

ERIE COUNTY LEGISLATURE
MEETING NO. 11
June 5, 1997

The Legislature was called to order by the Chairman SWANICK.

A moment of silence was held.

The Pledge of Allegiance was led by Ms. Peoples.

The Minutes of the previous meeting were APPROVED.

RESCINDMENT:

ITEM 1 - Ms. PEOPLES moved to Rescind Int. 9-11 approved in Meeting No. 9 held on May 1, 1997. Mr. MARSHALL seconded.

CARRIED UNANIMOUSLY.

Int. 9 - 11 From: Leg. Swanick Re: Providing Cultural Events for Summertime Recreation.

RESCINDED.

MISCELLANEOUS RESOLUTIONS

ITEM 2 - MESDAMES MARINELLI, PEOPLES, FISHER, COHEN KENNEDY and MESSRS. SWANICK, KUWIK, FITZPATRICK, HOLT, OLMA, DEBENEDETTI AND DUSZA presented a resolution of congratulations to Lana Benatovich, Constance Eve, Honorable Barbara Howe & Sheila Kee on Receiving 1997 YWCA Outstanding Achievement Awards.

CARRIED UNANIMOUSLY.

ITEM 3 - MESDAMES MARINELLI, COHEN KENNEDY, PEOPLES & FISHER presented a resolution of congratulations to Sweet Home Volleyball Coach on Her Accomplishments. Mr. MARSHALL seconded.

CARRIED UNANIMOUSLY.

ITEM 4 - Ms. MARINELLI presented a resolution of congratulations to Sandra Hezja, Jeffrey Rickett, Steve Boyd & Mickey Ostereicher on Receiving Erie County coalition Against Family Violence Awards. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

ITEM 5 - Mr. Swanick & Ms. MARINELLI presented a resolution of congratulations to John & Mary Orlando on Their 50th Wedding Anniversary. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

ITEM 6 - Ms. COHEN KENNEDY presented a resolution of congratulations to the 1997 Graduates of ECC's Ford Asset Program. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

ITEM 7 - Mr. LARSON presented a resolution of congratulations to Court Street Elementary School on their 40th Birthday. Mr. MARSHALL seconded.

CARRIED UNANIMOUSLY.

ITEM 8 - Mr. LARSON presented a resolution of congratulations Honoring Dave Saunders as Recipient of Lancaster Lions Club's 1997 Melvin Jones Award. Mr. MARSHALL seconded.

CARRIED UNANIMOUSLY.

ITEM 9 - Mr. HOLT presented a resolution of congratulations to Jackie Robinson on his 50th Anniversary in Major League Ball. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

ITEM 10 - Ms. MARINELLI presented a resolution of congratulations Mr. William Goss Upon his Retirement from Kenmore West After Years of Service. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

ITEM 11 - Mr. RANZENHOFER presented a resolution of congratulations Marguerite Ballow Upon Her Retirement From the Clarence Schools After 25 Years of Service. Mr. MARSHALL seconded.

CARRIED UNANIMOUSLY.

ITEM 12 - Ms. CHASE presented a resolution of congratulations to Highland Elementary School's New - United States Puzzle Map Gym Floor. Mr. MARSHALL seconded.

CARRIED UNANIMOUSLY.

LOCAL LAWS:

ITEM 13 - Chairman SWANICK directed that Local Law Intro. No. 6 - (Print #1) - 1997 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

ITEM 14 - Ms. PEOPLES moved to take Local Law Intro No.7 (Print #1) 1997 from the table for immediate consideration. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

COUNTY OF ERIE
INTRO. NO. 7 - (Print #1)
1997

A LOCAL LAW in relation to amending Erie county local law number three of nineteen hundred ninety-seven in relation to increase of veterans real property tax exemptions pursuant to section 458-a of the real property tax law.

The Erie County Legislature enacts as follows:

Section 1. Section one of Erie county local law number three of nineteen hundred ninety-seven is amended to read as follows:

Section 1. Pursuant to paragraph (d) (ii) of subdivision two of section four hundred fifty-eight-a of the real property tax law, as amended by chapter four hundred seventy-seven of the laws of nineteen hundred ninety-six, the maximum exemption from taxation of qualified real property under real property tax exemption allowable to qualified veterans in Erie County under paragraphs (a), (b) and (c) of subdivision two of section four hundred fifty-eight-a of the real property tax law shall be: with respect to paragraph (a) of said subdivision, [fifteen] eighteen thousand dollars; with respect to paragraph (b) of said subdivision, [ten] twelve thousand dollars: and with respect to paragraph (c) of said subdivision, sixty thousand dollars.

Section 2. This local law shall take effect immediately.

CHARLES M. SWANICK
EDWARD J. KUWIK
GEORGE A. HOLT, Jr.
GREGORY B. OLMA
RAYMOND K. DUSZA
RANDI COHEN KENNEDY

CRYSTAL D. PEOPLES
MICHAEL A. FITZPATICK
JUDITH P. FISHER
ALBERT DEBENEDETTI
LYNN M. MARINELLI

Ms. PEOPLES moved the adoption. Ms. COHEN KENNEDY seconded.

CARRIED UNANIMOUSLY.

COMMITTEE REPORTS

ITEM 15 - Mr. DUSZA presented the following and moved for immediate consideration. Ms. PEOPLES seconded

CARRIED UNANIMOUSLY.

RESOLUTION NO. 233

MAY 20, 1997

GOVERNMENT AFFAIRS
COMMITTEE
REPORT NO. 4

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

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

	Item	Page	-1997	(Comm. 4M-17)
a.	NEW YORK STATE UNIFIED COURT SYSTEM: Camera Coverage in Old County Hall & 25 Delaware.			
	(5-0) Chairman Swanick present as ex-officio member.			

	Item	Page	-1997	(Comm. 5M-22)
b.	CITY OF BUFFALO-DEPARTMENT OF PUBLIC WORKS: Kenmore Avenue Legislative Resolution Int. 3-14.			
	(4-0)			

	Item	Page	-1997	(Comm. 9E-2)
c.	COUNTY EXECUTIVE: Position Change Report PP#9/97.			
	(4-0)			

	Item	Page	-1997	(Comm. 9E-4)
d.	MARINELLI: Copy of Letter to Executive Director of Commission on the Status of Women Re: Support for the Council's Initiatives.			
	(4-0)			

	Item	Page	-1997	(Comm. 10D-6)
e.	COUNTY ATTORNEY: Notice of Claims.			
	(4-0)			

	Item	Page	-1997	(Comm. 10E-16)
f.	COUNTY EXECUTIVE: Position Change Report PP#10/97.			
	(4-0)			

- | | Item | Page | -1997 | (Comm. 10E-18) |
|--------|--|--|-------|----------------|
| g. | COUNTY EXECUTIVE: | Filling Vacant Positions 3/97. | | |
| | (4-0) | | | |
| | Item | Page | -1997 | (Comm. 10E-19) |
| h. | COUNTY EXECUTIVE: | Filling Vacant Positions 4/97. | | |
| | (4-0) | | | |
| | Item | Page | -1997 | (Comm. 10M-12) |
| i. | TOWN OF ALDEN: | Legal Notice of Telecommunications Facilities Law. | | |
| | (4-0) | | | |
| | Item | Page | -1997 | (Comm. 10M-16) |
| j. | NIAGARA FRONTIER RADIO READING SERVICE INC.: | Copy of Letter to Legislator | | |
| Fisher | Re: Erie County and the Niagara Frontier Radio Reading Services. | | | |
| | (4-0) | | | |

- | | Item | Page | -1996 | AS AMENDED
(Int. 7-10) |
|----|---|------|-------|---------------------------|
| 2. | LARSON, DUSZA & HOLT: | | | |
| | WHEREAS, the City of Buffalo currently charges visitors for parking when they come to the city to shop or conduct business, and | | | |

WHEREAS, many economic pundits have indicated that charging potential customers for parking is detrimental to businesses attempting to attract more customers, especially in Buffalo's downtown area, and

WHEREAS, suburban malls and shopping centers have an unfair advantage over Buffalo's malls and shopping centers because patrons can park at their facilities without being charged a fee, and

WHEREAS, as recently as last year a plan was implemented which doubled the fee for parking for one hour on a Buffalo street to \$1, and

WHEREAS, a local business leader, Robert Stuart, general manager of the Main Place Mall has stated that "trying to raise money by increasing the rate of hourly parking is shortsighted", and "I think this will further cripple the office-leasing market downtown", and

WHEREAS, the City of Buffalo, which is the hub of Erie County's economic structure, should investigate how other municipalities have dealt with parking policies, and

WHEREAS, the City of Buffalo could learn from experiences of other cities and should investigate how other municipalities have dealt with parking policies, and

WHEREAS, convinced by merchants that shoppers and other visitors are cutting their visits--and their spending--short due to parking meter costs and restrictions, the City of Santa Monica, California is removing its parking meters and replacing them with attendants, and

WHEREAS, under this system, the first two hours of parking are free before 6:00 p.m. followed by a cost of 60 cents per half hour up to a \$7 maximum, and

WHEREAS, a flat rate of \$2 is charged for parking in Santa Monica after 6:00 p.m., and

WHEREAS, eventually, automated machines will replace some of the attendants, which will collect fees, thus saving costs of paying attendants, and

WHEREAS, offering 2 hours of free parking keeps Santa Monica at par with nearby suburbs and cities, and

WHEREAS, by utilizing attendants, the City of Santa Monica has not only enabled potential customers to save money, but also provided a safer environment for shopper, and

WHEREAS, financial planners in Santa Monica believe that the ease of parking will attract more shoppers, diners and movie goers, thereby generating a higher sales tax to offset losses incurred by revamping the parking codes, and

WHEREAS, published articles have indicated that the City of Buffalo often has trouble enforcing parking laws because meters have been jammed or people have escaped detection, and

WHEREAS, cities such as New Hope, Pennsylvania and New York City are testing new innovations such as the "intelligent" meter which are used to detect those attempting to defraud the parking system, and

WHEREAS, by using motion sensing, infrared, heat sensing and other technological advances, these "intelligent" meters collect data on cars using the meter to enable the administrators to analyze the information and fine-tune parking enforcement, and

WHEREAS, these new meters are being leased to communities for \$10 per month but their manufacturer claims they bring in an average of \$10 to \$40 more per month per machine, and

WHEREAS, the City of Buffalo would likely benefit from customer incentive programs like free parking during appropriate time periods combined with efficient strict enforcement of the laws,

NOW, THEREFORE, BE IT

RESOLVED, that this Legislative Body recognizes the need to maintain the City of Buffalo as a viable contributing member of the county tax base, and be it further

RESOLVED, that the Erie County Legislature urges Mayor Anthony Masiello and the Honorable members of the City of Buffalo Common Council to review its parking needs as it pertains to attracting customers to the City of Buffalo and more specifically, the downtown region, and be it further

RESOLVED, that the City of Buffalo, the Convention and Visitors Bureau and the Erie County Legislature should work together to formulate a plan to provide free parking for visitors and shoppers in the City of Buffalo, and be it further

RESOLVED, that elected officials in Santa Monica and Beverly Hills, which offer two hours of free parking for shoppers, should be contacted to find out more about the successes associated with their parking programs, and be it further

RESOLVED, that city and county officials should contact cities like New Hope and New York City to request information about the "intelligent" meter for strict parking enforcement, and be it further

RESOLVED, that Buffalo Parking Violations Bureau Director Leonard Sciolino and Director of Treasury Marilyn Smith appear at the Legislature's next regularly scheduled Government Affairs Committee meeting to discuss present situations and problems with downtown parking, the overabundance of uncollected revenue which results in "jammed" meters, and future options to make downtown parking friendlier to the consumer yet still maintain a high level of enforcement for the safety of pedestrians and motorists alike, and be it further

RESOLVED, that certified copies of this resolution be forwarded to Buffalo Mayor Anthony Masiello, the Buffalo Common Council, the Greater Buffalo Convention and Visitors Bureau, Erie County Executive Dennis T. Gorski, the City of Buffalo Parking Bureau Violations Bureau Director Leonard Sciolino, Buffalo Director of Treasury Marilyn Smith, and Mr. Robert Stuart, general manager of the Main Place Mall.

(3-0) Legislator Holt absent.

AS AMENDED

- | Item | Page | -1996 | (Int. 11-14) |
|------|------|--|--------------|
| 3. | | MARSHALL, VILLARINI, GREENAN, LARSON, SWANICK, PEOPLES, KUWIK, FITZPATRICK, HOLT, FISHER, OLMA, DEBENEDETTI, DUSZA, MARINELLI & COHEN KENNEDY: | |

WHEREAS, we live and work in a computerized age wherein most businesses and organizations utilize electronic files, and

WHEREAS, computerizing campaign filings would make the information more easily accessible to the public, and

WHEREAS, computerization eliminates the need for excessive paper records, and

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby voice its support for a study of the feasibility of the computerization of campaign filings, and be it further

RESOLVED, that certified copies of this resolution be sent to Erie County Board of Elections Commissioners Ralph Mohr and Laurence Adamczyk.

(4-0)

AS AMENDED

- | Item | Page | -1996 | (Int. 20-12) |
|------|------|---|--------------|
| 4. | | GREENAN, MARSHALL, SWANICK, PEOPLES, KUWIK, FITZPATRICK, HOLT, FISHER, OLMA, DEBENEDETTI, DUSZA, MARINELLI & COHEN KENNEDY: | |

WHEREAS, currently Erie County maintains six separate Industrial Development Agencies (IDAs) including Amherst, the City of Buffalo, Clarence, Concord, Hamburg and Lancaster, and

WHEREAS, there has been some competition among local IDAs in maintaining businesses in their areas, and

WHEREAS, the Erie County Industrial Development Agency (ECIDA) has adopted a policy to unite the county's six IDAs, and

WHEREAS, the policy incorporates a set of rules that the county's six economic development agencies will use when dealing with businesses, and

WHEREAS, with such a policy, the IDAs can concentrate on working with solid business prospects without the distraction of worrying about competition from neighboring agencies, and

WHEREAS, an advisory commission will be established to handle any complaints arising from the IDAs over the decisions of other IDAs, and

WHEREAS, the policy calls for distressed areas to get preferential treatment and would allow IDAs to give tax breaks to companies that are creating wealth in the community by exporting products or services outside of the county.

NOW, THEREFORE, BE IT

RESOLVED, that this Honorable Body supports the ECIDA cooperative development policy concept of uniting the six county IDAs, and be it further

RESOLVED, that the representatives of the various Western New York Industrial Development Agencies appear at a future meeting of the Legislature's Government Affairs Committee to discuss the strategy for developing a cooperative development policy, and be it further

RESOLVED, that certified copies of this resolution be forwarded to County Executive Dennis Gorski, the Erie County, Amherst, Clarence, Concord, Hamburg and Lancaster Industrial Development Agencies; and the Greater Buffalo Partnership.

(4-0)

AS AMENDED

Item	Page	-1996	(Int. 27-3)
5.			

MARSHALL, GREENAN, LARSON, RANZENHOFER, VILLARINI, SWANICK, PEOPLES, KUWIK, FITZPATRICK, HOLT, FISHER, OLMA, DEBENEDETTI, DUSZA, MARINELLI & COHEN KENNEDY:

WHEREAS, in an effort to find new ways in which to reduce the cost of governments and school districts, there has been great attention paid to the concept of consolidation of government entities and school districts, and

WHEREAS, in many, the duplication of multi-levels of government or numerous inter-municipal school districts have resulted in unnecessary spending and taxation, and

WHEREAS, while actual government and school district consolidation may potentially yield savings, the practical reality is that consolidation is a difficult goal to achieve, and

WHEREAS, the collaboration of governments and school districts in the provision or sharing of services might produce significant savings, and

WHEREAS, these collaborative efforts do not require the approval of public referendums, rather, they can be entered into easily through contractual agreements, and

WHEREAS, an unique experiment, called the Municipal-School District Collaboration Project, has been initiated by state Senator Mary Lou Rath whereby five proposals will be funded up to \$20,000 to encourage governments and school districts in the 60th New York State Senatorial District to share or consolidate some services, and

WHEREAS, this program is being administered by former state Senator John B. Sheffer, II in his capacity as head of the University of New York at Buffalo's Governance Project.

NOW, THEREFORE, BE IT

RESOLVED, that this Honorable Body recognizes and fully supports the concept of collaboration and shared services as a means of providing greater efficiencies and savings in our governments and school districts, and be it further

RESOLVED, that John B. Sheffer appear at a future meeting of the Legislature's Government Affairs committee to update this Honorable Body on the progress of the Municipal-School District Collaboration Project, and be it further

RESOLVED, that copy of this resolution shall be transmitted to state Senator Mary Lou Rath and former state Senator John B. Sheffer, II.

(4-0)

	Item	Page	-1997	(Comm. 10E-21)
6.	COUNTY EXECUTIVE:			

WHEREAS, the County surplus program requires additional space due to the success of the program at recycling and selling County surplus equipment, and

WHEREAS, the County surplus program currently shares space with the County Records Center on the grounds of Erie County Medical Center, and

WHEREAS, both programs have grown to the point where the programs can no longer adequately be housed together in the current facility, and

WHEREAS, the Division of Information and Support Services and Purchasing conducted a year long search, reviewing numerous sites, contacting vendors and inspecting locations in an attempt to locate an appropriate facility for the surplus program with a loading dock, adequate space, separate entrance, easy access to bus routes for HIRE workers, close proximity to County downtown offices for materials transportation and easy access for County staff to inspect and reuse surplus materials, and

WHEREAS, the Legislature has authorized a 1997 Capital Project for the expansion of the Records Center at the current site, and

WHEREAS, the Division of Information and Support Services has identified adequate space at 372 Michigan Avenue at a cost of \$2.50 per square foot that meets the County surplus program requirements

NOW, THEREFORE, BE IT

RESOLVED, that the Division of Information and Support Services shall be authorized to enter into a one (1) year lease agreement with Great Lakes Bureau, Inc. for 9,300 square feet of storage space at 372 Michigan Avenue, Buffalo, New York, and be it further

RESOLVED, that the lease shall provide for a cost of \$23,250 with said price to include heat and electric, and be it further

RESOLVED, that the 1997 Adopted Budget shall be amended as follows in order to provide funding for the 1997 costs associated with the lease:

<u>Department</u>	<u>Account</u>	<u>Description</u>	<u>Increase/ (Decrease)</u>
Information & Support Svcs.	810	Office Supplies	(\$10,653)
Info & Support - Purchasing	810	Office Supplies	(\$ 1,725)
Info & Support - Purchasing	821	Dues & Fees	(\$ 100)
Info & Support - Purchasing	823	Repairs &	(\$ 800)
Info & Support - Purchasing	826	Other Expenses	(\$ 375)
Info & Support - Purchasing	822	Rental Charges	(\$13,653)
		Net Change	\$ -0-

and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the Director of Budget, Management and finance, the Director of Information and Support Services and the Director of Purchase.

(4-0)

RAYMOND K. DUSZA
Chairman

Mr. MARSHALL requested that Resolve No. 3 be separated.

GRANTED.

Mr. DUSZA requested that Resolve No. 4 be separated.

GRANTED.

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

CARRIED UNANIMOUSLY.

Mr. MARSHALL offered the following amendment to Resolve No. 3:

DELETE the name of Leg. Villarini from Resolution and replace with Leg. Chase.

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

CARRIED UNANIMOUSLY.

Mr. MARSHALL moved the adoption of Resolve No. 3 as amended. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

Chairman SWANICK directed that Resolve No. 4 be referred back to the GOVERNMENT AFFAIRS COMMITTEE.

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

Chairman SWANICK directed a Roll Call be taken.

Ayes - Chase, Greenan, Larson, Marshall, Pauly, DeBenedetti, Olma -
7. Noes - Dusza, Fisher, Fitzpatrick, Holt, Cohen Kennedy, Kuwik,
Marinelli, Olma, Peoples, Swanick 10.

DEFEATED.

Subsequently, Resolve No. 4 was referred back to committee.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 234

MAY 20, 1997

ENERGY AND ENVIRONMENT
COMMITTEE
REPORT NO. 7

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

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

- | Item | Page | -1997 | (Comm. 5D-20) |
|---------|--|-------|---------------|
| a. DEP: | Opinion of County Attorney Re: Awarding of Contracts by Legislature or the Division of Purchase. | | |
| | (5-0) | | |
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- | Item | Page | -1997 | (Comm. 10D-2) |
|---------|--|-------|---------------|
| b. DEP: | SEQR - Negative Declaration - ECC South: Purchase Vehicle Technical Training Center. | | |
| | (5-0) | | |
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- | Item | Page | -1997 | (Comm. 10D-5) |
|---------|--|-------|---------------|
| c. DEP: | SEQR - Solicitation for Lead Agency - Aurora Apartments. | | |
| | (5-0) | | |
-
- | Item | Page | -1997 | (Comm. 10D-15) |
|---------|--|-------|----------------|
| d. DEP: | SEQR - Solicitation for Lead Agency - South Park Apartments. | | |
| | (5-0) | | |

Item Page -1997 (Comm. 10D-17)
e. DEP: SEQR - Negative Declaration - ECSD No. 1 Felber Lane Sanitary
Sewer.
(5-0)

Item Page -1997 (Comm. 10E-20)
f. COUNTY EXECUTIVE: ECSD No. 4 - Construction & Engineering Change
Order Overflow Retention Facilities.
(5-0)

Item Page -1997 (Comm. 10E-31)
g. COUNTY EXECUTIVE: ECSD Pumping Station Elimination Program Annual
Report.
(5-0)

Item Page -1997 (Comm. 10E-32)
h. COUNTY EXECUTIVE: ECSD No. 4 Construction & Engineering Change
Order: Bowmansville-Warner Road Pumping Stations.
(5-0)

Item Page -1997 (Comm. 10M-3)
i. NYSDEC: Notice of Record of Decision: Tennessee Gas Pipeline
Compressor Station 229, Town of Eden.
(5-0)

Item Page -1997 (Comm. 10M-4)
j. MELINDA HOLLAND, CLEAN SITES: Notice of Meeting Held 4/15/97 &
Summary of Meeting Held 4/2/97.
(5-0)

Item Page -1997 OPEN ITEM
(Comm. 2E-9)
2. COUNTY EXECUTIVE:
A RESOLUTION CALLING A PUBLIC HEARING FOR THE PURPOSES OF
CONSIDERING A PROPOSED INCREASE AND IMPROVEMENT OF FACILITIES OF THE
ERIE COUNTY-SOUTHTOWNS SEWAGE TREATMENT AGENCY IN THE COUNTY OF ERIE,
NEW YORK.

(Introduced) January 23, 1997
(Adopted) June 5, 1997

WHEREAS, pursuant to proceedings heretofore had and taken in
accordance with the provisions of Article 5-A of the County Law,
including an approving order of the State Comptroller, County Sewer
District No. 3 of the County of Erie, New York, has heretofore been
established, and

WHEREAS, the Erie County-Southtowns Sewage Treatment Agency (the "Southtowns Agency") has heretofore been created pursuant to an inter-municipal agreement dated December 30, 1974, as amended, (the "Southtowns Agreement") for the purpose of establishment; construction, operation, and maintenance of the Southtowns Advanced Wastewater Treatment Facility (the "Southtowns Treatment Facility") for the benefit of Erie County Sewer District No. 3, the Hamburg Master Sewer District, Amsdell Heights, Locksley Park, Cloverbank, Benz and Taylor Road Sewer Districts being Sewer District Nos. 21, 7, 10, 5, 4, 8, and 11 of the Town of Hamburg, Wanakah Sewer District No. 3, Mount Vernon Sewer District No. 2, and the Village of Hamburg, and

WHEREAS, pursuant to the Southtowns Agreement the County, acting for and on behalf of Erie County Sewer District No. 3, was responsible for financing the total project costs for the Southtowns Treatment Facility, and

WHEREAS, it is anticipated that upon future amendment of the Southtowns Agreement, to be approved by this Legislature on behalf of the County and by the governing boards of all other parties to such Agreement, the County, acting for and on behalf of Erie County Sewer District No. 3, will be responsible for financing the total project costs for proposed improvements to the Southtowns Treatment Facility, and

WHEREAS, in accordance with its responsibilities to maintain the Southtowns Treatment Facility pursuant to the Southtowns Agreement, the Southtowns Agency has on April 24, 1997 duly directed that there be prepared a map, plan, 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 Southtowns Treatment Facility, which map, plan, report and estimate of cost have been approved by the Board of Managers of said District and the Administrative Board of the Erie County-Southtowns Sewage Treatment Agency and filed with the County Legislature pursuant to Section 268 of the County Law, and

WHEREAS, said map, plan, report and estimate of cost describe a proposed increase and improvement of the Southtowns Treatment Facility, consisting of replacement of various equipment, machinery, and apparatus, related improvements to such Facility, and improvements to Southtowns Agency sewage transmission lines and pumping stations, all as more fully described in the map, plan, report and estimate of cost hereinbefore referred to, and

WHEREAS, the maximum estimated cost of the aforesaid increase and improvement of the Southtowns Treatment Facility is \$10,000,000, to be apportioned in accordance with the Southtowns Agreement among (i) Erie County Sewer District No. 3, (ii) the Hamburg Master Sewer District, Amsdell Heights, Locksley Park, Cloverbank, Benz and Taylor Road Sewer Districts being Sewer Districts Nos. 21, 7, 10, 5, 4, 8 and 11 of the Town of Hamburg, Wanakah Sewer District No. 3, Mount Vernon Sewer District No. 2, and the Village of Hamburg, and (iii) the Village of Blasdell as a contracting entity with the Southtowns Agency, each in accordance with their respective proportionate shares of equivalent dwelling units in their service areas, as determined pursuant to the Southtowns Agreement, and

WHEREAS, the consent of the State Comptroller must be obtained prior to the expenditure for said increase and improvement if such expenditure is to be financed by the issuance of bonds or notes of the County therefor, in accordance with the provisions of Section 268 of the County Law, 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

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 in BUFFALO, New York, in said County, on the 17th day of July, 1997, at 1:30 o'clock p.m., Prevailing Time, for the purpose of conducting a public hearing upon the aforesaid proposal to increase and improve the Southtowns Treatment Facility 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 in Buffalo, New York, in said County, on the 17th day of July, 1997, at 1:30 o'clock P.M., Prevailing Time, for the purpose of conducting a public hearing upon a proposed increase and improvement of the Southtowns Advanced Wastewater Treatment Facility in said County.

The increase and the improvement of the facilities consists of replacement of various equipment, machinery, and apparatus, related improvements to such Facility, and improvements to Southtowns Agency Sewage Treatment Agency sewage transmission lines and pumping stations, and related facilities, all as more fully described in the map, plan, 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 Erie County Sewer District No. 3 and the Administrative Board of the Erie County-Southtowns Sewage Treatment Agency.

WHEREAS, the maximum estimated cost of the aforesaid increase and improvement of facilities is \$10,000,000, to be apportioned in accordance with the an inter-municipal agreement dated December 30, 1974, as amended, (the "Southtowns Agreement") among (i) Erie County Sewer District No. 3, (ii) the Hamburg Master Sewer District, Amsdell Heights, Locksley Park, Cloverbank, Benz and Taylor Road Sewer Districts being Sewer Districts Nos. 21, 7, 10, 5, 4, 8 and 11 of the Town of Hamburg, Wanakah Sewer District No. 3, Mount Vernon Sewer District No. 2, and the Village of Hamburg, and (iii) the Village of Blasdell as a contracting entity with the Southtowns Agency, each in accordance with their respective proportionate shares of equivalent dwelling units in their service areas, as determined pursuant to the Southtowns Agreement, and

Dated: Buffalo, New York
June 5, 1997

BY ORDER OF THE COUNTY
LEGISLATURE OF THE COUNTY OF
ERIE, NEW YORK
by LAURIE A. MANZELLA
Clerk, County Legislature

(5-0)

Item	Page	-1997	(Comm. 10E-28)
3.	COUNTY EXECUTIVE:		

WHEREAS, it has been determined that sanitary sewer temporary and permanent construction easements are no longer needed on a site identified as SBL Nos. 124.02-3-10 and 124.02-3-6 in the Town of Cheektowaga as part of the French Road Relief Seer and Overflow Retention Facility (ORF) Project; and

WHEREAS, preliminary negotiations with the Rosina Food Products, Inc. have resulted in a tentative agreement; and

WHEREAS, the County on behalf of Erie County Sewer District No. 1 desires to abandon and release said easement interests in the property owned by Robert Mariacher, et al., 210 French Road, Cheektowaga, New York 14227; and

WHEREAS, in consideration of the County/Sewer District abandoning the easements, Rosin Food Products, Inc., has agreed to pay the sum of \$100,000 toward the cost of relocating the sewer lines planned to be constructed across the easement area; and

WHEREAS, Rosina Food Products, Inc. was successful in obtaining a Temporary Restraining Order from the courts because of their concerns the blasting, which is required by the construction of the sanitary sewer project, will have on their ammonia facilities and piping; and

WHEREAS, Rosina Food Products, Inc. desires to obtain from Robert Mariacher said property at 210 French Road, Cheektowaga, New York 14227 for the purposes of expanding their facilities; and

WHEREAS, Frontier Asphalt, Inc. is the contractor responsible for construction of Erie County Sewer District No. 1 Overflow Retention Facility and Pump Station project, Contract No. 2 Sanitary Sewers and Force Mains; and

WHEREAS, the County's Advisory Review Committee met on June 12, 1996 and approved the abandonment and release of the subject easements; and

WHEREAS, on July 11, 1996 the Erie County Legislature adopted a resolution which authorized the release of the easements on Parcels SBL Nos. 124.02-3-10 and 124.02-3-6 in the Town of Cheektowaga; and

WHEREAS, the same resolution dated July 11, 1996 approved Change Order No. 2 to Contract No. 2 in an amount not-to-exceed \$100,000; and

WHEREAS, an omission in the resolution failed to identify a funding source for the purpose of processing Change Order No. 2 to Contract No. 2; and

WHEREAS, the final amount of change Order No. 2 to Contract No. 2 has been determined to be \$68,500.00.

NOW, THEREFORE, BE IT

RESOLVED, that Change Order No. 2 to Contract No. 2 be processed in the amount of \$68,500.00; and be it further

RESOLVED, that the Erie County Comptroller is hereby authorized and directed to allocate \$68,500.00 from Sewer Capital, ECSD No. 1, Fund No. 430, Project NO. 694, Department No. 810, Object 891 unallocated to Object NO. 973, Sewer Construction Expenditures, Subobject No. 200 General Construction Contract for payment of this Change Order; and be it further

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

(6-0) Chairman Swanick present as ex-officio member.

Item	Page	-1997	(Comm. 10E-29)
4.	COUNTY EXECUTIVE:		

WHEREAS, County of Erie on behalf of ECSD No. 5 has entered into sewer service agreements with the Town of Clarence on behalf of their Town Sewer Districts on September 4, 1986; November 89, 1987; November 18, 1992; March 8, 1995; July 12, 1995; and February 14, 1996; and

WHEREAS, the Town of Clarence now desires service to their Town District No. 6, and

WHEREAS, it is in the best interests of both the County and the Town to have only one agreement.

NOW, THEREFORE, BE IT

RESOLVED, that the revised service agreement with the Town of Clarence and the County of Erie is hereby approved; and be it further

RESOLVED, that the County Executive be, and hereby is, authorized to execute a service agreement, subject to approval as to form by the County Attorney; and be it further

RESOLVED, that the Clerk of the Legislature be authorized and directed to send a certified copy of this resolution to Charles J. Alessi, P.E., Deputy Commissioner of the Department of Environment and Planning, and Richard J. Schechter, Assistant County Attorney.

(6-0) Chairman Swanick present as ex-officio member.

GREGORY B. OLMA
Chairman

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 235

MAY 22, 1997

FINANCE AND MANAGEMENT
COMMITTEE
REPORT NO. 6

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

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

- | | Item | Page | -1997 | (Comm. 5D-13) |
|----|------------------|--|-------|---------------|
| a. | COMPTROLLER: | Audit of Social Services Procedures for Identifying & Removing Incarcerated Recipients from Welfare Rolls. | | |
| | | (5-0) | | |
| | Item | Page | -1997 | (Comm. 5E-9) |
| b. | COMPTROLLER: | Copy of Letter to County Executive Re: Audit Response System. | | |
| | | (5-0) | | |
| | Item | Page | -1997 | (Comm. 9E-6) |
| c. | SHERIFF: | Response to Audit - Federal Equitable Sharing Funds. | | |
| | | (5-0) | | |
| | Item | Page | -1997 | (Comm. 9M-11) |
| d. | WILLIAM P. HART: | Copy of Letter to Comptroller Re: 1996 Year-End Reconciliation of Bed Tax. | | |
| | | (6-0) Chairman Swanick present as ex-officio member. | | |
| | Item | Page | -1997 | (Comm. 10E-1) |
| e. | COMPTROLLER: | Sales Tax Receipts for February. | | |
| | | (5-0) | | |
| | Item | Page | -1997 | (Comm. 10E-2) |
| f. | COMPTROLLER: | Year End Closing for General Ledger 1996. | | |
| | | (5-0) | | |

Item Page -1997 (Comm. 10M-10)
g. VILLAGE OF KENMORE: Sales Compensation Use Tax for Calendar Year
of 1997.
 (5-0)

Item Page -1997 (Comm. 9E-7)
2. COUNTY EXECUTIVE:
 WHEREAS, the County and Ciminelli Construction Company, Inc.
entered into an agreement on or about may 17, 1984 for the construction
of the structural concrete portion additions to the County Holding
Center in the amount of \$2,243,600; and

WHEREAS, change orders and quantity adjustments resulted in an
adjusted contract price of \$2,727,016 of which the County has paid to
Ciminelli to date a total of \$2,695,193 and, therefore, has an
outstanding balance due to Ciminelli of \$31,823 plus interest; and

WHEREAS, Ciminelli Construction Company, Inc. vs. County of Erie,
New York vs. Cannon Design, Inc. (Supreme Court, Erie County, Index Nos.
1668/89 and 1668/89-TP1) is a lawsuit still pending for the remainder of
those funds due to Ciminelli Construction Company, Inc.; and

WHEREAS, Ciminelli also seeks in this pending lawsuit the sum of
\$536,363 plus interest from the County who in turn seeks contribution
from Cannon Design for delays and additional work in the project; and

WHEREAS, Ciminelli is willing to settle its full claim against the
County for the amount of \$131,000 in a "Partial Settlement and
Liquidation Agreement" which would enable Ciminelli to seek additional
funds from the Cannon Design while limiting the County's exposure to no
more than \$131,000 regardless of the outcome of the pending lawsuit; and

WHEREAS, the Department of Public works and the County Attorney
have determined that the settlement amount is fair and equitable and in
the best interests of the county of Erie, and the County Attorney
concurs in the procedure;

NOW, THEREFORE, BE IT

RESOLVED, that the Comptroller's Office is hereby authorized and
directed to make payment for the above from the Additions to Erie County
Holding Center Capital Project in Fund SFG410 in the amount of
\$131,000.00; and be it further

RESOLVED, that two certified copies of this resolution be sent to
the Department of Public Works, the Department of Law, County Attorney,
and the County Comptroller.
(5-0)

Item Page -1997 (Comm. 10E-17)
3. COUNTY EXECUTIVE:

WHEREAS, the County of Erie ("County") and the Greater Buffalo Convention and Visitors Bureau ("CVB") entered into an Agreement dated April 1, 1993 ("1993 Agreement"), which is due to expire on December 31, 1997, in which the CVB agreed to provide a Convention and Tourism Promotional Program to promote the advantages of the County of Erie and, in return, the County agreed to appropriate and pay to the CVB certain hotel bed occupancy tax revenues; and

WHEREAS, pursuant to the 1993 Agreement, in order to promote the World University Games and amateur athletics in general, the CVB agreed to pledge Nine Hundred Thousand Dollars (\$900,000.00) of hotel bed occupancy tax revenues, plus reasonable interest per annum ("Pledged Revenues"), for the years 1993 through and including 1997, to Fleet Bank of New York, N.A. ("Fleet") and Key Bank of New York, N.A. ("Key"); and

WHEREAS, pursuant to an Agreement between the County and the CVB, dated August 31, 1992 ("Pledge Agreement"), the CVB agreed to pledge Two Hundred Twenty-Five Thousand Dollars (\$225,000.00) of hotel bed occupancy tax revenues per year from 1994 through and including 1997, plus reasonable interest per annum, for a total of Nine Hundred Thousand Dollars (\$900,000.00), plus reasonable interest, to Fleet and Key; and

WHEREAS, in order to increase cash flow for the CVB, the CVB has requested that the County amend the 1993 Agreement and extend its duration through and including December 31, 1999. The CVB maintains that extending the 1993 Agreement through the end of 1999 will make available additional cash flow to enable the CVB to aggressively market, sell and promote the benefits of Erie County; and

WHEREAS, Fleet and Key are willing to renegotiate the repayment of the Pledged Revenues by the CVB if the County is willing to extend the duration of the 1993 Agreement through and including December 31, 1999.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into all necessary agreements and amendments with the CVB in order to extend the duration of the 1993 Agreement through and including December 31, 1999; and be it further

RESOLVED, that during the duration of the Amendment between the County and the CVB, the Erie County Legislature designates the Greater Buffalo Convention and Visitors Bureau as the County's Tourist Promotion Agency; and be it further

RESOLVED, that certified copies of this Resolution be provided to the Commissioner of the Department of Environment and Planning, the Director of the Division of Budget, Management and Finance and the County Attorney.

(5-0)

Item	Page	-1997	(Comm.10E-22)
4.	COUNTY EXECUTIVE:		

WHEREAS, due to implementation of the new integrated financial management system the Comptroller has had to realign staff in order to be responsive to county departments, and

WHEREAS, the Comptroller was able to establish a new Accounts Receivable/Bank Reconciliation Branch within available resources, and

WHEREAS, the Comptroller has identified the need to add one position of Associate Deputy Comptroller, J.G. 13, to her budget, and

WHEREAS, the Comptroller can fund this position for 1997 by deleting one accountant position.

NOW THEREFORE BE IT

RESOLVED, that the Erie County Legislature does hereby delete one position of (Accountant, J.G. 9, Step B, Position No. 029361), from the Comptroller's budget, and be it further

RESOLVED, that the Legislature does hereby create one position of Associate Deputy Comptroller, J.G. 13, and be it further

RESOLVED, that the funds necessary to effect these changes are available in the Comptroller's 1997 budget for personal services, and be it further

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

(5-0)

CRYSTAL DAVIS PEOPLES
Chairperson

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

CARRIED UNANIMOUSLY.

ITEM 18 - Mr. FITZPATRICK presented the following and moved for immediate consideration. Ms. COHEN KENNEDY seconded.

CARRIED UNANIMOUSLY.

RESOLUTION No. 236

MAY 22, 1997

ECONOMIC DEVELOPMENT
COMMITTEE
REPORT NO. 6

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

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

- | | Item | Page | -1997 | (Comm. 8E-4) |
|----|--|---|-------|--------------|
| a. | COUNTY EXECUTIVE: | Copy of Letter to Mr. Capra Re: Court Facilities Plan Dealing with Buffalo. | | |
| | | (5-0) | | |
| b. | DEP: | Comments on Impacts of the Sale of Conrail to CSX & NS. | | |
| | | (5-0) | | |
| c. | DPW: | Executed Contract for Winspear Road Bridge, Town of Elma. | | |
| | | (5-0) | | |
| d. | DPW: | Executed Contract for Rapids Road Bridge, Towns of Clarence & Royalton. | | |
| | | (5-0) | | |
| e. | COHEN KENNEDY, MARINELLI, DUSZA, KUWIK, SWANICK & PEOPLES: | Copy of Letter to Governor Re: CHIPS Operation & Maintenance Funds. | | |
| | | (5-0) | | |

- | | Item | Page | -1997 | (Comm. 10D-19) |
|----|------|---|-------|----------------|
| 2. | DPW: | WHEREAS, architectural/engineering services are required for Erie County Holding Center Improvements, and | | |

WHEREAS, the firm of Kideney Architects presently has a General Architectural/Engineering contract with the County of Erie to provide design services, and

WHEREAS, the firm of Kideney Architects provided the Architectural/Engineering Services for Erie County Holding Center Improvements, New Dormitory Units,

NOW, THEREFORE, BE IT,

RESOLVED, that the Commissioner of Public Works be authorized to issue a supplemental agreement to Kideney Architects, 200 John James Audubon Parkway, West Amherst, New York, in a lump sum fee in the amount of \$35,000.00 relative to the architectural/engineering design services required for the Erie County Holding Center Improvements, and be it further,

RESOLVED, that the \$35,000.00 fee allocation be taken from the Erie County Holding Center Improvements, 1996 capital budget, SFG No. 753, Fund 410, and the 1997 capital budget, SFG No. 809, Fund 410, and be it further,

RESOLVED, that two certified copies of this resolution be sent to the Department of Public Works, Office of the Commissioner.
(5-0)

Item	Page	-1997	(Comm. 10D-20)
3. DPW:			

WHEREAS, Ronald Hoskens Architect has a contract with the County to provide architectural/engineering services for the Angola Highway Vehicle Storage Facility, and

WHEREAS, the project has been bid and is now in the Construction Phase, and

WHEREAS, architectural/engineering services during construction are necessary,

NOW, THEREFORE, BE IT,

RESOLVED, that the Commissioner of Public Works is authorized to issue a change order to Ronald Hoskens Architect increasing the amount from \$42,000.00 to \$50,000.00 to cover the cost of architectural/engineering services during construction, including reimbursables, and be it further,

RESOLVED, that funding for this change order shall be from the EC Highway Garage Renovations, 1995 capital project, SFG No. 697, Fund No. 410, in the amount of \$8,000.00, and be it further,

RESOLVED, that two certified copies of this resolution be sent to the Department of Public Works, Office of the Commissioner.
(5-0)

Item Page -1997 (Comm. 10D-21)
4. DPW:

WHEREAS, a project for the Replacement of the Springville Boston Road Bridge (BR 228-8) over Eighteen Mile Creek, BIN 1-04160-0, in the Town of Concord, Erie County, P.I.N. 5753.83 (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 borne at the ratio of 80% Federal funds and 20% non-Federal fund, 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 Preliminary Engineering (Design I-V) and Right-of-Way Incidentals Phases of the Project or portions thereof, with the Federal Share of such costs to be applied directly by the New York State Department of Transportation (NYSDOT) pursuant to Agreement.

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

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

RESOLVED, that the County Legislature of the County of Erie hereby authorizes the County of Erie to pay in the first instance the full non-Federal share of the cost of Preliminary Engineering (Design I-V) and Right-of-Way Incidentals Phases of the project or portions thereof; and be it further

RESOLVED, that sum of \$5,400.00 is hereby appropriated from the 1996 Federal Aid Program (in addition to \$44,000 previously appropriated for these project phases via Erie County Resolution 17D-43 adopted September 22, 1994) 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 full non-Federal share of the costs of these phases of the project exceed the amount appropriated, the County of Erie shall seek legislative approval to appropriate said excess amount immediately upon notification by the New York State Department of Transportation thereof; and be it further

RESOLVED, that the County Executive of the County of Erie be and is hereby authorized to execute all necessary agreements, certifications or reimbursement requests for Federal Aid on behalf of the County of Erie with the New York State Department of Transportation 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 the non-Federal share of project costs and permanent funding of the local share of Federal-aid and State-aid eligible project costs and all project costs within appropriations therefor that are not so eligible; 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 filed with the New York State Commissioner of Transportation, it being understood that upon completion of the above project, the Commissioner shall transmit to the County a statement showing the actual costs and expenses of such work and shall notify the County of Erie of the amount, if any, to be returned to the County of Erie.

(5-0)

Item	Page	-1997	(Comm. 10D-22)
5. DPW:			

WHEREAS, a project for the intersection and signal improvements at North French Road (CR 299) and Hopkins Road (CR 87), North French Road (CR 299) and Sweet Home Road (CR 301), and William Street (CR 207) at I-90 Eastbound Ramp in Erie County, P.I.N. 5754.90 (the "Project") is eligible for funding under Title 23, U.S. Code, as amended, that calls for the apportionment of the costs, 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, Construction Supervision and Construction Inspection Phases of the project, P.I.N. 5754.90.

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

RESOLVE, that the County Legislature of the County of Erie 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 non-Federal share of the cost of the Construction, Construction Supervision and Construction Inspection Phases of the project or portions thereof; and be it further

RESOLVED, that sum of \$158,400.00 is hereby appropriated from the 1992 New York State Transportation Energy Conservation Program and the 1993 Bridge Design and Construction Program 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 full non-Federal share costs of the project exceeds the amount appropriated above, the County of Erie shall seek legislative approval to appropriate said excess amount 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 on behalf of the County of Erie with the New York State Department of Transportation 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 the Clerk of the Legislature forward ten (10) certified copies of this Resolution to the Deputy Commissioner, Highways, to be filed with the New York State Commissioner of Transportation, it being understood that upon completion of the above project, the Commissioner of Transportation shall transmit to the County a statement showing the actual costs and expenses of such work and shall notify the County of Erie of the amount, if any, to be returned to the County of Erie.

(5-0)

Item	Page	-1997	(Comm. 10D-23)
6. DPW:			

WHEREAS, the Department of Public Works received bids on April 18, 1997, for the Erie Community College - North Campus, Steam Line Replacement, and

WHEREAS, the Engineer and the Department of Public Works are recommending award to the lowest responsible bidder,

NOW, THEREFORE, BE IT,

RESOLVED, that the County Executive be authorized to enter into a contract with Quackenbush Company for the amount of \$283,382.00 for the Erie Community College - North Campus, Steam Line Replacement, and be it further,

RESOLVED, that the sum of \$57,000.00 be allocated to a construction contingency fund and DPW overhead, with authorization for the Commissioner of Public Works to approve change orders not to exceed the amount of the contingency, and be it further,

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

RESOLVED, that the Comptroller's Office be authorized to make payments for the project from the 1996 ECCN Steam Line Replacement Bond Account, SFG No. 742, Fund No. 480, and the 1997 ECC Steam Line Rehabilitation, Phase II, Bond Account, SFG No. 812, Fund 480, the project being fifty percent (50%) funded by New York State Aid, and be it further,

RESOLVED, that two certified copies of this resolution be sent to the Department of Public Works, Office of the Commissioner, and one copy to Erie Community College.

(5-0)

Item	Page	-1997	(Comm. 10D-24)
7. DPW:			

WHEREAS, engineering design services are required in order to implement the Erie Community College, North Campus, Spring Student Center/Food Service Renovations, and

WHEREAS, the firm of Robson & Woese, Inc. presently has a General Engineering contract with the County of Erie to provide design services,

NOW, THEREFORE, BE IT,

RESOLVED, that the Commissioner of Public Works be authorized to issue a supplemental agreement to Robson & Woese, Inc. 501 John James Audubon Parkway, for the following:

- a. Food Service Renovations: Engineering Design Services on a percentage of construction basis, not to exceed \$22,000.00, including reimbursables, and
- b. Spring Student Center Renovations: Engineering Design Services for a Project Initiation Report on a not to exceed fee of \$11,000.00, including reimbursables, at the North Campus of Erie Community College, and be it further,

RESOLVED, that the Comptroller's Office be authorized to make payments for all of the above from the 1997 Spring Student Center/Food Service Renovations, ECC - North Campus, SFG No. 811, Fund No. 480, and be it further,

RESOLVED, that two copies of this resolution be sent to the Department of Public Works, Office of the Commissioner.

(5-0)

Item	Page	-1997	(Comm. 10E-34)
8. COUNTY EXECUTIVE:			

RESOLVED, that the County Executive is authorized to enter into agreements with the Empire State Development Corporation in amounts not to exceed \$10,000, for the purpose of funding a study to identify cross border commodities and develop strategies for the region to capitalize on this economic resource, and be it further

RESOLVED, that the source of these funds will be Community Development Block Grant dollars available to Erie County for this purpose, and be it further

RESOLVED, that the Clerk of the Legislature be directed to send certified copies of this resolution to the Budget Director and the Commissioner of Environment and Planning.

(5-0)

MICHAEL A. FITZPATRICK
Chairman

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 237

MAY 22, 1997

SOCIAL SERVICES
COMMITTEE
REPORT NO. 5

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

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

- | | | | |
|------|--|-------|---------------|
| Item | Page | -1997 | (Comm. 5M-20) |
| a. | NYS DIVISION OF YOUTH: Acknowledgement of Receipt of Resolution. | | |
| | (4-0) Legislator Marshall absent. | | |

- | | | | |
|------|--|-------|-------------|
| | | | AS AMENDED |
| Item | Page | -1997 | (Int. 2-17) |
| 2. | SWANICK, PEOPLES, KUWIK, FITZPATRICK, HOLT, FISHER, OLMA, DEBENEDETTI, DUSZA, MARINELLI & COHEN KENNEDY: | | |

WHEREAS, the threat of domestic violence threatens the stability and well-being of each family member and can prevent families from becoming self-sufficient, and

WHEREAS, Erie County has introduced and supported many programs designed to help strengthen families and assist the victims of Domestic Violence, including a \$189,000 federal grant for two new criminal deputy positions in the Sheriff's Office and funding for two community agencies, Haven House and Crisis Services, and

WHEREAS, the welfare plan adopted by the New York State Assembly includes more specific provisions than do other state proposals to safeguard the welfare of victims of domestic violence and shield them from further victimization,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby support the provisions of the New York State Assembly's welfare plan that serve to increase the protection, assistance and support for the victims of domestic violence in New York State, and be it further

RESOLVED, that this resolution be referred to County Department of Social Services Commissioner Deborah Merrifield for her review and comment, and be it further

RESOLVED, that certified copies of this resolution be forwarded County Department of Social Services Commissioner Deborah Merrifield, as well as to the members of the Western new York State Legislative Delegation.

(4-0) Legislator Marshall absent.

Item Page -1997 (Comm. 9E-8)
3. COUNTY EXECUTIVE:

WHEREAS, the County budget for the Retired Senior Volunteer Program (RSVP) for the period July 1, 1996 to June 30, 1997 needs to be revised, and

WHEREAS, additional funds have been identified in the Area Agency on Aging (AAA) grant for the period January 1, 1996 to December 31, 1996, and

WHEREAS, no additional County funds are required.

NOW, THEREFORE BE IT

RESOLVED, that the RSVP grant, Project # 594, be revised as follows:

REVENUES

<u>Account</u>	<u>Description</u>	<u>Current Budget</u>	<u>Changes</u>	<u>Revised Budget</u>
685-6300	Interfund Revenues	\$106,569	<u>\$2,626</u>	\$109,195
	TOTAL CHANGE		<u>\$2,626</u>	

APPROPRIATIONS

800	Personal Services	\$ 99,457	<u>\$+4,026</u>	\$103,483
805	Fringe Benefits	20,484	<u>- 1,400</u>	19,084
			<u>\$+2,626</u>	

RESOLVED, that the AAA grant, Project #604, be revised as follows:

REVENUES

<u>Account</u>	<u>Description</u>	<u>Current Budget</u>	<u>Changes</u>	<u>Revised Budget</u>
685-6300	Interfund Revenues	\$285,211	<u>\$-2,626</u> <u>\$-2,626</u>	\$ 282,585

APPROPRIATIONS

826	Other Expenses	\$ 8,727	<u>\$-2,626</u>	\$ 6,101
	Total Change		<u>\$-2,626</u>	

and be it further

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

(5-0)

Item Page -1997 (Comm. 9E-18)
4. COUNTY EXECUTIVE:

WHEREAS, the 1996-1997 New York State budget implements targets for the reduction of Medicaid home care costs, and

WHEREAS, Erie County is subject to a reduction of State share reimbursement in the amount of \$187,131, and

WHEREAS, New York State has allocated \$82,090 in Federal and State funds to Erie County for reimbursing home care cost reduction initiatives which will enable the County to meet its savings target, and

WHEREAS, the Department of Social Services has developed two initiatives to reduce costs and to avoid the assessment of that penalty through an expansion of its existing contract with the Coordinated Care Management Corporation, and

WHEREAS, because these services must be provided immediately by the home care provider which conducts home care assessments and develops care plans, the Request for Proposal (RFP) requirements of section 19.08 of the Erie County Administrative Code are hereby waived in the case of this contract amendment, and

WHEREAS, the first initiative is to expand the use of assistive technology by using lift chairs and electronic door openers to reduce or eliminate the need for home care, and

WHEREAS, the second initiative is to develop a computerized care plan program to ensure more equitable distribution of home care to eligible clients, and

RESOLVED, that the source of funds is \$13,956 in state aid from the New York State Division for Youth, and be it further

RESOLVED, that the County Executive is hereby authorized to enter into and execute any applications, contracts included therein, and amendments with the State of New York and the above listed agency, and be it further

RESOLVED, that the Erie County Legislature hereby makes a finding that it is impracticable to follow the standard RFP procedure, and hereby waives the procedures outlined in section 19.08 of the Erie County Administrative Code, since the State Division For Youth requires that these special services must be provided by Compass House and this program has been approved by the Erie County Youth Services Board, and be it further

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

(6-0) Chairman Swanick present as ex-officio member.

Item	Page	-1997	(Comm. 10E-24)
6.	COUNTY EXECUTIVE:		

WHEREAS, the New York State Division of Criminal Justice Services has awarded the Department of Youth Services \$55,000 in state aid for the D.A.R.T. (Detention Aftercare Resource Team) Program that requires no county tax share, and

WHEREAS, the goal of the DART (Detention Aftercare Resource Team) Program is to provide 100 youth with aftercare services following discharge from the Erie County Detention Center. The goal of the program is to reduce the recidivism rates of the targeted youth by at least 20% as outlined in the attached Appendix D Program Workplan.

NOW, THEREFORE, BE IT

RESOLVED, that the DART Grant is established in the grant funded by the New York State Division of Criminal Justice Services in the grant fund for the period July 1, 1997 to June 30, 1998 under the administration of the Department of Youth Services, Detention Division and that \$22,570 is hereby appropriated to Account 800- Personal Services and \$5,020 to Account 805 - Fringes to cover the cost of hiring a D.A.R.T. Coordinator at Job Group 6 - Step 0 and that \$27,410 be appropriated to Account 830- Contractual Services for contracting with two community-based agencies to provide aftercare services for PINS and JDs leaving the Detention Center, and be it further

RESOLVED, that the source of funds is \$55,000 in state aid from the New York State Division of Criminal Justice Services, and be it further

RESOLVED, that the following two agencies will hire Community Youth Specialists at \$13,705 to provide case management for youth referred through the DART program:

Masten Boys & Girls Club
Butler Mitchell Boys & Girls Club

and be it further

RESOLVED, that the Community Youth Specialists will work approximately twenty (20) hours per week @ 13.18 per hour, and be it further

RESOLVED, that the Erie County Legislature hereby makes a finding that it is impracticable to follow the standard RFP procedure, and hereby waives the procedures outlined in section 19.08 of the Erie County Administrative Code, since these special services have been specified in the application approved by the State Division of Criminal Justice Services, since these special services must be provided by community-based agencies serving areas that are currently in designated zones that have the highest numbers of youth who are returning to the community after being petitioned to Court and remanded to Detention, and since these special services must be provided immediately, and be it further

RESOLVED, that the position is subject to review and approval by the Department of Personnel, and be it further

RESOLVED, that the County Executive is hereby authorized to hire a DART Coordinator at Grade 6, Step 0 and to enter into and execute any applications, contracts included therein, and to execute amendments with the State of New York and community-based agencies, and be it further

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

(6-0) Chairman Swanick present as ex-officio member.

Item	Page	-1997	(Comm. 10E-25)
7.	COUNTY EXECUTIVE:		

RESOLVED, that the County Executive is hereby authorized transfer \$850 into Account 933-Technical Equipment for the purchase of a copying machine, and \$1,510 in to Account 881- Interdepartmental Payment Expense-DISS, for telephone services, the source of funds being \$2,360 available in Account 821 Dues and Fees in the same administrative unit, and be it further

REVENUES		Current Budget Amount	Change	Revised Budget Amount
<u>Acct</u>	<u>Description</u>			
440	Unclassified Fees-Vol Contr	\$808,315	+24,495	\$ 832,810
663	Federal Aid-Food & Nutrition	1,294,319	+53,776	1,348,095
TOTAL CHANGE TO REVENUES			+78,271	

APPROPRIATIONS		Current Budget Amount	Change	Revised Budget Amount
<u>Acct</u>	<u>Sub</u> <u>Acct Description</u>			
830	0302 Town of Amherst Senior Ctr	\$88,790	+2,438	\$ 91,228
830	0193 Buffalo Area Services of the Salvation Army, Inc.	79,082	+2,217	81,299
826	Contract Food Services	1,267,807	+73,616	1,341,423
TOTAL CHANGE TO APPROPRIATIONS			+78,271	

1997 Home-Delivered Nutrition Program - Project 700

REVENUES		Current Budget Amount	Change	Revised Budget Amount
<u>Acct</u>	<u>Description</u>			
440	Unclassified Fees-Vol Contr	\$645,295	+8,591	\$653,886
663	Federal Aid-Food & Nutrition	689,362	+2,793	692,155
TOTAL CHANGE TO REVENUES			+11,384	

APPROPRIATIONS		Current Budget Amount	Change	Revised Budget Amount
<u>Acct</u>	<u>Sub</u> <u>Acct Description</u>			
830	0141 Meals on Wheels of Buffalo and Erie County, Inc.	1,415,786	+11,384	1,427,170
TOTAL CHANGE TO APPROPRIATIONS			+11,384	

1997-98 State Nutrition Assistance Program - Project 709

REVENUES		Current Budget Amount	Change	Revised Budget Amount
<u>Acct</u>	<u>Description</u>			
440	Fees from Food & Nutrition	\$402,999	-9,597	\$393,402
TOTAL CHANGE TO REVENUES			-9,597	

APPROPRIATIONS	Current	Revised
Sub	Budget	Budget
<u>Acct</u> <u>Acct</u> <u>Description</u>	<u>Amount</u>	<u>Change</u> <u>Amount</u>
830 0141 Meals on Wheels of Buffalo and Erie County, Inc.	\$946,502	<u>-9,597</u> \$936,905
TOTAL CHANGE TO APPROPRIATIONS		<u>-9,597</u>

and be it further

RESOLVED, that the County Executive be, and hereby is, authorized to amend the 1997 contract between the County of Erie and Town of Amherst Senior Center to increase the contract by \$2,438 to a total amount not to exceed \$91,228 for services rendered during the contract period of January 1, 1997 through December 31, 1997, and be it further

RESOLVED, that the County Executive be, and hereby is, authorized to amend the 1997 contract between the County of Erie and Buffalo Area Services of the Salvation Army, Inc. to increase the contract by \$2,217 to a total amount not to exceed \$81,299 for services rendered during the contract period of January 1, 1997 through December 31, 1997, and be it further

RESOLVED, that the County Executive be, and hereby is, authorized to amend the 1997 contract between the County of Erie and Meals On Wheels of Buffalo and Erie County, Inc. to decrease the contract by \$28,162 to a total amount not to exceed \$2,796,092 for services rendered during the contract period of January 1, 1997 through December 31, 1997.

Funds for the above-mentioned contract will be available, after revision, in the adopted 1997 Erie County Budget:

Project	Sub	<u>Acct</u> <u>Acct</u> <u>Description</u>	<u>Amount</u>
700	830	141 Contr Svcs-Meals On Wheels	\$1,427,170
610	830	141 Contr Svcs-Meals On Wheels	\$ 148,189
709	830	141 Contr Svcs-Meals On Wheels	\$ 788,716
592	830	141 Contr Svcs-Meals On Wheels	\$ 337,828
714	830	141 Contr Svcs-Meals On Wheels	\$ 68,524
941	830	141 Contr Svcs-Meals On Wheels	<u>\$ 25,665</u>
TOTAL CONTRACT			<u>\$2,796,092</u>

and be it further

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

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

Item	Page	-1997	(Comm. 10E-40)
9.	COUNTY EXECUTIVE:	WHEREAS,	the Department of Social Services is required to maintain records related to the provision of social services to clients and therefore microfilms in excess of six (6) million document images per year, and

WHEREAS, the current system of records retention on updateable microfiche is obsolete, as the film is no longer produced, and the Department has developed and must implement a new case records management system utilizing the latest document imaging and retrieval technology, and

WHEREAS, the Department has recognized the need for a thorough technical analysis related to the planning and development of a new case record management system with the assistance of expert consultants in completion of reviews of current systems and communications structures, a cost benefit analysis, the development of a Request for Proposal (RFP) and the establishment of criteria for proposal evaluation and the scoring of actual bidders, and

WHEREAS, the second phase of the project involves vendor selection and the installation of a computerized document imaging records management system, and

WHEREAS, a very detailed RFP was developed that outlined ECDSS' administrative, technical, and functional requirements for a turnkey document image solution, and

WHEREAS, a Bidders Conference attended by nearly thirty (30) representatives was held on Thursday, December 12, 1996, to provide vendors with an overview of the project, allow them to meet the Steering Committee and Project Team, provide them with walk through of the Office of Child Support Enforcement and the Office of Financial Records Services, and to address any initial questions regarding the RFP or the project, and

WHEREAS, proposals in response to the RFP were received from six (6) vendors and were thoroughly reviewed and evaluated by a seven-member RFP Review and Vendor Selection Committee, and

WHEREAS, it is the recommendation of the RFP Review and Vendor Selection committee that ECDSS should award the Document Image Project contract to Advance Office Products (AOP Solutions) of Buffalo, New York, the vendor who, from an overall perspective, met and exceeded ECDSS' requirements, and is providing a solution that can expand as ECDSS adds users, applications or functionality, and

WHEREAS, AOP Solutions' first year (\$1,636,113) and five year (\$2,156,753) costs, including annual hardware and software maintenance costs, were the lowest of the three finalists, and

WHEREAS, funds for the contract are available in the 1997 Adopted Capital Budget in the Case Management Records System-Phase II "Pay As You Go" capital project, and no additional County funds are required, and

WHEREAS, ongoing hardware and software maintenance costs for subsequent years will be funded in future budgets through savings in maintenance costs on current equipment to be replaced by the new imaging system, and

WHEREAS, the Department of Social Services has provided materials describing the RFP and vendor selection process used to select and recommend the aforementioned vendor.

NOW, THEREFORE, BE IT

RESOLVED, that the Department of Social Services is hereby authorized to execute a contract in an amount not to exceed \$1,636,113 with Automated Office Products (AOP Solutions) of Buffalo, New York, for the installation of a computerized document imaging system, including specialized hardware and software, conversion services, staff training and first year hardware and software maintenance, and be it further

RESOLVED, that funds for said contract are available in the 1997 Adopted Capital Budget in the Case Management Record System-Phase II "Pay As You Go" capital project, and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the Department of Social Services and the Division of Budget, Finance & Management.

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

GEORGE A. HOLT, Jr.
Chairman

Ms. PEOPLES requested that Resolve No. 5 be separated.

GRANTED.

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

CARRIED UNANIMOUSLY.

Mr. HOLT moved the adoption of Resolve No. 5. Ms. PEOPLES seconded.

CARRIED.

Legislator Marinelli abstained.

ITEM 20 - Ms. COHEN KENNEDY presented the following and moved for immediate consideration. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 238

MAY 22, 1997

COMMUNITY ENRICHMENT
COMMITTEE
REPORT NO. 6

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

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

- | | Item | Page | -1997 | (Comm. 5E-1) |
|----|---|------|-------|---------------|
| a. | PEOPLES: Copy of Letter to County Executive Re: Appointment to the Erie County Commission on the Status of Women. | | | |
| | (6-0) Chairman Swanick present as ex-officio member. | | | |
| b. | LARSON: Proposed Consolidation at Erie Community College. | | | (Int. 9-1) |
| | (6-0) Chairman Swanick present as ex-officio member. | | | |
| c. | ERIE COMMUNITY COLLEGE: Minutes of Meeting Board of Trustees Held 3/26/97. | | | (Comm. 10D-4) |
| | (6-0) Chairman Swanick present as ex-officio member. | | | |
| d. | COMMISSION ON THE STATUS OF WOMEN: Working Women Survey. | | | (Comm. 10D-8) |
| | (6-0) Chairman Swanick present as ex-officio member. | | | |

- | | Item | Page | -1997 | (Comm. 10D-13) |
|----|--|------|-------|----------------|
| e. | ERIE COMMUNITY COLLEGE: Notice of Meetings 5/13/97, 5/16/97 & 5/20/97.
(6-0) Chairman Swanick present as ex-officio member. | | | |
| | Item | Page | -1997 | (Comm. 10D-14) |
| f. | ERIE COMMUNITY COLLEGE: Resolution of Board of Trustees Addressing Downtown Consolidation.
(6-0) Chairman Swanick present as ex-officio member. | | | |
| | Item | Page | -1997 | (Comm. 10D-16) |
| g. | ERIE COMMUNITY COLLEGE: Notice of Meetings: 5/12/97 & 5/20/97.
(6-0) Chairman Swanick present as ex-officio member. | | | |
| | Item | Page | -1997 | (Comm. 10E-33) |
| h. | COHEN KENNEDY: Copy of Letter to ECC Board of Trustees Re: Consolidation of Campuses.
(5-0) | | | |
| | Item | Page | -1997 | (Comm. 10E-39) |
| i. | COHEN KENNEDY: Copy of Letter to Buffalo News Re: ECC's North Campus Vital to Area's Future Workforce.
(5-0) | | | |
| | Item | Page | -1997 | (Comm. 10M-1) |
| h. | TOWN OF BOSTON: Support of Town of Amherst Resolution Re: Opposing the Closing of ECC North Campus.
(5-0) | | | |
| | Item | Page | -1997 | (Comm. 10M-5) |
| k. | TOWN OF GRAND ISLAND: Support of Town of Amherst's Resolution Re: Opposing the Closing of ECC North Campus.
(5-0) | | | |

- | | Item | Page | -1997 | (Comm. 10E-13) |
|----|--------------|------|-------|----------------|
| 2. | COMPTROLLER: | | | |

BOND RESOLUTION OF THE COUNTY OF ERIE, NEW YORK, AUTHORIZING THE ACQUISITION OF LAND LOCATED AT 5885 BIG TREE ROAD, IN ORCHARD PARK, AND THE BUILDING SITUATE THEREON KNOWN AS THE VEHICLE TECHNOLOGY TRAINING CENTER OF ERIE COMMUNITY COLLEGE - SOUTH CAMPUS, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$1,800,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING APPLICATION OF \$900,000 EXPECTED TO BE RECEIVED FROM THE STATE OF NEW YORK TO BE EXPENDED TOWARDS THE COST THEREOF OR REDEMPTION OF THE BONDS ISSUED THEREFOR OR TO BE BUDGETED AS AN OFFSET TO THE TAXES FOR THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SAID BONDS OF THE COUNTY.

(Introduced) May 15, 1997
(Adopted) June 5, 1997

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

Section 1. The County of Erie, New York (herein called "County"), is hereby authorized to acquire (a) a parcel of land comprising approximately 6.7 acres located at 5885 Big Tree Road, in Orchard Park, at the estimated maximum cost of \$200,000, and (b) the building situate thereon known as the Vehicle Technology Training Center of Erie Community College - South Campus, at the estimated maximum cost of \$1,600,000. The total estimated maximum cost of said specific objects or purposes, including preliminary costs and costs incidental thereto and to the financing thereof, is \$1,800,000, and said amount is hereby appropriated therefor pursuant to the duly adopted Capital Budget of said County for fiscal year 1997. To the extent that the details set forth in this resolution are inconsistent with any details set forth in the 1997 Capital Budget of the County, such Budget shall be deemed and is hereby amended. The plan of financing includes the issuance of \$1,800,000 serial bonds of the County to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds and the interest thereon as the same shall become due and payable. In addition, \$900,000 to be expected to be received from the State of New York, as and when received by the County, is hereby authorized to be expended towards the cost of said specific object or purpose, to redeem the bond or notes issued therefor, or to be budgeted as an offset to the taxes for the payment of the principal of and interest on said bonds.

Section 2. Serial bonds of the County in the respective principal amounts of \$200,000 and \$1,600,000 are hereby authorized to be issued for the specific objects or purposes described in Section (a) and (b) hereof, pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law") to finance said appropriations.

Section 3. (a) The period of probable usefulness for the specific object or purpose for which said \$200,000 bonds herein authorized are to be issued, within the limitations of Section 11.00 a. 21. of the Law, is thirty (30) years.

(b) Said existing building is of Class "B" construction as defined by Section 11.00 a.11. (b) of the Law, and the period of probable usefulness for the specific object or purpose for which said \$1,600,000 bonds herein authorized are to be issued, within the limitations of Section 11.00 a.11.(b) of the Law, is twenty (20) years.

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

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

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

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

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

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

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

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

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

(5-0)

RANDI COHEN KENNEDY
Chairperson

Ms. COHEN KENNEDY requested that Resolve No. 2 be separated.

GRANTED.

WHEREAS, additionally, the Town of Amherst will also be providing the OTB parlor with town services, including police, fire and maintenance, and

WHEREAS, OTB parlors should contribute property tax revenues to the municipalities from where they are operating in and whose services they use, and

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby memorialize the New York State Legislature to approve S.2834 and A.4827 which would subject the western New York OTB to real property taxation, and be it further

RESOLVED, that this Honorable Body urges Western New York OTB and the New York State Racing and Wagering Board to also restructure the OTB revenue distribution formula, thereby assessing where revenues are generated from and to redistribute those revenues proportionately back to those counties, and

RESOLVED, that certified copies of this resolution be forwarded to the New York State Racing and Wagering, the Western New York OTB, the members of the Western New York State Legislative Delegation, County Executive Dennis T. Gorski, Amherst Town Supervisor Susan J. Gralick and the members of the Amherst Town Board.

Fiscal Impact: To be determined.

RANDI COHEN KENNEDY

Ms. COHEN KENNEDY offered an amendment as follows:

Add a copy of the bill to the original resolution.

Ms. COHEN KENNEDY moved the adoption of the amendment. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

Chairman SWANICK directed that the names of Legislators Swanick, Peoples, Dusza, Fisher, Fitzpatrick, Holt, Kuwik, Marinelli, Olma and DeBenedetti be added as co-sponsors.

Ms. COHEN KENNEDY moved the adoption of the resolution as amended. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

ITEM 23 - Ms. MARINELLI presented the following resolution and requested it be referred to the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Int. 11-3 From: Leg. MARINELLI Re: Kenmore Avenue Maintenance Agreement.

ITEM 24 - Mr. HOLT presented the following resolution and requested it be referred to the HEALTH COMMITTEE.

GRANTED.

Int. 11-4 From: Leg. HOLT Re: Support for Increasing time Limits on Benefits for Immunosuppressive Drugs Under Medicare.

ITEM 25 - Ms. PEOPLES presented the following resolution and moved for immediate consideration. Ms. COHEN KENNEDY seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 240 Re: Support for the Proposed Niagara Teleport
Project (Int. 11-5)

WHEREAS, Erie County has addressed its declining industrial base by committing to be a world leader in the technical industry and information age, and

WHEREAS, The growth of the information age has spurred world interest in a proposed bi-national teleport that would be located in Buffalo and Fort Erie, Ontario called the Niagara Teleport Project, and

WHEREAS, A teleport is a physical structure that houses equipment for businesses to access telecommunications systems, microwave technology, fiber optics and satellite networks, and

WHEREAS, The Niagara Teleport Project would consist of a single building or buildings such as an office park where worldwide users would share easy, cost-effective access to state of the art telecommunication services, and

WHEREAS, Should the Niagara Teleport Project be completed, it has the potential to be an economic growth catalyst for the Niagara Frontier producing numerous business and employment opportunities, plus add a significant revenue stream, and

WHEREAS, The Niagara Teleport would be the only bi-national teleport in the world, giving industrial businesses the opportunity to enter the North American market and move their operations near the new site, and

WHEREAS, To that end, a bi-national steering committee is currently studying the concept of developing one of the most unique teleports in the world to be based in Buffalo, New York in the vicinity of the American-Canadian Peace Bridge, and

NOW, THEREFORE, BE IT

RESOLVED, That the Erie County Legislature does hereby recognize Western New York's favorable status in the telecommunications call-center industry and pledges its support for the Niagara Teleport Project to spur additional economic growth, and be it further

RESOLVED, That this Honorable Body does invite the following parties to appear at a future meeting of the Legislature's Economic Development committee to discuss cooperative strategies that this honorable body and the steering committee can employ to further the project's development: Erie County Commissioner of Environment and Planning Richard M. Tobe; Executive Director of the Erie County Industrial Development Agency Ronald Coan; City of Buffalo's Commissioner of Community Development Alan DeLisle; City of Buffalo planner and Coordinator of the Teleport Project Patricia Carter; General Manager of the Economic Development Corp. of Fort Erie Renato Romanin, and be it further

RESOLVED, That certified copies of this resolution be forwarded to Erie County Commissioner of Environment and Planning Richard M. Tobe; Executive Director of the Erie County Industrial Development Agency Ronald Coan; City of Buffalo's Commissioner of Community Development Alan DeLisle; City of Buffalo planner and Coordinator of the Teleport Project Patricia Carter; General Manager of the Economic Development Corp. of Fort Erie Renato Romanin.

Fiscal Impact: To be determined.

CHARLES M. SWANICK

CRYSTAL D. PEOPLES

Ms. PEOPLES moved the adoption. Ms. COHEN KENNEDY seconded.

CARRIED UNANIMOUSLY.

ITEM 26 - Mr. PAULY presented the following resolution and requested it be referred to the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Int. 11-6 From: Leg. PAULY Re: Support of a constitutional Convention in New York State.

ITEM 27 - Ms. MARINELLI presented the following resolution and requested it be referred to the SOCIAL SERVICES COMMITTEE.

GRANTED.

Int. 11-7 From: Leg. MARINELLI Re: State Funding for Youth and Family Service Programs.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 241

Re: Support for State Takeover of
Medicaid (Int. 11-8)

WHEREAS, New York is one of the few states in the country which mandates that its localities (counties, along with New York City) pay a local Medicaid share, which now costs localities in excess of \$3 billion yearly, with a growth factor of more than 13 percent per annum, and

WHEREAS, This Medicaid mandate requires localities to dedicate an increasingly larger portion of their local property taxes for the State Medicaid Program, thereby imposing an unjust burden on homeowners and businesses, and

WHEREAS, Counties no longer have the fiscal resources to continuously raise property and sales taxes to support the local Medicaid share, and

WHEREAS, It is imperative that localities obtain immediate relief from the costs associated with the Medicaid Program by New York State assuming a greater share of the fiscal responsibility for Medicaid costs, and

WHEREAS, Each phase of a State takeover of the local Medicaid program should include a hold harmless clause to ensure that each locality benefits from the State takeover plan, and

WHEREAS, A State takeover of Medicaid would enable counties to administer other necessary local programs in an equitable and productive fashion,

NOW, THEREFORE, BE IT

RESOLVED, That the Erie County Legislature does hereby state its support for a phased-in takeover of the Medicaid Program by New York State, beginning with a five percent State takeover of the local share costs for long term care in the 1997-98 New York State budget, and be it further

RESOLVED, That this Honorable Body does further call upon the State to provide funding in the 1998-99 State budget to assume the remaining local share costs of long term care, and to provide for a scheduled phase-in of an ultimate State takeover of all remaining local share costs for the Medicaid Program, and be it further

RESOLVED, That certified copies of this resolution be forwarded to New York State Governor George Pataki, the entire Western New York delegation of the New York State Legislature, the New York State Association of Counties, the Western New York Inter-County Association, and the New York State Association of Chairs of Legislative Boards.

Fiscal Impact: To be determined.

JUDITH P. FISHER

Chairman SWANICK directed that the names of Legislators Swanick, Peoples, Cohen Kennedy, Dusza, Fitzpatrick, Holt, Kuwik, Marinelli, Olma & DeBenedetti be added as co-sponsors.

Mrs. FISHER moved the adoption of the resolution as amended. Ms. COHEN KENNEDY seconded.

CARRIED UNANIMOUSLY.

ITEM 29 - Ms. MARINELLI presented the following resolution and moved for immediate consideration. Ms. COHEN KENNEDY seconded.

CARRIED UNANIMOUSLY.

Chairman SWANICK directed that the names of Legislators Swanick, Peoples, Cohen Kennedy, Dusza, Fisher, Fitzpatrick, Holt, Kuwik, Olma & DeBenedetti be added as co-sponsors.

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

CARRIED UNANIMOUSLY.

ITEM 30 - Ms. PEOPLES presented the following resolution and moved for immediate consideration. Mr. HOLT seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 243

Re: Support for Reinstatement of
Two-Year Vocational Training as
Eligible Welfare Work Participation.
(Int. 11-10)

WHEREAS, The successful move from welfare to work can only be accomplished if the education and training to make an individual viable in the job market is provided or allowed to be obtained, and

WHEREAS, In the past, two year vocational training programs were rightly considered acceptable work participation, allowing welfare recipients to acquire job skills and vocational training to move them more effectively and permanently off the welfare rolls and into careers, and

WHEREAS, The Personal Responsibility and Work Opportunity Act of 1996 limited educational opportunity to one year of vocational training, making it effectively impossible for welfare recipients to complete any vocational training program without losing their welfare benefits, and

WHEREAS, As a result, thousands of students in Erie County are faced with the reality that to complete their vocational studies they must lose their benefits, yet without that training they will not have the skills needed to obtain employment to move themselves from welfare to work, and

WHEREAS, It has become patently obvious that this limitation of vocational training to one year is a short-sighted, misguided attempt to reform welfare at the expense of the very people it was created to serve; those temporarily in need of assistance while reorienting themselves in an ever-changing job market,

NOW, THEREFORE, BE IT

RESOLVED, That the Erie County Legislature does hereby commend all those who are attempting to better themselves and their situations through vocational education and training, and be it further

RESOLVED, That this Honorable Body does hereby memorialize the United States Congress and President of the United States Bill Clinton to change the Personal Responsibility and Work Opportunity Act of 1996 to make two year vocational training eligible as work participation, and be it further

RESOLVED, That the Erie County Legislature does hereby recognize the importance of reforming current state laws regarding absentee landlords in order to strengthen our municipalities' tax bases through increased collection of delinquent real property taxes, and be it further

WHEREAS, The American Studies Department at UB enrolls 80 to 100 graduate students (M.A. and Ph.D.) annually, of whom 45 to 70 percent are from minority populations and 60 to 75 percent are women, and

WHEREAS, The American Studies Department at UB has graduated 15 Ph.D.s since the inception of its doctoral program in 1990, has graduated more than one half of all Native American doctorates east of the Mississippi, has over 100 M.A. candidates concentrating in Puerto Rican studies, currently has 70 students who are making gender issues central to their M.A. or Ph.D. research, and along with the Women's Studies B.A. awards 10 percent of all undergraduate degrees in Arts and Letters at UB, and

WHEREAS, Faculty from American Studies/Women's Studies departments at UB have played a central role in creating the "American Pluralism" course central to all students' comprehension of American culture, and

WHEREAS, Faculty and staff in American Studies/Women's Studies departments at UB have participated in bringing approximately \$1 million in grants, including a Rockefeller Humanities Center grant, to UB in the past decade, and

WHEREAS, Much of the pedagogy and scholarship in American Studies/Women's Studies at UB includes learning across the variety of interactions people have in the world, and has provided research and direct service to city, county, and civic organizations, and

WHEREAS, UB's Provostal Reorganization Plan has targeted only the American Studies Department for dismantling, instead proposing a Center for the Studies of the Americas of which the American Studies Department would be but a part, without so much as analyzing it as a department or employing the criteria used for all other departments, such as national standing and quality of scholarship, and

WHEREAS, The American Studies Department meets all the departmental criteria established for a department by UB, and

WHEREAS, Moreover, dismantling the American Studies Department would diminish the efficacy of a highly successful academic bloc, and potentially result in loss of faculty and national and international prestige,

NOW, THEREFORE, BE IT

RESOLVED, That the Erie County Legislature does hereby recognize the significant service that the American Studies and Women's Studies programs at UB have provided by offering a wide diversity of students the opportunity for an exceptional education, and be it further

RESOLVED, That this Honorable Body does hereby urge State University of New York at Buffalo President William R. Greiner, UB Provost Thomas E. Headrick and the UB Council to retain the departmental status of American Studies at UB and work with American Studies/Women's Studies to enhance their connections with more departments at UB, and be it further

RESOLVED, That certified copies of this resolution be sent to UB President William R. Greiner, UB Provost Thomas E. Headrick, Chair of the American Studies Department Dr. Ruth Meyerowitz, and the UB Council.

Fiscal Impact: None for resolution.

GREGORY B. OLMA

Chairman SWANICK directed that the names of Legislators Swanick, Peoples, Cohen Kennedy, Dusza, Fisher, Fitzpatrick, Holt, Kuwik, Marinelli, & DeBenedetti be added as co-sponsors.

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

CARRIED UNANIMOUSLY.

ITEM 34 - Mr. OLMA presented the following resolution and requested it be referred to the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Int. 11-14 From: Leg. OLMA Re: Request for State Legislation for Retroactive membership in New York State Retirement System.

ITEM 35 - Mrs. FISHER presented the following resolution and moved for immediate consideration. Mr. OLMA seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 247

Re: Opposition to State
Legislation That Supersedes Local
Authority on Questions of Smoking
in Public Places.
(Int. 11-15)

WHEREAS, in 1996, the Erie County Legislature approved Erie County Local Law Number 5 - 1996, landmark legislation that limits smoking in public places, legislation that partially went into effect on January 1 of this year, and will go fully into effect on January 1, 1998, and

WHEREAS, also in 1996, this Honorable Body unanimously approved Intro. 3-5 (1996), which opposed then-pending state legislation that would supersede any municipal local law concerning regulation of smoking in public places, and

WHEREAS, while this legislation did not pass the state legislature, similar bills has been introduced in both houses of the state legislature this year (S.4879/A.7803), that seeks to set a "uniform standard" for smoking in restaurants and taverns in New York State, and

WHEREAS, this legislation would not set uniform standards but would set a very low standard of regulation for all counties not currently having clean air legislation on their books; it would prevent those counties from passing strong clean air legislation in the future, and while it would allow existing laws, such as Erie County's, to stand, it would limit the ability to amend and strengthen existing laws, and

WHEREAS, Section 17 of Local Law Number 5 stipulated that the Chairman of the Legislature must seat a Review Committee to evaluate the implementation and impact of the legislation, to suggest possible amendments and other changes; approval of this state legislation may impact upon this committee's and this Legislature's ability to enact any such changes pursuant to Section 17, and

WHEREAS, this proposed legislation will further codify existing structural problems within the state's Clean Indoor Air Act, by preserving exemptions from regulation for restaurants without bars that have seating capacities of fifty seats or less, and by adding "improvements" to the law that are negligible at best, and

WHEREAS, in justifying opposition to similar legislation in 1996, this Honorable Body stated that "county and municipal elected officials throughout the state should agree that decisions of this type (that is, of clean air restrictions within local jurisdictions) rightly belong on the local level, rather than the state level," and

WHEREAS, this Honorable Body must send a message to Albany to reaffirm its commitment to clean air by asking that the Legislature reject this clear usurpation of local authority by the state,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby express its opposition to Senate Bill S.4879 and Assembly Bill A.7803, and reaffirms its commitment to ensuring that county and municipal governments continue to have the authority to pass legislation of any kind restricting smoking in public places within their respective jurisdictions, and be it further

RESOLVED, that this Honorable Body does hereby reassert its belief that decisions relative to the use of tobacco should rightfully be made on the local level, as county and municipal lawmakers are those closest to the constituency, and should have the right to consider and approve or disapprove legislation of this kind without being subjected to a broad edict from the state, and be it further

RESOLVED, that certified copies of this resolution be sent to Governor George Pataki, Assembly Speaker Sheldon Silver, Senate Majority Leader Joseph Bruno, Assembly Health Committee Chairman Richard Gottfried, Senate Health Committee Chairman Kemp Hannon, and to the local delegation to the New York State Assembly and Senate.

Fiscal Impact: None for Resolution.

JUDITH P. FISHER CRYSTAL D. PEOPLES CHARLES M. SWANICK

Chairman SWANICK directed that the names of Legislators Kuwik, Fitzpatrick, Holt, Olma, DeBenedetti, Dusza, Marineilli and Cohen Kennedy be added as co-sponsors.

Mrs. FISHER moved the adoption of the resolution as amended. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

ITEM 36 - Ms. PEOPLES presented the following resolution and moved for immediate consideration. Mrs. FISHER seconded.

CARRIED UNANIMOUSLY.

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
Canal Fest of the Tonawandas	n/a	\$ 4,000
TOTAL		\$ 4,000

and be it further

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

RESOLVED, that certified copies of this resolution be sent to County Executive Dennis Gorski, Budget Director Kenneth C. Kruly, First Assistant County Attorney Alan Gerstman, the North Buffalo Community Center, 203 Sanders Rd., Buffalo, NY 14216, and to Mike Addy of Canal Fest of the Tonawandas, Inc., PO Box 1243, North Tonawanda, NY 14120.

Fiscal Impact: Appropriation of 1997 budgeted funds.

CHARLES M. SWANICK CRYSTAL D. PEOPLES EDWARD J. KUWIK
MICHAEL A. FITZPATRICK GEORGE A. HOLT, Jr. JUDITH P. FISHER
GREGORY B. OLMA AL DEBENEDETTI RAYMOND K. DUSZA
LYNN M. MARINELLI RANDI COHEN KENNEDY

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

CARRIED UNANIMOUSLY.

ITEM 37 - Ms. PEOPLES presented the following resolution and moved for immediate consideration. Mrs. FISHER seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 249

Re: Preserving the Meaning of the "Made
in USA" Label.
(Int. 11-17)

WHEREAS, the "Made in USA" label on products manufactured or produced in America is a symbol of quality and workmanship known across the world, and

WHEREAS, such designation is also indicative of products produced within this nation under the benefit of labor laws, union rules, and other stipulations that ensure safe workplaces with employees making a livable wage, and

WHEREAS, the United State Federal Trade Commission (FTC) is proposing that it no longer restrict use of the "Made in USA" label and advertisements to its current standard, which is that such product must have been made with "all or virtually all" US parts and labor, and

WHEREAS, the FTC is proposing that the "Made in USA" label be allowed to be used for products:

Were "last substantially transformed" in the United States and have at least 75% United States manufacturing costs; OR
Without regard to United States manufacturing costs, both the products and "all significant parts and components were last substantially transformed" in the USA.
and

WHEREAS, products that meet one of the above two criteria would qualify for the label as "substantially all" made in the USA, according to the FTC, and

WHEREAS, American workers are rightly outraged by this proposal, as it will clearly lessen both the standard and the value of the proud "Made in USA" label, and will open the door even wider to the export of American jobs to overseas areas where cheap labor is more readily available, and

WHEREAS, the commercial value of the "Made in USA" label is viewed favorably by those industries with overseas manufacturing capabilities, and who seek to "cash-in" on the "Made in USA" label without providing jobs to American workers in return for such designation, and

WHEREAS, it is important that this Honorable Body inform the FTC of the importance of maintaining the integrity of the "Made in USA" label by calling upon the FTC to abandon its proposal to alter the "Made in USA" label standards,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby call upon officials of the United States Federal Trade Commission to abandon its proposal to alter the standards required to use the "Made in USA", instead maintaining the current standard that to be so designated, the product must be produced with "all or virtually all" US parts and labor, and be it further

RESOLVED, that this Honorable Body does hereby call upon President Bill Clinton and Congressional leaders, as well as United States Senators Alfonse M. D'Amato and Daniel Patrick Moynihan, and United States Representatives John LaFalce, Bill Paxon, and Jack Quinn to oppose any and all attempts on the part of the FTC to make this change, and to seek to preserve the current standard for products produced in the USA, and be it further

RESOLVED, that certified copies of this resolution be sent to upon President Clinton, US Senate Majority Leader Trent Lott, US House Speaker Newt Gingrich, Senators D'Amato and Moynihan, Representatives LaFalce, Paxon, and, Quinn, the Administrator of the US Federal Trade Commission, and to the Buffalo Council of the AFL-CIO.

Fiscal Impact: Impact of Proposed Change is Negative to American Workers.

RAYMOND K. DUSZA MICHAEL A. FITZPATRICK

Chairman SWANICK directed that the names of Legislators Swanick, Peoples, Cohen Kennedy, Fisher, Holt, Kuwik, Marinelli, Olma & DeBenedetti be added as co-sponsors.

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

CARRIED UNANIMOUSLY.

ITEM 38 - Ms. PEOPLES presented the following resolution and moved for immediate consideration. Ms. COHEN KENNEDY seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 250

Re: Providing Necessary
Funding to Tonawanda Seniors.
(Int. 11-18)

WHEREAS, the Legislature set aside funds in the 1997 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 floor at the City of Tonawanda Senior Citizen Center is badly in need of repair, and

WHEREAS, in the interests of the safety and welfare of those who use the center, the County has been asked to provide a small amount of funding toward the repair of this floor, 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 \$10,000 from the legislative contingency (Countywide Contingency DAC: 110923310893) to Fund 110, Project 921, Department 301 Agency Payments & Grants - Public Benefit Services, (DAC: 110921301830), for paying the following agencies:

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
City of Tonawanda Senior Citizen Assoc.	n/a	\$ 10,000
TOTAL		\$ 10,000

and be it further

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

RESOLVED, that this funding is to be used in a cooperative effort between the City of Tonawanda and the City of Tonawanda Senior Citizens Association toward the effective repair and maintenance of this facility, and be it further

RESOLVED, that certified copies of this resolution be sent to County Executive Dennis Gorski, Budget Director Kenneth C. Kruly, First Assistant County Attorney Alan Gerstman and to Doreen Harris, Director, City of Tonawanda Senior Citizens Association, 35 Main St., Tonawanda, NY 14150-2105.

Fiscal Impact: Appropriation of 1997 budgeted funds.

CHARLES M. SWANICK

Ms. PEOPLES moved the adoption. Ms. COHEN KENNEDY seconded.

CARRIED UNANIMOUSLY.

ITEM 39 - Ms. COHEN KENNEDY presented the following resolution and moved for immediate consideration. Ms. MARINELLI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 251

Re: Funding for Cultural
Initiatives in the Town of
Amherst.
(Int. 11-19)

WHEREAS, the Legislature set aside funds in the 1997 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, Upstage New York is a professional musical theater group based in the Town of Amherst that has been in operation for more than 21 years, and

WHEREAS, Upstage New York is located within the University at Buffalo's Center for the Arts, and has been affiliated with UB's Department of Theater and Dance for some time, and

WHEREAS, Upstage New York is committed to providing a professional theater experience through training and participation to the talented youth of our community, and

WHEREAS, in order for Upstage New York to continue to provide summer productions, student interns, and other services to the community at large, a small grant from Erie County will be necessary, and

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

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$5,000 from the legislative contingency (Countywide Contingency DAC: 110923310893) to Fund 110, Project 920, Department 300, Agency Payments & Grants - Agency Payments - Cultural, (DAC: 110920300830215), for paying the following agencies:

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
Upstage New York	n/a	\$ 5,000
TOTAL		\$ 5,000

and be it further

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

RESOLVED, that certified copies of this resolution be sent to County Executive Dennis Gorski, Budget Director Kenneth C. Kruly, First Assistant County Attorney Alan Gerstman and to Lynn Malek, Chair of the Board, Upstage New York, 42 Wood Lee, Williamsville, NY 14221.

Fiscal Impact: Appropriation of 1997 budgeted funds.

RANDI COHEN KENNEDY

Ms. COHEN KENNEDY moved the adoption. Ms. MARINELLI seconded.

CARRIED UNANIMOUSLY.

ITEM 40 - Mrs. FISHER presented the following resolution and moved for immediate consideration. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 252

Re: Critical Funding for
Libraries in the City of
Buffalo.
(Int. 11-20)

WHEREAS, pursuant to an agreement entered into many years ago, Erie County is responsible for funding local branch libraries situated within localities throughout Erie County, and

WHEREAS, branch libraries within the City of Buffalo are routinely in need of additional funds to provide services and materials to local patrons, and

WHEREAS, three city library branches, Fairfield, Crane, and Niagara enjoy a great deal of use by their respective local areas, and

WHEREAS, the Legislature set aside funds in the 1997 Erie County Budget for use by worthy community organizations and governmental agencies, including the county's library system, and

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

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$6,000 from the legislative contingency (Countywide Contingency DAC: 110923310893) to Fund 820, Project 973, Department 420 Buffalo & Erie County Public Library, Account 935 - Library Materials (DAC:820973420935), for the purposes of disbursement of additional funds to the following branch libraries in the following manner:

<u>NAME</u>	<u>AMOUNT</u>
Crane Library	\$2,000
Fairfield Library	\$2,000
Niagara Library	\$2,000
TOTAL	\$6,000

and be it further

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

RESOLVED, that certified copies of this resolution be sent to County Executive Gorski, Budget Director Kenneth C. Kruly, First Assistant County Attorney Alan Gerstman, Budget Analyst Jackie Mullen, Buffalo and to Erie County Public Library Director Daniel Walters.

Fiscal Impact: Appropriation of 1997 budgeted funds.

JUDITH P. FISHER

Mrs. FISHER offered an amendment as follows:

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

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$6,000 from the legislative contingency (Countywide Contingency DAC: 110923310893) to Fund 820, Project 973, Department 420 Buffalo & Erie County Public Library, Account 938 - Library Materials (DAC:820973420938), for the purposes of disbursement of additional funds to the following branch libraries in the following manner:

<u>NAME</u>	<u>AMOUNT</u>
Crane Library	\$ 2,000
Fairfield Library	\$ 2,000
Niagara Library	\$ 2,000
TOTAL	\$ 6,000

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

CARRIED UNANIMOUSLY.

Mrs. FISHER moved the adoption of the resolution as amended. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

ITEM 41 - Ms. COHEN KENNEDY presented the following resolution and moved for immediate consideration. Mr. KUWIK seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 253

Re: Honoring Fire Service in
the Town of Amherst.
(Int. 11-21)

WHEREAS, firefighters lay their lives on the line every day for the betterment of their communities, and

WHEREAS, in recognition of the special contributions made to our local communities by volunteer fire agencies, the Town of Amherst Past Fire Chiefs Association plans to generate a book which will portray the history of the fire service in the Town of Amherst, representing all aspects of the service, and

WHEREAS, the past Fire Chiefs Association will seek to place copies of this book in all schools and libraries within the town, as well as within the town museum, as a means of teaching the history of fire service to local residents and children, and

WHEREAS, applications for funding for this project have been made to the state, as well as to the county, and

WHEREAS, the Legislature set aside funds in the 1997 Erie County Budget for use by worthy community organizations and governmental agencies,

WHEREAS, in the interests of teaching our youth about the important history of the fire service throughout Erie County, it would be fitting for the county to contribute a small amount of funds toward this important initiative, 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 \$2,000 from the legislative contingency (Countywide Contingency DAC: 110923310893) to Fund 110, Project 921, Department 301 Agency Payments & Grants - Public Benefit Services, (DAC: 110921301830), for paying the following agencies:

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
Amherst Past Fire		
Chiefs Association	n/a	\$ 2,000
TOTAL		\$ 2,000

and be it further

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

RESOLVED, that certified copies of this resolution be sent to County Executive Dennis Gorski, Budget Director Kenneth C. Kruly, First Assistant County Attorney Alan Gerstman and to Ira Striejewske, President, Amherst Past Fire Chiefs Association, 48 Cornell Avenue, Amherst, NY 14226.

Fiscal Impact: Appropriation of 1997 budgeted funds

RANDI COHEN KENNEDY

Ms. COHEN KENNEDY moved the adoption. Mr. KUWIK seconded.

CARRIED UNANIMOUSLY.

ITEM 42 - Mr. DUSZA presented the following resolution and moved for immediate consideration. Mr. LARSON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 254

Re: Local Services
Initiatives for Residents in
Erie County.
(Int. 11-22)

WHEREAS, the Legislature set aside funds in the 1997 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 \$11,000 from the legislative contingency (Countywide Contingency DAC: 110923310893) to Fund 110, Project 921, Department 301 Agency Payments & Grants - Public Benefit Services, (DAC: 110921301830), for paying the following agencies:

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
Pulaski Day Parade	830/0273	\$ 3,000
Cheektowaga Patriotic Comm.	830/0420	\$ 3,000
Friends of the Woods Ltd.	830/0382	\$ 1,000
Village of Depew Justice Court	n/a	\$ 4,000
TOTAL		\$ 11,000

and be it further

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$3,000 from the legislative contingency (Countywide Contingency DAC: 110923310893) to Fund 110, Project 939, Department 630 - Department of Senior Services, (DAC: 110939630830), for paying the following agencies:

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
Tn Lancaster Senior Citizen Ctr.	830/0799	\$ 1,500
Village Depew Senior Citizen Ctr.	830/0800	\$ 1,500
TOTAL		\$ 3,000

and be it further

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$5,000 from the legislative contingency (Countywide Contingency DAC: 110923310893) to Fund 110, Project 920, Department 300 Agency Payments & Grants Cultural Agencies, (DAC: 110920300830), for paying the following agency:

<u>NAME</u>	<u>LINE</u>	<u>BUDGET</u> <u>AMOUNT</u>	<u>+/-</u>	<u>NEW</u> <u>AMOUNT</u>
Chopin Singing Soc.	830/0280	\$ 5,000	\$5,000	\$ 10,000
TOTAL			\$5,000	

and be it further

RESOLVED, that the County Executive is hereby authorized to enter into new or amended contracts with the agencies cited, and be it further

RESOLVED, that certified copies of this resolution be sent to County Executive Dennis Gorski, Budget Director Kenneth C. Kruly, First Assistant County Attorney Alan Gerstman and to Brian Rusk, President, General Pulaski Association, 340 Wellingwood Dr., E. Amherst, NY 14051; Frank Orlikowski, President, Cheektowaga Patriotic Commission, Inc., 3 Zent Ct., Apt. 4, Cheektowaga, NY 14225; to Michael Papero, President, Friends of the Woods, Ltd., PO Box 146, Cheektowaga, NY 14225; to Gloria Garenflo, Director, Town of Lancaster Senior Citizen Center, 100 Oxford Ave., Lancaster, NY 14086; to Henry Kacala, President, Village of Depew Senior Citizen Center, 85 Manitou St., Depew, NY 14043; to Richard Jezuit, President, Frederick Chopin Singing Society, 2155 Old Union Rd., Cheektowaga, NY 14227; and to Gordon Willis, Village Justice, Village of Depew, 85 Manitou St., Depew, NY 14043.

Fiscal Impact: Expenditure of 1997 Budgeted Funds.

RAYMOND K. DUSZA

Mr. DUSZA moved the adoption. Mr. LARSON seconded.

CARRIED UNANIMOUSLY.

ITEM 43 - Ms. COHEN KENNEDY presented the following resolution and moved for immediate consideration. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 255

Re: Providing Recreational
Opportunities at Local
Scholls
(Int. 11-23)

WHEREAS, the Legislature set aside funds in the 1997 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, Mill Middle School in the town of Amherst has proposed constructing a "ropes course," on site at the school, and

WHEREAS, students have worked with faculty and parents to design such a course, and have worked with the private sector to secure additional grants, including Quickrete, which has pledged to provide all necessary concrete products for this project, and

WHEREAS, Mill Middle has requested a small contribution from Erie County to assist in the completion of this project,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$10,000 from the legislative contingency (Countywide Contingency DAC: 110923310893) to Fund 110, Project 921, Department 301 Agency Payments & Grants - Public Benefit Services, (DAC: 110921301830), for paying the following agencies:

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
Mill Middle School -		
Ropes Course Project	n/a	\$10,000
TOTAL		\$10,000

and be it further

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

RESOLVED, that certified copies of this resolution be sent to County Executive Dennis Gorski, Budget Director Kenneth C. Kruly, First Assistant County Attorney Alan Gerstman and to Brian Corbin, Mill Middle School Guidance Department, 505 Mill St., Williamsville, NY 14221.

Fiscal Impact: Appropriation of 1997 budgeted funds.

RANDI COHEN KENNEDY

Ms. COHEN KENNEDY offered an amendment as follows:

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

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$2,500 from the legislative contingency (Countywide Contingency DAC: 110923310893) to Fund 110, Project 921, Department 301 Agency Payments & Grants - Public Benefit Services (DAC:110921301830), for paying the following agencies:

<u>NAME</u>	<u>LINE</u>	<u>AMOUNT</u>
Mill Middle School - Ropes Course Project	N/A	\$ 2,500
TOTAL		<u>\$ 2,500</u>

Ms. COHEN KENNEDY moved the adoption of the amendment. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

Ms. COHEN KENNEDY moved the adoption of the resolution as amended. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

ITEM 44 - Ms. PEOPLES presented the following resolution and moved for immediate consideration. Mr. FITZPATRICK seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 256

Re: Continued Funding for
the Department of Emergency
Services Hazardous Materials
Team.
(Int. 11-24)

WHEREAS, in past years, the Erie County Legislature has allocated funds to the Erie County Department of Emergency Services Hazardous Materials (Haz-Mat) team, and

WHEREAS, the county's Haz-Mat team is responsible for addressing problems relating to the mitigation of hazardous materials that are spilled, leaked or otherwise released into the local area, bringing such dangerous situations to a safe conclusion and

WHEREAS, the Legislature set aside funds in the 1997 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 \$10,000 from the legislative contingency (Countywide Contingency DAC: 110923310893) to Fund 110, Project 935, Department 670 - Department of Emergency Services - Lab & Technical Equipment (DAC: 110935670933), for the purposes of funding the County's Hazardous Materials (Haz-Mat) team for potential situations where mitigation of hazardous materials is deemed necessary, as follows:

<u>Line</u>	<u>Purpose</u>	<u>Budget Amount</u>	<u>+/-</u>	<u>New Amount</u>
933	Lab & Tech Equip.	\$10,275	\$10,000	\$20,275
TOTAL			\$10,000	

and be it further

RESOLVED, that the County Executive, the County Comptroller, the Director of Budget, Management, and Finance, the Clerk of the Legislature, and the Commissioner of Emergency Services are hereby authorized complete any and all necessary paperwork to effectuate this transfer of funds, and be it further

RESOLVED, that certified copies of this resolution be sent to County Executive Dennis Gorski, County Comptroller Nancy A. Naples, Budget Director Kenneth C. Kruly, Emergency Services Commissioner Arthur Domino, Emergency Services Deputy Commissioner Dean Messing, and to First Assistant County Attorney Alan Gerstman.

Fiscal Impact: Expenditure of 1997 Budgeted Funds.

CHARLES M. SWANICK	CRYSTAL D. PEOPLES	EDWARD J. KUWIK
MICHAEL A. FITZPATRICK	GEORGE A. HOLT, Jr.	JUDITH P. FISHER
GREGORY B. OLMA	AL DEBENEDETTI	RAYMOND K. DUSZA
LYNN M. MARINELLI	RANDI COHEN KENNEDY	

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

CARRIED UNANIMOUSLY.

ITEM 45 - Mr. GREENAN presented the following resolution and moved for immediate consideration. Mr. MARSHALL seconded.

Int. 11-25 From: Legs. CHASE, GREENAN, LARSON, RANZENHOFER & MARSHALL. Re: Opposition to Proposed ECC Tuition Increase.

Chairman SWANICK directed that Int. 11-25 be referred to the COMMUNITY ENRICHMENT COMMITTEE.

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

Chairman SWANICK directed that a Roll Call be taken.

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

DEFEATED.

Subsequently, Int. 11-25 was referred to the COMMUNITY ENRICHMENT COMMITTEE.

ITEM 46 - Mr. MARSHALL presented the following resolution and moved for immediate consideration. Mr. LARSON seconded.

Int. 11-26 From: Legs. LARSON, GREENAN, CHASE, RANZENHOFER & MARSHALL. Re: Funded Unfilled Jobs in Erie County Government.

Chairman SWANICK directed that Int. 11-26 be referred to the GOVERNMENT AFFAIRS COMMITTEE.

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

Chairman SWANICK directed that a Roll Call be taken.

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

DEFEATED.

Subsequently, Int. 11-26 was referred to the GOVERNMENT AFFAIRS COMMITTEE.

ITEM 47 - Mr. MARSHALL presented the following resolution and moved for immediate consideration. Mr. LARSON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 257

Re: Personnel Adjustment -
Erie County Legislature.
(Int. 11-27)

WHEREAS, the Erie County Legislature currently has departmental positions titled SEC ASST LEG DIS RPT and SEC ASST LEG DIS OFF [JG 05], and

WHEREAS, the Legislature has determined that its department functions require one (1) additional position of SEC ASST LEG DIS OFF, and

WHEREAS, a variable minimum hiring rate of Job Group 5, Step 5 has previously been established for the title of SEC ASST LEG DIS OFF, and

WHEREAS, the funds needed to effect this change are available in the Legislature=s Personal Services budget, and

WHEREAS, the Legislature must approve the following resolution to effect these adjustments,

NOW, THEREFORE, BE IT

RESOLVED, that the following position changes are made within the personal services budget of the Erie County Legislature, effective June 9, 1997:

- delete one (1) position of SEC ASST LEG DIS RPT (position # 001367), and
 - add one (1) new position of SEC ASST LEG DIS OFF, Job Group 5, Step 5,
- and be it further

RESOLVED, that a variable minimum hiring rate of Job Group 5, Step 5 be established for this new position, and be it further

RESOLVED, that the funds necessary to effect this change are available in the Erie County Legislature's Personal Services budget as a result of a vacancy in the position of CLERK TYP (LEG) PT [position # 001714], from February 10, 1997 through December 31, 1997, and be it further

RESOLVED, that the Clerk of the Legislature, the Department of Personnel, and the Division of Budget, Management & Finance are authorized to complete all necessary paperwork to effectuate these changes, effective June 9, 1997, and be it further

RESOLVED, that certified copies of this resolution be sent to the Commissioner of Personnel and to the Director of Budget, Management & Finance.

FISCAL IMPACT: None. All funds can be found in the 1997 Personal Services budget of the Erie County Legislature.

FREDERICK J. MARSHALL

Mr. MARSHALL moved the adoption. Mr. LARSON seconded.

CARRIED UNANIMOUSLY.

ITEM 48 - Ms. PEOPLES presented the following resolution and moved for immediate consideration. Ms. COHEN KENNEDY seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 258

Re: Personnel Adjustment -
Erie County Legislature.
(Int. 11-28)

WHEREAS, the Erie County Legislature has departmental positions titled SEC ASST LEG [JG 05] and SR LEG SEC [JG 06], and

WHEREAS, the Legislature has one (1) position titled CONST SRV LIAISON PT, and

WHEREAS, the Legislature has determined that adjustments are necessary within its Personal Services budget, and

WHEREAS, the Legislature must approve the following resolution to effect these adjustments,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the deletion of one (1) position of SEC ASST LEG [JG 05, Step 1], position # 001118, effective June 9, 1997, for a savings of \$12,500.00, and be it further

RESOLVED, that the Legislature does hereby create one (1) position of SR LEG SEC [JG 06 - NEW], effective June 9, 1997, and be it further

RESOLVED, that a variable minimum hiring rate of Step 1 is established for this new position of SR LEG SEC [JG 06], effective June 9, 1997, for a cost of \$12,927.00, and be it further

RESOLVED, that the Erie County Legislature does hereby approve the deletion of the position of CONST SRV LIAISON PT, position # 001342, effective June 9, 1997, for a savings of \$5,523.00, and be it further

RESOLVED, that the Legislature does hereby create one (1) 20 hour per week position of CONST SRV LIAISON RPT [560 RPT hours @ \$12.51 per hour], effective June 9, 1997, for a cost of \$7,006.00, and be it further

RESOLVED, that the funds necessary to effect these changes, in the amount of \$1,910.00, may be found in the Erie County Legislature's Personal Services budget as a result of a vacancy in the position of SPEC ASST TO CHAIR [JG 09 - position # 001028] since January 1, 1997, and be it further

RESOLVED, that the Clerk of the Legislature, the Department of Personnel and the Division of Budget, Management & Finance are authorized to complete all necessary paperwork to effectuate these personnel changes, effective June 9, 1997, and be it further

RESOLVED, that certified copies of this resolution be sent to the Commissioner of Personnel and the Director of Budget, Management & Finance.

FISCAL IMPACT: None. All funds can be found in the 1997 Personal Services budget of the Erie County Legislature.

CHARLES M. SWANICK CRYSTAL D. PEOPLES

Mr. MARSHALL moved the adoption. Mr. LARSON seconded.

CARRIED UNANIMOUSLY.

COMMUNICATIONS DISCHARGED FROM COMMITTEE:

ITEM 49 - Mr. MARSHALL moved to discharge SOCIAL SERVICES COMMITTEE from further consideration of Int. 4-32. Mr. LARSON seconded.

Int. 4-32 From: Legs. Greenan, Mrshall, Larson, Ranzenhofer & Chase Re: Hiring Practices of the Erie County Department of Youth Services

DEFEATED.

Legislators Dusza, Fisher, Fitzpatrick, Holt, Kuwik, Marinelli, Peoples and Swanick in the negative.

SUSPENSION OF THE RULES

ITEM 50 - Ms. PEOPLES moved for a suspension of the rules to include an item not on the agenda.

GRANTED.

RESOLUTION NO. 259

Re: Med One Marketing, Inc.
(IVAC INFUSION PUMPS FOR ECMC)
Assignment of Financing to
Heller Financial Leasing, Inc.
(Comm. 11E-39)

WHEREAS, by resolution of February 20, 1997, COMM. 3E-12, the Erie County Legislature authorized the capital lease agreement for the County of Erie on behalf of the Erie County Medical Center with MED One Marketing, Inc. (6995 Union Park Central, Suite 180, Salt Lake City, Utah, 84047) for the IV pumps, maintenance and support at the 462 Grider Street, Buffalo, New York hospital, in accordance with the provisions set forth in the ECMC bid (#967198-3), and

WHEREAS, by the same resolution, the Erie County Legislature authorized the aforementioned installment purchase contract capital lease agreement in the amount of \$113,095 per year over a term of 5 years at an interest rate of 4.75% which results in aggregate cost of \$565,475.00 inclusive of financing costs, and the resolution is attached hereto, and

WHEREAS, shortly after the authority provided by the resolution of February 20, 1997, interest rates were raised by the Federal Reserve Bank such that an interest rate of 4.75% is far below the current interest rates, and

WHEREAS, MED One Marketing, Inc., the original lessor on this capital lease agreement will be assigning the transaction to Heller Financial Leasing, Inc. who will provide funding and servicing of the transaction at the interest rate of 4.75%, and

WHEREAS, Heller Financial, Inc., will honor the 4.75% interest rate only until June 13, 1997, and

WHEREAS, this assignment insures that the county will continue to enter into the Lease Agreement in the amount of \$113,095 per year over a term of 5 years and at interest rate of 4.75% which results an aggregate cost of \$565,475.00 inclusive of financing costs,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes assignment to Heller Financial Leasing, Inc. of the aforementioned installment purchase contract capital lease agreement in the amount of \$113,095 per year over a term of 5 years at an interest rate of 4.75% which results in an aggregate cost of \$565,475, inclusive of financing costs, and be it further

RESOLVED, that certified copies of this resolution be sent to Erie County Comptroller, Erie County Medical Center, and MED One Marketing, Inc.

Ms. PEOPLES moved the adoption. Ms. COHEN KENNEDY seconded.

CARRIED UNANIMOUSLY.

ITEM 51 - Ms. PEOPLES moved for a suspension of the rules to include an item not on the agenda. Ms. COHEN KENNEDY seconded.

GRANTED.

Comm. 11E-40 From: Chairman Swanick Re: Appointment to Erie County Central Police Services Board of Trustees

Chairman SWANICK directed that Comm. 11E-40 be RECEIVED, FILED & PRINTED.

Dear Madame Clerk:

Pursuant to the authority vested in me by Section 11-D-03 of the Erie County Charter, please be advised that I hereby appoint Erie County Legislators EDWARD J. KUWIK as the Legislature's representative to the Erie County Central Police Services Board of Trustees.

Legislator Kuwik's extensive experience with matters relating to law enforcement, including his many years of service as Chairman of the Legislature's Committee on Public Safety, uniquely qualify him for this appointment.

Very truly yours,
CHARLES M. SWANICK
Chairman
Erie County Legislature

RECEIVED, FILED & PRINTED.

ITEM 52 - Ms. PEOPLES moved for a suspension of the rules to include an item not on the agenda.

GRANTED.

Comm. 11E-41 From: Comptroller Letter From Nancy A. Naples, Comptroller to Leg. DeBenedetti Re: response to his letter of May 8, 1997

Chairman SWANICK directed that Communication 11E-41 be referred to the FINANCE & MANAGEMENT COMMITTEE.

ITEM 53 - Ms. PEOPLES moved for a suspension of the rules to include an item not on the agenda.

GRANTED.

Comm. 11M-24. From: NFTA Commissioner Vivian Turner, Letter to Chairman Swanick Re: Her Appointment to Niagara Frontier Transportation Authority.

Chairman SWANICK directed that Comm. 11M-24 be RECEIVED, FILED & PRINTED.

Dear Chairman Swanick:

I would like to take this opportunity to thank you, Majority Leader Crystal D. Peoples, Legislator George Holt, and the entire Legislative body for your overwhelming support of my nomination and confirmation to the Niagara Frontier Transportation Authority.

I approach this opportunity with much enthusiasm, realizing the commitment that we have made to the residents of Erie County, to assure their needs are considered when determining the future direction of the NFTA. As we approach the 21st Century, we all recognize the vital role transportation will play in our lives. It is with these thoughts in mind that I begin my policy decision making as an NFTA Commissioner.

I look forward to continuous dialogue with the Legislature on transportation issues. I would like to recommend an quarterly meeting to review, and discuss transportation. From our previous discussion I will anticipate a correspondence from Legislator Lynn Marinelli to arrange the dates and times of our quarterly meetings.

Again, I cannot thank you enough for your tireless efforts on my behalf in assuring this process came to fruition. If you or any of the County Legislators have questions or concerns, please do not hesitate to contact me.

Sincerely,
VIVIAN L. TURNER
NFTA Commissioner

RECEIVED, FILED & PRINTED.

ITEM 54 - Ms. PEOPLES moved for a suspension of the rules to include an item not on the agenda.

GRANTED.

Comm. 11M-25 From: City of Buffalo Common Council Re: Request Responses From New York State Office of Alcohol and Substance Abuse Services and Division for Youth Regarding Consolidation Issues.

Chairman SWANICK directed that Communication 11M-25 be referred to the FINANCE & MANAGEMENT COMMITTEE.

ITEM 55 - Ms. PEOPLES moved for a suspension of the rules to include an item not on the agenda.

GRANTED.

Comm. 11M-26 From: Greater Buffalo Partnership Buffalo Bills Task Force. Re: Buffalo Bill's Franchise Lease.

Chairman SWANICK directed that Communication 11M-26 be referred to the FINANCE & MANAGEMENT COMMITTEE.

ITEM 56 - Mrs. FISHER moved for a suspension of the rules to include an item not on the agenda.

GRANTED.

Comm. 11M-27 From: Buffalo Federation of Neighborhood Centers, Inc. Re: Letter to Erie County Commissioner of Mental Health Dr. Ellen Grant Bishop Re: Mental Health Issues.

Chairman SWANICK directed that Communication 11M-27 be referred to the HEALTH COMMITTEE.

ITEM 57- Mr. GREENAN moved for a suspension of the rules to include an item not on the agenda.

GRANTED.

Comm. 11M-28 From: NYS Department of Environmental Conservation Re: Letter to Leg. Greenan Re: Bond Act Resolution - Madison Wire.

Chairman SWANICK directed that Communication 11M-28 be referred to the ENERGY & ENVIRONMENT COMMITTEE GRANTED.

ITEM 58 - Ms. PEOPLES moved for a suspension of the rules to include an item not on the agenda.

GRANTED.

Comm. 11M-29 From: Anthony Barnswell, Angelica Textile Employee Union Representative Re: Letter to Leg. Peoples Re: Angelica Textile Employees Union Representation

Chairman SWANICK directed that Communication 11M-29 be referred to the GOVERNMENT AFFAIRS COMMITTEE.

ITEM 59 - Ms. PEOPLES moved for a suspension of the rules to include an item not on the agenda.

GRANTED.

Comm. 11D-24 From: Budget, Finance & Management Re: Letter to Leg. DeBenedetti Re: Buffalo Bills Current Lease

Chairman SWANICK directed that Communication 11D-24 be referred to the FINANCE & MANAGEMENT COMMITTEE.

ITEM 60 - Ms. PEOPLES moved for a suspension of the rules to include an item not on the agenda.

GRANTED.

Comm. 11D-25 From: DPW Re: Letter to Leg. DeBenedetti Re: Buffalo Bills' Cost of Maintaining Rich Stadium

Chairman SWANICK directed that Communication 11D-25 be referred to the FINANCE & MANAGEMENT COMMITTEE.

ITEM 61 - Ms. PEOPLES moved for a suspension of the rules to include an item not on the agenda.

GRANTED.

Comm. 11D-26 From: DEP Re: Letter to Leg. DeBenedetti Re: Anticipated Costs of Maintaining Rich Stadium.

Chairman SWANICK directed that Communication 11D-26 be referred to the FINANCE & MANAGEMENT COMMITTEE.

COMMUNICATIONS FROM ELECTED OFFICIALS

FROM THE COMPTROLLER

ITEM 62 - (Comm. 11E-1) Unfilled Vacant Positions 3/31/97.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM LEGISLATORS SWANICK, PEOPLES & FISHER

ITEM 63 - (Comm. 11E-2) Copy of Letter to ECMC Re: Policies of Board of Managers Meetings.

Received and referred to the HEALTH COMMITTEE.

FROM THE COMPTROLLER

ITEM 64 - (Comm. 11E-2) Future Changes in Financial Reporting Requirements.

ITEM 65 - (Comm. 11E-4) Copy of Letter Re: Sales Tax Receipts for 3/97.

ITEM 66 - (Comm. 11E-5) Copy of Letter Re: Stadium Lease Negotiation.

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

FROM CHAIRMAN SWANICK

ITEM 67 - (Comm. 11E-6) Copy of letter to County Attorney Re: Blum vs. Swanick, ET AL Order to Show Cause.

ITEM 68 - (Comm. 11E-7) Copy of Letter to Timothy McCarthy, Esq.
Re: Blum vs. Swanick, ET AL.

The above two items were RECEIVED & FILED.

FROM COUNTY EXECUTIVE

ITEM 69 - (Comm. 11E-8) Position Change Report PP# 11/97.

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM CHAIRMAN SWANICK

ITEM 70 - (Comm. 11E-9) Copy of Letter to Clerk of the
Legislature Re: Rescheduling Legislature Session.

RECEIVE, FILE & PRINT.

Dear Ms. Manzella:

Be advised that, pursuant to Rule No. 1 of the Erie County
Legislature's Rules of Order, I am cancelling the June 19, 1997 Session
and rescheduling it for Thursday, June 26, 1997 at 2:00 p.m.

Please notify all legislators of this change.

Sincerely,
CHARLES M. SWANICK
Chairman
Erie County Legislature

RECEIVED, FILED & PRINTED.

FROM THE SHERIFF

ITEM 71 - (Comm. 11E-10) Variable Minimums.

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM COMPTROLLER

ITEM 72 - (Comm. 11E-11) Single Audit Act Amendments of 1996

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM LEGISLATOR COHEN KENNEDY

ITEM 73 - (Comm. 11E-12) Copy of Letter to County Attorney Re: Regulation of Pawn Shops.

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM COUNTY EXECUTIVE

ITEM 74 - (Comm. 11E-13) Position Change Report PP# 12/97.

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

ITEM 75 - (Comm. 11E-14) ECSD No. 6 - Petroleum Bulk Storage Tank Replacement.

ITEM 76 - (Comm. 11E-15) Erie County/Southtowns Sewage Treatment Agency Amended Service Agreement

ITEM 77 - (Comm. 11E-16) ECSD No. 1 - New York State Water Pollution Control Revolving Loan Program.

ITEM 78 - (Comm. 11E-17) ECSD No. 2 - New York State Water Pollution Control Revolving Loan Program.

ITEM 79 - (Comm. 11E-18) Erie County Southtowns Sewage Treatment Agency New York State Water Pollution Control Revolving Loan Program.

ITEM 80 - (Comm. 11E-19) ECSD No. 3 New York State Water Pollution Control Revolving Loan Program.

ITEM 81 - (Comm. 11E-20) ECSD No. 1 - Borden-Clinton Pump Station Imp. Project Contract "A" - Change Order No. 2 Butler Construction Company of WNY.

ITEM 82 - (Comm. 11E-21) ECSD No. 4 - Overflow Retention Facilities Modifications Contract EC-5A- Change Order No. 2 Paul J. Gallo contracting Inc.

ITEM 83 - (Comm. 11E-22) ECSD No. 5 - Fox and Company - Buffalo Proposed Accounting Agreement.

ITEM 84 - (Comm. 11E-23) ECSD No. 4 - Contract No. EC- Kandey Company, Inc. Contract Close-Out.

ITEM 85 - (Comm. 11E-24) ECSD No. 3 Southtowns Sewage Treatment Agency Increase and Improvement of Facilities (1997) Sewer Agency Report.

ITEM 86 - (Comm. 11E-25) ECSD No. 2 - Stearns & Wheeler, LLC Change Order No. 1.

ITEM 87 - (Comm. 11E-26) ECSD No. 3 - Smokes Creek Exposed Pipes.

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

ITEM 88 - (Comm. 11E-27) Senior Services - Authorization to Accept Supplemental Title VII Funding & Amend Grant Budget & Enter Into Subcontract.

Received and referred to the SOCIAL SERVICES COMMITTEE.

ITEM 89 - (Comm. 11E-28) ECSD No. 1 - Contract 1A - General Change Order No. 3 Kenaidian Construction Corporation.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

ITEM 90 - (Comm. 11E-29) Health - Tonawanda Service & Referral Center Lease Agreement.

Received and referred to the HEALTH COMMITTEE.

ITEM 91 -- (Comm. 11E-30) Youth Services Authorization to Contract - Delinquency Prevention Programs.

ITEM 92 -- (Comm. 11E-31) Youth Services -- Authorization to Contract - Special Delinquency Prevention Programs.

ITEM 93 -- (Comm. 11E-32) Social Services & Youth Services -- Authorization to Accept DFY Grant Award & Execute contractual Agreements.

ITEM 94 - (Comm. 11E-33) Youth Services - Equipment Purchases for Expanded Detention Facility.

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

ITEM 95 -- (Comm. 11E-34) Probation - Grant Adjustment.

Received and referred to the PUBLIC SAFETY COMMITTEE.

ITEM 96 - (Comm. 11E-35) Appointments & Reappointments to the Commission on the Status of Women.

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

ITEM 97 -- (Comm. 11E-36) Probation -- PINS Wraparound Services Dollars Grant.

ITEM 98 -- (Comm. 11E-37) District Attorney -- BE-SAFE (Buffalo & Erie County Stopping Abuse in the Family Environment).

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

ITEM 99 - (Comm. 11E-38)

Ms. PEOPLES moved for immediate consideration. Ms. COHEN KENNEDY seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 260 Re: Personnel - Reorganization of Unemployment Insurance Claims Department

WHEREAS, the Erie County Personnel Department is responsible for the administration of unemployment insurance claims against the County, and

WHEREAS, the County of Erie is self-insured for such claims and must, therefore, be diligent in the review and challenging of improper claims to minimize unemployment claims expenses, and

WHEREAS, the County previously contracted services of Gates-McDonald, an unemployment claims consulting firm, at an annual cost of \$27,333 to assist in the unemployment claims review and challenge process but have terminated their contract with Gates-McDonald effective April 30, 1997 due to poor service, and

WHEREAS, the Personnel Department wishes to retain the services of a consultant at an annual cost of \$5,000 to assist department staff in the administration of Unemployment Insurance Cost Control program, and

WHEREAS, the Personnel Department is recommending the use of hearing representatives at the rate of \$100 per hearing to represent the County at unemployment hearings, and

WHEREAS, the Personnel Department is also recommending the reallocation of the position Administrative Clerk (Personnel) who will assume additional responsibilities for the administration of this program and also the position Appointment Control Clerk which is a comparable position in the department, and

WHEREAS, it is estimated that this Unemployment Cost Control program would result in an annual savings to the County of approximately \$9,833, and

WHEREAS, the Personnel Department believes this cost control program will allow the County to be more successful in the administration and challenging of unemployment insurance claims,

NOW, THEREFORE, BE IT

RESOLVED, that the County Personnel Department be authorized to hire an Unemployment Claims Consultant at an annual cost of \$5,000 and hire an Unemployment Claims Hearing Representatives at a rate of \$100 per hearing, and be it further

RESOLVED, that the position of Administrative Clerk (Personnel) position #047461 be reallocated from job group seven (7) to job group eight (8) and the position of Appointment Control Clerk position #041401 be reallocated from job group seven (7) to job group eight (8), and be it further

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

Ms. PEOPLES moved the adoption. Ms. COHEN KENNEDY seconded.

CARRIED UNANIMOUSLY.

COMMUNICATIONS FROM THE DEPARTMENTS

FROM ECC

ITEM 100 - (Comm. 11D-1) Notice of Board of Trustees Meetings Held 5/21/97 & 5/28/97.

FROM BUFFALO & ERIE COUNTY PUBLIC LIBRARY

ITEM 101 - (Comm. 11D-2) Notice of Meeting Held 5/15/97.

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

FROM BUDGET MANAGEMENT & FINANCE

ITEM 102 - (Comm. 11D-3) Copy of Letter Re: Comptroller's "Unfilled Vacant Positions" Report.

Received and referred to the FINANCE AND MANAGEMENT COMMITTEE.

FROM DEP

ITEM 103 - (Comm. 11D-4) SEQR - Negative Declaration - Stahley Road Sanitary Sewer & Pumping Station.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM LAW

ITEM 104 - (Comm. 11D-5) Blum vs. Swanick, ET AL Order to Show Cause.

RECEIVED & FILED.

FROM CLERK OF THE LEGISLATURE

ITEM 105 - (Comm. 11D-6) Change of Session Date in June 1997.

RECEIVE, FILE & PRINT.

TO: All Erie County Legislators & Staff
FROM: Laurie A. Manzella, Clerk
Subject: CHANGE OF SESSION DATE IN JUNE 1997

The Session of the Erie County Legislature previously scheduled for Thursday, June 19, 1997, has been canceled.

Chairman Charles M. Swanick has rescheduled the Session for Thursday, June 26, 1997 at 2:00 p.m. This change will not affect any other previously scheduled Session dates.

The clock-in deadline for items to be considered at that Session will be before 11:00 a.m. on Tuesday, June 24, 1997.

Please let me know if you have any questions.

RECEIVED, FILED & PRINTED.

FROM ECC

ITEM 106 - (Comm. 11D-7) Notice of Board of Trustees Meeting Held 5/28/97.

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM BUDGET MANAGEMENT & FINANCE

ITEM 107 - (Comm. 11D-8) Budget Monitoring Report for Period Ending 3/31/97.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM ECMC

ITEM 108 - (Comm. 11D-9) Notice of Finance Committee Meeting to be Held 6/6/97.

Received and referred to the HEALTH COMMITTEE.

FROM DPW

ITEM 109 - (Comm. 11D-10) Agreement with NYSDOT Preliminary Engineering Wehrle Drive (CR 290), Town of Amherst.

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM ECC

ITEM 110 - (Comm. 11D-11) Minutes from Board of Trustees Meeting Held 5/97.

ITEM 111 - (Comm. 11D-12) 1997 - 1998 Budget Proposal.

ITEM 112 - (Comm. 11D-13) Minutes of Board of Trustees Meeting Held 4/30/97.

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

FROM LAW

ITEM 113 - (Comm. 11D-14) Notice of Claims.

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM ECMC

ITEM 114 - (Comm. 11D-15) Notice of Board of Managers Finance Committee Meeting & Financial Statement for Period Ending 4/30/97.

Received and referred to the HEALTH COMMITTEE.

FROM DPW

ITEM 115 - (Comm. 11D-16) Maintenance Agreement with New York State Thruway Authority Crittenden Murray Corners Road (CR 246) Bridge Over Thruway, Town of Newstead.

ITEM 116 - (Comm. 11D-17) Increase to Contract Culvert Reconstruction - Various Locations.

ITEM 117 - (Comm. 11D-18) Buffalo Convention Center - 1997 Renovations & Improvements.

ITEM 118 - (Comm. 11D-19) Award of General Engineering Services Agreement for Miscellaneous Projects.

ITEM 119 - (Comm. 11D-20) Buffalo & Erie County Central Library Building, Mechanical Systems Rehabilitation, Phase III Direct Digital Control.

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

FROM INFORMATION AND SUPPORT SERVICES

ITEM 120 - (Comm. 11D-21) Copy of Letter to Legislator Dusza Re: Surplus Program Facility.

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM DPW

ITEM 121 - (Comm. 11D-22) Asbestos Abatement & Reinsulation Phase I Court Facilities & Miscellaneous County Facilities.

ITEM 122 - (Comm. 11D-23) Buffalo & Erie County Library Asbestos Abatement Phase IV.

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

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES

FROM ERIE COUNTY ENVIRONMENTAL MANAGEMENT COUNCIL

ITEM 123 - (Comm. 11M-1) Notice of Meeting Held 5/20/97.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM GENEVA B. SCRUGGS HEALTH CENTER

ITEM 124 - (Comm. 11M-2) Response to Audit Re: Contract Compliance with Erie County Department of Social Services for Period 1/195 - 6/30/96.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM MELINDA HOLLAND, CLEAN SITES

ITEM 125 - (Comm. 11M-3) Summary of Meeting Held 5/7/97.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

NFTA

ITEM 126 - (Comm. 11M-4) Paratransit Policy.

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM TIMOTHY LOVALLO

ITEM 127 - (Comm. 11M-5) Notice of Claim.

Received and referred to the COUNTY ATTORNEY.

FROM TOWN OF BRANT

ITEM 128 - (COMM. 11M-6) Certified Resolution Re: ECC South Campus.
Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM THE DEPARTMENT OF THE ARMY

ITEM 129 - (Comm. 11M-7) USAR Annual Training for Chairman Swanick.
RECEIVED & FILED.

FROM FRANK A. SALADYGA

ITEM 130 - (Comm. 11M-8) Copy of Letter to Chairman Swanick Re:
Smoking at Hens & Kelly Building.

Received and referred to the HEALTH COMMITTEE.

FROM M & T BANK

ITEM 131 - (Comm. 11M-9) Letter to Chairman Swanick Re: Study of
Economic Activity in Upstate Metropolitan Areas.

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM CITY OF TONAWANDA MAYOR

ITEM 132 - (Comm. 11M-10) Copy of Letter to Chairman Swanick Re:
Consolidation Funds.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

NEW STATE PUBLIC SERVICE COMMISSION

ITEM 133 - (Comm. 11M-11) Copy of Letter to Chairman Swanick Re:
Increases in Gas Bills From National Fuel.

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM TOWN OF COLDEN

ITEM 134 - (Comm. 11M-12) Certified Resolution Re: Renaming of Heath Road Bridge.

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

ITEM 135 - (Comm. 11M-13) Certified Resolution Re: ECC South Campus.

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM NEW YORK STATE BOARD OF REAL PROPERTY SERVICES

ITEM 136 - (Comm. 11M-14) 1996 State Equalization Rates.

ITEM 137 - (Comm. 11M-15) 1996 Class Equalization Rates.

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

FROM ANGELICA CORPORATION

ITEM 138 - (Comm. 11M-16) Response to Legislature Resolution.

RECEIVED & FILED.

FROM JAMES E. MORGAN

ITEM 139 - (Comm. 11M-17) Copy of Letter to Legislator Marinelli Re: Donation of "Drug Free School Zone" Signs.

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM NFTA

ITEM 140 - (Comm. 11M-18) Copy of Minutes From Board Meeting Held 4/21/97.

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM CITY OF BUFFALO POLICE DEPARTMENT

ITEM 141 - (Comm. 11M-19) Copy of Letter to Legislator Peoples Re: Curfew Project.

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM CHILD & FAMILY SERVICES

ITEM 142 - (Comm. 11M-20) Copy of Letter Re: Requesting State to Increase Funding for the children and Family Services Block Grant.

Received and referred to the SOCIAL SERVICES COMMITTEE.

FROM ECIDA

ITEM 143 - (Comm. 11M-21) Notice of Annual Meeting to be held 6/1/97/

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM MELINDA HOLLAND, CLEAN SITES

ITEM 144 - (Comm. 11M-22) Summary of Meeting Held 5/20/97.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM TOWN OF ALABAMA

ITEM 145 - (Comm. 11M-23) Copy of Legal Notice Re: Zoning Ordinance Revision.

RECEIVED & FILED.

MEMORIAL RESOLUTIONS:

ITEM 146 - Ms. PEOPLES moved that when this Legislature adjourns, it do so out of respect to the Memory of DANIEL ACKER and OLLIE JONES, deceased. Mr. MARSHALL seconded.

CARRIED UNANIMOUSLY.

ITEM 147 - Ms. MARINELLI moved that when this Legislature adjourns, it do so out of respect to the memory of TIMOTHY GOFF, deceased. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

ITEM 148 - Mr. HOLT moved that when this Legislature adjourns, it do so out of respect to the memory of RONALD RUSSELL, TAMIKA MEANS and DARREN ALEXIS, deceased. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

ADJOURNEMENT:

ITEM 149 - At this time, there being no further business to transact, the Chairman announced that the Chair would entertain a Motion to Adjourn.

Ms. PEOPLES moved that the Legislature adjourn until 2:00 P.M., Thursday, June 26, 1997. Mr. MARSHALL seconded.

CARRIED UNANIMOUSLY.

The Chairman declared the Legislature adjourned until Thursday, June 26, 1997 at 2:00 P.M., Daylight Savings Time.

LAURIE A. MANZELLA
Clerk