

ERIE COUNTY LEGISLATURE
MEETING No. 9
May 1, 1997

The Legislature was called to order by the Chairman SWANICK.

The Invocation was delivered by Pastor Rick Ireland, from the East Seneca Community Free Methodist Church, West Seneca, NY.

The Pledge of Allegiance was led by Mr. Greenan.

ITEMS ON THE TABLE:

ITEM 1 - Ms. PEOPLES moved to take the Minutes of Meetings Nos. 7 & 8, 1997 from the table immediate consideration. Mr. MARSHALL seconded.

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

MISCELLANEOUS RESOLUTIONS

ITEM 2 - Ms. COHEN KENNEDY presented a resolution of congratulations to Timothy Schnaufer for Receiving the 1997 National Institute for Staff and Organizational Development Excellence Award. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

ITEM 3 -- Ms. MARINELLI and Et al presented a resolution of congratulations to The Everywoman Opportunity Center on the Occasion of their 20th Anniversary. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

ITEM 4 - Ms. MARINELLI presented a resolution of congratulations To Linda Przepasniak on Being Named the Business and Professional Women's "Woman of the Year." Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

ITEM 5 - Mr. SWANICK presented a resolution of congratulations to the Buffalo Home Visiting Program Upon Receiving Credentialing. Ms. PEOPLES Seconded.

CARRIED UNANIMOUSLY.

ITEM 6 - Ms. COHEN KENNEDY presented a resolution of Congratulations Lester Loucks on the Occasion of the Dedication of "Wellsville Woods in Honor of Lester Loucks. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

ITEM 7 - Mr. LARSON presented a resolution of congratulations to Christopher M. Maj on the Occasion of His Attaining the Rank of Eagle Scout in Troop #524 in Concord, New York. Mr. MARSHALL seconded.

CARRIED UNANIMOUSLY.

ITEM 8 - Mr. KUWIK presented a resolution of Congratulations to Philip Bachman, National President of the American Legion Auxiliary. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

ITEM 9 - Mr. KUWIK presented a resolution of congratulations to the Gerald R. Baldelli, on his retirement as Superintendent of the Frontier Center Schools. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

LOCAL LAWS:

ITEM 10 - Ms. PEOPLES moved to take Local Law Intro No. 5 (Print #1) - 1997 from the table to RECEIVE & FILE. Ms. COHEN KENNEDY seconded.

CARRIED UNANIMOUSLY.

ITEM 11 - Ms. COHEN KENNEDY moved to take Local Law Intro No.5 (Print #2) - 1997 from the table for immediate consideration. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

COUNTY OF ERIE
LOCAL LAW INTRO. NO. 5
PRINT #2
1997

A LOCAL LAW in relation to self-service sale of tobacco products.

The Erie County Legislature does enact as follows:

Section 1. Legislative finding. Cigarettes smoking has been proven to be harmful to the public health. It is further found that the great majority of all smokers begin smoking by their teenage years, and that the most frequent ages for beginning smoking are under the age of eighteen.

Section 2. Purpose. It is the purpose of this local law to aid enforcement of laws prohibiting the sale of tobacco to minors, and to reduce minors' access to tobacco by requiring tobacco sales to be made by personal transactions.

Section 3. Definitions. For the purposes of this local law, the following terms shall have the following meanings:

- a. "Person" shall mean any individual, partnership, corporation, association, or any combination of individuals and corporations, by whatever means organized;

- b. "Retailer" shall mean any person who operates a store, shop, booth, stand, concession, or any other place where tobacco is sold to purchasers for consumption or use;
- c. "Tobacco" means any cigarette, cigar, pipe tobacco, loose tobacco, chewing tobacco, smokeless tobacco, snuff, or any other form of tobacco which may be smoked, inhaled, chewed, or in any other manner ingested.

§4. Self service sales prohibited. No retailer shall display or store tobacco in any manner which permits direct customer access or customer self service, whether by shelf display, counter display, kiosk, vending machine, or other means of open display of tobacco. This provision shall not apply to the sale of tobacco products in vending machines located in a bar as defined in subdivision two of section 1399-n of the public health law; in the bar area of a food service establishment with a valid on-premises full liquor license; or in a tobacco business as defined in subdivision thirteen of section 1399-n of the public health law.

§5. Penalties and enforcement. A violation of section four of this local law shall be a violation punishable by a fine not to exceed five hundred dollars. Every [peace] police officer, deputy sheriff, and person designated by the Erie county commissioner of health, within the county of Erie, is authorized to issue any person found in violation of this local law, [a] an appearance ticket to appear before a [justice of any municipal court located within the county] hearing officer designated by the Erie county commissioner of health. The Erie county commissioner of health is authorized to enforce this local law by administrative proceedings held in accordance with the provisions of section five of article or of the Erie county sanitary code.

Section 6. Erie county local law number two of nineteen hundred ninety, entitled "A LOCAL LAW in regard to the location of cigarette vending machines in Erie county", is hereby REPEALED. Erie county local law number one of nineteen hundred ninety-three, entitled "A LOCAL LAW in regard to the prohibition of cigarette sales through vending machines", is hereby REPEALED.

Section 7. This local law shall be effective on the first day of the third month following its adoption.

RANDI COHEN KENNEDY
CHARLES M. SWANICK
EDWARD J. KUWIK
GEORGE A. HOLT, Jr.
ALBERT DEBENEDETTI
LYNN M. MARINELLI
MICHAEL H. RANZENHOFER

JUDITH P. FISHER
CRYSTAL D. PEOPLES
MICHAEL A. FITZPATRICK
GREGORY B. OLMA
RAYMOND K. DUSZA
WILLIAM A. PAULY
JEANNE Z. CHASE

[Bracketed] material is DELETED.
Underlined material is NEW.

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

Chairman SWANICK directed that a Roll Call be taken.

Ayes - Chase, Greenan, Marshall, Pauly, Ranzenhofer, DeBenedetti, Dusza, Fisher, Fitzpatrick, Holt, Cohen Kennedy, Kuwik, Marinelli, Olma, Peoples, Swanick - 17. Noes - Larson - 1.

CARRIED.

ITEM 12 - Chairman SWANICK directed that Local Law Intro. No. 6 (Print #1) - 1997 be received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

COMMITTEE REPORTS:

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

CARRIED UNANIMOUSLY.

RESOLUTION 189

APRIL 22, 1997

PUBLIC SAFETY
COMMITTEE
REPORT No. 3

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. 6M-11) |
| a. | CONGRESSMAN QUINN: Acknowledgement of Receipt of Resolution. | | |
| | (6-0) Chairman Swanick present as ex-officio member. | | |
| Item | Page | -1997 | (Int. 6-3) |
| b. | MARSHALL, LARSON, GREENAN, RANZENHOFER & VILLARINI: Background | | |
| | Checks on Nursing Home Aides. | | |
| | (6-0) Chairman Swanick present as ex-officio member. | | |
| Item | Page | -1997 | (Comm. 7M-1) |
| c. | KEVIN COLE: Copy of Letter to Legislator Kuwik Re: Sheriff's | | |
| | Office Unfilled Positions. | | |
| | (6-0) Chairman Swanick present as ex-officio member. | | |
| Item | Page | -1997 | (Comm. 7M-5) |
| d. | NFTA: Information Requested at Public Safety Meeting. | | |
| | (6-0) Chairman Swanick present as ex-officio member. | | |
| Item | Page | -1997 | (Comm. 7M-19) |
| e. | DUTCHESS COUNTY LEGISLATURE: Copy of Resolution Re: Requesting New | | |
| | York State to Reimburse Counties 100% of Actual Costs for Parole | | |
| | Violation Assigned Counsel. | | |
| | (6-0) Chairman Swanick present as ex-officio member. | | |

2. **RESOLVED**, that the following item be received, filed and referred to the COUNTY ATTORNEY:

- | | | | |
|------|---|-------|--------------|
| Item | Page | -1997 | (Comm. 6M-2) |
| a. | MICHAEL NICHOLSON: Memorializing Resolution A-1808 & S-662. | | |
| | (6-0) Chairman Swanick present as ex-officio member. | | |

Item	Page	-1997	(Comm. 6E-30)
3.	COUNTY EXECUTIVE:		
	RESOLVED, that authorization is hereby provided for the County		
	Executive to enter into contract for the receipt of State funding from		
	the NYS Emergency Management Office for the provision of PSCIM training,		
	and be it further		

RESOLVED, that the following transactions are authorized establishing a fifth grant budget to continue operation of the PSCIM courses.

Department of Emergency Services

PSCIM GRANT V

Revenue

<u>SFG Account</u>	<u>IFMIS Account</u>		<u>\$2,000</u>
551	03-State Aid	Total	<u>\$2,000</u>

Appropriations

<u>SFG Account</u>	<u>IFMIS Account</u>	<u>\$2,000</u>
830	Object 43 Contractual	<u>\$2,000</u>

and be it further

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

AS AMENDED

(Comm. 6E-31)

Item Page -1997

4. COUNTY EXECUTIVE:

RESOLVED, that authorization is hereby provided to add two (2) sergeants, job group 9; eight (8) deputy sheriff officers, job group 8; to the budget of the Sheriff's Holding center, to be effective June 9, 1997, and be it further

RESOLVED, that authorization is hereby provided to add one (1) account clerk, job group 4; and one (1) receptionist, job group 3; to the budget of the Correctional Facility, to be effective June 9, 1997, and be it further

RESOLVED, that authorization is hereby provided to make the following budgetary transactions in the 1997 Budget of the Erie County Correctional Facility and Holding Center, in order to fund the increase in staffing.

1997 Budget
Department 660
Erie County Correctional Facility

<u>Appropriation</u>	<u>Decrease</u>
Acct. 812 - Food	\$142,000
Acct. 814 - Medical Supplies	30,000
Acct. 823 - Repairs	10,000
Acct. 826 - Other	<u>71,100</u>
Total	<u>\$253,100</u>

	<u>Increase</u>
Acct. 800 - Personal Services	\$ 21,250
Acct. 805 - Fringe Benefits	3,900

Department 151
Erie County Holding Center

Acct. 800 - Personal Services	\$178,190
Acct. 802 - Overtime	10,200
Acct. 805 - Fringe Benefits	<u>39,560</u>
Total Appropriation Increase	<u>\$253,100</u>

and be it further

RESOLVED, that certified copies of this request be forwarded to the Division of Budget, Management and Finance, the Personnel Department and the Correctional Facility.

(5-0)

Item Page -1997 (Comm. 6E-32)
5. **COUNTY EXECUTIVE:**

RESOLVED, that the Erie County Correctional Facility is hereby authorized to accept any viable safety equipment and/or vehicles, which must be in good, safe and operating condition, made available by the Federal Surplus Property Program through the New York State Office of General Services, and be it further

RESOLVED, that the Erie County Correctional Facility shall submit a listing to this Legislature of any and all pieces of said equipment deemed acceptable for use at the Facility, and furthermore that all said pieces of equipment shall be properly inventoried as the property of the County of Erie, and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Division of Budget, Management and Finance and the Erie County Correctional Facility.

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

Item Page -1997 (Comm. 6E-33)
6. COUNTY EXECUTIVE:

WHEREAS, the Erie County Legislature had already approved the District Attorney's Grant Budgets in Book B for 1996, and

WHEREAS, the fully executed contract received from New York State in regard to the Points of Entry Grant does not align with the budget book,

NOW, THEREFORE, BE IT

RESOLVED, that the budget for the District Attorney's Points of Entry Grant be revised as follows:

Points of Entry Grant - Project #532
November 1, 1996 - October 31, 1997

<u>REVENUE</u>	<u>Original</u>	<u>Change</u>	<u>Final</u>
Acct. 627 State Aid	\$45,000	\$ (7,675)	\$37,325
Acct. 685 Interfund	<u>10,652</u>	<u>5,537</u>	<u>16,189</u>
Total Revenue	<u>\$55,652</u>	<u>\$ (2,138)</u>	<u>\$53,514</u>

<u>APPROPRIATIONS</u>			
Acct. 800 Personnel	\$44,017	\$ (509)	\$43,508
Acct. 805 Fringe Benefits	9,244	762	10,006
Acct. 890 Contractual Salary			
Reserve	<u>2,391</u>	<u>(2,391)</u>	<u>--</u>
Total Appropriation	<u>\$55,652</u>	<u>\$ (2,138)</u>	<u>\$53,514</u>

and be it further

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

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

Item Page -1997 (Comm. 6E-34)
7. COUNTY EXECUTIVE:

RESOLVED, that the sum of \$19,137 in available balances in the Assets Forfeiture Trust Fund is hereby transferred to the District Attorney's Assets Forfeiture Grant, SFG Project 333, and be it further

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

DISTRICT ATTORNEY ASSET FORFEITURE GRANT, SFG PROJECT 333, FUND 280

REVENUE

Acct. 502	DA Asset Forfeitures	<u>\$19,137</u>
	Total Revenue	<u>\$19,137</u>

APPROPRIATION

Acct. 932	Furniture, Fixtures & Office Equipment	\$ 5,550
Acct. 933	Laboratory and Technical Equipment	9,217
Acct. 825	Out of Area Travel	3,770
Acct. 881	DISS	<u>600</u>
	Total Appropriation	<u>\$19,137</u>

and be it further

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

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

AS AMENDED

Item Page -1997 (Int. 6-5)
8. LARSON, GREENAN, RANZENHOFER, MARSHALL, SWANICK, KUWIK, DUSZA, COHEN KENNEDY & PEOPLES:

WHEREAS, police, corrections, and peace officers place their lives in jeopardy everyday to help maintain public safety, and

WHEREAS, one of the risks to our law enforcement personnel is the potential exposure to transmissible diseases, such as TB, hepatitis and the HIV virus which is the cause of AIDS, and

WHEREAS, it is important that law enforcement personnel who believe that they have been exposed to the HIV virus be permitted to seek the testing of individuals and/or materials suspected of carrying the HIV virus, and

WHEREAS, legislation recently approved in the New York State Senate (S.336) permits suspects arrested, detained or incarcerated to be tested if there is probable cause that an officer has been exposed to a transmissible disease, and

WHEREAS, the tests which would be authorized under this legislation would be performed by a state, county or local public health officer and would be kept confidential, and

WHEREAS, under this legislation, the officer could apply to the court to have a subject tested and would have to prove that there is probable cause to believe that the officer has been exposed to a transmissible disease, and the results of said tests would be made known only to the victim, victim's family, attorney, medical care providers and the person tested, and

WHEREAS, this legislation is supported by law enforcement groups across New York State, including Council 82, Nassau County Police Department, New York City PBA, and the Police Conference of New York and Albany,

NOW, THEREFORE, BE IT

RESOLVED, that this Honorable Body supports providing our law enforcement personnel with the ability to determine if an officer has been exposed to a transmissible disease, and be it further

RESOLVED, that this Honorable Body supports Senate Bill S.336 and Assembly Bill A.532, and calls upon the State Assembly to approve this legislation, and be it further

RESOLVED, that a certified copy of this resolution be forwarded to the members of the Western New York State Legislative Delegation, Erie County Sheriff, Buffalo Police Commissioner and police chiefs of all municipal police departments in Erie County.

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

AS AMENDED

Item	Page	-1997	(Int. 6-9)
9.	COHEN KENNEDY, MARINELLI, KUWIK, DUSZA, SWANICK, PEOPLES, GREENAN & LARSON:		

WHEREAS, Persons in nursing homes must rely on the workers in the facility to meet their needs; some completely so, and

WHEREAS, Those persons and their families place a tremendous amount of trust in the nursing home aides to provide quality care in a respectful manner, and

WHEREAS, Nursing home aides have the opportunity to take advantage of these residents if they so choose, oftentimes without fear of recourse due to the patients' inability to report or respond to the incident, and

WHEREAS, Therefore, criminal background checks of potential nursing home aides would help reveal those who would choose to prey on the elderly or infirm, and

WHEREAS, One such case of nursing home abuse in which a comatose woman was raped and impregnated by an attendant has inspired the proposed "Kathy's Law" at the state level, a law which would allow for criminal background checks of new nursing home and home care aide hires, as well as create new felony-level crimes of assault against care-dependent persons, and

WHEREAS, "Kathy's Law" would further require that all applicants sign a sworn statement in which they would be required to reveal any criminal convictions, and also would indemnify employers for failing to hire applicants based on information obtained in criminal background checks, and

WHEREAS, "Kathy's Law" is a necessary tool for providing protection for one of the most vulnerable portions of our society,

NOW, THEREFORE, BE IT

RESOLVED, That the Erie County Legislature does hereby reaffirm its commitment to providing protection for the safety and well-being of all our community's residents, and be it further

RESOLVED, That this Honorable Body does hereby memorialize the New York state Legislature pass and New York state Governor George Pataki sign into law "Kathy's Law" in order to better protect nursing home residents and home health care recipients, and be it further

RESOLVED, That certified copies of this resolution be forwarded to New York state Governor George Pataki, state Attorney General Dennis Vacco, and all members of the Western New York delegation of the New York state Legislature.

Fiscal Impact: None for resolution.

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

EDWARD J. KUWIK
Chairman

Mr. MARSHALL requested that Resolves 8 & 9 be separated.

GRANTED.

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

CARRIED UNANIMOUSLY.

Chairman SWANICK directed that El al be added to the sponsorship of Resolve No. 8.

Mr. MARSHALL moved the adoption of Resolve No. 8 as amended.
Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

Chairman SWANICK directed that Et al be added to the sponsorship pf Resolve No. 9.

Mr. MARSHALL moved the adoption of the Resolve No. 9 as amended. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

ITEM 14 - Mr. DUSZA presented the following and moved for immediate consideration. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 190

APRIL 22, 1997

GOVERNMENT AFFAIRS
COMMITTEE
REPORT NO. 3

ALL MEMBERS PRESENT EXCEPT LEGISLATOR PAULY.

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

Item	Page	-1996	(Comm. 3M-10)
a. JAMES R. BELTER:		Copy of Letter to Legislator Dusza Re:	
Discontinuing of Coupons in WNY.			
(4-0)			

Item	Page	-1996	(Comm. 3M-11)
b. SUSAN C HINKLEY BUFFALO "FEMALE" CHAPTER:		Copy of Letter to Legislator Dusza Re: Discontinuing of Coupons in WNY.	
(4-0)			

- | | Item | Page | -1996 | (Comm. 4E-18) |
|----|---|--|-------|---------------|
| c. | DUSZA: | Request to Send Material Re: Proctor & Gamble's Decision to Stop Using Coupons to Committee. | | |
| | | (4-0) | | |
| | Item | Page | -1996 | (Comm. 4M-14) |
| d. | TOWN OF CHEEKTOWAGA: | Certified Resolution Re: Coupon Distribution. | | |
| | | (4-0) | | |
| | Item | Page | -1996 | (Comm. 5M-1) |
| e. | VILLAGE OF DEPEW: | Certified Resolution Re: Coupon Distribution. | | |
| | | (4-0) | | |
| | Item | Page | -1996 | (Comm. 5M-8) |
| f. | SHOPPERS MANIA: | Copy of Letter to Legislator Dusza Re: Coupon Distribution. | | |
| | | (4-0) | | |
| | Item | Page | -1996 | (Comm. 5M-9) |
| g. | TOWN OF WEST SENECA: | Certified Resolution Re: Coupon Distribution. | | |
| | | (4-0) | | |
| | Item | Page | -1996 | (Comm. 5M-10) |
| h. | PROCTOR & GAMBLE: | Copy of Letter to Legislator Dusza Re: Coupon Distribution. | | |
| | | (4-0) | | |
| | Item | Page | -1996 | (Comm. 5M-13) |
| i. | TOWN OF LANCASTER: | Certified Resolution Re: Coupon Distribution. | | |
| | | (4-0) | | |
| | Item | Page | -1996 | (Int. 6-12) |
| j. | MARSHALL, RANZENHOFER, LARSON, VILLARINI & GREENAN: | Major Problems with the County's New Computer System. | | |
| | | (4-0) | | |
| | Item | Page | -1996 | (Int. 8-7) |
| k. | MARSHALL & LARSON: | County's Flawed, Costly Computer System. | | |
| | | (4-0) | | |
| | Item | Page | -1996 | (Comm. 20E-7) |
| l. | DUSZA: | Copy of Letter to Proctor & Gamble Re: Coupons. | | |
| | | (4-0) | | |
| | Item | Page | -1996 | (Comm. 20M-1) |
| m. | SENATOR NANULA: | Copy of Letter to Swanick Re: Haircutting Survey. | | |
| | | (4-0) | | |

May 1, 1997ERIE COUNTY LEGISLATURE

- n. Item Page -1997 (Comm. 5E-8)
COUNTY EXECUTIVE: Annual Report of Erie County Administration
Agencies for 1996.
 (4-0)
- o. Item Page -1997 (Comm. 6D-7)
COUNTY ATTORNEY: Notice of Claims.
 (4-0)
- p. Item Page -1997 (Comm. 6E-3)
COUNTY EXECUTIVE: Position Change Report PP# 6/97.
 (4-0)
- q. Item Page -1997 (Comm. 6E-14)
DEBENEDETTI: Copy of Letter to Board of Elections Re: Inaccurate
Maps for Legislative Districts.
 (4-0)
- r. Item Page -1997 (Comm. 6E-20)
COUNTY EXECUTIVE: Filling Vacant Positions-January 1997.
 (4-0)
- s. Item Page -1997 (Comm. 6E-21)
COUNTY EXECUTIVE: Filling Vacant Positions-February 1997.
 (4-0)
- t. Item Page -1997 (Comm. 7E-2)
COUNTY EXECUTIVE: Position Change Report PP# 7/97.
 (4-0)
- u. Item Page -1997 (Comm. 7E-8)
COUNTY EXECUTIVE: Position Change Report PP# 8/97.
 (4-0)
- v. Item Page -1997 (Comm. 7M-13)
ASSEMBLYMAN SILVER: Assembly Passed Legislation A.1304-A Directing
County Clerks to Retain Registration Mail-in Work.
 (4-0)
- w. Item Page -1997 (Comm. 7M-21)
OFF TRACK BETTING: Minutes of Board Meeting Held 2/27/97.
 (4-0)
- x. Item Page -1997 (Comm. 8E-12)
DUSZA: Copy of Article from Wall Street Journal Re: Proctor &
Gamble Coupon Elimination Program.
 (4-0)

	Item	Page	-1997	(Comm. 8M-6)
y.	PROCTOR & GAMBLE:	Copy of Letter to Legislator Dusza Re: Coupon Elimination.		
	(4-0)			

2. RESOLVED, that the following item is hereby received, filed and referred to the COMMUNITY ENRICHMENT COMMITTEE:

	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.		
	(4-0)			

RAYMOND K. DUSZA
Chairman

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 190

APRIL 24, 1997

FINANCE AND MANAGEMENT
COMMITTEE
REPORT NO. 4

ALL MEMBERS PRESENT.

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

	Item	Page	-1996	(Comm. 23E-16)
a.	COUNTY EXECUTIVE:	Policy for Lease Procedure.		
	(5-0)			

	Item	Page	-1996	(Comm. 24E-1)
b.	COUNTY CLERK:	Copy of Letter to NYSDMV Re: State Funding - Erie County Enforcement & Financial Security Transaction.		
	(5-0)			

	Item	Page	-1996	(Comm. 29M-1)
c.	ECIDA:	1997 Proposed Budget.		
	(5-0)			

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

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

RESOLVED, that petitions numbered 97 through 203 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. 97/1997 - ASSESSOR - Cancel - \$359.59

SBL No. 28.50-1-3./251 - TOWN OF AMHERST

Acct. No. 112 - 222.94

Acct. No. 132 - 136.65

Charge to:	TOWN OF AMHERST	136.65
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CANCEL - CLERICAL ERROR, RPTL 520 PLACED ON PARCEL IN ERROR. THIS WAS BASED ON AN EXEMPTION THAT DID NOT EXIST. RPTL 550(2)A.

98
Petition No. 3155 / 9697 - ASSESSOR - Refund - \$479.72

SBL No. 41.63-1-22 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00

Acct. No. 132 - \$ 479.72

Charge to : WILLIAMSVILLE CENT 479.72

REFUND - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. ASSESSMENT WAS 110,200 IT SHOULD BE 90,000.

RPTL 550(2)A.

CHECK IN FAVOR: DANIEL D. AMIGONE JR.

99
Petition No. 3156 / 1997 - ASSESSOR - Refund - \$407.43

SBL No. 41.63-1-22 - TOWN OF AMHERST

Acct. No. 112 - \$ 203.15

Acct. No. 132 - \$ 204.28

Charge to : TOWN OF AMHERST 163.34
22311 DISTRICT NOT FOUND

REFUND - CLERICAL ERROR, ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. ASSESSMENT WAS 110,200 IT SHOULD BE 90,000. RPTL 550(2)A
CHEKC IN FAVOR OF: DANIEL D AMIGONE JR

100
Petition No. 3157 / 1997 - ASSESSOR - Refund - \$53.58

SBL No. 42.14-4-19 - TOWN OF AMHERST

Acct. No. 112 - \$ 30.18

Acct. No. 132 - \$ 23.40

Charge to : TOWN OF AMHERST 20.93
TRANSIT FIRE PROTECTION 2.47

REFUND - CLERICAL ERROR, ASSESSMENT WAS ENTERED INCORRECTLY ON THE TAX ROLL. ASSESSMENT WAS 121,000 IT SHOULD BE 118,000. RPTL 55092)A.

CHECK IN FAVOR OF: MARK S RAYBUCK

Petition No. ¹⁰¹ 3158 / 9697 - ASSESSOR - Refund - \$71.24

SBL No. 42.14-4-19 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00

Acct. No. 132 - \$ 71.24

Charge to : WILLIAMSVILLE CENT 71.24

REFUND - CLERICAL ERROR, ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. ASSESSMENT WAS 121,000 IT SHOULD BE 118,000. RPTL 550(2)A
CHECK IN FAVOR OF: JAMES & ANITA GIBSON

Petition No. ¹⁰² 3159 / 1996 - ASSESSOR - Refund - \$133.83

SBL No. 54.02-1-10 - TOWN OF AMHERST

Acct. No. 112 - \$ 82.72

Acct. No. 132 - \$ 51.11

Charge to : TOWN OF AMHERST 51.11

REFUND - CLERICAL ERROR, RPTL 520 WAS MISCALCULATED. BASED ON AN EXEMPTION THAT DID NOT EXIST ON THE TAX BILL. RPTL 550(2)A.
CHECK IN FAVOR OF: NICHOLAS FALKIDES

Petition No. ¹⁰³ 3160 / 1997 - ASSESSOR - Cancel - \$525.97

SBL No. 54.02-1-27.1/5122 - TOWN OF AMHERST

Acct. No. 112 - \$ 326.10

Acct. No. 132 - \$ 199.87

Charge to : TOWN OF AMHERST 199.87

CANCEL- CLERICAL ERROR, RPTL 520 WAS MISCALCULATED . THIS WAS BASED ON AN EXEMPTION THAT DID NOT EXIST. RPTL 550(2)A.

Petition No. ¹⁰⁴ 3161 / 1997 - ASSESSOR - Refund - \$1,008.06

SBL No. 54.34-1-8./305 - TOWN OF AMHERST

Acct. No. 112 - \$ 327.82

Acct. No. 132 - \$ 680.24

Charge to : TOWN OF AMHERST 200.93
SWEET HOME CENTRAL 479.31

REFUND - CLERICAL ERROR, THE RPTL 520 WAS PLACED ON PARCEL IN ERROR WHEN NO EXEMPTION EXISTED. RPTL 550(2)A.
CHECK IN FAVOR OF: SHIRLEY F KERN

Petition No. ¹⁰⁵ 3162 / 9697 - ASSESSOR - Refund - \$634.37

SBL No. 56.15-4-22 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00

Acct. No. 132 - \$ 634.37

Charge to : TOWN OF AMHERST 35.90
WILLIAMSVILLE CENT 598.47

REFUND - CLERICAL ERROR, ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. ASSESSMENT WAS 28,000 IT SHOULD BE 2,800. RPTL 550(2)A.
CHECK IN FAVOR OF : DRT CONSTRUCTION INC.

105
PETITION NUMBER 3162 CONTINUED

Petition No. 3163 / 1997 - ASSESSOR - Refund - \$510.60

SBL No. 56.15-4-22 - TOWN OF AMHERST

Acct. No. 112 - \$ 253.45

Acct. No. 132 - \$ 257.15

Charge to : TOWN OF AMHERST 236.40
TRANSIT FIRE PROTECTION 20.75

REFUND - CLERICAL ERROR, ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE
TAX ROLL. ASSESSMENT WAS 28,000 IT SHOULD BE 2,800. RPTL 550(2)A.
CHECK IN FAVOR OF: ESSEX HOMES OF WNY

107
Petition No. 3164 / 1997 - ASSESSOR - Cancel - \$410.60

SBL No. 56.10-2-10 - TOWN OF AMHERST

Acct. No. 112 - \$ 221.25

Acct. No. 132 - \$ 189.35

Charge to : TOWN OF AMHERST 153.22
22309 DISTRICT NOT FOUND
TRANSIT FIRE PROTECTION 18.11

CANCEL - CLERICAL ERROR, ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE
TAX ROLL. ASSESSMENT WAS 187,000 IT SHOULD BE 165,000. RPTL 550(2)A.

108
Petition No. 3165 / 1997 - ASSESSOR - Cancel - \$188.57

SBL No. 56.10-3-5 - TOWN OF AMHERST

Acct. No. 112 - \$ 118.69

Acct. No. 132 - \$ 69.88

Charge to : TOWN OF AMHERST 69.88

CANCEL - CLERICAL ERROR, RPTL 520 WAS MISCALCULATED BASED ON AN
EXEMPTION THAT DID NOT EXIST. RPTL 550(2)A

109
Petition No. 3166 / 1997 - ASSESSOR - Cancel - \$326.58

SBL No. 67.06-3-1 - TOWN OF AMHERST

Acct. No. 112 - \$ 175.01

Acct. No. 132 - \$ 151.57

Charge to : TOWN OF AMHERST 127.83
EGGERTSVILLE DIST #6 23.74

CANCEL - CLERICAL ERROR, ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE
TAX ROLL. ASSESSMENT WAS 392,400 IT SHOULD BE 375,000. RPTL 550(2)A.

110
Petition No. 3167 / 1997 - ASSESSOR - Cancel - \$541.87

SBL No. 67.12-1-4 - TOWN OF AMHERST

Acct. No. 112 - \$ 340.45

Acct. No. 132 - \$ 201.42

Charge to : TOWN OF AMHERST 201.42

CANCEL - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 33,850 THAT THIS PARCEL WAS ENTITLED WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C.

111
Petition No. 3168 / 1997 - ASSESSOR - Cancel - \$300.14

SBL No. 67.65-2-42 - TOWN OF AMHERST

Acct. No. 112 - \$ 188.57

Acct. No. 132 - \$ 111.57

Charge to : TOWN OF AMHERST 111.57

CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 18,750 THAT THIS PARCEL WAS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C.

112
Petition No. 3169 / 1997 - ASSESSOR - Cancel - \$461.82

SBL No. 67.71-4-6 - TOWN OF AMHERST

Acct. No. 112 - \$ 290.14

Acct. No. 132 - \$ 171.68

Charge to : TOWN OF AMHERST 171.68

CANCEL - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 28,850 THAT THIS PARCEL WAS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C.

113
Petition No. 3170 / 1997 - ASSESSOR - Cancel - \$176.46

SBL No. 67.79-6-20 - TOWN OF AMHERST

Acct. No. 112 - \$ 79.45

Acct. No. 132 - \$ 97.01

Charge to : TOWN OF AMHERST 86.23
EGGERTSVILLE DIST #6 10.78

CANCEL - CLERICAL ERROR, THIS PARCEL IS INCLUDED IN SBL 67.79-6-19.1. RPTL 550(2)F.

114
Petition No. 3171 / 1997 - ASSESSOR - Cancel - \$285.07

SBL No. 68.05-4-8 - TOWN OF AMHERST

Acct. No. 112 - \$ 179.10

Acct. No. 132 - \$ 105.97

Charge to : TOWN OF AMHERST 105.97

CANCEL - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 35,619 THAT THIS PARCEL WAS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C.

115
Petition No. 3172 / 1997 - ASSESSOR - Cancel - \$927.85

SBL No. 68.07-2-11 - TOWN OF AMHERST

Acct. No. 112 - \$ 578.53

Acct. No. 132 - \$ 349.32

Charge to : TOWN OF AMHERST 349.32

CANCEL - CLERICAL ERROR, THE VETERAN'S EXEMPTION IN THE AMOUNT OF 28,692 THAT THIS PARCEL WAS ENTITLED TO WAS REMOVED IN ERROR FROM THE TAX ROLL. THE RPTL 520 WAS ALSO PLACED ON THIS PARCEL IN ERROR.

116
Petition No. 3173 / 1997 - ASSESSOR - Cancel - \$97.00

SBL No. 68.09-5-1./A - TOWN OF AMHERST

Acct. No. 112 - \$ 60.35

Acct. No. 132 - \$ 36.65

Charge to : TOWN OF AMHERST 36.65

CANCEL - ERROR IN ESSENTIAL FACT, THE BILLBOARD THAT WAS TAXED WAS REMOVED PRIOR TO TAXABLE STATUS DATE. RPTL 550(3) A.

117
Petition No. 3174 / 1997 - ASSESSOR - Refund - \$1,418.56

SBL No. 68.13-9-12 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00

Acct. No. 132 - \$ 1,418.56

Charge to : AMHERST CENTRAL 1,418.56

REFUND - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 52,000 THAT THIS PARCEL WAS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C.
CHECK IN FAVOR OF: PHYLIS KAPLAN

118
Petition No. 3175 / 1997 - ASSESSOR - Cancel - \$832.40

SBL No. 68.13-9-12 - TOWN OF AMHERST

Acct. No. 112 - \$ 522.98

Acct. No. 132 - \$ 309.42

Charge to : TOWN OF AMHERST 309.42

CANCEL - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 52,000 THAT THIS PARCEL WAS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C.

119
Petition No. 3176 / 1997 - ASSESSOR - Cancel - \$7,079.69

SBL No. 69.11-2-2.2 - TOWN OF AMHERST

Acct. No. 112 - \$ 3,877.06

Acct. No. 132 - \$ 3,202.63

Charge to : TOWN OF AMHERST 2,684.80
MAIN TRANSIT FIRE PROTECT 517.83

CANCEL - CLERICAL ERROR, ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. ASSESSMENT WAS 5,985,500 IT SHOULD BE 5,600,000. RPTL 550(2)A.

PETITION NUMBER 3176 CONTINUED

Petition No. ¹²⁰3177 / 1997 - ASSESSOR - Cancel - \$400.88

SBL No. 69.13-1-36 - TOWN OF AMHERST

Acct. No. 112 - \$ 242.38

Acct. No. 132 - \$ 158.50

Charge to : TOWN OF AMHERST 158.50

CANCEL - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 24,100 THAT THIS PARCEL WAS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C.

Petition No. ¹²¹3178 / 1997 - ASSESSOR - Cancel - \$2,607.41

SBL No. 69.16-5-3 - TOWN OF AMHERST

Acct. No. 112 - \$ 1,355.72

Acct. No. 132 - \$ 1,251.69

Charge to : TOWN OF AMHERST 1,070.61
MAIN TRANSIT FIRE PROTECT 181.08

CANCEL - CLERICAL ERROR, ASSESSMENT THAT WAS ENTERED ON THE TAX ROLL WAS INCORRECT. ASSESSED VALUE WAS 288,800 IT SHOULD BE 154,000. RPTL 550(2)A.

Petition No. ¹²²3179 / 1997 - ASSESSOR - Cancel - \$35,666.74

SBL No. 69.18-6-3.12 - TOWN OF AMHERST

Acct. No. 112 - \$ 22,125.91

Acct. No. 132 - \$ 13,540.83

Charge to : TOWN OF AMHERST 13,540.83

CANCEL - UNLAWFUL ENTRY, PARCEL IS WHOLLY EXEMPT FROM TAXES. PARCEL IS UNDER A PILOT AGREEMENT.

Petition No. ¹²³3180 / 1997 - ASSESSOR - Refund - \$735.14

SBL No. 67.41-5-2 - TOWN OF AMHERST

Acct. No. 112 - \$ 288.97

Acct. No. 132 - \$ 446.17

Charge to : TOWN OF AMHERST 177.12
SWEET HOME CENTRAL 269.05

REFUND - CLERICAL ERROR, THE RPTL 520 WAS PLACED ON THIS PARCEL IN ERROR. NO EXEMPTION EXISTED ON THIS PARCEL IN 1996. RPTL 550(2)A. CHECK IN FAVOR OF: ALFRED & MARYANN BOVIE

124
Petition No. 3181 / 1997 - ASSESSOR - Cancel - \$2,670.32

SBL No. 70.17-3-7 - TOWN OF AMHERST

Acct. No. 112 - \$ 1,463.32

Acct. No. 132 - \$ 1,207.00

Charge to : TOWN OF AMHERST 1,011.55
MAIN TRANSIT FIRE PROTECT 195.45

CANCEL - CLERICAL ERROR, THE ASSESSMENT WAS ENTERED INCORRECTLY ON THE TAX ROLL. ASSESSED VALUE WAS 1,045,500 IT SHOULD BE 900,000. RPTL 550(2)A.

125
Petition No. 3182 / 1997 - ASSESSOR - Cancel - \$84.72

SBL No. 79.23-4-11 - TOWN OF AMHERST

Acct. No. 112 - \$ 53.23

Acct. No. 132 - \$ 31.49

Charge to : TOWN OF AMHERST 31.49

CANCEL - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 5,292 THAT THIS PARCEL WAS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C.

126
Petition No. 3183 / 1997 - ASSESSOR - Cancel - \$661.37

SBL No. 79.26-1-14 - TOWN OF AMHERST

Acct. No. 112 - \$ 348.99

Acct. No. 132 - \$ 312.38

Charge to : TOWN OF AMHERST 265.03
EGGERTSVILLE DIST #6 47.35

CANCEL - CLERICAL ERROR, ASSESSMENT WAS ENTERED INCORRECTLY ON THE TAX ROLL. ASSESSED VALUE WAS 117,700 IT SHOULD BE 83,000. RPTL 550(2)A

127
Petition No. 3184 / 1997 - ASSESSOR - Cancel - \$551.41

SBL No. 80.06-1-16 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00

Acct. No. 132 - \$ 551.41

Charge to : TOWN OF AMHERST 551.41

CANCEL - CLERICAL ERROR, THIS PARCEL WAS OVERCHARGED FOR SEWER TAX. INCORRECT GALLONAGE FIGURE USED 229 GALLONS SHOULD BE 84. RPTL 550(2)E

128
Petition No. 3185 / 1997 - ASSESSOR - Cancel - \$1,065.36

SBL No. 80.09-7-33 - TOWN OF AMHERST

Acct. No. 112 - \$ 325.40

Acct. No. 132 - \$ 739.96

Charge to : TOWN OF AMHERST 199.44
AMHERST CENTRAL 540.52

CANCEL - CLERICAL ERROR, RPTL 520 WAS PLACED ON PARCEL IN ERROR. AN EXEMPTION DID NOT EXIST ON THE PARCEL IN 1996. RPTL 550(2)A.

129
Petition No. 3186 / 1997 - ASSESSOR - Cancel - \$1,880.41

SBL No. 80.10-8-12 - TOWN OF AMHERST

Acct. No. 112 - \$ 773.98

Acct. No. 132 - \$ 1,106.43

Charge to : TOWN OF AMHERST 474.39
AMHERST CENTRAL 632.04

CANCEL - CLERICAL ERROR, RPTL 520 WAS PLACED ON PARCEL IN ERROR.
AN EXEMPTION DID NOT EXIST ON THIS PARCEL IN 1996. RPTL 550(2)A.

130
Petition No. 3187 / 1996 - ASSESSOR - Refund - \$128.75

SBL No. 81.05-3-29 - TOWN OF AMHERST

Acct. No. 112 - \$ 77.49

Acct. No. 132 - \$ 51.26

Charge to : TOWN OF AMHERST 51.26

REFUND - CLERICAL ERROR, RPTL 520 WAS MISCALCULATED. THE WRONG
ASSESSMENT WAS USED TO DETERMINE TAX. RPTL 550(2)A.
CHECK IN FAVOR OF: P TROMBETTO & K RIEDEL

131
Petition No. 3188 / 1997 - ASSESSOR - Refund - \$1,577.58

SBL No. 81.05-3-29 - TOWN OF AMHERST

Acct. No. 112 - \$ 417.96

Acct. No. 132 - \$ 1,159.62

Charge to : TOWN OF AMHERST 272.71
NOT ON FILE 886.91

REFUND - CLERICAL ERROR, RPTL 520 WAS PLACED ON PARCEL IN ERROR.
AN EXEMPTION DID NOT EXIST ON THIS PARCEL FOR 1997. RPTL 550(2)A.
CHECK IN FAVOR OF : P TROMBETTO & K RIEDEL

132
Petition No. 3189 / 1997 - ASSESSOR - Refund - \$474.98

SBL No. 81.12-1-2 - TOWN OF AMHERST

Acct. No. 112 - \$ 0.00

Acct. No. 132 - \$ 474.98

Charge to : WILLIAMSVILLE CENT 474.98

REFUND - CLERICAL ERROR, SENIOR EXEMPTION THAT WAS USED ON THE
TAX ROLL WAS FOR 20,000 IT SHOULD BE 40,000. RPTL 550(2)B.
CHECK IN FAVOR OF: STEPHEN RZYKOWSKI & WIFE

133
Petition No. 3190 / 1997 - ASSESSOR - Refund - \$320.14

SBL No. 81.12-1-2 - TOWN OF AMHERST

Acct. No. 112 - \$ 201.13

Acct. No. 132 - \$ 119.01

Charge to : TOWN OF AMHERST 119.01

REFUND - CLERICAL ERROR, THE SENIOR EXEMPTION THAT WAS PLACED ON
THE TAX ROLL WAS FOR 20,000 IT SHOULD BE 40,000. RPTL 550(2)B.
CHECK IN FAVOR OF: STEPHEN RZYKOWSKI & WIFE

PETITION NUMBER 3190 CONTINUED

Petition No. ¹³⁴3191 / 1997 - ASSESSOR - Cancel - \$35,318.64

SBL No. 81.02-1-15/A - TOWN OF AMHERST

Acct. No. 112 - \$ 22,125.91

Acct. No. 132 - \$ 13,192.73

Charge to : TOWN OF AMHERST 13,192.73

CANCEL - UNLAWFUL ENTRY, PARCEL IS WHOLLY EXEMPT FROM TAXES. PARCEL IN UNDER A PILOT AGREEMENT. RPTL 550(7)A.

Petition No. ¹³⁵3192 / 1997 - ASSESSOR - Refund - \$100.87

SBL No. 82.05-3-13 - TOWN OF AMHERST

Acct. No. 112 - \$ 63.37

Acct. No. 132 - \$ 37.50

Charge to : TOWN OF AMHERST 37.50

REFUND - CLERICAL ERROR, THE PARCEL WAS ENTITLED TO A SENIOR EXEMPTION IN THE AMOUNT OF 6,300 THAT WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C.
CHECK IN FAVOR OF: WILLIAM & MAXINE SOMMER

Petition No. ¹³⁶3194 / 1997 - ASSESSOR - Cancel - \$388.62

SBL No. 281.00-1-1./A - TOWN OF BRANT

Acct. No. 112 - \$ 88.89

Acct. No. 132 - \$ 299.73

Charge to : TOWN OF BRANT 53.72
SILVER CRK CENTRAL 246.01

CANCEL - ERROR IN ESSENTIAL FACT, HOUSE IS NO LONGER IN EXISTENCE. PARCEL IS LOCATED ON THE CATTARAUGUS INDIAN RESERVATION. RPTL 550(3)A.

Petition No. ¹³⁷3195 / 1997 - ASSESSOR - Cancel - \$716.90

SBL No. 555.00-12-1 - TOWN OF BRANT

Acct. No. 112 - \$ 0.00

Acct. No. 132 - \$ 716.90

Charge to : VILLAGE OF FARNHAM 716.90

CANCEL - CLERICAL ERROR , THE VILLAGE RELEVY THAT WAS PLACED ON THE TAX ROLL WAS PREVIOUSLY CANCELLED UNDER PETITION V-7. RPTL 550(2)H.

Petition No. ¹³⁸3196 / 1997 - ASSESSOR - Cancel - \$434.96

SBL No. 91.18-8-27 - TOWN OF CHEEKTOWAGA

Acct. No. 112 - \$ 298.72

Acct. No. 132 - \$ 136.24

Charge to : TOWN OF CHEEKTOWAGA 136.24

CANCEL - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 26,250 THAT THIS PARCEL WAS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL IN 1996. RPTL 550(2)A.

Petition No. ¹³⁹3197 / 1997 - ASSESSOR - Cancel - \$513.79

SBL No. 70.14-3-22.111 - TOWN OF CLARENCE

Acct. No. 112 - \$ 0.00

Acct. No. 132 - \$ 513.79

Charge to : TOWN OF CLARENCE 513.79

CANCEL - CLERICAL ERROR, PARCEL WAS OVERCHARGED FOR SEWER UNITS.
41 UNITS WERE CHARGED WHEN 8 UNITS IS CORRECT. RPTL 550(2)E.

Petition No. ¹⁴⁰3198 / 1997 - ASSESSOR - Cancel - \$653.72

SBL No. 229.00-2-40.1 - TOWN OF COLDEN

Acct. No. 112 - \$ 314.04

Acct. No. 132 - \$ 339.68

Charge to : TOWN OF COLDEN 260.26
COLDEN FIRE DIST 79.42

CANCEL - CLERICAL ERROR, ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE
TAX ROLL. ASSESSMENT WAS 71,200 IT SHOULD BE 38,400. RPTL 550(2)A.

Petition No. ¹⁴¹3199 / 1997 - ASSESSOR - Cancel - \$212.26

SBL No. 259.04-1-16 - TOWN OF COLDEN

Acct. No. 112 - \$ 149.36

Acct. No. 132 - \$ 62.90

Charge to : TOWN OF COLDEN 62.90

CANCEL - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 15,600
THAT THIS PARCEL WAS ENTITLED TO WAS OMITTED IN ERROR. RPTL 550(2)C.

Petition No. ¹⁴²3200 / 1997 - ASSESSOR - Refund - \$190.47

SBL No. 306.00-1-14 - TOWN OF CONCORD

Acct. No. 112 - \$ 0.00

Acct. No. 132 - \$ 190.47

Charge to : SPRING-GRIFFITH 190.47

REFUND - CLERICAL ERROR, THE ASSESSMENT WAS ENTERED INCORRECTLY ON THE
TAX ROLL. ASSESSMENT WAS 59,600 IT SHOULD BE 49,800. RPTL 550(2)A.
CHECK IN FAVOR OF : DAVID R. MALICKI & ALLISON A SUGG

Petition No. ¹⁴³3201 / 1997 - ASSESSOR - Cancel - \$161.98

SBL No. 306.00-1-14 - TOWN OF CONCORD

Acct. No. 112 - \$ 91.43

Acct. No. 132 - \$ 70.55

Charge to : TOWN OF CONCORD 55.07
CONCORD FIRE PROTECT 15.48

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY
ON THE TAX ROLL.

ASSESSMENT ~~FEES~~ WAS 59,600 IT SHOULD BE 49,800.
RPTL 550(2)A.

144
Petition No. 3202 / 1997 - ASSESSOR - Cancel - \$148.00

SBL No. 223.04-1-24.1 - TOWN OF EDEN

Acct. No. 112 - \$ 0.00

Acct. No. 132 - \$ 148.00

Charge to : TOWN OF EDEN 148.00

CANCEL - CLERICAL ERROR, THE OWNER HAS A CONTRACT WITH A PRIVATE CONTRACTOR TO REMOVE THE REFUSE. REFUSE CHARGE IN ERROR. RPTL 550(2)E.

145
Petition No. 3203 / 1997 - ASSESSOR - Cancel - \$148.00

SBL No. 238.07-1-43 - TOWN OF EDEN

Acct. No. 112 - \$ 0.00

Acct. No. 132 - \$ 148.00

Charge to : TOWN OF EDEN 148.00

CANCEL - CLERICAL ERROR, OWNER HAS A CONTRACT WITH A PRIVATE CONTRACTOR TO REMOVE REFUSE. REFUSE TAX IN ERROR. RPTL 550(2)E.

146
Petition No. 3204 / 1997 - ASSESSOR - Refund - \$148.00

SBL No. 238.12-1-1 - TOWN OF EDEN

Acct. No. 112 - \$ 0.00

Acct. No. 132 - \$ 148.00

Charge to : TOWN OF EDEN 148.00

REFUND - CLERICAL ERROR, PARCEL WAS CHARGED FOR THREE UNITS OF REFUSE WHEN IT SHOULD BE CHARGED FOR 2 UNITS. RPTL 550(2)E.
CHECK IN FAVOR OF: CHURCH ST JOHNS UCC

147
Petition No. 3205 / 1996 - ASSESSOR - Cancel - \$90.00

SBL No. 250.14-5-38 - TOWN OF EVANS

Acct. No. 112 - \$ 0.00

Acct. No. 132 - \$ 90.00

Charge to : TOWN OF EVANS 90.00

CANCEL - CLERICAL ERROR, PARCEL HAS BEEN VACANT. REFUSE TAX IN ERROR RPTL 550(2)E.

148
Petition No. 3206 / 1997 - ASSESSOR - Cancel - \$35.44

SBL No. 250.17-8-28 - TOWN OF EVANS

Acct. No. 112 - \$ 13.18

Acct. No. 132 - \$ 22.26

Charge to : TOWN OF EVANS 16.20
ANGOLA-EVANS FIRE PROTECT 4.33
ERIE CO SEW DST 2 1.73

^{ASSESSMENT}
CANCEL - CLERICAL ERROR ¹⁴⁹ WAS ENTERED INCORRECTLY ON THE
TAX ROLL. ASSESSMENT WAS 2,400 IT SHOULD BE 800. RPTL 550(2)A.

Petition No. 3207 / 1997 - ASSESSOR - Cancel - \$427.27

SBL No. 50.18-1-2 - TOWN OF GRAND ISLAND

Acct. No. 112 - \$ 322.37

Acct. No. 132 - \$ 104.90

Charge to : TOWN OF GRAND ISLAND 104.90

CANCEL - CLERICAL ERROR, THE SENIOR EXEMPTION WAS MISCALCULATED FOR
TOWN AND COUNTY TAXES. RPTL 550(2)B.

¹⁵⁰
Petition No. 3208 / 1997 - ASSESSOR - Cancel - \$222.50

SBL No. 233.00-1-8 - TOWN OF HOLLAND

Acct. No. 112 - \$ 0.00

Acct. No. 132 - \$ 222.50

Charge to : PIONEER CENTRAL 222.50

CANCEL - CLERICAL ERROR, THE RELEVIED SCHOOL THAT WAS PLACED ON TAX
ROLL FOR 1997 WAS PAID TO THE SCHOOL. RPTL 550(2)H.

¹⁵¹
Petition No. 3209 / 1997 - ASSESSOR - Cancel - \$101.31

SBL No. 262.07-2-2.11 - TOWN OF HOLLAND

Acct. No. 112 - \$ 64.01

Acct. No. 132 - \$ 37.30

Charge to : TOWN OF HOLLAND 37.30

CANCEL - CLERICAL ERROR, ASSESSMENT WAS ENTERED INCORRECTLY ON THE
TAX ROLL. ASSESSMENT WAS 69,400 IT SHOULD BE 61,200. RPTL 550(2)A.

¹⁵²
Petition No. 3210 / 1996 - ASSESSOR - Refund - \$79.16

SBL No. 104.07-4-34 - TOWN OF LANCASTER

Acct. No. 112 - \$ 61.44

Acct. No. 132 - \$ 17.72

Charge to : TOWN OF LANCASTER 17.72

REFUND - CLERICAL ERROR, VETERAN'S EXEMPTION IN THE AMOUNT OF 7,542
WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C.
CHECK IN FAVOR OF: CHESTER KANE

¹⁵³
Petition No. 3211 / 1997 - ASSESSOR - Refund - \$84.74

SBL No. 104.07-4-34 - TOWN OF LANCASTER

Acct. No. 112 - \$ 62.20

Acct. No. 132 - \$ 22.54

Charge to : TOWN OF LANCASTER 22.54

REFUND - CLERICAL ERROR, VETERAN'S EXEMPTION IN THE AMOUNT OF 7,542
THAT THIS PARCEL WAS ENTITLED TO WAS OMITTED IN ERROR. RPTL 550(2)C.

¹⁵⁴
Petition No. 3212 / 9697 - ASSESSOR - Refund - \$409.07

SBL No. 126.05-1-18 - TOWN OF LANCASTER

Acct. No. 112 - \$ 0.00

Acct. No. 132 - \$ 409.07

Charge to : LANCASTER CENTRAL 409.07

REFUND - CLERICAL ERROR, ASSESSMENT WAS ENTERED INCORRECTLY ON THE TAX ROLL. ASSESSED VALUE WAS 45,000 IT SHOULD BE 20,000. RPTL 550(2)A. CHECK IN FAVOR OF: SUNRISE HOMES DBA SUNRISE BUILDERS

¹⁵⁵
Petition No. 3213 / 1997 - ASSESSOR - Cancel - \$337.36

SBL No. 148.00-11-14.13 - TOWN OF MARILLA

Acct. No. 112 - \$ 320.31

Acct. No. 132 - \$ 17.05

Charge to : TOWN OF MARILLA 17.05

CANCEL - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 34,100 THAT THIS PARCEL WAS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C.

¹⁵⁶
Petition No. 3214 / 1997 - ASSESSOR - Cancel - \$179.43

SBL No. 157.03-2-5.1 - TOWN OF MARILLA

Acct. No. 112 - \$ 0.00

Acct. No. 132 - \$ 179.43

Charge to : 54060 DISTRICT NOT FOUND

CANCEL - CLERICAL ERROR, PARCEL IS LANDLOCKED AND WILL ONLY BE CHARGED A FLAT RATE OF 15.00. RPTL 550(2)E.

¹⁵⁷
Petition No. 3215 / 1997 - ASSESSOR - Cancel - \$122.93

SBL No. 21.00-3-57 - TOWN OF NEWSTEAD

Acct. No. 112 - \$ 90.13

Acct. No. 132 - \$ 32.80

Charge to : TOWN OF NEWSTEAD 19.43
NEWSTEAD FIRE PROTECT 13.37

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. ASSESSMENT WAS 48,500 IT SHOULD BE 36,362. RPTL 550(2)A.

158
Petition No. 3216 / 1997 - ASSESSOR - Cancel - \$120.60

SBL No. 32.00-1-37.111 - TOWN OF NEWSTEAD

Acct. No. 112 - \$ 0.00

Acct. No. 132 - \$ 120.60

Charge to : TOWN OF NEWSTEAD 120.60

CANCEL - UNLAWFUL ENTRY, PARCEL IS NOT LOCATED IN THE WATER DISTRICT.
RPTL 550(7)B.

159
Petition No. 3217 / 1997 - ASSESSOR - Cancel - \$198.33

SBL No. 32.00-1-37.112 - TOWN OF NEWSTEAD

Acct. No. 112 - \$ 0.00

Acct. No. 132 - \$ 198.33

Charge to : TOWN OF NEWSTEAD 198.33

CANCEL - UNLAWFUL ENTRY, PARCEL IS LOCATED OUT OF THE WATER DISTRICT.
RPTL 550(7)B.

160
Petition No. 3218 / 1997 - ASSESSOR - Cancel - \$120.40

SBL No. 32.00-1-37.113 - TOWN OF NEWSTEAD

Acct. No. 112 - \$ 0.00

Acct. No. 132 - \$ 120.40

Charge to : TOWN OF NEWSTEAD 120.40

CANCEL - UNLAWFUL ENTRY, PARCEL IS LOCATED OUT OF THE WATER DISTRICT.
RPTL 550(7)B.

161
Petition No. 3219 / 1997 - ASSESSOR - Cancel - \$120.99

SBL No. 32.00-1-37.12 - TOWN OF NEWSTEAD

Acct. No. 112 - \$ 0.00

Acct. No. 132 - \$ 120.99

Charge to : TOWN OF NEWSTEAD 120.99

CANCEL - UNLAWFUL ENTRY, PARCEL IS LOCATED OUT OF THE WATER DISTRICT.
RPTL 550(7)B.

162
Petition No. 3220 / 1997 - ASSESSOR - Cancel - \$710.34

SBL No. 33.00-4-19.2 - TOWN OF NEWSTEAD

Acct. No. 112 - \$ 584.31

Acct. No. 132 - \$ 126.03

Charge to : TOWN OF NEWSTEAD 126.03

CANCEL - CLERICAL ERROR, THE EXEMPTION FOR INDUSTRIAL WASTE THAT
WAS USED WAS 53,000 IT SHOULD BE 131,700. RPTL 550(2)C.

Petition No. 3221 / 163 1997 - ASSESSOR - Refund - \$168.11

SBL No. 48.00-1-3 - TOWN OF NEWSTEAD

Acct. No. 112 - \$ 138.28

Acct. No. 132 - \$ 29.83

Charge to : TOWN OF NEWSTEAD 29.83

REFUND - CLERICAL ERROR, THE VETERAN'S EXEMPTION IN THE AMOUNT OF 18,625 THAT THIS PARCEL WAS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAS ROLL. RPTL 550(2)C.
CHECK IN FAVOR OF: DARRIN & MELINDA CUMMINGS

Petition No. 3222 / 164 1997 - ASSESSOR - Cancel - \$200.00

SBL No. 60.00-3-2.3 - TOWN OF NEWSTEAD

Acct. No. 112 - \$ 0.00

Acct. No. 132 - \$ 200.00

Charge to : TOWN OF NEWSTEAD 200.00

CANCEL - CLERICAL ERROR, OVERCHARGED FOR UNITS OF WATER. UNITS CHARGED WAS 16 SHOULD BE 8. RPTL 550(2)E.

Petition No. 3223 / 165 1997 - ASSESSOR - Cancel - \$917.82

SBL No. 60.00-3-8 - TOWN OF NEWSTEAD

Acct. No. 112 - \$ 129.93

Acct. No. 132 - \$ 787.89

Charge to : TOWN OF NEWSTEAD 28.02
56016 DISTRICT NOT FOUND
NEWSTEAD FIRE PROTECT 19.27

CANCEL - CLERICAL ERROR, ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. ASSESSMENT WAS 200,000 IT SHOULD 182,500. RPTL 550(2)A.

Petition No. 3224 / 166 1997 - ASSESSOR - Cancel - \$200.00

SBL No. 60.03-1-13 - TOWN OF NEWSTEAD

Acct. No. 112 - \$ 0.00

Acct. No. 132 - \$ 200.00

Charge to : TOWN OF NEWSTEAD 200.00

CANCEL - CLERICAL ERROR, OVERCHARGED FOR UNITS OF SERVICE - WATER PARCEL WAS CHARGED 16 UNITS SHOULD BE 8.

Petition No. 3225 / 167 1997 - ASSESSOR - Cancel - \$72.90

SBL No. 73.00-3-9.11 - TOWN OF NEWSTEAD

Acct. No. 112 - \$ 53.45

Acct. No. 132 - \$ 19.45

Charge to : TOWN OF NEWSTEAD 11.52
NEWSTEAD FIRE PROTECT 7.93

CANCEL - CLERICAL ERROR, ASSESSMENT WAS ENTERED INCORRECTLY ON THE TAX ROLL. ASSESSED VALUE WAS 9,200 IT SHOULD BE 2,000. RPTL 550(2)A.

168
Petition No. 3226, 1997 - ASSESSOR - Cancel - \$266.59

SBL No. 74.00-3-24.112 - TOWN OF NEWSTEAD

Acct. No. 112 - \$ 135.69

Acct. No. 132 - \$ 130.90

Charge to : TOWN OF NEWSTEAD 29.40
AKRON CENTRAL 101.50

CANCEL - CLERICAL ERROR, RPTL 520 WAS MISCALCULATED WRONG ASSESSMENT WAS USED. RPTL 550(2)A.

169
Petition No. 3227, 1997 - ASSESSOR - Cancel - \$266.59

SBL No. 74.00-3-24.12 - TOWN OF NEWSTEAD

Acct. No. 112 - \$ 135.69

Acct. No. 132 - \$ 130.90

Charge to : TOWN OF NEWSTEAD 29.40
AKRON CENTRAL 101.50

CANCEL - CLERICAL ERROR, RPTL 520 MISCALCULATED . THE WRONG ASSESSMENT WAS USED. RPTL 550(2)A.

170
Petition No. 3228, 1997 - ASSESSOR - Cancel - \$266.59

SBL No. 74.00-3-41.1 - TOWN OF NEWSTEAD

Acct. No. 112 - \$ 135.69

Acct. No. 132 - \$ 130.90

Charge to : TOWN OF NEWSTEAD 29.40
AKRON CENTRAL 101.50

CANCEL - CLERICAL ERROR, RPTL 520 WAS MISCALCULATED. THE WRONG ASSESSMENT WAS USED. RPTL 550(2)A.

171
Petition No. 3229, 1997 - ASSESSOR - Cancel - \$266.59

SBL No. 74.00-3-41.2 - TOWN OF NEWSTEAD

Acct. No. 112 - \$ 135.69

Acct. No. 132 - \$ 130.90

Charge to : TOWN OF NEWSTEAD 29.40
AKRON CENTRAL 101.50

CANCEL - CLERICAL ERROR, RPTL 520 WAS MISCALCULATED. THE WRONG ASSESSMENT WAS USED. RPTL 550(2)A.

172
Petition No. 3230, 1967 - ASSESSOR - Cancel - \$50.00

SBL No. 85.00-2-30 - TOWN OF NEWSTEAD

Acct. No. 112 - \$ 0.00

Acct. No. 132 - \$ 50.00

Charge to : TOWN OF NEWSTEAD 50.00

CANCEL - CLERICAL ERROR PARCEL IS VACANT LAND. NO WATER TAX CAN BE CHARGED. RPTL 550(2)E.

173
Petition No. 3231 / 1997 - ASSESSOR - Cancel - \$102.95

SBL No. 269.20-3-26 - TOWN OF NORTH COLLINS

Acct. No. 112 - \$ 65.35

Acct. No. 132 - \$ 37.60

Charge to : TOWN OF NORTH COLLINS 29.89
ERIE CO SEW DST 2 7.71

CANCEL - CLERICAL ERROR, ASSESSMENT WAS ENTERED INCORRECTLY ON THE TAX ROLL. ASSESSED VALUE WAS 16,000 IT SHOULD BE 10,000. RPTL 550(2)A.

174
Petition No. 3232 / 1997 - ASSESSOR - Cancel - \$189.59

SBL No. 269.00*6-5 - TOWN OF NORTH COLLINS

Acct. No. 112 - \$ 92.60

Acct. No. 132 - \$ 96.99

Charge to : TOWN OF NORTH COLLINS 70.42
NO COLLINS FIRE DIST 14.37
EC#2 SEWER OUT OF DST 12.20

CANCEL - CLERICAL ERROR, ASSESSMENT WAS ENTERED INCORRECTLY ON THE TAX ROLL. ASSESSED VALUE WAS 22,000 IT SHOULD BE 13,500. RPTL 550(2)A.

175
Petition No. 3233 / 1997 - ASSESSOR - Cancel - \$827.07

SBL No. 272.00-4-4.122 - TOWN OF NORTH COLLINS

Acct. No. 112 - \$ 468.68

Acct. No. 132 - \$ 358.39

Charge to : TOWN OF NORTH COLLINS 358.39

CANCEL - CLERICAL ERROR, AGRICULTURAL EXEMPTION OMITTED IN ERROR. AGRICULTURAL EXEMPTION IN THE AMOUNT OF 43,023. RPTL 550(2)C.

176
Petition No. 3234 / 1997 - ASSESSOR - Cancel - \$63.51

SBL No. 285.08-1-11.12 - TOWN OF NORTH COLLINS

Acct. No. 112 - \$ 43.57

Acct. No. 132 - \$ 19.94

Charge to : TOWN OF NORTH COLLINS 19.94

CANCEL - CLERICAL ERROR, ASSESSMENT WAS ENTERED INCORRECTLY ON THE TAX ROLL. ASSESSED VALUE WAS 9,000 IT SHOULD BE 5,000. RPTL 550(2)A.

177
Petition No. 3235 / 1997 - ASSESSOR - Cancel - \$145.85

SBL No. 288.00-4-14.2 - TOWN OF NORTH COLLINS

Acct. No. 112 - \$ 0.00

Acct. No. 132 - \$ 145.85

Charge to : TOWN OF NORTH COLLINS 145.85

CANCEL - CLERICAL ERROR, PARCEL WAS CHARGED FOR REFUSE WHEN LAND IS VACANT. RPTL 550(2)E.

178
Petition No. 3236 / 1997 - ASSESSOR - Cancel - \$350.55

SBL No. 285.00-5-17.2 - TOWN OF NORTH COLLINS

Acct. No. 112 - \$ 182.99

Acct. No. 132 - \$ 167.56

Charge to : TOWN OF NORTH COLLINS 139.16
NO COLLINS FIRE DIST 28.40

CANCEL - CLERICAL ERROR, ASSESSMENT WAS ENTERED INCORRECTLY ON THE TAX ROLL. ASSESSED VALUE WAS 27,500 IT SHOULD BE 10,700. RPTL 550(2)A.

179
Petition No. 3237 / 1997 - ASSESSOR - Cancel - \$145.00

SBL No. 301.00-4-7.2 - TOWN OF NORTH COLLINS

Acct. No. 112 - \$ 0.00

Acct. No. 132 - \$ 145.00

Charge to : TOWN OF NORTH COLLINS 145.00

CANCEL - CLERICAL ERROR, PARCEL USES A PRIVATE CONTRACTOR FOR REFUSE REFUSE TAX IN ERROR. RPTL 550(2)E.

180
Petition No. 3238 / 1997 - ASSESSOR - Cancel - \$180.67

SBL No. 151.12-5-3 - TOWN OF ORCHARD PARK

Acct. No. 112 - \$ 0.00

Acct. No. 132 - \$ 180.67

Charge to : TOWN OF ORCHARD PARK 180.67

CANCEL - CLERICAL ERROR, PARCEL WAS OVERCHARGED FOR SEWER AND REFUSE. PARCEL WAS CHARGED FOR A TWO FAMILY WHEN IT IS A SINGLE FAMILY. RPTL 550(2)E.

181
Petition No. 3239 / 1997 - ASSESSOR - Cancel - \$105.32

SBL No. 198.00-2-5.2 - TOWN OF ORCHARD PARK

Acct. No. 112 - \$ 66.73

Acct. No. 132 - \$ 38.59

Charge to : TOWN OF ORCHARD PARK 38.59

CANCEL - CLERICAL ERROR, VETERAN'S EXEMPTION IN THE AMOUNT OF 20,000 TO WHICH THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C.

182
Petition No. 3240 / 1997 - ASSESSOR - Cancel - \$503.20

SBL No. 278.00-1-8 - TOWN OF SARDINIA

Acct. No. 112 - \$ 337.49

Acct. No. 132 - \$ 165.71

Charge to : TOWN OF SARDINIA 120.54
SARDINIA FIRE PROTECT 45.17

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. ASSESSED VALUE WAS 53,000 IT SHOULD BE 9,900. RPTL 550(2)A.

183
Petition No. 3241 / 1417 - ASSESSOR - Refund - \$128.14

SBL No. 293.00-2-2 - TOWN OF SARDINIA

Acct. No. 112 - \$ 95.49

Acct. No. 132 - \$ 32.65

Charge to : TOWN OF SARDINIA 32.65

CANCEL - CLERICAL ERROR, THE AGRICULTURAL EXEMPTION IN THE AMOUNT OF 12,194 WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C.

184
Petition No. 3242 / 1997 - ASSESSOR - Cancel - \$24,838.57

SBL No. 52.18-2-28.21 - TOWN OF TONAWANDA

Acct. No. 112 - \$ 11,937.04

Acct. No. 132 - \$ 12,901.53

Charge to : TOWN OF TONAWANDA 12,901.53

CANCEL - CLERICAL ERROR, RPTL 520 WAS PLACED ON PARCEL IN ERROR. PAYMENTS WERE MADE TO THE COUNTY AND TOWN IN 1996. RPTL 5550(2)A.

185
Petition No. 3243 / 1997 - ASSESSOR - Refund - \$907.92

SBL No. 66.33-1-51 - TOWN OF TONAWANDA

Acct. No. 112 - \$ 549.99

Acct. No. 132 - \$ 357.93

Charge to : TOWN OF TONAWANDA 357.93

REFUND - CLERICAL ERROR, THE RPTL 520 WAS CALCULATED USING THE WRONG RATES. THE NON-HOMESTEAD RATE WAS USED RATHER THAN THE HOMESTEAD. RPTL 550(2)A.
CHECK IN FAVOR OF: ERIC MAUNDRELL

186
Petition No. 3244 / 1997 - ASSESSOR - Refund - \$643.48

SBL No. 66.39-5-21 - TOWN OF TONAWANDA

Acct. No. 112 - \$ 0.00

Acct. No. 132 - \$ 643.48

Charge to : TOWN OF TONAWANDA 263.66
KEN-TON UNION FREE 379.82

REFUND - CLERICAL ERROR, RPTL 520 WAS CALCULATED USING THE WRONG RATES NON-HOMESTEAD RATE WAS USED INSTEAD OF THE HOMESTEAD RATE. RPTL 550(2)A.
CHECK IN FAVOR OF: MICHAEL D & NANCY MICHAEL

187
Petition No. 3245 / 1997 - ASSESSOR - Cancel - \$1,945.85

SBL No. 123.51-1-1.1 & 7 OTHERS - TOWN OF WEST SENECA

Acct. No. 112 - \$ 0.00

Acct. No. 132 - \$ 1,945.85

Charge to : TOWN OF WEST SENECA 1,945.85

CANCEL - CLERICAL ERROR, HIGHWAY TAX IN ERROR. PARCELS ARE SERVICED BY THE CITY OF BUFFALO. RPTL 550(2)E.

188
Petition No. 3246 / 1997 - ASSESSOR - Cancel - \$509.57

SBL No. 134.07-3-16.211/E6 - TOWN OF WEST SENECA

Acct. No. 112 - \$ 239.33

Acct. No. 132 - \$ 270.24

Charge to : TOWN OF WEST SENECA 270.24

CANCEL - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 15,895 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C.

189
Petition No. 3247 / 9697 - ASSESSOR - Refund - \$441.67

SBL No. 134.07-3-16.211 *E6* - TOWN OF WEST SENECA

Acct. No. 112 - \$ 0.00

Acct. No. 132 - \$ 441.67

Charge to : WEST SENECA CENT 441.67

REFUND - CLERICAL ERROR, THE SENIOR EXEMPTION IN THE AMOUNT OF 18,700 THAT THIS PARCEL IS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C.

CHECK IN FAVOR OF: GRACE R. LORD

190
Petition No. 3248 / 1997 - ASSESSOR - Cancel - \$174.22

SBL No. 134.46-4-6 - TOWN OF WEST SENECA

Acct. No. 112 - \$ 0.00

Acct. No. 132 - \$ 174.22

Charge to : TOWN OF WEST SENECA 174.22

CANCEL - CLERICAL ERROR, OVERCHARGED FOR SEWER TAX. THE GALLONAGE FIGURES USED FOR THIS TAX WAS 150,000 IT SHOULD BE 91,000. RPTL 550(2)E.

191
Petition No. 3249 / 1997 - ASSESSOR - Cancel - \$176.00

SBL No. 134.53-5-15 - TOWN OF WEST SENECA

Acct. No. 112 - \$ 0.00

Acct. No. 132 - \$ 176.00

Charge to : TOWN OF WEST SENECA 176.00

CANCEL - CLERICAL ERROR, PARCEL WAS OVERCHARGED FOR SEWER RENTAL. PARCEL WAS CHARGED \$50.00 A UNIT INSTEAD OF \$ 6.00. RPTL 550(2)E.

192
Petition No. 3250 / 1997 - ASSESSOR - Refund - \$1,927.29

SBL No. 135.09-1-12 - TOWN OF WEST SENECA

Acct. No. 112 - \$ 0.00

Acct. No. 132 - \$ 1,927.29

Charge to : WEST SENECA CENT 1,927.29

REFUND - CLERICAL ERROR, ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. THE ASSESSMENT WAS 283,600 IT SHOULD BE 202,000. RPTL 550(2)A.

CHECK IN FAVOR OF: THEODORE KATHOLOS

PETITION NUMBER 3250 CONTINUED

¹⁹³
Petition No. 3252 / 1997 - ASSESSOR - Cancel - \$671.53

SBL No. 134.60-3-17 - TOWN OF WEST SENECA

Acct. No. 112 - \$ 0.00

Acct. No. 132 - \$ 671.53

Charge to : TOWN OF WEST SENECA 671.53

CANCEL - CLERICAL ERROR, PARCEL WAS OVERCHARGED FOR SANITARY SEWER RENTAL. THE GALLONAGE FIGURES USED WERE 666,000 IT SHOULD BE 66,000. RPTL 550(2)E.

¹⁹⁴
Petition No. 3253 / 1997 - ASSESSOR - Refund - \$2,116.59

SBL No. 135.09-1-12 - TOWN OF WEST SENECA

Acct. No. 112 - \$ 908.14

Acct. No. 132 - \$ 1,208.45

Charge to : TOWN OF WEST SENECA 1,025.43
W SENECA FIRE D#2 128.68
ERIE CO SEW DST 1 54.34

REFUND - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. ASSESSMENT WAS 283,600 IT SHOULD BE 202,000. RPTL 550(2)A.

CHECK IN FAVOR OF: THEODORE KATHOLOS

¹⁹⁵
Petition No. 3253 / 1997 - ASSESSOR - Cancel - \$115.28

SBL No. 135.62-7-11 - TOWN OF WEST SENECA

Acct. No. 112 - \$ 0.00

Acct. No. 132 - \$ 115.28

Charge to : TOWN OF WEST SENECA 115.28

CANCEL - CLERICAL ERROR, PARCEL WAS OVERCHARGED FOR SEWER TAX. THE GALLONAGE FIGURE THAT WAS USED WAS 143,000. IT SHOULD BE 40,000. RPTL 550(2)E.

¹⁹⁶
Petition No. 3254 / 1997 - ASSESSOR - Refund - \$581.99

SBL No. 144.02-1-5 - TOWN OF WEST SENECA

Acct. No. 112 - \$ 0.00

Acct. No. 132 - \$ 581.99

Charge to : TOWN OF WEST SENECA 581.99

REFUND - CLERICAL ERROR, PARCEL WAS OVERCHARGED FOR SEWER TAX. THE GALLONAGE FIGURE USED WAS 577,000 IT SHOULD BE 57,000. RPTL 550(2)E.
CHECK IN FAVOR OF : LOREN C FOSER

197
Petition No. 3255 / 1997 - ASSESSOR - Cancel - \$1,923.08

SBL No. 124.61-4-12 - TOWN OF WEST SENECA

Acct. No. 112 - \$ 908.93

Acct. No. 132 - \$ 1,014.15

Charge to : TOWN OF WEST SENECA 1,014.15

CANCEL - CLERICAL ERROR, THE VETERAN EXEMPTION IN THE AMOUNT OF 47,700 WAS REMOVED IN ERROR. THE RPTL 520 IS NOT APPLICABLE TO THIS PARCEL.

198
Petition No. 3256 / 1997 - ASSESSOR - Cancel - \$264.75

SBL No. 144.05-1-5 - TOWN OF WEST SENECA

Acct. No. 112 - \$ 111.29

Acct. No. 132 - \$ 153.46

Charge to : TOWN OF WEST SENECA 134.50
W SENECA FIRE #6 18.96

CANCEL - CLERICAL ERROR, THE ASSESSMENT WAS ENTERED INCORRECTLY ON THE TAX ROLL. ASSESSED VALUE WAS 92,000 IT SHOULD BE 80,000. RPTL 550(2)A.

199
Petition No. 3257 / 1997 - ASSESSOR - Refund - \$1,466.18

SBL No. 144.05-3-25 - TOWN OF WEST SENECA

Acct. No. 112 - \$ 0.00

Acct. No. 132 - \$ 1,466.18

Charge to : TOWN OF WEST SENECA 1,466.18

REFUND - CLERICAL ERROR, PARCEL WAS OVERCHARGED FOR SEWER TAX. THE GALLONAGE FIGURE THAT WAS USED WAS 1,455,000. IT SHOULD BE 145,000. RPTL 550(2)E.
CHECK IN FAVOR OF: JOSEPH & LAURIE O'CONNOR

200
Petition No. 3258 / 1997 - ASSESSOR - Cancel - \$9,981.84

SBL No. 152.07-6-1.1 - TOWN OF WEST SENECA

Acct. No. 112 - \$ 4,246.89

Acct. No. 132 - \$ 5,734.95

Charge to : TOWN OF WEST SENECA 5,132.54
W SENECA FIRE D#3 602.41

CANCEL - CLERICAL ERROR, THE ASSESSED VALUE WAS ENTERED INCORRECTLY ON THE TAX ROLL. ASSESSMENT WAS 1,536,000 IT SHOULD BE 1,154,400. RPTL 550(2)A.

201
Petition No. 3259 / 1997 - ASSESSOR - Cancel - \$525.81

SBL No. 266.19-1-18 - TOWN OF BRANT

Acct. No. 112 - \$ 340.18

Acct. No. 132 - \$ 185.63

Charge to : TOWN OF BRANT 185.63

CANCEL - CLERICAL ERROR, AGRICULTURAL EXEMPTION IN THE AMOUNT OF 42,099 THAT THIS PARCEL WAS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2)C.

Petion No. 202/1997 - ASSESSOR - Cancel - \$76.14

SBL No. 282.07-1-13.1 - TOWN OF BRANT

Acct. No. 112 - \$ 49.26

Acct. No. 132 - \$ 26.88

Charge to: TOWN OF BRANT 26.88

CANCEL - CLERICAL ERROR, THE AGRICULTURAL EXEMPTION IN THE AMOUNT OF 6,096 THAT THIS PARCEL WAS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL. RPTL 550(2) C.

Petion No. 203/1997 - ASSESSOR - Cancel - \$130.39

SBL No. 285.00-1-15.1 - TOWN OF BRANT

Acct. No. 112 - \$ 84.36

Acct. No. 132 - \$ 46.03

Charge to: TOWN OF BRANT 46.03

CANCEL - CLERICAL ERROR, THE VETERAN'S EXEMPTION IN THE AMOUNT OF 10,440 THAT THIS PARCEL WAS ENTITLED TO WAS OMITTED IN ERROR FROM THE TAX ROLL.

(5-0)

Item	Page	-1997	(Comm. 4E-14)
3.	COUNTY EXECUTIVE:		

WHEREAS, since 1983 the County of Erie has encouraged the owners of the Main Place Mall to install a ramp in the pedestrian overpass bridge (Bridge) between Main Place Mall and the Erie County Rath Building; and

WHEREAS, Violet Realty, Inc. (Violet), the present owner of the Main Place Mall, has agreed to install such a ramp in the Bridge so that individuals with disabilities will be able to cross the Bridge; and

WHEREAS, the reconstructed Bridge and Ramp will comply with the Americans with Disabilities Act and applicable federal regulations thereunder; and

WHEREAS, the County has agreed to monitor such reconstruction of the Bridge and the Ramp; and.

WHEREAS, the County has agreed to enter into a five-year lease with Violet Realty, Inc. for the area of the Bridge reconstructed within the Main Place Mall property. Pursuant to this Lease, the County will provide to Violet a one-time payment of \$12,500 in 1997.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Executive is authorized to execute all necessary agreements including, but not limited to, a five-year Lease Agreement with Violet Realty, Inc., with a one-time payment of \$12,500 from Health Department Account No. 830, Subaccount 0998 entitled Miscellaneous Contracts, funds being available in the 1997 Adopted Budget of the Health Department in this budget account to effectuate the installation of a ramp in the Bridge; and be it further

RESOLVED, that certified copies of this Resolution be sent to the Director of Budget, Management and Finance, the Director of the Office for the Disabled, the Commissioner of Health and the County Attorney.

(5-0)

Item	Page	-1997	(Comm. 6D-15)
4.	BUDGET, MANAGEMENT & FINANCE:		

RESOLVED, that after public advertisement, a canvas of adjoining property owners and a public auction held by the Erie County Director of Budget and Management on September 18, 1996 that the sale of the following described parcel of County owned land was sold to the following persons:

All That Tract or Parcel of Land situated in the Town of Lancaster, County of Erie and State of New York being part of Farmlot 94, Township 10, Range 6 (Location - Folts Avenue {Paper Street} - 50.00 x 260.00). Being known as SBL# 115.14-7-23 and intending to convey all land acquired by the County of Erie under In Rem 141A, Serial No. 462 to Charles J. Seiler and Susan M. Wagner, 202 Wayside Drive, Depew, New York 14043 for the sum of Seven Hundred Fifty and 00/100 Dollars (\$750.00).

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 purchasers, 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. 7E-7) |
|------|------|-------|--------------|
5. **COMPTROLLER:**
RESOLUTION DELEGATING TO THE COUNTY COMPTROLLER THE POWERS TO AUTHORIZE THE ISSUANCE OF \$80,000,000 REVENUE ANTICIPATION NOTES OF THE COUNTY OF ERIE, NEW YORK, OR SO MUCH THEREOF AS MAY BE NECESSARY, IN ANTICIPATION OF THE RECEIPT OF CERTAIN REVENUES FOR THE FISCAL YEAR ENDING DECEMBER 31, 1997, AND TO PRESCRIBE THE TERMS, FORM AND CONTENTS, AND PROVIDE FOR THE SALE AND CREDIT ENHANCEMENT OF SUCH NOTES.

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

Section 1. 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"), the power to authorize the issuance of Revenue Anticipation Notes (herein called "Notes") of the County of Erie, in the State of New York (the "County" and "State", respectively), in the aggregate principal amount of not to exceed \$80,000,000, and any notes in renewal thereof, is hereby delegated to the County Comptroller, as chief fiscal officer of the County.

Section 2. The Notes shall be issued in anticipation of the collection or receipt of revenues due to the County in the current fiscal year from (i) State Social Services aid and (ii) Social Services aid from the United States government, and the collection or receipt of revenues due and payable to the County in the current fiscal year from (i) sales and compensating use taxes and (ii) County Medical Center in-patient/out-patient payments, and the proceeds of Notes shall be used only for the purposes of paying the current expenses of the County for said fiscal year payable from the revenues in anticipation of which they are issued.

Section 3. The Notes shall contain the recital of validity prescribed by Section 52.00 of the Law and shall be general obligations of the County, and the faith and credit of the County shall be pledged to the punctual payment of the principal of and interest on the Notes and, unless the Notes are otherwise paid or payment provided for, an amount sufficient for such payment shall be inserted in the budget of the County and a tax sufficient to provide for the payment thereof shall be levied and collected.

Section 4. Subject to the provisions of this resolution and the Law, and pursuant to Sections 50.00, 56.00, 60.00, and 168.00 of the Law, inclusive, the powers to prescribe the terms, form and contents, and all other powers or duties pertaining or incidental to the sale and issuance of the Notes authorized pursuant hereto, or any renewals thereof, including the power to determine the respective amounts of Notes to be issued in anticipation of said respective revenues specified in Section 2 hereof, and the power to enter into agreements for credit enhancement for the Notes, are hereby delegated the Comptroller, as chief fiscal officer of the County.

Section 5. This resolution shall take effect immediately.
(5-0)

Item Page -1997 (Comm. 7E-18)
6. COUNTY EXECUTIVE:
WHEREAS, the following grant programs are included in Book B of the 1997 Adopted Budget, and

WHEREAS, the 1997 Adopted Budget resolutions require legislative approval for the County Executive to enter into contracts with grantor agencies for the purpose of receiving grants awarded or budgeted for fiscal 1997.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into contracts with grantor agencies for the purpose of receiving grants, following review and approval by the Director of Budget and Management with respect to the availability of State and/or Federal funds, for the following grant programs which commence on April 1, 1997:

<u>Department</u>	<u>Grant Program</u>	<u>1997 Budget</u> <u>Book B</u> <u>Page No.</u>
600 - Law	Aid to Localities - Indigent Defense	21
222 - Weights & Measures	NYS Petroleum Product Quality Testing Program	27
140 - District Attorney	Comprehensive Assault, Abuse and Rape Unit (CAAR)*	35
140 - District Attorney	Aid to Prosecution	36

* Begins 6/1/97

<u>Department</u>	<u>Grant Program</u>	1997 Budget Book B <u>Page No.</u>
650 - CPS	Aid to Crime Labs Program	59
650 - CPS	Aid to Law Enforcement Program	59
150 - Sheriff	Unified Court Security	71
260 - Probation	Intensive Supervision Program	99
270 - Health	Public Health Campaign	122
200 - Social Services	Child Assistance Program	185
200 - Social Services	Legal Assistance to the Disabled	185
200 - Social Services	At Risk Low Income Child Care Program (ARLICC)	186
200 - Social Services	Low Income Day Care	187
250 - Youth Services	PINS/JD Diversion Grant	316
620 - Env. & Plg.	Community Development - 23rd Year	343
421 - Library	Central Library Book Aid	351
421 - Library	Library Services to State Correctional Facilities	352

421 - Library	Conservation/Preservation of Library Research Materials	353
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421 - Library	Parent and Child Services - Homework Happy Hours	353
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and be it further

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

RESOLVED, that certified copies of this resolution be forwarded to the following departments: Central Police Services, District Attorney, Sheriff, Probation, Health, Social Services, Youth Services, the Department of Law, Environment and Planning, the Buffalo and Erie County Public Library, the Bureau of Weights and Measures, and the Division of Budget, Management and Finance.

(5-0)

Item	Page	-1997	(Comm. 8D-6)
7.	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: Patrick and Christine Towns, 61 Hunt Avenue, 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, Village of Hamburg, County of Erie, State of New York being part of Farm Lot 50, Township 9, Range 7;

Further described on Erie County Tax Maps as Section, Block and Lot No. 196.10-3-36 (Huntington Court 49.79 x 50.00) and

Intending to convey all land acquired by Erie County as Serial No. 993 in the County In Rem Tax Foreclosure Action No. 142; 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. 8D-7)
8. **BUDGET, MANAGEMENT & FINANCE:**
RESOLVED, that the following County owned parcels be offered for sale at the next Public Auction to be held on June 3, 1997:

ALL THAT TRACT OR PARCEL OF LAND situated in the Town of Amherst, County of Erie and State of New York being part of Farm Lot 91, Township 12, Range 7 as shown on Map Cover 1547, Block 9, (26 Jack Road - no frontage), 33.00 x 180.00. Being known as SBL# 56.19-3-24 and intending to convey all land acquired by the County of Erie under In Rem 131 Serial 76.

ALL THAT TRACT OR PARCEL OF LAND situated in the Town of Amherst, County of Erie and State of New York being part of Farm Lot 80, Township 12, Range 7 (Chestnut Ridge Road-Garage 7). Being known as SBL# 54.34-1-1./Z7 and intending to convey all land acquired by the County of Erie under In Rem 150 Serial 904.

ALL THAT TRACT OR PARCEL OF LAND situated in the Town of Cheektowaga, County of Erie and State of New York being part of Farm Lot 11, Township 11, Range 7 (Walden Avenue 12.11 x 156.00). Being known as SBL# 102.16-6-1./a and intending to convey all land acquired by the County of Erie under In Rem 148 Serial 714.

ALL THAT TRACT OR PARCEL OF LAND situated in the Town of Cheektowaga, Village of Depew, County of Erie and State of New York being part of Farm Lot 72, Township 11, Range 7 (Broadway 57.29 x 200.00). Being known as SBL# 103.16-1-10 and intending to convey all land acquired by the County of Erie in a deed filed on 12/7/59 under Liber 6507 Page 1.

ALL THAT TRACT OR PARCEL OF LAND situated in the Town of Cheektowaga, Village of Depew, County of Erie and State of New York being part of Farm Lot 72, Township 11 Range 7 (Broadway 77.00 x 647.31). Being known as SBL# 103.19-1-9 and intending to convey all land acquired by the County of Erie in a deed filed on 6/10/26 under Liber 1765 Page 384.

ALL THAT TRACT OR PARCEL OF LAND situated in the Town of Cheektowaga, Village of Sloan, County of Erie and State of New York being part of Farm Lot 32, Township 11, Range 7, Pt 46 as shown on Map Cover 1289 (1926 Harlem Road 3.50 x 108.22). Being known as SBL# 113.22-4-8 and intending to convey all land acquired by the County of Erie under In Rem 113 Serial 31.

ALL THAT TRACT OR PARCEL OF LAND situated in the Town of Cheektowaga, Village of Sloan, County of Erie and State of New York being part of Farm Lot 32, Township 11, Range 7, Sublots 48 and 47 as shown on Map Cover 1289 (Harlem Road 71.00 x 108.22) Being known as SBL# 113.22-4-9 and intending to convey all land acquired by the County of Erie under In Rem 143 Serial 670.

ALL THAT TRACT OR PARCEL OF LAND situated in the Town of Cheektowaga, County of Erie and State of New York being part of Farm Lot 50, Township 10, Range 7, Sublot 21 as shown on Map Cover 2292 (Sprucewood 35.34 x 123.70). Being known as SBL# 125.11-3-1 and intending to convey all land acquired by the County of Erie in a deed filed 9/30/83 under Liber 9267 Page 212.

ALL THAT TRACT OR PARCEL OF LAND situated in the Town of Evans, County of Erie and State of New York being part of Farm Lot 85, Township 8, Range 9 (Lakeshore Road 12.00 x 1615.00). Being known as SBL# 250.10-5-31 and intending to convey all land acquired by the County of Erie under In Rem 142 Serial 883.

ALL THAT TRACT OR PARCEL OF LAND situated in the Town of Evans, County of Erie and State of New York being part of Farm Lot 87, Township 8, Range 9, Sublots 8462 and 8463 as shown on Map Cover 1129 (Utica Street 40.00 x 90.00). Being known as SBL# 250.17-3-9 and intending to convey all land acquired by the County of Erie under In Rem 144 Serial 1323.

ALL THAT TRACT OR PARCEL OF LAND situated in the Town of Evans, Village of Angola, County of Erie and State of New York being part of Farm Lot 64, Township 8, Range 9 (24 John R Drive 75.00 x 148.56). Being known as SBL# 251.07-1-4 and intending to convey all land acquired by the County of Erie under In Rem 152 Serial 1347.

ALL THAT TRACT OR PARCEL OF LAND situated in the Town of Evans, County of Erie and State of New York being part of Farm Lot 73, Township 8, Range 9, Sublots 5771 - 5775 as shown on Map Cover 1132 (Walden Avenue 100.00 x 100.00). Being known as SBL# 251.13-1-33 and intending to convey all land acquired by the County of Erie under In Rem 141A Serial 275.

ALL THAT TRACT OR PARCEL OF LAND situated in the Town of Hamburg, County of Erie and State of New York being part of Farm Lot 13, Township 9, Range 8, Sublot 807, Block 8 as shown on Map Cover 712 (Harvard Street 31.00 x 118.00). Being known as SBL# 170.67-4-3 and intending to convey all land acquired by the County of Erie under In Rem 146 Serial 1275.

ALL THAT TRACT OR PARCEL OF LAND situated in the Town of Hamburg, County of Erie and State of New York being part of Farm Lot 13, Township 9, Range 8, Sublot 808, Block 8 as shown on Map Cover 712 (Harvard Street 31.00 x 118.00). Being known as SBL# 170.67-4-4 and intending to convey all land acquired by the County of Erie under In Rem 146 Serial 1276.

ALL THAT TRACT OR PARCEL OF LAND situated in the Town of Hamburg, County of Erie and State of New York being part of Farm Lot 6, Township 9, Range 8 (South Park Avenue 128.00 x 400.00). Being known as SBL# 171.00-1-45 and intending to convey all land acquired by the County of Erie under In Rem 146 Serial 1287.

ALL THAT TRACT OR PARCEL OF LAND situated in the Town of Hamburg, County of Erie and State of New York being part of Farm Lot 45, Township 9, Range 8 (Old Lakeshore Road 1.20 acres). Being known as SBL# 180.15-2-15 and intending to convey all land acquired by the County of Erie under In Rem 147 Serial 1217.

ALL THAT TRACT OR PARCEL OF LAND situated in the Town of Hamburg, County of Erie and State of New York being part of Farm Lot 4, Township 9, Range 8 (Legion Drive 10.00 x 732.00). Being known as SBL# 183.13-2-15.111 and intending to convey all land acquired by the County of Erie under In Rem 144 Serial 1515.

ALL THAT TRACT OR PARCEL OF LAND situated in the Town of Lancaster, County of Erie and State of New York being part of Farm Lot 11, Township 11, Range 6, Section 10 (Jefferson Avenue - Paper Street - 50.00 x 283.00). Being known as SBL# 115.05-2-42 and intending to convey all land acquired by the County of Erie in a deed filed 12/13/85 under Liber 9521 Page 150.

ALL THAT TRACT OR PARCEL OF LAND situated in the Town of Lancaster, County of Erie and State of New York being part of Farm Lot 94, Township 10, Range 6 (Folts Avenue - Paper Street - 50.00 x 240.00). Being known as SBL# 115.14-3-25 and intending to convey all land acquired by the County of Erie under In Rem 141A Serial 450.

ALL THAT TRACT OR PARCEL OF LAND situated in the Town of Lancaster, County of Erie and State of New York being part of Farm Lot 93, Township 10, Range 6 (Park Avenue - Paper Street - 50.00 x 1147.60). Being known as SBL# 115.14-5-23 and intending to convey all land acquired by the County of Erie under In Rem 141A Serial 454.

ALL THAT TRACT OR PARCEL OF LAND situated in the Town of Lancaster, County of Erie and State of New York being part of Farm Lot 91, Township 10, Range 6 as shown on Map Cover 2402 (Country Place 66.00 x 125.00). Being known as SBL# 126.06-4-54 and intending to convey all land acquired by the County of Erie under In Rem 140 Serial 1505.

RESOLVED, that all sales are subject to final approval by resolution of Erie County Legislature, and be it further

RESOLVED, that in addition to the advertisement of the sale in the Buffalo Law Journal and the Buffalo News all adjacent owners will be sent a letter indicating the date, time and place of the sale in order to give all interested parties the opportunity to attend the sale and bid, 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 for each of the above properties to the approved purchaser, and be it further

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

(5-0)

CRYSTAL DAVIS PEOPLES
Chairperson

Ms. PEOPLES requested that resolve 1a be separated.

GRANTED.

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

CARRIED UNANIMOUSLY.

Chairman SWANICK directed that Resolve 1a be referred back to committee.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 192

APRIL 24, 1997

ENERGY AND ENVIRONMENT
COMMITTEE
REPORT NO. 5

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

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

	Item	Page	-1996	(Comm. 1E-6)
a.	OLMA:	Copy of Letter to Erie County Water Authority Re: Review of Documents.		
		(5-0)		

	Item	Page	-1996	(Comm. 5M-6)
b.	ERIE COUNTY WATER AUTHORITY:	Copy of Release Re: ECWA Signs \$1.2 Million Contract with NY City to Perform Laboratory Tests.		
		(5-0)		

	Item	Page	-1996	(Comm. 6M-9)
c.	ERIE COUNTY WATER AUTHORITY:	Copy of Letter to Legislator Olma Re: Commissioner Rutkowski.		
		(5-0)		

	Item	Page	-1996	(Comm. 9E-14)
d.	COUNTY EXECUTIVE:	ECSD No. 4 Eminent Domain Proceedings.		
		(5-0)		

	Item	Page	-1996	(Comm. 20M-10)
e.	ERIE COUNTY WATER AUTHORITY:	1995 Annual Report.		
		(5-0)		

	Item	Page	-1996	(Comm. 21D-11)
f.	COUNTY ATTORNEY:	Draft Local Law - EC Fisheries Advisory Board.		
		(5-0)		

	Item	Page	-1997	(Comm. 3M-8)
g.	BELMONT SHELTER CORPORATION:	Response to Intro. 2-2.		
		(5-0).		

Item Page -1997 (Comm. 3M-9)
 h. **ERIE COUNTY WATER AUTHORITY:** Financial Statements for Year
 Ended 12/31/96 & 12/31/95.
 (5-0)

Item Page -1997 (Comm. 6D-6)
 i. **DEP:** Proposed Division Technical & Administrative Guidance
 Memo Re: Environmental Restoration Projects (Brownfields)
 (5-0)

Item Page -1997 (Comm. 7D-2)
 j. **DEP:** SEQR - Solicitation for Lead Agency Status - Ellicott
 Creek Park Improvements.
 (5-0)

Item Page -1997 (Comm. 7D-3)
 k. **DEP:** SEQR - Negative Declaration - Niawanda Riverwalk Spur:
 Path Widening Construction & Related Easement Acquisition.
 (5-0)

Item Page -1997 (Comm. 7D-7)
 l. **DEP:** SEQR - Solicitation for Lead Agency Status - ECC South -
 Purchase Vehicle Technology Training Center.
 (5-0)

Item Page -1997 (Comm. 7M-14)
 m. **MELINDA HOLLAND, CLEAN SITES:** Notice of Meeting Held 4/2/97
 & Summary of Meeting Held 3/18/97.
 (6-0) Chairman Swanick present as ex-officio member.

Item Page -1997 (Comm. 7M-18)
 n. **NEW YORK STATE FOREST PRACTICE BOARD:** Notice of Meeting to be
 Held 4/17/97.
 (6-0) Chairman Swanick present as ex-officio member.

AS AMENDED

Item Page -1996 (Int. 3-18)
 2. **MARSHALL, VILLARINI, RANZENHOFER, SWANICK, PEOPLES, KUWIK,
 FITZPATRICK, HOLT, FISHER, OLMA, DEBENEDETTI, DUSZA, MARINELLI &
 COHEN KENNEDY:**

WHEREAS, farming is essential to the economic and
 environmental well-being of Erie County and New York State, and

WHEREAS, in New York State there are government policies and programs to promote a strong agricultural economy, and

WHEREAS, in order to continue providing adequate and safe food for state and county residents, prudent regulations must be in place, and

WHEREAS, currently, as provided by law, the objective of all state agricultural agencies is to encourage the maintenance of viable farming in agriculture districts and to modify their administrative regulations and procedures in support of this objective, consistent with the promotion of public health and safety, and

WHEREAS, in an effort to effectively meet the aforementioned goals, one idea which has surfaced is that the Commissioner of Agriculture and Markets review existing and newly proposed regulations, and make recommendations on state regulations which adversely affect agriculture,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature recognizes that farming is a viable business, and in order to protect this important industry, rules and regulations should not be in place that could adversely harm the industry, and be it further

RESOLVED, that the Erie County Legislature wishes to go on record in support of the concept of conducting a review of existing, and make recommendations on proposed, legislation which adversely impact agriculture, and be it further

RESOLVED, that certified copies of this resolution be forwarded to the WNY Delegation of New York State Senate and Assembly, Governor George E. Pataki, Commissioner Richard T. McGuire, Department of Agriculture and Markets, the Erie County Soil & Water Conservation District and the Cooperative Extension Services of Erie County.

Fiscal Impact: To Promote The Business of Farming.

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

Item	Page	-1997	(Comm. 6E-27)
3.	COUNTY EXECUTIVE:		

RESOLVED, that the individuals listed below are hereby appointed to the Erie County Development Coordination Board, and be it further

RESOLVED, that the term of said appointments shall expire on December 31, 1997, and be it further

RESOLVED, that certified copies of this resolution be forwarded to the County Executive and Commissioner of the Department of Environment and Planning:

John S. Bis
142 Lexington
Buffalo, New York 14222

Richard Morrison
691 W. Ferry St.
Buffalo, New York 14222

Kathryn A. Foster, Ph.D.
243 Huntington Avenue
Buffalo, New York 14214

Samuel C. Muscarella
77 Crosby Avenue
Kenmore, New York 14217

William F. Mathews, Jr.
253 Breakwaters
Buffalo, New York 14202

Paul Battaglia
162 Washington Highway
Snyder, New York 14226

Ronald R. Norman
1869 East River Road
Grand Island, New York 14072

Gordon B. Hessel
12367 Church Rd.
Holland, New York 14080

Sarah Pittman
162 Paradise Road
East Amherst, New York 14051

Manning Fogan
147 Radcliffe Drive
Getzville, New York 14068

Michael Pratt
24 Hiler Ave.
Kenmore, New York 14217

Mary Alice Tock
8053 Back Creek Road
Hamburg, New York 14075
(5-0)

Item Page -1997 (Comm. 7E-12)
4. **COUNTY EXECUTIVE:**

WHEREAS, the Town of West Seneca Sanitary Sewer District No. 6 and Erie County Sewer District No. 1 have resolved a difference of interpretation of the Town's Service Agreement with the County District on debt service charges; and

WHEREAS, this difference in interpretation withheld payments to the Town District since 1989 pending its resolution; and

WHEREAS, the County District budgeted annually for payment to the Town District totalling approximately \$302,502 which reverted to fund balance pending resolution of the difference in interpretation;

NOW, THEREFORE, BE IT

RESOLVED, that the Comptroller be authorized and directed to transfer \$302,502 from 220 851810698105, Fund Balance to 220 851810830, Contractual Services and be it further

RESOLVED, that payment of past due invoices submitted by West Seneca Town Sanitary Sewer District No. 6 to Erie County Sewer District No. 1 without a separate debt service charge for the years 1989 through 1995 inclusive be hereby authorized and be it further

RESOLVED, that the Clerk of the Legislature be directed to send certified copies of this resolution to Charles J. Alessi, P.E., Deputy Commissioner, Department of Environment and Planning, the Director of Budget and Management, and the Erie County Comptroller.
(5-0)

Item Page -1997 (Comm. 7E-26)
5. **COUNTY EXECUTIVE:**

WHEREAS, the New York State Department of Economic Development, Empire State Development Corporation, Office of Recycling Market Development (ORMD) provides grant assistance to municipalities and not-for-profit corporations to implement projects to increase waste recycling in New York State, and

WHEREAS, the ORMD solicits proposals for the Recycling Investment Program twice a year in January and August, and

WHEREAS, the Department of Environment and Planning provides technical assistance to municipalities and businesses to help address their waste management needs, and

WHEREAS, construction and demolition waste was identified as a targeted waste stream by the Town of Amherst and the Northwest Communities Solid Waste Management Board in their New York State approved Solid Waste Management Plans, and

WHEREAS, in August 1996, the Department of Environment and Planning with the help of the Town of Amherst and several local industry representatives developed and submitted a proposal for funding from the Recycling Investment Program to implement a Construction and Demolition Recycling Project, and

WHEREAS, on November 12, 1996, the Office of Recycling Market Development awarded Erie County \$122,850.00 to implement a Construction and Demolition Waste Recycling Project, and

WHEREAS, the implementation of this project in accordance will require Erie County enter into agreements with the Office of Recycling Market Development and the Town of Amherst,

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter into the necessary agreements with the New York State Department of Economic Development, Empire State Development Corporation, Office of Recycling Market Development (ORMD) to accept and implement a Construction and Demolition Waste Recycling Project in Erie County in an amount not to exceed \$122,850 in grant resources over the next two years commencing in April 1997, and be it further

RESOLVED, that the County Executive is authorized to enter the necessary agreements with the Town of Amherst to provide assistance in an amount not to exceed \$10,000 in grant resources to support their role in the recycling Program as defined by the approved proposal, and be it further

RESOLVED, that the unanticipated revenue from the new recycling grant program is hereby appropriated in the grant fund for the period 4/1/ 97 - 4/1/99 is as follows:

10 Personal Services	\$ 68,000
20 Fringe Benefits	16,850
31 Office Supplies	2,000
39 Out-of-Area Travel	1,500
43 Contractual Agencies	25,000
47 Travel & Mileage	500
48 Other	4,000
<u>64 Lab and Technical Equipment</u>	<u>5,000</u>
Total Appropriation	\$ 122,850

RESOLVED, that the following position is hereby created in the Department of Environment and Planning grant fund and will be funded from the newly established budget for the Construction and Demolition Waste Recycling Project:

and be it further

(5-0)

Item	Page	-1997	(Comm. 7E-28)
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NOW, THEREFORE, BE IT

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, between Erie County Sewer District No. 5 and the Clarence Town Sewer District No. 6, and be it further

RESOLVED, that the Clerk of the Legislature send a certified copy of the resolution to Charles J. Alessi, P.E., Deputy Commissioner, Department of Environment and Planning, and Richard J. Schechter, Assistant County Attorney.
(5-0)

GREGORY B. OLMA
Chairman

Mr. MARSHALL requested that Resolve No. 2 be separated.

GRANTED.

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

CARRIED UNANIMOUSLY.

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

Mr. MARSHALL moved the adoption of Resolve No. 2 as amended. Mr. OLMA seconded.

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 193

APRIL 24, 1997

SOCIAL SERVICES
COMMITTEE
REPORT NO. 4

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

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

- | | | | |
|------|-------------------------------------|-------|----------------|
| Item | Page | -1996 | (Comm. 29D-13) |
| a. | SOCIAL SERVICES: Response to Audit. | | |
| | (3-0) Legislator Olma absent. | | |

Item Page -1997 (Comm. 6M-10)
b. CONGRESSMAN QUINN: Acknowledgement of Receipt of Resolution.
(3-0) Legislator Olma absent.

Item Page -1997 (Comm. 6M-12)
c. CONGRESSMAN QUINN: Acknowledgement of Receipt of Resolution.
(3-0) Legislator Olma absent.

Item Page -1997 (Comm. 7E-27)
2. COUNTY EXECUTIVE:
WHEREAS, the Department of Senior Services requires personal
care/homemaker and housekeeper services to be provided to homebound
frail elderly in Erie County; and

WHEREAS, the approved 1997 County budget authorizes contracts
with thirteen home care providers under various grants for the
provision of such services; and

WHEREAS, the Department of Senior Services has conducted a
competitive application process to identify additional providers
with whom it can contract.

NOW, THEREFORE, BE IT

RESOLVED, that the list of vendors approved in the 1997
Adopted Budget resolutions for home care contracts for the period
April 1, 1997 to March 31, 1998, be amended to add the name of
Quality Care USA, Inc. d.b.a. Olsten Health Services; and be it
further

RESOLVED, that the County Executive is hereby authorized to
enter into contract with Quality Care USA, Inc. d.b.a. Olsten
Health Services for the period April 1, 1997 through March 31,
1998, and be it further

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

GEORGE A. HOLT, Jr.
Chairman

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 194

APRIL 24, 1997

COMMUNITY ENRICHMENT
COMMITTEE
REPORT NO. 4

ALL MEMBERS PRESENT EXCEPT LEGISLATOR FISHER.

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

- | | | | | |
|----|---|------|-------|----------------|
| | Item | Page | -1996 | (Comm. 29M-10) |
| a. | THE UN WOMEN'S CONFERENCE: Report from WNY Women. | | | |
| | (4-0) | | | |
| | Item | Page | -1997 | (Comm. 6D-3) |
| b. | ERIE COMMUNITY COLLEGE: Notice of Meeting to be Held 3/26/97. | | | |
| | (4-0) | | | |
| | Item | Page | -1997 | (Comm. 6D-20) |
| c. | BUFFALO & ERIE COUNTY PUBLIC LIBRARY: Agenda for Meeting Held 3/20/97 & Minutes of Meeting Held 2/20/97. | | | |
| | (4-0) | | | |
| | Item | Page | -1997 | (Comm. 7D-5) |
| d. | ERIE COMMUNITY COLLEGE: Agenda for Meeting Held 3/26/97. | | | |
| | (4-0) | | | |
| | Item | Page | -1997 | (Comm. 7D-6) |
| e. | ERIE COMMUNITY COLLEGE: Minutes of Board of Trustees Committee Meetings Held 3/97. | | | |
| | (4-0) | | | |
| | Item | Page | -1997 | (Comm. 7D-8) |
| f. | ERIE COMMUNITY COLLEGE: Minutes of Board of Trustees Meeting Held 3/26/97. | | | |
| | (4-0) | | | |
| | Item | Page | -1997 | (Comm. 7D-11) |
| g. | ERIE COMMUNITY COLLEGE: Minutes of Board of Trustees Meeting Held 2/97. | | | |
| | (4-0) | | | |

Item Page -1997 (Comm. 8D-1)
h. ERIE COMMUNITY COLLEGE: Notice of Meetings 4/9/97, 4/16/97 &
4/23/97.
(4-0)

Item Page -1997 (Comm. 8D-2)
i. ERIE COMMUNITY COLLEGE: Notice of Meetings 4/11/97, 4/14/97
4/17/97 & 4/24/97.
(4-0)

Item Page -1997 (Comm. 8D-5)
j. ERIE COMMUNITY COLLEGE: Notice of Special Meeting to be Held
4/22/97.
(4-0)

Item Page -1997 (Comm. 8E-13)
k. COHEN KENNEDY: Notice of Board of Trustees Meeting to be Held
4/22/97.
(4-0)

Item Page -1997 (Comm. 8D-10)
2. ERIE COMMUNITY COLLEGE:
WHEREAS, The Erie County Legislature adopted a budget
submittal and approval schedule for Erie Community College on May
4, 1989, and

WHEREAS, that schedule requested the Erie Community College
Board of Trustees to submit a budget to the County Executive and
County Legislature prior to May 10, and

WHEREAS, the County Executive was to submit his
recommendations to The Erie County Legislature no later than June
1, and

WHEREAS, the County Legislature was to adopt a budget no later
than the last session in the month of June, and

WHEREAS, in order for Erie Community College to prepare an
accurate budget proposal, it is necessary to know the State Aid
reimbursement and the amount of tuition that can be charged, and

WHEREAS, the State Budget for 1997-98 has not been finalized
which would provide this needed financial data and

WHEREAS, Erie Community College is requesting approval of a
two week delay in submitting the 1997-98 budget proposal.

NOW, THEREFORE BE IT

RESOLVED: The Erie County Legislature approves a two-week delay in the Erie Community College budget submittal and approval schedule, and be it further

RESOLVED, the revised schedule will be as follows:

- 1) Erie Community College will submit the 1997-98 budget proposal to the County Executive and County Legislature by May 23,
- 2) the County Executive will submit his recommendations to the Erie County Legislature no later than June 13,
- 3) the Erie County Legislature will adopt the Erie Community College budget on July 3, and be it further

RESOLVED, that certified copies of this resolution be forwarded to Erie County Division of Budget, Management and Finance and Erie Community college.

(3-1) Legislator Marshall in the negative.

Item	Page	-1997	AS AMENDED (Int. 8-2)
3.	MARINELLI, SWANICK, PEOPLES, KUWIK, FITZPATRICK, HOLT, FISHER, OLMA, DEBENEDETTI, DUSZA, COHEN KENNEDY, LARSON & PAULY:		
	WHEREAS, Victims of family violence are rightly encouraged to leave their abuser immediately in order to free themselves of their life-threatening situation, and		

WHEREAS, These individuals, once they leave, may not have the resources to support themselves and therefore must rely on the welfare system, and

WHEREAS, Many of these victims also have children to take care of, draining their resources even further, and

WHEREAS, In many cases the abuser continues to harass the victim, even after the victim has left the abusive situation, and

WHEREAS, This continued harassment can often take place at the victim's place of work, resulting in the victim's termination due to the situation, or the victim simply leaving the job in an attempt to flee from the abuser, and

WHEREAS, This same pattern of harassment often continues at the next place of work or training program the victim enters, resulting in further difficulty in the victim's effort to move from public assistance to work, and

WHEREAS, The victim of family violence may also have to make frequent court appearances, further hampering the ability of the victim to gain steady employment, and

WHEREAS, Due to the aforementioned circumstances, many victims of family violence may require an extended period of time on welfare, or may need to resume public assistance due to continued harassment by the abuser, court appearances, or other factors, and

WHEREAS, The five year lifetime limit on federal welfare benefits included in the federal welfare law is therefore a barrier to family violence victims' efforts to effectively move from the abusive relationship to independence, and

WHEREAS, This loss of a lifeline raises the very real possibility that the victim may be forced to go back to the abuser in order to provide for herself or her children, and

WHEREAS, To ensure that family violence victims do not end up in this situation, the federal Wellstone-Murray Amendment was enacted to allow states the option to exempt victims of family violence from the five year lifetime limit on welfare,

NOW, THEREFORE, BE IT

RESOLVED, That the Erie County Legislature does hereby reaffirm its support of the efforts of family violence victims to gain their safety and independence, and be it further

RESOLVED, That this Honorable Body does hereby memorialize the New York State Legislature and New York State Governor George Pataki to include all of the Wellstone-Murray Amendment's provisions from the Assembly proposal in the final state welfare plan in order to help ensure that victims of family violence encounter no barriers in their efforts to free themselves and their children from abusive situations, and be it further

RESOLVED, That certified copies of this resolution be forwarded to New York State Governor George Pataki and the Western New York delegation of the New York State Legislature.

Fiscal Impact: None for resolution.

(4-0)

RANDI COHEN KENNEDY
Chairperson

Ms. COHEN KENNEDY requested that Resolves Nos.2 & 3 be separated.

GRANTED.

Ms. COHEN KENNEDY moved the adoption of the balance of the report. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

Ms. COHEN KENNEDY offered an amendment to Resolve No. 2 of deleting "Marshall" and substituting with "Marinelli".

Ms. COHEN KENNEDY moved the adoption of Resolve No. 2 as amended. Ms. PEOPLES seconded.

CARRIED.

Legislators DeBenedetti and Marinelli in the negative.

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

Ms. COHEN KENNEDY moved the adoption of the Resolve No. 3 as amended. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

LEGISLATORS RESOLUTIONS

ITEM 19 - Mr. LARSON presented the following resolution and moved for immediate consideration. Mr. MARSHALL seconded.

Int. 9-1. From: Leg.Larson Re: Proposed Consolidation at Erie Community College

Chairman SWANICK directed that Int. 9-1 be referred to the COMMUNITY ENRICHMENT COMMITTEE.

Mr. LARSON moved to Challenge the Chair. Mr. MARSHALL 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. 9-1 was referred to the COMMUNITY
ENRICHMENT COMMITTEE.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 195 Re: Including School Board Representation
on the Erie County Industrial
Development Agency. (Int. 9-2)

WHEREAS, Industrial Development Agencies (IDAs) routinely use
incentives to attract business and industry to a region, and

WHEREAS, One such method commonly employed by the IDA is the
use of tax incentives or Abreaks@ to reduce the business- cost of
locating in the desired region, and

WHEREAS, The Erie County Industrial Development Agency (ECIDA)
does grant tax incentives to business and industry as a means of
securing their presence C as well as the jobs and related benefits
associated with new business C in Erie County, and

WHEREAS, The ECIDA is made up of such affected parties as the
county executive, mayor of Buffalo, supervisors of Amherst,
Tonawanda and Cheektowaga, chair of the Niagara Frontier
Transportation Authority and others, and

WHEREAS, Despite the fact that an estimated 50 to 60 percent
of the tax breaks issued by the ECIDA involve school taxes there is
currently no official school board representation on the ECIDA, and

WHEREAS, To rectify this situation, New York State
Assemblymember Paul Tokasz and New York State Senator Dale Volker
have introduced bills (A6795, S4217) in their respective houses of
the New York State Legislature which would amend Subdivision 1 of
section 891-a of the New York State general municipal law to add
the president of the Erie County Association of School Boards as a
voting member of the ECIDA, and

WHEREAS, ECIDA Executive Director Ronald Coan has conveyed the ECIDA's unanimous support for this amendment,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby state its support for the inclusion of the president of the Erie County Association of School Boards as a voting member of the Erie County Industrial Development Agency, and be it further

RESOLVED, that this Honorable Body does hereby memorialize the New York State Assembly to pass Assembly Bill A6795, the New York State Senate to pass Senate Bill S4217, and New York State Governor George Pataki to sign the aforementioned legislation into law to effectuate the addition of the president of the Erie County Association of Schools Boards as a voting member of the Erie County Industrial Development Agency, 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, Erie County Industrial Development Agency Executive Director Ronald Coan, and Erie County Association of Schools Boards President Edward Cavan.

Fiscal Impact: None for resolution.

CHARLES M. SWANICK

CRYSTAL D. PEOPLES

Ms. PEOPLES offered an amendment as follows:

DELETE ALL RESOLVED CLAUSES IN THEIR ENTIRETY AND REPLACE WITH THE FOLLOWING:

NOW, THEREFORE, BE IT RESOLVED, THAT A HOME RULE REQUEST IS MADE TO THE NEW YORK STATE LEGISLATURE AS FOLLOWS:

TO THE LEGISLATURE:

Pursuant to Article.IX of the Constitution, the County of Erie requests the enactment of Assembly Bill No. A6795, entitled "An act to amend the general municipal law, in relation to the membership of the Erie county industrial development agency"

It is hereby declared that a necessity exists for the enactment of such legislation, and te facts establishing such necessity are as follows:

The local government does not have the power to enact such legislation by local law.

Other facts as set forth in the following explanation establish such necessity.

Failure to include representation by the affected school districts on the ECIDA would result in the denial of school districts, who have a significant interest in the tax base which supports their schools, to participate in the decision making process that reduces this tax base.

Such request is made by the local legislative body of such local government, at least two-thirds of the local membership thereof having voted in favor of such request.

AND, BE IT FURTHER RESOLVED, that the Clerk of the Legislature be directed to forward copies of this home rule request, certified by the Clerk of the Erie County Legislature, two copies to the New York State Senate and two copies to the New York State Assembly.

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

CARRIED UNANIMOUSLY.

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

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

CARRIED UNANIMOUSLY.

ITEM 21 - Mr. OLMA presented the following resolution and moved for immediate consideration. Mr. HOLT seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 195 Re: Proclaiming Erie County a Union
County (Int. 9-3)

WHEREAS, A strong and vibrant labor movement is vital to the struggle for economic security and justice for all working families, as well as a safety net for those not working, and

WHEREAS, Unions have helped bring about such reforms as the 40 hour work week and have helped create and maintain the middle class, and

WHEREAS, Unions remain the most effective system available to address economic issues such as the growing wage gap between labor and management, and

WHEREAS, The higher the concentration of union organization in an area, the better the working conditions, benefits and wages for the working people of that area, and

WHEREAS, Erie County wishes to foster a positive pro-labor climate conducive to union organizing and growth within the private sector, public sector, and building trades,

NOW, THEREFORE, BE IT

RESOLVED, That the Erie County Legislature does wholeheartedly endorse and support an employee=s right to form, join, and/or assist the union of their choice, and does condemn all unfair labor practices and other similar violations of labor law perpetrated by employers against their employees, and be it further

RESOLVED, That this Honorable Body does therefore proclaim and designate Erie County, New York as a Union County, and be it further

RESOLVED, That this Honorable Body does hereby memorialize Erie County Executive Dennis Gorski to likewise make the aforementioned designation, and be it further

RESOLVED, That certified copies of this resolution be forwarded to Erie County executive Dennis Gorski and all local union leaders.

Fiscal Impact: None for resolution.

GREGORY B. OLMA

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

Mr. OLMA moved the adoption of the resolution as amended.
Mr. HOLT seconded.

CARRIED UNANIMOUSLY.

ITEM 22 -- Mr. PAULY presented the following resolution and requested it be referred to the FINANCE & MANAGEMENT COMMITTEE.

GRANTED.

Int. 9-4 From: Leg. Pauly Re: Finance Department/Bed Tax.

ITEM 23 - Ms. PEOPLES resented the following resolution and moved for immediate consideration. Mr. FITZPATRICK seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 196 Re: Requesting New York State to
Reimburse Counties 100 Percent of
Actual Costs for Parole Violation
Assigned Counsel (Int. 9-5)

WHEREAS, State parole violators are entitled to have counsel assigned to represent them in connection with parole hearings, and

WHEREAS, These parole violators are state prisoners and counsel are assigned by the state court system to represent them, yet the cost for this counsel is borne by the county, and

WHEREAS, At one time the State reimbursed the county for 100 percent of the fees paid to these assigned counsel, and

WHEREAS, The State has now shifted nearly 90 percent of this burden to the county, despite the fact that these parole violators are in no way a county responsibility,

NOW, THEREFORE, BE IT

RESOLVED, That the Erie County Legislature is wholly opposed to any and all unfunded state mandates which result in an increased fiscal burden to the residents of Erie County, and be it further

RESOLVED, That this Honorable Body does hereby call upon the New York State Legislature and New York State Governor George Pataki to enact legislation which would require the State to reimburse the county for the entire cost of assigning counsel to represent parole violators at their parole hearings, 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 Dutchess County (NY) Legislature, and the New York Association of Counties.

Fiscal Impact: Negative under current scenario.

EDWARD J. KUWIK CRYSTAL D. PEOPLES JOHN W. GREENAN
RANDI COHEN KENNEDY CHARLES M. SWANICK LYNN M. MARINELLI
RAYMOND K. DUSZA DALE W. LARSON

Chairman SWANICK directed that El al be added to the sponsorship.

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

CARRIED UNANIMOUSLY.

ITEM 24 - Mr. LARSON presented the following resolution and requested it be referred to the PUBLIC SAFETY COMMITTEE.

GRANTED.

Int. 9-6 From: Legs. Larson, Greenan, Chase, Marshall & Ranzenhofer
Re: 911 Staffing Shortages.

ITEM 25 - Ms. PEOPLES presented the following resolution and requested it be referred to the FINANCE & MANAGEMENT COMMITTEE.

GRANTED.

Int. 9-7 From: Legs. Swanick & Peoples Re: Support for Homeowners Insurance Protection Act.

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

GRANTED.

Int. 9-8 From: Leg. Marinelli Re: Support for State Assembly's "Real Jobs for New Yorkers" Plan.

ITEM 27 - Ms. PEOPLES presented the following resolution and moved for immediate consideration. Ms. COHEN KENNEDY seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 198 Re: Transfer of Legislative Contingency
Funds for Juvenile Youth Curfew
Project (Int. 9-9)

WHEREAS, In 1993 the City of Buffalo enacted, and in 1996 renewed a youth curfew law that stipulated that children 16 years of age or under unaccompanied by a parent or guardian must be indoors and off city streets from 11 p.m. to 5 a.m., except on Friday and Saturday when the hours are midnight to 5 a.m., and

WHEREAS, One component of this statute stipulates that the city police must transport curfew violators to their residences or another facility, and

WHEREAS, The Erie County Department of Social Services currently contracts with Child and Family Services for the provision of after hours (weekdays after 5 p.m., and on weekends and holidays) emergency child protective services relating to the investigation of reports of child abuse and neglect, and

WHEREAS, Child and Family Services is an incorporated Society for the Prevention of Cruelty to Children, and is the only agency C with the exception of Erie County DSS C authorized to provide child protective services in Erie County, and

WHEREAS, In 1996 the Erie County Legislature set aside funding for the establishment of a Juvenile Youth Curfew Project, with the assistance of Child and Family Services, where the agency=s existing contract with the county was expanded to include youth who are detained by the police for curfew violations in the county's AFTER Hours@ child protective services network, and

WHEREAS, The amendment to the Child and family Services contract primarily involved the addition of on-site staffing at the police facility from 11 p.m. to 7 a.m. for assessment, counseling, family intervention, after hours foster care placement, and services linkage to address the problems that cause curfew violations, with the majority of these services directed at habitual violators, and

WHEREAS, All parties involved agree that this system is of great benefit to the youth involved, as well as to the police and agencies involved, and

WHEREAS, Over the past several years the Erie County Legislature has set aside funds within its budget to assist in the reduction of crime and crime related activities within the three cities in Erie County, and

WHEREAS, The Legislature may utilize these funds for the purpose of continuing the aforementioned contract,

NOW, THEREFORE, BE IT

RESOLVED, That the Erie County Legislature does hereby renew its commitment to the Juvenile Youth Curfew Project, recognizing the many successes of the program in the time of its existence and its desire to expand to provide additional services and to serve even more at risk youth, and be it further

RESOLVED, that the purpose of providing service to the Juvenile Youth Curfew Project, this Honorable Body does hereby amend the contract with Child and Family Services for the period January 1, 1997 to December 31, 1997 by transferring \$40,000 from the 1997 legislative contingency - Fund 02, Department 01, Object 027 - Contingencies to the Department of Social Services, Department 69, Fund 69 - Object 043 - Contractual Agencies & service Charges - Child & Family Services (IFMIS Object 043; SFG Account 830), and be it further

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

RESOLVED, That certified copies of this resolution be forwarded to County Executive Dennis Gorski, Budget Director Kenneth Kruly, First Assistant County Attorney Alan Gerstman, Social Services Commissioner Deborah Merrified, and Buffalo Police Commissioner R. Gil Kerlikowske.

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 ALBERT DEBENEDETTI RAYMOND K. DUSZA
LYNN M. MARINELLI RANDI COHEN KENNEDY

Ms. PEOPLES offered an amendment as follows:

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

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$40,000 from the legislative contingency (Countywide Contingency DAC: 110923310893) to Fund 120, Project 953, Department 200, Object 830, Sub Object 199-Contractual Agencies (DAC:120953200830199), to amend the county's contract with Child and Family Services for the period January 1, 1997 - December 31, 1997 for the purposes of providing services to the Juvenile Youth Curfew Project, and be it further

ADD the following after the third RESOLVE clause:

RESOLVED, that the Clerk of the Legislature, Director of Division of Budget, Management, and Finance, and the Commissioner of the Department of Social Services are hereby authorized to complete and all paperwork necessary to effectuate this transfer of funds, and be it further

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

CARRIED UNANIMOUSLY.

Chairman SWANICK directed that the name of Legislator Marinelli be removed from resolution as co-sponsor.

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 199 Re: Urging Congressional Action to
Preserve Medicare's Hospital Trust
Fund Through 2008 (Int. 9-10)

WHEREAS, Medicare is a federal health insurance program for people aged 65 and over, the disable, and people with kidney failure, and

WHEREAS, Medicare is divided into two parts, Hospital Insurance (Part A), which helps pay for care in a hospital, a skilled nursing facility, or in home health and hospice care, and Medical Insurance (Part B), which helps pay doctor's bills, outpatient hospital care, and various other services, and

WHEREAS, Medicare is an essential program in that the elderly and disabled, many of whom are on fixed or limited incomes, and who very often can not afford to pay for these required services, and

WHEREAS, A report issued by the Social Security and Medicare system's Boards of Trustees on April 28, 1997 asserts that Medicare's hospital trust fund will run out of money in the latter part of 2001, and

WHEREAS, Despite the fact that this projection is no different than that in the previous year's report, there have been no significant reforms to deal with rising costs, making the outlook for the future of Medicare even more dire, and

WHEREAS, President Clinton has indicated that he will not accept a budget agreement with the United States Congress unless it provides Medicare savings that extend the life of the hospital trust fund until 2008, and

WHEREAS, There is ample reason to believe that Medicare cannot be preserved without cutting capital gains and estate taxes, which some members of the United States Congress have proposed, and

WHEREAS, While it is often beneficial to cut taxes, some programs such as Medicare which require federal funding are essential for the health and welfare of the citizens of the United States and must be preserved, and

WHEREAS, Since this program is so essential, states and counties, including Erie County, would have to increase taxes and cut equally vital programs if federal funds run out in order to provide the services currently provided by Medicare, a burden they could not possibly cope with, or deprive individuals of the assistance they so desperately need,

NOW, THEREFORE, BE IT

RESOLVED, That the Erie County Legislature does hereby memorialize the United States Congress to provide funding for Medicare in an amount necessary to preserve this most essential program's hospital trust fund through 2008, thereby ensuring that those elderly or disabled persons who rely on Medicare coverage will be assured of receiving the services they so urgently require for another seven years, and be it further

RESOLVED, that certified copies of this resolution be sent to United States Senators Alfonse M. D'Amato and Daniel Patrick Moynihan, Members of the United States House of Representatives Jack Quinn, John LaFalce and Bill Paxon, and President Bill Clinton.

Fiscal Impact: Potentially positive for Erie County and New York State.

CHARLES M. SWANICK

CRYSTAL D. PEOPLES

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

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 199 Re: Providing Cultural Events for
Summertime Recreation (Int. 9-11)

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, in years past, the County of Erie has provided a small amount of funding to offset to costs of summertime entertainment at the Tonawandas= annual Canal Fest, and

WHEREAS, in 1997, these funds will offset the costs of performances at Canal Fest by the Buffalo Philharmonic Orchestra and Spirit of Youth, 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 \$ 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>
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 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, Budget Analyst Jackie Mullen, and to Mike Addy of Canal Fest of the Tonawandas, Inc.

Fiscal Impact: Appropriation of 1997 budgeted funds.

CHARLES M. SWANICK

Ms. PEOPLES offered an amendment as follows:

DELETE all RESOLVE clauses in their entirety and replace with the following:

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$19,000 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>
Canal Fest of the Tonawandas		
Town Boys & Girls Clubs	n/a	\$ 4,000
	n/a	15,000
TOTAL		\$ 19,000

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, Budget Analyst Jackie Mullen, Mike Addy of Canal Fest of the Tonawandas, Inc., and to Bill Gallagher of the Town Boys & Girls Clubs, 54 Riverdale Ave., Tonawanda, NY 14207.

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 201 Re: Programmatic Initiatives in the
Village of Sloan & Town of
Cheektowaga (Int. 9-12)

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

May 1, 1997ERIE COUNTY LEGISLATURE

RESOLVED, that the Erie County Legislature does hereby approve the transfer of \$12,600 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>
Village of Sloan B Seniors & Recreation	n/a	\$ 2,000
Sloan Active Hose Co., No. 1	n/a	\$ 1,600
Cheektowaga Neigh. Wellness Prog.	n/a	\$ 5,000
Cheektowaga Justice Court	n/a	\$ 3,000
Cheektowaga Chamber of Commerce		
ASister City@ Program	n/a	\$ 1,000
TOTAL		\$12,600

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, Budget Analyst Jackie Mullen, and to Village of Sloan Mayor Kenneth Pokorski, 425 Reiman St., Sloan, NY 14212; Chief Kevin Jayczowski, of the Sloan Active Hose Company, 55 Gates Ave., Sloan, NY 14212; Ron Marten, Building Inspector, Town of Cheektowaga Wellness Program Cheektowaga Town Hall, Broadway & Union Road, Cheektowaga, NY 14227; Cheektowaga Town Justice Ronald Kmietek, Cheektowaga Town Hall, Broadway & Union Road, Cheektowaga, NY 14227; and to Bill Scarafia, Cheektowaga Chamber of Commerce, Appletree Mall, Cheektowaga, NY 14227.

Fiscal Impact: Appropriation of 1997 budgeted funds.

GREGORY B. OLMA

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

CARRIED UNANIMOUSLY.

ITEM 31 - Ms. MARINELLI presented the following resolution and moved for immediate consideration. Ms. COHEN KENNEDY seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 201 Re: Improvements for Ellicott Creek
Island & Ellicott Creek Parks
(Int. 9-13)

WHEREAS, the Erie County Department of Parks, Recreation, and Forestry is responsible for the maintenance of Ellicott Island Park and Ellicott Creek Park in the town of Tonawanda, and

WHEREAS, the parks= AOld Erie Canal@ section is overgrown with weeds and in need of heightened maintenance efforts, and

WHEREAS, the Ellicott Creek Park Senior Citizens= Center building located at the park, a structure that provides considerable benefit to the surrounding community, is in need of significant repair as well, and

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

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 \$25,600 from the legislative contingency (Countywide Contingency DAC: 110923310893) to Fund 110, Project 942, Department 640 B Parks, Recreation, & Forestry B Division of Parks, Repairs & Maintenance, (DAC: 110942640914823), for the purposes of removing weeds and other growth from the AOld Erie Canal@ Section of Ellicott Creek Island and Ellicott Creek Parks, and for repair and maintenance of the Senior Center located at Ellicott Creek Park, and be it further

RESOLVED, that the Clerk of the Legislature, the Director of the Division of Budget, Management, and Finance, and the Commissioner or the Department of Parks, Recreation, and Forestry, are hereby authorized to complete any and all paperwork necessary to effectuate the transfer of these funds, and be it further

RESOLVED, that certified copies of this resolution be sent to County Executive Dennis Gorski, Budget Director Kenneth C. Kruly, Parks, Recreation, and Forestry Commissioner James Jankowiak, First Assistant County Attorney Alan Gerstman, and to Budget Analyst Jackie Mullen.

Fiscal Impact: Appropriation of 1997 budgeted funds.

LYNN M. MARINELLI

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

CARRIED UNANIMOUSLY.

ITEM 32 - Mr. MARSHALL presented the following resolution and moved for immediate consideration. Mr. GREENAN seconded.

Int. 9-14 From: Legs. Marshall, Chase, Greenan, Larson & Ranzenhofer Re: Request for Information on Buffalo Bills Lease.

Chairman SWANICK directed that Int. 9-14 be referred to the FINANCE & MANAGEMENT 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. 9-14 was referred to the FINANCE AND MANAGEMENT COMMITTEE.

ITEM 33 - Ms. PEOPLES presented the following resolution and moved for immediate consideration. Mr. HOLT seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 202 RE: Adjournment on Memory of William L. Gaiter (Int. 9-15)

WHEREAS, On Sunday, April 20, the City of Buffalo lost a soldier in the war on equality and all fairness, when one William Gaiter, standing in the midst of worship with family, friends and community, answered the call from his master and went home, and

WHEREAS, Under the courageous leadership of William L. Gaiter, the B.U.I.L.D. Organization righted many wrongs and won many victories for Buffalo's African Americans; the Halfway House gave refuge to drug addicts, B.U.I.L.D. Academy was a victory in education, the STAR Program cultivated our youth, the Trade Unions Leadership Council (TULC) opened doors closed to African Americans for training and job opportunities, and Juneteenth remains an annual celebration of our freedom to this day, his fundraising efforts for Cradle Beach will never be forgotten, and

WHEREAS, William L. Gaiter furthered minority business opportunities and monitored county hiring practices as the Erie County Equal Opportunity Coordinator and under his beloved I.P.E. he implemented the Micro Business Program, which gave technical support to community groups and established the Western NY Council for African Relief who adopted the underdeveloped African village of Malika, and

WHEREAS, The life of William L. Gaiter epitomized the meaning of a strong Black man, and memories of him boldly standing in the line of fire ensure his living was not in vain, thus as his Master reads the last page of his life book, he is paid his final earthly compliment, "Well done my good and faithful servant, well done,"

NOW, THEREFORE, BE IT

RESOLVED, That the Erie County Legislature does hereby honor and memorialize William L. Gaiter for his unequivocal leadership, his diligent work to implore healing and justice in the midst of his torn community, and his thankworthy contributions as a father, a son, a husband, a family member and an outstanding servant to his people, and be it further

RESOLVED, That this Honorable Body finds it altogether fitting and proper that the May 1st, 1997 session be adjourned in memory of one of Buffalo's finest ambassadors, the late William Gaiter, and be it further

RESOLVED, That this Honorable Body does hereby extend its sincerest sympathy to the Gaiter family on their great loss.

Fiscal Impact: None

CRYSTAL S. PEOPLES

GEORGE A. HOLT, Jr.

Chairman SWANICK directed that El al be added to the sponsorship.

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

CARRIED UNANIMOUSLY.

ITEM 34 -- Ms. PEOPLES presented the following resolution and requested it be referred to the HEALTH COMMITTEE.

GRANTED.

Int. 9-16 From: Leg. PEOPLES Re: protecting New York's Medicaid Managed Care Program

ITEM 35 -- Ms. PEOPLES presented the following resolution and moved for immediate consideration. Mr. KUWIK seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 203 RE: Advancing Consolidation
(Int. 9-17)

WHEREAS, the County Municipal Consolidation Committee (hereinafter referred to as "the Committee") was established by the County Legislature for the purposes of exploring consolidation and services sharing opportunities between Erie County and the City of Buffalo, and

WHEREAS, a sub-committee consisting of representatives from the Cities of Tonawanda and Lackawanna was also established to address consolidation and service sharing opportunities between Erie County and those respective cities, and

WHEREAS, the committee, consisting of 21 members representing County, City and several other constituencies, met approximately eight (8) times over the past several weeks and issued its report on April 16, 1997, and

WHEREAS, The committee's recommendations focus on four major areas of consolidation and/or service sharing including roads, blight removal, youth services, as well as a recommendation to further study the issue of parks consolidation, and

WHEREAS, The Committee's report outlining the specific provisions of each recommendation has been filed with this Honorable Body and is available for the Legislature's review and consideration, and

NOW, THEREFORE, BE IT

RESOLVED, That the Erie County Legislature does hereby commend Chairman David P. Rutecki and the members of the County Municipal Consolidation Committee for their work over the past several months in developing the committee report, and be it further

RESOLVED, That said report now provide a framework for negotiations from which an implementation plan can be developed between the County of Erie and City of Buffalo, and be it further

RESOLVED, That the Erie County Legislature does hereby designate County Environment and Planning Commissioner Richard M. Tobe and Legislature Majority Chief of Staff Brian M. Higgins to represent Erie County in said negotiations, and be it further

RESOLVED, that certified copies of this resolution be forwarded to County Executive Dennis T. Gorski, Buffalo Mayor Anthony M. Masiello and the Honorable Members of the Buffalo City Council.

Fiscal Impact: To Be Determined.

CHARLES M. SWANICK

CRYSTAL D. PEOPLES

Chairman SWANICK directed that Legislators Cohen Kennedy, DeBenedetti, Dusza, Fisher, Fitzpatrick, Holt, Kuwik, Marinelli, and Olma be added to the resolution as co-sponsors.

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

Chairman SWANICK directed a Roll Call be taken.

Ayes - Pauly, DeBenedetti, Dusza, Fisher, Fitzpatrick, Holt, Cohen Kennedy, Kuwik, Marinelli, Olma, Peoples, Swanick - 12. Noes - Chase, Greenan, Larson Marshall, Ranzenhofer - 5.

CARRIED.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO 204 RE: Consolidation of Water Services
(Int. 9-18)

WHEREAS, Western New York and the Niagara Frontier are the beneficiaries of abundant Lake Erie source water, and

WHEREAS, The stewards of this water have an obligation not to squander this supply of fresh water, and

WHEREAS, The Erie County Water Authority (ECWA) was chartered as a independent public authority by Erie County and given the mandate to provide the region with a supply of clean and inexpensive drinking water, and

WHEREAS, The ECWA has established itself as the largest and most cost-effective provider of water in the region, serving over 500,000 residents and businesses, and

WHEREAS, Erie County is served by four water production plants C two of which are operated by the ECWA C which have room under capacity to serve additional residents, and

WHEREAS, The ECWA has over a half-billion dollars invested in facilities and infrastructure and is well ahead of environmental and health department standards and regulations governing safe drinking water, and

WHEREAS, The City of Buffalo does not currently work in partnership with the ECWA, yet is attempting to make its water services more effective and cost efficient, and

WHEREAS, Buffalo's current plan to privatize water services does nothing to address the infrastructure problems that are or will be plaguing the city, which squander water resources through large scale loss of water through leaks,

NOW, THEREFORE, BE IT

RESOLVED, That the Erie County Legislature does hereby reaffirm its commitment to providing the most effective, cost efficient services to all our residents, while at the same time acting a responsible stewards for the precious natural resource of Lake Erie, and be it further

RESOLVED, That for the aforementioned reasons and in the continuing effort for consolidation, this Honorable Body does hereby wish to explore all reasonable efforts to promote a more coherent regional approach to the supply of safe drinking water to the residents of Western New York, and be it further

RESOLVED, That this Honorable Body does hereby request that representatives from the Erie County Water Authority, the City of Buffalo Water Board, all unions representing workers at the city and county=s water service facilities, the City of Buffalo administration and Common Council appear at a future meeting of the Legislature's Energy and Environment Committee to begin the development of a comprehensive policy document and plans for integration of water supply in a manner consistent with realizing economies and efficiencies, and be it further

RESOLVED, That such a plan provide a wide range of alternatives consistent with good management practices, including the study of consolidation of water production facilities in the region, and that such a plan provide consideration of costs and benefits associated with any recommendations made therein, as well as analysis of public financing costs required for maintenance of the water supply infrastructure, and be it further

RESOLVED, That certified copies of this resolution be forwarded to Erie County Water Authority Commissioner George Hasiotis, the City of Buffalo Water Board, the aforementioned union locals, Buffalo Mayor Anthony Masiello, and Common Council President James Pitts.

Fiscal Impact: To be determined.

GREGORY B. OLMA

Chairman SWANICK directed that Legislators Fisher, Holt, Peoples, Kuwik, Fitzpatrick & DeBenedetti be added as co-sponsors.

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 205 RE: Personnel Adjustments - Erie County Legislature (Int. 9-19)

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

WHEREAS, the Legislature has a position titled EXEC ASST LEG [JG 14, Step 5] which has been vacant since January 1, 1997, 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 position of EXEC ASST LEG [JG 14, Step 5], position # 001024, effective January 1, 1997, for an annual savings of \$57,493.00, and be it further

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RESOLVED, that the Legislature does hereby create three (3) positions of SEC ASST LEG [JG 05 - NEW], effective April 28, 1997, and be it further

RESOLVED, that a variable minimum hiring rate of JG 05, Step 2 be established for each of these three (3) NEW positions at a total cost of \$45,668.00 for the remainder of fiscal year 1997, and be it further

RESOLVED, that a savings of \$11,825.00 is hereby realized as a result of these personnel adjustments, and be it further

RESOLVED, that the Erie County Legislature does hereby transfer the savings of \$11,825.00 from the Legislature=s PERSONAL SERVICES [DAC 110905100800] to the Legislature=s OTHER EXPENSES [DAC 110905100826], 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, 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.

CHARLES M. SWANICK

CRYSTAL D. PEOPLES

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 206 RE: Release of Funds From Legislative Contingency (Int. 9-20)

RESOLVED, that 500 part-time (P.T.) hours at \$10.60 per hour are hereby added to position # 001768 [CLERK TYP (LEG) PT], at a cost of \$5,300.00, effective April 1, 1997, and be it further

RESOLVED, that 260 part-time (P.T.) hours at \$10.60 per hour are hereby added to position # 001726 [CLERK TYP (LEG) PT], at a cost of \$2,756.00, effective April 1, 1997, and be it further

RESOLVED, that the Legislature does hereby approve the transfer of \$8,056.00 from the 1997 Legislative Contingency [Countywide Contingency DAC 110923310893] to the Legislature=s 1997 Personal Services [DAC 110905100800], and be it further

RESOLVED, that the Clerk of the Legislature, the Department of Personnel and the Division of Budget, Management & Finance are hereby authorized to complete all necessary paperwork to effectuate these personnel changes which are effective April 1, 1997, and be it further

RESOLVED, that certified copies of this resolution be sent to the Commissioner of Personnel, the Director of Budget, Management & Finance and to Alan Gerstman, First Assistant County Attorney.

FISCAL IMPACT: None.

MICHAEL A. FITZPATRICK

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

CARRIED UNANIMOUSLY.

ITEM 39 -- Mr. MARSHALL presented the following resolution and moved for immediate consideration. Mr. GREENAN seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 207 RE: Personnel Adjustment - Erie County Legislature (Int. 9-21)

WHEREAS, the Erie County Legislature has departmental positions titled CLERK TYP (LEG) PT and CLK TYP (RPT) LEG, 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 608 part-time (P.T.) hours at \$10.60 per hour from position # 001728 [CLERK TYP (LEG) PT], for a savings of \$6,445.00, effective May 12, 1997, and be it further

RESOLVED, that the Erie County Legislature does hereby approve the deletion of 608 part-time (P.T.) hours at \$10.60 per hour from position # 001730 [CLERK TYP (LEG) PT], for a savings of \$6,445.00, effective May 12, 1997, and be it further

RESOLVED, that the deletion of these two (2) part-time positions results in a total savings of \$12,890.00 and be it further

RESOLVED, that the Legislature does hereby create one (1) position of CLK TYP (RPT) LEG [960 R.P.T. hours at \$10.60 per hour B NEW POSITION], effective May 12, 1997, for a total cost, including fringe benefits, of \$12,720.00, and be it further

RESOLVED, a variable minimum hiring rate of JG 01, Step 5 be established for this new position of CLK TYP (RPT) LEG, 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 which are effective May 12, 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.

FREDERICK J. MARSHALL

Mr. MARSHALL moved the adoption. Mr. GREENAN seconded.

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

RESOLUTION NO. 209 RE: Personnel Adjustment - Erie
County Legislature (Int. 9-22)

WHEREAS, the Erie County Legislature has departmental positions titled SR CLK TYP LEG R.P.T.; CLERK TYP (LEG) P.T., and SEC ASST LEG DISTRICT OFFICE, 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 1,326 regular part-time (R.P.T.) hours at \$11.78 per hour from position # 001361 [SR CLK TYP LEG R.P.T.], effective April 28, 1997, for a savings, including fringe benefits, of \$19,525.00, and be it further

RESOLVED, that the Legislature further deletes 166 part-time (P.T.) hours at \$10.60 per hour from position # 001775 [CLERK TYP (LEG) PT], effective April 28, 1997, for a savings of \$1,760.00, and be it further

RESOLVED, that the Legislature does hereby create one (1) position of SEC ASST LEG DISTRICT OFFICE [Job Group 5 - NEW POSITION], effective April 28, 1997, and be it further

RESOLVED, that a variable minimum hiring rate of JG 05, Step 5 be established for this position of SEC ASST LEG DISTRICT OFFICE for a total cost, including fringe benefits, of \$21,284.00 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 which are effective April 28, 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.

CHARLES M. SWANICK

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

CARRIED UNANIMOUSLY.

ITEM 41 - Ms. PEOPLES presented the following resolution and moved for immediate consideration. Mr. HOLT seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 210 RE: Eden Valley, Eden-Boston & Eden-Langford Agricultural Districts - 8-Year Review (Int. 9-23)

RESOLVED, that the Clerk of the Legislature is directed to hold a Public Hearing on May 27, 1997, at 7:30 p.m. at the Eden Jr. and Sr. High School, 3150 Schoolview Road (off Rte. 62), Eden, New York, concerning the 8-year review of three (3) Eden Agricultural Districts, and be it further

RESOLVED, that the Clerk of the Legislature is hereby directed to publish said Notice of Public Hearing in the newspapers having general circulation within these three (3) agricultural districts, to so notify the affected municipalities and the property owners within the agricultural districts including any proposed areas of modification (additions/deletions).

FISCAL IMPACT: None for resolution.

CHARLES M. SWANICK	CRYSTAL D. PEOPLES	EDWARD J. KUWIK
MICHAEL A. FITZPATRICK	GEORGE A. HOLT, Jr.	JUDITH P. FISHER
GREGORY B. OLMA	ALBERT DEBENEDETTI	RAYMOND K. DUSZA
LYNN MARINELLI	RANDI COHEN KENNEDY	FREDERICK J. MARSHALL
JEANNE Z. CHASE	JOHN W. GREENAN	DALE W. LARSON
WILLIAM A. PAULY	MICHAEL H. RANZENHOFER	

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

CARRIED UNANIMOUSLY.

COMMUNICATIONS DISCHARGED FORM COMMITTEE;

ITEM 42 - Mr. OLMA moved to discharge the ENERGY & ENVIRONMENT COMMITTEE from further consideration of Comm. 3E-25. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 211 RE: Bid Opening - Erie County Sewer District No. 4; Contract Nos. EC-6A, EC-6B, EC-6C, EC-6D

WHEREAS, the Erie County Department of Environment and Planning has received the following bids for the Erie County Sewer District No. 4 Depew Pumping Station Project on March 6, 1997.

<u>Contract</u>	<u>Low Bidder</u>	<u>Amount</u>
Contract EC-6A General/Mechanical	Granville Constructors, Inc. Suite 108 Phoenix, AX, 85016	\$5,260,000.00
Contract EC-6B HVAC	Buffalo Sheet Metals, Inc. 303 Central Ave. Buffalo, NY 14206	\$ 130,000.00
Contract EC-6C Plumbing	M.K.S. Plumbing Corp. 19 Ransier Drive West Seneca, NY 14224	\$ 40,183.00
Contract EC-6D Electrical	CIR Electrical Const. Corp. 1067 Harlem Road Buffalo, NY 14227	\$ 455,200.00

WHEREAS, these bidders have been recognized as successfully performing similar work,

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be, and hereby is, authorized to execute the contracts with the aforementioned respective bidders subject to approval as to form by the County Attorney and certification of availability of funds from the Project Fund balance or an authorized advance from the General Fund by the Comptroller's Office, and be further

RESOLVED, that the Erie County Comptroller be authorized and directed to transfer \$5,885,383.00 from Sewer Capital, Erie County Sewer District No. 4, Fund No, 430, Project No. 535, Department 810, Project 891 Unallocated, to Object 973, Sewer Construction Expenditures, Subobject 200 General Construction Contracts, and be 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 certified copy to the Erie County Comptroller's Office and to Richard J. Schechter, Assistant County Attorney.

Mr. OLMA offered an amendment as follows:

ADD the following as the second to last RESOLVE clause to read as follows:

RESOLVED, That said authorization is conditioned on the requirement that any and all contractors use responsible sub-contractors in the performances of said contracts, and

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

CARRIED UNANIMOUSLY.

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

CARRIED UNANIMOUSLY.

ITEM 43 - Mr. HOLT moved to discharge the SOCIAL SERVICES COMMITTEE from further consideration of Int. 4-3. Ms. PEOPLES seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 212 RE: Directing Social Services Officials
to Inform Landlords When Rental
Assistance Clients Change the Status
of Their Rent Checks (Int. 4-3)

WHEREAS, many recipients of public assistance receive separate checks earmarked toward the payment of rent of an apartment, house, or other form of shelter, and

WHEREAS, in each such case, the choice of the type of check to be received for this purpose belongs to the recipient, who may choose to have only his or her name on the check, or who may choose a two-party check, with their name and the landlord's name as bearers, and

WHEREAS, in some cases, agreements are reached between tenant and landlord, as a condition of rental, that two-party checks will be received, and

WHEREAS, in some cases, recipients agree to a two-party check status, and thereafter change that status to a one-party status, without the knowledge or consent of the landlord, and

WHEREAS, while state law currently leaves the decision as to check status with the recipient, landlords often are unaware of any change in status until rent goes unpaid, and

WHEREAS, the Legislature may wish to direct the Department of Social Services to institute a policy whereby landlords are notified by DSS of any change in check status ordered by the recipient, simply as a means of informing them of this changed status,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby direct the Commissioner of the Department of Social Services to draft and implement a policy of notification of any change in check status to landlords currently enrolled with recipient tenants for two-party rental assistance checks, and be it further

RESOLVED, that this Honorable Body does hereby direct the Commissioner to submit a copy of this directive to the Clerk of the Legislature for reference to the Legislature's Social Services Committee, and to do so immediately upon its completion, but in no case later than March 31, 1997 and be it further

RESOLVED, that certified copies of this resolution be sent to County Executive Dennis Gorski and to Erie County Social Services Commissioner Deborah Merrifield.

Fiscal Impact: None for Resolution.

JUDITH P. FISHER

Mr. HOLT offered an amendment as follows:

In the 2nd RESOLVE clause delete "March 31, 1997" and replace with "September 30, 1997".

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

CARRIED UNANIMOUSLY.

Chairman SWANICK directed that El al be added to the sponsorship.

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

CARRIED UNANIMOUSLY.

ITEM 44 - Mr. HOLT moved to discharge the SOCIAL SERVICES COMMITTEE from further consideration of Comm. 6E-35. Mr. KUWIK seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 213 RE: Department of Youth Services
Authorization to Contract -
Delinquency Prevention Programs

WHEREAS, the New York State Division for Youth has \$3,200 in additional state aid eligibility that requires no additional county matching funds, and

WHEREAS, the New York State Division for Youth has specifically designated \$3,200 for the Franciscan Center Emergency Shelter,

NOW, THEREFORE, BE IT

RESOLVED, that \$3,200 is hereby appropriated to Account 830, Contractual Agencies in the Department of Youth Services-Youth Division's 1997 regular operating budget, to cover the cost of contracting with the above listed agency, and be it further

RESOLVED, that the source of funds is \$3,200 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 these services must be specifically provided by the Franciscan Center, and the Erie County Youth Board has reviewed and approved the aforementioned agency and program proposal, and be it further

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

Mr. HOLT moved the adoption of the resolution as amended. Mr. KUWIK seconded.

CARRIED UNANIMOUSLY.

SUSPENSION OF THE RULES

ITEM 45 - Mr. OLMA moved for a suspension of the rules to include an item not on the agenda.

GRANTED.

Comm. 9M-22. From: Erie County Water Authority. Re: Kenmore Avenue

Chairman SWANICK directed that Comm. 9M-22 be referred to the ENERGY & ENVIRONMENT COMMITTEE.

ITEM 46 - Ms. COHEN KENNEDY moved for a suspension of the rules to include an item not on the agenda.

GRANTED.

Comm. 9M-23. From: ECC Board of Trustees. Re: Collection Of Bad Debts.

Chairman SWANICK directed that Comm. 9M-23 be referred to the COMMUNITY ENRICHMENT COMMITTEE.

ITEM 47 - Ms. COHEN KENNEDY moved for a suspension of the rules to include an item not on the agenda. Ms. PEOPLES seconded.

Int. 9-24 From: Randi Cohen Kennedy Re: Erie Community College-Collection of Bad Debts.

Legislators Larson objected.

Chairman SWANICK directed that Int. 9-24 be referred to the COMMUNITY ENRICHMENT COMMITTEE.

COMMUNICATIONS FROM ELECTED OFFICIALS

FROM COMPTROLLER

ITEM 48 - Comm. 9E-1) Audited Financial Statements for ECMC and Erie County Home for Fiscal Year Ended. (12/31/97)

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE COUNTY EXECUTIVE

ITEM 49 - (Comm. 9E-2) Position Change Report PP# 9/97.

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM LEGISLATOR MARSHALL

ITEM 50 - (Comm. 9E-3) Letter to Chairman Swanick Re: Republican Appointment to Erie County Commission on the Status of Women.

RECEIVED & FILED.

FROM LEGISLATOR MARINELLI

ITEM 51 - (Comm. 9E-4) Copy of Letter to Executive Director of Commission on the Status of Women Re: Support for the Council's Initiatives.

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM THE SHERIFF

ITEM 52 - (Comm. 9E-5) Copy of Letter to County Executive Re: Staffing Situation at the 911 Communications Center.

Received and referred to the PUBLIC SAFETY COMMITTEE.

ITEM 53 - (Comm. 9E-6) Response to Audit - Federal Equitable Sharing Funds.

FROM THE COUNTY EXECUTIVE

ITEM 54 - (Comm. 9E-7) Ciminelli Construction Co., Inc. vs. County of Erie, NY vs. Cannon Design, Inc.

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

ITEM 55 - (Comm. 9E-8) Senior Services - Revision of 1996 Grant Budgets.

Received and referred to the SOCIAL SERVICES COMMITTEE.

ITEM 56 - (Comm. 9E-9) Request for Legislative Action to Inc. Approp. To Restoration Society by \$151,267 in 100% NYS Mental Health Reinvestment Dollars.

ITEM 57 - (Comm. 9E-10) Request for Legislative Action to Inc. Approp. To WNY Independent Living Project by \$105,000 in 100% New York State Mental Health Reinvestment Dollars.

ITEM 58 - (Comm. 9E-11) Request for Legislative Action to Inc. Approp. To Transitional Services by \$53,784 in 100% New York State Mental Health Reinvestment Dollars.

The above three items were received and referred to the HEALTH/MENTAL HEALTH COMMITTEE.

ITEM 59 - (Comm. 9E-12) ECSD No. 3 - National Fuel Gas Distribution Corp. - Easement Request.

ITEM 60 - (Comm. 9E-13) Erie County Riverwalk, Niawanda Park Section - Land Control Agreement.

ITEM 61 - (Comm. 9E-14) ECSD No. 6 - Malcolm Pirnie, Inc. - Change Order No. 3.

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

ITEM 62 - (Comm. 9E-15) Appointments and Reappointments to Erie County Cultural Resources of Advisory Board.

RECEIVE, FILE & PRINT.

Honorable Members:

Pursuant to Article III, Section 302(f) of the Erie County Charter and Article 19, Section 19.01 of the Erie County Administrative Code, I am appointing five new members and reappointing nine members to the Erie County Cultural Resources Advisory Board for terms noted below. These members will serve in addition to the current eleven members of the Board who have membership terms that expire as of December 31, 1997.

I have appointed Kerry S. Grant to succeed Mark E. Hamister as Chair of the Cultural Board and Cynthia Baird Stark has been appointed First Vice Chair to succeed Seymour H. Knox IV.

<u>Appointments</u>	<u>Term Expires</u>
BRIAN P. BRADY, AIA WENDEL 95 MUIR DRIVE, SUITE 100 BUFFALO, NY 14228	December 31, 1998
Bert C. Grobe 177 Wardman Road Kenmore, NY 14217	December 31, 1998
Michael Joseph Clove Management 1430 Millersport Highway Williamsville, NY 14221	December 31, 1998
James W. Smyton Phillips Lytle 3400 Marine Midland Center Buffalo, NY 14203	December 31, 1998
Cynthia Baird Stark 238 Summit Avenue Buffalo, NY 14214	December 31, 1998
John Sullivan 156 Euclid Avenue Kenmore, NY 14217	December 31, 1998

I believe the interests and concerns of both Erie County and our cultural organizations are well swerved by these new and reappointed members.

Very Truly yours,
DENNIS T. GORSKI
County Executive

RECEIVED, FILED, & PRINTED.

FROM THE COUNTY EXECUTIVE

ITEM 63 - (Comm. 9E-16) Affiliate Data Center Contract

Received and referred to the ENERGY AND ENVIRONMENT COMMITTEE.

ITEM 64 - (Comm. 9E-17) Transfer of Funds - Health Department
Received and referred to the HEALTH COMMITTEE.

ITEM 65 - (Comm. 9E-18) Social Services - Home Care Projects
Initiative.

Received and referred to the SOCIAL SERVICES COMMITTEE.

FROM THE COMPTROLLER

ITEM 66 - (Comm. 9E-19) Bond Resolution - \$1,866,000 for Partial
Reconstruction of ECMC to Provide New Critical Care Facilities.

ITEM 67 - (Comm. 9E-20) Bond Resolution - \$2,217,000 - Authorizing
Preparation of Surveys, Preliminary and Detailed Plans, Specs and
Estimates - EC Court Fac.

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

COMMUNICATIONS FROM THE DEPARTMENTS

BUFFALO & ERIE COUNTY PUBLIC LIBRARY

ITEM 68 - (Comm. 9D1) Agenda for Meeting held 4/17/97 & Minutes of
Meeting Held 3/20/97.

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM ERIE COMMUNITY COLLEGE

Item 69 - (Comm. 9D-2) Notice of Time Change for Meeting Held
4/22/97.

FROM OFFICE FOR THE DISABLED

ITEM 70 - (Comm. 9D-3) Agenda for Council Meeting Held 4/25/97.

The above two items were RECEIVED & FILED.

FROM DEP

ITEM 71 - (Comm. 9D-4) SEQR - Solicitation for Lead Agency Status
-- Stahley Road, Town of Clarence.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM ERIE COUNTY MEDICAL CENTER

ITEM 72 - (Comm. 9D-5) -- Notice of Finance Meeting to be held
5/2/97.

RECEIVED & FILED.

FROM ERIE COMMUNITY COLLEGE

ITEM 73 - (Comm. 9D-6) Notice of Curriculum Committee Meeting to be
Held 5/14/97.

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

ITEM 74 - (Comm. 9D-7) Notice of Board of Trustees Meeting Held
4/30/97.

RECEIVED & FILED.

FROM HEALTH

ITEM 75 - (Comm. 9D-8) Notice of Board of health Meeting to be Held
5/6/97 & Minutes of Meeting Held 2/11/97.

Received and referred to the HEALTH/MENTAL HEALTH COMMITTEE.

FROM ERIE COMMUNITY COLLEGE

ITEM 76 - (Comm. 9D-9) Agenda for Board Meeting Held 4/30/97 & Minutes of Meeting Held 3/26/97.

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM HEALTH

ITEM 77 - (Comm. 9D-10) Quarterly Report for the Period 1/1/97 to 3/31/97.

Received and referred to the HEALTH COMMITTEE.

FROM ERIE COMMUNITY COLLEGE

ITEM 78 - (Comm. 9D-11) Board of Trustees Subcommittee meeting Minutes - 4/97.

ITEM 79 - (Comm. 9D-12) Board of Trustees Agenda & Minutes - Personnel Committee Meeting Held 4/23/97.

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

FROM DPW

ITEM 80 - (Comm. 9D-13) CMAQ Intersections - William Street, Town of Cheektowaga; Sweet Home Road, Town of Amherst & Hopkins Road, Town of Amherst.

ITEM 81 - (Comm. 9D-14) Agreement with NYSDOT for Right-of-Way Acquisition & Construction Inspection - New Road Bridge, Town of Amherst.

ITEM 82 - (Comm. 9D-15) Jewett Holmwood Road, Town of Aurora.

ITEM 83 - (Comm. 9D-16) Agreement with NYSDOT Construction, Construction Inspection & Supervision Phase - Two Rod Road, Town of Alden.

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

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES

WESTERN NEW YORK LAND CONSERVANCY

ITEM 84 - (Comm. 9M-1) Notice of Roundtable Discussion Held 4/22/97.

RECEIVED & FILED.

FROM TOWN OF AMHERST

ITEM 85 - (Comm. 9M-2) Certified Copy of Resolution Re: Opposition to Closing ECC's North Campus.

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM NFTA

ITEM 86 - (Comm. 9M-3) Two Cash Flow Statements for 4/1/97 - 3/31/98 (Projected) & 4/1/96 - 3/31/97 (Actual).

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

TOWN OF ALDEN

ITEM 87 - (Comm. 9M-4) Notice of Public Hearing Held 4/21/97 Re: Zoning Code in Town of Alden.

FROM NYS ASSEMBLYMAN SILVER

ITEM 88 - (Comm. 9M-5) Acknowledgement of Receipt of Resolutions.

ITEM 89 - (Comm. 9M-6) Acknowledgement of Receipt of Resolutions.

The above three items were RECEIVED & FILED.

FROM NYSDEC

ITEM 90 - (Comm. 9M-7) Fact Sheet - Osmose Wood Preserving, Inc.
Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

NYS ASSEMBLYMAN REYNOLDS

ITEM 91 - (Comm. 9M-8) Acknowledgement of Receipt of Resolutions.
RECEIVED & FILED.

NFTA

ITEM 92 - (Comm. 9M-9) Final Annual Operating & Capital Budget
for NFTA's Fiscal Year Ending 3/31/98.

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

BLUE CROSS SMALL ANIMAL CLINIC

ITEM 93 - (Comm. 9M-10) Copy of Letter to Legislator Fisher
Endorsing Concept of Dog & Cat Registration in Erie County.

Received and referred to the HEALTH/MENTAL HEALTH COMMITTEE.

FROM WILLIAM P. HART

ITEM 94 - (Comm. 9M-11) Copy of Letter to Comptroller Re: 1996 Year-End Reconciliation of Bed Tax.

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM US SENATOR D'AMATO

ITEM 95 - (Comm. 9M-12) Acknowledgement of Receipt of Resolutions.

RECEIVED & FILED.

NYSDEC

ITEM 96 - (Comm. 9M-13) Fact Sheet - Lehigh Industrial Park.

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM BROOME COUNTY LEGISLATURE

ITEM 97 - (Comm. 9M-14) Cert. Copy of Resolution Re: Support for Bills Adjusting Workers Comp. Benefits for Permanently Injured Vol. Firemen and Ambulance Workers.

Received and referred to the PUBLIC SAFETY COMMITTEE.

FROM NYS ASSEMBLYMAN ANDERSON

ITEM 98 - (Comm. 9M-15) Acknowledgement of Receipt of Resolution.

RECEIVED & FILED.

FROM NFTA

ITEM 99 - (Comm. 9M-16) NFTA/NFT Metro System Board Meeting Minutes.

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

FROM ACTION FOR MENTAL HEALTH

ITEM 100 - (Comm. 9M-17) Position paper on Managed Care Recipients of Mental Health Services.

Received and referred to the HEALTH/MENTAL HEALTH COMMITTEE.

FROM CITIZENS FOR A SOUND ECONOMY

ITEM 101 - (Comm. 9M-18) EPA Proposed New Clean Air Standards for Particulate Matter (PM and Ozone).

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM NYS ASSEMBLY

ITEM 102 - (Comm. 9M-19) Real Jobs for New Yorkers - The Assembly's Four Point Plan.

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

FROM AUDIT COMMITTEE FOR ERIE COUNTY

ITEM 103 - (Comm. 9M-20) Annual Report for Year Ended 12/31/95.

FROM ERIE COUNTY MUNICIPAL SERVICE CONSOLIDATION COMMITTEE

ITEM 104 - (Comm. 9M-21) Consolidation Report.

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

MEMORIAL RESOLUTIONS

ITEM 105 - Ms. PEOPLES moved that when this Legislature adjourns, it do so out of respect to the Memory of AGUSTINE OLIVENCIA, deceased. Mr. MARSHALL seconded.

CARRIED UNANIMOUSLY.

ITEM 106 - Ms. PEOPLES moved that when this Legislature adjourns, it do so out of respect to the memory of WILLIAM GAITER, deceased. Mr. MARSHALL seconded.

CARRIED UNANIMOUSLY.

ADJOURNMENT:

ITEM 107 - 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, May 15, 1997. Mr. MARSHALL seconded.

CARRIED UNANIMOUSLY.

The Chairman declared the Legislature adjourned until Thursday, May 15, 1997 at 2:00 P.M., Daylight Savings Time.

LAURIE A. MANZELLA
Clerk