

ERIE COUNTY LEGISLATURE  
MEETING NO. 22  
November 6, 1997

The Legislature was called to order by Chairman SWANICK.

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All members present except Mrs. Fisher.

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A moment of silent was held.

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The Pledge of Allegiance was led by Mr. Ranzenhofer.

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The Minutes of the previous meeting were APPROVED.

MISCELLANEOUS RESOLUTIONS

ITEM 1 - Ms. MARINELLI & ET AL presented a resolution of  
Congratulations to Patricia Siracuse on Her Accomplishments at the  
Erie County Sheriff's Department. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.  
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ITEM 2 - Mr. SWANICK presented a resolution of Congratulations  
Honoring John J. Dray on the Occasion of His Retirement as Supervisor of  
the Erie County Holding Center. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.  
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ITEM 3 - Mr. HOLT presented a resolution of Congratulations On the  
31<sup>st</sup> Anniversary of the VarSon Community Choir on 11/2/97. Ms. PEOPLES  
seconded.

CARRIED UNANIMOUSLY.

ITEM 4 - Mr. DUSZA presented a resolution of Congratulations to Captain Charles Wexhausen of the Fire Training Academy on the Occasion of his Retirement. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

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ITEM 5 - Ms. MARINELLI & ET AL presented a resolution of Congratulations to Ruby Green on the Occasion of her Retirement. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

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ITEM 6 - Mr. KUWIK & Ms. CHASE presented a resolution of Congratulations to Charles Skipper on the Occasion of his Retirement from the Erie County Probation Department. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

LOCAL LAWS:

ITEM 7 - Chairman SWANICK directed that Local Law Intro. No. 10 (Print #1) - 1997 remain on the table.

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ITEM 8 - Chairman SWANICK directed that Local Law Intro. No. 11 (Print #1) - 1997 remain on the table.

COMMITTEE REPORTS:

ITEM 9 - Ms. PEOPLES presented the following and moved for immediate consideration. Mr. DEBENEDETTI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 432

OCTOBER 30, 1997

HEALTH COMMITTEE  
REPORT NO. 8

ALL MEMBERS PRESENT EXCEPT LEGISLATOR DEBENEDETTI.

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

	Item	Page	-1997	(Comm. 19M-2)
a.	MENTAL HYGIENE COMMUNITY SERVICES BOARD: Notice of Meeting Held 9/18/97.			
	(4-0)			

	Item	Page	-1997	(Comm. 20D-2)
b.	ERIE COUNTY MEDICAL CENTER: Financial Statements for 8/31/97.			
	(4-0)			

	Item	Page	-1997	(Comm. 20D-6)
c.	ERIE COUNTY MORGUE: Monies and Other Property Found on Deceased Persons.			
	(4-0)			

	Item	Page	-1997	(Comm. 20D-8)
d.	HEALTH: Notice of Meeting to be Held 10/21/97 and Minutes of Meeting Held 5/6/97.			
	(4-0)			

	Item	Page	-1997	(Comm. 21D-3)
e.	ERIE COUNTY MEDICAL CENTER: Notice & Agenda for Board of Managers Meeting Held 10/16/97.			
	(4-0)			

	Item	Page	-1997	(Comm. 19E-14)
2.	COUNTY EXECUTIVE:			

WHEREAS, the New York State Department of Health has awarded \$50,000 for the Erie County Department of Health to continue a program to provide training and technical assistance to Western New York county health departments to better enable them to integrate HIV prevention activities into their overall public health effort, and

WHEREAS, this training focus will assist the New York State Department of Health in meeting its goal of strengthening the capacity of local health units.

NOW, THEREFORE, BE IT

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

Technical & Training Assistance  
7/1/97-6/30/98  
Project #761

SFG	REVENUE	NEW BUDGET
553	STATE AID	\$ 50,000
	TOTAL	\$ 50,000
	EXPENSES	
800	SALARIES	\$ 36,541
805	FRINGES	9,390
825	TRAVEL--CONFERENCE	2,569
826	OTHER EXPENSES	1,500
	TOTAL	\$ 50,000

and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Department of Health, the Division of Budget, Management and Finance and the County Attorney's Office.  
(4-0)

Item Page -1997 (Comm. 20E-8)  
3. COUNTY EXECUTIVE:  
WHEREAS, the Erie County Department of Health operates the WIC Program, and

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

WHEREAS, the Erie County Health Department has received a grant award in the amount of \$2,646,315.

NOW, THEREFORE, BE IT

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

SUPPLEMENTAL FOOD (WIC) PROGRAM  
10/1/97 - 9/30/98

PROJECT #685

SFG	REVENUE	CURRENT BUDGET	CHANGES	REVISED BUDGET
444	LOCAL SOURCE	\$ -	\$ 800	\$ 800
549	MISC DEPT INC		750	750
575	STATE AID	<u>2,410,906</u>	<u>233,859</u>	<u>2,644,765</u>
	TOTAL	<u>\$ 2,410,906</u>	<u>\$ 235,409</u>	<u>\$ 2,646,315</u>
	EXPENSES			
800	PERS SERVICES	\$ 1,758,031	113,012	\$ 1,871,043
802	TURNOVER	0	-81,347	-81,347
805	FRINGE	451,814	1,351	453,165
	BENEFITS			
810	OFFICE	10,000	-5,650	4,350
	SUPPLIES			
814	MEDICAL	3,080	-2,980	100
	SUPPLIES			
816	MAINT SUPPLIES	300	-100	200
821	DUES & FEES	7,050	-1,505	5,545
822	RENTAL	17,340	609	17,949
	CHARGES			
823	REPAIRS &	1,740	-405	1,335
	MAINT			
824	TRAVEL &	13,455	-2,455	11,000
	MILEAGE			
825	TRAVEL-CONF	5,400	-1,400	4,000
826	OTHER	25,624	-4,068	21,556
	EXPENSES			
880-	INTERFUND-	48,954	721	49,675
2700	ECHD			
880-	INTERFUND-	15,129	0	15,129

4000	ECMC			
880-	INTERFUND-	41,489	-721	40,768
5100	DISS			
	I/D EXP NON-	8,000	-8,000	0
882				
	DISS			
892	NON-	0	231,347	231,347
	SPENDABLE			
931	MAINT	500	-500	0
	EQUIPMENT			
932	FURNITURE	3,000	-2,500	500
	TOTAL	\$ 2,410,906	235,409	\$ 2,646,315

and be it further

RESOLVED, that funds are now available in the 1997-98 budget, and actions taken in the 1997 annual County budget to delete one position of Nutritionist (Position #813451) and two positions of WIC Aide (Position #s 807130 and 758006) are hereby rescinded and these positions remain budgeted effective 10/1/97, and be it further

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

(4-0)

Item Page -1997 (Comm. 20E-17)  
4. COUNTY EXECUTIVE:

WHEREAS, the Erie County Department of Mental Health is responsible for the delivery of a comprehensive range of alcohol and other drug treatment and prevention services for the residents of Erie County, and

WHEREAS, the Erie County Legislature has already authorized the County and the Department of Mental Health to contract during 1997 with Native American Community Services of Erie & Niagara Counties, Inc. in the amount of \$109,200 to provide prevention services in the Native American urban community, and

WHEREAS, the Erie County Department of Mental Health has reviewed and approved a program to expand these services at an additional cost of \$22,744, and

WHEREAS, additional funds of \$22,744 in 100% New York State Office of Alcoholism and Substance Abuse Services State Aid dollars are available to continue providing services to Native American clients needing these services,

NOW, THEREFORE, BE IT

RESOLVED, that the 1997 appropriation for Native American Community Services of Erie & Niagara Counties, Inc. be increased by a total \$22,744, the source of these funds being 100% New York State Office of Alcoholism and Substance Abuse Services State Aid dollars, and be it further

RESOLVED, that the County Executive be authorized to amend and increase the 1997 contract with Native American Community Services of Erie & Niagara Counties, Inc. for the period January 1, 1997 through December 31, 1997 to an amount not to exceed \$131,944, and be it further

RESOLVED, that certified copies of this resolution be furnished to the Department of Mental Health and the Division of Budget, Management and Finance.  
(4-0)

Item	Page	-1997	(Comm. 20E-20)
5.	COUNTY EXECUTIVE:		

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

WHEREAS, the Erie County Department of Mental Health has reviewed and approved programs of mental health services for persons receiving mental health treatment in the County, and

WHEREAS, the Erie County Department of Mental Health Forensic unit requires additional computer equipment to perform pretrial competency tests, and

WHEREAS, additional funds of \$4,350 in 100% NYS Office of Mental Health State Aid dollars are available to continue providing services to mental health clients needing services,

NOW, THEREFORE, BE IT

RESOLVED, that the 1997 appropriation for the Erie County Department of Mental Health be increased by a total \$4,350 for laboratory and technical equipment. The source of these funds being 100% NYS Office of Mental Health State Aid dollars, and be it further

RESOLVED, that certified copies of this resolution be furnished to the Department of Mental Health and the Division of Budget, Management and Finance.

(4-0)

AS AMENDED  
(Comm. 21E-5)

Item Page -1997  
6. COUNTY EXECUTIVE:

WHEREAS, the Erie County Department of Health administers programs for immunizations, and

WHEREAS, polio, diphtheria, tetanus, pertussis, measles, mumps, rubella, Haemophilus influenzae type B and hepatitis B all can cause significant morbidity among children. However, they all are preventable with appropriate vaccination.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to accept a revised grant award which is funded 100% from the New York State Health Department which includes budgetary adjustments as follows:

IMMUNIZATION ACTION PLAN  
11/1/96-10/31/97  
Project 560

REVENUE	CURRENT BUDGET	CHANGES	REVISED BUDGET
STATE AID	<u>\$163,240</u>	<u>0</u>	<u>\$163,240</u>
TOTAL	<u>163,240</u>	<u>0</u>	<u>163,240</u>
EXPENSES			
PERS. SERVICES	110,165	-8,530	101,635
FRINGES	28,955	-7,400	21,555
TRAVEL - LOCAL	2,783	0	2,783
TRAVEL - CONF.	1,737	0	1,737
OTHER EXPENSES	1,500	930	2,430
CONTRACTUAL	14,600	-3,500	11,100
LAB & TECH EQUIP.	2,500	17,500	20,000
DISS	<u>1,000</u>	<u>1,000</u>	<u>2,000</u>
TOTAL	<u>\$163,240</u>	<u>\$ 0</u>	<u>\$163,240</u>



and be it further

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

(4-0)

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

WHEREAS, the Erie County Department of Health operates a WIC Program, and

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

WHEREAS, the Erie County Health Department has received grant award in the amount of \$2,653,939 from the New York State Health Department, and

WHEREAS, we are accessing turnover funds in order to meet fringe benefits.

NOW, THEREFORE, BE IT

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

WIC  
10/1/96 -9/30/97

PROJECT #563

SFG	REVENUE	CURRENT BUDGET	CHANGES	REVISED BUDGET
444	Local Source	\$ 0	\$ 525	\$ 525
549	Misc Dept. Income	250	1,167	1,417
575	State Aid	<u>2,651,997</u>	<u>0</u>	<u>\$ 2,651,997</u>
	TOTAL	<u>\$ 2,652,247</u>	<u>\$ 1,692</u>	<u>\$ 2,653,939</u>

EXPENSES

800	Pers. Services	\$ 1,836,274	\$ -71,671	\$ 1,764,603
802	Turnover	-64,671	64,671	0
805	Fringe Benefits	366,470	60,000	426,470
810	Office Supplies	10,000	-1,645	8,355
814	Medical Supplies	1,900	780	2,680
816	Maint Supplies	300	0	300
821	Dues & Fees	7,600	-2,520	5,080
822	Rental Charges	17,340	135	17,475
823	Repairs & Maint.	1,970	-515	1,455
824	Travel & Mileage	13,500	-1,200	12,300
825	Travel - Conf.	7,500	700	8,200
826	Other Expenses	19,324	3,482	22,806
880-2700	Interfund-ECMD	48,601	810	49,411
880-4000	Interfund-ECMC	15,129		15,129
880-5100	Interfund-DISS	48,870	-810	48,060
880	Cont. Salary Reserves	88,649	-49,150	39,499
892	Non-Spendable	230,491	0	230,491
931	Maint Equipment	0	0	0
932	Furniture	3,000	-1,900	1,100
933	Technical Equipment	0	525	525
	TOTAL	\$ 2,652,247	\$ 1,692	\$ 2,653,939

and be it further

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

(4-0)

Item Page -1997 (Comm. 21E-15)  
8. COUNTY EXECUTIVE:

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

WHEREAS, the Erie County Department of Mental Health has reviewed and approved programs of mental health services for persons receiving mental health treatment from Western New York Independent Living Project, Inc., and

WHEREAS, the Erie County Legislature has already authorized the County and the Department of Mental Health to contract with Western New York Independent Living Project, Inc. in the amount not to exceed \$600,627, and

WHEREAS, additional funds of \$40,000 in 100% New York State Office of Mental Health State Aid dollars are available to develop and implement a Managed Care Peer Education Program to seriously and persistently mentally ill adults,

NOW, THEREFORE, BE IT

RESOLVED, that the 1997 appropriation for Western New York Independent Living Project, Inc. be increased by a total \$40,000, the source of these funds being 100% New York State Office of Mental Health State Aid dollars, and be it further

RESOLVED, that the County Executive be authorized to amend and increase the 1997 contract with Western New York Independent Living Project, Inc. for the period January 1, 1997 through December 31, 1997 to an amount not to exceed \$640,627, and be it further

RESOLVED, that certified copies of this resolution be furnished to the Department of Mental Health and the Division of Budget, Management and Finance.

(3-0) Legislator Pauly absent.

JUDITH P. FISHER  
Chairperson

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

CARRIED UNANIMOUSLY.

LEGISLATORS RESOLUTIONS:

ITEM 10 - Mr. RANZENHOFER presented the following resolution and requested it be referred to the HEALTH COMMITTEE.

GRANTED.

Int. 22-1 From: Leg. Ranzenhofer Re: The Revision of the Confidentiality Law Protecting the Identity of Persons with HIV.

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ITEM 11 - Mr. DUSZA presented the following resolution and moved for immediate consideration. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

WHEREAS, said transfer of funds was improperly effectuated, and

WHEREAS, this resolution seeks to correct this error,

RESOLVED, that the Erie County Legislature does hereby authorize the transfer of \$3,000 from Fund 110, Project 921, Department 301 Agency Payments & Grants - Public Benefit Services, (DAC: 110921301830) - Pulaski Day Parade (line 830/0273) to the Department of Parks, (DAC: 110942640914821), and be it further

RESOLVED, that the County Executive be and hereby is authorized to enter into amended contract with the Pulaski Day Parade organization for the aforementioned purpose, and be it further

RESOLVED, that the Clerk of the Legislature, the Director of the Division of Budget, Management and Finance, the County Attorney, and the Commissioner of the Department of Parks, Recreation and Forestry are hereby authorized to complete any and all paperwork necessary to effectuate this change, and be it further

RESOLVED, that certified copies of this resolution be sent to County Executive Dennis Gorski, Budget Director Kenneth Kruly, County Attorney Kenneth Schoetz, and to Parks Commissioner James Jankowiak.

Fiscal Impact: None - Transfer of Expended Funds.

RAYMOND K. DUSZA

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

CARRIED UNANIMOUSLY.

ITEM 12-- Mr. HOLT presented the following resolution and moved for immediate consideration. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 434      RE: Domestic Violence Services to  
Public Assistance Applicants and  
Recipients. (Int. 22-3)

WHEREAS, The Personal Responsibility and Work Opportunity Responsibility Act of 1996 (PRWOA) replaced the welfare system as we have known it for the past 60 years; and

WHEREAS, the PRWOA requires the Department of Social Services to notify all public assistance applicants and recipients of established procedures to protect them domestic violence and the services available to serve them; and

WHEREAS, the Department of Social Services is also required screen for domestic violence where it is requested by applicants and recipients or where it is made known that they are victims of domestic violence; and

WHEREAS, the Department of Social Services is further required to refer persons who report that they are victims of domestic violence to specially trained domestic violence liaisons, who must determine the merits of alleged abuse; and

WHEREAS, "Credible" domestic violence which prohibits compliance with work rules, child support and other programmatic requirements provides an initial 4 month exemption for applicants and recipients of public assistance; and

WHEREAS, Such exemption must be imposed unless independent verification confirms that the individual cannot participate in work or training activities due to mental or physical impairment caused by the domestic violence and such impairment will last for a period of 3 months or longer, or where it is determined that the individual is unable to work because they must provide care for a dependent child who is disabled as a result of domestic violence.

NOW, THEREFORE, BE IT

RESOLVED, that the Commissioner of the Department of Social Services shall provide information to the members of the Legislature which will clearly identify the procedures and services to protect domestic violence victims which have been established in the County; and

RESOLVED, that the Legislative Body be informed as to the procedures undertaken by the Department to make domestic violence information available to applicants and recipients of public assistance; and be it further

RESOLVED, that the Legislative Body be made aware of the frequency circumstances of domestic violence occur within the County; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the members of the County Legislature and the County Commissioner of Social Services, Deborah Merrifield.

Fiscal impact: None

GEORGE A. HOLT, Jr.

Chairman Swanick directed that Et Al be added to the sponsorship.

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

CARRIED UNANIMOUSLY.

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ITEM 13 - Mr. HOLT presented the following resolution and moved for immediate consideration. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 435      RE: Child Care Assistance Provided  
to Public Assistance Recipients.  
(Int. 22-4)

WHEREAS, the Personal Responsibility and Work Opportunity Act of 1996 (PRWOA) replaced the Welfare system as we have known it for the past 60 years; and

WHEREAS, the PRWOA requires the NYS Department of Social Services to pay the actual cost of care for children up to the State-determined market rate; and

WHEREAS, three categories of families are eligible for such payments:

1.) Families receiving Family Assistance where such services is required to allow a parent to engage in work activities or community service; to allow a teen parent to attend a high school training program; because a parent is mentally or physically incapacitated; when the parent must be away from home because of family duties.

2.) Families with incomes up to 200% of State income standard, who are attempting through work activities, to transfer off Family Assistance, and where assistance has been terminated are guaranteed child care due to: increased hours or income from employment or child support payments; or because the family voluntarily ended assistance.

3.) Families with incomes up to 200% of State income standards who are "at risk of becoming dependent on Family Assistance," may be eligible if funds are available.

NOW, THEREFORE, BE IT

RESOLVED, that the Commissioner of Social Services provide information that clearly sets forth the manner in which child care information has been publicized among public assistance recipients; and be it further

RESOLVED, that the Legislative Body be provided data regarding the numbers of families, receiving public assistance, that are eligible for these services and the fiscal data related to the cost of this service to the NYS Department of Social Services; and be it further

RESOLVED, that the Legislative Body be made aware of the number of care centers the State has contracted with and the selection method; and be it further

RESOLVED, that certified copies of this resolution be forwarded to members of the Legislative Body and to the Commissioner of Social Services, Deborah Merrifield.

Fiscal impact: None

GEORGE A. HOLT, Jr.

Chairman Swanick directed that Et Al be added to the sponsorship.

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

CARRIED UNANIMOUSLY.

SUSPENSION OF THE RULES

ITEM 14 -- Ms. COHEN KENNEDY moved for a suspension of the rules to include an item not on the agenda. Ms. PEOPLES seconded.

Comm. 22D-21. From: Erie Community College Re: Erie Community College Board of Trustees Resolution.

Chairman SWANICK directed that Comm. 22D-21 be referred to the COMMUNITY ENRICHMENT COMMITTEE.

ITEM 15 -- Mr. DEBENEDETTI moved for a suspension of the rules to include an item not on the agenda. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 436      RE: Conducting a National Search  
for the Position of Erie  
Community College President.  
(Int. 22-5)

WHEREAS, the current Erie Community College president has tendered his resignation, and

WHEREAS, the president's job is a highly particular and important position, and therefore should not be considered a political plum to reward the well-connected, and

WHEREAS, the Erie Community College Board of Trustees-an appointed body designated to oversee the operations of the college-is the sole decision making entity in the hiring of a new president, and

WHEREAS, a national search for a qualified professional would ensure that Erie Community College could consider the best possible candidates for the position of president, and

WHEREAS, such a search should be conducted in the same manner as the quest recently undertaken by the Buffalo and Erie County Public Library,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature believes that the Erie Community College president position must be filled by an individual with the requisite professional experience and academic credentials, and be it further



RESOLVED, that this Honorable Body does hereby strongly urge the Erie Community College Board of Trustees to immediately commence a national search for the next president of the college, and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Erie Community College Board of Trustees and Erie County Executive Dennis Gorski.

Fiscal Impact: None for resolution.

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

Chairman SWANICK directed that Et Al be added to the sponsorship.

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

CARRIED UNANIMOUSLY.

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ITEM 16 - Mr. DUSZA moved for a suspension of the rules to include an item not on the agenda. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 437      RE: Acceptance of Mask Mounted  
Self Contained Breathing  
Apparatus for Division of  
Fire Safety. (Int. 22-6)

WHEREAS, area firefighters need to be trained in the latest technology to better provide for the safety and well being of our citizens as well as for their own safety, and

WHEREAS, the Mine Safety Appliances Company has agreed to provide the Division of Fire Safety with two Mask Mounted SCBAs for long placement at no charge, with the only expense incurred by the Division of Fire Safety being the general maintenance and any needed repair costs, and

WHEREAS, this donation will allow the department's instructors to use the latest technology in SCBA and will allow Erie County's fire service the opportunity to become familiar with new developments in respiratory protection,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby approve the Mine Safety Appliances Company's donation of two Mask Mounted Self Contained Breathing Apparatus to the Division of Fire Safety and does authorize the County Executive to enter into agreement with said company to effectuate this donation, and be it further

RESOLVED, that certified copies of this resolution be forwarded to Erie County Executive Dennis Gorski, Deputy Fire Coordinator Jim Guy, and Mine Safety Appliances Company Western New York Senior Sales Associate Fred Abbott (PO Box 426 Pittsburgh, Pennsylvania 15230).

Fiscal Impact: None for resolution.

RAYMOND K. DUSZA

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

CARRIED UNANIMOUSLY.

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ITEM 17 - Ms. PEOPLES moved for a suspension of the rules to include an item not on the agenda.

GRANTED.

Comm. 22E-16 From: Leg. FISHER Re: Absence from Legislative Session No. 22.

Chairman SWANICK directed that Comm. 22E-16 be RECEIVED & FILED.

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ITEM 18 - Ms. PEOPLES moved for a suspension of the rules to include an item not on the agenda.

GRANTED.

Int. 22-7 From: Leg. PEOPLES Re: Support for A.08007 To Repeal Surcharge on Clinical Laboratory Services

Chairman SWANICK directed that Int. 22-7 be referred to the HEALTH COMMITTEE.

COMMUNICATIONS FROM ELECTED OFFICIALS

FROM THE COMPTROLLER

ITEM 19 - (Comm. 22E-1) Certificate of Determination -  
\$20,000,000 General Serial Bonds.

ITEM 20 - (Comm. 22E-2) Certificate of Determination -  
\$40,000,000 R.A.N.

ITEM 21 - (Comm. 22E-3) Certificate of Determination -  
\$12,720,000 Refunding Serial Bonds.

The above three items were RECEIVED & FILED.

FROM THE COUNTY EXECUTIVE

ITEM 22 - (Comm. 22E-4) Position Change Report.  
Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

ITEM 23 - (Comm. 22E-5) ECSD No. 1 - Transfer of Funds  
Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

ITEM 24 - (Comm. 22E-6) Filling Vacant Positions.  
Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

ITEM 25 - (Comm. 22E-7) District Attorney - Authorization to  
Amend Victim/Witness Assistance Grant & Child Victim Advocacy Project.  
Received and referred to the PUBLIC SAFETY COMMITTEE.

ITEM 26 -- (Comm. 22E-8) Filling Vacant Positions.

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

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ITEM 27 -- (Comm. 22E-9)

Ms. PEOPLES moved for immediate consideration. Ms. MARINELLI seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 438      Re: Erie County Clerk's Office -  
                                      Records Management  
                                      Improvement Grant 11/1/97 -  
                                      6/30/98.

WHEREAS, the Erie County Clerk's Office has applied for and has been approved for a grant by the New York State Education Department, State Archives and Records Administration in the amount of \$19,703 to purge and box court records at the Erie County Clerk's Office, and

WHEREAS, the funds for this grant (Log No. 0580-98-5461) will be dispersed to the County of Erie and provide for three temporary positions of Clerk part-time J.G. 1 (19 hours per week for 34 weeks).

NOW, THEREFORE, BE IT

RESOLVED, that authorization is provided to create three Clerk, J.G. 1 part-Time positions in the new Records Management Grant, and be it further

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive to enter into contract with the New York State Education Department to accept said grant which will be administered by the Office of the Erie County Clerk - Division of the Register, and be it further

RESOLVED, that authorization is provided to establish funding for this grant as follows:

RECORDS MANAGEMENT IMPROVEMENT GRANT  
November 1, 1997 - June 30, 1998

<u>REVENUE</u>	<u>Increase</u>
State Aid	<u>\$19,703</u>
TOTAL REVENUE	<u>\$19,703</u>
<u>APPROPRIATIONS</u>	<u>Increase</u>
Acct. 800 Personal Services	\$17,656
Acct. 805 Fringe Benefits	<u>2,048</u>
TOTAL APPROPRIATIONS	<u>\$19,703</u>

and be it further

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

Ms. PEOPLES moved the adoption. Ms. MARINELLI seconded.

CARRIED UNANIMOUSLY.

-----  
FROM THE COUNTY EXECUTIVE

ITEM 28 - (Comm. 22E-10) Engineering Agreement Close-Out ECSD No. 3 - A/E Agreement 6/30/96 - Pratt & Huth Associates.

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ITEM 29 - (Comm. 22E-11) ECSD No. 6 - Allocation of Funds.

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ITEM 30 - (Comm. 22E-12) ECSD Nos. 2, 6 & Southtowns - allocation of Funds Proposed Conditioning System.

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ITEM 31 - (Comm. 22E-13) Engineering Agreement Close-Out Erie County/Southtowns Sewage Treatment Agency A/E Agreement Dated 3/13/96 - Streans & Wheler, LLC.

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

ITEM 32 - (Comm. 22E-14) Social Services - Gateway-Longview Respite Services.

Received and referred to the SOCIAL SERVICES COMMITTEE.

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ITEM 33 - (Comm. 22E-15) Health - Revised Immunization Action Plan 11/1/97 - 10/31/98.

Received and referred to the HEALTH COMMITTEE.

COMMUNICATIONS FROM THE DEPARTMENTS

FROM THE COMMISSION ON THE STATUS OF WOMEN

ITEM 34 - (Comm. 22D-1) Minutes of Meeting Held 9/24/97 & Notice of Meeting Held 10/29/97.

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FROM THE COUNTY ATTORNEY

ITEM 35 - (Comm. 22D-2) Notices of Claim.

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

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FROM ERIE COUNTY MEDICAL CENTER

ITEM 36 - (Comm. 22D-3) Notice of Meeting to be Held 11/7/97.

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ITEM 37 - (Comm. 22D-4) Notice of Meeting to be Held 11/13/97.

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

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FROM ERIE COMMUNITY COLLEGE

ITEM 38 - (Comm. 22D-5) Notice of Meeting Held 10/29/97.

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM THE COMMISSION OF THE STATUS OF WOMEN

ITEM 39 - (Comm. 22D-6) Minutes of Meeting Held 10/9/97.

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

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FROM ERIE COMMUNITY COLLEGE

ITEM 40 - (Comm. 22D-7) Minutes of meeting Held 9/17/97.

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ITEM 41 - (Comm. 22D-8) Minutes of meeting Held 10/16/97.

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

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FROM DPW

ITEM 42 - (Comm. 22D-9) Developers Projects Mitigation Costs - Highway.

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ITEM 43 - (Comm. 22D-10) Signature Authorization for Supplier Transportation, and Balancing Aggregation.

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ITEM 44 - (Comm. 22D-11) ECC - North Campus - Building "C" Food Lab Renovations.

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ITEM 45 - (Comm. 22D-12) Supplemental Agreement to General A/E Contract, Project Initiation Report - Demolition & Abatement, E.J. Meyer Site Buildings.

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ITEM 46 - (Comm. 22D-13) Fire Training Academy Miscellaneous Improvements.

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

FROM BUDGET, MANAGEMENT & FINANCE

ITEM 47 - (Comm. 22D-14) EC IN REM 154 Tax Foreclosure.

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ITEM 48 - (Comm. 22D-15) 1997 Tax Liens Unpaid as of 11/27/97.

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ITEM 49 - (Comm. 22D-16) Sale of County Owned Inventory SBL# 125.65-12-31 D'Angelo West Seneca.

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ITEM 50 - (Comm. 22D-17) Sale of County Owned Inventory SBL# 125.65-12-32 D'Angelo West Seneca.

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ITEM 51 - (Comm. 22D-18) Sale of County Owned Inventory SBL# 125.65-12-1 Chestnut Street West Seneca.

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

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FROM DPW

ITEM 52 - (Comm. 22D-19) Supplemental Agreement to General A/E Contract & Construction Authorization for Dialysis Relocation & Critical Care Expansion - ECMC.

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ITEM 53 - (Comm. 22D-20) Supplemental Agreement to General A/A Contract, Renovations to OB/GYN Clinic ECMC.

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

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES

FROM NFTA

ITEM 54 - (Comm. 22M-1) Minutes of Meeting Held 9/15/97.

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.



FROM BUFFALO BOARD OF EDUCATION

ITEM 55 - (Comm. 22M-2) Nurses in Buffalo Public Schools.

Received and referred to the HEALTH COMMITTEE.

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FROM NYSDEC

ITEM 56 - (Comm. 22M-3) Fact Sheet Re: ARO Corporation - Hazardous Waste Site.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

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FROM OTB

ITEM 57 - (Comm. 22M-4) Minutes of Meeting Held 9/25/97

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

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FROM ERIE COUNTY CULTURAL RESOURCES ADVISORY BOARD

ITEM 58 - (Comm. 22M-5) 1998 Cultural Funding Recommendations for Erie County.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

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FROM EAST SIDE HEALTH CENTER PEDIATRICS DEPARTMENT

ITEM 59 - (Comm. 22M-6) Copy of Letter Re: Proposed Discontinuation of Pediatric Services at the East Side Health Center.

Received and referred to the HEALTH COMMITTEE.

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FROM MELINDA HOLLAND CLEAN SITES

ITEM 60- (Comm. 22M-7) Summary of Meeting Held 10/21/97 & Notice of Meeting Held 11/5/97.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM CONGRESSMAN QUINN

ITEM 61 - (Comm. 22M-8) Acknowledgement of Receipt of Resolution.

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FROM NEW YORK STATE COMPTROLLER

ITEM 62 - (Comm. 22M-9) County of Erie - Increase & Improvement of Facilities - ECSD No. 5.

The above two items were RECEIVED & FILED.

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FROM THE FRANCISCAN CENTER

ITEM 63 - (Comm. 22M-10) Copy of Letter Re: Erie County Youth Board & County Support for the Franciscan Center.

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FROM EC BAR ASSOCIATION AID TO INDIGENT PRISONERS SOCIETY, INC.

ITEM 64 - (Comm. 22M-11) Budget Appropriation.

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

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FROM ECIDA

ITEM 65 - (Comm. 22M-12) Notice of Meeting to be Held 11/12/97.

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

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FROM THE BUFFALO COMMON COUNCIL

ITEM 66 - (Comm. 22M-13) Copy of Resolution Re: Oppose Discontinuance of Pediatric Service at East Side Health Center.

Received and referred to the HEALTH COMMITTEE.

COMMITTEE REPORTS:

ITEM 67 - Ms. PEOPLES presented the following and moved for immediate consideration. Mr. MARSHALL seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 439

OCTOBER 28, 1997

FINANCE AND MANAGEMENT  
COMMITTEE  
REPORT NO. 10

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. 18D-1)
a. BUDGET, MANAGEMENT & FINANCE:			
Period Ending 5/31/97.			Budget Monitoring Report for
(5-0) Legislator Fitzpatrick		absent.	Chairman Swanick
present as ex-officio member.			

Item	Page	-1997	(Comm. 18D-13)
b. BUDGET, MANAGEMENT & FINANCE:			
Period Ending 6/30/97.			Budget Monitoring Report for
(5-0) Legislator Fitzpatrick		absent.	Chairman Swanick
present as ex-officio member.			

Item	Page	-1997	(Comm. 18E-19)
c. COMPTROLLER:			
Copy of Letter to Commissioner Merrifield Re:			
Geneva B. Scruggs Community Health Care Center, Inc.			
(5-0) Legislator Fitzpatrick		absent.	Chairman Swanick
present as ex-officio member.			

Item	Page	-1997	(Comm. 21M-12)
d. BUFFALO PLACE INC.:			
1998 Budget & Other Related			
Information.			
(5-0) Legislator Fitzpatrick		absent.	Chairman Swanick
present as ex-officio member.			

Item	Page	-1997	OPEN ITEM (Comm. 1D-19A)
2.			
BUDGET, MANAGEMENT & FINANCE:			
(A) WHEREAS, the Erie County Director of Real Property Tax Services has received applications for corrected tax billings and/or refunds for taxes previously paid in accordance with New York State Real Property Tax Law section 554 and 556, and			

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

RESOLVED, that Petitions numbered V-21 through inclusive, be hereby approved or denied based upon the recommendation of the Director of Real Property Services and be charged back to the applicable Towns and/or Cities.

Petition No. 3460/9798 - ASSESSOR - Refund - \$29.93

SBL No. 47.11-4-5 - TOWN OF NEWSTEAD

Acct. No. 112 - 0.00

Acct. No. 132 - 29.93

Charge to: VILLAGE OF AKRON 29.93

REFUND - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. ASSESSMENT WAS 81,300 IT SHOULD BE 75,000. RPTL 550(2)A.  
CHECK IN FAVOR OF: DENNIS S CUMMINGS.  
(5-0)

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

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

RESOLVED, that Petitions numbered 254 through 257 inclusive, be hereby approved or denied based upon the recommendation of the Director of Real Property Services and be charged back to the applicable Towns and/or Cities.

Petition No. 254/9697 - ASSESSOR - Refund - \$2,554.55  
SBL No. 69.18-3-1.1 - TOWN OF AMHERST  
Acct. No. 112 - 0.00  
Acct. No. 132 - 2,554.55

Charge to: WILLIAMSVILLE CENT 2,554.55

REFUND - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED  
INCORRECTLY ON THE TAX ROLL. THE ASSESSED VALUE WAS 700,000 IT  
SHOULD BE 592,435. RPTL 550(2)A.  
CHECK IN FAVOR OF: 6075 MAIN ST CO

Petition No. 255/1997 - ASSESSOR - Refund - \$1,974.65  
SBL No. 69.18-3-1.1 - TOWN OF AMHERST  
Acct. No. 112 - 1,081.81  
Acct. No. 132 - 892.84

Charge to: TOWN OF AMHERST 748.35  
MAIN TRANSIT FIRE PROTECT 144.49

REFUND - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED  
INCORRECTLY ON THE TAX ROLL. THE ASSESSED VALUE WAS 700,000 IT  
SHOULD BE 592,435. RPTL 550(2)A.  
CHECK IN FAVOR OF: 6075 MAIN ST CO

Petition No. 256/9697 - ASSESSOR - Refund - \$710.63  
SBL No. 137.02-3-21 - TOWN OF ELMA  
Acct. No. 112 - 0.00  
Acct. No. 132 - 710.63

Charge to: IROQUOIS CENTRAL 710.63

REFUND - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF  
3,700 WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C.  
CHECK IN FAVOR: ALFRED BLAZAK.

It is hereby recommended by the Erie County Real Property  
Tax Services Director, Joseph L. Maciejewski IV that the  
following petition be denied:

Petition 257 - Cancel - \$1,621.68 1997/1998

Application for correction of errors on the tax roll. The  
owner is State of New York Mortgage Agency has agreed to pay the  
school tax in accordance with the Interpretation made by the New  
York State Board of Equalization and Assessment. Therefore the  
agency must pay the Williamsville Central School Tax.

(5-0)

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

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

RESOLVED, that Petitions numbered S-111 through S-128 inclusive, be hereby approved or denied based upon the recommendation of the Director of Real Property Services and be charged back to the applicable Towns and/or Cities.

Petition No. S-111/9798 - ASSESSOR - Cancel - \$4,205.04

SBL No. 26.15-8-1./12A & 11 OTHERS - TOWN OF AMHERST

Acct. No. 112 - 0.00

Acct. No. 132 - 4,205.04

Charge to: SWEET HOME CENTRAL 4,205.04

CANCEL - ERROR IN ESSENTIAL FACT, PROPERTY WAS PLACED IN THE NON-HOMESTEAD CLASSIFICATION. THERE ARE CONDO UNITS AND SHOULD HAVE PLACED IN THE RESIDENTIAL CLASSIFICATION. RPTL 550(3)F.

Petition No. <sup>S-112</sup>~~3444~~ / 9798 - ASSESSOR - Cancel - \$642.74

SBL No. 27.00-1-35 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00

Acct. No. 132 - \$ 642.74

Charge to : WILLIAMSVILLE CENT 642.74

CANCEL - UNLAWFUL ENTRY, PARCEL IS OWNED BY THE TOWN OF AMHERST MAKING IT SHOLLY EXEMPT FROM TAXES. PARCEL BELONGS IN THE WHOLLY EXEMPT PORTION OF THE TAX ROLL. RPTL 880(7)A.

*S-113*  
Petition No. ~~3445~~ / 9798 - ASSESSOR - Refund - \$158.83

SBL No. 28.04-2-14 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00

Acct. No. 132 - \$ 158.83

Charge to : WILLIAMSVILLE CENT 158.83

REFUND - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 6,425 WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C.  
CHECK IN FAVOR OF: MADLYN & JOHN ZAK

*S-114*  
Petition No. ~~3446~~ / 9798 - ASSESSOR - Cancel - \$10,526.09

SBL No. 28.17-1-2 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00

Acct. No. 132 - \$ 10,526.09

Charge to : WILLIAMSVILLE CENT 10,526.09

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON THIS PARCEL. THE CORRECT ASSESSMENT ON THIS PARCEL WAS 3,975,000 IT SHOULD BE 3,550,000. RPTL 550(2)A.

*S-115*  
Petition No. ~~3447~~ / 9798 - ASSESSOR - Cancel - \$23,727.39

SBL No. 40.08-3-9 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00

Acct. No. 132 - \$ 23,727.39

Charge to : SWEET HOME CENTRAL 23,727.39

CANCEL - CLERICAL ERROR, THIS PARCEL IS UNDER A PILOT AGREEMENT WITH ERIE COUNTY INDUSTRIAL AGENCY. THE EXEMPTION MAKING THEM EXEMPT FROM COUNTY, TOWN AND SCHOOL WAS OMITTED IN ERROR. THE EXEMPTION AMOUNT WAS 941,300. RPTL 550(2)C.

*S-116*  
Petition No. ~~3448~~ / 9798 - ASSESSOR - Cancel - \$380.63

SBL No. 54.04-2-10 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00

Acct. No. 132 - \$ 380.63

Charge to : SWEET HOME CENTRAL 380.63

CANCEL - CLERICAL ERROR, THE ASSESSMENT ON THIS PARCEL WAS ENTERED INCORRECTLY ON THE TAX ROL.. THE ASSESSED VALUE WAS 15,200 IT SHOULD BE 100. RPTL 550(2)A.

*S-117*  
Petition No. ~~3449~~ / 9798 - ASSESSOR - Cancel - \$346.09

SBL No. 56.06-1-59 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00

Acct. No. 132 - \$ 346.09

Charge to : WILLIAMSVILLE CENT 346.09

CANCEL - CLERICAL ERROR, THE ASSESSMENT ON THIS PROPERTY WAS ENTERED INCORRECTLY ON THE TAX ROLL. THE ASSESSED VALUE WAS 227,000 IT SHOULD BE 213,000. RPTL 550(2)A.



Petition No. ~~3450~~ <sup>S-118</sup> / 9798 - ASSESSOR - Refund - \$177.31

SBL No. 67.20-3-41 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00

Acct. No. 132 - \$ 177.31

Charge to : AMHERST CENTRAL 177.31

REFUND - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. THE ASSESSMENT WAS 93,000 IT SHOULD BE 80,000.

RPTL 550(2)A.

CHECK IN FAVOR OF WILLIAM & ANNE LALLI

Petition No. ~~3451~~ <sup>S-119</sup> / 9798 - ASSESSOR - Cancel - \$5,444.72

SBL No. 67.41-1-2.1 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00

Acct. No. 132 - \$ 5,444.72

Charge to : SWEET HOME CENTRAL 5,444.72

CANCEL - CLERICAL ERROR, THE ASSESSMENT WAS ENTERED INCORRECTLY ON THE TAX ROLL. THE ASSESSMENT WAS 1,116,000 IT SHOULD BE 900,000.

RETILT50N(NUMBER 3451 CONTINUED

Petition No. ~~3452~~ <sup>S-120</sup> / 9798 - ASSESSOR - Cancel - \$641.07

SBL No. 67.58-5-3 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00

Acct. No. 132 - \$ 641.07

Charge to : AMHERST CENTRAL 641.07

CANCEL - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 23,500 WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C.

MEETING NO. 22  
November 6, 1997

ERIE COUNTY LEGISLATURE

34

Petition No. <sup>S-121</sup>3453 / 9798 - ASSESSOR - Cancel - \$2,659.09

SBL No. 69.18-3-1.1 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00

Acct. No. 132 - \$ 2,659.09

Charge to : WILLIAMSVILLE CENT 2,659.09

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. THE ASSESSMENT WAS 700,000 IT SHOULD BE 592,435.  
RPTL 550(2)A.

Petition No. <sup>S-122</sup>3454 / 9798 - ASSESSOR - Cancel - \$845.67

SBL No. 79.08-2-15 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00

Acct. No. 132 - \$ 845.67

Charge to : AMHERST CENTRAL 845.67

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. THE ASSESSMENT WAS 144,000 IT SHOULD BE 113,000.  
RPTL 550(2)A.

Petition No. <sup>S-123</sup>3455 / 9798 - ASSESSOR - Cancel - \$245.52

SBL No. 79.08-5-26 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00

Acct. No. 132 - \$ 245.52

Charge to : AMHERST CENTRAL 245.52

CANCEL - CLERICAL ERROR, THE ASSESSMENT WAS ENTERED INCORRECTLY ON THE TAX ROLL. THE ASSESSMENT WAS 104,000 IT SHOULD BE 95,000.  
RPTL 550(2)A.

*S-124*  
Petition No. ~~3456~~ / 9798 - ASSESSOR - Cancel - \$300.08

SBL No. 79.24-3-40 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00

Acct. No. 132 - \$ 300.08

Charge to : AMHERST CENTRAL 300.08

CANCEL - CLERICAL ERROR, THE ASSESSMENT WAS ENTERED INCORRECTLY ON  
THE TAX ROLL. THE ASSESSED VALUE WAS 68,000 IT SHOULD BE 57,000.  
RPTL 550(2)A.

*S-125*  
Petition No. ~~3457~~ / 9798 - ASSESSOR - Cancel - \$1,200.31

SBL No. 80.06-3-21 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00

Acct. No. 132 - \$ 1,200.31

Charge to : AMHERST CENTRAL 1,200.31

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY  
ON THE TAX ROLL. THE ASSESSMENT WAS 146,000 IT SHOULD BE 102,000.  
RPTL 550(2)A.

*S-126*  
Petition No. ~~3458~~ / 9798 - ASSESSOR - Cancel - \$234.47

SBL No. 146.00-5-4.6 - TOWN OF ELMA

Acct. No. 112 - \$ 0.00

Acct. No. 132 - \$ 234.47

Charge to : AMHERST CENTRAL 234.47

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY  
ON THE TAX ROLL. THE ASSESSMENT WAS 12,900 IT SHOULD BE 11,700.  
RPTL 550(2)A.

Petition No. S-127/9798 - ASSESSOR - Cancel - \$93,924.46  
SBL No. 159.00-2-32.1 - TOWN OF HAMBURG  
Acct. No. 112 - 0.00  
Acct. No. 132 - 93,924.46

Charge to: FRONTIER CENTRAL 93,924.46

CANCEL - CLERICAL ERROR, THE PARCEL HAS ENTERED INTO A PILOT AGREEMENT WITH ERIE COUNTY INDUSTRIAL AGENCY. THE EXEMPTION FOR COUNTY, TOWN AND SCHOOL TAX WAS OMITTED IN ERROR FROM THE TAX ROLL. THE AMOUNT OF THE EXEMPTION WAS 5,440,500. RPTL 550(2)C.

Petition No. S-128/9798 - ASSESSOR - Cancel - \$398.01  
SBL No. 27.00-1-14.11 - TOWN OF AMHERST  
Acct. No. 112 - 0.00  
Acct. No. 132 - 398.01

Charge to: WILLIAMSVILLE CENT

CANCEL - CLERICAL ERROR, THE PARCEL IS OWNED BY THE TOWN OF AMHERST MAKING IT EXEMPT FROM SCHOOL TAXES. THE EXEMPTION WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C.  
(5-0)

Item Page -1997 (Comm. 20D-11)  
3. DPW:  
RESOLVED, that for County purposes of construction and reconstruction of roads, the County Executive is hereby authorized and directed to acquire the following interest in the parcels of land herein described for and in consideration of sums described herein, as listed below, and be it further

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

WHITEHAVEN ROAD CR 75

GRAND ISLAND, NEW YORK

PARCEL	OWNER(S)	AREA	FEE	DAMAGES
156	Grand Island Fire Co. Inc.	0.098 acres	\$	468.00
161	George J. Smith	0.532 acres	\$	2,550.00
167	Andrea Pileggi	0.098 acres	\$	467.00

PHILLIPS ROAD CR 535

TOWNS OF COLDEN, HOLLAND & SARDINIA

PARCEL	OWNER(S)	AREA	TEMPORARY EASEMENT
1	Francis M. & Theodosia Wroblewski	0.042 acres	\$ 100.00
2	Gregory F. Priester & Debra L. Goodliff	0.149 acres	\$ 100.00
3	Hen-Gar Construction Corp. (5-0)	0.023 acres	\$ 100.00

Item Page -1997 (Comm. 21D-12)

4. BUDGET, MANAGEMENT & FINANCE:  
RESOLVED, that the following described parcel of land be sold without Public Auction pursuant to Article 14, Section 14-1.0 of the Erie County Tax Act to: Brian and Martha Townson, 1153 East Main Street, East Aurora, New York 14052 for the sum of Four Hundred and 00/100 Dollars (\$400.00).

All That Tract or Parcel of Land, situate in the Town of Aurora, County of Erie and State of New York being part of Farmlot 17, Township 9, Range 6;

Further described on Erie County Tax Maps as Section, Block and Lot No. 176.000-1-2 (Big Tree Road) LL 280.00 x 100 IRR;

Intending to convey all land acquired by Erie County as Serial No. 1235 in the County In Rem Tax Foreclosure Action No. 138, and be it further

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

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

(5-0)

Item Page -1997 (Comm. 21D-13)  
5. BUDGET, MANAGEMENT & FINANCE:  
RESOLVED, that the following described parcel of land be sold without Public Auction pursuant to Article 14, Section 14-1.0 of the Erie County Tax Act to: Frank E. Hejmanowski, 3890 Cornell Street, Hamburg, New York 14075 for the sum of One Hundred and 00/100 Dollars (\$100.00).

All That Tract or Parcel of Land, situate in the Town of Hamburg, County of Erie and State of New York being part of Farmlot 13, Township 9, Range 8, Sublot 2040, Block 20, Map Cover 712;

Further described on Erie County Tax Maps as Section, Block and Lot No. 170.760-4-15 (Cornell Street) 28.00 x 118.00;

Intending to convey all land acquired by Erie County as Serial No. 626 in the County In Rem Tax Foreclosure Action No. 137, and be it further

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

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

(5-0)

AS AMENDED  
Item Page -1997 (Comm. 21E-9)  
6. COUNTY EXECUTIVE:  
RESOLVED, that the Erie County Legislature does hereby authorize Dennis T. Gorski, Erie County Executive, to enter into this contract with EMPLOYEE RESOURCES, INC., 467 Virginia Street, Buffalo, New York 14202, for a period not to exceed 3 years commencing NOVEMBER 1, 1997, at a cost of \$96,000 per year. November 1, 1997 through December 31, 1997, Fund 110, General Project Fund 923, Countywide Budget and Finance section 301, Exemption Removal Revenue, at a cost of \$16,000.

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

Item Page -1997 (Comm. 21E-13)  
7. COUNTY EXECUTIVE:  
WHEREAS, the Francis John Apartments, L.P. (FJA) is developing a Housing Project (Project) for low-income elderly persons, pursuant to Article 5 of the Private Housing Finance Law, and

WHEREAS, FJA, the limited partner, will have as its general partner, the Polish Community Center, a not-for-profit corporation, and

WHEREAS, FJA is the owner of real property and buildings thereon located at 1201 Broadway in the City of Buffalo, and

WHEREAS, the Project will be occupied by persons 55 years of age or older with low to middle income levels, and

WHEREAS, in order to make this Project economically feasible for FJA, it is necessary to obtain tax relief from the City of Buffalo (City) and the County of Erie (County) on the property improvement, and

WHEREAS, FJA is requesting that the City and the County sign a PILOT Agreement pursuant to the Private Housing Finance Law, and

WHEREAS, the Project will be managed by Delta Development, Inc., a not-for-profit subsidiary of the Catholic Charities of Buffalo,

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to execute a PILOT Agreement between and among the City of Buffalo, the Francis John Apartments, L.P. and the County of Erie relating to property located at 1201 Broadway in the City of Buffalo, and be it further

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

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

	Item	Page	-1997	AS AMENDED (Int. 21-8)
8.	HOLT:			

WHEREAS, The Erie County Legislature approved Local Law No. 8-1984, establishing a downtown pedestrian/transit mall special district, and

WHEREAS, The Erie County Legislature approved on December 19, 1985, a resolution authorizing the County Executive to enter into agreement with Downtown Buffalo Management Corporation, now known as Buffalo Place Inc. (BPI), designating Buffalo Place Inc. as the not-for-profit corporation with which Erie County shall contract for the performance of mall special district services, and annual contracts for this purpose were executed in 1986, 1987, 1988, 1989, 1990, 1991, 1992, 1993, 1994, 1995, 1996, and 1997, and

WHEREAS, The said Local Law required that the mall corporation present an annual budget to the Legislature regarding the amount to be raised by mall district special charges, and

WHEREAS, Pursuant to the said Local Law, Buffalo Place Inc. held a public hearing, on due notice to property owners within the district, regarding the proposed 1998 annual budget on September 18, 1997,

NOW, THEREFORE BE IT

RESOLVED, That the Erie County Legislature does hereby determine that the total amount to be raised by mall district services charges in 1998 shall be the sum of \$1,176,983 as contained in the attached budget which shall be a part of this Resolution, which amount does not exceed 80% of the service charges that could be assessed or levied against properties in the district, and be it further

RESOLVED, That the County of Erie be and hereby is authorized to enter into agreement with Buffalo Place Inc., the not-for-profit corporation described in Section 9 of Erie County Local Law No. 8-1984, providing for the performance by BPI of the mall special services set for the in Section 8 of said Local Law; the payment to BPI of the proceeds of the mall special district charges, less administrative costs, to be used by BPI in providing mall special district services; and such other terms and conditions as to the County Attorney appear necessary or appropriate for the implementation of Erie County Local Law No. 8-1984 and chapter 673 of the Laws of 1982, and be it further

RESOLVED, That the Erie County Commissioner of Finance shall, not later than November 30, 1997, cause to be established a Mall District Special Charge Roll apportioning the amount herein above determined to be raised by mall district service charges for 1998 in conformance with the formula set forth in Section 7 of Erie County Local Law No. 8-1984 using the latest available final general or special assessment roll prepared by the City of Buffalo, and be it further



RESOLVED, That certified copies of this resolution be forwarded to Erie County Executive Dennis T. Gorski, City of Buffalo Mayor Anthony M. Masiello, Buffalo Place Inc. Chairman C. Stuart Hunt, Buffalo Place Executive Director Michael T. Schmand, and Erie County Budget Director Kenneth C. Kruly

**Fiscal Impact:** None

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

CRYSTAL DAVIS PEOPLES  
Chairperson

Ms. PEOPLES requested that Resolves Nos. 4, 5 & 6 be separated.

GRANTED.

Ms. PEOPLES moved the balance of the report. Mr. MARSHALL seconded.

CARRIED UNANIMOUSLY.

Chairman SWANICK directed that Resolve Nos. 4 & 5 be referred back to committee.

Ms. PEOPLES offered an amendment to RESOLVE No. 6 as follows:

EMPLOYEE ASSISTANCE PROGRAM CONTRACT  
AN AGREEMENT BETWEEN  
THE COUNTY OF  
AND  
EMPLOYEES RESOURCES, INC.

DELETE, in its entirety, Page 1, Section B, and REPLACE with the following:

B. The COUNTY OF ERIE and EMPLOYEE RESOURCES, INC. agree that EMPLOYEE RESOURCES, INC., shall perform such professional services for the COUNTY OF ERIE and COUNTY OF ERIE shall compensate EMPLOYEE RESOURCES, INC. during the period of November 1, 1997 to October 31, 2000 for such services as set forth in the Agreement. This contract shall be subject to annual renewal by the ERIE COUNTY LEGISLATURE, COUNTY OF ERIE or EMPLOYEE RESOURCES, INC., providing other party at least 30 day written notice to the addresses written above.

Ms. PEOPLES moved the adoption of the amendment. Ms. MARINELLI seconded.

CARRIED UNANIMOUSLY.

Ms. PEOPLES moved the adoption of RESOLVE No. 6 as amended. Ms. MARINELLI seconded.

CARRIED UNANIMOUSLY.

MEMORIAL RESOLUTIONS

ITEM 68 - Mr. HOLT moved that when this Legislature adjourns, it do so out of respect to the memory of Haneefa Fields, deceased. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

ITEM 69 - Mr. HOLT moved that when this Legislature adjourns, it do so out of respect to the memory of Jaymon Beathley, deceased. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

ITEM 70 - Mr. FITZPATRICK moved that when this Legislature adjourns, it do so out of respect to the memory of John Fitzpatrick, deceased. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

ADJOURNMENT:

ITEM 71 - 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, November 20, 1997. Mr. MARSHALL seconded.

CARRIED UNANIMOUSLY.

The Chairman declared the Legislature adjourned until  
Thursday, November 20, 1997 at 2:00 P.M., Eastern Standard Time.

LAURIE A. MANZELLA  
Clerk