> <u>BUDGET</u>
553	STATE AID	\$ 100,000	\$ 0	\$ 100,000
	TOTAL	\$ 100,000	\$ 0	\$ 100,000
	EXPENSES			
800	PERSONAL SERVICES	\$ 60,505	\$ 4,991	\$ 65,496
805	FRINGE BENEFITS	14,013	6,094	20,107
810	OFFICE SUPPLIES	300	200	500
814	MEDICAL SUPPLIES	800	-800	0
824	TRAVEL & MILEAGE	4,140	1,360	5,500
825	OUT OF AREA TRAVEL	11,242	-8,242	3,000
826	OTHER EXPENSES	8,500	-3,403	5,097
830	CONTRACTUAL SERVICES	500	-200	300
	TOTAL	\$ 100,000	\$ -0	\$ 100,000

and be it further

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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) Legislator Holt absent.

11. Item Page -2002 (Comm. 8E-31)

COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Health has received a revised grant award from the Federal Department of Housing and Urban Development (HUD), Office of Lead Hazard Control, in the amount of \$918,752 for implementing a Healthy Homes Initiative, and

WHEREAS, the purpose of the Healthy Homes Initiative is to improve the quality of life of children through reduced exposure to health and safety risks associated with the home environment, and

WHEREAS, this will be accomplished through home inspection, distribution of intervention products, provision of services and implementation of an education and training curriculum to property owners and tenants in the targeted area, and

WHEREAS, we wish to contract with an intern to assist staff with performing of client education visits, and a consultant on preventative maintenance training for landlords, and

WHEREAS, funds are available through budgetary adjustments in the Health Department's 2002 adopted budget.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Executive is hereby authorized to enter into a revised agreement with HUD to accept the revised grant budgeted as follows:

HEALTHY HOMES INIATIVE PROGRAM

02/01/01 - 01/31/04

SUB- ACCT ACCT	REVENUE	NEW BUDGET	CHANGES	REVISED BUDGET
	FEDERAL AID	<u>\$ 918,752</u>	<u>\$ 0</u>	<u>\$ 918,752</u>
	TOTAL	<u>\$ 918,752</u>	<u>\$ 0</u>	<u>\$ 918,752</u>
EXPENSES				
800	Personal Services	\$ 449,390	\$ -18,000	\$ 431,390
801	Overtime	1,000	7,000	8,000
805	Fringe Benefits	88,848	0	88,848
810	Office Supplies	9,000	0	9,000

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811		Clothing Supplies	1,095	0	1,095
821		Dues and Fees	0	11,000	11,000
823		Repairs and Maintenance	0	200	200
824		Local Travel	13,502	0	13,502
825		Out of Area Travel	8,520	0	8,520
826		Other Expenses	183,457	-3,200	180,257
830	1368	Contractual - SUNYAB Research	47,061	0	47,061
830	1369	Contractual - Channing L. Bete	34,305	-6,121	28,184
830	1370	Contractual - Neighborhood Housing Services	8,544	0	8,544
880	2720	Interfund - Public Health Lab	18,000	0	18,000
880	5100	DISS	3,240	0	3,240
880	6200	Interfund - Environment & Planning	30,750	0	30,750
882	6209	Interdepartmental - Environment & Plan Grants	8,920	0	8,920
932		Office Equipment	3,580	4,000	7,580
933		Lab & Technical Equipment	<u>9,540</u>	<u>5,121</u>	<u>14,661</u>
		TOTAL	\$ 918,752	\$ 0	\$ 918,752

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, and be it further

RESOLVED, inasmuch as it is impractical to follow the request for proposal (RFP) procedure in the case of doctors, dentists, and other professionals, the Erie County Legislature hereby waives the procedure for these categories of service as provided for in Local Law No. 6, Section 19.08.

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

TITLE	RATE
Environmental Education Intern	\$10.00 per hour
Preventive Maintenance Training Consultant	\$14.00 per hour

and be it further

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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) Legislator Holt absent.

12. Item Page -2002 (Comm. 8E-32)

COUNTY EXECUTIVE

WHEREAS, the New York State Department of Health, Health Research, Inc. has awarded an amended contract in the amount of \$10,884 for the Erie County Department of Health to conduct a study of HIV testing and risk behaviors among individuals at risk for HIV, and

WHEREAS, this study will enable the Centers for Disease Control (CDC), New York State Department of Health and the Erie County Health Department to monitor HIV testing patterns through survey data.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Executive is hereby authorized to enter into a contract with the Health Research, Inc. (HRI) to provide services which are budgeted as follows:

HIV TESTING SURVEY

9/24/01 - 04/30/02

PROJECT #579

SFG	SUB OBJ	REVENUE	CURRENT BUDGET	CHANGES	REVISED BUDGET
553		State Aid	\$ 10,884	\$ 0	\$ 10,884
		TOTAL	\$ 10,884	\$ 0	\$ 10,884
		EXPENSES			
814		Medical Supplies	\$ 2,000	\$ 1,000	\$ 3,000
821		Dues & Fees	3,840	-2,000	1,840
825		Out of Area Travel	1,522	1,000	2,522
826		Other Expenses	2,000	0	2,000
933		Lab & Technical Equipment	1,522	\$ 0	\$ 1,522
		TOTAL	\$ 10,884	\$ 0	\$ 10,884

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) Legislator Holt absent.

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13. Item Page -2002 (Comm. 8E-33)

COUNTY EXECUTIVE

WHEREAS, the Erie County Health Department provides laboratory services to Erie County departments, government agencies, local health care providers and area hospitals, and

WHEREAS, the Buffalo State College Center for Social Health and Research has been awarded a National Institutes of Health grant to study health consequences among DWI offenders, and

WHEREAS, the Erie County Public Health Laboratory will provide laboratory testing of blood specimens collected from subjects who consent to have their blood drawn as part of the study, and

WHEREAS, it is anticipated that 1,500 subjects over a four year period beginning 4/1/02 through 3/31/06 will be interviewed with an estimated 80-90% of the subjects consenting to have blood drawn.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to enter into an agreement with Buffalo State College Center for Social Health and Research to provide Public Health Laboratory services to be budgeted as follows:

Health Consequences Among DWI Offenders Grant
 04/01/02 - 03/31/06

ACCT	REVENUE	NEW BUDGET
517	Other Local Source	<u>\$ 108,932</u>
	TOTAL	<u>\$ 108,932</u>
	EXPENSES	
814	Medical Supplies	\$ 92,932
825	Out of Area Travel	<u>16,000</u>
	TOTAL	<u>\$ 108,932</u>

and be it further

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

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(4-0) Legislator Holt absent.

14. Item Page -2002 (Comm. 8E-34)

COUNTY EXECUTIVE

WHEREAS, diabetes is a major cause of death and disability for Western New Yorkers, and

WHEREAS, the Erie County Department of Health has been a leader, through the Western New York Public Health Coalition, in addressing regional public health concerns, and

WHEREAS, the Erie County Department of Health received a grant award from the New York State Health Department in the amount of \$75,000 on behalf of the Western New York Coalition for Diabetes Prevention.

NOW, THEREFORE, BE IT

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

Department of Health
4/1/02-03/31/03
PROJECT #514

SFG ACCOUNT	REVENUE	CURRENT BUDGET	CHANGES	REVISED BUDGET
553	STATE AID	<u>\$ 75,000</u>	<u>\$ 0</u>	<u>\$ 75,000</u>
	TOTAL	<u>\$ 75,000</u>	<u>\$ 0</u>	<u>\$ 75,000</u>
	EXPENSES			
825	OUT OF AREA TRAVEL	\$ 2,000	\$ 0	\$ 2,000
826	OTHER EXPENSES	6,000	-6,000	0
830-1095	CONTRACTUAL-KALEIDA HEALTH SYSTEMS	21,000	6,000	27,000
830-1186	CONTRACTUAL-HEALTHY COMM. ALLIANCE	21,000	0	21,000
830-1187	CONTRACTUAL-LAKE PLAINS COMM. CARE	21,000	0	21,000
880-5100	DISS	500	0	500
932	OFFICE EQUIPMENT	1,500	0	1,500
933	LAB & TECHNICAL EQUIPMENT	<u>2,000</u>	<u>0</u>	<u>2,000</u>
	TOTAL	<u>\$ 75,000</u>	<u>\$ 0</u>	<u>\$ 75,000</u>

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and be it further

RESOLVED, that the County Executive is hereby authorized to enter into subcontracts with Kaleida Health, Healthy Community Alliance and Lake Plains Community Care Network for planning of diabetes education and screening events, and be it further

RESOLVED, that the subcontracts with Kaleida Health, Healthy Community Alliance and Lake Plains Community Care Network are a special service 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 Office of the Comptroller, the Division of Budget, Management and Finance, and the Department of Law.

(4-0) Legislator Holt absent.

15. Item Page -2002 (Comm. 8E-35)

COUNTY EXECUTIVE

WHEREAS, the Erie County Legislature has already appropriated funds for the Senior Community Services Employment grant for the period July 1, 2001 to June 30, 2002, and

WHEREAS, the New York State Office for the Aging has allocated additional funds to this grant program which delivers employment and training services to persons age 55 and over, and

WHEREAS, the Department of Senior Services contracts with Supportive Services Corp. to administer this program, and

WHEREAS, the County budget for this grant is in need of revision, and

WHEREAS, no additional County funds are required

NOW, THEREFORE, BE IT

RESOLVED, that the budget for the Senior Community Services Employment grant for the period July 1, 2001 to June 30, 2002, Project 434, be revised as follows:

<u>REVENUES</u>		<u>CURRENT</u> <u>BUDGET</u>	<u>CHANGES</u>	<u>AMENDED</u> <u>BUDGET</u>
Account	Description			
443	In-Kind	\$ 2,040	\$+ 15,212	\$ 17,252
664	Federal Aid	249,801	<u>137,667</u>	387,468
TOTAL CHANGE TO REVENUES			<u>+152,879</u>	

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830/235	Supportive Services	\$277,641	<u>\$+ 152,879</u>	\$430,520
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TOTAL CHANGE TO

APPROPRIATIONS

\$+ 152,879

and be it further

RESOLVED, that the County Executive is authorized to amend the existing contract with Supportive Services Corp. for the period July 1, 2002 to June 30, 2003 to reflect the additional grant funds, 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 County Attorney and the Department of Senior Services.

(4-0) Legislator Holt absent.

16. Item Page -2002 (Comm. 8E-36)

COUNTY EXECUTIVE

WHEREAS, the Erie County Legislature has already appropriated funds for the Operation Restore Trust (ORT) grant for the period October 1, 2001 through September 30, 2002, and

WHEREAS, the New York State Office for the Aging has made available additional funds in the amount of \$5,000, to expand outreach and educational activities, and

WHEREAS, the Department of Senior Services contracts with the American Red Cross Greater Buffalo Chapter to administer this program, and

WHEREAS, the American Red Cross will provide the matching funds.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to accept the additional funds for the ORT grant, and amend the contract with the American Red Cross, and be it further

RESOLVED, that the Operation Restore Trust grant budget, Project 443, for the period October 1, 2001 through September 30, 2002, be revised as follows:

REVENUES		CURRENT		AMENDED
Account	Description	BUDGET	CHANGES	BUDGET

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443	Local In-Kind Revenue	\$ 5,667	\$1,667	\$ 7,334
664	Federal Aid	17,000	<u>5,000</u>	22,000
TOTAL CHANGE			<u>\$6,667</u>	

APPROPRIATIONS

812	Food & Kitchen	\$ 100	-\$100	\$0
826	Other Expenses	8,967	100	9,067
830/418	American Red Cross- Gtr Bflo Ch	13,600	<u>6,667</u>	20,267
TOTAL CHANGE			<u>\$6,667</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, the County Attorney and the Department of Senior Services.

(4-0) Legislator Holt absent.

17. Item Page -2002 (Comm. 8E-37)

COUNTY EXECUTIVE

WHEREAS, the Erie County Legislature has already appropriated funds for the Community Services for the Elderly (CSE) grant for the period April 1, 2002 to March 31, 2003; and

WHEREAS, the CSE grant contains funding for Kensington-Bailey Area Planning Committee (APC) to provide case management, information and assistance to frail older adults in the northeast section of the City of Buffalo; and

WHEREAS, Kensington-Bailey APC is currently experiencing difficulties with its physical facilities; and

WHEREAS, Bailey Delavan Community Services is willing to oversee Kensington-Bailey APC case management staff for a four-month period from April 1 through July 31, 2002, pending resolution of the Kensington-Bailey situation; and

WHEREAS, the Department of Senior Services desires to transfer the applicable portion of Kensington-Bailey APC funds to Bailey Delevan Community Services to assure continued delivery of services; and

WHEREAS, the CSE grant budget and the related agency contracts are in need of revision.

NOW, THEREFORE, BE IT

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RESOLVED, that the County Executive is hereby authorized to amend the contract with Bailey Delevan Community Services to include the additional \$27,378, for case management and related services to the northeast section of the City of Buffalo for the period April 1 to July 31, 2002, and be it further

RESOLVED, that the Department of Senior Services be authorized to issue a 25% advance to Bailey-Delavan Community Services for the additional funds, and be it further

RESOLVED, that the CSE grant budget, Project 653, be revised as follows:

APPROPRIATIONS		CURRENT	CHANGES	AMENDED
Account	Description	BUDGET		BUDGET
830/309	Kensington Bailey Area Planning	\$90,134	-\$27,378	\$62,756
830/355	Bailey Delevan Comm. Services	64,191	<u>27,378</u>	91,569
	TOTAL CHANGE		\$0	

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 County Attorney and the Department of Senior Services.

(4-0) Legislator Holt absent.

BARRY WEINSTEIN, M.D.
CHAIRMAN

MR. WEINSTEIN moved to separate items #1.b, 1.c, 1.d, & 8 and moved the approval of the balance of the report. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

MR. WEINSTEIN moved to send item #1.b back to the HUMAN SERVICES COMMITTEE. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

MR. WEINSTEIN moved to send item #1.c back to the HUMAN SERVICES COMMITTEE. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

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MR. WEINSTEIN moved to send item #1.d back to the HUMAN SERVICES COMMITTEE. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

MR. WEINSTEIN moved to send item #8 back to the HUMAN SERVICES COMMITTEE. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

Item 28 – MS. CUSACK presented the following resolution and moved for immediate consideration. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 186

April 18, 2002

COMMUNITY ENRICHMENT
COMMITTEE
REPORT NO. 5

ALL MEMBERS PRESENT.

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

Item Page -2001 (Comm. 26E-17)
a. **COUNTY EXECUTIVE: ECC – Retirement Incentive Funding.**
(5-0)

Item Page -2002 (Comm. 8M-5)
b. **MARTIN HOUSE RESTORATION CORPORATION: Erie County fiscal Year 2001**
Cultural Resources Advisory Board Funding.
(5-0)

2. Item Page -2002 (Comm. 8E-20)
COUNTY EXECUTIVE

WHEREAS: Erie Community College (ECC) is committed to open access to quality postsecondary education and continuing education; and

WHEREAS: ECC has identified a need for an adult and continuing education program within Western New York School Districts/BOCES; and

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WHEREAS: ECC and several school districts/BOCES desire to enter into an agreement for the purpose of co-sponsoring an adult and continuing education program ("the Program") to be offered to the general public using the combined resources, talents, services and facilities of each party to more efficiently and effectively provide for the community educational needs of the citizens and taxpayers of Erie County; and

WHEREAS: In order to implement the program, ECC and several Western New York School Districts/BOCES shall jointly develop, plan and schedule courses to be offered on a joint basis at facilities located in Erie County as may be mutually agreed upon; and

WHEREAS: ECC's portion of the funding for the Program shall be reimbursed, in full, by the New York State Education Department; and

WHEREAS: The ECC Board of Trustees have authorized the President of ECC to enter into agreements for the purpose of co-sponsoring the Program, subject to approval by the Erie County Legislature.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Executive is authorized to enter into agreements with several Western New York School Districts/BOCES for the purpose of co-sponsoring an adult and continuing education program for the 2001-2002 and 2002-2003 academic years; and be it further

RESOLVED, that the term of each agreement shall be for no longer than one academic year, renewable each year; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the Erie County Executive, the President of ECC, the Chair of the ECC Board of Trustees, the County Comptroller, the Department of Law, and the respective educational institutions.

(5-0)

ELISE M. CUSACK
CHAIRPERSON

MS. CUSACK moved the approval of the resolution. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

Item 29 – MR. McCARVILLE presented the following resolution and moved for immediate consideration. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 187

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April 18, 2002

GOVERNMENT AFFAIRS
 COMMITTEE
 REPORT NO. 5

ALL MEMBERS PRESENT.

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

a.	Item	Page	-2002	(Comm. 5M-15)
	RECORD THEATRE: Letter to All Legislators Re: Opposition to EC Scanner Accuracy Law.			
	(5-0)			

b.	Item	Page	-2002	(Comm. 7D-1)
	COUNTY EXECUTIVE'S OFFICE: Memo Re: Intro 5-2 – County Purchase Contracts Availability on Erie County Web Site.			
	(5-0)			

c.	Item	Page	-2002	(Comm. 8D-1)
	COUNTY ATTORNEY: Notice of Claims.			
	(5-0)			

2.	Item	Page	-2002	(Comm. 8E-12)
	COUNTY EXECUTIVE			

WHEREAS, the County Clerk-Auto Bureau and Registrar have the need to purchase various Laboratory and Technical Equipment items, such as scanners and printers; and

WHEREAS, there are no Laboratory and Technical Equipment line items in the 2002 Operating budget for these administrative units; and

WHEREAS, there are sufficient monies available in the 2002 Office Equipment Capital Improvement Project; and,

WHEREAS, the County Clerk-Auto Bureau and Registrar can reduce their 2002 Office Equipment Capital Improvement Lines by the amount needed for said Lab & Tech Equipment.

NOW, THEREFORE, BE IT

RESOLVED, that the following transactions are hereby authorized in the FY 2002 budget of the Capital Equipment Improvement Projects:

		Increase/Decrease
Account 441-269-131-933	Capital Lab & Tech Equipment	\$50,000

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Account 441-268-131-932	Capital Office Equipment	(50,000)
	Net Change	\$ -0-
Account 441-269-130-933	Capital Lab & Tech Equipment	\$17,100
Account 441-268-130-932	Capital Office Equipment	(17,000)
	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 & Finance, the Office of the Comptroller and the County Clerk.

(5-0)

3. Item Page -2002 (Comm. 8E-13)

COUNTY EXECUTIVE

WHEREAS, an adjustment in staffing is needed to meet changing administrative and clerical needs in the Office of the County Executive; and

WHEREAS, funds are available for the proposed action in the personal services line for Clerk Typist part-time in the same administrative unit.

NOW, THEREFORE, BE IT

RESOLVED, that a new Secretarial Assistant part-time position is hereby established in Code 111.00, Wages, Temporary Employees, in job group 8, step 5, at a rate of \$18.064 per hour for 277 hours for a total amount of \$5,000, and be it further

RESOLVED, that the part-time amount for Clerk Typist in Code 111.00, Wages, Temporary Employees is hereby reduced by \$5,000, with a revised amount of \$11,994 (1210 hours @ \$9.91 per hour), and be it further

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

(5-0)

4. Item Page -2002 (Comm. 8E-19)

COUNTY EXECUTIVE

WHEREAS, the Department of Probation and Youth Detention Services is responsible for providing investigative and supervision services to all courts in Erie County, and

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WHEREAS, additional clerical staff is needed in order to provide compliance with the mandated New York State Penal Codes, and

WHEREAS, additional clerical support is needed to respond to the demands placed on the present clerical staff, where current staffing patterns have proven to be inadequate for the Probation's Division's adjustment to the new Court facility, and

WHEREAS, funding for the additional position will be made available through the deletion of another title.

NOW, THEREFORE, BE IT

RESOLVED, that authorization is hereby provided to delete one vacant position of Senior Clerk Typist Job Grade 4 and create one position of Receptionist, Job Grade 3 within the 2002 Budget of the Probation Division, there being sufficient funds available within the personnel services account of the Division for this action, and be it further

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

(5-0)

STEVEN P. McCARVILLE
CHAIRMAN

MR. McCARVILLE moved to separate item #2 and moved the approval of the balance of the report. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

MR. McCARVILLE moved to amend item #2. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

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

RESOLVED, that the following transactions are hereby authorized in the FY 2002 budget of the Capital Equipment Improvement Projects:

Account 441-269-131-933	Capital Lab & Tech Equipment	\$50,000
Account 441-268-131-932	Capital Office Equipment	(50,000)
	Net Change	\$ -0-

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Account 441-269-130-933	Capital Lab & Tech Equipment	\$17,100
Account 441-268-130-932	Capital Office Equipment	(17,000)
	Net Change	\$ -0-

and be it further

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

CARRIED UNANIMOUSLY.

LEGISLATORS RESOLUTIONS

Item 30 – CHAIRMAN DeBENEDETTI directed that the following resolution be referred to the ENERGY & ENVIRONMENT COMMITTEE.

GRANTED.

Intro. 9-1 From LEGISLATOR PEOPLES Re: Requesting Collaboration on Strategies to Proceed with Cleanup & Redevelopment of a Hazardous Waste Site on Buffalo's East Side.

Item 31 – MR. GREENAN presented the following resolution and moved for immediate consideration. MR. LARSON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 188

Re: Amendment to 2002 Rules of the Erie County Legislature. (Intro. 9-2)

A RESOLUTION SUBMITTED BY LEGISLATOR DeBENEDETTI

Be it resolved that the following amendment to the 2002 Rules of the Erie County Legislature be approved as follows:

RULE 19, MAJORITY VOTE: (add the following)

“Local laws, resolutions introduced by member(s) of the legislature and communications from elected officials requiring approval shall be approved or disapproved by a vote of the full legislature, except in such instances when items are removed from the

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agenda pursuant to Rule 35.”

Fiscal Impact: none

MR. GREENAN moved the approval of the resolution. MR. LARSON seconded.

CARRIED UNANIMOUSLY.

Item 32 – CHAIRMAN DeBENEDETTI directed that the following resolution be referred to the HUMAN SERVICES COMMITTEE.

GRANTED.

Intro. 9-3 From LEGISLATORS SWANICK & PEOPLES Re: Calling Upon State and County Officials to Pattern Legislation Concerning ECMC Flexibility After Existing NYS Legislation.

Item 33 – CHAIRMAN DeBENEDETTI directed that the following resolution be referred to the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Intro. 9-4 From LEGISLATOR SWANICK Re: Change to the Rules of Legislature to Replace Reference to Outdated Statute.

Item 34 – MR. RANZENHOFER presented the following resolution and moved for immediate consideration. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 189

Re: Funding for Community Groups.
(Intro. 9-5)

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,

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NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$5,000 from the Legislature – Contractual fund (110905100830) to fund 110, Project 921, Department 301 Agency Payments & Grants – Public Benefit Services, (DAC:110921301830), for paying the following agency:

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
Town of Newstead	830/0460	\$5,000
TOTAL		\$5,000

and be it further

RESOLVED, that the Erie County Executive is hereby authorized to enter into contract 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; Supervisor Gerald Summe, Town of Newstead (Newstead Town Hall, Church and John Streets, Akron, NY 14001).

Fiscal Impact: Appropriation of 2002- budgeted funds

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

CARRIED UNANIMOUSLY.

Item 35 – MS. CHASE presented the following resolution and moved for immediate consideration. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 190

Re: Funding for Community Organizations.
(Intro. 9-6)

A RESOLUTION SUBMITTED BY LEGISLATOR CHASE

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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 \$20,000 from the Legislature – Contractual fund (110905100830) to fund 110, Project 921, Department 301 Agency Payments & Grants – Public Benefit Services, (DAC:110921301830), for paying the following agency:

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
Graycliff Conservancy	830/1192	\$10,000
Claddagh Commission	830/	\$10,000
TOTAL		\$20,000

and be it further

RESOLVED, that the Erie County Executive is hereby authorized to enter into contract 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; Carol Bronnenkant, President, Graycliff Conservancy (P.O. Box 207, Amherst, NY 14226-0207); and to Renee Nellist, Claddagh Commission (7200 Lake Shore Road, P.O. Box 266, Derby, NY 14047)

Fiscal Impact: Appropriation of 2002- budgeted funds

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

CARRIED UNANIMOUSLY.

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Item 36 – MS. CUSACK presented the following resolution and moved for immediate consideration. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 191

Re: Funding for Various Community
Organizations and Volunteer Fire Departments.
(Intro. 9-7)

A RESOLUTION SUBMITTED BY LEGISLATOR CUSACK

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 based organizations and agencies for the purposes of assisting our youth or senior citizens, and to assist in crime fighting, emergency services, or other types of neighborhood-based service delivery, and

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

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$18,500 from the Legislature – Contractual fund (110905100830) to fund 110, Project 921, Department 301 Agency Payments & Grants – Public Benefit Services, (DAC:110921301830), for paying the following agency:

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
North Bailey Fire Department	830/1108	\$2,500
Ellicott Creek Fire Department	830/1458	\$2,500
North Amherst Fire Company	830/1459	\$2,500
Amherst Youth Board	830/0865	\$3,000
Amherst Youth Foundation	830/1454	\$2,000
Amherst Rodent Control	830/1277	\$1,000
Musical Fare Theatre Co.	830/	\$5,000

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TOTAL: \$18,500

and be it further

RESOLVED, that the Erie County Executive is hereby authorized to enter into contract the agencies 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; Jeffrey Cutler, President, North Bailey Fire Department (966 Sweet Home Road, Amherst, NY 14226); Robert McGinley, President, Ellicott Creek Fire Department (45 Ellicott Creek Road South, Amherst, NY 14228); Robert Andrews, President, North Amherst Fire Company (2200 Tonawanda Creek Road, Amherst, NY 14228); Joseph Bachovchin, Executive Director, Amherst Youth Board (Harlem Road Community Center, 4255 Harlem Road, Amherst, NY 14226); Leonard Fiegl, Senior Refuse Officer, Amherst Rodent Control (Town of Amherst Office of Refuse Control, 1042 North Forest Road, Williamsville, NY 14221); and Randy Kramer, Musical Fare Theatre Co. (4380 Main Street, Amherst, NY 14226).

Fiscal Impact: Appropriation of 2002-budgeted funds.

MS. CUSACK moved the approval of the resolution. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

Item 37 – MR. McCARVILLE presented the following resolution and moved for immediate consideration. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 192

Re: Funding for Community Organizations.
(Intro. 9-8)

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

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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 \$42,250 from the Legislature – Contractual fund (110905100830) to fund 110, Project 921, Department 301 Agency Payments & Grants – Public Benefit Services, (DAC:110921301830), for paying the following agency:

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
Aurora Adult Day Care	830/0510	\$1,500
Aurora Post #362 – American Legion	830/1481	\$3,000
Blossom Garden School	830/1508	\$2,000
Boston Fire Department	830/1471	\$1,250
Boston Historical Society	830/1480	\$1,000
Colden Fire Company	830/1253	\$2,000
Town of East Aurora (Historical Society)	830/0446	\$1,000
East Aurora Police Department	830/1252	\$2,500
Explore & More	830/1037	\$1,000
North Collins Historical Society	830/1204	\$1,000
Helmuth Control Mutual Aid Chiefs	830/1237	\$2,500
Langford/New Oregon Vol. Fire Co.	830/0785	\$1,000
L.K. Painter Community Center	830/0550	\$3,000
North Boston Fire Company	830/1472	\$1,250
Orchard Park Police Department (D.A.R.E.)	830/1418	\$500
Town of Orchard Park (Historical Society)	830/0463	\$1,000
Orchard Park Lacrosse	830/	\$2,000
Orchard Park Little Loop Football	830/1470	\$2,000
Orchard Park Senior Center	830/1208	\$2,000
Patchin Fire Company	830/1206	\$1,250
Ten Lives Club	830/	\$500
Farnham Fire Department	830/1449	\$1,000
Gowanda Fire Department	830/1450	\$2,000
Town of North Collins	830/0461	\$3,000
North Collins Fire Company	830/1452	\$1,000
West Falls Volunteer Fire Co.	830/0787	\$2,000
TOTAL		\$42,250

and be it further

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

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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; Diane Hansen, Aurora Adult Day Care, 101 King Street, Suite B, East Aurora, NY 14052); Aurora Post #362 – American Legion; James Hall, Blossom Garden School, (13961 Sission Highway, Collins, NY 14034); Boston Fire Department: Boston Historical Society; Colden Fire Company; Town of East Aurora (Historical Society); Exployme & More; North Collins Historical Society; Helmouth Control Mutual Aid Chiefs; Landford New Oregon Volunteer Fire Company; L.K. Painter Community Center; North Boston Fire Company; Orchard Park Police Department DARE; Town of Orchard Park Historical Society; Orchard Park Lacrosse (OPLAX); Orchard Park Little Loop Football (OPLFF, Inc); Orchard Park Senior Center; Patchin Fire Company; Ten Lives Club; Farnham Fire Department; Gowanda Fire Department; Town of North Collins; North Collins Fire Company; West Falls Volunteer Fire Co.

Fiscal Impact: Appropriation of 2002- budgeted funds

MR. McCARVILLE moved the approval of the resolution. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

Item 38 – MR. McCARVILLE presented the following resolution and moved for immediate consideration. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 193

Re: Funding for Community Organizations.
(Intro. 9-9)

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

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RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$52,500 from the Legislature – Contractual fund (110905100830) to fund 110, Project 921, Department 301 Agency Payments & Grants – Public Benefit Services, (DAC:110921301830), for paying the following agency:

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
Boys & Girls Club of Orchard Park	830/0674	\$10,000
Boys & Girls Club of East Aurora	830/0673	\$7,500
Brant Volunteer Fire Company	830/0791	\$3,000
Collins Center Volunteer Fire Company	830/0790	\$5,000
Collins Volunteer Fire Co.	830/0789	\$5,000
Drum Corps International	830/1091	\$5,000
Friends of Emery Park	830/	\$5,000
Lawtons Fire Department	830/1451	\$4,000
Village of North Collins	830/0462	<u>\$8,000</u>
TOTAL		\$52,500

and be it further

RESOLVED that the Erie County Legislature does hereby approve the transfer of \$9,500 from Legislature – Contractual Expense (DAC: 110905100830) to Fund 820, Project 973, Department 420 Library (DAC: 820973420830), for payment to the following branches:

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
North Collins Memorial	830/0172	\$4,000
Orchard Park Public	830/0173	\$2,500
Aurora Town Public -West Falls Branch	0830/0158	\$3,000
TOTAL		\$9,500

RESOLVED, that the Erie County Executive is hereby authorized to enter into contract 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; Bill Gehen, Orchard Park Boys & Girls Club (25 South Lincoln, Orchard Park, NY 14127); Gary Schutrum, Boys & Girls Club of East Aurora (P.O. Box 36); Clark Rice, President, Brant Volunteer Fire Company (Brant Farnum Road, Brant, NY 14027); Collins Center Volunteer

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Fire Company, Mike Finch (3514 Main Street, P.O. Box 461, Collins Center, NY 14035); Frank Kusiowski, Collins Volunteer Fire Company (2365 Main Street, P.O. Box 361, Collins, NY 14034); Jack Gaylord, Jr., Drum Corps International (13419 Quaker Street, Collins, NY 14034); Friends of Emery Park; Timothy Spierto, President, Lawtons Fire Department (P.O. Box 84, Gowanda State Road, Lawtons, NY 14091); Mike Enders, Village of North Collins DPW (10543 Main Street, P.O. Box 459, North Collins, NY 14111-0459); North Collins Public Library; Orchard Park Library; Aurora Town Library - West Falls Branch.

Fiscal Impact: Appropriation of 2002- budgeted funds

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

CARRIED UNANIMOUSLY.

- **DELETE the second RESOLVED clause in its entirety, and REPLACE with:**

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$9,500 from the Legislature – Contractual Expense (DAC: 110905100830) to General Fund, Interfund Transfers, Interfund-Library (DAC 1109253208864200), and be it further

RESOLVED, that the Erie County Library Budget is hereby amended, to increase the following account: Interfund-Subsidy revenue (DAC 8209734206863200) \$9,500, and be it further

RESOLVED, that the Erie County Library Budget is hereby amended, to increase the following accounts: Collins Memorial (DAC 8209734208300172) \$4,000, Orchard Park Public (DAC 8209734208300173) \$2,500, and Aurora Town Public -West Falls Branch (DAC 8209734208300158) \$3,000, and be it further

- **DELETE the fourth RESOLVED clause in its entirety, and REPLACE with:**

RESOLVED, that the Clerk of the Legislature, the Director of the Buffalo & Erie County Public Library, 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

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

CARRIED UNANIMOUSLY.

COMMUNICATIONS DISCHARGED FROM COMMITTEE

Item 39 – MR. LARSON moved to discharge the FINANCE & MANAGEMENT COMMITTEE from further consideration of Comm. 8E-16. MR. GREENAN seconded.

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CARRIED UNANIMOUSLY.

RESOLUTION NO. 194

Re: Grant Programs – Authorization to Contract.

WHEREAS, the following grant programs are included in Book B of the 2002 Adopted Budget, and

WHEREAS, the 2002 Adopted Budget resolutions require legislative approval for the County Executive to enter into contracts with grantor agencies for the purpose of receiving grants awarded or budgeted for fiscal 2002.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into contracts with grantor agencies for the purpose of receiving grants, following review and approval by the Director of Budget, Management and Finance with respect to the availability of State and/or Federal funds, for the following grant programs which commence on April 1, 2002:

<u>Department</u>	<u>Grant Program</u>	<u>2002 Budget Book B Page No.</u>
140 - District Attorney	Aid to Prosecution	23
140 - District Attorney	Comprehensive Assault, Abuse and Rape Unit (CAAR)	23
140 - District Attorney	Multijurisdictional Program	25
140 - District Attorney	Motor Vehicle Theft and Insurance Fraud Prevention	25*
650 - CPS	Aid to Crime Labs Program	65
650 - CPS	Aid to Law Enforcement Program	65
650 - CPS	Aid to Localities - Laboratory Funding	65

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650 - CPS	DNA Lab Assistance Program	66
150 - Sheriff	Unified Court Security	85
260 - Probation	Aid to Localities - Indigent Defense	102
260 - Probation	Anti-Drug Abuse Grant	102
270 - Health	Working with Wellness Program	121
270 - Health	Tobacco Control and Prevention Program Supplemental Grant	121*
270 - Health	Medical Examiner Toxicology Laboratory Aid	122
270 - Health	Enhanced Drinking Water Protection Program	122
270 - Health	Comprehensive Community Based Tobacco Control and Prevention Program	123*
270 - Health	Healthy Heart Worksite Wellness	123
270 - Health	Western New York Coalition for Diabetes Prevention	124**
270 - Health	Water Quality Program	124
270 - Health	Healthy Women's Partnership	124
270 - Health	HIV/STD Support Services	126
270 - Health	Immunization Action Plan	126
270 - Health	Public Health Campaign	127

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270 - Health	Women's Health Services	128
200 - Social Services	Legal Assistance to the Disabled	279
620 - Env. & Plg.	Home Rehabilitation Program	441
620 - Env. & Plg.	Community Development - 28th Year	441

* Begins 6/1/02

** Begins 3/31/02

and be it further

RESOLVED, that the Director of Budget, Management and Finance is hereby authorized to adjust items of appropriations and revenues which may be impacted by decreases in Federal or State aid, and be it further

RESOLVED, that certified copies of this resolution be forwarded to the following departments: Central Police Services, District Attorney, Sheriff, Probation, Health, Social Services, Law, Environment and Planning, the Office of the Comptroller and the Division of Budget, Management and Finance.

MR. LARSON moved the approval of the resolution. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

Item 40 – MR. LARSON moved to discharge the FINANCE & MANAGEMENT COMMITTEE from further consideration of Comm. 8E-21. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 195

Re: Erie County Division of Real Property Tax Services: Municipal Cooperation Agreement with the Town of Grand Island for the Provision of Assessment Services; Personal Services Agreements for Assessment Services.

WHEREAS, RPTL § 1537(4) authorizes municipalities which have adopted a resolution subject to permissive referendum providing a single appointed successor to enter into an agreement with a county for assessment services; and

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WHEREAS, the TOWN OF GRAND ISLAND ("TOWN") has duly adopted a resolution authorizing such agreement in accordance with RPTL § 1537(4); and

WHEREAS, the TOWN has requested that the COUNTY OF ERIE ("COUNTY") enter into a municipal cooperation agreement with the TOWN pursuant to General Municipal Law Article 5-G whereby the COUNTY is willing to provide such services through an employee or personal services contractor of the Erie County Real Property Tax Service Office designated to act as the TOWN's sole assessor for the 2002-2003 assessment year; and

WHEREAS, in consideration of the assessment services to be provided by the COUNTY hereunder, the TOWN agrees to pay the COUNTY the sum of \$ 25,000.00, which sum shall be paid to the COUNTY in six equal installments due on May 1, 2002, July 1, 2002, September 1, 2002, November 1, 2002, January 1, 2003 and March 1, 2003; and

WHEREAS, in order to provide assessment services to the TOWN, the COUNTY shall engage the services of a New York State certified assessor and a New York State certified appraiser, and both the certified assessor and the certified real property appraiser shall be independent contractors of the County.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Executive is authorized to enter into a municipal cooperation agreement with the TOWN wherein the COUNTY will provide assessment services to the TOWN for the 2002-2003 assessment year; and be it further

RESOLVED, that the Erie County Executive is authorized to enter into a personal services agreement with DAVID M. UNMACK, an independent contractor and New York State certified assessor, to assist the County in performing assessment services for the TOWN; and be it further

RESOLVED, that the COUNTY shall pay DAVID M. UNMACK for assessment services rendered hereunder the agreed rate of \$ 55.00 per hour, not to exceed a maximum aggregate of 360 hours (or \$ 19,800.00); and be it further

RESOLVED, that the Erie County Executive is authorized to enter into a personal services agreement with CHARLES L. SCHIFFLER, an independent contractor and New York State certified real property appraiser, to assist the County in performing assessment services for the TOWN; and be it further

RESOLVED, that COUNTY shall pay CHARLES L. SCHIFFLER the agreed rate of \$ 35.00 per hour, not to exceed a maximum aggregate of 40 hours (or \$ 1,400.00); and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Erie County Executive, the Department of Law, the Erie County Real Property Tax Service Office, Division of Budget, Management and Finance, and the Office of the Comptroller.

MR. LARSON moved the approval of the resolution. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

Item 41 – MR. RANZENHOFER moved to the discharge the ECONOMIC DEVELOPMENT COMMITTEE from further consideration of Comm. 8E-26. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 196

Re: Aldrich Street, CR 503-1A Village of
Gowanda Village Multi-Modal Safety
Enhancements Funding Request.

WHEREAS, the Village of Gowanda has adopted a resolution authorizing the Village to enter into an agreement with the County of Erie for Multi-Modal Safety Enhancements from the County's Aldrich Street Bridge, along Aldrich Street (CR 503-1A), to the new Aldrich Street Primary School, and

WHEREAS, the involvement of the County will be approximately one third of the cost of this project or \$10,000, and

WHEREAS, this participation by the County will allow this project to be advanced and provide for the safety of the traveling public.

NOW, THEREFORE BE IT

RESOLVED, that the County of Erie agrees to pay the Village of Gowanda for their share in the participation in the Multi-Modal Safety enhancements along Aldrich Street, CR 503-1A in the amount of \$10,000, and be it further

RESOLVED, that an amount of \$10,000 be allocated from the 1999 Consolidated Highway Improvement Program (CHIPS) (SFG 139) for construction costs and contingencies, and be it further

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

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

CARRIED UNANIMOUSLY.

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Item 42 - MR. RANZENHOFER moved to discharge the ECONOMIC DEVELOPMENT COMMITTEE from further consideration of Comm. 8E-27. MS. CHASE seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 197

Re: Acquiring Property For East Church Street
Bridge Town of Eden.

WHEREAS, the Erie County Department of Public Works is planning to reconstruct the East Church Street Bridge ("Bridge") over South Branch of Eighteen Mile Creek in the Town of Eden,
and

WHEREAS, in order to facilitate the reconstruction of the Bridge, it will be necessary for the County to acquire temporary easement portions of real property in the vicinity of the Bridge, such property to be acquired by the County is hereinafter referred to as the "Subject Properties", and

NOW, THEREFORE, BE IT

RESOLVED, that the Commissioner of Public Works, or her authorized representatives are hereby authorized to negotiate with the owners of the following properties towards acquiring a portion of their real property by temporary easement which is necessary for the Bridge reconstruction project.

TAX MAP NUMBER

TOWNSHIP

239.00-2-30.1

Eden

239.00-2-34

Eden

and be it further

RESOLVED, that the expenses of acquiring the Subject Properties shall be derived from funds previously appropriated by the County Legislature for the Right-of-Way Incidentals and Right-of-Way Acquisition Phases for the Bridge project, such appropriations having been made by Resolution Communication 6D-25 on April 29, 1999, and be it further

RESOLVED, that certified copies of this resolution shall be sent to the County Executive, County Attorney, Commissioner of Public Works, Division of Budget, Management & Finance, and the Office of the Comptroller.

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

CARRIED UNANIMOUSLY.

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Item 43 – MR. McCARVILLE moved to discharge the GOVERNMENT AFFAIRS COMMITTEE from further consideration of Comm. 8E-14. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 198

Re: Division of Equal Employment Opportunity
– Variable Minimum.

WHEREAS, it is necessary to recruit in job group 10, step 3 for the position of Minority Business Enterprise Coordinator in the division of Equal Employment Opportunity in order to attract a qualified and experienced candidate.

NOW, THEREFORE, BE IT

RESOLVED, that a variable minimum of Job Group 10, Step 3, is hereby authorized for the position of Minority Business Enterprise Coordinator in the Division of Equal Employment Opportunity, there being funds available in the personal services appropriations of the aforementioned administrative unit, and be it further

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

MR. McCARVILLE moved the approval of the resolution. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

Item 44 – MR. WEINSTEIN moved to discharge the REGIONALISM AD HOC COMMITTEE from further consideration of Comm. 6E-10. MR. GREENAN seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 199

Re: Erie County and Niagara County Niagara
Power Project Relicensing Consensus Initiative.

WHEREAS, Erie County is a major recipient of inexpensive power from the Niagara Power Project that directly supports in excess of 50,000 regional manufacturing jobs; and

WHEREAS, Erie County's businesses and residents enjoy the economic benefits of this resource and view this power allocation as essential to their future economic well being; and

WHEREAS, the Niagara Power Project is a regional asset that should be expanded to benefit the citizens of Western New York first; and

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WHEREAS, Erie County and Niagara County wish to enter into an intermunicipal cooperation agreement in an amount not to exceed \$50,000 with Niagara County for Niagara Power Project Relicensing Consensus Committee Initiatives.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter into an intermunicipal cooperation agreement in an amount not to exceed \$50,000 with Niagara County for Niagara Power Project Relicensing Consensus Committee Initiatives, and be it further

RESOLVED, that the sum of \$50,000 is hereby transferred from the Regionalism/Economic Development Fund (DAC 110 9043038301299) to a new subaccount under Account 830, Contractual Agencies, in the budget of the Department of Environment and Planning, and be it further

RESOLVED, that Erie County fully endorses the alternative relicensing process as a means to expedite the New York Power Authority's license to operate the Niagara Power Project and to further the long-term economic interests of Erie County and the region, 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; and Gregory J. Dudek, Assistant County Attorney.

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

CARRIED UNANIMOUSLY.

SUSPENSION OF THE RULES

Item 45 – MR. RANZENHOFER moved for a suspension of the rules to include an item not on the agenda. MR. GREENAN seconded.

GRANTED.

RESOLUTION NO. 200

Re: Donation of County Surplus Inventory to
Town of Newstead. (Intro. 9-10)

A RESOLUTION SUBMITTED BY LEGISLATOR RANZENHOFER

Whereas, from time to time, the County of Erie donates surplus equipment to local organizations and governments, and

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Whereas, the County of Erie has six used chairs that have been deemed to be surplus and have little value, and

Whereas, it is the intention of the Erie County Legislature to donate the aforementioned six chairs, free of cost, to the town of Newstead

Now, therefore, be it

Resolved, that the Erie County Legislature authorizes the transfer ownership of six surplus chairs at no cost to the Town of Newstead and be it further

Resolved, certified copies of this resolution be forwarded to the County Executive, County Comptroller, Budget Director and County Attorney.

Fiscal Impact: none.

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

CARRIED UNANIMOUSLY.

COMMUNICATIONS FROM ELECTED OFFICIALS

FROM THE COUNTY CLERK

Item 46 – (Comm. 9E-1) 2001 Annual Report.

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM LEGISLATOR SWANICK

Item 47 – (Comm. 9E-2) Copy of Letter to Legislature Parliamentarian Re: Legal Opinion Concerning Chairman’s Decision to R&F on His Own Motion.

Received and filed.

FROM THE COMPTROLLER

Item 48 – (Comm. 9E-3) Letter to Chairman DeBenedetti Re: Legislative “Pork” Funding – Town Boys & Girls Club.

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

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FROM THE COUNTY EXECUTIVE

Item 49 – MR. GREENAN presented the following resolution and moved for immediate consideration. MR. RANZENHOFER seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 201

Re: Appointment to ECSD Board No. 5.
 (Comm. 9E-4)

RESOLVED, that the Erie County Legislature does hereby confirm the appointment of the Honorable Michael G. McGuire, Deputy Supervisor, Town of Amherst, Amherst Town Hall, 5583 Main Street, Williamsville, New York 14221 to the Board of Managers for the Erie County Sewer District #5.

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

CARRIED UNANIMOUSLY.

FROM LEGISLATOR WEINSTEIN

Item 50 – (Comm. 9E-5) Letter to Clerk of Legislature Re: Abstention on Comm 5E-50.

Received and filed.

FROM LEGISLATOR HOLT

Item 51 – (Comm. 9E-6) Notice of Absences from Economic Development & Human Services Committees Held 4/18/02.

Received and filed.

FROM THE COUNTY EXECUTIVE

Item 52 – (Comm. 9E-7) Available Balances as of 12/31/01 that Have Been Reappropriated in 2002 Budget.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM LEGISLATOR DALE

Item 53 – (Comm. 9E-8) Copy of Letter to Chairman DeBenedetti Re: Extra 1% Sales Tax.

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Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM CHAIRMAN DeBENEDETTI

Item 54 – (Comm. 9E-9) Letter to Clerk of Legislature Re: Amendment of the Rules of Erie County Legislature.

Item 55 – (Comm. 9E-10) Copy of Letter to Legislator Swanick Re: Requests Accounting for 392,000 Sheets of 11x 17 Paper.

The above two items were received and filed.

FROM THE COMPTROLLER

Item 56 – (Comm. 9E-11) Service Charge for NSF Checks.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM LEGISLATOR SWANICK

Item 57 – (Comm. 9E-12) Copy of Letter to Chairman DeBenedetti Re: Response to Comm 9E-10.

Item 58 – (Comm. 9E-13) Original of 9E-12.

The above two items were received and filed.

FROM THE COUNTY EXECUTIVE

Item 59 – (Comm. 9E-14) Ontario Ministry of Natural Resources “Proposal for Managing the Sport Fishery for Muskellunge in Ontario” (2/19/02).

Item 60 – (Comm. 9E-15) Copy of Letter to NYSDEC Re: Boat Launch Facilities in Erie County.

The above two items were received and filed.

FROM LEGISLATOR SCHROEDER

Item 61 – MR. SCHROEDER presented the following resolution and moved for immediate consideration. MR. SWANICK seconded.

CARRIED UNANIMOUSLY.

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RESOLUTION NO. 202

Re: Letter to Clerk of Legislature Re: Vote on
Comm 8E-10 (2002) Changed to Aye.
(Comm. 9E-16)

April 22, 2002

The Honorable Laurie A. Manzella
Clerk
Erie County Legislature
25 Delaware Ave., 7th Floor
Buffalo, NY 14202

RE: CHANGE OF VOTE - COMM. 8E-10 (2002)

Dear Madam Clerk:

At the Legislature's April 4 session, I cast my vote in the negative on the above-referenced item, which concerned the awarding of a contract with reference to repair work along Kenmore Avenue near and along the border of the town of Tonawanda and the city of Buffalo.

I cast my vote in the negative because very shortly in advance of the vote on this matter, I was supplied with information from a business owner from my legislative district who had bid competitively on the work to be awarded through this vote. This person raised concerns about the bid process and about other factors associated with the awarding of this contract to another vendor. Accordingly, absent more detailed information from the Commissioner of Public Works, I cast my vote in the negative.

Although not joining me in opposition to the measure, several members expressed an interest in obtaining more information about irregularities in the bid procedure. Despite the best efforts of all those involved, it appears as though this dispute will require more extensive discussion.

That said, I am committed to ensuring that the Legislature speaks in one clear and unequivocal voice in support of the GM Powertrain expansion. Accordingly, I will seek to change my vote to an affirmative or "aye" vote.

The GM expansion project is about one thing: local jobs with good wages for local working families. I know that all of our members -17 strong -support this concept fully, and that's why I will seek to change my vote.

Therefore, in accordance with Rule 33 of the Rules of the Erie County Legislature, I hereby inform you, as Clerk, of my intention to make a motion to change my vote on the aforementioned item, and will seek permission from the Legislature on April 25, 2002 for the same.

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Very truly yours,

MARK J. F. SCHROEDER
Erie County Legislator
2nd District

MR. SCHROEDER moved the approval of the resolution. MR. SWANICK seconded.

CARRIED UNANIMOUSLY.

FROM LEGISLATOR SWANICK

Item 62 – (Comm. 9E-17) Letter to Clerk of Legislature Re: Rule 24 (Abstentions) of the Erie County Legislature.

Received and filed.

FROM THE COUNTY EXECUTIVE

Item 63 – (Comm. 9E-18) ECSD No. 6 – Contract Close Out – Janik Paving & Construction.

Item 64 – (Comm. 9E-19) ECSD No. 5 – Contract Close Out – Kandey Company.

Item 65 – (Comm. 9E-20) ECSD No. 5 – Contract Close Out – Weydman Electric.

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

Item 66 – (Comm. 9E-21) Parks – Personnel Adjustment – Receptionist.

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

Item 67 – (Comm. 9E-22) Sponsorship of County Parks Events.

Item 68 – (Comm. 9E-23) NYSERDA's Cooling Re-Commissioning Program – PON 3550 – ECMC.

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

Item 69 – (Comm. 9E-24) Award of Audit Services – Utilities & Lease of Real Property.

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

MEETING NO. 9**April 25, 2002****ERIE COUNTY LEGISLATURE**

Item 70 – (Comm. 9E-25) Health – Women’s Health Services Program 4/1/01 – 3/31/02
Project No. 493.

Item 71 – (Comm. 9E-26) Health – Metropolitan Medical Response System Grant 10/1/00 –
5/31/02 Project No. 596.

Item 72 – (Comm. 9E-27) Health – Western Regional Training Grant 7/1/01 – 6/30/02
Project No. 505.

Item 73 – (Comm. 9E-28) Health – Immunization Action Plan 4/1/02 – 3/31/03 Project No.
708.

Item 74 – (Comm. 9E-29) Health – Public Health Laboratory Transfer of Funds.

The above five items were received and referred to the HUMAN SERVICES COMMITTEE.

Item 75 – (Comm. 9E-30) ECSD No. 6 – A/E Agreement Dated 6/24/93 – Engineering
Change Order “E” – Malcolm Pirnie.

Item 76 – (Comm. 9E-31) ECSD No. 2 – A/E Agreement Dated 9/11/96 – Engineering
Change Order No. 4 – Stearns & Wheler.

Item 77 – (Comm. 9E-32) EC/Southtowns Sewage Treatment Agency – Engineering Service
Agreement – Phase I – Stearns & Wheler.

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

Item 78 – (Comm. 9E-33) Regional Tourism Activities & Special Community Events.

Received and referred to the REGIONALISM AD HOC COMMITTEE.

Item 79 – (Comm. 9E-34) Performance Contracting Program – Award of Preliminary Energy
Audit Work.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

Item 80 – (Comm. 9E-35) Emergency Services – Acceptance of Funds from FEMA for
Federal Disaster Declaration No. 1391 for Assistance to NYC as a Result of 9/11/01.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

MEETING NO. 9**April 25, 2002****ERIE COUNTY LEGISLATURE**

Item 81 – (Comm. 9E-36) Social Services – Community Transportation Pilot Program.

Received and referred to the HUMAN SERVICES COMMITTEE.

Item 82 – (Comm. 9E-37) Appointment to EC Youth Services Board.

RECEIVED, FILED & PRINTED.

April 23, 2002

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

Re: Appointment to Erie County Youth Services Board

Honorable Members:

I, Joel A. Giambra, Erie County Executive, pursuant to Section 11-F-03 of the Erie County Code, do hereby appoint the following individual to the Erie County Youth Services Board for the term stated.

TERM EXPIRES

Johanna M. Mucciarelli
204 Irving Terrace
Kenmore, NY 14223

December 31, 2003

Respectfully submitted,

JOEL A. GIAMBRA
ERIE COUNTY EXECUTIVE

JAG:bmc

cc: Appointee

Commissioner George Alexander, Dept. of Probation/Youth Services
Joseph Abdallah, Deputy Commissioner of Youth Division

Johanna M. Mucciarelli

204 Irving Terrace - Kenmore, New York 14223 - (716) 875-8433 – JohannaMuc@aol.com

Objective

A professional sales position enabling me to apply my solid sales and small business management experience.

Summary of Qualifications

- **Entrepreneurial.** Career transferable skills developed managing a successful real estate business, auto repair and collision service.
- **Bottom line oriented.** An accountant by degree and training with four years experience in financial analysis and corporate accounting.
- **Energetic and enthusiastic.** A quick study adept at learning new skills fast, anxious to make a career change.
- **Sales savvy** with a knack for reading people, evaluating sales situations, presenting effectively and closing the deal.
- **Confident.** Self motivated and self assured comfortable making cold calls and confident in pressure situations.
- **Consultative selling.** A solid sales producer and effective presenter adept at building rapport quickly and quietly closing sales.
- **Approachable.** Low key, yet highly effective. A personality to which people naturally gravitate.
- **Hard working and dedicated** with a solid sense of organization, detail and what it takes to build sales and manage a successful business.

Knowledge Base

Financial accounting - Mortgage banking - Relationship selling - Sales management - Home renovation/rehab - New construction - Small business management - Procedure writing

Employment

SERVICE SALES REPRESENTATIVE
 SimplexGrinnell

2001-Present
 Williamsville, NY

Promote and sell various service offerings to end-users of fire alarm, security, sound and communication equipment. Develop customer relationships. Determine customer needs and develop a sales strategy to meet objectives. Excellent communication skills required to meet goals and objectives.

BUSINESS MANAGER

1998-2001

Gabe's Collision Service, Inc.

Cheektowaga, NY

Village Import Auto Sales and Service, Inc.

Williamsville, NY

Manage day-to-day business affairs for two family-owned auto service businesses grossing over \$3.0 million annually. Oversee all financial matters including receivables and payables, credit and collections, and vendor relations.

- Applied strong accounting and sales background to improving daily operations and profitability of both enterprises. Identified economies of scale and cost saving opportunities, while reducing waste and mismanagement.
- Generated tens of thousands of dollars in savings in a very price competitive market by negotiating aggressively with vendors to obtain payment term discounts, saving over \$10,000 in one year.
- Hire and interview prospective staff members, manage payroll and monitor sales:

SALES PROFESSIONAL

1987-2001

M.J. Peterson Real Estate

Tonawanda, NY

Sold residential real estate for this entrepreneurial realty company. Starting from scratch, cold called and networked to develop an extensive referral network. Coach and counsel prospective buyers and sellers. Manage corporate relocations.

- A steady producer: **\$2.0 million plus annual Sales**--consistently, year in and year out.
- **Customer driven.** A confident closer consistently recognized by clients for extreme credibility, trustworthiness and energy.
- **Solid business sense.** Proficient at resurrecting dead deals and saving floundering transactions.
- **Presentation skills you can't teach.** Adept at effective listening, discernment and testing understanding--critical factors in sales success.

Early Career Experience

CORPORATE ACCOUNTANT

1986-1987

PROCEDURES ANALYST

1984-1986

Goldome Federal Savings Bank

Buffalo, NY

STAFF ACCOUNTANT

1983-1984

Goldome Realty Credit Corporation

Buffalo, NY

Additional Skills

- > New account development
- > Lead generation and cold calling
- > Territory management
- > Sales presentations
- > Interior design and decorating
- Fluent in Italian

Outside Activities

Theater – Travel - Roller blading – Biking - Teaching Italian

Education

<u>BACHELOR OF SCIENCE</u>	1983
<i>Canisius College</i>	Buffalo, NY

Item 83 – (Comm. 9E-38) Ralph Wilson Stadium 2002 Improvements – Outdoor Artificial Grass Practice Field – Sub-Base & Drainage.

Item 84 – (Comm. 9E-39) Environmental Engineering Services – Various Projects.

Item 85 – (Comm. 9E-40) Grover Cleveland Park Water System Improvements – Phase I.

Item 86 – (Comm. 9E-41) Award of Contract & Supplemental for Construction Inspection Services – Glenwood-East Concord Road Bridge, Town of Concord.

Item 87 – (Comm. 9E-42) Buffalo & Erie County Public Library – Emergency Generator Replacement.

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

Item 88 – (Comm. 9E-43) Sale of County Owned Inventory – Phelps Avenue, Town of Hamburg.

Item 89 – (Comm. 9E-44) Sale of County Owned Inventory – Fairfax Drive, Town of West Seneca.

Item 90 – (Comm. 9E-45) County Owned Inventory to be Sold at Public Auction.

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

Item 91 – (Comm. 9E-46) Personnel – Variable Minimum – Interne Personnel Specialist.

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

Item 92 – MR. GREENAN presented the following resolution and moved for immediate consideration. MR. RANZENHOFER seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 203

Re: ECMC – Capital Funding for
Electrophysiology Lab. (Comm. 9E-47)

WHEREAS, the Erie County Medical Center is home to a state-of-the-art Cardiac Care Center that features the most advanced digital technology available; and

WHEREAS, this investment in ECMC's cardiac care program has given ECMC a competitive edge in delivering high quality heart care to patients in Erie County and throughout Western New York; and

WHEREAS, the fastest growing specialty today in the field of cardiovascular medicine is in Electrophysiology, which involves the evaluation and management of cardiac rhythm disturbances; and

WHEREAS, hospitals that offer Electrophysiology service as part of their Cardiovascular program are generally recognized as cardiovascular centers of excellence; and

WHEREAS, the creation of a state-of-the-art Electrophysiology Lab at ECMC is the next logical step in developing ECMC's Cardiac Care Program into a cardiovascular center of excellence; and

WHEREAS, the ECMC management has put together a detailed business plan that estimates a total capital cost of creating a functioning Electrophysiology Lab on the 12th floor at \$595,000; and

WHEREAS, using conservative projections of Electrophysiology Lab utilization the ECMC management business plan has determined that the investment can be recouped in the first year; and

WHEREAS, on March 26, 2002 the JCC Planning Committee of the ECMC Board of Managers voted unanimously to support the securing of Tobacco Settlement proceeds to fund the estimated \$595,050 capital investment to establish an Electrophysiology Lab at ECMC; and

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WHEREAS, the JCC resolution was approved by the ECMC Board of Managers at their meeting on April 11, 2002;

NOW, THEREFORE, BE IT,

RESOLVED, that the 2002 Erie County Capital Budget for the Erie County Medical Center is hereby amended to include the utilization of \$595,000 in Tobacco Settlement funding to finance the renovation of space and to purchase state-of-the-art equipment for the purpose of establishing an Electrophysiology Lab at the Erie County Medical Center; and be it further

RESOLVED, that the Erie County Legislature authorizes the financing of an Electrophysiology Lab at the Erie County Medical Center with \$595,000 in Tobacco Trust Fund proceeds; and be it further

RESOLVED, that certified copies of this resolution be forwarded to County, Executive Joel Giambra, County Comptroller Nancy Naples, Joseph Passafiume, Director of Budget, Management and Finance, and Sheila K. Kee, Chief Executive Officer, Erie County Medical Center.

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

CARRIED UNANIMOUSLY.

Item 93 – (Comm. 9E-48) ECSD – Transfer of Funds.

Item 94 – (Comm. 9E-49) Contract – Rural Van Transportation Service Expansion & New Van Purchase.

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

COMMUNICATIONS FROM THE DEPARTMENTS**FROM ECMC**

Item 95 – (Comm. 9D-1) Notice of Board of Managers Meeting Held 4/1/02.

Item 96 – (Comm. 9D-2) Notice of JCC/Planning Committee Meeting Held 4/13/02.

Item 97 – (Comm. 9D-3) Notice of Meeting Held 4/11/02 & Minutes of Previous Meeting.

Item 98 – (Comm. 9D-4) Notice of Finance Committee Meeting to be Held 4/26/02.

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The above four items were received and filed.

FROM BUDGET, MANAGEMENT & FINANCE

Item 99 – (Comm. 9D-5) Letter to Legislator Cusack Re: ECC Retirement Costs (Comm 26E-17).

Received and filed.

FROM THE BUFFALO & ERIE COUNTY PUBLIC LIBRARY

Item 100 – (Comm. 9D-6) Notice of Meeting Held 4/18/02 & Agenda.

Received and filed.

FROM THE LEGISLATURE PARLIAMENTARIAN

Item 101 – (Comm. 9D-7) Letter to Legislator Swanick from Parliamentarian Re: Response to Comm 9E-2.

Received and filed.

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES

FROM THE EC MENTAL HYGIENE COMMUNITY SERVICES BOARD

Item 102 – (Comm. 9M-1) Notice of Meeting Held 4/18/02 & Minutes of Previous Meeting.

Received and filed.

FROM NYSDEC

Item 103 – (Comm. 9M-2) Fact Sheet – Former NL Industries.

Received and filed.

FROM THE EC ENVIRONMENTAL MANAGEMENT COUNCIL

Item 104 – (Comm. 9M-3) Notice of Meeting Held 4/16/02 & Agenda.

Received and filed.

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FROM ASSEMBLYMAN BURLING

Item 105 – (Comm. 9M-4) Receipt of Resolution.

Received and filed.

FROM THE BUFFALO NEWS

Item 106 – (Comm. 9M-5) Buffalo News Article.

Received and filed.

FROM THE REGION 9 FOREST PRACTICE BOARD

Item 107 – (Comm. 9M-6) Minutes of Meeting Held 4/11/02.

Received and filed.

FROM THE TOWN OF EDEN

Item 108 – (Comm. 9M-7) Resolution Against Proposed Increase in Local Government Records Management Improvement Fund.

Received and filed.

FROM THE NFTA

Item 109 – (Comm. 9M-8) Board Minutes from Meeting Held 3/19/02.

Received and filed.

FROM NYSDEC

Item 110 – (Comm. 9M-9) Fact Sheet – State Announces Plan for Buffalo Outer Harbor Brownfield Site.

Received and filed.

MEMORIAL RESOLUTIONS

Item 111 – Legislator DeBenedetti requested that when this legislature adjourns, it do so in memory of the four Canadian soldiers who died.

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Item 112 – Legislator Peoples requested that when this legislature adjourns, it do so in memory of J. Carl Bland.

Item 113 – Legislator Peoples requested that when this legislature adjourns, it do so in memory of Dylan Isiah Darling.

Item 114 – Legislator Dusza requested that when this legislature adjourns, it do so in memory of Margaret Sciera.

Item 115 – Legislator DeBenedetti requested that when this legislature adjourns, it do so in memory of Walter Mikulski.

ADJOURNMENT

Item 126 – At this time, there being no further business to transact, the Chairman announced that the Chair would entertain a Motion to Adjourn.

MR. GREENAN moved that the Legislature adjourn until 2 p.m. Thursday, May 9, 2002.
MR. SWANICK seconded.

CARRIED UNANIMOUSLY.

The Chairman declared the Legislature adjourned until Thursday, May 9, 2002 at 2 p.m. Eastern Standard Time.

LAURIE A. MANZELLA
CLERK